

11/1/2012

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STATE OF MICHIGAN
DETROIT BOARD OF POLICE COMMISSIONERS
REGULAR MEETING

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Taken at 1300 Beaubien, Room 328A,
Police Headquarters,
Detroit, Michigan, 48226,
Commencing at 3:21 p.m.,
Thursday, November 1st, 2012,
Before Elizabeth Koller, CSR-7042.

1 APPEARANCES:
2 MS. CELIA BANKS WASHINGTON (P54338)
3 Attorney to the Board
4 Detroit Board of Police Commissioners
5 1300 Beaubien, Room 328
6 Detroit, Michigan 48226
7 (313) 596-1835
8 Appearing on behalf of the Board of Police
9 Commissioners.
10
11 COMMISSIONERS:
12 JEROME WARFIELD, CHAIRMAN
13 DONNELL WHITE, REGULAR MEMBER
14 JESSICA TAYLOR, VICE CHAIRPERSON
15
16 ALSO PRESENT:
17 GEORGE ANTHONY, SECRETARY
18 JAMES TOLBERT, DEPUTY CHIEF
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1 Detroit, Michigan
2 November 1st, 2012
3 About 3:21 p.m.

4 CHAIRMAN WARFIELD: Good afternoon, ladies
5 and gentlemen, and welcome to the Detroit Board of
6 Police Commissioners Meeting. My name is Jerome
7 Warfield, Chairman of the Board of Police
8 Commissioners. Serving with me today is the Vice
9 Chairperson Commissioner Jessica Taylor, along with
10 Commissioner Donnell White, representing the Chief's
11 Office is Deputy Chief James Tolbert. Sir, good to
12 have you.

13 Also, we'll have at the table with us today
14 our Chief of Staff, Board Secretary and
15 jack-of-all-trades, Attorney Mr. George Anthony. I'm
16 going to ask if he will introduce our whole staff for
17 us today, please, sir?

18 SECRETARY ANTHONY: Thank you, Mr. Chair.
19 George Anthony, Secretary to the Board, for the record,
20 present we have Ms. Pamela Davis Drake who is our Chief
21 Investigator, Ms. Loletha Porter Coleman, who is our
22 Director of Police Personnel, Ms. Celia Banks
23 Washington who is our Attorney to the Board, Mr. Robert
24 Brown who is our Officer Manager, Officer Dan
25 Donakowski who is recording our proceedings,

1 and Ms. Elizabeth Koller from Hanson Court Reporting
2 Service. That completes the introductions, sir.

3 CHAIRMAN WARFIELD: Thank you, sir. We
4 greatly appreciate it. Elder Davis, could you come to
5 the mic for me, sir, and do us a favor? Could you
6 grace us our invocation for today's meeting, sir?

7 ELDER DAVIS: Yes, I will. Let's bow our
8 heads. Lord Jesus, we just thank you for your
9 goodness. Lord, we thank you for your mercy. Lord, we
10 just praise you and magnify you. You've been so good
11 to us. You've been so kind.

12 You've kept us from unseen danger, Lord.
13 Lord, we ask you to bless this Board of Police
14 Commissioners, Lord, that they step in your word.
15 Lord, bless our Assistant Chief, keep them in the
16 center of thy will. Bless everyone that's in this
17 meeting.

18 You know what this meeting is all about,
19 Lord. Lord, intervene in it. Lord, we want you to
20 lift it up, Lord. And, Lord, give us favor, Lord. In
21 Jesus name, we pray. Thank you, God. Amen.

22 AUDIENCE: Amen.

23 CHAIRMAN WARFIELD: For the record, Elder
24 Anthony Davis. At this time we'll entertain a motion
25 to approve today's agenda?

1 COMMISSIONER TAYLOR: So move.

2 COMMISSIONER WHITE: Support.

3 CHAIRMAN WARFIELD: It's been properly moved
4 and supported. Any discussion? All those in favor?

5 COMMISSIONERS: Aye.

6 CHAIRMAN WARFIELD: All those opposed?
7 Motion carries. Secondly, we will approve the minutes
8 of the Thursday, October 25th meeting.

9 COMMISSIONER TAYLOR: So moved.

10 COMMISSIONER WHITE: Support.

11 CHAIRMAN WARFIELD: It's been properly moved
12 and supported. Any discussion? All those in favor?

13 COMMISSIONERS: Aye.

14 CHAIRMAN WARFIELD: All those opposed?
15 Motion carried. Under the Chairperson's Report, I'm
16 going to save that actually for Old Business because a
17 lot of this deals with Old Business and we'll move
18 straight to our grant.

19 We have a grant request to accept an increase
20 from the State of Michigan's Automobile Theft
21 Prevention Authority for the Eastside Action Team and
22 the grant is for, 2012/2013 fiscal year.

23 Vice Chair, would you read that into the
24 record for us, please?

25 COMMISSIONER TAYLOR: Request to accept an

1 increase from the State of Michigan's Automobile Theft
2 Prevention Authority for the "Eastside Action Team"
3 Grant for fiscal year 2012/2013.

4 The State of Michigan's Automobile Theft
5 Prevention Authority has awarded the Detroit Police
6 Department \$131,190.00 to pay a portion 50 percent of
7 the salary and fringes of Sergeant and Police Officer
8 assigned to the grant. Additionally the grant funding
9 will cover 50 percent of the cost associated with
10 leasing, I guess it's number two, vehicles for task
11 force officers to utilize and the purchase of field
12 operations supplies.

