

In the Matter of:

CITY OF COLUMBIA CITIZENS POLICE REVIEW BOARD

TRANSCRIPT OF PROCEEDINGS

October 14, 2020



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Transcript of Proceedings

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CITY OF COLUMBIA
CITIZENS POLICE REVIEW BOARD

Transcript of Meeting

October 14, 2020, 6:00 p.m.
City Hall, Council Chambers

Reported by: Shelley Mayer, CCR 679

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1 BOARD MEMBERS PRESENT:

2 Andrew Fisher, Chair

3 Cornelia Williams, Vice Chair

4 Wayne Boykin

5 Carly Gomez

6 Catherine Grover

7 Travis Pringle

8 Nicole Seamon

9 Darryl C. Smith

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12 ALSO PRESENT:

13 Rose Wibbenmeyer, Assistant City Counselor

14 Sgt. Scott Alpers, Columbia Police Department

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1 MR. FISHER: All right. It's after six
2 o'clock, so I'll call the October 2020 Citizens
3 Police Review Board to order. Here we work to bridge
4 the gap between law enforcement and the community to
5 help increase trust and accountability.

6 So just before we get going with the
7 approval of the agenda, a couple reminders. Speak
8 into the microphone when you're saying something.
9 And then state your name if you make or second a
10 motion so that we can get that copied correctly.

11 So we'll move on to approval of the
12 agenda. Is there a motion to approve.

13 MS. GROVER: So moved.

14 MS. WILLIAMS: Cornelia, second.

15 MR. FISHER: All right. All those in
16 favor, let me know by aye. Opposed?

17 (Unanimous aye vote.)

18 MR. FISHER: It passes.

19 MS. WIBBENMEYER: Who made the motion?

20 MS. GROVER: (Indicating.)

21 MR. FISHER: Our next item is a special
22 item. We've got a speaker, Don Love, to come and
23 talk to us about Traffic Stop data and the Disparity
24 Index. So the floor is yours.

25 MR. LOVE: Well, I'm impressed you

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1 actually approved an agenda with me on it. And you
2 knew I was going to be talking about data, did you
3 not, so no complaints from you. The -- you've got
4 what I dish out.

5 But it's my intention to familiarize
6 yourself with the data so that you have a sense of
7 what's actually there. And it's not that scary once
8 you, especially once you get used to the things you
9 can do with it. But one of the big problems we have
10 is that law enforcement sees everything from their
11 perspective, of course, and people who are vulnerable
12 to disproportional -- being disproportionately
13 affected by their actions experience it completely
14 different and it doesn't leave much of a common
15 ground to start a discussion. It becomes very
16 emotional, lots of accusations, and things don't go
17 anywhere. But if you can start with the data, it
18 gives you something objective to base discussions on.

19 MS. WILLIAMS: Mr. Love, not to be
20 disrespectful, but I have no clue who you are --

21 MR. LOVE: Okay.

22 MS. WILLIAMS: -- where you come from --

23 MR. LOVE: Well, I was going to --

24 MS. WILLIAMS: -- all of that.

25 MR. LOVE: I was going to swing back to

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1 that. I've lived in Columbia for about 15 years.
2 I've worked on social justice issues since I retired
3 as a teacher about 20 years ago. About ten years ago
4 I got involved in law enforcement issues. I was
5 chair of the Empower Missouri Human Rights task
6 force. We got a little grant that we used to bring a
7 speaker who was an expert on good policing to come
8 and speak in St. Louis, Kansas City, Jeff City,
9 Columbia, Springfield. This was ten years ago.

10 And I set up panel discussions, panels at
11 each of those places with local stakeholders,
12 representatives of the police, representatives to
13 essentially respond to what David Harris said about
14 what could be done to improve policing, so. And then
15 I drove him around. I heard his presentation five
16 times and I drove him around and I got the -- I could
17 see what he was doing was a good way to approach the
18 problem.

19 One of the things he taught me at the
20 time was that the Vehicle Stop Report data would be
21 very useful or, as I was saying, find common ground
22 to start a discussion. And he pointed out that the
23 consent searches are a good simple way to begin. And
24 I'll show you how the data works on that in a little
25 bit.

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1 So I got better at data. I figured out
2 better ways to explain it and, you know, here I am,
3 starting to get some of the -- a sense that it does
4 make sense to people, that things are going in a
5 sensible direction, that the Chief Jones appointed
6 a -- asked for volunteers to join an advisory
7 committee to help him understand what could be done
8 better with the data. He asked us -- he wanted to
9 know the variables that affect officers' actions,
10 were there variables that he needed collected that
11 weren't collected now, data on variables. And that's
12 exactly what I've been doing for some time.

13 I speak as to check-offs in the sheet
14 that they're required to complete by the law that
15 mandates the Vehicle Stop Report, and that lists
16 about 50 or 60 aspects of what could happen in a
17 stop, if they just go through and check off as
18 they -- after they make a stop. And if you get the
19 right information there, you can tell a lot of stuff
20 about what's happening and you can use patterns in
21 that data to see if they're disproportionate in the
22 way groups are affected and also go back and think
23 about what improvements and policies would help
24 correct those disproportions if they're not justified
25 obviously. Questions so far? Is that making some

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1 sort of sense?

2 Well, I want to start by, as I was
3 saying, the data is data. It looks terrible if you
4 have that -- if you haven't -- if you're not used to
5 working with data. There are 15,000 stops that
6 happened in 2019. And for each of those 15,000
7 stops, there's about 60 columns that are checked off
8 with information one way or the other. So you look
9 at the whole thing and it's mind boggling. But if
10 you get used to the idea that this is the information
11 you need to know if you're a chief to help your
12 officers the most and if you're a person who's
13 vulnerable to discrimination, this is what you need
14 to know in order effectively communicate with the
15 chief what's wrong and to move on to an agreement of
16 what can be done about it.

17 So let's take a little look at the data.
18 Questions? Don't hesitate to reign me in. So you
19 can see that the -- just to start up, the first line,
20 there's a number for each incident. This first
21 incident occurred at the corner of Waugh Street and
22 something else, East Broadway. It happened on
23 January 1st, looks like just after midnight. It was
24 a traffic stop. The race of the person, the driver
25 was white. And let's just go over and see what else

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1 happened in that stop. These are the types of moving
2 violations that could have occurred and the officer
3 checked off Other Moving Violation. So you wonder,
4 well, what was that.

5 MS. WILLIAMS: What's CVE?

6 MR. LOVE: Commercial Vehicle
7 Enforcement. It's like if a truck driver -- if a --
8 who asked that?

9 MS. WILLIAMS: I did.

10 MR. LOVE: Sorry; I thought it was coming
11 from back there.

12 If a driver took a truck where trucks
13 that size weren't allowed, it said, No trucks
14 over 10,000 whatever or -- well, things like that.
15 So there aren't a whole lot of them, but they're --
16 it's still important to have that data.

17 Well, it turns out that there was one
18 moving violation. There was also an equipment
19 violation. And that's things that are like lights
20 that don't work, wipers, and -- it include major
21 defects that are dangerous to the driver and anybody
22 else around, but it also include things like a
23 license plate light being out, which isn't going
24 to -- isn't likely to be a threat to public safety,
25 but it's still something that, you know, the law says

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1 you're supposed to have it. And we're expected to be
2 law abiding, so officers always have the attitude
3 that if it's a law, it ought to be respected. And we
4 should be able to understand that.

5 License -- investigative stop is in some
6 situations, the officer will make a stop not because
7 of a violation or not because a violation was so bad
8 as to be a threat to public safety, but because the
9 officer, for instance, had a good reason to also want
10 to do an investigation stop. And these can often
11 happen when the police department says, Because of a
12 call for service. There will be a call come into
13 dispatch. Somebody will say so-and-so is doing this
14 in my neighborhood. And it could be something that's
15 a public safety violation or it could be something
16 that's just this person looks suspicious.

17 The policy of most agencies is to go
18 investigate these things because they want the
19 residents to know that they care about their
20 experiences and that they're responding to any
21 problems that are out there. The officer has very
22 little discretion in doing this according to the
23 policy of the agency. And this is true for Columbia.
24 If you get these calls, then you do it. You drop
25 what you're doing and go investigate what the call

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1 is. So there could well be a disproportion of those,
2 but it's not directly coming from any sort of
3 decision the officer makes.

4 I'm going to step out of this a little
5 bit, so if -- you can't read it so well, but you can
6 begin to get the idea of what's there. And I'll
7 scroll down. As I said there are 15,000 of these
8 things, so there's a lot to look at. But it's --
9 there are some tools that make it a lot easier to do.
10 And the main thing or one of the main things I use at
11 least for screening the data set as it is is the
12 filters. And I'm going to click on Filter and then
13 all of a sudden these little funnels appear in each
14 of the column heads here.

15 So say I want to -- well, let's see.
16 Let's see what Total Number of Stops there are. I've
17 got a column that I constructed of this just so I
18 could have something to represent these stops and add
19 ones in order to come up with a number. And I want
20 to -- say I want to know -- let me just -- I've got a
21 total for the number of stops for white drivers. Go
22 here under Race it lists the possibility, Asian,
23 Black, Hispanic, American Indian, Other, and White.
24 So I choose -- I deselect them all and then I choose
25 the White. And down here it will tell me there

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1 were 9,069 stops of white drivers. Do you see where
2 that is in the bottom left corner?

3 So it's nice, you know, you don't have to
4 actually count things or add things; the spreadsheet
5 does it for you. So if that's what you didn't like
6 about math is long division, that's not a problem.
7 It does that stuff for you.

8 But let's see what the -- what happens
9 with black drivers in 2019. It says there are 5,250.
10 So I could take this information and I could put
11 it -- just manually write it down and say, Black
12 Drivers, White Drivers, this number of stops. And if
13 I -- and then begin to figure whether there's
14 something screwy going on. Is this what I would
15 expect, or is this something different. Now, you
16 don't have to do that because again, the spreadsheet
17 will do that for you.

18 So here's the 5,250 stops of black
19 drivers. Here's the 9,069 stops of white drivers.
20 And I can give the spreadsheet Excel commands that
21 automatically count up those things for me. Here's
22 what -- for instance, in this cell, it says, Some,
23 If, All Traffic Stops for Race B. Just so --
24 skipping the details of some of that. That tells the
25 cell to go count the number of traffic stops that

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1 were for black drivers and put it in that cell.
2 And then I can total those up. Summing those, it's
3 the 15,000.

4 Well, you know, what I do with that then.
5 Well, how many stops would you expect of black
6 drivers all things being equal or white drivers or
7 anybody else. And the method the Vehicle Stop Report
8 uses to come out with a normative value is based on
9 the census data. And we're still using 2010. For
10 Columbia, for people of driving age 16 or older, 9.96
11 percent of the population is black. Well, you'd
12 expect, all things being equal, that if they are 9,
13 almost 10 percent of the Columbia population, they
14 ought to be having about 10 percent of the stops. So
15 let's see what percent of the stops they have.

16 Percent is a fraction. Five thousand is
17 what fraction of 15,000; that's 5,000 divided by
18 the 15. And I tell Excel to divide this cell by that
19 cell and it tells me the blacks experienced 35
20 percent of the stops. They're 10 percent of the
21 population, but they're 35 percent of the stops. And
22 that stays, you know, something's going on. That
23 there's got to be -- we don't know what it is, but
24 for some reason they're disproportionately affected.
25 It's kind of an odd number to think, oh, they're 9

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1 percent but they have 35 and figuring exactly what
2 that means. It boggles -- well, it boggles my mind;
3 I don't know about everybody else.

4 What we really want to know is what's the
5 rate of stops of black driver compared to the rate of
6 stops for white drivers. So this number, if you
7 divide the 35 percent by the 9.6 percent, you come up
8 with a number the VSR calls the disparity index. It
9 says that black drivers are stopped at a rate of 3.51
10 times the amount of stops you'd expect just based on
11 the percent of the population.

12 Again, this is something that -- well,
13 what exactly does that mean. And you only find out,
14 and the Attorney General's report says this too, the
15 best way to deal with this is to divide the black
16 disparity index by the white disparity index. And
17 when you do that you get a number that's saying black
18 drivers are affected, are stopped at a rate 4.63
19 times the rate of white drivers. So it's even worse
20 than the 3.51 because the white disparity index is
21 less than one, and the black disparity index is close
22 to four. You've got this really scary number.

23 Again, we don't -- so the data tells us
24 for some reason officers are making stops that
25 disproportionately affect black drivers, but that

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1 doesn't give us any information about why that may
2 be. And that's been the pondering all along for
3 the 20 years of the Vehicle Stop Report. We've got
4 these disproportions, but we really don't get
5 anything that says where is this coming from. So our
6 job is to look more deeply at the data, to go beyond
7 the analysis that the Attorney General provides in
8 the Vehicle Stop Report to figure out what it is.

9 And I'll come back to that a little bit.
10 I'm going to skip over to another situation that if
11 you're looking at stops, about all you can do is
12 compare the percent of stops to the percent of the
13 population, or you could do the number of stops for
14 the number of residents and it ends up being the same
15 thing mathematically. But you have to estimate the
16 number of residents who are driving. So that number,
17 either the percentage, the proportion of drivers in a
18 group or the number of drivers in a group is
19 something that's really fuzzy. There could be a lot
20 of differences based on socioeconomic status. If you
21 don't have money for a car, you're not going to be
22 driving; you're going to be using the bus, so you're
23 not going to be the driver. And this stuff is
24 just -- so the numbers aren't totally dependable on
25 the proportion of drivers.

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1 But on the other hand, if you step back
2 and look at what happens after the stop has occurred,
3 you get situations that are a lot simpler, fewer
4 things going on in them. And it's a lot easier to
5 use the math to get dependable figures that tell you
6 something about what's happening.

7 So back to consent searches. The consent
8 searches occur after a stop has occurred. The
9 officer -- if the officer doesn't have clear probable
10 cause for a search, he or she can ask for consent to
11 the search. There's no restrictions on this. If the
12 officer asks for consent and it's granted, a judge
13 will just accept it automatically. There's got to be
14 some sort of reason to challenge that there was
15 coercion going on, but that's often difficult to
16 prove and so it becomes a factor. But at any rate we
17 know that the officer has a high discretion in doing
18 it and you can look at the number of consent searches
19 and do a rate per stop, consent search per stop.

20 So I want to go back to the spreadsheet
21 and get you used to this idea that the data is just
22 there. All you have to do is push the right buttons
23 to get it. And I'll do it with filters first and
24 then we'll skip to just a table like this one.

25 So here's back in the data, and I'm going

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1 to go to Filter. And I'm going to clear the filters
2 I had in there. And instead I want to look at,
3 moving across into the other things now, Searches and
4 Types of Searches. Here's all the stops that
5 involved a search and here's the -- where an officer
6 checks off a consent search occurring. So I want to
7 ignore the zeros and look just at the ones. And it
8 tells me in the course of the year, 918 consent
9 searches were conducted in Columbia in 2019. And I
10 can go then to race. Let's look just at black, 356,
11 and look at white, 537. So no problem. There were
12 more white consent searches than black consent
13 searches.

14 And that's the -- and that's generally
15 the way officers perceive this. If you talk to them,
16 you know, and I've talked to a lot of them, and
17 they'll say, you know, I rarely stop a black driver
18 and it's ever rarer I do a consent search on a black
19 driver. But they should be rarer because the black
20 drivers are just one-tenth of the population and they
21 have all of those disproportionate stops. They still
22 have a lot fewer stops than white drivers do. So
23 even though the 300-and-something is less than the
24 number of consent searches for black drivers -- or
25 white drivers, it's still higher than it should be.

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1 If we're looking at data from say 2015,
2 there would be a much larger disproportion. But I
3 chose -- another reason I was looking at 2019 is
4 because it's the most recent and also because it's
5 really more favorable for the officers. There's been
6 a big change in consent searches in the last five
7 years.

8 Well, that's just see what's happening
9 this year. So if I go back to this page, Consent
10 Searches per Stop, here's the 350 -- I might as well
11 show the Asian up there too -- 356 for black drivers.
12 The rate per stop was about 68 per thousand. Here's
13 the 537 for white. The rate per stop is about 59
14 per 1,000. The black, if you divide the 68 by 59,
15 you get 1.15, and that can be read as black drivers
16 are subjected to consent searches at a rate per
17 stop 1.15 times the white rate. And you can also
18 think that black drivers -- the rate for black
19 drivers is 15 percent higher than the rate for white
20 drivers. Is 15 percent okay? Does that scare
21 people?

22 MR. SMITH: Isn't it actually higher
23 than 15 percent? Wouldn't it be about 23 percent if
24 white drivers are .92?

25 MR. LOVE: Where do you see the .92?

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1 MR. SMITH: In the same column where you
2 have 1.15, if you drop down, it's .92.

