

From: "Jeffrey C. Smith" <jcs@wpa.org>
Subject: Re: Dewey Citizens for Accountability
Date: December 6, 2017 at 4:13:20 PM EST
To: Redefer TJ <tj@townofdeweybeach.com>

Dear Mr. Mayor (TJ),

It was a pleasure to speak with you and discuss issues together. I appreciate your viewpoints and I know you are attempting to solve the mess that is hidden somewhere in off-budget bank accounts and large parking areas somewhere near or not near Dewey right now. I think that everything needs to be brought out and called out, as it will be eventually. You asked that I be more direct and that's easy for me to do.

As you requested, and I promised, please find attached email documenting interference with the Council passed resolution to widen it somehow to already audited areas. Subsequent rumors sent to me by others that phone calls went out to advocate that are consistent with what the "new resolution" is to expand the scope beyond the Police Department that you mentioned you plan to introduce at the next Council meeting. The issue here is the resolution passed on November 11 is the current in place resolution, and its the fiduciary duty of Commissioners' duty of care and obedience to the Town to follow the November 11 resolution, and not some "new" parameters they might wish to propose in the future. The email below indicates thats not being complied with. Fiduciary duty is the same with any organization from a Board, or Congress contacting a regulatory agency, or town Council members. Direction was clearly given to the Chair, as well as the Auditor to move in a different direction from the specific parameters of the November 11 resolution. Thats a stark undisputed fact - as proven by this email (below in pdf.)

Additional Resolutions that would delay the audit of the Police would be contrary to the interests of residents and violate the principle of transparency. It has been months now. We have waited long enough to find out what is going on with Dewey's participation in the Surplus Program. Our members know almost nothing about what Dewey is doing with the funds, the asset locations, the maintenance, the security, the titling, the registration, or the use of this huge amount of equipment. If you know, please share that, if you don't know after nearly three months, that's a problem too.

I again request the location of the 36 vehicles received by the Police from the military surplus vehicles and listed on their inventories. And the opportunity to photograph them to determine various facts related to their registration, titling and insurance. These vehicles came to my attention in September, but only two have been seen, and they continue to move around. And they don't display any license plates, which is clearly and unambiguously against the law.** They were within 300 feet of town hall on public streets. And they were clearly not secured, also a violation of the written agreements. And that is just two of them. There are three other Humvees that maybe Dewey gave to the nearby towns, that would require the State LESO approval. My staff has posted the agreements on our website. Transparency requires the vehicles location to be disclosed or at the minimum photographs of them which is exactly as requested prior. Asking the police why there are no license plates on the two we've seen, would just be following the law that applies to all of us, police not exempted. I think every single resident in town would agree that the Police Department needs to be held accountable, and if neither of us can get this information we should join together to ask the state and federal government to vigorously pursue the matter.

Respectfully:

Jeffrey C. Smith

**Delaware State Code Title 21: No person shall drive or move, nor shall any person, being the owner of a vehicle, knowingly permit to be driven or moved upon any highway any vehicle...which is not registered and for which current registration plates have not been issued...Any vehicle that ...displays no registration plates...shall be considered to be abandoned for the purpose of this chapter, a vehicle is unregistered, it may not be parked on a public highway for more than 12 hours." (We photographed the vehicles over a 48 hour period.)