

In the Matter of:

CITY OF COLUMBIA CITIZENS POLICE REVIEW BOARD

CITIZENS POLICE REVIEW BOARD

July 22, 2019



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CITY OF COLUMBIA
CITIZENS POLICE REVIEW BOARD

Transcript of Meeting

July 22, 2019, 6:00 p.m.
City Hall, Council Chambers

Reported by: Stephanie Allen, CCR 746

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BOARD MEMBERS PRESENT:

- Darryl Smith, Chair
- Andrew Fisher, Vice Chair
- Randall Kilgore
- Cornelia Williams
- Travis Pringle
- Catherine Grover
- Nicole Seamon
- Baxter Nickels

ALSO PRESENT:

- Rose Wibbenmeyer, Assistant City Counselor
- Sgt. Scott Alpers, Columbia Police Department

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1 CHAIRMAN SMITH: It's 6 o'clock, and I'd like to
2 get started with the July 22 meeting of the Citizens Police
3 Review Board. I'll start with the roll call. Ms.
4 Catlettstout is excused from the roll as she is sick.

5 Mr. Fisher?

6 MR. FISHER: Here.

7 CHAIRMAN SMITH: Ms. Grover?

8 MS. GROVER: Here.

9 CHAIRMAN SMITH: Mr. Nickels?

10 MR. NICKELS: Here.

11 CHAIRMAN SMITH: Mr. Pringle?

12 MR. PRINGLE: Here.

13 CHAIRMAN SMITH: Ms. Seamon?

14 MS. SEAMON: Here.

15 CHAIRMAN SMITH: Mr. Smith is here. Ms. Williams?

16 MS. WILLIAMS: Here.

17 CHAIRMAN SMITH: Mr. Kilgore?

18 MR. KILGORE: Here.

19 CHAIRMAN SMITH: And our CPD Liaison, Mister --
20 Sergeant Scott Alpers, and our City Liaison, Ms. Rose
21 Wibbenmeyer.

22 Moving on to Item II, Approval of the Agenda. Is
23 there a motion to approve?

24 MR. FISHER: So moved.

25 CHAIRMAN SMITH: Is there a second?

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1 MS. SEAMON: Second.

2 CHAIRMAN SMITH: It's been moved by Mr. Fisher and
3 seconded by --

4 MS. SEAMON: Ms. Seamon.

5 CHAIRMAN SMITH: -- Ms. Seamon. All in favor of
6 approval of the agenda, let it be known by aye.

7 (Unanimous ayes.)

8 CHAIRMAN SMITH: Anyone opposed, let it be known
9 by nay.

10 (No response.)

11 CHAIRMAN SMITH: Motion passes unanimously.

12 Moving on to Item IV, Approval of the Minutes.

13 Did everyone have a chance to review minutes for June 12? Any
14 changes or additions?

15 Is there a motion to approve minutes for June 12,
16 let it be known by aye. Or is there a motion to approve?

17 MR. FISHER: So moved.

18 CHAIRMAN SMITH: Moved by Mr. Fisher. Is there a
19 second?

20 MS. WILLIAMS: Second.

21 CHAIRMAN SMITH: Second by Ms. Williams. All in
22 favor of approval of the minutes, let it be known by aye.

23 (Unanimous ayes.)

24 CHAIRMAN SMITH: Anyone opposed, let it be known
25 by nay.

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1 (No response.)

2 CHAIRMAN SMITH: Motion carries unanimously.
3 Moving on to Item V, Reports, Positive Connections and Ride
4 Alongs. Does anyone have anything?

5 Hearing nothing, moving on to Item VI, Old
6 Business, update on mediation services request, RFP. Rose?

7 MS. WIBBENMEYER: I just passed out to all of you
8 the packets, so if you could take them home, review it, and
9 then bring them back next month, we will have a closed session
10 on this topic.

11 CHAIRMAN SMITH: Any questions? Anything with
12 regard to the packet review? Again, we have signed a
13 nondisclosure or confidentiality. We are bound by that
14 document. Any questions at all?

15 Moving on to Item VII, New Business, Televising
16 Meetings. Would you like to give a history of it for those of
17 us who weren't here?

18 MS. WIBBENMEYER: We sent out the report that had
19 previously been sent to Council with regard to televised
20 meetings, and in the interim, the City has opted to have a
21 court reporter take down a full transcript of your meetings,
22 so I think this resolves both televising meetings and the
23 sufficiency of minutes and agendas issue that was raised.

24 CHAIRMAN SMITH: And the court reporter is being
25 paid for out of what?

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1 MS. WIBBENMEYER: Your miscellaneous contractual
2 budget.

3 CHAIRMAN SMITH: And that is something that we
4 normally would have to vote for or make -- discuss here in the
5 Board, but the City has decided that they are just going to do
6 it. Any discussion on that at all or is the Board comfortable
7 with that?

8 All right. Moving on to sufficiency of minutes
9 and agendas, does the having the court reporter here also
10 address that issue sufficiently?

11 MR. NICKELS: I think if having a court reporter
12 doesn't address the sufficiency of the minutes, then I don't
13 know what else will.

14 CHAIRMAN SMITH: I don't know what else we can
15 have here at all unless we get a bunch of people who come in
16 and do the true version of testifying, but okay.

17 MR. PRINGLE: For the sake of the record, could we
18 ask the court reporter to introduce herself?

19 CHAIRMAN SMITH: Please. And I am so sorry.
20 Madam Reporter, would you please introduce yourself and will
21 you be the person with us at every meeting or will it kind of
22 vary?

23 THE REPORTER: Well, my name is Stephanie Allen.
24 I'm with Tiger Court Reporting, and I would say it may vary,
25 but we would probably just have a handful of folks we'd send

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1 so we can gain experience reporting.

