STATE OF MICHIGAN DETROIT BOARD OF POLICE COMMISSIONERS REGULAR MEETING

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Taken at 1300 Beaubien, Room 328, Police Headquarters, Detroit, Michigan, 48226, Commencing at 3:17 p.m., Thursday, February 28th, 2013, Before Elizabeth Koller, CSR-7042.



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

2 February 28, 2013

3 About 3:17 p.m.

4 CHAIRMAN WARFIELD: Good afternoon, ladies 5 and gentlemen, and welcome to the Board of Police 6 Commissioners meeting. My name is Jerome Warfield 7 Chairman of the Board of Police Commissioners. Serving 8 me with today is the Vice Chairperson Commissioner 9 Taylor, representing the Chief's Office is Assistant 10 Chief Welles. Sir, good to have you.

11 A.C. WELLES: Good afternoon.

12 CHAIRMAN WARFIELD: Also sitting at the table 13 with us this afternoon is our Board Secretary 14 Mr. George Anthony. I'm going to ask if he can 15 introduce our staff that's here today.

MR. SECRETARY: Thank you, Mr. Chair. For the record, George Anthony, Secretary to the Board. We have present Ms. Pamela Davis Drake, who is our Chief Investigator, Ms. Loletha Porter Coleman, who is our Director of Police Personnel, Ms. Celia Banks Washington, who is the Attorney to the Board.

We also have present Officer Dan Donakowski who is recording our proceedings, Officer Kent Cooper who is assisting, and Ms. Beth Koller from Hanson Court Reporting Service. That completes the introductions.



1 CHAIRMAN WARFIELD: Thank you, Mr. Anthony. 2 We are expected to have quorum today, so when quorum 3 comes we'll do our necessary items that we must vote on 4 at that particular time. But at this time I'm going to 5 ask if Chaplain Penson, Pastor Penson, can come and 6 lead us for our invocation this afternoon. Good 7 afternoon, sir.

8 CHAPLAIN PENSON: May we all bow our heads in 9 a word of prayer. Gracious, kind, and wonderful 10 father, we come before you first and foremost to say 11 thank your for your goodness, your grace, and your 12 mercy.

Now, we ask your blessings upon this meeting, God, and ask, God, that you give us glory. We also ask that you wave your glory, God, to lift up the morale of these Officers, God, and each department and each district, in Jesus name. Amen.

18 AUDIENCE: Amen.

19 CHAIRMAN WARFIELD: Thank you, Pastor Penson. 20 And, again, we will wait until we get a quorum before 21 we vote on the approval of the agenda and other items.

At this time we're going to move around the agenda as much as I can and get as much accomplished as we can before we have our voting issues. I'm going to go over to the Chief's Office, Assistant Chief Welles,



1	is there anything you want to report to us?
2	A.C. WELLES: Good afternoon, and through the
3	Chair, if you want we can go right into our
4	presentation?
5	CHAIRMAN WARFIELD: Absolutely.
6	A.C. WELLES: We have Director Scott Hayes
7	today to talk about Technical Services.
8	CHAIRMAN WARFIELD: Great.
9	DIRECTOR HAYES: Good afternoon.
10	CHAIRMAN WARFIELD: Good afternoon. Are we
11	going to need somebody to work the Power Point for you?
12	DIRECTOR HAYES: Yes, please.
13	CHAIRMAN WARFIELD: Okay. And could you come
14	to the mic just so that we can make sure we can get the
15	recording. If you can state your name and your rank
16	for the record, that would be great. Thank you.
17	DIRECTOR HAYES: Director Scott Hayes, over
18	Technical Services Detroit Police Department.
19	Technical Services is the direction or
20	responsibility of long range technology planning and
21	implementation for the Detroit Police Department. Some
22	of the commands that are underneath Technical Services
23	are records and identification, communication
24	operations, telephone crime reporting, and the
25	technical support unit, which supports desktops, in-car



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1 systems, and technology for the Department.

The presentation today is going to be on our new in-car video system which is Data 911. The system records both a front and rear camera. The rear camera is facing the rear seat in the vehicle. It records audio on two body mics worn by both Officers and also an in-car mic.

8 It stores 16 gigs of data within the car and 9 then it uploads to a central server once it's within an 10 access point area. The MDV3 is the model that we're 11 using. It turns on when the car stays on or when the 12 car is turned on and it actually stays on for awhile 13 after the car is turned off to finish uploading the 14 video.

The video is recording continuously which is what we call auxiliary video. It records at seven frames per second. And then when a trigger activates it goes into full speed recording with audio. Once it goes into the full speed recording it'll actually take 30 second before the event that triggered it and keeps that 30 seconds but that video does not have audio.

What do the Officers have to do? They have make sure that their mic is charged and that each mic, we have microphones issued to each Patrol Officers, the Officers assigned to patrol, and what they have to do



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1 is just put the mic into the base station and 2 synchronize the mic by holding down the record button, 3 then they just leave the mic turned so it's really 4 taking a lot of the responsibility off the Officer to 5 turn the system on.

6 Things that are triggers. Triggers that turn the recorder on to a full frame with audio. 7 The white 8 bar activated will turn it on. Officers can push the 9 record button on the microphone itself. If the Officer 10 touches the screen the recording will turn on. Rear 11 door's open, excessive speed levels. It also has an accelerometer which measures crashes so that the unit 12 13 will actually turn on.

How the video is uploaded? We have wireless networking installed throughout the City, mostly by the Precincts where the vehicle's, there's designated areas for the patrol vehicles to pull into. We have a central controller that reports on the access points so we can monitor the health of the access points to see if we are having any problems with the system.

21 Currently we have 96 MDV3 new ones installed. 22 Right now we have 14 of those vehicles tied up for 23 various reasons. And we have plans to install an 24 additional 100 units out into the fleet.

Any questions?

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CHAIRMAN WARFIELD: Thank you, sir. Any
 questions? Commission Taylor.

COMMISSIONER TAYLOR: Not a question, but if 3 4 you can just go back to the charging, the charger, you say that they have to put it on the charger. 5 Is it 6 already on the charger charging or it's up to them? 7 DIRECTOR HAYES: Well, they're issued a mic 8 and charger. It's like the prep radio. So when they 9 take it home they can go ahead and plug it in on a 10 charger at home, so they come in fully charged, and then also once you get into the vehicle there's a 11 12 charger within there and that has a base station for it 13 and that's also what you use to sync.