13 The Department will be required to match an
14 additional \$131,190.00 which will pay the other half of
15 the cost for salaries and fringes, leases and field
16 operations cost. Second Deputy Chief Tina Tolliver, of
17 DPD Budget Operations, has indicated that matching
18 funds are available.

19 The combined funding brings the total grant
20 budget to \$262,379.00 including the 50 percent match.
21 This grant is already in the City of Detroit's Fiscal
22 2012/2013 Budget (Appropriation Number 13510, Cost
23 Center 372583) for \$240,000.00; therefore, formal
24 acceptance of the \$22,379.00 increase on the part of
25 the City is necessary.

1 The grant will run from October 1st, 2012 to
2 September 30th, 2013. And its assigned grant number is
3 G-1-13. Inspector Marlon Wilson of the Investigative
4 Operations will continue to serve as the Project
5 Director.

6 CHAIRMAN WARFIELD: I'll entertain a motion
7 to accept permission for this Department to ask for the
8 grant?

9 COMMISSIONER WHITE: So moved.

10 COMMISSIONER TAYLOR: Second.

11 CHAIRMAN WARFIELD: It's been properly moved
12 and seconded. Any questions regarding this?

13 COMMISSIONER WHITE: I do have, through the
14 Chair. Deputy Chief, is this a potential revenue
15 generator? I'm just trying to get what's the bottom
16 line if we're being asked to increase the budget by, is
17 it the total two --

18 D.C. TOLBERT: Yes, it is.

19 COMMISSIONER WHITE: Is this a revenue
20 generator? What's projected to come out of this?

21 D.C. TOLBERT: The enforcement grant that I
22 know of the Officers use the grant funds to go out and
23 to do traffic enforcement which is, you know, the whole
24 idea behind traffic enforcement is to prevent accidents
25 obviously. But if there are more than just the issue

1 for traffic enforcement there probably will be some
2 revenue of the -- the whole purpose of traffic
3 enforcement is prevention of accidents.

4 COMMISSIONER WHITE: Okay.

5 CHAIRMAN WARFIELD: Do you have anything?

6 COMMISSIONER TAYLOR: No, I don't.

7 CHAIRMAN WARFIELD: Okay. Hearing and seeing
8 no more questions, all those in favor of accepting the
9 request?

10 COMMISSIONERS: Aye.

11 CHAIRMAN WARFIELD: All those opposed?
12 Motion carries. I'm going to back up to Item Number 9
13 which we'd like to deal with the report and
14 presentation from the Chief's Office.

15 D.C. TOLBERT: Yes, there's no presentations
16 today.

17 CHAIRMAN WARFIELD: No presentations today.
18 All right. We have a couple Resolutions under Old
19 Business. Sir, Rob, how do you want us to do those or
20 just read the first part, last part? Are they here?

21 SPEAKER: No.

22 CHAIRMAN WARFIELD: Sandra Brunson or Brian
23 McKinnon?

24 SPEAKER: No.

25 CHAIRMAN WARFIELD: All right. Commissioner

1 White, could you just read the Whereas part?

2 COMMISSIONER WHITE: For the Resolution
3 honoring Sandra Brunson: Now therefore be it resolved,
4 that the Detroit Board of Police Commissioners speaking
5 on behalf of the citizens of the City of Detroit and
6 the Police Department we recognize the loyalty and
7 dedication of Sandra M. Brunson.

8 Her 34 years of selfless service and
9 outstanding commitment merit our highest regards and
10 best wishes for the future. We thank and congratulate
11 you, Ms. Sandra M. Brunson. Signed and dated the
12 Detroit Board of Police Commissioners.

13 A Resolution honoring Retired Police Officer
14 Brian K. McKinnon. Now therefore be it resolved, that
15 the Detroit Board of Police Commissioners speaking for
16 the citizens of Detroit and the Detroit Police
17 Department award this Resolution in recognition of
18 Officer Brian K. McKinnon's 27 years of dedicated and
19 diligent public service. His professionalism,
20 integrity, and standard of commitment to the City of
21 Detroit and its citizens merit our highest regards and
22 best wishes for continued success.

23 We salute and congratulate, Police Officer
24 Brian K. McKinnon. Signed the Board of Police
25 Commissioners.

1 CHAIRMAN WARFIELD: I'll entertain a motion
2 to accept these Resolutions and that they will become
3 part of our permanent archives?

4 COMMISSIONER WHITE: So moved.

5 COMMISSIONER TAYLOR: Second.

6 CHAIRMAN WARFIELD: It's been properly moved
7 and supported. Certainly we do want to congratulate
8 Sandra Brunson who worked in the Personnel Department
9 for a number of years and was a great resource and a
10 great help to this Department, as well as Police
11 Officer Brian K. McKinnon for his outstanding years of
12 service.

13 And certainly we say on the record
14 congratulations to those individuals and their families
15 for the sacrifice they made to make sure that the
16 citizens of Detroit and this Department functions in an
17 excellent way. All those in favor of the motion?

18 COMMISSIONERS: Aye.

19 CHAIRMAN WARFIELD: All those opposed?
20 Motion carries. Under the Chairperson's Report, I want
21 to read this and discuss it with my Board Members just
22 as a review of it. As most of you know back earlier
23 this year we passed a resolution as relates to the tow
24 rate as we believe the tow rates should be.

