

7/17/2014

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STATE OF MICHIGAN
DETROIT BOARD OF POLICE COMMISSIONERS
REGULAR MEETING

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Taken at 1301 Third Avenue, Media Room,
Detroit Public Safety Headquarters,
Detroit, Michigan, 48226,
Commencing at 3:01 p.m.,
Thursday, July 17th, 2014,
Before Elizabeth Koller, CSR-7042.

1 APPEARANCES:
2 CHAIRPERSON WILLIE BELL
3 VICE CHAIRPERSON LISA CARTER
4 COMMISSIONER JESSICA TAYLOR
5 COMMISSIONER RICARDO MOORE
6 COMMISSIONER WILLIE BURTON
7 COMMISSIONER RICHARD SHELBY
8 COMMISSIONER REGINALD CRAWFORD
9 COMMISSIONER WENDELL BYRD
10 CHIEF JAMES CRAIG
11 ATTORNEY ALIYAH SABREE

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1 Detroit, Michigan

2 July 17, 2014

3 About 3:01 p.m.

4 CHAIRPERSON BELL: Good afternoon, I want to
5 welcome you to the weekly meeting of the Board of
6 Police Commission. Good to see all of your smiling
7 faces. We're right on time at 3:00 and I'm setting my
8 clock by Miss Bernice, she walked in the room so we can
9 get on our way. Good to see you back at Headquarters,
10 good that you were able to make the community meeting.

11 I just want to say welcome once again to the
12 weekly meeting of the Board of Police Commission. And
13 our Board Secretary's not here with us this evening,
14 but we have our Attorney to the Board, Ms. Aliyah
15 Sabree. Would you take honors of the roll call,
16 please?

17 ATTORNEY SABREE: Thank you, Mr. Chair.
18 Aliyah Sabree, for the record. Lisa Carter.

19 MS. CARTER: Present.

20 ATTORNEY SABREE: Willie Burton.

21 No response.

22 ATTORNEY SABREE: Wendell L. Byrd.

23 MR. BYRD: Present.

24 ATTORNEY SABREE: Reginald Crawford.

25 MR. CRAWFORD: Present.

1 ATTORNEY SABREE: Ricardo R. Moore.

2 MR. MOORE: Present.

3 ATTORNEY SABREE: Richard Shelby.

4 MR. SHELBY: Present.

5 ATTORNEY SABREE: Jessica Taylor.

6 MS. TAYLOR: Present.

7 ATTORNEY SABREE: Donnell R. White has a
8 request to be excused. And Willie Bell.

9 CHAIRPERSON BELL: Thank you. I guess I'll
10 introduce myself. Once again, I'm Willie Bell, I'm
11 your Chair for 2014 and '15, and we really want to
12 thank you for coming out. This is better participation
13 this week versus last week. I'm saying a week ago
14 because the community meeting was really outstanding.

15 I think we had over a hundred people there, a
16 full house and that was sponsored under Hartford
17 Baptist Church and Community Relations at the Tenth
18 Precinct, so that was really a blessings, a good
19 turnout.

20 Mother Bernice, you want to say something?

21 MS. BERNICE: You said Hartford Church?

22 CHAIRPERSON BELL: Strike that from the
23 record. Tabernacle, Historic Tabernacle Baptist
24 Church, home of Miss Bernice Smith and Reverend Johnson
25 is the pastor, senior pastor of the church and he

1 graced us with his presence and with the prayer and
2 tremendous turnout. Once, again, thank you.

3 We have Assistant Chief with us again,
4 Dolunt.

5 A.C. DOLUNT: Sir.

6 CHAIRPERSON BELL: Good to see you. I always
7 enjoy your company.

8 A.C. DOLUNT: I'm sure you do.

9 CHAIRPERSON BELL: Assistant Chief, would you
10 introduce your staff at this time, members of the DPD,
11 should I say?

12 A.C. DOLUNT: Sandy Jordan McCain, I don't
13 know why you're here, but she's here. Disciplinary --
14 Mike Parish, what are you doing here? Just came to
15 watch? Oh, I didn't know that. This really isn't a
16 good idea because I didn't know it was a last minute
17 thing. But I'm here.

18 CHAIRPERSON BELL: Thank you.

19 A.C. DOLUNT: Okay.

20 CHAIRPERSON BELL: Attorney Sabree, would you
21 introduce the Board of Commission OCI staff? Thank
22 you.

23 ATTORNEY SABREE: Yes. We have Pamela Davis
24 Drake, our Chief Investigator in the front row, Robert
25 Brown our Office Manager, we have Sergeant Alan Quinn

1 recording the proceedings, and Elizabeth Koller from
2 Hanson Court Reporting.

3 CHAIRPERSON BELL: Thank you. Commissioners,
4 you have an agenda before you. The Chair would
5 entertain a motion to receive the agenda.

6 COMMISSIONER TAYLOR: So moved.

7 COMMISSIONER MOORE: Support.

8 CHAIRPERSON BELL: It's been properly moved
9 and second. Those in favor?

10 COMMISSIONERS: Aye.

11 CHAIRPERSON BELL: Those opposed? Motion
12 carried.

13 We do not have the minutes from July the
14 10th, so we're just going table that and move right on.
15 I just want to say that my report is forthcoming next
16 week in terms of more details. Our Board Secretary's
17 been attending a conference this week in Grand Rapids,
18 so we will regroup and share some of the dialog in
19 reference to the goals and objectives.

20 I just want to really echo that one of the
21 areas I'm looking at in terms of community support,
22 we're trying to do our best to interact with the
23 community, and 10th Precinct was a great turnout and
24 even prior to that was at Southwest Detroit. So we
25 just want to continue that type of dialog, and so on

1 that note, Assistant Chief Dolunt, do you have
2 something for us or anything?

3 A.C. DOLUNT: You know, I can say a few
4 things. Narcotics was supposed to have presentation
5 today.

6 CHAIRPERSON BELL: Okay.

7 A.C. DOLUNT: However, a couple days ago we
8 reorganized Narcotics. I'm sure everyone looked at the
9 media last week and we make some moves and try to
10 streamline Narcotics because of our lack of personnel,
11 try to make it a little more quality over quantity. We
12 gave the precinct captains more autonomy to work on the
13 narcotics complaints, so we're doing that and we made a
14 couple moves there.

15 The big thing that's going on in the City and
16 every week we talk about our double digits reduction in
17 crime. What we don't talk about and doesn't get enough
18 media play, I think, the amount of fatal critical
19 accidents that we are having in the City.

20 Year-to-date were 59 percent higher in fatal
21 accidents, fatal accident investigations over last
22 year. It's a combination of things. I'm sure poor
23 lighting. People walking in the street as opposed to
24 the sidewalk. Some cases it's careless driving.
25 Sometimes it's reckless. Sometimes it's just blatant

1 stupidity on the people driving the car, and they hit
2 these people and leave. And that bothers me. You can
3 say what you want about people leaving the scene of a
4 crime, they're in fear. You know what, not all the
5 time. You hit someone, that person belongs to a
6 family, mother, father.

7 A tragic accident the other day at Greenfield
8 and Curtis I believe it was. That was tragic. And she
9 was her -- mother. We're talking to the Chief. We
10 want to come up with some type of public service
11 announcement telling people, number one, don't walk in
12 the street, number two, cross at a crosswalk, number
13 three, and this goes ad nauseam, don't text when you're
14 driving. You don't need to be putting on your makeup,
15 drinking your cup of coffee, getting on the phone
16 hitting on your boyfriend, your girlfriend. You don't
17 need to be doing that. I need you to drive your car.

18 Those two kids that were killed the other
19 night ran into a '72 Chevelle, excessive speed and no
20 airbags. So we want to try to get a campaign going as
21 it pertains to the accidents. Because some accidents,
22 don't get me wrong, but some is based on a lack of
23 maybe caring or knowledge of other people driving these
24 cars. And the bottom line is someone loses their life
25 and it's still tragic to the family. So that's kind of

1 what we're -- we're concerned about all the crime, but
2 this is the one thing that doesn't get enough and I
3 think we need to address. I'm good.

4 CHAIRPERSON BELL: Mr. Burton. Okay. Let
5 the record reflect, that Commissioner Willie Burton is
6 now properly seated. And Attorney Sabree, we have a
7 quorum --

8 ATTORNEY SABREE: Yes, we have a quorum.

9 CHAIRPERSON BELL: -- even prior to his
10 arrival, but we definitely have a quorum.

11 ATTORNEY SABREE: Yes, we do.

12 CHAIRPERSON BELL: Thank you. So I would
13 like to -- we didn't have an opening prayer, but we'll
14 do a closing prayer, if you don't mind. I was moving
15 right along. I just want to really -- the Assistant
16 Chief reminding me that we really should be mindful of
17 the issues and concerns in our community, not only our
18 in our community but, you know, throughout what's
19 happening in Inkster and just throughout Metropolitan
20 Detroit and this State. So we will do a closing
21 prayer.

22 So moving right along with the agenda, we
23 have a disciplinary PO by Officer Woodberry. I think
24 the attorneys are here to present that process.

