

8/16/2012

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STATE OF MICHIGAN  
DETROIT BOARD OF POLICE COMMISSIONERS  
REGULAR MEETING

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Taken at 1300 Beaubien, Room 328A,  
Detroit, Michigan, 48226,  
Commencing at 3:05 p.m.,  
Thursday, August 16th, 2012,  
Before Elizabeth Koller, CSR-7042.

1 APPEARANCES:

2 COMMISSIONERS:

3 JEROME WARFIELD, CHAIRMAN

4

5 ALSO PRESENT:

6 GEORGE ANTHONY, SECRETARY

7 BENJAMIN F. LEE, DEPUTY CHIEF

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1 Detroit, Michigan  
2 August 16, 2012  
3 About 3:05 p.m.

4 CHAIRMAN WARFIELD: Good afternoon. Welcome  
5 to the Board of Police Commissioners Meeting. My name  
6 is Jerome Warfield, Chairman of the Board of Police  
7 Commissioners. Sitting at the table with me today is  
8 Deputy Chief Benjamin Lee from the Chief's office, and  
9 also our Board Secretary George Anthony.

10 Unfortunately, due to some family death  
11 situations Commissioner Stewart and Commissioner White  
12 will probably not be here because they have had a death  
13 in their family. And we know that Commissioner Taylor  
14 is out of town. So it will be just us today, just you  
15 and us. We will move forward, though. I'm going to  
16 ask if our Board Secretary will introduce the staff  
17 that's here.

18 MR. SECRETARY: Thank you, Mr. Chair. For  
19 the record, George Anthony, Secretary to the Board. We  
20 have present Ms. Dalph Watson who is our Director of  
21 Police Personnel, Ms. Pamela Davis Drake who is our  
22 Chief Investigator from the Office of the Chief  
23 Investigator. We have Sergeant Alan Quinn who is  
24 recording our proceedings, and Ms. Elizabeth Koller  
25 from Hanson Court Reporting Service. That completes

1 the introductions, sir.

2 CHAIRMAN WARFIELD: Thank you, Mr. Secretary.  
3 Is there someone here today who is doing the  
4 invocation? Let us bow our heads just for a moment of  
5 prayer, please.

6 Father, we thank you for this day and this  
7 time. We thank you for the people that are here. Your  
8 Word says where there are two or three gathered in your  
9 name that you'll be in the midst, so there's two or  
10 three gathered.

11 So we're here gathered asking that you would  
12 guide us through this meeting. You know the transition  
13 and the crossroad that the City is at. We ask, Lord,  
14 you allow us to continue to come up with ideas that  
15 will help move us forward in a positive way and keep  
16 our City safe.

17 Bless this Department, bless our Chief, the  
18 men and women that make up this Department as well as  
19 our citizens. In Christ name we pray. Amen.

20 AUDIENCE: Amen.

21 CHAIRMAN WARFIELD: Again, because we will  
22 not do any official voting I'm going to ask the  
23 Secretary that we postpone the items that are on our  
24 agenda for us to vote on until next week. We'll carry  
25 those over to next week's meeting.

1 Under the Chairperson's Report I'm going to  
2 ask if the staff would prepare a letter and send it to  
3 Corporation Counsel to get an opinion on the expansion  
4 of municipal parking services to see if any potential  
5 Charter rules are in violation with that, especially as  
6 relates to our authority to set the rules.

7 And our rules are very specific as relates to  
8 where cars are to be towed and by whom they are to be  
9 towed. And we know there are different sections in the  
10 Charter that talks about municipal parking versus  
11 Police Authorized Towing. And so we want to make sure  
12 that the Charter is not being violated in anyway and we  
13 move the City forward to make sure that towing becomes  
14 a revenue producing opportunity for the City.

15 I think we're all on the same page with that.  
16 We just want to make sure we don't violate the Charter  
17 in doing that. That's all that I have.

18 Deputy Chief, do you have anything?

19 D.C. LEE: We did have a presentation from  
20 Legal Affairs, but due to the fact that we won't be  
21 implementing the twelve hour shifts next week due to a  
22 temporary restraining order they won't be available.

23 CHAIRMAN WARFIELD: I'm going to ask through  
24 our Secretary and maybe not through a formal letter but  
25 just an appointment with Deputy Chief Lee and the Chief

1 and Assistant Chief that we talk about the new  
2 organizational structure.

