

**Meeting**  
**5/18/2017**

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Board of Police Commissioners  
1301 Third St. Michigan Room  
Detroit, Michigan  
Thursday, May 18, 2017  
2:30 p.m.

Meeting before the Board of Police  
Commissioners at Detroit Public Safety  
Headquarters, 1301 Third St., Detroit,  
Michigan on Thursday, May 18, 2017.

ATTENDEES FOR BPCM:

Reginald Crawford  
Eva Dewaelsche  
Conrad Mallett, Jr.  
Derrick Sanders  
Willie Burton  
Richard Shelby  
Bishop Edgar Vann  
Elizabeth Brooks  
Lisa Carter

ASSISTANT CHIEF: Rene Hall  
CHAIRPERSON: Willie Bell  
SECRETARY: Gregory Hicks

Reported by:  
Sherrayna Coleman, CSR-6485

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1 Detroit, Michigan  
2 Thursday, May 18, 2017  
3 2:30 p.m.

4 --- --- ---

5 CHAIRPERSON BELL: Good afternoon. Once  
6 City of Detroit again, I will say greetings to  
7 all for the afternoon meeting of the Board of  
8 Police Commissioners. I am the Chair, Willie  
9 Bell from District 4. I'm going to call the  
10 meeting to order. If Commissioner Vann would be  
11 so kind to do the invocation, we'd appreciate it.

12 (Whereupon Commissioner Vann  
13 lead the Board in prayer.)

14 CHAIRPERSON BELL: Thank you,  
15 Commissioner Vann. I'm going to start with my  
16 far right with Commissioners introducing  
17 themselves.

18 COMMISSIONER DEWAELESCHE: Good  
19 afternoon. Eva Garza-Dawaelsche, Commissioner  
20 At-Large.

21 COMMISSIONER SANDERS: Good afternoon.  
22 Derrick Sanders, Commissioner At-Large.

23 COMMISSIONER MALLETT: Good afternoon.  
24 Conrad Mallett.

25 COMMISSIONER BROOKS: Good afternoon.

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1 Elizabeth Brooks, Commissioner At-Large.

2 COMMISSIONER CARTER: Good afternoon.

3 Lisa Carter representing District 6.

4 CHAIRPERSON BELL: To my left.

5 COMMISSIONER CRAWFORD: Good afternoon.

6 Reginald Crawford, Commissioner District 3.

7 COMMISSIONER VANN: Yes, Commissioner

8 Edgar Vann, District 2.

9 COMMISSIONER SHELBY: Commissioner

10 Richard Shelby, District 1.

11 COMMISSIONER BURTON: Commissioner

12 Willie Burton, District 5.

13 CHAIRPERSON BELL: It appears that all  
14 the commissioners are in place for this meeting  
15 so, Mr. Hicks, do we have a quorum?

16 MR. HICKS: Yes, we have ten members  
17 present and you have a quorum, Mr. Chair.

18 CHAIRPERSON BELL: Thank you. The next  
19 item of business would be approving the Agenda  
20 for this afternoon's meeting.

21 COMMISSIONER CARTER: So moved.

22 COMMISSIONER CRAWFORD: Support.

23 CHAIRPERSON BELL: Its been properly  
24 moved and supported. Those in favor?

25 (Several responded by indicating

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1 aye.)

2 CHAIRPERSON BELL: Those opposed?

3 (None responded.)

4 CHAIRPERSON BELL: Motion carries. Next  
5 item would be the Minutes from May 11, 2017  
6 Approval of the Minutes.

7 COMMISSIONER SHELBY: So moved,  
8 Mr. Chair.

9 COMMISSIONER BROOKS: Support.

10 CHAIRPERSON BELL: It's been moved and  
11 supported. Those in favor?

12 (Several responded by indicating  
13 aye.)

14 CHAIRPERSON BELL: Those opposed?

15 (None responded.)

16 CHAIRPERSON BELL: Motion carries. I  
17 would ask Mr. Hicks, our Board secretary, to  
18 introduce the staff for the Board.

19 MR. HICKS: Thank you, Mr. Chair. Just  
20 wanted to indicate that to my immediate right is  
21 Robert Brown, and then Ms. Blossom (ph), Ms.  
22 Johnson, Ms. White and we're going to come back  
23 to the Chief and her staff. We also have our  
24 legal assistant who is joining us today, Mrs.  
25 Richards, and this is the first meeting, I think,

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1 Ms. Richards has attended. So if I can ask Ms.  
2 Richards to stand up so the people can recognize  
3 you. She has been on board with us for several  
4 months, but this is the first meet in which she's  
5 attended.

6 I also want to indicate, of course, that  
7 today we have Sergeant Quinn (ph) who is doing  
8 the taping of the meeting. Media Services is  
9 doing the videotaping of the meeting, and Shay  
10 Coleman is the Court Reporter for the day. If we  
11 can then go to Ms. Drake--oh, I'm sorry. Gail  
12 Oxendine indicated that she would not be here,  
13 and I believe there was someone from--Ms. Lamar  
14 was going to be here representing Ms. Oxendine.

15 CHAIRPERSON BELL: Thank you.

16 MS. DRAKE: Good afternoon. For the  
17 record, Pamela Davis-Drake. With us today is  
18 Avery Cromwell (ph). He is a supervising  
19 investigator and I'm the chief investigator.

20 CHAIRPERSON BELL: Thank you for all the  
21 staff that is here this afternoon. We appreciate  
22 your attendance and appreciate your on-going  
23 involvement with the Board of Police  
24 Commissioners. To my immediate left representing  
25 Chief Craig is Assistant Chief James E. White.

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1 ASSISTANT CHIEF WHITE: Good afternoon,  
2 Board.

3 CHAIRPERSON BELL: At this time why  
4 don't we just introduce any other staff that you  
5 might want to introduce, please.

6 ASSISTANT CHIEF WHITE: Yes.

7 CAPTAIN WALTON: Steve Walton (ph),  
8 Captain of Major Violations.

9 LIEUTENANT PARISH: Lieutenant Parish,  
10 Narcotics.

11 LIEUTENANT HAYES: Lieutenant Franklin  
12 Hayes, Secondary Department.

13 SERGEANT ALEXANDER: Sergeant Romel  
14 Alexander.

15 SERGEANT LEWIS: Sergeant Gerald Lewis,  
16 Office of the Chief. (Inaudible)

17 LIEUTENANT LEWIS: Lieutenant Brandon  
18 Lewis. (Inaudible)

19 MS. JONES: Stacy Jones, Agency CFO.

20 MR. BLAIR: Andre Blair, Supervisor.

21 CHAIRPERSON BELL: Thank you for the  
22 introductions of staff and I appreciate your  
23 attendance. Do we have any elected officials or  
24 representative of elected officials attending the  
25 meeting? If not, I thank all of you for

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1 attending that's not elected or DPD or whatever.

2 I appreciate your attendance this afternoon.

3 The next item would be Chairman Bell  
4 Report. I just want to, as you well know, we  
5 have officers who have been injured in the line  
6 of duty so I'm just going to ask for a continued  
7 moment of silence for officers who are  
8 recovering; especially the officer who is still  
9 critical. So could you just reflect on that type  
10 of observation for one minute or less, please.

11 (Whereupon there was a moment of  
12 silence in honor of injured police  
13 officers.)

14 CHAIRPERSON BELL: Thank you. Assistant  
15 Chief White, I assume that all the personnel that  
16 attended Memorial weekend in Washington D.C.  
17 made it back safely and had a great experience?