3 MR. LOVE: Let me refresh.

4 MR. SMITH: Sure.

5 MR. LOVE: Good question though. Okay.
6 In that column I've got the disproportions there and
7 it's either going to be the group rate, for instance,
8 the black rate divided by the white rate or the white
9 rate divided by the rate for all non-white drivers.

10 MR. SMITH: Okay. So you don't compare
11 the numbers directly?

12 MR. LOVE: If I wanted to compare just
13 blacks to whites, I would -- oh, I'm not going to do
14 it because it would take a little too long. I would
15 divide the 57 -- for the whites, I'd divide the 59 by
16 the 68 for black drivers and then the rate for white
17 drivers would -- the disproportion would be -- it
18 wouldn't be very different from that.

19 MR. SMITH: Okay.

20 MR. LOVE: It's just saying that the
21 white drivers are being stopped at a rate 92 percent
22 of the rate per stop for all non-white drivers. For
23 blacks it's slightly more than one; for whites it's
24 slightly less than one. Fifteen is still -- could
25 still be a concern, but it's less of a concern

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1 because five years ago or so that rate was up over
2 four. Black drivers were being stopped at a rate
3 four times, routinely at a rate per stop, four times
4 the rate of white drivers. And what happened --

5 MR. SMITH: And has it -- it's been
6 trending down for the four years?

7 MR. LOVE: Yeah. What happened is --
8 because David Harris had primed me to look at consent
9 searches and I was here in Columbia and I kept
10 nagging the police chief about consent search
11 disproportion. And he kept saying, Well, the
12 officers are probably okay on this, you know, this is
13 not -- he wasn't ready to do anything about it. And
14 then in 2015, I think it was, the police department
15 decided to start posting this data online on the City
16 website. So I could then look at what was going on
17 and do more with it that the chief hadn't -- I kept
18 telling him, Look at the -- look at the number of
19 times officers find illegal goods, contraband, during
20 a consent search and then think about what that
21 means.

22 MR. SMITH: And this is the prior chief.
23 Correct?

24 MR. LOVE: Yes. He did some good things.
25 So for, I think it was 2016 or 2015, I ran the

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1 numbers and for that year black drivers were affected
2 by consent searches at a rate twice that for white
3 drivers, but white drivers were found with contraband
4 during consent searches at a rate twice that for
5 black drivers. And for all drivers the hit rate at
6 which contraband was found in consent searches was
7 really low. It was down lower than 20 percent. They
8 do a search and they don't find anything, but they
9 kept on doing them and doing them and doing them.

10 Well, I mean, my point of view is this
11 is, you know. I mean, what I see being done by other
12 analysts across the country, for instance, there's a
13 police chief in Austin, Texas, was confronted with
14 this same sort of issue. And he found that his big
15 disproportion against black drivers, the hit rate was
16 over 20 percent and he said, Well, 20 percent isn't a
17 high enough hit rate to justify what the officers are
18 making of consent searches.

19 So what Chief Burton did was not a big
20 thing; he just said, Well, from now on you're going
21 to get signed consent and you're going to tell
22 drivers that they have a right to refuse. And I
23 wouldn't have thought that would have made a huge
24 difference. The officers were still imposing
25 figures, they can get what they want when they make a

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1 stop.

2 But when I started, when I first had data
3 available for 2016, the year that change was made,
4 and I could look what happened -- I think the change
5 was made, policy was changed in October -- and I
6 could look at October, November, and December and I
7 could already see the disproportions against black
8 drivers dropping significantly. And then for the
9 next year, the disproportion against black drivers
10 went down to 1.20 I believe. Black drivers were
11 affected at a rate 20 percent greater than white.
12 And that was really a dramatic decline. The year
13 after that it went back up to black drivers being
14 affected about I think 40 to 50 percent more than
15 white drivers. And I take that being the sign that
16 the officers weren't just getting that impetus that
17 they needed to be more careful about the use of
18 consent searches.

19 But when Burton was gone and Chief Jones
20 was, you know, taking control of what was happening,
21 I think officers were getting a clearer, consistent
22 message at that point. Not that they couldn't do
23 consent searches, but it was important to use the
24 them fairly and that officers needed to just be more
25 careful to make sure that when they asked for

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1 consent, they had a good reason to do it, that there
2 was some factual evidence that indicated the search
3 was appropriate.

4 Because if they take the time to think
5 about it, whether there are facts there, then they're
6 less likely to do the near-jerk reaction to the
7 stereotype. If you don't realize you can be
8 distracted by the stereotype, you're defenseless
9 against it. If you're concentrating on the facts
10 that justify your actions, which you should be doing
11 as a police officer and generally are willing to make
12 that their standard behavior, then they're much more
13 likely to be doing good police work.

14 And that's the take-away I have from what
15 happened with consent searches in Columbia. And it's
16 backed up with what's been going statewide. Consent
17 search disproportion against black drivers has been
18 dropping statewide for the last five years. It was
19 never as high as Columbia; it was up around 1.5 black
20 rate, 1.5 times the white rate.

21 But for 2019 for the first time, the
22 white rate was higher than the black rate. And
23 there's been no intentional policy change from above
24 that's driving this. As near as I can tell, it might
25 as well just be a grassroots thing among local

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1 agencies. And certainly it has to involve the
2 officers too because they're the ones out there that
3 have the right to ask for consent, whether to sign or
4 not to; they're being much more careful about it.

5 So again, I take that as evidence that
6 stereotypes were what was beyond -- what was behind
7 disproportion when it was high. And I think I can
8 safely say that because when officers began being
9 more careful about the use of consent searches, the
10 disproportion dropped so quickly. It wasn't a matter
11 that at one point there were a lot of officers with
12 animosity against black drivers and then all of a
13 sudden they were converted or fired or whatever. I
14 think it was always this surprising effect of
15 stereotypes that officers suddenly had the
16 wherewithal to find a way to resist that stereotype.
17 If you're looking for facts, the stereotype just gets
18 ignored.

19 MR. SMITH: How do the numbers look for
20 PC searches?

21 MR. LOVE: What's a PC?

22 MR. SMITH: Probable cause, where they
23 see shape or something.

24 MR. LOVE: Well, let's see. How shall I
25 look at that. Let's see. I'm not going to go back

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1 to the data anymore. You get the sense of how
2 this -- what's there, the data, and you either
3 manually filter it to see what's there or you write
4 in commands that allow you to -- or the spreadsheet
5 to do the filtering and just give you the numbers and
6 the proportions. Okay. I think probably the easiest
7 way to do this is I've hidden a bunch of columns here
8 and I'm just going to unhide them.

9 MR. SMITH: The reason I ask is that was
10 one of the questions that at least one of the board
11 members asked was, you know, what was the percentage
12 with probable cause searches where they see shape
13 versus, you know, among different groups.

14 MR. LOVE: Well, I may have to think
15 about that. I've got that stuff where I can look at
16 it.

17 MS. GOMEZ: There's a page on the
18 comments on 2019 CPD Data 6-5-20, on page 25, it has
19 the breakdown of plain-view searches, reasonable
20 suspicion, weapon searches, and all of that stuff.

21 MR. LOVE: I don't have that on -- I
22 didn't put that on my flash drive. But you have that
23 document there?

24 MS. GOMEZ: I have it pulled up.

25 MR. LOVE: Does everybody have it?

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1 MS. GOMEZ: I think everybody's got it.

2 MR. LOVE: This is my comments on
3 the 2019 data?

4 MS. GOMEZ: Comments on 2019 CPD
5 Data 6/5/20.

6 MR. LOVE: Well, I just wish I could
7 unhide this. Because I just didn't -- generally
8 the -- for probable cause, the hit rates are higher.
9 But even for plain-view contraband where the
10 officer's seeing contraband, the hit rate, I don't
11 think it's much higher than 7 percent. It's
12 surprisingly low. You'd think if they saw
13 contraband, then they would know what they were
14 seeing and the hit rate would be higher, so I'd have
15 to talk to officers about the mechanics of that.

16 MR. SMITH: In looking at that, have you
17 also looked at citations and arrests?

18 MR. LOVE: Yeah.

19 MR. SMITH: Looking at, you know,
20 seeing -- having reasonable suspicion or probable
21 cause --

22 MR. LOVE: Okay.

23 MR. SMITH: -- or looking at the
24 numbers --

25 MR. LOVE: Yeah.

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1 MR. SMITH: -- for --

2 MR. LOVE: Well, that's my next example.
3 Odor, drug/alcohol odor, probable cause for searches.

4 MR. SMITH: Uh-huh.

5 MR. LOVE: So it's kind of a flimsy sort
6 of probable cause. It's not like you're seeing the
7 contraband, plain-view contraband, but it's set up,
8 it's recognized in the law and judges recognize it.
9 If an experienced officer detects the odor of alcohol
10 or drugs, then that's evidence enough to do a search.
11 Wouldn't be evidence enough to arrest the person for
12 a drug violation because there is no actual evidence,
13 but it's considered probable cause to conduct a
14 search.

15 Here's Total Searches. So same sort of
16 deal. We're starting with the same traffic stops and
17 stops involving searches and then odor searches.
18 There were a total of 616 odor searches conducted
19 in 2019. The rate for stop was 41 per thousand, so
20 it's one of the bigger -- there were 2,000 -- a
21 little more than 2,000 stops involving searches, and
22 about 600 of them, more than a -- less than a -- 3
23 times would be 18, so between 3 and 4 times,
24 one-third to one-fourth of the stops were odor
25 searches. Black drivers who were affected by

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1 those, 4.41 times.

2 Again, these are -- it's probable cause,
3 but still officers have a lot of discretion in
4 whether they will considered odor something they
5 could act on. If you see somebody with his family,
6 her family in a minivan and you smell beer on their
7 breath, are you going to consider that as probable
8 cause for a search. Well, probably not. I don't
9 think most drivers would do that. There would have
10 to be something else there in order to motivate that.
11 If the driver saw that -- if the officer saw that the
12 driver was weeping in traffic and failing to signal
13 and doing other erratic behavior and then smells
14 alcohol, then that certainly opens the door for
15 further action. It could be a search or it could be
16 doing a field sobriety test of some sort or whatever
17 the officer decides to do. And the officer could
18 take that several ways, but one of the things --

19 MS. WILLIAMS: But that's what we're
20 hoping happens with the scenario that you said. But
21 since the officer has so much discretion, we're not
22 sure --

23 MR. LOVE: Yeah, yeah.

24 MS. WILLIAMS: -- if that's what happens.

25 MR. LOVE: And the fact that the

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1 disproportion is so high flags a situation to which
2 it's not the facts involved that are leading to the
3 extra stops of black drivers, but there's something
4 behind that disproportion that could be
5 discrimination. So the pattern indicates that
6 there's something worth investigating. Until we
7 investigate it we don't know whether it was officer
8 bias or whether the officers were actually
9 encountering that many black drivers who were
10 violating the law. But we know that there's
11 something worth looking at there.

12 MS. GOMEZ: I'm sorry. Is one of the
13 check-offs -- is one of the check-offs we're
14 recommending, is that going to be what they think
15 they smell or what they think they see?

16 MR. LOVE: Yeah. So part of the problem
17 here is we don't really know what we're looking at.
18 It's odor searches or the odor of alcohol or drugs
19 and we don't know which and we don't know what kind
20 of drugs. It could be marijuana or it conceivably
21 could be something else that has an odor; I'm not
22 familiar enough with that to be an expert. But the
23 odor meth has -- when you're making meth, that has an
24 odor and I guess smoking crack is -- I don't -- I
25 mean, I don't know. I don't know that.

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1 But we don't -- it's just not there in
2 the data. And if we have a check-off that isn't just
3 for odor searches but it's for alcohol odor and
4 marijuana odor and other drugs for instance, then
5 that's what the Traffic Stop Committee is suggesting
6 that the Columbia Police Department start doing. And
7 the chief seems to be inclined to do that. We'll
8 just have to see.

9 MR. SMITH: Are they going just beyond --
10 are they stopping at stops or are they looking at
11 citations and arrests as well?

12 MR. LOVE: Let's look at that, as far as
13 we can get with this data, and then -- well, let's
14 just -- let's do that. So contraband found is easy
15 enough to do. They -- it looks like they're finding
16 contraband at a pretty good rate, almost 50 percent.
17 Fifty percent for black drivers; 46 percent for white
18 drivers.

19 MR. SMITH: Is this on both stops on
20 the -- or is this strictly on the odor stops or
21 probable cause stops?

22 MR. LOVE: That's just probable cause.

23 MR. SMITH: Okay.

24 MR. LOVE: And then here's contraband
25 found. Again, the hit rates are higher, 70 percent,

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1 overall 68 percent for black drivers. White drivers
2 are more likely to be found with contraband. That
3 number looks fishy; I better check that and see if I
4 made a mistake. But I think this one is dependable,
5 that the black drivers are found with contraband
6 after odor searches at a rate of 87 percent. So
7 we're doing a lot more odor searches of black drivers
8 and finding contraband less with black drivers than
9 with white drivers.

10 And then we can look further at what
11 was -- what was found. An odor search which was
12 followed by drugs, alcohol, and paraphernalia being
13 found. So again, these things are grouped together
14 when it would be more useful to have separate
15 check-offs in what the officers see. But looking at
16 that, they're finding -- and there's a huge
17 difference between drugs and alcohol and
18 paraphernalia in terms of danger to society. They're
19 finding it at about 70 percent, and it's more for
20 more for white drivers than for -- white drivers are
21 more likely to be found with this specific kind of
22 contraband than black drivers were. The 120 looks
23 like a more reasonable number than that 288.

24 And then how often does an odor search
25 get followed by or in the same incident as drugs,

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1 alcohol, paraphernalia being found and then an arrest
2 occurs. And that's as close as I can get with the
3 data. I can't tell whether the arrest was for
4 something found in the search or whether the drug
5 arrest somehow came out of the -- something else that
6 happened in the incident. But if it's drugs, it had
7 to be found in the search. They could have ended up
8 doing two searches, and it was found in the other
9 search, so I can't tell exactly what's happening,
10 but -- without having more check-offs. But drug
11 arrests occurred in the same stop in which the
12 odor search and BAP was found 56 times for black
13 drivers, 29 for white. The rate for odor search was,
14 well, about 14 -- well, 14 per hundred or 141 per
15 thousand for everybody, higher for whites, lower for
16 blacks. So blacks were found -- were arrested during
17 the incident at a rate 76 percent.

18 So it looks as though officers are
19 conducting odor searches much more frequently on
20 black drivers than is justified by the contraband
21 they found and especially when you look at contraband
22 that actually results in arrest.

23 MS. GOMEZ: So to clarify, 56 people
24 arrested out of 431 odor searches were black people.
25 Am I saying that right?

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1 MR. LOVE: Yeah. That sounds right
2 without going back and looking at it. And it's a
3 little high. I can't -- I don't know this data well
4 enough to say how -- whether that's good or bad.

5 MS. GOMEZ: It seems pretty low.

6 MR. LOVE: But it sure seems like they
7 ought to be finding -- if they're going to conduct
8 that many odor searches, they need to be doing them
9 in a way that really shows that it's a benefit, an
10 improvement to the community. They are catching
11 people doing things that are dangerous to themselves
12 and each other. I think we need more data on that.
13 We need something that's more specific. Right now
14 we're told when an arrest occurred and we're told
15 certain sorts of arrests for citations; we're not
16 told everything. We don't know whether there was a
17 citation written for something found during the
18 search or not, and we need to be able to know that.
19 We need to know what the citations were written for.

20 And then we've got the complication of
21 how marijuana is treated in Columbia. It's, by city
22 ordinance it's considered a misdemeanor?

23 MS. WIBBENMEYER: Infraction.

24 MR. LOVE: Infraction. Something that
25 officers are not to make an arrest for.

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1 MS. WIBBENMEYER: Correct. And there's
2 also some presumption written into the ordinance that
3 was adopted by the voters.

4 MR. LOVE: Yeah. So there's a --
5 officers are being directed to give people a break
6 on -- I mean, that may be pejorative, but they're --
7 marijuana is going to be treated as less of an
8 offense than other drugs. So it seems likely that if
9 we knew how many of these stops were for odor,
10 marijuana odor, and how often marijuana was found, we
11 ought to know -- we ought to find out that there
12 aren't many arrests being made for that. So if
13 officers are making a lot of searches because of
14 marijuana odor and marijuana is supposed to be
15 downplayed in terms of the violation, the priority
16 they set is a violation to enforce the law on, then
17 it would seem as though this is the sort of thing
18 rewriting the policy on use of odor searches would
19 help.

