

# Detroit's New Draft Charter: Who inspects whom?

## DUTIES

*What are they responsible for?*

## POWERS

*What powers do they have?*

## WHAT DOES THIS MEAN FOR ME?

*John Q. Citizen lives in Detroit. There is an abandoned lot with 300 tires across the street. How will these 4 offices be involved in the resolution of the problem?*



### Ombudsperson

**Appointment:**

2/3 vote of City Council

**Term:**

10 years

**2009 Budget:**

\$1,338,871

Investigate any official act of any agency except elective officers which aggrieves any person; Establish procedures for receiving and processing complaints, conducting investigations and hearings, and reporting findings.

Authority of the Ombudsperson extends equally to all agencies; May request and shall be given necessary assistance and information by each agency; May subpoena witnesses, administer oaths, take testimony, require the production of evidence

Mr. Citizen calls the Ombudsperson to alert them to the tire problem. The Ombudsperson records the information in their database, where they see several other complaints about trash in abandoned lots in Mr. Citizen's neighborhood. The Ombudsperson calls the Director of Public Works to inquire about the problem. Public Works advises the Ombudsperson that they will follow up with the contractor who is responsible for waste removal. 6 months later, the problem is not resolved. Mr. Citizen calls the Ombudsperson again, who now has 300 complaints from this neighborhood. The Ombudsperson continues to pursue the problem by calling the Inspector General for help.



### Inspector General

**Appointment:**

Majority of City Council

**Term:**

6 years, non-renewable

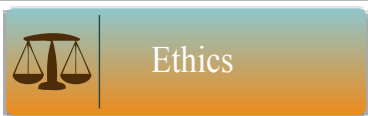
**2009 Budget:**

N/A

Ensure honesty and integrity in City government by rooting out waste, abuse, fraud, and corruption; Investigate any Public Servant and City agency, program or official act, contractors and subcontractors providing goods and services to the City, business entities seeking contracts or certification.

Issue quarterly reports to the City Council and Mayor concerning results of investigations and audits; Have access to the financial and other records of all city agencies at any time; May subpoena witnesses, administer oaths, take testimony, require the production of evidence, enforce any subpoena.

Alerted to the tire problem, the Inspector General (IG) starts an investigation into the Public Works department, and the contract and contractor responsible for the work that is not being done. When the IG cannot find the contractor, or get in contact with the company responsible for the work, he begins to suspect fraud. The IG finds that the contractor accepted the money from Public Works but did not complete any work. The IG calls the Auditor General to determine how much money was paid to the contractor, suspends this contractor from working with the City and refers the case to the City prosecutor for resolution. During the investigation, the IG finds that the contractor is the brother-in-law of the Director of Public Works. After finding this, the IG consults with the Board of Ethics.



### Ethics

**Appointment:**

3 from Mayor, 3 from City Council, 1 Joint

**Term:**

5 years

**2009 Budget:**

N/A

Receive and resolve complaints arising under the Ethics Ordinance; Recommend improvements in the standards of conduct to ensure the ethical behavior of City elective officers, appointees and employees; Provide mandatory training for the elected officers and appointees.

Issue penalties for violations of this section of the Ethics Ordinance; May subpoena witnesses, Recommend admonishment, discipline, forfeiture, suspension or disbarment from contracting, prosecution and levy fines; Administer oaths, take testimony, require the production of evidence

The Board of Ethics contacts the Director of Public Works, who failed to disclose his relationship to the contractor, giving his brother-in-law the contract without adhering to the proper bidding process. This violation of Detroit's Standards of Conduct compels the Board of Ethics to disbar the contractor for 20 years, impose a fine on the contractor and to recommend that the Director of Public Works be terminated from his position.



### Auditor General

**Appointment:**

Majority of City Council

**Term:**

10 years

**2009 Budget:**

\$7,746,445

Advise on the City's fiscal operations and management; Make a report of the financial position of the city; Investigate the administration and operation of any city agency and report findings and recommendations to the City Council and the Mayor.

Settle all disputed claims in favor of or against the city to the extent and in the manner provided by ordinance; May request and shall be given necessary assistance and information by each agency; May subpoena witnesses, administer oaths, take testimony, require the production of evidence

Given the large number of complaints, the Auditor General (AG) decides to conduct an audit of the Public Works department. The AG finds that this contractor was given several other contracts totaling over \$5 million. The AG reports his findings back to the IG and Ombudsperson, who confirm other complaints related to this contractors services.

