

In the Matter of:

CITY OF COLUMBIA CITIZENS POLICE REVIEW BOARD

TRANSCRIPT OF PROCEEDINGS

January 08, 2020



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CITY OF COLUMBIA
CITIZENS POLICE REVIEW BOARD

Transcript of Meeting

January 8, 2020, 6:00 p.m.
City Hall, Council Chambers

Reported by: Tammy F. Ballew, CCR 563

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BOARD MEMBERS PRESENT:
Andrew Fisher, Chairman
Carley Gomez
Cornellia Williams
Catherine Grover
Delaney Catlettstout
Nicole Seamon
Travis Pringle
Darryl C. Smith

ALSO PRESENT:
Rose Wibbenmeyer, Assistant City Counselor
Sgt. Scott Alpers, Columbia Police Department

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1 CHAIRMAN FISHER: I call the January 8, 2020,
2 Citizens Police Review Board to order. Start off with
3 approval of the agenda. Is there a motion to approve
4 the agenda?

5 MS. CATLETTSTOUT: So moved.

6 MR. FISHER: Is there a second?

7 MS. WILLIAMS: Second.

8 MR. FISHER: All in favor, let it be known by
9 aye. All opposed. (Unanimous voice vote for
10 approval.)

11 Moving on to the next item. It is special
12 items. I guess we've got Steve Weinberg here to speak
13 about outreach ideas.

14 MR. WEINBERG: This was supposed to be two of
15 us and the other person has a voice that sounds like
16 you might imagine God to sound, so you're just going to
17 have to -- sorry about that. So do any of you know
18 C.W. Dawson? Okay. Some of you might read his
19 Wednesday column in the Missourian. He's also a local
20 pastor. He's also a local professor. And we've become
21 friends through our interest in social justice. And
22 because I was one of the original appointees on the
23 Citizens Police Review Board ten years ago, it's
24 obviously in my mind and has been from the beginning.
25 And when C.W. and I were talking about some of the ways

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1 we could work to bridge some of the divides in Columbia
2 without, you know, starting from nothing, I suggested
3 that maybe we approach you all and with an idea about
4 how we could perhaps expand the efforts you're already
5 handling so well. I sat in on the meeting last month.
6 Some of you might remember that, and I was very
7 impressed.

8 When I was on the Police Review Board, and,
9 of course, Rose remembers all this because she was at
10 every meeting. She's just amazing. We had a lot of
11 talkative people, but I can't remember any meeting we
12 had where everybody spoke like I heard last month. I
13 noticed there were a couple of absences last month, but
14 I was very impressed at the level of commitment.

15 And I'll keep this short and just answer
16 questions. What we have in mind is opening a
17 conversation across various divides, including racial
18 divides and ethnic divides which is, you know, why C.W.
19 and I teaming up partly. Skin hue still does matter
20 to some people, and we would like to go in as a team
21 whenever we can. Just like I did when I was on the
22 Board, I teamed up with one of the members who doesn't
23 live here anymore, John McClure; remember him? And we
24 did some outreach together, not as much as we would
25 have liked. But then we were just explaining the

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1 Citizens Police Review Board fresh to everybody because
2 it was brand new. We did get involved in some kind of
3 controversial cases right away due to circumstances
4 beyond our control, but mostly people didn't know about
5 us at all.

6 Now people know more, or more people know
7 more, but without sounding the least bit critical, I
8 have been doing a very informal scientific conversation
9 survey with people I know of all ages and creeds and
10 races and religions, and it's pretty appalling how few
11 people in Columbia really know what you do and how many
12 don't even know of your existence, or if they do, the
13 knowledge is extremely superficial.

14 So I thought if you agree that we can be an
15 appendage of yours and go into some schools and some
16 churches and a few other ideas we have beyond what
17 you've already done, that maybe we can help raise
18 consciousness of what you do. And I have, you know, a
19 pretty good understanding, having been one of the
20 original members. And also use police community
21 relations, which everybody is interested in, I think,
22 as a way to start a broader conversation.

23 And if you don't mind an editorial comment, I
24 feel like that's even more important than when C.W. and
25 I started having this conversation because of what many

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1 of us learned last month about the City no longer
2 retaining Glenn Hobbins -- Glenn Cobbins and Judy
3 Hubbard going door to door in the First Ward and other
4 neighborhoods. I -- I believe -- I'm not sure if any
5 of you agree -- that that was a really valuable
6 listening post and talking post. And I -- you know,
7 I'm good friends with Glenn. I know Judy much less
8 well, but they've always impressed me and, of course,
9 they ran the Amani Center together for many years on
10 Ash Street before that funding ran out.

11 And I -- you know, I've talked to some of the
12 City Council members about the dismissal of Glenn and
13 Judy, and one City Council member told me he didn't
14 even know about it until he read it in the Missourian,
15 and other City Council members were kind of defensive,
16 saying, you know, it's completely the prerogative of
17 the City Manager and they -- you know, he doesn't have
18 to tell them about every personnel decision he makes.
19 I get that, sort of. But, I mean, for \$11 an hour per
20 person, it seems like kind of a minor budget cut, if
21 that was the real reason. And if there's some other
22 reason, nobody is being candid with me. So I just feel
23 like outreach is even more important given that
24 situation.

25 There was a third person who was doing that

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1 for a while, Carl Kenny, but he moved away back to
2 North Carolina. And then I think a gentleman who is on
3 the School Board was -- was hired in that job for a
4 while, and then he had to stop. So as far as I know,
5 there's nobody at all going door to door now, and I
6 think that hurts.

7 So it just -- I feel like there's more
8 urgency than there was when C.W. and I started talking.
9 So if you think this is a totally worthless idea, no
10 harm. It won't -- it won't cost you anything, because
11 it would be our volunteer time. But if you feel like
12 your outreach is already, you know, perfectly adequate,
13 C.W. and I will find something else to do, believe me.

14 One of the reasons he couldn't be here
15 tonight, by the way -- I don't know how well you know
16 him personally, but if you count his biological
17 children and his foster children and adopted children,
18 he's got 12 kids, and I've lost count of how many
19 grandkids. And his wife was supposed to be watching
20 some grandkids tonight, and she's not feeling well,
21 so -- and then he ended his teaching at five today.
22 He's an adjunct at three local colleges, so anyhow.
23 Questions, comments, arguments, anybody?

24 MS. WILLIAMS: Okay. So, Weinberg, right?

25 MR. WEINBERG: Yes.

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1 MS. WILLIAMS: Thank you for coming.

2 MR. WEINBERG: Just call me Steve. Don't
3 worry about the last name.

4 MS. WILLIAMS: Well, I'm going to call you
5 Mr. Weinberg out of respect, because that's what my
6 daddy would tell me to do.

7 MR. WEINBERG: All right.

8 MS. WILLIAMS: But, first of all, thank you
9 for coming, and thank you for all the work that you've
10 already done. My only issue is is that in representing
11 us, I would like for one of us to be able to go where
12 you go.

13 MR. WEINBERG: Great. All the better.

14 MS. WILLIAMS: Because in representing me, I
15 want my voice there. And I do appreciate all the work
16 that you all -- that you all have done, and if you've
17 already gotten doors open that would allow us to be
18 able to come and speak, that is phenomenal. But I know
19 personally for me, I would like one of us on the Board
20 to accompany you.

21 MR. WEINBERG: Well, C.W. has already got
22 some churches interested and, of course, I can add to
23 that to some extent. And we've -- we haven't talked to
24 any schools yet, but that's not going to be difficult.
25 We want to go into all four high schools. By the way,

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1 my children, when they were growing up here, I have one
2 who went to Hickman, one who went to Rock Bridge, and
3 one who went to Douglass. So at the time, I covered
4 all three high schools as a parent. I don't think
5 we're going -- since my wife and I are in our 70s, I
6 don't think anyone is going to go to Battle, but --
7 anyway, we want to go into all -- all the high schools,
8 if possible, and probably the middle schools, and we've
9 got some other ideas, too.

10 But it would be just perfect if there were an
11 actual, you know, current appointee on -- from the
12 Police Review Board with us or with me or with C.W.,
13 depending on the scheduling, and he's way busier than I
14 am. He has not -- he's 65 or 66, but he has not been
15 able to retire yet, and I mostly have. I'm a
16 journalist and write books, but that part of my life is
17 pretty much over, I think. So I have a lot more
18 flexibility than he does, but we want to do -- do what
19 we can together, and maybe -- maybe three of us or
20 more.

21 We might even want to talk to some law
22 enforcement agencies. I don't know how much you've
23 done. When I was on the Board, I was the one who dealt
24 with the police most often when they were angry because
25 I'm just built that way, I guess. There was one time

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1 when -- that I don't know if you still have that
2 meeting place right downtown just across from that
3 sushi restaurant, the Hunt Street.