20 MS. GOMEZ: So I have a quick question
21 about that. So you were talking about consent
22 searches and when the rate is lower than the 20
23 percent, that maybe it's worth rethinking about. And
24 my -- just to, you know, I divided 56 by 431. And so
25 it seems like there's arrests happening 13 percent of

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1 the time when they're doing odor searches. So is
2 that something that you would think that they should
3 consider thinking about as well?

4 MR. LOVE: Yeah. I don't know enough to
5 say.

6 MS. GOMEZ: Okay.

7 MR. LOVE: I mean, I'm here pretending to
8 be an expert. But I've been doing this for ten years
9 without any official training besides Master's degree
10 and teaching math and then years of just talking to
11 officers and talking to experts and whatever. So
12 there's a limit of what I -- what I can -- you know,
13 I just don't have the breadth of experience to say
14 something. But I can say that under the
15 circumstances, somebody should be looking more
16 carefully at that data. So we have to go to some
17 expert and say, Well, what does that really mean.
18 And I'm not in a position to pass through that.

19 MS. WILLIAMS: So nobody's done that in
20 two years?

21 MR. LOVE: I -- not that I know of. I
22 think the -- Columbia is the All-Star in terms of
23 being forward thinking about this stuff. And that
24 was true under Burton too. It's not that they were
25 so great, but they were so much in advance of

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1 anything else that I see going on in the state of
2 Missouri.

3 MS. WILLIAMS: So we're just gathering
4 numbers, but putting it in storage?

5 MR. LOVE: Well, we're starting to get a
6 handle on it. The chief is asking for help on it.
7 And I see that as -- I mean, it's frustrating that
8 it's so slow. I've been working on it for ten years
9 and --

10 MS. WILLIAMS: If the chief --

11 MR. LOVE: -- so we're just beginning to
12 see some things.

13 MS. WILLIAMS: If the chief is asking for
14 help on it but nobody knows how to really interpret
15 it, how does the chief know what to ask help for?

16 MR. LOVE: Well, I think it's -- you
17 know, I mean, I'm not sure what percentage of arrests
18 you'd want to have, but that's getting pretty close
19 into the detail. Even if that percentage was a lot
20 higher, I would still be concerned about it. I would
21 say that somebody needs to look very carefully
22 whether the facts officers are acting on, make sure
23 that they know to look for more substantial facts
24 before they do an odor search. I'd say we already
25 have the evidence to start reforming the policies.

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1 Does that help any?

2 MS. WILLIAMS: I hear what you're saying.
3 It just -- I'm just saying make it make sense.

4 MR. LOVE: Yeah.

5 MS. WILLIAMS: I mean, I don't
6 understand. Ten years of information and --

7 MR. LOVE: Twenty years. The data goes
8 back 20 years.

9 MS. WILLIAMS: Right.

10 MR. LOVE: And nobody has helped --

11 MS. WILLIAMS: That really doesn't make
12 sense to me now.

13 MR. LOVE: -- agencies make sense out of
14 it.

15 And if it takes volunteers like me
16 nagging local authorities, then that's -- where are
17 we. Things should be much better.

18 MS. WILLIAMS: Right.

19 MR. LOVE: The laws should be rewritten,
20 the Attorney General should be giving much more help
21 to agencies on how to interpret their data. Just all
22 the down the line, there's a lot that needs to be
23 done different.

24 MS. WILLIAMS: So if nationally they're
25 gathering all of this data -- because this -- I'm

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1 going to be honest, this is kind of -- the data is
2 new to me. So I'm not going to sit here and act
3 like, oh, I know exactly what's going on. But just
4 common sense-wise, if they've been gathering this
5 information for 20 years, it seems like to me
6 somebody should have done something, especially
7 if they're gathering all this information for 20
8 years.

9 MR. LOVE: Yeah. I mean, that's my point
10 of view.

11 MS. WILLIAMS: That -- I -- serious.
12 Make it make sense.

13 MR. LOVE: Yeah. Well, some experts are
14 working on it, and they're getting the same sort of
15 slow response out of law enforcement. It's -- we
16 need more people to be aware of the objective power
17 of the data and demand that the disproportions be --

18 MS. WILLIAMS: I mean, we got --

19 MR. LOVE: -- treated seriously.

20 MS. WILLIAMS: We got numbers going up,
21 we got numbers going down, but nobody really knows
22 why. I mean, the numbers could be going down because
23 we had a bad winter. The numbers could be going up
24 because we got a good winter. I understand that the
25 chief is trying to figure out what all the variables

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1 are, and I do agree that that does play into it, but
2 if this has been going on for 20 years, somebody
3 somewhere is really dropping the ball. And that's
4 just my personal opinion.

5 MR. LOVE: Yeah. I share it. On the
6 other hand I'm grateful for anyone who's making
7 incremental improvements.

8 MS. GOMEZ: How many -- you've been doing
9 this the past two years or four years?

10 MR. LOVE: For the Vehicle Stop?

11 MS. GOMEZ: Yeah.

12 MR. LOVE: Going on two years.

13 MS. GOMEZ: Going on two years. Okay.

14 And then --

15 MR. LOVE: And that's been very slow too.
16 It -- I mean, everybody's very careful about not
17 alienating anybody else, so. But --

18 MS. WILLIAMS: So this --

19 MR. LOVE: -- at the same time --

20 MS. WILLIAMS: -- could be about stepping
21 on other folks' toes?

22 MR. LOVE: Well, I was just about to say,
23 at the same time black drivers are continually being
24 treated disproportionately, but we're being careful
25 to ask --

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1 MS. WILLIAMS: Or this could be saying,
2 Oh, we don't really want to admit that we have had
3 some cops that are racist or we don't want to really
4 admit that we got some officers that have some biases
5 that are on the police department. I mean, again,
6 make it make sense.

7 MS. GOMEZ: Assuming that -- I mean,
8 your -- sorry -- the Vehicle Stop Committee
9 continues, do you think that the collaboration
10 between our board, people on our board or our board
11 would be helpful in thinking in terms of
12 recommendations?

13 MR. LOVE: Yeah. I think it's very -- I
14 really was excited to get this invitation. I think
15 you guys could take up this work. As far as I know,
16 you could. I haven't -- I've never looked at the
17 enabling ordinance that set you up; I've forgotten
18 exactly what's in it. But surely there's some sort
19 of option for making recommendations on policies to
20 the police department, isn't there?

21 MS. WIBBENMEYER: Yes.

22 MR. LOVE: So it's within your purvey and
23 you can --

24 MS. WILLIAMS: I'm trying to --

25 MR. LOVE: -- put it on cases if you

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1 wanted to.

2 MS. WILLIAMS: When it comes to people
3 civil rights and human rights and just being treated
4 human, we need to take out of the equation about stop
5 trying to offend anybody, stop trying to step on
6 anybody's toes. We need to address the actual
7 situation that is going on and get a handle on it,
8 make the changes that need to be made and move
9 forward. But if we're so worried about, Oh, I don't
10 want to offend nobody; oh, I don't want to step on
11 nobody's toes; oh, well, we don't know how to
12 interpret the data, something's wrong.

13 MR. LOVE: Yeah. I think I was
14 misleading with the -- the Traffic Stop Committee has
15 diligently tried to come to an understanding of how
16 the officers see it and the experiences normal people
17 have. So it's not as though we're pussy footing
18 around, but it just, it takes a while for --

19 MS. WILLIAMS: Twenty years. That's some
20 kind of footing around, 20 years.

21 MR. LOVE: Well, I'm frustrated.

22 MS. WILLIAMS: Right.

23 MR. LOVE: I'm glad we're beginning to --
24 I mean, it was two years and we're just now coming
25 off the set of recommended check-offs. And I think

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1 the -- from my point of view we could have done this
2 a lot faster, but nobody else seemed willing to move
3 that fast. And that --

4 MS. WILLIAMS: And I appreciate your
5 diligence.

6 MR. LOVE: -- includes, you know, white
7 people, black people, representatives of the Race
8 Matters Friends, people who generally aren't pussy
9 footing around at all, so I --

10 MS. GOMEZ: I have --

11 MR. LOVE: It is what it is.

12 (Simultaneous speaking.)

13 MS. WILLIAMS: Well, thank you for
14 continuing to work on it.

15 MR. LOVE: Say it again?

16 MS. WILLIAMS: I said thank you for --

17 MR. LOVE: Well, thank you for that.

18 MS. WILLIAMS: -- ten-plus years of
19 working on this.

20 MR. LOVE: Well, I'll continue working as
21 long as I'm able.

22 MS. GOMEZ: I have another question about
23 the conversation about pretext stops because I found
24 that really interesting. Do you think there's any
25 way to get some sort of check-off related to pretext

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1 stops?

2 MR. LOVE: Yeah. Well, let's take
3 maybe -- I should wrap up pretty quickly. Right? Or
4 are we in any hurry?

5 MR. FISHER: Take as long as you want to
6 take.

7 MR. LOVE: Well, I missed a chance to say
8 something about MU's help on data analysis. The
9 chief recently approached MU and asked if a team of
10 academics would do a study of the data that is more
11 than I can do, than anybody in the police department
12 can do. And there's a group of two professors -- or
13 three professors and a grad student who have some
14 experience with this, and they're going to do a much
15 more thorough study of the data. They'll be able to
16 get more things that I couldn't get at.

17 Like they will be able to tell what the
18 citations were for. They're have the statistical
19 tools to separate what happens at night to what
20 happens during the day. These things that -- well,
21 some of them I could do; it's just more detail than I
22 have time to do. And since I really don't have the
23 skills, it's better for someone with documented
24 skills to be doing it.

25 But last night we met the lead professor

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1 who is in sociology and has recently done a study of
2 people's experience of violent crime statewide.
3 She's going to be the lead for it. And what things
4 she was saying were the sort of things that I thought
5 were appropriate for her to be aware of in
6 undertaking this. So I'm pretty optimistic about
7 there being much clearer results about where the
8 problems are. And the chief is explicitly asking to
9 see where are the patterns of disproportionate impact
10 so that he knows what sort of policies he needs to
11 look at and come up with improvements on.

12 The other thing is, I think we're
13 segueing into from Carly's question about pretext
14 stops, is we have worked on this, these check-offs.
15 And it's again frustratingly slow, but we were able
16 to agree on a list of things that I think puts us in
17 much better shape knowing what's going on and
18 everybody agreed to it. There's no -- nobody got
19 angry. There were some things I wish we could have
20 done more with, but there just didn't seem to be a
21 way to write the appropriate check-off to capture
22 correlations in some situations. But at any rate,
23 it's much more complete. Shall we look at that for a
24 --

25 MR. BOYKIN: I have a question.

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1 MR. LOVE: Yes.

2 MR. BOYKIN: Is there -- I assume this is
3 for all the stops, but is there a connection to
4 individual officers within the stop?

5 MR. LOVE: Not in the data that's
6 related, that's released.

7 MR. BOYKIN: Because that's --

8 MR. LOVE: There's a lot more --

9 MR. BOYKIN: -- something I would be
10 more interested in. Not like the body of Columbia
11 Public Schools -- or Columbia Public Schools --
12 Columbia Police Department, but the individual
13 officers and their stops. As a personal person
14 because if we're trying to get to the fact that, you
15 know, not all cops are bad but there are bad ones in
16 there and we're not looking at individual cops and
17 their stops, how are we supposed to solve these
18 problems?

19 MS. WILLIAMS: Is that something that you
20 track, Sergeant Alpers?

21 SERGEANT ALPERS: Excuse me?

22 MS. WILLIAMS: Is that something that CPD
23 tracks in their own databases?

24 SERGEANT ALPERS: Individual stops?

25 MS. WILLIAMS: Yes.

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1 MR. BOYKIN: Individual officers, their
2 kind of line of how they're stopping people and what
3 they're stopping and if there's a correlation of one
4 officer, you know, making more stops to black people
5 than they are white people and that stuff.

6 SERGEANT ALPERS: The data is brought in
7 and it's all individual stops. Now, I don't know
8 what is done with the data. That's not my job.

9 MR. LOVE: Well, the data that's posted
10 doesn't include -- doesn't identify which officer
11 made which stops, but that is in the data set that
12 the Columbia Police Department has. And I believe
13 the MU professors will have access to probably a
14 code, a code number for each officer. So they won't
15 know who the officers are, but one of the things
16 they're going to try to do is sort out where each
17 officer is assigned to patrol and then figure out
18 whether the stops that officer is making are
19 reasonable in terms of what can be estimated about
20 the proportions of drivers in that patrol area.

21 MS. WILLIAMS: Now, Sergeant Alpers,
22 because of what he just said, I got a question for
23 you. Do officers rotate the areas that they
24 patrol, or do they typically stay on the same beat
25 for like 5, 10, 15 years? Do they rotate often or

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1 what?

2 SERGEANT ALPERS: Once a year we go
3 through a bid process and then they're assigned to a
4 beat.

5 MR. LOVE: There's a lot of variation.
6 And that's one of the problems with analyzing the
7 data that in order to get enough data to get clear
8 statistical results, they need to combine a number of
9 years and that means that there's going to be a lot
10 of variation in what jobs, what patrol areas the
11 officer has had.

12 So on the one hand that's -- I mean, that
13 gets back to the problem I started off talking about.
14 It's very difficult to estimate the group proportion
15 of drivers. You can't do it based on residence
16 because people are crossing out of neighborhoods and
17 into other neighborhoods all the time. There's a
18 major street going between two neighborhoods and
19 anybody could be driving on that street and that
20 could be officers are making -- you know, you just
21 can't tell. You can do some estimating. You can do
22 observational studies, but it's awfully difficult to
23 do anything that depends on knowing a group
24 proportion of drivers.

25 On the other hand, we've got post-stop

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1 data which can always be analyzed on the basis of the
2 group proportions of stops. You have a situation
3 where the officer has made the stop and the officer's
4 been face-to-face with the driver. We've got the
5 statistic on number of stops. The officer isn't
6 guessing about race at this point. The race knows --
7 the officer knows who she's face-to-face with. And
8 if the officer decides to, you know, do an odor
9 search or a consent search or whatever else, the data
10 is much better at yielding information about what the
11 officer did.

12 And if the data is good, it will also
13 suggest if there are problems. But the data should
14 be documenting as much as possible the reasons the
15 officers are acting on. So, for instance, if we get
16 better information about investigative stops, if we
17 know when a stop was motivated by a call for service,
18 but the officer waited to observe a minor violation
19 before making the stop, a pretext stop. And you can
20 tell if the officer checked off Call for Service.
21 Then we know even though it was a minor violation,
22 the officer had a possibly convincing reason because
23 it was a call for service.

24 Now, there could still be some doubts
25 about that. It could be that the officer stopped

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1 someone that didn't really fit the description in the
2 call for service. So you get all sorts of things
3 going on, but at least you know where to look for the
4 problems. If the officers need training on, You need
5 to be more careful that it really is credible and
6 timely evidence that you're acting on, that it
7 wasn't, Well, I was making a stop for a call for
8 service but you made it four hours after the stop
9 occurred. That's just, that's not good enough to
10 count as credible intelligence.

11 It's a training process. If that's where
12 the problem is, then officers need to get that help.
13 When you go to look at how you make the call for
14 services, sometimes it's going to go into that detail
15 of seeing whether it really was a timely stop.

16 But on the other hand, I tend to be
17 optimistic on this, I think if officers see in the
18 data that there's clearly a problem related to what
19 goes on in the calls for service, then they will take
20 those more seriously and they will hold themselves to
21 a higher standard in the actions they take. And then
22 it'll be clear I think by the officers that end up
23 looking bad on the data being easier to identify.
24 These are the ones that are consciously deciding to
25 treat people differently based on race. I think

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1 that's a minor issue.

2 I think the huge disproportion, when you
3 hit a disproportion of four times, I don't think
4 that's being caused by officer animosity. I think
5 most officers are clearly not holding animus against
6 the black drivers and that they can easily learn to
7 act on acceptable facts instead of being distracted
8 by stereotypes and then it will turn out there's
9 still a disproportion but it's much, much smaller.
10 And that perhaps can be caused by explicit bias that
11 has to be dealt with in another way.

12 Then we get it down to a much more
13 manageable situation where we're not suspecting every
14 officer of acting out of animus because we know at
15 that point that most of them aren't. Because the
16 consent search disproportion fell so dramatically, I
17 think we can take reassurance that officers were not
18 doing it out of animosity; it wouldn't have dropped
19 so quickly if they really thought that they should be
20 stopping blacks because they're black and that's
21 their big concern. That doesn't seem to be the
22 issue.

23 Just because I, a person of privilege, is
24 willing to give them the benefit of the doubt doesn't
25 mean everybody else has, and especially if someone

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1 has firsthand experience to the contrary. That
2 deserves to be honored.