3 We did see a police bulletin about that. I  
4 believe that's something we need to bring to the table  
5 to discuss before it's enacted and certainly we're not  
6 trying to be obstructionists, but just want to take it  
7 through the proper channels.

8 So if through the Secretary and the Chief's  
9 Office we can set up a meeting where we can just get  
10 debriefed on it and then bring it to the table and  
11 discuss it in public as relates to the changes, the  
12 organizational changes of the Department that will be  
13 good. And that does not include the twelve hour shifts  
14 because we do understand that is an operational span  
15 issue.

16 Anything else? Deputy Chief?

17 D.C. LEE: No, there's nothing else.

18 CHAIRMAN WARFIELD: Mr. Secretary, is there a  
19 report?

20 MR. SECRETARY: No, there's not.

21 CHAIRMAN WARFIELD: At this time we'll open  
22 up the floor for oral communications. If you wish to  
23 address the Board you may come to the podium, give us  
24 your name and spell it for the record, and we'll still  
25 give you two minutes to express your concerns. You can

1 come to the podium right now. Any comments for the  
2 Board? Yes, sir.

3 OFFICER COLEMAN: My name is Officer Coleman.  
4 I work in the 8th Precinct Northwest District. I just  
5 want to thank the Board for their efforts to help bring  
6 more cops to the job. And I did watch you guys bring  
7 your support to the City Council. And even though it  
8 didn't go in our favor I'm just glad to see some people  
9 understand we do need to increase what we have, the  
10 safety of the people.

11 I am a citizen of the City of Detroit and  
12 just being in this City I came in just to help it.  
13 I've been on for 16 years. And I never understood  
14 police until I joined it. Once I joined it, I  
15 understand it a lot better. And I'm glad that there  
16 are people that are not Police Officers that do  
17 understand we have to have them. The City has to be  
18 safer.

19 I feel that it will and we're going in that  
20 effort. And I thank you for your commitment to try and  
21 make that happen, as well. I just want to say thank  
22 you.

23 CHAIRMAN WARFIELD: Well, thank you, and I  
24 appreciate that. I just want to let you know we  
25 haven't stopped our efforts either. We're still

1 looking at ways to try and make this happen. Here's  
2 the unfortunate thing. The unfortunate thing is that  
3 now Wayne County is putting a public safety millage on  
4 the ballot.

5 And what's interesting about that is now  
6 Detroiters will have to pay for public safety in Wayne  
7 County that will not be the neighborhoods. And so  
8 Detroiters now will supplement out counties security  
9 because unfortunately our City Council did not have the  
10 foresight to let the citizens of this City pick it for  
11 themselves.

12 So we're still going to get taxed higher  
13 possibly, but unfortunately we won't be able to add to  
14 your ranks like we had wished. We're still looking at  
15 ways. We're looking at ways through the State and  
16 through other avenues where we still might be able to  
17 make that happen.

18 I have not given up on it, and certainly  
19 members of this Board have not given up on it. So if  
20 you've got any ideas let us know because we are open.  
21 We'll push it and we'll fight hard. Thank you. We  
22 appreciate that. Your thank you means a lot.

23 MR. MOORE: To the Board, to our Assistant  
24 Chief, Deputy Chief, Detroit's Finest, family, my name  
25 is Edward Moore. I am the liaison of the Honorable



1 Kwame Kenyatta, the Detroit City Councilman bringing  
2 greetings from his office.

3 I'd like to say to the Deputy Chief that from  
4 myself personally and also from the Councilman, we  
5 really appreciate that Officer that went over and  
6 beyond the duty of the problem that we had with that  
7 five family members.

8 So we want to say to the Chief, Deputy Chief,  
9 to Detroit's Finest, continue on your work. It is very  
10 essential for the Officers to live next door to us.  
11 Because that's where the gunfire is at, on my street,  
12 on your street, and the other streets. Where if the  
13 Officers lived on that street they would do just what  
14 the other Officer did to apprehend these people who  
15 were to cause bodily harm and injury and maybe death.

16 We want to thank you, Chief, and get that to  
17 that Officer from the Office of Councilman Kenyatta.  
18 We appreciate it.