25 We made that presentation in front of City

1 Council. The Tow Rate Commission also met and made
2 their presentation. At our last meeting in front of
3 City Council it was ourselves, the Board of Police
4 Commissioners, representatives from the data group, as
5 well as Tom Stidham was there in the audience, and we
6 were ordered to meet with the Purchasing Director
7 Mr. Andre Duperry in an effort that we come up with a
8 proposal that all parties could agree on.

9 And I'm proud to say we have been meeting
10 over a month and that we believe we've made substantial
11 progress. I just want to for the Board's sake update
12 the progress of those meetings and file my written
13 report with them that they may understand some of the
14 issues that were there in the meeting.

15 We've had a series of meetings. In those
16 meetings Andre Duperry, the Purchasing Director, was
17 present as well as representative from Council, Gary
18 Brown's Office and a representative Council person from
19 Brenda Jones' office was in those meetings as well.
20 Jack Martin, the City's financial advisory guy,
21 attended two of those meetings. Barry Foster
22 represented Data, the group of towers, and Tom Stidham
23 represented his group of towers.

24 After approximately three meetings the
25 working group reached consensus on the following,

1 here's the things that we definitely agreed upon:
2 First of all, we wanted to determine how can we recoup
3 the City's costs as relates to towing cars, how can we
4 make sure that the City wasn't going in the red as a
5 result of that, and how can we make sure that the City
6 received its just due for the time and efforts spent on
7 behalf of the Officers involved.

8 We also agreed on all parties that there
9 needed to be a software solution to better manage the
10 towing operations. There was also a desire, a very
11 strong desire on behalf of all parties to remove Police
12 Officers from the towing prospect in order that we may
13 return more Officers to the street patrol and to the
14 beat, so we want to take Officers who were involved in
15 towing out of that business and put them back where
16 they could probably be better used dealing with
17 customers' concerns, I'm sorry, citizens' concerns.

18 We also wanted the police authorized towers,
19 we all agreed to keep their storage, to keep their
20 auction business as relates to the police authorized
21 tows, and their scrap business. We all agreed on that.
22 And then finally at the last meeting we all agreed that
23 we did not want to open up any new impound yards
24 because that will conflict with the earlier goal that
25 we had of removing Officers from the police towing

1 process. And so we agreed that all abans, abandoned
2 vehicles, should not be towed to an impound yard but
3 they should be towed by our police authorized towers.

4 So after a month one of the things we did, we
5 did a market research study. We studied the cities
6 that bordered the City of Detroit and looked at very
7 specifically what it costs citizens to go and pick up
8 their cars after they have been towed by the police.

9 And, Tom, you can certainly chime in here if
10 I'm off on anything or Barry you can chime in, as well.
11 The range was \$85.00 to \$124.00, I believe was the
12 range. Our current fee right now is \$75.00. Every
13 city that borders us had an administrative fee that
14 went to that particular entity in an effort to recoup
15 their costs.

16 Detroit was the only city that did not have
17 an administrative fee. So our cost was \$75.00 to pick
18 up a car, but it averaged somewhere between 170, 165,
19 170 when you took in all of the cities together and
20 averaged them together. And so looking at that we did
21 see that there was a great need for adjustment as
22 relates to our fees.

23 Now this Body passed a resolution supporting
24 a fee hike as well as I said earlier the Tow Rate
25 Commission passed a fee which is actually much higher

1 than what the Board has suggested. So we met I would
2 kind of say somewhere in the middle. I think our
3 meetings were very fruitful, they were very honest,
4 they were very candid and there was given and take on
5 both ends. And this is the proposal that we will
6 present to the Detroit City Council when we met with
7 them as a unified body. And this is just for basic
8 standard tows, for basic standard tows. We believe we
9 will adopted the tow rate commissions as relates to
10 heavy due tows and things like this, but this is just
11 for garden variety standard tows.

12 The tow rate will adjust to \$90.00, the
13 storage will adjust to \$15.00 a day beginning on the
14 first day. The administrative fee will be \$75.00 to
15 the City, and that fee will include a \$15.00 software
16 fee that includes any software package that might be
17 employed as we moved forward and pick out a software
18 package for the City.

19 So the total fees if you add them up if a
20 citizen's car got towed, I want to be very transparent
21 with this, will go to \$180.00, which is still less than
22 the highest fee that was in the metropolitan area.

23 Here's a few things that came out of those
24 discussions. First of all, again these are for people
25 who receive who are getting their cars towed because

1 they have violated obviously some type of City
2 ordinance or law and Police have to be called into tow
3 the cars. Our citizens, and it was interesting to hear
4 the testimony from some of our towers and others, when
5 they cross Eight Mile they act completely different.

6 What do you mean by that? Well, they buckle
7 up, they slow down, and if they don't have authorized
8 licenses they typically don't go over in those areas.
9 Why? Because they understand that they will have to
10 pay the fees that are already imposed in those areas.

11 We tested Dearborn, we tested Southfield, we
12 tested Oak Park, we tested Warren, Dearborn,
13 Southfield, Oak Park, Warren and I'm missing one,
14 Ferndale, Ferndale, and we tested Ferndale. In those
15 cities, those surrounding cities all of them again
16 charged an administrative fee and all of their fees was
17 much higher than the City of Detroit.

