

5/21/2015

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CITY OF DETROIT
BOARD OF POLICE COMMISSIONERS
MAY 21, 2015
3:00 p.m.

-----)
Subject:)
)
Disciplinary Appeal)
PO Lorenzo Jones)
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Meeting held at
Detroit Public Safety Headquarters, 1301 Third Street,
Detroit, Michigan, on Thursday, May 21, 2015.

BOARD MEMBERS PRESENT:

- Willie E. Bell - Chairperson (Dist 4)
- Lisa Carter - Vice Chairperson (Dist 6)
- George Anthony - Secretary
- Ricardo Moore - (Dist 7)
- Willie E. Burton - (Dist 5)
- Reginald Crawford - (Dist 3)
- Bishop Edgar Vann - (Dist 2)/Appointed
- Jessica Taylor - Appointed
- Conrad Mallett - Appointed
- Eva Dewaelshe - Appointed
- Donnell R. White - Appointed

FROM THE POLICE DEPARTMENT:

- Steven Dolunt - Assistant Chief of Police
and Charles Fitzgerald
- Linda Bernard - Attorney
- Pamela Davis-Drake - Chief Investigator
- Robert Brown - Administrative Assistant
- Cheryl McCoy-O'Neill - Chief Investigator

OTHER SPEAKERS:

- John Goldpaugh - Attorney for Lorenzo Jones
- Bernice Smith
- Roy McAllister

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1 Detroit, Michigan

2 Thursday, May 21, 2015

3 3:04 p.m.

4 THE CHAIRPERSON: Good afternoon. I'm want
5 to extend a warm, warm reception to you, in terms of
6 being at -- attending the Board of Police Commission
7 Meeting, which is a weekly meeting here at 3:00, and a
8 public safety meeting. And so we appreciate you, in
9 terms of coming out for our weekly meeting.

10 I'm going to ask Commissioner Vann to open up
11 with a prayer. But before I do that, could we have a
12 moment of silence.

13 We're entering into Memorial weekend and we
14 just lost another police officer in the line of duty,
15 as you well know. I think it's Omaha.

16 ASSISTANT CHIEF DOLUNT: No, I didn't.

17 THE CHAIRPERSON: So we are grateful for the
18 service of officers. As we come off national police
19 week and here we go again in terms of it. So can we
20 have a moment of silence, please.

21 Thank you.

22 Bishop Vann.

23 BISHOP VANN: Gracious God, we are mindful
24 and thankful of your Mercy toward us on this day and
25 for the opportunity that we have to serve the people of

1 the City of Detroit. We thank you for this Commission
2 and for its leadership, for our police department, our
3 Chief and leadership there.

4 We ask, as we come today, that you would be
5 very gracious and mindful of those who give this as
6 their personal service, for their career. And for
7 those who have fallen in duty, we're praying for their
8 families, that you will strengthen and keep them.

9 Now bless us as we deliberate and plan for
10 the betterment of Detroit and the quality of life in
11 our city. We thank you for every good and perfect gift
12 that you will send our way to accomplish our task.

13 This we ask in your name. Amen.

14 BOARD MEMBERS: Amen.

15 THE CHAIRPERSON: Thank you,
16 Commissioner Vann.

17 As we move forward, I'm going to ask our
18 Board Secretary, George Anthony, to conduct a roll
19 call, please.

20 MR. ANTHONY: Thank you, Mr. Chair.

21 For the record, George Anthony, Secretary to
22 the Board.

23 Commissioner Lisa Carter?

24 MS. CARTER: Present.

25 MR. ANTHONY: Commissioner Willie E. Burton?

1 MR. BURTON: Present.

2 MR. ANTHONY: Commissioner Reginald Crawford?

3 MR. CRAWFORD: Present.

4 MR. ANTHONY: Commissioner Eva Garza
5 Dewaelsche?

6 MS. DEWAELSCHE: Present.

7 MR. ANTHONY: Commissioner Conrad Mallett?

8 Commissioner Ricardo R. Moore has asked to --
9 well, has informed that he will be a little late.

10 Commissioner Richard Shelby has asked to be
11 excused.

12 Commissioner Jessica Taylor?

13 Commissioner Bishop Edgar Vann?

14 BISHOP VANN: Present.

15 MR. ANTHONY: And Commissioner Donnell R.
16 White?

17 MR. WHITE: Present.

18 MR. ANTHONY: Mr. Chair, you have a quorum of
19 seven commissioners.

20 THE CHAIRPERSON: Thank you, sir. And it's
21 good to see all the Commissioners in attendance this
22 afternoon. Sitting in for Chief James E. Craig is
23 Assistant Chief Dolunt.

24 ASSISTANT CHIEF DOLUNT: Hi.

25 THE CHAIRPERSON: Okay. Thank you for

1 attendance once again, and filling in for the Chief of
2 Police.

3 Mr. Anthony, would you introduce the Board of
4 Police Commission's staff, please.

5 MR. ANTHONY: We have present Ms. Pamela
6 Davis-Drake, our Chief Investigator from the Office of
7 the Chief Investigator; she's seated in front.

8 Attorney Linda Bernard, who is the Attorney
9 to the Board, also seated in front.

10 Mr. Robert Brown, who is our
11 Administrative Assistant and Ms. Mona Storm from Hanson
12 Court Reporting Service. And that completes the
13 introduction.

14 THE CHAIRPERSON: Thank you, sir.

15 And I see Commissioner Jessica Taylor made it
16 past here, is now here to take her seat.

17 And good afternoon. You've got great timing.

18 The Chair would entertain a motion to approve
19 the agenda. However, I want to know, in terms of we
20 have a discipline of -- disciplinary appeal of Police
21 Officer Jones. Would that be in this format of a
22 closed-door session and that we could, at some point,
23 convene or do we need to move that up on the agenda or
24 move it down on the agenda?

25 MR. ANTHONY: Mr. Chair, that's going to be

1 an open session, it's going to be in a public session.
2 And Attorney Goldpaugh has advised that -- he's advised
3 his client, I think, to be here around 3:30.

4 THE CHAIRPERSON: Okay. So it will stay in
5 place, in terms of the agenda, at this times unless
6 there's some -- okay. On that note, I would ask the
7 Commissioners to approve the agenda for this
8 afternoon's meeting.

9 MR. WHITE: So move.

10 MS. DEWAELESCHE: Support it.

11 THE CHAIRPERSON: It's been moved and
12 properly supported. Ready for the question? Those in
13 favor, "aye".

14 BOARD MEMBERS: Aye.

15 THE CHAIRPERSON: Those opposed?
16 Motion carry.

17 The next item of business will be the
18 Approval of Minutes from Thursday, May 14, 2015. The
19 Chair would entertain a motion to that effect.

20 BISHOP VANN: So move.

21 MS. DEWAELESCHE: Support.

22 THE CHAIRPERSON: It's been properly moved
23 and supported.

24 Question. Those in favor, "aye".

25 BOARD MEMBERS: Aye.

1 THE CHAIRPERSON: Opposed?

2 Motion carry.

3 I guess the next item would be my report.

4 As you know, this has been a historic day in
5 the City of Detroit, and, also, Detroit Police
6 Department because at 10:30 a.m. there was a public
7 announcement that Chief James Craig was reappointed as
8 Police Chief for the next two years. And we received
9 communication from Corporation Counsel Butch Hollowell.

10 His term normally would have expired on June
11 the 1st, 2015. And his new contract is, as of 10:00
12 this morning, provides for a two-year extension to June
13 the 30th, 2018 with no increase in pay or benefits.
14 And you will be provided a copy of an executed
15 agreement later today. I just wanted to advise you of
16 the good news prior to the public announcement and that
17 came from Melvin "Butch" Hollowell, the Corporation
18 Counsel.

19 So I want to congratulate the Chief of
20 Police, in terms of his reappointment as Chief of
21 Police. I had an opportunity to attend a press
22 conference this morning. It was well attended, wall to
23 wall, standing room only, from a cross-section of the
24 people and community and DPD and law enforcement across
25 this metropolitan Detroit. And also the Mayor was in

1 attendance and Council people was in attendance. And
2 perhaps you might witness -- if not, you can probably
3 view the evening news and there will be more
4 information forthcoming.

5 But as a broad support, to continue the
6 Chief's contract. And I was pleased to have an
7 opportunity to speak on behalf of the Board that we are
8 supportive of the Chief of Police, in terms of renewing
9 a contract. And that was key in reference to the Mayor
10 reappointing the Chief. He's very, very pleased in
11 terms of his perspective, in terms of Chief of Police,
12 he wanted to stabilize the department. But more so,
13 he's impressed with the quality of work that he's
14 indulged in since he's been appointed. So that -- that
15 was key and paramount to that.

16 And so there's a communication letter that
17 I'm circulating to the Board in reference to our
18 discussion with the Chief of Police. We're looking
19 forward to an ongoing working relationship with the
20 Chief and also the -- I think that's key he that this
21 Board move forward.

22 Mayor Duggan made mention in his remarks that
23 this Board should be reappointed or reestablished by
24 the Charter in six months. So he's making reference to
25 December of this year. So I haven't heard the Mayor

1 say that before. So that was good news.

2 And also Commissioner George Cushingberry
3 echoed the same thing; that the Council is looking
4 forward to reinstating the Board of Police Commission.
5 So I think this is a new day, a new beginning, in
6 reference to we have stabilized the position of Chief
7 of Police and we're looking forward to working
8 hand-in-hand, in terms of that type of involvement.

9 And I know this Board is supportive across
10 the board, in terms of the public safety issues that
11 we've been dealing with in the City of Detroit. So, as
12 we move forward, I think it's crucial that we engage
13 and be supportive and but yet be firm in reference to
14 our Charter-mandated duties and responsibility.

15 That's something that I say at the forum,
16 too; that we have a role to play by Charter and we want
17 to fill that, regardless of whether -- you know, the
18 politics. But basically, we have a role.

19 And I think now the Mayor setting the tone
20 and the Chief setting the tone and Council setting the
21 tone that we should be more involved, in terms of
22 public safety issues.

23 And both unions -- well, three unions; LSA,
24 DPOA and the Command Officer Union were present. And I
25 was impressed by the rank and file officers who had an

1 opportunity to speak in reference to that type of
2 commitment, the DPOA, and -- you know, they was just
3 engaged and they are satisfied with the performance.

4 So as we move forward, we should be thankful
5 that we now have a stabilized leadership. And I think
6 this executive team and the officers would appreciate
7 that, because we went through a turmoil with the
8 constantly changing of the Chief of Police. So -- on
9 that note.

10 On another note, I had an opportunity to
11 travel up to Lansing on Tuesday and spend most of the
12 day there and had an opportunity to meet with our
13 former Police Commissioner out of District 2,
14 Lynn Debord, who was a State Rep. I think he
15 represented District 3. And he's willing to lead --
16 take a leadership role in reference to our
17 reinstatement, also, with the Caucus out of Detroit,
18 with State Senators and State Representatives. So
19 we're looking forward to drafting a resolution that he
20 can work with. So that was very positive and that was
21 under the banner of Michigan United.

22 And I also spoke briefly to Brian Banks in
23 reference to State Rep, also, in terms of that type of
24 dialogue. So it was very rewarding to have the
25 opportunity to go to the Capital and meet.

1 So he wanted to know when we're coming back
2 as Commissioners to have that opportunity and, perhaps,
3 in the near future that we, as a commission, could make
4 that journey to Lansing to interact. Because I think
5 it's more we toot our horn, the more we make people
6 aware of the issues, then I think more the civilian
7 oversight will be supported from a broad base, in
8 reference to the body cameras, the other issues that we
9 face in reference to not only in Detroit but across
10 this country, in terms of the issues impacting the
11 police department, in terms of the relationships so we
12 are that, ambassadors.

13 So that was really a blessing to have that
14 opportunity to interact with our State Representatives.
15 So other than those, I don't have anything else. I
16 just want to say we can move on to --

17 ASSISTANT CHIEF DOLUNT: Oh. Okay.

18 THE CHAIRPERSON: AC Dolunt, you have the
19 floor, sir.

20 ASSISTANT CHIEF DOLUNT: All right.

21 THE CHAIRPERSON: No problem. I'm just
22 messing with you.

23 ASSISTANT CHIEF DOLUNT: No, no, that's okay.
24 So four quick, brief stats: Homicide are up 20 percent
25 over last year. We ran out last year and we had a

1 banner here and I'm still not happy about that.
2 Nonfatal shootings are up two percent, robberies are
3 down 18, carjackings are down 21. I can give an
4 update. So last week we had a little bit, I did, a
5 heated discussion over an MOU.

6 So, on Friday, I took it upon myself to try
7 to get to the bottom of this. So I called
8 Grosse Pointe Park to talk to the Chief and he told me,
9 at the time, it was a handshake, it was not an MOU and
10 that, in fact, the MOU came from a boiler plate MOU
11 that the Lieutenant in Charge of the Commercial Auto
12 Theft Section gave him in response to your request for
13 an MOU.

14 I had been told by my people that we had an
15 MOU and apparently we didn't. So -- and Commissioner
16 Crawford brought this up. It appears that yes, indeed,
17 they did make one up after you requested it.

