

# Detroit Free Press

## COMMENT

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■ At any price, auditorium deal lacks virtue. Joe H. Stroud, Page 2  
 Sunday, July 15, 1990

### COURTING DISASTER

# Detroit sometimes loses lawsuits by dragging its feet

## Appeal brief never filed costs city \$100,000

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 Second in a series

BY ZACHARE BALL AND DAVID ASHENFELTER  
 Free Press Staff Writers

Attorney Mark Granzotto calls it the strangest lawsuit he ever handled. It started in November 1984, when Granzotto sued the City of Detroit on behalf of nine Department of Transportation money counters who claimed they were victimized by an illegal strip search.

In a scenario that has become all too familiar, the assistant city attorney assigned to the case repeatedly failed over the next two years to comply with court orders to produce city documents Granzotto needed to prepare his case.

Finally, Wayne County Circuit

Judge Harry Dingeman Jr. entered a default judgment against the city in December 1986. That meant the city was guilty and the jury would hear only enough testimony to decide how much money to award Granzotto's clients.

The jury awarded \$152,500. But instead of cutting her losses by asking the City Council to pay the judgment, Assistant Corporation Counsel Brenda Braceful filed an appeal. The Michigan Court of Appeals dismissed it 18 months later because Braceful never got around to filing an appeal brief.

"The conduct of this attorney was absolutely, utterly astounding," Granzotto recalled, although he acknowledged she did a good job arguing before the jury to limit the damage award — which grew an additional \$100,000 while the case was on appeal.

"I guess I just bit off more than I could chew," Braceful told the Free Press. She said that, at the time she was handling the case, she was supervising 10 lawyers, four law clerks and managing her own caseload of more than 30 lawsuits.

"To be in a position where it looks like this is indicative or the essence of my career at the Law Department, that's a little troubling," Braceful said. "In six years, I've been able to keep a lid on a thousand fires."

The Free Press, in a five-month study of lawsuits lost by the City of Detroit the past three years, found at least seven other lawsuits the city has forfeited because its attorneys failed to comply with court orders.

The actual number of default judgments

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#### THE FINDINGS

**THE CITY** Law Department's refusal to accept lawsuit settlements proposed by circuit court mediators cost taxpayers at least \$13.5 million during the past three years.

**THE CITY DOESN'T** use lawsuits to identify and discipline employees sued repeatedly.

**THE LAW DEPARTMENT** often loses cases because its attorneys don't produce documents and witnesses on time. Sometimes its attorneys don't even show up for court.

**DETROIT LAGS** behind other big cities in risk management — the method of identifying what causes lawsuits and finding ways to reduce them.

## Experts: Find, fix problems before they give rise to suits

BY ZACHARE BALL AND DAVID ASHENFELTER  
 Free Press Staff Writer

In 1984, the U.S. Supreme Court declared that police officers could no longer shoot fleeing crime suspects except in life-and-death situations.

Detroit was slow to get the word.

At 4:15 a.m., Jan. 9, 1986, police fatally shot Thaddeus Woodruff, 30, in the back as he was fleeing from the scene of a suspected residential break-in on the city's east side.

Woodruff's family sued the city and ultimately collected \$90,000 because Woodruff never posed a threat to the

officers and — more important — the city had neglected to tell the force about the Supreme Court decision.