2 CHAIRMAN SMITH: Welcome aboard, and we are glad
3 to have you.

4 THE REPORTER: Thank you.

5 MS. WILLIAMS: I do have a question. Before it's
6 made to the public, will the minutes go to Rose to proof?

7 MS. WIBBENMEYER: I think we're having them just
8 certify them, and so I will actually still be doing the
9 minutes, which will be Sunshine minutes, which will then
10 reference the transcript, and when it goes -- after you
11 approve the minutes, there will be a link to the court
12 reporter's transcript.

13 MS. WILLIAMS: That we can review?

14 MS. WIBBENMEYER: That will just be pushed out
15 publicly, so you'll be reviewing the minutes, which will have
16 who's there and the motions, which then will match what is in
17 the transcript, but the transcript will have all the details
18 of word for word your discussion --

19 MS. WILLIAMS: Okay.

20 MS. WIBBENMEYER: -- which the minutes do not
21 include, but they'll be linked together. So like how we
22 attached things to the agenda, they're going to attach the
23 transcript to the meeting minutes. Does that make sense?

24 MS. WILLIAMS: It sure does. And then -- okay.
25 So how will that help for people that are vision impaired or

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1 hearing impaired? How would that --

2 MS. WIBBENMEYER: Well, if -- when they -- when
3 Tracy puts the link on the website, the -- it will be I think
4 it's called OCRed, which then if a person who's blind, their
5 computer will read it to them.

6 MS. WILLIAMS: Okay. Thank you.

7 CHAIRMAN SMITH: Anything else on having a court
8 reporter and the sufficiency of minutes and the agenda or
9 anything else along those lines?

10 Hearing nothing, moving on to Item VIII, General
11 Comments by the Public, Members, and Staff. If there are any
12 members of the public that would like to speak, please come
13 forward.

14 Seeing no one, any comments from members of the
15 Board?

16 MR. NICKELS: I do, actually. So just some
17 general stuff that I've been --

18 CHAIRMAN SMITH: And when you speak, since we have
19 a reporter now --

20 MR. NICKELS: Oh, right. Sorry.

21 CHAIRMAN SMITH: And I'll help. The Board
22 recognizes Mr. Nickels.

23 MR. NICKELS: Yeah. Sorry. Thank you for the
24 reminder. Baxter Nickels. So now -- I guess to start off,
25 now that we have had a City Manager named, that's a good step

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1 forward for the City. I have been under the impression -- I
2 don't know if this is a wrong impression or not, but I will
3 say this at least from the citizen's perspective, I have been
4 under the impression that the City's been waiting to initiate
5 any type of search for a new Chief of Police until we named a
6 new City Manager, someone to have input into that process.
7 Under the guise of that, now that we -- now the City has named
8 a new City Manager, I think it's an opportune time to begin
9 the search for a new Chief of Police.

10 Part and parcel of that, I think what is important
11 in this process is that there is a process, that it is open
12 and transparent, and that the public, the citizens of
13 Columbia, have buy-in and have input into that. So just along
14 those lines, I think it would be vital and I think it would be
15 part of our mandate so to speak that the CPRB be involved in
16 that process.

17 Under our ordinance -- I believe it's 21-47(b) --
18 we can make recommendations regarding hiring for the CPD, and
19 I think whether we attenuate that down to individual officers
20 is up for future discussion, depending on what the situation
21 arises, but I think when it comes to the Chief of Police, that
22 is absolutely what we should be involved in, is that we should
23 have some input, some say, some involvement in the process in
24 selecting a new Chief of Police to ensure that the public has
25 visibility, if nothing else.

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1 So based upon that, I think it would be a good
2 idea to make a motion to Council that or draft a resolution
3 that the CPRB, the Police Review Board, be involved in the
4 selection of a new Chief of Police. Any thoughts on that? I
5 don't know that it needs to be all of us, if we want to vote
6 and pick a representative or something like that, but I think
7 there needs to be some input from the Board into what is going
8 on with the selection of a new Chief of Police.

9 CHAIRMAN SMITH: Does that somehow bring into
10 question our autonomy when we would be reviewing the decisions
11 of someone we help select?

12 MR. NICKELS: I don't think so. I can't speak to
13 that -- I need some water. I don't think so. I don't think
14 it affects our autonomy. I don't think it effects our ability
15 to review cases, just by having some input into the process.
16 I don't think we would be the final selection, but even if --
17 even if we just serve as a vehicle for the public to comment,
18 you know, whoever the candidates are, whoever's being proposed
19 for the new chief, this is where they need to be to talk to
20 the public. This is a great way to reconnect with the public
21 and get them in here to the meetings to say, "Hey, here's the
22 candidates for Chief of Police. Come give some comment. Come
23 talk to us. Let us know what your thoughts are on these
24 candidates."

25 CHAIRMAN SMITH: So how would you view that? Just

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1 having them come to one of our meetings and --

2 MR. NICKELS: We could either set -- they could
3 either come to one of our meetings, or I know that we set up
4 these agendas pretty far in advance sometimes. It might be
5 worth just scheduling a special meeting or a different meeting
6 other than our regular monthly one. I think this is -- when
7 we're talking about selecting a new Chief of Police, I think
8 that's a pretty important piece of our job, and if it's going
9 -- if we're not going to be able to properly be involved in
10 that just by having them at our monthly meetings, then it
11 might just need another meeting. Maybe we can't all be there,
12 but we only need a quorum to at least make it an official
13 meeting.

14 MS. WILLIAMS: Well, I personally would like to be
15 able to meet anybody who's running for police chief, you know.
16 I know that they have the open forums for us to come and meet
17 them, but sometimes that doesn't work out, for you to be able
18 to make it to those, so I think just having them come here and
19 introduce themselves as well to us, I think that's a brilliant
20 idea.

21 MR. PRINGLE: Are you --

22 MR. NICKELS: I -- oh, sorry. Go ahead.

23 MR. PRINGLE: I guess, are you thinking like
24 something similar to what they did for City Manager, just like
25 us being a public forum for the public to come meet these

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1 applicants?