So what they'll do is they'll take the microphone place it into the cradle or the charger pull the button down, it'll beep and the light will turn green and they take the microphone back out and place it on their body, and that's really the only interaction they have for the shift other than the activation.

COMMISSIONER TAYLOR: Thank you.
CHAIRMAN WARFIELD: Anything else?
COMMISSIONER TAYLOR: No, that's it.
CHAIRMAN WARFIELD: Commissioner? Okay. Not
a problem. First of all, and we were singing the



praises of Data 911 a couple weeks ago. The quality of the video is outstanding. Excellent. The quality of the sound is wonderful. So just kudos to you and for your department. It helps a great deal with our Office of Chief Investigation.

6 We've actually exonerated some Officers as a 7 result of having that system up and running. So we are 8 very thankful that it's up and running. Certainly the 9 opposite has also happened.

Let me ask you this, if in the course of a conversation that an Officer is being recorded and then the mic goes out and then it comes back on when the other party is talking but it goes off when they're talking theoretically if that happens what could be the cause of that?

16 DIRECTOR HAYES: There's several variables in 17 there. What we first would look at is the distance 18 away the mic is from the vehicle because it would be like a cellular -- not a cellular, but a wireless phone 19 20 at home. The farther you get away the quality you get 21 if there's some environmental issues, walls in a house, 22 there could be some effects that way.

CHAIRMAN WARFIELD: So if you and I are in the same room and you're the complainant and I am the Officer and I only hear your conversation on the



1 recording and not the Officer's conversation that could be a cause of that? 2 DIRECTOR HAYES: Well, if it was specifically 3 4 just one side of the conversation we'd have to look at 5 the use of the microphone. We have a 6 CHAIRMAN WARFIELD: Okay. Great. case and we can refer back to you so you can look at 7 8 the use of that particular microphone. 9 DIRECTOR HAYES: Okay. And that's what we're 10 training the staff to take a look at the videos to be able to see if we need more retraining or if it's a 11 12 technical issue that we can service. 13 CHAIRMAN WARFIELD: Absolutely. But, again, 14 had chance to see the system in the actual car and just 15 wonderful, wonderful technology. You had mentioned the triggers. Are there ways the system can be deactivated 16 17 by Troops? 18 DIRECTOR HAYES: No, no, on the video side 19 it's automatic, the triggers automatically turn it on. 20 Even on some triggers we have a timing five minutes on some of them like the rear doors that it will stay on 21

23 if you manually turn it on you can hit the stop button 24 in the car and then it will stop the recording.

and you cannot shut that. After that period of time or

22

25

CHAIRMAN WARFIELD: Okay. Great. Anything



1	else? The capacity of the storage you said is
2	16 gigabytes?
3	DIRECTOR HAYES: Within the vehicle, correct.
4	CHAIRMAN WARFIELD: How long do you hold the
5	video on file?
6	DIRECTOR HAYES: We hold the event video for
7	90 days. The auxiliary which is seven which is just
8	the normal driving around we have a retention period of
9	24 hours at this point.
10	CHAIRMAN WARFIELD: Okay. Great. That's it.
11	Thank you, sir. Excellent. Again, I think the new
12	cars that are equipped are really, really great. I
13	think they help the Officers in a number of situations.
14	I read some reports where citizens have made
15	complaints against the Officers that were absolutely
16	positively not true at all. And so kudos. Our men and
17	women in blue are doing an excellent job. And thank
18	you for your job. Certainly it's helping the consent
19	decree as well.
20	DIRECTOR HAYES: Absolutely. It's just a
21	great support staff. It's Technical Services that
22	keeps us up and running, the quality.
23	CHAIRMAN WARFIELD: Great.
24	DIRECTOR HAYES: Thank you.
25	CHAIRMAN WARFIELD: Thank you. Assistant



1	Chief, anything else?
2	A.C. WELLES: We have nothing further.
3	CHAIRMAN WARFIELD: Thank you, sir.
4	A.C. WELLES: You're welcome.
5	CHAIRMAN WARFIELD: For the record we want to
6	show that Commissioner Toney Stewart is here and we do
7	officially have a quorum. Seeing as though we do have
8	a quorum we want to approve or have a motion to approve
9	today's agenda, Thursday, February 28th, 2013.
10	COMMISSIONER TAYLOR: So move.
11	COMMISSIONER STEWART: Second.
12	CHAIRMAN WARFIELD: It's been properly moved
13	and supported. And I want also to see if we can flip
14	the agenda just for a moment. I want to take if I can
15	because we do have a closed door session, and it's
16	going to be, you know, maybe a truncated closed door
17	session, but I want to know if it's okay with the
18	person making the motion and the one who second's it if
19	we can move Oral Communication up to just before New
20	Business? Is that okay?
21	COMMISSIONER TAYLOR: That's okay.
22	CHAIRMAN WARFIELD: Without objection we'll
23	move Oral Communications up to just before New
24	Business. Anymore discussion? Hearing and seeing
25	none, all those in favor of approving today's agenda?

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1	COMMISSIONERS: Aye.
2	CHAIRMAN WARFIELD: All those opposed?
3	Motion carries. Thank you. Chairperson's Report.
4	I'll save my report until after the actual oral
5	communications. At this time I will ask if there's a
6	Secretary's Report?
7	MR. SECRETARY: Thank you, Mr. Chair. Yes,
8	not a report but certainly an oral request from
9	Attorney John Goldpaugh. And if I can through the
10	Board ask Attorney Goldpaugh if he will come to the
11	mic?
12	ATTORNEY GOLDPAUGH: Members of the Board,
13	good afternoon.
14	CHAIRMAN WARFIELD: Good afternoon.
15	ATTORNEY GOLDPAUGH: John Goldpaugh, on
16	behalf of the petitioner. A petition has been filed
17	with respect to suspension without pay. I'm orally
18	requesting this be done in a closed door session. The
19	reasons are that I just got notice of it. I have no
20	objection to the Notice, but I wasn't able to get it in
21	writing to the Board in time.
22	CHAIRMAN WARFIELD: Not a problem.
23	ATTORNEY GOLDPAUGH: Thank you, very much.
24	CHAIRMAN WARFIELD: We'll handle it.
25	ATTORNEY GOLDPAUGH: Thank you.

