CITY OF DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR BOARD MEETING

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Taken at 1300 Beaubien Street, Room 328-A
Detroit, Michigan,
Commencing at 3:15 p.m.,
Thursday, December 6, 2012,
Before Wendy A. Boer, CSR 3505.



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1 APPEARANCES:

T	ALL DAIVANOLD.
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6	MR. JEROME WARFIELD, CHAIRPERSON
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8	MR. DONNELL WHITE, COMMISSIONER
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10	MS. JESSICA TAYLOR, VICE CHAIRPERSON
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12	MR. CHESTER LOGAN, INTERIM CHIEF OF POLICE
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14	MR. GEORGE ANTHONY, EXECUTIVE SECRETARY
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1	Detroit, Michigan
2	Thursday, December 6, 2012
3	About 3:15 p.m.
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5	CHAIRMAN WARFIELD: Good afternoon. Good
6	afternoon, ladies and gentlemen. Welcome to the Board
7	of Police Commissioners meeting. My name is Jerome
8	Warfield, chairman of the Board of Police Commissioners.
9	Serving with me today is the vice chairperson,
10	Commissioner Jessica Taylor, as well as Commissioner
11	Donnell White. We're also pleased to have with us
12	Interim Chief of Police Chester Logan. And sitting at
13	the table also with us is our chief of staff, Mr. George
L 4	Anthony. I'm going to ask at this time if he can
15	introduce for us the staff that's here from our office.
16	SECRETARY ANTHONY: Thank you, Mr. Chair.
L 7	George Anthony, secretary to the Board. We have present
18	Miss Pamela Davis-Drake, our chief investigator;
19	Miss Lolitha Porter-Coleman, our director of police
20	personnel; Miss Celia Banks Washington, our attorney for
21	the Board; Mr. Robert Brown who is our office manager;
22	Sergeant Alan Quinn who is recording our proceedings
23	and Miss Wendy Boer from Hanson Court Reporting Service.
2 4	That completes the introductions.



CHAIRMAN WARFIELD: Thank you, sir. We

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1	certainly appreciate that. At this time, I'm going to
2	ask if Chaplain Pastor Myatt will come and lead us in
3	our invocation. Good to see you, sir.
4	PASTOR MYATT: Thank you. Let's pray.
5	Heavenly father, we thank you, oh God, for this day. We
6	thank you that your wisdom and your grace rests on this
7	Board. We thank you, oh God, that your efficacious
8	grace, oh God, rests upon the City of Detroit. We give
9	honor, praise in Jesus name. Amen.
10	CHAIRMAN WARFIELD: Thank you, Pastor. At
11	this time, we will entertain a motion to approve today's
12	agenda with one I'm sorry, with two changes. One is
13	that we will postpone our approval of the minutes for
14	Thursday, November 29th. And we will also add to the
15	agenda under new business a Resolution regarding police
16	towing.
17	COMMISSIONER TAYLOR: So moved.
18	COMMISSIONER WHITE: Support.
19	CHAIRMAN WARFIELD: It's been properly moved
20	and supported. Any discussion? All those in favor?
21	COMMISSIONERS: Aye.
22	CHAIRMAN WARFIELD: All those opposed? Motion
23	carries. At this time, we move to the chairperson's
24	report. Certainly again want to thank you all for
25	coming. It's been, you know, somewhat of a very busy



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season for the department, for the city and for us. We did see on TV I believe it was yesterday that the mayor and the chief are in the process of opening up mini stations in the neighborhoods in an effort to get officers closer to the neighbors. And certainly I'm sure we'll hear more from the chief on that a little bit later. And certainly we are glad to know and to see that.

I want to follow up regarding an item that was discussed at our last meeting, essentially during the communication portion of the last meeting. And that was the issue of the Number One Pound, what was really going on with that. Did have an opportunity go by the Number One Pound last Thursday evening. And the reports that came to the meeting were correct, that apparently the municipal parking tow lot that housed cars that were towed from parking meters, that lease had either ended or whatever the case may be. And those cars were moved over to the Number One Pound.

We do know that there are officers and security guards that are there that are manning that parking lot. We do have a Resolution we believe that speaks to this issue and that will be a clarifying moment for us as relates to how we move forward in this particular process because I think it's important that

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we follow the ordinances and the rules that have been
established by this Board, the chief and the mayor as
well as our city council individuals for that. And so
we will move forward with that but certainly want to
thank all of you for the information that you may have
sent to us in regards to that so that we make sure that
we stay on top of our jobs.

Also, just want to say a collective thank you again to the men and women in blue just for outstanding jobs. We have had some pretty interesting incidents that have happened. We do know that there are on-going investigations to some high profile crimes that are going on in our city, especially as relates to some of our gas stations. And we know and believe that our men and women and our detectives are using all the resources available to them to make sure that the safety of our citizens will be secured in those instances.

And so we ask, you know, for the public to just be patient as our men and women do their job in those instances. That's all I have to say right now at this particular time. Right now I move over to the Chief of Police Chester Logan. Again, sorry, please forgive me. Chief Logan.

INTERIM CHIEF LOGAN: Sir, are we at Item 5 on the agenda yet?



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1	CHAIRMAN WARFIELD: Line 8 for Chief of Police
2	Report.
3	INTERIM CHIEF LOGAN: You have 8 too?
4	CHAIRMAN WARFIELD: I'm on 9. I'm sorry, 9.
5	ATTORNEY WASHINGTON: It's 5.
6	CHAIRMAN WARFIELD: 5, okay. Apparently we've
7	got different agendas. Mine is 9, his is 5. Okay. So
8	put it this way, we're on your report.
9	INTERIM CHIEF LOGAN: Sir, just through the
L 0	Chair, Interim Chief Logan. Just a couple things.
11	Hopefully by now the Board has had a chance to consider
12	my request to do some promotions of inspectors,
13	lieutenants and sergeants. Hopefully the Board will
L 4	look favorably upon that request. I'd also like to talk
15	just briefly about the not reopening the mini
16	stations but probably reconstituting the mini stations.
17	What we want to do is make sure that they are in fact
18	open. Our goal is to make sure that we have probably
19	initially six or seven open and within the next 30 days
20	to make sure we have probably 17.
21	One of the things that we are looking at to
22	make sure that these mini stations are placed in
23	strategic places is putting some of them in recreation
24	centers. And that's why the initial kickoff yesterday

was done at the Butzel Recreation Center. It serves two

1	purposes. The rec centers are meeting places for the
2	community. We get complaints that the citizens don't
3	feel safe there. And we feel that by putting manned
4	mini stations there, we'll kill two birds with one
5	stone.
6	We also hope to have these mini stations
7	staffed by one full duty officer, police reserves as
8	well as community volunteers. And some of them will
9	also be used as bases for CB patrols. So, to the degree
10	that we can, we want those to be a hub for the
11	community. Secondly, I would let the Board know that on
12	December the 13th that's next Thursday the doors
13	open at 11 I believe, 11:00. From 11:00 to 2:00 at the
14	Serbian hall, we are going to sponsor a luncheon for our
15	seniors. We expect to have probably somewhere between
16	250 to 300 seniors.
17	Certainly this Board is more than welcome to
18	come out. It's another effort to reach out to the
19	community and let the seniors know how important they
20	are in the community. And that completes my report.
21	CHAIRMAN WARFIELD: Thank you, Chief. Any
22	questions for chief of police?
23	COMMISSIONER TAYLOR: What date did you say?
24	That's December 13th? What time?



INTERIM CHIEF LOGAN: From -- the doors will

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1	open at 11, and the event will conclude at 2:00. But if
2	you're coming, we'll keep the doors open until you get
3	there.
4	CHAIRMAN WARFIELD: Any other questions for
5	the chief? Just I just have a follow-up to the
6	lieutenants and sergeants promotion. We are in the
7	process of doing our due diligence, looking at
8	disciplinary files and looking at resumes and what they
9	have done since they have been on the department. And
10	we will forward a report with our recommendations to
11	your office prior to coming here. And hopefully you
12	should have that fairly soon.
13	In addition to that, as relates to the mini
14	stations, the reconstituted mini stations, just a couple
15	of questions. Have all of the new locations been
16	picked?
17	INTERIM CHIEF LOGAN: No, sir, I don't think
18	they have.
19	CHAIRMAN WARFIELD: Because and if
20	community groups and/or centers or citizens would like
21	to make suggestions and meet with your staff as relates
22	to potential sites for mini stations, is that possible?
23	INTERIM CHIEF LOGAN: Yes, sir. That's
24	probably one of the byproducts that we are looking for,
25	some community engagement. Just as a side note, we had



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1	occasion to remove some of our signs from the one that's
2	on Dexter and Elmhurst, in that area. And we ran into a
3	protest from the community. They said although the mini
4	station is not open, the community didn't want us to
5	remove the signs. So that's what we are trying to do.
6	We are trying to get the community involved in this
7	process. This is going to be spearheaded by Second
8	Deputy Chief Melvin Turner and police community
9	services.
10	We as many as we can, we definitely want to
11	have open. Plus one of the things that we talked about
12	yesterday in terms of the officers who man the mini
13	stations, we want to make sure that they are properly
14	trained, not just put any officer there because it's a
15	job. We want to make sure that he or she is prepared to
16	do remediation, mediation and things like that.
17	So, the problems that we are experiencing in
18	the community, they'll be a forum where somebody can
19	hope to resolve some of those complaints before they get
20	any bigger than they already are.
21	CHAIRMAN WARFIELD: Is there a number that
22	citizens can call, a website or e-mail address that they
23	can contact Deputy Chief Turner?
24	DEPUTY CHIEF TURNER: They can use my e-mail



address, Chief.

