

2015 ANNUAL REPORT



THE BOARD OF POLICE
COMMISSIONERS'

OFFICE OF
COMMUNITY
COMPLAINTS

CENTURY TOWERS, SUITE 2102

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BOARD OF POLICE COMMISSIONERS

OFFICE OF COMMUNITY COMPLAINTS

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SECRETARY/ATTORNEY

I. PEARL FAIN
EXECUTIVE DIRECTOR

MERRELL R. BENNEKIN
DEPUTY EXECUTIVE DIRECTOR

April 1, 2016

Dear Board of Police Commissioners and Chief Darryl Forté:

It is with great pleasure that I submit the annual report of the Kansas City, Missouri Board of Police Commissioners' Office of Community Complaints for the period of January 1, 2015 to December 31, 2015. This annual report details O.C.C.'s activities and accomplishments in 2015.

The mission and purpose of the Office of Community Complaints ("O.C.C.") is at times perplexing because of its position of neutrality between the public and members of the Kansas City, Missouri Police Department, yet maintains a close working relationship with the Department to stay abreast of all new policies, procedures, and regulations. O.C.C. serves not as an advocate for any party, but as an investigative agency which has a duty to provide education to both the public and the Department about effective and positive police-community relationships. Over the last decade, O.C.C., along with the Department, has implemented an outstanding outreach program which has been instrumental in strengthening the already positive relationships between the police and the community. O.C.C. believes its major goal is to continue in its efforts be a conduit for the Department and the community so they can enhance their trust level for the betterment of this great city. O.C.C.'s partnership and cooperative efforts with the community and the Department are critical in order to better execute its oversight responsibilities.

Major national incidents over the past few years have shown that law enforcement oversight has become an increasingly important role in regards to police-community relations. O.C.C., the oldest continually operating oversight agency in the United States, has been at the forefront in taking innovative steps over the years to bridge the gap between the police and the community they serve. Because of the years of proactivity of O.C.C., the community, and the Department, there have not been any events, issues or criticisms which have drawn negative and unwanted national attention to this city.

O.C.C. will continue to strive to be the catalyst to engage the police department and

the community to find workable solutions to alleviate any barriers to forging a positive working relationship. O.C.C. believes that by providing professional and neutral services, with honesty and integrity, helps to aid the community and the Department in developing a closer relationship that ultimately will lead to a reduction of complaints and less mistrust of law enforcement.

O.C.C. could not continue to perform its oversight duties and responsibilities without ongoing and lasting support from you, the Board of Police Commissioners, the Kansas City community and members of the Department. Our doors are always open for questions and criticism of how we are doing our jobs.

We enjoy serving you and thank you for supporting our efforts.

Respectfully submitted,



I. Pearl Fain
Executive Director
Office of Community Complaints

Community Outreach

The Office of Community Complaints remains steadfast in its commitment to providing professional, efficient, and effective service to the Kansas City, Missouri community. The Office's commitment to service is ingrained in every aspect of its daily operations, and remains a top priority in each of its initiatives. The Office's staff focuses a great deal of attention towards the development of systems and programs that serve to make the complaint process more user friendly for both complainants and Department members. With this goal in mind, the Office stays abreast of new trends in the area of civilian oversight, and uses this information to continually update and reform our local complaint model.

Public education and knowledge is essential to achieving the goals the Office. Under the direction of Det. Alexis Bush-Bailey, Community Outreach Liaison, the Office of Community Complaints continues to cultivate existing relationships with neighborhood associations, civic and religious groups, and service organizations in and around the Greater Kansas City Metropolitan area. Some of the goals of outreach from the perspective of the Office of Community Complaints are to build and maintain relationships and partnerships with diverse communities; establish transparency, mutual understanding and trust between the diverse communities and law enforcement; ensure equal and respectful treatment of communities and partners; and to educate parties on the role of the Office of Community Complaints and the complaint process.

In 2015, numerous outreach activities were conducted by the Office of Community Complaints. A small sampling of these events are outlined below:

Presentations:

| | |
|--|--|
| KCPD Citizen's Police Academy | Full Employment Council |
| University of Missouri—Kansas City | Face Forward (FEC Re-entry) |
| Badges and Baseball Mentoring Program | DARE (Drug Awareness Resistance Education) |
| Metropolitan Community College—Maple Woods | Metropolitan Community College—Penn Valley |
| KC STAT—City of Kansas City | KCPD Community Forums |
| Urban Summit | Cristo Rey |
| KC LINC | Jackson County Juvenile Court |
| Stepping Stones | Center Alternative School |
| Center Elementary School | Red Bridge Elementary School |
| University Academy | Awesome Ambitions Mentoring Program |

Media:

Complaint Process Explanation—KCTV5 and KSHB 41 Action News
Kansas City Star

Regular Meetings Attended:

Black Agenda Group, Center Planning, Greater Kansas City Metropolitan Crime Commission, Metropolitan Community Service Program, Second Chance Program, Urban Summit, 12th Street Heritage Foundation

Trainings Conducted:

Complaint Process (Regional Police Academy Entrant Officers)
Mediation Skills (Regional Police Academy)
Interpersonal Skills (Regional Police Academy and Kansas City, Kansas Police Department)
Community Engagement for Oversight Agencies (NACOLE 21st Annual Conference)

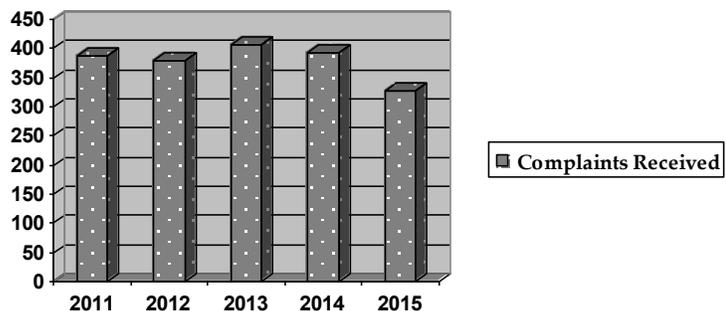
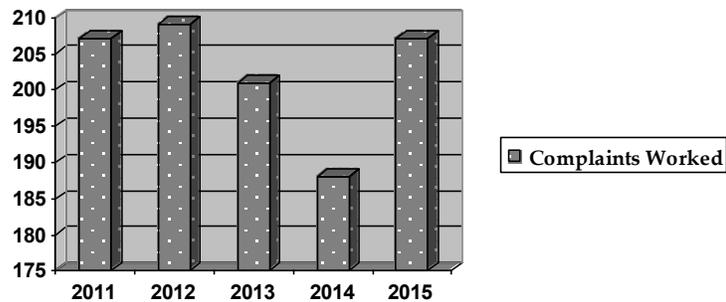
ANALYSIS OF COMPLETED FILES

Five-Year Comparative Statistics 2011—2015

| | 2011 | 2012 | 2013 | 2014 | 2015 | <i>Average</i> |
|----------------------------|------|------|------|------|------|----------------|
| Complaints Worked | 207 | 209 | 201 | 188 | 207 | 202 |
| Complaints Received | 388 | 379 | 407 | 393 | 326 | 379 |

Complaints Worked refers to complaints returned to the Office of Community Complaints after having been sent to the Internal Affairs Unit for investigation. These cases can be classified by six different dispositions, which are explained later in this document. Those complaints are not necessarily from the same calendar year (i.e., a complaint taken in December 2015 would not have a recommendation made until sometime in 2016). This number does not include cases which were handled by mediation or conciliation (please refer to the section on Non-Investigated Complaints, Mediations, and Conciliations later in this document).