3 Insofar as we have black drivers
4 reporting that their stops are illegitimate as
5 happened in the last city survey, I got Ian to ask
6 for the city manager to put a question on the survey
7 that asked people whether they've been stopped in the
8 last year and ask them whether they considered their
9 stop to be -- I forgot what -- legitimate or
10 illegitimate, which way it was phrased, but it turned
11 out that the data that came back from the survey said
12 that black drivers were five times more likely to say
13 that their stops were illegitimate than white
14 drivers.

15 Now, it would have to be a pretty small
16 sample because there were about a thousand people
17 surveyed to begin with, and I think only about 10
18 percent of those, a hundred, were actually stopped
19 during the year. And then a smaller percentage of
20 those were black. So I think maybe you ended up with
21 maybe a dozen black drivers and half of those or
22 something was saying that. These numbers are
23 available in the survey report. And if you want to
24 see that, I've written that up at some point; I could
25 share it with you.

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1 So it gets us a fairly small number
2 because it -- the disproportion is so high, it ended
3 up being statistically significant. But if you get
4 something as huge as a five time disproportion in the
5 experience of a group, then it's pretty hard to deny
6 that there's something that needs more attention.
7 And again, I think the -- once we have some
8 statistical evidence of there being a real problem
9 and black drivers saying that their stops are
10 illegitimate, then we have the knowledge to get
11 the -- get serious about this. We've messed around
12 too long time; it's time to come up with some
13 answers.

14 The MU professor that's now finished
15 doing this, this survey of people across the state on
16 their experience with violent crime, one of the
17 things that she puts in the executive summary is a
18 comment on people who feel they've been treated
19 illegitimately by officers and there being a large
20 disproportion in her survey, according to black
21 drivers.

22 If you've ever heard of Pulled Over; it's
23 a book written by Kansas University professors a few
24 years ago. They did a survey of 3,000 Kansas City
25 area residents and officers and found the same sort

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1 of patterns going on, that blacks were much more
2 likely to report being stopped for illegitimate
3 reasons, and they would define the illegitimate stops
4 as being a minor violation and that the officer would
5 show no interest in there being a public safety
6 threat made because of the violation, but the officer
7 would immediately skip to questions like, What are
8 you doing in this neighborhood, how can you afford
9 this car and, you know, things like that which are
10 insulting to someone who knows that he or she is as
11 innocent as the next person out there and should not
12 be assumed to be a criminal by the officer who has no
13 evidence whatsoever.

14 I mean, this is the root of that sense of
15 illegitimacy. And this is -- there's other surveys.
16 There's the National Police Public Conduct survey
17 that draws the same sorts of conclusions. These are
18 all well-designed surveys and they're showing that
19 blacks are -- it's a report, but when you see the
20 sorts of explanations behind what they're saying, it
21 seems very unlikely they're making this stuff up,
22 especially with those disproportions.

23 And it's credible because, you know, in
24 Columbia, blacks experience almost a fivefold
25 disproportion in stops and they also report a

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1 fivefold sense of the stops being illegitimate. So
2 it's a, you know, bang-bang, we get it from both
3 sides. But if we start making the changes that we
4 should be making, I think we'll see those
5 disproportions go down.

6 MS. WILLIAMS: We can only hope.

7 MR. LOVE: No. I think we can make it
8 happen. And that's my -- I certainly hope. I do
9 this because I hope, but I'll be sad and disappointed
10 if -- and I'm gratified to see the small advances
11 where they occur.

12 MS. GOMEZ: Mr. Love, do you think your
13 committee would be open to having one of us being a
14 liaison?

15 MR. LOVE: One of you could ask to be on
16 the committee. I don't see anything wrong with that.

17 MS. GOMEZ: Is there a limit to the
18 amount --

19 MR. LOVE: I think there's several
20 vacancies.

21 MS. GOMEZ: Okay. It seems like it might
22 be helpful to have a liaison from the Police Review
23 Board that we could collaborate with for --

24 MR. LOVE: Well, that certainly is --

25 MS. GOMEZ: -- more information.

Transcript of Proceedings

1 (Simultaneous speaking.)

2 MR. FISHER: We were not asked.

3 MS. GOMEZ: No. And that's why I'm maybe
4 saying that we should ask instead. If we haven't
5 been asked, we could ask.

6 MR. LOVE: Or find a Who Do You Know and
7 ask who do you know that would like to get involved
8 in this. That's perfectly fair. I don't see --

9 MS. GOMEZ: Or, you know --

10 MR. LOVE: Because that's the way we all
11 got involved anyway. We weren't specifically asked I
12 don't think. The chief put out a general call, who's
13 interested in helping me. And Race Matters Friends
14 was interested and the NAACP was interested and then
15 just a spectrum of citizens that felt that something
16 was wrong but were gratified that the chief was
17 willing to ask for help and seemed to be sincerely
18 intending to consider the recommendations seriously.

19 MR. FISHER: I have a couple questions on
20 the data. Can you tell if one person is being
21 stopped multiple times throughout the year?

22 MR. LOVE: Not from the data that's
23 released, but just as the officers are identified in
24 internal data, there's lots of information about the
25 driver. What happens is there's a -- you know,

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1 there's one database that has the check-offs required
2 for the Vehicle Stop Report. But then -- and I'm a
3 little -- I mean, I've never had a chance to play
4 around with the databases, so I'm not sure, but
5 officers all the time have access to, for instance,
6 the Department of Motor Vehicles car registration
7 information. So they know who owns the car, where
8 the owner lives, what year the car is, all this
9 stuff.

10 I mean, if they're writing up a citation,
11 which is typically as the stop occurs, surely the --
12 either the databases are always set up already and
13 being linked or that should be a possibility that
14 could be done without a lot of trouble. There is a
15 problem here, that the computers are pretty
16 antiquated at Columbia Police Department and the
17 software is very antiquated, and they got new
18 software which has been a disappointment. So we're
19 not going to see the results that -- immediately that
20 we'd like to see.

21 But on the other hand, if we know enough
22 to go ahead -- if the chief feels like he knows
23 enough to go ahead and start reforming policies in
24 certain areas, then I think that's going to show up
25 in the -- the data would be good enough to show the

Transcript of Proceedings

1 positive results of that.

2 MR. FISHER: And how is the driver's race
3 determined?

4 MR. LOVE: Officer perception. Because
5 what you want to know is what the officer thought he
6 was encountering, so you get into --

7 MR. FISHER: Do they have any training on
8 that?

9 MR. LOVE: I don't think so.

10 MR. FISHER: Okay. That's just kind
11 of --

12 MR. LOVE: Well, they must be told
13 something, but I have never --

14 MR. FISHER: They don't ask?

15 MR. LOVE: I've never -- I've never asked
16 specifically what they're told.

17 MR. FISHER: Okay. Just seems in getting
18 a clearer picture --

19 MR. LOVE: Yeah.

20 MR. FISHER: You know, there's that one
21 drop rule, and I've got a friend, depending on where
22 he is in the U.S., he's considered Asian or Hispanic.

23 MR. LOVE: Well, I imagine officers often
24 have problems with -- well, they don't check Other as
25 often as they might. Generally speaking, this is

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1 probably, you know, the terrible inheritance from 400
2 years of slavery, lynching, Jim Crow, segregation,
3 that we all know what race is. This is something we
4 just learn instinctively because it's a culture that
5 we grow up in. And it's going to take a long time
6 before the culture changes enough that it's no longer
7 something that's so firmly implanted in us that it's
8 inescapable. But still officers could, well, either
9 be confused -- and this is something they could fudge
10 on if they care to.

11 The -- a trainer in St. Louis told me
12 that, and this was several years ago; it may happen
13 more frequently than -- well, we know that the
14 officer has been fired because someone noticed that
15 he was checking Black all the time or White all the
16 time. And somebody can look at -- oh, they can
17 probably see photos from the driver's licenses. And
18 what the officer was saying was white, clearly not
19 white on the driver's license picture. Or vice
20 versa. I can't remember which way it went. The
21 officer may have been trying to show he was stopping
22 white and reporting white when it was actually black.
23 I didn't go into detail. But it is possible.

24 St. Louis Police Department was looking
25 at this in that case and other departments could do

Transcript of Proceedings

1 that if -- they're not going to do it unless they
2 have some suspicion that it's occurring. But if
3 there was a suspicion, a citizen or you guys could
4 say, We'd like to do a random sample of officer
5 identifications compared by objective inspector
6 people based on driver's license pictures. I'm not
7 sure it's possible. It may be that -- surely the
8 police department has access to those pictures.

9 MS. WILLIAMS: So, Mr. Love, what do you
10 recommend to this board?

11 MR. LOVE: Well, I'm not sure what you --
12 what your priorities are. I mean, I'd recommend
13 anybody to look more carefully at the data. I don't
14 know. I don't know enough of what you've been doing
15 to say something useful on that. It seems to be that
16 there are some options you could -- you could take
17 more seriously considering policies and whether
18 policies are adequate to give the guidance officers
19 need. That's a big thing.

20 MS. WILLIAMS: which is what we've been
21 doing.

22 MR. LOVE: It's great too that Chief
23 Jones has had public meetings to which he's accepted
24 input on policies. I don't know of any chief that's
25 done that anyplace. Not that I know of everything,

Transcript of Proceedings

1 but it's highly unusual for a chief to ask for -- to
2 put himself out like that to criticism.

3 The department has what I think is an
4 excellent bias-free policing policy; I think I may
5 have mentioned this. That it's not perfect, but a
6 lot of things in there are a huge improvement over
7 what the agency had had in the past. And because
8 it's there and you can look at it, you can start to
9 sort out well, what's inadequate and what needs to be
10 changed here.

11 And one of the things that I suggested
12 the Traffic Stop Committee do next is because the
13 categories that I notice in that bias-free policing
14 policy closely track the sorts of concerns you've
15 raised, that I've suggested that we take, as a
16 subject of study, the bias-free policing policy and
17 just go by section after section. Well, there's a
18 section on customer complaint -- or complaints
19 against officers. And we've talked about that
20 multiple times. How do they go about doing this,
21 what other information about the attitudes of people
22 towards police in general, and stops that are
23 encountered, what would information on that be.

24 So there ought to be, and somebody ought
25 to look carefully at how the complaint process works.

Transcript of Proceedings

1 Is it really set up in such a way that you can get
2 maximum information about the experiences people
3 have.

4 And then when you get to the point where
5 you just can't get any more out of complaints, what
6 can you do with a survey. And get more questions on
7 that city survey or have a separate survey conducted
8 just of people who have been stopped and asking sorts
9 of questions about -- the survey instrument that the
10 Pulled Over people used in Kansas City is available
11 online. Just download it and see the questions that
12 were asked. So it would be pretty easy for --
13 someone with some expertise with surveys could do
14 that. That's something else that MU could do if they
15 were asked to.

16 As I was saying this Dr. Avery, the
17 professor, just finished doing a -- it's been a
18 couple years now, but doing survey of victims of
19 violent crime. So she knows -- she has that
20 experience in surveys, so this wouldn't be -- instead
21 of surveying victims of violent crimes, a survey of
22 people who have had contact with officers and just
23 see what the results are.

24 I feel like I'm talking too much.

25 MR. FISHER: It seems pretty easy to me.

Transcript of Proceedings

1 We just need to hold the reins and --

2 MR. LOVE: It's easy. Do it.

3 MR. FISHER: Well, I mean, I'm thinking a
4 dedicated three-hour-a-week trafficking in white
5 neighborhoods in Columbia could erase this or get it
6 a lot lower. Right? Simple, but.

7 MR. LOVE: People in white neighborhoods
8 certainly wouldn't put up with pretext stops.

9 MR. FISHER: No. But running stop signs,
10 you can find that all throughout the city.

11 MR. LOVE: Yeah. That's something worth
12 doing, you know, things that really are, you know,
13 threats to public safety. And that's what we need
14 officers doing. I need to be reminded to drive more
15 carefully often. Watch the speeds in construction
16 areas, schools. There's lots of things we need
17 officers to be doing, but they certainly shouldn't be
18 concentrated in areas where it's more likely that
19 black drivers are than white drivers.

20 But the department really needs to be
21 careful that the concentrated patrols are where they
22 really need to be and all the decision-making process
23 is without regard to the root of the -- that drivers
24 that are likely to fall into. And that's something
25 that's -- that sort of thinking is becoming more

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1 prevalent among law enforcement, but in the past the
2 attitude tended to be, well, if they knew there were
3 accidents occurring in an area, well, sure, it's fine
4 to concentrate patrols there. But they need to look
5 and see, does that accidentally result in a
6 disproportionate outcome on one group or another.
7 And if it does, they need to take that seriously and
8 do something to mitigate the impact. How can we
9 protect public safety and at the same time not
10 alienate those people that are valued members of our
11 community.

12 You want to look at the check-off sheet?
13 Have you had enough of me? You have that. It's been
14 provided.

15 MR. FISHER: Yeah, we've got it.

16 MR. LOVE: So if you look through it, you
17 can see that what's in black, I believe, is what's
18 basically required by the State and what's been --
19 what Columbia's been doing. And then we added things
20 like more details on things that could be involved in
21 an investigative stop. Like, for instance, we
22 decided we wanted officers to actually check off when
23 they saw a stop as being a pretext.

24 My feeling is that pretext can be a valid
25 tool for law enforcement to use, but it's sure easy

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1 for them, for some of them, to overuse and misuse.
2 They really need to be careful that if they've
3 stopped somebody for a minor violation and the
4 violation wasn't the real cause for the stop, but
5 there was some other reason, that that other reason
6 is adequate to convince a, you know, open-minded
7 skeptic that race wasn't involved.

8 MS. GOMEZ: Would you mind terribly if we
9 end up following up with questions for the pretext
10 stops? I mean the check-off questions.

11 MR. LOVE: Another time?

12 MS. GOMEZ: Just an email.

13 MR. LOVE: Yeah. I like emails. If you
14 have any other specific questions about -- let me do
15 a little bit more of just explanation of what we've
16 got. You got what was essentially my proposal based
17 on, you know, years of thinking about this, about
18 what check-offs would be useful that I submitted to
19 the committee with a, you know, a two page or so
20 explanation of why these things were important, how
21 do they fit into the larger context, what will
22 they -- what will they change, what will they provide
23 that's now missing, and how will that help officers
24 do a better job avoiding discrimination.

25 So what you get there is my explanation.

Transcript of Proceedings

1 We haven't talked about my explanation in the
2 committee. Although they hear me say this all the
3 time, in the way of --

4 COURT REPORTER: I'm sorry, Rose, would
5 you ask him to speak into the microphone.

6 MS. WIBBENMEYER: Can you speak into the
7 microphone.

8 MR. LOVE: Oh, I'm sorry. In the course
9 of discussions, they haven't objected to much I've
10 offered them, but oftentimes they will add things
11 that I haven't thought of. So there's an enrichment
12 that goes on. And a lot of the enrichment is already
13 included in my explanation because I heard what they
14 had to say before I was writing it.

15 Part of it is -- I mean, it talks about
16 what Chief Jones told us he wanted. He started off
17 saying, I want more variables. And there's a lot of
18 misunderstanding about what he meant by variables.
19 But he gave an example of when he was a new officer.
20 He was out riding with a supervisor and the
21 supervisor came to a situation where they saw two
22 cars that had similar equipment defects. And the
23 supervisor advised him to always go after the older
24 car because the older car was more likely to be
25 somehow involved in more serious crimes. And chief

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1 said that struck him as flawed at the time and as
2 years have gone by, he's become more convinced that
3 really is not a good way to go about doing things.
4 It's unfair he would say. And it's unfair when it
5 impacts people both based on race and on
6 socioeconomic status.

7 And in the bias-free policing, two of the
8 characteristics that are set up as being protected
9 are race and, quite unusually, socioeconomic status.
10 You're not to treat somebody differently because he
11 drives an old car. That person is a valued citizen
12 and needs the full respect and fairness that an
13 officer can possibly muster.

14 So, well, we decided that we really
15 couldn't, and I explained this -- no, I think I added
16 this explanation to that text after I sent it to
17 Rose. But I added a comment that we thought about
18 whether we could capture that sort of incident in the
19 check-offs and decided we really couldn't. But if we
20 had a check-off or require equipment violations, and
21 it's also possible for the Columbia Police Department
22 to link to another database with the age of cars,
23 then officers didn't have to record the age of the
24 car because that information could be captured by
25 linking the data.

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1 Part of what we were thinking all through
2 this was how do we make this efficient, how do we
3 make it easy for officers, how do we take advantage
4 of other information that's already available in
5 other sources so they don't have to duplicate what
6 they're doing otherwise or what somebody else has
7 done.

8 MS. GOMEZ: Well, thank you so much for
9 taking so much time to, you know, to share all this
10 information with us and also all the comments were
11 really helpful as well.

