

**MINUTES OF THE
BOARD OF POLICE COMMISSIONERS MEETING
THURSDAY, MARCH 28, 2013**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Thursday, March 28, 2013, at Police Headquarters, 1125 Locust, 6th Floor, Kansas City, Missouri.

PRESENT:

Commissioner Lisa T. Pelofsky, President
Commissioner Alvin L. Brooks, Vice President
Commissioner Angela Wasson-Hunt, Treasurer (arrived at 9:11 a.m.)
Commissioner Patrick A. McInerney, Member
Mayor Sylvester "Sly" James, Jr., Member
Darryl Forté, Chief of Police
Mr. David V. Kenner, Secretary/Attorney

This meeting was called to order at 9:00 a.m. by Commissioner Pelofsky. The invocation was provided by Pastor Dennis Dewey.

1. Awards and Commendations.

The Board presented former Deputy Chief Jerry Gallagher with Resolution No. 13-01, to honor him for his years of service, leadership, and team building. The Mayor, Board members, and Chief Forté thanked him personally and expressed their pleasure in having had the opportunity to work with Deputy Chief Gallagher.

Police Officer Eric Byers and Police Officer Chatham Reeve each received a Certificate of Commendation for their quick action and immediate response in apprehending an armed man who had shot another man. (Officer Reeve was not present to accept his award.)

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Major Michael Corwin received the Meritorious Service Award for his efforts in securing millions in grant funds for the KCPD and the region for Homeland Security efforts. He also helped to develop the Kansas City Terrorist Early Warning Center (KCTEW) and his current project is the Law Enforcement Resource Center (LERC).

The Certificate of Appreciation was awarded to Ms. Christine Lentz and Mr. Robert Carroll both of Curry Association Management, and Mr. Gail Messenger of Messenger's Landscape, Lawn and Irrigation, for their donations to the PAL Center allowing much needed renovations to the building and grounds. Commissioner Pelofsky said she and the Board greatly appreciates these three people and their boards for their commitment to the PAL organization. It has changed the lives of so many young people as well as employees.

The Board took a recess at 9:22 a.m. and the meeting resumed at 9:33 a.m.

2. Councilman John Sharp, Public Safety and Emergency Services Committee. Councilman Sharp said the City Council held a hearing yesterday on an ordinance which would eliminate the question on city applications asking whether or not the applicant has a felony conviction. He said the City has and does hire ex-offenders, examining each on a case-by-case basis. Councilman Sharp is in favor of this change and would encourage other businesses to consider hiring ex-offenders. He said offering honest employment to ex-offenders will help to improve public safety over the long term.

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Councilman Sharp discussed the fact that Missouri does not have a primary seatbelt law. Kansas recently passed a primary seatbelt law and seat belt compliance has increased. The City will propose an ordinance that will raise the seatbelt fine from \$10 to \$50. Numerous cities in Missouri have passed their own ordinances related to seatbelt use.

Councilman Russ Johnson was scheduled to address the Board, however, was not in attendance. Thus, the discussion of the Parking Authority District was deferred to a later date.

3. City Architects Report. Major Sharon Laningham spoke in Mr. Eric Bosch's absence. Commissioner Brooks inquired about the judge's ruling in the most recent court case involving a home on Brooklyn. Major Laningham advised that the case was continued to April 13, 2013.

4. Chief Darryl Forté. Chief Forté said the police department will hold a large community forum in July 2013. His goal is to include a job fair. He also wants to make this a child friendly event so children will have an opportunity to have positive interaction with police officers.

In areas where large arrests sweeps have occurred, Chief Forté is enlisting help of the faith based community to go back into these neighborhoods and make contact with the friends and relatives of those arrested to help build and mend relationships with the citizens.

Chief Forté will also partner with domestic violence organizations to educate the community about domestic violence. His goal is to make neighborhoods whole again.

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Chief Forté met with individual Northland community leaders last week and emphasized that the neighborhoods that are engaged with each other have the least amount of crime. These neighborhoods utilize regular meetings, phone trees, and individuals who go door-to-door to make contact with residents on a regular basis.

5. Investigations Bureau. Deputy Chief Randy Hopkins reported that year-to-date there have been 22 homicides with 27 for the same time period in 2012.

Deputy Chief Hopkins said there are 563 cases that have been presented to the prosecutor and charges were filed in 470 of these.

With regard to drive-by shootings, there has been 15 year-to-date for 2013, as compared to 13 last year 2012.

Deputy Chief Randy Hopkins submitted the Narcotics and Vice Summary for February 2013. This report is Attachment "A" and is made a part of these minutes.

Mayor James asked if there is a way to determine whether or not there is a correlation between the first NoVA sweep and the drop in homicides. Deputy Chief Hundley said UMKC will examine the data collected over the year and develop a report of findings.