18 So after showing umbrage for what I thought
19 was an attack on me -- is that good? A little bit
20 correct. I didn't know. But there was not an MOU.
21 So -- and I told the Chief and I met with
22 Commissioner Bell.

23 So then today I was talking to Former
24 Assistant Chief Larry Meyer and he goes, "Well, it's
25 not an MOU, it's a grant."

1 I said, "Wait a minute. I was told it was a
2 handshake between Warren Evans who was then the Chief
3 and a person --"

4 "Oh, no, no, no, no, no. Wayne County used
5 to be on it, they were bumped off and Detroit went in
6 on an ATPA grant. Just find the paperwork."

7 Well, I found it an hour ago. So instead of
8 looking at it, I'm trying to find this ATPA grant that
9 has the two officers on it and I will get to the bottom
10 of this, eventually.

11 However, since I was, again, a little rude
12 last week, I want to tell you that I was wrong and,
13 apparently, it was made up in response to the request
14 back in January. And that's why I could never find a
15 copy even though I was told of a copy. And I will keep
16 attempting to find out just exactly what this was.

17 THE CHAIRPERSON: We appreciate --

18 ASSISTANT CHIEF DOLUNT: Fair enough?

19 THE CHAIRPERSON: We appreciate that, sir.

20 Yes, sir?

21 ASSISTANT CHIEF DOLUNT: Actually, we took --
22 well, no, they made -- Grosse Pointe Park, we gave them
23 a boiler plate thing and they did it. Did we make it
24 up? No, they did. But they did it on a request. The
25 Board asked for it. I said, "Give it to them." And I

1 was misled.

2 So anyway, I -- when I'm right, I'm right and
3 when I'm wrong, I'm wrong. Apparently, I was wrong so
4 I'm here to tell you that. Okay?

5 THE CHAIRPERSON: We appreciate that, sir.

6 ASSISTANT CHIEF DOLUNT: Okay.

7 MR. CRAWFORD: Yes, sir. Through the Chair,
8 Assistant Chief, with all due respect, sir, there
9 was -- from my end of it, there was no personal attack
10 or --

11 ASSISTANT CHIEF DOLUNT: I'm good.

12 MR. CRAWFORD: I don't know what the
13 perception was but it wasn't meant to be any personal
14 attack on anyone. And I think I kind of prefaced those
15 remarks prior by saying, "It's nothing personal." I
16 wasn't trying to expose anything or anyone. It's just
17 that the fact was that we just wanted to see an MOU.
18 And I believe I even stated that, if we didn't have one
19 back in January, it was just -- you know, just say we
20 didn't have one.

21 And, you know, but I'm glad that we're going
22 to proceed in trying to find one or create one, at this
23 stage, so that we'll be operating okay under this
24 taskforce and any other taskforce that the Detroit
25 Police Department are involved in.

1 ASSISTANT CHIEF DOLUNT: Okay.

2 MR. CRAWFORD: That's all.

3 ASSISTANT CHIEF DOLUNT: I'm good.

4 MR. CRAWFORD: It was nothing personal.

5 ASSISTANT CHIEF DOLUNT: I'm good when I'm
6 wrong, I'm wrong.

7 MR. CRAWFORD: No attack.

8 ASSISTANT CHIEF DOLUNT: And I was wrong big
9 time.

10 THE CHAIRPERSON: You had good intensions,
11 sir.

12 ASSISTANT CHIEF DOLUNT: I always have good
13 intentions that blow up in my face. Okay?

14 THE CHAIRPERSON: I just want to recognize
15 Commissioner Ricardo Moore; he's now in attendance.

16 MR. MOORE: Thank you, Mr. Chair.

17 THE CHAIRPERSON: Okay. AC, you want to
18 introduce your Deputy Chiefs or any other command
19 officer --

20 ASSISTANT CHIEF DOLUNT: I have --

21 THE CHAIRPERSON: -- or command officers now.

22 ASSISTANT CHIEF DOLUNT: -- for the record,
23 City of Washington Legal Adviser, Deputy Fitzgerald's
24 back there, Captain Decker's back there, Sergeant
25 Perkins. I don't have my glasses on.

1 Lieutenant -- is that you, Lieutenant?

2 THE CHAIRPERSON: It's Lieutenant.

3 ASSISTANT CHIEF DOLUNT: Dominic's here. Who
4 else? That's it. You're not on the police department,
5 John.

6 That's enough right there. We'll stop right
7 there. The police department.

8 UNIDENTIFIED MALE: He certainly isn't.

9 THE CHAIRPERSON: That is true. AC, anything
10 else?

11 ASSISTANT CHIEF DOLUNT: No, I'm good. You
12 were there this morning.

13 THE CHAIRPERSON: Oh.

14 ASSISTANT CHIEF DOLUNT: It was a good thing
15 and the Mayor was pleased and he did mention the
16 Commission so that was good. It was all good.

17 All good?

18 THE CHAIRPERSON: All good.

19 ASSISTANT CHIEF DOLUNT: All good.

20 BISHOP VANN: Mr. Chairman.

21 THE CHAIRPERSON: Yes, sir?

22 BISHOP VANN: Just one slight thing. I think
23 that -- you know, I think that all of us as -- well, I
24 should not -- please excuse me for trying to speak for
25 everybody. But I think that there are others, many of

1 us on this Commission, that are very supportive of the
2 Chief. And I would have been there, had I gotten an
3 invitation. And I didn't know that, you know, with all
4 of the other groups being represented -- and I know
5 that you represented us well and I have no problem with
6 that. But I would have also been in attendance, had I
7 known -- had I been invited. I mean, I knew about it
8 but, had I been invited.

9 THE CHAIRPERSON: My understanding, when I
10 had an opportunity to speak to the Mayor, he just
11 called to give me a heads up, that he said the next
12 step would be to send out an e-mail to all the
13 Commissioners, to invite them to the press conference
14 that evening and that morning. So I apologize but
15 that's what he stated. But I imagine, with all the --
16 you know, the process, that we would do better, in
17 terms of notification. But he said his office would
18 take on that responsibility.

19 And so, other than that, that was my
20 understanding on how that was going to -- because I
21 didn't get an e-mail, I just got a phone call; and I
22 appreciate that. Then I got a follow-up call from the
23 Chief of Police to make sure. But, hopefully, in the
24 future -- but I know if any Commissioner want to speak
25 on the record and supporting the Chief, we can

1 entertain that at this time. So if you want any
2 personal comments or remarks to the contract or --

3 Yes?

4 MS. TAYLOR: Anyway, I certainly support the
5 Chief, I always have. I always have supported the
6 Chief and will continue to support the Chief of Police.

7 THE CHAIRPERSON: Okay.

8 MS. DEWAELESCHE: Commissioner, I just --
9 Bishop Vann and I were speaking before the meeting and
10 we both kind of were saying the same thing; if we had
11 been invited, we would have been there. You know, I
12 try to go to every event and, especially, this week,
13 when it's Police Week. And this is historic, as you
14 said. We try to be in attendance, as many of us that
15 can be there, just to show our support to the Chief.

16 THE CHAIRPERSON: Yes. Any others?

17 MR. CRAWFORD: Excuse me. Through the Chair.

18 THE CHAIRPERSON: Yes?

19 MR. CRAWFORD: Also, too, because I know a
20 number of times at this table we talked about the
21 breakdown in communication and we weren't getting a lot
22 of things from the Department. So -- and in this case,
23 in terms of what happened this morning with the press
24 conference, I, too, would have probably been present.
25 But I think it's kind of on -- the onus is on us, as a

1 Commission, to kind of make some notifications or
2 something to that effect so, in the future, that all of
3 us will just have the information and, you know, if
4 we're available, then we can participate.

5 I support Detroit Police Department. I
6 support the Chief. I don't support Emergency Order
7 Number 42. So -- and that's -- I know everyone
8 understands that.

9 THE CHAIRPERSON: Yes, sir.

10 MR. CRAWFORD: You've heard me say that a
11 number of times at this table. And you -- in your
12 earlier remarks, Mr. Chairman, you stated there was
13 something the Mayor made mention of it. And, again,
14 you know, operating under 42, even though I don't act
15 under 42, as one might say. I believe that it should
16 be a free commission here and that's the way I carry
17 myself and will conduct myself.

18 I mean, there were Jim Crow laws in the south
19 that, you know, would evolve where people obviously
20 protested and overturned those laws. And, you know,
21 there was, you know, folks from the Congress and also
22 the President signing a bill. So this is -- this is no
23 more any different than that. So thank you.

24 MR. BURTON: Through the Chair, you know, I
25 just want to say, you know, that I support the Chief

1 and his Department and, if I would have had, you know,
2 an invitation, I would have attended this morning as
3 well.

4 THE CHAIRPERSON: Okay. And duly noted. And
5 hopefully, in the future, we would improve -- that's
6 what we're working on, the communication process, to
7 make sure that you're informed. And I think the letter
8 addressed that, in reference to that whole
9 relationship, that we can somewhat tighten up and be
10 more supportive of communication. Thank you for your
11 remarks.

12 As we go forward at this time, we are dealing
13 with the disciplinary appeal of Officer Jones. And
14 as -- so we can go forward on that note. I just ask
15 that the attorneys be brief and to the point. We have
16 the case and, hopefully, all the Commissioners have
17 taken time. So if you could be on point to represent
18 the issue, then we can move this item to some type of
19 conclusion or awareness.

20 MS. BERNARD: Thank you, Commissioners and
21 Mr. Chairman. My name is Linda Bernard. I'm the
22 Attorney to the Board of Police Commissioners. And I
23 would like to make reference to the disciplinary appeal
24 of Police Officer Lorenzo Jones, Badge 4232.

25 My recommendation was previously provided you

1 in writing and I will be referencing those charges and
2 the decision by the Trial Board as well as by the Chief
3 of Police.

4 The "Review of the disciplinary charges:
5 Petitioner, Police Officer Lorenzo Jones,
6 Badge 4232, was charged on February 19th, 2014 with the
7 following violations of the Detroit Police Manual:

8 Charge 1. Not Properly Patrolling or
9 Guarding a Post.

10 Specification 1: That he, Police Officer
11 Lorenzo Jones, Badge 4232, currently assigned to
12 Traffic Enforcement, while working Secondary Employment
13 did on February 19th, 2014, fail to properly patrol his
14 assigned area (Downtown Detroit) when he drove Scout
15 Car Code 063703 outside the City of Detroit boundaries
16 and into the Cities of Dearborn, Michigan and
17 Southfield, Michigan without permission or
18 authorization from a supervisor or zone dispatcher.
19 This being in violation of the Detroit Police
20 Department Manual Series 100, Directive 102.3-7.5,
21 Attentiveness to Duty, Command 2.

22 Charge 2. Permitting Unauthorized Persons to
23 Ride in Police Vehicles.

24 Specification 2: That he, Police Officer
25 Lorenzo Jones, Badge 4232, currently assigned to

1 Traffic Enforcement, while working Secondary Employment
2 did on February 19th, 2014, at approximately 1:19 p.m.,
3 permit an unauthorized person, Mr. Anthony Willingham
4 (Morris) to ride in a Department vehicle, (Code 063703)
5 when he picked him up from 100 Lincoln Lane" at
6 "(Fairlane Town Center Apartments), Dearborn, Michigan
7 and drove Mr. Willingham (Morris) to 17519, Nine Mile
8 Road, Southfield, Michigan without permission or
9 authorization. This being in violation of the Detroit
10 Police Department Manual Series 100, Directive
11 102.3-7.8, City Vehicles/Driving Policy, Command 4.

12 Charge 3. Willfully Making a False
13 Oral/Written Statement or Report.

14 Specification 3: That he, Police Officer
15 Lorenzo Jones, Badge 4232, currently assigned to
16 Traffic Enforcement, while working Secondary
17 Employment, did on February 19th, 2014, willfully make
18 and submit false written statements on his Activity Log
19 by omitting information regarding his actions while in
20 the Cities of Dearborn, Michigan and Southfield,
21 Michigan and his contact with a citizen, Mr. Anthony
22 Willingham (Morris) during his tour of duty. This
23 being in violation of the Detroit Police Department
24 Manual Series 100, Directive 102.3-7.22, Truthfulness,
25 Command 1.

1 Issues.

2 Central Issue. Whether the Board of Police
3 Commissioners should uphold the decision" the
4 "disciplinary action and penalty' of the Trial Board."

5 My "Recommendation" is: "Yes. Affirm the
6 decision of the Trial Board, of guilt on all charges
7 and the penalty of a 16-day suspension.

8 Subsidiary Issues.

9 A second issue raised in Petitioner's Brief
10 is, when working in the Secondary Employment Program
11 for a vendor approved by DPD, is he subject to the same
12 standards as he would, if working on a routine DPD
13 assignment?

14 Recommendation: Yes. Officers working
15 Secondary Employment are still acting as DPD officers
16 at all times and are subject to all DPD rules and
17 policies. This recommendation is consistent with that
18 of the Trial Board.