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1	MR. SECRETARY: Mr. Chair, just for the
2	record the suspension without pay is for Police Officer
3	Tiniki T-I-N-I-K-I, Gibbs, G-I-B-B-S, Badge 718.
4	CHAIRMAN WARFIELD: Thank you, sir. We'll
5	handle that a little later on.
6	ATTORNEY GOLDPAUGH: And she is aware that
7	I'm asking for this closed session.
8	CHAIRMAN WARFIELD: Great. Thank you, sir.
9	We do not of have the minutes ready from last week's
10	meeting so we will approve that at our next meeting.
11	At this time we have a report from OCI. I'm
12	going to ask if Chief Investigator Davis Drake will
13	come to the mic and give us our report from Office of
14	Chief Investigator. Good afternoon, ma'am.
15	CHIEF INV. DAVIS DRAKE: Our current
16	statistics as of today and this is a short report, we
17	don't have a whole lot to report out, but we have 217
18	open cases. As of today we have zero cases that are
19	over 90. We held our second session of the strategic
20	plan on Wednesday, February 27th and we have a final
21	draft of our 2013 Strategic Plan is currently being
22	circulated. Once that is circulated through staff then
23	we will provide it to the Board for you review and
24	approval.
25	We have a training scheduled for the month of



1 March, Data 911 training because you heard about the Data 911 system. Wonderful system. We love it. 2 We will be trained on that as we have Insight on March 5th 3 4 and that, of course, will give the Investigators the opportunity to upload and save to a CD their own audio 5 6 and video footage so that we don't have to continue to bug Director Hayes and his staff. 7 They have been 8 wonderful in helping us train, and they have been at 9 our disposal whenever we needed them. We certainly 10 appreciate their efforts. Also conducting successful interviews that 11 12 are tentatively scheduled for March 15th and providing 13 testimony during trial board hearings and that is 14 tentatively scheduled for the end of March. 15 Also and finally, we are in the process of 16 making offers to our Investigators, the potential 17 candidates, and we hope that this HR process will be 18 completed within the next couple weeks. And that concludes my report. Are there any questions? 19 20 CHAIRMAN WARFIELD: I want to make it quicker 21 than the next couple weeks. We need it --

22 CHIEF INV. DAVIS DRAKE: Fire.

CHAIRMAN WARFIELD: -- as soon as possible.
We need this done like yesterday because we do know
that the Department needs their manpower and we



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promised the Department that we will work expeditiously on our behalf to make sure that we supplement the people that have to go back to the Departments, so we want live up to our end of the bargain. And so, please, ma'ams, if we can get that done like yesterday that would be very helpful.

7 CHIEF INV. DAVIS DRAKE: And at this point I 8 say the next couple weeks, sir, because most of them 9 are working and they have to provide two weeks notice.

10 CHAIRMAN WARFIELD: Understand. That's not a 11 problem. That's understandable. Any questions for 12 Chief Investigator?

13 COMMISSIONER TAYLOR: I don't have any.

14 COMMISSIONER STEWART: None.

15 CHAIRMAN WARFIELD: Thank you, ma'am.

16 CHIEF INV. DAVIS DRAKE: Thank you.

17 CHAIRMAN WARFIELD: At this time --

18 Mr. Secretary, anything else?

19 MR. SECRETARY: No.

20 CHAIRMAN WARFIELD: At this time we will open 21 the floor for oral communications at this point. If 22 you wish to address the Board of Police Commissioners 23 on any issue you may come to the mic and do that at 24 this particular time. We ask that you would state your 25 name for the record, and we ask that you abide by out



1 two minute time limit. Officer Cooper, here in the 2 corner, will let you know when your time is approaching 3 it's expiration time.

You may come at this time if there are those
who are wishing to address the Board of Police
Commissioners, you may come at this time.

7 MR. HINES: Thank you. My name is Keith 8 Hines. Do you need my -- and phone number?

9 CHAIRMAN WARFIELD: No, sir, just your name. 10 MR. HINES: Okay. Great. I'm hear to talk 11 about excessive use of force by the Police Department 12 upon innocent citizens. And I'm one of those innocent 13 citizens. On February 12th, I was at a --

14 CHAIRMAN WARFIELD: I'm sorry, Mr. Hines, one 15 quick second. I'm going to let you continue. Did you 16 get an opportunity to file a complaint yet with our 17 Office of Chief Investigation?

18 MR. HINES: Well, that's what I'm getting 19 ready to do next. But I'm here to --

20 CHAIRMAN WARFIELD: So we do have your 21 complaint?

22 MR. HINES: No, not yet. You have one from 23 last year when it was a different. It was another --24 CHAIRMAN WARFIELD: This is a new one? 25 MR. HINES: This is number two.

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1 CHAIRMAN WARFIELD: Chief Investigator, could you stand up. I just want to make sure we're going to 2 be thorough. I'm still going to let you talk, I 3 4 promise. 5 Do you have this one as well, ma'am? 6 CHIEF INV. DAVIS DRAKE: We do, we can provided this, and actually your colleague provided for 7 8 Actually, we've given you a call. us. 9 MR. HINES: They told me you were trying to 10 reach me. 11 CHAIRMAN WARFIELD: You can proceed. I just wanted to make sure we had your complaint, sir. That's 12 13 all. You can proceed. 14 MR. HINES: Okay. Well, what it is it's now 15 an assault case. I was forcibly removed from a City 16 Council meeting thrown on the flown dragged just like 17 in the days of the sixties is what it felt like. 18 Because I didn't move fast enough and I couldn't move faster because I had a choice of either running over 19 20 the security quard that was saying hurry up, running over a citizen that was standing next to me, climbing 21 22 over seats because I had another security guard on the 23 other side. So there was nowhere for me to go. So the first security, well, actually he's 24 25 the second one that approached me he says, hurry up.



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And I said, okay, let me finish putting my forms in my folder. And next thing I know he's grabbing on me. I said, please don't. And I'm being shoved down the council chambers and thrown on the floor. Said, you know, don't hurt my jacket. Next thing I know I'm being dragged on the floor backwards.