25 ATTORNEY SABREE: Actually, Mr. Chair, if we

1 could table that because Attorney Goldpaugh stepped out
2 for a moment.

3 CHAIRPERSON BELL: Okay. Good. Thank you.
4 We can move to New Business if the Board don't mind in
5 reference to we have two Resolutions this evening,
6 Sergeant Butler and Lieutenant Lee. And Commissioners,
7 who's going to do the Butler?

8 COMMISSIONER CRAWFORD: It's Commissioner
9 Crawford. Thank you. This is a Resolution honoring
10 Sergeant Clametta Butler.

11 Now therefore it be resolved, the Detroit
12 Police Commissioners speaking on behalf of the Detroit
13 Police Department and the citizens of the City of
14 Detroit recognize the lifelong commitment to public
15 safety of Sergeant Clametta Butler. Her pride and
16 dedication has been invaluable assets to the Department
17 and merit our highest regard.

18 We thank and congratulate you, Sergeant
19 Clametta Butler. Detroit Police Commissioners.

20 CHAIRPERSON BELL: Thank you, Commissioner.
21 And now for Lieutenant Lee, it will be Commissioner
22 Moore.

23 COMMISSIONER MOORE: Yes, Mr. Chair.
24 Resolution honoring retiring Lieutenant Gerald Lee.
25 Whereas Lieutenant Lee retired from the Department on

1 July 11th, 2014 after 28 years of loyal service. He
2 has served the Detroit Police Department and the
3 citizens of the City of Detroit with loyalty,
4 professionalism, integrity and dedication and is widely
5 respected throughout the law enforcement community as
6 the consummate professional.

7 Now therefore be it resolved, the Detroit
8 Board of Police Commissioners.

9 CHAIRPERSON BELL: Thank you, Commissioner
10 Moore. The Chair would entertain a motion to receive
11 both Resolutions, so.

12 COMMISSIONER MOORE: So moved.

13 COMMISSIONER TAYLOR: Second.

14 CHAIRPERSON BELL: It's been properly moved
15 and second. Thank you. Questions? Those in favor?

16 COMMISSIONER: Aye.

17 CHAIRPERSON BELL: Those opposed? Motion
18 carries. So it is now in our archives and the records
19 of the history of the DPD and Board of Police
20 Commission and we wish them God speed and God bless.

21 And there's another life after retirement, so
22 some of you need to think in those terms, that's a
23 blessing as move they move forward to another career.

24 As we moved to any other, any Old Business,
25 Commission, any Old Business? Announcements, I just

1 want to say under Announcements, our next community
2 meeting is going to be held on August 14th, 2014, at
3 UAW Local 7, that's at 2600 Conner Avenue, that's in
4 Detroit.

5 We want to make sure that we are
6 communicating early. Thanks to Mr. Brown and DPD we
7 have a location and I'm hoping that Ms. Bernice,
8 Ms. Pannell, I want to talk to afterwards in reference
9 to communicating that to the community and we just
10 really want to get that information out early on for
11 people to know exactly when our next community meeting
12 is going to be.

13 So I'm going to ask you on the record to
14 assist me in that endeavor in terms of working and
15 we'll talk a little bit more afterwards in terms of how
16 that process works. So I know you're community
17 activists and so you're engaged so that's why I'm
18 trying to encourage your support. Thank you.

19 And our next meeting of the Board will be
20 next Thursday, July 24th, right here at 3:00, Public
21 Safety Headquarters, so that will be at 3:00 next week.

22 Are we now prepared -- are you scheduled to
23 go first?

24 ATTORNEY SABREE: Yes, Mr. Chair.

25 CHAIRPERSON BELL: Would it be proper to

1 indicate a little time would be fives minutes or?

2 ATTORNEY SABREE: I think that would be
3 proper.

4 CHAIRPERSON BELL: You think we can work in
5 that timeframe for each and if you need more time, I
6 don't have a problem. I just wanted to put a timeframe
7 on it. Would that be reasonable?

8 ATTORNEY SABREE: I would say yes.

9 CHAIRPERSON BELL: I don't want to spite you,
10 but I know you're going to be focused, that's what
11 you've been doing for a long time. Thank you.

12 ATTORNEY GOLDPAUGH: And I apologize, sir.

13 CHAIRPERSON BELL: No problem, no problem.

14 ATTORNEY SABREE: Thank you, Mr. Chair, and
15 I'll start off with a brief background.

16 CHAIRPERSON BELL: Thank you.

17 ATTORNEY SABREE: This is a disciplinary
18 hearing appeal for Police Office Lajeff Woodberry.
19 Petitioner Police Officer Lajeff Woodberry, Badge
20 Number 322 was charged on November 12th, 2012 with the
21 follow rule violations:

22 Specification 1: That he, Police Officer
23 Lajeff Woodberry, badge 322, currently assigned to
24 Central District, while on duty did on July 2nd, 2012
25 at approximately 9:45 p.m., at Monro and Beaubien,

1 neglect his duty by failing to submit a complete and
2 accurate activity log, omitting information regarding
3 his contact with a citizen, Mr. Bradley Matson: This
4 being a violation of the Detroit Police Department
5 Manual Series 100, Directive 102.3 through 7.15,
6 Miscellaneous, Command 4.

7 Specification 2: That he, Police Officer
8 Lajeff Woodberry, badge 322, currently assigned to
9 Central District, while on duty, did on July 2nd, 2012
10 at approximately 9:45 p.m., at Monroe and Beaubien,
11 neglect his duty by failing to prepare a report after
12 being involved in an incident where his department
13 vehicle made contact with a pedestrian, Mr. Bradley
14 Matson: This being in violation of the Detroit Police
15 Department Manual Series 100, Directive 102.3 through
16 7.15, Miscellaneous, Command 4.

17 And lastly, Specification 3: That he, Police
18 Officer Lajeff Woodberry, badge 322, currently assigned
19 to Central District, while on duty, did on July on 2nd,
20 2012 at approximately 9:45 p.m., at Monroe and
21 Beaubien, neglect his duty by failing to call a
22 supervisor to the scene of an incident involving a
23 pedestrian and a department vehicle that he was
24 driving; this being a violation of the Detroit Police
25 Department Manual Series 100, Directive 102.3 through

1 7.15, Miscellaneous, Command 4.

2 In a decision dated March 11th, 2013 the
3 Trial Board found Officer Woodberry guilty of neglect
4 of duty Specification 1, not guilty of neglect of duty
5 for Specification 2, and guilty of neglect of duty for
6 Specification Number 3.

7 The Trial Board recommended a penalty of
8 32 hours, and petitioner now appeals pursuant to the
9 Collective Bargaining Agreement between the City of
10 Detroit and DPOA.

11 Let the record reflect for petitioner here we
12 have Attorney John Goldpaugh, and to represent the
13 Department, we have Sergeant Parish. And I will
14 provide a recommendation after oral arguments.

15 CHAIRPERSON BELL: Thank you. Yes, sir.

16 ATTORNEY GOLDPAUGH: Good afternoon to
17 Members of the Board. Again, I apologize.

18 CHAIRPERSON BELL: No problem.

19 ATTORNEY GOLDPAUGH: I was down with Internal
20 Affairs. Attorney John Goldpaugh on behalf of Officer
21 Woodberry. Officer Woodberry is also in the hearing
22 room seated to my right.

23 As indicate in the recitation by Attorney for
24 the Board, this is an appeal from a Trial Board. At
25 the Trial Board, Officer Woodberry was charged with

1 three Specifications of Neglect of Duty, one with no
2 entry on the activity log regarding the contact, not
3 the physical, but any contact with the individual.
4 Second was the accident allegedly or the crash, and
5 then the third was failing to notify a Supervisor.

6 I'd like to address the notifying of a
7 supervisor first. The Board found him not guilty of
8 the accident. And as set forth there was no accident.
9 There was no crash and as such under the rules and
10 regulations of the Department there was no requirement
11 that he notify a Supervisor.

12 The testimony as elicited during the Trial
13 Board from even the complainant was that he was the one
14 who slammed his hands down on the car, walked around,
15 did all these things, and that his vehicle, he may have
16 been struck on the hip, the evidence did not support
17 any of that during the Trial Board proceedings.

18 Further, the testimony of his partner, and
19 we'll address the lack of discipline brought against the
20 partner in a second, was that he saw the vehicle, felt
21 the vehicle come to a stop, when he looked up there was
22 man standing there. The man was the one who initiated
23 the contact with the vehicle and slammed his hands down
24 on car and then talked, walked away, and I'm
25 paraphrasing for brevity.

1 The other testimony even from Officer
2 Woodberry was consistent with the testimony of his
3 partner or actually the person who was driving to the
4 location. They weren't actually partners that day.
5 The testimony there was that Officer Woodberry even
6 talked to the man. He said, no. Do you want medical
7 attention? We're all set and everything and he walks
8 away.

9 So there was no accident and as such having
10 no accident there's no requirement that he notify a
11 Supervisor to come to a scene for no apparent reason.
12 The problems with respect to the failing to make the
13 entry on the active log are that in this particular
14 situation does this rise to the level of having to make
15 an entry? We all are aware that all of the allegations
16 or all your contacts and your activities are to be
17 included on a active log.