18 ASSISTANT CHIEF WHITE: It was an  
19 outstanding experience.

20 CHAIRPERSON BELL: Thank you. I saw  
21 some of the clippings. As always, we had  
22 opportunity to visit the Academy, Chief  
23 Investigator Drake and myself and the Class of  
24 2017-J. It's a large class with 33 candidates  
25 and very diverse; five women, eleven languages



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1 represented. That was sort of unique. We had a  
2 young officer, student officer, from Cameroon and  
3 a couple international students. I think it was  
4 their forth week and it was good engaging them in  
5 that couple hours of dialogue with them. We had  
6 Investigator Hannah Miller (ph) attend also in  
7 terms of that type of involvement.

8 ASSISTANT CHIEF WHITE: When was that?

9 CHAIRPERSON BELL: We attended Wednesday  
10 morning from 10 to 12. I want to remind the  
11 commissioners that we have our Board training  
12 session this weekend starting tomorrow at 12 noon  
13 and staff has organized a series of discussions.  
14 Each of you should have received a schedule of  
15 the contents of the training program. I know  
16 Robert Brown caught up with me at Chandler Park  
17 and I hope everybody else got their package here.  
18 If not, I assume all ten commissioners should be  
19 in order in terms of knowing exactly what's going  
20 to take place at that particular quorum.

21 We passed a motion to start our meeting  
22 a half hour early this afternoon. The added time  
23 is spent to resolve the Board Search Committee  
24 for the position of Attorney to the Board. I  
25 want the members, Commissioner Dawaelsche,

1 Sanders and Mallett and former Commissioner  
2 Moore; and the staff, Mr. Hicks, and Mr. Brown  
3 and others who helped in the search. Given that  
4 we have such a large Board it's good that  
5 individuals continue to accept responsibility and  
6 where the meeting work is done to result in  
7 detailed work provided to the full Board for  
8 action.

9 Please know as a result, several  
10 outreach efforts including advertising and ten  
11 on-line job fairs direct solicitation to Wayne  
12 State University Law School, Cooley Law School  
13 and a wide range of community, we had more than  
14 fifty candidates. Fifty candidates were ready  
15 for experience in administration, municipal and  
16 criminal law.

17 The list of fifty was reduced to ten  
18 individuals who we extended invitation to being  
19 interviewed. Three of the ten short list of  
20 candidates withdrew from consideration and seven  
21 were interviewed. Of the seven interviewed the  
22 search committee recommended Jermaine Wyrick as  
23 the candidate. He's a graduate of Wayne State  
24 University, a member in good standing with the  
25 Michigan State Bar. Attached to the Board's

1 package is a copy of his resume.

2 Mr. Wyrick is here today to respond to  
3 any questions or concerns. And we're going to  
4 have a closed session to discuss a personnel  
5 matter and for the Board to meet him and interact  
6 with him before we take any other action. That  
7 would be just after our Board communication with  
8 the audience. That is our recommendation that  
9 after that we will proceed and will have further  
10 dialogue with what will take place with the  
11 particular attorney.

12 Moving on to Assistant Chief White.

13 ASSISTANT CHIEF WHITE: Again, good  
14 afternoon Board. The Chief is in an  
15 administrative hearing right now. I don't know.  
16 He may be joining us at some point, but until  
17 that time I will provide the report. As you  
18 indicated earlier, Mr. Chair, we attended the  
19 Annual Police Memorial Police Week, which Police  
20 Week is currently going on as we speak. I think  
21 today is the final day. We attended several days  
22 at the end of last week and Monday of this week  
23 and it was a very moving event.

24 As you know, we've had a large number of  
25 officers that have been killed in the line of

1 duty this year and in 2016. We were well  
2 represented, unfortunately, due to the fact that  
3 we've had a number of tragedies in the Police  
4 Department. We took down our memorial car. It  
5 got a lot of positive reflection. It didn't hurt  
6 the fact that it cost the taxpayers zero dollars  
7 so we made sure to let our comrades know that as  
8 well.

9 I want to thank a few people. I am  
10 very, very fortunate and blessed to have probably  
11 one of the best staffs in the United States of  
12 America. Franklin Hayes assisted. Lisa Jones  
13 who is not directly working for me but it  
14 probably feels like it most times, Greg Matthews,  
15 Marjorie Everett, all did a phenomenal job of  
16 bringing that resource together for us with the  
17 memorial car and working out the logistics.

18 I would be remiss if I didn't thank  
19 Romel Alexander as well and Michael Parish who no  
20 longer works directly for me, but again, much  
21 like Lisa Jones, it feels like he does because  
22 I'm always on the phone with him, went on a  
23 number of different projects. But it went off  
24 without a hitch and it was just very positive for  
25 the City of Detroit and the Police Department so

1 we're very thankful.

2 The Chief did a presentation at the  
3 memorial wall and addressed approximately a  
4 thousand officers from around the country on a  
5 number of different issues, including fatalities  
6 and law enforcement and a number of other issues  
7 affecting law enforcement today.

8 Moving on to issues here at home. Officer  
9 Johnson, you will remember Officer Johnson was  
10 shot about three weeks ago, I believe. He is  
11 still struggling. I ask that we continue to keep  
12 he and his family in your prayers. He is  
13 certainly not out of the woods yet. As recent as  
14 yesterday I was updated that there were some  
15 minor complications but some progress as well,  
16 but again, he is not out of the woods yet. We  
17 want to make sure that we keep our minds and  
18 hearts wrapped around that family because they  
19 are going to need us; particularly in these times  
20 after the immediate incident and the dust settles  
21 so to speak, sometimes the families are  
22 forgotten.

23 Yesterday we had two officers attacked  
24 by a male subject on Jefferson near Chene. I'm  
25 sure many of you may have seen that on the news.

1 Not to get into the weeds of the case, but I will  
2 tell you that he produced a weapon on the  
3 officers, fired shots and the officers--strike  
4 that. That's the part that we're still looking  
5 into, but he did in fact produce a weapon and he  
6 was subsequently shot and he is in police custody  
7 but in the hospital. He's a hospital police  
8 prisoner; and more to come on that. The officers  
9 were not injured at least physically.  
10 Emotionally they are getting support as we speak.

11 Then last night the unfortunate and  
12 tragic drive-by shooting on the east side of  
13 Detroit where a very, very young baby was grazed  
14 and a mother was shot. We have identified the  
15 perpetrator in that instance and we are in the  
16 process of apprehending that perpetrator. The  
17 baby is recovering. The injuries were not  
18 significant, but still, a very tragic situation.

19 Finally, I want to provide the Board an  
20 update on body worn cameras and in-car video. I  
21 indicated last meeting that we would have all the  
22 precincts outfitted by August ahead of schedule.  
23 Unfortunately, as of this morning that is not the  
24 case. We have run into some minor problems with  
25 deployment; and the bottom line is we want to

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1 make sure we put the newest technology in the  
2 newest vehicles. There's a delay on some of the  
3 newest vehicles being secured.

4 So, with that, 4th Precinct deployed  
5 currently, 11th Precinct deployed currently,  
6 7th Precinct deployed currently, 6th Precinct  
7 deployed currently, 9 deployed, 2 deployed. 8th  
8 Precinct is scheduled to go on-line once they get  
9 their new building. Tentatively they should have  
10 their bidding mid June. Before we could burn in  
11 the technology we're probably looking at July.  
12 So some time between June and July 8th Precinct  
13 will go on-line. 10th Precinct will go on-line  
14 in June. 3rd Precinct will go on-line in July.  
15 12th Precinct is looking like September, October,  
16 so that date will no longer be August before we  
17 fully deploy the precincts. It will be September  
18 or October and I will update the Board as we get  
19 more information and we will move to the  
20 specialized commands after we fully deploy the  
21 precinct. That is my report.

22 CHAIRPERSON BELL: Thank you, Mr. White.  
23 Any questions or comments for AC?

24 (None responded.)

25 CHAIRPERSON BELL: Thank you for an

1 excellent report. As we move forward,  
2 presentation from Forfeiture.