Complaints Received refers to those complaints which were taken at any of the satellite locations, police facilities, or the Office of Community Complaints during the calendar year January 1 – December 31, 2015.



Non-Investigated Complaints (“NIC’s”) Mediations and Conciliations

Each year the Office of Community Complaints receives complaints which are not handled through traditional investigative means. These complaints range from those which are outside the jurisdiction of the Office, to those people who do not cooperate with attempts by the Office to contact them, to anonymous complaints. The following types of complaints are generally classified as **Non-Investigated Complaints (“NIC’s”)**:

- Third-party complaints without a matching complaint from the aggrieved party
- Complaints against non-Kansas City, Missouri Police Department members
- Complaints which occurred more than 90 days before the filing of the complaint
- Anonymous complaints
- Complaints with an obvious lack of violation of police department policy or procedure
- Complaints solely dealing with the issuance of a traffic ticket
- Complaints dealing with criminal misconduct by an officer
- Complaints already being investigated by the Internal Affairs Unit (Officer-involved shootings, discharge of a firearm, issues dealing with an officer’s personal life, etc.)
- Complaints where legal action is filed by the complainant
- Complaints where the complainant is not cooperative with the Office in obtaining additional information
- Complaints withdrawn by the complainant before an investigation, mediation, or conciliation can be performed

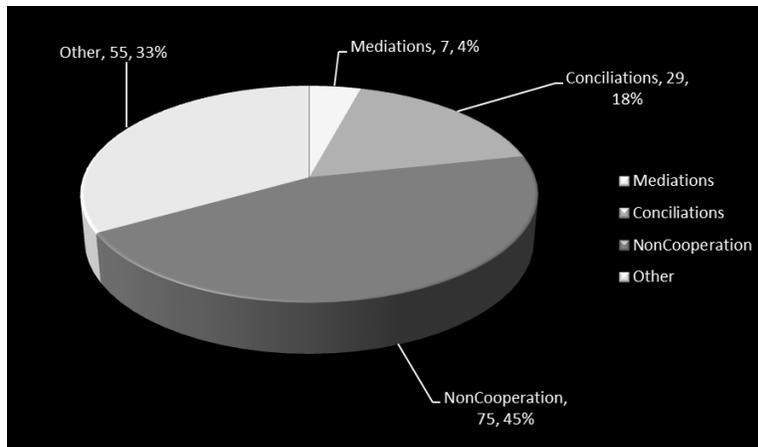
Within the NIC category, however, are those complaints that are mediated or conciliated, and forego a formal investigation by the Internal Affairs Unit. Mediations and Conciliations are classified as NIC’s due to the lack of a formal (i.e. Internal Affairs) investigation.

Mediation allows a complainant to sit down face-to-face with the Department member with whom they have a grievance in the presence of an independent, third-party mediator who volunteers his or her time to the Office.

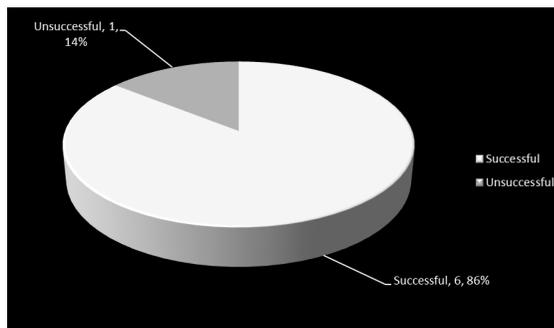
Conciliation is done at the division or unit level, where a supervisor contacts both the complainant and member to obtain a set of facts, and a smaller-scale inquiry into the complaint is done by a supervisor. The complainant is then contacted by the supervisor and receives information regarding how the complaint was handled.

In 2015, 169 NIC's were received in the Office, and 166 were reviewed (consisting of those filed in current and previous years). Of the 166 which were reviewed in 2015, 36 were mediations and conciliations, with 92% percent considered successful. Of the remaining 130 NIC's, 75 were closed for complainant non-cooperation, and 55 fell into other categories.

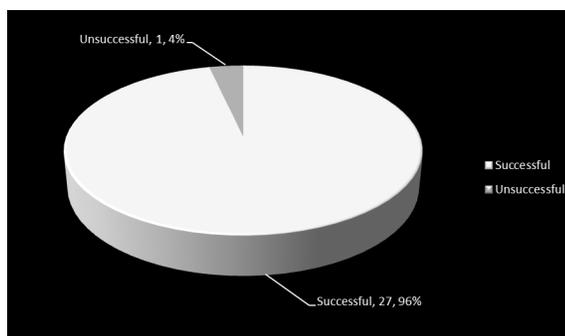
Total Non-Investigated Complaints (166)



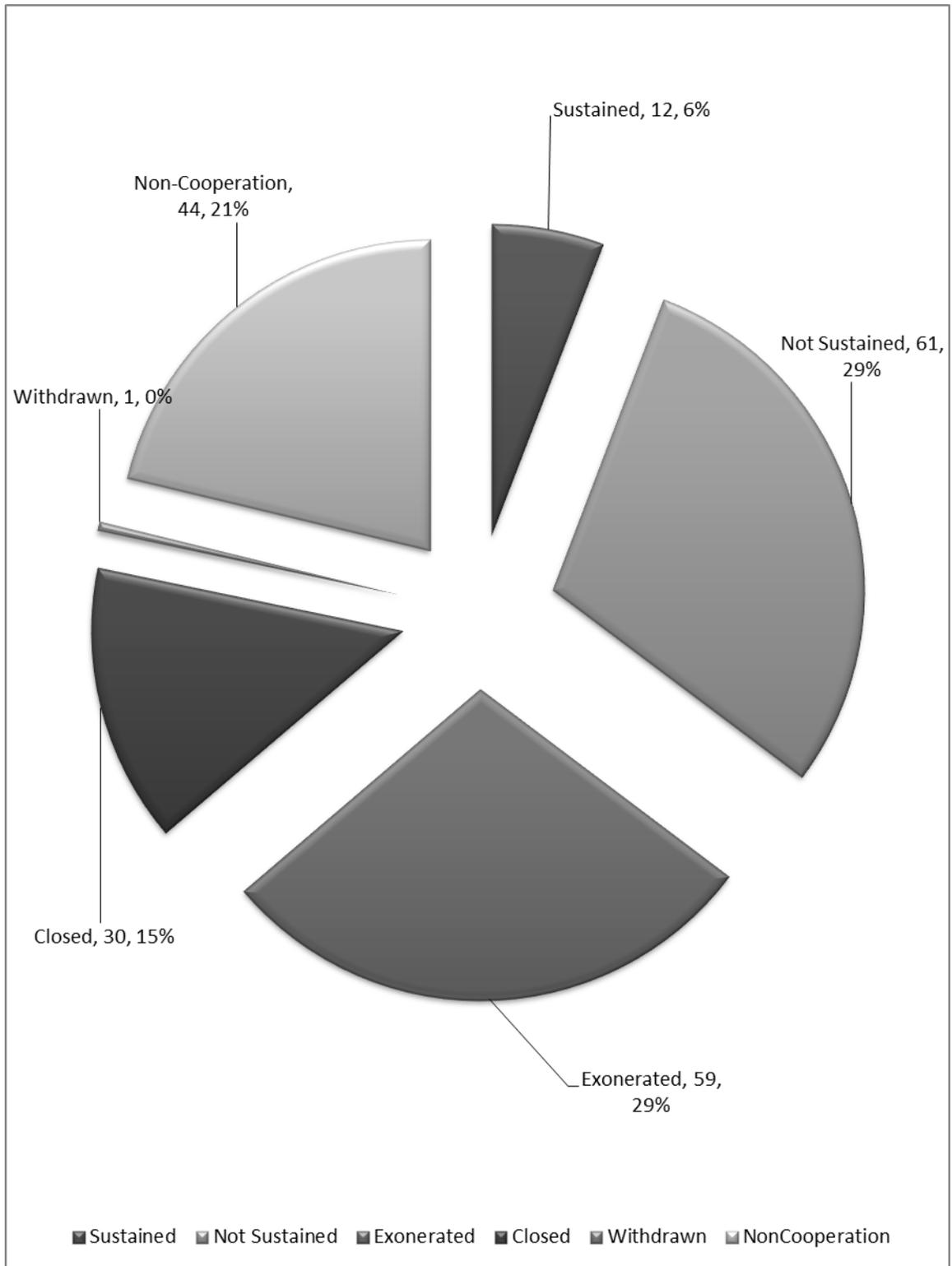
Mediations (7)