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1	CHAIRMAN WARFIELD: Could you come to the mic,
2	sir, if it's okay with the Chief?
3	SECOND DEPUTY CHIEF TURNER: E-mail address
4	I'm sorry. Second Deputy Chief Melvin Turner, police
5	community services. They can use my e-mail address,
6	which is Turner, T-u-r-n-e-r, M907@Detroitmi.gov.
7	CHAIRMAN WARFIELD: Great. Thank you. Again,
8	that e-mail address is Turner, T-u-r-n-e-r, M as in
9	Mary, 907 at Detroit spelled out, mi.gov. Yes, sir.
10	SECOND DEPUTY CHIEF TURNER: Any more
11	questions?
12	CHAIRMAN WARFIELD: I guess another question I
13	have, sir, is the type of services that citizens can
14	receive there at these mini stations. Will they be able
15	to fill out reports or what can they expect?
16	INTERIM CHIEF LOGAN: Yes, sir. They'll be
17	able to fill out through the Chair, Interim Chief
18	Logan. They will be able to do the same things at the
19	mini stations that they can do at a full service
20	station. We are putting in all the lines, the necessary
21	lines. Most of the lines have been placed there. But
22	probably within the next 30 days all of them. What's
23	the line called, DC, TA?
24	SECOND DEPUTY CHIEF TURNER: We are going to
25	be using an internet line from the mini stations because



1	that's cheaper.
2	INTERIM CHIEF LOGAN: The long and short of
3	it, yes, sir, we are prepared.
4	CHAIRMAN WARFIELD: Okay, great. Any other
5	questions for the Chief?
6	SECOND DEPUTY CHIEF TURNER: We are looking
7	for civilian volunteers to work with our officers within
8	the mini stations. And so, we naturally have to do a
9	background check on anyone that's volunteering. But we
10	are looking for those volunteers. So they can either go
11	to the mini station or they can contact us at police
12	community services.
13	CHAIRMAN WARFIELD: May I also suggest, Deputy
14	Chief, I know there are a number of citizens who come
15	from the Citizens Academy who are interested in helping
16	as well. That might be another resource.
17	SECOND DEPUTY CHIEF TURNER: We've already
18	talked to them, and they are on board.
19	CHAIRMAN WARFIELD: Wonderful. Thank you,
20	sir. Thank you, Chief. Chief, anything else?
21	INTERIM CHIEF LOGAN: No, sir.
22	CHAIRMAN WARFIELD: Thank you, sir. We are
23	going to stay with the Chief because to follow-up from
24	last week's meeting, we were talking about the
25	promotions, we are talking about budget. And we'd asked



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1	that if the budget director could be here, Deputy Chief
2	Toliver. And we do see her in the audience. And I
3	believe there are a couple of questions for her. Would
4	it be appropriate, Chief, if she came to the mic at this
5	time?
6	INTERIM CHIEF LOGAN: Yes, sir.
7	CHAIRMAN WARFIELD: Deputy Chief?
8	SECOND DEPUTY CHIEF TOLIVER: Good afternoon,
9	Second Deputy Chief Tina Toliver.
10	CHAIRMAN WARFIELD: Good afternoon, ma'am.
11	How are you?
12	SECOND DEPUTY CHIEF TOLIVER: I'm good. And
13	you?
14	CHAIRMAN WARFIELD: Good to see you. Any
15	questions for Deputy Chief Toliver at this time?
16	COMMISSIONER WHITE: Good afternoon, Deputy
17	Chief. How are you?
18	SECOND DEPUTY CHIEF TOLIVER: Good afternoon.
19	COMMISSIONER WHITE: Could you review again
20	for the record and, Chair, I'm not sure if we in fact
21	were going to take a vote again or not. But in the
22	event that we are, I would like to be clear in terms of
23	the overall budgetary impact for the recommended
24	promotions. I'm sorry. If we could potentially segment
25	the impact based on officers to sergeants. Then Chief

Page 14 1 correct me if I'm wrong, but we are also looking at promoting four sergeants to lieutenant, was that 2 accurate? 3 INTERIM CHIEF LOGAN: Yes, sir. 4 COMMISSIONER WHITE: Then in addition to the 5 addition of two assistant chiefs? 6 INTERIM CHIEF LOGAN: That's not on the 7 agenda. That's not --8 9 COMMISSIONER WHITE: That's not before us? INTERIM CHIEF LOGAN: I didn't ask for that. 10 CHAIRMAN WARFIELD: We are not voting today. 11 I think the commissioner just wanted to -- correct me if 12 13 I'm wrong. I'm sorry, Commissioner. I think the 14 commissioner just wanted to know from the information 15 that we have received, as relates to the promotions that 16 came across our desk, were those the positions -- are 17 those positions still being sought? Again, it was two? 18 INTERIM CHIEF LOGAN: Yes, sir. CHAIRMAN WARFIELD: Two assistant chiefs, one 19 20 deputy chief I believe it was, two inspectors and four 2.1 lieutenants and then 20 sergeants I believe it was. Does that answer your question, sir? 22 23 COMMISSIONER WHITE: Yes. INTERIM CHIEF LOGAN: Sir, if I might, there's 24



a caveat to the lieutenants request. We have one

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1	lieutenant who one candidate for lieutenant who has
2	been in the military for almost two continuous years.
3	He was on the sergeants list, and he was a sergeant,
4	made lieutenant. But he was never promoted to
5	lieutenant. He is being paid as a lieutenant. However,
6	he's not nobody has handed him a gold badge yet. He
7	just got back from Kuwait I believe December the 3rd.
8	And that's why he wasn't in this we didn't request
9	that he be included in this number. But we are asking
10	that actually five be promoted.
11	We are already paying him as a lieutenant,
12	lieutenant's pay. We are just giving him a badge and a
13	rank. I just found out that he just got back December
14	the 3rd.
15	COMMISSIONER WHITE: I'm good.
16	CHAIRMAN WARFIELD: Ma'am
17	SECOND DEPUTY CHIEF TOLIVER: So can you ask
18	me the question again?
19	COMMISSIONER WHITE: If we could have a
20	discussion centered around the overall budgetary impact
21	with all of the proposed promotions that were just
22	discussed.
23	SECOND DEPUTY CHIEF TOLIVER: Okay. So, when
24	I was here before, I explained to the body that prior to
25	the Chief putting together the request for the



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promotions, the first thing that we do because we
don't operate in a vacuum. We go through the budget and
see if the funding is available. As you know, we budget
for each individual position depending on what rank they
are, what step they are. And so, when we look at those
requests, we know exactly what funding is available,
what vacancies are available.

The promotions that are being proposed will not have a negative impact on the budget because of the vacancies in the slot. And as we promote from the higher titles up, that frees up, you know, the lower titles. So, as you know, the sergeants will come from the PO rank and so on and so forth. So, there would not be a negative impact on the budget for any of the promotions or new positions.

COMMISSIONER WHITE: Okay. And, Deputy Chief, more specifically, do you have the dollar amounts associated with those promotions?

SECOND DEPUTY CHIEF TOLIVER: I don't recall if it was in the letter or not, but we can get that for you, no problem.

COMMISSIONER WHITE: If you please could.

Also, I would be interested to know the fund balance for the 2012 personnel expense category, what's left in that line item between now and the year end.