19 A third issue raised in Petitioner's Brief is
20 whether a member can be prohibited/suspended from
21 participating in the Secondary Employment Program
22 during an investigation of his conduct" and "prior to a
23 final determination by the Chief and the BOPC regarding
24 misconduct, and whether such constitutes discipline?

25 Recommendation: Yes. Suspension during an

1 investigation of improper activity or being told you
2 cannot participate in that activity is generally proper
3 in most circumstances. Inability to participate in an
4 activity during the pendency of an investigation
5 (irrespective of how long it takes) does not constitute
6 discipline. This recommendation is consistent with
7 that of the Trial Board.

8 Provided however, because his suspension has
9 been effective for more than one year" from the
10 Secondary Employment Program "while the case was being
11 adjudicated, my recommendation is that Petitioner be
12 allowed to apply for participation in the Secondary
13 Employment Program immediately.

14 Procedural Background.

15 Police Trial Board. The Police Trial Board
16 was convened by order of Chief of Police, James E.
17 Craig, pursuant to authority granted in Section
18 7-807(3) of the Detroit City Charter, on October 21st,
19 2014, to adjudicate the charges filed against
20 Petitioner in Disciplinary File Number 14-0157.

21 Trial Board Members: The panel was composed
22 of Captain Whitney Walton, serving as Chairperson,
23 Captain Daniel Allen, Co-Member, and Captain Harold
24 Rochon", also "Co-Member."

25 The "Advocates" for the party were "Sergeant

1 Cheryl McCoy-O'Neill" for the Detroit Police Department
2 "and the officer in charge was Sergeant
3 Richard Firdson. The Petitioner did not have DPOA
4 representation. He was represented by
5 Mr. John Goldpaugh, Esquire at the Police Trial Board
6 Hearing and at his Garrity Interview.

7 The Petitioner waived a reading of the
8 charges and pled not guilty."

9 The "Department's witnesses:" Were "Georgia
10 Taylor, Principal Clerk, Sergeant Juan Ayala" from
11 "Internal Affairs, Sergeant Steven Peil, Sergeant Sonia
12 Russell, Sergeant Richard Firdson."

13 The -- skipping ahead to the recommendation
14 of the Trial Board. In a decision dated October 21st,
15 the Trial Board found Police Officer Lorenzo Jones
16 guilty of Charge One, Specification One, not properly
17 patrolling or guarding a post, penalty one-day
18 suspension; guilty of Charge Two, Specification 2,
19 permitting an unauthorized person to ride in a police
20 vehicle, penalty, five-day suspension; guilty of Charge
21 Three, Specification 3, willfully making a false
22 oral/written statement of report, penalty, ten-day
23 suspension.

24 In reaching a unanimous decision regarding
25 the penalty, the Trial Board stated at Page 4, "We

1 reviewed the Officer's disciplinary history along with
2 the disciplinary matrix to arrive at the decision to
3 recommend a 16-day suspension without pay and benefits,
4 served consecutively."

5 Captain Rochon recommended that the policy --
6 or confirming the decision, however, recommended that
7 the policy regarding Secondary Employment be made,
8 quote, more clear and concise, relative to the
9 obligations of the officer involved and his
10 responsibilities to the Secondary Vendor as well as the
11 Department during his time working Secondary
12 Employment. In my --

13 THE CHAIRPERSON: Madam Attorney, could we
14 close out on --

15 MS. BERNARD: Yes.

16 THE CHAIRPERSON: I think we --

17 MS. BERNARD: That's it. That was it.

18 THE CHAIRPERSON: Okay. Thank you.

19 MS. BERNARD: I would like to call
20 Mr. Goldpaugh. He represents the Petitioner.

21 THE CHAIRPERSON: Okay.

22 MS. BERNARD: Mr. Jones.

23 THE CHAIRPERSON: Thank you, Madam.

24 MS. BERNARD: Officer Jones.

25 THE CHAIRPERSON: Thank you.

1 MR. MOORE: Through the Chair, a point of
2 clarity. What is the officer's first name? Can you
3 clarify?

4 MR. GOLDPAUGH: Lorenzo.

5 MR. MOORE: Lorenzo?

6 Oh, okay. Thanks.

7 THE CHAIRPERSON: I'd like to pause and
8 acknowledge Commissioner Conrad Mallett has joined us
9 about --

10 MR. MALLET: Sorry I'm late, Mr. Chair.

11 THE CHAIRPERSON: Thank you, sir. Good to
12 see you.

13 Thank you, sir.

14 MR. GOLDPAUGH: Thank you. John Goldpaugh on
15 behalf of Petitioner Officer Lorenzo Jones,
16 Lorenzo Jones. I think that Captain Rochon hit it
17 right on the head when he recommended that the
18 secondary employment issues and potential discipline, I
19 guess, should be made more clear to the officers.

20 I didn't just raise the issue of Secondary
21 Employment as improper before -- at the Trial Board in
22 my appeal, I raised that before the Trial Board. I
23 told them, at that time, that these charges should be
24 dismissed because they do not have jurisdiction.

25 It's interesting to note that, in the

1 Secondary Employment department -- the Secondary
2 Employment paperwork, that the Department has attempted
3 to separate itself -- and I don't mean this in a
4 derogatory sense but has separated itself with respect
5 to any type of liabilities that actions by a Detroit
6 police officer may incur liability when they're in
7 Secondary Employment.

8 For example, a simple arrest and activities,
9 which we require that officer to go to court, the
10 Detroit Police Department does not pay that individual
11 court time. It is the simple subpoenas that are
12 forwarded and they respond as a citizen. Yet we are
13 holding them to the standard of a police officer and we
14 should, with respect to that. But we don't want to pay
15 them for it. We'll let his Secondary Employer or
16 whoever pay them that fee as a -- as a witness.

17 Now, I'm not saying that's right or wrong,
18 I'm just saying the Department is moving away from
19 that. If an officer has an accident in a
20 Department-issued car, it doesn't fall upon the
21 Department to fix that car, it falls on the secondary
22 employer. So everything with respect to money falls on
23 the secondary employer.

24 It's interesting to note that, in the
25 Secondary Employment, under Section -- if I may have a

1 moment -- 103.5, "Secondary Employment, members must
2 adhere to the rules, regulations and procedures posted
3 on the CYA Secondary Employment Management System
4 website. Any violations shall result in the member's
5 suspension from the Secondary Employment Program for a
6 period of time to be determined by the Chief of Police
7 or designee." That's fine. That's in their rules and
8 regulations.

9 That's not how this charge or these charges
10 were brought against Lorenzo Jones. They were brought
11 against him by the Detroit Police Department through
12 their Internal Affairs investigation.

13 The rules and regulations of a secondary
14 employment, which were alluded to by the Board's
15 attorney, also provide that the provisions and how you
16 get into the program. And I'm not going to go through
17 it, I've argued it before, before the Trial Board. But
18 it says, "Once you are accepted and once you are part
19 of that program, there isn't any way that you can be
20 removed from that, except for" and it gives you five
21 steps.

22 One of those steps is not, "Well, we have an
23 investigation going on into what you may have done
24 wrong in Secondary Employment and so we're going to
25 suspend you from the program"; it doesn't say that. It

1 only says that if you're in the program and you receive
2 a vio -- penalty for anything, it doesn't have to be
3 within the program but, if I lost time for some on-duty
4 activities, which were more than ten days, then I'm no
5 longer eligible for this program; that's what that
6 says.

7 So there is nothing, either in the Detroit
8 Police Department Manual, there is nothing within the
9 rules and regulation of this Detroit Police Department
10 and, more importantly, there is nothing in the
11 procedures and the setup of the secondary employment
12 that allows, unilaterally, as the Sergeant did, based
13 on her orders from whoever her supervisor was -- and
14 she testified at trial, "That's why I did it" -- to
15 allow Officer Jones to sit out there for a year and not
16 gain -- and receive his secondary employment. He had
17 been on this program for years. Since its inception,
18 there haven't been any problems.

19 So that's how this whole case has to be
20 looked at, not did he do this, did he do this, did he
21 violate the rules and regulations of the Department.
22 It's interesting to note that, technically, and when
23 you look at 103.5, as I pointed out, there's another
24 section. "Members shall maintain his or her post at a
25 Secondary Employment assignment." Hey, he didn't do

1 it; he screwed up. Excuse my language. And what did
2 this Trial Board determine he should lose for that
3 penalty? One day.

4 Now we jump to this didn't have an authorized
5 person in a police car. That's not a violation of the
6 rules and regulations of the Secondary Employment.
7 Yes, he violated the rules and regulations of Secondary
8 Employment when he left the area. Give him his one day
9 and let's all move along. All this other stuff is
10 superfluous. There's an anonymous call from somebody
11 in Southfield because they see a Detroit Police car
12 sitting out there.

13 This person calls, cops go out -- I'm sorry.
14 Sergeant Ayala and Sergeant -- I think it was Peil go
15 out there, they don't find anything, they come back.
16 They track down which the car was, they call
17 Lorenzo Jones. There's some stuff going back and
18 forth; that's what this case turns out to be.

19 When they call him for an Internal Affairs
20 interview, he said, "This is what I did. I had to take
21 my kid -- my son some tax issues. Yeah, I didn't put
22 it on there but my violations --" I'm sorry -- "my
23 obligations are according to the secondary employment
24 are I call in when I get there, and I call in when I
25 get out to dispatch."

1 There are no requirements in the regulations
2 of the Secondary Employment of anybody, whether it be
3 Lorenzo Jones or anybody else on there, that they have
4 to notify everybody of every step they take; that's not
5 there. Nothing. Okay. Give him his one day and let's
6 all move along. But that's from that program.

7 The third part is, when he talks about the
8 false statements, this is a very serious matter.
9 Because when false statements get on somebody's record
10 -- and these aren't false statements because they're
11 omissions -- then it turns around to saying, "Well,
12 okay, we're -- you can't be testifying under those
13 things."

14 And what's interesting about this is the
15 Department -- I'm sorry -- the Board Secretary pointed
16 out -- or attorney, excuse me, pointed out, well, he
17 omitted that there was somebody in the car, he omitted
18 an investigation. That's not a violation of the rules
19 and regulations of the Department; that's not a
20 violation of Secondary Employment. Only when you put
21 on a log sheet do you investigate somebody. Are you
22 supposed to make an entry?

23 If I stop and talk to somebody or I spend
24 some time with my kid, even if in violation because I'm
25 not in my proper patrol, there's no obligation for me

1 to put that on my activity log. And we have a
2 situation here where there's no obligation to put him
3 on that, nor is there any obligation under the
4 Secondary Employment rules to put his other locations
5 on that log. So there's no omission. There was no
6 lies. There was no knowing of a false statement.

7 And I think this is what the Captain was
8 talking about, if we're going to discipline somebody,
9 discipline somebody. But you want to discipline --
10 now, what you want to do is say, "Well, we weren't
11 paying you. And we weren't paying you on this period
12 of time." And I -- my understanding was, of course,
13 due to a reduced rate for the pension and those things,
14 which is fine. This is great for the opportunity of
15 our members.

16 But, "Not only weren't we paying you but we
17 now want to take 16 days from you at your rate of pay
18 as a veteran police officer." We didn't violate these
19 people's rules. How can you punish me under your
20 rules?

21 Clearly, this should never have been brought
22 before the Board. It should never -- and I raised
23 those objections at the time. They did not have
24 standing under these procedures and I would suggest
25 that this Board should set this entire matter aside or

1 if -- on the other hand, if you want to give him one
2 day for not being on patrol, fine; that's perfect.
3 Let's end this and let's get him back on Secondary
4 Employment.

5 Or the other alternative is say nothing,
6 we're not going to -- though, of course, I would hope
7 you would set aside that false statement charge and the
8 other -- the charge. But rather than do that, he's
9 getting nothing, he's lost that time and the
10 opportunity to make that money and put him back in the
11 program now. Thank you.

12 THE CHAIRPERSON: Thank you, sir.
13 Commissioners?

14 MS. BERNARD: Ms. McCoy-O'Neill, is she
15 present?

16 THE CHAIRPERSON: Yes.

17 MS. BERNARD: Sergeant.

18 THE CHAIRPERSON: Okay. Thank you.

19 MS. BERNARD: She's the advocate for the
20 Department.

21 THE CHAIRPERSON: Okay.

22 MS. BERNARD: Sergeant.

23 MS. MCCOY-O'NEILL: Thank you.

24 MS. BERNARD: Thank you.

25 MS. MCCOY-O'NEILL: At first, I'd like to

1 point out just a few things in respect to Secondary
2 Employment and the Department. Secondary Employment is
3 not mandatory, it's a privilege. We're representing
4 the Department, we're in uniform, we're in a scout car
5 but we are working Secondary Employment. It's a
6 separate entity from it.

7 However, we are governed by the rules of the
8 Department 24/7. Regardless of whether we're working
9 Secondary or we're working a second job that we may
10 have found on our own, we are still governed by the
11 rules and regulations of our Department, and that is if
12 we're off duty or we're working.

