

9/20/2012

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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

THURSDAY, SEPTEMBER 20, 2012, 3:00 PM

7310 WOODWARD AVENUE (CENTRAL DISTRICT)

DETROIT, MICHIGAN

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COMMISSIONERS:

GEORGE ANTHONY, Secretary

JEROME WARFIELD, Commissioner

DETROIT POLICE DEPARTMENT COMMAND STAFF:

DEPUTY CHIEF BENJAMIN LEE

1 Detroit, Michigan
2 Thursday, September 20, 2012
3 About 3:03.

4 COMMISSIONER WARFIELD: Good afternoon,
5 ladies and gentlemen. Welcome to the outstanding
6 Board of Police Commissioners meeting. My name
7 is Jerome Warfield, Chairman of the Board of
8 Police Commissioners.

9 My colleagues unfortunately had other
10 very important appointments they had to make. I
11 know Commissioner White is in Washington, D.C. at
12 the Black Caucus meeting, and I believe
13 Commissioner Taylor had to go south to Coldwater,
14 so you are blessed to just have me today.

15 We of course will have a very short
16 agenda. Representing the Chief's office is
17 Deputy Chief Benjamin Lee.

18 Sir, good to have you.

19 DEPUTY CHIEF LEE: Thank you, good to
20 be here.

21 COMMISSIONER WARFIELD: And our Board
22 Secretary, Mr. George Anthony is here. George,
23 could you just introduce our staff, please?

24 SECRETARY ANTHONY: Thank you,
25 Mr. Chair. For the record, George Anthony,

1 Secretary to the Board. We have director of
2 Police Personnel, Ms. Loletha Porter-Coleman.
3 Recording our proceedings we have Officer Dan
4 Donakowski.

5 We also have Mr. Robert Brown who is
6 our office manager and Mr. Dale Rose from Hanson
7 Court Reporting Service, and that completes the
8 introductions, sir.

9 COMMISSIONER WARFIELD: Thank you, sir.
10 To our towers, I must apologize to you because we
11 were ready to go with our hearing today -- not
12 hearing, I'm sorry, our open forum today to
13 discuss the changes to the rules, but obviously
14 we're going to have to postpone that.

15 Certainly I didn't think it would be
16 fair if you just spoke to me without the other
17 Commissioners hearing you and so we will
18 reschedule that for at least, what, two or three
19 more weeks.

20 SECRETARY ANTHONY: Two weeks.

21 COMMISSIONER WARFIELD: We'll make sure
22 you have ample notice to reschedule that and do
23 it again and I apologize because we were looking
24 for -- I was looking forward for sure to moving
25 this process forward because it has been out

1 there on a limb for quite some time.

2 And so we will definitely, our staff
3 will get back with all of the towers to let them
4 know when that new date is and we will announce
5 it at our -- it will be on our website and of
6 course it also will be announced at our meeting
7 as well, but we will certainly get back to you
8 and let you know that.

9 Of course, because there is no quorum,
10 there are no voting matters before us. I'm going
11 to ask if we move to public comment.

12 If you wish to address the Board of
13 Police Commissioners you may come to the podium,
14 give us your name and we ask that you go ahead
15 with your comments and we won't even put a time
16 limit on you today unless you get too long.

17 MR. STIDHAM: Tom Stidham. I just
18 wanted to ask, I know you said the proposed
19 amendments to the towing rules public hearing is
20 going to be rescheduled, but what is the status
21 if the Chair can just elaborate on the Board's
22 resolution to vote down the contract awarded to
23 -- for the vehicle management software system
24 and, secondly, what is the -- does the Board
25 intend to pass another resolution or submitting a

1 resolution to City Council with respect to the
2 new towing vehicle management proposals that have
3 been issued?

4 COMMISSIONER WARFIELD: Excellent
5 questions, Tom. Let me say this and I don't know
6 if you were there in the meeting when we sat at
7 the City Council's table last Monday.

8 But as related to the RFP for Auto
9 Return which is not the software solution, that
10 was the management contract, certainly according
11 to the Purchasing director on the record he said
12 that that issue is dead, according to him that
13 that particular contract is dead.

14 What he did not say is that of course
15 they would not bid on any of the RFPs that are
16 already out there. That's what he did not say.

17 But supposedly according to -- and I
18 think it was Councilman James Tate who asked the
19 question according to him and Gary Brown that
20 issue is dead and that resolution that we passed
21 I guess fell on dead ears because it never went
22 before that committee anyway to be considered.

23 But our stance on that is still the
24 same, it hasn't changed, as relates to moving
25 forward with -- I'm going to make a presentation

1 as you know Monday and it will be based on what
2 we already handed in to them, what this Board
3 already passed and what we handed in to them.

4 I mean, after more research I'm more
5 convinced than ever that that proposal is really
6 the middle-of-the-road proposal that preserves
7 the towing businesses here in the city of Detroit
8 as well as allows for there to be significant
9 revenue going to the City of Detroit as well.

10 So that's what we're working on. We
11 stand committed to what this Board said we're
12 going to do. Now, whatever Purchasing does,
13 that's up to them of course. And, you know, I
14 just applaud the towers for just raising the
15 noise level to make sure others have a better
16 understanding of the complete issue as relates to
17 what's going on.

18 Now, one thing I will do and I'll say
19 this and I'm saying this unilaterally now and not
20 in unison with my colleagues, but it would be my
21 humble suggestion that if the City does move to
22 expand municipal parking to include police
23 authorized towing, that they take the whole kit
24 and kaboodle, meaning don't leave Detroit Police
25 Commission with half of it and they take half.