1	SECOND DEPUTY CHIEF TOLIVER: Well, let me
2	start by saying that our budget is primarily in two
3	categories, your employee and your non-employee. Our
4	employee budget which includes your salaries and all of
5	your benefits is a little under 300 million dollars.
6	And year to date, we have spent a little over 116
7	million. So, we are actually a little under budget as
8	far as when you look at where we are in the fiscal year.
9	Another thing I'd like to note is from this
10	time last year to today, through the month of November,
11	we have decreased our overtime by approximately
12	45 percent. So, overall, our personnel budget, we are
13	doing really good this year. And that's why I don't
14	have any problems with the promotions going forward.
15	COMMISSIONER WHITE: Thank you. The two
16	categories, one was the employee budget and you said the
17	second was?
18	SECOND DEPUTY CHIEF TOLIVER: I second one is
19	everything that does not include employee-related
20	expenses. And that budget is about \$25 million. And
21	that's just for the general fund.
22	COMMISSIONER WHITE: The fund balance left
23	for
24	SECOND DEPUTY CHIEF TOLIVER: The fund balance
25	left for the personnel is approximately 183 million



1	dollars.
2	COMMISSIONER WHITE: Okay. And I did ask you
3	this question before, Deputy Chief. But again, just for
4	the record, the attrition and the things that we have
5	already experienced with the assumption it was taken
6	into account when you began the budget cycle, I believe
7	we started this year trying to have a conversation
8	centered around where was everywhere that we can cut,
9	this body's budget included, with the assumption that
10	and if I'm not mistaken, we left that conversation. And
11	we still were projected under or I'm sorry over where
12	the city necessarily wanted us to be as it related to
13	our budget.
14	So with all of that taken into account, with
15	these additions, you still feel as though we will be
16	within the parameters that we were asked to be up under?
17	SECOND DEPUTY CHIEF TOLIVER: Yes, I do.
18	COMMISSIONER WHITE: At the beginning of the
19	year?
20	SECOND DEPUTY CHIEF TOLIVER: Yes.
21	COMMISSIONER WHITE: Thank you, Mr. Chair.
22	CHAIRMAN WARFIELD: Thank you. Deputy Chief,
23	are there any plans for merit increases for either the
24	executive staff or the officers?
25	SECOND DEPUTY CHIEF TOLIVER: Not that I'm



1	aware	
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CHAIRMAN WARFIELD: Not that you're aware of.
Can you help us out with a question that I had as
relates to when officers are promoted from sergeant, I
mean from police officers to sergeant, from a budgetary
standpoint, is that a percentage increase or because
last time you said you projected when you projected
that, the budget maxed out those positions. So and I
am kind of somewhat piggy-backing off what Commissioner
White was saying.

What are we looking at on a per position basis if a person is moving from police officer to sergeant, what is the price tag or what is the additional cost that the department will -- I don't want to say incur but would it go up to? For instance, let's say I'm going to use a ballpark figure here. It's not correct for the record. But let's say if the benefit package had the salary of a sergeant, let's say I'm going to use a round number. Let's say a hundred thousand dollars. And let's say the benefit package for a police officer -- again it's not right -- but let's say \$75,000. So, are we looking at the difference in those two figures, how we calculate how much more money is moving toward that side of it?

SECOND DEPUTY CHIEF TOLIVER: First let me say



1	that each of the ranks as you know, a majority of them
2	would have five steps. And generally by the time a PO
3	was ready to be promoted to a sergeant, he is at the
4	maximum. And so, typically, the PO would go from the
5	maximum of a police officer title to the minimum of the
6	lieutenant title. So
7	INTERIM CHIEF LOGAN: Sergeants.
8	SECOND DEPUTY CHIEF TOLIVER: I'm sorry, the
9	sergeant's title. So, you know, the variance just
10	depends on where the minimum rate is for the sergeant
11	position.
12	CHAIRMAN WARFIELD: So are there different
13	minimum rates for the sergeant positions?
14	SECOND DEPUTY CHIEF TOLIVER: No. There's
15	only one minimum, but there's five areas that you can go
16	once you're in the title. There's only one minimum.
17	That PO would go to the minimum of the sergeant rank.
18	CHAIRMAN WARFIELD: And I know it's not I
19	know it's not a rule for lack of a better term to say
20	that all PO's are at that max. Some I guess might not
21	be at the max before they are promoted to sergeant. But
22	whether they are at the max or not, they will go to the
23	minimum position within the sergeant rank?
24	SECOND DEPUTY CHIEF TOLIVER: Correct.
25	CHAIRMAN WARFIELD: All right.



1	INTERIM CHIEF LOGAN: For the record,
2	Assistant Chief Logan. That differential is going to be
3	approximately 20 percent more than a police officer
4	would be making.
5	CHAIRMAN WARFIELD: And then
6	COMMISSIONER WHITE: Sorry, Chief. That's
7	from max to minimum?
8	INTERIM CHIEF LOGAN: When that police officer
9	goes from the maximum police officer's pay to the
10	minimum sergeant because it starts in steps also, 21,
11	22, 23, 24 percent.
12	COMMISSIONER WHITE: Okay.
13	CHAIRMAN WARFIELD: And to that point as well
14	then, so, when we promote out and take a police officer,
15	make them a sergeant, then we also have of course
16	another vacancy within the police officer ranks that's
L 7	un-budgeted, right, not uh-budgeted, I'm sorry. But if
18	we were living in a perfect world, we would bring
19	another individual on from the academy or whatever to
20	replace that position, correct?
21	SECOND DEPUTY CHIEF TOLIVER: That's correct.
22	CHAIRMAN WARFIELD: All right. So, from a
23	and I was trying to figure this out in my head earlier.
24	And I don't have the best head sometimes. So, in my
25	mind then, from a budgetary standpoint, we're still



1	talking about the same dollars as relates to either
2	having a vacancy on one end or another. So, if I move a
3	police officer to a sergeant, I still have let's say
4	I'm using that fictitious number I used before, that
5	\$75,000 that are sitting there, all right. That's still
6	in the budget. That was designated for an officer to be
7	there for an entire year, correct?
8	SECOND DEPUTY CHIEF TOLIVER: Correct.
9	CHAIRMAN WARFIELD: Okay, great. I just
10	wanted to make sure I was on track. Any other
11	questions?
12	COMMISSIONER WHITE: I did have one question.
13	Through the Chair, Chief, how do we get to a situation
14	where an individual may have the pay grade of a certain
15	rank but not the title?
16	INTERIM CHIEF LOGAN: Well, through the Chair,
17	Interim Chief Logan. That came as a result of a ruling
18	by your human resource manager at the time, Director
19	Dalph Watson who quoted federal law. We are duty bound
20	to pay this person. And in fact we are duty bound to
21	promote him. But we weren't able to officially do it.
22	So, she opined that he should at least get lieutenants
23	pay until such time as we could officially promote him.
24	COMMISSIONER WHITE: Was that found due to his
25	service?



1	INTERIM CHIEF LOGAN: To his service and the
2	fact that he was serving his country when the promotions
3	occurred.
4	CHAIRMAN WARFIELD: So, this body I'm
5	sorry. So this body approved him on that list to
6	receive that promotion already?
7	INTERIM CHIEF LOGAN: No, no. He was out of
8	the country. He just got back.
9	INSPECTOR ROBBIN RIVERS: I'll respond.
10	Inspector Robbin Rivers, legal affairs. Good afternoon.
11	CHAIRMAN WARFIELD: Good afternoon.
12	INSPECTOR RIVERS: Under USERRA law, if any
13	employee is serving his country during war time and
14	leaves for military duty, they are bound to be given
15	anything that they would have acquired while working.
16	During the time that this sergeant was serving our
17	country, he was on the promotion list. That list was
18	approved. And if he had been present, he would have
19	been promoted to the rank of lieutenant. Therefore,
20	upon his return, he should be given his rank and his
21	salary.
22	CHAIRMAN WARFIELD: Thank you, Inspector.
23	Again, just for my clarification and clarification for
24	the other members of the Board, so, when we were
25	presented the list and this is all I'm trying to get



1	to. When we were presented the list of sergeants to be
2	promoted to lieutenant, his name was on that list to be
3	approved for the rank of lieutenant because there are a
4	number of people on the list that did not get promoted
5	to lieutenant from sergeant. So all I guess I'm asking
6	was he one of the ones that was on the list before us
7	that says he shall be promoted because again everybody
8	on that list did not receive that promotion.
9	INSPECTOR RIVERS: He was on the list for the
10	promotees that was promoted some time ago. And that
11	list was approved.
12	CHAIRMAN WARFIELD: All right. Can someone
13	just get us a copy of that so we can just verify it?
14	INSPECTOR RIVERS: We will. We did research
15	it. It is in the offices of human resources.
16	CHAIRMAN WARFIELD: Okay. That would be good.
17	INTERIM CHIEF LOGAN: We did an investigation
18	too.
19	CHAIRMAN WARFIELD: We just need to see the
20	paperwork, that's all. Thank you, sir. Thank you,
21	Deputy Chief. Appreciate you. All right. Moving right
22	along, sir, is there anything else from the Chief's
23	office at this time?
24	INTERIM CHIEF LOGAN: No, sir.



COMMISSIONER WHITE: Chair, just for clarity,

1	given the information that we just received and I
2	know the Deputy Chief said she would forward some
3	additional information to us I just wanted to have
4	some conversation centered around in terms of our plan
5	moving forward and how we would move for closure or
6	disposal of this recommendation from the Chief as
7	relates to promotions.

2.1

CHAIRMAN WARFIELD: Absolutely. I think as we stated last week, typically what we have done in the past is that we review the records, the work records, of those who have been requested to be promoted. And we weigh in on those. I think we will do the same thing, review all of them at one time and then make our recommendations to the Chief and give it to him and let him then of course weigh in on those recommendations. And then we will come back and vote up or down what his final recommendations may be according to the findings that we come up with.

COMMISSIONER WHITE: Just, again, for additional clarity, I do understand the names have been forwarded to us, although I haven't seen them as of yet. But through the Chair to the Chief, just for clarity, you're seeking the 20 officers to sergeants and five sergeants to lieutenants; and that's it?