12 MR. LOVE: Glad to do it because, you
13 know, there are years when I felt like I was crying
14 alone. You know, one of the things that turned that
15 around was when Race Matters Friends begin agitating.
16 And I got attacked a lot because I was seen as
17 undercutting what they wanted to do. But on the
18 other hand, people paid a lot more attention to me
19 once they emphasized how bad the situation was for
20 blacks in Columbia.

21 So we may have had some disagreements
22 about what exactly should be done and how to go about
23 doing it. I concentrate on policies and they kind of
24 concentrate on people and officers. And I see that
25 as valid, but I'd rather stick with the policies; I

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1 think in the long run it will come closer to -- the
2 City listened to us, listened to them because they
3 were forceful and listened to me because what I said
4 made sense when they begin to listen.

5 And so approaching through multiple
6 voices is what it takes. If we can avoid
7 polarizations so that we're automatically suspicious
8 of each other for one reason or another and instead
9 concentrate on the commonality we all have and the
10 value of those experiences contributing to overall
11 decisions on policy, then we certainly are much
12 better off.

13 So anything I can do in the future, email
14 is fine. If you'd like me to come back sometime and
15 do something, just set a limit on the time.

16 MS. WILLIAMS: Thank you, Mr. Love.

17 MR. LOVE: Great meeting.

18 MR. SMITH: Thank you, Mr. Love.

19 MS. GOMEZ: So I think it's --

20 MR. LOVE: Nice to get to know you
21 better, for now.

22 MS. GOMEZ: I think it's worth
23 considering trying to add a liaison from this board
24 to their committee just because this information
25 seems really helpful in trying to do our work.

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1 MS. WILLIAMS: Are you volunteering?

2 MS. GOMEZ: Well, I'm already the liaison
3 for the Human Rights Commission. So if somebody else
4 is interested in that, that would be great. I'm not
5 saying no, but I would be thrilled if somebody else
6 wanted to do that.

7 MR. FISHER: Do we know who appoints that
8 committee?

9 MS. WIBBENMEYER: I believe it's the
10 police chief.

11 MS. GOMEZ: Well, we can also send a
12 recommendation to the chief to have a liaison from
13 the Police Review Board be on that committee. It
14 just seems like one thing that, you know, Mr. Smith
15 pointed out tonight, that discussion of odor searches
16 seems a particularly good place to start maybe for
17 some of these policies. Right? If only 17 percent
18 of cases in which black people are being searched for
19 an odor search and getting arrested, that number
20 seems really high, you know, in pulling people over
21 or stopping people for something like that.

22 MR. FISHER: Yeah. I mean, if there's
23 someone that wants to join the committee, by all
24 means. I mean, I don't mind asking the chief to make
25 a spot for us.

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1 MS. GOMEZ: If no know else is
2 interested, I will be happy to do it.

3 MR. FISHER: I'll say my time is full,
4 but.

5 MS. WILLIAMS: I know my plate's full.

6 MR. PRINGLE: I think Carly has a passion
7 for this, and I would love --

8 MS. GOMEZ: That's why I asked --

9 MR. PRINGLE: -- to have a
10 representative --

11 (Simultaneous speaking.)

12 MR. FISHER: Yeah. We don't need motion
13 or anything like that.

14 MS. GOMEZ: If we could make a
15 recommendation to, you know, have a position that's a
16 liaison, I will fill that position.

17 MR. FISHER: Okay. Rose, do we need a
18 vote on that?

19 MS. WIBBENMEYER: Is there a motion?

20 MR. SMITH: So moved.

21 MR. PRINGLE: I'll second the motion.

22 (Simultaneous speaking.)

23 MR. FISHER: All right. All those in
24 favor, let me know by aye. Opposed? No?

25 (Unanimous aye vote.)

Transcript of Proceedings

1 MR. FISHER: All right. Then we'll do
2 our best. If there's nothing else, we'll move on to
3 the next item, Approval of the Minutes. If everyone
4 got a draft of the 2020 meeting minutes. Additions,
5 deletions, a motion to approve?

6 MR. SMITH: So moved.

7 MS. GROVER: Second, Grover.

8 MR. FISHER: All those approve, let me
9 know by aye. Any opposed?

10 (Unanimous aye vote.)

11 MR. FISHER: All right. We approved the
12 minutes. On to Reports, positive connections, ride
13 alongs. I'll just say I responded to an email that
14 Rose sent me about someone that was interested in
15 applying to the board. I guess we've got openings
16 coming up next month. But that's all I've got.

17 MR. PRINGLE: I was contacted by a member
18 of the Rolla City Council, Dr. Rachel Schneider who
19 had questions about how Rolla gets their own Citizen
20 Police Review Board. I just gave her the rundown of
21 our history, how we were formed, pointed her toward
22 our bylaws. She was big on she would like their
23 board to have actual control over police policy, the
24 sort of thing I kind of think we should have approval
25 power over police policy and that's something they

Transcript of Proceedings

1 may try to pursue in Rolla. But it was an
2 interesting conversation. And it was good to hear
3 also, and she had been told, that if they wanted to
4 form a police board, a review board, that they need
5 to reach out to us because people hold us in high
6 esteem. So a little pat on the back to us.

7 MS. WILLIAMS: Rose, I have a question
8 for you. So since, due to COVID we can't do ride
9 alongs, is it possible or do we have to make a
10 recommendation to have members go sit in roll call or
11 some kind of other connection with CPD since we can't
12 do ride alongs?

13 MS. WIBBENMEYER: I think that would be
14 really up to you. I mean, the ordinance talks about
15 the ride alongs and then by bylaws, you put
16 additional requirements in with regard to the ride
17 alongs. But if you -- if you're not able to do ride
18 alongs due to COVID, there's really nothing that's
19 quite equivalent to that. I mean, I guess maybe
20 there -- I don't know if the police department ever
21 has people just patrolling downtown on foot, but that
22 could be something that you could socially distance.
23 It's not a ride along per se, but it would be a walk
24 along.

25 MS. WILLIAMS: Is there an alternative?

Transcript of Proceedings

1 SERGEANT ALPERS: That's something you'd
2 have to request with the chief of police.

3 MR. PRINGLE: I got a funny picture of
4 one of us six feet behind the police officer walking
5 downtown.

6 MS. WILLIAMS: Looking like lost little
7 children.

8 MR. PRINGLE: Sir, I have a question,
9 sir.

10 MS. WIBBENMEYER: I know you say that,
11 but I've walked along with police officers and the
12 parking enforcement officers before and building
13 inspectors.

14 MR. SMITH: Could we please put you on a
15 six-foot leash and put the canine vest on and say
16 we're training.

17 MS. WILLIAMS: You remember the handcuffs
18 that the kids had to wear with the parents? I'm just
19 trying to see if there's an alternative that we can
20 do. Because we've got a lot of new members, you
21 know, and they haven't -- they can't do a ride along.
22 So that's why I asked.

23 MR. FISHER: I mentioned there's a
24 scanner app if you want to listen to what's going on
25 with the police, hear what their daily life is like.

Transcript of Proceedings

1 MS. WILLIAMS: All righty.

2 MR. FISHER: All right. If there's
3 nothing else in reports, we'll move on to Old
4 Business. We have the NACOLE conference that has
5 ended. Do we have anything since last time?

6 MR. SMITH: I submitted my paperwork.
7 I'm waiting to hear from them on my renewal for
8 COP -- CPO certification renewal.

9 MR. FISHER: Yeah. I got a reminder
10 written down too. If you are interested or think you
11 might want to be certified, you know, send me your
12 attendance.

13 MR. SMITH: Also if you -- their reading
14 list is not up to date and so if you have read
15 something that's not on their reading list, go ahead
16 and just submit it to them and they will probably
17 approve it. It's supposed to be updated every
18 December, and if I remember correctly, it has not
19 been updated since December 16th.

20 MR. PRINGLE: For the certification
21 process for those of us who just did our first
22 conference for the first full year, so we also just
23 submit your attendance to get your -- to get it
24 started, because we have to do two, right, before we
25 get certified?

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1 MR. SMITH: I believe so. So submit the
2 first year. Keep track of it yourself. Anything you
3 submit to NACOLE, keep track of yourself.

4 MR. PRINGLE: Okay.

5 MR. SMITH: You'll probably end up
6 submitting it twice. Not saying anything about
7 NACOLE; they are understaffed and things frequently
8 either get lost or --

9 MS. WILLIAMS: Misplaced.

10 MR. SMITH: -- or misplaced or glossed
11 over.

12 MR. FISHER: All right. If there's
13 nothing else about the NACOLE conference, we'll move
14 on to Status Updates. In terms of audits, the three
15 of us -- four of us are still trying to get together.
16 If someone else wants to join in, we could add more
17 days to the calendar.

18 MS. WIBBENMEYER: You need to stay under
19 the quorum number or we'll have to advertise.

20 MR. FISHER: We're just trying to even
21 organize two people to get over here at the same
22 time.

23 MR. PRINGLE: I think it's going to be
24 November then.

25 MR. FISHER: Yeah. In terms of Status

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1 Update, recommendation letter regarding foot pursuit
2 training, is there anything new?

3 MS. WIBBENMEYER: September 10th, Chief
4 Jones responded that he requested the training unit
5 to look into foot pursuit training and report back to
6 him. And at that point when he sent the email, he
7 did not have a complete picture of what this would
8 look like. And according to his email, he said it
9 would happen but he's not sure if it will be
10 in-service, virtual, or in shift meetings.

11 MR. FISHER: All right. Anything on the
12 training calendar?

13 MS. WIBBENMEYER: He said in that same
14 email that the training calendar is still being
15 adjusted and he will make it available once he has
16 it.

17 MR. FISHER: All right. On the council
18 report to propose changes, I think they put off
19 looking at that, if I remember.

20 MS. WIBBENMEYER: Correct.

21 MR. FISHER: In terms of the disparity
22 index and related data, is there more we want, more
23 data?

24 MS. GOMEZ: I would think not yet.

25 MR. FISHER: No. Okay.

Transcript of Proceedings

1 Recommendation -- last status update is the
2 recommendations related to chokehold policy. So we
3 passed something last time to remove it from policy,
4 but then in conversations Rose had with some folks,
5 she reached out to myself and to members Heather and
6 Carly about some flaws in it. So instead of just
7 writing the letter requesting to remove it from
8 policy, it was thought better to bring back to the
9 board with those issues. Right? So if someone else
10 would want to explain that maybe, what the issues
11 were.

12 MS. GOMEZ: Sure. Essentially the
13 problem is that there -- the other policies in the,
14 you know, police handbook and everything would allow
15 for, like, say you've been in the military and had
16 training in chokehold, it would still be an
17 acceptable practice essentially. So by not having it
18 banned, it creates a loophole in which it could be
19 acceptable.

20 And I think also, you know, part of the
21 reason why I had been interested in removing it was
22 knowing some of the public thought removing it was
23 the right direction and it seemed like a lot of the
24 public feels differently now, that an outright ban is
25 the best way forward.

Transcript of Proceedings

1 MS. WIBBENMEYER: So on the next council
2 meeting on October 19th, the City Council agenda will
3 include a proposed ordinance to prohibit the use of
4 chokeholds and neck restraints. I have not seen what
5 that looks like yet; the agenda gets published on
6 Thursday, so Thursday evening you might look for it
7 on there.

8 It may be that when the council takes
9 that up, it may be that they might refer it back to
10 the Police Review Board or possibly the Human Rights
11 Commission or both. The Human Rights Commission's
12 November meeting was cancelled, so I don't know that
13 it will go to them, simply because it would delay any
14 action on that for quite a while.

15 The difference between the violation of a
16 police policy and the creation of an ordinance that
17 would prohibit or ban neck restraints or chokeholds
18 is that with a policy violation, that would be still
19 considered misconduct, so that could impact the
20 employee's personnel record based upon the facts and
21 the employee's work history. The City follows
22 progressive discipline, so you would expect to be --
23 to have something related to some sort of personnel
24 action. Okay.

25 And depending upon what happened, it

Transcript of Proceedings

1 could be anything from very minor coaching to --
2 although with a chokehold or neck restraint, it would
3 probably be something more serious and it could go
4 all the way up to termination.

5 Now, if there's an ordinance adopted that
6 would ban the practice, in addition to that
7 constituting misconduct because it's a violation of
8 laws, the officer could, in fact, be prosecuted in
9 municipal court for violating an ordinance. So
10 that's kind of the big difference in the two
11 approaches. And I can't remember which
12 councilperson -- I'm thinking it was Councilperson
13 Thomas who has requested the ordinance be prepared.

14 MR. BOYKIN: I think you're. I believe
15 it was Thompson -- or Thomas.

16 MR. PRINGLE: When you say neck
17 restraints, remember we had a lot of talks here
18 about chokeholds, carotid holds, and all of that.
19 Are we -- is this ordinance trying to close any
20 loopholes in --

21 MS. WIBBENMEYER: I -- I do not know. I
22 have not seen it yet. I won't see it until probably
23 Thursday evening.

24 MR. FISHER: So are we needing to change
25 our recommendation? Is that what our --

Transcript of Proceedings

1 MS. WIBBENMEYER: I think it's really up
2 to you as to what you intended when you passed the
3 motion. If you intended that the policy be removed
4 and you still want the policy to be removed, then I
5 don't think you have to do anything. But if you
6 thought or intended the removal of the policy to mean
7 that chokeholds were not allowed, then you probably
8 need to clarify your motion, pass a new motion, and
9 instead of removing the policy, it would probably go
10 back to Heather's original recommendation which I
11 believe was to put a period after "are prohibited,"
12 period. So it just kind of depends upon what you
13 want.

14 I mean, when I tried to go through --
15 when I went through the transcript and tried to
16 prepare the initial draft letter with the
17 recommendation, by removing -- by recommending
18 removal of the policy, it seemed as though you were
19 opening it back up, which I thought was in direct
20 opposition to what you all intended to do when you
21 passed it. So that's why I emailed --

22 MS. WILLIAMS: I would like to put a
23 period after prohibited.

24 MS. GOMEZ: Same.

25 MS. SEAMON: I agree.

Transcript of Proceedings

1 MS. WIBBENMEYER: Is there a motion to
2 make?

3 MR. SMITH: Well, I'd like -- I'd like it
4 treated like any other use of deadly force, you know.
5 Unless -- I'm trying to think of a way to put it.

6 MR. FISHER: The way it is now.

7 MR. SMITH: How is it now?

8 MR. FISHER: Unless, you know, deadly
9 force.

10 MR. SMITH: I don't have it in front of
11 me. Does anybody have the current policy in front of
12 them?

13 MR. BOYKIN: Chokes, strangles, or
14 similar holds which restrict the flow of blood to the
15 brain or the person's ability to breathe are
16 prohibited except where the officer reasonably
17 believes there is an imminent danger of death or
18 serious physical injury to him, slash, herself or a
19 third party and this action is the only reasonable
20 means at that time to stop the threat.

21 MS. GOMEZ: See I actually think a ban
22 would be better than it is right now because imminent
23 threat doesn't necessarily mean that minute. Right?
24 It means that they could think that they're going to
25 be a threat from going after somebody else later.

Transcript of Proceedings

1 And I think that what we've seen is that --

2 MR. SMITH: So why don't we change
3 imminent to immediate?

4 MR. BOYKIN: I don't think that'll
5 satisfy the citizens of Columbia that are wanting it
6 changed.

7 MR. SMITH: I have a problem taking -- if
8 an officer is in a struggle or if someone else is
9 about to be harmed, if you're in a fight for your
10 life, anything's fair. If I am in a fight for my
11 life, I will pick up a Toyota and slam it on their
12 damn head if I have to.

13 MS. GOMEZ: But isn't that what's
14 protected in self-defense laws? You know, like, if
15 you're --

16 MR. SMITH: But you're --

17 MS. GOMEZ: -- doing a chokehold because
18 you're like in the middle of possibly dying, then,
19 you know, that would be -- am I misunderstanding
20 that?

21 MR. SMITH: Yeah, but if you ban that, if
22 the officer's in the possibility of possibly dying
23 but he breaks policy because he's using a chokehold,
24 because it's banned, he's using a banned technique,
25 he or she's using a banned technique.

Transcript of Proceedings

1 MR. PRINGLE: What you just described,
2 Carly, that's how Chief Jones sees the policy right
3 now is that if it's a life/death situation, the
4 officer has to put a chokehold on someone to save
5 someone or save the officer's life, Chief Jones will
6 not punish them for doing that. But beyond that
7 scope, that's when he doesn't want to see them
8 employed at all.

9 MS. GOMEZ: So imminent threat doesn't
10 necessarily mean in that moment. Correct?

11 MR. PRINGLE: It can be vague. It can be
12 whatever you wanted it to be. Usually it does mean
13 like the threat is pressing right now.

