

**MINUTES OF THE  
BOARD OF POLICE COMMISSIONERS MEETING  
TUESDAY, MARCH 20, 2012**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, March 20, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri.

**PRESENT:**

Commissioner Patrick McInerney, President  
Commissioner Alvin L. Brooks, Vice President  
Commissioner Angela Wasson-Hunt, Treasurer  
Commissioner Lisa T. Pelofsky, Member

Mr. David V. Kenner, Secretary/Attorney

**NOT PRESENT:**

Mayor Sylvester "Sly" James, Jr., Member  
Darryl Forté, Chief of Police

This meeting was called to order at 9:03 a.m. by Commissioner McInerney. Rabbi Herbert Mandl provided the invocation.

1. **Mr. Gary White, City Auditor.** Mr. White presented the monthly status report dated March 2, 2012. He said his office has been busy with other projects and has not yet completed the scope statement for the police video records audit. Mr. White said he will keep the Board updated on the scope statement progress. Commissioner McInerney asked Mr. White to send an e-mail with a target date for the scope statement.
2. **Ms. I. Pearl Fain.** Ms. Fain presented the monthly statistical report for February 2012. This report is maintained in the Office of Community Complaints.

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OCC received a total of 25 complaints for the month of February 2012, and 12 of these complaints were submitted to the Internal Affairs Unit for Investigation.

a. Reclassification and upgrade of title for OCC analysts, supervisor and deputy director. Ms. Fain submitted a memorandum dated February 16, 2012, for the Board's consideration of reclassification of OCC members. There was a discussion about outreach activities. Ms. Fain said the deputy director as well as the detective who was recently appointed to OCC, conducts outreach activities in the community.

Commissioner Pelofsky asked what types of outreach activities are conducted. Ms. Fain said OCC personnel involved in outreach attend community meetings, serve on committees, visit local schools, and provide knowledge about how to properly interact with the police. Mr. Merrell Bennekin said he has been conducting outreach for several years and found that lots of law enforcement based questions came up which are better answered by law enforcement personnel. Mr. Bennekin is still involved in outreach along with the new outreach officer.

The Board suggested that Ms. Fain submit a request for reclassifying of her position along with the reclassification request she submitted for her personnel. Commissioner McInerney asked about the fiscal impact of reclassification of these positions. Mr. Paul Kies advised that the proposed budget for this year does not include the increases for reclassification of OCC positions, however, it does include pay raises. Commissioner McInerney asked

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Mr. Kies to do a fiscal impact report on the reclassifications and present it at the April 9, 2012 business session.

**3. Councilman John Sharp.** Councilman Sharp discussed a proposed ordinance introduced as a daytime curfew ordinance. He said this ordinance would apply to juveniles ages 7 to 16 during school hours. These juveniles could be taken to their parents or to a facility designated by the schools (although that facility has not yet been designated) if it was found they are not in school while school is in session. No citation would be issued to the juveniles, but their parents or guardians could be fined \$100. Parents who home school their children were concerned about this. Additionally, some juveniles are prohibited from being in school due to suspension. Authorities are unsure of what to do with the juveniles once in custody. Taking them home is not always the best option in the event parents are not home and there is a lack of alternative facilities in which to take the children. Councilman Sharp asked the Board how the police department would handle taking these juveniles into custody. He said the ordinance is designed to cite the parents of truants, not the juveniles. He asked that the Department review the final version of the ordinance and provide input to the City Council.

Commissioner Pelofsky asked if the school district is taking some responsibility for this issue. Councilman Sharp said the Kansas City school district budget cutbacks have exacerbated the problem and they have limited alternatives for students who are not doing well in a classroom setting. The Ruskin Heights and Hickman Mills school districts are having problems in

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addition to the Kansas City, Missouri school district. They believe that the curfew may help to force students to attend school.

Commissioner Pelofsky is concerned about this ordinance in that the police department will be responsible for these truants with little support from the school district. The police department should not be “babysitting” the truants. Commissioner Pelofsky suggested having a meeting with all of the stakeholders.

Deputy Chief Rose advised that the Department recently conducted a truant sweep in the area of EPD. She said truants are often perpetrating burglaries and the Department supports a curfew provided there is a facility available to take the truants who have been taken into custody. Deputy Chief Rose indicated that the Department would support a curfew if it was well thought out and did not require police officers to “babysit” the truants.

**4. City Architects report.** Mr. Eric Bosch provided the Board with an update on the current construction and renovation projects.

Mr. Bosch said window installation at police headquarters will begin in April 2012. He said a pre-bid meeting was held last Friday for the exterior in which there was a large turnout of contractors. The due date for the bids is April 3, 2012.

