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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

THURSDAY, MARCH 17, 2011, 3:00 PM

1300 BEAUBIEN, ROOM 328-A

DETROIT, MICHIGAN

1 COMMISSIONERS:

2 GEORGE N. ANTHONY, Executive Secretary

3 JEROME L. WARFIELD, Chairman

4 ADELA RIVERA, Vice-Chairperson

5 DONNELL R. WHITE, Commissioner

6 MICHAEL E. REEVES, Commissioner

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9 DETROIT POLICE DEPARTMENT COMMAND STAFF:

10 CHIEF OF POLICE RALPH L. GODBEE, JR.

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1 Detroit, Michigan  
2 Thursday, March 17, 2011  
3 About 3:06 P.M.

4 COMMISSIONER WARFIELD: Good afternoon,  
5 ladies and gentlemen and welcome to the Board of  
6 Police Commissioners meeting.

7 My name is Jerome Warfield, Chairman of  
8 the Board of Police Commissioners. Serving with  
9 me today is Vice-Chairman Adela Rivera,  
10 Commissioner Reverend Michael Reeves,  
11 Commissioner Mr. Donnell White.

12 Also sitting in the department side is  
13 Chief Ralph Godbee. Sir, good to have you.

14 CHIEF GODBEE: Good to be here, sir.  
15 At this time, I'm going to ask if our Secretary,  
16 George Anthony, will introduce our staff.

17 SECRETARY ANTHONY: Thank you,  
18 Mr. Chair. For the record, Secretary George  
19 Anthony. Our staff present include Ms. Tina Orr  
20 who is our Chief Investigator, Ms. Celia Banks  
21 Washington who is our Attorney and Supervising  
22 Investigator.

23 Sitting in for our Director of Police  
24 Personnel is Lt. Rodney Sizemore. Yolonda Caudle  
25 who is our Community Relations Coordinator.

1                   Also we have Officer Terrance Bell who  
2                   is our recorder, Mr. Dale Rose who is our court  
3                   reporter from Hanson Court Reporting Service and  
4                   that completes an introduction of our staff.

5                   I'm sorry, I didn't see you. And also  
6                   Lt. Tim Leach from our Office of the Chief  
7                   Investigator. Thank you, that completes the  
8                   introductions.

9                   COMMISSIONER WARFIELD: Thank you,  
10                  Mr. Secretary. At this time, I'm going to ask if  
11                  Pastor Steven Adolph is here. Could you come to  
12                  the podium and render for us the invocation for  
13                  today's meeting. Thank you, sir.

14                  Pastor Adolph is pastor of Impact  
15                  Ministries formerly Great Faith Ministries.  
16                  We're glad to have you here today.

17                  (INVOCATION WAS GIVEN.)

18                  COMMISSIONER WARFIELD: Thank you, sir.  
19                  At this time we'll entertain a motion to approve  
20                  today's agenda.

21                  COMMISSIONER RIVERA: So moved.

22                  COMMISSIONER REEVES: Support.

23                  COMMISSIONER WARFIELD: It's been  
24                  properly moved and supported. All those in  
25                  favor?

1 COMMISSIONERS: Aye.

2 COMMISSIONER WARFIELD: All those  
3 opposed? Motion carries. Also we'll entertain  
4 a motion to approve the minutes from Thursday's  
5 meeting, March 3rd, 2011.

6 COMMISSIONER RIVERA: So moved.

7 COMMISSIONER WHITE: Support.

8 COMMISSIONER WARFIELD: It's been  
9 properly moved and supported. All those in  
10 favor?

11 COMMISSIONERS: Aye.

12 COMMISSIONER WARFIELD: All those  
13 opposed? Motion carries.

14 Is there a Secretary's Report?

15 COMMISSIONER ANTHONY: Yes, there is,  
16 Mr. Chair.

17 Through the Chair, George Anthony,  
18 Secretary to the Board. This is the Secretary's  
19 Report on citizen complaints, those primarily  
20 received in February, 2011.

21 The monthly count of complaints  
22 received in February, 2011 was 82. For the same  
23 period last year in 2010 the number was 136.  
24 That represents a 40 percent decrease in the  
25 number of complaints received in February.

1                   The year-to-date figures are 198 for  
2                   2011, 216 for 2010 which represents an 8 percent  
3                   decrease. At the end of February of 2011 the  
4                   Office of the Chief Investigator had of active  
5                   investigations 500, cases that were filed 198,  
6                   and cases that were closed 320.

7                   Of the 82 that were filed in February  
8                   33 present involved unknown officers. Of the  
9                   alleged known units involving complaints filed in  
10                  2011 the following: Eastern District 12 percent,  
11                  Central District 9, Communications 6 percent.

12                  Again, of the 82 complaints filed in  
13                  February, 2011, the allegations would include  
14                  improper procedure 38 percent, improper demeanor  
15                  31 percent, inadequate service 13 percent,  
16                  improper use of force 13 percent.

17                  Mr. Chair, that concludes the  
18                  Secretary's Report.

19                  COMMISSIONER WARFIELD: Thank you, sir.  
20                  Any questions for the Secretary? Thank you, sir.  
21                  Chief?

22                  CHIEF GODBEE: Good afternoon, Board,  
23                  members of the community. We have today a  
24                  presentation from Management Services Bureau.  
25                  Deputy Chief Ben Lee is going to introduce his

1 staff and the presenters.

2 COMMISSIONER WARFIELD: Thank you.

3 DEPUTY CHIEF LEE: Good afternoon.

4 Deputy Chief Benjamin F. Lee, Management Services  
5 Bureau. With me today I have Mrs. Hasumati Patel  
6 who is the Manager who actually runs the  
7 Financial Operations and I believe that may be  
8 all the staff we have here today.