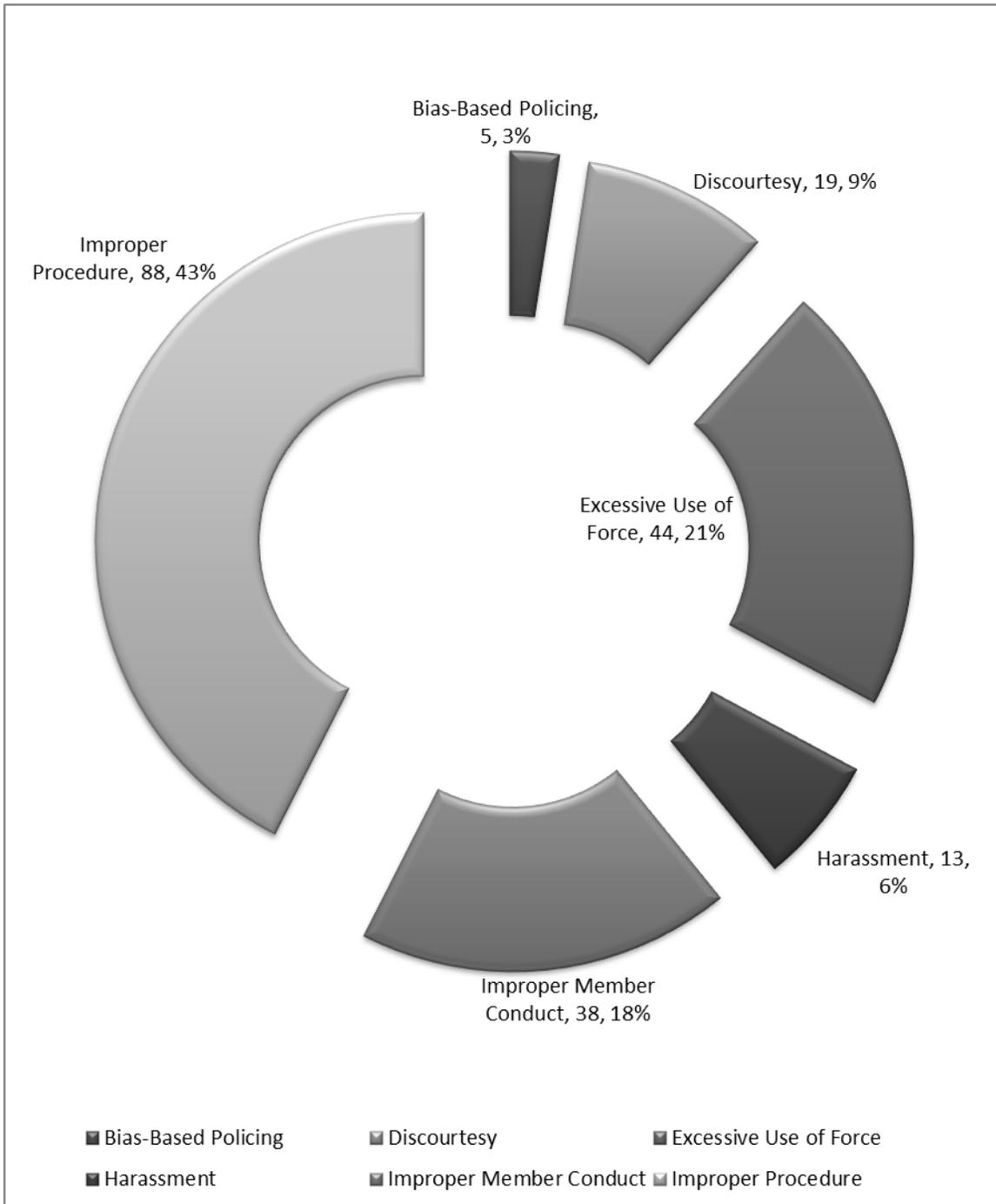
Conciliations (29)