1 Take all of it. Change the Charter and
2 take all of it because it would be disingenuous
3 for the towers to have to go to one setting
4 supposedly for fees, whatever, and come to
5 another setting for rules.

6 And I'm still weighing in myself
7 personally on whether all of this is legal or
8 against the City Charter and all this in the
9 first place.

10 MR. STIDHAM: And that was my next
11 question, Mr. Chair, was has the corporation
12 counsel issued this Board any response
13 whatsoever?

14 COMMISSIONER WARFIELD: Yeah, I just
15 got -- it's unopened. I literally just got
16 today, it's unopened just handed to me.

17 I say that to say this. I've had
18 opinions that were given to me from corporate
19 counsel before that were not exactly correct, and
20 upon further review taking it to the head of corp
21 -- the head of that department, that decision has
22 been changed. So even though I have a decision
23 in my hands right now which I have not read, I
24 have not read these papers, you know if I still
25 believe that they did not address the critical

1 ordinance and charter issues, then I'll go to the
2 corporate counsel and ask corporate counsel to
3 weigh in on it, not just the Legal Department.

4 MR. STIDHAM: Right, and has the
5 Board's counsel had an opportunity to weigh in
6 and provide --

7 COMMISSIONER WARFIELD: Again, we just
8 got this, we just got this.

9 MR. STIDHAM: Lastly, Mr. Chair,
10 sometimes I feel -- and in my opinion --
11 different elements within the City don't know
12 necessarily what the other departments in the
13 City are doing. So for instance the
14 Administration may be taking one course of action
15 and the Board another and sometimes I feel like
16 the police department gets thrown in the middle.

17 And as of part of that from a
18 facilities management standpoint they just have a
19 staffing RFP that was just publicly recorded and
20 part of that embodied staffing for some yards to
21 manage the towing.

22 And if I could, through the Chair,
23 direct a question to the Deputy Chief because I
24 know he serves in the administrative portfolio, I
25 was just wondering what yards has this police

1 department and/or the City identified that
2 require staffing?

3 Could you tell us those three or five
4 locations, Deputy Chief?

5 DEPUTY CHIEF LEE: Through the chair,
6 I'm not at the Administrative Bureau, I'm in
7 Patrol Operations and I don't have any idea where
8 the lots are or how they're going to be staffed.

9 MR. STIDHAM: Could I -- could you just
10 forward that request to DC Tolbert?

11 DEPUTY CHIEF TOLBERT: For the record,
12 Deputy Chief Tolbert, Administrative Services
13 Bureau. I'm unfortunately in the same boat as
14 Deputy Chief Lee. I'm not aware of the lots, but
15 I will try to make contact with -- my
16 understanding this is all going through Municipal
17 Parking so I'll try --

18 MR. STIDHAM: Purchasing.

19 DEPUTY CHIEF LEE: Purchasing. I'll
20 try to find out and hopefully next week have some
21 information with me and if you could write it
22 down for me I would appreciate it.

23 MR. STIDHAM: Sure, thank you.

24 COMMISSIONER WARFIELD: And to that end
25 as well, Tom, certainly Municipal Parking you

1 might want to contact them as well as Purchasing.
2 Purchasing certainly knows which lots that they
3 are considering.

4 And see, I think we get back to the
5 initial thing that you said on this part of your
6 question. The only reason -- and you're right,
7 there's this monkey in the middle with the
8 department is going on -- and the only reason
9 we're here now, and this is the flat-out truth
10 and I'll say it Monday is because the Board of
11 Police Commissioners said no to a contractor.

12 And so because the Board of Police
13 Commissioners said no, someone thought it might
14 be a good idea to go and try and back-door this
15 through Municipal Parking instead of just moving
16 forward in the process.

17 And so -- and I think it speaks volumes
18 -- and I'll say this boldly on the record -- I
19 think it speaks volumes to the lack of respect of
20 the Detroit City Charter that citizens have
21 debated and voted and weighed in for years. And
22 I think it speaks volumes on the lack of respect
23 of the legacy of this particular Board and the
24 department.

25 Because the department is not a

1 political entity, and nor should it ever be used
2 as a political entity, and I think those of you
3 who have been coming to these Board meetings, at
4 least for the last three years, know very clearly
5 that this particular Board has not been a
6 political rubber stamp for anybody.

7 And so in an effort to try to do that
8 which is right, unfortunately the department gets
9 battered back and forth and it should not be the
10 case at all, because this Board looks out for the
11 department, looks out for the citizens and this
12 department works very well with the Board of
13 Police Commissioners.

14 And there are issues like this that
15 tries to draw a wedge between which really should
16 not be the case.

17 MR. STIDHAM: I agree, thank you.

18 COMMISSIONER WARFIELD: Thank you.

19 Anybody else? Anybody else? Anybody else? All
20 right, hearing and seeing none, we will adjourn
21 our -- I thank God for you coming out today and
22 our next meeting will take place on Thursday,
23 September 27, 2012, 3 o'clock PM here at the
24 Central District. Our next meeting will be right
25 here in this room at Central District on

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September 27, at 3 o'clock PM.

Okay, thank you, ladies and gentlemen,
meeting is adjourned.

(Proceedings concluded at
3:16 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

I HEREBY CERTIFY that I reported
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time and place hereinbefore set forth; that
thereafter the same was reduced to computer
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complete and correct transcription of said
proceedings.

DALE E. ROSE



DALE E. ROSE,
CSR-0087

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