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Jailed Kilpatrick faces more charges Friday for allegedly shoving cop

By M.L. ELRICK and JOE SWICKARD • Free Press Staff Writers • August 7, 2008

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Updated at 8:50 p.m.

Shortly after Mayor Kwame Kilpatrick wakes up in jail Friday morning — still reeling from becoming the first sitting mayor in Detroit's 307-year history to spend a night behind bars — Michigan Attorney General Mike Cox is expected to charge him with felony assault.

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The announcement will come just 25 hours after the onetime political wunderkind went to court today, with plans to waive a preliminary examination and speed his way to trial on charges from the text message scandal, and instead wound up getting locked up.

"At the beginning of this case you were given every privilege that could be given to you with regard to travel," 36th District Judge Ronald Giles said, adding that he later imposed restrictions after learning Kilpatrick had been abusing his privileges.

Kilpatrick appeared devastated when Giles, speaking in a low-key tone from the bench, made a blockbuster ruling: that the mayor's unauthorized trip to Windsor last month, a bond violation, had earned him a trip to the Wayne County Jail.

Immediately.

At 10 this morning, Cox is expected to announce that he is charging Kilpatrick with assaulting an officer in July as he tried to serve court papers on one of Kilpatrick's best friends.

See Kilpatrick apologize to the court



Before the Cox announcement, Kilpatrick will appear in Wayne County Circuit Court for an emergency hearing in hopes that he will regain his freedom with a new bond. He already is charged with eight felony counts related to the text message scandal revealed by the Free Press in January. If Cox adds charges, the mayor faces the threat of being jailed again.

Giles' decision to jail the mayor followed a lengthy apology by Kilpatrick, who begged Giles for another chance. He invoked the image of his 12-year-old twins as he pleaded for leniency.

“I am asking for your forgiveness. It will never happen again,” the mayor said, his voice quavering as the courtroom scene was broadcast. “My sons are watching this proceeding, because I asked them to. I told them that I did something wrong.”

The mayor's sons were not in the courtroom.

See Giles deliver his ruling



As the mayor's police bodyguards and a courtroom officer led Kilpatrick away, shock waves spread across Michigan and made national headlines.

A new set of elected officials added to a chorus of political leaders calling for the 38-year-old mayor to resign.

Some supporters continued to stand by him, while other die-hards sought to distance themselves.

Kandia Milton, a longtime family friend and recent appointee as Kilpatrick's chief of staff, haltingly grabbed the reins as stand-in mayor.

Inside the mayor's office on the 11th floor of City Hall, Kilpatrick staffers — many of them relatives and family friends — were stunned.

"It was more shock than somber," said mayoral spokeswoman Denise Tolliver. "The mood was, 'We can't believe this is happening.'"

She said department directors and other top mayoral staffers got together and prayed for Kilpatrick.

Outside the courthouse, Roslyn Crawford of Detroit yelled in dismay.

"They locked up my mayor!" she shouted. "I feel disgusted, very disgusted. Because I think he's doing his job running the city."

Mary Garwood of Detroit said: "You messed up, Kwame darling. ... Don't think you can mess up and get away with it.

"He is representing the children here," she continued. "If they think Kwame can get away with it, what will they do? Stop the madness. ... Step down, get rid of this mess."

As word spread that Kilpatrick was heading to jail, spectators began clumping around a temporary barricade set up between the courthouse and Ford Field, where the Lions were preparing for their first preseason football game.

At least three Wayne County Sheriff's Office vehicles parted the crowd and pulled into a courthouse garage,

where one of them picked up the mayor and whisked him several blocks away to jail.

Shortly after Sheriff Warren Evans addressed the news media, the mayor's father, Bernard Kilpatrick, showed up in front of the jail with a police bodyguard at his side. He chatted with a sheriff's deputy but would not take questions from reporters, saying only, "No comment."

Kilpatrick attorney Jim Parkman, who visited the mayor in his cell, said Kilpatrick was resting.

His shimmering gray suit and matching vest were replaced with a jail-issued jumpsuit. Kilpatrick was nevertheless doing "exceedingly well," Parkman said.

"He was very calm and collected," Parkman said. "We talked about what was going on. ... I told him, 'You look just as rested as I've seen you.' He just smiled."

Parkman said Kilpatrick was in a cell by himself.

He described the cell as having a bed and a toilet and "a window with bars on it."

"It definitely was not the Holiday Inn," Parkman said.

Parkman declined to detail other elements of their conversation.

Parkman also praised Giles. In the mayor's early court appearances, Giles had been criticized for being lenient with him.

"He did what he felt he had to do, and I admire any man who does what he felt he had to do," Parkman said. "I might not agree with it ... but I admire him for doing it."

Giles sternly rebuked Kilpatrick two weeks ago after learning in testimony that the mayor laid hands on a sheriff's detective trying to serve a subpoena on Bobby Ferguson.

Giles also placed additional travel restrictions on the mayor and required him to post \$7,500 in cash, or 10% of his \$75,000 bond. The mayor had been free on personal recognizance before then.

But today, Giles stunned even prosecutors after ordering Kilpatrick to jail for going to Windsor — an international trip — to discuss a deal to raise \$65 million for Detroit by leasing the city's half of the Detroit-Windsor Tunnel. Kilpatrick failed to notify the court as required.

"The first day you were before me, I thought I made it clear to you that this court comes first in everything," Giles said. "I do understand that you're under ... pressure ... but I have to look at how the system should be run and perceived by the public."

Giles' comments came after Kilpatrick described the seven months since the text message scandal broke.

"I have been living in an incredible state of pressure and scrutiny," he told the judge. "My life has been revolutionarily transformed. It's transforming in front of the eye of these media people who don't know me at all."

Kilpatrick said he has strived to balance the city's budget and maintain services despite the stress. And he sought to make a connection with the judge.

"I respect the heck out of you for even taking this case because obviously you are under scrutiny that you are walking into from Day 1," he said.

“I apologize to the citizens as well, but mostly to you. It was never an affront to you,” he said of the trip.

Wayne County Assistant Prosecutor Robert Moran said the mayor’s pleas rang hollow.

“Now that he’s caught, he’s taking responsibility ... he thought he got away with it,” Moran said.

Moran said he found out about the trip from the media.

“That is a flagrant violation of this court’s order,” Moran said of the trip.

“It’s not serious to him that he’s a criminal defendant.”

James Thomas, another of Kilpatrick’s lawyers, acknowledged that the mayor violated the terms of his bond, but said it was an emergency.

“Who was dying?” Giles asked.

“The City of Detroit was sick,” Thomas said.

After Giles sent Kilpatrick to jail, James went to appeal before Judge Edward Ewell, the presiding judge of the criminal division, but Ewell was off today, so he came before Judge Thomas E. Jackson.

Court officials said Jackson wanted to review a transcript of the proceedings Giles conducted before hearing the bond appeal, which would take until this morning. They said the standard Jackson must apply is whether Giles abused his discretion.


The judge asked for a transcript and a report from the prisoner screening unit.

Veteran attorneys in the courtroom said the screening can take up to 10 days.

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