18 However, in this particular case the man
19 walked away. I'm okay, I don't need anything. He then
20 decided he's going to go file his report. From that
21 standpoint, we then must also look to see where the
22 other individual, his partner, why isn't he also at
23 least being addressed on this issue? I would suggest
24 to the Board that the Board should find that there
25 should be no penalty, there should be no guilt with

1 respect to the failing to notify the Supervisor.

2 There was no accident, we found that through
3 the Board itself, the Trial Board. They said there was
4 not an accident, so therefore we don't have to proceed
5 there, and second of all that if you feel that under
6 these circumstances that a penalty should be meted out
7 for the failure to make the activity entry then it
8 should be at most a written reprimand.

9 I say that because in the Department's
10 answer, the Department talks about the Magic Matrix.
11 To be quite honest with you the Magic Matrix as far as
12 I'm concerned doesn't exist. We have been fighting and
13 discussing that over the years. This is a self-imposed
14 penalty or a self-imposed generation.

15 Also in their argument it says for a first
16 offense at a Trial Board the Matrix says three to
17 five days. That is a misconception. The Matrix never
18 says anywhere that for a first offense at a Trial
19 Board. What they have construed that to mean is that
20 if you decide to go from a Commander's Action which is
21 the maximum they can put on an individual with for the
22 three days, then the Trial Board says, well, you didn't
23 take a Commander's Action so I'm going to hit you with
24 the three days if I find you guilty.

25 The problem is in this particular case this

1 matter could not and was never directed to go to a
2 Commander's Action because there were three charges.
3 When there are three charges they can't go to a
4 Commander's Action. As such had they just taken this
5 to a Commander's Action on the appropriate charge and
6 the only charge that should be before you, the failing
7 to put the actively log entry, an appropriate entry,
8 under these circumstances would have been a written
9 reprimand. I would ask that if you don't dismiss the
10 entirety of the charge, that's what you render.

11 CHAIRPERSON BELL: Thank you, sir.

12 ATTORNEY GOLDPAUGH: Thank you.

13 SERGEANT PARISH: Good afternoon. I'm
14 Sergeant Michael Parish on behalf of the Detroit Police
15 Department. We are asking that at Board uphold the
16 penalty in it's entirety. The Trial Board found that
17 Officer Woodberry was guilty of failing to notify the
18 Supervisor and failing to record contact.

19 In these circumstances both should be upheld.
20 Officers are required to document all contacts with
21 citizens. They don't have the discretion to document
22 some and leave out others. That degree of discretion
23 is never afford a Police Officer. The Department must
24 always have notice of who you've come into contact with
25 and that's for obvious reason.

1 I believe you'll hear from your Counsel later
2 with respect to the second charge that's before you
3 today, failing to notify a Supervisor. The evidence
4 revealed clearly at Trial Board that at the very least
5 that Officer Woodberry while driving a department
6 vehicle turned into a citizen.

7 Whether or not the actual contact may
8 constituted a cash is regardless. The fact is that
9 Officer Woodberry turned into a citizen that was
10 attempting to cross at a crosswalk. This is a traffic
11 violation and the record clearly indicates that it was
12 objectionable. The person was trying to cross at the
13 crosswalk and suddenly had contact with a DPD vehicle.

14 In addition to reporting, in addition to
15 requiring members to report any and all contact with
16 citizens they have to bring it to the attention of a
17 Supervisor any and all rule violations that we would
18 submit that this would include objectionable driving
19 habits, such as one committed by Officer Woodberry even
20 by his own account.

21 The reason's obvious, why would we make
22 Police Officers report misconduct even if it's their
23 own misconduct? Because management has to have an
24 opportunity to immediately respond to it and
25 immediately react to, immediately correct the

1 situation.

2 If you review the record you'll see that by
3 not calling a supervisor to the scene this resulted in
4 a month's long investigation by Internal Affairs.
5 Mr. Bradley Matson in the sense then did eventually
6 make a complaint and the matter was referred to DPD
7 Internal Affairs.

8 Had Officer Woodberry called a Supervisor to
9 the scene we would have had immediate clarification by
10 a non-involved Supervisor as to whether or not, in
11 fact, a traffic crash occurred and what should be the
12 appropriate response by the Department. He did not do
13 it.

14 Indeed, it appears that Officer Woodberry
15 took measures not to record this at all on his activity
16 log sheet. He did not record the contact at all.
17 That's one of the matters before you. But even more on
18 this Activity Log Sheet, he did not record his license
19 plate number nor his vehicle code. And I think it's
20 obvious as to why.

21 I believe your Counsel's going to say there
22 are no clear Manual Directives speaking to a particular
23 case on these facts, you know, addressing facts that
24 are similar to this particular case.

25 And I feel humble and awkward to have to ask

1 you to side with me as opposed to what I believe your
2 Counsel will recommend down the road later on during
3 the course of this proceeding. I'm going to ask that
4 you uphold and sustain the charge of not notifying a
5 Supervisor even though no Directive speaks directly to
6 a situation where an Officer commits a traffic
7 violation, the member slams his hands on the hood and
8 then walks away. I do feel humble and awkward.

9 However, I have to tell you about the Detroit
10 Police Manual is that it does not now nor has it ever
11 purported to be a compendium that could take into
12 account all facts and situations. Indeed, on page one
13 of the Detroit Police Manual it is written: Since it is
14 not possible to anticipate every situation that may
15 arise or to prescribe a specific course of action in
16 each scenario all members are expected to exercise good
17 judgement, honor and integrity in the delivery of
18 services to community.

19 Officers necessarily by the very nature of
20 their job are afforded discretion. The requirement of
21 the manual is, it's an ongoing requirement that your
22 discretion will always be good. Good discretion in
23 this case would have been when met with objectionable
24 conduct that he get a supervisor out there immediately
25 so that the Department could respond and react

1 accordingly.

2 Because of his failure to report, the matter
3 had to be complained of, the matter had to be referred
4 to Internal Affairs. It required a month's long
5 investigation and clearly I don't have to get into the
6 cost of that.

7 And Officer Woodberry was in the best
8 position and only position to stop this from happening.
9 He should have put the Department on notice. He didn't
10 put the Department on notice in writing. He didn't put
11 the Department on notice verbally. He was required to
12 do both.

13 The fact that we're a Police Department
14 requires that we hold members to a higher standard.
15 I'm going to ask that you hold Officer Woodberry to a
16 high standard today. He was met with objectionable
17 conduct and it should have been reported to the
18 Department Management. I ask you to uphold the Trial
19 Board's findings in it's entirety. Thank you.

20 CHAIRPERSON BELL: Thank you, Sergeant
21 Parish.

22 ATTORNEY GOLDPAUGH: I waive rebuttal since
23 this is my appeal. It's interesting to note that the
24 Department advocate, states, well, I come before you
25 humbly, which I appreciate. The problem is that one of

1 the mandates, not only the discipline process, one of
2 the mandates of the manual is to put an Officer on
3 notice that he or she has violated a specific rule and
4 regulation.

5 I agree that we have these catchalls. We
6 have catchalls in criminal law. We have all different
7 certain circumstances. But here specifically they
8 charged him with neglect of duty for not notifying a
9 Supervisor of an accident that occurred. There was no
10 accident. The finding here was that, in fact, it was
11 the individual who turned and slammed his hands on the
12 car.

13 So I guess what the Sergeant is saying, well,
14 even though we've charged you with something, if
15 something comes up it's kind of close to it, that's
16 good enough, we can take time, money, and suspend you
17 for it. And that's a real problem. That's the same
18 problem we have with the Matrix.

19 The other problem as I perceive it is he said
20 it was Officer Woodberry. Well, the partner was also
21 there yet he's not before anybody. And we're not
22 trying to throw him under the bus. But if you're going
23 to deal with this cloud of this is what you're supposed
24 to do no matter what. Well, then why is it only
25 Officer Woodberry?

1 I would suggest that the Board was in error
2 when it found him guilty in that charge. I would
3 suggest that an appropriate penalty under these
4 circumstances would be a written reprimand. Thank you.

5 CHAIRPERSON BELL: Thank you, sir. Before we
6 go any further, I just want to acknowledge Chief Craig
7 present to the Board and he joined us about ten minutes
8 ago. Good to see you, Chief. We'll give him an
9 opportunity after we finish this. Thank you.

10 ATTORNEY SABREE: I provided an in-depth
11 opinion to the Board and in sum my recommendation is
12 that the Trial Board's findings be upheld, in part.
13 There's clear evidence that has been presented that
14 Officer Woodberry neglected his duty when he failed to
15 document his exchange with Mr. Matson in his activity
16 log and, therefore, the guilty finding by the Trial
17 Board for Specification 1 should be upheld and a
18 16 hour suspension should be implemented.

19 Although it may have been commonsense to call
20 a Supervisor, however, the finding of guilty for
21 Specification 3 should be reversed due to the
22 conflicting facts presented in the record as to whether
23 a crash occurred or an accident and due to the
24 vagueness of the specification and language of the
25 Directive that the Department relied on to support its

1 findings, as well as testimony from Mr. Matson that
2 tended to be incredible throughout the transcript.

