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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

THURSDAY, JANUARY 27, 2011, 3:00 PM

1300 BEAUBIEN, ROOM 328-A

DETROIT, MICHIGAN

1 COMMISSIONERS:

- 2 GEORGE N. ANTHONY, Secretary
- 3 JEROME L. WARFIELD, Chairman
- 4 DONNELL R. WHITE, Commissioner
- 5 MICHAEL E. REEVES, Commissioner
- 6 TONEY A. STEWART, Commissioner

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8 DETROIT POLICE DEPARTMENT COMMAND STAFF:

- 9 CHIEF OF POLICE RALPH L. GODBEE, JR.
- 10 ASSISTANT CHIEF CHESTER LOGAN
- 11 DEPUTY CHIEF OF POLICE JAMES TOLBERT
- 12 DEPUTY CHIEF GAIL WILSON-TURNER

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1 Detroit, Michigan  
2 Thursday, January 27, 2011  
3 About 3:03 P.M.

4 COMMISSIONER WARFIELD: Good  
5 afternoon, ladies and gentleman. Welcome to the  
6 Board of Police Commissioners meeting. Today is  
7 Thursday, January the 27th. My name is Jerome  
8 Warfield, chairman of the Board of Police  
9 Commissioners.

10 Serving with me today is Commissioner  
11 Toney Stewart, Commissioner Reverend Michael  
12 Reeves, Commissioner Donnell White. Sitting in  
13 for the chief of police is Deputy Chief Tolbert  
14 and the chief certainly I believe is on his way.

15 We also have with us sitting at the  
16 table our secretary to the Board of Police  
17 Commissioners Mr. George Anthony.

18 I'm going to ask if he would introduce  
19 the staff from the Board of Police Commissioners.

20 COMMISSIONER ANTHONY: Thank you,  
21 Mr. Chair. George Anthony for the record  
22 through the Chair.

23 The staff members present are Ms. Celia  
24 Banks Washington who is our supervising -- our  
25 attorney supervising investigator, Ms. Dalph

1 Watson who is our Personnel director, Ms. Tina  
2 Orr who is our chief investigator over the Office  
3 of Chief Investigations and Mr. Robert Brown who  
4 is our office manager.

5 Also present are our recorders for  
6 today, Officer Terrence Bell and Mr. Dale Rose  
7 who is our court reporter from Hanson Court  
8 Reporting Service, and that's an introduction of  
9 our staff.

10 COMMISSIONER WARFIELD: Thank you,  
11 Mr. Anthony. I also want it to be noted for the  
12 record that we have been joined by Assistant  
13 Chief Chester Logan. Sir, good to have you.

14 ASSISTANT CHIEF LOGAN: Good to be  
15 here.

16 COMMISSIONER WARFIELD: At this time  
17 I'm going to ask if Pastor Grimmitt (sp) is  
18 available. Is he here today? Good afternoon,  
19 sir. Could you come to the podium and lead us in  
20 our invocation for today's meeting, sir.

21 PASTOR GRIMMITT (sp): Let's open our  
22 hearts in prayer. To the one God, all Creator,  
23 we give thanks for waking us up this morning with  
24 the knowledge that we all have been blessed with  
25 the responsibility and call to serve, share and

1 support and safeguard our city and the resources  
2 entrusted to us.

3 As we gather today, we give thanks for  
4 the opportunity to serve the city we love as we  
5 joyfully struggle during this time of growth and  
6 recovery.

7 In the midst of economic and social  
8 challenging times we continue, Lord, to ask for  
9 your guidance, but we believe in the sure and  
10 certain hope of a bright future for our city.

11 God, help us as we remember that we  
12 serve others. Although we may experience the  
13 pain and disappointment, we still fight for  
14 growth and change. We may also experience a  
15 frustration of uncertainty, but despite these  
16 stumbling blocks we ask you, Lord, for strength  
17 and determination to do what is right over what  
18 is expedient.

19 Give us all the ability to accept the  
20 uncomfortable truth with courage as we boldly  
21 attempt to better ourselves and our city by  
22 seeking the truth and building trust with clarity  
23 of wisdom and compassion and justice.

24 Allow us, Lord, to share and to do  
25 justice that is rooted in righteousness and not

1 in the interest of just us. Above all, dear  
2 Lord, help us today as we deal with those persons  
3 and issues that are troubling, grant us patience  
4 with those persons and those issues that on the  
5 surface seem to be unfocused and petty.

6 Help us all to give our best to each  
7 person who seeks our collective and individual  
8 counsel, our help and our relief.

9 May we serve all who hear and all who  
10 come in the same spirit in which you hear and  
11 attend to us. We ask all of this and we ask for  
12 all of this in the way in which we seek you, the  
13 one who is our Lord and our God, amen.

14 AUDIENCE: Amen.

15 COMMISSIONER WARFIELD: Thank you, sir,  
16 appreciate it. At the time I will entertain a  
17 motion to approve today's agenda with one change  
18 and that is under "Old Business" if we would  
19 entertain a spot under "Old Business" for the  
20 approval of the budget for the Detroit Police  
21 Department. Need a motion.

22 COMMISSIONER REEVES: So move.

23 COMMISSIONER WHITE: Second.

24 COMMISSIONER WARFIELD: Thank you.

25 It's been properly moved and seconded to approve

1 the agenda for today with the added change under  
2 Old Business. All those in favor?

3 COMMISSIONERS: Aye.

4 COMMISSIONER WARFIELD: All those  
5 opposed? Motion carried.

6 We'll also entertain a motion to  
7 approve the minutes from Thursday, January the  
8 13th meeting.

9 COMMISSIONER STEWART: So moved.

10 COMMISSIONER WHITE: Second.

11 COMMISSIONER WARFIELD: It's been  
12 properly moved and seconded. All those in favor?

13 COMMISSIONERS: Aye.

14 COMMISSIONER WARFIELD: All those  
15 opposed? The motion carries.

16 At this time, the agenda calls for the  
17 Chairperson's report. Certainly, we all have  
18 been touched by the events that have happened  
19 this week in regards to our officers being under  
20 attack and it is unfortunate that throughout this  
21 country, and especially this year, it seems like  
22 attacks on officers are becoming more and more  
23 common.

24 And I don't know if as a country if we  
25 are losing our moral compass or what the case

1 might be. However, I do appreciate the solid  
2 support that has come from citizens. I do  
3 appreciate the fact that officers even after this  
4 heinous crime was committed got up and went to  
5 work on the very next shift and reported for  
6 duty, and I thank the officers, I thank the  
7 citizens, I thank the command staff, the chief,  
8 the assistant chief and all of those who led us  
9 and even now are still leading us through the  
10 midst of this crisis.

11 It is our position as a board that  
12 certainly we want to look at this as a teaching  
13 moment, yes, even for us. We will be looking at,  
14 as I spoke with the chief earlier today, how we  
15 engage our citizens in the various precincts and  
16 districts that our citizens must visit.

17 Certainly from time to time and  
18 probably too often we do hear that some of our  
19 citizens are not addressed maybe for an half an  
20 hour, even for 45 minutes while in precincts.

21 I think for the safety of our officers  
22 and for the servicing of our citizens we will  
23 address and engage and look at the policy of  
24 engaging our citizens in an effort that we may  
25 improve the efficiency in which our citizens are



1 serviced, and at the same time improve the safety  
2 and the environment of safety for our officers as  
3 well.

4 Those of us who have had an opportunity  
5 to look at the actions that occurred on Sunday  
6 saw something that I believe none of us could  
7 have ever imagined. It was a barbaric, it was a  
8 bombastic, it was a demonic attack, that someone  
9 went in with the express intent to kill officers  
10 and that in our society can never be accepted and  
11 can never be the norm.

12 And so we thank God for the heroic  
13 efforts and for the outstanding training that  
14 those officers employed as an effort not only to  
15 protect themselves, but to protect others who are  
16 in that precinct. And certainly we sometimes we  
17 use the word "hero" a little bit too loosely in  
18 our society, but without question Commander  
19 Davis, Officer Anderson were the personification  
20 of hero.

21 To face that intruder -- I'll call him  
22 a terrorist -- who literally attacked that  
23 precinct that day and go toe to toe with him in  
24 an effort to preserve other lives who were there,  
25 that man -- those men are heroes as relates to

1 this crisis.

2 They are the standard bearers of how  
3 this city must stand up against any and every act  
4 of violence, not only in stations but throughout  
5 our community. We've seen citizen's groups  
6 answer the call of readiness when it comes to  
7 apprehending or at least getting tips in order  
8 that criminals may be apprehended and we must  
9 allow our righteous indignation to rise and be  
10 louder than those acts of disobedience in our  
11 society.

12 And if we as a community will continue  
13 to do that, then we will have a safer community.  
14 Regardless of how many officers are on our  
15 streets, if the citizens will come out, if the  
16 citizens will sit on the porch, if the citizens  
17 will turn in those who are responsible for these  
18 type of acts and stay engaged in the process, we  
19 will be partners and partners indeed as we fight  
20 crime throughout the city and really throughout  
21 this nation.

22 Because certainly this incident is not  
23 unique to Detroit. We are grateful to God or to  
24 whoever you may pray to that more lives were not  
25 lost with the exception of the perpetrator. We

1 are grateful to God that more injuries did not  
2 happen because that was a very devastating scene  
3 and a devastating event.

4 So in moving forward, we thank, again,  
5 the leadership of this department, we thank the  
6 steady hand of our chief of police, we thank his  
7 command staff who were present and on the scene  
8 and the officers who showed up to help and  
9 support as well or my fellow commissioners who  
10 broke their schedules that night and our staff to  
11 be with the officers and to let them know  
12 whatever we need to do to keep them safe in that  
13 environment, we will do everything possible to  
14 make sure that an environment of safety will take  
15 place.

16 And so having said that, I just again  
17 take my hat off to the men and women of the  
18 Detroit Police Department, to the command staff,  
19 to the chief, to the assistant chief, as well as  
20 to the citizens who have supported us getting  
21 through this situation. Thank you.

22 (APPLAUSE).

23 COMMISSIONER WARFIELD: At this time,  
24 Secretary, is there a report?

25 COMMISSIONER ANTHONY: No.

1 COMMISSIONER WARFIELD: Assistant  
2 chief?

3 ASSISTANT CHIEF LOGAN: Through the  
4 Chair, thank you for those kind words, sir. I  
5 just wanted to make one correction. That was  
6 Officer Jackson involved in that. Officer  
7 Anderson was the one who was shot in the head  
8 initially, so he went down.

9 I believe we have a presentation by  
10 Risk Management. Are we ready for that at this  
11 point?

12 COMMISSIONER WARFIELD: Yes, sir,  
13 absolutely.

14 ASSISTANT CHIEF LOGAN: And I just want  
15 to echo what you just said. We've gotten a lot  
16 of support from the community. It was gratifying  
17 to see members from the Board of Police  
18 Commissioners there that night.

19 I don't have to tell you how the scene  
20 looked because you were there, but sometimes  
21 during chaos when you look up and see a kind  
22 face, it means a lot, and it meant a lot to those  
23 officers.