14 MR. SMITH: Right. Imminent usually
15 means right now.

16 MS. GOMEZ: From what I understood -- I
17 mean, yeah, maybe I just misunderstood. So imminent
18 means right now.

19 MS. WILLIAMS: Right now.

20 MR. SMITH: Yes. You are about to kill
21 me or somebody right there in the immediate area.

22 MR. PRINGLE: The officer sees someone
23 standing over someone with a knife and they're
24 getting ready to stab them, then they're going to
25 tackle them and put them in a chokehold.

Transcript of Proceedings

1 MR. BOYKIN: This also has been possible
2 cause of being able to use lethal threat if they
3 perceive that it could become a lethal threat. So --

4 MS. WILLIAMS: Discretion.

5 MR. BOYKIN: -- involving a case for
6 discretion they could say that I thought that they
7 were reaching for a gun in their waistband so I put
8 them in the chokehold to remove them from that
9 environment.

10 (Simultaneous speaking.)

11 COURT REPORTER: Rose, when they're all
12 talking, I can't tell who's speaking or what they're
13 saying.

14 MR. SMITH: -- is consistent with every
15 other policy on lethal force.

16 Lethal force is lethal force.

17 MS. WIBBENMEYER: Just before you go on,
18 just a reminder, speak one at a time so the court
19 reporter can get everything down. Thank you.

20 MS. WILLIAMS: So what motion do we want
21 to put out there?

22 MS. SEAMON: I still like a motion to put
23 the period at the end of "prohibited."

24 MS. GROVER: So it'll still say "except."
25 Period, and then it still says "except."

Transcript of Proceedings

1 MR. BOYKIN: No. They're wanting to
2 remove the whole --

3 MS. GROVER: Oh, you want to remove the
4 whole rest of the sentence.

5 MR. BOYKIN: It would just be, Chokeholds
6 are prohibited.

7 MS. GOMEZ: Did you make the motion?

8 MS. SEAMON: Yes.

9 MS. GOMEZ: I'll second. Gomez seconds.

10 MR. FISHER: All right. I don't think
11 it'll be unanimous, so I'll do a roll call to amend
12 the policy to stop it at "prohibited."

13 MS. WIBBENMEYER: So it's a motion to
14 send a report -- a letter or a report to the police
15 chief to recommend -- or I guess a motion to send a
16 recommendation to the police chief to recommend that
17 policy number 300.11.4 be amended to put a period
18 after "prohibited" and remove the rest of the
19 sentence. Is that correct?

20 MS. SEAMON: Correct.

21 MR. PRINGLE: Does that sentence just say
22 chokehold or is that carotid hold or anything else in
23 there?

24 MR. BOYKIN: It just --

25 MS. GROVER: Choke, strangle, or similar

Transcript of Proceedings

1 holds.

2 MR. BOYKIN: It just -- yeah, strangle
3 and chokeholds. And it does say holds, so that's
4 multiple.

5 MR. PRINGLE: So after all the talk we've
6 had of the difference between all of them, I don't
7 think that -- that's not going to seal your loophole.

8 MR. SMITH: No.

9 MR. BOYKIN: Well, the other thing,
10 choke, strangle, or similar holds which restrict the
11 flow of blood to the brain and a person's ability to
12 breathe. And that both goes to chokeholds. One does
13 the blood to the brain, one does the airflow.

14 MR. SMITH: So it's perfectly reasonable
15 to use a neck restraint. Or do you not know the
16 difference?

17 MR. BOYKIN: We were told one chokehold
18 was the restrict the blood flow and one is to
19 restrict the breathing. And that sentence literally
20 says the blood flow or breathing.

21 MR. SMITH: And I said neck restraints,
22 so obviously we don't know the difference. I can
23 apply a neck restraint without restricting airflow or
24 blood flow.

25 MS. GROVER: Well, that wouldn't go in

Transcript of Proceedings

1 this policy.

2 MR. SMITH: But it would look like a
3 chokehold.

4 MS. GOMEZ: But hopefully this will be in
5 addition to what City Council is doing, not instead
6 of what City Council is doing. And we don't know
7 what City Council's recommendation is going to be
8 yet.

9 MS. GROVER: So if we --

10 MR. SMITH: So we're going to --

11 MS. GROVER: -- if we wait for City
12 Council, where do we go from there?

13 If we wait a week for City Council to
14 make a decision.

15 MS. SEAMON: Well, they're two separate
16 things, so I don't know that we need to wait.

17 MR. PRINGLE: Yeah. Ours is just for
18 misconduct in the policy manual. They're actually
19 going --

20 MS. SEAMON: Correct.

21 MR. PRINGLE: -- you know, on prosecution
22 if they pass theirs.

23 MS. WIBBENMEYER: Which would also be
24 misconduct.

25 MR. SMITH: So if theirs is going to be

Transcript of Proceedings

1 misconduct, ours is going to be misconduct,
2 shouldn't, since theirs is going to be misconduct
3 also, shouldn't we wait and see what they do?

4 MS. GOMEZ: I think that if we voice our
5 support of a ban, it might, you know, encourage them
6 to do that as well. So I think it would be important
7 to do so.

8 MS. WILLIAMS: I agree.

9 MR. BOYKIN: I agree as well.

10 MS. WIBBENMEYER: It also really depends
11 upon what you think is appropriate if an officer uses
12 one of those holds. So, for example, if what you
13 think is appropriate, you want them not to use them
14 but if an officer does use them, you just want a
15 range of employment consequences and no prosecution,
16 then what you really want is the policy to be amended
17 and not necessarily the ordinance to be adopted. If
18 instead you think, Oh, these are so serious that the
19 City should be allowed to both have the option of
20 either prosecuting the officer or doing discipline,
21 then you would want the ordinance to be adopted. Do
22 you see what I'm saying?

23 MS. GOMEZ: But we can ask for both.
24 Correct?

25 MS. WIBBENMEYER: Correct. I think that

Transcript of Proceedings

1 would be a separate motion from the motion that you
2 have on the floor right now.

3 MR. FISHER: Yeah. We don't know what
4 the ordinance is going to say.

5 MS. GOMEZ: Right. But we won't know
6 that until next time.

7 MS. WIBBENMEYER: Thursday when the
8 agenda gets released, you'll be able to see the draft
9 ordinance. If -- because it's an ordinance, it would
10 take two reads before council before they could vote
11 on it, so.

12 MR. BOYKIN: We may have a meeting before
13 the second reading. Or maybe not.

14 MS. WIBBENMEYER: I don't think so. It
15 would be the first Monday of next month. And that's
16 assuming that there's enough interest on council to
17 pass the legislation.

18 But I do think that as you're thinking
19 through what it is you hope to accomplish and what
20 you think is appropriate, just bear in mind that
21 difference between a violation of the ordinance,
22 which misconduct is either a violation of policy or
23 ordinance or law. So if it is an ordinance and it
24 prohibits it, they can be disciplined and then
25 there's also prosecution. If it's just in policy and

Transcript of Proceedings

1 not an ordinance, it would just be an employment
2 consequence within the range based on the facts of
3 the case, the officer's employment history, and that
4 sort of thing.

5 MS. GOMEZ: So is there a concern that if
6 we were to propose this ban in the conduct, that then
7 they -- or is both fine?

8 MS. WIBBENMEYER: Say that again, I'm
9 sorry.

10 MS. GOMEZ: Sorry. Say there is a
11 concern that if we were to pass the conduct, then the
12 policy -- like should we instead maybe send a letter
13 to support the idea of a ban for the ordinance?

14 MS. WIBBENMEYER: I don't think there's
15 really a problem -- like if you feel really strongly
16 that these things should be banned, I don't think
17 there's a problem with supporting both.

18 MR. BOYKIN: That was my thought.

19 MS. WIBBENMEYER: If you, however, think,
20 I don't want them to use these, but I also don't want
21 an officer to be prosecuted, then what, you know,
22 supporting the motion that's on the floor for the
23 change in policy. But if there's another motion that
24 says motion of support for the ordinance, the person
25 who wanted it just to be a policy change and not the

Transcript of Proceedings

1 ordinance change would vote yes on the policy motion
2 and no on the motion in support of the ordinance.

3 MS. GOMEZ: So it's a question of whether
4 or not we should have two different motions, if we're
5 interested in having the motions?

6 MS. WIBBENMEYER: Yeah. I mean, I think
7 that, as well as how strongly you feel about it.
8 Like, if you feel so strongly that these should be
9 prohibited, it may be that you really want the
10 ordinance, even though we don't know what that looks
11 like, as compared to the police policy. Like,
12 you're -- I mean, there's still discretion. No
13 matter what you do, there will be discretion based
14 upon what the facts are. Similarly, like if there is
15 an ordinance prohibiting it and an officer were to
16 violate that ordinance, there is a prosecutor who has
17 to do an independent determination of whether or not
18 he or she wants to prosecute that violation.

19 MS. SEAMON: So we have a motion.

20 MR. BOYKIN: We have a second.

21 MS. SEAMON: And we have a second. So
22 now we need to vote.

23 MR. PRINGLE: Can I get a reading of what
24 exactly the language is we're -- is it just purely
25 putting a period after "prohibited"? That's --

Transcript of Proceedings

1 MS. GROVER: And getting rid of the rest.

2 MS. WILLIAMS: What did you say?

3 MS. GROVER: And getting rid of the rest
4 of the sentence.

5 MR. FISHER: So now we'll vote. Boykin?

6 MR. BOYKIN: Yes.

7 MR. FISHER: Fisher? Yes. Grover?

8 MS. GROVER: no.

9 MR. FISHER: Pringle?

10 MR. PRINGLE: I'm thinking. No.

11 MR. FISHER: Seamon?

12 MS. SEAMON: Yes.

13 MR. FISHER: Smith.

14 MR. SMITH: Strong no.

15 MR. FISHER: Williams?

16 MS. WILLIAMS: Yes.

17 MR. FISHER: Gomez?

18 MS. GOMEZ: Yes.

19 MR. FISHER: Five to four. I guess we
20 can try to get it before council's meeting, but they
21 probably won't see it. I guess we're sending it to
22 the chief, so.

23 MS. WIBBENMEYER: Right. Any
24 recommendations would go to the police chief and the
25 city council.

Transcript of Proceedings

1 MR. FISHER: Okay. Anything else?

2 MS. WIBBENMEYER: And just for
3 clarification I have down Grover, Pringle, and Smith
4 are noes. Is everyone else a yes?

5 MS. GOMEZ: Yes.

6 MS. SEAMON: Yes.

7 MS. WILLIAMS: Yes.

8 MR. SMITH: Could it be included in the
9 letter that there was a divided vote?

10 MR. FISHER: I mean, we won't write that
11 it was unanimous, yeah. It wasn't unanimous, so
12 yeah, it'll be in there.

13 Anything else on that topic? Probably
14 revisit it again. So we'll move on to New Business.
15 We've got the supplemental annual report. I think
16 we've got all CPD's information now, so. Heather and
17 I, I think, are the ones working on it. She's not
18 here so I'm not going to speak for her, but if anyone
19 else wants to join, any new members. It's really --
20 the police department comes up with their yearly
21 numbers and their reports, provides them to us. And
22 then traditionally we're supposed to kind of comment
23 on them and give them kind of the board's skills and
24 time to look at those numbers. We just kind of
25 report that to the council, add it on to our annual

Transcript of Proceedings

1 report what we see in those numbers and any trends
2 that we can. So if someone wants to help, I'll do my
3 best. And Heather's already done some work, but
4 we'll get it along. Nothing else on that.

5 It is October and the election of chair
6 and vice chair. Anyone wants to be chair or vice
7 chair or nominate someone?

8 MR. SMITH: I would like to nominate
9 Mr. Pringle for chair.

10 MS. GROVER: I second.

11 MR. PRINGLE: I was going to nominate
12 Ms. Williams for chair.

13 MS. WILLIAMS: What?

14 MR. FISHER: Does that mean you don't
15 want it? Can we vote on it?

16 MR. PRINGLE: We can take a vote on it.
17 I don't care.

18 MR. FISHER: All right. We'll do a roll
19 call vote. Boykin?

20 MR. BOYKIN: What are we voting on?

21 MR. FISHER: Oh, Travis Pringle to be
22 chair next year.

23 MR. BOYKIN: Is there anybody else
24 looking to be chair?

25 MR. FISHER: I --

Transcript of Proceedings

1 MR. PRINGLE: I'll be happy to give up,
2 put Ms. Williams on there. You are vice chair.

3 MS. GROVER: Can Ms. Williams be vice
4 chair again?

5 MS. WIBBENMEYER: There's no prohibition
6 on that. One thing we haven't talked about is I
7 think you all have that bylaw you adopted where --

8 MR. PRINGLE: I think you need to be
9 certified, don't you?

10 MS. WIBBENMEYER: -- one of the two
11 positions have to be certified.

12 So I don't know who's certified right
13 now.

14 MR. SMITH: The three of us. And so if
15 Mr. Pringle's chair and Ms. Williams is vice chair,
16 we have satisfied the requirements of the bylaw.

17 MS. WIBBENMEYER: Right. Just one of the
18 two positions needs to be.

19 MR. SMITH: That's correct.

20 MS. WIBBENMEYER: And then was there a
21 second on the motion?

22 MR. FISHER: There was. Who did second?

23 MS. GROVER: (Indicating.)

24 MS. WIBBENMEYER: Thank you.

25 MR. FISHER: All right. Boykin?

Transcript of Proceedings

1 MR. BOYKIN: Yes.
2 MR. FISHER: Fisher? Yes. Grover?
3 MS. GROVER: Yes.
4 MR. FISHER: Pringle?
5 MR. PRINGLE: Yes.
6 MR. FISHER: Seamon?
7 MS. SEAMON: Yes.
8 MR. FISHER: Smith.
9 MR. SMITH: Yes.
10 MR. FISHER: Williams?
11 MS. WILLIAMS: Yes.
12 MR. FISHER: Gomez?
13 MS. GOMEZ: Yes.
14 MR. FISHER: All right. We'll move on to
15 vice chair.
16 MS. GROVER: I'd like to nominate
17 Cornelia --
18 MR. SMITH: Second.
19 MS. GROVER: -- as vice chair.
20 MR. FISHER: All right. You okay with
21 that? Do roll call vote again. Boykin?
22 MR. BOYKIN: Yes.
23 MR. FISHER: Fisher? Yes. Grover?
24 MS. GROVER: Yes.
25 MR. FISHER: Pringle?

Transcript of Proceedings

1 MR. PRINGLE: Yes.

2 MR. FISHER: Seamon?

3 MS. SEAMON: Yes.

4 MR. FISHER: Smith.

5 MR. SMITH: Yes.

6 MR. FISHER: Williams?

7 MS. WILLIAMS: Yes.

8 MR. FISHER: Gomez?

9 MS. GOMEZ: Yes.

10 MR. FISHER: All right. Next item,
11 General Comments by Public Members and Staff. Anyone
12 from the public like to speak?

13 MR. LOVELADY: I have a long list of
14 things that I want to talk about, but I would first
15 like to address the chokehold policy. So when I said
16 that I wanted to --

17 COURT REPORTER: Rose, could you ask him
18 to use the microphone?

19 MS. WIBBENMEYER: I'm sorry. Could you
20 speak in the microphone so the court reporter --

21 MR. LOVELADY: Yes. I'm going to take
22 this mask off. Is that okay? Can you hear me
23 better? Okay.

24 So when Ian Thomas reached out to me, he
25 asked me what was my recommendations and it was

Transcript of Proceedings

1 exactly what you guys just proposed and that was just
2 a period. But just a question. I don't know if I
3 can address a question to you?

4 MR. SMITH: Sure.

5 MR. LOVELADY: So you're not for getting
6 rid of the chokehold and, but one thing that the
7 policy does not do, it doesn't differentiate what is
8 a chokehold, what is a neck restraint, what is -- so
9 there's no definition of what is which. So it kind
10 of makes it hard to prosecute an officer for doing
11 so. But I've also done a lot of research on
12 chokeholds, and a person would have to be perfectly
13 still to have -- and have that chokehold applied to
14 them or have like training daily. And I listened the
15 last time I was here when an officer was up here,
16 for 16 years that he never had training at all.

17 And so we would still give them
18 permission to put a chokehold on somebody and they've
19 never had training?

20 MR. SMITH: They've never had training in
21 throwing a -- dropping a brick on anyone's head
22 either, but if it's a matter of life and death, they
23 are going to drop a brick on someone's head.

24 MR. LOVELADY: Correct.

25 MR. SMITH: And so it's the same thing.

Transcript of Proceedings

1 MR. LOVELADY: But it's also the
2 discretion of what they choose to consider life or
3 death. So --

4 MR. SMITH: It's the same application.

5 MR. LOVELADY: -- and I heard Chief Jones
6 continually use the scenario of when he come in and a
7 woman is on the ground and a man is about to slice
8 her neck, so that's the -- that's a hypothesized
9 situation that he gives. So the only thing that he
10 can do is place a chokehold on that person in order
11 to restrain him?

