

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
City of Detroit, Michigan,
Debtor.

Case No. 13-53846
Judge Thomas J. Tucker
Chapter 9

**ORDER GRANTING CITY OF DETROIT'S
JULY 19, 2024 MOTION FOR AUTHORITY TO
MODIFY THE CONFIRMED PLAN OF ADJUSTMENT TO REVISE THE
"DROP" PROGRAM FOR CERTAIN POLICE OFFICERS**

This case is before the Court on the motion entitled "City of Detroit's July 2024 Motion for Authority to Modify the Confirmed Plan of Adjustment to Revise the "DROP" Program for Certain Police Officers" (Docket # 13908, the "Motion"). The Court has jurisdiction over the Motion under 28 U.S.C. §§ 157 and 1334 and Article VII of the Plan. Due and proper notice of the Motion was given as provided in the Motion. No timely objections or other responses to the Motion were filed. The Court finds that the legal and factual bases set forth in the Motion establish just cause for the relief granted in this Order; and there being good cause to enter this Order;

IT IS ORDERED that:

1. The Motion is granted as set forth herein.



2. The City may amend paragraph (3) of section 12.1 of the New PFRS

Active Pension Plan¹ with language that is substantially similar to the following:

(3) Notwithstanding paragraph 2 of this section or any other provision of this Plan, a member of the Detroit Police Officers Association shall be entitled to participate in the DROP program under the Component I for the maximum of ten (10) years. At the end of such ten (10) year period of participation in the DROP program, the member shall be retired and separated from employment. **If, however, at the time of the scheduled DROP retirement date, the Chief of Police determines that the skill set or value of the member who is retiring would result in a hardship on department needs or operations, the Chief of Police after mutual agreement with the member may grant an extension of the retirement date in one year increments not to exceed an additional five (5) years for a total of fifteen (15) total years in the DROP. A member granted this extension shall continue to be subject to the below listed criteria.**

A member who is participating in the DROP program under this paragraph §12.1(3) or under Component II of the Police and Fire Retirement System must be able to perform the essential functions of a police officer, assigned for the duration of his or her participation in the DROP program. Provided, however, that if a member, while participating in the DROP program under this paragraph § 12.1(3) or Component II of the Police and Fire Retirement System requires and is granted restricted duty for 365 consecutive days or more, that member may be retired and separated from employment after the end of such granted time period if the member is unable to perform the essential functions of a police officer.

While participating in the DROP program under paragraph §12.1(3) or under Component II of the Police and Fire

¹ Capitalized but undefined terms have the meanings ascribed to them in the Motion.

Retirement System, a member of the Detroit Police Officers Association must receive bi-annual satisfactory performance evaluations according to the performance evaluation standards then in place for sworn officers. Any such member who receives an unsatisfactory performance evaluation shall be entitled to the appeals process then in place, as well as final review by the Chief of Police. If a member receives a second unsatisfactory evaluation, that member may be retired and separated from employment. Additionally, if a participating member receives consecutive adjudicated findings of misconduct, that member may be retired and separated from employment subject to an appeal and final review of the Chief of Police.

3. Nothing in this Order is intended to constitute, will constitute, or may be deemed as constituting the City's consent under section 904 of the Bankruptcy Code to this Court's interference with (a) any of the political or governmental powers of the City, (b) any of the property or revenues of the City or (c) the City's use or enjoyment of any income-producing property.

4. The Court retains jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

Signed on August 12, 2024



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge