

# MINUTES

## Citizens Police Review Board Meeting

June 9, 2010  
7:00 p.m.  
City Hall – New Addition  
City Council Chambers  
701 East Broadway  
Columbia, Missouri

Board members present: Ms. LoCurto-Martinez, Mr. Martin, Mr. Highbarger, Mr. McClure, Ms. Smith, Ms. Bixby, Mr. Weinberg, Ms. Wilson, and Mr. Alexander

Staff Present: Fred Boeckmann, Rose Wibbenmeyer, Chief Burton and other members of the City of Columbia Police Department.

Members of the public were present.

Ms. LoCurto-Martinez called the meeting to order at 7:02 p.m.

Mr. Weinberg moved to approve the minutes of the May 12, 2010, May 19, 2010 and June 2, 2010 Board meetings. Ms. Wilson seconded the motion. The Board unanimously approved the minutes.

Chief Burton gave a presentation. He told the Board that he asked all officers involved in training to be at the meeting. Chief Burton provided information on traffic stops and racial profiling. Chief Burton cautioned that no conclusions can be drawn from the information in the Attorney General's racial profiling statistics. Chief Burton told the Board that it is possible that officers may profile and stated that every human has biases that they bring to the stop. He felt that they needed to teach officers to recognize their biases. Mr. Boeckmann asked Chief Burton about the number of DWI/BAC arrests as the number appeared to be low. Chief Burton said that he will have to look into it and get an answer. Deputy Chief Dresner was unsure why the number appeared low. Officer Hughes stated that he believed the information gathered only considers the original reason for the stop. Mr. McClure asked about diversity training. Chief Burton indicated that he was working with Don Love to get a Kansas City police officer to provide training for the officers.

Chief Burton reviewed his changes to the search warrant execution policies. He told the Board that Deputy Chief Dresner is investigating what other police departments do when encountering animals during the execution of a search warrant. Mr. Weinberg inquired into the number of officers used during surveillance. Chief Burton said that it depends and further indicated that if the police department was unable to conduct effective surveillance, then the police department would not run the search warrant dynamically. Ms. Wilson inquired into limitations on the time of day for execution of the

warrant. Chief Burton said that the police department generally would not run them in the middle of the night. Ms. LoCurto-Martinez asked if surveillance was done on the February incident. Chief Burton indicated that it was not. Chief Burton said that if they had run through the warrant with what they know now, they would not have executed the warrant in February.

Mr. McClure asked about children in the home. Chief Burton indicated that the better time to run the warrant is after the school bus leaves with the child on it. Chief Burton said that he would not say that they would not ever run a dynamic warrant in this manner. Because he is hearing these parameters from the public, he is trying to live within the parameters. Mr. Martin asked the Chief if anyone has looked into the reliability of confidential informants. Chief Burton stated that the police had to vet the informants to make sure they are reliable.

Chief Burton discussed the use of force policies and stated that he made significant changes. He said that historically the police would use force, but did not document the use of force unless the person was injured. He felt that use of force should be documented in a methodical way. Chief Burton mentioned his concern that some officers were handcuffing people without an arrest and he stated that a police officer must have a little bit more than that to deprive a person of his freedom. Because Chief Burton found that it was happening often enough, he decided to track the use of handcuffs without arrest. He also began tracking when guns are pointed at people. Ms. Smith asked who fills out the use of force form. The Chief said that it was the officer, and then it was reviewed by a sergeant.

Chief Burton discussed changes to the taser policy. He said that the police department has stopped using tasers to apprehend someone. He stated that tasers must be used in defense of an officer or third person. The third person may be the person who is tased. He also stated that the police department has stopped tasing people who are running from the police. Ms. Wilson asked when that practice was stopped. Chief Burton stated probably six months ago. Ms. Wilson indicated that she had personal knowledge of an incident in April of 2010. Chief Burton told Ms. Wilson that he would be happy to talk to her about it. Mr. Boeckmann indicated that there was a report in the media regarding an officer discharging a taser at a fleeing subject and that the taser did not hit the suspect. Mr. Weinberg asked Chief Burton about his thoughts regarding effective policing before and after tasers. Chief Burton indicated that it is an additional tool that can prevent injuries if used properly.

Ms. Smith expressed concerns that the only training utilized by the police department is the information from the company that sold the tasers to Columbia. She asked if the University might develop a training program on tasers. Chief Burton believed that there would be nothing wrong with it. Officer Baillargeon stated that the taser instructors receive some information from the University regarding tactics, but the information about the taser equipment comes from the company that makes the taser. Ms. LoCurto-Martinez asked if there was any guidance to the officers regarding the level of

force used in a given situation. Chief Burton said that deciding the use of force is a difficult job.