INTERIM CHIEF LOGAN: Two inspectors.

1	COMMISSIONER WHITE: Two inspectors to
2	lieutenant, two inspectors?
3	INTERIM CHIEF LOGAN: That's on one list. And
4	then on the separate list, we have two assistant chiefs
5	and one deputy chief.
6	COMMISSIONER WHITE: So, your request to the
7	Board again through the Chair, Chief, is that we
8	consider these in two tracks, one being the sergeants,
9	lieutenants and inspectors; and also in a separate
10	track, the deputy chief and the two assistant chiefs?
11	INTERIM CHIEF LOGAN: Sir, through the Chair,
12	Interim Chief Logan. That's one way we could look at
13	it. I'd really like you to consider them in total;
14	although they are two separate requests.
15	COMMISSIONER WHITE: Okay. I'm clear. Thank
16	you.
17	CHAIRMAN WARFIELD: Good. All right. Thank
18	you. Then one other thing. We did receive some
19	communication, and it came up in one of our community
20	meetings earlier this year. And it's regarding to the
21	demotions of a couple of officers. We did get some
22	communication from the unions that represent them as it
23	relates to their due process for lack of a better term.
24	And so we just need some clarification and for the
25	record need to understand if these were demotions or if



1	they were un-appointments.
2	INTERIM CHIEF LOGAN: Through the Chair,
3	Assistant Chief Logan. I'd like to get Inspector Rivers
4	to inform the Board what exactly transpired there.
5	CHAIRMAN WARFIELD: Sure.
6	INSPECTOR RIVERS: First of all, I'd like to
7	preface it by saying that these matters are being
8	grieved. So I would like to be limited in my response.
9	I have no problem with communicating to the Board
10	outside of a public venue. But I can say that under the
11	CBA, it does give the department and the chief the
12	ability to promote, demote, de-appoint for just cause.
13	And we believe that we have met that burden and that
14	will be carried out in the appropriate forum as it
15	relates to that. And additionally, under the CET, it
16	also gives the right of the department and the chief the
17	at will ability to de-appoint commanding officers as it
18	relates to their position with the City of Detroit
19	Police Department. And we have met that criteria as
20	well.
21	CHAIRMAN WARFIELD: No. And thank you,
22	Inspector Rivers. Certainly we appreciate that. And I
23	don't want us to go into any detail at all outside of
24	the fact again I think depending on the action of the
25	Chief, it dictates the course of appeal that those



1	within the department would have. And so, for our
2	purposes, it would be very beneficial for us to
3	understand were they un-appointments, were they
4	demotions? Was it disciplinary? Without getting into
5	any detail, what is the determination at this point?
6	INSPECTOR RIVERS: It was a de-appointment
7	from the rank of a commanding officer and a demotion
8	back to their last non-appointed position.
9	CHAIRMAN WARFIELD: Sir, do you have
10	something?
11	COMMISSIONER WHITE: I just want to I know
12	this has come to us, and I know as we approach the
13	holiday season. So Chair, I would as a recommendation,
14	I would recommend that we move to an executive session
15	to discuss this personnel matter so we are not speaking
16	in abstract and we can get to the core of the issue.
17	CHAIRMAN WARFIELD: Absolutely, we can do
18	that. We will after our oral communications if it's
19	okay, move to an executive closed session on this
20	personnel issue.
21	INSPECTOR RIVERS: Yes, sir.
22	CHAIRMAN WARFIELD: Okay, thanks. Any more
23	questions regarding those issues? All right. Moving
24	right along, we do have some grant requests. We have
25	we are asking for permission to accept an Eastern



1	District of Michigan Project Safe Neighborhoods
2	initiative grant from the Children's Aid Society. Let
3	me ask if Commissioner Taylor, if you could read that
4	for us.

2.1

And then additionally we have a beautification project request for the Sixth and Eighth Precinct. And that's a donation of a View Scan weapons detection systems unit. And I'm going to ask if Commissioner White, if you can read that into the record for us.

And then finally, Commissioner Taylor, I want to ask if you could read the third and final grant which is the permission to accept a donation of a German shepherd from the Detroit Public Safety Foundation.

Thank you.

Department has been selected to receive \$158,765.17 in grant funding with no required match from the Eastern District of Michigan Project safe Neighborhood. This initiative has three goals; number one aggressively promote the message that all firearm related violent crime will be met with strict enforcement and swift and certain punishment; number two, encourage citizens to work with the local, state and federal law enforcement to address firearm related violent crimes in their communities; and three, promote gun safety in the



1	community.
2	The time period for the grant is October 1,
3	2012, through September 30, 2014. The federal award
4	number is 2012GPBX0011. Sergeant Jason Sloan of the
5	criminal investigations bureau will serve as the project
6	director for the grant. The Children's Aid Society will
7	serve as the fiscal agent for the grant. The
8	appropriation number for the grant is 13590. I'm
9	requesting the Board's permission to accept this funding
10	and seek approval of the honorable Detroit City Council.
11	CHAIRMAN WARFIELD: Is there a motion?
12	COMMISSIONER TAYLOR: Yes, I move we accept
13	this, give permission to receive this grant.
14	COMMISSIONER WHITE: Support.
15	CHAIRMAN WARFIELD: It's been properly moved
16	and supported. Discussion? Any questions regarding
17	this grant? Hearing or seeing none, all those in favor
18	of accepting permission of the department to receive the
19	grant, please say aye.
20	THE COMMISSIONERS: Aye.
21	CHAIRMAN WARFIELD: All those opposed, you
22	have the same right and privilege. Motion passes.
23	Next, please.
24	COMMISSIONER WHITE: Commissioners, before us
25	is a request for the beautification project at the Sixth



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and Eighth Precinct to accept the donation of the View
Scan weapons detection systems unit. Mr. John Radamaker
(phonetic), director of business development with View
Systems, Incorporated, has indicated that upon learning
of the Sixth and Eighth Precinct beautification project,
he decided to donate a View Scan weapons detection
system unit, WDS, to the Detroit Police Department free
of charge. Mr. Radamaker has estimated the value of
this donation at \$13,800. View Systems, Incorporated,
will install the equipment at the entrance of the Sixth
and Eighth Precincts. View Systems, Incorporated, would
warranty the unit for three years and provide a free
service agreement for five years.

The WDS is a walk through scanner which uses advanced magnetic technology to pinpoint threatening objects while ignoring common items such as coins, body piercings and small keys. It creates an image that appears on a monitor. Indicators point to spots on the image where metal is detected. The photos and information can be stored for months or years. The current metal detector at the district does not have these capabilities, nor is it currently operational.

WDS is a passive device and does not generate any active electromagnetic fields, making it safe for pregnant women and people with metal implants such as pacemakers.

1	I move for adoption.
2	COMMISSIONER TAYLOR: Second.
3	CHAIRMAN WARFIELD: It's been properly moved
4	and supported. Any questions regarding
5	COMMISSIONER WHITE: I do have one question.
6	Through the Chair, Chief, are you familiar if this is
7	the technology that was used during the World Series for
8	the entry points for staff and security?
9	INTERIM CHIEF LOGAN: Through the Chair,
10	Interim Chief Logan. I have Commander McKissic from the
11	Sixth and Eighth Precinct. Hopefully he can respond to
12	that.
13	COMMANDER McKISSIC: Commander Duane McKissic,
14	Northwestern District. And yes, that's the same
15	technology. It's also a technology that's being
16	utilized in some of the Detroit Public Schools such as
17	Denby, retrofitted.
18	COMMISSIONER WHITE: Does it provide that we
19	can monitor 'cause if I recall there was screens where
20	you actually see who is passing through. And you're
21	rated a number if I'm not mistaken based on a
22	probability that you have large metal on your person?
23	COMMANDER McKISSIC: It creates an image as
24	far as specific as far as numbers, I'm not familiar
25	with the numbers. But it does create an image that



1	gives you an indicator on if it's a weapon or not.
2	COMMISSIONER WHITE: So would we move away
3	from the person what I'm getting to, the question
4	would we move away from a person actually physically
5	being needed to be stationed at the door?
6	COMMANDER McKISSIC: No. We would still have
7	even though the image can be seen from the desk, you
8	know, that it needs to be monitored. So that the
9	supervisor can utilize it, you still would have to have
10	personnel because if it is a weapon there, someone still
11	has to be close by in order to properly neutralize that
12	situation.
13	COMMISSIONER WHITE: Okay. Thank you.
14	CHAIRMAN WARFIELD: Thank you. Any other
15	questions regarding the grant request?
16	INTERIM CHIEF LOGAN: Sir, through the Chair,
17	Interim Chief Logan. I might also add that as of
18	yesterday, I received an e-mail that the current system
19	at the Sixth and Eighth Precinct is up and running. So
20	I didn't want you to think that, you know, there's a
21	hurry to get this done. But they do in fact have one,
22	the one that we had last year. So, it's up and running.
23	COMMISSIONER WHITE: One final question
24	possibly for Commander. If approved, how soon would
25	this potentially be operational?