18 We are looking at this from a public safety
19 issue more so than a revenue generation issue. Because
20 we want to make sure those individuals who are driving
21 on our streets are complying with our laws and are
22 doing the things that are necessary to keep all of the
23 citizens of the City of Detroit -- and that will be the
24 proposal that jointly all three of us and Mr. Duperry
25 will presented to the Detroit City Council.

1 I will invite Tom Stidham and Barry Foster to
2 the mic if they wish to address or detract from,
3 because all of us were in this meeting together, if I
4 may have left something out or misstated anything. Any
5 questions from colleagues?

6 COMMISSIONER TAYLOR: None from me.

7 COMMISSIONER WHITE: I did have a few
8 questions, Mr. Chair. As it relates to the range with
9 the cities, it was 85 to what was --

10 CHAIRMAN WARFIELD: I believe it was 124, if
11 I'm not mistaken. Tom, could you come and give me a
12 clear -- thank you.

13 MR. STIDHAM: The range for just the tow?

14 CHAIRMAN WARFIELD: The range for the tow
15 what someone would have to pay to pick up their car?
16 So it was storage, tow and --

17 MR. STIDHAM: It was 124 to 185.

18 CHAIRMAN WARFIELD: Yeah, 124 to 185.

19 COMMISSIONER WHITE: Okay. And prior to this
20 recommendation looks like our new tow is 180, and just
21 for the record what was or previous amount?

22 CHAIRMAN WARFIELD: \$75.00.

23 COMMISSIONER WHITE: And that included the
24 same line items tow rates, storage, and any
25 administrative fees?

1 CHAIRMAN WARFIELD: Right, because remember
2 if a citizen -- that's a great question, Commissioner,
3 if a citizen got towed they had three days to pick up
4 their car before they were charged any storage and
5 that's unlike any other municipality around us. You're
6 charging immediately on the first day.

7 Now here's something that's different,
8 though. I will point out something that's different.
9 The administrative fee for the City of Detroit will be
10 on every car towed. The administrative fee for the
11 surrounding suburban areas are only on those vehicles
12 that are recouped or redeemed I should say.

13 So for citizens who are redeeming their
14 vehicles they are charged, but we're collecting that
15 administrative fee even if the citizen does not pick up
16 their vehicle and that fee will be paid on the back
17 end, well, I shouldn't say on the back end, but it will
18 be paid from the auction of that vehicle or scrap of
19 that vehicle.

20 COMMISSIONER WHITE: Certainly. First,
21 Mr. Chair, if I could not in the form of a question,
22 but a statement?

23 CHAIRMAN WARFIELD: Sure. Absolutely.

24 COMMISSIONER WHITE: To reiterate something
25 that I brought up when we started this conversation.

1 First let me thank all of the individuals who are part
2 of this. I think it's continuing to move the
3 conversation forward on this issue of towing. But,
4 two, I think it behooves us to continue to be mindful
5 particularly when we look at adding an additional
6 albeit the fee has not been adjusted when we benchmark
7 against communities like Warren, Dearborn, Southfield,
8 Oak Park, and Redford, all who benefit to a degree the
9 fact that Detroit subsidizes auto insurance and other
10 factors that they enjoy.

11 You know, the cost of driving for a Detroiter
12 is much different than these other communities. And so
13 I just want to be mindful and not advocating for those
14 who choose to break the law if your vehicle is towed
15 whether it's parked illegally, speeding, no license,
16 whatever it may be, and I won't go into all the reasons
17 potentially that would lead to an individual driving
18 within that realm.

19 But as we look at jobs that have moved beyond
20 the I-96 corridor or I-75 and with no real transportation
21 system that continues to connect the citizens of the
22 City to those jobs and opportunities as we look at
23 increasing fees that will ultimately and potentially
24 prohibit these individuals from being able to drive
25 their vehicles if they're towed and they can't afford

1 to get them out or continuing to increase the cost of
2 living. I just think we should be very mindful and
3 intentional of the consequences whether they be
4 intentional or unintentional consequences that
5 Detroiters could realize by such a fee increase to an
6 already exacerbated situation for Detroit drivers
7 across the board.

8 CHAIRMAN WARFIELD: Certainly, and certainly
9 we thank you for those comments and we absolutely did
10 consider all of those issues. And, again, I think in
11 our discussions in considering that and you're
12 absolutely right we're very sensitive to that, we're
13 looking at a very small subset, a very small
14 population.

15 The towers -- right now when I checked
16 earlier this year we were on track to do about
17 30,000 cars for this year, and when you compare that
18 versus the number of cars that are on the streets that
19 are driven, I mean, you're talking less than one
20 percent of the vehicles in the City.

21 And so I agree with you 100 percent that we
22 do have to consider the fact that the City of Detroit
23 is subsidizing insurance rates for the suburbs. You're
24 absolutely right. You'll never get an argument with me
25 about that. But at the same time when a citizen can

1 over and over again break the law and just come and pop
2 down \$75.00 because it's no big deal to them, it's not
3 a penalty.

4 At some point it needs to be punitive when
5 you break the law which is why again as I stated
6 earlier we act different, I say we, citizens act
7 different when they go across Eight Mile to other
8 communities versus here. And I think Barry's testimony
9 in those meetings was very candid and very pointed
10 especially to those of us who really didn't think about
11 it.