13 Officer Jones had the opportunity to not go
14 to Secondary Employment. If he knew that he had other
15 things to do, he could have said, "I'm not going to
16 work today" and there's no penalty involved in that; he
17 could have done that. He chose to go to work.

18 The statement that it was omissions on his
19 activity log, it's not just omissions because he didn't
20 say, "I went to Southfield" or "I went to Dearborn",
21 what he did do is he said, "I was at my post", that
22 there were no problems there. "I was over here doing
23 my job, what I was supposed to be doing." He didn't
24 say, "I went to Fairlane to pick up my son or nephew."
25 He said, "I'm on my post." That is not an omission,

1 that's a fabrication, that's an out-and-out lie.
2 Because you -- you wrote down that you were someplace
3 that you weren't and you knew that you weren't.

4 Also, in addressing the manual, there are at
5 least 30 different references in our Detroit Police
6 Department's manual that governs Secondary Employment.

7 And also I'd like to point out -- excuse
8 me -- that Officer Jones is still working and he was
9 not penalized, he did not lose his pay. He lost the
10 privilege to work Secondary. And that's not a penalty.
11 The penalty would be when the decision of the Trial
12 Board reached and said, "You will be suspended for 16
13 days for violating Department policy", that is the
14 penalty. And when he does serve that, that is when he
15 is penalized. Up until now, he hasn't been penalized.

16 He is being prohibited from participating in
17 the Secondary Employment Program. But, if he wants to
18 go out on his own and find a second job, he can. This
19 was something that was provided to the Department in a
20 way to help ease some of the financial burdens that the
21 officers had incurred with some of the issues that the
22 City had.

23 The City went out and collectively got
24 vendors that wanted to hire officers. And I can't take
25 an officer that is actually working and have him sit in

1 my parking lot or in my building because he's got to be
2 out there answering police runs. But there's an
3 opportunity presented that officers could be there,
4 will do it on Secondary Employment status.

5 So to say that he was penalized, no, he
6 wasn't penalized. He violated the trust that we placed
7 in him. We tell officers that you can work Secondary,
8 they have the rules and regulations that they're going
9 to work with and we're guaranteeing these companies
10 that our officers will be there. That's why they're in
11 uniform, that's why they're in a scout car; to present
12 the presence of an officer.

13 The citizens don't know that I'm not working
14 my DPD job. They see a scout car and a uniform, they
15 think it's the Detroit Police, and that's what we
16 wanted them to have. We wanted the presence there.

17 We don't want the presence of the scout
18 car -- our uniformed officer parked in a back alley in
19 Southfield where you've got people calling and
20 complaining, "Hey, do you know there's a scout car out
21 here and has been out here for a number of hours", we
22 don't want the scout cars driving around in Fairlane.
23 We don't want them anywhere else but where they're
24 supposed to be; and that is what he was in violation
25 of. He did not follow those rules or instructions.

1 Thank you.

2 MR. GOLDPAUGH: Just respond to it?

3 THE CHAIRPERSON: Yes, sir.

4 MR. GOLDPAUGH: He has been punished.

5 "Eligibility of members, the ranks of police officer"
6 and then it goes on to other words. "Members will be
7 eligible to participate in a Secondary Employment
8 Program, if any of the following" -- I'm sorry -- "will
9 be ineligible if any of the following circumstances or
10 statuses exist: Probationary officer, Family Medical
11 Leave Act, currently suspended or loss of law
12 enforcement authority." Okay?

13 You get suspended five days, ten days,
14 whatever it is, you can't work on those days. Okay?

15 "On attendance control, extended sick leave,
16 no gun status or receive discipline" and here's a good
17 one.

18 So without those, Officer Lorenzo Jones and
19 other officers go in and apply for the program.

20 Ineligible. If I am unilaterally removed
21 from that program and not allowed to participate in one
22 which I have qualified for and which you, through this
23 plan, have put disqualifying matters in, I've been
24 punished. Because these are all scheduled
25 appointments. These are all scheduled work.

1 When you go into the ineligibility, "Receive
2 disciplinary action after exhausting all administrative
3 remedies, the Board, resulting in a penalty of ten days
4 or more." If I'm on secondary employment and I get ten
5 days for a legitimate suspension, I have to notify my
6 Secondary employer.

7 Similarly, if any of those previous ones
8 appeared, all of a sudden I have to go on Family
9 Medical Leave Act, I'm no longer eligible for Secondary
10 Employment. It falls on me and my obligation as the
11 officer to tell them I'm not eligible. And you know
12 what happens if I don't tell them? I get disciplined
13 for it. It says it right here. The Department has
14 totally removed itself from being able -- from
15 disciplining people that are -- for actions that occur.

16 Sergeant McCoy-O'Neill has said all these
17 wonderful things and I agree with that. Because how
18 did that person know that he was out screwing around?
19 He didn't know. And that's why --

20 THE CHAIRPERSON: Okay. I --

21 MR. GOLDPAUGH: I rest. I just wanted to
22 address that. Thank you.

23 THE CHAIRPERSON: Thank you.

24 MS. BERNARD: My recommendation, I stated
25 earlier and it's stated in our -- in your document,

1 one, the Trial Board's finding for guilt for Charges 1
2 through 3 and Specifications 1 through 3 be affirmed;
3 two, that the Petitioner be permitted to reapply for
4 the Secondary Employment Program immediately; and
5 three, that the suspension without pay for 16 days be
6 affirmed based on the Petitioner's disciplinary
7 history, the grievousness of the offense, Petitioner's
8 callus disregard for Department rules and regulations
9 while in full uniform and in a marked vehicle, picking
10 up and riding family members around in two
11 jurisdictions, Southfield and Ferndale (sic), outside
12 the City of Detroit.

13 Because of the damage to the representation
14 of the City and the Department and the business
15 community, if DPD officers are viewed as unreliable and
16 as cheaters, pursuant to the Secondary Employment
17 Contract that DTE and other employers enter into with
18 the City, the fact at that time Petitioner's actions
19 subjected the Department to ridicule and distain, a
20 marked car parked behind a building in the suburbs for
21 three hours, that Officer Jones' dishonesty in filing
22 patently false reports, he obviously intended to get
23 away with his fraud and probably would have, but for
24 the anonymous citizen complaint, which led Internal
25 Affairs to view the video-cam and audio microphones,

1 which he didn't know were on at the time in his
2 vehicle.

3 Does the Commissioners have any questions of
4 counsel, either counsel?

5 MR. MOORE: Through the Chair, I do have one
6 question.

7 THE CHAIRPERSON: Yes, sir?

8 MS. BERNARD: Which person do you want?

9 MR. MOORE: For Sergeant O'Neill-McCoy (sic).

10 MS. BERNARD: Sergeant.

11 MS. McCOY-O'NEILL: Yes, sir?

12 MR. MOORE: The recommendation that the
13 Captain gave, have those been implemented or are they
14 being considered?

15 MS. McCOY-O'NEILL: They're being considered.
16 They're possibly rewriting some of it. It's pretty
17 clear in our manual and in -- in the Secondary
18 guidelines. But just in case there was any confusion,
19 I mean, the things that Officer Jones is being charged
20 with are blatantly in there, that he should not have
21 been doing them; that -- that's very clear.

22 But we want to make it clear, there is some
23 issue with the officers believing that Secondary
24 Employment is almost like working overtime for the
25 Department and you just carry on and keep going and,

1 with time issues, but nothing like this.

2 MR. MOORE: My final question: What entity
3 in the Department is doing the clarification or the
4 look?

5 MS. McCOY-O'NEILL: The Secondary Employment
6 Program.

7 MR. MOORE: Okay.

8 MS. McCOY-O'NEILL: That whole unit.

9 MR. MOORE: Thank you.

10 THE CHAIRPERSON: Commissioner.

11 MR. WHITE: Thank you, Mr. Chair.

12 Sergeant, has the officer's employment been
13 restored, so he is currently on duty?

14 MS. McCOY-O'NEILL: Yes, he was never taken
15 off duty.

16 MR. WHITE: Okay.

17 MS. McCOY-O'NEILL: He just was prohibited
18 from working the Secondary Employment part.

19 MR. WHITE: Okay.

20 MS. McCOY-O'NEILL: He didn't lose his pay,
21 his regular -- his regular job duties. He's still been
22 going to work, he's still working, getting a paycheck,
23 everything else. It's his Secondary Employment that
24 was affected.

25 MR. WHITE: Thank you. And if you could, if

1 you could speak to Attorney Goldpaugh's stance that
2 there's nothing currently in the Secondary Employment
3 policy that would prevent an officer who's been
4 restored to serving. How would -- could you -- if you
5 could revisit how is that not punitive to an officer
6 who is currently employed but not working, given that
7 there's some changes that needs to be made to the
8 policy that have not been implement as of yet?

9 MS. McCOY-O'NEILL: I'm -- I'm not sure what
10 you're asking because he's still working. He was never
11 not working.

12 MR. WHITE: But he's not working Secondary
13 Employment now?

14 MS. McCOY-O'NEILL: He's not working
15 Secondary.

16 MR. WHITE: So that's what I want to get to.
17 Is there anything, from your perspective, that's in the
18 Secondary Employment policy, as it currently lies, that
19 speaks to this individual's situation that would
20 prevent him from not being able to work Secondary
21 Employment. Because, if I'm hearing Attorney Goldpaugh
22 correctly, he wants to work secondary employment --

23 MS. McCOY-O'NEILL: Uh-huh.

24 MR. WHITE: -- but is being prohibited from
25 working Secondary Employment.

1 MS. McCOY-O'NEILL: Only because of this,
2 this situation here. If you adopt and he is suspended
3 for the 16 days, anyone that is -- has a 16 -- or a
4 ten-day or more suspension within that year period is
5 not allowed to work Secondary for a 12-month period.

6 MR. WHITE: Okay.

7 MS. McCOY-O'NEILL: I don't know if that --

8 MR. WHITE: That answers.

9 MS. McCOY-O'NEILL: Oh, okay.

10 MR. MOORE: So I have a point -- through the
11 Chair, a point of clarification. What's considered a
12 suspension; at the point at which the Trial Board
13 decides or the point in which the final authority has
14 given for a suspension?

15 MS. McCOY-O'NEILL: It would be the final
16 authority because he appealed it. So it would have
17 been with the Trial Board but he did appeal it so it's
18 not done yet until you guys are done.

19 THE CHAIRPERSON: Any other Commissioners?

20 MR. CRAWFORD: Yes. Through the Chair.
21 Sergeant, something you stated earlier, Secondary
22 Employment and the Vendors that, I guess, are through
23 the Detroit Police Department. But something you said
24 earlier, I need a point of clarification. And that is
25 he could work another -- he can work somewhere else?

1 MS. McCOY-O'NEILL: Uh-huh.

2 MR. CRAWFORD: And -- but that would be with
3 the approval of the Department?

4 MS. McCOY-O'NEILL: With the approval of the
5 Chief.

6 MR. CRAWFORD: So if --

7 MS. McCOY-O'NEILL: If he wants to go out and
8 find another job and work a second job, there's
9 provisions in our manual for how you want to work.
10 There are certain things that you can't do; you can't
11 work in a bar and that sort of stuff. But he could
12 theoretically go out and find another job if he wanted
13 and, with the approval of the Chief, work his second
14 job, as long as it doesn't interfere with his primary
15 duties as an officer.

16 MR. CRAWFORD: Thank you.

17 MS. DEWAEELSCHÉ: May I --

18 THE CHAIRPERSON: Yes, ma'am.

19 MS. DEWAEELSCHÉ: -- ask a question similar to
20 that. But he would not be allowed to use the uniform,
21 the car --

22 MS. McCOY-O'NEILL: No.

23 MS. DEWAEELSCHÉ: -- nothing; it would be on
24 his own?

25 MS. McCOY-O'NEILL: It would be on his own.

1 This is -- the Secondary Employment is almost like a
2 job fair kind of thing, you know, where they provide
3 the jobs for you and you sign up and you say, "I want
4 to work this one" or "that one" and you just go and you
5 represent the Department in it.

6 THE CHAIRPERSON: Sergeant, this program been
7 in existence how long?

8 MS. DAVIS-DRAKE: Since May of 2011.

9 MS. McCOY-O'NEILL: May 2011.

10 THE CHAIRPERSON: And this is something that
11 officers fought long and hard to get?

12 MS. McCOY-O'NEILL: Exactly.

13 THE CHAIRPERSON: And the other cities have
14 it.

15 MS. McCOY-O'NEILL: Uh-huh.

16 THE CHAIRPERSON: And in other words, what
17 you're saying, it's not a right, it's a privilege.

18 MS. McCOY-O'NEILL: It's a privilege that
19 they fought for.

20 THE CHAIRPERSON: It's a privilege and also
21 this is really an issue of primary concern because this
22 Department allowing this program and the business rely
23 on us in terms of DPD personnel, DPD equipment and et
24 cetera, et cetera.

25 MS. McCOY-O'NEILL: Exactly.

1 THE CHAIRPERSON: And the obligation of a
2 person riding in a scout car without being authorized,
3 there's a liability issue; is that correct?