7 There's two ladies laying on the floor trying 8 to distract the Officers so they would not harm me, but 9 it's clear that the force, the activity was directed 10 toward me. And once I was in the lobby -- I have 11 injuries from last year, there were, what, five to six 12 Police Officers in the lobby and just me.

And then of course, some of my friends came out there. They're from Free Detroit and a few other citizens came out there and it got a little bit more complicated. No activity. There's no hostility amongst the people. The only negativity is coming from the Police Department.

19 So if you could play back the security video 20 on it because on the one that showed to the City though 21 the media it's missing seven minutes.

CHAIRMAN WARFIELD: I'm sorry, your time is up. Mr. Hines, we will certainly investigate and get all of the video. We will definitely order all the video as relates to that incident and we will certainly



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look into it. And certainly we thank you for coming
 and sharing that with us.

We have heard from your colleagues and we take your complaint very serious and I want you to know that we take your complaint very seriously and will do our due diligence and investigate this and then present the findings to you. Thank you, sir, appreciate your presence here today.

9 And if you have additional information that 10 you might want to give to Chief Investigator you can do 11 that, Mr. Hines, before you leave if you have 12 information you think she should have.

13 MR. HINES: Thank you.

25

14 CHAIRMAN WARFIELD: Thank you. Are there15 others? Yes, ma'am.

MS. FELDER: Hi. My name Temii Felder. And I was advised to come to this meeting today. Less than a week ago on Friday I received a disturbing phone call from my hysterical children that --

20 CHAIRMAN WARFIELD: Could you bring the mic a 21 little bit closer to you, ma'am, please? Thank you. 22 MS. FELDER: Less than a week ago on Friday, 23 I received a disturbing phone call from my children 24 hysterical that the Police had just stormed my home,

handcuffed them, guns to their face, put them on the



1 ground face down. It was five to eight officers that 2 proceeded to go through my home and search a gentleman, 3 and drugs.

They weren't allow to call me. There was no adult there. It was just my children. And they were pretty nasty to them. Once they finished their business they left their search warrant on the dining room table, told my children they did good and thank God they didn't have to shoot their dog.

10 Once I got home and tried to find out what 11 was going on, gathering some things, put my kids 12 together. Couldn't get any kind of direction because 13 there's no phone number on the search warrant.

14 So I went to our closest precinct which 15 happens to be the Sixth Precinct. I made a formal 16 complaint. I was told that my home was on some form of a list, and they'll make sure that it comes off the 17 18 list. I don't know nothing about a list. I don't Clueless. And from that day to now I have not 19 know. 20 heard of no one to say anything. So I still don't know 21 what's going on.

22 CHAIRMAN WARFIELD: First of all,
23 Ms. Felder, let me say thank you for coming down here.
24 You certainly came to the right place. Chief
25 Investigator just indicated to me that we do have your



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1 complaint. We just recently received your complaint in our shop, so we will definitely start the investigation 2 and get some answers back to you immediately. 3 4 Assistant Chief, is there anything you want 5 to address? A.C. WELLES: Also before you leave today I'm 6 going to have you talk to our Deputy Chief Morris Wells 7 8 from Criminal Investigations and just find out exactly 9 what the circumstances were regarding that and try to 10 make a determination who was actually in your house that day to see if we can't move in another direction 11 12 as well. 13 MS. FELDER: I have the information where 14 the -- talked to me. I have the team number and name, 15 and a million phone numbers. But everybody bounce me 16 around, too. 17 A.C. WELLES: Okay. We'll have you talk to Deputy Chief Wells and we'll get to the bottom of it. 18 19 CHAIRMAN WARFIELD: Deputy Chief, would you 20 raise your hand please right here so you can know. And 21 then if you have additional information and you want to 22 give it to our Chief Investigator she's right there for

23 you.

Again, Ms. Felder, thank you. Certainly, you know, I'm sure it was very frighting and devastating to



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your children, and so certainly we send our apologies to them for them being frightened in this incident. So please let them know that we're looking into this as well. Thank you. Come onto the mic.

5 MR. CRUMPTON: Good afternoon, my name is 6 George Crumpton and I'm here as a student in Criminal 7 Justice. I'm under Professor Warren Evans. He 8 requested that I come here and sit in and take notes on 9 the meeting.

10 But I do have a few questions that I'd like 11 to pose. It's like as students we look for placements, 12 you know, within the departments and things like that 13 to do as a practical for LA 235 a law enforcement 14 program. But I have a issue with a felony from 13 15 years ago. I have several references from the 16 prosecutor's office, the state police, and people who 17 would, you know, back up my record since that has 18 happened being a productive citizen.

I've done everything I can for my
neighborhood, and I would like to do more for the City
of Detroit. I should be graduating this summer from
the school. But, you know, it's like when you try to
turn your life around it's like no matter what you do
you still have a stigma.

25 CHAIRMAN WARFIELD: Yes, sir.



1 MR. CRUMPTON: And sometimes it's kind of 2 rough especially when you trying to do right. And it's 3 been so many years past it's like a generation. And 4 I'm just saying that myself I need to be placed in more 5 departments.

I was with the Fourth Precinct for one ride-along and I was only there like two hours and when they did my background they pulled me off. But I was assigned. The school already has my background. I'm in the program. But once I got to my assignment I couldn't complete it because the precinct wouldn't let me finish.

13 So I would like to know if there's anything 14 we can do about that, you know. Like I said, if it's 15 about references and stuff like that I'm sure I can 16 provide sufficient references to help me along my way 17 here.

18 CHAIRMAN WARFIELD: Was there another 19 question, you said you had a couple? Is that it? 20 MR. CRUMPTON: Well, the return to citizen 21 part how do we, you know, circumvent that especially 22 after you've done well for so long and being like I 23 said if you want to help the law enforcement how do we 24 avail ourself to that issue?

CHAIRMAN WARFIELD: Yes, sir. Well, first of



25

all, thank you -- please stay right there, please don't
 go. First of all, thank you for coming and
 congratulations.

4 MR. CRUMPTON: Thank you, sir.

5 CHAIRMAN WARFIELD: For what you're doing and 6 how you've gotten yourself back on track and we 7 appreciate that. Unfortunately, our hands as a law 8 enforcement agency is somewhat tied by federal and 9 state law as relates to who can and cannot serve within 10 the Department.