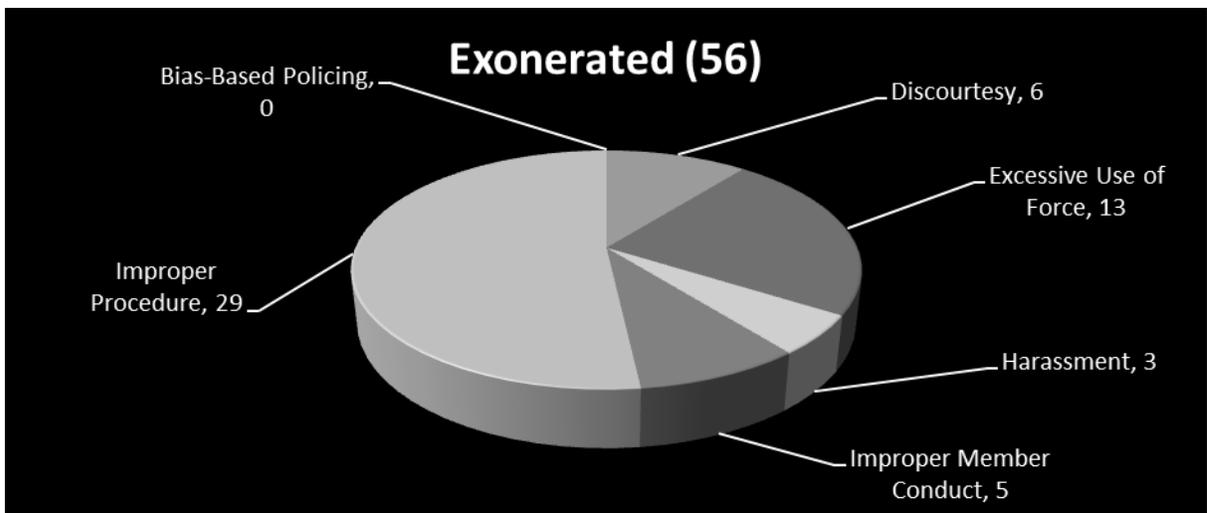
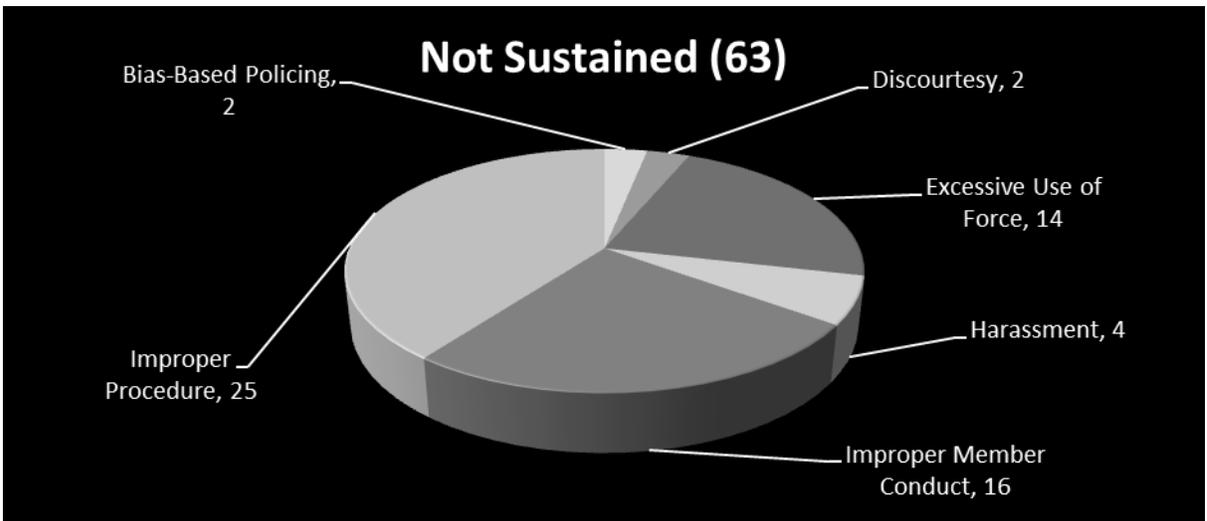
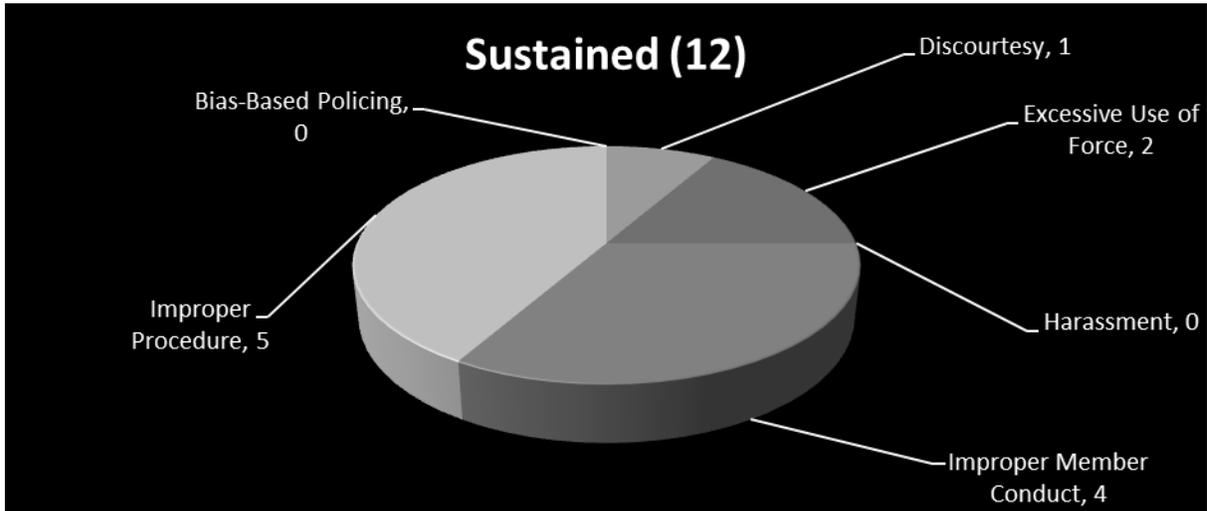
Disposition of Complaints—All Categories (207 Complaints)



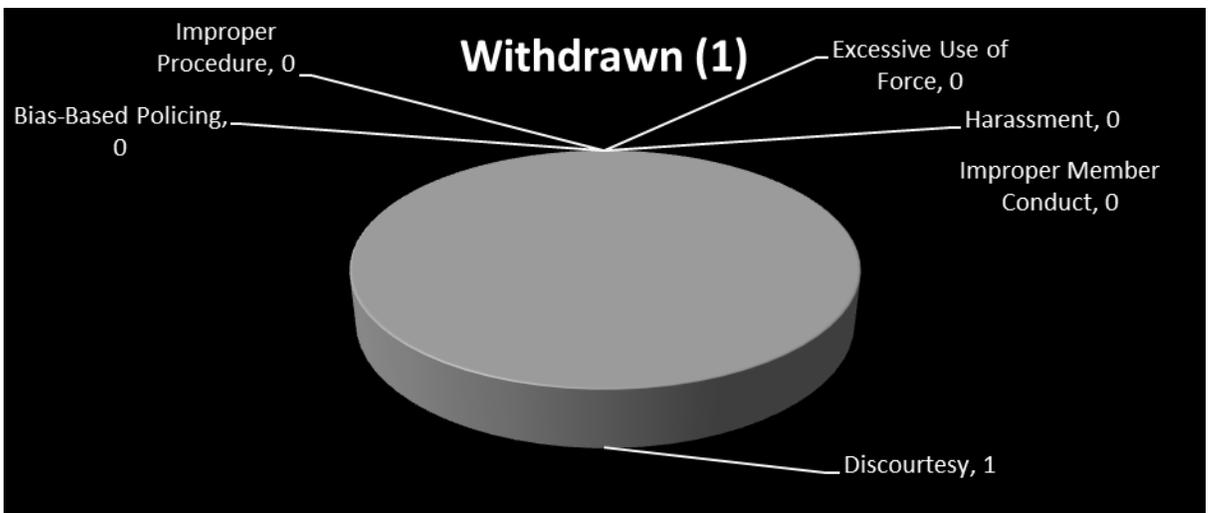
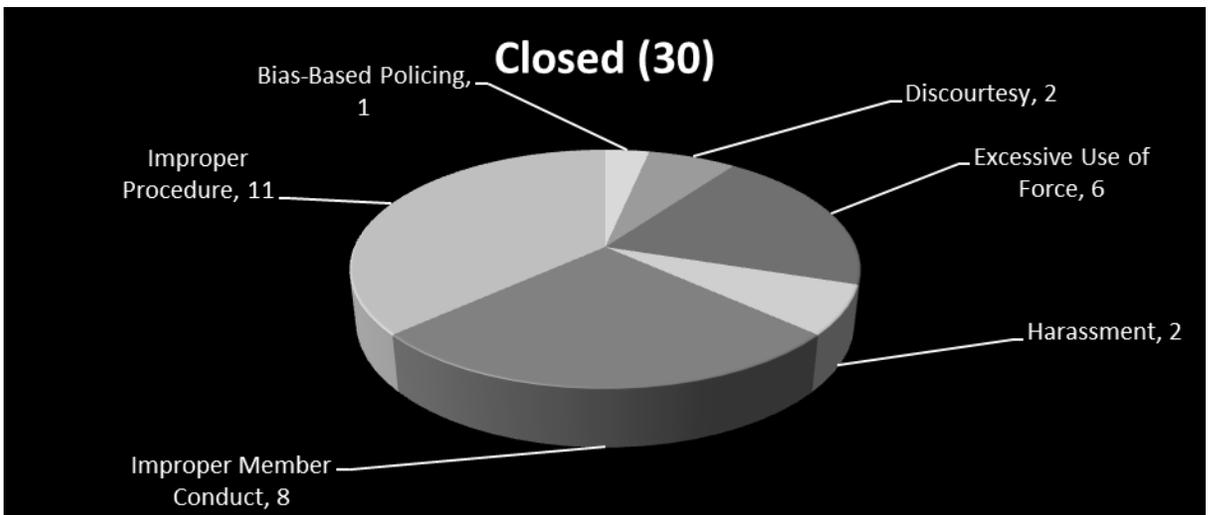
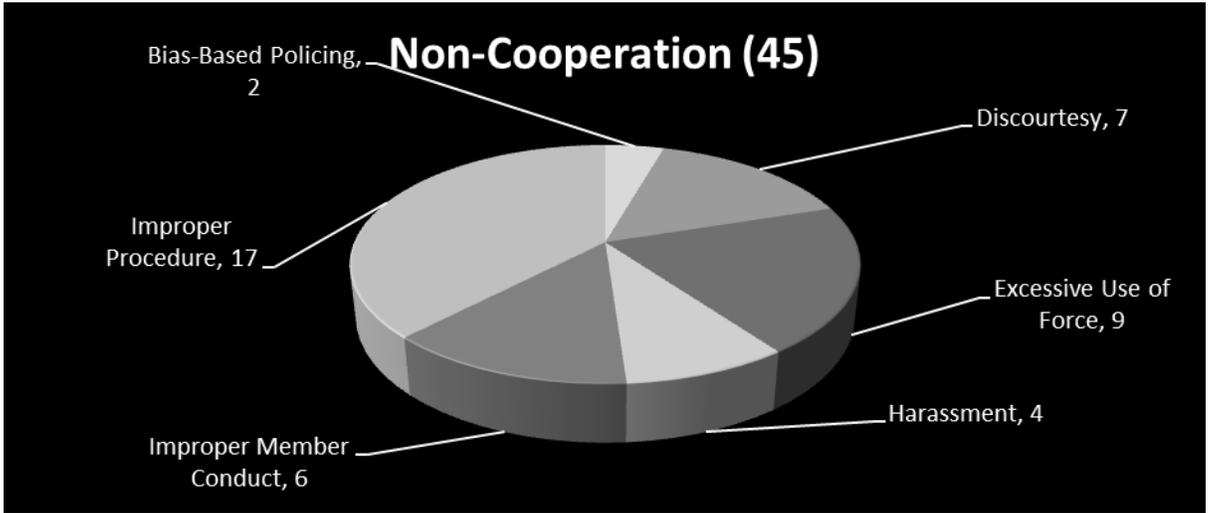
Complaints Worked by Allegation (207 Complaints)