24 I want to -- we can go around forever  
25 thanking people, but I just want to acknowledge

1 Commander Steve Doulant, he came in early. It  
2 was just happenstance that he was able to be  
3 there that night and he played a pivotal role in  
4 helping to lock down that scene and I just want  
5 to thank you for that, Steve. Thank you very  
6 much.

7 (APPLAUSE).

8 ASSISTANT CHIEF LOGAN: I'd also like  
9 to add that Commander Davis has been released  
10 from the hospital today. Officer Anderson, he's  
11 still there recovering.

12 As you know, two of the officers were  
13 released, the two sergeants that were shot, were  
14 released later on that evening.

15 But I've been to Vietnam, I've been on  
16 this police department for a number of years and  
17 I have never seen anything like that, never in my  
18 life.

19 The chief promised the media that they  
20 didn't have to do a Freedom of Information Act to  
21 get the tape from that. We hope to have it  
22 ready, Gail, today, to release to -- he wants the  
23 troops to see it, have access to it first and the  
24 media second, so when people -- and I'm certain  
25 it's going to be on TV, but it's just a 1 minute

1 and 8 seconds of total chaos, horror and heroics.

2 So that's all I have. Thank you so  
3 much.

4 COMMISSIONER WARFIELD: Thank you, sir.  
5 We have the Labor -- Risk Management.

6 CHIEF GODBEE: Good afternoon, Board.  
7 For the record, Chief Godbee. If you would allow  
8 me, I'm just going to let the AC sit in for me.  
9 I'll be here. I have a 4 o'clock meeting with  
10 the monitor, so I don't want to be disruptive to  
11 the meeting, so just to keep the flow of the  
12 meeting, I will be here if you have any  
13 questions.

14 COMMISSIONER WARFIELD: Thank you.

15 DEPUTY CHIEF WILSON-TURNER: Good  
16 afternoon, Board. DC Wilson-Turner, Risk  
17 Management Bureau, for the record.

18 This afternoon I'm going to have my  
19 officer in charge of Labor Relations give you a  
20 short presentation, but to introduce my Labor  
21 Relations staff I will have commanding officer of  
22 Legal Affairs introduce everyone.

23 Lieutenant -- what's your name now --  
24 Rivers?

25 (Laughter).

1                   LIEUTENANT RIVERS: Private joke. Good  
2                   afternoon. Lieutenant Robin Rivers. I am the  
3                   commanding officer of Legal Affairs.

4                   Legal Affairs encompasses three units.  
5                   Police Law, Disciplinary Administration and Labor  
6                   Relations. Today with us will be Sergeant  
7                   Kimberly Bennett. She is the officer in charge  
8                   of Labor Relations and will be presenting our  
9                   presentation. With us is also our labor team.

10                  Sergeant Kimberly Bennett, please stand  
11                  and approach. We have Sergeant David Dehem, we  
12                  have Sergeant Robert Winkler -- just raise your  
13                  hands, and Police Officer Heshma (sp) Green.

14                  You also had Sergeant Nancy Mumford who  
15                  served this department for 25 years and recently  
16                  retired and we have Lieutenant Mark Bliss who was  
17                  recently promoted, so we're down by two officers  
18                  in our unit.

19                  SERGEANT BENNETT: Good afternoon. For  
20                  the record, Sergeant Kimberly Bennett. I'm the  
21                  officer in charge of labor Relations, Assistant  
22                  Chief.

23                  I'm going to talk briefly about some of  
24                  the primary functions of Labor Relations. The  
25                  primary function of Labor Relations is in the

1 administration of three collective bargaining  
2 units covering sworn members in the following  
3 bargaining units:

4 Detroit Police Officers Association  
5 which is also known as the DPOA; Detroit Police  
6 Lieutenants and Sergeants Association which is  
7 also known as DPLSA and Detroit Police Command  
8 Officers Association, which is known as the  
9 DPCOA.

10 Labor Relations has four major  
11 responsibilities: research, advising, review and  
12 representation. Research is a very important  
13 part of Labor Relations function. Typically  
14 Labor Relations will research contractual  
15 provisions, prior arbitration decisions, court  
16 decisions, department files and any other  
17 resource that may contain information that  
18 supports the department's position in a labor  
19 dispute.

20 In addition, we advise, we advise our  
21 department execs, our supervisory staff on labor  
22 matters confronting them. Their primary task  
23 involves identifying, interpreting applicable  
24 contractual provisions to determine an  
25 appropriate response or action to be taken.



1                   In addition, we do reviews. Labor  
2                   Relations is responsible for ensuring that the  
3                   department adheres to the regulations governed by  
4                   the enforcement of the Fair Labor Standards Act  
5                   as set forth by the Department of Labor.

6                   To ensure this, Labor Relations reviews  
7                   the polices and procedures and they make the  
8                   appropriate recommendations.

9                   And last but not least, we represent  
10                  the department in all labor matters involving the  
11                  three collective bargaining units.  
12                  Representation includes, but is not limited to  
13                  assisting the department's legal counsel with the  
14                  preparation of cases brought to arbitration,  
15                  providing expert testimony during arbitration and  
16                  preparing responses to grievances brought against  
17                  the department by the respective bargaining  
18                  units.

19                  Any questions?

20                  COMMISSIONER WARFIELD: Thank you. Any  
21                  questions from the Commission? I just have a  
22                  few, especially as it relates to representation  
23                  of officers as relates to arbitration and other  
24                  matters.

25                  If by chance an officer is charged

1 and/or -- accused and/or charged with a felony  
2 act, are you all still involved in that?

3 SERGEANT BENNETT: Yes.

4 COMMISSIONER WARFIELD: You still  
5 represent them?

6 SERGEANT BENNETT: Well, we work -- we  
7 represent the department, we represent the  
8 department.

9 COMMISSIONER WARFIELD: Okay, that  
10 answers my other questions. Any other questions?  
11 Thank you, Sergeant Bennett, appreciate your  
12 time.

13 SERGEANT BENNETT: Thank you.

14 COMMISSIONER WARFIELD: At this time  
15 I'm going to ask if Commissioner White would read  
16 the grants that have been requested from the  
17 department that we approve.

18 COMMISSIONER WHITE: As relates to the  
19 request to apply for the "Solving Cold Cases with  
20 DNA Program" from the United States Department of  
21 Justice.

22 The United States Department of  
23 Justice, Office of Justice Programs, National  
24 Institute of Justice, is seeking applications for  
25 funding under the "Solving Cold Cases with DNA

1 Program."

2 Local governments are eligible to apply  
3 for an amount to be determined with no cash match  
4 for a program where the mission is to identify,  
5 review and investigate Uniform Crime Report (UCR)  
6 Part 1, Violent Crime "cold cases" that have the  
7 potential to be solved through DNA analysis and  
8 to locate and analyze biological evidence  
9 associated with these cases.

10 The Detroit Police Department's  
11 Homicide's Cold Case Unit has been provided with  
12 the application instructions and is currently  
13 developing a program to fit the guidelines of the  
14 grant.

15 The majority of the funding requested  
16 would be utilized to cover the expense of  
17 overtime for the officers assigned to the  
18 Homicide Cold Case Unit. In addition, funds will  
19 be requested for investigative travel, laboratory  
20 equipment, computer equipment, supplies and  
21 training.

22 In the event that approval is granted  
23 to apply and the award is received, Sergeant  
24 Michael Russell of Homicide's Cold Case Unit will  
25 serve as the project director. The deadline for

1 this application is March 8, 2011.

2 With that being said, I will put forth  
3 a motion to approve the request to apply.

4 COMMISSIONER REEVES: I make a motion  
5 that the department move forward with the board  
6 approval.

7 COMMISSIONER STEWART: Second.

8 COMMISSIONER WARFIELD: It's been  
9 properly moved and seconded that we approve the  
10 department to move forward with this grant  
11 request.

12 All those in favor?

13 COMMISSIONERS: Aye.

14 COMMISSIONER WARFIELD: All those  
15 opposed? Motion carries. Thank you, sir. Next  
16 grant, please.

17 COMMISSIONER WHITE: As it relates to  
18 the request to accept a "2011 Electronic Crash &  
19 Submission Grant" from the Michigan Office of  
20 Highway Safety Planning (OHSP).

21 The Michigan Office of Highway Safety  
22 Planning has awarded the Detroit Police  
23 Department (DPD) a "2011 Electronic Crash Capture  
24 & Submission Grant" in the amount of \$273,977  
25 with no cash match. The grant period will run

1 from December 17, 2010 through September 30, 2011  
2 and the grant number is TR11-14.

3 The Detroit Police Department will be  
4 working collaboratively with a contracted vendor,  
5 iyeTek, and Michigan State Police to improve  
6 DPD's electronic crash reporting system.

7 As a result of this project, it is  
8 anticipated that there will be a decrease in the  
9 number of errors in our an UD-10 accident  
10 reports, thereby increasing the accuracy of data  
11 provided to the State. Within the grant,  
12 training and equipment will be provided to DPD  
13 officers.

14 If permission is granted to accept this  
15 award, Lieutenant Tonya Golfin of Technical  
16 Support will serve as the project director. The  
17 appropriation number for this grant is 13343.

18 I'm requesting the Board's permission  
19 to accept this funding and seek approval of the  
20 Honorable Detroit City Council.

21 COMMISSIONER REEVES: Make a motion to  
22 ask the department to move forward with approval  
23 of the Board.

24 COMMISSIONER STEWART: Second.

25 COMMISSIONER WARFIELD: It's been

1 properly moved and seconded. I do have a  
2 question. Is there someone that can speak for  
3 this grant?

4 Can you come to the podium for a  
5 second, please, ma'am?

6 I'm sorry, for the record, your name?

7 LIEUTENANT GULFIN: Lieutenant Tonya  
8 Gulfin, Technical Support.

9 COMMISSIONER WARFIELD: Thank you for  
10 coming to the podium. It appears just on the  
11 face and it must be much deeper than this, that  
12 this grant is for correct data entry or more  
13 efficient data entry?

14 LIEUTENANT GULFIN: More efficient and  
15 accurate, yes.

16 COMMISSIONER WARFIELD: What are the  
17 issues now because this is a huge grant for  
18 somebody to start typing right?

19 LIEUTENANT GULFIN: Well, right now as  
20 far as the accident report, everything is manual.  
21 The officers fill out all the information with  
22 pencil, pen and when we have humans involved, you  
23 have error.

24 COMMISSIONER WARFIELD: Well, that  
25 makes it much clearer. So we're moving from a

1 paper system to an automated system?

2 LIEUTENANT GULFIN: Yes, sir.

3 COMMISSIONER WARFIELD: Great, got you.

4 Thank you, appreciate it. Any other questions?

5 Thank you.

6 All those in favor of accepting the

7 department moving forward with this, say aye.

8 COMMISSIONERS: Aye.

9 COMMISSIONER WARFIELD: All those  
10 opposed? Motion carries.

11 COMMISSIONER WHITE: As it relates to  
12 the request to apply for the "Intellectual  
13 Property Crime Enforcement Program Fiscal Year  
14 2011 Competitive Grant" from the United States  
15 Department of Justice.