9 The staff of Financial Operations  
10 consists of Ms. Patel who runs the unit. She has  
11 a Head Government Analyst that's below her. It's  
12 a supervisory position, two Principal Government  
13 Analysts, one Senior Accountant, one Senior  
14 Clerk, one Principal Clerk and then one Office  
15 Assistant.

16 And basically in a nutshell, every bill  
17 and every payment that's made, an invoice  
18 received is paid by our Accounts Payable  
19 Division. We have what we call miniature  
20 Accounts Payable Division within the police  
21 department and they're responsible for paying all  
22 of the bills that the department incurs for the  
23 goods and services that we have.

24 Their responsibilities are to maintain  
25 the financial records, cashier and teller

1 operations that we have, they liaison with  
2 Purchasing and Finance also Tina Tolliver in  
3 Budget here in DPD.

4 Accounts Payable, they maintain all of  
5 the bank records and they also process tuition  
6 reimbursement, so the issue of those checks.  
7 Maintain the financial records, they maintain all  
8 the bank records, all the invoices that come into  
9 the department for goods and services that we  
10 receive, ledgers as it relates to our forfeiture  
11 accounts and other accounts.

12 They process requisitions and they use  
13 the computer known as DRMS, which is Detroit  
14 Resource Management System, a computerized system  
15 that they have to enter all the information and  
16 data into basically for every invoice that we  
17 pay.

18 Our Centralized Operations for the  
19 teller were done some years back. That's located  
20 at 7310 Woodward and every entity with the  
21 exception of Property, maybe a couple other  
22 entities, all deposit their money at 7310 and  
23 then we deposit that money into the bank. So  
24 fees that are collected by the department are  
25 deposited at this one location.



1                   That was a recommendation that we had  
2                   by the auditors some years back and we've  
3                   fulfilled that obligation that they placed upon  
4                   us to do that.

5                   The department fees that we collect,  
6                   7310 Woodward, the accident reports, the dance  
7                   club licenses and et cetera are all paid through that  
8                   central cashier, as well as bond payments when  
9                   the districts -- the bond payments that they  
10                  receive when people bond out, those are also  
11                  deposited at 7310.

12                  We also liaison with the Purchasing and  
13                  Finance Department. There are several purchasing  
14                  agents by category of goods in the City-County  
15                  Building. So if we're buying cars, that's one  
16                  person. If we're buying supplies, that's a  
17                  different person and we liaison with those people  
18                  to make sure all the paperwork that we have is  
19                  correct and in order.

20                  They also liaison with the City's  
21                  Accounts Payable Division who actually make sure  
22                  that the checks are issued and the Paymaster is  
23                  where the checks are actually located and we pick  
24                  those up; very important people.

25                  In the Accounts Payable part of this,

1 it starts out with a quote for the item and then  
2 they do what we call DPD649 which is basically a  
3 requisition or a request directed to me to  
4 purchase an item. And depending on the level,  
5 \$400 they won't need a quote. \$2,000, we can  
6 issue the PO, the purchase order, at our  
7 department. If it's over that, then we have to  
8 have the assistance of the City's Financial  
9 Department to do that.

10 Once the purchase order is issued, the  
11 goods are delivered, they get an invoice and then  
12 we facilitate the check being issued.

13 Maintain the bank accounts, we have to  
14 make sure that everything reconciles within those  
15 accounts, verify the deposit of funds. There's  
16 several accounts that we have that are  
17 reimbursements from the Federal Government and we  
18 have to make sure that they reimburse us for  
19 overtime, the paperwork is submitted through my  
20 office and then it's processed by Financial  
21 Operations and then they compare that paperwork  
22 to checks that we receive, either a regular  
23 check, some people still do that, or it's a  
24 direct deposit and we just verify that those  
25 accounts, that they've given us the money that's

1 due to us.

2 Tuition reimbursement. They do the  
3 check request for those and then they're located  
4 in Room 816. That's mostly for the people who  
5 are going back to school here and they want to  
6 know where to get that check.

7 Any questions?

8 COMMISSIONER WARFIELD: Any questions,  
9 Commissioners?

10 COMMISSIONER RIVERA: On your tuition  
11 reimbursement, is this for officers going to  
12 college?

13 DEPUTY CHIEF LEE: Yes, ma'am.

14 COMMISSIONER RIVERA: How much does the  
15 City give the department?

16 DEPUTY CHIEF LEE: I believe it's \$700.

17 COMMISSIONER RIVERA: Up to \$700,  
18 great.

19 COMMISSIONER WARFIELD: Is that a year  
20 or --

21 DEPUTY CHIEF LEE: Per year.

22 COMMISSIONER WARFIELD: Any other  
23 questions? I have a few.

24 You indicated, Deputy Chief Lee, that  
25 this is the department where all bills are paid

1 concerning the department expenses. Having said  
2 that, does Ms. Patel have access to year-to-date  
3 expenditures as relates to the things that the  
4 police department has spent money on and income  
5 that has come into the department, year-to-date  
6 figures?

7 DEPUTY CHIEF LEE: The answer is yes.

8 COMMISSIONER WARFIELD: Is it possible  
9 for us -- and we can work out the time frame for  
10 this -- to receive either probably quarterly  
11 reports that would help us in our budgetary  
12 review of those expenditures and revenues that  
13 come in which help us to determine for future  
14 expenses and future budget approvals where the  
15 department should be, especially our office as  
16 well?