4 SERGEANT ALPERS: Oh, the -- yeah. The
5 substation?

6 MR. WEINBERG: Yeah. Is that a substation
7 now? Okay.

8 SERGEANT ALPERS: We still have access to it,
9 but the downtown union meeting --

10 MR. WEINBERG: And there was a union meeting,
11 and a lot of your colleagues, maybe you, I don't know,
12 were very upset at a decision, and there was a lot of
13 misunderstanding, some of it in the media. And so I
14 went and talked to the -- one of the union meetings
15 and, you know, I was in a room with about 50 angry
16 people carrying guns and badges, but it was okay. It
17 was about a three-hour interesting session.

18 And, you know, we -- we started just when
19 Burton came in as the chief, so there was a lot of
20 change going on with both him and the Board, and it was
21 a very interesting time. And he was very cooperative
22 until he wasn't, so anyway. A lot was going on then.

23 Any other questions, comments, arguments?

24 MS. SEAMON: What do you imagine the
25 scheduling of these speaking events would be like?

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1 Have you guys discussed kind of some of those? Like,
2 how often would you want to go speak and --

3 MR. WEINBERG: Well, churches, most likely,
4 it's going to be Sunday or some -- like the church
5 where my wife goes to, and I sometimes go along, you
6 know, there's always a speaker between the two Sunday
7 services, many of them who are not, you know,
8 necessarily deeply religious people, but who are
9 involved in the community. Schools, of course, we're
10 limited by school hours.

11 We don't have anything definite because we
12 weren't even sure you would be interested. We didn't
13 want to get ahead of ourselves. And, you know, in a
14 way, we did this backward because we didn't ask for a
15 list of all the outreach you all have been doing, but
16 it was, like I said, my idea with him -- with C.W. to
17 use you, if you will, as a beginning vehicle because
18 you already exist and because, you know, to the extent
19 people know you exist, I think you're respected, and
20 why not -- you know, why not do something like that.

21 But, I mean, we're -- I'm really flexible.
22 He'll be as flexible as he can be. And we'll do all
23 the original outreach so we -- you know, so you don't
24 have extra work actually setting up the appointments,
25 but any of you who want to, you know, be there, we'll

1 coordinate with you first when we have an idea of who
 2 we want to approach. Like, I don't know, Ms. Williams,
 3 if, like, you would ever be available to go into a
 4 school during their regular hours. We'll have to
 5 discuss all that. We have to work around C.W.'s
 6 teaching schedule, too.

7 MS. WILLIAMS: Yeah. I have another question
 8 for you. With the dismissal of Glenn Cobbins and Judy,
 9 do you know if there's anybody else who is stepping in
 10 to volunteer to do those roles, because I know Judy and
 11 Glenn are still going to be out there in those
 12 communities because that's what they're heart and
 13 passion is, so I know they're going to do it anyway.

14 MR. WEINBERG: Well, the only information
 15 I -- the only information I have from that -- about
 16 that is from the City Council members I talked to
 17 informally, and I have no indication that they're being
 18 replaced, although Mayor Treece was quoted in the
 19 paper, accurately or not, who knows. Even as a
 20 journalist, I'm not always sure quotes are accurate, of
 21 course. He said that, you know, more of this might
 22 fall on the police through community policing, but I
 23 don't know what that would look like.

24 Rose, do you happen to have any information
 25 on that -- about whether Glenn and Judy are -- was that

1 in your bailiwick at all ever?

2 MS. WIBBENMEYER: I only know -- no. I only
3 know what was in the newspaper.

4 MR. WEINBERG: I'm sorry. I don't know more.
5 I've talked to Glenn recently, but didn't want to, you
6 know, pry too much about what he might have heard. He
7 was, let's just say, not real happy.

8 MS. CATLETTSTOUT: I have two questions.
9 Would the both of you be willing to kind of work with
10 us because I know that we've talked about it in the
11 past having some sort of, like, standardized messaging
12 and talking points, working with us to create
13 standardized talking points to make sure that our
14 messaging is consistent on every stop. Would that be
15 something that --

16 MR. WEINBERG: I would love to do that, and
17 I'm a writer, so -- I can't speak for C.W., but I --
18 and I'm sure he'd have some insights. He's one of the
19 smartest people I've ever known.

20 MS. CATLETTSTOUT: All right. Great. And I
21 think that that would really help with both of us,
22 especially if, like, say, a Board member can't go with
23 you, we want to make sure that everyone is getting the
24 same message, of course.

25 MR. WEINBERG: Well, we might not even want

1 to go if a Board member can't go with us. I understand
2 what -- you know, what your concern is. Just because I
3 served on the Board once, it's a long time ago, and I'm
4 a lot older and a lot fatter and, you know, who knows
5 if my brain is even working.

6 MS. CATLETTSTOUT: And then additionally,
7 would you be willing to kind of have a tentative list
8 of places that you were wanting to go --

9 MR. WEINBERG: Absolutely.

10 MS. CATLETTSTOUT: -- and then submit those
11 dates to us for some sort of, like, approval or --

12 MR. WEINBERG: Oh, sure. I mean, I would
13 first develop a list of places we'd like to go, and
14 then the dates would have to come later, I think.

15 And have you all kept a list of all the
16 outreach you've done?

17 MR. FISHER: Yes. It's actually on our
18 annual report. That's, I guess, where you can find the
19 easiest access to it.

20 MR. WEINBERG: Okay.

21 MR. FISHER: It'll come out each year, and
22 that's what we have done, so --

23 MR. WEINBERG: All right.

24 MS. WILLIAMS: I have a question for Rose.
25 Is this something that we can do?

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1 MS. WIBBENMEYER: Sure.

2 MS. WILLIAMS: I just want to make sure.

3 MS. WIBBENMEYER: I mean, you'll need to make
4 sure you're under the quorum level when you do this,
5 but if one or two of you are going with them or one of
6 them, yeah, that's fine. In a lot of communities where
7 they have police review boards, their volunteer
8 advocate program is actually they just train up
9 community organizations who then have the forums and
10 who can tell people about the process and -- and the
11 promotion then is in those community organizations who
12 are more, you know, out there, like the ACLU or the
13 defense bar or whatever, you know.

14 They are the ones where they're seeing people
15 from the public who have complaints and then they
16 provide them the avenues to then get into the process.
17 Of all the places I talked to back when we were setting
18 it up, no one had the volunteer advocates role like we
19 were trying to do.

20 MR. WEINBERG: And during the time I was on
21 the Board, this was all very informal, but of the
22 people in the community who seemed most interested and
23 most knowledgeable, and I might be forgetting someone,
24 Rose, but both David Tyson Smith and Dan Viets,
25 obviously both lawyers, but they were not only at most

1 of our meetings, but did some informal outreach with me
2 and with others. Maybe they would still be interested,
3 you know. I don't know.

4 MS. WIBBENMEYER: I think the biggest thing
5 with outreach, at least from my experience for both
6 this commission and the Human Rights Commission is it
7 is definitely easier to go on the speaker circuit,
8 where people want to hear information and they want to
9 get information, than it is to go to events like Earth
10 Day or Pridefest where people are there to have fun and
11 maybe -- maybe they'll pick up a brochure, but they
12 really -- they're there to have fun and -- and do --
13 partake of the festivities, and not really learn or
14 gather information.

15 And I think, Steve, when you were on the
16 Board a long time ago, you wrote up talking points for
17 the Board because the Board, at that time, had
18 discussed standardizing their approach and outreach,
19 and I think you had drafted something a long time ago.

20 MR. WEINBERG: Yeah.

21 MS. WILLIAMS: Do you still have them?

22 MR. WEINBERG: I probably don't, but I'll
23 look.

24 MS. WIBBENMEYER: I probably do.

25 MR. WEINBERG: Okay. Of course you do. You

1 know, when -- I'll just take another moment. We had a
2 really interesting group of nine. Of course, one of
3 them was appointed by the Human Rights Commission, and
4 the other eight were appointed by the City Council. Is
5 that still true?

6 MS. WIBBENMEYER: Uh-huh.

7 MR. WEINBERG: Okay. Who's the Human Rights
8 person. Okay. We -- we really liked each other, but
9 some people had very predictable views that were
10 unshakable, so depending -- no matter what the case
11 was, and none of the stereotypes you might guess fit
12 when we were all together, so we had a lot of spirited
13 discussions including sometimes what -- how the talking
14 points ought to read, but we worked it out. And I'm
15 still in touch with almost everyone who I served with,
16 and I'll never forget it. It was just a great
17 experience. A lot of them have moved away,
18 unfortunately, and the only one, I think, who served a
19 lot of terms after the first one was Steve Alexander.

