

Citizens Police Review Board

November 18, 2009

7:00 p.m.

Mezzanine Conference Room

Daniel Boone / City Hall Building

701 East Broadway

Columbia, Missouri

Board Members Present:

Steve Alexander

Mary Bixby

Carroll Highbarger

Ellen LoCurto-Martinez

James Martin

John McClure

Susan Smith

Steve Weinberg

Betty Wilson

Staff Present:

Paula Hartwig-Hopkins

Chief Burton

Fred Boeckmann

Rose Wibbenmeyer

Sgt. Lloyd Simons

Members of the public were in attendance.

Welcome and Introductions

Fred Boeckmann started the meeting. Board members and staff introduced themselves.

History and Overview of establishment of Citizens Police Review Board by Rex Campbell

Mr. Campbell described the establishment of the Citizens Police Review Board. He pointed out that the committee's report is available on the police website. The committee reviewed all complaints that existed prior to the establishment of the professional standards unit. They found that complaints from black people had different results than complaints from white people.

The committee looked at different models used by different cities. They reviewed Department of Justice Publications and the New World of Police Accountability. The committee hosted a series of four open hearings. The committee was unanimous to establish a review board. Everyone signed on and supported the final report. The committee found that members of the black community believe that they are more likely to be mishandled.

Mr. Campbell stated that the board has multiple tasks.

1. The board will handle complaints.
2. The board will serve as a two way bridge to the community. Board members should speak to the community and reach out to the community.

3. The board must make recommendations to the police if the board sees a need that exists.
4. The board will decide what training is needed. Mr. Campbell suggested that the board use the NACOLE standards as a guideline, not as a determinate.
5. The board will need to quickly determine how complaints come to the CRB.
6. The board must develop a brief brochure of the work and process of the police review board.
7. Mr. Campbell stated that the board should expect phone calls and emails. Mr. Campbell told the board that they should tell the callers only about the process. He cautioned board members not to discuss the individual cases.

Mr. Campbell said that in February of 2008, things changed because of the establishment of the professional standards unit. Mr. Campbell is willing to answer questions. While he is in the phone book, he prefers contact by email. His email address is lrax1@centurytel.net.

Election of Chair and Vice-Chair

Mr. Weinberg nominated Ms. Ellen LoCurto-Martinez for chair. Ms. Wilson seconded the motion. Ms. LoCurto-Martinez pointed out that the chair and vice chair would be appointed for one year. The board voted. Ms. LoCurto-Martinez was unanimously elected chair. Ms. Wilson nominated Mr. Martin as vice-chair. Mr. McClure and Mr. Weinburg seconded Mr. Martin's nomination. The board voted and unanimously elected Mr. Martin as vice-chair.

Discussion of Training Schedule and training topics

Sgt. Simons then distributed the police department's training proposal. Chief Burton stated that Lt. Krista Shouse-Jones will be the liason for the police department. Chief Burton stated that she can be in attendance at board meetings as much or as little as the board decides. Sgt. Simons reviewed the police department's proposed training schedule.

Mr. Boeckmann pointed out that NACOLE requires balanced training. Mr. Boeckmann anticipated that the board could have a training component for most of the monthly meetings.

Mr. Alexander stated that the board should get someone in to talk to the board about the complainant's point of view. Ms. Wilson agreed. Mr. Alexander believed that some one not affiliated with the Columbia Police Department should be included. Mr. Campbell suggested representatives of the Minority Men's network and Mary Ratliff of the NAACP. Mr. Alexander questioned if the board wanted to spend 18 hours listening to the police. He felt that the community might not trust the board if they did not listen to others as well. Ms. Smith believes that component can be addressed during the public training and outreach.

Mr. Boeckmann said that it would be a good idea to bring in experts, for example, members of the defense bar, public defenders, prosecutors, etc. so that the board is not

trained just by the police. Mr. Boeckmann also pointed out the duty of the board to make recommendations on police policies, procedures, etc.