3 CAPTAIN WALTON: Steve Walton, Captain  
4 of Major Violators. Under the Major Violators  
5 umbrella is Narcotics Enforcement, Vice  
6 Enforcement, Forfeiture, Narcotics Prisoner  
7 Processing and Liquor Licensing. Mike Parish,  
8 who is in charge of Forfeiture and Narcotics  
9 Prisoner Processing, and he's going to give you a  
10 brief overview of what the Forfeiture Section  
11 does.

12 LIEUTENANT PARIS: Thank you, Captain  
13 Walton. May it please the Board, Lieutenant  
14 Michael Parish representing Forfeiture. As  
15 Captain Walton stated, I oversee Forfeiture  
16 Narcotics Prisoner Processing Unit and Liquor  
17 Licensing, among other duties. I will be giving  
18 a presentation on the Forfeiture Section. It's  
19 good to start at what Forfeiture is all about.  
20 Forfeiture is a way of combatting illegal drug  
21 trafficking and curbing otherwise lewd and wanton  
22 behavior. Forfeiture is not about profit. It's  
23 about deterrence. We are attempting to disrupt  
24 criminal activity by confiscating and seizing and  
25 putting back to good use monies and



1 instrumentalities used to convict criminal  
2 offenses.

3           Forfeiture falls under Major Violators  
4 which in turn falls under the Detective Bureau  
5 which ultimately falls under Assistant Chief  
6 White. Forfeiture Section in and of itself is  
7 responsible for receiving and filing all  
8 forfeiture petitions. We serve as a critical  
9 liaison with the Wayne County Prosecutor's Office.  
10 We track the litigation surrounding forfeiture  
11 actions and some of these cases do involve  
12 litigation that can extend years. We have a case  
13 load pending from 2012 just to let you know how  
14 long these cases may take to fully litigate. We  
15 maintain statistics. We serve as a final  
16 repository for all forfeiture case files and we  
17 provide information and guidance to the members  
18 out there on the field less when forfeiture may  
19 be an appropriate response to a particular  
20 criminal act.

21           So the legal definition of civil acts  
22 of forfeiture is divestiture when you're  
23 divesting somebody's property without  
24 compensation when that property was used in a  
25 manner that was contrary to local, state and

1 federal law. If we wish to forfeit property  
2 there has to be some statute or legal tradition,  
3 what some called common law, that permits us to  
4 confiscate the property and its forfeiture  
5 action.

6 These are examples of the type of  
7 forfeiture petitions we may file; some being more  
8 common than others. Drug assets forfeiture and  
9 nuisance abatements are by far our most common  
10 forfeiture actions. Drug assets forfeiture  
11 refers to violation of Michigan's drug code,  
12 which allows us to confiscate monies or  
13 instrumentalities, among other things, used to  
14 facilitate narcotic transactions.

15 Drug transactions, like any sort of  
16 enterprise or illegal enterprise, needs money,  
17 employees, a way of moving property from here to  
18 there, and Michigan law allows us to confiscate  
19 these things if we can show that they were  
20 connected to the illegal drug activity.  
21 Similarly, with nuisance abatement, most common  
22 types of nuisance abatement offenses include what  
23 we call OTE; that is offering to engage the  
24 services of another for an act of prostitution.  
25 The most common instrumentality in the context of

1 that crime is vehicle. A person will use a  
2 vehicle to approach what they believe to be a  
3 prostitute and solicit for their services and at  
4 which point its been demonstrated that the  
5 vehicle was an instrumentality of the crime and  
6 will then be subject to forfeiture.

7 I want to emphasize to this Board that  
8 the subject--that regardless of the type of  
9 action we're always attempting to deter crime.  
10 This is not a profit driven entity. We will  
11 confiscate a hoopty just as fast as we will  
12 confiscate a luxury car. The goal is deterrence  
13 the divest of the instrumentality needed in the  
14 crimes. The other facet of forfeiture is to put  
15 whatever property we confiscate to good use.

16 Michigan and the Federal Government both  
17 have guidelines that give us a list of prohibited  
18 uses and also permissible uses. Examples of  
19 permissible uses includes funding law enforcement  
20 training, buying equipment, maintaining  
21 facilities, ordering supplies and to fund other  
22 programs such as Gain Awareness or any other  
23 program that can be tied to a legitimate law  
24 enforcement purpose.

25 Forfeiture dollars are a little unique,

1           though. They cannot be used for general  
2           government use. So the Water Department cannot  
3           tap into the forfeiture account to fund an  
4           initiative. A vehicle confiscated in the context  
5           of a forfeiture case cannot be integrated into a  
6           fleet other than the Police Department. It has  
7           to stay with the Police Department. And the goal  
8           is to keep the engine going, to keep the law  
9           enforcement efforts going so we can deter more  
10          criminal activity. Obviously using forfeiture  
11          dollars for personal gain is a violation of the  
12          guidelines and most likely a number of laws.

13                    Another facet of forfeiture is that  
14          forfeiture dollars cannot be used to supplant.  
15          It can be used to supplement but not supplant a  
16          department budget. So we cannot remove general  
17          funding dollars from the budget and put  
18          forfeiture dollars in its place. We can  
19          supplement a particular initiative with  
20          forfeiture dollars but never utterly replace it.  
21          That would be a misuse of forfeiture dollars  
22          according to the guidelines.

23                    So between 2016 and 2017 we've done a  
24          lot. The first thing that we have done is  
25          created a forfeiture directive. The purpose of

1 creating the forfeiture directive, which will  
2 come before this Board in due time, but has  
3 provided guidance to members on what forfeiture  
4 options are out there that they can take into  
5 their law enforcement toolbox out there on the  
6 street. We discussed the most common types; drug  
7 trafficking and nuisance abatement; however, as  
8 you can see by the list there are a number of  
9 different laws that we can commence forfeiture  
10 proceedings under. For example, drunk driving,  
11 help us keep the roads safe, a statute called  
12 omnibus, which provides a list of over 30 crimes  
13 that could result in forfeiture petitions and  
14 property used to commit those crimes.

15 Our goal is to increase awareness of  
16 these law enforcement options to help inspire  
17 more effort on the part of street personnel to  
18 commence forfeiture proceedings. We will be  
19 incorporating forfeiture training in the  
20 Department's mandatory 40-hour blocks of  
21 training. Again, this is to help educate  
22 officers and inspire awareness of this very great  
23 crime fighting tool. The Wayne County  
24 Prosecutor's Office was nice enough to supply  
25 attorneys to help us take this information to our

1 rank and file.

2           These are just some statistics. In 2016  
3 Detroit Police Department seized approximately  
4 17.7 million dollars in currency. We also seized  
5 over 2,000 vehicles for forfeiture. Of these  
6 vehicles approximately 1400 were what we call  
7 F-cases; and that's our office terminology for  
8 cases that fall under the drug assets forfeiture  
9 program. And we had over 1,650 DET cases in  
10 2016; and that's our office terminology for  
11 forfeitures that were commenced under the  
12 nuisance abatement laws of Michigan. Today after  
13 the development of this Power Point yesterday we  
14 have seized approximately \$591,000 in U.S.  
15 currency and we seized 487 vehicles. We have  
16 filed 822 forfeiture petitions, and as you can  
17 see, 439 of those were F-cases and 383 for DET  
18 cases.

19           One thing I did want to bring to the  
20 Board's attention, if it is not already known, is  
21 the introduction of House Bill Number 4158. This  
22 was introduced by Representative Peter Lucido in  
23 February to the Committee on the Judiciary. This  
24 would drastically change our drug asset  
25 forfeiture laws and quite frankly cripple our

1 efforts to cease property in connection with drug  
2 crimes. Under this Bill seizure would not be  
3 permitted unless the person--unless the defendant  
4 was convicted. I want to emphasize the seizure  
5 of the property, not the forfeiture, but not even  
6 the seizure of the property could take place  
7 until the defendant was committed. And I ensure  
8 to this Board it will be very difficult to seize  
9 property possibly years after it was used to  
10 commit a crime. Moreover, it would make  
11 forfeiture subject to the beyond a reasonable  
12 doubt standard, which to my knowledge, is not  
13 applied to anything other than criminal  
14 proceedings against a defendant. The burden of  
15 proof is currently a clear convincing evidence.  
16 It would also make it a crime for any police  
17 officer or public official, including police  
18 officers, to negotiate a forfeiture settlement  
19 prior to a conviction.