16 United States Department of Justice,  
17 Office of Justice Programs, Bureau of Justice  
18 Assistance, is seeking applications for funding  
19 under the "Intellectual Property Crime  
20 Enforcement Program Fiscal Year 2011 Competitive  
21 Grant Announcement." Local governments are  
22 eligible to apply for up to \$200,000 with no cash  
23 match.

24 The specific focus of this program is  
25 criminal investigation, prosecution, prevention

1 and education as it relates to intellectual  
2 property enforcement. Specifically, this  
3 solicitation will fund efforts to:

4 1. Enforce criminal laws related to  
5 intellectual property crime, including the  
6 reimbursement of expenses incurred in performing  
7 criminal enforcement operations, such as overtime  
8 payments and storage fees for seized evidence.

9 2. Educate the public to prevent,  
10 deter and identify criminal violations of  
11 intellectual property laws.

12 3. Establish or expand existing task  
13 forces to conduct investigations and forensic  
14 analysis of evidence and prosecutions in matters  
15 involving criminal laws related to intellectual  
16 properly crime.

17 4. Assist state, local and tribal law  
18 enforcement officers and prosecutors in acquiring  
19 computer and other equipment to conduct  
20 investigations and forensic analysis of evidence  
21 in matters involving criminal laws related to  
22 intellectual property crime.

23 5. Provide training and technical  
24 assistance and services in the prevention and  
25 enforcement (including prosecution) of



1 intellectual property and closely related crime,  
2 including where such crimes are perpetrated via  
3 electronic means.

4 The Detroit Police Department's  
5 Criminal Investigations Bureau (CIB) has been  
6 provided with the application instructions and is  
7 currently developing a program to fit the  
8 guidelines of the grant. CIB with assistance  
9 from Grants and Contracts will submit an  
10 application seeking the maximum amount of  
11 \$200,000.

12 In the event that approval is granted  
13 to apply and the award is received, Commander  
14 Robert Ennis would serve as the project director.  
15 The deadline for this application is February 10,  
16 2011.

17 I am requesting the board's permission  
18 to apply for this funding and seek approval of  
19 the Honorable Detroit City Council.

20 COMMISSIONER REEVES: I make a motion  
21 that the department move forward on this grant  
22 with permission of the Board.

23 COMMISSIONER STEWART: Second.

24 COMMISSIONER WARFIELD: It's been  
25 properly moved and seconded that the department

1 moves forward with the grant with the Board's  
2 approval.

3 All those in favor?

4 COMMISSIONERS: Aye.

5 COMMISSIONER WARFIELD: All those  
6 opposed? Motion carries. Thank you, gentlemen.

7 At this time, our agenda calls for old  
8 business and we want to look at the issue of the  
9 department's budget.

10 As you all know, we have reviewed the  
11 budget from the department. I certainly want to  
12 thank the chief of police, the assistant chief,  
13 Deputy Chief Tolliver, other deputy chiefs and  
14 our staff and the commissioners who actually sat  
15 down and reviewed the budget and answered all of  
16 our questions in regards to the issues that we  
17 had with the budget.

18 We go in front of respective budget  
19 committees -- I'm sorry, the Budget Committee,  
20 next week in order -- in an effort to talk about  
21 our individual budget, the budget for the Board  
22 and the budget for the department.

23 In doing that, we want to approve the  
24 budget with the caveat of offering ideas and  
25 suggestions for the City to save money. We do

1 understand that the City is entering into this  
2 budget period with about \$150 million deficit and  
3 in an effort to try and bring that dollar amount  
4 down, we want to certainly as a department do our  
5 very best to make sure that we do not exacerbate  
6 the deficit in the city of Detroit.

7 Having said that, we believe that there  
8 are several areas within the Detroit Police  
9 Department budget that needs to be reviewed by  
10 the mayor and by the City Council in an effort to  
11 look for savings, starting with the Board of  
12 Police Commissioners.

13 We have in the budget slated for 11 new  
14 positions for investigators and certainly we are  
15 certainly in desperate need of investigators and  
16 we need that in order to live up to our  
17 responsibility for the Consent Decree.

18 However, we do believe that we can live  
19 up to our obligations of the Consent Decree with  
20 eight new investigators and not 11. So one of  
21 the things we will ask for is a reduction from 11  
22 new investigators to eight which will allow us to  
23 be at, we believe, a level that will allow us to  
24 carry out our policies.

25 In addition to that, we will ask the

1 mayor and the City Council to look at those  
2 contracts, especially those lease contracts, that  
3 are supposed to expire in the year 2012 as  
4 further savings because a lot of those buildings  
5 will be folded into the new police headquarters  
6 that would be opened, so we'll ask the mayor and  
7 City Council to look at those areas as well.

8 In addition to that we believe that  
9 there are other areas throughout the budget,  
10 especially the big whopping \$42 million increase  
11 in benefits that hopefully will be negotiated a  
12 little bit better in order to look for further  
13 savings.

14 And one of the reason that we say this  
15 -- certainly Gary Brown mentioned it at our  
16 meeting, but we saw for ourselves that in the  
17 last quarter of 2010 the City of Detroit paid out  
18 over \$10 million in lawsuits at the hands of --  
19 that were filed against the police department.

20 If we extrapolate that -- and we don't  
21 know if it's a consistent number -- but if we  
22 extrapolate that over the year we're looking at  
23 almost \$40 million if we can extrapolate that  
24 that far potential, but bare minimum you know  
25 there's at least \$10 million that was paid out.

1                   We have to do our part to make sure  
2                   that we are holding ourselves accountable to stay  
3                   within our budgetary means and our budgetary  
4                   confines. So as a result of that, we're going to  
5                   ask the mayor and the City Council to look into  
6                   those areas as well as making sure that from a 10  
7                   percent cut of executives that certainly our  
8                   staff and the staff that are supposed to receive  
9                   that cut receive the full 10 percent cut as well  
10                  in an effort again to make sure that our fiscal  
11                  house stays in order.

12                  So having said that, we will prepare a  
13                  memo asking that the mayor and the City Council  
14                  look at those areas as potential savings for the  
15                  Detroit Police Department, but I will entertain a  
16                  motion to approve the budget as it was presented  
17                  to us with a memo outlining those areas of  
18                  potential savings.

19                  COMMISSIONER WHITE: So moved.

20                  COMMISSIONER REEVES: Second.

21                  COMMISSIONER WARFIELD: It's been  
22                  properly moved and seconded. Is there any  
23                  discussion on that from the commissioners? Any  
24                  discussion? Hearing or seeing none, all those in  
25                  favor of approving the budget with the memo

1 attached, please say aye.

2 COMMISSIONERS: Aye.

3 COMMISSIONER WARFIELD: All those  
4 opposed? Motion carries unanimously.

5 At this time I want to announce that  
6 our next meeting will be February 3, 3 o'clock PM  
7 here at Police Headquarters, 1300 Beaubien. I  
8 certainly look forward to seeing you here.

9 At this time our agenda calls for oral  
10 communications. If you wish to address --

11 COMMISSIONER ANTHONY: If I may,  
12 Mr. Chair.

13 COMMISSIONER WARFIELD: I'm sorry, let  
14 me go back because we need to deal with  
15 suspension without pay issues.

16 COMMISSIONER ANTHONY: Yes, sir. For  
17 the record, George Anthony through the Chair.

18 These are suspensions without pay  
19 recommendations from the chief's office that were  
20 addressed last Thursday. One commissioner was  
21 not available at the time and so I would like to  
22 read these into the record for his benefit that  
23 he may vote on it or so.

24 The Board of Police Commissioners from  
25 the chief of police, suspension without pay of

1 Police Officer Tabia Tabb, Badge 3932, assigned  
2 to the Eastern District.

3 The facts are these:

4 On May 11, 2010 at approximately 1 AM  
5 Police Officers Tabia Tabb, Badge 3932, and  
6 Monique Schwartz, Badge 3796, both assigned to  
7 the Eastern District, received a police run to  
8 11400 Somerset, Detroit, Michigan to assist an  
9 EMS unit and to investigate underage drinking.

10 Police Officer Shane Palmer, Badge  
11 1070, and Aaron Kraszewski, Badge 684, assigned  
12 to the Eastern District, arrived to the scene as  
13 backup.

14 During the investigation Officer Palmer  
15 encountered a citizen who smelled of intoxicants  
16 seated in the driver's seat of a vehicle.  
17 Officer Palmer advised the citizen not to operate  
18 the motor vehicle. Prior to leaving the scene  
19 Officer Palmer advised Officer Tabb about the  
20 citizen.

21 Shortly after leaving the scene Officer  
22 Palmer observed the citizen driving the  
23 aforementioned vehicle westbound on Moross with  
24 Officer Tabb following in her scout car.

25 Officer Palmer initiated a traffic stop

1 of the citizen. However, when Officer Palmer  
2 approached the vehicle Officer Tabb began to yell  
3 at him that it was her investigation and her  
4 discretion.

5 Officer Tabb advised the citizen to  
6 keep her car window up and instructed the citizen  
7 to drive away. The citizen obeyed Officer Tabb's  
8 instruction and kept driving. Both scout cars  
9 followed her.

10 Ultimately the citizen stopped in front  
11 of her residence. Officer Palmer again attempted  
12 to conduct an investigation for operating while  
13 impaired, but Officer Tabb blocked him with her  
14 arms and pushed him, allowing the citizen to flee  
15 inside the residence.

16 Once the citizen was inside the  
17 residence Officer Tabb and her partner left the  
18 location. Officer Palmer and Kraszewski called  
19 for a supervisor and Sergeant Laura Stanton,  
20 Badge S-531, of the Eastern District arrived at  
21 the location and assisted in getting the citizen  
22 out of the residence.

23 Officer Palmer and Kraszewski conducted  
24 a field sobriety test which the citizen failed  
25 and a preliminary breath test or PBT which



1 resulted in a blood-alcohol content of 0.157.

2 The citizen was ultimately arrested and  
3 conveyed to the Eastern District where she was  
4 administered a Breathalyzer Data Master which  
5 resulted in a blood-alcohol content level of  
6 0.15 and 0.14.

7 On the same date, Officer Palmer  
8 completed a Crestnet (sp) report documenting the  
9 conduct of Officer Tabb.

10 On June 3, 2010 this matter was  
11 forwarded to Internal Affairs for investigation.  
12 Officer Palmer, Kraszewski and Schwartz gave  
13 statements which confirmed that the incident  
14 occurred.

15 Subsequently, the citizen corroborated  
16 that Officer Tabb allowed her to drive and  
17 assisted in allowing her to evade arrest. The  
18 citizen's uncle also stated that Officer Tabb  
19 advised him that his niece and her friends had  
20 been drinking and that he should talk to them.

21 The citizen's uncle further stated that  
22 he felt it was poor judgment by the officers to  
23 allow his niece to drive.

24 On August 25, 2010 writer submitted an  
25 investigator's support naming Officer Tabb as the

1 Defendant to Wayne County Assistant Prosecutor  
2 Robert Donaldson. On January 4, 2011 APA or  
3 Assistant Prosecuting Attorney Michael Woodard  
4 signed the investigator's report recommending  
5 that Officer Tabb be charged with two felony  
6 counts of obstruction of justice and one  
7 misdemeanor count of willful neglect of duty,  
8 public officer.