12 I mean, literally he sat, and I don't know if
13 you want to come and talk about it, but he sat on Eight
14 Mile one day and just watched as drivers went across
15 from Detroit to Eight Mile how they buckled up, how
16 they slowed down, and that's something that we need
17 enforced here on this side. Why? Because ultimately,
18 and again I don't disagree with your points, but
19 ultimately I think it needs to be punitive to some
20 degree to where it's not just a plopping down \$75.00
21 because some of these folks, some of the cars that are
22 towed are repeat.

23 I think it's also important to remember and
24 understand that for those individuals who are victims
25 of crimes if your car is used and you are a victim you

1 will not be charged these fees. These are only for
2 those who are in the process of breaking the law.

3 Barry? Mr. Foster?

4 MR. FOSTER: Barry Foster, President of
5 Detroit Authorized Towing Association. To the
6 Commissioners, just if I might take you back on what
7 Commissioner Warfield said about the individuals out
8 there. Literally we've been doing some details with
9 Traffic Enforcement and with my own eyes literally out
10 there when you see people come from the City going
11 across Eight Mile it's a totally different atmosphere
12 on what they do versus when they come back into the
13 City. They'll take their seatbelts off and do a
14 hundred miles an hour down Van Dyke or Gratiot.

15 But when they're going north it's a put your
16 seatbelt on, dot all their I's and cross all their T's
17 and going across Eight Mile to different surrounding
18 cities. And if I could just piggyback on the actual
19 tow rate that we're proposing to City Council. The tow
20 rate still for the City of Detroit will still be the
21 lowest amongst the five cities.

22 And I can give you the breakdown for Warren,
23 their actual tow rate is \$145.00, Dearborn is \$100.00,
24 Ferndale is \$120.00, that's for the actual tow, Oak
25 Park is \$110.00 and Southfield is \$100.00 for the

1 actual tow.

2 So Detroit will still be the lowest for the
3 tow rate, but the administration, fee on the
4 administration fee end the City would be the highest
5 versus the other municipalities have a lower
6 administration fee, which this fee does create revenue
7 for the City of Detroit.

8 CHAIRMAN WARFIELD: I will correct that for
9 the record. Instead of creating revenue I think it
10 replaces or supplements the revenue that's currently
11 being spent.

12 MR. FOSTER: Or being lost at this time.

13 CHAIRMAN WARFIELD: Exactly on those. And I
14 also want to say one other thing if I'm not having an
15 early Alzheimer's moment as relates to this issue --
16 hoping to come back. I'm sorry.

17 MR. FOSTER: And also if I could just
18 piggyback on the one thing for the administration fee
19 is something that the towers would pay the City
20 directly up front that comes from the towers that we've
21 agreed to pay the City for the administration fee up
22 front for every vehicle that's towed and all the other
23 municipalities, again, they get it on redeemed vehicles
24 only, but this would be something across the board for
25 every vehicle that's towed that \$75.00 fee would come

1 to the City or be paid to the City.

2 CHAIRMAN WARFIELD: Thank you, sir. Anything
3 else, sir? And I do agree with my colleague. Whenever
4 we talk about increasing fees for the City, I do have
5 issues with it. And we are very careful in how we
6 increased the fee because there's a very, I shouldn't
7 say a very thin line, but there's a very distinguished
8 line between a fee and a tax. We got to make sure that
9 the fees that we recommend are attributed to services
10 with dollars that are actually spent to provide those
11 services.

12 And certainly in doing our calculations we
13 are definitely under the cost of what it actually costs
14 to tow a vehicle, so we did not charge the maximum that
15 we should have charged as relates to the fee to recoup
16 these vehicles. Anything else?

17 COMMISSIONER TAYLOR: Not for me.

18 CHAIRMAN WARFIELD: And I just ask you all
19 receive the report, that's all, no formal action needs
20 to be taken, just to receive the report?

21 COMMISSIONER TAYLOR: Mr. Chair, I'd like to
22 make a motion to receive the report.

23 COMMISSIONER WHITE: Support.

24 CHAIRMAN WARFIELD: It's been properly moved
25 and supported that we receive the report. Again, I

1 just want to be very clear, receiving the report is
2 just a reporting back out from our meetings with the
3 Purchasing Director and with others as relates to the
4 proposal that will be made in front of City Council.

5 Any other discussions on the motion? Hearing
6 and seeing none, all those in favor?

7 COMMISSIONERS: Aye.

8 CHAIRMAN WARFIELD: All those opposed?
9 Motion carries. Thank you, ladies and gentlemen.
10 What's next?

11 SECRETARY ANTHONY: Announcements.

12 CHAIRMAN WARFIELD: Announcements. Our next
13 meeting is going to be Thursday, November 8th, 2012,
14 6:30 p.m., at the Northwest District at the NFL/YET
15 Boys and Girls Club at 16500 Tireman Street, Detroit,
16 Michigan 48228, again, that meeting will take place at
17 6:30 p.m.

18 Our floor is now open for oral
19 communications. If you wish to address the Board of
20 Police Commissioners you may come at this time and do
21 so at the mic and please state your name for the record
22 and please abide with our two-minute time limit. Thank
23 you.

24 MS. DAVIS: My name is Christine Davis. I'm
25 one of the coowners of AC Towing. And I just want to

1 say that Commissioner White I understand what you
2 saying because my concern was for the citizens of
3 Detroit, you know, I feel that I did not want to put a
4 fee on them where they would feel like they were being
5 raped.

