

"Walk on"



LAW DEPARTMENT

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Date: March 25, 2024

To: Honorable City Council

From: Law Department

Re: Closed Session – Request for Legal Representation and Indemnification of Retired Investigator Monica Childs in the matter of *Larry Smith v Monica Childs et al.*; Civil Action Case No. 21-12070.

The Law Department submitted a privileged and confidential memorandum, dated September 15, 2023, recommending that this Honorable Council approve the Request for Legal Representation and Indemnification of Retired Investigator Monica Childs in the matter of *Larry Smith v Monica Childs et al.*; Civil Action Case No. 21-12070. Pursuant to arbitration awards issued by the Voluntary Labor Arbitration Tribunal, which recognize the past practice of City Council holding hearings for police officers who have been denied representation, and after consultation with the Council President's office, the Law Department is respectfully requesting that a closed session on the matter be held on Tuesday, April 9, 2024, at 3:00 p.m.

BY COUNCIL MEMBER: _____:

**Required Hearings
Regarding Representation and Indemnification of
Certain Members of the Detroit Police Department**

Whereas, Section 7.5-203, *Civil Litigation*, of the 2012 Detroit City Charter provides, in relevant part, that “[upon request, the Corporation Counsel may represent any officer or employee of the city in any action or proceeding involving official duties;]” and,

Whereas, Section 35-2-105, *Determination by City Council*, of the 2019 Detroit City Code provides, in pertinent part, that “the city council shall consider and determine whether the corporation counsel shall represent the officer or employee in the matter and find and determine whether or not the claim, demand or suit arises out of or involves the performance in good faith of the official duties of such officer or employee[;]” and,

Whereas, Arbitration awards issued by the Voluntary Labor Arbitration Tribunal recognize the past practice of City Council holding hearings for police officers who have been denied representation (*see* Grievance Nos. 79-237, 82-055, 90-047, and 92-200/92-202); **Now Therefore Be It**

Resolved, That, pursuant to the above and MCL 15.268(a), a closed session is to be held on **March 25, 2024, at 3:00pm**, for the purpose of conducting a hearing related to the following:

Legal Representation and Indemnification in lawsuit of *Larry Smith v Monica Childs et al.*; Civil Action Case No. 21-12070 for Retired Investigator Monica Childs, Badge No. I-117; and Be It Further

Resolved That, the Law Department’s recommendation is to **Approve** indemnification of Monica Childs in this matter, which will be discussed with Law Department attorneys, representatives from the Detroit Police Department, Monica Childs and counsel, representatives from the Detroit Police Officer’s Association, as well as attorneys from the Legislative Policy Division; **and Be It Further**

Resolved That the hearing is scheduled at **3:00 p.m. April 9, 2024; and Be It Finally**