

# Court to hear ex-cop case

State justices to decide if whistle-blower suit over allegations of retaliation can be reinstated

BY DAVID JOSAR  
The Detroit News

**Detroit** — The state Supreme Court has agreed to decide whether a whistle-blower lawsuit can be reinstated from an ex-Detroit cop who alleges he was retaliated against after reporting his superior for using a racial slur against him.

Michael Lee, who retired in December 2005, alleged he was demoted from leading the Gang Enforcement Squad to the re-

ords section — described as a “wasteland” — after he requested an investigation into his former boss, Cmdr. George Hall, who he said used a racial slur.

The Wayne County Circuit Court and state Court of Appeals, though, dismissed the suit, finding no evidence linking the allegations to Lee's demotion.

But Lee asked the courts to reconsider the case in light of a decision that allowed former Deputy Police Chief Gary Brown to sue

then-Mayor Kwame Kilpatrick. The suit, which kicked around the courts for years, eventually set off the events that led to Kilpatrick's resignation and jailing.

Lee, who was an 18-year veteran when the 2004 incident occurred, alleges then-Police Chief Ella Bully-Cummings retaliated against him after he complained Hall grabbed his shoulder and shouted a racial epithet during a dispute about police deployment during the fall 2004 election.

Both men are black. According to court records, Bully-Cummings argued she transferred Lee to the records

section because of his performance as head of the gang squad.

Both Lee's lawyer, Bertram Marx, and the city's lawyer, Grant Ha, were not in their offices Wednesday and could not be reached for comment Friday.

Lee, who filed his lawsuit in February 2005, said that when he was demoted to the records section, he had to give up a city car and city cell phone, and he lost the opportunity to earn holiday pay and “triple pay,” according to court records.

Oral argument in the case is scheduled for Dec. 9.

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## A STROLL DOWN WOODWARD



Inside giant inflated suits, performance artists Jimmy Kuehne and Mary Beth Carolan march down the drive-through lane at Church's Chicken on Woodward Friday afternoon to draw smiles. Kuehne, an artist in residence at Albion College, has staged walks in other cities.

Photos by Robin Buckson / The Detroit News

# Honk if you see these creatures

Pair don inflated suits and sense of humor for laughs

BY SANTIAGO ESPARZA | The Detroit News

**H**idden beneath giant, multicolored, inflatable suits, performance artists Jimmy Kuehne and Mary Beth Carolan bopped down Woodward Avenue Friday afternoon.

They drew plenty of stares from pedestrians and honks from motorists as they walked from south of the Detroit Institute of Arts to downtown.

Kuehne, a St. Louis native who is an artist in residence at Albion College, said the walk was a way to get people to forget work, bills and troubles and focus on being silly for a while.

“Everybody gets caught up in the everyday routine and forgets about the lightest parts of life,” he said before donning his suit, which looked like a geometric amoeba. “I’m trying to do something absurd so you stop thinking about the grind.”

The inflatable suits were large and needed about 10 mo-

**More online:** To see more of the artists' inflatable excursion, go to [detnews.com/metro](http://detnews.com/metro).



tors to keep them full of air, but they still were light enough for the pair to easily dance, jump around and bump people passing by.

Bobby Thrasher, a Detroit resident and artist, did not know Kuehne until Friday. She read about his visit on the Internet and wanted to participate.



Carolan, a Detroit artist, joined up with Kuehne in her inflated contraption that had “HELLO” on the front and “BYE” on the back.

“I think it's great,” he said while standing at a bus stop on Woodward near Warren. “There is too much stuff you have to think about in life. It put a smile on my face.”

Kuehne, 30, said Thrasher's smile is what he was angling for with the walk. Kuehne has staged similar events in other cities.

Carolan, a 32-year-old Detroit resident and artist, did not know Kuehne until Friday. She read about his visit on the Internet and wanted to participate.

“I do some performance art myself,” she said after wearing the suit with the words “HELLO” on the front and “BYE” on the back. “I thought this was a great idea.”

Snetta Hill of Detroit ran out of a Church's Chicken restaurant to see Kuehne and Carolan playing around in the drive-through lane.

“I love it,” Hill said while waving and cheering the pair on. “That made my day.”

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## WAYNE

### MELVINDALE

**Police Department gets \$1.3M found in vehicle**

A routine traffic stop in July has resulted in more than \$1 million for the Melvindale Police Department. Police stopped a tractor-trailer on a minor traffic violation on Interstate 75 near Schaefer July 7 and searched the vehicle, Lt. Chad Hayes told The Detroit News. Drugs weren't found but authorities found \$1.27 million. After the owner didn't claim the money, the department was notified it will receive the cash.

### TAYLOR

**Meeting set to help public learn how to protect ID**

An identity theft information meeting will be held from 5:30-6:30 p.m. Wednesday in the Taylor City Council Chambers in City Hall. The meeting is open to the public.

### PLYMOUTH

**National radio award goes to Canton High teen**

Canton High School junior Sean Fitzpatrick was honored with a national high school radio award. Fitzpatrick earned a John Drury award, receiving first place in the category of Best Newscast. Fitzpatrick works as a reporter and anchor at 88.1 — the radio station owned and operated by the Plymouth-Canton school district.