Disposition of Complaints by Finding



Disposition of Complaints by Finding—Continued



Complaint Category Definitions

Bias-Based Policing: Circumstances where the police actions of a member were substantially based on the race, ethnicity, gender, age, sexual orientation, religious beliefs, disabilities, or national origin of a person, rather than upon lawful and appropriate police procedures.

Discourtesy: Circumstances where the actions or statements of a Department member were in violation of the Code of Ethics or Rules of Conduct of the Department based upon the context of the contact with the complainant. For example, the use of ethnic slurs would be classified as discourtesy.

Excessive Use of Force: Circumstances where a member of the Department used more force than is reasonably necessary to arrest a suspect, take a suspect into custody, stop a suspect for investigation, control a situation, restore order, or maintain discipline.

Harassment: Circumstances where a member of the Department has had repeated or continued contact with a person without lawful police justification.

Improper Member Conduct: Circumstances where the behavior of a member was unprofessional, unjustified, beyond the scope of the authority of the member, unauthorized by Department procedures, or constituted an unreasonable lack of police service.

Improper Procedure: Circumstances where an administrative or procedural requirement was not met. This includes, but is not limited to, improper search and seizure, omission of the Miranda Warning where required, etc.

Complaint Findings and Dispositions

Sustained: The alleged act occurred and was without lawful police justification.

Not Sustained: The evidence fails to prove that an act of misconduct occurred.

Exonerated: The alleged act did occur but the Department member engaged in no misconduct because the actions of the Department member were lawful, justified, and/or proper.

Resolved Without Investigation: Any complaint which is mediated, conciliated, or resolved prior to the Internal Affairs Unit investigation. (Refers to complaints classified as “Non-Investigated Complaints” only.)

Withdrawn: The complainant did not wish to pursue the complaint.

Non-Cooperation: The complainant failed to cooperate. (Can refer to those complaints classified as “Non-Investigated Complaints” as well as those sent for investigation to the Internal Affairs Unit.)

Closed: The complaint was closed due to the following circumstances:

- ◆ Lack of Jurisdiction
- ◆ No Violation of Policy or Procedure
- ◆ Pending Litigation
- ◆ Anonymity on the part of the complainant
- ◆ Third-party Complaint
- ◆ Pending Police Department Investigation (such as shootings and homicides)

Race and Sex of Complainants by Disposition of Complaint

| | W/M | W/F | B/M | B/F | H/M | H/F | A/M | A/F | Other |
|------------------------|-----------|-----------|-----------|-----------|----------|----------|----------|----------|----------|
| Sustained | 2 | 1 | 9 | 3 | | | | | |
| Not Sustained | 12 | 10 | 32 | 22 | 2 | 1 | 1 | | 2 |
| Exonerated | 15 | 9 | 26 | 17 | 2 | 2 | | | |
| Closed | 7 | 9 | 10 | 6 | | 1 | | | |
| Withdrawn | | | | 1 | | | | | |
| Non-Cooperation | 4 | 6 | 20 | 17 | | 1 | 1 | 1 | |
| TOTAL | 40 | 35 | 97 | 66 | 4 | 5 | 2 | 1 | 2 |

Complainants by Age

| AGE GROUP | NUMBER | PERCENTAGE |
|--------------|------------|---------------|
| 17 and Under | 6 | 2.4% |
| 18 to 24 | 22 | 8.7% |
| 25 to 34 | 77 | 30.6% |
| 35 to 49 | 82 | 32.5% |
| 50 to 64 | 51 | 20.2% |
| 65 and Older | 14 | 5.6% |
| TOTAL | 252 | 100.0% |