17 DEPUTY CHIEF LEE: Yes and that may  
18 already be prepared also by Tina Tolliver because  
19 she also has in budget reviews all of the  
20 invoices that come in so that she knows where  
21 we're at budget-wise.

22 COMMISSIONER WARFIELD: Good.

23 CHIEF GODBEE: The Budget Operations  
24 would actually be appropriate and it would be  
25 something in my office, we can supply that.

1 COMMISSIONER WARFIELD: Wonderful,  
2 that's great. I also want to talk about staffing  
3 too for Ms. Patel's office, to know if this Board  
4 can be of any source of advocacy for Ms. Patel as  
5 relates to making sure that she's adequately  
6 staffed, and I'm talking very specifically about  
7 those who have accounting degrees or those who  
8 specifically have experience in dealing with  
9 payroll issues and accounting issues.

10 Is that a concern, and if so, if  
11 there's anything we can do to help lift up that  
12 concern for her office.

13 DEPUTY CHIEF LEE: Yes and right now we  
14 don't have any concerns and any that I have I've  
15 brought for the Chief and they've been answered.

16 COMMISSIONER WARFIELD: Just as long as  
17 you know and she knows if that's ever an issue in  
18 the future, we'll be more than happy to carry  
19 that ball for her and lift that up.

20 DEPUTY CHIEF LEE: Thank you, we  
21 appreciate that.

22 COMMISSIONER WARFIELD: Are there any  
23 other questions. Thank you, sir, appreciate your  
24 presentation.

25 DEPUTY CHIEF LEE: See you soon.

1 CHIEF GODBEE: Get him a wireless mic.

2 COMMISSIONER WARFIELD: At this point  
3 there is a disciplinary appeals. I'm going to  
4 ask if Attorney Washington would come to the  
5 podium so that we may take that up. Thank you.

6 ATTORNEY WASHINGTON: Thank you. Celia  
7 Washington, attorney for the Board. I'm going to  
8 ask Grant Ha just to stay close because there was  
9 a question that was raised and it was a very  
10 valid question, I think it will help lay the  
11 foundation with regards to the falsification of  
12 police reports.

13 But let me just begin. This is in the  
14 matter of Police Officer Lashaud Welcome, BPC No.  
15 11-001D, Disciplinary No. 10-0392.

16 Very quickly, Officer Lashaud Welcome,  
17 Badge 1107, was charged with wilfully making a  
18 false oral written statement or report.

19 Specification 1, that he, Police  
20 Officer Lashaud Welcome, Badge 1007, while  
21 assigned to Tactical Mobile while on duty and in  
22 uniform attire did on February 25, 2009 wilfully  
23 make a false written statement when he signed and  
24 submitted his activity log which contained  
25 fabricated probable cause and facts surrounding

1 the arrest for a citizen, this being in violation  
2 of the Detroit Police Department Manual Series  
3 100, Directive 102.3-7.21, Truthfulness, Command  
4 1.

5 Specification 2 reads that he, Police  
6 Officer Lashaud Welcome, Badge 1107, while  
7 assigned to Tactical Mobile while on duty and in  
8 uniform attire did on February 25, 2009 at  
9 approximately 2:18 AM wilfully make a false  
10 written report when he prepared a CRISNET report  
11 that contained fabricated probable cause and  
12 facts pertaining to the arrest of a citizen, this  
13 being in violation of Detroit Police Department  
14 Manual Series 100, Directive 102.3-7.21  
15 truthfulness, Command 1.

16 The second charge, conviction in any  
17 court of criminal jurisdiction except for minor  
18 traffic violations.

19 Specification 3, that he, Police  
20 Officer Lashaud Welcome, Badge 1107 while  
21 assigned to Tactical Mobile while off duty and in  
22 civilian attire was on April 13, 2010 at the  
23 Third Circuit Court found guilty of one felony  
24 count of misconduct in office, this being in  
25 violation of Detroit Police Department Manual

1 Series 100, Directive 102.3-7.11 criminal  
2 misconduct, Command 2.

3 Just very briefly, there was a Trial  
4 Board convened July 16, 2010. At that time, they  
5 entertained testimony. The Department Advocate  
6 was Grant Ha. Donald Stolberg represented  
7 Officer Welcome.

8 Basically I'm going to ask Grant to  
9 come to the mic now. Don Stolberg represented  
10 the officer at that Trial Board and because of  
11 the conviction on the felony they have withdrawn  
12 their oral argument, but for obvious reasons  
13 because this Board has to vote to accept the  
14 Trial Board's decision we're going to go forward,  
15 but again, I've asked Grant Ha to speak just very  
16 briefly as to how we got to a felony for the  
17 falsification.

18 ATTORNEY HA: Good afternoon Grant Ha  
19 appearing on behalf of the department.

20 COMMISSIONER WARFIELD: I'm sorry. For  
21 the record, could you spell your name for our  
22 transcriber; thank you.

23 ATTORNEY HA: First name Grant, G-r-a-n-t,  
24 last name Ha, H-a.

25 Short and simple, Officer Welcome and



1 his partner were convicted -- well, his partner,  
2 Officer Stewart, pled guilty to the  
3 misconduct in office. Officer Welcome was found  
4 guilty by a jury of his peers for the one felony  
5 count of misconduct in office.

6 Therefore, because Officer Welcome has  
7 a felony conviction he can no longer serve in the  
8 Detroit Police Department and we ask that Officer  
9 Welcome be dismissed from the department, that  
10 you sustain and uphold the decision of the Trial  
11 Board.