9 On this same date Magistrate William  
10 Anderson, III of the 36 District Court signed  
11 Felony Warrant No. 11055116 for the recommended  
12 charges. Also on this date Internal Affairs  
13 suspended Officer Tabb at the Eastern District as  
14 she reported for on-duty roll call.

15 On January 5, 2011, Officer Tabb turned  
16 herself in to Internal Affairs at the 12th  
17 Precinct where she was processed. On the same  
18 date Officer Tabb was arraigned before Magistrate  
19 Anderson. She entered a plea of not guilty and  
20 was released on \$5,000 personal bond.

21 The preliminary examination was  
22 scheduled for January 14, 2011. Based upon the  
23 above facts and circumstances it is recommended  
24 that Officer Tabb be charged with but not limited  
25 to the following violation of department rules

1 and regulations.

2 Charge: Conduct unbecoming an officer  
3 contrary to the Law Enforcement Code of Ethics,  
4 this being in violation of the 2003 Detroit  
5 Police Department Manual Series 100, Directive  
6 102.3-7.9, conduct unprofessional command 1.

7 Due to the seriousness of the conduct,  
8 the chief of police is requesting the Board's  
9 concurrence with the suspension of Officer Tabb  
10 without pay effective January 20, 2011 and unless  
11 contravened by this Board the suspension without  
12 pay will stand.

13 COMMISSIONER WARFIELD: The suspension  
14 without pay will stand.

15 COMMISSIONER ANTHONY: The second  
16 suspension without pay the chief has addressed to  
17 the Board is that of Police Officer Keith  
18 McCloud, Badge 3739, assigned to Narcotics.

19 On April 6, 2010 Internal Affairs  
20 received information from the Detroit Field  
21 Office of the Federal Bureau of Investigation  
22 that Officer McCloud was possibly involved in  
23 mortgage frauds committed within the city of  
24 Detroit.

25 A property tax search conducted on

1 Officer McCloud revealed that between January,  
2 2005 and February, 2007 he purchased 13  
3 properties in the city of Detroit. The total  
4 amount of the properties purchased by Officer  
5 McCloud was \$1,076,500. This information was  
6 confirmed by the FBI.

7 The FBI discovered through a series of  
8 through a review of real estate documents and  
9 bank records that Officer McCloud received  
10 illegal payments from the sellers for each of the  
11 13 real estate transactions. The payments range  
12 from \$3,000 to \$10,000.

13 It was also discovered that Officer  
14 McCloud lied on bank loan applications and  
15 submitted fictitious documents. It should be  
16 noted that all the properties purchased by  
17 Officer McCloud have been foreclosed or are  
18 currently in foreclosure.

19 On October 28, 2010 the FBI interviewed  
20 Officer McCloud at his residence. During the  
21 interview Officer McCloud indicated that he  
22 approached a former Detroit police officer who  
23 asked him about buying rental property. The  
24 former officer stated he had some rental  
25 properties for sale and was willing to sell them

1 to Officer McCloud.

2 The former officer instructed Officer  
3 McCloud to provide him with copies of his  
4 paycheck stubs, W-2s and other documents and that  
5 the former officer would take care of the  
6 financing. According to Officer McCloud they  
7 never discussed the purchase price of the home or  
8 the terms of the financing.

9 The former officer told Officer McCloud  
10 that he would pay him \$5,000 when the home  
11 closed. Subsequently Officer McCloud received  
12 \$5,000 for a property at 12142 Mendon and \$10,000  
13 for a property at 14244 Rochelle. It should be  
14 noted that the former officer is currently  
15 incarcerated in federal prison for mortgage  
16 fraud.

17 Also, during the interview Officer  
18 McCloud advised that he met several people in the  
19 real estate field and he purchased properties  
20 from them in the same manner as the  
21 aforementioned real estate deals.

22 Officer McCloud admitted to receiving  
23 payments (kickbacks) after each of the closings.  
24 Following the purchase of the property officer  
25 McCloud stated that he would make a couple of

1 mortgage payments and then stop paying.

2 The FBI showed Officer McCloud a  
3 uniform residential loan application or URLA that  
4 he had filled out for a property located at 14511  
5 Wilshire. It is documented he earned \$8,100 in  
6 rental income and had an account balance of  
7 \$56,220 at the T&C Federal Credit Union.

8 Officer McCloud admitted that the  
9 information was false. The officer also was  
10 shown several other URLA applications and he  
11 admitted they contained false information.

12 On December 9 at the United States  
13 Eastern District Court in Detroit Officer McCloud  
14 was indicted by a federal grand jury charging him  
15 with three felony counts of bank fraud, violation  
16 of Title 18 USC 1344 and one felony count of  
17 conspiracy to commit wire fraud, violation of  
18 Title 18 USC Section 1349 resulting in the  
19 issuance of felony criminal complaint Number  
20 10-CR-20743.

21 On December 16, 2010 Police Officer  
22 Keith McCloud, Badge 3739 assigned to Narcotics  
23 was charged with three felony counts of bank  
24 fraud in violation of Title 18 USC Section 1344,  
25 one felony count of conspiracy to commit wire

1 fraud, a violation of Title 18 USC Section 1349.

2 On December 16, 2010 the officer was  
3 suspended by the department. On December 17 at  
4 the U.S. District Court in Detroit he was  
5 arraigned before Magistrate Mona Majzoub and  
6 issued a \$10,000 unsecured personal bond.

7 It is recommended by the chief that he  
8 be charged with the following: Conduct  
9 unbecoming an officer contrary to the Law  
10 Enforcement Code of Ethics, this being in  
11 violation of the 2003 Detroit Police Department  
12 Manual Series 100, Directive 102.3-7.9, conduct  
13 unprofessional command 1, and the chief of police  
14 Ralph L. Godbee, Jr recommends the Board's  
15 concurrence and suspension without pay.

16 Unless the Board contravenes, the  
17 recommendation, the suspension without pay, will  
18 stand.

19 COMMISSIONER WARFIELD: The suspension  
20 without pay will stand. Thank you, sir.

21 At this time we will enter into oral  
22 comments. If you wish to address the Board of  
23 Police Commissioners you may come to the podium,  
24 give us your name and state your case as they  
25 say. We ask that we abide with our 4-minute time

1 limit.

2 MR. SCOTT: Ron Scott, Detroit  
3 Coalition Against Police Brutality. Pastor  
4 Warfield, I echo the statements you made at the  
5 beginning of the meeting.

6 And Assistant Chief Logan, if you look  
7 back on your cell phone you'll see that I called  
8 you that day. I was not able to reach you for  
9 obvious reasons, but I wanted to reach out to you  
10 at that particular point. I hope I dialed the  
11 right number -- at any rate.

12 But at any rate -- but you probably had  
13 so many calls until it was probably not one that  
14 could have probably gotten through at that point,  
15 but I just wanted to tell you that on the record.

16 I do want to say that in our other  
17 framework of the Coalition Against Police  
18 Brutality we have a program which Pastor Warfield  
19 is familiar with called Peace Zones for Life and  
20 I think this is a time, and we're stating this  
21 now, that the coalition very soon is going to be  
22 doing some major things related to the whole  
23 framework of not just reducing violence, but  
24 promoting peace.

25 And so within that context we invite



1 those in this room to join us in that prospect  
2 because I suggested to Pastor Warfield that we  
3 talk about what circumstances could we do before  
4 situations like this happen, how can we not  
5 necessarily always predict what people might do,  
6 but we certainly can figure out what we might do  
7 as a community in terms of how we deal with the  
8 circumstances that, in some cases, find their way  
9 into our living rooms on television and in  
10 newspapers in terms of the violence that's  
11 rendered.

12 So I'm just suggesting that we look at  
13 a mandate in terms of -- at one time police  
14 officers were referred to as peace officers, so  
15 I'd like to get back to that particular component  
16 again and so I'm suggesting that you join with us  
17 in terms of what we do in terms of Peace Zones  
18 for Life activity. I got you -- two minutes.

19 And then the other thing I wanted to  
20 ask was about the monitor's presence here in the  
21 city. I had asked at the last meeting -- or not  
22 the last meeting because I wasn't at the last  
23 one, the time before last -- whether or not the  
24 monitor will be available specifically to  
25 citizens.

1 I know we had filed a motion to  
2 intervene on behalf of the citizens and also  
3 mentioned to the Police Commission and the City  
4 Council in that some four years ago and that had  
5 not been honored by the Court. But we still have  
6 the same concerns that we have to have the voice  
7 of citizens involved in that if we're ever going  
8 to really move to get a full handle on the issues  
9 in the Consent Decree, as you said, \$10 million  
10 in lawsuits and so forth.

11 And we see ourselves as in terms of  
12 what we do aiding in the resolution, shall I say  
13 the diminishment of some of those be serving in  
14 somewhat of a watchdog capacity. So within that  
15 context I would hope that the monitor would want  
16 to meet with us and that we can move to do that  
17 since they're here in town.

18 I don't know -- I've seen the monitor,  
19 I've seen him on occasions, but I think he needs  
20 to be -- and his group at bodies like this where  
21 people can ask them questions, where they can  
22 discuss matters and that it not be like an  
23 aberration passing through the night. Thank you.

24 COMMISSIONER WARFIELD: Thank you,  
25 Mr. Scott, for your comments. Stay there one

1 second because actually I met with the monitors  
2 right before coming here to this meeting and I  
3 asked them that very question about the  
4 opportunity to have a public forum and be  
5 present.

6 And it did pose some legal problems  
7 because of the position that they're in being an  
8 extension of the Federal Court, and -- but  
9 however, certainly is willing to come and to  
10 address the Chair as relates to the process and  
11 the progress of the Consent Decree and the fact  
12 that we either are or are not hitting the targets  
13 that have been set out, so we are in the process  
14 of doing that.

15 There's also the issue of him becoming  
16 -- the media, there's an issue with the media and  
17 his role where he does not want to become a  
18 so-called media figure so to speak, and I  
19 probably just misinterpreted what he said, but --  
20 so there are some things that we can work out.

21 But we did discuss that today and we  
22 will work something out where he can come and  
23 address and update the committee through the  
24 Chair what the progress has been and certainly in  
25 the forum like this, the committee or the

1 community can talk to the Board and express what  
2 real concerns that the community might have as  
3 relates to progress or lack thereof as relates to  
4 the Consent Decree.

5 MR. SCOTT: Well, I'm not so much  
6 concerned as I am -- I am obviously concerned  
7 about the progress, but I'm really more concerned  
8 about a philosophical framework and a cultural  
9 context wherein individuals who are paid millions  
10 of dollars to not see themselves as -- by the  
11 citizens of the city the Detroit as responsible  
12 and responsive to come before that body and there  
13 was a monitor who's been much maligned because  
14 she took a lot of money and was not available.

15 I have to say that that particular  
16 monitor who was maligned met with us and it was  
17 privately done, but met with the community too.