20 In other words, we went down that road,  
21 the City official, or any Wayne County official,  
22 could be charged criminally for even going down  
23 that road. Like I said, this bill would cripple  
24 our efforts and the department has been working  
25 in opposition of the bill. We think this would

1 hinder our law enforcement efforts. We want to  
2 at least let our voice be heard down in Lansing.  
3 I will take any questions.

4 CHAIRPERSON BELL: Commissioners,  
5 questions or comments?

6 COMMISSIONER SHELBY: Through the Chair,  
7 how is it working now when you forfeit a vehicle  
8 and the vehicle has a large LEIN against it from  
9 the financial institution? Does the financial  
10 institution get any say in it?

11 LIEUTENANT PARISH: Yeah. So as a  
12 general matter, yes. Most--many vehicles are  
13 seized under the Drug Asset Forfeiture Program  
14 and there is an innocent owner defense. So if  
15 you have an interest in the vehicle you can put  
16 the Prosecutor's Office on notice saying hey  
17 wait a minute, I didn't know my vehicle was being  
18 used for this. So I'm an innocent owner. Don't  
19 take away my interest in the vehicle.

20 That applies to credit agencies, third  
21 parties, any sort of third party as well. If it  
22 turns out that they do state their claim early  
23 enough in the process the same due process  
24 timelines applies to the defendant subjects then  
25 yes they will get their vehicle back.



1 COMMISSIONER SHELBY: But the vehicle  
2 doesn't go back to the person you actually took  
3 it from?

4 LIEUTENANT PARISH: Not necessarily;  
5 unless we were ordered by the Judge to return it  
6 to the person. In most cases, in cases where  
7 there's a large LEIN on the vehicle, we usually  
8 end up turning those over to the credit agency.  
9 What we do do, we don't let the credit agency  
10 completely off the hook. We put them on notice  
11 this vehicle was used in a drug crime; it was  
12 used by this person. If you let it happen again  
13 you're no longer an innocent owner and we can  
14 come after that vehicle not withstanding any  
15 claim by the owner. In the context of nuisance  
16 abatement seizures, there is no innocent owner  
17 defense. They would have to put up, post, the  
18 associated fine in order to get a release on the  
19 vehicle, and in most cases that's \$900.

20 CHAIRPERSON BELL: Commissioner Vann.

21 COMMISSIONER VANN: Yes. I wanted to  
22 ask with regard to the narrative that I see on  
23 the screen with local, state and federal law.  
24 Obviously there's a great inconsistency within  
25 the parameters of that context especially as it

1 relates, let's say, to marijuana. And so I  
2 wanted to know what is the, as it relates to  
3 forfeiture, as it relates to the work that you do  
4 with your Department, how do you make a  
5 determination given that inconsistency?

6 LIEUTENANT PARISH: Well, if the lead  
7 agency on a particular case is the Federal  
8 Government and they're enforcing Federal Law and  
9 DPD is merely supplying personnel as a part of an  
10 inner agency effort, then they will seize  
11 property under Federal Law under the federal laws  
12 that would apply to that particular case. And we  
13 would get a piece of the, whatever property was  
14 recovered, proportionate to our involvement in  
15 the matter and the Federal Government has  
16 guidelines as far as how to disburse that. If  
17 the lead agency is a State agency we will apply  
18 Michigan's forfeiture guidelines and we will  
19 forfeit according to Michigan law.

20 COMMISSIONER VANN: So wouldn't you  
21 think that would be quite a bit of ambiguity for  
22 the citizen to try to know just exactly who  
23 they're dealing with? In terms of what's going  
24 to--how are you going to deal with, you know,  
25 whether or not something is taken away from some

1 person based upon who they happen to run into;  
2 whether it is local, state or federal?

3 LIEUTENANT PARISH: If I could ask,  
4 Commissioner, just so I understand the question,  
5 are you concerned with perhaps whether a person  
6 is on notice that the property may be subject to  
7 forfeiture?

8 COMMISSIONER VANN: I'm talking about  
9 marijuana specifically. How would I know--if I  
10 had marijuana how would I know what rules apply?  
11 There seems to be so much ambiguity with regard  
12 to local and state and federal law.

13 LIEUTENANT PARISH: Well, although  
14 Michigan's Marijuana Guidelines may not conform  
15 entirely to the United States Government's  
16 guidelines regarding marijuana use, the person,  
17 any Michigan resident, would still be subject to  
18 both sets of law. But let me assure the  
19 Commission that in my experience a person using  
20 marijuana in a lawful manner in my experience has  
21 not been subject to forfeiture proceedings. I  
22 cannot rule out the possibility that the Federal  
23 Government may pursue a forfeiture case in such  
24 circumstances. I just personally have never seen  
25 that occur as of yet.

1 COMMISSIONER VANN: Doesn't that  
2 perpetuate an even sort of enforcement of  
3 justice?

4 LIEUTENANT PARISH: Commissioner, I  
5 don't think so. I think the general public is on  
6 notice that certain substances are banned either  
7 according to State law or Federal law and they  
8 can seek whatever defenses are available  
9 depending on who they're prosecuted by. I'm not  
10 saying that the current set up between how  
11 Michigan has their laws compared to how the  
12 Federal Government has their laws; that there's a  
13 perfect consistency because clearly there is not.  
14 However, I do think that--put it this way, I  
15 don't think that scenario that you're describing  
16 has been an issue. Certainly it hasn't been in  
17 my experience as of late.

18 COMMISSIONER CRAWFORD: Through the  
19 Chair, can we seize the weed? I say that in  
20 terms of the dispensaries because it's my  
21 understanding we couldn't seize the weed.

22 LIEUTENANT PARISH: If the dispensary is  
23 an illegal establishment.

24 COMMISSIONER CRAWFORD: Yes, sir.

25 LIEUTENANT PARISH: My understanding is

1 we can seize the weed. If it's a lawful  
2 establishment then we could not seize the weed.

3 CHAIRPERSON BELL: Commissioners to my  
4 right.

5 COMMISSIONER MALLETT: Mr. Chairman, I  
6 wonder, and I think I kind of thought it through,  
7 but let me give you this example. You indicated  
8 that if the person was not convicted they would  
9 still be subject to forfeiture.

10 LIEUTENANT PARISH: As the law currently  
11 stands under Michigan's current forfeiture  
12 policies you can be acquitted of a crime and yet  
13 still be subject too a forfeiture litigation.  
14 And indeed in most forfeiture actions the lawyers  
15 in the Forfeiture Department of the Wayne County  
16 Prosecutor's Office really don't even talk to the  
17 lawyers on a criminal end of the Forfeiture  
18 Office. They're two independent actions. They  
19 look to different elements, so to speak ,and the  
20 burdens of proof are different. And we have had  
21 cases where a person was not found guilty by the  
22 enhanced standard of beyond a reasonable doubt  
23 but there was sufficient evidence to find--to  
24 maintain an action against the property having  
25 been used unlawfully contrary to Michigan Law.