Mr. McClure observed that the Chief prefaced his changes as not being popular and said that he was concerned that the problem might be with the culture of the organization. Chief Burton said that he has the same concern but thought that it was a workload issue. He said that one of his challenges was holding officers more accountable. He believes that it is a two year process. Chief Burton feels that he now has the staff in place that will help change the culture of the organization as it exists.

Ms. Bixby stated that it was the normal practice to have a one hour presentation followed by the regular business meeting. She then moved that the Chief's presentation be continued to the July meeting. Ms. Smith seconded her motion. The motion passed with Ms. Bixby, Ms. Smith, Ms. Wilson, Mr. McClure and Mr. Highbarger voting in favor of the motion. Chief Burton stated that the police department will place a customer satisfaction survey on the web site. They will also mail out some surveys as well. Captain Brad Nelson indicated that the survey should be available in one month.

Ms. LoCurto-Martinez invited the public to comment.

Mr. Mitchell Richards addressed the Board and noted that the helmet cameras were a step in the right direction. He was concerned about the institution of the SWAT team with respect to the war on drugs. Mr. Richards stated that many citizens care about rebuilding the relationship between the community and the police department. He commended Chief Burton on the changes, but said that he would like to see how it works as applied.

Mr. Ed Berg spoke and thanked the police chief for adopting the PERF standards. He noted that over 400 people have died in the United States after being tased. He expressed concern that the tasers were being used for compliance and for minor issues. Mr. Berg recommended that the Board obtain records on the tasings and turn them over to the public to see if they are in compliance.

Ms. Stephanie Yoakum expressed concern about an incident in which she was placed in handcuffs for over one hour.

The Board discussed old business. Mr. Martin indicated that he would be making a presentation on June 10, 2010 to the Boone County Public Defender's Office. Ms. Wibbenmeyer told the Board that more brochures needed to be printed. Mr. McClure discussed setting up additional public presentations.

Ms. LoCurto-Martinez announced that the City Council had authorized the Board to send two representatives to the NACOLE conference in Seattle, Washington. The Board discussed who was interested in attending the conference. Ms. LoCurto-Martinez recommended that Mr. Martin attend since he is Vice Chair. Mr. Alexander discussed his concern that the Board had no real concrete plan on how to deal with the

complaints. Mr. Alexander will send out information via email so that the Board can begin to think about the procedure. Mr. Boeckmann stated that the ordinance could be amended, but that it was written with the thought that every member would be involved in every case. Ms. Bixby said that she would like the full Board to work together on the first complaints, and then they could reevaluate the process after that. Ms. LoCurto-Martinez indicated that she had some information from two or three other cities. A member of the public, Kisha Duncan suggested that the Board use the Personnel Advisory Board as a model. Mr. Boeckmann discussed the differences between the Personnel Advisory Board hearings and the Citizens Police Review Board hearings. Ms. Wilson asked if the witnesses would be testifying under oath. Mr. Boeckmann said that the witnesses would not be sworn. Mr. Boeckmann said that the Personnel Advisory Board must make a decision on the record before them, whereas the Citizens Police Review Board can make a decision to have additional investigation. Ms. Wilson indicated that the Board may need some smaller entity to screen, identify necessary witnesses, and whether or not additional investigation is necessary. Mr. Weinberg stated that it may make sense for one or two Board members to make a presentation or summary document. Mr. Alexander emphasized that the process should be fair and just. Ms. Wibbenmeyer is to gather information from other cities regarding how they deal with the workload.

Ms. Bixby suggested that the August agenda include a discussion on what the Board wants its representatives to find out at the NACOLE conference. Mr. Alexander suggested that the Board compile a list. Ms. Wibbenmeyer is to send the Board members a link to the NACOLE conference website.

Mr. Martin stated that the Public Defender has offered to make a presentation to the Board. Ms. LoCurto-Martinez said that Mr. Martin should set that presentation up for the August agenda.

Ms. Smith stated that she would like to have information about what changes the public will make with respect to how they treat law enforcement. Mr. Weinberg stated that the point of the Board was to provide an outlet for the public. Mr. Alexander suggested that the Board members need to incorporate that message into their educational outreach programming.

Ms. Holly Henry, a member of the public, stated that the focus needs to be on police and community relationships. Mr. Eapen Thampy stated that the connection between the voters and police policies has been lost. He said that the community has lost trust in the people that represent them and in the police. He felt that the problem was that we have lost control of how the policy is set. He mentioned the Tribune article on June 5, 2010 which discussed the police using a taser on a fleeing suspect. He also mentioned the Steve Wyse video.

Mr. Alexander stated that he felt that the Board needed to respond as a whole to the Chief. The Board needed to decide if the Chief's changes are enough or not. He also

felt that there was a certain amount of education that needs to be made to the public at large.

Ms. Bixby moved to adjourn the meeting. Ms. Wilson seconded the motion. The Board unanimously approved the motion and the meeting adjourned at 9:03 p.m.