12 COMMISSIONER WARFIELD: Okay, thank  
13 you, sir.

14 ATTORNEY WASHINGTON: And that's basically  
15 what my recommendation was going to be. There's  
16 just a couple of particulars.

17 The basis for the Petitioner even  
18 bringing an appeal, being a convicted felon, was  
19 that he wanted the department to reserve judgment  
20 pending the outcome of his appeal, so in other  
21 words in the event that he's successful in  
22 appealing, he wants a second bite, if you will,  
23 at the apple.

24 The bottom line, as Grant says, this  
25 officer is no longer eligible to serve as an

1 officer and even if the Petitioner's appeal is  
2 successful, there's no automatic right to  
3 reinstatement. Rather, as stated in the Trial  
4 Board they were very deliberate in their  
5 findings.

6 Officer Welcome's situation would be  
7 open to reconsideration under the same  
8 disciplinary procedures by which the current  
9 matter was processed. So that's the basis for  
10 the appeal.

11 Basically, the decision of the Trial  
12 Board, as I reviewed the transcript and I  
13 reviewed all the file, the Chief concurred. The  
14 recommendation from the Chief is in the file and  
15 basically there was no abuse of discretion on  
16 behalf of the department.

17 Rather, the record evidence  
18 unequivocally supports the dismissal of the  
19 Petitioner and for that reason it's recommended  
20 that the decision be upheld in its entirety.

21 COMMISSIONER WARFIELD: It has been  
22 recommended that Officer Welcome be dismissed  
23 from the department. Is there a motion to that  
24 effect?

25 COMMISSIONER RIVERA: So moved.

1 COMMISSIONER WARFIELD: It's been  
2 properly moved. Is there support?

3 COMMISSIONER WHITE: Support.

4 COMMISSIONER WARFIELD: It's been  
5 properly moved and supported that Officer Welcome  
6 be disciplined by removal from his position --  
7 I'm sorry, terminated from his position as a  
8 Detroit Police Officer.

9 Any questions from the Board.  
10 Commissioner White?

11 COMMISSIONER WHITE: Through the Chair,  
12 if we could have Attorney Ha step back up, I have  
13 just a quick follow-up. Is falsifying a report  
14 from a police officer, does that warrant an  
15 automatic felony?

16 MR. HA: If proven, yes.

17 COMMISSIONER WHITE: Okay. Second  
18 question, if an individual's appeal is  
19 successful, what is the process in terms of if we  
20 have suspended somebody who is ultimately found  
21 not guilty through the appeal process, does that  
22 same individual have a right to come back and say  
23 the decision that was made by this Board was  
24 inaccurate based on a conviction that was  
25 overturned?

1 MR. HA: I'm not sure I follow the  
2 question, but in regards --

3 COMMISSIONER WHITE: Let me try again.  
4 If an individual is convicted of a felony, we  
5 terminate their position with the department,  
6 they appeal and ultimately that decision is  
7 overturned, do they have a right to their  
8 employment back with the department?

9 MR. HA: If their conviction is  
10 overturned and both sides have exhausted any  
11 types of appeal and then it's upheld -- the  
12 overturning of the conviction, if it's upheld,  
13 then we would go at Trial Board for the  
14 substantive issues underlying the misconduct.

15 COMMISSIONER WARFIELD: Let me  
16 follow-up on Commissioner White's point and I'll  
17 be a little probably more direct. Would the City  
18 from a legal perspective be put in jeopardy for  
19 suspending somebody whose appeal had not been  
20 exhausted?

21 MR. HA: No.

22 COMMISSIONER WARFIELD: Thank you. Any  
23 other questions? Any other questions? All those  
24 in favor of the motion to terminate the  
25 employment of Police Officer Lashaud Welcome,

1 please say aye.

2 COMMISSIONERS: Aye.

3 COMMISSIONER WARFIELD: All those  
4 opposed? Motion carries. Thank you, ma'am;  
5 thank you, sir.

6 All right, at this time we will turn  
7 the floor over to Commissioner Adela Rivera for a  
8 few remarks.

9 COMMISSIONER RIVERA: I just wanted to  
10 congratulate the Northwestern District for their  
11 very successful pancake breakfast last week --  
12 I'm sorry, it was Northeastern. I always call  
13 them Northwestern. Northeastern District.

14 I went and who else went? George  
15 Anthony and his wife were there and our old --  
16 Lt. Allen was there and they had -- I'm sorry,  
17 Assistant Chief Logan was there. We had a very  
18 nice time.

19 They had a health screening.  
20 Unfortunately when I was talking with the woman  
21 that was doing my screening anyway, she said I  
22 was the only one that day that passed everything  
23 with flying colors. So I think with summer  
24 coming, we need to get out there and get moving a  
25 little bit more.

1                   But we did have a very good time. It  
2 was very casual, very nice and I enjoyed myself  
3 and it's nice every once in a while to get out to  
4 the precincts.

5                   COMMISSIONER WARFIELD: Thank you,  
6 ma'am, appreciate that. I also want to commend  
7 our Office of Chief Investigation for just an  
8 outstanding job in processing cases and doing  
9 their jobs. Certainly our new Chief Investigator  
10 Tina Orr, who has really really taken the bull by  
11 the horns and tamed it and buried it, so I thank  
12 you so very much, just for you all to hear in  
13 weeks to come about the outstanding job that this  
14 office is doing in processing these complaints,  
15 not only in an expeditious way, but in a quality  
16 way as well to make sure that we're protecting  
17 the rights of the citizens.