12 MR. SMITH: Depending on the --

13 MR. LOVELADY: You just --

14 MR. SMITH: -- situation.

15 MR. LOVELADY: -- voted for same that
16 situation.

17 (Simultaneous speaking.)

18 MR. SMITH: But that situation might call
19 for a --

20 MR. LOVELADY: But you -- but you --

21 MR. SMITH: -- a high speed
22 intervention --

23 MR. LOVELADY: You ask us to imagine that
24 because that's the same scenario that Chief Jones
25 continually uses.

Transcript of Proceedings

1 MR. SMITH: Yeah. I wouldn't have a
2 problem with that. The only problem I would have --

3 MR. LOVELADY: Okay. If you're going to
4 use a chokehold on somebody that has a knife -- so if
5 I have a chokehold on you like this and a knife in my
6 hand, could I stab you?

7 MR. SMITH: Yeah.

8 MR. LOVELADY: But I also have mace. I
9 have also have a Taser. I also have a gun that could
10 wound the shoulder. Like, so going through a
11 chokehold is the answer -- is the answer to the --

12 MR. SMITH: No. He should be possib--
13 potentially shot honestly. A hundred and twenty-four
14 grains to the head.

15 MR. LOVELADY: How did he get on this
16 board? That would be my question.

17 MR. FISHER: That's a --

18 MR. LOVELADY: Because shouldn't you be
19 able to, like, think logically, and that's a logical
20 thought?

21 MR. SMITH: That's a deadly force
22 situation. He has the right to kill another
23 individual.

24 MR. LOVELADY: Okay. But did you not
25 just listen to the man's report earlier today when

Transcript of Proceedings

1 black and brown people are being addressed way
2 differently. And that data has been collected for 20
3 years, yet no one has looked at it for 10. And then
4 a black or brown person, I know it equates to -- that
5 it's about driving, but if we have that problem with
6 driving, we probably have that same problem, that
7 same problem when they look at me as imminent threat.

8 MR. SMITH: You just posed a situation to
9 me --

10 MR. LOVELADY: I'm just saying --

11 MR. SMITH: -- of a person standing over
12 a woman with a knife.

13 MR. LOVELADY: Uh-huh.

14 MR. SMITH: You did not include any data
15 with regard to race, age, disability, or anything
16 else.

17 MR. LOVELADY: Correct.

18 MR. SMITH: I addressed the issue that
19 you posed to me.

20 MR. LOVELADY: Correct.

21 MR. SMITH: Correct? Did I or did I not.

22 MR. LOVELADY: Are you getting upset?

23 MR. SMITH: No. I'm coming with you with
24 the facts as you came to me.

25 MR. LOVELADY: Uh-huh. And I --

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1 MR. SMITH: So you -- did you or did you
2 not say a man --

3 MR. LOVELADY: Uh-huh.

4 MR. SMITH: -- over a woman with a knife?

5 MR. LOVELADY: Correct.

6 MR. SMITH: Is that not a deadly force
7 situation?

8 MR. LOVELADY: That is a deadly force
9 situation, but the officer would directly put himself
10 in the line of deadly force by going to a neck
11 restraint, chokehold, whatever you may choose to say.

12 MR. SMITH: I absolutely agree with that.
13 I absolutely agree with that. And that's why I
14 recommended 124 grain intervention and you took
15 offense to that.

16 MR. LOVELADY: I actually didn't take
17 offense. I just wanted to make sure -- I wanted to
18 understand why.

19 MR. SMITH: Because it's a deadly force
20 situation.

21 MR. LOVELADY: Okay. That makes sense.

22 MR. SMITH: That's where the word
23 "imminent threat" comes in. That is a prime example
24 of imminent threat.

25 MR. LOVELADY: Okay. Another thing as I

Transcript of Proceedings

1 was listening to Mr. Love's report how it was, well,
2 I want to say, last time you I submitted a video. So
3 may I ask what has happened with those videos since I
4 submitted them? Because I submitted them to you guys
5 and I also submitted them to City Council.

6 MR. SMITH: I watched them and I think I
7 sent Rose a request for a little bit more video if
8 you have them. Did you get those requests?

9 MR. LOVELADY: I actually did not get a
10 request. But what I sent you guys was what I got
11 from offline. And I know one -- for one he got --
12 well, I don't want to speak on that person's behalf,
13 so I can't do that. But even in the video when he --
14 the officer told him, I'll pull you out, and then to
15 make an assumption of shape and being on the
16 floorboard of a car, how can you -- how can an
17 officer stand outside of a closed door and see shape
18 on a floor, a carpeted floor where my legs are still
19 over the carpeted floor.

20 MS. GOMEZ: That's a really good point.
21 That's why I'm so concerned about the plain-sight
22 searches and then the odor searches because of things
23 like this. That, like, my concern is that that type
24 of racism is happening, you know, the internal biases
25 are there, and that's why I'm hoping to pursue that

Transcript of Proceedings

1 more because it seems like that's another situation
2 besides pretext stops that maybe there's internal
3 biases showing up. I think it has -- has that
4 individual made a complaint?

5 MR. LOVELADY: That individual fears that
6 if he made a complaint, that nothing will happen. So
7 he has not made a complaint.

8 MS. GOMEZ: So, Rose, are we -- can we
9 suggest, like, a complaint, you know, encourage
10 citizens to make complaints if they have a complaint?

11 MR. SMITH: Absolutely. I mean, we can't
12 act on something if we don't --

13 MS. GOMEZ: Yes. So the process is, you
14 know, the -- it can be challenging because we don't
15 see complaints first, right, the police see the
16 complaints. And if they say that there's nothing
17 there --

18 MR. LOVELADY: Then you --

19 MS. GOMEZ: -- that's when you can appeal
20 to them.

21 That's when you can appeal it. And
22 that's when we see it and that's when we can --
23 that's when we can address the complaint.

24 MR. LOVELADY: So how long will that
25 process take?

Transcript of Proceedings

1 MS. GOMEZ: It takes some time. I don't
2 know. Do you know?

3 MR. PRINGLE: After the police
4 investigation, it's 21 days to appeal to us. And
5 once that appeal is made to us, it usually should be
6 on the next meeting that we have pretty much, the
7 next month after that.

8 MS. WIBBENMEYER: The original complaint
9 needs to be filed within one year of the date of the
10 incident. And it can be filed by the individual
11 or it could be filed by someone who sees it in person
12 or any resident of Boone County or a family member or
13 an attorney of the person involved.

14 MS. GOMEZ: It's, you know, unfortunate
15 that it's such a long process. I know that there are
16 boards in different cities that get to review
17 complaints before -- is that correct, there are other
18 boards where we, the board, would review the
19 complaint first?

20 MR. SMITH: Right. They would have the
21 initial review process.

22 MS. GOMEZ: We do not. We do not have
23 that power, so we would be the second step.

24 MR. LOVELADY: Okay. I'll just refrain
25 from saying my other stuff, but first I would like to

Transcript of Proceedings

1 see what happens at the City Council on the 19th.

2 I would like to report, also before I
3 leave, on the stakeholders meeting. So on Monday,
4 had a conference call because the department said
5 that he was going to reach out to everybody, he said
6 that here last time. So when he reached out, it was
7 like via a Zoom meeting. And they were supposed to
8 report out of what the report the data gathered. But
9 in that -- in that meeting, they just kind of like
10 spoke to a different -- a few different things, but
11 never reading the report, and they were going to
12 present it on the 19th.

13 Well, when -- the stakeholders was like,
14 Well, how can you present to council something that
15 you've never even read to us, because that's what was
16 going to happen. So that's how the 19th got
17 scratched off the board. So everybody was like, We
18 don't want -- we don't want our comments to go
19 straight to the board when we haven't seen the
20 report.

21 So they released the report just to a
22 few people and then to everybody in totality. But
23 it's just, to me it seemed as if that stakeholder
24 meeting is a waste of time. They've already spent
25 \$30,000 paying people to come up with or summarize

Transcript of Proceedings

1 what we're saying, but we have -- you guys, the
2 police, everybody has the same data that shows the
3 exact same thing that we're seeing.

4 Now, when you guys wanted to implement
5 something or City Council wanted to implement
6 something about COVID, they didn't wait a long period
7 of time. So if it's a true problem and we're
8 prioritizing it, then what's the wait. So now we
9 have -- what are we. So this started in June and
10 we're into October and now it's postponed again with
11 no timeline. So like what is the point of the
12 stakeholders meeting if everybody's getting paid but
13 the stakeholders? And so what is the point of all
14 this?

15 MR. SMITH: When you said something's
16 postponed, what's postponed?

17 MR. LOVELADY: The 19th. They were
18 supposed to -- like the agenda was for us to come in
19 and talk about just different issues, different
20 things --

21 MR. SMITH: Come into council or come in
22 with other stakeholders?

23 MR. LOVELADY: All the stakeholders were
24 supposed --

25 MR. SMITH: For the stakeholders meeting?

Transcript of Proceedings

1 MR. LOVELADY: Correct.

2 MR. SMITH: Okay.

3 MR. LOVELADY: On the 19th. But what has
4 happened is they've now cancelled that. And we
5 just -- once again, it's postponed and we don't know
6 what the next step or what's coming next.

7 So in my interview I told them I feel
8 that it was already a lot of lip service. And I was
9 like, What are the action items. What's the true
10 timeline. And we have me there still, and it's what,
11 four months later, we still have nothing to go off
12 of. Yet they're wasting our time, but they're
13 getting paid for it.

14 MS. WILLIAMS: So you feel like you're
15 just being strung along?

16 MR. LOVELADY: Yeah. Just being strung
17 along again until something -- until it finally just
18 dissipates. Like what is the point.

19 MR. SMITH: So how could we help? What,
20 if anything, could we do?

21 MR. LOVELADY: I don't know. So one
22 thing that -- when you're at a table, you're supposed
23 to bring all the people to the table to really hear
24 their voices. I, for one, don't feel like the
25 community voice is being heard a lot. I know that

Transcript of Proceedings

1 they reach out to different stakeholders. I don't
2 really understand how they chose the stakeholders. I
3 know that this meeting happened because I initially
4 had set up a meeting with the police officers and
5 somehow due to COVID and other reasons, but even in
6 our meeting I was told that I had been lucky that my
7 Mike Hester recommended me.

8 MS. WILLIAMS: What? What? What? What?

9 MR. LOVELADY: Yeah. That I was lucky
10 that Mike Hester recommended I been there because I
11 was new to all this process. So it's just a lot of
12 stuff that has went on and I wish you guys had my
13 actual report. Because you can look at my report and
14 it says, Well, you should be lucky because Mike
15 Hester recommended you. And that should have -- that
16 should have been -- I haven't had the actual
17 transcripts, but that -- if you guys got the
18 transcript, that should be in the report.

19 MR. SMITH: We haven't seen anything.

20 MS. GROVER: They haven't sent us
21 anything at all.

22 MR. LOVELADY: So I have been forwarding
23 this information to council members that I was --
24 because they weren't even wanting council members in
25 the meeting, but I would say that Kylar was in the

Transcript of Proceedings

1 meeting. The chief of police was not there. Mike
2 Hester was there, but he did not speak at all until
3 called upon at the very end.

4 So when you're at a -- when you're having
5 a meeting and you're trying to get true structure or
6 a true action item, shouldn't everybody be speaking?
7 So it seems to me that this really is a back burner
8 item.

9 MR. PRINGLE: You said there's no update
10 on when the new release date's going to be?

11 MR. LOVELADY: No. So we -- they --
12 everybody voted to postpone the 19th, but I kept
13 pushing, like, Let us see the report. So finally
14 Kylar was like okay.

15 MS. WILLIAMS: Kylar Broadus.

16 MR. LOVELADY: Uh-huh. He was like,
17 Okay, we'll do something about getting the report
18 out. Well, I know that several of the people got the
19 report way before I did.

20 I'm shaking because I'm cold, guys. I
21 just came from working out and I'm wet. I'm not
22 nervous; I'm just cold, so.

23 But yeah, throwing out the report, so I
24 think they're literally -- I didn't receive the
25 report and then so initially I got the report. I

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1 mean, it's just a bunch of blah, blah, blah, blah,
2 blah. And even in the meeting I said the same thing,
3 that this is a bunch of blah, blah, blah, blah, blah.
4 You guys are wasting our time. What are the action
5 items. You ask what the problem --

6 MS. WILLIAMS: So what kind of action
7 items would you like to see?

8 MR. LOVELADY: For one --

9 MS. WILLIAMS: That's what this board
10 needs to hear.

11 MR. LOVELADY: It -- so it was so many
12 different things that were brought up. Like, so --
13 like say, for example, the chokehold's one of the
14 things that was brought up, but there was no true
15 action item for that. Another action item was -- I
16 mean there was no, like, what I would propose on
17 chokeholds; we already know that.

18 So using a different example would say
19 the pursuit training or education. Let's use
20 education. Police education. So currently police
21 education is a high school diploma and academy
22 training. That's it. That's all it takes. And a
23 good background. A good background that could easily
24 be expunged. So I mean, what are we going to do
25 about it. So an action item to me would be just as

Transcript of Proceedings

1 easily as we lowered it, how about we raise it back
2 up.

3 MS. WILLIAMS: Do you know why they
4 lowered it?

5 MR. LOVELADY: I heard about Mary Ratliff
6 advocating lowering it so it could be more diverse.
7 But it has not diversified. So yeah, I do know why
8 and I --

9 MS. WILLIAMS: And they were having -- I
10 didn't mean to cut you off, but they were having
11 recruiting issues. I mean, they weren't getting
12 anybody to apply.

13 MR. LOVELADY: Okay. So now we're
14 getting people to apply who only has a high school
15 education. And, you know, they have immunity. Like,
16 so -- I mean, I -- it doesn't -- it just simply
17 doesn't make sense to me. Like I said, I'm a hair
18 stylist and I also teach dance. So in both of those
19 things I have to have continuing education. I also
20 had to go to school for 18 months. I also have to
21 participate in dance all my life in order to be able
22 to do it. So just being able to graduate high school
23 and then have this oh, so powerful job where you get
24 to surveillance the community and where the trust
25 barrier is already broken, like that just says a lot

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1 to me.

2 And the black and brown people already --
3 the trust barrier between the two makes it hard for
4 even -- how many -- as a community person, like as a
5 black person trying to appeal to the community, say
6 you went to get on the inside and help from the
7 inside. But yet there's rules once you get into the
8 job that it's so many stipulations so to the
9 community they feel like, oh, you're a sell out. And
10 then when you get here, you're not able to actually
11 do the job that you think that you are going to do.
12 So it's -- it's obstacle after obstacle after
13 obstacle.

14 MS. WILLIAMS: So what are more action
15 items you'd like to see?

16 MR. LOVELADY: I wish I would have wrote
17 a list because I -- I didn't think that you were
18 going to ask me questions.

19 MS. WILLIAMS: Can you email them to
20 Rose?

21 MR. LOVELADY: I can.

22 MS. WILLIAMS: Rose can email them to the
23 board.

24 MR. LOVELADY: I will. I will go home and
25 work on that immediately.

Transcript of Proceedings

1 MS. GOMEZ: How many years ago did they
2 lower the police, the age?

3 MS. WILLIAMS: Wasn't it two years ago?

4 MR. FISHER: It was about maybe two years
5 ago.

6 MS. GOMEZ: Was that -- maybe this is
7 something that we should have a conversation about to
8 create a recommendation.

9 MS. WILLIAMS: Well, I know me, Andrew,
10 and Mr. Smith know why they voted it.

11 MR. LOVELADY: Yeah, but it's a huge
12 communication issue. So if you lowered it for that,
13 how many -- how have they reached out to the black
14 and brown people in order to get them to apply for
15 these jobs. If you did that in order to reach the
16 black and brown people, how have you reached the
17 black and brown people to get to them apply for these
18 jobs?

19 MR. BOYKIN: Can we check demographics
20 and see where in the last two years --

21 MR. LOVELADY: Communication is horrible
22 between the City and the people who live in the city
23 on so many different levels.

24 MS. WILLIAMS: I can -- and you can chime
25 in as well, let me know if I missed something -- but

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1 two years ago we had a lot of spots that needed to
2 be filled. And there was a lot of recruiting that
3 was going on even outside of Missouri of trying to
4 get officers to apply. They -- I mean, they even did
5 a -- talked about giving possible money for
6 purchasing a home. I don't know if that ever passed,
7 but there was a lot of things that was going on that
8 was -- that had been presented to us.