4 MS. McCOY-O'NEILL: Correct.

5 THE CHAIRPERSON: So there are consequences.

6 MS. McCOY-O'NEILL: Uh-huh.

7 THE CHAIRPERSON: And so we don't really need
8 a black eye, in terms of this program is something been
9 birthed not too long ago.

10 MS. McCOY-O'NEILL: Um-hmm.

11 THE CHAIRPERSON: And we're trying to
12 really -- with the issue about public safety, we're
13 really trying to promote this, in terms of Secondary
14 Employment. A person has always had a right to engage
15 employment, as long as the Chief approve it --

16 MS. McCOY-O'NEILL: Right.

17 THE CHAIRPERSON: -- and it does not
18 interfere with their duty and responsibility. That's
19 been the history of that type of opportunity. But this
20 is something that I know the officers were looking
21 forward to. Because I know in other cities, like
22 Atlanta, Georgia --

23 MS. McCOY-O'NEILL: Lots of cities were.

24 THE CHAIRPERSON: -- and other cities and the
25 Council, they weighed it on the liability for quite

1 some time.

2 MS. McCOY-O'NEILL: Uh-huh.

3 THE CHAIRPERSON: And I just not -- I mean,
4 they study us to death --

5 MS. McCOY-O'NEILL: Yes.

6 THE CHAIRPERSON: -- in terms of taking on
7 this responsibility because it's a great liability and
8 a legal issue; that's why they pretty much --

9 MS. McCOY-O'NEILL: Uh-huh.

10 THE CHAIRPERSON: -- did not really promote
11 it in a way.

12 MS. McCOY-O'NEILL: Right.

13 THE CHAIRPERSON: So now that we have it --
14 so thank you.

15 MR. CRAWFORD: Excuse me.

16 THE CHAIRPERSON: Yes, sir.

17 MR. CRAWFORD: Through the Chair, I was at
18 the very forefront of this issue back, some 15, 16
19 years ago. Because, as a matter of fact, I brought
20 this issue to the Detroit Police Department because I
21 engaged in an activity during my employment with
22 Atlanta PD for five years. And I thought -- and I went
23 to Council a number of times, you know, a number of
24 times. So I'm just so glad that we do have a program
25 available.

1 MS. McCOY-O'NEILL: And the officers,
2 generally love it. I mean, it helps them, in a lot of
3 places, keep their homes and everything.

4 THE CHAIRPERSON: I understand that extra
5 income --

6 MS. McCOY-O'NEILL: Is much needed.

7 THE CHAIRPERSON: -- can be utilized. It's
8 somewhat more of a safety factor versus out there on
9 your own.

10 MS. McCOY-O'NEILL: Yeah.

11 THE CHAIRPERSON: So I look at this as being
12 something sacred, in terms of having an opportunity to
13 work.

14 MS. McCOY-O'NEILL: Uh-huh.

15 THE CHAIRPERSON: So thank you. I don't have
16 any more MO questions.

17 MS. CARTER: I have a question.

18 THE CHAIRPERSON: Yes.

19 MS. CARTER: Through the Chair, the number of
20 days for suspension, 16 days?

21 MS. McCOY-O'NEILL: Yes, ma'am.

22 MS. CARTER: And that's based on?

23 MS. McCOY-O'NEILL: All of the different
24 charges?

25 MS. CARTER: All of the --

1 MS. McCOY-O'NEILL: Uh-huh.

2 MS. CARTER: And not his history of
3 discipline taking is a factor?

4 MS. McCOY-O'NEILL: Well, they take the
5 history into consideration but, you know, they assign
6 dates for each individual charge.

7 MS. CARTER: Thank you.

8 MR. BURTON: Through the Chair, I got two
9 questions for the Sergeant. First question is, how
10 long was the officer enrolled into the Secondary
11 Program?

12 And the second question would be, does the
13 officer sign some type of bond procedure or something
14 when they enter the program?

15 MS. McCOY-O'NEILL: I can't speak on the
16 first; I don't have that number for you, I'm sorry.

17 However, on the second part, yes, they have
18 to sign up for it and there is paperwork that they go
19 through and they sign, it's online. They have to go
20 through clearances and they have to meet all of their
21 requirements before they're even allowed to bid on the
22 jobs that are posted.

23 MS. CARTER: So the job -- I'm sorry.

24 Through the Chair, the jobs are bid?

25 MS. McCOY-O'NEILL: Well --

1 MS. CARTER: Are some -- are some?

2 MS. McCOY-O'NEILL: Because they -- the
3 Secondary doesn't pick who will actually work. Like I
4 can't work Secondary and say, "Oh, you get to work it",
5 there is -- they post all the jobs that are available,
6 all the people that want officers on their jobs. And
7 you can go in and say, "I want to work the DTE Energy
8 job. I want to do it on Monday and Wednesday" because
9 those are my free days and I can work it in on those
10 days. So I bid on it and that's the job that I put in
11 for and I'll try and get.

12 MS. CARTER: Thank you.

13 THE CHAIRPERSON: If there's no other
14 questions or concern, we can move to the point of the
15 issues on Page 2.

16 MS. McCOY-O'NEILL: Okay.

17 THE CHAIRPERSON: And perhaps we can
18 entertain A, B and C. Perhaps, we can do one at a
19 time. Would that be appropriate?

20 If we look at Central Issue Number (sic) A,
21 whether the Board of Commission should uphold decision
22 discipline action and penalty of the Trial Board?

23 The recommendation of the Attorney to the
24 Board is yes, affirm the decision of the Trial Board or
25 guilt on all charges and the penalty of 16-day

1 suspension.

2 So the Chair would entertain a motion to
3 address this particular issue A at this time. Would
4 that be appropriate?

5 MR. MALLETT: Mr. Chairman, Conrad Mallett.

6 THE CHAIRPERSON: Yes, sir?

7 MR. MALLETT: So move.

8 MR. CRAWFORD: Support it.

9 THE CHAIRPERSON: It's been properly moved
10 and supported that we uphold the recommendation of the
11 Attorney to the Board.

12 Question. Those in favor, "aye".

13 BOARD MEMBERS: Aye.

14 THE CHAIRPERSON: Those opposed?

15 Motion carry. Thank you.

16 The next item would be B, a second issue
17 raised in Petitioner's Brief is, when working in the
18 Secondary Employment Program for a Vendor approved by
19 DPD, is he subject to the same standards as he would if
20 working on a routine DPD assignment?

21 The recommendation is yes, officer working
22 Secondary Employment are still acting as DPD officers
23 at all times and are subject all DPD rules and policy.
24 Recommendation consistent with the Trial Board. What
25 is your pleasure with reference to that particular

1 item?

2 MR. MOORE: So move.

3 MR. MALLETT: Support.

4 THE CHAIRPERSON: It's been properly moved
5 and supported. Are we ready for the question? Those
6 in favor, "aye".

7 BOARD MEMBERS: Aye.

8 THE CHAIRPERSON: Those opposed?

9 Motion carry.

10 The third issue, C, a third issue raised in
11 Petitioner's brief is, whether a member can be
12 prohibited/suspended from participation in the
13 Secondary Employment Program during an investigation of
14 conduct prior to final determination by the Chief and
15 the BOC regarding misconduct and with the same Council
16 to discipline?

17 Recommendation, yes. Suspension during an
18 investigating or in an improper activity or being told
19 you cannot participate in the activity is generally
20 proper in most circumstances. Inability to participate
21 in activities during the pendency of an investigation,
22 in respect of how long it takes, does not constitute
23 discipline. This recommendation, consistent with that
24 of the Trial Board.

25 Provided, however, because the suspension can

1 be effective for more than one year while the case was
2 being adjudicated, my recommendation is that Petitioner
3 be allowed to apply for participation in Secondary
4 Employment immediately.

5 MR. MALLETT: Mr. Chairman.

6 THE CHAIRPERSON: Yes, sir?

7 MR. MALLETT: Conrad Mallett. As I
8 understand it, from questions asked by my fellow
9 Commissioners, the 16-day suspension is about to occur
10 once we -- in fact, now that we've adjudicated this
11 matter.

12 The second portion of it, then, if I
13 understood the Attorney for the Police Department
14 correctly, as she reads the rules and regulations, then
15 the suspension associated with the finding that we just
16 made would begin at the time that the finding -- that
17 the final decision occur.

18 So, Mr. Chairman, I would disagree, then,
19 with the recommendation of the -- made by Attorney
20 Bernard and would say that the suspension and the
21 inability to work the Secondary work Program would be
22 coterminous with the beginning of the 16-day suspension
23 that we've just approved. So that the suspension
24 during the investigation is just what it was,
25 Mr. Chairman, a suspension during the investigation.

1 The suspension associated now with the imposition of
2 the punishment for the infractions, that would begin
3 going forward now.

4 So that's my motion, Mr. Chairman.

5 THE CHAIRPERSON: Is there support for the
6 motion?

7 BISHOP VANN: Support it.

8 MR. MOORE: Support.

9 THE CHAIRPERSON: It's been properly moved
10 and supported that we entertain this motion. So those
11 in favor -- or I am sorry. Ready for the question?

12 MR. WHITE: One question.

13 THE CHAIRPERSON: Yes, sir? A question on
14 the motion.

15 MR. WHITE: Just a point of clarification,
16 Mr. Chair. If we could have whether it's our Council
17 or another to speak to the nature of egregiousness,
18 which is an issue we've dealt with as a body as it
19 relates to suspension without pay.

20 And ultimately I think we're saying that this
21 individual would be suspended, given that there is no
22 other jobs that he can do. And if he's going to be
23 returning to the Department --

24 And I don't know, Counsel, or Mr. Goldpaugh,
25 I know we've dealt this issue as an issue before of

1 whether this rises to the egregiousness that he can do
2 nothing in the Department, which secondary employment
3 would fall under, in terms of anything.

4 MR. GOLDPAUGH: If you don't mind, since I
5 think I know.

6 MS. BERNARD: Okay. Go ahead and then I'll
7 respond.

8 MR. GOLDPAUGH: With the egregiousness, this
9 is not the type of where we have had Article IX
10 hearings before where, no matter what, even, he can
11 never come back and be a police officer again.

12 MS. BERNARD: Um-hmm.

13 MR. GOLDPAUGH: That's not the issue.

14 MS. BERNARD: No.

15 MR. GOLDPAUGH: But I think the
16 recommendation by the Board was indicating that there
17 are no provisions -- and correct me if I'm wrong -- for
18 the secondary employer, under this, to unilaterally
19 tell Officer Jones or Officer Goldpaugh that they
20 cannot work in the Secondary Employment area, absent
21 one of those provisions that I read that occurred here.
22 So the Department, only after he receives the ten-day
23 suspension, can they remove him or he has to
24 self-report removal from the Secondary Employment.

25 So for this past year, let's say he worked

1 one day a month or two days a month Secondary
2 Employment, he would have been working that and gaining
3 that. I think the recommendation that's been made is
4 that, at this time, because this investigation took so
5 long to get to its fruition, while he was unable to
6 earn that, that we are waiving, for this case, any type
7 of claim that now the removal for the one-year period
8 is going to start once we implement this 16 days. In
9 other words, it's implemented today. He will now, if
10 this had gone properly -- I mean --

11 MS. BERNARD: Right.

12 MR. GOLDPAUGH: -- he would then be
13 ineligible to enter the program for another year. What
14 I believe the intention was, he was already off that
15 year, which he would have lost because of ten days --
16 or greater than ten days so let's not require that
17 under this circumstance. Did I address that right?

18 MS. BERNARD: That's correct. That's
19 correct.

20 MR. GOLDPAUGH: Okay.

21 MS. BERNARD: That it would not be
22 coterminous, Mr. Mallet; that it would be suspended,
23 essentially, that he would not have an additional
24 suspension, if you will, from secondary employment.
25 That he would serve his 16 days, after he serves those

1 16 days, this Board has the authority to allow him to
2 engage in Secondary Employment again. He would not be
3 subject to the rule that says, if he's had a suspension
4 for more than ten days, then he is not eligible for
5 another year, which would take him into 2016.

6 THE CHAIRPERSON: Well, any other questions
7 in reference to the motion? The motion's on the floor.
8 So any other questions or concerns in reference to this
9 motion?