20 MS. WIBBENMEYER: He's still in town.

21 MR. WEINBERG: Right.

22 MR. PRINGLE: Well, I guess it's like -- it
23 seems everyone is pretty into this. What would be our
24 next step, Rose? Will we have to, like, make it at our
25 meeting like a public where we're going every month

1 or --

2 MS. WIBBENMEYER: As long as it gets reported
3 back so we can include that in the annual report, but
4 no. I mean, I think once you come up with the talking
5 points, I will forward them out to you all, and I'll
6 put that on the agenda so you can talk about that as a
7 group. But once you finalize the talking points, then
8 I will just need to work out with Steve a way for you
9 all -- him to get the message out to whoever is going
10 to go with him, kind of like we do with the recruit
11 training for the police recruits, I would think,
12 something like that.

13 Or if there's just a couple of you who want
14 to be the people who always go, then Steve could just
15 contact you all directly and then just you -- you would
16 just report that you went and did this things on
17 whatever date.

18 MR. WEINBERG: I want to make clear, and I
19 don't know if this is even practical, that whatever
20 talking points we present to school groups or church
21 groups or whatever, C.W. and I don't necessarily want
22 the conversation to be only about the Police Review
23 Board or police-community relations. We'd like the
24 flexibility to see where the conversation goes, because
25 there are a lot of things to discuss in this community

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1 besides police-community relations. But that's
2 something we could try to iron out.

3 I mean, I wouldn't want to be rigid because
4 especially let's say we're talking high school
5 students, they might want to take the conversation any
6 number of directions, and that would be wonderful, as
7 far as I'm concerned, but maybe not as far as you're
8 concerned. Maybe a lack of structure would be a little
9 scary.

10 And, of course, we would never present --
11 C.W. and I would never present ourselves, of course, as
12 Police Review Board members or spokespeople for you
13 all, but just say that we're working with you, through
14 you, whatever, because you're a valuable community
15 organization appointed by the City Council and we would
16 love for the knowledge to be greater than it is.

17 Again, I've got to emphasize, I am really
18 surprised at how many highly educated civically
19 involved people I know here in Columbia who just
20 haven't been paying much attention to the Police Review
21 Board. And I think the media coverage in general has
22 been a lot less pervasive than it was at the beginning,
23 which, to some extent, is understandable. We -- we
24 were new, and we had some pretty controversial cases
25 right away, including two use-of-force cases that, you

1 know, ended up in split votes even on the Board.

2 Anything else?

3 MS. SEAMON: I just want to thank you for
4 being willing to go out in the community and let people
5 know that we're here and --

6 MR. WEINBERG: I'm not looking for thanks. I
7 just -- just want to make a little more of a
8 contribution. One thing I'm going to add, sort of
9 pumping my own chest here. Probably the proudest thing
10 I've ever done as a volunteer, and I'm proud of my
11 books and my writing and all that, but I conceived and
12 co-founded what has become the Midwest Innocence
13 Project, and I'm not even a lawyer. You know, I had
14 written a lot as a journalist and as an advocate about
15 wrongful convictions, not so much a problem in Boone
16 County, but in a lot of other parts of Missouri and
17 everywhere else. You know, there are more than 3,000
18 prosecutorial jurisdictions in this country, so it's
19 hard to generalize. But in some of them, innocent
20 people go to prison all the time because of certain
21 prosecutors paired up with certain detectives, paired
22 up with certain judges.

23 And Missouri was one of the few states in the
24 early part of this century that had no innocence
25 project coverage at all, so I started thinking how

1 might that happen, where might we get the money. And I
2 thought, ah-hah, the University of Missouri. And at
3 the time, MU had a president named -- a four-campus
4 president named Elson Floyd, who I thought might be
5 interested in this. And there was a lot of emphasis
6 back then on four-campus initiatives, all four campuses
7 working together. So I went to all four campuses and
8 thought, okay, let's see if we can put something
9 together that'll excite Elson Floyd and the Board of
10 Curators, which was going to be a hard task because of
11 who was on the Board of Curators at the time. But we
12 ended up getting approval for a four-campus initiative.

13 Fitting Rolla in was kind of hard at the
14 time, but I came up with something that only slightly
15 fiction. And it's mostly based at UMKC because the law
16 school there was more interested than the law school
17 here in Columbia, but we got \$300,000 of seed funding
18 from the University, and the Innocence Project -- the
19 Midwest Innocence Project has freed a lot of people who
20 were innocent now, you know, we're really seeing
21 results.

22 And I just -- you know, I'm just motivated by
23 doing something that kind of worked, and I'd like to do
24 more now that I have more time on my hands than ever
25 before.

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1 MR. PRINGLE: I knew I had met you before. I
2 was in -- I was in the clinic two years ago as a law
3 school student.

4 MR. WEINBERG: Oh, you were. Okay. Yeah.
5 Yeah. They just got --

6 MR. PRINGLE: Half a million dollars.

7 MR. WEINBERG: -- more money. And there's a
8 new person who is going to come in. Lindsey Reynolds
9 left the faculty at UMKC and went into private practice
10 again with Cheryl Pilate, who does a lot of innocence
11 work in Kansas City.

12 MR. PRINGLE: Yeah. And they've got that --

13 MR. WEINBERG: They've just hired a new
14 person. I've heard she's fabulous. I'm going to meet
15 her soon, and she'll be coming to the Columbia Campus
16 and doing the clinic every week.

17 MR. PRINGLE: Oh. Professor Uphoff
18 introduces me to her if she's --

19 MR. WEINBERG: Rod -- Rod is very excited
20 about her.

21 MR. PRINGLE: Yeah.

22 MR. WEINBERG: He's already met her; I
23 haven't.

24 MR. PRINGLE: That's good to hear. Yeah.

25 MR. WEINBERG: Are you in practice now?

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1 MR. PRINGLE: Yeah. But I went -- I was
2 doing all criminal law stuff, and now I do energy,
3 environmental, so --

4 MR. WEINBERG: Oh. It will be nice to talk
5 to you about that sometime.

6 MR. PRINGLE: Yeah.

7 MR. WEINBERG: Okay. I've taken up enough of
8 your time, I guess. Darryl, I don't really know you,
9 but you said a lot of really interesting stuff last
10 month when I was listening. Do you have any questions?

11 MR. SMITH: Not at this time.

12 MR. WEINBERG: Okay. All right. Thanks.

13 MS. SEAMON: Thank you.

14 MR. WEINBERG: I will be in touch with Rose.
15 We'll come up with some places we'd like to visit
16 first, see if you agree with those, and then we'll take
17 it from there. And if you find the talking points,
18 great, and I'll revise those as needed, and if you
19 don't, I'll just start fresh.

20 MS. SEAMON: Thank you.

21 MR. WEINBERG: I'm not going to stay tonight.
22 I'm interested, but I can't drive anymore, so I'm on an
23 adult trike. I had a stroke five years ago and I can't
24 drive anymore, so I have to get around other ways.

25 MR. SMITH: Okay. Thanks for coming.

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1 MR. WEINBERG: Well, thank you for inviting
2 me. I'm going to stay a few minutes.

3 MR. PRINGLE: Feel free to hang out.

4 MR. FISHER: All right. The next item on the
5 agenda is the approval of the minutes from our December
6 meeting. And did everyone get a chance to look them
7 over? Any additions, deletions, comments? All right.
8 Is there a motion to approve?

9 MR. SMITH: So moved.

10 MR. FISHER: Is there a second?

11 MR. PRINGLE: Second.

12 MR. FISHER: All right. All in favor, let it
13 be known by aye. All opposed. (Unanimous voice vote
14 for approval.

15 Moving on to reports. Positive connections,
16 ride-alongs? Since I'm talking, I'll just mention
17 mine.

18 I went to the policy meeting December 23rd,
19 and I also passed out some flyers at the -- a couple
20 coffee shops downtown, but I don't have that list with
21 me, so I can send that to you, and I stuck them on a
22 board. So if you all are in there and you don't see
23 them on there, let me know, and we'll go stick more on
24 there.

25 MS. SEAMON: I went and talked to three new

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1 recruits on December 17th, I believe it was, so that
2 went well.

3 MR. SMITH: And I was supposed to be with
4 you, and I had a meeting, something run long, and I did
5 not make it, so I apologize.

6 MS. SEAMON: Oh, that's all right. They're
7 fun, they're eager to get out there, and so it was nice
8 to talk with them.

9 MS. WILLIAMS: I had -- through my job, I got
10 to meet with Officer Josh McCulloch, CIT, Crisis
11 Intervention Team, and I would really love for him to
12 come and talk to the Board because of some of the
13 initiatives that they are doing in the community is
14 amazing. And he really explained his job to me, and I
15 really think that the Board needs to really hear what
16 the Crisis Intervention Team does. It is amazing. I
17 am -- I was blown away with some of the stuff that
18 they're doing in the community.

19 MR. FISHER: I guess it's been a while
20 since -- they've presented before, but --

21 MS. WILLIAMS: But they have new stuff that
22 they're doing, so -- right, Sergeant Alpers?

23 SERGEANT ALPERS: What do you mean by new
24 stuff?

25 MS. WILLIAMS: Well, the committee meetings

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1 that they have, bringing on other agencies together to
2 really assist agencies in making Columbia better. I
3 was blown away with that.