2 MR. NICKELS: In a sense, but I think whatever the
3 process -- and I don't know what the process looks like for
4 hiring this new chief. I don't know what the search, what's
5 being envisioned right now. Part of that is I feel like I
6 haven't heard much about that, but I could have missed that
7 information. I could have been -- I could have accidentally
8 searched around it. But just that we be involved, just that
9 we be part of the voice. You know, if the public comes here,
10 and we've heard some of the comments from the public over the
11 last year or two or for however long different members have
12 been on the Board and, you know, we kind of understand a sense
13 of what the community wants and what they're looking for.

14 There's been a lot of complaints about the prior
15 Chief of Police and the way that he conducted his job, and I
16 think that the public has a right, a vital right to be
17 involved in selection of a new one. Now, I know they can do
18 that through talking to City Council and going to City Council
19 meetings and giving comment, but that's why we're here and we
20 have in our ordinance the power to make recommendations
21 regarding hiring, and like I said, whether we attenuate that
22 down, this is one position where we would be -- if we weren't
23 involved in the process, then we've absolutely failed to live
24 up to what our mandate is.

25 CHAIRMAN SMITH: I think we need to be careful

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1 with our involvement in the process, how deeply we are, and
2 how our involvement shapes itself so that we don't sacrifice
3 or -- our independence. Yeah, we can provide some conduit.
4 We can ask questions, bring both candidates in, but when it
5 comes to possibly making a recommendation or something like
6 that, I think that's where we should draw a line because it --
7 we are an independent body.

8 MR. NICKELS: I get what you're saying. I
9 understand that, especially with regards to ensuring we're not
10 going to jeopardize our integrity.

11 CHAIRMAN SMITH: It goes to showing bias.

12 MR. NICKELS: Right.

13 CHAIRMAN SMITH: And so if we can elicit
14 information on behalf of the public and ask questions because
15 we may have subject matter expertise that the public may not
16 have, I don't have a problem with that, but with regard to
17 potentially making a recommendation or something, that clearly
18 to me crosses an ethical line.

19 MR. NICKELS: Well, I think we should address the
20 fact that that's what our -- what's in the ordinance. Like,
21 we are -- that's part of what we're supposed to do is review
22 police policies, review, make recommendations on training,
23 make recommendations on policy, including hiring. So if
24 that's --

25 CHAIRMAN SMITH: Regarding policy.

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1 MR. NICKELS: It doesn't say hiring policy. It
2 says hiring, and I interpret that to mean that we have an
3 input into hiring. Like I said, if ever there was a case
4 where we should be involved, Chief of Police is where we
5 should be involved.

6 CHAIRMAN SMITH: Sure.

7 MR. NICKELS: That's where we should exercise our
8 power to -- whatever those recommendations need to look like.
9 Maybe the recommendation regarding hiring is in relation to
10 how we've involved ourselves in providing a public forum for
11 the citizens to interact and engage with any possible
12 candidates, but I think we'd be remiss if we just don't engage
13 in the process. If the process happens around this Board,
14 then I think that's a major problem.

15 CHAIRMAN SMITH: Yeah, the Board should be
16 involved in the process, but the question is what does that
17 involvement entail and how should it look.

18 MR. NICKELS: Well, like I said -- I mean, I don't
19 know what this needs to look like, how we need to formally
20 insert ourselves, but at the very least, I think a draft of a
21 resolution to Council to request that we be involved, if
22 that's how that needs to happen. I've worked up a rough draft
23 of this, but I am not the wordsmith and not adept at doing any
24 type of legislative motions to Council type stuff, so I
25 welcome any help or input in crafting this or perfecting it in

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1 what we want to send up. I can send out my draft after the
2 meeting, but -- yeah, it's just I notice that Chief Burton
3 retired in January, interim chief was named in January, and
4 it's now July and I haven't heard anything regarding an update
5 regarding what the path forward looks like.

6 CHAIRMAN SMITH: The last path I heard is they
7 were waiting for to hire a City Manager and then because they
8 didn't want to hire a chief without having said manager and
9 having that person have their input into hiring a Chief of
10 Police. So once they have a City Manager on board, then they
11 would move forward with hiring a permanent chief.

12 MR. NICKELS: Yeah.

13 MS. WILLIAMS: Well, I know --

14 MR. NICKELS: It sounds about with what I was --
15 sorry.

16 MS. WILLIAMS: Well, I know -- and the only way I
17 can do this is an analogy, is that in order for a body to
18 really operate, you've got to have the whole body operating,
19 and we are part of the body of City of Columbia, so that means
20 that we need to be implemented into the rest of the body. You
21 can't sit the arm over here and think the rest of the body's
22 going to work completely whole. You've got to have the whole
23 body there, and we are part of the City's body.

24 CHAIRMAN SMITH: But we are more or less in the
25 role of an appellate court. The Supreme Court does not get

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1 into election and selection.

2 MS. WILLIAMS: I know, but the City sees us as
3 part of the body and we're -- how much we go in there, I'm not
4 sure because I'm new to this, but I do know that I view myself
5 as a part of that body and I need to be completely connected
6 with the rest of it. So if the bylaws said that we're
7 supposed to do A, B, C, then we need to be doing A, B, C. We
8 can't pick and choose what we want to do when it clearly says
9 in black and white what we're supposed to do.

10 CHAIRMAN SMITH: It's not picking and choosing.
11 It's a matter of maintaining the independence.

12 MR. KILGORE: I think one of the words that I keep
13 hearing that we may be struggling with is the word
14 recommendation. I don't think it's within the power of this
15 Board to actually make a recommendation, but I do think and I
16 agree with Mr. Nickels that in the same way the City of
17 Columbia and the police department asked this Board to be
18 involved in orienting new police officers, we should be
19 involved in orienting and giving information and educating
20 what these candidates who may be considered as to who we are.