3 It is recommended that Specification 3 be
4 dismissed, and Officer Woodberry be suspended for
5 16 hours for the finding of guilty for Specification 1
6 only. Thank you.

7 CHAIRPERSON BELL: Thank you, Attorney.
8 Board, you have received this case. You heard the oral
9 arguments. Commissioners, this is your opportunity to
10 weigh in. I will start on my left. Any Commissioner
11 want to speak to the issue? Okay. Commissioners to my
12 right, questions?

13 COMMISSIONER MOORE: I do have a question.
14 Sergeant Parish, you stated that Internal Affairs had
15 to be contacted because Officer Woodberry didn't put
16 something on his run sheet, is that correct?

17 SERGEANT PARISH: This incident resulted in a
18 complaint and the complaint was forwarded ultimately to
19 Internal Affairs for investigation. And the point I
20 was making earlier the investigation was protracted due
21 to the fact that there was uncertainly as to what
22 happened. There was no recorded, documented -- there
23 was nothing documented on this incident. The matter
24 had to be thoroughly investigated.

25 Had Officer Woodberry put the Department on

1 notice immediately, that includes recording it on his
2 activity log, notifying a supervisor, which even your
3 Counsel seems to suggest would have been
4 commonsensical, the commonsense thing to do, he didn't
5 do it. This protracted and turned in what possibly
6 could have been a small matter into a month's long
7 investigation culminating at a Trial Board proceeding.

8 COMMISSIONER MOORE: For purposes of
9 clarification Internal Affairs handles criminal
10 complaints?

11 SERGEANT PARISH: Internal Affairs handles
12 criminal complaints, yes. Now, it is possible for
13 something that was once a criminal complaint to be
14 reduced simply to an administrative matter which is
15 what happened here. No warrant to my knowledge was
16 issued against Office Woodberry.

17 COMMISSIONER MOORE: Last but not least, you
18 said the matter had to be thoroughly investigated which
19 I concur. Was there a canvas conducted by Internal
20 Affairs?

21 SERGEANT PARISH: By the time, excuse me, let
22 me review my notes really quick. My records don't
23 include an on-scene canvas. My notes do include that
24 Sergeant Detrick Lever who was the Investigator from
25 Internal Affairs did obtain evidence that included

1 hospital records from Mr. Bradley Matson, Officer
2 Woodberry's Activity Log Sheets, the obtainment of an
3 interview, Garrity interview from Officer Woodberry and
4 as well as other members. He did have Officer
5 Woodberry sketch out the scene during the course of the
6 Garrity interview. That, in sum, was the total of his
7 investigation.

8 COMMISSIONER MOORE: So there wasn't a
9 canvass conducted of the Greek Town area?

10 SERGEANT PARISH: Doesn't appear that there
11 was from my records.

12 COMMISSIONER CARTER: Sergeant Parish,
13 through the Chair, how long after the incident happened
14 was the complaint filed?

15 SERGEANT PARISH: The complaint was filed,
16 after the accident the complainant went to Beaumont
17 Hospital. He was treated over the course of several
18 hours, I want to say approximately six or seven hours,
19 and afterward he left the hospital and went to a police
20 precinct speaking to a Sergeant to make the complaint.

21 COMMISSIONER CARTER: Beaumont Hospital,
22 where?

23 SERGEANT PARISH: I apologize, give me one
24 moment.

25 ATTORNEY SABREE: If I may, Sergeant Parish,

1 I can help you out. Royal Oak, 13 Mile Road.

2 SERGEANT PARISH: That sounds right.

3 CHAIRPERSON BELL: Commissioner?

4 COMMISSIONER CRAWFORD: I just had a comment.
5 I know this is not written in the Department Manual,
6 but for the sake of truth and transparency here and
7 those of us that know referred to many times before
8 that when in doubt notify a Supervisor. That's not
9 written in your manual but I do some -- I mean, some of
10 us can identify with that slogan. I've heard it --

11 SERGEANT PARISH: As your Counsel suggested
12 it was commonsense thing to do. I would just emphasize
13 that the limitations of any manual. Police functions
14 are so varied and we can't possibly create a manual
15 that will include any and all situations possible. And
16 I can't emphasize that was put on page one of our
17 Manual putting members on notice that this is a Manual,
18 we're going to give you the framework, the
19 expectations, but it is incumbent on you to use good
20 judgement.

21 To me, I've said it before, it was a matter
22 of commonsense he should have notified a Supervisor
23 immediately. And that's why I'm here today asking you
24 to uphold even that charge on the Trial Board's
25 findings in their entirety.

1 COMMISSIONER CRAWFORD: Okay. Thank you.

2 CHAIRPERSON BELL: Any other comments?

3 COMMISSIONER TAYLOR: Through the Chair, I
4 just need some clarification. Do you call the
5 supervisor for every incident that you have during the
6 day?

7 SERGEANT PARISH: No, not every incident, not
8 every incident. But there are certain provisions in
9 the Manual that do seem to automatically require
10 notification of a Supervisor. Obviously, if a member
11 of the Department is going to be arrested, if a citizen
12 requests to make a complaint, they're supposed to be
13 referred to a Sergeant. Obviously, a member can't
14 take, any member can't take a complaint. It has to be
15 a Supervisory member. So, no.

16 And your Counsel did indicate, no, there was
17 no, there was nothing in the Manual that says when a
18 person slams their hands down on a vehicle or you
19 nearly turn into a citizen or, in fact, you do turn
20 into a citizen that you shall call a Supervisor.

21 It does say that you shall notify a
22 Supervisor in the event of any rule violation. The
23 evidence is clear that he did turn his vehicle into a
24 citizen, that would amount to a traffic violation which
25 in the Department's view should have been reported to a

1 Supervisor.

2 But even further, again, just a matter of
3 commonsense. Mr. Bradley Matson clearly objected to
4 this Officer's conduct at the scene, that's clearly
5 something happened there at the scene. I believe your
6 Counsel indicated in her opinion that the matter was
7 kind of a gray area.

8 Well, if it's a gray area that's even more of
9 a reason to call for a Supervisor when the situation's
10 gray, when you're not sure whether to go right or left,
11 that's the reason supervision's there to guide members
12 through situations such as these.

13 Had the member called the Supervisor a lot
14 could have been avoided. We would of had even a better
15 understanding of what occurred and likely would not
16 have been here today. And so, again, as a matter of
17 commonsense you should notify the Supervisor. The
18 Manual requires that Officers operate with commonsense,
19 that's on page one of the Manual, the very first page.
20 That's why we ask the Board to uphold it in it's
21 entirety.

22 COMMISSIONER TAYLOR: Thank you.

23 CHAIRPERSON BELL: Any other comments from
24 Commissioners? Hearing none. My understanding that,
25 I'm sorry, that we have a recommendation from Attorney

1 Sabree and perhaps you need to highlight the
2 recommendation again for the Board to have clarity on
3 the matter at hand that we can weigh in on it in
4 reference to entertaining a motion.

5 ATTORNEY SABREE: Yes. The recommendation is
6 to uphold the Trial Board decision for Specification 1
7 with a 16 hour suspension and to dismiss or I should
8 say reverse Specification 3, the finding of guilty and
9 dismiss the 16 hour suspension suggested for that one.
10 So implement a 16 hour suspension versus 32 for
11 Specification 1.

12 CHAIRPERSON BELL: Thank you. Commissioner,
13 what is your pleasure?

14 OFFICER WOODBERRY: I have prepared a
15 statement, very short.

16 CHAIRPERSON BELL: I would like to pause for
17 a minute. This is new territory for me. What is the
18 Attorney recommendation?

19 ATTORNEY SABREE: Mr. Chair, I would lean to
20 the side of saying no. This is more of an appellant
21 argument where that's the whole point of having counsel
22 today so he can represent his client as well as
23 Sergeant Parish to represent the Department.

24 CHAIRPERSON BELL: We have to respect the
25 Attorney recommendations, sir. But we can -- if the

1 Attorney wants to address this Board, since the
2 Officer's here we would --

3 ATTORNEY GOLDPAUGH: If the Commission
4 indicates, I will be more than happy to do that. I've
5 explain that to him. I believe that we have touched on
6 those issues except one or two which if the Board
7 allows me to I will read this.

8 ATTORNEY SABREE: Yes, as long as his
9 attorney's representing.

10 CHAIRPERSON BELL: Yes, sir, go ahead.

11 ATTORNEY GOLDPAUGH: Thank you. Basically
12 I'm not going to read this verbatim because some of the
13 things have been brought out. I'll read it because
14 he's asking me. I'm quoting this now: On March 11,
15 2012 the Trial Board dropped Specification 2 charge
16 against Officer Woodberry because the investigation
17 established there was no pedestrian department vehicle
18 accident.