18                   And that office is beginning to  
19 function I believe in the way that it was  
20 intended to function from day one, so we thank --  
21 and we also want to thank the Chief for his  
22 support for sending us needed help when it was  
23 absolutely essential that we have it, so just  
24 wanted to give those kudos out.

25                   At this time I want to announce that

1 our next meeting will be Thursday, March 17th  
2 [sic] at 3 o'clock PM here at Police  
3 Headquarters. So, please, ma'am, please, sir, be  
4 present.

5 Also want to open up the floor for oral  
6 communications. If you wish to address the Board  
7 of Police Commissioners we ask that you would  
8 come to the podium at this time.

9 For our record, would you please state  
10 your name and spell it to make sure that we have  
11 it correctly in our records and we ask that you  
12 abide by our four-minute time limit, and our  
13 staff Yolanda will be keeping track of the times  
14 and we ask that you give her your utmost respect  
15 and attention. Thank you.

16 MR. DAVIS: Good evening to the Chief,  
17 the Board of Police Commissioners. My name is  
18 Elder Anthony Davis, Sr. I just want to thank  
19 Commissioner Reeves, Lt. Adams and Officer Clark  
20 for coming out to my yard. He got firsthand to  
21 see how my operation is and I just want to let  
22 him know I appreciate him coming out, you know,  
23 to inspect my place.

24 Everything that I did, I did it on the  
25 record, nothing under the table. I want to let

1 you know that the Lord has blessed me. Ran  
2 across a young man who used to work for me, he's  
3 a pastor now. I said, "Man, I'm trying to get  
4 rid of these tires. What can I do?"

5 He said, "I'll tell you what. I'm  
6 sending my dumpster over there and we're going to  
7 haul them to Ohio."

8 So the Lord blessed me, give me favor.  
9 He brought the dumpster in today. He couldn't  
10 make it yesterday, but he said he bought it this  
11 afternoon and my guys loaded the tires and rims  
12 and that dumpster as we speak right now -- and  
13 also the Human Rights, they came out and they  
14 passed me. They said -- I thank God for that.

15 So I thank God for your prayers. This  
16 Board of Police Commissioners and our new Chief  
17 -- he's not new, but in the office, you're doing  
18 a great job and I thank God that his staff is a  
19 praying staff that loves the Lord and I really  
20 appreciate that.

21 And you all continue to pray for us.  
22 Thank you.

23 COMMISSIONER WARFIELD: Thank you,  
24 Elder Davis.

25 MS. HERNANDEZ: Hello, everybody.



1           Phyllis Hernandez, Casino Towing. Back again  
2           with towing issues. It's been months, years  
3           since you ordered that the towing situation be  
4           straightened out, months and months and months  
5           since you ordered the permits to come forward.

6                        They did finally come to inspect my  
7           yard. I did get a letter of deficiencies which  
8           is okay because I had everything to prove that.  
9           Then I get another letter that said disregard  
10          that letter because we have decided we're going  
11          to add on some more stuff.

12                      So now we're going to get the Zoning  
13          Board, the -- what is it -- Department of  
14          Engineering -- like four other departments now  
15          that are involved which, again, once these  
16          departments get involved, which is fine, because  
17          I'm totally clear, but we're talking again months  
18          and months and months and months before that  
19          comes forward.

20                      The Towing Management Services Company  
21          will probably be here long before the permit will  
22          at this rate. So I guess my question would be --  
23          that's merely a comment just to make you aware of  
24          where we are in the permit process, still not  
25          working.

1                   But I guess really what I want to do is  
2 ask between you and Chief Godbee, I just am not  
3 understanding the one order that you did give  
4 which was for the towing rotation to be  
5 immediately changed, and it hasn't been changed.

6                   So I want to know from the Chief is  
7 this something that they can even order or does  
8 this order have to come down from you and if it  
9 is something that they can order, why hasn't it  
10 been done?

11                   Why are all these other companies that  
12 are towing suffering while the monopoly  
13 continues?

14                   CHIEF GODBEE: Basically, the advice we  
15 were given by counsel to adjust the rotation  
16 prior to implementation of new rules and new  
17 selection would not be wise to put an interim  
18 measure in place, so we were advised not to do  
19 that.

20                   MS. HERNANDEZ: So the rotation will  
21 not be changed?

22                   CHIEF GODBEE: Not until we complete  
23 the process, the new towers or the towers are  
24 selected and the rotation is set in accordance  
25 with the rules as promulgated by this Board, then

1 that will precipitate the new rotation.

2 MS. HERNANDEZ: So the order of the  
3 Commission was premature? I'm trying to  
4 understand their legal position in this.

5 CHIEF GODBEE: I'm not trying to  
6 represent their legal position. I'm just simply  
7 giving you what the department stance is and how  
8 we're conducting business based on advice from  
9 Corporation Counsel.

10 MS. HERNANDEZ: Okay, so, Commissioner  
11 Warfield, that your order doesn't -- it's not  
12 valid, that the towing rotation for these other  
13 companies won't be changed?

14 I'm just tired of them coming up here  
15 asking and not getting a clear answer, so I'm  
16 just trying to get it for them.

17 COMMISSIONER WARFIELD: Absolutely, and  
18 let me try to address both of your issues and I  
19 do want to hear from Deputy Chief Lee if there  
20 are new requirements that are being -- that are  
21 being required of those who are going through the  
22 permit process, if it's over and beyond what the  
23 application was intended to discover.

24 We certainly need to be aware of that  
25 because if that is happening, we weren't aware of

1 that and we will definitely want to address that  
2 today.