Commissioner Pelofsky asked for an officer involved shooting review and Chief Forté said he will provide her with a complete report.

6. Executive Officer.

a. Monthly report, OCC investigations. Major Bob Kuehl submitted the monthly OCC investigations report dated March 1, 2013. There were 14

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OCC's under investigation at the end of February none of which were granted extensions beyond 60 days. IAU has received a total of 21 OCC's this year compared to 29 during the same period last year. There were 23 investigations that were completed and forwarded to OCC compared to 26 for the same period last year.

Major Kuehl addressed the 28 percent reduction in complaints from last year until the present. He said he believes that this reduction is an indicator of the work that has gone on throughout the police department with community outreach, fostering relationships, and improving communication.

Commissioner Brooks asked that OCC determine if the complaints are coming from hot spot locations.

b. Private Officers License Appeal, Derrick G. Twyman. Major Bob Kuehl presented the Private Officers license appeal of Mr. Twyman. The basis for the suspension of Mr. Twyman's private security license was his charge for filing a false police report and conviction for disorderly conduct. A suspension on this basis is consistent with the provisions of Title 17 of the Code of State Regulations, Section 10-2.060 (8) (G).

A motion was made by Commissioner McInerney with a second by Commissioner Brooks to uphold the suspension of the private security license of Derrick G. Twyman. The vote was 5-0 in favor.

7. Administration Bureau. Deputy Chief Randy Hundley submitted the personnel summary dated March 7, 2013. Current department strength is 1,351 law enforcement personnel compared to 1,363 for this same time period in 2012.

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Civilian strength is 576 positions compared to 570 positions for the same time period 2012.

Captain Greg Volker provided the Board with an update on the Digital Technology Committee. Captain Volker advised that in 2012 the City Auditor conducted an audit of video records management, which was greatly appreciated. One of the recommendations made was that the police department develop a single, comprehensive, video retention policy. Currently, the police department has 15 different documents that refer to video management that include policies, department memorandums and special orders. The Video Technology Committee has been formed which includes a representative of every bureau to assist in the development of a single policy. Once this new policy is developed, it will be incorporated into in-service training. Captain Volker said his goal is to have this policy ready for review by the chain of command in two months.

Captain Volker said one issue is that there is no back-up server for videos that are uploaded onto the police department server. A plan for disaster recovery of this information will be developed. Some video information must be saved on an internal server, rather than a "cloud" environment due to the secure nature of the information.

Commissioner Wasson-Hunt said she appreciated Captain Volker's positive acceptance of the audit.

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8. Professional Development and Research Bureau.

Deputy Chief Cheryl Rose submitted the basic training class summary dated March 20, 2013. She said the 147th Entrant Officer Class will graduate on April 11, 2013, with 21 Kansas City recruits. Two additional classes will be held this year, one beginning in May and one in September 2013.

Deputy Chief Rose presented the following consent agenda items:

- a. Supplemental appropriations for fiscal year 2012-13.
- b. Budget transfers for fiscal year 2012-13
- c. Project #713, Personnel Policy 233-5, Age Limits

A motion was made by Commissioner McInerney, with a second by Mayor James approving each consent agenda item as presented. The vote was 5-0 in favor.

9. Executive Services Bureau. Major Diane Mozzicato presented the following items for Board approval:

- a. Close out ALERT II Income Fund 5140. A memorandum dated March 15, 2013, was submitted recommending approval to close out the ALERT II Income Fund 5140 as of April 30, 2013. The reason for this is that the ALERT II Income Fund 5140 not generates less than \$100,000 annually and its activities do not need to be tracked separately. Any remaining fund balance will be assumed by Special Services Fund 5110.

A motion by Mayor James with a second by Commissioner Brooks approving the request to close out the ALERT II income fund as presented. The vote was 5-0 in favor.

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b. EvidenceOnQ property and evidence management solution. A memorandum dated March 11, 2013, was submitted to recommend approval for the sole source purchase of this property and evidence management system from FileOnQ at an anticipated cost of \$207,239.93. This will provide an efficient, electronic property and evidence management system that will be linked with the Tiburon property module which will eliminate the need for dual entry of information. This will also interface with the Regional Crime Lab's Forensic Advantage Gateway System. Captain Mark Terman discussed the 40 year old property and evidence management system that is currently in place. This new system will greatly improve the movement of property within the system as well as the ability to locate and audit property and evidence.

Commissioner Wasson-Hunt asked if this item was budgeted for this fiscal year. Mr. Paul Kies with the Budget Unit said this was not part of this year's budget, however, approval to move the money was granted at the last Board meeting.

