

**MINUTES OF THE
BOARD OF POLICE COMMISSIONERS BUSINESS SESSION
TUESDAY, MARCH 12, 2013**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, March 12, 2013, at Police Headquarters, 1125 Locust, 6th Floor, Kansas City, Missouri.

PRESENT:

Commissioner Lisa Pelofsky, President
Commissioner Alvin L. Brooks, Vice President
Commissioner Angela Wasson-Hunt, Treasurer
Commissioner Patrick A. McInerney, Member
Mayor Sylvester "Sly" James, Jr., Member
Mr. David V. Kenner, Secretary/Attorney

ABSENT:

Darryl Forté, Chief of Police

This meeting was called to order at 10:00 a.m. by Commissioner Pelofsky.

1. Scheduled meetings.

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

Minutes of Board Meeting, March 12, 2013

2. Executive Services Bureau.

a. KC Metropolitan Enforcement Response Task Force cooperative award. Captain Todd Marckx presented a memorandum dated February 27, 2013, outlining the grant award from the Office of National Drug Control Policy for the period beginning January 1, 2013 to December 31, 2014. The total award is \$1,005,405 and is 100% federally funded. Forty-eight percent of the award is subject to draw now, with 52 percent available to be drawn in August.

A motion was made by Mayor James with a second by Commissioner McInerney accepting the grant award from the Office of National Drug Control Policy in the amount of \$1,005,405. The vote was 5-0 in favor.

3. Consent agenda.

The following consent agenda item was tabled for future discussion:

- a. Project #541, Code of Ethics Policy

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving the following consent agenda items:

- b. Project #525, Reserve Officer Volunteer Program
c. Budget transfers for fiscal year 2012-13

The vote was 5-0 in favor.

Major Lockhart answered questions the Board had about the Reserve Officer Program.

4. Mr. David Kenner. Mr. Kenner said a question has come up about lobbying efforts by police officers with respect to certain political issues in Jefferson City. The question is whether or not these officers are acting on behalf of the police department. Ms. Virginia Murray said she has had officers ask her if

Minutes of Board Meeting, March 12, 2013

they are allowed to go to Jefferson City and if they are allowed to wear their uniform or not. Ms. Murray consulted Chapter 84 and KCPD personnel policy 201-7 Code of Ethics and Rules of Conduct, and she told these officers not to wear their uniform so they can avoid giving the impression that they are representing or speaking on behalf of the police department. Commissioner Pelofsky asked if an officer merely said he was an officer with KCPD, would that be a violation. Ms. Murray said it would depend on the context. If it reasonably would give the impression that the officer was speaking on behalf of the police department then that would be a violation of the rule.

5. Approval of the minutes.

A motion was made by Mayor James with a second by Commissioner Brooks approving the minutes of the February 12, 2013 meeting. The vote was 5-0 in favor.

6. Future business meeting agenda items. Commissioner McInerney said as future topics come up the Board will forward them to David Kenner.

7. Commissioner Patrick A. McInerney. Commissioner McInerney asked if the police department has a policy for use of the community rooms at the patrol stations. Deputy Chief Higgins said there is only a building security policy and the individual patrol stations do their own scheduling. Deputy Chief Higgins said the community rooms cannot be used for political means.

Ms. Murray gave an example that some candidates that wanted to use the academy to speak about their opinions on different positions and they were not allowed to do so. Commissioner McInerney asked what about political topics.

Minutes of Board Meeting, March 12, 2013

Ms. Murray said political topics and issues are more of a gray area because Chapter 84 mentions political views and the department policy mentions moral issues.

Commissioner McInerney asked if an elected representative who wanted to advocate his position on legislation could use the community rooms. Deputy Chief Higgins and Ms. Murray said no.

Commissioner McInerney said a discussion should be held to address these issues and a policy should be drafted to address use of these community rooms. Deputy Chief Higgins said she will see that a policy is developed. Commissioner Pelofsky suggested that those wanting to utilize these community rooms should be allowed to reserve rooms online or by phone.

8. Commissioner Alvin Brooks. Commissioner Brooks asked if there were any known suspects in the shooting incident on Hillcrest Road. He said he would like to be notified of this type of information. Major Kuehl explained that the Communications Unit does not always know who to call and when. They do not want to over notify or under notify. He requested that the Board provide specific parameters indicating what type of incidents they want notification on. Commissioner Brooks said he does not want to create a burden on these Communications Unit employees. Major Kuehl said he will let the Communications Unit use their best judgment on when to notify Board members or not. Major Kuehl said Communications can send an e-mail rather than potentially make calls to Commissioners late at night. Mayor James said he

Minutes of Board Meeting, March 12, 2013

would prefer his security staff be contacted by phone on significant incidents. Mayor James said he would like e-mail notification also.

A motion was made by Commissioner Wasson-Hunt, seconded by Mayor James and by vote indicated below, to adjourn its open meeting at 10:51 a.m. and reconvene in closed session at 10:56 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.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, March 12, 2013, at 1125 Locust, 6th floor board room, Kansas City, Missouri, for the purpose of discussing employment matters, litigation matters, and labor negotiations.

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

Commissioner Lisa 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.

Minutes of Board Meeting, March 12, 2013

1) Following a motion by Commissioner Brooks and a second by Mayor James, the Board voted to approve the applications for continued employment by Police Officer James Knight and Major Melvin Harvey. The vote was 5-0 in favor.

2) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt , the Board voted to approve the disability retirement of Sergeant Michael Griggs. The vote was 5-0 in favor.

3) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks and a second by, the Board voted to approve the minutes of the February 12, 2013, closed session of the Board. The vote was 5-0 in favor.

4) Following a motion by Commissioner McInerney and a second by Commissioner Brooks, the Board voted to go into special closed session to discuss the process for the Chief's evaluation. The vote was 5-0 in favor.

5) Following a motion by Mayor James and a second by Commissioner Brooks, the Board voted to go out of special closed session and adjourn. 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.

President

Secretary/Attorney