The board decided to meet for training on December 5, 2009, and 12, 2009, from 9a.m. to noon at Douglas High School. On December 5, 2009, representatives from the Police Department will present information regarding the internal affairs procedures. After initial training, the board considered having one hour of each meeting for continuing education. The board agreed to schedule the next regular meeting for December 2, 2009 at 7pm in city hall. The board is considering the first or second Wednesday of each month for monthly meetings. Ms. Smith volunteered to present information to the board regarding search and seizure law at the December 2, 2009 meeting.

Sunshine Law Issues

Mr. Boeckmann distributed a memorandum on the Sunshine Law. He explained that any time a majority gets together and discusses board business, it is considered a meeting and requires that a notice be posted. If there are committees, the same rule applies and there will need to be a meeting notice.

Mr. Boeckmann said that he is the staff liaison. Mr. Boeckmann told the board that eventually Ms. Wibbenmeyer will be replacing him as the staff liaison in January sometime.

Mr. Boeckmann told the board that they can email each other, but the board can run into a problem. Emails within the group can constitute a meeting so they should avoid it. If one member sends an email to a majority of the group including the sender, that communication needs to be saved. Mr. Boeckmann stated that a copy of the email should be sent to Mr. Boeckmann and eventually Ms. Wibbenmeyer so that the law department could make sure that the records are retained. Mr. Boeckmann stated the board should not just "reply to all." He suggested that board members just reply individually, not as a group so that it will not be a meeting. He further stated that it is legitimate to email an article to all of the board members, but he cautioned that the board should not have a discussion about the article as that would be a meeting.

Ms. Bixby asked about closed session. Mr. Boeckmann said that the board should go into closed session only when the board is legally required to do so. Mr. Boeckmann said the direction of the oversight committee was to make the process as open as possible.

Mr. Highbarger asked if witnesses could appear only one at a time. Mr. Boeckmann said that they could adopt procedures and rules, such as the one proposed for the sequestration of witnesses.

Mr. McClure asked about investigators. Mr. Boeckmann said that the procedure would be for the City of Columbia to put out a request for proposals for investigators and the board could be involved in the interview process.

Mr. Martin stated that he knows the board does not have subpoena powers. Mr. Boeckmann said that the subpoena power was a hot issue. Mr. Campbell stated that the committee was equally divided, so the issue regarding subpoena powers failed without a majority. Mr. Campbell told the board to try it and if they determine a need for the subpoena power then they can ask the City Council to amend the ordinance.

Mr. Martin asked about the role of the advocate. Mr. Campbell said that the committee felt that the advocate role was to assist in filling out the complaint and to help complainant's understand the process. Mr. McClure indicated that the board is to recruit and train advocates. Mr. Weinberg pointed out that CASA has a training program for their volunteers, which could be used for training the advocates. Mr. Campbell said that several committee members would be willing to volunteer to serve as advocates. Mr. Campbell named Wynna Faye Albert and Virginia Law.

Other matters the board may wish to discuss

None

Public Comment

Mr. David T. Smith spoke. He was part of the original committee. He told the board it is important to keep in mind that this board needs to be independent and there needs to be a perception of independence. He reminded the board to be diligent, fair and to do their best.

Commissioner and Staff Comment

The board agreed to meet at Douglas High School for the two Saturday meetings in December. Mr. Martin suggested that the meeting notices need to emphasize that this is an independent group.

Ms. Bixby distributed copies of the Human Rights Commission's brochure. Mr. McClure, Ms. Bixby and Mr. Weinberg volunteered to work on the brochure.

The next regular meeting of the board will be December 2, 2009 at 7:00 pm in city hall.

Meeting adjourned.

Next Meeting:

Wednesday, December 2, 2009

7:00 p.m.

4th Floor Conference Room

City of Columbia City Hall

701 East Broadway

Columbia, Missouri

Upcoming Training:

Saturday, December 5, 2009

9:00 a.m. to Noon

Douglas High School

310 North Providence Road

Presentation by the Columbia Police Department on the Internal Affairs Procedure

Saturday, December 12, 2009

9:00 a.m. to Noon

Douglas High School

310 North Providence Road

Staff to do:

- Obtain copies of the committee's report for members of the board.
- Staff will prepare all contact information, addresses, phone numbers, etc.
- Staff will prepare minutes.