A motion was made by Commissioner McInerney with a second by Commissioner Brooks for the sole source purchase of the property and evidence management system from FileOnQ for an anticipated cost of \$207,239.93. The vote was 5-0 in favor.

c. Handheld radios for academy recruits and reserve officers. A memorandum dated March 12, 2013, was submitted to recommend the purchase of an additional 82 handheld radios from Communications Associates utilizing the

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City of Kansas City, Missouri, Radio Contract #990441. The anticipated cost is \$324,400.20. The radios will last about seven years.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the purchase of 82 handheld radios from Communications Associates for a total anticipated cost of \$324,400.20. The vote was 5-0 in favor.

d. Coban Titan in-car video systems. A memorandum dated March 14, 2013, was submitted to recommend the purchase of 55 in-car video systems from Coban Technologies for the anticipated expenditure of \$619,170.

Mayor James asked under what circumstances does the police department choose to purchase items sole source versus RFP. Major Mozzicato said sole source is used when no other company can provide that particular product.

Mr. Paul Kies said that due to advances in technology this current equipment costs less than equipment that was purchased five years ago.

These new systems will be installed into police vehicles at a rate of five per week.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving the purchase of 55 in-car video systems from Coban Technologies for the anticipated expenditure of \$619,170. The vote was 5-0 in favor.

e. Bid No. 2013-10 ammunition/munitions contract. A memorandum dated March 13, 2013, was submitted to recommend approval for the split award

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of a one-year contract to provide ammunition. This award was split between the three following vendors: Costs increased this year by about 1%.

Gulf States Distributors	\$407,326.00
Simmons Gun Specialities	22,891.50
Ray O'Herron	16,875.00
Total	\$447,092.50

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the purchase of ammunition/munitions from Gulf States Distributors, Simmons Gun Specialities and Ray O'Herron for the anticipated expenditure of \$447,092.50. The vote was 5-0 in favor.

f. Renewal Bid No. 2011-5 ballistic protection vests. A memorandum dated February 14, 2013, was submitted to recommend approval for the split award to purchase ballistic protection vests from Alamar Uniforms and Ed Roehr Safety Products. This is a renewal bid for the contract period of April 1, 2013 through March 31, 2014, for a total anticipated cost of \$194,800.58.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving the purchase of ballistic vests from Alamar Uniforms and Ed Roehr Safety Products for a total anticipated cost of \$194,800.58. The vote was 5-0 in favor.

g. Wireless service State of Missouri contract. A memorandum dated February 15, 2013, was submitted to recommend approval for the award of a one-year contract renewal with Sprint to provide wireless service in cooperation with the City of Kansas City, Missouri, per the State of Missouri contract #C208026005. The contract period is February 1, 2013 through January 31,

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2014, for a total annual expenditure of \$745,167.96, which includes a 10 percent contingency. Commissioner Wasson-Hunt inquired as to whether Sprint had corrected all dead zones. Captain Volker replied, not completely, but noted that all towers with analog cables will be replaced with digital ones by June 2013, which should help. Commissioner Wasson-Hunt asked for a report from Sprint at the May 2013 meeting.

A motion was made by Commissioner McInerney with a second by Commissioner Brooks approving the contract renewal with Sprint for wireless service for a total annual expenditure of \$745,167.96. The vote was 5-0 in favor.

h. Bid No. 2013-9 Motorcraft parts, brakes, components and accessories. A memorandum dated March 11, 2013, was submitted to recommend approval for the award of Bid No. 2013-9 to Factory Motor Parts for a total anticipated expenditure of \$225,000. The contract period is May 1, 2013 through April 30, 2014.

A motion was made by Commissioner Brooks with a second by Mayor James approving the contract with Factory Motor Parts for parts, brakes, components and accessories for a total anticipated expenditure of \$225,000. The vote was 5-0 in favor.

i. Bid No. 2013-8 Ford parts and accessories. A memorandum dated March 11, 2013, was submitted to recommend approval for the award of a one-year contract to provide Ford parts and accessories per Bid No. 2013-8 to Northtowne Lincoln Mercury for a total anticipated expenditure of \$200,000. The contract period is May 1, 2012 through April 30, 2013.

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A motion was made by Commissioner Wasson-Hunt with a second by Commissioner McInerney approving the contract with Northtowne Lincoln Mercury for Ford parts and accessories for a total anticipated expenditure of \$200,000. The vote was 5-0 in favor.

j. ETAC/MARC agreements for Information Builders iWAY Software.

A memorandum dated March 25, 2013, was submitted to recommend approval for the acceptance of agreements between the BOPC and the Unified Government of Wyandotte County, in the amount of \$130,000; and MARC, in the amount of \$32,480; to provide funding for the iShare software initiative. The iWAY software and training will be purchased from Information Builders Inc. per the State of Missouri Contract #C212048001 for the anticipated cost of \$162,480, upon establishing mutually agreeable MOU's.

