

City of Detroit

CITY COUNCIL


GABRIELA SANTIAGO-ROMERO

COUNCIL MEMBER, DISTRICT 6

MEMORANDUM

TO: David Whitaker, Director
Legislative Policy Division

THRU: Council President Mary Sheffield

FROM: Council Member Gabriela Santiago-Romero 

DATE: June 24, 2025

RE: Inquiry into Separate Legal Counsel for Independent Agencies in Detroit

We have recently heard from the Board of Ethics their desire to hire their own independent legal counsel. The Board of Ethics believes having the opportunity to hire counsel would avoid conflict of interest which has been an issue in the past while being represented by the Law Department. The Board of Ethics is an Independent Oversight Agency, similar to other agencies in the city. Please provide the following information:

1. Based on a preliminary search of existing rules, Sec. 2-106.9. Powers and Duties in the City Charter states the Board of Ethics shall:
 - a. "Receive and resolve complaints arising under the Ethics Ordinance. The Board of Ethics shall be authorized by ordinance to conduct investigations on its own initiative, subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, appoint independent counsel when necessary, and to perform other functions essential to ensure the integrity of City government."
 - b. Does this section refer to the Board of Ethics appointing independent counsel for themselves or for others they are serving?
2. Would the Board of Ethics hiring their own legal counsel with Proportional Funding be conflicting with what is outlined in the City Charter?
3. If there is an issue with this independent process conflicting with current rules, what are the solutions or next steps available to explore this secondary route in the future?
4. What would the process be for these Independent Agencies to obtain their own counsel?
5. Is there any existing ordinance or other section of the Charter that is preventing the Board of Ethics from obtaining independent counsel with their own money?

Please do not hesitate to contact my office if you have any questions. Thank you.

Cc: Honorable Detroit City Council
Louise Jones, City Clerk's Office

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Malik Washington, City Council Liaison