19 Neither Officer Woodberry nor his partner
20 Officer Emanuel Robertson can be required to enter an
21 accident that did not happen in the active log and call
22 a Supervisor to the scene of a pedestrian department
23 vehicle accident that did not occur. To do so would
24 require Officers to make false reports. Moreover,
25 Detroit Police Manual Series 100, Directive 102.3 dash

1 715 Miscellaneous, Command 4, does not impose an
2 affirmative duty on Officer Woodberry or his partner to
3 enter every contact with every citizen in the activity
4 log. This can be evidenced by the fact that neglect of
5 duty charges were not alleged against Officer Robertson
6 who has the same duty to enter the alleged incident in
7 the activity log and call a Supervisor to the scene of
8 an alleged pedestrian department vehicle accident.

9 Specifications 1 and 3, neglect of duty
10 charges alleged against Officer Woodberry become
11 annulity(sic) since the Trial Board determined that
12 there was no pedestrian department vehicle accident and
13 the Trial Board should have dropped Specifications 1
14 and 3 charges also. And there's a parenthesis, the
15 word, incident and accident are not synonyms and they
16 do not --

17 CHAIRPERSON BELL: Excuse me, Officer
18 Woodberry --

19 ATTORNEY GOLDPAUGH: What I missed was
20 that's --

21 CHAIRPERSON BELL: That's fine. But please
22 refrain yourself. You have legal representation. He's
23 here. He's doing an excellent job.

24 ATTORNEY GOLDPAUGH: Thank you, sir.

25 CHAIRPERSON BELL: Thank you.

1 ATTORNEY GOLDPAUGH: The words incident and
2 accident are not synonyms and they do not have the
3 interchangeable meaning. Any ambiguity resulting from
4 the careless interchangeable use of the words by
5 respondent City of Detroit Police Department must be
6 interpreted in light of favorable to the petitioner.
7 Signed by Officer Woodberry.

8 CHAIRPERSON BELL: Thank you, sir.
9 Commissioners, once again, what is your pleasure as far
10 as Attorney Sabree's recommendation?

11 COMMISSIONER TAYLOR: Well, I move that the
12 Board uphold the recommendations of Attorney Sabree to
13 suspend Officer Woodberry for 16 hours for neglect to
14 file documents of the incident.

15 CHAIRPERSON BELL: Do I hear a second?

16 COMMISSIONER CRAWFORD: I'm just going to
17 have some discussion of clarity --

18 CHAIRPERSON BELL: We have to get the motion
19 on the floor, first.

20 COMMISSIONER: Sorry.

21 COMMISSIONER: Second.

22 CHAIRPERSON BELL: It's been properly moved
23 and seconded. Ready for the question? Mr. Crawford?

24 COMMISSIONER CRAWFORD: Yes, sir. In terms
25 of the one that's five or three, I'm sorry, speaking to

1 the Attorney Sabree, the one you wanted?

2 SERGEANT PARISH: Yes, the findings,
3 upholding the Trial Board decision on Specification 1,
4 a finding of not guilty, 16 hours, and reversing and
5 dismissing the recommendation for Specification 3 which
6 is also 16 hours. So only upholding Specification 1 is
7 my recommendation.

8 CHAIRPERSON BELL: So the motion is speaking
9 to Specification 1 at this particular --

10 COMMISSIONER CRAWFORD: Yes, sir.

11 CHAIRPERSON BELL: That's what we're
12 addressing. Any other comments by the Commissioners?
13 Are we ready for the question? Those in favor, aye?

14 COMMISSIONERS: Aye.

15 CHAIRPERSON BELL: Those opposed?

16 COMMISSIONER: (Inaudible.)

17 CHAIRPERSON BELL: Carried. Specification,
18 the second recommendation in reference to
19 Specification 3, what is your pleasure, Board?

20 COMMISSIONER CARTER: I make a recommendation
21 that the motion, that we follow the recommendation of
22 Attorney Sabree and dismiss Specification 3.

23 COMMISSIONER TAYLOR: Second.

24 CHAIRPERSON BELL: It's been properly moved
25 and second. Ready for the question?

1 COMMISSIONER CRAWFORD: Dismiss the third?

2 CHAIRPERSON BELL: Right, Specification 3
3 dismiss, that's the motion. Any other comments by the
4 Commissioners? Those in favor, aye?

5 COMMISSIONERS: Aye.

6 CHAIRPERSON BELL: Those opposed? Motion
7 carried. Thank you, sir.

8 ATTORNEY GOLDPAUGH: Thank you.

9 SERGEANT PARISH: Thank you.

10 CHAIRPERSON BELL: Thank you, Commissioners,
11 for disposing of this matter in a timely manner.

12 At this time I would like to allow Chief
13 Craig to address the Board any concerns. And good to
14 see you attending.

15 CHIEF CRAIG: Thank you. I appreciate it.
16 I'm not sure if Steve Dolunt addressed crime?

17 CHAIRPERSON BELL: Yes, but you can always
18 speak to the issue.

19 CHIEF CRAIG: I won't go through all of the
20 crime, but I guess the highlights we're still
21 continuing to trend in a downward. Our steepest
22 reduction is in the area of robbery and the subcategory
23 carjackings were down roughly 30 percent, it might be
24 26. I don't have my notes in front of me.

25 We're still trending downward in homicide

1 14 percent. Also nonfatal shooting. So in every
2 category we're down except we're still slightly up in
3 aggravated assaults and what's driving that is our
4 domestic violence incidents.

5 I did want to report out that we did
6 restructure our Narcotics section, that has taken place
7 and went into effect this week. We disbanded Narcotics
8 based on an active investigation still continuing. We
9 have now in its place a new Narcotic section. Major
10 Violators section that's much smaller. It will deal
11 with midlevel and higher level narcotic investigations.

12 Investigations have been paired down to
13 twenty with two Supervisors and a Lieutenant and then
14 all field enforcement narcotic investigations will be
15 conducted at the precinct level. Primarily, Special
16 Operations Section will investigate those complaints.
17 So there will be more to come. Again, there is an
18 active Internal Affairs investigation on that matter.

19 If you have any questions, I'll take
20 questions on that restructure?

21 CHAIRPERSON BELL: Commissioners, any
22 questions for restructure as far as narcotics for the
23 Chief?

24 COMMISSIONER CRAWFORD: Yes, sir, I have one
25 question. Chief, I don't know if it was your comment

1 or there was something earlier about or maybe I picked
2 it up in the media that contributed to you're not
3 certain in terms of rotation in Narcotics, something
4 about three years or five years?

5 CHIEF CRAIG: Yes, I appreciate you bringing
6 that up. Basically as part of the restructure and I
7 was adhering or adopting but I know that Best Practice
8 and police departments that have come under Consent
9 Judgements they have put limited durations on the tours
10 of duty, high risk assignments such as Narcotics, Vice,
11 Gang Unit. And the reason for that is because those
12 assignments that have had lengthy tours of duties is a
13 greater likelihood of corruption.

14 And so when the Los Angeles Police Department
15 came under Consent Judgement there was a wholesale
16 restructuring, a mandate under the Federal Consent
17 Decree to put limited durations or limited tours in
18 that assignment.

19 In Detroit what we've done in adhering to
20 that Best Practice that the tour of duty in those
21 assignments Vice, Gangs, and Narcotics, would be three
22 years and at the termination of the three-year
23 assignment the concerned employee could request a
24 one-year extension if approved up through the rank of
25 assistant chief they can get a one-year extension with

1 a four-year max assignment.

2 The other advantage of doing it that way, we
3 talk about corruption, and it will also give other
4 Officers an opportunity to work in these specialized
5 assignments. What we've also done as part of this
6 restructure is that anyone that has over five years of
7 service we moved out. We conducted a selection
8 process. Anyone with five years or less could apply
9 for the new assignment and that would start their time
10 over. It wouldn't be consider, well, you've been here
11 five years. So the clock starts the time you're
12 selected.

13 CHAIRPERSON BELL: Any other comments?
14 Chief, you recently celebrated your one-year
15 anniversary --

16 CHIEF CRAIG: Yes, sir.

17 CHAIRPERSON BELL: -- back with DPD. I just
18 really want to commend you. I've been conducting a
19 little informal poll for you on your behalf. Even at
20 the retirement picnic you made that I was transitioned
21 out. A young lady had an incident and you sort of
22 stepped in and interacted with the State Police. And I
23 was talking to some of the retirees in reference to
24 your role, and overall, you know, they are pleased, you
25 know, in reference to what's happening with DPD.

1 So I just want to share with you in reference
2 to it's been a great year and we're looking forward to
3 bigger and better things in reference to fighting crime
4 and also the public image, perception.

5 CHIEF CRAIG: Well, I appreciate it and I can
6 tell you it's not been an easy task. Any time when
7 you're an outsider, and while I started here, I truly
8 am an outsider, coming in it's a very significant
9 challenge when you talk about addressing cultural
10 issues.

11 The work is not over. As much as I, you
12 know, certainly talk about the reducing of crime,
13 certainly I have to give credit to the men and women
14 who despite the challenges they face with the ten
15 percent reduction, the uncertainty of the future, they
16 have stepped up.