11 And unfortunately those decisions are made not here within this Department, but they're state 12 13 agencies that license and there's laws that license who 14 can and cannot serve, and that's just the unfortunate 15 thing. However, as related to the whole returning citizen topic I think you are right on target. I think 16 17 there are other things that can be done that maybe can 18 bridge some gaps.

And Commissioner Taylor does a great deal of work with returning citizens. I don't know, ma'am, if you have any advice you might want to give

22 Mr. Crumpton?

25

23 COMMISSIONER TAYLOR: If he could see Rodney24 Edmunds.

MR. CRUMPTON: Thank you, ma'am.



	-			
1	COMMISSIONER TAYLOR: Thank you.			
2	CHAIRMAN WARFIELD: Okay.			
3	MR. CRUMPTON: One other issue. When you			
4	were talking about the licensing I did do a little			
5	research on that. And there are positions that don't			
6	require like Article 303 powers of license within the			
7	department that you can get certificates that don't			
8	fall under licensing regulations.			
9	CHAIRMAN WARFIELD: Sure.			
10	MR. CRUMPTON: So what about those type of			
11	programs where you don't have to be like a sworn			
12	Officer or licensed. Like I said, you might have your			
13	degree and want to serve in a civilian capacity or			
14	something. How do we avail ourself to that?			
15	CHAIRMAN WARFIELD: Here's what I want you to			
16	do. I want you to talk to our Personnel Director			
17	Ms. Porter and right next to her our Attorney Celia			
18	Banks Washington, the two of them can give you, can			
19	look into what you just said and give you a much			
20	clearer answer, and that should be able to help.			
21	MR. CRUMPTON: Yes, sir.			
22	CHAIRMAN WARFIELD: And if it doesn't, come			
23	back and see us because we want to make sure			
24	MR. CRUMPTON: I'll be back.			
25	CHAIRMAN WARFIELD: Absolutely. Come back			



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and see us. Thank you, sir, appreciate you saying
 that.

MS. SEMMA: Good afternoon. Julie Semma from Detroit Authorized Towing Association. I was just curious in the last two weeks if you guys know anything about the towing issues changing or if the City of Detroit is possibly getting into the tow business and pushing us out?

CHAIRMAN WARFIELD: Yes -- no, no, let me be 9 10 very serious for a moment. We had a meeting in the Mayor's office with the Mayor, Jack Martin, Andre 11 12 Duperry. At that meeting we very specifically 13 discussed towing rates and how we can raise the towing 14 rates. And we also had a meeting this past Monday, 15 just Jack Martin, myself, and someone from Gary Brown's 16 office, how we can effectively raise the towing rates 17 to make sure that we get you all the dollars first of 18 all that you deserve. And so there will be a recommendation coming out hopefully next week in front 19 20 of the City Council as relates to the towing rates.

As relates to the aban tows, the Board has not changed it's position on that at all. We're very clear that it states in our rules that aban tows are to be towed to the district and precinct where there are authorized towers are located. We're very clear.



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That's been signed off on by the Mayor and by the
 former Chief of Police.

We do know that the City has this pilot program. You all know that this Board has passed resolutions. We've also asked for a meeting with the Mayor. Which the Mayor said, no need to. So our position has not changed.

8 We believe that you do have a great story to 9 tell in front of City Council as relates to that. 10 Again, because the rules are the rules, and so from 11 that standpoint, no.

Your other question, is the City trying to force you all out? I don't think the City is trying to force you all out. I think the City in this economic situation it literally trying to look for revenue streams.

17 I did indicate to the Mayor and showed him 18 that you all are offering a \$3.9 million revenue stream to the City of Detroit that will cost them nothing. 19 20 And so he is aware of that. His staff has that. And 21 it would not cost the City any overhead whatsoever to 22 actualize and receive that revenue stream. So, you 23 know, that's all I know, and that's all the discussions 24 I've been in.

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MS. SEMMA: I'm under the understanding right

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now that municipal parking is going to train certain Officers within the next week to go out and tow more abandoned vehicles because the productivity of the current abandon officers or are low so they want to tow more vehicles.

6 CHAIRMAN WARFIELD: Are you talking about more Police Officers, training more Police Officers? 7 8 MS. SEMMA: I would imagine it would have to 9 be Police Officers because if you're out towing a 10 vehicle and you have, I mean, if you have a vehicle 11 that you're towing as abandoned and who knows if 12 there's a dead body in the vehicle or if there's crime 13 scenes going on with certain vehicles you're 14 contaminating certain evidence right now if you're 15 going to have a civilian going out and towing cars. 16 CHAIRMAN WARFIELD: That's news to me. 17 Deputy Chief? 18 A.C. WELLES: Through the Chair, I have not 19 heard anything where municipal parking is going to come 20 in and train Abandon Vehicle Officers on anything. 21 I've not heard that. 2.2 CHAIRMAN WARFIELD: Vice versa. 23 A.C. WELLES: I've not heard that. 24 MS. SEMMA: Okay. 25 CHAIRMAN WARFIELD: If you all get some



1 evidence, please, bring it to us and we'll look into. 2 Because I think there's some laws that mandate there 3 are only certain people that can tag them, abandoned 4 vehicles, I think. So we probably need to look into that, as well. 5 6 MS. SEMMA: Okay. 7 CHAIRMAN WARFIELD: Thank you, ma'am. MR. BLAKE: I got my own timer. 8 9 CHAIRMAN WARFIELD: That's okay. 10 MR. BLAKE: Good afternoon, everybody. CHAIRMAN WARFIELD: Good afternoon. 11 12 MR. BLAKE: My name is William Blake. I'm an 13 18-year-veteran of the Detroit Police Department. Ι 14 want to speak quickly on my unit, Tactical Mobile. I'm not sure if this is a new issue. I know decisions have 15 16 been made. 17 But just briefly I didn't make it to the last 18 meeting. Tactical Mobile I would say we're the guinea 19 pigs of the Detroit Police Department. The willing 20 quinea pigs of the Detroit Police Department. And I say this because there is nothing that from the Chief's 21 22 Office to the Rosedale Park Community to the Southwest 23 Detroit Community, there is nothing that's needed that 24 we don't do. 25 I can't recall a presidential or high



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dignitary visit that we didn't change our hours, back up Secret Service to help support perimeter security. I can't tell you a day that, you know, Occupy Detroit trying to take over a park in Downtown that we didn't baby sit them and make sure they stayed in order.

