

## **MINUTES OF THE MISSION FINANCE & ADMINISTRATION COMMITTEE**

September 2, 2020

The Mission Finance & Administration Committee met virtually via ZOOM on Wednesday, September 2, 2020. The following committee members were present: Hillary Thomas, Trent Boultinghouse, Arcie Rothrock, Nick Schlossmacher, Debbie Kring, Kristin Inman, Sollie Flora and Ken Davis. Mayor Appletoft was also in attendance. Councilmember Kring called the meeting to order at 7:20 p.m.

The following staff were present: City Administrator Laura Smith, Assistant City Administrator Brian Scott, City Clerk Audrey McClanahan, Assistant to the City Administrator Emily Randel, Public Works Director Celia Duran, Public Works Superintendent Brent Morton, Parks & Recreation Director Penn Almoney, Interim Police Chief Dan Madden and Police Captain Kirk Lane.

### **Public Comments**

Councilmember Kring explained that this meeting is being held virtually via Zoom and participants can make a comment through the chat feature.

There were no public comments.

### **Public Presentations/Information Only**

#### **Racial Equity Conversation**

Ms. Smith reported that the racial equity conversation will continue with an overview of the hiring and training process for police officers, internal affairs process and statistics, the roles of other entities for accountability as well as how other neighboring communities are using Citizen Advisory Boards. The additional discussion topics included an in-depth review and understanding of racial demographic statistics when compared to census data, more explicit prohibition of chokeholds and strangleholds, budget allocation for department training, mutual aid response as well as stricter standards in Standards of Conduct Policy regarding hate speech (on or off duty) and failure to intervene. The conversation discussed the desire/need for a more in-depth of how department policies interact with social media use by officers and other off-duty conduct.

Captain Lane began by providing information regarding the hiring process for a police officer. The minimum qualifications, based on the Kansas Law Enforcement Training Act, concludes that an individual must be a United States citizen, have a high school diploma or equivalent, good moral character and be free of physical or mental conditions that impact an officer's ability to perform duties. Police officer applicants will be required to undergo psychological testing and

submit fingerprints to be searched nationally, with the conclusion there are no felony or domestic violence convictions or misdemeanor convictions for crimes that impact integrity. The complete hiring process, including an oral board interview, medical check, background investigation and computerized voice stress analysis, can take a minimum of six weeks. These steps are put in place in order to ensure that the most applicable candidates are chosen to best protect the residents and people coming into the City.

When making hiring decisions, officers not already certified will begin at the Johnson County Regional Police Academy with an 18 week program that includes education, physical training, medical, firearms, evidence, defensive tactics and driving. They will have sessions dealing with de-escalation methods, verbal communications and crisis intervention. It was also important to stress proper technique in interacting with special populations and dealing with stress management of the position. After completion of the academy, officers will participate in field training for twelve weeks. A certified officer will complete seven weeks of field training.

During field training, officers will have their training and performance evaluated daily. Field training is a crucial training component and may be extended or terminated if needed. Officers will have to complete a minimum of forty hours annually of continued education and training including classes on racial or other biased-based training, these hours are then reported to the Kansas Law Enforcement Training Center by specified categories. The 2018-2019 training statistics, for the Department, included 2967.5 total hours with an average of 102 hours per officer.

Interim Police Chief Madden presented on police accountability and transparency, including handling of internal affairs. Complaints are accepted in any form but with a preference that it is received in writing. They can be filed anonymously and by a third-party, all officers are required to report misconduct. For personnel complaints, they can be classified as informal, formal and incomplete with a response investigation similar to any criminal investigation. The accused employee does have rights such as not making compelling statements that could incriminate them (Garrity law) and they may have a representative in their interview.

complaints can result in an unfounded disposition which states that the event did not occur or did not involve department members. Officers can be exonerated which shows that the alleged act occurred but that the act was justified, lawful and/or proper. It can be not sustained with insufficient evidence to sustain the complaint or fully exonerate the member. Finally, the complaint can be sustained, which concludes that there was sufficient evidence to establish that the act occurred and that it constituted misconduct. An officer can be put on administrative leave in situations of serious allegations of misconduct or officer involved shooting which is necessary for due process. A criminal and internal investigation are separate and an officer is afforded all rights anyone else has in a criminal investigation.