17 Our response time is still down, our travel
18 time from the time the dispatcher gets it to the time
19 the person gets to the door we're averaging ten minutes
20 and for the summer months that's good. Our clearance
21 rate to homicides now we're sitting roughly at 76.9,
22 roughly an 80 percent clearance rate to homicides which
23 exceeds the national average that was recorded from
24 2012.

25 So the matrix are all going in the right

1 direction. That doesn't mean that the work's over.
2 Our neighborhood police officer initiative that we
3 rolled out, Building Bridges With Our Neighborhoods,
4 has worked out real well. We had a summit three
5 Saturdays ago. Great attendance by the community.
6 Certainly several Commissioners were there to witness.
7 So it was, again, a great effort on the part of the men
8 and women who are doing the work, so.

9 Now, on the negative side of things, I think
10 when we look at our attrition rate is starting to creep
11 up. When I got here it was sitting at about 25,
12 reduced down to about ten. It's crept back up. The
13 month of June we saw 22 people leave the organization.
14 I think 22 is an accurate number. I would estimate of
15 that number probably 35 to 40 percent are Police
16 Officers that have decided to pursue their law
17 enforcement career with other agencies.

18 The majority of those agencies are agencies
19 that are local. There have been several that have
20 moved out of state. I think one in Seattle and two in
21 Denver, I believe. So that's a concern. We're doing
22 more with fewer Officers. We have several classes in
23 the academy. We're still actively recruiting. But I
24 will tell you it's a challenge in terms of retention.

25 And so part of the restructure of Narcotics

1 and some of the other movements we've made in terms of
2 shifting personnel so that we could make sure that our
3 Patrol Divisions, our Precincts are staffed
4 appropriately so that we can continue to deliver the
5 kind of service that we have.

6 CHAIRPERSON BELL: Thank you, sir. I just
7 look forward to one area that we looked at in terms of
8 Commissioners, recruitment of Officers and also that we
9 would like the opportunity under my watch in reference
10 to have an opportunity at least address the academy
11 class while they're in class. I think that will be a
12 bonus to explain the role of the Board of Police
13 Commission and OCI. If we can get some time on that
14 agenda that will be a bonus in reference to that type
15 of interaction. Because we talk about demeanor,
16 procedure, and I think that we can have an opportunity
17 to impact and they just won't see us at graduation.

18 But they'll have an understanding and
19 appreciation that will lead me into addressing the
20 current class that was upstairs, myself, Commissioner
21 Moore, Commissioner Crawford, and Shelby, spoke to this
22 young man downstairs. So there was some interaction.
23 I think several people raised their hand that have
24 interest in DPD.

25 But the main thing is that mentoring program

1 intern, I think that's unique and I appreciate it. The
2 young man I've spoken to he come from a hard background
3 but basically he's got his head on straight. I just
4 hope that I can nudge, encourage him.

5 So that's why we really want that opportunity
6 to try to interact with young Officers to try -- you
7 know, some of us have that type of experience I think
8 we can share with them. It's quite possible.

9 CHIEF CRAIG: Well, we invite you to continue
10 to play an active role in that. As any of our
11 operations we welcome the participation. I think it's
12 important the Police Officers in the field see the
13 Commissioners whether it's at an academy class or out
14 on one of our monthly operations or at the neighborhood
15 Police Officer Summit. I think those things go a long
16 way with the leadership of the Police Department in
17 attendance.

18 CHAIRPERSON BELL: Thank you, sir.

19 COMMISSIONER CRAWFORD: Excuse me, I have one
20 comment to the Chief. Well, the streets are talking in
21 terms of our elderly. The most important comments to
22 me are the unsolicited. A conversation that was not
23 generated. It's just a conversation that you come
24 upon. And people even know in my case, you know,
25 sometimes often times when people are talking they

1 don't know who they're talking to and you just become
2 part of conversations. But the streets are talking,
3 some of the Elders and they think the utmost of you and
4 what you're doing. So that's coming from the street.
5 Well, I have to tell you about some of those comments.
6 Some of them I found a little amusing, too.

7 CHIEF CRAIG: Well, I appreciate it.

8 COMMISSIONER CRAWFORD: Well, I wanted to
9 tell them that you couldn't walk on water, but.

10 CHIEF CRAIG: Well, I mean, I don't walk on
11 water. I am, in fact, passionate about the work here
12 in Detroit. I've been passionate in other places, but
13 it's no place like engaging in the work here at home.
14 But, again, the challenges here are very different than
15 places I've been, and so despite that, you know, most
16 of the support out in the community is what's
17 important, you know, of course you're going to have
18 your critics, and that's fine, I mean, that's just part
19 of the job.

20 But all in all, I think we've made a
21 difference. I think people, and this is not just
22 coming from people that live within the City of
23 Detroit, but some of our neighbors from the suburbs who
24 have expressed interest because they've seen a change
25 and want to return to the City.

1 CHAIRPERSON BELL: Thank you, sir.
2 Appreciate.

3 CHIEF CRAIG: Thank you.

4 CHAIRPERSON BELL: Looking at the agenda, we
5 want to open up oral communications from the audience
6 at this particular time. First of all, make sure that
7 you adhere to the two minutes and clearly identify your
8 name for the record, so we appreciate it.

9 MS. SMITH: Good afternoon, Bernice Smith. I
10 thought I'd get up here first before the Chief leaves.
11 Congratulations. And I haven't seen you in about a
12 month. I've been ill. So congratulations for your
13 year. And I have had good reports from you also.
14 Especially the one about the houses where they selling
15 the drugs and you and the Mayor going to get together
16 and confiscate the houses and you're going do sell them
17 to the City by the City.

18 Also, my main on concern is what I heard
19 yesterday was the fact that there, is there an Officer
20 that we have on the Force that's involved with the Nazi
21 group? Have you heard about that?

22 CHIEF CRAIG: No, but if you have
23 information --

24 MS. SMITH: I'll give you the information on
25 it. It was on the air yesterday. I didn't hear all of

1 it because I'm working on the campaign now, but I heard
2 little snippets of it and I just thought I'd bring that
3 to your attention if it is true, but I'll find out more
4 information in regards to it.

5 I'm glad to see our new Officers here --
6 Commissioners here, rather. We have a good one in the
7 Chair so he's doing a marvelous job. And I'm not
8 taking it away from Jessica now. But you're doing a
9 marvelous job and I want you to continue to do likewise
10 and ask questions.

11 I'm glad to see that you have reconstructed
12 the Narcotics Unit and I hope it will show good
13 results. The main thing I want to tell you today, our
14 family in Chicago is having their reunion this week. I
15 was supposed to leave this morning. But I got a call
16 Sunday from my friend that's in the politics there.
17 She said, Bernice, don't come here. Because I told her
18 about the reunion.

19 One-hundred eighty-two was killed a couple
20 weeks ago, as you know. Six was shot at and 16 were
21 killed. This past week while I was talking with her
22 she said it was 26 shootings.

23 Now, I know Chicago. That's my home. And I
24 know good as well that they need some kind control. We
25 don't want to lose you to go over there. But I did

1 tell a friend of mine that's a councilman over there.
2 Well, they call them assemblymen. Gerry Butler, most
3 of you know his reputation. He's on the assembly. I
4 called him up and I asked him, I said, don't you have
5 anybody over there that's in control? It's all out
6 there in -- Gardens where they're just running amuck
7 and the police seem like I understand it they're just
8 scared to shoot back.

9 So I just want to know, can you help them
10 anyway whatsoever by giving them some kind of input
11 because they need your direction as far as trying to
12 control Chicago. And it's sad. The Mayor don't seem
13 to be doing anything and they're even accusing the
14 President of not caring about what's going on over
15 there. So -- okay, I know, Brown.

16 Anyway, I just thought I'd throw that on you
17 and see if you can help them out in giving them any
18 kind of instruction because I'm serious they need it
19 bad over there.

20 CHIEF CRAIG: I don't think Detroit would be
21 very welcoming in me helping out Chicago. There's only
22 one way as I've often times said publicly when you
23 talk about, you know, changing neighborhoods and
24 reducing violence, it does take a special presence.
25 And you saw it in Los Angeles, we saw it in Portland,

1 Maine to a very small degree, later in Cincinnati and
2 now here in Detroit. You need to have a leader who
3 sets the tone for the organization who's passionate
4 about addressing it. And I'm not being critical of the
5 Superintendent, not at all. I certainly don't want to
6 any -- leave that here.

7 I am just saying that there's a method,
8 there's an approach, and I've seen it work. And I
9 don't know. But I do know -- I don't know if it was
10 that many shootings. I think they had since Labor Day
11 somewhere 70 and 80 shootings and nine of them were
12 fatalities.

13 MS. SMITH: It was 182.

14 CHIEF CRAIG: Well, if it's that many,
15 certainly too many. If I have a weekend like that
16 certainly some of you would probably try to run me out
17 of town.

18 MS. SMITH: But they do need help seriously.

19 CHIEF CRAIG: And certainly I haven't -- I've
20 had a number of conversations with Superintendent
21 McCarthy. But, again, I can't go into the approach. I
22 don't know what's going on. I know they have a
23 cease-fire initiative. Again, I have been in places
24 that have had similar, you know, lot's of shootings.
25 But I've also seen outcomes when certain things were

1 done in the midst of that.