I can't tell you a crime spree -- when they
had the RA man on the lose Downtown Detroit robbing all
the parking structures who did they call? Tactical
Mobile. And he got caught.

10 There are precincts that when they hear we're coming to their precinct they clap. They're happy. 11 12 They're elated, you know. It's just dumbfounding to me 13 in regard to the move of the Administration to have a 14 unit that's so versatile to just throw us in a precinct 15 and therefore you're saying, you're basically saying, 16 well, we're going to tied up answering needed calls and 17 doing reports while all these problem areas, you know, other issues. 18

19 Who's going to do it? I just cannot 20 understand it, you know. Like I said, and speaking upon our unit I would say and I would find it hard for 21 22 anybody in this Department to disagree with me that we 23 are the most used unit within this Department. And 24 it's a loss. Two-minutes, twenty-two seconds. 25 CHAIRMAN WARFIELD: Thank you, sir. Are



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there others? Any there others for Oral Comments?
Hearing or seeing none, we will close this section of our meeting. So no more oral comments from the audience. Thank you very much, ladies and gentlemen.
We appreciate that.

6 At this time there are a couple Resolutions 7 that we want to read into the record, discuss and vote. 8 Mr. Secretary, I'm go ask that if you could 9 read the Board's Resolution, Board of Police 10 Commissioners Resolution regarding the Detroit Police 11 Department Personnel Transfers, please.

MR. SECRETARY: For the record, George Anthony, Secretary to the Board. This is a Resolution: Department Police Department Personnel Transfer. Whereas, the 2012 Charter for the City of Detroit (the Charter) in section 7-802, gives the Board of Police Commissioners supervisory control and authority of the Detroit Police Department.

And, whereas, Section 7-805 of the Charter provides that the Chief of Police is responsible for the day-to-day operations and administration of the Department. The Charter Commission noted in it's commentary in section 7-805 that quote, Chief of Police directs the day-to-day operations of the Police Department subject to the oversight and supervisory



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1 control given to the Board of Police Commissioner under 2 Section 7-802. This section clarifies the appropriate 3 role and responsibilities of Chief of Police in his 4 official capacity as leader of the Police Department 5 which involves the day-to-day operation and 6 administration of the Department, unquote.

And, whereas, Section 7-806 of the Charter
also gives the Chief of Police the authority to
organize the Department with the approval of the Board.

10 And, whereas, section 7-806 of the Charter is 11 restated in Directive 101.2-5 of the Detroit Police 12 Manual which contains the policy, rules, regulations, 13 and procedures for the Department.

And, whereas, the term "organize" is synonymous with the term "arrange" and means among other things to put together into an orderly functional structured whole or to arraign systemically for united action. In addition the term "organization" implies the act of organizing or process of being organized.

And, whereas, the Interim Chief of Police has publicly announced plans to reorganize the Department through personal transfers, reassignments, and command realignments.

And, whereas, the proposed transfers which take effect March 4th, 2013 will eliminate specific

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1 commands within the Department and has been advertised 2 as a way to move more Officers out on the street on 3 patrol or in other words "put more boots on the 4 ground."

And, whereas, the transfers will eliminate commands such as the Gang Squad and Tactical Mobile Units which are already boots on the ground and as currently organized can deployed anywhere within the City within minutes.

10 And, whereas, the elimination, addition, 11 and/or realignment of commands within the Department 12 that is units, sections, divisions, bureaus, operations 13 or portfolios constitute a change in organizational 14 structure of the Department requiring Board approval.

And, whereas, the Interim Chief of Police and Department failed to present a formal reorganization plan to the Board for consideration and approval.

And, whereas, there is considerable concern that at proposal personnel transfers will not accomplish the goal of putting "more boots on the ground" but will, in fact, have the opposite effect with fewer Officers available for patrol than are currently available this date.

And, whereas, there's considerable concern that eliminating commands like the Gang Squad and



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Tactical Mobile Units will create a more dangerous
 environment for our citizens, more especially our
 children and young adults.

And, whereas, the Board has a vital interest in preserving public safety and the delivery of effective public service.

Now therefore be it resolved, that the Board speaking on behalf of the citizens of the City of Detroit oppose the proposed personnel transfers that take effect March 4th, 2013, and urge the Interim Chief to rescind his order to transfer these Officers to other commands.

13 Be it further resolved that the Board 14 requires the Department to present a formal 15 reorganization plan to the Board for approval before 16 proceeding with the elimination, addition, and 17 realignment of commands within the Department. 18 That concludes the Resolution, sir. 19 COMMISSIONER TAYLOR: I'd like to move to 20 adopt. 21 COMMISSIONER STEWART: Second. 2.2 CHAIRMAN WARFIELD: It's been properly moved

23 and support to adopt the said Resolution. Any

24 discussion, ma'am?

25 COMMISSIONER TAYLOR: None.



1	CHAIRMAN WARFIELD: Sir?
2	COMMISSIONER STEWART: None with me.
3	CHAIRMAN WARFIELD: Let me jut weigh in on
4	this a little bit for those of you who have listened to
5	the Resolution. I want to be very clear and I want it
6	to be very clearly understood that the Interim Chief of
7	Police, Chester Logan, the Mayor of this City, Mayor
8	Dave Bing, the Board of Police Commissioners had one
9	goal in mind and that is to protect the citizens of the
10	City of the Detroit.
11	In no way does this Resolution means that
12	we're locked in some type of fight. Absolutely not.
13	We're here to make sure that all of our citizens are
14	protected and that our resources are allocated and
15	distributed in a way that's consistent with the goals
16	of the Department, and that means that we want to make
17	sure that every corner of our City is appropriately
18	covered with the limited resources that we have.
19	To that end, we want to make sure that our
20	young people, our elderly people, our business people,
21	we've had over 40 letters of support coming in asking
22	us to rethink these particular transfers.