Next, Interim Police Chief Madden reported on the checks and balance/safeguards for the Department, explaining that Kansas legislation enacted a law that requires law enforcement

agencies to open personnel/internal affairs files for other law enforcement agencies doing background investigation. This prevents just providing information on dates of employment and rehire eligibility. Also, it provides a resource since not all agencies will complete this level of background investigation. The Kansas Commission on Peace Officers' Standards and Training (KS-CPOST), which is a twelve-member body that supervises law enforcement training in Kansas, requires change of status forms to be submitted within thirty days of an officer's separation while giving agencies immunity for the information submitted. If the change of status form does initiate an inquiry from KS-CPOST then agencies are required to comply with requests and an investigation can lead to certification revocation.

At the District Attorney's Office there must be disclosure of any information that may discredit an officer's testimony. As with Brady/Giglio information which renders any officer on the list as difficult to keep employed. Next, is the Multi-Jurisdictional Officer Involved Shooting Investigative Team, which is composed of experienced investigators/crime scene investigators and cannot include anyone from the agency. Their reports are submitted directly to the District Attorney's Office.

The Department reflected on areas for growth and opportunity they had identified since conversations around police accountability escalated earlier this summer. This includes efforts to build a more diverse staff by working with community groups to learn how to effectively recruit a diverse applicant pool, investigate and participate in job fairs that target underserved communities as well as consistently analyze the effectiveness of these efforts.

Department staff also acknowledged the need to collect better data, as data currently collected doesn't allow for efficient communication and has limited context which makes it difficult to analyze effectively. Potential action steps to mitigate the issues is initiating a comprehensive software that tracks field training, continuing education, complaints (formal and informal), bias-based data, use of force and vehicle damage reports. They will also assess a comprehensive early warning system to identify issues with officers prior to problems arising. Then allowing for communication and transparency by launching a public dashboard for information.

The Department continued to reflect on the need to develop standards for bias-based and de-escalation training since the State requires bias-based training but has no specific guidelines to follow. This could possibly be accomplished by setting a goal dedicating at least 10% of the required forty-hours of training to bias-based and/or de-escalation training. Then analyzing what impacts this training has on the Department's bias-based statistics, use of force incidents and complaints. Finally, the citizen complaint forms and reporting processes will need to be more visible and accessible through the website and other means.

Councilmember Boultinghouse asked about the hiring process and what was the biggest obstacle that would inhibit an applicant from being hired. Captain Lane explained that the interview is the area where they can assess a candidate's applicability by asking situational

questions, how they deal with stress and why they think they are the best person for the position. He explained that while the questions they have now are effective, they do have room for improvement and they are in the process of updating those.

Councilmember Flora asked if there are any questions regarding racial bias in the interview or psychological profile. Interim Police Chief Madden explained that is addressed in both the psychological profile as well as the voice stress analysis. They are asked questions such as if they have any predisposed opinions to a particular ethnicity or race, or if they have ever been involved with a group(s) promoting hate speech

Councilmember Davis asked about the software and since other Cities have internal technical departments if it is possible to outsource and receive assistance from other departments. Interim Police Chief Madden replied that it is important, with this software, to customize it to fit the department and Mission's specific processes and procedures.

Councilmember Thomas asked who will be reviewing and evaluating the data. Interim Police Chief Dan Madden indicated that Department Staff, along with City Administration will receive reports that will be used to make recommendations to and or inform the Council and the community.

Councilmember Schlossmacher was happy these policies were being reviewed and added that the Departments usage of body cameras helps with transparency and praised the Department for their community outreach efforts. Captain Lane replied that the body cameras have improved and added that Lexipol has been vital with keeping the Department current in situations while updating policies and keeping the City and the officers safe. He expressed his appreciation to the Council for providing the Department with these types of tools.

Councilmember Kring asked how events are counted when Mission police officers are utilized in other jurisdictions. Interim Police Chief Madden explained that if an officer assists another agency then they are required to fill out a report reflecting the situation, adding that when an officer is assisting then they are still required to follow Mission Police Department policies.

Councilmember Flora appreciated the self-reflection and acknowledgement of improvements not only for the Police Department but for the whole City.

Councilmember Kring concluded by thanking Interim Police Chief Madden and Captain Lane, adding that they are assets to the City.

**Action Items**

**Acceptance of the August 5, 2020  
Finance and Administration Committee Minutes**

Minutes of the August 5, 2020 Finance and Administration Committee Meetings were provided to the committee. There being no objections or corrections, the minutes were accepted as presented.

**Discussion Items**

There were no Discussion Items on the agenda for this meeting.

**OTHER**

**Department Updates**

There were no departmental updates.

**Meeting Close**

There being no further business to come before the Committee, the meeting of the Finance and Administration Committee adjourned at 8:50 p.m.

Respectfully submitted,

Audrey M. McClanahan  
City Clerk