2 MS. SMITH: Well, I hope my family is safe
3 coming back home because they left today and tomorrow.
4 I'm not going. So I just thought I'd bring that to
5 your attention.

6 CHIEF CRAIG: Thank you.

7 MS. SMITH: Help them out. They need it
8 badly.

9 CHIEF CRAIG: I will continue to talk with
10 the Superintendent.

11 CHAIRPERSON BELL: Any other --

12 CHIEF CRAIG: And to the reporters in the
13 room that does not -- the rumor I'm leaving Detroit for
14 Cincinnati -- I mean, not for Cincinnati, Chicago, that
15 was a rumor that was circulating around the Department
16 for the last several weeks.

17 I think Assistant Chief Dolunt brought it to
18 me first. What about a week?

19 CHAIRPERSON BELL: Well, Chief, I want you to
20 know Sister Bernice started that rumor. We can nip it
21 in the bud now. It's not going anywhere.

22 Any other oral communication from the
23 audience? Thank you.

24 MR. SCOTT: Anyway, Commissioners, I want to
25 say this, you know, in the midst of the -- first, Ron

1 Scott is my name, I'm with the Detroit Coalition
2 Against Police Brutality, Peace Always for Life, and a
3 number of other organizations.

4 I want to say in the midst of talking about
5 first your anniversary, Chief, I'm glad you're here,
6 but I do want to say this is that what we've noticed is
7 that we're getting more complaints with our
8 organization specifically in terms of use of force. I
9 can go down the list and mention all the names because
10 many of them have been referred to the Office of the
11 Chief Investigator.

12 Most notably the news conference we just did
13 on the eleven-year-old child that was handcuffed in
14 front of his mother. And to that degree I want to find
15 out what are protocols in terms of the arrest of
16 juveniles in various circumstances. I know there are
17 different circumstances and different reasons. But in
18 this particular case we raise some points and some
19 questions that demand clarity, I believe.

20 And then secondly within that context, we
21 talk about the seniors who are feeling whatever. I
22 have a whole group of younger people who essentially
23 don't bear the same kind of fruit in terms of the
24 assessment of what's happening. I think it's more
25 important in the future, the future of this City in

1 terms of how they're going to perceive Police.

2 Not to say that those of us who have gray
3 hair are not important, but I think some of the younger
4 people are important.

5 CHAIRPERSON BELL: Thank you.

6 MR. SCOTT: So one questions and one comment.

7 CHAIRPERSON BELL: Okay. I assume the
8 Chief --

9 MR. SCOTT: I'm making it to you.

10 CHAIRPERSON BELL: I'm sorry. Yes, sir.
11 Thank you, Mr. Scott. Chief Craig?

12 CHIEF CRAIG: Okay. In response, certainly
13 I'm committed to constitutional policing. There's no
14 secret the Department has been in a Consent Judgement
15 for now probably eleven years, probably one of the
16 longest running except for Oakland.

17 So I'm optimistic that we will be bringing
18 closure soon, sooner than later. Our last report card
19 looked very favorable. I kind of gauge, you know, our
20 interaction with the community by what I seen in terms
21 of our large scale operations as we've had I want to
22 say eight and in that eight we've only had one reported
23 use of force incident and not anything alleging
24 excessive force.

25 Now, that doesn't mean that there haven't

1 been force incidents. I am very interested to learn
2 more about the fact that you said you've seen an
3 increase because if we are seeing an increase and if
4 that increase is coming from Officer of Chief
5 Investigator, I think it's critical that our
6 professional standards, myself, and that office get
7 together and look at and identify any trends because
8 I'd rather be proactive.

9 I do know this, experience tells me that in a
10 department, and again, I stress and still maintain that
11 the Detroit Police Department is a Constitutional
12 Police Department; however, if there are trends
13 developing in a proactive way I rather be ahead of it,
14 but I also know that sometimes when there are
15 allegations of also force, excessive force allegations,
16 and sometime it's because of lack of training.

17 The other thing that we are doing we are
18 enhancing our training on how we deal with traffic
19 stops, one for Officer safety, and how we treat the
20 public, not because of any complaints we've seen, but I
21 would certainly welcome it.

22 As it relates specifically to the issue with
23 the young man who was handcuffed, my understanding is
24 handcuffing a misdemeanor or a minor is discretionary,
25 meaning it's an Officer's judgment as to whether or not

1 he handcuffs a minor or a misdemeanor. And there are a
2 number of scenarios of why one would do that. I can't
3 tell you definitively if it's unwarranted. It's an
4 Officer's discretion.

5 Now, certainly if the minor in this incident,
6 I'm not suggesting the minor was at all resisting, it
7 would be in the best interest of the Officer to
8 handcuff that minor for their safety. Don't know if
9 that was the situation. I'm just throwing out
10 possibilities. I'm sensitive to that and I'm sensitive
11 to the fact that what it looks like.

12 But, again, without a full investigation
13 looking into that I wouldn't be able to give you a real
14 good answer at this point.

15 MR. SCOTT: No rebuttal, Mr. Chair. But I'm
16 going say that it is now with the Chief Investigator's,
17 so it's under investigation.

18 CHAIRPERSON BELL: The Chief Investigator
19 will respond, but Commissioner Crawford has a comment.

20 COMMISSIONER CRAWFORD: Excuse me, yes, sir,
21 Ron or Mr. Scott, you talked about was it the younger
22 people saying. I hear those comments, too. As a
23 matter of fact, I work for Wayne County Jail. I go to
24 jail every day. I just get out. For thirty-seven
25 years I incarcerated people. Now I get to spend time

1 with them and I talk to the young people in the jail.
2 We talk everyday. And the comments, again, some of the
3 comments, most often the comments are unsolicited
4 comments. It's not me generating a conversation about
5 the Detroit Police Department. They don't even know
6 I'm a Commissioner, most often they don't even know my
7 background. I'm a deputy working in the jail.

8 Their comments as a reason haven't been all
9 that negative about the Detroit Police Department, and
10 as a matter of fact, it's quite to the contrary.
11 Sometimes or most often lately they get arrested and
12 wonder why the Police even showed up, you know,
13 apparently to let's just say some alleged crime they
14 committed because, you know, they haven't been to court
15 yet, but just say some alleged crime they have
16 committed, they're surprised that they got caught.

17 They're surprised that the Police show up and
18 there's no comment in terms of as to what the Police
19 Officer's behavior was or there have been talk of
20 demeanor, I mean, that's in the community, too, and
21 that's coming from a few young people and even from
22 some of the adults you hear that about the demeanor in
23 the course of it's our duty and obligation to get, you
24 know, tame that complaint or forward it to Office of
25 the Chief Investigator, but, yeah, the comments.

1 And it's 800 in the jail I work in and it's
2 over 800 and some, 700 and some odd inmates in there.
3 To this date from the first of the year arrests have to
4 be up with Detroit Police Department because as we sit
5 here there's probably about 17,600 that have come
6 through the Wayne County Jail this year since the first
7 of the year.

8 The last two years we averaged over 31,000.
9 I always check periodically. Again, December 31st, I
10 check and it's a sad commentary, but we average over
11 31,000 inmates that come through the Wayne County Jail,
12 so. But then again, looking at it from a holistic
13 approach 95 percent of those incarcerated today will be
14 free one day. No matter what kind of time they're
15 doing, everybody's getting out. So there's only five
16 percent that's going to remain incarcerated. Over 2.4
17 million in America, the largest prison population in
18 the world. Supposed to be the most civilized,
19 industrialized, technological country in the world.
20 Over 45,000 in the State of Michigan, so.

21 CHIEF CRAIG: Through the Chair, I just also
22 like to piggyback on the Commissioner's comments. I
23 just also want to add that I know another part of the
24 initiative. We talk a lot about the neighborhood
25 policing. I'm absolutely committed to our youth.

1 We've rolled out our boot camp for at-risk. I'd rather
2 do prevention intervention early on instead of having
3 to incarcerate.

4 I know like many in the room you know that
5 you can never arrest your way out of this problem.
6 Arrest is not the answer. If you so happen to have to
7 arrest someone you really failed. I mean, what does
8 work is a prevention intervention. So I guess what I
9 would ask of you is that if you do have a group of
10 young people that are certainly not happy with the
11 Police Department, I'd be more than happy to come in
12 and engage them in dialog and see if together we can
13 work something out. I've done it very successfully in
14 other places.

15 You know, one of the things that's very
16 different in Detroit when I talk about this whole
17 business of Constitutional Policing, having worked in
18 Los Angeles, and Cincinnati, particularly those two
19 places, and you know Cincinnati in 2001 had a civil
20 unrest pretty substantial, fourteen African American
21 men were shot and killed by Cincinnati Police Officers.
22 On the 15th shooting, there was a civil unrest followed
23 by a community collaborative as well as a Consent
24 Judgement.