**Tenure of Members Complained Against
(Sustained, Not Sustained, and Exonerated Complaints Only)**

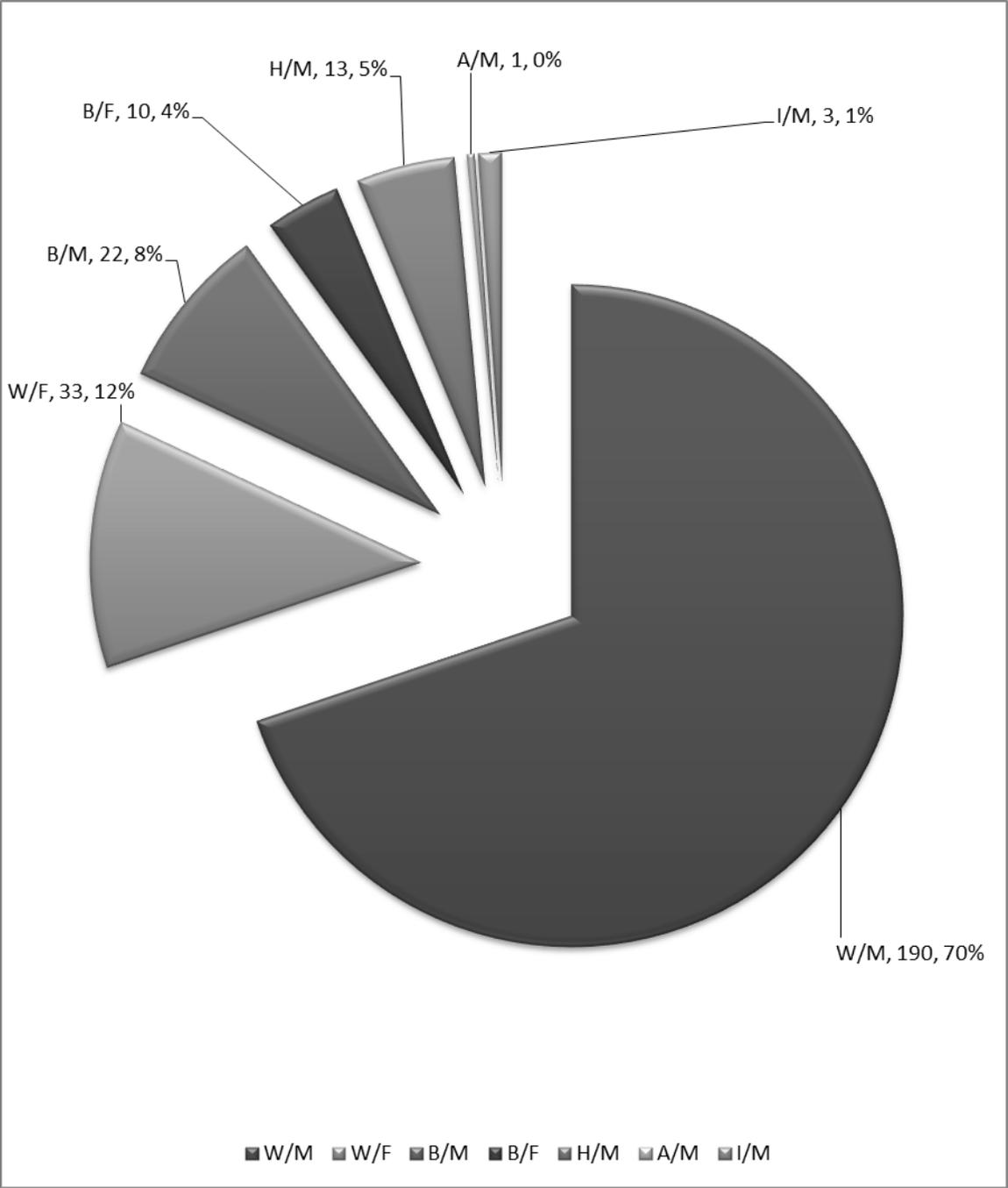
| | 0 to 4 Years | 5 to 9 Years | 10 to 14 Years | 15 to 19 Years | 20 to 24 Years | 25-Plus Years |
|-------------------------------|-----------------|-----------------|-------------------|-------------------|-------------------|------------------|
| Sustained | 6 | 5 | 3 | 0 | 0 | 1 |
| Not Sustained | 43 | 23 | 26 | 14 | 8 | 4 |
| Exonerated | 56 | 19 | 30 | 13 | 12 | 9 |
| Total & Percentage | 105 (38.6%) | 47 (17.3%) | 59 (21.7%) | 27 (10.0%) | 20 (7.3%) | 14 (5.1%) |

**Tenure of KCPD Sworn Members as of December 31, 2015
(1354 Sworn Officers)**

| Years of Service | Number | Percentage |
|------------------|-------------|-------------|
| 0 to 4 Years | 196 | 14.5% |
| 5 to 9 Years | 224 | 16.5% |
| 10 to 14 Years | 281 | 20.8% |
| 15 to 19 Years | 260 | 19.2% |
| 20 to 24 Years | 232 | 17.1% |
| 25+ Years | 161 | 11.9% |
| TOTAL: | 1354 | 100% |

Please note: On (rare) occasion, complaints are filed against civilian (non-sworn) members of the Kansas City, Missouri Police Department. For the above table, only the sworn members of the KCPD are noted.

**Race and Sex of Members Complained Against
(Sustained, Not Sustained, and Exonerated Complaints Only)**



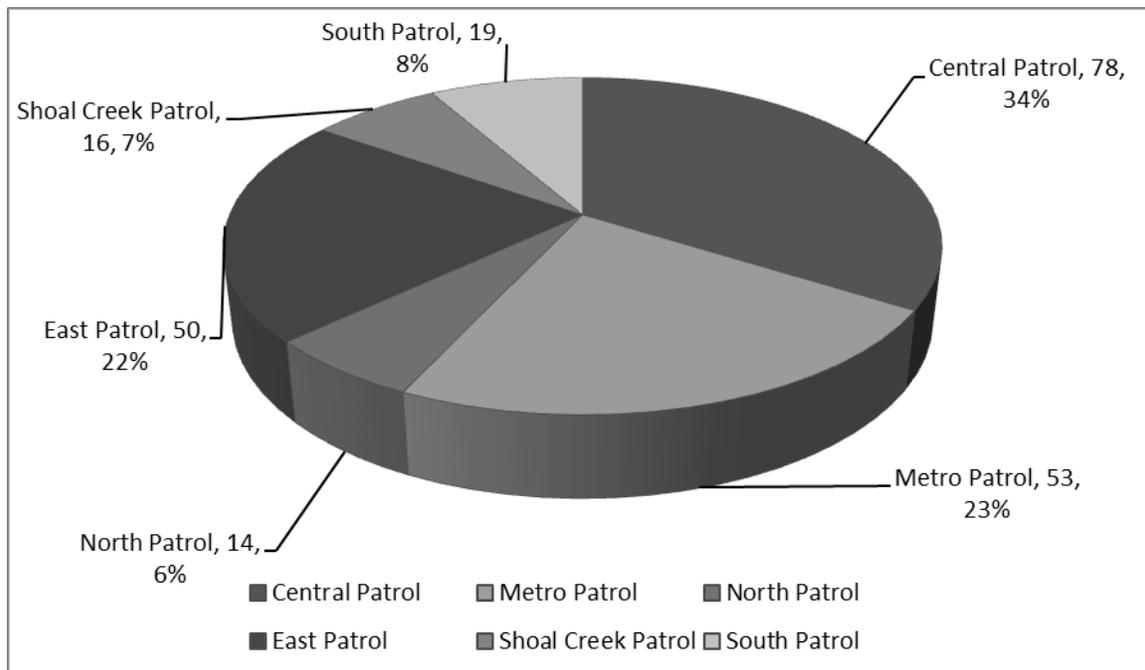
Assignment of Members Complained Against (Sustained, Not Sustained, and Exonerated Complaints Only)

By Type of Unit

| | | |
|------------------------------------|------------|---------------|
| Patrol Divisions | 230 | 84.6% |
| Traffic and Parking Control | 4 | 1.5% |
| Detention | 5 | 1.8% |
| SNU/DEU (Drug Units) | 2 | 0.7% |
| Other | 31 | 11.4% |
| TOTAL | 272 | 100.0% |

“Other” includes officers assigned to units such as Juvenile, Tactical Response Teams, Homicide, Property Crimes, and others.

By Patrol Division



APPENDICES

APPENDIX A:
DISPOSITION
OF
COMPLAINTS
2011-2015

Disposition of Complaints 2011 through 2015

| | 2011 | 2012 | 2013 | 2014 | 2015 |
|--------------------------------|------------|------------|------------|------------|------------|
| Sustained | 6 | 14 | 12 | 3 | 12 |
| Not Sustained | 63 | 75 | 60 | 49 | 61 |
| Exonerated | 40 | 48 | 43 | 33 | 59 |
| Closed | 32 | 27 | 41 | 42 | 30 |
| Withdrawn | 8 | 8 | 5 | 5 | 1 |
| Non-Cooperation | 58 | 37 | 40 | 54 | 44 |
| COMPLAINTS REVIEWED | 207 | 209 | 201 | 186 | 207 |

The number of complaints reviewed in recent years has fluctuated due to the number of complaints received in the Office of Community Complaints (see page 9). However, the breakdown of complaints in regard to their disposition stays proportionate each year, with the percentage of sustained files averaging four to five (4-5%) percent each year. The following chart shows the five-year average for each of the complaint dispositions.