3 But second of all, we feel the exact  
4 same way that we did last year at this time, and  
5 it is our opinion that the tow -- and this was  
6 one of the frustrations and one of the things  
7 that we -- as a matter of fact we said in our  
8 meeting last late year at the rate it was going  
9 it looked like it would be to March or April  
10 before the new towing rotation would go into  
11 effect, which to us of course was unacceptable.

12 I think you stated it well, that we  
13 have been down this road for quite some time, and  
14 so when we said we needed it to go into effect  
15 immediately, we meant that and we still stand by  
16 that and we have not changed our view on that.

17 And to us -- and we've talked with the  
18 Law Department as well as representatives, we  
19 believe it is high time for the new rotation to  
20 be in place as the permits and the applications  
21 are being vetted out.

22 You know, it's called a temporary  
23 process, and we understand that it's a temporary  
24 process, but if you want to look at it from a  
25 technical standpoint, it will always be a

1 temporary process from the standpoint that as  
2 towers come on line and go off line, adjustments  
3 will be made to the towing rotation.

4 And so from our standpoint, again from  
5 the Board of Police Commissioners, we don't  
6 understand why the tow rotation is not in place  
7 right now. Certainly we did everything we could  
8 within our power to make sure that that happens.

9 As you well know as we've stated  
10 before, from an enforcement standpoint of putting  
11 that process in place and as we've said on the  
12 record before, it comes from a higher authority  
13 to us and basically goes to the Law Department  
14 and also the Deputy Mayor and the Mayor of the  
15 City.

16 And so until that happens, we carried  
17 the ball literally as far as we can carry it to  
18 this point. We have appealed to the Law  
19 Department, we've appealed to the Deputy Mayor  
20 for the rotation to go in place immediately.

21 And, again, our position is we believe  
22 it should be in place right now, even as the  
23 applications are being vetted out and we do  
24 understand the position of the department. This  
25 is just one of those areas where we believe that

1 there's another side and our side is probably the  
2 best side.

3 But, again, that's our position on it  
4 and we have not changed that, not one bit.

5 MS. HERNANDEZ: And just to be clear,  
6 for the towers that are here that are getting one  
7 or two calls a day because the monopoly still  
8 exists, the rotation will not change until the  
9 permits are issued?

10 COMMISSIONER WARFIELD: Correct.

11 MS. HERNANDEZ: And is there a  
12 timeline?

13 CHIEF GODBEE: Deputy Chief Lee, if you  
14 would like to speak to that again on the record.

15 DEPUTY CHIEF LEE: Deputy Chief Lee,  
16 through the Chair. We're in the process now --  
17 and I believe next week we will have a letter, a  
18 memo, drafted through the Chief for a  
19 recommendation of those towers that we believe  
20 have qualified under the rules.

21 At that point in time we will also  
22 notify the tow companies that were deficient in  
23 several categories. Some of those were zoning,  
24 some were the income tax clearances, in those  
25 areas of their deficiencies and how long they

1 have to clear up those deficiencies.

2 So I anticipate that I will have that  
3 to the Chief's office next week and Zoning is  
4 involved because the process of zoning is not  
5 something that the police department can go and  
6 look at.

7 We originally thought the paperwork  
8 that would be submitted would be clear to say  
9 that the yards are zoned for this particular  
10 purpose and that's what they can do, but that's  
11 not what we got back in the paperwork.

12 It would come back and say they were  
13 zoned, let's say, for a junk yard and a junk yard  
14 is not an abandoned -- may not be an abandoned  
15 vehicle tow lot. They're not allowed to tow as  
16 an authorized tower with a junk yard.

17 So those are the things that the Zoning  
18 Department will clear up. I met with the  
19 Director today and I met with Mr. Davenport who's  
20 over Zoning. His person will be in tomorrow and  
21 they're going to start the process -- they've  
22 already started the process of notifying us of  
23 what is an abandoned tower lot and zoned for  
24 that.

25 And then those people we will notify

1 and let them know if they're zoned that we're  
2 going a go ahead with that rotation and then they  
3 have to, after pending the review by Zoning of  
4 their inspection because they're going to inspect  
5 every lot.

6 So somebody may be qualified now based  
7 on the paperwork they have and then if Zoning  
8 goes there and says they're not zoned to do that,  
9 we'll take the appropriate action, whatever that  
10 action may be if we have to.

11 COMMISSIONER WARFIELD: Has the  
12 definition changed as relates to an abandoned tow  
13 lot?

14 DEPUTY CHIEF LEE: It's the rules and  
15 what we found in an audit report from the Auditor  
16 General was that the Auditor General actually  
17 went out to the tow yard as part of the audit  
18 while we were actually working on the rules and  
19 when they concluded their report, which was after  
20 the rules were done, they indicated that the lots  
21 were not in compliance and that the police  
22 department had not verified that and that we  
23 allowed them to continue to tow.

24 And in our response to the Auditor  
25 General we indicated that as part of the process



1 we will check the zoning and we will have the  
2 yards inspected to make sure that we're in  
3 compliance.

4 COMMISSIONER WARFIELD: So basically  
5 just to restate a little bit so that our citizens  
6 understand this, in the past there could have  
7 been areas, some areas, as relates to checking up  
8 on yards and making sure they were in compliance,  
9 but because of manpower or other reasons the  
10 police department wasn't able a fulfill those  
11 requirements.

12 And once the Auditor General came out  
13 and did their report they found out that some of  
14 our current towers who are currently towing for  
15 the City are not in compliance with current laws  
16 that are on the books as relates to the zoning.

