

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 03-cv-72258

-vs-

Hon. Julian Abele Cook, Jr.  
United States District Judge

CITY OF DETROIT, MICHIGAN,

Defendant.

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**STIPULATION AND ORDER TO AMEND CONSENT JUDGMENTS**

The parties hereby stipulate to the entry of the following Order.

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**ORDER TO AMEND CONSENT JUDGMENTS**

The parties have stipulated to the following amendments to the Consent Judgments in this case, and the Court, having fully considered the stipulation and proposed amendments hereby amends the Consent Judgments in the following manner:

The Use of Force and Arrest and Witness Detention Consent Judgment (Doc. #22), paragraph 22 currently reads as follows:

“The firearm policy shall prohibit shooting at or from a moving vehicle. The policy shall also prohibit officers from intentionally placing themselves in the path of a moving vehicle.”

The amended paragraph<sup>1</sup> shall read as follows:

“The firearm policy shall prohibit shooting at or from a moving vehicle except in exceptional circumstances. The policy shall also prohibit officers from intentionally placing themselves in the path of moving vehicle.”

The Use of Force and Arrest and Detention Consent Judgment paragraph 48 currently reads as follows:

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<sup>1</sup> After consultation with the Monitor, the Parties have agreed that the absolute prohibition of shooting at or from moving vehicles is impracticable (as it might pose a safety concern) and not required by law.

“The DPD shall document the content and circumstances of all interviews, interrogations and conveyances during the shift in which the police action occurred. The DPD shall review in writing all interviews, interrogations and conveyances and document on an auditable form those in violation of DPD policy within 12 hours of the interview, interrogation or conveyance.”

The amended paragraph<sup>2</sup> shall read as follows:

“The DPD shall document the content and circumstances of all interviews, interrogations and conveyances during the shift in which the police action occurred. The DPD shall review in writing all interviews, interrogations and conveyances and document on an auditable form those in violation of DPD policy within 24 hours of the interview, interrogation or conveyance.”

The Use of Force and Arrest and Detention Consent Judgment definition provided in paragraph f currently reads as follows:

“The term ‘canine deployment’ means any situation, except in cases involving an on-leash article search only, in which a canine is brought to the scene and either: i) the canine is released from the police car in furtherance of the police action; or ii) the suspect gives up immediately after an announcement is made that if he/she does not surrender the canine will be released.”

The amended paragraph<sup>3</sup> shall read as follows:

“The term ‘canine deployment’ means any situation, except in cases involving an on-leash article search only, in which a canine is brought to the scene and either: i) the canine is released from the police car in furtherance of the police action and a suspect is apprehended; or ii) the suspect gives up immediately after an announcement is made that if he/she does not surrender the canine will be released.”

Finally, the Conditions of Confinement Consent Judgment (Doc. #23) paragraph 64(a) reads as follows:

“the installation and continuous operation of video cameras in all prisoner processing areas of DPD holding cells within one year of the effective date of this Agreement;”

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<sup>2</sup> The Parties agree that changing the requirement from 12 to 24 hours will better ensure that supervisors are able to review the conduct of officers on their respective shifts, and therefore are better able to adequately review the actions of officers within their most immediate chain of command.

<sup>3</sup> This amendment is intended to alleviate administrative burdens related to supervisory reviews currently required by the mere presence of a canine at the scene of police activity.

The amended paragraph<sup>4</sup> shall read as follows:

“the installation and continuous operation of video cameras in all prisoner processing areas within one year of the effective date of this Agreement;”

**IT IS SO ORDERED.**

Dated: June 1, 2011  
Detroit, Michigan

s/Julian Abele Cook, Jr.  
JULIAN ABELE COOK, JR.  
United States District Court Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on June 1, 2011

s/ Kay Doaks  
Case Manager

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<sup>4</sup> This amendment is intended to clarify the original intent of the parties that video cameras shall be installed and operated to monitor the specific areas where prisoners are processed, rather than all areas of the holding cells.