Mr. Bosch submitted photographs of the SPD/SOD construction site. He said curbs are in and asphalt will go down next month.

With regard to the EPD/Crime Lab project, Mr. Bosch submitted a Progress Report with is Attachment “A” and made a part of these minutes. He

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said the City is in the process of finalizing agreements with 65% of the property owners. He Helix Architecture will present a master plan to the Board at the April 9, 2012, business session.

Commissioner Brooks inquired as to how much money was available for the Section 3 program. Mr. Bosch replied that he did not know, but that they are over 10% and he would provide the information next month. The construction manager position will go out for bid in April with an award in May.

5. **Chief Darryl Forté.** Acting Chief Randy Hundley spoke in the absence of Chief Forté and had nothing to report on behalf of the Chief.

6. **Administration Bureau.**

Deputy Chief Masters provided a copy of the March 2012, Kansas City Municipal Court Newsletter, *CourtMonitor*, which has an extensive article about the collaboration between the KCPD and Municipal Court with respect to REJIS.

Deputy Chief Masters submitted the Personnel Summary dated February 29, 2012. Current department strength is 1,385 police officers compared to 1,386 for this same time period in 2011. There are 567 civilians compared to 571 for the same time period 2011.

7. **Investigations Bureau.**

a. **Crime summary.** Deputy Chief Randy Hundley stated that to date there have been 24 homicides compared to 17 for the same time period in 2011. Commissioner McInerney asked that the blue sheet also include information on the clearance rate from the prior year. Commissioner McInerney complimented the great increase in the recovery of assault weapons. Major

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Hopkins stated that these recoveries were warrant-based, not just as a result of hot spot stops.

Deputy Chief Hundley submitted the Narcotics and Vice Summary for February 2012. This report is Attachment "B" and is made a part of these minutes.

With regard to drive-by shootings, there have been 13 in January 2012, as compared to nine in January 2011.

The Cold Case Sex Crimes backlog disposition is currently at 470 cases in need of review.

He said the Regional Crime Lab has processed 134 crimes scenes during the month of February 2012.

Deputy Chief Hundley advised that year-to-date there have been 507 cases presented to the prosecutor.

### **8. Patrol Bureau.**

Deputy Chief Rose thanked everyone involved in the St. Patrick's Day parade detail. She said there were 55 calls for service and the majority were medical and not police issues.

Deputy Chief Cheryl Rose presented the Monthly Crime Summary for January 2012. This report is Attachment "C" to these minutes. Also submitted was the January 2012, Traffic Summary which is marked as Attachment "D" to these minutes. In response to a question as to why the crime rate appears to be increasing from the same time last year. Deputy Chief Rose suggested that it

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was probably due to the recent good weather, and that more crimes are being discovered due to hot spot contacts.

Deputy Chief Rose stated a red light camera update will be provided to the Board at the May 2012, meeting.

Deputy Chief Rose said that during the month of February 2012, there were four fatal crashes compared to six during January 2012.

Commissioner Wasson-Hunt inquired as to why North Patrol seemed to be a minute faster in responding to requests for service than Shoal Creek. Deputy Chief Rose replied it might be due to North Patrol being more fully staffed with Shoal Creek having in-service training during the month.

Major Rich Lockhart discussed the planning process for the upcoming All Star game that will be held in Kansas City this year. He said the Department is working with many entities, as well as with a consultant, to plan the security detail for this event. Major Lockhart said the festivities will begin on July 6, 2012, and he discussed the scheduled events.

Major Lockhart advised that has been in contact with representatives from the U.S. Army "Red Team" at Ft. Leavenworth, who will review the security detail operational plans for vulnerabilities.

Deputy Chief Rose complimented Major Lockhart for his hard work and indicated that Major League Baseball was happy with the security plans.

**9. Professional Development & Research Bureau.** Captain Kevin Murdock presented the following policies for approval.

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a. Project #512, Personnel Policy 210 – Release of Personal Information. He advised this is a new policy and provides a consistent method for referring inquiries about Department members.

A motion was made by Commissioner Brooks, and a second by Commissioner Pelofsky to approve the revisions to Personnel Policy 210, Release of Personal Information. The vote was 4-0 in favor.

b. Project #540, Personnel Policy 233-4 – Age Limits.

Commissioner Pelofsky requested more information related to crime lab personnel who may be affected by this policy. This policy was tabled.

### **10. Executive Services Bureau.**

a. Governmental Accounting Standards Board (GASB) 54 fund balance policy – Deputy Chief Gallagher presented a memorandum dated March 8, 2012, requesting that the Board formally adopt the GASB policy regarding the order in which amounts comprising fund balances are spent and their presentation in external financial reports. This is a standard format used by all governmental financial entities and it is required by GASB.