It would be irresponsible of this Board to turn a deaf ear to those who have written us, for those who've come out without at least looking to see how can



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1 we make sure that we cover all of those who have these concerns. 2 And so in the future not only will we vote on 3 4 this today. We don't know if it's going to go up and down, but we'll vote on this today, but we also feel a 5 6 responsibility to come back to you the public and to the Department with recommendations on how we believe 7 8 we can work together and make sure that we get the 9 coverage that our citizens deserve. 10 Any other discussion? COMMISSIONER TAYLOR: I'd like to make a 11 12 motion. 13 CHAIRMAN WARFIELD: Any other discussion? At 14 this point those in favor of adopting the Resolution? 15 COMMISSIONERS: Ave. 16 CHAIRMAN WARFIELD: Those opposed? 17 Resolution is adopted. Thank you. 18 Ma'am, if you have something? 19 COMMISSIONER TAYLOR: Yes, I'd like to make a 20 motion. I'd like to move for the Board to approve 21 giving the Chairman of the Detroit Board of Police 22 Commissioners the authority to act on behalf of the 23 Board to pursue every available legal, equitable, 24 and/or administrative remedy in enforcing the 2012 City 25 of Detroit Charter which gives the Board supervisory



1 control and oversight of the Detroit Police Department. 2 This deligation of authority is sought to 3 enforce the Board's authority to enjoin the Detroit 4 Police Department's reorganization before gaining the 5 approval of the Board of Police Commissioners. Move to 6 adopt.

COMMISSIONER STEWART: I move to second it.
CHAIRMAN WARFIELD: It's been properly moved
and supported, the motion. Any discussion?

Mr. Secretary, what is that term executive -if basically you keep it on paper but yet -constructive elimination.

Here's what the Board is concerned about.
The Board is concerned about a technical term called
"Constructive Elimination." What is that?

16 That is saying we'll keep the Department on 17 paper, but we won't fill it with anybody, which is 18 essentially the same thing. And if that happens the Board wants the opportunity to go and file and work out 19 20 by way of administrative means, legal means, any means 21 that we have to to make sure that the Detroit City 22 Charter is upheld as relates to our authority to 23 supervisor and to approve any organizational changes 24 within the Department, and any organizing changes 25 within the Department as it is outlined by the section

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1 of the Detroit City Charter that has already been 2 referenced in our meeting, and that's what that 3 particular motion is about. Anymore questions or 4 debate a that? 5 COMMISSIONERS: No. CHAIRMAN WARFIELD: All those in favor of 6 said motion? 7 8 COMMISSIONERS: Aye. 9 CHAIRMAN WARFIELD: All those opposed? 10 Motion carries. Thank you, ladies and gentlemen. Appreciate that. At this time we will move onto a 11 12 Resolution honoring Lieutenant Terry Herbert who is 13 retiring for his years of service. Is Lieutenant 14 Herbert here? No, he's not. 15 I'm going to ask if Commissioner Taylor will 16 read the Resolution for us, please. 17 COMMISSIONER TAYLOR: Resolution honoring 18 Lieutenant Terry L. Herbert. Whereas, Lieutenant 19 Herbert has proved to be selfless and giving to the 20 call of pubic safety. He will retire from the 21 Department on February 22nd, 2013 with over 25 years of dedicated service to the citizens of the Detroit. 22 23 Now, therefore, be it resolved that the 24 Detroit Board of Police Commissioners speaking on 25 behalf of the citizens of the City of Detroit and the



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1 Detroit Police Department recognize and honor the lifelong commitment of Lieutenant Terry Herbert. 2 3 He served the Detroit Police Department and 4 the City of Detroit with loyalty, professionalism, 5 integrity, and dedication. He is widely respected 6 throughout the law enforcement community as the consummate professional. 7 8 We thank and congratulate Lieutenant Terry L. 9 Herbert. Detroit Board of Police Commissioner. Move 10 to adopt. 11 CHAIRMAN WARFIELD: Support. 12 COMMISSIONER STEWART: Support. 13 CHAIRMAN WARFIELD: All those in favor of the 14 Resolution honoring Lieutenant Herbert? 15 COMMISSIONERS: Ave. 16 CHAIRMAN WARFIELD: Motion carries. We 17 certainly want to say congratulations to Lieutenant 18 Herbert who just exemplifies community policing 19 throughout this Department among other things that he's 20 done in his very distinguished career and we will 21 certainly keep this Resolution as a part of our permanent archives to commensurate his outstanding 22 23 service to the Department. 24 We have a matter before us right now from the 25 Chief of Police that's dated February, 13th 2013. It's



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says, as Interim Chief of Police it's my responsibility
 to ensure that the highest level of service is
 delivered to the citizens of the City of Detroit and
 all aspects of operations.

5 Ensuring that leadership is maintained 6 particularly at the senior management level is crucial 7 to the ability to ensure the concerns of the community 8 remain at the forefront of our endeavors and are 9 addressed accordingly and most importantly promptly.

10 Additionally, the roles of Commanders and Inspectors are important in terms of ensuring quality 11 12 and qualitative productivity of both the Supervisor and 13 of the Police Officer. The core of their role in terms 14 of meeting compliance with the two consent judgements 15 I'm respectfully recommending the appointment of the 16 two outstanding members to the ranks of Assistant Chief 17 and Deputy Chief. Deputy Chief James White to the rank of the Assistant Chief, and Commander Eric Ewing to the 18 rank of the Deputy Chief. 19

20 At this time I would ask the Board to adopt 21 these two names for those particular promotions? 2.2 COMMISSIONER TAYLOR: Move to adopt. 23 COMMISSIONER STEWART: Second. Support. CHAIRMAN WARFIELD: 24 It's been properly moved 25 and supported. Any discussion on these two? Assistant

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1 Chief, do you have anything you'd like to say? 2 A.C. WELLES: Speaking on behalf of Chester L. Logan, through the Chair, these appointments are not 3 4 only, these people are not only worthy of the appointments, but these people are people that are 5 6 really going to drive our process. And you mentioned in there about the consent judgments. I've had the 7 8 pleasure and opportunity to work with both James and 9 Eric over the years.

10 They are the epitome of professionalism and 11 they are the epitome of competence. These two 12 gentlemen are going to make such a difference handling 13 the administration wing of the Police Department that I 14 am very proud to know them as friends and have them as 15 colleagues, but they're going to do a tremendous job in 16 their new roles for us. So, thank you.