6 And also for the workers, the ones that
7 actually get out there and tow, hope I can get through
8 this, okay, they worked for us for sixteen years or
9 more, have not gotten a raise. The cost of living has
10 gone up and some days they get no tows. So initially
11 when they came up with new rates they did not want to
12 raise the \$75.00 rate but I appreciate the fact that
13 they did because now my towers the ones that are
14 actually out there will get an increase in pay.

15 I've gone on some of the tows with my
16 husband. I do not go on anymore tows. When they're
17 out there they're literally facing their lives being in
18 danger along with the Police Officers. I've been on
19 some of the tows where they -- we've gone to houses
20 where they shot at the Police Officers and I commend,
21 I'm telling you, I commend the Police Officers. They
22 were -- it was like a movie the way that they responded
23 to the bullets and responded to, you know, people that
24 attack them.

25 But also the towers were there also, and

1 bullets have no name on it. And also the towers have
2 to go out all hours of night, all kinds of weather,
3 they face rats and everything. So they do need a raise
4 also. And I don't feel like we're being greedy, okay,
5 we're not.

6 My concern like I say is for the citizens
7 because my children, my family, they're citizens too,
8 and they get stuck. And the rate is reasonable for
9 this day and time. But I do appreciate your concern.
10 And we did -- I did implement or give some more ideas
11 about how they could raise some money, you know, for
12 the City. And goodbye.

13 COMMISSIONER WHITE: Mr. Chair, if I could?

14 CHAIRMAN WARFIELD: Absolutely.

15 COMMISSIONER WHITE: I just wanted to make
16 the statement particularly to the towers who are in the
17 room, certainly I hope that my comments weren't viewed
18 as antithetical to the jobs that you do each and every
19 day. In my estimation I will certainly believe that
20 many of your towers are residents of the City and fall
21 within that same purview that if their vehicle was
22 towed, so it was a generalized comment.

23 And, again, without having to go to standing
24 on my soapbox about all of the things that we as
25 Detroiters face in terms of increased cost of living

1 for making the decision to stay in the City of Detroit,
2 and we all know that we certainly can't turn the City
3 around without that commitment to those who strive to
4 stay here and make a difference.

5 But certainly individuals who work hard
6 deserve to make a decent wage and I never would
7 advocate against that. But if we don't continue to
8 keep that level of conversation going and be mindful,
9 in my experience those kind of things get swept away
10 under the rug. So I just want us to be very conscious
11 as we look at raising these costs and the impact that
12 it has on citizens.

13 And the last point, Mr. Chair, is if you look
14 at driver's responsibility fees, great in concept, if
15 you break the law you should do it. But, however, now
16 the City of Detroit is over 80 percent representation
17 of the driver's responsibility fees, and so what it
18 starts to do is it perpetuates the criminalization
19 process.

20 You get pulled over, you couldn't afford to
21 get your license from your last ticket, so you get
22 another ticket, you couldn't pay the first one, so in
23 addition to the second one you have a driver's
24 responsibility fee, and in addition to that you just
25 got your car towed with an increase of \$105.00.

1 So now you can't get to work tomorrow because
2 there's no transportation system, so now that
3 individual who doesn't have a job is creating a
4 different problem for us who's facing getting locked
5 up, and it's creating a different problem for us than
6 just not being able to afford a tow.

7 So I just want to keep it in context and
8 certainly I'm on board with those of you who stuck it
9 out with the City and helping us make a difference and
10 continuing to provide a quality service at those rates.

11 I agree we should adjust them to the extent
12 we can, but I would also wholeheartedly and fervently
13 believe that we should be very mindful of the impact on
14 our everyday citizens. Thank you, Mr. Chair.

15 CHAIRMAN WARFIELD: Thank you, sir.

16 COMMISSIONER WHITE: Got on my soapbox.

17 CHAIRMAN WARFIELD: We all got one. Yes,
18 sir.

19 ELDER DAVIS: My name is Edler Anthony Davis,
20 Sr., E-L-D-E-R, A-N-T-H-O-N-Y, D-A-V-I-S, S-R. I
21 was listening to Commissioner Warfield when he said if
22 the 75 -- if the people don't redeem their car you said
23 that you'd get the \$75.00 on the back burner when we
24 scrap the cars. I think that's unfair. I think you
25 should go after the people that's car that was

1 impounded. I don't think that the towers should have
2 to pay their fee. They the one broke the law. Why do
3 we have to pay their fee?

4 CHAIRMAN WARFIELD: Because I said like real
5 rough and straight to the point -- because we're
6 providing the business opportunity for you to do it.

7 ELDER DAVIS: And then we providing all the
8 equipment to have it.

9 CHAIRMAN WARFIELD: So it's a win/win on both
10 sides.

11 ELDER DAVIS: How is it a win/win when it's
12 coming out of our pocket? When the citizen breaks the
13 law if you can't do the time don't do the crime.

14 CHAIRMAN WARFIELD: I clearly understand, I
15 clearly understand. I obviously understand what you're
16 saying that we should go after the driver. But the
17 issue with that as relates to going after the driver I
18 think you actually increase your fees or you increase
19 the cost of trying to go after the driver.

20 Therefore, the fee of the tow itself would be
21 even a greater burden in trying to do that. I
22 understand. Because I know with tickets, I mean,
23 certain communities with tickets that are over a
24 certain amount I think it's three or six cannot renew
25 their license if they get a new ticket, if they get

1 another ticket or so. So I understand that. I do get
2 that. But right now the very fact the City of Detroit
3 is providing the business opportunity.