A motion was made by Commissioner McInerney with a second by Commissioner Wasson-Hunt approving purchase of iWAY software and training from Information Builders for the anticipated total cost of \$162,480. The vote was 5-0 in favor.

k. Adjustments to special revenue funds for fiscal year 2012-13. A memorandum dated March 26, 2013, was submitted to request adjustments for the special revenue accounts for fiscal year 2012-13. A copy of this memorandum is Attachment "A" and made a part of these minutes.

A motion was made by Commissioner Brooks with a second by Mayor James approving the adjustments to special revenue accounts for fiscal year 2012-13. The vote was 5-0 in favor.

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10. Patrol Bureau. Major Melvin Harvey presented the monthly crime summary dated January 2013. A copy of the Crime Summary is marked as Attachment "B" and attached to these minutes.

In regard to the Traffic Summary, there were two fatalities during February 2013, compared to four in February 2012. A copy of the Traffic Summary is marked as Attachment "C" and attached to these minutes.

Commissioner Pelofsky asked if the police department should submit a letter or provide testimony in support of the seatbelt ordinance that Councilman Sharp discussed on this date. Chief Forté said it would be appropriate, however, he said it will be important to educate the community so primary seatbelt enforcement will not be misconstrued as racial profiling. Commissioner Pelofsky suggested reaching out to MARC to see if any funds are available to get the seatbelt message out to the citizens.

Commissioner Wasson-Hunt suggested to the Chief that he blog and tweet about this topic.

11. Office of Community Complaints. Ms. Pearl Fain had nothing to report at this time and said she would provide a quarterly report next month.

12. Audit Committee update. Commissioner Wasson-Hunt said she has nothing to report at this time.

13. Fraternal Order of Police Lodge No. 99. Officer Steve Miller has nothing to report at this time.

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14. Scheduled meetings.

Audit Committee Meeting:

Friday, April 12, 2013

9:00 a.m., Levy & Craig, 1301 Oak, Suite 500, Kansas City

Regular Board Meetings:

Tuesday, April 23, 2013

9:00 a.m., Regional Police Academy, 6885 N.E. Pleasant Valley Road,
Kansas City, Auditorium

Tuesday, May 28, 2013

9:00 a.m., City Hall, 414 E. 12th Street, Kansas City, 10th floor
Committee Room

Board Hearing:

In the matter of the disciplinary proceedings of:

Police Officer Garrett Polich

Friday, May 10, 2013

8:00 a.m., Metro Patrol Division, Community Room

A motion was made by Commissioner Brooks, seconded by Commissioner McInerney and by vote indicated below, to adjourn its open meeting at 10:39 a.m. and reconvene in closed session at 10:59 a.m. as provided in the following resolution. The vote was 5-0 in favor.

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on December 17, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Thursday, March 28, 2013, at 1125 Locust, 6th floor board room, Kansas City, Missouri, for the purpose of discussing real estate matters, personnel matters, litigation matters, and labor negotiations.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Lisa T. Pelofsky	-	Aye
Commissioner Alvin Brooks	-	Aye
Commissioner Angela Wasson-Hunt	-	Aye
Commissioner Patrick A. McInerney	-	Aye
Mayor Sylvester "Sly" James, Jr.	-	Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

1) Following a motion by Commissioner Brooks and a second by Commissioner McInerney, the Board voted to go into closed session to discuss real estate matters, litigation matters, labor negotiations and personnel matters.

The vote was 5-0 in favor. Following polling, Mayor James voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, Commissioner Wasson-Hunt voted aye, and Commissioner Pelofsky voted aye.

2) Following a motion by Commissioner Wasson-Hunt and a second by Mayor James, the Board voted to approve the lease of vehicles for covert operations. The vote was 5-0 in favor.

Mayor James left the meeting at 11:37 a.m.

3) Following a motion by Commissioner McInerney and a second by Commissioner Brooks, the Board voted to go out of closed session at 11:55 a.m. The vote was 4-0 in favor. Following polling, Commissioner Brooks voted aye,

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Commissioner McInerney voted aye, Commissioner Wasson-Hunt voted aye, and Commissioner Pelofsky voted aye.

4) Following a motion by Commissioner Brooks and a second by Commissioner Wasson-Hunt, the Board voted to go into special closed session at 12:06 p.m. to conduct the personnel evaluation of Director Pearl Fain. The vote was 4-0 in favor. Following polling, Commissioner Brooks voted aye, Commissioner McInerney voted aye, Commissioner Wasson-Hunt voted aye, and Commissioner Pelofsky voted aye.

Commissioner McInerney left the meeting at 12:35 p.m.

5) Following a motion by Commissioner Brooks and a second by Commissioner Wasson-Hunt, the Board voted to go out of special closed session and adjourn at 12:45 p.m. The vote was 3-0 in favor. Following polling, Commissioner Brooks voted aye, Commissioner Wasson-Hunt voted aye, and Commissioner Pelofsky voted aye.

President

Secretary/Attorney