A motion was made by Commissioner Pelofsky, and a second by Commissioner Brooks accepting the policy related to the Governmental Accounting Standards Board as presented. The motion was 4-0 in favor.

b. Mid-America Regional Council (MARC) donation. This item will be discussed in closed session.

c. Acceptance of the 2012 MCSAP grant, 12-CMV-MC-002. Deputy Chief Gallagher presented a memorandum dated March 7, 2012, requesting

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Board acceptance of an award from the Missouri Department of Transportation in the amount of \$649,977.30. This award is for the period of October 1, 2011 through January 31, 2013.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Pelofsky accepting the MCSAP award in the amount of \$649,977.30. The motion was 4-0 in favor.

d. Revision to the 2011 MCSAP grant, 11-CMV-MC-006. Deputy Chief Gallagher presented a memorandum dated March 7, 2012, recommending Board acceptance of a revision to increase an award from the Missouri Department of Transportation in the amount of \$28,985.72. This award is for the period of October 1, 2010 through May 31, 2012.

A motion was made by Commissioner Brooks, and a second by Commissioner Pelofsky accepting the MCSAP award in the amount of \$28,958.72. The vote was 4-0 in favor.

e. Drug Abuse Resistance Education (DARE) award. Deputy Chief Gallagher presented a memorandum dated March 8, 2012, requesting acceptance of an award from Jackson County, Missouri, COMBAT Commission in the amount of \$225,734. The funding is for the period of January 1, 2012 through December 31, 2012.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Pelofsky to accept the award from Jackson County, Missouri, COMBAT Commission in the amount of \$225,734 and giving Chief Darryl Forté

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authorization to sign the contract on behalf of the Board. The vote was 4-0 in favor.

f. Bid No. 2010-10, Ford parts and accessories. Deputy Chief Gallagher presented a memorandum dated March 8, 2012, requesting Board approval of the one-year contract renewal with Thoroughbred Ford to provide Ford parts and accessories in the amount of \$170,519.27. The contract period is May 1, 2012 through April 30, 2013.

A motion was made by Commissioner Pelofsky, and a second by Commissioner Brooks accepting the one-year contract renewal with Thoroughbred Ford in the total anticipated amount of \$170,519.27. The vote was 4-0 in favor.

g. Bid No. 2010-9, Motorcraft parts, brakes/components, and accessories. Deputy Chief Gallagher presented a memorandum dated March 7, 2012 requesting Board approval of the one-year contract renewal with Factory Motor Parts to provide Motorcraft parts, brakes, components and accessories in the amount of \$228,105.96. The contract period is from May 1, 2012 through April 30, 2013.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Pelofsky accepting the one-year contract renewal with Factory Motor Parts for the total anticipated amount of \$228,105.96. The motion was 4-0 in favor.

h. Bid No. 2011-5, ballistic protection vests. Deputy Chief Gallagher presented a memorandum dated March 7, 2012, requesting Board approval of

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the one-year contract renewal with Alamar Uniforms and Ed Roehr Safety Products for ballistic vests in the total amount of \$191,689.75.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Brooks accepting the one-year contract renewal with Alamar Uniforms and Ed Roehr Safety Products for the total value of \$191,689.75. The motion was 4-0 in favor.

i. RFP No. 2012-04, mainframe migration and modernization. Deputy Chief Gallagher presented a memorandum dated March 9, 2012, requesting Board approval to transition to new technology from Unicon Conversion Technologies, Inc. at an anticipated cost of \$1,113,142.

A motion was made by Commissioner Brooks, and a second by Commissioner Wasson-Hunt approving the mainframe migration and modernization utilizing Unicon Conversion Technologies, at a cost not to exceed \$1,113,142. The motion was 4-0 in favor.

j. Bid No. 2012-8, new 2012-2013 model year police pursuit vehicles. Deputy Chief Gallagher presented a memorandum dated March 8, 2012, requesting Board approval for the purchase of five Dodge Chargers from Landmark Dodge, 13 Ford Interceptor sedans and 12 Ford Interceptor SUV's from Dennis Sneed Ford for a total anticipated expenditure of \$718,757.25. Captain Don Sight explained the reasons for selecting these particular vehicles.