21 It seems to me that this Board has within its
22 scope the opportunity to extend an invitation --

23 CHAIRMAN SMITH: Absolutely.

24 MR. KILGORE: -- to invite the candidates to come
25 and be here, and that may have to be with City Council

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1 approval, but I think the place to start is to say we want to
2 insert ourselves in this process, not so much to make a
3 recommendation, but to hear comments, to receive feedback, to
4 do some review as part of our role, and I don't see any
5 conflict of interest in us being able to do that. But to
6 certainly -- I mean, we have an expectation on this Board that
7 the Chief of Police come here at least twice a year to report
8 to us. I, for one, would like to know who it is that's coming
9 here before they're hired. That, you know, same kind of
10 argument. But I think we're stumbling over process with
11 regard to the word recommendation.

12 I don't feel that I'm qualified to make a
13 recommendation on a police chief. I am qualified to assess
14 and to review and hear comments from those individuals,
15 including the interim if the interim is going to be one of the
16 candidates, for instance. We don't even know that part of the
17 process yet. So given the fact that the City Manager has just
18 been named -- what? A week ago? Maybe.

19 MS. WIBBENMEYER: I think so.

20 MR. KILGORE: -- I think those processes are
21 probably going to be prioritized and we'll start hearing more
22 about those. If not, we should be raising our hand and saying
23 what is the process.

24 MS. WILLIAMS: And I think that's what he's
25 saying.

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1 CHAIRMAN SMITH: Right. And the description that
2 you gave does not compromise the independence of the Board and
3 elicits the information that the public needs, and that, I
4 think, fulfills the role without a compromising of the
5 integrity and independence of the Board.

6 MR. KILGORE: I think in some ways we'd also be
7 fulfilling our mission to educate. If this Board were to
8 extend invitations to those candidates, we would also be
9 extending those invitations for the public to be here. Let's
10 educate the public about our role.

11 MS. SEAMON: I agree that's the most important
12 piece is to inform the public that this is -- this selection
13 process is going on and there's a forum for them to come and
14 speak and ask questions of those candidates, so I think we can
15 facilitate that.

16 MR. PRINGLE: Is there a limit on how long Chief
17 Jones can hold the interim label, Rose? Do you know what the
18 timeline on that is?

19 MS. WIBBENMEYER: I don't think there is, but I
20 don't know that. Like, I've never researched that issue, but
21 we've had an interim finance director for a long time and that
22 job just got posted today, so I checked to see if the police
23 chief role got posted or not, but it has not.

24 We are having a lot of turnover at that department
25 head level right now and then into the future just due to the

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1 fact that so many people are nearing retirement, so our
2 interim -- our current interim fireman instructor had already
3 retired from the City and she's come back part-time to fill in
4 while we have this vacancy, and the fire chief just recently
5 announced he was also retiring this fall, so I know they're in
6 the process of getting all of these job advertisements out. I
7 have not heard about what sort of selection process they are
8 going to use. It's really up to the City Manager to and the
9 Human Resources Director to kind of set that up.

10 MS. WILLIAMS: Is there a way that we can find out
11 what that process is?

12 MS. WIBBENMEYER: I would say if you decide you
13 want to either -- to try and do what Baxter had suggested,
14 your options would be either sending a letter to the City
15 Manager to request whatever it is you want to request or to
16 send a report to Council to request whatever it is you want to
17 request. Those are your avenues of really communicating with
18 either party.

19 I can't recall if the public was involved when the
20 last police chief was hired. I can't recall what process. I
21 remember them bringing the candidates in for interviews and I
22 know the law department had a period of time where we sat with
23 all the candidates and asked the questions we had, but I don't
24 remember if there was public sessions. Do you remember?

25 CITIZEN: It was a public session.

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1 MS. WILLIAMS: Has there ever been a Board member
2 that has participated in those interviews?

3 MS. WIBBENMEYER: I don't recall that, but I don't
4 -- I can't remember. I don't think so just because I don't
5 remember, and I think that would -- I would be able to say,
6 oh, yeah, that happened. I just remember sitting in on the
7 interviews myself as part of the law department.

8 MR. NICKELS: The Board's been around ten years,
9 right, so I think it was conceived in 2008 or created in 2008
10 and Chief Burton was hired in -- was that 2008 or 2009? I
11 can't quite recall. So I'm not sure if there was an overlap
12 at the time or not, or if it's possible that the Board might
13 have been created after Chief Burton was officially hired.
14 I'm not -- I don't recall. I wasn't in the City at the time,
15 so --

16 Rose, with regards to sending a letter to the City
17 Manager versus a report to Council, is there a particular
18 direction that we need to go first? Is it -- should we be
19 sending a letter as opposed to a report to Council or the
20 other way around?

21 MS. WIBBENMEYER: I think it's really up to you as
22 to which path you'd want to take.

23 MR. FISHER: I say we do both.

24 MR. NICKELS: Well, and to that point, I don't
25 know that's going to like -- if there's going to be a

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1 countereffect if that creates an issue by sending both, but --

2 CHAIRMAN SMITH: Shouldn't we wait until they at
3 least announce what the process is and then say we'd like to
4 be involved?

5 MR. NICKELS: I think it's better to just say
6 involve us in the process from the outset.

7 Sergeant Alpers, do you know -- has there been any
8 conversations that you know of regarding selection of a new
9 chief or anything out of the CPOA regarding -- like anything
10 regarding this?

11 SGT. ALPERS: As far as selection goes, we're not
12 involved in that. CPOA, I'm not going to discuss that here.

13 MR. NICKELS: Okay. Is that something we need to
14 like ask --

15 SGT. ALPERS: You'd have to invite or speak to
16 CPOA to see if they wanted to give comment on that.

17 MR. NICKELS: Okay. Okay. To that point, like I
18 said, I have some draft language I can -- I'll e-mail to Rose.
19 She can send out to the Board. I don't -- it's super draft.
20 For whatever purpose, whether we send a letter or we send a
21 report to Council. And I welcome all edits or revisions or
22 inputs on it. Like I said, I'm not super wordsmithy. So I'll
23 send that out to Rose following this meeting.

24 MS. WIBBENMEYER: Do you want us to include this
25 as new business at the next meeting?

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1 MR. NICKELS: I think so. I think we can take a
2 month to kind of look at that and kind of get a sense of
3 what's up, and maybe we'll hear something in the interim that
4 kind of gives us information as to what's going on. But I
5 think it would be -- I think it would be good to talk about
6 next meeting.

