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## Kilpatrick admits lying under oath: He'll resign, serve 120 days in jail, repay \$1 million, surrender law license

News

By **Jim Schaefer Joe Swickard and Ben Schmitt M.L. Elrick** / McClatchy Newspapers

Thursday, September 4, 2008

Detroit Mayor Kwame Kilpatrick has pleaded guilty, ending a nearly eight month drama that has transfixed the region, paralyzed much of city business and halted a political career that once held such promise.

The deal calls for Kilpatrick to plead guilty to two felony counts of obstruction of justice by committing perjury, agreeing to serve four months

in jail, pay up to \$1 million in restitution, and serve five years' probation. He also agreed not to run for office during that five-year span.

The mayor will turn over his state pension to the City of Detroit, which paid \$8.4 million to settle two whistle-blower lawsuits three former cops filed against the city. The mayor was charged with eight felony counts ranging from conspiracy to perjury to misconduct in office to obstruction of justice after the Free Press revealed that the mayor lied on the witness stand during a police whistle-blower trial and gave misleading testimony about whether he intended to fire a deputy police chief investigating allegations of wrongdoing by members of his inner circle.

In a rushed monotone, Kilpatrick told the court: "I lied under oath in the case of Gary Brown and Harold Nelthrope versus the City of Detroit ... I did so with the intent to mislead the court and jury, to impede and obstruct the disposition of justice."

Groner asked Kilpatrick: "Are you satisfied with your lawyers in this case?"  
The mayor replied: "Uh, what do you mean?"

After Groner explained, Kilpatrick said he was satisfied with the performance of his legal team.

Groner: "The court's satisfied and will accept the plea to two counts of obstruction of justice."

Sentencing will be Oct. 28 at 2 p.m. in his courtroom. He did not explain why so much time will pass between the mayor's plea and sentencing.

Moments after Groner praised the lawyers for their work reaching a deal, Kilpatrick summoned his wife, kissed her and went back into a side room.

"Justice has finally been served," University of Detroit Mercy law professor Larry Dubin said this morning.

"The deal that the mayor agreed to ... is a major victory for the prosecutor, the mayor and the people of the city of Detroit and state of Michigan."

Dubin, who has been outspoken in his criticism of the mayor praised Worthy "for the way she prosecuted this case. She has demonstrated integrity in holding a public official accountable for serious criminal violations that constituted serious breaches of the public trust."

Just before huddling with his attorney, a smiling Kilpatrick jostled with reporters sitting in the first row of the courtroom. He, apparently good-naturedly, told them their reports were wrong and they needed to check their sources. He did not elaborate.

He also shook hands with Beatty, his former chief of staff and ex-lover. Beatty has left the courtroom with her attorneys, Mayer and Jeff Morganroth, and a man believed to be her pastor.

First lady Carlita Kilpatrick is in the courtroom. This is the first time she had been in a courtroom with Beatty since the scandal started in January.

The mayor had some other familiar faces in the courtroom, including Marc Andre Cunningham, a former aide to Kilpatrick resigned shortly after the Free Press reported that he had been using a



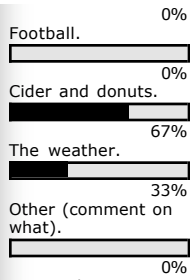
Detroit Mayor Kwame Kilpatrick is sworn in court at the Frank Murphy Hall of Justice, Thursday, September 4, 2008, in Detroit. Kilpatrick plead guilty to two felony counts of obstruction of justice by committing perjury, agreeing to serve four months in jail, pay up to \$1 million in restitution, and serve five years' probation. (Rashaun Rucker/Detroit Free Press/MCT)

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city-issued cell phone that was tapped by the FBI last year. Cunningham, who acted as the mayor's valet before becoming his liaison to the film industry, has said he did not believe he was using the cell phone at the time it was tapped and he said his resignation had nothing to do with the Free Press report.

Prosecutor Douglas Baker of the Michigan Attorney General's Office and Mayer Morganroth, attorney for Beatty, were in Groner's courtroom. Wayne County prosecutors also entered the courtroom. Kilpatrick's lawyers entered with a member of the mayor's police protection team.

Earlier, Wayne County Assistant Prosecutor Robert Moran and two defense lawyers for Kilpatrick left Cadillac Place, where they met for about 45 minutes with Gov. Jennifer Granholm.

The automatic doors to the mayor's office were uncharacteristically locked and as the appointees filtered out from the meeting, a mayoral staffer began passing out copies of a building policy prohibiting news reporters and photographers from attempting to interview and take pictures without permission.

Kilpatrick concluded with his top staff and appointees at 11:45 am. They emerged from the mayor's office on the 11th floor of the Coleman A. Young building looking grim.

"We're sad," said Amru Meah, director of the buildings and safety engineering dept.

Asked to discuss his reaction to Kilpatrick's guilty pleas and resignation, Meah said, "I'm too choked up."

In January, the Free Press published text messages Kilpatrick and Beatty exchanged on city issued pagers. Worthy cited the investigation in March, when he charged Kilpatrick with eight felonies and Beatty with seven.

Earlier this week, Wayne County Prosecutor Kym Worthy had offered the mayor six months in jail. That apparently was lowered to four months by Wednesday night.

At one point Wednesday afternoon, Kilpatrick met with his department directors and staff at a regular meeting. The subject of his criminal cases was raised, said a source who spoke on condition of anonymity because it was a private meeting. The subject of the mayor's leaving office came up, but Kilpatrick did not commit one way or the other and urged his top staff to remain focused, this source said.

The mayor's plea likely means Gov. Jennifer Granholm will cancel a second day of removal hearings for the mayor. The historic proceedings began Wednesday at Cadillac Place, the state office building located in the New Center, about 10 minutes from the Frank Murphy Hall of Justice where Kilpatrick entered his equally historic guilty plea.

Earlier this morning, Kilpatrick attorney Gerald Evelyn and prosecutor Rob Moran were seen leaving Cadillac Place. They declined to speak with reporters.

Beatty, who also is charged with felonies in the scandal, was not included in any plea discussions, her lawyer said Wednesday. Efforts to strike a deal today with the prosecution were unsuccessful.

"Nothing of any substance was offered. It was totally unacceptable," said Morganroth. The hearing has been put over for a week "and maybe they'll come around."

Neither Morganroth nor his client had a comment on the mayor's situation today, but Beatty "continues to pay an extremely high price," he said.

"She was very much emotionally distressed in court today. I just wanted her out of there right away."

"We were not part of any meeting," Mayer Morganroth said late Wednesday afternoon. "We plan to be in court in the morning and we'll see what happens then."

Kilpatrick is also facing two felony charges for allegedly assaulting deputies trying to serve a subpoena last month at the home of his sister, Ayanna. Michigan Attorney General Mike Cox's office is handling that case.



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