Commissioner Pelofsky asked about the option of using alternative fuels. Captain Sight said currently there is no good alternative fuel suitable for the

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patrol vehicles. Commissioner Pelofsky requested a projection of fuel costs for the next five years.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Brooks approving the purchase of 30 new police vehicles from Landmark Dodge and Dennis Sneed Ford for a total anticipated expenditure of \$718,757.25. The motion was 4-0 in favor.

k. HQ network switch upgrades. Deputy Chief Gallagher presented a memorandum dated March 7, 2012, recommending approval for the purchase of Cisco hardware and professional services for headquarters network switch upgrades for a total expenditure of \$245,473.41.

A motion was made by Commissioner Brooks, and a second by Commissioner Wasson-Hunt approving the purchase of network switch upgrades for a total expenditure of \$245,473.41. The motion was 4-0 in favor.

l. Network core backbone upgrade. Deputy Chief Gallagher presented a memorandum dated March 5, 2012, recommending approval for the purchase of Cisco hardware and professional services for the network core for a total expenditure of \$272,759.88.

Commissioner McInerney asked if there have been any further discussions concerning access by prosecutor's offices to certain elements within the computer system. Deputy Chief Masters said there have been discussions about this previously with the Jackson County Prosecutor's Office, however, at the present time no decisions have been made for this type of access.

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A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Pelofsky approving the purchase of a network core backbone upgrade for a total expenditure of \$272,759.88. The motion was 4-0 in favor.

m. Adjustments to special revenue funds for fiscal year 2011-12.

Deputy Chief Gallagher presented a memorandum dated March 6, 2012, requesting adjustments to the special revenue accounts for Fiscal Year 2011-12. A copy of this memorandum is Attachment "E" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt, seconded by Commissioner Brooks and unanimously carried by the Commissioners approving the adjustments to the special revenue accounts as presented. The vote was 4-0 in favor.

n. Budget transfers for fiscal year 2011-12.

Deputy Chief Gallagher submitted a memorandum dated March 8, 2012, outlining the details of these budget transfers. A copy of this memorandum is Attachment "F" and made a part of these minutes.

A motion was made by Brooks, and a second by Commissioner Pelofsky approving the budget transfers as presented. The vote was 4-0 in favor.

o. Budget Summary for the month of January. Deputy Chief Gallagher submitted this memorandum, dated March 6, 2012, for informational purposes only. A copy of this memorandum is Attachment "G" and made a part of these minutes.

The Board took a brief recess at 11:15 a.m. and resumed at 11:25 a.m.

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### 11. Major James Pruetting.

a. Monthly OCC investigation report. Major James Pruetting discussed the February 2012, OCC report and reported that there were 21 OCC's under investigation and none have been granted an extension beyond 60 days. IAU received 27 OCC's this year compared to 24 for the same period last year. A total of 30 investigations have been completed and forwarded to OCC compared to 43 for the same period last year.

b. Private officers license appeal, LaQuinn D. Thompson and LaQuan D. Thompson. Major Pruetting submitted the private officer license appeal of LaQuinn D. Thompson. The Private Officers Licensing Section revoked LaQuinn Thompson's armed security license based on Title 17 of the Code of State Regulations, Section 10-2.060 (8) (A). LaQuinn Thompson was arrested and charged with resisting arrest for an incident that occurred on January 30, 2012.

Major Pruetting submitted the private officer license appeal of LaQuan D. Thompson. The Private Officers License Section revoked LaQuan Thompson's armed security license based on Title 17 of the Code of State Regulations, Section 10-2.060 (8) (A). LaQuan Thompson was arrested and charged with assault and resisting arrest for an incident that occurred on January 30, 2012.

An OCC complaint has been filed by LaQuinn Thompson and Commissioner Wasson-Hunt asked that the Board receive the results of this OCC investigation when complete.

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Major Pruetting advised that LaQuinn Thompson's case was heard in Municipal Court on this date and the charges were reduced to a loitering charge. LaQuan Thompson's Municipal Court date is March 28, 2012.

Commissioner Pelofsky requested more information about why no domestic violence charges were brought against LaQuan Thompson.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Brooks allowing LaQuinn Thompson to keep an unarmed security license subject to review pending the outcome of the OCC investigation. The vote was 4-0 in favor.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Brooks to table this matter under after LaQuan Thompson's court date of March 28, 2012. The vote was 4-0 in favor.

Major Pruetting said he will bring LaQuan Thompson's appeal back to the Board for consideration at the April 9, 2012 business session.

c. Private officers license appeal, Mr. Brian Cotrel. Major Pruetting submitted the private officer license appeal of Brian Cotrel. The Private Officers Licensing Section denied Mr. Cotrel's armed security license based on Title 17 of the Code of State Regulations, Section 10-2.050 (5) (F). Mr. Cotrel resigned pending termination from the KCPD due to a violation of rules of conduct in 1995.