7 CHAIRMAN SMITH: Let's add it to the agenda, new
8 business for next. Anything from other members of the Board?

9 MR. PRINGLE: I just have a -- this is fairly old
10 business. It's from May, after our May meeting, but because I
11 missed the June one, I didn't get to present what they went
12 over at the policy manual review meeting at the Columbia
13 Library. And so just a quick rundown. There are only four
14 policies they went over, if everybody would like to hear.

15 CHAIRMAN SMITH: Can we get the Cliff Notes
16 version?

17 MR. PRINGLE: Yes. The biggest one they kind of
18 talked about had to do with the BolaWrap policy. They're
19 getting to work on one of those BolaWraps, and right now the
20 department has ten or eleven for trial use.

21 SGT. ALPERS: They -- the BolaWrap are in the
22 field now.

23 MR. PRINGLE: They are in the field now. Okay.
24 And so the trial use period?

25 CHAIRMAN SMITH: Any deployments yet?

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1 SGT. ALPERS: No.

2 MR. PRINGLE: They said there was no timeline for
3 when they were they were going to iron out all the things
4 regarding the BolaWraps.

5 MS. WILLIAMS: I have a question because of the --
6 I'm sorry. Because of the BolaWraps. Do you guys carry first
7 aid kits in your cars?

8 SGT. ALPERS: Yes.

9 MS. WILLIAMS: Okay.

10 MR. PRINGLE: So, yeah, besides us doing it, they
11 just started doing it in Texas in April. So these are
12 brand-new nationwide is what they were saying.

13 SGT. ALPERS: BolaWrap?

14 MR. PRINGLE: Yeah.

15 SGT. ALPERS: I went to the instructor school fall
16 of last year, and they've had a few deployments with them.

17 MS. WILLIAMS: So you've been trained on how to
18 remove them safely?

19 SGT. ALPERS: Yeah. They're just little pins that
20 kind of go into clothing, so they're just kind of are like a
21 small fish hook.

22 MS. WILLIAMS: We hope they go into clothing.

23 SGT. ALPERS: Yeah.

24 MS. WILLIAMS: Right? But they can go -- since
25 they're shaped like hooks, they can go into skin, and that's

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1 why I was asking do you guys have first aid kits and you know
2 how to remove them safely, so --

3 MR. NICKELS: What's sort of the -- I know we
4 touched on it in the past, but what are the factors to
5 consider, for an officer to consider before deploying a
6 BolaWrap? Now, if -- because we talk about them being
7 embedded in clothes, but if an individual is, like, in shorts
8 with no shirt because it's summer and he's hot, I mean, if we
9 deploy the BolaWrap then, it's likely it could engage in skin.
10 So I'm just wondering like what are officers being told
11 insofar as factors to consider as to whether or not to deploy
12 Bola versus Taser versus something else?

13 SGT. ALPERS: Essentially, the BolaWrap policy was
14 molded around the Taser policy, so we take into consideration
15 age, height, if they're moving, if they're in a body of water,
16 things that could restrict their movements potentially. So
17 basically take the Taser policy, sit it next to the BolaWrap
18 policy, it's pretty close to that. So just similar -- similar
19 things you look -- you'd see in the Taser policy is what the
20 BolaWrap looks like.

21 MR. NICKELS: Okay.

22 MS. WILLIAMS: So are they educating the community
23 that this is another force that can be used?

24 SGT. ALPERS: I don't know that there's been any
25 community showing of the instrument or what. I don't believe

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1 there has.

2 MR. PRINGLE: Yeah, they showed us a video at the
3 meeting, a promotional video by the manufacturer that they've
4 used.

5 CHAIRMAN SMITH: And it's been on multiple
6 newscasts --

7 MR. PRINGLE: Yes.

8 CHAIRMAN SMITH: -- as well?

9 MR. PRINGLE: Yeah, especially in the St. Louis
10 area they've covered it pretty extensively.

11 MS. WILLIAMS: Right. But has it --

12 CHAIRMAN SMITH: It's been covered here as well?
13 Yeah?

14 MS. WILLIAMS: I have not seen anything on the
15 news about it.

16 CHAIRMAN SMITH: It's been covered.

17 MR. PRINGLE: I'll get that closed out with saying
18 that the department's going to take their time seeing how it's
19 used in the field, and then they'll make a final decision on
20 purchases at that point is my understanding.

21 CHAIRMAN SMITH: What risks are there in the
22 deployment of the BolaWrap? What was discussed in
23 instructor's school?

24 SGT. ALPERS: Well, they're -- it's a very limited
25 use tool. You have to have a -- basically, a swath around the

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1 individual, so deploying it is going to be fairly difficult
2 because you have to not only think about the person you're
3 deploying it, you have to think about what's behind them, you
4 have to think about what's around them. If they're standing
5 in a doorway, it's no good because the Bola's going to hit the
6 door frames.

7 Those are the biggest risks, and we always have to
8 remember that it's a tool that can break like any other tool
9 and that we have to be prepared to, you know, use different
10 means necessary to gain compliance from somebody.

11 CHAIRMAN SMITH: And on deployment, is it
12 customary to have medical show up?

13 SGT. ALPERS: Again, any time, you know, something
14 like that where we have something penetrate the skin, it's
15 going to be one of those deals where we contact medics. But
16 from what we can see, we all got deployed against and I think
17 there were close to 15 of us in there and there were no
18 medical issues that --

19 CHAIRMAN SMITH: Uh-huh.

20 SGT. ALPERS: -- that I could see.

21 CHAIRMAN SMITH: So you've got your first aid kits
22 in the car and usually a little bit above that and you call
23 medical after deployment --

24 SGT. ALPERS: Yeah.

25 CHAIRMAN SMITH: -- just as standard?

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1 SGT. ALPERS: We've got more than first aid. I
2 mean, it's a true shoot kit, so we've got several items in
3 there that doesn't -- really don't come in a normal first aid
4 kit.