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1	COMMANDER McKISSIC: He said it would take a
2	matter of maybe I think one day to install it. But I'm
3	sure it has to go through City Council.
4	COMMISSIONER WHITE: Thank you, Duane.
5	CHAIRMAN WARFIELD: Any other questions
6	regarding this grant? Hearing or seeing none, all those
7	in favor of the motion?
8	COMMISSIONERS: Aye.
9	CHAIRMAN WARFIELD: All those opposed? Motion
10	carries. The final request, Commissioner Taylor?
11	COMMISSIONER TAYLOR: Yes. The final request
12	is permission to accept a donated German shepherd from
13	the Detroit Public Safety Foundation, DPSF. On
14	November 13, 2012, the Detroit Public Safety Foundation
15	agreed to donate a German shepherd named Mace to the
16	Detroit Police Department's canine unit. Mace is an
17	18-month sable male German shepherd screened by Sergeant
18	Oscar Garza (phonetic) of CPD canine. DPD canine has
19	determined that the German shepherd would be an asset to
20	the department and seeks to accept this donation. There
21	is no cost to the department for this donation. Motion
22	to accept this donation.
23	COMMISSIONER WHITE: Support.
24	CHAIRMAN WARFIELD: It's been properly moved
25	and supported that we accept the department's ability to



1	make the request to City Council. Any questions?
2	COMMISSIONER WHITE: I do have one question.
3	Through the Chair, Chief, what's the average cost of
4	one, how many canine units or canine personnel or
5	however we phrase that, how many canine personnel do we
6	currently have? And what's the average cost to maintain
7	each member?
8	INTERIM CHIEF LOGAN: Through the Chair,
9	Interim Chief Logan. I'd like to there he is.
10	LIEUTENANT BARREN: Lieutenant Alton Barren,
11	homeland security tech support. We currently have six
12	canine officers available for deployment. As far as the
13	cost to maintain, each canine officer is given a
14	stipend, a multi-type, to maintain the care of their
15	animal. It's roughly about \$400 a month for the cost
16	and care.
17	COMMISSIONER WHITE: \$400 per month, and
18	that's times the six canines?
19	LIEUTENANT BARREN: Correct. Canine officers.
20	We have ten total canines.
21	COMMISSIONER WHITE: Okay. So
22	LIEUTENANT BARREN: We have a canine officer
23	who may have two dogs, a narcotic tracking dog, a bomb
24	dog.



COMMISSIONER WHITE: Back to my original

1	question. So we have six canine officers, but we
2	actually have ten canines?
3	LIEUTENANT BARREN: That's correct.
4	COMMISSIONER WHITE: So would this be 11 or
5	would this be
6	LIEUTENANT BARREN: This would be 11.
7	However, two need to be replaced due to their age.
8	COMMISSIONER WHITE: Okay. So for each
9	canine, it's about \$400 per month stipend that's given?
10	LIEUTENANT BARREN: Right, maybe a little
11	less. I'm just kind of giving a ballpark.
12	COMMISSIONER WHITE: Okay. Thank you.
13	CHAIRMAN WARFIELD: Any other questions? All
14	those in favor of the request?
15	COMMISSIONERS: Aye.
16	CHAIRMAN WARFIELD: All those opposed? Motion
17	carries. Thank you, sir. Also while we are still under
18	new business, before you, Commissioners, is a Resolution
19	that we want to read into the record that's fairly
20	lengthy so, we ask that you bear with us regarding
21	towing.
22	Board of Police Commissioners. Resolution of
23	the Board of Police Commissioners Regarding the City
24	Charter, the Detroit City Code and Police Authorized
25	Towing Permits.



1	Whereas, the Michigan Supreme Court, in the
2	case of Hudson Motor Car Company versus the City of
3	Detroit, 282 Michigan 69 (1937) held that a city's
4	Charter is the organic law of that city.

2.1

Whereas, Article 1, section 102 of the City
Charter states that the City's power is limited by the provisions of the Charter.

Whereas, Article 4, Section 114 of the City
Charter states that an Ordinance provides for permanent
rule for the conduct of government.

Whereas, Ordinances passed some 30 years ago and codified in Detroit City Code Section 55-15-8(a) establish the four critical components of the City's police authorized towing system, to wit: First, this Board is required to establish standards that must be met in order for a towing company to qualify for police authorized tows; and second, the Police Department must maintain a list of towing companies that meet this Board's standards; and third, the Board must enact rules and regulations to determine how towing companies that are on the Police Department's list are called for police authorized towing assignments; and fourth, this Board's rules must, as nearly as practicable, provide for a fair distribution of towing assignments to towing companies that are on the Police Department's list.

2.1

Department.

	Whereas,	Article	7, Sect	tion 8	303 of	the	Detroit
City Char	ter requi	res this	Board,	in co	onsulta	tion	with
the Chief	of Police	e, and ap	oproval	of th	ne Mayo	or,	
establish	policies	rules a	and regi	ulatio	ons for	the	Police

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Whereas, this Board, with the approval of the Mayor and the Chief of Police enacts standards and rules and regulations pursuant to Detroit City Code,

Section 55-15-8(a) and the City Charter which became effective in December, 2010 (hereinafter referred to as Standards and Rules).

Whereas, pursuant to the Standards and Rules the Department has issued Towing Permits to towing companies that have met Standards and Rules and are on the Police Department's list of qualified towing companies, as required by the Detroit City Code Section 55-15-8(a).

Whereas, this Board considers possession of a Towing Permit as a rebuttable presumption that a towing company has met the Standards and Rules and is on the Department's list of qualified towing companies.

Whereas, the unambiguous language of the Detroit City Code section 55-15-8(a) when applied to the Standards and Rules, entitles a holder of a Towing Permit, (Permit Holder) to receive an equitable share of

Τ	towing assignments from the Department.
2	Whereas, the Detroit City Code
3	Section 55-15-1, defines a police authorized tow as a
4	tow/transportation by a tower summoned by the
5	Department, of a motor vehicle to one of the following
6	places: (1) A position at or on the curb or onto the
7	nearest side street; (2) A destination requested by the
8	owner of the vehicle; (3) The city auto pound or
9	precinct station in accordance with Division 4, of
10	Article 6, and Article 14 of Chapter 55 of the Detroit
11	City Code; or (4) To the private storage lot, yard, or
12	garage of the police authorized tower in the case of a
13	wrecked or disabled vehicle or any vehicle towed
14	pursuant to Michigan Compiled Laws section 257.252d.
15	Whereas, Division 4, of Article 6, of Chapter
16	55 Detroit City Code provides a very narrow definition
17	of what constitutes an abandoned vehicle, and requires
18	the vehicle to: (1) remain on public property for 48
19	continuous hours and shall reasonably appear to be
20	abandoned, or (2) remain on private property for 48
21	continuous hours without the consent of the owner of the
22	property.
23	And Whereas, Division 4, of Article 6, of
24	Chapter 55 of the Detroit City Code requires the Detroit
25	City Council to approve of the location where the Police



2.1

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Department stores abandoned vehicles, section 55-6-86,
and whereas, Article 14 of Chapter 55 of the Detroit
City Code requires the Chief of Police to designate a
police officer to remain in attendance at such pounds,
from 7:00 a.m. to 10:00 p.m. each day, except Sunday,
for the purpose of receiving, safeguarding, and
discharging vehicles, and for collecting the fees
provided by this article.

And whereas the Detroit City Council has never approved the property commonly referred to as the Number One Pound, or any other City-owned property for the storage of abandoned vehicles; the City Council has, through adoption of its Zoning Ordinance, approved the storing of abandoned vehicles at the Permit Holders' lots.

Whereas, the Chief of Police has not designated a police officer to remain at the Number One Pound or any other City-owned operated property, from 7:00 a.m. to 10:00 p.m. each day, for the purpose of receiving and discharging vehicles, and to collect towing and storage fees.

And whereas, the Department has set forth various plans to have the Permit Holders tow vehicles to the Number One Pound or other City-owned/operated property, and whereas this Board's standards and rules,



2.1

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as approved by the Mayor and the Chief of Police,
requires abandoned vehicles to be towed by towing
companies that have the capability of storing abandoned
vehicles, and whereas, this Board's standards and rules
as approved by the Mayor and the Chief of Police,
entitle a permit holder to a hearing before this Board
prior to the Police Department's termination of a towing
permit, and following the hearing this Board is
empowered to affirm or reverse the Department's
decision.

Now, therefore be it resolved that the Board finds that the Department's various plans regarding storing motor vehicles that are currently stored by permit holders to be in violation of the Detroit City Code and the standards and rules.

Be it further resolved that this Board finds that it would be a misallocation of Department resources to have a police officer stationed at a facility from 7:00 a.m. to 10:00 p.m. each day, except Sunday, to perform vehicle intake, security, and cashiering functions.