A motion was made by Commissioner Brooks, and a second by Commissioner Pelofsky to uphold the decision of the Private Officers Licensing Section to deny the application for a private security license submitted by Brian Cotrel. The vote was 4-0 in favor.

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**12. Audit Committee update.** Commissioner Wasson-Hunt had nothing to report at this time.

**13. Fraternal Order of Police Lodge No. 99.** Sergeant Brad Lemon discussed the status of labor negotiations and said progress has been slow. He said FOP members are concerned about where the Department is headed, however, they have great faith in the leadership of Chief Forté and are of the opinion that the Board will support members of the Department. Sergeant Lemon said that the FOP wants to see the Department succeed and said this success can only come through a true partnership between the Board and the FOP.

**14. Mr. David Kenner.** Mr. Kenner asked Virginia Murray about the Sunshine law extension. Ms. Murray said a Senate bill is pending with regard to the Sunshine law. The Police Board previously passed a resolution concerning two parts of the Sunshine law. Ms. Murray said two portions are set to expire on December 31, 2012. The bill asks for an extension of these two provisions. However, there are some additional provisions in this legislation that may prove unfortunate because they could prevent the Department from recovering much of the cost of responding to document requests.

Commissioner Pelofsky asked for follow up on a pending bill that related to lowering the legal age authorized to carry concealed weapons.

The Board will ask Mr. Andy Arnold to provide a legislative report to the Board on April 9, 2012.

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**15. Appointments to the KCPD Retirement Board.** Commissioner Wasson-Hunt nominated Mr. Patrick Trisla as a member of the KCPD Retirement Board. She said he was appointed to the Retirement Board in 2009 and he has agreed to serve another two-year term.

A motion was made by Commissioner Wasson-Hunt, and a second by Commissioner Brooks agreeing with the re-appointment of Mr. Patrick Trisla to the KCPD Retirement Board for an additional two-year term. The vote was 4-0 in favor.

Commissioner Wasson-Hunt thanked Mr. Gary Howell of the Johnson County Crime Lab for taking the Police Board on a tour of the lab.

**16. Scheduled meetings.**

Regular Board Meetings:

**Tuesday, April 24, 2012  
9:00 a.m., 6<sup>th</sup> floor, Board room**

**Tuesday, May 22, 2012  
9:00 a.m., 6<sup>th</sup> floor, Board room**

**Tuesday, June 26, 2012  
9:00 a.m., 6<sup>th</sup> floor, Board room**

Business Sessions:

**Monday, April 9, 2012  
9:00 a.m., 6<sup>th</sup> floor, Board room**

**Thursday, May 10, 2012  
9:00 a.m., 6<sup>th</sup> floor, Board room**

**Thursday, June 14, 2012  
9:00 a.m., 6<sup>th</sup> floor, Board room**

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A motion was made by Commissioner Brooks, and a second by Commissioner Wasson-Hunt the Board voted to go into closed session at 12:05 p.m. to discuss legal matters, employment matters, preparation for negotiations with employees and litigation matters. The vote was 4-0 in favor.

**RESOLUTION**

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on January 25, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, March 20, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri, for the purpose of discussing litigation, legal issues and/or personnel issues.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Patrick McInerney	-	Aye
Commissioner Lisa T. Pelofsky	-	Aye
Commissioner Alvin Brooks	-	Aye
Commissioner Wasson-Hunt	-	Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

The following votes were held on March 20, 2012, in a closed session.

(Present were Commissioners McInerney, Brooks, Wasson-Hunt and Pelofsky.)

Following a motion by Commissioner Brooks and a second by Commissioner Wasson-Hunt, the Board voted to go into closed session to

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discuss legal matters, employment matters, preparation for negotiations with employees, and litigation matters. The vote was 4-0 in favor.

Following a motion by Commissioner Wasson-Hunt, and a second by Commissioner Pelofsky, the Board voted to approve the duty-related disability retirement of Police Officer James Helton. The vote was 4-0 in favor.

Following a motion by Commissioner Brooks and a second by Commissioner Wasson-Hunt, the Board voted to approve the continued employment of Major Melvin Harvey. The vote was 4-0 in favor.

Commissioner Brooks left the meeting.

Following a motion by Commissioner Pelofsky, and a second by Commissioner Wasson-Hunt, the Board voted to accept the donation of certain equipment from the Mid-American Regional Council. The vote was 3-0 in favor.

Following a motion by Commissioner Wasson-Hunt, and a second by Commissioner Pelofsky, the Board voted to adjourn. The vote was 3-0 in favor.

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President

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Secretary/Attorney