17 DEPUTY CHIEF LEE: What Zoning did is  
18 they issued the permits and then they issued them  
19 with conditions, and those conditions were not  
20 met. So when the Auditor General went and looked  
21 at those yards, yes, the permit was issued.

22 However, they did not comply with the  
23 other requirements which were the conditions  
24 under which they can do abandoned tows or police  
25 authorized tows.

1 COMMISSIONER WARFIELD: Are there other  
2 departments involved or other requirements  
3 involved in reviewing these applications that go  
4 beyond the initial application that was issued as  
5 Ms. Hernandez has indicated?

6 DEPUTY CHIEF LEE: No. The only  
7 outside agency we've talked to is Zoning.  
8 Everything else --

9 COMMISSIONER WARFIELD: Engineering?

10 MS. HERNANDEZ: I got a retraction  
11 letter from the first one and the second one said  
12 it had three different departments, Zoning -- I  
13 want to say -- there's three departments though  
14 that they said that had to come out.

15 DEPUTY CHIEF LEE: When they originally  
16 went out and they did three yards, there was  
17 three people that got letters. I rescinded those  
18 letters because we wanted to do all those letters  
19 at the same time rather than to do it  
20 individually because there were some things I  
21 wanted too in that package, so inadvertently  
22 three people were notified of some deficiencies.

23 MS. HERNANDEZ: So what were the other  
24 two then that you put in them?

25 COMMISSIONER WARFIELD: Ms. Hernandez,

1 you might want to come to the mic and then we've  
2 got to move on.

3 MS. HERNANDEZ: Sure. Also I think the  
4 reports he talked about, am I clear, we're  
5 talking about the 2003, 2005 Auditor General  
6 report?

7 COMMISSIONER WARFIELD: No, no.

8 MS. HERNANDEZ: There's another one?

9 COMMISSIONER WARFIELD: There's a  
10 report that came out last month.

11 MS. HERNANDEZ: Oh.

12 COMMISSIONER WARFIELD: A brand new  
13 report that came out last month that had a number  
14 of issues in it. A lot of those issues were  
15 addressed with the new rules and with the  
16 potential RFP that's on line as well, so a lot of  
17 those issues were flushed out during that  
18 process.

19 However, there were some issues that  
20 needed to be corrected just from going out and  
21 rechecking and reinspecting some yards as it  
22 relates to making sure that they're up to par  
23 with the zoning.

24 MS. HERNANDEZ: I'm absolutely not  
25 against -- come out and check and do whatever it

1 is you have to do.

2 COMMISSIONER WARFIELD: So were there  
3 other areas?

4 MS. HERNANDEZ: Yeah, about the zoning  
5 in particular. Am I correct in thinking that  
6 it's against the law to put up a certification  
7 that you are a Detroit Police tower when you are  
8 not, a certificate from Zoning?

9 That's what I'm told, I can't post that  
10 I am a Detroit Police authorized towing yard if I  
11 am not, that's totally illegal.

12 That's like me putting big letters  
13 across the front of my yard on the fence saying  
14 I'm a Detroit Police tower when I'm not. It's  
15 illegal, so if one of the requirements --

16 CHIEF GODBEE: It's certainly  
17 improper. I would have to check our legal  
18 advisor.

19 MS. HERNANDEZ: Because it's costing me  
20 thousands of dollars to go before this commission  
21 for them to say that okay, I can do this and then  
22 I don't get picked. So why would I spend  
23 thousands of dollars to go before Zoning even  
24 though I am a tow yard and I'm a police towing  
25 yard. It's going to cost thousands to get that

1 permit and that's the way things have been going  
2 with the entire towing process. That's just more  
3 thousands that I'm spending for something that's  
4 not happening anyway.

5 So just a question, if you could verify  
6 that for me, I'm told it's illegal.

7 CHIEF GODBEE: Deputy Chief Lee is  
8 here.

9 MS. HERNANDEZ: Because if it's not,  
10 I'll get it and I'll put big red letters police  
11 tow yard right across the front of it.

12 CHIEF GODBEE: We'll have to check our  
13 legal advise for that. I can't tell you right  
14 now.

15 COMMISSIONER WARFIELD: But I would err  
16 on conservatism every time.

17 CHIEF GODBEE: Don't do it yet.

18 MS. HERNANDEZ: Okay, I'll wait for  
19 your answer.

20 COMMISSIONER WARFIELD: Thank you,  
21 ma'am. Anyone else?

22 MS. McCANTS: Yolanda McCants from the  
23 Northeastern District. I would just like to say  
24 for those who came and enjoyed their pancakes and  
25 their health screening and then their pancakes,

1 thank you very much.

2 We are going to have some more fairs  
3 and I would like to see more of you. We did have  
4 a lot of visitors from the other districts, so  
5 just to say that we are becoming with the  
6 community and the police just one family and we  
7 visit each other when we have different  
8 activities.

9 And thank you, Ms. Rivera. I did not  
10 see your screenings, but mine was good too.

11 COMMISSIONER RIVERA: Good.

12 MS. McCANTS: So thank you very much  
13 for coming and next time I hope to see more of us  
14 to come. We also had some judges there from 36th  
15 District. I think everyone enjoyed themselves  
16 and we had plenty of food.

17 COMMISSIONER WARFIELD: Thank you,  
18 Ms. McCants. I just want to say on behalf of --  
19 I know Commissioner Reeves and myself, we had  
20 full intentions on being there, but a very good  
21 friend of ours made their transition and we were  
22 at the funeral and he was supporting in those  
23 services and that was the only reason that we  
24 weren't there.

25 But it was certainly on our schedule to

1 be there, but certainly at the very next one we  
2 want to make sure we know about that.