19 CHAIRMAN WARFIELD: Thank you, Mr. Moore,  
20 always good to see you, sir.

21 MS. PANNELL: Good afternoon. Sharon  
22 Pannell, Barton McFarland. I wear different hats. I  
23 just want to say thank you for all you do, not just  
24 going to the Council. They need to take some of the  
25 Council people of there. They don't need a job.

1 That's all I got to say.

2 CHAIRMAN WARFIELD: Bless your heart.

3 MS. HERNANDEZ: I missed you terribly.

4 Hello, everyone. Phyllis Hernandez, Casino Towing. I  
5 didn't have anything to say, but then I thought about  
6 it. I felt really the need to comment on the recent  
7 testimony of Gasper Fiore being thrown out with the  
8 indictments of Kwame.

9 It doesn't really concern me that much  
10 because it's far far far far from over because, you  
11 know, extortion, of course, is when one pays money to  
12 get a contract. I think, you know, it comes more into  
13 bribery when one pays to have seven companies added  
14 some of which were added after the contracts had been  
15 awarded.

16 Nonetheless, it's far from over, so, you  
17 know, I'm not worried about that. But my thought was  
18 and this is a question, will the Board of Police  
19 Commissioners be doing their own internal investigation  
20 in light of this grand jury testimony that was so  
21 detrimental to Kwame's case in regards to towing and  
22 towing corruption? Will they be getting a copy of that  
23 and doing their own internal investigation, just  
24 curious?

25 CHAIRMAN WARFIELD: That's a great question.

1 Good to see you again. Looks like you've been on  
2 vacation.

3 MS. HERNANDEZ: I've been around, trust me.  
4 Towing is on always on my mind.

5 CHAIRMAN WARFIELD: All right. What our  
6 staff is doing, our staff is researching the legalities  
7 from where we stand as relates to where our stance is  
8 in the Charter. Here's what we don't want to do. We  
9 don't want to put something out there that ends up  
10 causing the City to get sued because it was  
11 overreached.

12 And so I'm sure you know that it's several  
13 tow companies, and several businesses throughout the  
14 City who's caught up in that particular huge case over  
15 there.

16 MS. HERNANDEZ: Sure.

17 CHAIRMAN WARFIELD: So right now our staff is  
18 researching what our scope is as relates to that, what  
19 we can and can't do. And so once we get a firm  
20 understanding we'll let the public know what we can and  
21 cannot investigate. Here's what we can't do.

22 We asked for the Charter Commission when they  
23 were writing up Charter to allow us to do  
24 investigations without there being a complaint filed  
25 first. That use to be a power this Board had. And the

1 powers that they give us in the new Charter they did  
2 not insert that paragraph that we can independently  
3 investigate things. So we have to consult with the  
4 Corporate Counsel to make sure again we're not putting  
5 this Board and this Department in jeopardy in doing  
6 that. But they're researching it now.

7 MS. HERNANDEZ: But this Board does have the  
8 Chief Investigator, correct?

9 CHAIRMAN WARFIELD: Oh, absolutely.

10 MS. HERNANDEZ: Right?

11 CHAIRMAN WARFIELD: Again, it's about the  
12 scope of responsibility, that's it.

13 MS. HERNANDEZ: Okay. Well, one would think  
14 that towing corruption within the Detroit Board of  
15 Police Commissioner's realm would --

16 CHAIRMAN WARFIELD: And that's if somebody  
17 was charged. And I have to be clear on the record  
18 since we do have a public record, although we're not  
19 voting, to my knowledge nobody had has been charged  
20 and/or indicted.

21 MS. HERNANDEZ: No, they have not, not yet,  
22 no.

23 CHAIRMAN WARFIELD: I'm just saying no one  
24 has.

25 MS. HERNANDEZ: That's correct.

1 CHAIRMAN WARFIELD: We're not going to chase  
2 our tail right now, but we are making sure what our  
3 legal standing is if that does happen, if that does  
4 occur.

5 MS. HERNANDEZ: Again, I totally understand  
6 what you're saying. But my perspective on it, one  
7 would think that this is a body of law governing our  
8 Detroit Police Department which is in charge of  
9 upholding the law that they would do their own internal  
10 investigation to make sure that no laws have been  
11 violated. I guess that's all I'm asking, yeah.