**More online:** For more Wayne County news, go to [detnews.com/wayne](http://detnews.com/wayne).



## OAKLAND

### FERNDALE

**Four fights, two arrests on Thanksgiving Eve**

Police reported crowds at the city's bars and restaurants were down slightly the Wednesday night before Thanksgiving, which is normally one of the biggest nights of the year. Police responded to four fights, one of which resulted in an arrest, and there was one arrest for drunken driving.

### ROYAL OAK

**South Oakland Shelter begins toy drive Sunday**

The South Oakland Shelter is kicking off its annual toy drive for 500 needy families from noon to 4 p.m. Sunday at its offices. New, unwrapped toys and gifts can be dropped off at the shelter at 431 N. Main. The drive runs through Dec. 14. For information, go to [southoaklandshelter.org](http://southoaklandshelter.org).

### PONTIAC

**Program offers Holiday Hope for needy seniors**

Lighthouse of Oakland County is collaborating with the American House Foundation and Wayne State University's Institute of Gerontology to help needy seniors. Holiday Hope for Seniors will provide food, personal items and gifts for seniors in Oakland and Wayne counties. The program is part of Central United Methodist Church's NOAH Project. Donors can call (248) 920-6000, Ext. 2231.

**More online:** For more Oakland County news, go to [detnews.com/oakland](http://detnews.com/oakland).



## MACOMB

### COUNTYWIDE

**Previously free directory now available for \$2**

Copies of the official county directory now will come with a price tag. The county used to provide the books for free, but the Board of Commissioners recently approved a measure to charge \$2 for each directory because of budgetary concerns. The book contains information on county and municipal governments and courts.

Macomb County Clerk Carmella Sabaugh is taking orders for the book and already has 625. The clerk will continue to offer the directory free at [www.macombcountymi.gov/clerksoffice](http://www.macombcountymi.gov/clerksoffice).

### STERLING HEIGHTS

**Freedom Hill to host swine flu vaccine clinics**

The Macomb County Health Department will hold two more swine flu vaccine clinics next week.

The first will be 12-7 p.m. from Wednesday at Freedom Hill County Park, 15000 Metropolitan Parkway.

The second will be from 9 a.m. to 3 p.m. Dec. 5, also at Freedom Hill. Both the injectable and nasal spray immunization will be available.

For information, visit the Health Department's Web site at [www.macombcountymi.gov/publichealth](http://www.macombcountymi.gov/publichealth) or call (586) 466-7923.

**More online:** For more Macomb County news, go to [detnews.com/macomb](http://detnews.com/macomb).



## LIVINGSTON

### COUNTYWIDE

**Tentative 2010 budget is \$2.3M under this year's**

The Board of Commission's Finance Committee approved a tentative 2010 budget of \$42.3 million earlier this week, Commissioner John LaBelle said. The budget proposal is about \$2.3 million less than this year's \$44.6 million budget. Property tax revenue, state share revenue and investments fell this year, he said. A hiring freeze in effect since last year helped offset drastic cuts. However, tough times are expected in 2011 and 2012, LaBelle said. The county commission will consider the tentative budget at its Dec. 7 meeting.

**LACASA fundraiser:** Deck the Halls, a winter holiday fundraiser for LACASA, the county's domestic violence and sexual assault services agency, will be Dec. 8 at the Brighton home of Barb and Tom Sullivan, president of Cleary University. Tickets are \$75 a person. Call (517) 548-1350 or visit [lacasa1.org](http://lacasa1.org).

**More online:** For more Livingston County news, go to [detnews.com/livingston](http://detnews.com/livingston).



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# Investigation clears bus driver in fatal crash

BY VALERIE OLANDER  
The Detroit News

**Howell** — A Livingston County Sheriff Department investigation into a Nov. 4 fatal crash concluded a bus driver, originally blamed for running a red light, was not at fault, officials said.

The case was forwarded to the Michigan State Police accident reconstruction team to conduct a further review. The report is expected next week. Meanwhile, a Howell-based attorney notified Livingston Essential Transportation Service that he has been retained by the family of Milly Suzich, the 84-year-old Fowlerville woman killed in the crash at Grand River and Highlander Way.

Suzich and her husband, George, 84, who was hospitalized with head injuries, were returning from a shopping trip when the crash happened, police said.

Their 2002 Dodge Intrepid was heading west on Grand River. The bus, with no passengers, was northbound on Highlander Way.

Howell Police said on the day of the crash the preliminary indication was that the bus driver ran a red light. The investigation was turned over to the Livingston County Sheriff's accident reconstruction team.

“We came up with additional information that it may not be as it initially appeared,” Undersheriff Mike Murphy said.

He declined to elaborate on details based on further witness statements and the reconstruction findings.

The part-time bus driver, Larry Clark, who has been working with the bus service for more than four years and has a good record, returned to duty Nov. 23, bus service Director Douglas Britz said.

Clark was suspended for 11 days while he was evaluated and tested for drugs and alcohol, Britz said.

Britz is expecting the State Police report to confirm the Sheriff Department's findings, clearing Clark of being at fault in the crash.

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