18 And I think that in this circumstance  
19 the very least -- he doesn't have to become a  
20 media figure. Chief Warshaw knows all too well  
21 that if he wishes to make statements he can make  
22 a statement on behalf of the Court or on behalf  
23 of his position without necessarily compromising  
24 what it is, but I just think the presence, the  
25 mere presence would lend clarity, would lend

1 seriousness to what citizens have wanted.

2 And I feel very -- on a personal level  
3 -- offended because it was we in the -- amongst  
4 the citizens who asked for an involvement to try  
5 to provide reform to the department and then now  
6 we have to stand on the outside looking in.

7 And I compared this once again and I  
8 told -- the judge in the case earlier said this  
9 is very very problematic and if you don't have  
10 this citizens saying anything, even if you bring  
11 them here to the man who's getting the money, to  
12 the people that the City of Detroit is paying,  
13 then I don't think we'll have a cultural shift.

14 We talked about cultural shift within  
15 the department. I think some of the men and  
16 women in the department are interested in making  
17 a cultural shift, but we have to make the  
18 cultural shift in terms of how they report to us  
19 about what they do.

20 COMMISSIONER WARFIELD: Okay, thank  
21 you, sir. I hear you loud and clear, but we'll  
22 definitely work something out.

23 MR. DAVIS: Good evening. My name is  
24 Elder Anthony Davis, Sr from AC Towing. My hat  
25 goes off to the Detroit Police Department. I

1 pray for the Detroit Police day and night, Board  
2 of Commission, City of Detroit, even the State of  
3 Michigan.

4 I have family members that are police  
5 officers. I have some that have retired and I  
6 love this great city. You know, I came before  
7 the board talking about Tow West and Tow East and  
8 nowadays on a Tow West they just said that we only  
9 can tow in the precinct that we tow for.

10 Two weeks ago I had told you that my  
11 driver was sent on a call and we had called  
12 dispatch about a car, and then they called us  
13 back and said Tow West is not working.

14 That was the young man they found dead  
15 in the car, that car was there two weeks ago that  
16 my driver that found, you know.

17 We live in that neighborhood and we're  
18 real close in the neighborhood and they call us  
19 and if they see something suspicious, they call  
20 us and we said we can't touch it, we have to call  
21 dispatch, which my driver did. He was on the  
22 news.

23 And I believe the young man's name was  
24 Jim Mullen that they found dead in the car. That  
25 was the car that we couldn't recover. We called

1 and they didn't have nobody Tow West was working.

2 There's a lot of things that AC Towing  
3 do in the community and then if we see something  
4 wrong, we reports it and it seems like we get the  
5 short end of the stick. Now they say we're only  
6 -- first they said we can tow in Tow West. We  
7 usually stay in Central District where my  
8 business located at, we do 10 and 12.

9 Now, there's a company that can tow all  
10 over the city, but now they just handcuffed us  
11 only in 10 and 12. It seems like same business,  
12 they just move it around, you know, just tighten  
13 up because there's a lot of mens that I know that  
14 tow for the tow company that's not going to go in  
15 that area because they scared. We not scared.  
16 God didn't give me the power of fear, but the  
17 power in the Holy Ghost. See, I'm not scared of  
18 the human race. Some men are and some is not.

19 When we see strange things, we look  
20 into it, we call, but the results, it seems like  
21 another tow company gets it or we don't even get  
22 it, our hands are tied.

23 COMMISSIONER WARFIELD: I know that,  
24 Elder Davis, last week you had brought us some  
25 concerns regarding Tow East and Tow West and I

1 know that Deputy Chief Tolbert at that time said  
2 that they're working on a new system and if we  
3 can get an update from that, plus if maybe Deputy  
4 Chief Tolbert through the assistant chief it's  
5 okay, if you can maybe address his concern as it  
6 relates to the car that was on the east side or,  
7 better yet -- on the west side, but being told  
8 that he only could tow in the precinct where he's  
9 located in.

10 So if you can allow him to come up,  
11 he's right behind you.

12 DEPUTY CHIEF TOLBERT: Good afternoon,  
13 Deputy Chief Tolbert. In regards to the --  
14 what's going on, tomorrow the SOPs are due from  
15 the various aban officers which will allow us to  
16 now sit down and develop a city-wide process in  
17 the towing procedures.

18 As to the rules, I'm understanding that  
19 you were told what now, that you would not tow  
20 outside of the district in which your business  
21 resides?

22 MR. DAVIS: Yeah because we found four  
23 cars -- I'm in Central District. They said we  
24 couldn't get it.

25 DEPUTY CHIEF TOLBERT: You couldn't get



1           them at all or you weren't up?

2                       MR. DAVIS:    No, no, I'm not talking  
3           about in rotation.  I'm talking the cars that my  
4           drivers found.  You know, they seen a stolen  
5           vehicle and a vehicle or the neighbors will call  
6           us, then we're called and they say -- we'll call  
7           dispatch.  We asked for Tow West.  Tow West is  
8           not working.  When they did send a driver out --  
9           I mean a police officer out, we was four blocks  
10          on the other side of Schaefer.  My driver found  
11          three cars.  They say you can't get them because  
12          that's in Southwest.

13                      DEPUTY CHIEF TOLBERT:   Well, I would  
14          have to say from my understanding the rules, you  
15          can only tow in the areas that your business is  
16          located.  If you were four blocks outside --

17                      COMMISSIONER WARFIELD:  No, not yet.  
18          You all told you we couldn't put that in place.

19                      DEPUTY CHIEF TOLBERT:   If that's the  
20          case, let me find out what the issue is, but if  
21          -- I'll find out why.

22                      LIEUTENANT ADAMS:  Lieutenant Adams  
23          from Resource Management, good afternoon.  
24          Currently you can only do that as a tower in the  
25          districts or precinct that you're authorized to

1 tow in.

2 If you're -- let's say you're a tower  
3 in the 10th Precinct. You can't go recover a car  
4 in the 8th Precinct. We want to keep it within  
5 the districts that you're currently authorized to  
6 tow in as that plan is developed.

7 COMMISSIONER WARFIELD: Okay. May I  
8 ask a question and then Commissioner White has a  
9 question as well.

10 So what is the criteria for being  
11 qualified to tow in a specific area? In other  
12 words, what mandates you to a specific area?

13 LIEUTENANT ADAMS: Well, right now  
14 we're going under the -- I'm trying to figure  
15 out, I'm at a little loss for words -- right now  
16 we're going under the districts that the towers  
17 are currently authorized to tow in.

18 COMMISSIONER WARFIELD: So it sounds  
19 like to me that you have implemented the new tow  
20 rotation.

21 LIEUTENANT ADAMS: We haven't  
22 implemented the new tow rotation. We're  
23 currently operating under the rotation that's in  
24 place.

25 So the rotation that's in place now, if

1 you're authorized to tow in that district, then  
2 you can recover a car in that district, but if  
3 you're authorized in 10 and 12, you can't go to 6  
4 and 8 and find a car and call Tow East or Tow  
5 West to come recover that vehicle.

6 COMMISSIONER WARFIELD: Okay, so I'm  
7 going to back up to my question, my first  
8 question then.

9 So what qualifies ABC Company to tow in  
10 the Southwest District? What are the  
11 qualifications?

12 LIEUTENANT ADAMS: The current  
13 qualifications or the qualifications we're going  
14 to got forward?

15 COMMISSIONER WARFIELD: Current  
16 qualifications that prevented Elder Davis from  
17 towing somewhere else, the current qualifications  
18 right now that you're operating under.

19 LIEUTENANT ADAMS: Because Mr. Davis  
20 isn't authorized to tow outside of the districts  
21 that he's authorized to tow.

22 COMMISSIONER WARFIELD: No, no, no,  
23 that doesn't answer my question. My question is,  
24 what prevents -- or what qualifies ABC Towing  
25 Company to become a qualified tower in Southwest

1 Detroit?

2 What are the requirements?

3 LIEUTENANT ADAMS: From my  
4 understanding, the requirements that were put  
5 into place years ago before I arrived in Resource  
6 Management. That is one of the issues why we're  
7 going to implement a new tow rotation because I  
8 can't really tell you how those rotations were  
9 divided from an administration that was maybe  
10 three or four before myself.

11 All I know is I'm going under the  
12 rotations that are currently in place.

13 COMMISSIONER WARFIELD: So if nothing  
14 qualified you to be a tower in a specific  
15 district, how can something disqualify you from  
16 being authorized to tow if there's nothing that  
17 qualifies you to be an authorized tower?

18 LIEUTENANT ADAMS: I understand your  
19 question now. When those towing permits were let  
20 years ago, you had to prove that you were --  
21 there were a number of qualifications. Number 1  
22 that you had the equipment to do it, that you  
23 were zoned to do it, that you had your income tax  
24 paid for and maybe Officer Clark could fill me  
25 with more of those things, but-- Officer Clark,

1 was that about 12 years ago?

2 OFFICER CLARK: Yes, sir.

3 LIEUTENANT ADAMS: That there was a  
4 list of qualifications that were entered in.  
5 Towers were able to apply to the then deputy  
6 chief of Management Services Bureau.

7 That rotation and those permits were  
8 then granted by the deputy chief of the  
9 Management Services Bureau 12 years ago.

10 COMMISSIONER WARFIELD: Everything you  
11 said to me just now as relates to those  
12 qualifications I believe Elder Davis has met.

13 It does not -- everything you just  
14 said, nothing you've said, from what I've  
15 understood, has disqualified him.

16 He's a qualified tower. My question  
17 again is, what is the requirement that says this  
18 is the only area that you can tow in?

19 Maybe Officer Clark can answer that  
20 question.

21 OFFICER CLARK: Officer Clark for the  
22 record. Sir, what qualifies him, first of all,  
23 is that all of those qualifications that the  
24 lieutenant mentioned, he is a qualified tower.

25 However, what makes the distinction is

1 is that he is assigned to a particular area and  
2 under Tow East and Tow West within those  
3 guidelines he is assigned to that particular  
4 area, so he cannot deviate and go outside that  
5 area to tow.

6 COMMISSIONER WARFIELD: How does one --  
7 what is the check-off box? What determines what  
8 area you get assigned to?

9 OFFICER CLARK: He's already assigned  
10 to --

11 COMMISSIONER WARFIELD: That's not my  
12 question. My question is, what is the check-off,  
13 what is the qualification that says this is the  
14 area that you get assigned to?

15 OFFICER CLARK: Those assignments were  
16 made --

17 COMMISSIONER WARFIELD: That's not the  
18 answer. What is the qualification, what is the  
19 rule that says this is the area that you're  
20 assigned to?

21 I understand this was done years ago,  
22 but even if we go back in reference, there has to  
23 be something that says -- there has to be  
24 something somewhere I would hope that says you  
25 are regulated to tow in this particular area

1 because of these conditions.

2 I'm sorry, deputy chief might want to  
3 help me out.

4 DEPUTY CHIEF TOLBERT: Sir, I'm going  
5 to tell you, I'm just as confused as you are.

6 COMMISSIONER WARFIELD: Thank you, sir.

7 DEPUTY CHIEF TOLBERT: So it seems as  
8 though you're asking what is the criteria that  
9 people were assigned the areas and I don't think  
10 anybody here can answer that.