4 SERGEANT ALPERS: Yeah.

5 MS. WILLIAMS: I didn't even know that they
6 were doing that.

7 SERGEANT ALPERS: So, the CIT, everybody gets
8 trained in that in the academy, and then you come out
9 and he's our -- I believe he's one of our liaisons for
10 that. And then one of our sergeants teaches the -- the
11 CIT course that comes through over at Boone County, and
12 those are good things. I can reach out to them and see
13 if they can do a small presentation or maybe that might
14 be better suited for a couple-hour block in the spring.

15 MS. WILLIAMS: Uh-huh.

16 MS. WIBBENMEYER: Can you let me know?

17 SERGEANT ALPERS: Yeah.

18 MS. WIBBENMEYER: Thank you.

19 MS. WILLIAMS: I was impressed. I didn't
20 even know all the community stuff that the Columbia
21 Police Department is doing.

22 MR. FISHER: All right. Anything else?

23 Moving on to old business. Our proposed
24 change to Policy 306.10.

25 MS. SEAMON: I took some time to work this a

1 little bit more and look at that policy in depth a
2 little more. I also looked at some more research and
3 resources through, like, the Mental Health Coalition.
4 So my main concern on the restraint policy is that
5 there is a lot of verbiage about detainees being
6 released from restraints when presumably reasonable,
7 and I felt like it was sort of vague.

8 So I rewrote this amendment that I would like
9 to make a motion to have the police chief maybe change
10 the documentation. And I changed -- I think,
11 Mr. Fisher, we talked about possibly changing it to the
12 use of restraint category, and I do think that makes
13 more sense. So that would be under 306.4.

14 And I changed the time frame. I think,
15 Ms. Gomez, you mentioned, you know, why 15 minutes.
16 And I looked up through the Mental Health Coalition,
17 and there's some statements about use of restraints for
18 longer than 30 minutes being an issue, so I changed
19 some of the verbiage.

20 What I would like to do is add bullet point G
21 under 306.4, and this is kind of long, so -- detainees
22 may only be restrained for a period of 30 minutes.
23 Following the initial 30 minutes, an officer trained in
24 the use of the restraint shall conduct a reevaluation
25 of the need for continued use. If the officer

1 determines that further use of the restraint is
2 required, the officer will document their reasoning,
3 and a second 30-minute period will begin. This process
4 will continue until the detainee is no longer
5 considered a threat to themselves or others, or
6 restraints are no longer necessary for the
7 transportation of the detainee.

8 Sorry. It's kind of long, but that's kind of
9 what I came up with. If you guys want me to send it
10 out before we make a motion, I can.

11 MS. WILLIAMS: Can you read it again?

12 MS. SEAMON: Yeah. Detainees may only be
13 restrained for a period of 30 minutes. Following the
14 initial 30 minutes, an officer trained in the use of
15 the restraint shall conduct a reevaluation of the need
16 for continued use. If the officer determines that
17 further use of the restraint is required, the officer
18 will document their reasoning, and a second 30-minute
19 period will begin. This process will continue until
20 the detainee is no longer considered a threat to
21 themselves or others, or restraints are no longer
22 necessary for the transportation of detainee.

23 MR. PRINGLE: Was this an addition to the
24 proposed bullet point E, or is it replacing this one?

25 MS. SEAMON: Replacing completely.

1 MR. PRINGLE: Okay.

2 MS. SEAMON: And it's changing it to the use
3 of restraint category, which is 306.4 instead of
4 the 306.10.

5 I guess my concern is just, also coming from
6 a healthcare background, sometimes we put restraints on
7 people and we think we've solved the problem or -- but
8 there is a need to continue reassessing that. So
9 that's my concern is that I don't want anybody to be
10 transported or in excessive restraints.

11 So I understand they're going to be in cuffs,
12 but spit hoods or, you know, belts and things like that
13 that might not need to continue for an excessive period
14 of time. So if you look at the policy, there's a lot
15 of -- there's a few different places where it says
16 people, like, detainee will be released when presumably
17 reasonable, but it's like that would probably be
18 different for a lot of people. So I think setting a
19 time line of reevaluation might set a good standard or
20 a goal.

21 Any thoughts or questions or --

22 MS. WIBBENMEYER: Can you e-mail me the
23 language when you have a chance?

24 MS. SEAMON: Uh-huh. I will.

25 MS. WIBBENMEYER: Thank you.

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1 MS. SEAMON: So at this point, there would
2 have to still be a formal motion for the chief of
3 police to amend that.

4 MS. WIBBENMEYER: Right. It would -- your
5 motion would be something along the lines of a motion
6 to send a report to the police chief and the City
7 Manager to add, I think you said bullet point G --

8 MS. SEAMON: Uh-huh.

9 MS. WIBBENMEYER: -- to policy 306.4 to
10 state, and then everything you said.

11 MS. SEAMON: Okay.

12 MS. WIBBENMEYER: And then there would be a
13 second, and then the vote on the motion or further
14 discussion and then a vote. Or if you want to have
15 more time to consider and kind of compare the language
16 she is now presenting with what's in the policy, we can
17 put it on as old business for next month, and then next
18 month you can discuss it some more and take up the
19 motion at that point.

20 MR. SMITH: I'd like to see the exact
21 language and look at it side by side.

22 MS. SEAMON: Okay. Sure. So I will send it
23 to Rose then, and if we could just, I guess, continue
24 it for next meeting so that everybody can review it.
25 Sound good?

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1 MR. FISHER: All right.

2 MR. PRINGLE: What was the language about
3 officer training?

4 MS. SEAMON: So there's -- there's -- there's
5 a portion on there about only officers who are trained
6 for certain restraints are able to use them.

7 MR. PRINGLE: Okay.

8 MS. SEAMON: So I wanted to be sure that was
9 happening, as well.

10 MR. FISHER: All right. If there is nothing
11 else until next time, we'll move on to New Business.
12 The first thing here is the review of the 2019 draft
13 annual report. We're just to look over it and edit it
14 as we so choose. And I think other than adding the new
15 positive connections, I don't -- I didn't see any.

16 MS. WIBBENMEYER: I think the 2019 report
17 would have ended at the end of the year, so you're --

18 MS. FISHER: Okay. Yeah. So I just want --
19 just my meeting in --

20 MS. WIBBENMEYER: Oh, you want to add the
21 ones you mentioned tonight that occurred in December?

22 MR. FISHER: Yeah. Yeah.

23 MS. WIBBENMEYER: Okay. Got it.

24 MR. PRINGLE: I guess I only had, like, one
25 question about it at the end with the conclusion, and I

1 may just be overthinking it, but when we describe, you
2 know, we still have Darryl and you with your old titles
3 in the conclusion, and just, I don't know if it could
4 be confusing to someone who didn't follow us up all the
5 time, being, like, oh, wait. Wait, who really is the
6 chairman right now or --

7 MS. WIBBENMEYER: Sorry about that. That was
8 probably a misedit.

9 MR. PRINGLE: Okay. Yeah. That was the only
10 thing that caught my eye, because I was just, like, if
11 no one follows it, they may be confused over who is
12 chair and who is vice-chair.

13 MR. FISHER: Yeah. I looked at that and
14 didn't even see the titles, just that -- about the CPD.

15 MS. WIBBENMEYER: And that was in the
16 conclusion?

17 MR. PRINGLE: Yeah. Second paragraph.

18 MS. WIBBENMEYER: I'll make those changes and
19 then put it on as old business for next time.

20 MR. FISHER: Anything else? Scott? No? All
21 right.

22 On to the annual review of our sections in
23 the City Code. This is just really we just look at it
24 each year, and talk about it and think through ideas or
25 changes.

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1 MR. SMITH: Looking at 2151, actually looking
2 at it in conjunction with 2145 where it defines
3 complaint. 2145, complaint means a written statement
4 alleging misconduct of a police officer or community
5 service aide involving interaction with the public.
6 And then you get down into 2151 where it says,
7 complaints may be filed with the police department or
8 with the City Clerk only by the following.

9 The question comes up, what is a written
10 statement or what is a written complaint? What needs
11 to be in it? Where does it need to be submitted? So
12 what happens, is it sufficient if it's submitted to CPD
13 or on the Facebook page because it's been given to CPD.

14 MR. FISHER: It sounds like a written
15 complaint.

16 MR. SMITH: So does that meet these -- the
17 requirements?

18 MS. WIBBENMEYER: If it's in writing and it's
19 submitted either to the police department or the City
20 Clerk's office, it's supposed to meet the requirements.
21 And when the Board was originally being formed, the
22 City Counselor at the time told the police that he even
23 considered that if the person gives it to them verbally
24 and they write it down, it is in writing.

25 MR. SMITH: Okay.

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1 MR. FISHER: That's why we don't have a
2 Facebook page.