10 Therefore, those in favor of the motion
11 "aye".

12 BOARD MEMBERS: Aye.

13 THE CHAIRPERSON: Those opposed?

14 BOARD MEMBERS: Opposed.

15 MR. MALLETT: Do you want to do a roll call?

16 THE CHAIRPERSON: Mr. Anthony, would you
17 conduct a roll call --

18 MR. ANTHONY: Roll call.

19 THE CHAIRPERSON: -- vote.

20 MR. ANTHONY: Thank you. Commissioner Lisa
21 Carter?

22 MS. CARTER: Opposed.

23 MR. ANTHONY: Commissioner Willie Burton?

24 MR. BURTON: Opposed.

25 MR. ANTHONY: Commissioner Reginald Crawford?

1 MR. CRAWFORD: Opposed.

2 MR. ANTHONY: Commissioner Eva Garza
3 Dewaelshe?

4 MS. DEWAELSCHE: Aye.

5 MR. ANTHONY: Commissioner Conrad Mallett?

6 MR. MALLET: Aye.

7 MR. GOLDPAUGH: Excuse me. If I may -- and I
8 didn't mean to interrupt the roll call. Which --

9 MS. BERNARD: They're voting on Mr. Mallett's
10 motion.

11 MR. GOLDPAUGH: Okay. I wasn't sure --

12 MS. BERNARD: Yes.

13 MR. GOLDPAUGH: -- if it was Mr. Mallett's or
14 the recommendation. Thank you.

15 MS. BERNARD: No. Mr. Mallett's the only
16 motion that's on the floor.

17 MR. GOLDPAUGH: Okay. I apologize.

18 MR. ANTHONY: Commissioner Ricardo Moore?

19 MR. MOORE: Aye.

20 MR. ANTHONY: Commissioner Jessica Taylor?

21 MS. TAYLOR: Opposed.

22 MR. ANTHONY: Commissioner Bishop Edgar Vann?

23 BISHOP VANN: Aye.

24 MR. ANTHONY: Commissioner Donnell R. White?

25 MR. WHITE: Opposed.

1 MR. ANTHONY: Commissioner Willie Bell?

2 THE CHAIRPERSON: Aye.

3 MR. ANTHONY: Mr. Chair, you have a split,
4 five to five.

5 MR. GOLDPAUGH: Can we step aside for a
6 second?

7 THE CHAIRPERSON: Yes, sir.
8 We'll pause for a minute.

9 MR. MALLETT: I just get very concerned about
10 a patchwork set of decisions. And so then what happens
11 is, is that we get hung up on, well, the Board of
12 Police Commissioners last month, when confronted with
13 this, you behaved this way.

14 THE CHAIRPERSON: Right.

15 MR. MALLETT: This month, when confronted
16 with that, you're doing -- if -- it's -- I get it that
17 the old line is "Consistency is a demonstration of a
18 small mind" but in a public body like this, where we've
19 got people's careers on the line, the expectation that
20 we would behave in an appropriate matter every single --
21 not that we're behaving inappropriate but that there
22 would be some predictability, Mr. Chairman, associated
23 with the decisions that we would make I think would be
24 helpful to the entire enterprise. That's just my
25 observation.

1 MR. GOLDPAUGH: May I?

2 THE CHAIRPERSON: Yes, sir.

3 MR. GOLDPAUGH: I think the problem we have
4 here, in all honesty, is the unilateral operations and
5 actions of the Sergeant. And whatever her name is, I
6 don't recall, and I don't say that out of disrespect.

7 But what she did was create this problem.
8 She created the problem, not because she did an
9 investigation and my arguments about where it should
10 have been. But because she, on her own, decided to
11 remove this individual from a program without it
12 meeting the reasons for the ineligibility, which are
13 set forth right there in the program.

14 And I think that the Department and the
15 Board's attorney is trying to rectify those errors on
16 her part.

17 THE CHAIRPERSON: Do you think the Sergeant
18 acted alone in reference to this particular matter
19 to --

20 MR. GOLDPAUGH: Yes. Because she is the one
21 who removed him from the eligibility in the Secondary
22 Employment Program.

23 THE CHAIRPERSON: I understand that. She is
24 the commanding officer.

25 MR. GOLDPAUGH: She was the Sergeant. I don't

1 know if she --

2 THE CHAIRPERSON: Well --

3 MS. BERNARD: If I may, Your Honor, her
4 Lieutenant ordered her to have him suspended at the
5 time.

6 MR. GOLDPAUGH: Whoever it is.

7 MS. BERNARD: But let me simply indicate
8 that, while an investigation is intending, to permit a
9 person to continue doing the same thing really makes no
10 sense. The pattern and practice of the Department is
11 that, when you are being investigated, that you -- so
12 to speak, you stand down, you're not allowed to
13 participate in whatever that activity was.

14 MR. MALLETT: Exactly.

15 MS. BERNARD: That's the way every business
16 operates --

17 MR. MALLETT: Exactly.

18 MS. BERNARD: -- pending an investigation.

19 MR. MALLETT: Right.

20 MS. BERNARD: That's what the Sergeant did.
21 And the Lieutenant, her boss, ordered her to do that.

22 THE CHAIRPERSON: I don't think it's an issue
23 of a Sergeant or Lieutenant. I think it's Department
24 policy initiated, in terms of following the order of
25 the Chief of Police, in terms of that process. So --

1 MR. GOLDPAUGH: And I agree with this.

2 THE CHAIRPERSON: Let's not blame the
3 Sergeant, in terms of --

4 MR. GOLDPAUGH: I'm not blaming -- I mean I'm
5 blaming the system.

6 THE CHAIRPERSON: Okay.

7 MR. GOLDPAUGH: Whether it's the Sergeant or
8 Lieutenant.

9 THE CHAIRPERSON: Okay.

10 MR. GOLDPAUGH: Because they were wrong in
11 removing the officer, whether it be Lorenzo Jones, they
12 have done it to others as well but not -- and we've got
13 them resolved. But they were wrong in removing Lorenzo
14 Jones from the program before he become ineligible.

15 If they wanted to put in the program, "If you
16 are being investigated for alleged violations of the
17 rules and regulations of this -- of Secondary
18 Employment then you will not be able to do that until
19 it's completed", I've got some problems with that.

20 But it's very clear how you become
21 ineligible. And you become ineligible by getting ten
22 days or greater suspension, which doesn't even have to
23 be part of the Secondary Employment. So I think that
24 what --

25 MS. BERNARD: Linda.

1 MR. GOLDPAUGH: -- Linda. I'm sorry --
2 was doing -- or Sabrina was doing was attempting to
3 rectify that by saying, because the year has already
4 been lost to eligibility, he should be able to apply
5 once he completes the 16 days.

6 MR. WHITE: Mr. Chair, a pint of order.

7 THE CHAIRPERSON: Yes, sir?

8 MR. WHITE: I believe we're speaking to a
9 debate that you've already closed.

10 THE CHAIRPERSON: Yes.

11 MR. WHITE: And we should be speaking to a
12 motion, as per Robert Rules, if there is a tie on a
13 vote that meets the floor, that motion then fails. So
14 I believe there is a need for another motion, if you --
15 if the issue deserves to be debated any further.

16 THE CHAIRPERSON: You are correct. It's a
17 tie so, therefore, the motion failed, did not carry
18 today. So I guess we can close out argument. The
19 issue is not before the attorneys, the issue is with
20 the Board, in terms of entertaining to dispose of this
21 matter.

22 MR. WHITE: Just another point of order to
23 Mr. Chair. So the motion that was brought forth was a
24 motion to reject the recommendation of the Counsel,
25 which was defeated by a tie vote. So there would be

1 and can be another motion. And, as such, I would make
2 the motion that we support the Counsel's
3 recommendation, which may ultimately lead us, again,
4 into another deadlock but I would offer that.

5 And furthermore, Mr. Chair -- and again
6 someone can correct me if I'm wrong. But the Chair
7 should vote in the presentation of a tie and I believe
8 you casted a ballot for the motion previously. And I
9 don't know if someone can weigh in on that or not.

10 MS. BERNARD: The Chair is only supposed to
11 vote if there is a tie.

12 MR. WHITE: And that's only to prevent us
13 from a deadlock going forward.

14 THE CHAIRPERSON: I think that's not the
15 case. With our bylaws, the Chair is a voting member on
16 this body and it's not restricted to a tie vote.

17 MR. WHITE: Oh, well.

18 THE CHAIRPERSON: Unless the bylaws stipulate
19 that but that is not the case in terms of how we have
20 operated. And my understanding of it is that the Chair
21 is a voting party.

22 MR. MOORE: Through the chair.

23 THE CHAIRPERSON: Yes, sir?

24 MR. MOORE: I would just like to ask the
25 Department how quick can we get this amendment to the

1 policy so all this could be cleared up?

2 Sergeant McCoy?

3 MR. WHITE: And I'm sorry, Mr. Chair. But I
4 do have a motion on the floor that I put forth.

5 THE CHAIRPERSON: Okay. Let's pause
6 because -- I didn't hear a -- I heard you speak but I
7 didn't hear a second to the motion.

8 MR. WHITE: A motion to support the
9 recommendation.

10 THE CHAIRPERSON: I hear you speak but I
11 didn't hear a motion.

12 MR. ANTHONY: Mr. Chair, he did make a motion
13 to support the Attorney to the Board's recommendation.

14 THE CHAIRPERSON: Well, the motion need a
15 second.

16 MR. CRAWFORD: Second.

17 THE CHAIRPERSON: Okay. All right. It's
18 been properly moved and seconded. Ready for the
19 question?

20 Yes, sir?

21 MR. MALLET: Mr. Chairman, if I may, the --
22 it's very, very clear that all of us, in whatever
23 capacity we operate, frankly, operate in that capacity
24 all of the time. You are not a Detroit Police
25 Department Officer between 9:00 and 5:00 or 3:00 and

1 11:00 or 11:00 and 7:00, you are a member of the
2 Detroit Police Department 24 hours a day, just as I am
3 a member of the Executive Team of the Detroit Medical
4 Center 24 hours a day.

5 So the standards of behavior, no matter where
6 you are, what you do apply. You -- you -- just because
7 you are -- just because, when I leave here, if I were
8 to go home and behave inappropriately, that behavior
9 would -- if it violated a general policy, that the
10 tenant healthcare has, just because I was not on the
11 job at the time that I exhibited behavior would not
12 mean that I was not responsible for my actions.

13 So if you are a member of the Detroit Police
14 Department and you are in a Detroit Police Department
15 vehicle and you have an unauthorized person in that
16 vehicle, it doesn't -- it doesn't matter when or where,
17 what the circumstances are, the infraction is what it
18 is and there will be consequences associated with the
19 infraction.

20 So I don't -- and the point I'm making,
21 Commissioner White, is this: Is that, as Attorney
22 Bernard indicated, you can't have a person in a
23 circumstance doing whatever it is that they were doing
24 when the infraction occurred while the investigation is
25 going on. That is part and parcel, it's just managing

1 the enterprise appropriately.

2 At some point, when there is the imposition
3 of punishment, there then is the imposition of the
4 whatever -- whatever punishment comes with the
5 determination that an infraction occurred. They are
6 separate.

7 And you -- and I don't think that you can --
8 this -- this is very, very different than getting
9 credit for time served. Because the -- this is a
10 situation where an investigation was going on to
11 determine whether or not an infraction had occurred.
12 Once that determination is made, then there is the
13 imposition of the punishment.

14 I just really think that there is a
15 separation between the events and I think that
16 appropriate management of these responsibilities -- and
17 I'm just speaking for myself, obviously -- would
18 require a separation between the two.

19 MS. DEWAELSCHÉ: Mr. Commissioner, if I may.
20 I agree with what Commissioner Mallett is saying and I
21 would just add that I'm looking at the act itself. And
22 you mentioned something, having a young person or
23 another civilian in the car. If something would have
24 happened, say a police action that had to be taken,
25 there would have been a serious liability issue if, you

1 know, a nonpolice officer was in the car, regardless of
2 where it was. So that's what I'm thinking.

3 I'm thinking in terms of the act itself and
4 the severity of it or the potential severity of the
5 act.

6 MR. WHITE: To Mr. Chair, if I could speak in
7 favor of the motion and I am actually in agreement with
8 my colleague's assertion that accountability should lie
9 with the officer. And I think there was the omission
10 of that accountability. Herein lies an opportunity
11 where this body has taken such stance in the past where
12 we've had policies that have been ambiguous, for one
13 reason or another, or instances where investigations
14 have taken as long as they have. You know, we ought
15 not have a yearlong investigation into this case and
16 maybe something rises to that nature.

17 But here we have an opportunity to clean the
18 policy up, which I understand the conversation is
19 moving forward to have that. And if, at such time,
20 they come back and say, "If someone has ever been
21 suspended for 16 days, you can no longer serve", this
22 issue goes away.

23 But here we have a policy that was not clear.
24 We have an individual who has taken responsibility for
25 his actions through being off for a year and ultimately

1 another 16 days coming forth.

2 So I don't think we're trying to absolve him
3 of his responsibilities, other than to give the fact
4 that he has not worked for a year now through the
5 Secondary Employment Program. And we all know the
6 financial needs of members of this Department to do so.
7 And nothing taken away from his own actions which
8 placed him in this situation. Thank you, Mr. Chair.

9 THE CHAIRPERSON: I think another question is
10 in reference to this type of person would be allowed
11 back in the program. You know, I would -- I would have
12 serious issues, in terms of this person continuing,
13 even be considered for Secondary Employment based on --

14 MR. WHITE: I see what you're saying now.

15 THE CHAIRPERSON: And not lock into the past
16 history of this Board. I'm looking at today what we're
17 dealing with. And I know the consequence of the issues
18 at hand, in terms of police officers under scrutiny all
19 over this country. And we try to engage in Secondary
20 Employment to give people an opportunity, then you're
21 out there in Southfield?

22 In reference to that type of conduct, how
23 would the people in the -- business people in Detroit
24 have any confidence that we not deal with this person
25 and not allow him to continue on?