5 CHAIRMAN SMITH: And standard is call med after on
6 deployment, even if?

7 SGT. ALPERS: That's right.

8 CHAIRMAN SMITH: Okay.

9 MS. WILLIAMS: In Googling real quickly about
10 BolaWraps in the news here in Columbia, I only pulled up two
11 articles technically, and they were October 2018 and November
12 2018. I wasn't able to successfully pull up anything else, so
13 I'm curious where it's being communicated to the community
14 because 2018 is almost over a year ago.

15 And then in those two articles it said that the
16 City of Columbia was considering using BolaWraps. It has not
17 been communicated to the public that they are going to use
18 them. And I think that it's -- it should -- the community
19 needs to know that this is another force that is being used to
20 apprehend somebody. I mean, it needs to be reported.
21 Somebody needs to tell somebody something.

22 MR. NICKELS: To follow along with that, I've got
23 two interesting questions. So you mention like they deployed
24 it against you like at the training, so I'm kind of
25 envisioning this sort of like Taser training, like everyone

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1 has to go through it to get a sense what it's like. Like you
2 had it deployed against you and everyone who's in training had
3 it deployed against them to get a sense of it?

4 SGT. ALPERS: That's correct.

5 MR. NICKELS: What were the -- what was the
6 situation like? Was it just kind of you just standing in a
7 room, brace yourself for it, or was it sort of like a dynamic
8 like, "Sergeant Alpers, you start running. We are going to
9 deploy it against you"? What was the situation like for
10 deployment?

11 SGT. ALPERS: So that's one of the -- that's one
12 of the things that we train is we're not going to deploy this
13 against somebody that's running because that obviously
14 presents a high fall risk danger where you run, you restrain
15 somebody's legs, they are going to fall down.

16 MR. NICKELS: Right.

17 SGT. ALPERS: It was a static. I was standing
18 there and we had an interaction back and forth and in a
19 scenario type situation, they deployed it against -- around
20 our legs.

21 MR. NICKELS: So the intent is to never use this
22 against a target -- target, a person, that's moving. They
23 should always ideally be static and not moving before --

24 SGT. ALPERS: That's correct.

25 MR. NICKELS: -- you engage.

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1 SGT. ALPERS: That's not saying that it won't ever
2 happen. You know, there's sometimes situations that present
3 themselves. If that's the only instrument or weapon that you
4 have in order to preserve life, you might have to use it, so
5 I'm not going to use the words never, but we should be using
6 it against static people that are standing.

7 MS. WILLIAMS: I hope so because I'm reminded of
8 an incident of a man on a bridge who had a Taser used against
9 him and he fell down the bridge and it cost the City of
10 Columbia a lot of money, so I'm hoping that they do not use it
11 on somebody who is running and we have another situation where
12 somebody falls and seriously gets hurt.

13 CHAIRMAN SMITH: Is that the suicidal guy?

14 MS. WILLIAMS: Yeah.

15 CHAIRMAN SMITH: On the bridge over I-70?

16 MS. WILLIAMS: Yes.

17 MR. NICKELS: My second one is sort of why did we
18 get these? You know, it sounds like they're still pretty new
19 across the nation. There's not a lot of agencies that are
20 adopting it. Why are we one of the first? What was the
21 reason that it was deemed this would be a good tool for CPD to
22 have? What situations are going on that we thought, hey, this
23 will be another useful tool for our arsenal, I guess is a way
24 of -- I'm just -- because we're envisioning like you use it
25 against a static target with plenty of room around them, and I

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1 can't imagine people just standing still or even having a lot
2 of room around them.

3 If you're having a standoff downtown and you're
4 having -- or if you're engaging someone here, there's cars,
5 there's alleyways, there's tight spaces, so I'm just trying to
6 envision where and when this is a useful tool and what reasons
7 we thought, hey, this is a good thing that we need to have
8 next.

9 CHAIRMAN SMITH: What about somebody with a knife
10 at 21 feet? Would this might -- might just be a good tool for
11 it, where you might otherwise have to go lethal?

12 MS. WILLIAMS: They'll just cut the BolaWrap off.

13 SGT. ALPERS: I'm going to answer one question at
14 a time. I don't know the answer to that. I can ask, but I
15 don't know the driving force behind it.

16 MR. NICKELS: I think it would just be -- I mean,
17 yeah, it would be good to know kind of like what was the
18 driving force between -- especially since it's so new. It's
19 not like there's a record of years of successful use and this
20 is a good thing to implement now, so I'm just curious as to
21 what was the driving force between this new tool for the CPD.

22 SGT. ALPERS: I can inquire and send an e-mail to
23 the Board. To answer Mr. Smith's question, it could be a
24 useful tool with that. That's correct.

25 CHAIRMAN SMITH: Subject who's got an impact

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1 weapon or a slashing weapon where, you know, a Taser may not
2 be effective, you might want to tie them up.

3 SGT. ALPERS: Yeah.

4 CHAIRMAN SMITH: That might be a good use for this
5 tool foreseeably. I'm not a DT, defense tactics instructor.
6 I have no idea, but I can just see it in that, where lethal
7 force, you might not want to have that as your solution. It
8 just gives you another option.

9 SGT. ALPERS: Again, there's limitations to --

10 CHAIRMAN SMITH: Right. It's not something that
11 you can use in every situation.

12 SGT. ALPERS: Yeah. If he's standing in a corner,
13 it's no good.

14 CHAIRMAN SMITH: It's not going to happen. But it
15 just gives you another option potentially, depending on the
16 situation. Everything's situational.

17 MR. NICKELS: For these officers who would be
18 carrying the Bola, that amounts to -- I'm going to be loose
19 with the term here, but that amounts to three firearms they
20 would be carrying on them; right? They would be carrying
21 their actual firearm, a Taser, and this Bola, so that's three
22 different things that would fire when they draw it.