1 COMMISSIONER MALLETT: Because the  
2 forfeiture action is civil?

3 LIEUTENANT PARISH: The forfeiture  
4 action is civil in nature.

5 COMMISSIONER MALLETT: Let me give an  
6 example to the audience so that they're clear  
7 about what we're talking about. John Jones  
8 driving in a car. He has marijuana in violation  
9 of the statute intent to distribute. He's pulled  
10 over but for whatever reason the Court determines  
11 that the arrest, the stop, the whatever was  
12 unlawful; therefore, the case then gets  
13 dismissed. On the flip side, though, the fact  
14 that they found marijuana in the car and the car  
15 was being used in furtherance of an illegal act,  
16 that would result in the forfeiture despite the  
17 fact that there was no conviction.

18 LIEUTENANT PARISH: It could,  
19 absolutely. The typical burden of proof in a  
20 civil context is a preponderance of the evidence.  
21 Michigan has adopted a clear and convincing  
22 standard, so we've gone one step ahead of your  
23 typical civil case as far as the degree of  
24 certainty needed to forfeit the property.

25 COMMISSIONER MALLETT: Thank you.

1 COMMISSIONER DEWAELESCHE: Yes, please.

2 What were the statistics in terms of the total  
3 amount of forfeitures for 2015?

4 LIEUTENANT PARISH: I don't have those  
5 statistics available but I would be happy to  
6 deliver those to the Board.

7 COMMISSIONER DAWAELESCHE: So I guess my  
8 question is is it trending upward in terms of the  
9 amount or are we pretty much the same each year,  
10 1.7 million? I'm looking at the dollars  
11 primarily.

12 LIEUTENANT PARISH: So 2015 and through  
13 most of 2016 there were some really aggressive  
14 enforcement efforts out there against lewd  
15 conduct and against unlawful drug trafficking.  
16 We did see a spike in forfeiture petitions during  
17 that timeline. They have slowed, which is one  
18 of the reasons why we are taking Michigan's  
19 Forfeiture Laws to the mandatory 40-hour block to  
20 help educate officers and let them know that  
21 forfeiture is an enforcement option in a lot of  
22 in the context of a lot of crimes that we  
23 investigate. So we're hoping to inspire more  
24 enforcement action.

25 COMMISSIONER DEWAELESCHE: So 2017 is as

1 of April or May; the numbers?

2 LIEUTENANT PARISH: It's literally as of  
3 the day before yesterday.

4 COMMISSIONER DEWAELESCHE: Okay. So May.  
5 Thank you very much.

6 COMMISSIONER MALLET: So following up  
7 on that, would it be possible, then, for the  
8 Police Department in conjunction with the  
9 Prosecutor's Office to decide not to bring a  
10 criminal action but bring the, just the civil  
11 forfeiture action?

12 LIEUTENANT PARISH: There are rare cases  
13 where that does happen. For example, in a push  
14 off operation one tactic used by officers is to  
15 infer a known drug location, okay, and in an  
16 undercover capacity set up as if the undercover  
17 officers were prepared to sell narcotics. People  
18 would believe this to be a known drug location,  
19 would pull up, you know, honk the horn or go up  
20 to the door, knock on the door and ask for, some  
21 way communicate to the undercover officer that  
22 they're there to buy dope. Well, even though no  
23 crime has been committed, because the officer  
24 doesn't have any dope on them, they were just  
25 looking for the steps to be taken on their part,



1 you have a situation where the officer doesn't  
2 have a prosecutable offense because the person  
3 hasn't committed any crime. The act has not been  
4 completed and yet there's a viable forfeiture  
5 action because there is probable cause to  
6 believe that this person was using this vehicle  
7 to facilitate a drug transaction so we do have  
8 cases like that.

9 But again, outside of that context it's  
10 extremely rare. Now, not too common but somewhat  
11 common is the situation we were talking about a  
12 moment ago where the prosecutor may fail in the  
13 criminal aspects of the case but may still  
14 succeed or at least in part succeed on the  
15 forfeiture aspect of the case.

16 COMMISSIONER MALLETT: Thank you.

17 COMMISSIONER CRAWFORD: The forfeiture  
18 laws have really evolved from the mid '80s.

19 LIEUTENANT PARISH: They certainly have,  
20 sir.

21 COMMISSIONER CRAWFORD: They really have  
22 evolved, and I was aware of this House Bill 4158  
23 too. I didn't know how much traction it had but  
24 I heard about it.

25 LIEUTENANT PARISH: At the last report

1 that I received on it since our lobbyists have  
2 gotten involved the Bill has been at the very  
3 least slowed down greatly if not just sort of  
4 quiet.

5 COMMISSIONER CRAWFORD: Also, too, in  
6 terms of seizing cars, years ago Wayne County  
7 Prosecutor's Office, Detroit Police Department,  
8 other departments too within Wayne County, there  
9 was a lot of seizures of vehicles from your push  
10 offs. There was a lot of vehicles seized and  
11 some had to be returned. Because there was this  
12 issue of, you know, if you're driving  
13 grandmother's car or your parents' car and you go  
14 around the corner to buy some weed it's not--they  
15 had no knowledge that you're using their car to  
16 engage in this sort of activity. So are they to  
17 date still doing something because I know at one  
18 point it came to extending out a notification or  
19 a warning letter--well, this time we'll give you  
20 a pass on the first one but the second time if we  
21 seize your car, again, it will be processed  
22 forfeiture.

23 So, in the context of the example you  
24 just provided a push off where a person is  
25 driving a car to buy, those are taken to the

1 Prosecutor's Office under nuisance abatement  
2 laws. There is no owner defense. We can still  
3 insist that whoever is trying to redeem the  
4 vehicle pay the \$900, fine. Based on the  
5 nuisance abatement crime we're speaking of prior  
6 to getting the vehicle back and that law was  
7 upheld by the Supreme Court in the '90s.  
8 Notwithstanding the absence of innocent owner  
9 offense. However, that's unique. Most of our  
10 forfeiture laws do have an innocent owners  
11 clause and third parties can get their vehicles  
12 back or at least get their interest back in the  
13 vehicle. Does that answer your question?

14 COMMISSIONER CRAWFORD: Yes, sir.

15 COMMISSIONER SANDERS: I'd like to know  
16 the financials. Once all the money for  
17 forfeiture is put into an account who has the  
18 authorization to use that money in different ways  
19 that you need it for the Police Department?

20 LIEUTENANT PARISH: So the statute  
21 refers to the budgetary authority of the  
22 municipality in which the agency sits. And in  
23 that case it would be--put it this way,  
24 forfeiture dollars are spent in accordance with  
25 our (inaudible) process. There's

1 no--any--there's not a single person outside of  
2 the budgetary offices that could authorize the  
3 expenditure of forfeiture dollars. It has to be  
4 a budgetary authority.

5 COMMISSIONER SANDERS: Thank you.

6 CHAIRPERSON BELL: Any other questions  
7 or comments?

8 (None responded.)

9 CHAIRPERSON BELL: I have one brief. I  
10 think I posed the question through the year. How  
11 are we responding to education prevention as part  
12 of that law? Are we engaging, especially young  
13 people, in terms of education prevention.

14 LIEUTENANT PARISH: Are you referring to  
15 drug prevention?

16 CHAIRPERSON BELL: Yes. It used to be  
17 part of the forfeiture process that it has to be  
18 X number of dollars spent on education  
19 prevention.

20 LIEUTENANT PARISH: If we still have  
21 that policy I'm not aware of that. That might be  
22 a more appropriate question for AC White.

23 ASSISTANT CHIEF WHITE: I think that  
24 particular provision has been eliminated. I  
25 remember years ago DARE was one of those programs

1 was directly correlated with forfeiture funding  
2 and GREAT, which is a Gang Resist Education And  
3 Training, is also part of that. I'm not a  
4 hundred percent sure if that is a requirement,  
5 but we can take that and come back and report  
6 out.

7 COMMISSIONER CRAWFORD: Through the  
8 Chair. You're absolutely correct, Assistant  
9 Chief, because there were funds allocated from  
10 forfeiture for that and City Counsel would weigh  
11 in on that during the budget hearings of the  
12 Police Department all the time.