25 But when I look at Detroit and I look at

1 where Detroit has come from and to where it is today,
2 and having worked in these different places and just
3 interactions, I will tell you the thing that really
4 makes me feel good is the fact that when we do engage
5 in these large scale operations, I use that as an
6 example, some of the people who we arrest, people in
7 the neighborhoods are saying thank you, we appreciate
8 you.

9 And I ask the question because initially I
10 found the remarks odd. And the thing they consistently
11 say you're keeping my family safe. Even though those
12 individuals had decided to get involved in some
13 criminal activity, they have children, they have
14 mothers, other siblings, and they say thank you. I
15 can't make it up. I mean, it was something that's been
16 shown on the television.

17 So I'm encouraged by that, and I'm encouraged
18 by the fact that what I see when the individuals that
19 are arrested how they're treated. Now I am present and
20 certainly I can't be everywhere. So that's why I'm
21 very concerned about the allegations of demeanor, the
22 allegations of the excessive force. Those things
23 concern me greatly. And I'd be more than willing to
24 sit down and see if there's some trends developing.

25 CHAIRPERSON BELL: Thank you, Chief. Chief

1 Investigator Drake.

2 CHIEF INVESTIGATOR DRAKE: Good afternoon,
3 Board. For the record, Pamela Davis Drake, Chief
4 Investigator. For the record and just for a point of
5 clarification, the Office of the Chief Investigator
6 does not investigate excessive force allegations. For
7 the last, probably about the last five years we have
8 had four top allegations.

9 The top two allegations have always been
10 procedure and demeanor, those make up about 60 to
11 70 percent of the cases that we receive. The third and
12 fourth allegations fluctuate between service and force.
13 For the last year service has always come in as number
14 three and force has lacked behind as number four.

15 I did notice last month that in the month of
16 May that the number in force allegations had increased
17 not extremely significant but by about three percent.
18 They may be a trend there, but we would have to look
19 over a period of time because it has very much been
20 consistent over the last three to five years where
21 force has been either that third or fourth spot as far
22 as our top allegations goes.

23 So nothing significant that we're really
24 seeing. Like I said, I did see that three percent
25 increase in May. We're still kind fine tuning our

1 statistics for the month of June, and I'll keep an eye
2 on it, sir.

3 CHIEF CRAIG: Thank you. Through the Chair,
4 I just want to make a clarification that force in and
5 of itself and I know you know this, force in and of
6 itself does not necessarily mean it's bad.

7 CHIEF INVESTIGATOR DRAKE: Correct.

8 CHIEF CRAIG: If we see an increase in force
9 it would not surprise me given that the Detroit Police
10 Department's had more contact, we've made more arrests.
11 So that said, typically force incidents will increase,
12 however, what concerns me more is those allegations of
13 excessive force. And so I don't know if the Internal
14 Affairs Commander has stats if our allegations of
15 excessive force have increased for this period. If you
16 know, if you could share with the Board I think that
17 would help.

18 CHAIRPERSON BELL: Thank you, Chief Craig.

19 CHIEF CRAIG: Thank you.

20 CAPTAIN RASHEED: Captain Abdulah Rasheed.
21 No, sir, our stats have not increased for this month or
22 this year.

23 CHIEF CRAIG: Do you know if we're showing a
24 reduction in force, and if so, how much excessive force
25 allegations?

1 CAPTAIN RASHEED: I would say, yes. I don't
2 have the number in front me, but I can have it for you
3 next week.

4 CHIEF CRAIG: Through the Board, we'll make
5 sure you get a comprehensive report that we can share
6 with you, the community and you, in comparing
7 allegations of excessive force this year to date as
8 compared to last year and the year prior.

9 CHAIRPERSON BELL: Thank you, sir. Thank
10 you, Captain.

11 CHIEF CRAIG: I have to leave for another
12 appointment.

13 CHAIRPERSON BELL: Thank you, sir, for
14 attending and your input. Appreciate it. Commissioner
15 Crawford.

16 COMMISSIONER CRAWFORD: I just have one more
17 comment in reference to what Mr. Scott said earlier.
18 Ron, if at any time you or we can get together to
19 collaborate, not a town hall meeting, but a town police
20 department meeting, I'm with you on that. And also,
21 too, you might want to know that Belle Isle we were out
22 there a couple days ago for the Fred Williams Cookout
23 involving retired Detroit Police Officers.

24 There was a, and you may be aware of this, an
25 African American woman Sergeant with the State Police

1 and a African American male Sergeant with DNR. We
2 asked about that diversity I guess was a couple months
3 back if you recall, so just for general information.
4 Okay.

5 CHAIRPERSON BELL: Any other comments from
6 the audience at this time? If not, I just want to
7 recognize a young lady, my former President of the
8 Lieutenant and Sergeant Association. Would you stand
9 up and introduce yourself and briefly come to the mic,
10 come on up, come on up, come on up, and just briefly.
11 I think she served so many years with --

12 MS. WEN: I'm still working.

13 CHAIRPERSON BELL: I know, I know, that's why
14 -- yes.

15 MS. WEN: Good afternoon, my name is Jenetta
16 Wen. I have been with the Detroit Police Department
17 since 1977. I've served in many capacities prior to my
18 new assignment which was the last three weeks in which
19 I am now working in Labor Relations. I was President
20 of the Detroit Police Lieutenants and Sergeants
21 Association as an Officer for over 13 years, I served
22 there.

23 I've worked Narcotics and Patrol, and what
24 have you. So thank you for having me.

25 CHAIRPERSON BELL: I just want to say thank

1 you for your service. I'm glad you continue to serve.
2 I know you did a great job representing the Lieutenants
3 and Sergeants Association. You've been a blessing to
4 this Department and you're still working at it, so
5 bless you.

6 MS. WEN: I'm here to serve. I'm a servant
7 for the City of the Detroit.

8 CHAIRPERSON BELL: Thank you.

9 MS. WEN: Thank you.

10 CHAIRPERSON BELL: Thank you. Appreciate it.
11 And we have the Director of Personnel, do you want to
12 say anything about recruiting briefly? I think we're
13 always trying to plug that in.

14 MS. OXENDINE: Good afternoon. For the
15 record, Gale A. Oxendine. We're still continuing to
16 recruit. We started our last class on June the 30th.
17 We had 31, I think that we started off with. We're
18 looking at probably a September date, late September
19 date for our next class and so we're going to continue
20 trying to keep pace with attrition.

21 We did lose some of our positions in this
22 current fiscal year budget, but we're going to continue
23 to recruit aggressively and make sure we get numerous
24 candidates in for the consideration.

25 I can tell you our walk-ins are up about

1 50 percent this year. So I think that those recruiting
2 strategies that we have employed have really been
3 working out well. I also can report the student intern
4 program that we have, many of you have been helping us
5 to be engaged with those 35 students. We still have 33
6 that are in the program and of those 33, 17 have
7 applied to be DPD Officers, so that's a very positive
8 result. That's all I have.

9 CHAIRPERSON BELL: That's good new. Thank
10 you. If there's no other remarks?

11 COMMISSIONER CRAWFORD: Through the Chair.

12 CHAIRPERSON BELL: Yes, sir.

13 COMMISSIONER CRAWFORD: I recognize my
14 mentee, Kevin, he's here. He's a Grosse Pointer. He's
15 interested --

16 CHAIRPERSON BELL: Stand up, young man, come
17 to the mic very briefly and give us your name and say
18 something briefly.

19 MR. RADAR: My name is Kevin Radar. I'm a
20 senior at Wayne State University.

21 CHAIRPERSON BELL: Wayne State.

22 MR. RADAR: And I'm glad to be a part of the
23 internship program. Thank you.

24 CHAIRPERSON BELL: Thank you for coming out
25 this afternoon. Any other remarks? I just want to

1 remind you our next meeting is next Thursday, July 24th
2 at 3:00 p.m., right here at Headquarters. And I see my
3 friend from the discipline section and we're going to
4 interact and we're going to report out on that next
5 week and I think so at the end of the month, right, in
6 reference to that OCI, so I'm not going to go into
7 that.

8 I was looking for Deacon Adams. Did he leave
9 early?

10 SPEAKER: He stepped out for few minutes.
11 He's out in the hallway.

12 CHAIRPERSON BELL: Could you bring him back
13 in. Is he engaged?

14 SPEAKER: No, he's alright.

15 CHAIRPERSON BELL: Okay, okay. I just want
16 to thank you. We're going to close out with a prayer
17 because we did not have an opening prayer. I just want
18 the Good Lord to bless you, keep you, and give you that
19 peace and tranquility and all that we are sharing and
20 hopefully share that blessing with others. I think
21 that's the key because the spirit of Detroit is within
22 you. So that's key.

23 Deacon Adams, would you come forth?

24 But I want to have adjournment before we do
25 the closing prayer. Would that be okay, Commissioners?

1 Would you entertain a motion for that?

2 COMMISSIONER MOORE: So move.

3 COMMISSIONER TAYLOR: Second.

4 CHAIRPERSON BELL: It's been properly moved
5 and seconded. Ready for the question, those in favor?

6 COMMISSIONERS: Aye.

7 CHAIRPERSON BELL: Motion carries. Thank
8 you.

9 (The hearing concluded at 4:23 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
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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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