

WAYNE COUNTY ETHICS BOARD

August 21, 2024

Minutes from the July 17, 2024 meeting

Minutes

WAYNE COUNTY ETHICS BOARD

Wednesday, June 12, 2024 – 9:00 a.m.

Commission Chambers, Guardian Building, 500 Griswold, Detroit, MI 48226 and
via Zoom

- A. Roll Call 9:06 a.m.

Philip J. Thomas, Chair	– Present
Ketra Lewis, Vice-Chair	– Absent
Dr. Demetrius E. Ford	– Present
Peter Rageas	– Present
William C. Schaefer	– Present
Frank D. Woods Jr.	– Present
1 Vacancy	

Also attending: Board Attorney Charles Longstreet II.

- B. Approval of the June 12, 2024 meeting minutes

Woods/Rageas **Approved:** The minutes from the June 12, 2024 meeting. Motion carried.

- C. Unfinished business

1. Update from the Commission staff, re: Proposed Ethics Ordinance amendment status

Chair Thomas asked Commission Counsel Felicia Johnson to speak, who stated that Commission Chair Bell will establish a committee to review the proposed changes. However, Ms. Johnson did not have an update on the timeline.

At this time in the proceedings, the Board moved to New Business, D.1.

- D. New Business

1. Communication dated June 12, 2024 (received June 12th) Susan Dahoud, re: the neglect of an inmate at the Juvenile Detention Facility.

Chair Thomas stated that the complaint form was insufficient because it did not name individuals or specify ordinance violations. He recommended that Attorney Longstreet send two letters: the first referring the matter to the Prosecutor's Office, with a copy to Ms. Dahoud; and the second to Ms. Dahoud, informing her of the deficiencies and providing her with a copy of the Ethics Ordinance.

The Board and Attorney Longstreet discussed the matter and how to proceed.

Schaefer/Ford

Approved. Motion to follow Chair Thomas' recommendation. Motion Carried.

2. Communication dated June 24, 2024 (received June 24th) from Kyra Joyner, re: a Treasurer's Office employee's violation of the Ethics Ordinance Secs. 40-4, 32(e), 33(1) and 34.

Chair Thomas mentioned that Attorney Longstreet forwarded the complaint to the Treasurer's Office employee, who has 21 days to respond. The response period has not expired.

At this time in the proceedings, the Board returned to Unfinished Business, Item C.2.

2. Communication dated April 18, 2024 (received April 4th) from Robert Davis, re: Commissioner Martha G. Scott's violation of the Ethics Ordinance Secs. 40-4(g)(2), (3), and (4).

Chair Thomas outlined the hearing process, explaining that the complainant, Mr. Davis, carries the burden of proof. A decision will be reached by a majority vote of the board members present. If the board rules in favor of Mr. Davis, a dispositional hearing will follow.

Chair Thomas also noted that each party would have up to 10 minutes for their opening statements, and both parties agreed this time was sufficient.

Mr. Davis then delivered his opening statement, detailing the reasons for his complaint. Following this, Chair Thomas and Attorney Longstreet questioned him.

Chair Thomas requested that the Ethics Board be provided with a copy of Mr. Davis' personnel file from his employment under Commissioner Scott, covering the period from January 1, 2021, to December 31, 2022.

Commissioner Scott's attorney, Nabih Ayad, delivered an opening statement, asserting that Mr. Davis' complaints lacked sufficient evidence. Attorney Longstreet then questioned Attorney Ayad.

Mr. Davis proceeded to present his case, during which he objected to Attorney Ayad referencing incidents from his past. Chair Thomas reminded Mr. Davis that he may not directly address Attorney Ayad.

Chair Thomas called for a recess at 10:34 a.m. The meeting resumed at 10:40 a.m.

Attorney Ayad presented his case, including questioning Mr. Davis. Chair Thomas and Attorney Longstreet also asked questions.

Chair Thomas asked if other board members had questions. Members Woods and Ford asked questions of Mr. Davis.

Chair Thomas called for a recess at 11:51 a.m. The meeting resumed at 12:18 p.m.

Members Rageas and Schaefer asked questions of Mr. Davis.

Chair Thomas asked Attorney Ayad if he had additional questions. Attorney Ayad asked a question of Mr. Davis.

Chair Thomas said that the meeting would end by 1:15 p.m. because members had other commitments. He also asked members if the next meeting date, August 21, 2024, was good or should there be a special meeting scheduled. Members Ford, Rageas and Schaefer preferred August 21, but Member Woods said he was unable to attend.

Chair Thomas called on Commission analyst Joe Slezak, who said that the next meeting will be at 9:00 a.m. Wednesday, August 21, 2024 in the Commission Chambers.

Chair Thomas said that Mr. Davis could begin calling witnesses, and he called Commissioner Scott, who answered questions until Commission Counsel Johnson objected, saying that the questioning must be limited to the matter at hand and not touch on matters relating to two pending lawsuits by Mr. Davis. Commission Counsel Johnson, her office and the Clark Hill law firm are representing the County in these matters.

There was a discussion between Chair Thomas and Commission Counsel Johnson.

Chair Thomas called for a recess at 12:36 p.m. for board members to privately consult with Attorney Longstreet. The meeting resumed at 12:37 p.m.

Chair Thomas said that while the Ethics Ordinance doesn't say that the opposing party can't be called as a witness, he was concerned about Commission Counsel Johnson's objection and didn't want to prejudice either party.

Chair Thomas said the hearing will continue at the August 21 meeting and added that the board wants a law cited as to what questions can be asked in light of the litigation.

Chair Thomas asked Attorneys Longstreet, Ayad and Johnson to discuss the matter before the August 21 meeting, and the board wants briefs from each of the

three parties and Mr. Davis by August 14. Attorney Ayad said he might join in Commission Counsel Johnson's brief.

Mr. Davis asked that he be permitted to read the last paragraph of his complaint into the record, and Chair Thomas allowed him to.

Chair Thomas said that after the four briefs are filed, the board will determine which matters can be discussed for the remainder of the hearing. He also asked that everyone focus on the relevant portions of Mr. Davis' complaint.

Chair Thomas said the board wants to see the following items for the August 21st meeting:

- *The Ethics Ordinance form Mr. Davis signed when he began working for Commissioner Scott in 2021.

- *All of Mr. Davis' timesheets for when he worked for Commissioner Scott between January 1, 2021 and December 31, 2022.

- *All of Mr. Davis' relevant texts and emails regarding this matter, to be provided by Mr. Davis.

- *Earlier in the meeting, Chair Thomas requested that the Ethics Board be provided with a copy of Mr. Davis' personnel file for when he worked for Commissioner Scott.

Member Schaefer asked for clarification on Mr. Davis' pending, related lawsuits, which Commission Counsel Johnson provided. One is before the Michigan Court of Appeals and the other is before the 6th U.S. Circuit Court of Appeals.

- E. Such other matters as may be properly submitted by the Board
- F. Public comments
- G. Adjournment

Schaefer/Thomas
Adjournment at 12:59 a.m.

Respectfully submitted,
Octavia Hunter, Legislative Research Assistant