13 CHAIRPERSON BELL: So you will find out.

14 ASSISTANT CHIEF WHITE: We'll find out  
15 and report back. I know GREAT is minimally  
16 active but DARE programs.

17 CHAIRPERSON BELL: I know DARE. I  
18 thought it was sort of crucial that we utilize  
19 those funds in education prevention. It's  
20 interesting how that took place.

21 ASSISTANT CHIEF WHITE: Those specific  
22 programs have changed. The Department still  
23 aggressively goes out and meets with schools and  
24 provides various training opportunities but just  
25 not specific to one program.

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1                   CHAIRPERSON BELL: Thank you. Thank  
2                   you, Lieutenant. We appreciate it. Standing and  
3                   Ad Hoc Committee Reports.

4                   COMMISSIONER BROOKS: My report on  
5                   recruiting. Even though we've had a lot of news  
6                   in the media about police getting shot, we're  
7                   still actively recruiting and working just as we  
8                   had even though our hearts go out to the families  
9                   and to the police in the hospital. Lieutenant  
10                  Gardener and I met with all the police chaplains  
11                  at one of their meetings and they have been so  
12                  instrumental in helping us to recruit. There is  
13                  a church near one of the precincts. There have  
14                  been fifty people--Lieutenant Gardener spoke  
15                  there on recruiting about a career within the  
16                  Police Department.

17                  There were fifty people that applied.  
18                  At Christ Temple in the 7th Precinct there were  
19                  four people that applied and one of the interns  
20                  made rookie of the year. So we're really, really  
21                  moving on. We just had 32 officers, I think you  
22                  all know that, that graduated a couple Fridays  
23                  ago.

24                  We have a youth care expo. Western High  
25                  School, 78 students turned in their entrance

1 card. Bridging the Gap, 61 turned in their  
2 entrance card. And Cass Tech, 31 turned in their  
3 entrance card. And Lieutenant Gardener is set up  
4 to speak at Cots Career Day. So if you all know  
5 any organizations, any churches, that are putting  
6 on career seminars Lieutenant Gardener will be  
7 happy to speak on becoming a police in the City  
8 of Detroit.

9 We take our jobs seriously and we try to  
10 get the best police men and women that we can  
11 get. So we thank you all for your help. We're  
12 out there. Watch out. We might recruit your  
13 relatives. Thank you.

14 CHAIRPERSON BELL: Thank you,  
15 Commissioner Brooks.

16 COMMISSIONER BROOKS: I would like to  
17 add one thing. One of the recruits that  
18 graduated was from Sur Metro (ph), your company,  
19 so thank you very much.

20 CHAIRPERSON BELL: Thank you for the  
21 on-going work. Commissioner Brooks, Commissioner  
22 Dawaelsche, you guys really, really, really have  
23 been aggressive in those particular areas.

24 Mr. Hicks, Board Secretary.

25 MR. HICKS: Thank you, Mr. Chair. As

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1           you can see, on the Agenda there are five items  
2           that are listed. Two of them, and these are put  
3           on the Agenda to reflect communications coming  
4           into the office. We have two individuals who  
5           filed letters of appeal so they'll be going  
6           through the rejected appeal process. The  
7           committee that has responsibility over that will  
8           receive information on that within the next  
9           couple of weeks. You also received Green Light  
10          list as of 5/17. In the last community meeting  
11          corporation counsel gave an extended presentation  
12          and we requested a copy of that presentation and  
13          likewise that information has been distributed to  
14          you all. It was in the form of a PDF file, but  
15          if anyone would like a copy of it in the Power  
16          Point, which allows you to manipulate it, we'd be  
17          more than happy to supply that.

18                           And then the last item was Freedom of  
19          Information request, which we will be referring  
20          to corporation counsel and I believe in that  
21          request it was seeking information about our  
22          experience to date on the use of body worn  
23          cameras. I think it was cameras in the  
24          investigative process and that's gotten referred,  
25          of course, to corporation counsel.



1 We're also collecting up any data that  
2 we have so that corporation counsel could not  
3 only evaluate the FOIA request but also evaluate  
4 any information which we would be accompanying  
5 them and that Mr. Chair would cover the  
6 communications that have come into the office and  
7 that have been distributed to the commission.  
8 There are other times when we distributed  
9 information that may not make this list. For  
10 example, today, I think it was earlier today,  
11 there was an article on Wayne County Sheriff  
12 Benny Napoleon who was taking some, I guess, more  
13 organized efforts in commanding his particular  
14 officers around immigration cases and how they  
15 would not just immediately turn inmates in the  
16 jails over to ICE. And he has put together a  
17 series of instructive, I guess they would be  
18 directives as well, for his Department in that  
19 regard. So that information tends to get  
20 released to you all just because of the subject  
21 matter, which may not appear on a list like this.

22 COMMISSIONER CRAWFORD: Through the  
23 Chair, the article, I read that but also Wayne  
24 County Deputy I received the memo a few weeks  
25 ago slash directive directly from the sheriff and

1 that's what we are in Wayne County. We're not  
2 allowed to speak for the sheriff but we're going  
3 to adhere to. And, as a matter of fact, two  
4 months ago this issue was raised in Southwest  
5 Detroit at the Forum on Immigration. The chief  
6 of the jails, Dunlap, stated that the sheriff had  
7 a meeting, I think, the week prior or that week  
8 with ICE and told them in no short terms that he  
9 wasn't going to do that.

10 My question is, Assistant Chief, our  
11 policy, has it changed in any way or has it been  
12 updated in any way pertaining to immigrants and  
13 how we're processing this? Due to the fact that  
14 things are coming from Washington and the USA  
15 Attorney General Sessions or who I called the  
16 U.S. confederate General Sessions that in terms  
17 of the things that are counter to.

18 And, also, a lot of these things,  
19 particularly immigration, as stated in this  
20 article, have been eight courts that have handed  
21 down decisions that said the Federal Government  
22 was in violation if they chose to move forward  
23 with some of the recommendations or some of the  
24 policy or executive orders pertaining to the  
25 president and sessions.

1 ASSISTANT CHIEF WHITE: We have not made  
2 any policy changes as it relates to any executive  
3 order coming out of Washington. Our policies are  
4 consistent with how we will treat our citizens.

5 COMMISSIONER CRAWFORD: Okay, sir.

6 CHAIRPERSON BELL: Thank you. Old  
7 business.

8 (None responded.)

9 CHAIRPERSON BELL: New business.

10 COMMISSIONER BURTON: Through the Chair.  
11 I have a question. I know this is National  
12 Police Week and, you know, I know I'm one of a  
13 few commissioners that's visiting the precincts  
14 talking to our officers, but I never got the memo  
15 about, the other day, about we're having some  
16 training scheduled for Friday and Saturday.  
17 National Police Week is going until Sunday.

18 And what is it costing our office to fly  
19 another team to come here and do oversight  
20 training when we have a police force here that  
21 are ready and able to train other law enforcement  
22 across America, but not only that but also  
23 provide the training for this Board? What is the  
24 cost for that? I mean, my understanding is we  
25 have folks from out west coming here to conduct

1 training. And for us hiring--paying money to  
2 have training conducted at the Atheneum Hotel.  
3 What is it costing this Board? Because I don't  
4 have a desk or a box of crayons or a pen to do  
5 the real work that the Commission ought to be  
6 doing.

7 COMMISSIONER CRAWFORD: Through the  
8 Chair, Commissioner Burton, we are a civilian  
9 oversight. We're not the Detroit Police  
10 Department. We don't represent the Detroit  
11 Police Department. Our training pertains to  
12 civilian oversight, and we are the Detroit Police  
13 Commission which was established in 1974 by the  
14 City of Detroit.