1 So we should not take this very lightly. I
2 think it's a serious consequence when we try to engage,
3 in this day and age, with a public safety issue and
4 we -- there's a loophole. Well, the loophole is that
5 he should not have continued on. And I think the
6 Department -- but and not jeopardize his employment
7 with Detroit Police Department at all. He's been
8 gainfully employed and he jeopardized his income and
9 so, therefore, the burden is on that person.

10 Sure, we can tighten up the loopholes but I
11 think that we have to look at the seriousness of this
12 action. And that's why, you know -- that's my position
13 on it. Any other comments? So --

14 MS. CARTER: I have a question.

15 THE CHAIRPERSON: Yes?

16 MS. CARTER: And I don't know if it's a
17 question or a comment. But after you just spoke to him
18 not -- you feel like he shouldn't be in the program.
19 So what are the ramifications; does he have to go back
20 before -- does he go through some kind of screening
21 again or is he eligible after the year or the 16 days
22 and then the year is served; so what happens after
23 that; will he be eligible?

24 MS. BERNARD: He'll be eligible when the --
25 Sergeant.

1 I'm sorry.

2 MS. McCOY-O'NEILL: Everyone that works
3 Secondary Employment has to apply October 1st, they
4 meet all the clearances and -- and they're able to
5 apply for the different jobs. Anyone that has any of
6 the violations or -- that would nullify them from being
7 with Secondary, he would not be able to work secondary
8 for 12 months because he would be in receipt of a
9 suspension greater than ten days. Or if he was on FMLA
10 or extended sick or disabled or any of those other
11 reasons why, he would not be able to apply for 12
12 months. After that 12 months is up, he can reapply
13 and -- and be back into the program.

14 THE CHAIRPERSON: "To apply" don't mean
15 you'll be accepted, correct; I mean that's another
16 call, right?

17 MS. McCOY-O'NEILL: It's another call.

18 THE CHAIRPERSON: That's another call. Oh,
19 okay. So --

20 MS. McCOY-O'NEILL: But he would be able to
21 apply --

22 THE CHAIRPERSON: Yeah, he can apply --

23 MS. McCOY-O'NEILL: -- for a Secondary job.

24 THE CHAIRPERSON: But that don't mean we will
25 accept that person as being that candidate. So that's

1 something that they would look at, in terms of --

2 MS. McCOY-O'NEILL: Yeah, they don't place
3 any restrictions.

4 THE CHAIRPERSON: Yes, he's eligible.

5 MS. McCOY-O'NEILL: He's eligible.

6 THE CHAIRPERSON: Yeah, we're all eligible.

7 MS. McCOY-O'NEILL: If they pick him --

8 THE CHAIRPERSON: Right.

9 MR. BURTON: So through the Chair.

10 THE CHAIRPERSON: Yes, sir.

11 MR. BURTON: A question for the Sergeant.

12 The officer been out of the program for a year,
13 correct?

14 MS. McCOY-O'NEILL: Um-hmm.

15 MR. MOORE: As of now?

16 MS. BERNARD: About 15, 16 months.

17 MS. McCOY-O'NEILL: Yes.

18 MR. BURTON: Okay. And what's brought before
19 us today is for him to have, what, 16 days off?

20 MS. McCOY-O'NEILL: 16 days.

21 MR. BURTON: I think after the Board, you
22 know, move along with the 16-day suspension, that the
23 Officer should be reinstated back in a Secondary
24 Employment. That's punishment by itself.

25 MR. WHITE: Call for the question, Mr. Chair.

1 MS. McCOY-O'NEILL: He's being punished for
2 department violation.

3 THE CHAIRPERSON: Yes?

4 MR. WHITE: Call for the question.

5 THE CHAIRPERSON: The question had been
6 called for. So, therefore, those in favor of the
7 motion, "aye".

8 BOARD MEMBERS: Aye.

9 THE CHAIRPERSON: Those opposed?

10 BOARD MEMBERS: No.

11 THE CHAIRPERSON: Mr. Anthony, would you
12 conduct a roll call, please.

13 MR. ANTHONY: Commissioner Lisa Carter?

14 MS. CARTER: Yes. I'm sorry.

15 MR. ANTHONY: Commissioner Willie Burton?

16 THE CHAIRPERSON: I'm sorry. Hold on.
17 Pause.

18 MS. DAVIS-DRAKE: No, I was just saying,
19 perhaps you can restate the motion.

20 THE CHAIRPERSON: Could you?

21 MR. WHITE: Mr. Chair, the motion is to
22 support the recommendation of Counsel.

23 MR. ANTHONY: To support the recommendation
24 of Counsel.

25 MS. CARTER: Aye.

1 MR. ANTHONY: And I'm sorry. If I can just
2 start over again.

3 THE CHAIRPERSON: Yes, sir. Thank you.

4 MR. ANTHONY: Commissioner Lisa Carter?

5 MS. CARTER: Yes, aye.

6 MR. ANTHONY: Support. Commissioner Willie
7 Burton?

8 MR. BURTON: I support that he should be able
9 to get back in the program after the 16-day suspension.

10 MR. ANTHONY: Support. Commissioner Reginald
11 Crawford?

12 MR. CRAWFORD: Aye.

13 MR. ANTHONY: Support. Commissioner Eva
14 Garza Dewaelsche?

15 MS. DEWAELSCHE: No.

16 MR. ANTHONY: Commissioner Conrad Mallett?

17 MR. MALLETT: No.

18 MR. ANTHONY: Commissioner Ricardo R. Moore?

19 MR. MOORE: No.

20 MR. ANTHONY: Commissioner Jessica Taylor?

21 MS. TAYLOR: Aye, yes.

22 MR. ANTHONY: Commissioner Bishop Edgar Vann?

23 BISHOP VANN: No.

24 MR. ANTHONY: Commissioner Donnell R. White?

25 MR. WHITE: Aye.

1 MR. ANTHONY: Mr. Chair?

2 THE CHAIRPERSON: No.

3 MR. ANTHONY: I think we're in the same
4 place, Mr. Chair.

5 THE CHAIRPERSON: And we would have to recess
6 this matter to another meeting date and time. And we
7 just really have to address it, in terms of voting.
8 But we're at a deadlock.

9 MR. GOLDPAUGH: Let me know. I'll be back to
10 make further argument.

11 THE CHAIRPERSON: Thank you, sir. We'll let
12 you know if we're going to reschedule this for next
13 week, we'll let you know.

14 MR. GOLDPAUGH: Thank you.

15 MS. BERNARD: I'd just like to point out to
16 the Board that you've dealt with the central issues
17 involving the appeal, i.e the disciplinary action and
18 the appeal and, of course, the nature of Secondary
19 Employment, so that this doesn't reappear.

20 THE CHAIRPERSON: Yes.

21 MS. BERNARD: Okay.

22 THE CHAIRPERSON: Thank you.

23 MR. MALLETT: Mr. Chairman, I think it would
24 be important -- I'm not going to be here next Thursday.
25 A lot of us will be on Mackinac Island.

1 THE CHAIRPERSON: Right, I understand. We
2 will not have it next week.

3 MR. MALLETT: Thank you, sir.

4 THE CHAIRPERSON: Okay. We will schedule in
5 the near future when and we'll let you know prior to
6 because this is a very important vote and I want to
7 make sure that you're aware and that you can attend.

8 MR. MALLETT: Thank you.

9 THE CHAIRPERSON: So we'll let you know, in
10 terms of rescheduling the issue. Okay. So thank you
11 for your participation, Board and the attorneys
12 involved.

13 MR. GOLDPAUGH: Excuse me, Commissioners.

14 THE CHAIRPERSON: Yes, sir?

15 MR. GOLDPAUGH: Thank you very much. I do
16 have to go to another matter. Otherwise, thank you for
17 your time and patience.

18 THE CHAIRPERSON: Thank you.

19 MR. GOLDPAUGH: Thank you.

20 MR. MOORE: Through the Chair.

21 THE CHAIRPERSON: Yes, sir?

22 MR. MOORE: Just to bring up Sergeant O'Neill
23 again.

24 You stated, Sergeant, that the Secondary
25 Employment Unit is working on that tweak to the policy?

1 MS. McCOY-O'NEILL: Well, it's a little --
2 it's a little more than just us tweaking our policy.
3 We put in that you follow the rules and regulations of
4 the Department with everything.

5 THE CHAIRPERSON: That's superceding.

6 MS. McCOY-O'NEILL: It still is part of the
7 City Council and the Board. It -- there's a lot of
8 different entities that are involved in it. We try to
9 cover every aspect of any -- anything that may arise in
10 our policy and that's why we caveat it with everything,
11 being you have to follow the regulations of the
12 Department. And that would govern your behavior and,
13 as such, would cover everything.

14 MS. DEWAELSCHE: Mr. Chair, I just have one
15 quick question.

16 THE CHAIRPERSON: Yes, ma'am?

17 MS. DEWAELSCHE: Just, does the employer
18 know?

19 MS. McCOY-O'NEILL: No.

20 MS. DEWAELSCHE: Okay.

21 MS. McCOY-O'NEILL: No. This was kept
22 in-house. And if I may, I don't think that we wanted
23 to jeopardize the program for everyone.

24 MR. MALLETT: Right.

25 MS. DEWAELSCHE: Right, no, I agree.

1 MS. McCOY-O'NEILL: And so that's why we kept
2 it in-house.

3 THE CHAIRPERSON: Well, that's -- thank you.
4 Yes, ma'am?

5 MS. TAYLOR: I just -- just want some
6 clarification. So you're saying that, in this case,
7 then, he's being suspended two years; is that what
8 you're saying?

9 MS. McCOY-O'NEILL: No.

10 MS. TAYLOR: I mean the 16 days. But, I
11 mean, in not being able to get into the program instead
12 of the 12 months, it's actually 24 months?

13 MS. McCOY-O'NEILL: It would be.

14 MS. TAYLOR: Yeah, that's what I --

15 MS. McCOY-O'NEILL: Because the suspension --
16 or him being denied to work Secondary, it goes after
17 the finalization of his penalty. And that is part of
18 what City Council and everybody came up with when they
19 came with this program; that, if you were in receipt of
20 a suspension ten days or more, you weren't eligible to
21 work Secondary Employment for 12 months.

22 MS. TAYLOR: Now, the 12 months, I understand
23 that, and I agree with that.

24 MS. McCOY-O'NEILL: Okay.

25 MS. TAYLOR: The problem I'm having is

1 understanding the other 12 months.

2 MS. McCOY-O'NEILL: That they took him out of
3 the program when the violation -- or when he was
4 charged with these violations based on the egregious --
5 what he did is why he --

6 MS. TAYLOR: Now, was he charged --

7 MS. McCOY-O'NEILL: -- couldn't work
8 Secondary.

9 MS. TAYLOR: -- or suspended? In here, it's
10 saying he was suspended.

11 MS. McCOY-O'NEILL: He was suspended. He was
12 prohibited from working Secondary.

13 MS. TAYLOR: Okay. I under -- okay.

14 MS. McCOY-O'NEILL: He's still in the
15 program, they just wouldn't let him work any of the
16 jobs. And if he wants to work outside of the program
17 on his own, with the approval of the Chief, he can do
18 that.

19 MS. TAYLOR: Okay. And I guess my next
20 question would be why did it take 12 months to come to
21 a hearing?

22 MS. McCOY-O'NEILL: Well, it didn't actually
23 take a full 12 months. We had to schedule it. They do
24 the Garritys, the interviews. And then he's appealed
25 so we have to wait for your scheduling and everything.

1 I mean -- yeah.

2 MS. TAYLOR: Okay.

3 THE CHAIRPERSON: As you know, any system, in
4 terms of discipline, sometimes it's drawn out. And
5 especially if a person appeal it, the witnesses
6 involved, the Trial Board and all that take time to
7 schedule it. You know, and the history of the Trial
8 Board has always been extremely slow so that's the
9 process. But --

10 MS. TAYLOR: Okay. All right. Thank you.

11 THE CHAIRPERSON: -- I think you took the
12 right action --

13 MS. McCOY-O'NEILL: Uh-huh.

14 THE CHAIRPERSON: -- to address this matter
15 and so I appreciate that was timely.

16 MS. McCOY-O'NEILL: Right.

17 THE CHAIRPERSON: Because you could not
18 continue on with that person working in that capacity.

19 MS. TAYLOR: I understand.

20 THE CHAIRPERSON: You know, that's the -- and
21 we all know, as a former police officer, like
22 Commissioner Mallett said, that it's 24/7. And
23 whatever you engage in is always above --

24 MS. McCOY-O'NEILL: Exactly.

25 THE CHAIRPERSON: -- in terms of whatever

1 activity. You are a sworn officer and no different
2 than an elected official; you don't get a pass card to
3 say, "I'm not on duty today, I'm not an elected
4 official today --"

5 MS. DEWAELSCHÉ: Exactly.

6 THE CHAIRPERSON: "-- I'm not a police
7 officer today"; we didn't have that luxury. And now we
8 know what time it is. I mean, it is something --
9 that's why those people called.