11 Can you answer that? So what I will  
12 do, we will get those answers for you and we will  
13 come back and as much as we can understand what  
14 the criteria is that people are assigned, we will  
15 let you know.

16 COMMISSIONER WARFIELD: But until that  
17 happens, Elder Davis should be able -- when he  
18 finds cars because we don't know what that  
19 criteria is, should not be prohibited from towing  
20 those cars because we have no criteria that we  
21 can talk about or that you can talk about that  
22 tells us what stops you from towing from one side  
23 of the city to another.

24 DEPUTY CHIEF TOLBERT: And if you put  
25 it that plainly, it sounds very much that is

1 correct, but let me make sure that that is the  
2 case and if that is the case, then we will make  
3 recommendations.

4           However, I can assure this board that  
5 one of the reasons why we're looking -- we have  
6 the aban officers coming in to develop the  
7 process to implement everything, the rules and  
8 the aban process so we will get our arms all  
9 around this, but right now I agree with you. It  
10 is confusing and we probably need to go back and  
11 get someone who knows why these limitations were  
12 put on, which I don't think anybody here has that  
13 -- has a single -- they have no knowledge of why  
14 that happened or how that happened.

15           COMMISSIONER WARFIELD: Commissioner  
16 White and then Commissioner Stewart.

17           COMMISSIONER WHITE: DC Tolbert, at the  
18 previous meeting you stated you needed two weeks  
19 to get back to us on the process.

20           Does this new process address the  
21 majority of these issues that we're discussing?

22           DEPUTY CHIEF TOLBERT: Absolutely.  
23 Tomorrow is the day we meet with the aban  
24 officers to develop the new process. Tomorrow  
25 will be two weeks to the day and at the next



1 meeting we should have some progress to present  
2 to the board as far as the process.

3 COMMISSIONER WHITE: As a  
4 recommendation, Mr. Chair, I think a number of  
5 the deliberations that may be geared towards  
6 towing, if it could maybe be possible to table  
7 the majority of that discussion until such a time  
8 we've had an opportunity to get that process, I  
9 think it will answer the majority of the  
10 questions that both the Commission members have  
11 and our public has and we can speak to it more  
12 and if we could, DC Tolbert, get it prior to the  
13 Thursday meeting so we can be abreast of what  
14 this new process is.

15 Because I think this has been a  
16 recurring theme that's been going since December  
17 9 and it's been a recurring theme and I just  
18 think we got to get to a point where we have a  
19 process a little bit differently, so I have a  
20 document and I like to A-B-C and it makes sense  
21 to me that way.

22 So I just think it's been a revolving  
23 door in terms of what our rules and policies are,  
24 so I think this opportunity that DC Tolbert  
25 presented at our last meeting for two weeks will

1 give us a clear opportunity to say unequivocally  
2 to the public, this is what the rules and process  
3 is and if we have challenges to the rules and  
4 process, we can begin to implement those at such  
5 time, but right now I think we're throwing rocks  
6 in the dark and I want to have a clear target.

7 COMMISSIONER WARFIELD: To address your  
8 concern, Commissioner White, before Commissioner  
9 Stewart speaks, I have a little bit different  
10 take on it only from this standpoint.

11 We have -- and I think the chief did  
12 address it appropriately last week -- that  
13 certainly we don't expect the police department  
14 to adjust its operations in an effort to follow  
15 the towers, we understand that clearly.

16 However, when you do have a tower who  
17 is doing their business, is doing their due  
18 diligence to help from an environmental  
19 perspective, keep the streets clean, keep it safe  
20 so that that abandoned vehicle does not become a  
21 haven for crime, for potential crime, I think  
22 that because we have a lack of direction in this  
23 right now, that those towers who find those cars  
24 in the interim until we can figure out what it  
25 is, those towers who find those cars ought to be

1           able to tow those cars in the interim until we're  
2           able to determine what the real policy is, and  
3           certainly we understand, we recognize that there  
4           is ambiguity at best as relates to a policy or  
5           lack thereof, but in the interim while they're  
6           doing their due diligence to keep the streets  
7           clean, to keep the streets safe and to not allow  
8           those vehicles to become safe havens for  
9           criminals or criminal activity, it would be very  
10          -- it would be a good olive branch extended to  
11          this Board if we could at least in the interim  
12          until policy can be defined let them who find  
13          those cars tow those cars.

14                         DEPUTY CHIEF TOLBERT:   And I would  
15          defer through the chain, my chain, and I will  
16          definitely -- I'll send that up.

17                         COMMISSIONER WARFIELD:   But do you  
18          think we could get a time frame on when we might  
19          get a decision, maybe two or three days or --

20                         DEPUTY CHIEF TOLBERT:   I will be  
21          talking to someone when we leave here, sir, so as  
22          soon as we can.

23                         COMMISSIONER WARFIELD:   Thank you, sir.  
24          Commissioner Stewart.

25                         COMMISSIONER STEWART:   Through the

1 Chair, you know I think to clarify what  
2 Commissioner Warfield was talking about, even  
3 with political politics, you have a district, so  
4 you have a map that shows your area and this will  
5 clarify everything.

6 If he only could tow a certain  
7 distance, you should have maps and stuff that  
8 show how far he can go, street lines and stuff  
9 like that, then they will know exactly where to  
10 go.

11 I don't know if they could do that or  
12 what they do, but I know if he says he can't tow  
13 four blocks from where he's at, it's got to be  
14 some kind of dividing line right there the same  
15 as districts, so I think that's what you're  
16 trying to clarify.

17 COMMISSIONER WARFIELD: Here's what I  
18 don't want. I don't want us to start making up  
19 maps now that did not exist then. I want us to  
20 research what the policy was, like you said, 10,  
21 12 years ago and find out -- or even two or three  
22 years ago to find out how a certain tow company  
23 was able to tow either across the city or in a  
24 specific area and that would just be very  
25 helpful.

1                   DEPUTY CHIEF TOLBERT: Like you, I've  
2                   been hearing that a lot and I don't have the  
3                   answer and actually that falls under DC Lee's  
4                   shop, so I will be talking to him about that and  
5                   make the proper recommendations.

6                   COMMISSIONER WARFIELD: Assistant  
7                   chief.

8                   ASSISTANT CHIEF LOGAN: Yes, sir.  
9                   Through the chair, I just want to ensure that the  
10                  mandate you've given us through DC Tolbert, that  
11                  we don't widen the scope of this whole towing  
12                  issue.

13                  I think specifically when DC Tolbert  
14                  indicated that he was going to get involved with  
15                  the abandoned car portions, we were strictly  
16                  talking about Tow East and Tow West.

17                  COMMISSIONER WARFIELD: Absolutely,  
18                  you're right.

19                  ASSISTANT CHIEF LOGAN: So that's  
20                  really -- I want to make sure that the Board  
21                  understands that that's our focus. Now, I was of  
22                  the opinion that we were going to look at that  
23                  narrow issue and deal with abandoned cars, so I  
24                  don't want -- we're not trying to circumvent any  
25                  rules we've already put in place.

1                   We're strictly talking about how we  
2 deal with abandoned cars.

3                   COMMISSIONER WARFIELD: No -- oh,  
4 absolutely. Yes, sir, we're definitely on the  
5 same page with that, how we deal with abandoned  
6 cars. But very specifically to that, how we deal  
7 with abandoned cars when they are found, then  
8 what is the established policy that was in place  
9 -- because it sounds like to me and you all help  
10 me if I'm wrong -- it sounds like to me we're  
11 talking two different things.

12                   It sounds like to me we're talking  
13 about abandoned vehicles, but in an effort to  
14 justify or disqualify Elder Davis from towing  
15 that vehicle, we're using policy that is not  
16 germane specifically to abandoned vehicles, but  
17 we're using it to exclude him from towing that  
18 car.

19                   I mean, that's what it sounds like  
20 because, again, if it was an abandoned vehicle  
21 policy -- if it was abandoned vehicle policy only  
22 and if it's only Tow East and Tow West, then what  
23 happened 10 and 12 years ago under an authorized  
24 tower contract then would not necessarily come in  
25 play as relates to a location.

1                   If it does come in play as relates to a  
2                   location, I'll go back to my original question.  
3                   Then what is -- and we'll find that out of course  
4                   -- then what is that requirement that puts you in  
5                   one district versus another.

6                   DEPUTY CHIEF TOLBERT:   And we'll check  
7                   that out because it has to go back to the  
8                   implementation of the Tow East - Tow West rules,  
9                   whatever those were.

10                  COMMISSIONER WARFIELD:   Which weren't  
11                  really rules or policies we found out last week  
12                  which was a pilot program that did not have --  
13                  that was on the record, that did not have any --  
14                  that no one signed off on.

15                  It was an experiment from what we were  
16                  told last week in this meeting.   It was an  
17                  experiment.

18                  DEPUTY CHIEF TOLBERT:   I understand  
19                  that.

20                  COMMISSIONER WARFIELD:   I got you,  
21                  okay.   It wasn't this administration.   Here's  
22                  what we do know.   It wasn't this chief, we  
23                  definitely know that, that it was not this chief  
24                  that implemented that temporary policy.

25                  So that's why I'm saying we're talking

1 about two different things because we're talking  
2 about something that may have started a year and  
3 a half ago versus something that started 10, 12  
4 years ago.

5 DEPUTY CHIEF TOLBERT: And we're going  
6 to look and see if there's any crossover in that.  
7 That's then the issue.

8 COMMISSIONER WARFIELD: Yes, sir, there  
9 we go. Absolutely.

10 MR. DAVIS: I wasn't just talking about  
11 the abans, I'm talking about the stolen recovery.

12 COMMISSIONER WARFIELD: Okay,  
13 absolutely.

14 MR. DAVIS: They blackballed me. The  
15 old administration, when I was supposed to have  
16 been an aban towing company, they kicked me to  
17 the side. They said either I can be in rotation  
18 or aban tower. That was Clark, not this Clark.  
19 I had to be either/or.

20 Then it comes to find out when I saw  
21 I'm going to stay in rotation, he put them other  
22 companies as aban and they in rotation and doing  
23 aban. They just sidebar me right off.

24 COMMISSIONER WARFIELD: Elder Davis, I  
25 think you bring up an excellent point and I think



1 it's going to be critical the information that  
2 Deputy Chief Tolbert brings back and even Police  
3 Officer Clark as relates to Tow East and Tow West  
4 because Tow East and Tow West deals with all of  
5 those categories.

6 And so I think you're right, I think we  
7 finally hit a nail on the head and --

8 MR. Davis: I've been going to the  
9 east side, I'm staying on the west side.

10 COMMISSIONER WARFIELD: Yes, sir, yes,  
11 sir.

12 MR. DAVIS: I was staying close by  
13 home so I can really clean up the area where I'm  
14 at.

15 COMMISSIONER WARFIELD: Yes, sir.

16 MR. DAVIS: Even in 10 and 12. I'm in  
17 Central. When my drivers see something or  
18 people call us, we go over there and check it out  
19 and we call and the other company gets it, but we  
20 don't get it, so you all pray for us and I hope  
21 that I won't be blackballed.