23 How -- as a trainer, like how are you kind of
24 confronting on the front end like muscle memory and awareness
25 of where this is versus the other things? I know that

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1 officers will be a little bit more like once they get their
2 setup set up, that they're kind of getting used to that, but
3 if you're adding a third thing in, just --

4 SGT. ALPERS: So the BolaWrap isn't a handled
5 weapon. It's more of a tri -- rectangle with a firing
6 mechanism on top of it, so most likely, it would be carried on
7 their vest.

8 MR. NICKELS: So it's like a big pager or
9 something like that?

10 SGT. ALPERS: Very good analogy, yeah. So it's
11 not going -- we're not going to have any muscle confusion as
12 far as handles go --

13 MR. NICKELS: Okay.

14 SGT. ALPERS: -- because it's a completely
15 different -- I mean, it's essentially my phone with a
16 contraption on it that when you fire it, it's something like
17 that. So it's not holding onto it like a pistol.

18 MR. NICKELS: Okay.

19 SGT. ALPERS: And what we train is just like we do
20 with the Taser. If it's practical, we'll say, "Taser, Taser,
21 Taser," and give that verbal warning to not only the subject
22 potentially it's going to be deployed against, but for our
23 officers to know that as well so they don't jump in line and
24 they don't hear a pop and we have a sympathetic trigger pull.
25 So in the training, we go through that stuff, and we want to

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1 make sure that everybody is aware, hey, I'm getting ready to
2 deploy this instrument and it will be coming out shortly.

3 MS. WILLIAMS: So since this is a Ken Burton
4 recommendation, is that why it's still continuing?

5 SGT. ALPERS: I'm not for sure.

6 MS. WILLIAMS: Because it was a Ken Burton
7 recommendation.

8 SGT. ALPERS: He was the Chief of Police at the
9 time, yes.

10 MS. WILLIAMS: At least that's what it said on
11 KMIZ.

12 CHAIRMAN SMITH: Any other comments, questions
13 from members of the Board?

14 MR. PRINGLE: Well, the other section was the fun
15 stuff. It was -- officer-involved shooting was the other
16 section that was discussed, and that was big about just the
17 section had expanded from three to nine pages where they focus
18 on helping the officers understand and expect the steps in an
19 investigation as well as stress the involved officer's need to
20 help the process along. And that was pretty much it.

21 CHAIRMAN SMITH: Thanks for the update. Anything
22 else? Anything from staff? Sergeant Alpers? Rose?

23 MS. WIBBENMEYER: I believe Sergeant Alpers was
24 wondering if you wanted him to proceed with his presentation
25 next month, considering you're going to have another appeal

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1 for next month's meeting.

2 CHAIRMAN SMITH: What sayeth the Board? And that
3 was on the use of Tasers and an actual demo? Or what was it?
4 Refresh my memory.

5 SGT. ALPERS: A demo's going to be difficult.

6 CHAIRMAN SMITH: Demo's going to be difficult.

7 SGT. ALPERS: But we can get the Taser out. We
8 have to have some safety issues taken care of, but we can do
9 that.

10 CHAIRMAN SMITH: Does the Board want to proceed
11 with the Taser session?

12 MR. NICKELS: I would vote yes for that. I think
13 so.

14 MS. WILLIAMS: And the BolaWrap. Maybe we could
15 add that in, too.

16 SGT. ALPERS: Okay. I'll have to see if we have
17 one available.

18 CHAIRMAN SMITH: So if available, the BolaWrap,
19 but definitely Taser and we want to proceed? Is that the
20 Board -- does anyone see a problem or disagree?

21 SGT. ALPERS: I'll send a video to everybody of me
22 being Bolaed so you can kind of have an idea of what it looks
23 like.

24 CHAIRMAN SMITH: Sure.

25 MS. WILLIAMS: How many people do we have

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1 certified to use a BolaWrap right now?

2 SGT. ALPERS: I believe it's 10 or 12.

3 MR. PRINGLE: Ten or 11. I think 11 is what they
4 said.

5 CHAIRMAN SMITH: So, Rose, we are going to proceed
6 with Sergeant Alpers' presentation along with everything else
7 we've got scheduled.

8 MS. WILLIAMS: And are those that are certified --
9 because I don't know CPD's work schedule and all that. So are
10 those split up between morning shift, afternoon, overnight?
11 Is that how it's split up or --

12 SGT. ALPERS: I'm not for sure.

13 MS. WILLIAMS: Is it like weekend people because
14 there's more traffic downtown?

15 SGT. ALPERS: I'm not for sure. When the weapons
16 became available, they put out information for people to apply
17 to be a user of that, so to be honest with you, I don't -- I
18 know who they are. I'd have to look through e-mails because I
19 sent e-mails out to them, but I don't know how that separates
20 them into shifts.

21 MR. NICKELS: I do actually have one more comment
22 unconnected to all this. Just generally curious. Sergeant
23 Alpers, do you know has the ride along, the form you fill out,
24 has that changed recently?

25 SGT. ALPERS: I believe it changed -- it has

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1 changed though.

2 MR. NICKELS: Okay. It's changed. I notice now
3 it asks for social media, all accounts and user names, and
4 that was new to me.

5 SGT. ALPERS: Looks like it was changed June of
6 last year, June 12.

7 MR. NICKELS: Okay.

8 MS. WILLIAMS: Did you say it asks for your social
9 media names?

10 MR. NICKELS: Yeah. Now there's a spot that asks
11 for social media: Include all accounts and user names for
12 Facebook, Twitter, Instagram, and other. I mean, I know I'm
13 on CPRB, but I'm not comfortable providing that information.

14 MS. WILLIAMS: Right.

15 MR. NICKELS: So I'm just wondering if I don't
16 input something on this, does that change whether or not I'm
17 likely to be allowed to do a ride along, whether or not I'm a
18 member of the Board?

19 MR. PRINGLE: I know I didn't put any of that down
20 when I did my ride along in April.

21 MR. NICKELS: Okay.

22 MR. PRINGLE: Yeah, I didn't put any of it.

23 MS. WILLIAMS: Is that the new form?

24 MR. PRINGLE: Well, it's -- if the new form went
25 into effect last June, yeah, it would have been. I didn't put

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1 any of that stuff down.