3 MR. SMITH: That was the question that came
4 up during my visit with Sergeant Alpers at CPD and with
5 the chief and some other people was, there was concern
6 over if it was posted on a Facebook page, was that
7 sufficient to be considered a written complaint, and
8 what needed to be alleged on the post for it to be
9 deemed a complaint.

10 MS. SEAMON: I guess the question comes in
11 mind with that, are we able to even track sometimes who
12 is making those posts, too, though. Some people don't
13 even have their correct names on -- like, how do we
14 follow up with that is my only thing. Some people
15 don't have their correct names on Facebook, or they
16 don't have their names at all.

17 SERGEANT ALPERS: So I obviously can't
18 presume what -- what the original Board went through
19 when they were writing this, but I don't think Facebook
20 was as prevalent as it was ten -- you know, now, as it
21 was ten years ago. And if somebody writes a Facebook
22 post and it gets shared, you see it fifth hand from
23 somebody. Is that a -- is that a complaint? So that's
24 kind of the conundrum that we get into. If -- you
25 know, just things of that nature.

1 If you're just out talking -- you know,
2 you're out with your significant other at a restaurant
3 and you overhear, you know, somebody say something, oh,
4 I got, you know, some cop yelled at me and then pulled
5 over, what -- what do we do?

6 MS. WIBBENMEYER: That is not in writing and
7 it's not filed with the police or the City Clerk's
8 office.

9 MS. WILLIAMS: I don't think we should use
10 Facebook postings as a form of complaint. I really
11 don't.

12 SERGEANT ALPERS: So that -- that's the
13 question. So what that could go back to is that if you
14 call me and you have a complaint, should I just say,
15 hey, sorry, you've got to put this in writing for me to
16 investigate it?

17 MS. WILLIAMS: I think so.

18 SERGEANT ALPERS: We don't. If somebody
19 calls me and says, I have a complaint about one of your
20 officers, I investigate it.

21 MS. WIBBENMEYER: And that goes back to what
22 the City Counselor determined many years ago, that if
23 the police write it down for the complainant, because
24 they take it over the phone or in person, that still
25 counts as a writing that's filed with the police.

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1 MS. WILLIAMS: Well, I mean, I agree with
2 that, but Facebook, no. I just -- I follow too many
3 people and read too many things, you know. There's one
4 particular person that has their nose what's going on
5 in Columbia when stuff goes down, and I purposely
6 follow his stuff so that I can keep up on what's going
7 on in Columbia. And sometimes he may not write things
8 accurately, and people who get on there and comment,
9 they don't know everything that happened and they're
10 just -- sometimes just putting their opinion.

11 MR. FISHER: I think we're talking about two
12 different things here. I think one, like, it's a
13 complaint if it ends up on CPD's Facebook page.

14 MS. WIBBENMEYER: Correct. I mean, it would
15 have to be filed with the police. So it can't just
16 be --

17 MR. FISHER: Yeah. Yeah. Not if -- not if
18 someone is just complaining on Facebook.

19 MS. WIBBENMEYER: Correct. If it's on their
20 Facebook page, it's not a complaint.

21 MS. WILLIAMS: Oh, okay.

22 MR. PRINGLE: Is there anyone -- who handles
23 social media for the department?

24 SERGEANT ALPERS: A PIO. The City's PIO
25 that's assigned to us, similar as we have a counselor

1 that's assigned to us.

2 MR. FISHER: Well, it seems pretty easy they
3 would be, like, well, this person made this complaint.
4 I'm going to send it over to Internal Affairs, right?

5 SERGEANT ALPERS: Well, I mean, that's what
6 I -- that's what we're -- that's what I'm trying to --
7 to try to get some clarification on. If somebody, a
8 third party writes something on a Facebook post, just,
9 you know, a normal Facebook post that says whatever.
10 And somebody shares it, and then that person shares it,
11 and then it gets shared to a point to where somebody
12 sees it, is that a complaint?

13 MS. WILLIAMS: Right. Because what I've seen
14 from this particular person, they will tag Columbia
15 Police Department --

16 SERGEANT ALPERS: Right.

17 MS. WILLIAMS: -- and then they will tag
18 KMIZ, and they will ask a question, write a comment,
19 make -- and then all of these other people are
20 commenting on this. And is that still considered a
21 complaint, because they tag Columbia Police Department
22 in the comment?

23 MR. SMITH: And isn't there a -- something in
24 CPD's policy that once you are aware of an allegation
25 of wrongdoing, you have an obligation to investigate it

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1 no matter how it comes in?

2 SERGEANT ALPERS: Yeah.

3 MR. SMITH: And so that kind of makes life
4 interesting.

5 SERGEANT ALPERS: Again, I could be sitting
6 at dinner with my spouse and I'm not working, but I
7 guess I am. So there -- just some clarification, I
8 guess, would be -- and as Rose said, if somebody calls
9 and I write it down, you could interpret that as a
10 complaint. But I'm not going to tell somebody I'm not
11 going to take your complaint until you write it down on
12 a piece of paper. I always, when I take a phone
13 complaint, do you have an e-mail address? Yes. Let me
14 send you the link to the online complaint.

15 MS. WILLIAMS: Just I'm giving you example.
16 Here's on. I pulled it up. It says, "So Boone County
17 Sheriff's Department," they tagged Boone County
18 Sheriff's Department. "Really, that bored that they're
19 serving search warrants for domestic assaults and
20 property damage."

21 They do stuff like that. This particular
22 person and his family and his -- all the 400 people
23 that follow him, they do that all the time. They will
24 think something is going on in the community, and then
25 they will tag KMIZ, Columbia Police Department, Boone

1 County Sheriff's Department, KOMU-TV. And is that
2 really considered a complaint just because they tag
3 them in it, because now it is actually on the police
4 department's web page -- I mean, Facebook page.

5 MR. SMITH: And that's why I was getting to
6 the issue of what needs to be in something for it to be
7 considered a complaint. What -- does there have to be
8 an allegation of wrongdoing? I think it needs to be
9 fleshed out.

10 MS. WIBBENMEYER: It has -- it has to meet
11 the definitions in the ordinance. So it -- and -- and
12 the complainant has to have standing, which is required
13 in 2151A.

14 MR. SMITH: Uh-huh.

15 MS. WIBBENMEYER: So if you think you want to
16 put additional restrictions and limitations on what is
17 considered a complaint, then you need to discuss that.
18 You need to pass a motion to send a report to Council
19 and Council will consider what you're proposing. I can
20 tell you this was a very, very hotly debated thing even
21 before the Review Board was actually appointed as to
22 what would constitute a complaint and where a complaint
23 could be filed and should be filed. And -- and this
24 went on both at the committee level to just see -- to
25 see what a Review Board would look like for this town.

1 Once the Board was appointed for years and
2 years after, this Facebook issue has come up before,
3 and when the police first started using Facebook like
4 they've been using it, they were warned that this would
5 be a problem. If people filed a complaint by putting a
6 post on Facebook, they were warned at that time that
7 they should be prepared to handle it as a complaint.

8 MR. SMITH: And so the prior discussion was
9 if it appeared on Facebook, it should be treated as a
10 complaint?

11 MS. WIBBENMEYER: The prior discussion was if
12 it meets the definitions of a complaint in the
13 ordinance, and it's in writing, and it's filed with the
14 police or the City Clerk's office, or when that's told
15 verbally to the police and the police put it in
16 writing, that those are constituted complaints and then
17 the complainant had to have standing in order to fall
18 within the parameters of the Review Board's authority.
19 And it had to be timely filed.

20 MS. CATLETTSTOUT: So I feel like the wording
21 is that it has to be filed with the police department
22 or they have to have knowledge of it. So I feel like
23 if someone just tagged the police department, there is
24 no way to show that the police department had knowledge
25 of that post or clicked on that post, because I'm sure

1 that they get a lot of notifications of random people
2 tagging them, so you can't really show that they had
3 knowledge of that post.

4 However, I feel like it's different if
5 someone goes to the police department Facebook page and
6 messages the department or directly comments on one of
7 their posts, I feel like that gets you kind of closer
8 to that made directly to the police department;
9 whereas, tagging them in a post like you were talking
10 about doesn't show that they have made a complaint to
11 the police department necessarily. I don't know. That
12 is just my take on it, but I don't know.

13 MS. GOMEZ: Sergeant Alpers, if they -- if
14 they send a direct message, would you consider that a
15 complaint?

16 SERGEANT ALPERS: So many messages that have
17 come to PIO Pitts since my tenure in the office, we
18 always -- we take those as a -- a complaint to the
19 police department.

20 MS. GOMEZ: Because it's a direct message?

21 SERGEANT ALPERS: Now, it has not been filed
22 with the Clerk's office.

23 MS. WILLIAMS: right. Because there's
24 different -- there's tagging, there is inboxing, and
25 then there is just commenting. Those are -- those are

1 the three parameters that you're dealing with. So
2 which one of those would be considered a complaint? If
3 they inbox? If they tag? Or they comment?