Five-Year Average by Disposition

| <u>Disposition</u> | <u>Five-Year Average</u> |
|--------------------|--------------------------|
| Sustained | 4.6% |
| Not Sustained | 30.5% |
| Exonerated | 22.1% |
| Closed | 17.0% |
| Withdrawn | 2.7% |
| Non-Cooperation | 23.1% |

APPENDIX B:
2015
SUSTAINED
COMPLAINTS

2015 Sustained Complaints

Sustained Complaint #1

The complainant alleges being repeatedly tasered, tackled, and cursed by two KCPD officers all while holding his child. The complainant alleged that the officers beat and tasered him for 20 minutes. Both officers denied allegations of excessive force. One officer admitted to using profanity and the other officer admitted to stunning the complainant five to seven times. The officer(s) were found to be in violation of *Personnel Policy #201-7, "Code of Ethics and Rules of Conduct"* and *Procedural Instruction #10-9, "Patrol Bureau Video Procedures."*

Sustained Complaint #2

The complainant alleges being pushed and cursed by two police officers at an accident scene. Both officers denied the allegations. The officer(s) were found to be in violation of *Personnel Policy #201-7, "Code of Ethics and Rules of Conduct."*

Sustained Complaint #3

The complainant alleges he was walking down the street and was beaten and taken into custody for having his hands in his pockets. The complainant alleges the officers repeatedly kicked him in the head, used excessive force, and used demeaning language. None of the officers' in-car recordings provided any information. The officer(s) were found to be in violation of *Personnel Policy #201-7, "Code of Ethics and Rules of Conduct"* and *Procedural Instruction #13-6, Response to Resistance"*.

Sustained Complaint #4

The complainant alleges that the officer released her personal information to a non law enforcement entity. The officer admits to releasing complainant's information. The officer was found to be in violation of *Procedural Instruction #01-10, "Computerized Police Information Systems," Personnel Policy #201-7, "Code of Ethics and Rules of Conduct,"* and the *Criminal Justice Information Services (CJIS) Security Policy*.

Sustained Complaint #5

The complainant alleges that a KCPD patrol car was in front of her traveling the same direction. The patrol car then pulled over so the complainant could go ahead of them. The officers proceeded to pull the complainant over. The complainant alleges once she was stopped, she was pulled out of the car, handcuffed, and forced to sit on the ground. The officer(s) were found to be in violation of *Procedural Instruction #03-03, "Patrol Procedures," Personnel Policy #201-7, "Code of Ethics and Rules of Conduct,"* and *Legal Bulletin #00-2, "Investigation Required Prior to Making an Arrest."*

Sustained Complaint #6

The complainant alleges that the police unlawfully towed his vehicle and damaged it. Both officers admitted to not trying to locate owner of vehicle and breaking a window of vehicle for tow truck driver to gain access. The officers were found to be in violation of *Procedural Instruction 09-09, "Towing/Protective Custody of Vehicles and Contents."*

2015 Sustained Complaints

Sustained Complaint #7

The complainant alleges that two KCPD officers forcefully detained him in front of his home and ticketed him without cause. It was alleged that the two officers then punched the complainant, in addition to jumping on the complainant's back and legs. The altercation resulted in injuries to complainant's face, shoulders, and knees. The audio/video recording depicts events differently than that of the officers' statements. The officer(s) were found to be in violation of *Personnel Policy #201-7, "Code of Ethics and Rules of Conduct."*

Sustained Complaint #8

The complainant alleges an officer stopped him for no reason and towed the car he was driving. He notes he was wrongfully held for 23 hours, forced to sign traffic violations, and made to provide a DNA sample. The officer was found to be in violation of *Personnel Policy #201-8 "Code of Ethics and Rules of Conduct."*

Sustained Complaint #9

The complainant alleges he was having a conversation with another party when a officer showed up at the scene. The complainant alleges the officer used profanity, threatened to jail him, and threatened to fight him. The officer muted his microphone for three minutes, allowing for several minutes of uncaptured video and audio. The officer was found to be in violation of *Personnel Policy 201-8, "Code of Ethics and Rules of Conduct."*

Sustained Complaint #10

The complainant states an officer mislead him into believing he had warrants, claims he was falsely accused and detained for a hit and run accident. The complainant notes he called dispatch to inquire if there were any active warrants and was told no. The officer denies all allegations. The officer was found to be in violation of *Personnel Policy #201-8 "Code of Ethics and Rules of Conduct," Personnel Policy #630-7, "Off Duty Employment," and Procedural Instruction #10-1, "Tiburon Computer System - Automated Reporting System (ARS)/Records Management System (RMS)."*

Sustained Complaint #11

The complainants allege that male officers assaulted, cursed, and slammed a female to the ground. The in-car camera captured the officers swearing at the complainants. The officer(s) were found to be in violation of *Personnel Policy #201-8, "Code of Ethics and Rules of Conduct."*

Sustained Complaint #12

The complainant alleges that officers, using profanity, ordered him out of his car at gunpoint. He states he was handcuffed, made to lay on the ground, and his car was searched. The officer was found to be in violation of *Procedural Instruction #09-12, "Questioning and Detaining Persons, Arrest, Search, and Seizure," Procedural Instruction 14-7, "Patrol Procedures," and Personnel Policy #201-8, "Code of Ethics and Rules of Conduct."*

APPENDIX C:
WHERE TO
FILE A
COMPLAINT

Where to File a Complaint

The Office of Community Complaints

635 Woodland Avenue, Suite 2102
Kansas City, Missouri 64106
(816) 889-6640
Monday-Friday, 8:00 a.m.—4:30 p.m.

Central Patrol Division

1200 E. Linwood Boulevard
Kansas City, Missouri 64109
(816) 234-5510
24 Hours

Police Headquarters, Records Unit

1125 Locust Street
Kansas City, Missouri 64106
(816) 234-5000
24 Hours

Metro Patrol Division

7601 Prospect Avenue
Kansas City, Missouri 64132
(816) 581-0700
24 Hours

East Patrol Division

2640 Prospect Avenue
Kansas City, Missouri 64127
(816) 234-5530
24 Hours

Shoal Creek Patrol Division

6801 N.E. Pleasant Valley Road
Kansas City, Missouri 64119
(816) 413-3400
24 Hours

North Patrol Division

1001 N.W. Barry Road
Kansas City, Missouri 64155
(816) 234-5540
24 Hours

Northland Neighborhoods, Inc.

4420 N.E. Chouteau Trafficway, Suite 100
Kansas City, Missouri 64117
(816) 454-2000
Monday-Friday, 8:00 a.m.-5:00 p.m.

South Patrol Division

9701 Marion Park Drive
Kansas City, Missouri 64137
(816) 234-5550
24 Hours

Westside CAN Center

2130B Jefferson Street
Kansas City, Missouri 64108
(816) 842-1298
Monday-Saturday, 6:00 a.m.-6:00 p.m.
Se Habla Español

Ad-Hoc Group Against Crime

3116 Prospect Avenue
Kansas City, Missouri 64128
(816) 753-1111
Monday-Friday, 9:00 a.m.-5:00 p.m.

APPENDIX D: STEPS IN THE COMPLAINT PROCESS



Steps in the Complaint Process

Under the authority of the Board of Police Commissioners, the Office of Community Complaints is responsible for protecting the citizen from the possibility of abuse or misconduct on the part of the Kansas City, Missouri Police Department. We are also charged with protecting the members of the police department from unjust and unfair accusations. The Office of Community Complaints is committed to effectively and impartially resolving all complaints involving a citizen's guaranteed right to fair and efficient police protection.