2 MR. KILGORE: I didn't either.

3 MR. NICKELS: Okay.

4 SGT. ALPERS: I have to read through it, but it
5 could be something that the watch commander put down. If they
6 have concerns, then they could address those potentially.

7 MR. NICKELS: Okay.

8 CHAIRMAN SMITH: Any other comments?

9 Hearing none, moving to Section IX. Is there a
10 motion to adjourn to open session and go into closed session?

11 MR. PRINGLE: I move to adjourn open session and
12 go into closed session to discuss records which are protected
13 from disclosure by law pursuant to Sections 610.021(14) and
14 455.004 RSMo.

15 CHAIRMAN SMITH: Mr. Pringle has made the motion.
16 Is there a second?

17 MR. FISHER: Second.

18 CHAIRMAN SMITH: Mr. Fisher has properly seconded.
19 Ms. Catlettstout is absent. Kind of hard for her to vote.
20 Mr. Fisher?

21 MR. FISHER: Yes.

22 CHAIRMAN SMITH: Mrs. Grover? Ms. Grover?

23 MS. GROVER: Yes.

24 CHAIRMAN SMITH: Mr. Nickels?

25 MR. NICKELS: Yes.

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CHAIRMAN SMITH: Mr. Pringle?

MR. PRINGLE: Yes.

CHAIRMAN SMITH: Ms. Seamon?

MS. SEAMON: Yes.

CHAIRMAN SMITH: Mr. Smith is yes. Ms. Williams?

MS. WILLIAMS: Yes.

CHAIRMAN SMITH: And Mr. Kilgore?

MR. KILGORE: Yes.

CHAIRMAN SMITH: It's unanimously passed that the Board shall be going into closed session. The motion to go into closed session has been passed. Open session is adjourned. You may now -- you now need to leave the room while the Board meets in closed session. Thank you.

(The open session concluded at 6:45 p.m.)

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CERTIFICATE OF REPORTER

I, Stephanie Allen, CCR No. 746 within the State of Missouri, do hereby certify that I attended and created a verbatim stenographic record to the best of my ability of the July 22, 2019 meeting of the City of Columbia Citizens Police Review Board, and it was thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the meeting, nor financially or otherwise interested in the outcome of the meeting.


Stephanie Allen, CCR

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| <p style="text-align: center;">1</p> <hr/> <p>15 26:17</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2008 20:9,10 2009 20:10 2018 27:11,12,14 21 30:10 21-47(b) 9:17</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>ability 10:14 aboard 7:2 absolutely 9:22 12:23 16:23 accidentally 12:7 actual 31:21 add 22:7 adding 32:3 address 6:10,12 13:19 adept 14:23 adopting 29:20 advance 11:4 advertisements 19:6 affects 10:14 age 24:15 agencies 29:19 agenda 7:22 8:8 22:7 agendas 6:9 11:4 agree 16:16 18:11 ahead 11:22 aid 23:7 24:1 26:21 27:1,3</p> | <p>Allen 6:23 alleyways 30:5 Alpers 21:7,11,15 22:21 23:1,8,13,15,19, 23 24:13,24 25:24 26:13,20,24 27:1,7 28:4,8,11,17,24 29:1 30:13,22 31:3,9,12 32:4,10,14,19 amounts 31:18,19 analogy 15:17 32:10 announce 21:3 announced 19:5 appellate 15:25 applicants 12:1 apprehend 27:20 approval 17:1 approve 7:11 April 23:11 area 25:10 argument 17:10 arises 9:21 arm 15:21 arsenal 29:23 articles 27:11,15 assess 17:13 attach 7:22 attached 7:22 attenuate 9:19 12:21 autonomy 10:10,14 avenues 19:17 awareness 31:24</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 19:3 28:18 based 10:1</p> | <p>basically 24:17 25:25 Baxter 8:24 19:13 begin 9:8 behalf 13:14 bias 13:11 big 32:8 biggest 22:17 26:7 bit 26:22 32:1 black 16:9 blind 8:4 board 6:5,6 8:15,21 10:3,7 12:12 14:13,15 15:10 16:15,17,21 17:6 18:2,5,7 20:1,12 21:19 22:8 30:23 Board's 20:8 body 13:7 15:17,18, 19,20,23 16:3,5 24:15 body's 15:21 Bola 24:12 31:18,21 Bola's 26:5 Bolawrap 22:18,21 23:13 24:6,9,13,17,20 25:22 30:12 32:4 Bolawraps 22:19 23:4,6 27:10,16 brace 28:7 brand-new 23:12 break 26:8 bridge 29:8,9,15 brilliant 11:19 bring 10:9 13:4 bringing 19:21 budget 6:2 bunch 6:15 Burton 15:2 20:10,13 business 21:25 22:8, 10</p> | <p>buy-in 9:13 bylaws 16:6</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 26:22 27:5 called 8:4 candidates 10:18,22, 24 13:4 14:12 16:20, 24 17:16 18:8,14 19:21,23 car 26:22 careful 12:25 carried 32:6 carry 23:6 carrying 31:18,20 cars 23:7 30:4 case 14:3 cases 10:15 certify 7:8 CHAIRMAN 6:3,14, 19 7:2 8:7,18,21 10:9, 25 12:25 13:11,13,25 14:6,15 15:6,24 16:10, 23 18:1 21:2 22:7,15, 25 25:5,8,12,16,21 26:11,19,21,25 27:5,8 29:13,15 30:9,25 31:4, 10,14 checked 18:22 chief 9:5,9,21,24 10:4, 8,19,22 11:7,15 12:4, 15 14:4 15:2,3,8,9,11 17:7,13 18:16,23 19:4, 20 20:10,13 21:9 choose 16:8 choosing 16:10 CITIZEN 19:25 citizen's 9:3 citizens 9:12 14:11</p> |
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