22 COMMISSIONER WARFIELD: We're going to  
23 do more than pray, we're going to work to get  
24 this thing straightened out.

25 MR. REGAL: Good afternoon. Greg Regal

1 from Michigan Auto Recovery. I'm a police  
2 impound yard for the City of Detroit and happy to  
3 be so.

4 If I could explain real simple and  
5 easy. When the -- I'm an aban yard and a  
6 rotation yard, okay. When the Communications  
7 started dispatching our calls on the control  
8 numbers, it put everybody on an even kilter which  
9 was excellent.

10 Then there was cars that us towers that  
11 were out all day long, out and about, what have  
12 you, our drivers, what have you, find stolen  
13 cars.

14 So we went to the chief or the Board, I  
15 don't remember which one, and we requested that  
16 we as towers know where there's a lot of stolen  
17 cars, but we're not going to tell nobody because  
18 if we're not next on the rotation sheet, this is  
19 rightfully so, then we're not going to get the  
20 credit for finding it.

21 So a memo came out from the chief of  
22 police, Chief Evans, saying that if a tower knows  
23 where a stolen car is, it has to be stolen, not  
24 aban, "stolen" were the exact words, okay,  
25 stolen, you have a Tow East which was a pilot

1 program which you just said, sir, and a Tow West.

2 You called Communication with a VIN  
3 number, they decipher if it's stolen or not. If  
4 it is, you sit on it. They let us know it's  
5 stolen, we'll send Tow East or Tow West to  
6 recover the car and whatever company found the  
7 car that's sitting there gets to recover the car  
8 with the officer and take it to our yard.

9 There was no -- we're just talking to  
10 Tow East and Tow West only, nothing to do in the  
11 abans, don't even go there. This is just Tow  
12 East to Tow East with these stolen cars that we  
13 find.

14 There was no mention of you have to  
15 stay in your own precinct or district. Basically  
16 if you're on the east side, stay on the east  
17 side; west side, stay on the west side, but just  
18 pertaining to this Tow East and Tow West thing  
19 that they had a pilot program only, an overnight  
20 program that can get overruled and shut down at  
21 any time. You could recover the car.

22 There was no stipulation on you have to  
23 stay within the precinct that you tow in or  
24 anything. It doesn't have nothing to do with  
25 you're an aban tower or rotation tower. It could

1 be both or one or the other.

2 But for them particular little cars  
3 that you find that requested Tow East or Tow West  
4 that they tell you that you're qualified to pick  
5 it up and to wait for the officer, you could go  
6 to any district or any precinct of your willing.

7 Now, from what I understand they  
8 stopped Tow East and Tow West and they're going  
9 to institute a program that they're talking with  
10 from what I heard with aban officers to whatever.

11 But all I can tell you is that the City  
12 of Detroit is doing their absolute best to try to  
13 come up with a resolution to these problems so we  
14 can move forward.

15 So that's exactly the whole story about  
16 Tow East and Tow West. It was an overnight  
17 program and they can diminish it overnight again  
18 immediately. It was a pilot program. Didn't  
19 have nothing to do with an aban. If you called  
20 the car in under Tow East - Tow West conditions  
21 and it turned out to be an aban, you can't touch  
22 it. They will call the aban officer and it ain't  
23 got nothing to do with you. It goes directly to  
24 the aban yard of that precinct or what have you.  
25 That's it.

1 COMMISSIONER WARFIELD: Thank you,  
2 Greg. Appreciate that, sir.

3 MS. SEMMA: Good afternoon Board and  
4 assistant chief, Julie Semma from Seventies  
5 Towing.

6 In 2005 there was a rotation that was  
7 implemented when the districts changed and then  
8 in 2007 overnight a memo occurred and all the  
9 changes happened with the exorbitant amount of  
10 towers that were able to tow throughout the  
11 entire city.

12 Now Seventies, I know several of the  
13 tow companies submitted applications to tow in  
14 other districts. Seventies is currently located  
15 at 5700 East Nevada near the Northeast District.  
16 We're within 15, 20 minutes away from towing in  
17 the Eastern as well as Central District.

18 We've had numerous times submitted  
19 applications in to request for towing in these  
20 areas. We receive letters saying that we're very  
21 happy with your service, we're doing great  
22 service, and unfortunately we don't need your  
23 service right now because they have an ample  
24 amount of service being served by somebody else.

25 That's been my ongoing problem for the

1 entire time as far as the unfairness and the  
2 unequalization as far as towers throughout  
3 everybody.

4 And I think that if a yard has almost 7  
5 acres and is able to provide service, then why  
6 can't a company be able to -- be able to tow into  
7 other districts if they're located on the east  
8 side and tow in those areas and that's what these  
9 problems are having as we get -- we're not  
10 obligated to tow, but somebody else is.

11 We have situations right now where TEU  
12 has been towing. We haven't had a TEU in almost  
13 a month and sometimes people haven't had them in  
14 two or three months.

15 COMMISSIONER WARFIELD: What's TEU?

16 MS. SEMMA: TEU is Traffic Enforcement  
17 Unit where they come and they tow certain  
18 vehicles if you don't have insurance or don't  
19 have a driver's license, they tow your vehicle.

20 And when they do do those tows, any  
21 person who's up for towing is able to tow  
22 anywhere from 15 to 20, 30, 40 cars a day. Well,  
23 it goes in rotation, but unfortunately three  
24 companies owned by one person is in my district,  
25 so I only get one to every three he gets. So we

1 haven't had that opportunity to tow again.

2 So this has been an ongoing battle for  
3 a long time. So until this whole rotation thing  
4 changes -- and I thought that we were going to  
5 hopefully get this rectified -- I mean, it was  
6 supposed to have been done December 30th and here  
7 it is almost a month later and still hasn't been  
8 done, but this is never going to change if these  
9 tows don't -- if the rotation doesn't change.

10 The one to two tows -- we haven't  
11 currently had a Tow East in two days and we can't  
12 tow any cars if we find any because there isn't a  
13 Tow East person to recover the cars.

14 So if you guys want to say an extra  
15 month, another two weeks, another 30 days, buying  
16 more time, you might as well just tell all the  
17 towers to shut their doors because we can't do it  
18 anymore.

19 COMMISSIONER WARFIELD: Let me say this  
20 to our towers -- to our citizens. Certainly we  
21 at the last community meeting we had which was at  
22 New Prospect Baptist Church a few weeks ago, we  
23 were given the charge to be on a conference call  
24 with the Legal Department and to discuss the  
25 rotation and what the attorneys from the City's

1 opinion was, and there was some misconception as  
2 related to them being informed initially that we  
3 were trying to start something that was new and  
4 different that was outside of the scope of the  
5 rules that were passed and the mayor and the  
6 chief had signed off on.

7 Once they have received the correct  
8 information, they sent communications that it was  
9 okay to start the rotation. From our conference  
10 call that we had, we forwarded the information  
11 that we discussed from that conference call to  
12 the deputy mayor with the attorney's  
13 recommendation, the attorney from the City's  
14 recommendation that we move forward in the  
15 process.

16 So we did what the attorneys of the  
17 City has asked us to do. The great thing about  
18 being in this position is that we get an  
19 opportunity to work with what we believe is an  
20 excellent police force. We do, we think Detroit  
21 Police force is excellent. We thank God for our  
22 chief and for our command staff.

23 One of the interesting moments about  
24 setting policy with the Board is that as relates  
25 to the City Charter this Board, to be very frank



1 and honest, does not have the teeth to enforce  
2 the policies that we set.

3 We thank God that this department by  
4 and large, you know, adheres to the policy that  
5 is set without question. However, in this one  
6 instance we are still as a board somewhat  
7 dismayed -- I should say very dismayed -- how  
8 about that -- we are still very dismayed of the  
9 fact that the rotation is not in effect and  
10 certainly we will be in contact again with the  
11 deputy mayor who is, of course, head of public  
12 safety in the city of Detroit and ask him to  
13 swiftly intervene that we may come to what we  
14 believe is an equitable resolution to this  
15 situation.

16 So, again, we understand your patience.  
17 I don't think any board that you have visited  
18 before you have gotten this far.

19 MS. SEMMA: I thank you.

20 COMMISSIONER WARFIELD: We're like on  
21 the edge and ready to jump in full steam ahead  
22 and we'll get there, we really will get there.

23 You know, whenever you're moving  
24 systems and processes unfortunately it takes much  
25 longer than we even like for it to take, but we

1 have not forgotten, we are moving full steam  
2 ahead and we're using every avenue that we can to  
3 do that.

4 We're in front of the City Council  
5 Subcommittee, Councilwoman Brenda Jones'  
6 subcommittee this week discussing this issue and  
7 that subcommittee is in full agreement with us as  
8 well.

9 So we are hoping -- we really are  
10 hoping that we move forward with this rotation  
11 because it's just the right thing to do in our  
12 opinion.

13 MS. REMMA: Two weeks ago I had asked  
14 you guys to see if you guys could come up as far  
15 as kind of the same question you asked earlier.  
16 How did the towing rotation or memo go in effect.

17 Did you guys get those answers?

18 COMMISSIONER WARFIELD: Yes, we did get  
19 them and you can see our attorney afterwards and  
20 we'll get those to you. Absolutely we have them.

21 Thank you.

22 MS. REEMA: Okay. Thank you.

23 MR. FOSTER: Good afternoon, Board,  
24 assistant chief. Barry Foster with Allied JBS  
25 Towing.

1 I just wanted to make some  
2 clarifications for some past statements that were  
3 made. We worked diligently with Chief Evans when  
4 he was chief. We were working with his task  
5 force and we were able to go anywhere in the city  
6 of Detroit to tow a vehicle.

7 After the resignation of him I believe  
8 Tow East and Tow West came into play. At that  
9 time we were told there is boundaries. I had a  
10 short incident that happened with one of our  
11 drivers that -- because we tow for the Northeast  
12 District, we were on the borderline in Eastern  
13 District and an Internal Affairs officer had  
14 pulled up, made our driver drop the vehicle  
15 because we were two blocks out of our district.

16 COMMISSIONER WARFIELD: Internal  
17 Affairs?

18 MR. FOSTER: Internal Affairs. At that  
19 point it was stressed to us that there is  
20 boundaries, there is guidelines. You are to stay  
21 in Northeast District, you're not to go into East  
22 District.

23 And at that time we were aware that  
24 there are guidelines and I think everybody's  
25 problems that they're having is everyone wants to

1 know how to be able to go and get into another  
2 district, and that's not happening.

3 But we did have an incident and we were  
4 told when the Tow East and Tow West program was  
5 implemented that there are boundaries. You are  
6 to stay in your district and that's it.

7 COMMISSIONER WARFIELD: I just have a  
8 question. I'm a novice and there are a lot of  
9 things I don't know, so I'm asking out of my own  
10 personal ignorance.

