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**LAW DEPARTMENT**

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May 3, 2024

Julie H. Hurwitz  
Goodman Hurwitz & James, P.C.  
1394 E. Jefferson Ave.  
Detroit, MI 48207

via email - JHurwitz@goodmanhurwitz.com

**RE: Freedom of Information Act Request A24-02888, Dated March 20, 2024, Concerning  
City of Detroit Records Pertaining to Citizen Complaints**

Dear Ms. Hurwitz:

This letter serves as the City of Detroit's response to the above-referenced matter. Your request was received by the City of Detroit Freedom of Information Act Section, via email, on May 3, 2024. Thank you for your patience.

Your letter requests:

“-The final investigator report and Commissioner signature page for all Citizen Complaints closed between January 1, 2024 – February 29, 2024, with appropriate redacting of victim and witness identifying information.”

Please be advised that City of Detroit Board of Police Commissioner (BOPC) personnel indicates that there are approximately 100 files which contain information pertaining to your request. A review and search of each file would have to be conducted to retrieve the records which pertain to your request. BOPC personnel estimates that it will take approximately thirty-three (33) hours to complete said search and scan the responsive records. The hourly rate of the lowest paid BOPC personnel who is capable of such tasks is \$24.52 per hour. Therefore, the BOPC will incur an adjusted estimated labor cost in the amount of Eight Hundred and Sixty-Eight 39/100 Dollars (\$868.39) [33 hours x \$39.23/hr plus fringe benefits reduced by 50% due to delay in response] in order to comply with your request. *Please see attached FOIA Fee Estimate form.*

Accordingly, pursuant to MCL 15.234(8), we require that you provide a **deposit** in the form of a money order or check made payable to the "City of Detroit" in the amount of **Four Hundred and Thirty-Four 19/100 Dollars (\$434.19)** [\$868.39 divided by 2]. Please let me know by **June 21, 2024** as to how you wish to proceed in this matter. Additionally, **include the FOIA request number listed above on the memo line of your check/money order or on a separate note** and forward it to my attention. It is important to note that we do not accept cash. **Additionally, please do not write on the check outside of the memo line as our bank will not process checks with writing outside of the memo line. Failure to comply with these policies will result in your check being returned to you.**

Upon receipt of the payment, the Board of Police Commissioner personnel will search and retrieve the records which you request. Thereafter, the Law Department will commence the review and the separation of the exempt information from the non-exempt information and provide you with a supplemental response letter which outlines what information has been exempted and the actual labor costs associated with your request<sup>1</sup>. Due to the large scope of the request, we estimate completing the search

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<sup>1</sup> The Law Department labor cost cannot be determined until the records are received from the BOPC. Therefore, it is not included in the estimate.

and retrieval portion will take approximately one (1) month. ***Please note, if we are not in receipt of deposit payment by the above-referenced date, we shall consider your request abandoned and close our file of this request, pursuant to MCL 15.234(14).***

Please note that pursuant to Section 10 and 10a of the Act, MCL 15.240 and 15.240a, a person receiving a written denial of a request or receiving a letter to submit the labor costs may do one of the following:

- 1) Submit a written appeal to the head of the public body denying the request. Such appeal, if submitted, should specifically state the word “appeal” and identify the reason or reasons for reversal of the disclosure denial. MCL 15.240(1)(a) and MCL 15.240a(1)(a); or
- 2) Commence an action in the circuit court to compel the disclosure of the public records within 180 days after the public body’s denial of the request, MCL 15.240(1)(b), or 45 days after the public body’s request for labor costs, MCL 15.240a(1)(b). If a court finds that the information withheld by a public body is not exempt from disclosure, or that the labor costs requested by the public body exceeds the amount permitted, the requesting party may receive the requested record and, at the discretion of the court, reasonable attorney fees and /or cost. MCL 15.240(6) and (7), and MCL 15.240a(6) and (7).

**For your information, please note that a public** summary of the City of Detroit Freedom of Information Act procedures and guidelines are at [www.detroitmi.gov](http://www.detroitmi.gov) and specifically at <https://detroitmi.gov/document/foia-procedures-and-guidelines> and <https://detroitmi.gov/how-do-i/request-document/foia-freedom-information-act-request>.

Very truly yours,

*Monique Smith*  
Monique Smith  
Senior Assistant Corporation Counsel  
Freedom of Information Act Section  
(313) 237-3012

MS/  
Enclosure