15 So that's what we are. Detroit Police  
16 Department, they don't represent us and we don't  
17 represent them. We are the civilian oversight.  
18 So our training is coming from the field of  
19 oversight; just like we have a conference every  
20 year that we attend and various things across the  
21 country. That is civilian oversight, and there's  
22 civilian oversight in a number of cities in  
23 America and there's more to come. But we are  
24 civilian oversight. I can't emphasize that  
25 enough.

1                   So the training, and there is some type  
2                   of connection with training in terms of the  
3                   Detroit Police Department and the Commission and  
4                   even all these presentations are great--very  
5                   informational. The Department is doing a great  
6                   job in a lot of areas but we are civilian  
7                   oversight for the Detroit Police Department.  
8                   Therefore, we are in our budget and we are  
9                   inviting others in from outside our region or our  
10                  city coming from across the country. It's for  
11                  updated information. It's for purpose of  
12                  training in the area of civilian oversight.

13                  COMMISSIONER BURTON: But through the  
14                  Chair, part of our responsibilities is to  
15                  represent our officers. Another part of our  
16                  responsibility is also to represent our citizens.  
17                  I just find it to be preposterous that during  
18                  National Police Week we're conducting a training  
19                  exercise for Friday and Saturday during National  
20                  Police Week.

21                  I think--I find it to be also  
22                  preposterous that we spend all this money to  
23                  bring a team in to provide training for this  
24                  body. What is the tab on this? What is this  
25                  costing us? Because as a Commissioner, I don't

1 have a desk, a box of crayons, a pen or anything  
2 to do my work, and I represent 120,000 families  
3 in District 5 that duly elected me to represent  
4 them. But we also have to represent our  
5 officers.

6 Each commissioner should be going to a  
7 precinct, putting their arms around an officer,  
8 embracing them, saying hey we appreciate your  
9 service. This is National Police Week. This  
10 means something.

11 CHAIRPERSON BELL: Thank you,  
12 Commissioner Burton. Its been duly noted. I  
13 just want to move on to the next point of  
14 business.

15 COMMISSIONER BROOKS: Excuse me, Chair.  
16 I have a complaint from a citizen. I'm so glad I  
17 thought about it. She wanted to know what's  
18 going on at some of the parks here in the City.  
19 And she mentioned Erma Henderson Park down on  
20 East Jefferson. She said there's drugs, there's  
21 loud music, there's cussing; there's all kinds of  
22 things going on, which had never gone on before.  
23 So she wondered if the Police Department knew  
24 anything about it or if there was anything they  
25 could do.

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1                   CHAIRPERSON BELL: I see AC White taking  
2 notes. I'm sure he's going to respond.

3                   COMMISSIONER BROOKS: She named a couple  
4 of parks, but that was the main one because  
5 that's near where she lives because she's afraid  
6 to go down the street.

7                   ASSISTANT CHIEF WHITE: I just want to  
8 follow up with you, ma'am, at the end of the  
9 meeting. We do have a park detail that will be,  
10 I believe it went live last week and is running  
11 out of each precinct, so any complaints we can  
12 push to the precinct we'll take care of that.

13                   CHAIRPERSON BELL: Thank you.  
14 Announcement. Our next meeting will be here on  
15 May 25th at 3 p.m. Public Safety Headquarters,  
16 next Thursday. Our next community meeting would  
17 be scheduled for June 8, 2017 at 6:30 p.m. in the  
18 4th Precinct; location will be forthcoming.

19                   The next item would be oral  
20 communication from the audience. Please give  
21 your name and limit your comments to two minutes.  
22 And keep in mind that this is a Board of Police  
23 Commissioners. We address public safety issues,  
24 so I would hope that you can find your remarks or  
25 comments in terms of that type of format. And we

1 do not allow on-going back and forth exchange.  
2 But you do have your two minutes to speak and a  
3 commissioner might respond, the Chair might  
4 respond. But if not, if its a little bit more  
5 prolonged, you can always, as AC White mentioned,  
6 he's got staff here. You can talk with them  
7 afterwards in reference to more detail in terms  
8 of entertaining your concern. Thank you. Mr.  
9 Brown.

10 MR. BROWN: Thank you, Mr. Chair. The  
11 first speaker is Marilyn Ferguson.

12 MS. FERGUSON: Good afternoon. My name  
13 is Marilyn Ferguson. My issue is that I had a  
14 vehicle that was towed. It was at a place to be  
15 repaired and I went to check on the vehicle. The  
16 owner told me that it was towed because it was  
17 reported stolen, which is not the case. Then I  
18 called about the vehicle and the police said that  
19 it was towed because it was abandoned, which is  
20 not the case.

21 So I called the tow company. They  
22 wanted me to pay \$640 to retrieve and a vehicle  
23 that--there was no issue with the vehicle. I  
24 would just like some type of resolution.

25 CHAIRPERSON BELL: AC White.



1 ASSISTANT CHIEF WHITE: Through the  
2 Chair, this is actually the perfect day for you  
3 to bring that complaint, because we have the  
4 lieutenant in charge of towing here. So  
5 Lieutenant Parish will get with you we'll get  
6 information and respond to you and we will  
7 respond back to the Board with the findings.

8 CHAIRPERSON BELL: Thank you, ma'am.

9 MR. BROWN: Our next speaker is Ms.  
10 Lela Howard.

11 MS. HOWARD: Good day, everybody. My  
12 name is Ms. Lela Howard and I reside at 15095  
13 Fairfield Street and I had some serious  
14 situations going on in the community. It looks  
15 like my community has been kind of forsaken over  
16 in the Fenkell and Fairfield area. And it's a  
17 lot of things that's going on. It don't take a  
18 rocket scientist to see it.

19 I don't have a criminal law degree, but  
20 it's a lot of illegal activity over there. And I  
21 know it's not just the people on the street  
22 that's being played. It's people in other areas  
23 that's causing a lot of hardships also. So it's  
24 not safe. I'm very uncomfortable being over  
25 there. That's where my home has been since 1974.

1                   But I want to say this. I'm down here  
2 because I went to the precinct on Livernois and  
3 Elmhurst. I shared with them how somebody--I  
4 told a lady detective, I said I believe it's a  
5 sting running in my neighborhood. I showed her  
6 all the cars and how somebody literally took down  
7 the fence on my lot to put a car up on there. So  
8 what I did, before I went to the precinct I  
9 called 9/1/1, because I told them I don't know  
10 whether a body is in this car. I don't know  
11 whether they're hiding drugs. So they told me  
12 they would send out the abandoned cars. Excuse  
13 me because I'm a little nervous. They send the  
14 abandoned cars out.

15                   Okay. So I thought that that was going  
16 to be the end of it; move the car and I could get  
17 my fence back up. Get me some money, somebody to  
18 help me put it back up. But the man left, left  
19 the car saying that the way the car was  
20 positioned he couldn't move it. Okay. So now I  
21 goes into the precinct. I talk to the lady  
22 detective and they let me fill out a report,  
23 okay, but they did nothing about the cars and  
24 some of the activities in my community.

25                   So when I call back only to find out

1 Officer William is gonna tell me this is not  
2 your precinct. Call the 12th Precinct. So I  
3 call the 12th Precinct two or three times because  
4 they would not let me communicate back at  
5 Elmhurst. And the people at the 12th Precinct  
6 I'm sure they're wondering what's wrong with this  
7 lady. I'm sorry. But anyway, I can show you  
8 this and I need some help.

9 CHAIRPERSON BELL: AC White is going to  
10 respond.

11 ASSISTANT CHIEF White: Lieutenant  
12 Lewis, would you please take the complaint. The  
13 gentleman behind you, ma'am, will help you.