3 Thank you.

4 MS. SMITH: Good afternoon to the  
5 Commissioners and Chief Godbee. Bernice Smith.  
6 First of all, I wanted to let you know, Chief  
7 Godbee, you just do everything that you could  
8 possibly do to help this city. I want everyone  
9 to know about your adventure that was -- I think  
10 it was this week or last week, one, there was an  
11 incident where a young man was being bullied and  
12 I understand the Chief came to his rescue by  
13 getting in touch with him and talking with him  
14 and trying to console him and letting him know  
15 that there's some good people out here and not  
16 only the ones that did the detrimental damage to  
17 him, that he gave him a good talking to and I  
18 want to congratulate you on that.

19 Also, as most of you know, the Council  
20 Tuesday -- maybe you don't know -- the Council  
21 Tuesday made a recommendation by one of your  
22 officers Williams and gave them an outline on  
23 your budget and so forth for the hiring of new  
24 police for the area.

25 I want to know the monies that were set

1           aside, are you aware they're supposed to be \$7  
2           million, is that correct?

3                       CHIEF GODBEE: I'm not aware -- if we  
4           got \$7 million laying someplace, I want to know  
5           about it.

6                       MS. SMITH: Yeah, laying somewhere. I  
7           want to know will you be able to get that \$7  
8           million?

9                       CHIEF GODBEE: We're going through the  
10          budgeting process right now. You may be  
11          referring to Universal Hiring Grant, Cops Grant I  
12          think from 2010-2011 that allows us to hire 50  
13          police officers.

14                      What we had to do is ask for an  
15          adjustment in the grant because of budget  
16          constraints so we don't lose the grant money or  
17          have to reimburse the government.

18                      The conditions under which we first  
19          achieved the grant, we are not able to maintain  
20          those conditions. So as a matter of routine we  
21          had to submit a recommendation or request under  
22          my signature and the Mayor's signature to have an  
23          adjustment in the parameters to allow us to  
24          retain those officers.

25                      MS. SMITH: Now, my last request -- I



1 understand. My last request is, do you think it  
2 would be possible -- I know you have plans on  
3 putting more police in the street.

4 Do you think that it will be anyway  
5 soon where you will be able to hire civilians?  
6 I'd like to put my name in first.

7 CHIEF GODBEE: It's very appropriate  
8 you would ask that question. Commander Bettison,  
9 can you raise your hand?

10 Commander Bettison is responsible with  
11 our Transformation Management Office and we go  
12 around the department looking at different ways  
13 to gain efficiencies.

14 One thing that we're entertaining, we  
15 have vacant police officer positions, we're  
16 trying to fill as many of those as possible as  
17 the budget will allow.

18 MS. SMITH: With civilians?

19 CHIEF GODBEE: That kind of takes me to  
20 my point. There are some functions, one of which  
21 is telephone crime reporting, which is  
22 understaffed in my opinion and we have an  
23 inordinate amount of officers who either have to  
24 go back to the precinct or district or wherever  
25 to do their reports or if citizens need to do

1 reports, our lobbies are just jam packed with  
2 citizens waiting to do police reports.

3 It is my opinion, and I think it's a  
4 considered opinion and our Command Staff has  
5 talked about, if we were able to staff telephone  
6 crime reporting appropriately and made it a 24/7  
7 call center for every officer and every citizen  
8 and every report that is taken in the city is  
9 taken through that call center it would allow us  
10 to have more latitude and free up officers to be  
11 out on the street.

12 So we're taking a look at that. I'm  
13 waiting for some data, we're crunching the  
14 numbers and I will give up some budgeted police  
15 officer positions for telephone crime reporting  
16 officer positions if the numbers add up.

17 MS. SMITH: I was at your 6th Precinct  
18 yesterday, made a report with my grandson because  
19 he was a hit and run incident night before last,  
20 and I congratulate you on installing the safety  
21 apparatus that was there because you couldn't go  
22 through -- it's just like going in the bank, one  
23 at a time had to go through and it was quite an  
24 adventure for me to go through and empty my  
25 pockets out and everything.

1                   But they're doing a good job over  
2                   there, and they really need some kudos in regards  
3                   to what they're doing and what they have gone  
4                   through and I thank you very much.

5                   CHIEF GODBEE: Thank you, Ms. Smith.

6                   COMMISSIONER WARFIELD: Thank you,  
7                   Sister Smith.

8                   MS. SMITH: Oh, by the way, I just want  
9                   to let you know, you're not in the club by  
10                  yourself. It's sad, but what the heck, what can  
11                  we do about it.

12                 COMMISSIONER WARFIELD: Thank you,  
13                 Ms. Smith. You know I love you. Anybody else?  
14                 We ain't leaving on that one, are we?

15                 Hearing and seeing no more comments,  
16                 I'll quickly entertain a motion to adjourn.

17                 COMMISSIONER RIVERA: Motion to  
18                 adjourn.

19                 COMMISSIONER WHITE: Second.

20                 COMMISSIONER WARFIELD: All those in  
21                 favor?

22                 COMMISSIONERS: Aye.

23                 COMMISSIONER WARFIELD: Thank you,  
24                 ladies and gentleman. We'll see you next week,  
25                 God bless you.

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(Proceedings concluded at  
3:54 p.m.)

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STATE OF MICHIGAN )  
 ) SS  
COUNTY OF WAYNE )

I HEREBY CERTIFY that I reported  
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testimony under oath at the time and place  
hereinbefore set forth; that thereafter the same  
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this is a full, true, complete and correct  
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DALE E. ROSE,

CSR-0087

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