12 CHAIRMAN WARFIELD: We're on the same page.

13 MS. HERNANDEZ: Thank you.

14 CHAIRMAN WARFIELD: We've just got to cross  
15 our T's and dot our I's.

16 MS. HERNANDEZ: Absolutely. And Mark, please  
17 don't send me a retraction letter because you'll get  
18 another one the same way you did. But I love you.  
19 Thank you. Good bye.

20 CHAIRMAN WARFIELD: All right. Anybody else?

21 MS. SEMMA: Good afternoon. Julie Semma.  
22 Yesterday another RFP came out yesterday in regards to  
23 towing and municipal parking and the deadline's within  
24 a week and I think by the 29th if I'm not mistaken it  
25 has to be in.

1 I know we've met with the Towing Rights  
2 Commission. But I think due to the time restraints  
3 this seems like another backdoor deal that towing is  
4 getting ready to go on with the advancement of the  
5 municipal parking.

6 And now that they use to tow 3,000 cars  
7 annually a year, they're going to tow two to 3,000 a  
8 month according to what the RFP requirements are.

9 So I'm asking if this Board and/or the  
10 Department could check into this because it's crucial  
11 to all the existing towers, the Detroit Authorized  
12 Towers, that are currently doing business in the City  
13 of Detroit.

14 And with all this stuff and corruption going  
15 on we don't need anymore hindrance and any businesses  
16 going under because of this. Thank you.

17 CHAIRMAN WARFIELD: Well, thank you for  
18 coming. Before you came in we asked our staff to  
19 prepare a letter to Krystal Crittendon to see if the  
20 Charter's been violated as relates to the expansion of  
21 municipal parking to include Police Authorized Towing  
22 especially as relates to rules and procedures that we  
23 have already adopted and the Mayor signed off on as  
24 well as Chief of Police.

25 So in order for that to be done away with we

1 need to know if that's a Charter violation. That's  
2 something our staff is checking on because we know that  
3 there is a fast track, for lack of a better term, to  
4 try to and get this switched to happen. But we will do  
5 everything we can to make sure the Charter is not  
6 violated and we'll make sure that our rules that we  
7 worked so very hard on stay in place.

8 MS. SEMMA: Thank you.

9 CHAIRMAN WARFIELD: You're welcome. Anyone  
10 else? All right. We made it through the summer  
11 almost. Thank you all for coming. We will adjourn the  
12 meeting now. I look forward to seeing you -- any  
13 announcements from the Department side? No  
14 announcements. There is one. Can you come to the mic,  
15 Deputy Chief Turner?

16 D.C. TURNER: Melvin Turner, Deputy Chief.

17 MR. SECRETARY: Can we use our phones outside  
18 the meeting room, please?

19 D.C. TURNER: Police Community Services. The  
20 only announcement, the 30th of this month we will be  
21 having a gun buy back from the Police Department and  
22 the Archdiocese of Detroit are joining together for  
23 that buy back. It will be at Saint Cecelia's Church  
24 and we'll have fliers and information.

25 CHAIRMAN WARFIELD: Same pricing?

1 D.C. TURNER: Same pricing. It's going to be  
2 9:30 to 3:30.

3 CHAIRMAN WARFIELD: Great. Thank you, sir,  
4 appreciate that. And there will be fliers put out.  
5 That's again on the 30th of August from 9:30 to 3:30 at  
6 Saint Cecelia, on Livernois?

7 D.C. TURNER: Yes.

8 CHAIRMAN WARFIELD: On Livernois near Grand  
9 River. Thank you. Our next meeting will be Thursday,  
10 August 23rd, 3:00 p.m., at the Central District due to  
11 the fact there's going to be a Detroit Tiger Game and  
12 we don't want you all to pay \$40.00 to park and come  
13 see us. So we'll be at the Central District next week  
14 at 3:00 p.m.

15 Thank you all. The meeting is adjourned.

16 (The hearing concluded at 3:21 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF WAYNE )

I, Elizabeth Koller, hereby certify that I reported stenographically the foregoing proceedings at the time and place hereinbefore set forth; that thereafter the same was reduced to computer transcription under my supervision; and that this is a full, true, complete and correct transcription of said proceedings.



*Elizabeth Koller*

Elizabeth Koller, CSR 7042,  
Notary Public,  
Wayne County, Michigan

My Commission expires: June 1, 2018

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