Be it further resolved that this Board does not believe that a permit holder will violate the standards and rules if that permit holder complies with the City Code and the standards and rules and



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tows/transports a motor vehicle to: (1) the curb or
nearest side of the street, (2) a destination requested
by the owner, (3) the City's forfeiture and evidence
facilities, (4) a city pound that meets all of the
following requirements: A. Has been approved by the
Detroit City Council, through adoption of an ordinance,
subsequent to the date of this Resolution; and B, a
police officer is in attendance at such pounds from
7:00 a.m. to 10:00 p.m. each day, except Sundays; and C,
such police officers and not civilian employees or
private contractors perform the following services:
Receive motor vehicles, safeguards the motor vehicles,
discharges the motor vehicles, and collects the towing
and storage fees for the motor vehicles. The permit
holder's private storage lot as identified on the permit
holder's towing permit.

Be it further resolved that the Board urges the Department to carefully consider this Resolution before terminating any permit holder, as that permit holder is entitled to a hearing before this Board prior to the termination or suspension of that permit holder's towing permit (hereinafter Termination Hearing).

Be it further resolved that, at a termination hearing, the Department will likely bear the burden of proof of establishing that a permit holder has violated



1	this Board's standards and rules.
2	Be it further resolved that this Resolution
3	does not create or enact any new rule, policy or
4	procedure. Rather, this Resolution reflects a
5	reasonable interpretation of the City Charter, City
6	Code, and this Board's standards and rules, and permit
7	holders may rely upon this Resolution in conducting
8	their operations.
9	Be it further resolved that this Resolution be
10	recorded in the Board's permanent archives.
11	I move for adoption of the Resolution.
12	COMMISSIONER TAYLOR: Second.
13	CHAIRMAN WARFIELD: It's been properly moved
14	and supported. Discussion?
15	COMMISSIONER WHITE: Mr. Chair, on Page 3, in
16	the first Resolve clause, I'm just wondering if their
17	language as it reads, "That the Board finds that the
18	Department's various plans regarding storing motor
19	vehicles," if in fact if it's the Department's plans or
20	is it the City of Detroit's plans as relates to how the
21	storing of the vehicles were moved forward and wondering
22	if, "The Department, "needs to be changed to, "The City
23	of Detroit's various plans."
24	CHAIRMAN WARFIELD: I'm going to ask the
25	Chief. Do you have



1	INTERIM CHIEF LOGAN: Through the Chair,
2	Interim Chief Logan. My knowledge, the Department's
3	involvement in this whole process has been I don't want
4	to say at arm's length, but it's been, tell us what you
5	want us to do and we'll do it. We have tried to stay
6	out of policy making and things like that. Just tell us
7	what you want us to do, you know, and be done. So, you
8	know, we tend to steer clear of policy making.
9	COMMISSIONER WHITE: To that point, Mr. Chair,
10	I do believe in fact that it's the City of Detroit who
11	is enacting this movement and per the Chief, responding
12	to what is needed from the Department to implement those
13	recommendations. And so, I would recommend and this
14	may be in the form of an amendment to your Resolution,
15	Amendment one and I have another that we
16	supplement, "City of Detroit," for "Departments," on
17	Page 3 in the first Resolved clause.
18	CHAIRMAN WARFIELD: Can I just take a look at
19	that for a quick second?
20	COMMISSIONER WHITE: Sure.
21	CHAIRMAN WARFIELD: My rationale for having it
22	like that is because to my understanding, the City of
23	Detroit's administration cannot make that type of change
24	without the Department saying okay. In other words, no
25	one from the Mayor's office, no one from the Mayor's

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1	administration can go and say, okay, you guys start
2	towing over here without the department weighing in on
3	it and having some type of say to it. See what I'm
4	saying?
5	COMMISSIONER WHITE: I'll change my amendment
6	then, Mr. Chair, then I would not exclude but also
7	include, "City of Detroit and the Department's various
8	plans regarding storing motor vehicles."
9	CHAIRMAN WARFIELD: Yes, absolutely we'll
10	include that, yes, sir, we will.
11	COMMISSIONER WHITE: Secondly, the final, "Be
12	it further resolved," should read, "Be it finally
13	resolved." "Therefore, be it finally resolved," as the
14	last resolved clause.
15	CHAIRMAN WARFIELD: Finally resolved,
16	absolutely we will accept both of those.
17	COMMISSIONER WHITE: Thank you.
18	CHAIRMAN WARFIELD: Any other questions or
19	comments regarding the Resolution? Any other questions
20	or comments regarding the Resolution? Any other
21	questions or comments regarding the Resolution here?
22	Okay. Seeing none, all those in favor of the
23	Resolution?
24	COMMISSIONERS: Aye.



CHAIRMAN WARFIELD: All those opposed?

1	Resolution passes. Thank you, ladies and gentlemen.
2	Old business. We have a Resolution to honor
3	Lieutenant Donald Hudson and Police Officer Levie Glenn.
4	I'm going to ask if Commissioner White would read those
5	for us, please.
6	COMMISSIONER WHITE: Is Lieutenant Hudson or
7	Police Officer Glenn present today? Then, Chair, I
8	would ask that we read the final therefore be it
9	resolved clause and we'll certainly get the Resolution
10	for the purpose of the minutes submitted.
11	A Resolution Honoring Lieutenant Donald A.
12	Hudson.
13	Whereas Mr. Donald Hudson was appointed to the
14	Detroit Police Department on November 14, 1975 upon
15	successfully graduating from the Detroit Metropolitan
16	Police Academy. He began his lifelong public service
17	career at Sixteenth Precinct;
18	And Whereas Officer Hudson's assignments with
19	the Detroit Police Department included the First
20	Precinct, Traffic Section, and Sixteenth Precinct.
21	Officer Hudson excelled in these departments and was
22	well known for his unique crime fighting approach;
23	And Whereas Officer Hudson displayed
24	tremendous knowledge and leadership skills as a Police
25	Officer and was promoted to the rank of Sergeant on



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1	February 2, 1987. As Sergeant, he served at the Second
2	Precinct;
3	And Whereas Sergeant Hudson was promoted to
4	the rank of Lieutenant on July 24, 1998 and was assigned
5	to Communication Operations Section and later assigned
6	to Notification and Control Unit, Notification and Crime
7	Reporting Section, Housing Support, Civil Rights
8	Investigations Bureau (CRIBS), and Twelfth Precinct
9	where he served until his retirement;
10	And Whereas Lieutenant Hudson was the
11	deserving recipient of the following awards: One (1)
12	Chief's Citation & Medal, one (1) Citation, two (2)
13	Chief's Merit Awards, one (1) GOP Commemorative Award,
14	three (3) Perfect Attendance, one (1) 4 Year Degree
15	Ribbon, one (1) Perfect Driving Ribbon, one (1) All Star
16	Game Ribbon, one (1) Rosa Parks Ribbon, one (1) Super
17	Bowl; and numerous Letters of Appreciations and
18	Accommodations;
19	And Whereas Lieutenant Hudson will retire from
20	the Department on December 13, 2012 after 38 years of
21	loyal service. He has served the Detroit Police
22	Department and the citizens of the City of Detroit with
23	loyalty, professionalism, integrity and dedication, and
24	is widely respected throughout the law enforcement
25	community as the consummate professional.



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1	Now therefore be it resolved that the Detroit
2	Board of Police Commissioners, speaking on behalf of the
3	citizens of the great City of Detroit recognize and
4	honor the lifelong contributions and commitment to
5	excellence in public service of Lieutenant Donald A.
6	Hudson. His display of courage and unwavering community
7	spirit has improved the quality of life for the citizens
8	of Detroit. We wish you all the best in your future
9	endeavors.
10	We thank and congratulate you, Lieutenant
11	Donald A. Hudson. Signed this date, December 6, by the
12	entire Detroit Board of Police Commissioners.
13	I move for adoption.
14	COMMISSIONER TAYLOR: Second.
15	CHAIRMAN WARFIELD: Properly moved and
16	supported for adoption. All those in favor?
17	COMMISSIONERS: Aye.
18	CHAIRMAN WARFIELD: All those opposed? Motion
19	carries.
20	COMMISSIONER WHITE: Thank you. Before us is
21	a Resolution Honoring Police Officer Levie Glenn.
22	Whereas Levie Glenn was appointed to the
23	Detroit Police Department on July 14, 1986. Upon
24	graduating from the Metropolitan Police Academy, Officer
25	Glenn began his career at the Ninth Precinct;



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1	And Whereas Officer Glenn dutifully served in
2	the Law Department, Mayor's Security, Eighth Precinct,
3	Residency Section, Sixth Precinct, Office of the Chief
4	of Police, Professional Accountability Bureau, Internal
5	Control Section, Northwestern District, Operations
6	Portfolio and Gaming;
7	And Whereas during his law enforcement career,
8	Officer Glenn was the deserving recipient of one (1)
9	Citation, two (2) Chief's Merit Awards, the Major League
10	Baseball All-Star Recognition Award, the Rosa Parks
11	Funeral Recognition Award, and the Super Bowl XL
12	Recognition Award, and numerous letters of commendation
13	from citizens and superiors;
14	And Whereas Officer Glenn has tirelessly
15	served the Detroit Police Department, the citizens of
16	Detroit and its neighboring communities for 26 years.
17	His professionalism, commitment to public service,
18	integrity and dedication has been a credit to the
19	Detroit Police Department. He is highly respected as a
20	consummate professional throughout the law enforcement
21	community.
22	Now therefore be it Resolved that the Detroit
23	Board of Police Commissioners, speaking for the citizens
24	of Detroit and the Detroit Police Department, award this
25	Resolution in recognition of Police Officer Levie Glenn,