17 CHAIRMAN WARFIELD: Thank you, Assistant 18 Chief. And certainly this Board has viewed the outstanding work that Deputy Chief White and Commander 19 20 Ewing have done over the years. And certainly we want 21 to congratulate you just on the outstanding job and 22 superior career and those things that have been in your 23 hands that you had overseen. And certainly you are 24 deserving of this.

We look at especially Commander White the



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Page 43 1 outstanding job you've done with the consent decree. It's like one of those unsung hero awards. 2 We know 3 that a lot of that was really pushed by you and another 4 individual, but we thank you so very much for the 5 outstanding work that you've done. Any other discussion? 6 COMMISSIONER TAYLOR: 7 None. CHAIRMAN WARFIELD: All those in favor of the 8 9 motion that is on the table? 10 COMMISSIONERS: Aye. 11 CHAIRMAN WARFIELD: All those opposed? 12 Motion carried. Can we have them come up now and take 13 pictures with them and congratulation them now? Can we 14 do that? Give them a hand as they come up. 15 (Applause. Pictures were taken.) 16 CHAIRMAN WARFIELD: Again, congratulations to 17 both of you. 18 At this time we just want to announce our 19 next meeting. Out next meeting will be held here at 20 1300 Beaubien at 3:00 p.m., right here in room 328A, Thursday, March 7th, 2013. 21 2.2 At this time we will not adjourn our meeting. 23 But I'm going to ask if our Board Secretary can take us 24 into closed door session so we can deal with the 25 personnel matter that will be before us.



1 MR. SECRETARY: Thank you, Mr. Chair. For 2 the record, George Anthony, Secretary to the Board. 3 These are the proposed procedures for convening a 4 closed session under the Open Meetings Act.

5 As a public body your meetings are subject to 6 the Open Meetings Act or the OMA. The OMA defines a 7 meeting as the convening of a public body at which a 8 quorum is present for the purpose of deliberating 9 toward or rendering a decision on a public policy MCL 10 15.262B. The OMA, however, does allow a public body to call a closed session one limited to the public body 11 12 and it's invitees for specific purposes.

Only deliberations may be conducted in closed session. All decisions must be made at a meeting open to the public. While in the closed session the Board makes no decisions, that must be done on the record.

On Thursday, February 28th, 2013, you will be presented with a suspension without pay recommendation for Police Officer Tiniki, T-I-N-I-K-I, Gibbs,

20 G-I-B-B-S, Badge 718.

Through her representative DPOA Attorney John Goldpaugh, Police Officer Tiniki Gibbs has requested a closed session for the purpose of contesting the suspension without pay recommendation. The closed session will be called pursuant to MCL15.268A of the



1	Open Meetings Act which states in part, a public body
2	may meet in a closed session to consider the suspension
3	of or hear charges brought against an employee. A
4	simple majority vote that is a quorum of three is
5	required to close a session for this purpose.
6	At this point a motion is order for a close
7	session, sir.
8	COMMISSIONER TAYLOR: So move.
9	COMMISSIONER STEWART: Second.
10	CHAIRMAN WARFIELD: It's been properly moved
11	and second that we move into closed session. Without
12	objection, all those in favor?
13	COMMISSIONERS: Aye.
14	CHAIRMAN WARFIELD: All right. We'll go into
15	close session.
16	(An off-the-record
17	discussion was held.)
18	CHAIRMAN WARFIELD: Mr. Secretary, can you
19	bring us back into open session, please?
20	MR. SECRETARY: Yes, sir. Mr. Chair, it is
21	appropriate for a motion to come back in open session.
22	COMMISSIONER TAYLOR: So moved.
23	COMMISSIONER STEWART: Second.
24	CHAIRMAN WARFIELD: It's been properly moved
25	and supported that we move back in open session.



1 Without objection, all those in favor? 2 COMMISSIONERS: Aye. CHAIRMAN WARFIELD: All those opposed? 3 4 Motion carries. Mr. Secretary. 5 Mr. Chair, the Board has met MR. SECRETARY: 6 in closed session to hear the arguments regarding the suspension without pay for Police Officer Tiniki Gibbs, 7 8 Badge 718. And unless the Board contravenes the 9 Chief's recommendation the suspension without pay will 10 stand. CHAIRMAN WARFIELD: Sir, hearing and seeing 11 12 no contravention, the suspension without pay will 13 stand. 14 Sir, also for the record we want to 15 acknowledge the fact that today is Celia Washington's 16 birthday. We want to say congratulations. Happy 17 Birthday. 18 ATTORNEY WASHINGTON: Thank you. 19 CHAIRMAN WARFIELD: Absolutely. 20 MR. SECRETARY: Sir, that will be in the archives of the Board. 21 22 CHAIRMAN WARFIELD: Motion to adjoin -- I'm 23 sorry. 24 MR. SECRETARY: One thing. I don't know, 25 through the Chair, if the A.C. would like to announce

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1	the Honor Awards Ceremony.
2	CHAIRMAN WARFIELD: Absolutely.
3	A.C. WELLES: Through the Chair, we do have
4	our Honors Award Ceremony tonight at 6:00 at Second
5	Ebenezer with Bishop Van, so please, I wish more people
6	were in attendance, but please anyone that can, please
7	attend. It should be a great award ceremony.
8	CHAIRMAN WARFIELD: Thank you, sir. All
9	right. Move to adjourn.
10	COMMISSIONER TAYLOR: Second.
11	CHAIRMAN WARFIELD: All those favor?
12	COMMISSIONERS: Aye.
13	(The hearing concluded at 4:21 p.m.)
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1	CERTIFICATE OF REPORTER
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4	STATE OF MICHIGAN)
5) SS
6	COUNTY OF WAYNE)
7	
8	I, Elizabeth Koller, hereby certify
9	that I reported stenographically the foregoing
10	proceedings at the time and place hereinbefore set
11	forth; 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	allen
16	
17	Elizabeth Kollon
18	Elizabeth Koller, CSR 7042,
19	Notary Public,
20	Wayne County, Michigan
21	My Commission expires: June 1, 2018
22	
23	
24	
25	



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