

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 03-cv-72258-DT

v.

HON. JULIAN A. COOK, JR.
MAG. JUDGE: DONALD A. SCHEER

CITY OF DETROIT, MICHIGAN,

Defendant.

_____ /

STIPULATION TO AMEND CONSENT JUDGMENT
USE OF FORCE AND ARREST AND WITNESS DETENTION

The parties stipulate to entry of the following order.

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Acting United States Attorney

s/ with consnet Judith E. Levy
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ORDER AMENDING CONSENT JUDGMENT
USE OF FORCE AND ARREST AND WITNESS DETENTION

The Court has considered the above stipulation and is fully informed in the matter.

IT IS ORDERED that the Consent Judgment Use of Force and Arrest and Witness
Detention (Document No. 22, 7/18/03) is amended as follows:

1. Paragraph 1.k. is amended to read as follows: “The term ‘conveyance’ means any instance when DPD transports a person who is not a DPD employee in a vehicle against that person’s will or for a law-enforcement purpose.”

2. Paragraph 35.c. is amended to read as follows: “the supervisor responding to the scene to notify IAD of all serious uses of force, uses of force that result in visible injury, uses of force that a reasonable officer should have known were likely to result in injury, uses of force where there is prisoner injury; and”.

3. Paragraph 35.d. is amended to read as follows: “IAD to respond to the scene of, and investigate, all incidents where a prisoner dies, suffers serious bodily injury or requires hospital admission, and all incidents that involve serious uses of force, and to permit IAD to delegate all other use of force or prisoner injury investigations to the supervisor for a command investigation.”

4. Paragraph 67.g. is amended to read as follows: “require IAD and OCI to complete all investigations within 90 days of receiving the complaint; and”.

5. Paragraph 67.h. is amended to read as follows: “require that: (1) upon completion of the investigation by a command other than OCI, the complainant shall be notified of its outcome and, if the complaint is sustained, whether disciplinary or non-disciplinary corrective action has been recommended; and (2) upon completion of an investigation by OCI the complainant shall be notified of its outcome and, if the complaint is sustained, its referral to the Chief of Police for appropriate disciplinary or non-disciplinary corrective action.”

Dated: September 15, 2008

United

s/ Julian Abele Cook, Jr.
Hon. Julian A. Cook, Jr.
States District Judge