1	for his 26 years of dedicated and diligent public
2	service. His professionalism, integrity, and standard
3	of commitment to the city of Detroit and its citizens
4	merit our highest regards and best wishes for continued
5	success.
6	We salute and congratulate you, Police Officer
7	Levie Glenn. Signed and dated this date of December 6
8	by the entire Board of Police Commissioners. Move for
9	adoption.
10	COMMISSIONER TAYLOR: Support.
11	CHAIRMAN WARFIELD: It's been properly moved
12	and supported. All those in favor?
13	COMMISSIONERS: Aye.
14	CHAIRMAN WARFIELD: All those opposed? Motion
15	carries. Certainly we want to congratulate Lieutenant
16	Hudson and Police Officer Glenn just for outstanding
17	careers and for the time that they served on this
18	department. And we wish them the best in your future
19	endeavors that they may have.
20	At this time, our next meeting will be held on
21	Thursday, December the 13th, 6:30 p.m., at the Second
22	Precinct, which is located at 13530 Lesure, Detroit,
23	Michigan. Of course that's right off of southwest

24

25

Detroit, Schaefer and Grand River. Thank you, Schaefer

and Grand River. Thank you. Well, I'm sorry. I got my

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1	areas mixed up, Schaefer and Grand River. And we look
2	forward to seeing you all then.
3	At this time, our agenda calls for oral
4	communications. If you wish to address the Board of
5	Police Commissioners, you may come to the podium.
6	Please give us your name and spell it for the record.
7	And we also ask that you abide by our two-minute time
8	limit so that we may hear from everyone. You may come
9	at this time. You may come at this time twice. And you
10	may come at this time. Finally. All right. Here she
11	come.
12	MS. SMITH: Good afternoon to everyone.
13	Bernice Smith, political activist. First of all, I am
14	delighted that you're going that you have given
15	Donald the Resolution. He's the president of my group
16	at church. So, I do know, you couldn't find a finer
17	young man to give that Resolution to.
18	Also, I want to thank the Police Department
19	for your performance. You sponsored a celebration last
20	night at the church there on Woodward and Hancock. You
21	were involved with that, wasn't it, Chief?
22	INTERIM CHIEF LOGAN: The we were. Through
23	the Chair, Interim Chief Logan. We were involved,
24	ma'am. But it was sponsored by the
25	MS. SMITH: It was sponsored by the two



2.1

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ladies, McClinton and so forth. But anyway, I made an
announcement on the air in regards to it Monday. And
they thanked me over and over again because they had
such a large crowd. And the people you know, people
came and participated. So, I just want to let you guys
know whenever you give me or have any good announcements
and we would like to let the public know it because we
can't keep it within our own circle here at the you
know, at our own meetings. So, we are very appreciative
that it was Brown they were very appreciative,
that, you know, you gave that performance. So or you
were involved with it because lot of people, they do
have loved ones that are being killed unnecessarily or
they lose them, whatever case it may be.

So, that was the chance for them to express their thoughts and talk to the public in regards to their loved ones. So, I do thank you again. And any good news that you would like to have broadcast, feel free to let me know because I will let the public know what's going on at the Police Commission. We saw quite a few police officers today. Chief was at a funeral that I attended. And I saw Chef Knox. I hadn't seen him in God knows when. And there were other police officers there.

So, it's nice to see you police officers when



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1	you attend each other's needs in other words. And the
2	Chief spoke. So he did a very good job. So, I'm very
3	proud of him as usual. But I don't want you to bring in
4	all these people when we don't have no money you know.
5	That's something that we have to think about. I know
6	the Mayor want you to present more lieutenants and more
7	commanders and so forth. But we got to have some money
8	to pay them, is that correct?
9	INTERIM CHIEF LOGAN: Through the Chair,
10	Interim Chief Logan. The money that we are talking
11	about paying them is already in the budget.
12	MS. SMITH: Oh, it's in the budget already?
13	INTERIM CHIEF LOGAN: Yes, ma'am.
14	MS. SMITH: All right. So we don't have to
15	worry about it? The only thing we 'gonna have to worry
16	about now is this financial management, is that it?
17	INTERIM CHIEF LOGAN: I can't speak on this.
18	MS. SMITH: Let me ask you this. Will they
19	have any effect on the Police Commission if it does
20	happen because they're talking about getting rid of the
21	council already. But they won't they won't touch the
22	Police Commission, will they?
23	CHAIRMAN WARFIELD: Again, I don't know much



24

25

about that. Here is what I do know. I do know that

under the old position, under the old charter -- it's

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1	not the charter, I'm sorry, Public Act 4, I believe that
2	was defeated, I think they have much more sweeping
3	powers to remove public officials. If they defer back
4	to Public Act 74, of course they will not have that
5	ability to do that. But they will have the ability to
6	come in and help manage the finances for the City.
7	And we do understand that there is some new
8	legislation that's being looked at and underwritten to
9	move in a different direction, which the voters did this
10	November. We don't know. But we'll cross that bridge
11	when we get to it like we do everything else. And we
12	will move, you know, full speed ahead.
13	MS. SMITH: Because it did come to my
14	attention last week in regards to trying to get rid of
15	the Police Department and combine it with the County.
16	And so, we don't even want to go in that direction. But
17	I just want to be very vigilant in regards to that
18	situation and hope it never happens again because we
19	need our Police Department. Thank you.
20	CHAIRMAN WARFIELD: Thank you. Are there
21	others? Are there others? All right. Hearing or
22	seeing none
23	SERGEANT WILLIAMS: I have one.
24	CHAIRMAN WARFIELD: Yes, sir, you may come.



I'm sorry, Sergeant. Thank you.

1	SERGEANT WILLIAMS: I'm Sergeant Arnold
2	Williams with the tactical mobile section of the Detroit
3	Police Department. I'm the Sergeant they were talking
4	about who is deployed for the military when the actual
5	promotions took place. And it's been a roller coaster
6	ride for me. And I've been getting a lot of assistance
7	within the Department. They've been helping me a lot.
8	But I've still been left in a state of confusion, and I
9	have a question for the Board. If it is shown that I
10	was originally approved by the Board for the original
11	promotion to take place, what would be the next step as
12	far as the Board is concerned?
13	CHAIRMAN WARFIELD: Again, this is new ground
14	for us. And I can I would probably rather defer to
15	counsel so that I won't speak out of turn. But I'm sure
16	all things being equal and everything being okay, I
17	don't think it will be a big to do. But as relates to
18	what exactly happens after that, I don't want to put
19	that on record because I don't know the legalities of
20	that. But what we will say, certainly, we will move as
21	swiftly as we can to do that which is appropriate
22	according to the contracts and the rules and the
23	Collective Bargaining Agreements and all that other
24	stuff that's out there. So, that's what we do.
25	SERGEANT WILLIAMS: Okay. Thank you very



1	much.
2	CHAIRMAN WARFIELD: Thank you, sir. Good to
3	see you, sir. Thank you for your service of our
4	country. Thank you for putting yourself on the line not
5	only for the City but for the entire country. And so
6	certainly, sir, we will handle your case expeditiously.
7	SERGEANT WILLIAMS: Thank you.
8	CHAIRMAN WARFIELD: Are there any others for
9	public comment? Any more for public comment? Hearing
10	or seeing none, we will close this portion of our
11	meeting. At this time, I ask if our Attorney Washington
12	will come and give us an update to the earlier matter
13	that we discussed as relates to the demotions and/or
14	un-appointments or whatever they may be.
15	ATTORNEY WASHINGTON: Celia Washington for the
16	Board. First of all, Mr. Chair, the Secretary does have
17	the language to move into closed session if the Board so
18	chooses to do so. I've got a couple of issues that I'd
19	like to at least put on the record. The letters that
20	were received by the Board dated December 4 from the
21	Detroit Police Command Officers Association for the two
22	commanding officers do not appear to be an appeal. It's
23	a request for restoration with back pay. That's the
24	first issue.



The second issue is de-appointments are not

1	synonymous with demotions. And I think that's an
2	important distinction to make, just as if you you
3	can't be promoted to Crystal will probably get me
4	but you can't be promoted to corporation counsel. You
5	have to be appointed to it. So, I think that we need
6	to the Department I would suggest through the Chair,
7	to the Chief, and to Inspector Rivers, that we get some
8	more clarification. And I think Commissioner White is
9	right on point that we need to and you, sir to get
10	it right.
11	But I just wanted to make sure that we are
12	clear. These letters referenced demotions. But
13	de-appointment and demotion are not synonymous, two
14	different tracts.
15	CHAIRMAN WARFIELD: Commissioners, do you have
16	any questions?
17	COMMISSIONER WHITE: Just one question.
18	Counsel, are we clear, was it a de-appointment or was it
19	a demotion that transpired?
20	ATTORNEY WASHINGTON: That's exactly what we
21	are unclear about. That's what I'm asking. We have to
22	look to the department. And with that caveat in mind,
23	the probably the law department and I know that
24	they have already chimed in. But that's not one and the
25	same.