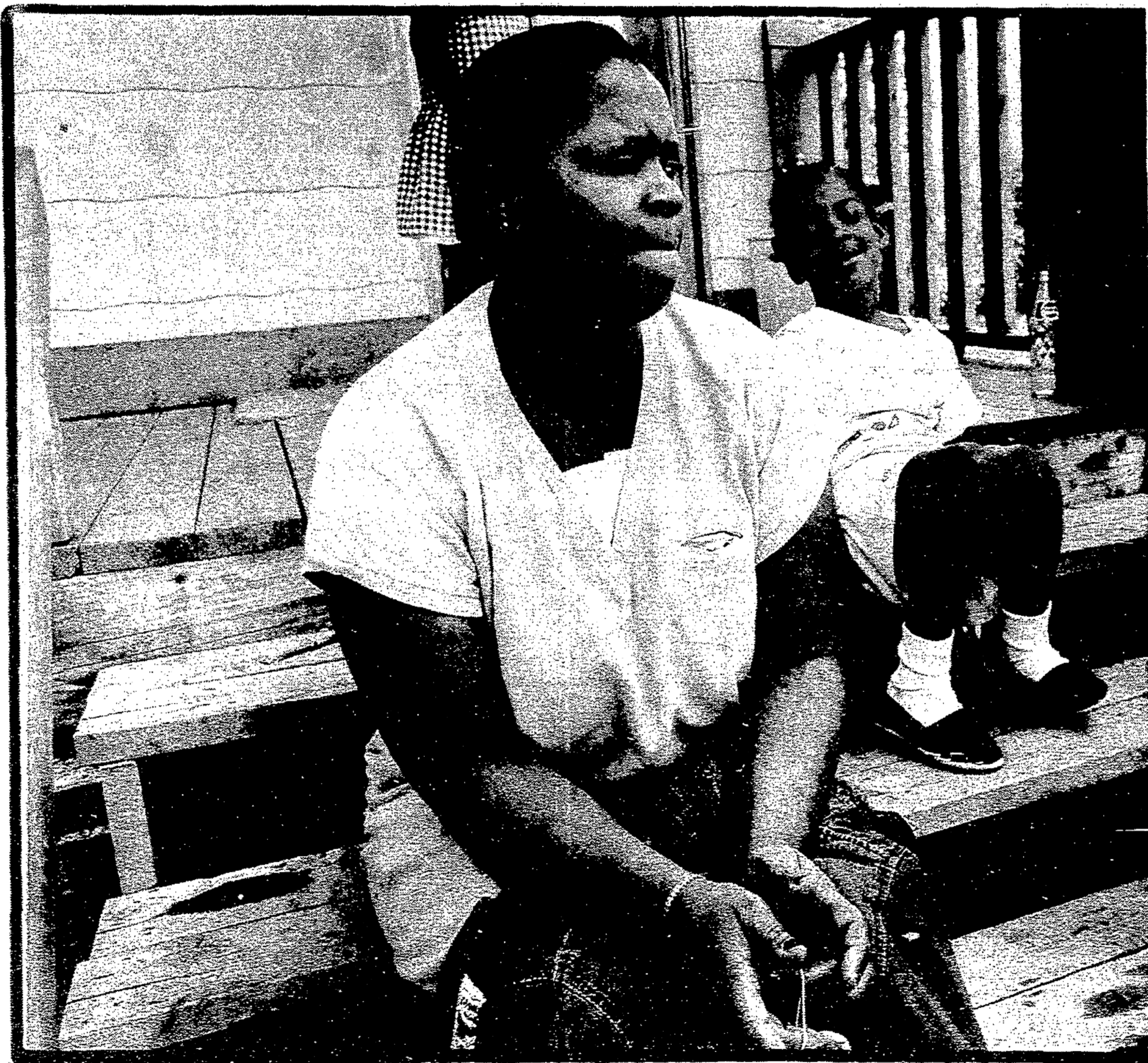
"It was a failure to pick up on a change in the law," said Steven Reifman, the Farmington Hills lawyer who represented Woodruff's estate. "Because guidelines were not changed, we got a judgment."

The Woodruff case is like many the Free Press examined during its five-month study of lawsuits against the city: Something doesn't get done, somebody gets hurt, the city gets sued, and taxpayers get stuck with the bill.

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"This house was in good condition when I first moved in here, but the guy didn't want to sell the house. It was a pretty good two-family flat. Then (crack smokers) just went in there and took everything out — the kitchen sink and everything."

LINDA WEST, right, seated on her newly rebuilt front steps



"You get sick of looking at those old houses, especially when they're right in front of your door."

ALICE JOHNSON, referring to deteriorating homes, in photo below, in her neighborhood.

# BLIGHT FIGHTERS

This is the second in an occasional series about the efforts of people in one Detroit neighborhood to save their community.  
 BY LARRY BIVENS  
 Free Press Staff Writer