9 Now, I'm pretty sure that I've probably
10 forgotten some things, but there was a lot of
11 recruiting that was going on to get officers to
12 apply. And it was brought to us that they're just
13 not applying, period. Not a particular race or
14 anything like that, but officers just weren't
15 applying. And so then there was a decision made to
16 lower the standards in order to get officers to
17 apply.

18 MR. SMITH: And we were not in favor --
19 we were not happy about lowering the standards at
20 all.

21 MS. WILLIAMS: We were not. At least the
22 three of us.

23 MS. GOMEZ: So you disagreed with it?
24 Like you voted against it?

25 MS. WILLIAMS: We did.

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1 MR. SMITH: Well, we didn't have a vote
2 on it. It was not within --

3 MS. GOMEZ: Okay.

4 MR. SMITH: -- our purview.

5 MS. GOMEZ: So maybe we can, you know,
6 think about it. Even though it's only two years ago,
7 it seems like the time is right. Right?

8 MR. SMITH: Well, I think we have to know
9 what the standard is now, if they actually did lower
10 it or find out what the standard is. Because right
11 now we're talking about something that we have not
12 looked at independently.

13 MS. GOMEZ: Well, maybe we should look at
14 it independently --

15 MR. SMITH: So we can find out --

16 MS. GOMEZ: -- and then talk about it
17 next month.

18 MR. SMITH: -- what recruit-- we can look
19 at what's being done for recruiting, what the hiring
20 standard is, what's being done --

21 MS. GOMEZ: How many people are --

22 (Simultaneous speaking.)

23 MS. WILLIAMS: Did we have an officer
24 recruiter come last time?

25 MR. SMITH: Yeah. It was Sergeant

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1 Rick -- Sergeant Alpers, who was the recruiting
2 officer? Was it Sergeant -- I think his first name
3 was Rick?

4 SERGEANT ALPERS: Rick Horrel (ph).

5 MR. SMITH: Rick Horrel is the one that
6 came in I believe.

7 MR. LOVELADY: So some of the data, I'm
8 just looking up on my own. So some people have told
9 me things to research, and I've been doing my
10 research. And to my understanding, that's the
11 current situation where you have to only have that.

12 So my biggest thing is the communication
13 barrier is so -- it's lacking. So if I come up here
14 about a situation and they say, Oh, yeah, we're
15 already working on that, that is the situation. So
16 oh, yeah, we already have a plan for that, we're
17 already working on that.

18 MS. WILLIAMS: But what is it?

19 MR. LOVELADY: But then you don't have an
20 answer to what it is, so there is no true action
21 items and that's exactly what I'm saying. So if I
22 raise this as a problem and you tell me that you're
23 already working on a plan, but no plan comes to life,
24 then were you really working on it or did you just
25 say that because you knew it was just enough to close

Transcript of Proceedings

1 the casket.

2 MS. WILLIAMS: Well, I think as a board
3 we can kind of try to figure out about the situation
4 with recruiting.

5 MR. LOVELADY: All positions are filled
6 now. All -- all --

7 MS. WILLIAMS: I see Sergeant Alpers over
8 there shaking his head no.

9 MR. LOVELADY: So when did that change?

10 SERGEANT ALPERS: I think we have
11 attrition and resignations all the time. We're not
12 full right now.

13 MS. WILLIAMS: So, Rose, would we have to
14 make a request or a motion to ask the recruiting
15 officer to come? Do we have the space?

16 MS. WIBBENMEYER: I think you would have
17 the space in November. You do not have the space in
18 December as Chief Jones is coming.

19 Sergeant Alpers, could you let me know
20 who I should ask.

21 MR. SMITH: That might be a good time to
22 talk about it with the chief and then go from there.
23 And that might be an economy of use of time.

24 MS. WILLIAMS: Well, I think we should
25 have the recruiting officer come first so that we

Transcript of Proceedings

1 know what he's doing and then we could have follow up
2 with the chief.

3 MR. BOYKIN: I like that.

4 MS. GROVER: I mean, basic eligibility
5 requirements are on their website. You can see what
6 the new eligibility requirements are which is no one
7 under 28 [sic] years of age or you have to be 21, you
8 need a minimum, high school diploma or equivalent,
9 and then they prefer 60 or more credit hours of
10 college. They prefer that, but.

11 MS. WILLIAMS: But not --

12 MR. LOVELADY: It's not a requirement.

13 MS. GROVER: It's not required. I mean,
14 yeah, somebody with, you know, college education as
15 opposed to maybe somebody that has 20 years in the
16 military, maybe it's somebody with 20 years in the
17 military might have more experience than even the
18 college person. So, I mean, it really depends on the
19 hiring authority.

20 MR. LOVELADY: True. I mean, even so,
21 I've been getting so informed even coming to these
22 meetings, because even at the last meeting it was
23 like I could take this training, but even before
24 that, I take this training. I could do this, but
25 it's not mandatory that I do this. But at any given

Transcript of Proceedings

1 moment, we don't know who's showing up to protect us.
2 So we don't know if he had his training or didn't
3 have his training because he had the option to opt
4 out.

5 MS. GROVER: Well, you know they passed
6 the POST, the state certification; they have that,
7 that's a minimum. And then also Columbia Police
8 Department --

9 MR. LOVELADY: The minimum? You said
10 minimum.

11 MS. GROVER: Well, they have to pass that
12 to even get hired by CPD.

13 MR. LOVELADY: It's the minimum though.

14 MS. GROVER: Well, I mean, that's what
15 the State requires. And then Columbia Police
16 Department has their own requirements as well.

17 MR. LOVELADY: Well, what does that look
18 like?

19 MS. GROVER: I think we have a
20 training -- we ask for a training list or --

21 MR. BOYKIN: Training schedule. It
22 hasn't come in yet.

23 MS. GROVER: Uh-huh. We have a request
24 for one right now.

25 MR. LOVELADY: I was asked to be a part

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1 of the training process at the beginning of the
2 protests.

3 SERGEANT ALPERS: The POST commission
4 also requires us to have training which is public
5 knowledge.

6 MR. LOVELADY: Okay. Can you tell me
7 where I can find that?

8 SERGEANT ALPERS: Come see me when you're
9 done.

10 MR. LOVELADY: Okay.

11 MS. WILLIAMS: So back to what I said
12 about the recruiter --

13 MR. BOYKIN: For November.

14 MS. WILLIAMS: Yes, thank you.

15 MS. WIBBENMEYER: You don't have to pass
16 a motion. I've asked Sergeant Alpers to give me the
17 name of who I should ask. Then I'll ask that person
18 and if that person's available, then that could
19 happen in November. If they're not available on that
20 date, then we could look at January for that.

21 MS. WILLIAMS: Thank you, Rose.

22 MR. LOVELADY: I don't have much. You
23 want me to write this down?

24 MS. WILLIAMS: Yes, please.

25 MS. GOMEZ: Thank you for being here

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1 again.

2 MS. GROVER: It's nice to see your face,
3 taking off the mask.

4 MS. WILLIAMS: You're doing an amazing
5 job speaking up for the people.

6 MS. GROVER: And we appreciate you
7 showing up every month.

8 MR. SMITH: You're one of the only people
9 that shows up. You can't be involved until you show
10 up.

11 MR. PRINGLE: We do need to hear more.
12 It helps us. Thank you.

13 MS. WILLIAMS: You don't know it; it
14 really does help us.

15 MR. PRINGLE: This kind of ties in to
16 what we just talked about. So there's a NACOLE
17 webinar on the 20th about how to handle complaints
18 involving protests.

19 MS. GROVER: That just came out today.
20 Right?

21 MR. PRINGLE: Yeah. It's \$15 to register
22 for it. And I want to do it. I want to take part in
23 that.

24 MS. WIBBENMEYER: So if you all can check
25 your calendars. If you want to participate, send me

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1 an email that you want to do it and we can do it.
2 And then I'll have Tracy check the budget to make
3 sure you still -- you should have funds available
4 because it's the end of the fiscal year.

5 MR. FISHER: What was date?

6 MR. PRINGLE: October 20th at noon. At
7 noon or 1:00; I can't remember which.

8 MS. GOMEZ: I think 1:00.

9 MR. FISHER: 1:00 our time.

10 MS. GROVER: Yeah. 1:00 our time.

11 MS. WIBBENMEYER: Because it's so close
12 in time though, I'll need that like by tomorrow so we
13 can get plans made and all of that.

14 And a couple of follow up matters.
15 Darryl, with regard to the email that you asked me to
16 send to Mr. Lovelady, I forwarded it again to both of
17 you and then copied the board, forwarded it out to
18 the board so that they have that. With regard to
19 Monday's council meeting, there will be a short
20 report as a special item on the community engagement
21 process that he was discussing. So when the agenda
22 comes out Thursday evening, anytime after that point,
23 you'll want to look on the agenda towards the
24 beginning under Special Items and it'll be listed
25 there. I don't know if there will be any

Transcript of Proceedings

1 attachments. Similarly that agenda is where there
2 should be a proposed ordinance banning the chokeholds
3 or neck restraints or something like that.

4 MR. FISHER: All right. Any other
5 comments?

6 MR. PRINGLE: I kind of wanted to go back
7 on the election real fast. I very definitely do want
8 to be chair; I'm very happy that you all nominated me
9 and elected me, but I kind of feel like it should be
10 Cornelia who is chair and I'm her vice chair for this
11 next year. Just, I don't know. Just I'm kind of
12 sitting here thinking, like, do we really want the
13 board to have been led two years in a row by two
14 white men.

15 MS. WILLIAMS: I don't have an issue with
16 that. I'm cool with you doing that. I'm very cool
17 with you doing that.

18 MS. GROVER: You know, both of you are
19 highly capable. I don't have either -- I don't have
20 any issue either way.

21 MR. PRINGLE: I had to go back. I would
22 like, if we could, I would like to move to switch it,
23 have -- if I can do that.

24 MS. WIBBENMEYER: You can do that. I
25 think you need to make sure --

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1 MS. GROVER: Make sure --

2 MS. WIBBENMEYER: -- she wants to do
3 that.

4 MS. WILLIAMS: I'm good with you being
5 chair.

6 MR. PRINGLE: I wanted to give it to. I
7 wanted you to be it.

8 MS. WILLIAMS: I'm good with it.

9 MR. PRINGLE: Okay.

10 MR. BOYKIN: Now you have great support
11 in your vice chair.

12 MR. PRINGLE: Yes. Yes. Well, thank
13 you.

14 MR. FISHER: Anything else? I have one
15 question. Sergeant Alpers, in terms of the notice
16 letters that the complainant receives, we talked
17 about putting a date on there of when they need to
18 reply. Has that been edited?

19 SERGEANT ALPERS: No.

20 MR. FISHER: No? I guess you said you
21 were going to send us a blank copy, but I didn't get
22 one, so. I just wanted to check --

23 SERGEANT ALPERS: I'll be in the office
24 tomorrow, so.

25 MR. FISHER: Okay. If there's no other

Transcript of Proceedings

1 comments by public members or staff, is there a
2 motion to go into closed session? When you make the
3 motion, please read the entire paragraph.

4 MR. SMITH: Motion to go into closed
5 session to discuss pending cases pursuant to
6 Section 610.021.14 RSMo, records which are
7 protected from the disclosure by law under
8 RSMo 610.100.22, 610.100.15, RSMo 610.021.14, 43.540,
9 RSMo 610.021.14, 32.0571, MO DPPA and
10 RSMo 610.035. Appeal CPRB 2020-0005.

11 MR. FISHER: Is there a second?

12 MR. BOYKIN: I'll second the motion.

13 MR. FISHER: All right. We'll do a roll
14 call vote. Boykin?

15 MR. BOYKIN: Yes.

16 MR. FISHER: Fisher? Yes. Grover?

17 MS. GROVER: Yes.

18 MR. FISHER: Pringle?

19 MR. PRINGLE: Yes.

20 MR. FISHER: Seamon?

21 MS. SEAMON: Yes.

22 MR. FISHER: Smith.

23 MR. SMITH: Yes.

24 MR. FISHER: Williams?

25 MS. WILLIAMS: Yes.

Transcript of Proceedings

1 MR. FISHER: Gomez?

2 MS. GOMEZ: Yes.

3 MR. FISHER: All right. It's been
4 approved for us to go into closed session to discuss
5 appeal 2020-0005.

6 (Off the record at 8:41 p.m.)

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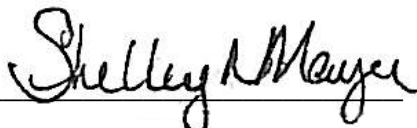
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Transcript of Proceedings

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CERTIFICATE

I, Shelley L. Mayer, a Certified Court Reporter,
CCR No. 679, the officer before whom the foregoing
transcript of proceedings was taken, do hereby
certify that the testimony was taken by me to the
best of my ability and thereafter reduced to
typewriting under my direction; that I am neither
counsel for, related to, nor employed by any of the
parties to the action in which this transcript of
proceedings was taken, and further, that I am not a
relative or employee of any attorney or counsel
employed by the parties thereto, nor financially or
otherwise interested in the outcome of the action.


Shelley L. Mayer, CCR

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$15 121:21</p> <p>\$30,000 105:25</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1,000 17:14</p> <p>1.15 17:15,17 18:2</p> <p>1.20 21:10</p> <p>1.5 22:19,20</p> <p>10 12:13,14,20 45:25 50:17 100:3</p> <p>10,000 8:14</p> <p>10th 75:3</p> <p>120 30:22</p> <p>124 101:14</p> <p>13 33:25</p> <p>14 31:14</p> <p>141 31:14</p> <p>15 5:1 12:18 17:19,20, 23 45:25</p> <p>15,000 7:5,6 10:7 12:3,17</p> <p>16 12:10 97:16</p> <p>16th 73:19</p> <p>17 68:17</p> <p>18 26:23 111:20</p> <p>19th 77:2 105:1,12,16 106:17 107:3 109:12</p> <p>1:00 122:7,8,9,10</p> <p>1st 7:23</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2,000 26:20,21</p> <p>20 5:3 14:3 20:7,16 21:11 33:22 36:8 37:5,</p>	<p>7 38:2 40:20 100:2 118:15,16</p> <p>2010 12:9</p> <p>2015 17:1 19:14,25</p> <p>2016 19:25 21:3</p> <p>2019 7:6 11:9 16:9 17:3 22:21 24:18 25:3, 4 26:19</p> <p>2020 3:2 70:4</p> <p>2020-0005 125:10 126:5</p> <p>20th 121:17 122:6</p> <p>21 104:4 118:7</p> <p>23 17:23</p> <p>25 24:18</p> <p>28 118:7</p> <p>288 30:23</p> <p>29 31:13</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 26:22,23</p> <p>3,000 51:24</p> <p>3.51 13:9,20</p> <p>300-and-something 16:23</p> <p>300.11.4 84:17</p> <p>32.0571 125:9</p> <p>35 12:19,21 13:1,7</p> <p>350 17:10</p> <p>356 16:10 17:11</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 26:23</p> <p>4.41 27:1</p> <p>4.63 13:18</p> <p>40 21:14</p>	<p>400 57:1</p> <p>41 26:19</p> <p>43.540 125:8</p> <p>431 31:24 33:24</p> <p>46 29:17</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 45:25</p> <p>5,000 12:17</p> <p>5,250 11:9,18</p> <p>50 6:16 21:14 29:16</p> <p>537 16:11 17:13</p> <p>56 31:12,23 33:24</p> <p>57 18:15</p> <p>59 17:13,14 18:15</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6-5-20 24:18</p> <p>6/5/20 25:5</p> <p>60 6:16 7:7 118:9</p> <p>600 26:22</p> <p>610.021.14 125:6,8,9</p> <p>610.035 125:10</p> <p>610.100.15 125:8</p> <p>610.100.22 125:8</p> <p>616 26:18</p> <p>68 17:12,14 18:16 30:1</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 25:11</p> <p>70 29:25 30:19</p> <p>76 31:17</p>	<hr/> <p style="text-align: center;">8</p> <hr/> <p>87 30:6</p> <p>8:41 126:6</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 12:12,25</p> <p>9,069 11:1,19</p> <p>9.6 13:7</p> <p>9.96 12:10</p> <p>918 16:8</p> <p>92 17:24,25 18:2,21</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>abiding 9:2</p> <p>ability 80:15 85:11</p> <p>absolutely 101:12,13 103:11</p> <p>academics 42:10</p> <p>academy 110:21</p> <p>accept 15:13</p> <p>acceptable 49:7 76:17,19</p> <p>accepted 58:23</p> <p>access 45:13 55:5 58:8</p> <p>accidentally 62:5</p> <p>accidents 62:3</p> <p>accomplish 88:19</p> <p>accountability 3:5</p> <p>accusations 4:16</p> <p>act 27:5 37:2 49:7 103:12</p> <p>acting 35:22 47:15 48:6 49:14</p> <p>action 27:15 77:14,24</p>
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