1	INTERIM CHIEF LOGAN: Through the Chair,
2	Interim Chief Logan. Inspector Rivers might be able to
3	shed just a slight amount of light on this.
4	CHAIRMAN WARFIELD: Sure.
5	INSPECTOR RIVERS: Inspector Robbin Rivers,
6	legal affairs. First and foremost, we have forwarded a
7	request to the law department for a legal opinion.
8	That's first and foremost. We are just we have not
9	received a response at this time. Secondly, we acted
10	based on the language of both the Collective Bargaining
11	Agreement and the CET. And that language is specific to
12	what you do when a command officer is de-appointed.
13	They return back to their last promoted position.
14	CHAIRMAN WARFIELD: So, here is what I want to
15	do. I want to make sure and I think Commissioner
16	White is 100 percent right. I want to make sure that
17	from a legal perspective and to reserve the rights of
18	those who are in question, we want to make sure that
19	from a contractual standpoint and from a legal
20	standpoint, that we get this right because certainly we
21	do know and we are very clear that the letter that was
22	sent to us was not an appeal, a request for an appeal.
23	We do understand that. But the request we believe that
24	was made to us is as relates to clarification for
25	process.

1	And depending on what that designation is, it
2	means a different process. That we are very clear on.
3	So we just need to clarify what is the language used for
4	the action that was taken. We know they were at one
5	rank, and now they are at another rank. And so, we need
6	to be very clear and very deliberate about what was that
7	called so that we can move forth in the appropriate
8	tract to get this issue, you know, heard appropriately.
9	INSPECTOR RIVERS: I believe we should wait or
10	a legal opinion.
11	CHAIRMAN WARFIELD: Commissioner White?
12	COMMISSIONER WHITE: I was just going to add,
13	and forgive me if I misheard. But Inspector, I do
14	believe you referenced de-appointment based on the
15	parameters that were set within the agreements.
16	INSPECTOR RIVERS: I referenced both because
17	the language within those agreements set forth what you
18	do once a commanding officer is de-appointed. And the
19	language says they revert back to their last promoted
20	rank.
21	INTERIM CHIEF LOGAN: Through the Chair,
22	Interim Chief Logan. I believe if we could, when we go
23	to the closed session, could you bring do you have
24	copies of the letters?

ATTORNEY WASHINGTON: They are here, yes, sir.

1	COMMISSIONER WHITE: Lastly, just for the
2	record, the delaying of this discussion, just to be
3	clear, what are we anticipating getting back again? And
4	again, what is that timeline that we can expect to hear
5	back?
6	INSPECTOR RIVERS: I don't anticipate it being
7	long. But we have not received any response yet from
8	the City of Detroit Law department. I have requested
9	through electronic communication a legal opinion on the
10	matter.
11	CHAIRMAN WARFIELD: And also, yes, as you come
12	forward Counsel, one of the things that will be helpful
13	for this Board, we know that fortunately this does not
14	happen very frequently. But we do know that it has
15	happened in the past. So, it would be helpful for us if
16	there is a matrix that lays out the protocol as to how
17	this type of situation is supposed to be handled moving
18	forward, along with of course the opinion that comes
19	over from the law department. Yes, ma'am?
20	ATTORNEY WASHINGTON: Yes, sir, absolutely
21	because we have a similar matrix for suspensions without
22	pay as opposed to I think we're very clear, you're
23	right. We understand that there's different tracts.
24	With this particular set of facts though and the
25	scenario that we have, there's some question as I



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1	understand it whether the CET applies, whether it should				
2	if it's grievable. There's a lot of issues. So, I				
3	think a closed session would certainly be appropriate				
4	once we get more information. And I have had some				
5	conversations prior to today with the law department on				
6	the issue. So I agree with Inspector, it should not be				
7	very long.				
8	CHAIRMAN WARFIELD: Thank you. Commissioner,				
9	do you still want to go into closed session today or do				
10	you want to wait until we get the information back?				
11	COMMISSIONER WHITE: I will take counsel's				
12	recommendation under advisement and postpone that closed				
13	session.				
14	CHAIRMAN WARFIELD: But I also want to say in				
15	regards to Commissioner White's request, that we want to				
16	do it sooner than later. And we want to make sure				
17	because again, we don't want to hold or have anyone's				
18	livelihood just out there because things are being red				
19	taped. And so, we are hoping that this moves forward in				
20	a very appropriate and timely manner. Certainly we				
21	don't want to, you know, be too quick that we don't get				
22	the right answers that we need. But we don't want to				
23	delay it unnecessarily.				
24	ATTORNEY WASHINGTON: Absolutely.				
25	CHAIRMAN WARFIELD: If you can communicate				



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1	that to the law department for us, that would be greatly
2	appreciated.
3	ATTORNEY WASHINGTON: And I'll speak with the
4	Inspector to see if where they are in the grievance
5	process, if it's with an arbitrator already or not.
6	CHAIRMAN WARFIELD: Do you can we check
7	back can we be specific and can we check back, I want
8	to try and set a date now so that we can at least have
9	some idea on our calendars because I just don't want to
10	leave this I don't want to leave this just laying out
11	there. And at least it will cause us to because we
12	do definitely need to I also want to send a response
13	back to those who sent us the letters as well.
14	So, I'm looking here. Of course, we have our
15	meeting the 13th. We are meeting the 20th. We probably
16	will not be meeting on the 27th, nor will we be meeting
17	on the 3rd of January. Do you think the 20th is enough
18	time to we should have a report back by the 20th?
19	ATTORNEY WASHINGTON: Mr. Chair, what we will
20	do with Inspector Rivers' permission, we will set up a
21	meeting as soon as possible with corporation counsel and
22	just have a sit-down and go over the specifics of the
23	case and then be prepared to present to you next week.
24	Is that acceptable?



INSPECTOR RIVERS: That is acceptable. But we

Τ	are in the midst of Act 312. And I know we do have
2	several hearing dates scheduled for next week. Next
3	week is probably not a good week.
4	CHAIRMAN WARFIELD: Again, because the thing
5	that we need more than anything else, we just need to
6	know what it's called. I'm not we are not trying to
7	set up a hearing to adjudicate this or to go through the
8	process. We just need to know what happened. And
9	INSPECTOR RIVERS: I will give it to you in
10	writing from the contract and the CET.
11	CHAIRMAN WARFIELD: Can we get it well,
12	again, but I understand what you're saying, Inspector.
13	But again, the law department, I want to know because I
14	don't want us to be at this mic next week saying the
15	exact same thing, the law department hasn't weighed in.
16	So, I guess and Commissioner, you correct me if I'm
17	wrong. I want to make sure that we have everybody on
18	the same page, the law department and the Department so
19	that again we can move this issue forward. And I'm
20	wondering if a report out at next week's meeting, is
21	that too soon for you to report out and give us the
22	information what the law department decided and how we
23	should move forward on this?
24	ATTORNEY WASHINGTON: Excuse me.
25	(Discussion held off the record)



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1	ATTORNEY WASHINGTON: Mr. Chair, Inspector and
2	I will get with corporation counsel immediately after
3	this meeting and set up a meeting with her. I will work
4	with Inspector's schedule through her hearings, and ther
5	together we will prepare a report to report out.
6	CHAIRMAN WARFIELD: Let's do it on the 20th.
7	Let's report out on the 20th, okay? I think that gives
8	us sufficient time, two weeks, to do what we need to do,
9	all right?
10	CHAIRMAN WARFIELD: Okay. Thank you, ma'am.
11	That concludes the business in front of us today.
12	Entertain a motion to adjourn.
13	COMMISSIONER WHITE: So moved.
14	COMMISSIONER TAYLOR: Second.
15	CHAIRMAN WARFIELD: It's been properly moved
16	and supported. All those in favor?
17	COMMISSIONERS: Aye.
18	CHAIRMAN WARFIELD: Motion to adjourn
19	approved. Thank you, ladies and gentlemen. Have a
20	happy holiday season if we don't see you next week.
21	(The deposition was concluded at 4:40 p.m.,
22	signature of the witness was not requested by counsel
23	for the respective parties hereto)
24	(Proceedings concluded at 4:40 p.m.)



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1	CERTIFICATE OF REPORTER
2	
3	
4	STATE OF MICHIGAN)
5) SS
6	COUNTY OF MACOMB)
7	
8	I HEREBY CERTIFY that I reported
9	stenographically the foregoing proceedings and testimony
10	under oath at the time and place hereinbefore set forth;
11	that thereafter the same was reduced to computer
12	transcription under my supervision; and that this is a
13	full, true, complete and correct transcription of said
14	proceedings.
15	
16	RealLegal. Z
17	Lendy O. Bour
18	Wendy A. Boer,
19	CSR 3505
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