# A

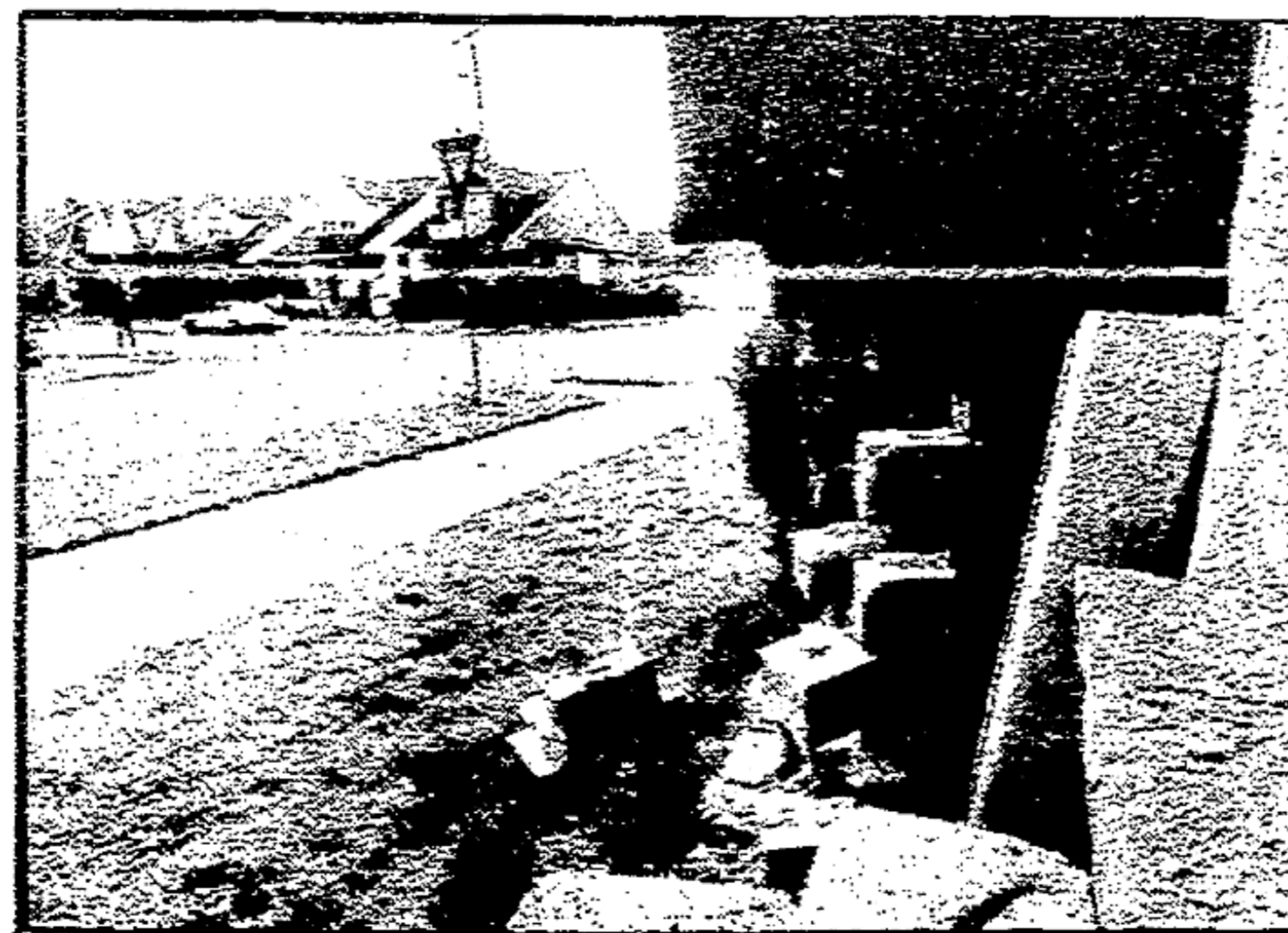
lice Johnson has witnessed a lot in her neighborhood on Detroit's east side. She has watched much of it from her front door or through the drapery over her living room window. And some of it was not pretty.

Today, she gazes out at an empty lot across the street where a two-family house once sat. She recently recalled how the brick house was abandoned and then stripped of its vital parts, one piece at a time. It started, she said, when vandals broke the windows and pushed in the door.

"I was out there working the yard, and two men came by in two long cars. I thought they were going to do something to fix it up. One of them went in and came out with a window. Then, the other went in and came out with something. They put the stuff in their cars and drove off. After that, everybody got a piece of it. They tore that house up. I sure hated that.

"They got the door. . . . One man I know came and got the

## Neighborhood frets about vandals, drug trafficking



leaded glass and put plain ones in there. That was the funniest thing."

Johnson is not amused by the decay and deterioration that has beset the street she moved onto 10 years ago. Nor does she laugh at the drug trafficking that has endangered the serenity of the neighborhood.

Johnson lives in the 3600 block of Nottingham, in the lower level of a blond brick, two-family flat. Her concerns have a lot in common with those of Anne O'Connor, who lives two blocks north. O'Connor has been a chief organizer of neighbors bent on ridding their streets of suspected drug houses. Johnson has been a leader in getting rid of abandoned houses on her block.

"You get sick of looking at those old houses," she said with a huff, "especially when they're right in front of your door."

The advent of drugs in the neighborhood was as surprising and scary to Johnson as it was to O'Connor and other neighbors, including Juanita Washington, Karen and Quinten Shobe, who have banded together in regular anti-drug marches. Bursts of gunfire alerted them all.

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**N-O-T ON OUR BLOCK**