14 CHAIRPERSON BELL: Thank you.  
15 Mr. Brown.

16 MR. BROWN: That's it, sir.

17 COMMISSIONER CRAWFORD: Through the  
18 Chair. Comment, if I may, pertaining to the  
19 unjust verdict in Oklahoma that occurred  
20 yesterday, and that is--and the reason I say this  
21 is I got a number of phone calls and of course  
22 there's a lot of things that occurred that's in  
23 the media, but the verdict of the police officer  
24 was found not guilty. A police officer named  
25 Betty Shelby in the killing of Mr. Terrence

1 Crutcher (ph) is really weighing on the  
2 community.

3 One might say that such as we have  
4 experienced in the history and even recently  
5 in America when such verdicts are handed down as  
6 this one, which was--and those who may be  
7 familiar with the case in terms of Mr. Crutcher's  
8 vehicle was broken down in the middle of the  
9 street and police officer was driving by and she  
10 was on her way somewhere else and she stopped to  
11 investigate the vehicle, looked in the vehicle,  
12 there's no one there. And Mr. Crutcher was  
13 walking up and turned away from the officer  
14 walking with his hands up and was shot and  
15 killed.

16 Even the officers that were up in the  
17 helicopter made a comment this is a big dude in  
18 reference to Mr. Crutcher. So the verdict  
19 yesterday is really a great injustice and that,  
20 as the people say, when there's no justice there  
21 can never be peace. And that for those in police  
22 departments must understand that when there are  
23 protests and it's unfortunate these kind of  
24 verdicts are still occurring when it seems  
25 blatantly obvious what occurred here, that there

1 be a protest and the ability--and moving from no  
2 justice no peace is to effect the profit of  
3 America and that's what people understand. So  
4 when it starts affecting the profits of various  
5 entities then that gets the attention so I just  
6 want to say that especially in light of what's  
7 going on across the nation coming out of  
8 Washington today.

9 CHAIRPERSON BELL: Thank you,  
10 Commissioner. Mr. Brown, we've completed the  
11 process?

12 MR. BROWN: Yes, sir.

13 CHAIRPERSON BELL: The Chair would  
14 entertain a motion to go into a closed session to  
15 address a personnel matter under Public Act.

16 COMMISSIONER DAWAELSCHE: So moved.

17 COMMISSIONER CRAWFORD: Second.

18 CHAIRPERSON BELL: It's been properly  
19 moved and seconded. Discussion.

20 (None responded.)

21 CHAIRPERSON BELL: Those in favor, aye.

22 (Several responded by indicating  
23 aye.)

24 CHAIRPERSON BELL: We will reconvene if  
25 you want to come back. Thank you for your

1 attendance this afternoon.

2 (Off the record at 3:37 p.m.)

3 (Back on the record at 4:24 p.m.)

4 CHAIRPERSON BELL: The Chair would  
5 entertain a Motion to Reconvene.

6 COMMISSIONER VANN: Motion to reconvene,  
7 Mr. Chair.

8 COMMISSIONER BROOKS: Support.

9 CHAIRPERSON BELL: Its been properly  
10 moved and seconded. Discussion.

11 (None responded.)

12 CHAIRPERSON BELL: Those in favor aye.

13 (Several responded by indicating  
14 aye.)

15 CHAIRPERSON BELL: Those opposed.

16 (None responded.)

17 CHAIRPERSON BELL: Motion carries. We  
18 are now on to further dialogue.

19 COMMISSIONER MALLETT: Mr. Chairman, I  
20 move the appointment of Mr. Jermaine Wyrick as  
21 the attorney for the Board of Detroit Police  
22 Commissioners.

23 COMMISSIONER VANN: Second the motion.

24 CHAIRPERSON BELL: Its been properly  
25 moved and seconded. Discussion.

1 (None responded.)

2 CHAIRPERSON BELL: Those in favor.

3 (Several responded by indicating  
4 aye.)

5 CHAIRPERSON BELL: Those opposed.

6 (None responded.)

7 CHAIRPERSON BELL: Motion carries.

8 COMMISSIONER BURTON: My vote--I do have  
9 a discussion, Mr. Chairman and you-

10 CHAIRPERSON BELL: I think you're a  
11 little too late according to our Rules of Order.

12 COMMISSIONER BURTON: No, it's the way  
13 you phrased it and you speeded it up.

14 CHAIRPERSON BELL: I didn't speed it up.  
15 I didn't speed it up.

16 COMMISSIONER BURTON: My discussion is  
17 as simple as this, Mr. Chairman. The fact that,  
18 you know, the way this process ought to work and  
19 have not worked, we have a personnel sub  
20 committee that are responsible for going through  
21 the applicant process to some degree, but there  
22 was nothing presented to the Commissioners to  
23 weigh in on the top qualifying applicants.

24 So I not having received anyone's resume  
25 or reference letter of that nature, I did receive

1 the attorney that's before us today, received  
2 something around 4 o'clock--4 o'clock  
3 approximately yesterday but I have not seen the  
4 others. My understanding is about fifty people  
5 approximately applied for the job, but the Board  
6 has interviewed seven individuals.

7 I just want to know is we making a right  
8 decision today moving on with this selection  
9 because, as a commissioner, it is our due  
10 diligence is to look at those top qualified  
11 candidates other than just going off the one  
12 selection from the personnel committee. I  
13 haven't received the memo or anything in writing  
14 regarding the interviewing process. So I was out  
15 of the loop on that. I haven't received an  
16 e-mail or anything; anything corresponding in  
17 writing.

18 COMMISSIONER BURTON: But here it is  
19 we're back at this again, because we have members  
20 on the body on our Commission that we are hired  
21 where we haven't seen resumes. So this is an  
22 on-going process. And so I'd like to see--I'd  
23 like to know who are the top qualified  
24 applicants? Who were they?

25 CHAIRPERSON BELL: I think we have a



1 point of order.

2 COMMISSIONER DAWAELSCHE: Mr. Chair, as  
3 Chair of the Personnel Committee, I recall that  
4 back in September I explained to the Board the  
5 process that we were going to follow. I believe  
6 it was September but we can go back and check  
7 those Minutes. I explained what the process was  
8 going to be. I went so far as to provide the  
9 details of how many people we would have to  
10 present to the sub committee, the personnel  
11 committee, which eventually turned into the  
12 search committee.

13 E-mails went out to everybody on that  
14 committee and the Board was notified at several  
15 Board meetings and it should be in our Minutes.  
16 I think if we go back we will see that. If  
17 e-mails were not received by Commissioner Burton,  
18 I would like to know if those were bounced back  
19 because maybe we don't have your proper e-mail.  
20 This is a complaint that I've heard numerous  
21 times. And if there's a problem with the e-mail  
22 that we have on file for you we need to correct  
23 it, because this goes back several months now  
24 that you've been saying you're not getting the  
25 e-mails. I don't know that they've bounced back,

1                   however, so I think we need to check that out-

2                   COMMISSIONER BURTON: But here-

3                   COMMISSIONER DAWAELSCHE: But I did  
4 present the process several months ago and  
5 everybody voted on it and agreed and approved the  
6 process.

7                   CHAIRPERSON BELL: The point is the vote is  
8 ten zero. The matter is closed. So if there's  
9 no other business before this Body the Chair  
10 would entertain a Motion for Adjournment.

11                  COMMISSIONER BROOKS: Support.

12                  COMMISSIONER BURTON: My vote-

13                  CHAIRPERSON BELL: Its been properly moved.  
14 Those in favor aye.

15                         (Several responded by indicating aye.)

16                  CHAIRPERSON BELL: Those opposed.

17                  COMMISSIONER BURTON: Opposed.

18                  CHAIRPERSON BELL: We stand adjourned.

19                         (The proceedings concluded at 4:29 p.m.)

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C E R T I F I C A T E

I, Sherrayna Coleman, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the meeting, at the time and place forth, and I do further certify that the foregoing transcript, consisting of (59) pages, is a true and correct transcript of my said stenographic notes.

\_\_\_\_\_  
June 5, 2017

  
Sherrayna Coleman  
CSR-6485



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