4 SERGEANT ALPERS: That's what we have to
5 figure out, I guess.

6 MS. WILLIAMS: Exactly.

7 SERGEANT ALPERS: So the -- the incident that
8 kind of comes to mind that I've seen is that there was
9 a -- a person who made a post, just a post to their own
10 personal page, and it was shared, and eventually it
11 came into contact with a member of our department and
12 that member brought it to me. So how is that labeled?
13 Do they have standing? How does that work, so --

14 MR. PRINGLE: I think as long as the officer
15 got it from someone who is a Boone County resident,
16 that --

17 SERGEANT ALPERS: But we don't know that.
18 See, that's the thing.

19 MR. PRINGLE: Yeah. You'd have to confirm
20 they're a Boone County resident, I guess. That's the
21 only thing I can think of.

22 MS. WIBBENMEYER: But if the officer -- if it
23 came to the officer's attention, let's say, on his own
24 personal Facebook page or as his employee Facebook
25 page, if he has one, and he brings it to your -- your

1 attention, because he thinks there might be something
2 there, and it might be a complaint, then the officer
3 himself can be considered the complainant, because the
4 officers are allowed to complain against other
5 officers.

6 SERGEANT ALPERS: Correct. And so, we looked
7 into it. I mean, I can't ignore that, but it just --
8 it sometimes gets pretty muddy.

9 MR. SMITH: So who would have -- in that
10 situation, who was considered the complainant?

11 SERGEANT ALPERS: We reached out to him via
12 Facebook and made him the complainant.

13 MR. SMITH: But did he -- did he volunteer to
14 be the complainant or did he -- did he want to be?

15 SERGEANT ALPERS: Yeah. I mean, we called
16 him and spoke with him.

17 MR. SMITH: Okay. So that was before you
18 said, okay, you're the complainant?

19 SERGEANT ALPERS: Yeah. Yeah.

20 MR. SMITH: Okay. Because that's one of the
21 concerns, is someone may not want to make a formal
22 complaint and --

23 MS. WIBBENMEYER: But if -- in the past, if a
24 person makes a complaint, they can always withdraw the
25 complaint, right? So, I mean --

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1 SERGEANT ALPERS: They can. I try to keep
2 that language out of my conversations with people,
3 though.

4 MS. WIBBENMEYER: Right. But, I mean, if --
5 or if you contact them, and they say, well, I never
6 intended for you to see that. I sent that to my
7 friend, you know. Please don't do anything with it.

8 MS. WILLIAMS: Uh-huh. Because somebody will
9 screen shot something real quick.

10 SERGEANT ALPERS: Well, so then you kind
11 of -- you kind of get into a conundrum there.

12 MS. WIBBENMEYER: But if it's something
13 that's important for you to investigate internally, you
14 can always do an internal investigation.

15 SERGEANT ALPERS: Absolutely.

16 MS. WIBBENMEYER: But the thing that you have
17 to think about is the police can always conduct
18 whatever investigations they want to conduct, whether
19 someone complains or whether they hear about it or
20 whatever. The ordinances that address the Police
21 Review Board only are there to show what -- where your
22 jurisdiction is at, those complaints that you are
23 allowed to and are within your authority for people to
24 file the appeal to you.

25 So, historically, the police department has

1 embraced more complains or more inquiries that they
2 then or things they observe that they then feel they
3 need to investigate and follow up on, and not all of
4 those can come to you because they're not -- all within
5 your jurisdiction. But once it meets the definition in
6 this ordinance and it's timely filed, and the person
7 has standing, then if that person is not happy with the
8 chief's decision, then they have the right to appeal to
9 you.

10 So, I mean, if you're -- if you're thinking
11 down the road, oh, we're going to get this issue of,
12 oh, tagging on a Facebook page versus posting, I don't
13 know that you're really going to get that issue. But
14 if you do, at that point, you can really look at that
15 and see, you know, is this a complaint that falls
16 within the authority of the ordinance that gives the
17 Board jurisdiction.

18 How CPD handles the complaint or whether it's
19 a complaint, or whether they think tagging is enough or
20 not, that's really on their responsibility to interpret
21 the ordinances and follow the ordinances based upon the
22 facts as they see them and as they know them.

23 MR. PRINGLE: I guess as a worst case
24 scenario, Rose, couldn't if someone does tag, they
25 intend that to be a serious complaint, but it was never

1 followed up on, a year goes by. They could come to us
2 and say, no, that was a complaint. There was -- I
3 filed it timely, they need to investigate. Right?

4 MS. WIBBENMEYER: Correct. And then -- and
5 then the question being, well, why wasn't this
6 investigated? Well, we never saw it because it was
7 tagged or whatever. Well, okay. The person still
8 works here. We're going to go investigate this now. I
9 mean, in theory, you could have something like that.

10 I don't know that that's -- I don't see
11 what -- I hardly use Facebook, and I don't know what
12 they do with it at the police department, but if they
13 see something that, you know, someone has posted to
14 their page and they're complaining or they've messaged
15 on Facebook or they've --

16 MS. WILLIAMS: Inboxed.

17 MS. WIBBENMEYER: -- you know, somehow gotten
18 it to CPD and someone at CPD reads it and says this
19 looks like this person is complaining, I would think
20 that CPD would do some contact with whoever sent it or
21 attempt to contact to figure out if it's a complaint or
22 not, or who is the complainant or whatever you felt you
23 would -- would be appropriate given what the ordinance
24 requires, and just your internal policies require.

25 And then when it gets appealed to you all, if

1 it gets appealed to you all, then you would have to
 2 decide, do they have standing, was it timely filed, and
 3 is it a complaint. Does it meet the definition of a
 4 complaint. But if you think the ordinance should be
 5 changed, really think about how you would want it
 6 changed. And you would need to justify that very --
 7 probably more thoroughly than your other reports to
 8 Council have been simply because the whole goal was to
 9 cast the net wide on complaints with the idea that we
 10 want to make it easy for people to tell us if we're
 11 doing something wrong. And if you're -- if you're
 12 attempting to narrow that or make it harder for people
 13 to complain, the Council will want -- will want to know
 14 why.

15 MR. SMITH: I don't think it's making it
 16 harder. It's just trying to classify what is a
 17 complaint so that it is clear if it is a Facebook
 18 posting that it is still considered a complaint. You
 19 know, it seems like we have this gentleman's agreement
 20 that if it comes in and Sergeant Alpers writes it down,
 21 that it's in writing, or if it's told, it's in writing,
 22 that that's a writing. And what happens when someone
 23 who, you know, God forbid, all of us get hit by a bus,
 24 and no one is privy to the gentleman's agreement of
 25 what has happened previously, that that's considered a

1 writing.

2 MR. FISHER: Check the transcript.

3 MS. WIBBENMEYER: Yeah. I was going to say,
4 if you go back through all of the minutes and
5 transcripts, and there's videos of meetings, there is a
6 lot of documentation on a lot of this. But even still,
7 you know, the ordinances themselves, it's a matter of
8 interpreting the ordinances at the point based upon the
9 facts that are presented.

10 MS. CATLETTSTOUT: I feel like whatever
11 policy we try to write at this point to try to amend
12 this problem with social media is going to be bad in
13 five years, in four years, in ten years, because social
14 media is changing so quickly. And so it's easier for
15 us, in my opinion, to take those complaints and those
16 issues as they come, and determine from our end what is
17 a complaint and what isn't, and if you had to
18 investigate or not as those issues arise rather than
19 trying to legislate them into the hard copy policy.

20 MR. SMITH: So pretty much take it on an ad
21 hoc basis?

22 MS. CATLETTSTOUT: Yes. And so, say, there's
23 a comment on a Facebook page, but the police department
24 didn't actually read that comment and they can't prove
25 that they had knowledge of that comment, then we could

1 be, like, well, that's not a complaint to the police
 2 department because no one read that; whereas, if they
 3 got a message and there was a read receipt and someone
 4 responded to them or responded to the comment, proving
 5 that the police department received it, we could
 6 decide, well, that is complaint because they knew about
 7 it. But it's something that we're going to have to
 8 take as technology evolves because if we make a
 9 Facebook policy now, we're going to make a Twitter
 10 policy and a whatever comes next policy --

11 MR. SMITH: It just seems kind of like the
 12 Pillsbury Dough Boy. It's just ultra squishy with just
 13 not a lot of form there where we're doing things on an
 14 ad hoc basis, and it just doesn't seem like there's a
 15 lot of notice, a lot of guidelines.

16 MS. WIBBENMEYER: If, for some reason, the
 17 police determine that the person doesn't have a right
 18 to appeal because either it wasn't timely filed, they
 19 didn't have standing, they failed to allege misconduct,
 20 or if it just didn't meet the requirements, like, it's
 21 a Facebook post versus something else, there is still a
 22 right to request a jurisdictional review.