4 Because here's what we moved from. I think
5 it's very important for us to understand what we moved
6 from and we will move to. We're moving from and this
7 is very real and I reported this out to this Body, I
8 don't know, back in July maybe I believe it was or
9 early August, that they were moving to open up City
10 impound lots, and there would have been no auction fee,
11 there would have been no storage fee, there would have
12 been no scrap fee because the City would have taken all
13 the cars.

14 And trust me, somebody would have towed every
15 car under that system. And so compromise, politics is
16 about compromise. And I agree that it's not the best
17 system. I'm not going to dispute you there. But I
18 think under the circumstances I think it's the best
19 deal that was reached.

20 I mean, seriously, I think everybody and they
21 can speak for themselves the other people involved gave
22 and took in those negotiation and discussions. And so
23 is it the best possible solution? No. But I do
24 understand your point. I do not not understand it, but
25 I do understand it.

1 ELDER DAVIS: Okay. I want to say like steel
2 is down and say like only two percent of the people
3 come get their vehicles and they're responsible -- say
4 we got a like a hundred vehicles, and say like the
5 steel is down and then we scrap the cars all that money
6 goes to the City and none goes to the tow companies,
7 and that's a hardship on us.

8 CHAIRMAN WARFIELD: Yes, sir.

9 ELDER DAVIS: A big hardship. And when the
10 City of Detroit had the police towing I was around when
11 they had the police towing, they couldn't handle it,
12 they couldn't handle it, but they tried to. Even in
13 2000 they decided to take it to one yard and they
14 couldn't handle it, and that's when the Chief said take
15 them back to the towers and tow yards.

16 And to get to that responsibility fee, if the
17 people would have got out and vote that wouldn't have
18 happened.

19 CHAIRMAN WARFIELD: Well, I think that
20 responsibility fee is gone by now.

21 ELDER DAVIS: Yeah, but I tell you if the
22 people would have got out and voted like they should.

23 CHAIRMAN WARFIELD: Right.

24 ELDER DAVIS: Exercise their rights that
25 responsibility fee wouldn't been on them. Being lazy.

1 As my dad said trifling. That's on them, if you don't
2 get out and vote. I'm going Tuesday.

3 CHAIRMAN WARFIELD: Thank you, Elder Davis.

4 ELDER DAVIS: Thank you.

5 MS. PANNELL: Good afternoon. Sharon
6 Pannell. I just want to say thank you for my signs.
7 As soon as I came down here they was at the 2nd
8 Precinct the next morning.

9 CHAIRMAN WARFIELD: We aim to please. Thank
10 you, sir, thank you, Deputy Chief Turner.

11 MS. LACY: Good afternoon. My name is Mary
12 Lacy. I'm a precinct delegate. I'm out in the
13 community. But first of all, I'd like to thank Chief
14 Logan for coming to rescuing the City with the high
15 recession, depression, and high unemployment because
16 about 50 percent of our youth are without jobs and
17 things, so that's something.

18 And also I'm hoping the people vote no on
19 marijuana. Because, sure, you have to be 21, but I
20 think if it's good for Detroit I think it's got to be
21 good for the State. So this Proposal M is just for
22 Detroit. I disagree with that because to me the young
23 kids in the house can get contact highs.

24 And also what do the police have to do, take
25 a scale with them to make sure it's not over a ounce?

1 So anyway, I'm hoping the people go out and vote no on
2 Proposal M for marijuana.

3 CHAIRMAN WARFIELD: Thank you, Ms. Lacy.

4 MS. SMITH: Good afternoon. Bernice Smith,
5 Political Activist. Good and bad news.

6 CHAIRMAN WARFIELD: Uh-oh.

7 MS. SMITH: Last week I was practically
8 bawled(sic) out because I made some suggestions about
9 the Police Department and their conduct in a way where
10 you don't believe everything in the newspaper. I think
11 I'm old enough to know the distinsion(sic) whatever
12 between knowing what is true in the paper and what I
13 know that was told to me in private. So I'll accept
14 your apology, Chairman, in regards to fussing at me
15 about I don't read everything in the paper.

16 CHAIRMAN WARFIELD: I didn't baul you out. I
17 did not baul you out. Do you want me to read the
18 minutes back?

19 MS. SMITH: Let me continue. I still love
20 you. To my Deputy Chief there that's sitting in the
21 seat, good afternoon, and to the rest of the
22 Commissioners. So, saying that, I am glad that matters
23 was taken care of in regards to that situation of that
24 particular Commander. I don't know whether the Mayor
25 heard my plea or whatever, my suggestion, but he did

1 the right thing.

2 Now, I want to tell you I am very proud to be
3 in the City of Detroit. Midtown was beautiful. The
4 Officers did their job. I went down there in all that
5 crowd Sunday where the ball game was and so forth, the
6 series. It was enormous crowds down there and the
7 Police they were doing their job. I was so proud of
8 them.

9 I spoke to everyone. I stopped the traffic
10 and told them what a good job that they're doing. And
11 I did ask when I got closer to the stadium was there
12 any leaflets being given out, so hearing none it was
13 all in good order. And the Police I'm very proud of
14 you, and I will always let you know when I'm proud of
15 you and what you're doing whether you're doing it good
16 or bad. You were very wonderful.