11 Why would an Internal Affairs officer  
12 approach a tow truck and ask a tow truck to drop  
13 the car?

14 MR. FOSTER: And the aban officer was  
15 there also present and at that time when the  
16 Internal Affairs officer -- I had called -- I  
17 can't think of his name offhand, the commander,  
18 Commander Stair, and at that time he told me he  
19 was doing to look into it and said that has to  
20 look into it, but there are boundaries that were  
21 set and at the time we were out of our boundary.

22 And if we were out of our boundary, we  
23 took full responsibility for it. We said okay,  
24 we dropped the vehicle and they gave it to  
25 another tow company which was an Eastern

1 District.

2 COMMISSIONER WARFIELD: Again, could  
3 you help me with that? Can somebody help me.  
4 Yes, sir, can you come to the mic.

5 Afterwards? Okay, sure. If you can  
6 tell me afterwards, okay, sure, I appreciate  
7 that. Thank you, sir.

8 MR. FOSTER: My point was, just to  
9 clarify that, there were -- we were told there  
10 were boundaries, so I don't know if all the other  
11 tow companies were told, but we were told and we  
12 stood by that.

13 COMMISSIONER WARFIELD: And from your  
14 perspective, that's when -- Elder Davis, I'm  
15 sorry, I can't let you come back -- that's when  
16 Tow East and Tow West in your opinion started  
17 because from what I've just heard from you there  
18 were two, there was a Tow East and Tow West that  
19 started after --

20 MR. FOSTER: If I'm correct, yes,  
21 because we were working with Chief Evans' task  
22 force and at that time we were able to go  
23 anywhere in the city to recover.

24 COMMISSIONER WARFIELD: Now, was that  
25 during a -- because when I first came on board

1           there was an issue about a task force.

2                         Was that during an Angel Night sweep?

3                         MR. FOSTER: That was before all of  
4           that.

5                         COMMISSIONER WARFIELD: So it was two  
6           separate -- okay, great. Thank you, sir, that  
7           helps out. I think that helps a little bit.  
8           All right. Next? Thank you.

9                         MS. MANNING: Hello, my name is Nentha  
10          (sp) Manning. And first thing I want to say is  
11          I'm very thankful for the Detroit Police  
12          Department, the men and women who serve.

13                        I was before the events of last week,  
14          but certainly I don't think anyone could not be  
15          touched by the position that officers put  
16          themselves in when they're on the streets.

17                        Clarification about something that I  
18          thought I heard today. When you were talking  
19          about the budget and there were going to be areas  
20          that were going to be cut --

21                        COMMISSIONER WARFIELD: I indicated  
22          that we would suggest to the mayor and the City  
23          Council to look into some areas that we could  
24          possibly have some cost savings.

25                        MS. MANNING: And did I understand you

1 to say that one of those areas that you were  
2 going to suggest was the Investigative Unit, you  
3 were suggested to have 11, but you were going to  
4 suggest that it go down to eight and that would  
5 be a cost savings measure?

6 COMMISSIONER WARFIELD: No, actually it  
7 was additional. There were -- in the budget  
8 because the chief took one of his assistant chief  
9 positions and basically turned it over to the  
10 Office of Chief Investigations, that would equate  
11 to -- that one position would equate to three  
12 civilian investigators.

13 We had already as a board put in for  
14 what we needed which was eight. What we need is  
15 an additional eight we currently have 23, but you  
16 need an additional eight in an effort to make  
17 sure that we are fulfilling the requirements of  
18 our new procedures that comes out of the Consent  
19 Decree.

20 So it was -- so the additional eight is  
21 definitely what we need. Anything over that  
22 would be excess.

23 MS. MANNING: So you were approved for  
24 11, is that what I understood you to say?

25 COMMISSIONER WARFIELD: We weren't

1 approved for anything. These were just --

2 MS. MANNING: I heard the term 11.  
3 Where did that come from?

4 COMMISSIONER WARFIELD: We weren't  
5 approved for anything. This is just  
6 recommendations that's going -- this budget is  
7 just a recommendation that's going over to the  
8 mayor.

9 When you take the eight that we asked  
10 and you take the three that the chief was going  
11 -- is donating from one position that would  
12 equate to three investigators, it gives you a  
13 total of 11, which really would be excess for us.

14 Again, according to the amount of cases  
15 that come in, especially when you do it on a  
16 national average, it would put us right where we  
17 need to be in an effort to make sure that no  
18 cases are backlogged and to make sure that each  
19 investigator has a case load that is equivalent  
20 to what the national standard is.

21 And so if we add eight investigators to  
22 the 23 that we already have, then that will put  
23 us at the number we should be which is closer to  
24 31.

25 MS. MANNING: This is just a suggestion



1 here.

2 COMMISSIONER WARFIELD: Yes, ma'am.

3 MS. MANNING: If we're paying out \$10  
4 million for civil liability, then it would seem  
5 to me that it would be pound foolish or penny  
6 foolish to cut the number of people who do the  
7 investigating that ensures the accountability for  
8 the police department.

9 That's just my opinion. Even if it is  
10 excess, I would suggest that a police department  
11 that's under a Consent Decree, perhaps we need  
12 some express in that department.

13 COMMISSIONER WARFIELD: Ma'am, we're  
14 not cutting anybody, we're not cutting any  
15 investigators, we're adding to the investigators,  
16 ma'am.

17 MS. MANNING: Okay.

18 COMMISSIONER WARFIELD: I know what  
19 you're saying, but we're adding and it will be  
20 wasteful, it would be wasteful for --

21 MS. MANNING: That your -- I'm just  
22 saying that's your opinion that it would be  
23 wasteful.

24 COMMISSIONER WARFIELD: No, ma'am, it's  
25 not my opinion, it's a fact. It would be

1 wasteful if we said that let us put three more  
2 chairs here for cases where they basically will  
3 be sitting twiddling their thumbs.

4 MS. MANNING: Okay.

5 COMMISSIONER WARFIELD: Thank you.

6 Next? Anyone else?

7 MS. HATCHER: Good evening, Board.

8 I'm Evangelist Dora Hatcher and I just want to  
9 say, you know what, we all need to pray and, of  
10 course, prayer without work, you have to do some  
11 work.

12 You know, this fighting -- I know this  
13 is police business to a degree as far as towing,  
14 but I hope they get it together because every  
15 time I come down there just about this is an  
16 ongoing issue, and some type of way it should be  
17 able to be resolved where we can all get along.

18 In our police department I need to know  
19 if you're somewhere and there's a crime happening  
20 and you're out of your district, do you pass it  
21 up?

22 ASSISTANT CHIEF LOGAN: Through the  
23 Chair. No, you shouldn't.

24 MS. HATCHER: So if our officers can  
25 work together and work out like that, why can't

1           our towing people? We're all here together in  
2           this city and we're struggling with a lot of  
3           things.

4                        Look at just what happened the other  
5           day at Number 6. Thank God none of our officers  
6           were killed and I hope you don't forget this and  
7           that -- I'm from Northeastern District, I'm on  
8           the executive board there, and I went by today  
9           and I am so happy that have a screener sitting  
10          there.

11                      And I'm hoping that's everywhere and I  
12          hope you all won't eventually say okay, we're  
13          just going to let this go. If I'm not mistaken,  
14          in Number 9 at one time did someone -- if my  
15          memory serves me right -- came in bouncing a  
16          basketball and then he started shooting?

17                      And you see how we let that went by.  
18          So let's really really put our thinking caps on.  
19          There's a scripture in the Bible that talks about  
20          this generation in Proverbs -- and I want to let  
21          you know, we're in that generation -- they have  
22          no morals, they don't have any respect for anyone  
23          and they don't care about each other any more.

24                      We don't love each other any more. We  
25          don't care about each other any more and that's

1 what's wrong, not only with Detroit. It's  
2 everywhere. It's all about, "My name is Jimmy,  
3 I'll take all you give me."

4 We don't want to help one another and  
5 somewhere -- somewhere we're going to have to  
6 start helping one another getting out there like  
7 the 300, they're doing, and getting out there and  
8 putting forth some effort to help the officers  
9 and everybody, our neighbors.

10 We don't even help our neighbors. I'm  
11 one that do and I'm one that I'm not afraid  
12 either because God didn't give me the spirit of  
13 fear as the elder said, but of love and a power  
14 and a sound mind and anything that happens in my  
15 neighborhood, in my block, I stand up.

16 And we're going to all have to do that  
17 and I want to let you know, I love you and I'll  
18 keep all of you, AC, in my prayers.

19 COMMISSIONER WARFIELD: Thank you.

20 ASSISTANT CHIEF LOGAN: Thank you,  
21 Ms. Hatcher.

22 COMMISSIONER WARFIELD: Are there any  
23 more from the audience, any more comments from  
24 the audience? At this time we'll close that  
25 portion of our meeting.

1 Commissioner White, you had something  
2 for us?

3 COMMISSIONER WHITE: I did, through the  
4 Chair. To our command staff, AC and the chief in  
5 his absence, I just finished a series of  
6 ride-alongs with both Central District and  
7 Eastern District. I just wanted to commend our  
8 leadership and our men and women.

9 I think -- and even DC Tolbert over  
10 Patrol Operations, I had a glimpse into what our  
11 men on the street are going through on a daily  
12 basis and simple things in terms of  
13 professionalism in dealing with the public, I  
14 think you reiterating with the troops the very  
15 essence of how we need to deal with the public is  
16 permeating to the bottom level.

17 I was very impressed with what I  
18 witnessed. I did about 10 hours on both  
19 different days, so I was very impressed and for  
20 what I saw from an observing standpoint, so --  
21 and I have some other things that are scheduled  
22 where I will visit with some of the other  
23 departments as well and I also wanted to lift up  
24 your leadership in regards to the recent events  
25 at the 6th Precinct to implement a new policy and

1 set the proper procedures for following that  
2 policy and see it in a number of precincts the  
3 following day in the midst of other things that  
4 you were dealings with in regards to -- and even  
5 in addition to that instance, I think that shows  
6 a police department that is at the top of its  
7 game.

8 It shows a command staff that has the  
9 fortitude and wherewithal to handle issues to  
10 this nature and I just wanted to go on record and  
11 say how impressed I was and to the men and women  
12 on the street who are getting it, I think we have  
13 a lot of good officers who suit up every day and  
14 discharge their duties very professionally and I  
15 just wanted to go on the record in saying that.

16 But as I listened to some of the  
17 towers, I would make myself available to see what  
18 you go through on a daily basis so if you are  
19 willing to invite me to jump in your truck with  
20 you and to hear a call that comes in and see what  
21 the response is, see your frustration, I will  
22 lend myself to that effort as well as we move  
23 toward a holistic resolution for this particular  
24 issue.

25 Thank you, Mr. Chair.

1 COMMISSIONER WARFIELD: Thank you,  
2 Commissioner White, appreciate it. At this time  
3 I'll entertain a motion to adjourn the meeting.

4 COMMISSIONER REEVES: So moved.

5 COMMISSIONER STEWART: Second.

6 COMMISSIONER WARFIELD: Properly moved  
7 and seconded. All those in favor?

8 COMMISSIONERS: Aye.

9 COMMISSIONER WARFIELD: See you all  
10 next week.

11 (Proceedings concluded at  
12 4:43 p.m.)

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