23 MR. PRINGLE: Yeah, and since every post and
 24 message has a time and date stamp, it's just we kind of
 25 know when they were filed. If we miss it and don't see

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1 it until later on, we still know when they did it, and
2 it just kind of seems to me like the way to kind of --
3 it makes it kind of easier just we know when they filed
4 it even if we missed it.

5 MS. CATLETTSTOUT: Or -- I don't know. I
6 just feel like with comments and tags, there's no proof
7 that the police department ever received it unless one
8 of your officers gets on it and responds to it.

9 SERGEANT ALPERS: There's only one person
10 that has access to that.

11 MS. CATLETTSTOUT: Whereas, if they message
12 you, you have the read receipts, you can respond. You
13 can even respond with the link to the complaint page
14 and hope that they do that. But at that point, you
15 have an ongoing conversation with the complainant, and
16 it makes it easier.

17 MR. SMITH: Yeah. And that's exactly where I
18 was headed with it is it doesn't have to be a direct
19 post or is it -- can it be, you know, what you're
20 saying, not a link, but where it was posted and cross
21 posted, or does it have to be directly to their page,
22 or can I just comment on somebody's page and have that
23 be sufficient, because there is no proof that they have
24 had actual or should have known about that post because
25 it's not directly on a page that they monitor. And so,

1 that's the problem. We're going to have people say,
2 hey, I made a complaint. They never had the
3 opportunity to see it because it's not on their page.
4 You're limiting someone's ability to make a post,
5 you're just saying CPD, this was on your page. You
6 have -- should have had the -- a chance to see it
7 versus the write, I was accosted, or at XYZ Street on
8 my page, and I've alleged everything in the statute --
9 in the ordinance. I meet the requirements. It's on my
10 page. I've alleged misconduct. I've got standing. I
11 meet everything. They have absolutely no reason to see
12 that.

13 MS. WIBBENMEYER: So, Darryl, under your
14 scenario you presented, how is that filed with the
15 police department? Like how is -- how -- from what you
16 were describing, how are you saying that that has been
17 filed with the police department?

18 MR. SMITH: If someone else -- if another
19 friend of mine makes a comment, or posts it someplace
20 else and one of their officers sees it, is that
21 considered a writing?

22 MS. WIBBENMEYER: So -- so if, let's say, you
23 are the person and you send that to me, and I do a
24 screen shot and then I file it with the police
25 department; is that what you're --

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1 MR. SMITH: No. Just I'm friends with an
2 officer. He or she sees it. They have an obligation
3 to take it to Sergeant Alpers. Is that now filed?

4 MS. WIBBENMEYER: I mean, if -- if they feel
5 that this is a complaint and they have an obligation to
6 file it themselves, then, yes, in my scenario based
7 upon --

8 MR. SMITH: They don't have the option.

9 MS. WIBBENMEYER: -- based -- because they
10 are following the policy because they feel it's a
11 complaint; is that what you're saying?

12 MR. SMITH: Yeah. They don't have -- they
13 don't have the latitude to figure out whether it's a
14 complaint or not. There's an allegation. Are they not
15 bound to bring any allegation?

16 SERGEANT ALPERS: So any -- any officer that
17 receives information about an allegation has -- has a
18 duty to -- to report to us, and it's actually --

19 MS. WIBBENMEYER: But in that context, it
20 would either then be the officer is the complainant, or
21 the officer is following the policy and -- and you're
22 launching an internal investigation based upon the
23 officer following the policy, right?

24 SERGEANT ALPERS: That's the question. Well,
25 how do we -- is that going to be a Chapter 21, or is --

1 it'll be an internal?

2 MS. WIBBENMEYER: But in the context of that,
3 once you get the complaint, you're going to call the
4 person, right? And --

5 SERGEANT ALPERS: If we can figure out who it
6 is, yeah.

7 MS. WIBBENMEYER: If you can figure out who
8 it is or what the incident is. Obviously, if you can't
9 figure out anything about the incident, you don't know
10 who it is, you don't know the officer, it just dies
11 because there's no information available.

12 SERGEANT ALPERS: Yeah.

13 MS. WIBBENMEYER: But if you can figure out
14 who it is, you're going to contact that person and
15 either the person will become the complainant, or the
16 person might say, I'm not interested in complaining,
17 and you all think it's so important that you're going
18 to do an internal investigation, in which case you do
19 your internal investigation, right?

20 SERGEANT ALPERS: Potentially, yeah.

21 MS. WIBBENMEYER: I mean, I think the
22 problems solve themselves as you -- as you walk through
23 the process that they usually do. I don't know that --
24 I'm having a hard time seeing how this is a huge
25 problem, other than the fact that the PIOs, because

1 they've set up their Facebook page to take comments and
2 to accept the messages and all that stuff, and they've
3 opted to have a Facebook presence and other social
4 media presences, they have to be trained and understand
5 if they get something that looks and smells like a
6 complaint, they need to report that and make sure that
7 internal affairs is aware, so internal affairs, who is
8 so much more trained, can then take them down whichever
9 process it should be, whether it's an internal
10 investigation, whether it's a complaint, or whether
11 it's just really a question and isn't even a complaint
12 at all.

13 But then if the person who initially posts it
14 or who makes the complaint and who forwards it to the
15 police department or, you know, copies it from
16 someplace else and puts it on the page and are, in
17 essence, filing it with the police department, if that
18 person thinks that they've filed a complaint, do we
19 really want to get into a position where we're going to
20 say, well, that's not really complaint, if they think
21 they've complained.

22 Which is exactly the problem that we had
23 before the Board was established is we had a lot of
24 people in the community who thought they had filed a
25 complaint, and then nothing was happening. And even

1 after the Board was established, the first, I think it
2 was a year and a half into it maybe, they looked back
3 through a whole bunch of complaints and looked to see
4 how and things people had filed that thought -- they
5 thought they had filed a complaint, and compared that
6 with the ordinance, and there were all sorts of
7 problems with the ordinance not being followed.

8 And at that point, it was like we are going
9 to stretch this net as wide as we can and we are going
10 to embrace every complaint, because ultimately, the
11 whole idea of this, the whole idea of the transparency
12 for the public is that the public will feel heard.

13 MS. CATLETTSTOUT: And I think that this
14 Board in a lot of ways protects you guys, so if someone
15 comes to you and they're, like, I thought I complained
16 because I tagged you a post six months ago and you
17 didn't investigate. I haven't heard back. And you're,
18 like, hey, I've never read this post. We get thousands
19 of tags in a week. We don't go through all of them.
20 You should have messaged us. You should have come to
21 the police department. You could have called. Then
22 we'll get that, because they'll probably appeal, and
23 we'll go, yeah, you should have done these things. And
24 we'll get it and be, like, no, like, they didn't have
25 any actual knowledge, that's not what we deem as a

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1 complaint in writing to the police department, that was
2 just something written on your page or some random
3 comment, and that's where we kind of help you guys out
4 in the whole social media realm, possibly.

5 MS. GOMEZ: I have a question.

6 MS. CATLETTSTOUT: I don't know what the
7 Board would do. I don't know if that's our decision,
8 but --

9 MS. GOMEZ: But at that point, couldn't we
10 take on the complaint because they did address it
11 within the amount of time, and then we just investigate
12 it the way we would any other complaint?

13 MR. PRINGLE: It has to be filed within a
14 year, so --

15 MS. WIBBENMEYER: Well, the police would do
16 the investigation. The police chief would make a
17 determination on that.

18 MS. GOMEZ: Right. Sorry. Yes. Yes.

19 MS. WIBBENMEYER: And if the police said,
20 well, we don't deem this to be a complaint, and they
21 would notify -- they're supposed to notify the
22 complainant that, oh, you can take up jurisdictional
23 review process then. And then it can come to you all
24 and you can say we think it is or isn't, and then it
25 could get sent back if you think it is, that, oh, yeah,

1 this should have been treated as a complaint.

2 So, I mean, I think that the ordinance,
3 because we've added that jurisdictional review piece,
4 it should hopefully address all those situations where
5 a member of a public feels like they filed a complaint,
6 and the police, for some reason, think that they
7 didn't, or it got lost. I mean, this -- in theory, the
8 same thing could happen and has happened in the past
9 with just a complaint on a piece of paper. I mean,
10 those things can get lost as well.

11 Usually when people call me about, I'm
12 thinking about filing a complaint. How does this work?
13 How do I get to the Review Board? Invariably, I tell
14 them if they have access to the internet, their best
15 bet is to file using the online form, because what
16 happens then, it automatically goes to Sergeant Alpers,
17 it automatically goes to me, it automatically goes to
18 the City Clerk. So we know the complaint, all three of
19 us know the complaint has come in. If that -- if
20 that's the way they can do it, I say that's usually
21 your best bet. Otherwise, you know, make sure it's in
22 writing. It has to be filed within a year, and I go
23 through the jurisdictional requirements. But the
24 absolute easiest, safest thing is when it gets filed
25 electronically because then we all get it at the same

1 time.