The Complaint Process:

- 1) Complaints may be filed at the Office of Community Complaints, Northland Neighborhoods, the Westside CAN Center, the Ad-Hoc Group Against Crime, or the nearest Kansas City, Missouri police station.
 - Complaints must be filed within 90 days of the date of occurrence.
 - Complainants must be at least 17 years of age. Complainants under the age of 17 must be accompanied by a parent or legal guardian who will also be listed as the co-complainant.
- 2) The complaint will be reviewed by the Office of Community Complaints.
 - Complaints will be reviewed by the Director to determine if the complaint is appropriate for investigation.
 - Those complaints that are deemed appropriate for investigation will be forwarded to the Internal Affairs Unit of the Kansas City, Missouri Police Department.
 - Once a complaint has been filed, the complainant must fully cooperate with the Office of Community Complaints during the initial review process to avoid closure of his or her complaint.
- 3) The complainant will be contacted by the Internal Affairs Unit.
 - The complainant will be required to give a formal, verbal statement regarding the allegations listed in the complaint.
 - **It is imperative that the citizen cooperates with the detectives by providing a formal statement to ensure that the complaint is thoroughly investigated.**
 - **If a complainant does not provide a formal statement, the complaint file will be closed without further investigation.**

- 4) The Internal Affairs Unit will investigate the complaint. This involves:
 - Taking formal statements from the complainant(s), officer(s) and witnesses
 - Retrieval of any documentation of the incident
 - Retrieval of dispatch records, departmental video recordings (police vehicles and/or detention centers), and officer logs
 - Retrieval of any information that will enable the Office to arrive at an appropriate recommendation.
- 5) Once the investigation is completed, the findings will be submitted to an O.C.C. Analyst for a detailed review and analysis.
- 6) After the file is reviewed by the Office, the O.C.C. Director will forward the final analysis and recommendation to the Board of Police Commissioners and/or the Chief of Police for review and final approval.
- 7) Following the final approval of the recommendation, the O.C.C. Director will then notify the complainant by letter to inform them of the final disposition of the complaint.

Things to Remember:

- Mediation of the situation is always an option! Be sure to notify the Office if you are interested in mediating the dispute.
- **Under Missouri law it is unlawful to make a false report to the police, hinder or interfere with an investigation, or provide false information to the police.**
- If you have a charge pending before any Court, filing a complaint will not result in the charge being dismissed. The complaint process has no bearing on the court system. The matter must be resolved in court.
- Filing a complaint will not prevent police from conducting legitimate law enforcement-related activities involving you or the area in which you live, work, frequent, or in the location in which the event complained of occurred.

The Office of Community Complaints is eager to assist you in any way possible. If you have any questions concerning the complaint process, please do not hesitate to call the office at (816) 889-6640, or contact one of the below listed analysts for assistance.

If your last name begins with the letter:

| | | |
|-----|---|----------------|
| A-H | Senior Legal Analyst Michael Walker | (816) 889-6646 |
| I-P | Senior Legal Analyst Karen Williams | (816) 889-6644 |
| Q-Z | Senior Legal Analyst Johnnie Ann Crawford | (816) 889-6645 |

Additionally, if you are interested in mediation, please contact:

| | |
|-------------------------------------|----------------|
| Senior Legal Analyst Michael Walker | (816) 889-6646 |
|-------------------------------------|----------------|

APPENDIX E:
O.C.C.
MISSION
STATEMENT



Mission Statement

Under the authority of the Board of Police Commissioners, the Office of Community Complaints (“Office”) is a non-police, civilian oversight agency. The Office has been charged with the responsibility of protecting the citizen from the possibility of abuse or misconduct on the part of the Kansas City, Missouri Police Department. The Office is also entrusted with the duty to protect members of the police department from unjust and unfair accusations. The Office of Community Complaints is committed to effectively and impartially resolving all complaints involving a citizen’s guaranteed right to fair and efficient police protection.

In fulfillment of its mission, the Office has pledged:

- ◆ To encourage members of the community to file complaints when they feel they have experienced police misconduct.
- ◆ To encourage active participation by all parties in the complaint process.
- ◆ To examine carefully each investigative file so as to ensure that all efforts have been made to resolve the complaint.
- ◆ To review all complaints with complete objectivity and impartiality.
- ◆ To respect and protect the rights of both the citizen and the subject officer.
- ◆ To engage in community outreach throughout Kansas City, Missouri to educate the general public concerning the agency’s purpose.
- ◆ To report to the Board of Police Commissioners any patterns of misconduct that are uncovered as a result of investigations and complaint review.
- ◆ To report to the Board of Police Commissioners any and all relevant issues and policy matters that may arise.
- ◆ To proactively identify trends that may need to be addressed by the Regional Police Academy for officer training.

APPENDIX F:
NACOLE
CODE OF
ETHICS



The National Association for Civilian Oversight of Law Enforcement

Code of Ethics

Adopted by the Office of Community Complaints, 2011

Personal Integrity

Demonstrate the highest standards of personal integrity, commitment, truthfulness, and fortitude in order to inspire trust among your stakeholders, and to set an example for others. Avoid conflicts of interest. Conduct yourself in a fair and impartial manner and recuse yourself or personnel within your agency when significant conflict of interest arises. Do not accept gifts, gratuities, or favors that could compromise your impartiality and independence.

Independent and Thorough Oversight

Conduct investigations, audits, evaluations, and reviews with diligence, an open and questioning mind, integrity, objectivity and fairness, in a timely manner. Rigorously test the accuracy and reliability of information from all sources. Present the facts and findings without regard to personal beliefs or concern for personal, professional or political consequences.

Transparency and Confidentiality

Conduct oversight activities openly and transparently, providing regular reports and analysis of your activities, and explanations of your procedures and practices to as wide an audience as possible. Maintain the confidentiality of information that cannot be disclosed and protect the security of confidential records.

Respectful and Unbiased Treatment

Treat all individuals with dignity and respect, and without preference or discrimination including, but not limited to: age, ethnicity, citizenship, color, culture, race, disability, gender, gender identity, gender expression, housing status, marriage, mental health, nationality, religion, sexual orientation, socioeconomic status, or political beliefs, and all other protected classes.

Outreach and Relationships with Stakeholders

Disseminate information and conduct outreach activity in the communities that you serve. Pursue open, candid, and non-defensive dialogue with your stakeholders. Educate and learn from the community.

Agency Self-Examination and Commitment to Policy Review

Seek continuous improvement in the effectiveness of your oversight agency, the law enforcement agency it works with, and their relations with the communities they serve. Gauge your effectiveness through evaluation and analysis of your work product. Emphasize policy review aimed at substantive organizational reforms that advance law enforcement accountability and performance.

Professional Excellence

Seek professional development to ensure competence. Acquire the necessary knowledge and understanding of the policies, procedures, and practices of the law enforcement agency you oversee. Keep informed of current legal, professional and social issues that affect the community, the law enforcement agency, and your oversight agency.

Primary Obligation to the Community

At all times, place your obligation to the community, duty to uphold the law and to the goals and objectives of your agency above your personal self-interest.