10 MS. McCOY-O'NEILL: That's right. And --

11 THE CHAIRPERSON: You know --

12 MS. McCOY-O'NEILL: -- the citizen that
13 called to complain, he did also call Fox 2 News. For
14 some reason, they just didn't pick it up. Thank you.

15 MS. DEWAELSCHÉ: Right.

16 MS. McCOY-O'NEILL: But, I mean, it was just
17 like -- and he's in uniform, he's in a scout car. And
18 the citizens --

19 THE CHAIRPERSON: Personal business.

20 MS. McCOY-O'NEILL: -- don't know that he is
21 not working his full, regular duty. They just see an
22 officer out there.

23 THE CHAIRPERSON: Yes, ma'am, I understand.
24 I understand.

25 MS. McCOY-O'NEILL: So that's why they

1 removed him.

2 MR. MALLETT: Mr. Chairman.

3 THE CHAIRPERSON: Yes, sir?

4 MR. MALLETT: The only other observation that
5 I would make, and I know that Commissioner White is
6 correct, that we dispose of this issue. But I would
7 ask this question rhetorically: Let's suppose that he
8 had been found not guilty. Would we then owe him a
9 year's Secondary Employment? I'm not -- and I mean
10 that seriously, Mr. Chairman. It is what it is.

11 THE CHAIRPERSON: Yes.

12 MR. MALLETT: As the Sergeant has indicated,
13 the investigatory process takes time and it would be --
14 it would -- it would be nonsensical to have a person
15 doing whatever it was that they were doing when the
16 alleged infraction occurred, to have them continue to
17 do it. So now we've had the thing adjudicated and
18 there is the punishment phase. This -- that's what
19 we're in.

20 And let's suppose that the facts did not hold
21 up and it -- we determined that there was no
22 infraction. I just wonder, is the logical extension of
23 the suggestion that we would then owe whatever it was
24 that he had made the previous year because the
25 investigation turned out to be without merit?

1 So I mean, I just think that the
2 investigation is the investigation. It -- it is to
3 both parties' benefits.

4 THE CHAIRPERSON: Yes.

5 MR. MALLETT: And associated with the
6 investigation is a process. And part of that process
7 says you can't do whatever it is you were doing during
8 the -- while the alleged infraction is occurring.
9 That -- that -- that's the process. It can't -- it
10 cannot be another way, it just couldn't.

11 THE CHAIRPERSON: Well, you convinced me.

12 Okay. I assume that we're going to -- no
13 doubt about it. I think that, in this day and age, you
14 can't take these matters lightly at all. It is
15 serious. And I think, when you look at the past
16 history of this individual involved, and I think that's
17 what the Trial Board looked at, too. This is not like
18 a rookie officer, you know, there's some history there.
19 So it's just totally disregard. And I just have issues
20 in terms of a person not respecting the process and
21 they feel as though they're entitled. So I'll get off
22 the soap box.

23 Next item with any New Business?

24 MR. MOORE: Mr. Chair.

25 THE CHAIRPERSON: Yes, sir?

1 MR. MOORE: Just a question for the Deputy
2 Chief.

3 THE CHAIRPERSON: Yes, sir?

4 MR. MOORE: There was a rape and a few rape
5 attempts in District 7, geographically, in the City of
6 Detroit. Do you have any updates?

7 MR. FITZGERALD: The only update we have is
8 that we have a fairly good composite of the attempted
9 abductions that went out and it should have been on the
10 4:00 news. We got it done about two and a half, three
11 hours ago.

12 Other than that, we're looking for the same
13 vehicle, it's a black Fusion over in that area. For
14 the abductions and the rape itself of the younger
15 girls; is that the one you're referring to?

16 MR. MOORE: Yes.

17 MR. FITZGERALD: We're retracing the steps,
18 going back through all the gas stations, looking at
19 video and that kind of stuff. So that's about where
20 we're at with that.

21 MR. MOORE: I mean, that not only in my
22 district but that's actually my neighborhood. I live
23 in that particular neighborhood so it's very near and
24 dear to me. So I'm being very restrictive not to get
25 too involved but, I mean, it's like a block away,

1 literally.

2 ASSISTANT CHIEF DOLUNT: No, it's the pedal
3 to the metal to sex crimes upstairs. They know it's a
4 priority.

5 MR. MOORE: Okay. Thank you, Chief.

6 THE CHAIRPERSON: Thank you.

7 Any Old Business?

8 Could we circulate the strategies that you're
9 planning that we circulated there. Could you speak to
10 that briefly?

11 MS. DAVIS-DRAKE: Sure.

12 THE CHAIRPERSON: It's been circulated and
13 asked for the Commissioners to really --

14 Yes?

15 MS. DAVIS-DRAKE: Thank you, Mr. Chair. For
16 the record, Pamela Davis-Drake, Chief Investigator.

17 I believe that all of the Commissioners have
18 received a copy of the draft of strategic plan. It has
19 gone forth and we are asking that you review that
20 document very carefully and critically, and then, if
21 there are any questions, concerns, any amendments or
22 revisions, that you provide those to me by, I believe,
23 June 2nd. I believe that was the date that I -- I
24 posed.

25 So if you could please provide that in e-mail

1 to me, I would be glad to make those revisions, get it
2 back out to the Board so that the document can be voted
3 on, I believe, on Thursday the 4th. That is the date
4 that the Policy Committee will be bringing it to the
5 Full Board for approval.

6 THE CHAIRPERSON: Okay. So we're asking for
7 the Commissioner input and cooperation to meet that
8 timeframe --

9 MS. DAVIS-DRAKE: Correct, sir.

10 THE CHAIRPERSON: -- if at all possible.

11 MS. DAVIS-DRAKE: Yes.

12 THE CHAIRPERSON: So, hopefully, you do due
13 diligence to read it, in terms of digest -- any
14 concerns you might have, let us know, let the Chief
15 Investigator know then we could address that prior to,
16 then we can move that item in terms of an action
17 item --

18 MS. DAVIS-DRAKE: Absolutely.

19 THE CHAIRPERSON: -- by the deadline.

20 MS. DAVIS-DRAKE: Yes, sir.

21 THE CHAIRPERSON: Thank you.

22 MS. DAVIS-DRAKE: And the document is to go
23 into place July 1st, yeah, the new fiscal year.

24 THE CHAIRPERSON: Thank you.

25 MS. DAVIS-DRAKE: Thank you.

1 THE CHAIRPERSON: Thank you.

2 Announcement: I assumed that we have an
3 agenda and the schedule in the back. Our next meeting
4 is going to be on May the 28th and, also, on June 11.
5 So I'm going to move right on to oral communication
6 from the audience at this time. I know we've been here
7 for quite some time so I wanted to allow you to speak
8 and come forward.

9 MR. McALLISTER: Roy McAllister, President of
10 Greenwich Park Association. Thank you to this Board.
11 To the Chair, I'd like to address the Deputy Chief.
12 There was a -- one of the questions that was asked of
13 me and the reason why I'm here is that there was an
14 incident of a fight in my -- in our community. And the
15 individual that called, they said, once they called
16 911, the 911 operator asked them whether or not the
17 individuals fighting were African-American or Hispanic.

18 And my -- I mean, is that -- you know, I
19 didn't know what to tell them on that. I didn't know
20 if that was a new requirement or whether or not -- I
21 don't know because they took it as kind of an -- kind
22 of a racial bias there. So I said that I would bring
23 that to the attention of the Board and maybe I would
24 receive an answer to give back to them.

25 MR. FITZGERALD: Yes, sir. I would

1 absolutely look into it and get you a response as soon
2 as possible.

3 MR. McALLISTER: Okay.

4 MR. FITZGERALD: That's nothing new that I've
5 heard of, as far as a policy, so --

6 MR. McALLISTER: Okay.

7 MR. FITZGERALD: Yeah.

8 MR. McALLISTER: Thank you.

9 MR. MALLETT: Don't you need a date and time?

10 THE CHAIRPERSON: Do we have another --
11 please come forward. Please come forward.

12 MS. SMITH: Oh, I just wanted --

13 THE CHAIRPERSON: Take the mic. Identify
14 yourself.

15 MS. SMITH: She showing all her legs and
16 shit. Bernice Smith. No wonder you so long today.
17 Anyway --

18 THE CHAIRPERSON: Oh --

19 MS. SMITH: -- good afternoon.

20 THE CHAIRPERSON: Mother Bernice.

21 MS. SMITH: I just want to bring some joy --

22 THE CHAIRPERSON: Mother Bernice.

23 MS. SMITH: -- to you; that's all.

24 THE CHAIRPERSON: Mother Bernice.

25 MS. SMITH: Commissioners --

1 THE CHAIRPERSON: Mother Bernice.

2 MS. SMITH: -- Chief --

3 THE CHAIRPERSON: Mother Bernice.

4 MS. SMITH: -- good afternoon, Commissioners,
5 good afternoon.

6 THE CHAIRPERSON: Mother Bernice.

7 MS. SMITH: I just wanted to ask one
8 question.

9 THE CHAIRPERSON: Excuse me. Let's keep the
10 order now. You know, those remarks are not
11 appropriate.

12 MS. SMITH: All right. I apologize. I
13 apologize.

14 THE CHAIRPERSON: Okay. Let's focus on the
15 business at hand. Thank you.

16 MS. SMITH: All right. I apologize. You
17 made me forget what I was going to say.

18 Anyway, was that a special invitation for the
19 ceremony for the Chief? Because as you all know, we
20 are a part of what happens in his -- his division. And
21 so we would -- we would like -- or will I have to see
22 the Mayor about that at the next press conference?
23 Since we don't have credentials as far. As what our
24 organization was in attendance, do you -- can you tell
25 us?

1 THE CHAIRPERSON: There was a cross-section
2 of people --

3 MS. SMITH: All right.

4 THE CHAIRPERSON: -- and individuals,
5 community people. I could not tell you in terms of how
6 the invitation went out. But all I know is that it was
7 a great, you know, cross-section of people in this room
8 here. I don't know how that process of invitations
9 went. I don't know if it's even restricted or just
10 word of mouth. Because this happened, I guess, over a
11 12-hour period for that announcement. A contract was
12 signed and he initiated a press conference, I guess, on
13 the way. That's strictly up, in terms of, I don't
14 think it was the Chief's office, I think it was the
15 Mayor's office.

16 MS. SMITH: Yeah, Alexis --

17 THE CHAIRPERSON: Okay.

18 MS. SMITH: -- is the press secretary. I
19 got -- I'll call her and find out.

20 THE CHAIRPERSON: Okay. Ms. Wiley.

21 MS. SMITH: That's what I was wondering --

22 THE CHAIRPERSON: Okay.

23 MS. SMITH: -- since most of you didn't get
24 an invite and I'm thinking that's very negligent on
25 their part because we all know you're just as important

1 as everybody else down there.

2 THE CHAIRPERSON: I explained the process --

3 MS. SMITH: All right.

4 THE CHAIRPERSON: -- what they're going to
5 initiate with the Board. And, unfortunately, that did
6 not happen. But that's what I was told.

7 MS. SMITH: Yeah. I heard you when you said
8 that.

9 THE CHAIRPERSON: Okay.

10 MS. SMITH: But it's their project. In other
11 words, his Press Secretary, she should have invited all
12 the Commissioners.

13 THE CHAIRPERSON: Yes.

14 MS. SMITH: So that's what I was concerned
15 about.

16 THE CHAIRPERSON: Yes.

17 MS. SMITH: But, anyway, I apologize again to
18 you, Young Lady.

19 MS. PARNELL: Good afternoon.

20 Sharon Parnell. Detroit Police Citizen Academy had a
21 lovely graduation on Monday. It was 46 graduates and
22 they're going to have another class. So if you know
23 anybody that wants to go through the class, let me know
24 because, you know, I'm going to be here. Thank you.

25 THE CHAIRPERSON: Thank you, Parnell. And

1 thank you for your attendance and your involvement with
2 that Citizen Academy. And I had an opportunity to
3 speak to and help fellowship. And just, really, they
4 stayed the course. And that was really great, in terms
5 of that type of participation. So we had an
6 opportunity but no notice went out but, you know, we
7 was informed and I was in the house. So I had an
8 opportunity to interact, from the first day to the last
9 day. So it's a great citizen involvement and that's
10 crucial, hopefully, the next announcement. But we're
11 trying to make sure that we are communicating.

12 Any other business -- any other -- or
13 communication?

14 So, on that note, our next meeting is going
15 to be next week, right here at Headquarters, at 3:00.

16 The Chair would entertain a motion to
17 adjourn.

18 MR. WHITE: So move.

19 MR. MOORE: Second.

20 MR. MALLETT: Support.

21 THE CHAIRPERSON: Properly moved and
22 supported. Ready for the question? Those in favor,
23 "aye".

24 BOARD MEMBERS: Aye.

25 THE CHAIRPERSON: Thank you.

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(Meeting concluded at 4:46 p.m.)

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C E R T I F I C A T E

I, Mona Storm, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (96) pages, is a true and correct transcript of my said stenographic notes.

Date



Mona Storm
CSR-4460

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