2 And then as soon as that complaint comes in,
3 even though I get it at the same time when it comes in,
4 the City Clerk's office, they receive it, they view
5 themselves as the receiver of the complaint, they
6 forward it to the police department for investigation
7 and I get copied on it again. And it's just kind of a
8 double protection.

9 Not everybody has access to internet. Not
10 everybody has access to Facebook. Some people like
11 Facebook, but they don't like e-mail, or they want file
12 everything in writing. Some people can't write at all.
13 They can't -- they want someone to fill it out for
14 them. And what we've been trying to do all this time
15 is trying to embrace every possible person who feels
16 they need an opportunity to be heard.

17 MR. FISHER: Yeah. So, Darryl, if you've got
18 wording, bring it to the Board. I'm sure we'll
19 entertain it.

20 MR. SMITH: I shall contemplate over a fine
21 bourbon and see what I come up with.

22 MR. FISHER: All right. Any other comments
23 on the City Code?

24 How about the bylaws?

25 MR. SMITH: Did we ever get the term limit

1 language into the bylaws?

2 MS. WIBBENMEYER: I don't think so.

3 MS. WILLIAMS: I thought we did.

4 MR. PRINGLE: We did do the -- like, the
5 election stuff, though, didn't we? Like, we have our
6 elections?

7 MS. CATLETTSTOUT: We -- we had a discussion
8 about term limits and then it didn't get -- it was
9 about the language and then it didn't happen.

10 MR. PRINGLE: So -- but I couldn't find my
11 language. Like, the -- making sure elections are in
12 October or --

13 MR. SMITH: None of the election language or
14 the term limit language made it in, to the best of my
15 knowledge.

16 MR. PRINGLE: Oh. I swear that we approved
17 the October election.

18 MS. CATLETTSTOUT: I thought so, too.

19 MR. PRINGLE: Yeah.

20 MS. CATLETTSTOUT: About the October stuff,
21 and I think it was just not the term limits.

22 MS. WILLIAMS: I thought we did right after
23 the elections.

24 MR. PRINGLE: Well, we didn't -- we never
25 actually -- I know -- I'm pretty sure, yeah, we didn't

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1 ever put the term limits in there, but I -- because I
2 thought we voted on the election stuff and did approve
3 it.

4 MS. GOMEZ: So are you saying that it was
5 going to be in October?

6 MR. PRINGLE: Yes.

7 MS. CATLETTSTOUT: Yes.

8 MS. GOMEZ: Isn't it in there in Section 3,
9 Article 1, during the Board's October meeting.

10 MR. FISHER: Yeah. It says it right there.
11 Yeah.

12 MR. PRINGLE: Okay. I just missed it when I
13 was reading it.

14 MR. FISHER: All right.

15 MR. PRINGLE: Cool.

16 MR. SMITH: So the only thing that we have
17 outstanding is the term limit language. And did you
18 ever finish drafting your --

19 MS. CATLETTSTOUT: I could never get the
20 language right, so -- to a way that I thought made
21 sense.

22 MR. FISHER: Now that you're vice-chair, you
23 don't want term limits, huh?

24 MS. CATLETTSTOUT: No, I do, and I can sent
25 it out, what I had and get you guys' opinion on it.

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1 Yeah. I can do that.

2 MS. WIBBENMEYER: Just send it to me; I'll
3 send it out.

4 MS. CATLETTSTOUT: I will do that.

5 MR. FISHER: All right. Anything else?

6 MR. SMITH: Can we push that to next month?

7 MR. FISHER: All right. Supplemental budget
8 requests? Don't know if we have any now, and usually
9 we just request for travel, right?

10 MS. WIBBENMEYER: Well, it is that time of
11 year again whereby if you have any supplemental budget
12 requests, we need to submit them. Last year, you asked
13 for an additional -- additional appropriation to be
14 transferred to pay to send a third person to the
15 conference, but then that person dropped out. So given
16 that and given how much the expenses were for last
17 year, you should have enough in travel and training to
18 send two people to conference.

19 MR. SMITH: Any idea when the conference is?
20 Is it in this fiscal year or --

21 MR. FISHER: It is this time around, yeah. I
22 think it's in August. They moved it up.

23 MS. WIBBENMEYER: But what I was going to
24 say, we looked at the amount for the court reporter and
25 then the amount that has been encumbered to the

1 mediation budget, and it looks like you should be fine
2 with regard to your miscellaneous contractual budget.
3 Assuming that the court reporting occurs at the regular
4 meetings, if we added, like, extra meetings or
5 something like that, then we might have to do something
6 else. And at that point, we could ask the Council to
7 move money from miscellaneous contractual or to request
8 a supplemental mid fiscal year, but this would be
9 things going into next fiscal year.

10 But if you know already that you want to send
11 more than two people to conference, well, then maybe
12 you're going to have to ask for more money. The --
13 what I've been told is that all the departments are
14 required to come up with 2 percent to cut out of their
15 budget. So I don't think there's going to be
16 additional funds added through supplementals unless
17 there is a big justification for them. Not to say you
18 shouldn't ask, so if there is something, let me know
19 and let me know how much and get me the justification,
20 but I think you should be fine with what you have
21 currently.

22 MS. WILLIAMS: That goes August 30th through
23 September 3rd, Tucson, Arizona.

24 MR. FISHER: Do we have a lot of people
25 planning to go?

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1 MR. SMITH: I've got to recert.

2 MR. FISHER: It's a long way off. I guess
3 we'll be okay with two people for now.

4 Anything else under new business? No.

5 I think that's it. General comments by
6 public members and staff? No one from the public is
7 here. From members, the only thing I can think about
8 bringing up is looking at the bylaws, our missing
9 member. What's the --

10 MS. WIBBENMEYER: We've heard nothing.

11 MR. PRINGLE: And this is the third straight
12 meeting, right?

13 MS. WIBBENMEYER: Third straight meeting, no
14 response. Prior to the last meeting, I had called and
15 left a message, and then waited a week and called, and
16 actually spoke to someone, and they had not seen her
17 for weeks, so --

18 MR. FISHER: Do we need a motion?

19 MS. WIBBENMEYER: You would need a -- if you
20 are going to send a report to Council to recommend
21 removal for cause, you would need a motion, a second,
22 and then it has to pass with two-thirds vote. The
23 bylaw is a little weird on the wording, so to be safe,
24 I would say six would have to vote in favor.

25 MR. SMITH: Motion to remove for cause.

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1 MS. CATLETTSTOUT: Second.

2 MR. FISHER: All in favor?

3 MR. SMITH: Aye.

4 MS. WILLIAMS: Do you want to do a roll call?

5 MS. WIBBENMEYER: We need a roll call.

6 MR. FISHER: We can do a roll call. So a

7 roll call vote to remove missing member. Ms.

8 Catlettstout?

9 MS. CATLETTSTOUT: Aye.

10 MR. FISHER: Fisher? Yes. Grover?

11 MS. GROVER: Yes.

12 MR. FISHER: Hill? Pringle?

13 MR. PRINGLE: Aye.

14 MR. FISHER: Seamon?

15 MS. SEAMON: Aye.

16 MR. FISHER: Smith?

17 MR. SMITH: Absolutely, aye.

18 MR. FISHER: Williams?

19 MS. WILLIAMS: Aye.

20 MR. FISHER: Gomez?

21 MS. GOMEZ: Abstain.

22 MR. FISHER: All right. I believe that is

23 six, seven, eight. Seven.

24 MS. WIBBENMEYER: It's seven.

25 MR. FISHER: I was just going to keep

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1 counting.

2 All right. Any other comments by members?

3 Comments by staff?

4 All right. Well, then our next meeting is
5 February 12th, same time, same place.

6 Is there a motion to adjourn?

7 MR. SMITH: So moved.

8 MS. CATLETTSTOUT: Second.

9 MR. FISHER: All right. All in favor, let it
10 be known by aye. (Unanimous voice vote for approval.)
11 Sorry.

12 MS. WIBBENMEYER: We're always doing that.
13 I'm sorry. Darryl, you moved, and who seconded?
14 Sorry.

15 MR. FISHER: Completely forgot. The Vehicle
16 Stop Committee Meeting, the 14th, at City Hall,
17 at 5:30.

18 MS. WILLIAMS: Say that again.

19 MR. FISHER: 14th -- 14th, City Hall, 5:30.
20 The Vehicle Stop Committee Report -- or, I'm sorry --
21 Meeting. Sorry.

22 All right. We're adjourned.

23 (The meeting adjourned at 7:18 p.m.)
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C E R T I F I C A T E

STATE OF MISSOURI)
) ss
COUNTY OF HOWARD)

I, Tammy F. Ballew, Certified Court Reporter for the firm of Tiger Court Reporting, do hereby certify that the above and foregoing is a true and accurate transcription, to the best of my ability, of the meeting held in the Citizens Police Review Board, on January 8, 2020.



Tammy F. Ballew
TIGER COURT REPORTING

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