17 I don't know what happened to the other two
18 days because I wasn't there. But I say for myself and
19 I spoke with the Commander who was in charge, I think
20 her name was Hall, but anyway she smiled and told me,
21 yes, Ms. Smith, we're doing wonders down here, and you
22 were. And that was a crowd down there. I don't know
23 whether you guys know it or not those people were very
24 polite.

25 They did not get out of order about coming

1 across the street, you know, when the cars were coming
2 through and so forth. They obeyed and the cars obeyed
3 also. So I'm just proud that Detroit showed out in a
4 nice dignified way this past Sunday. I thank you so
5 much over and over again, and I will make that report
6 tomorrow when I get on air.

7 In case you guys would like to know, I'll be
8 on the air tomorrow at 11:00 in morning on 1200, the
9 Mother's Board will be speaking tomorrow morning.

10 CHAIRMAN WARFIELD: Amen. Thank you, Mother
11 Smith, and I do apologize if you thought I bauled(sic)
12 you out.

13 MS. SMITH: That's all right.

14 CHAIRMAN WARFIELD: I'm passionate about my
15 City and I just --

16 MS. SMITH: Me, too.

17 CHAIRMAN WARFIELD: If they can find, I say
18 they, I mean the media, if they can find junk they also
19 can find gold. We got plenty of gold here. Yet they
20 don't report on it.

21 MS. ROMANO: Good afternoon --

22 COMMISSIONERS: Good afternoon.

23 MS. ROMANO: -- Commissioners, Deputy Chief,
24 Chief. Last week I spoke about the food drive. Well,
25 I have the fliers today so the food drive for the

1 Homeless Veterans shelters and Chief Chester Logan and
2 Northwestern District will be collecting nonperishable
3 canned goods through November 12th and the drop off
4 location will be the Northeastern District. So we're
5 hoping that everyone will get involved and we can make
6 this a successful event.

7 CHAIRMAN WARFIELD: Outstanding. You say,
8 you do have fliers for us?

9 MS. ROMANO: Yes.

10 CHAIRMAN WARFIELD: That would be great. For
11 the record, could you give us your name?

12 MS. ROMANO: Anna Romano.

13 CHAIRMAN WARFIELD: Thank you.

14 MS. ROMANO: And also I'd like to mention
15 this past week DPD did an excellent job. They stepped
16 up to the plate. Interim Chief Logan and his crew you
17 did an excellent job throughout the World Series, also
18 with our Angels Nights, Halloween Task Force. Great
19 job, you guys.

20 CHAIRMAN WARFIELD: Absolutely. I also want
21 to chime in on that, as well. I know Commissioner
22 White and I had an opportunity to go down, too. I only
23 went to one game because I got sick and couldn't go to
24 the other. But the Department did just an outstanding
25 job.

1 work with Lieutenant Renee Hall who as you know does a
2 phenomenal job and her tact crew, Officer Taylor and
3 others who I had the pleasure of working with though
4 the World Series. And I also spent time in
5 Northeastern District with Inspector Allen and Sergeant
6 Becker, as well as over at 2nd Precinct with Officer
7 Darrell Brown and Officers Cal Lewis and Eric Smith who
8 are also doing an outstanding job.

9 But also is there a formal report in terms of
10 the impact on Angel's Night, fires, activity, over the
11 course of the last couple days?

12 D.C. TOLBERT: There is. I don't know if
13 it's ready yet.

14 SPEAKER: 3:00.

15 D.C. TOLBERT: I will defer to the Chief.

16 CHAIRMAN WARFIELD: I'm sorry. I didn't
17 notice the Chief had came in. How you doing, sir?

18 SPEAKER: There he is. Welcome.

19 CHIEF LOGAN: Chester L. Logan, Interim Chief
20 of Police, City of Detroit. Sir, I just left the
21 official's press conference for the Angel's Night Task
22 Force, myself, Deputy Chief Lee, and Deputy Chief
23 Wells.

24 For the three night period there were a total
25 of 93 fires of various sorts, vacant houses, garages,

1 car fires, which I think we're two down from last year
2 which is phenomenal. Last year we made 123 arrests,
3 I'm sorry, detentions of juveniles and issued about
4 fifty parental citations for parental responsibility.

5 This year we made a total of fifty detentions
6 of juveniles, and twenty-one parental ordinances were
7 issued. So this is undoubtedly the best Angel's Night
8 weekend we've had ever.

9 I tell people that we've got a whole
10 generation of youth who don't know anything about
11 Devils Night as it was formally called. So we've got
12 that going for us, and plus the weather in a way it
13 helped out. The weather could have hurt us Monday
14 night because it was real windy, so had we had fires it
15 would have been a big problem.

16 But I'm so proud of the men and women of the
17 Detroit Police Department, Fire Department, our Police
18 Reservists, but especially, especially, this great
19 community they service. Any questions?

20 CHAIRMAN WARFIELD: Any questions?

21 COMMISSIONER WHITE: Thank you, Chief.

22 CHAIRMAN WARFIELD: Thank you, sir.

23 CHIEF LOGAN: Thank you, sir.

24 CHAIRMAN WARFIELD: Motion to adjourn?

25 COMMISSIONER TAYLOR: So moved.

1 COMMISSIONER WHITE: Second.

2 CHAIRMAN WARFIELD: It's been properly moved
3 and supported that we adjourn. All those in favor?

4 COMMISSIONERS: Aye.

5 CHAIRMAN WARFIELD: All those opposed?
6 Motion carries.

7 (The hearing concluded at 4:09 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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