

**A report on the status of the Issues of Agreement contained in the Mediation Agreement executed on January 21, 2010, by and between The City Team of Kirkwood and The Community Team of Kirkwood.**

Page 3 of the Agreement:

**Empower the Human Rights Advisory and Awareness Commission with the tools necessary to establish itself as a more active and responsive servant and leader in the community and to increase transparency, efficiency and public confidence in the citizen complaint/request process.**

**Specifically, the teams agreed to the following as excerpted from the Agreement:**

1. The City Council should review the existing ordinances relevant to the goals of this agreement and should make changes to the ordinance consistent with and in order to effectuate the terms of this Agreement as it relates to the HRC.
2. The Council should clearly define the attributes, experience and commitment required for appointment to the HRC. A new HRC citizen application form will be developed. This form will seek more information to help insure that the applicant meets appointment requirements and will make clear the commitment of time and effort required of an HRC member. Areas of ambiguity in the current ordinance should be clarified.
3. The Council should authorize staff to create a new process for placing matters of concern or service requests before the HRC and other areas of city government. This is expected to benefit the entire community on a range of resident issues. The design of the process will be an on-line, automated tracking system which will log and process written and oral communication from citizens; it will document and manage all aspects of the process from the initial entry to work request to final resolution and disposition of the matter; and it will be accessible via the internet 24 hours per day and 7 days per week. A key element in this design will include date and time stamped documentation of issues presented and prompt acknowledgement and follow-up. The system will have city-wide applicability for the handling of requests, suggestions, complaints, questions, or comments and will include a periodic evaluation of this process.
4. The Council should amend the HRC ordinance to provide stronger incentives and requirements for HRC member's attendance at HRC meetings. The purpose of such an amendment is to provide guidance regarding attendance requirements and consequences of non-attendance sufficient to eliminate the need for the Council to intervene, and to make clear the need for the HRC and its members to demonstrate and ensure its on-going availability to and interest in serving the community.

5. The Council should mend the HRC ordinance to require the HRC to establish a fixed day, time and location for the HRC public meeting to be held on a monthly basis. The City Clerk will be directed to post such notice as is posted for all other public meetings at City Hall and on the City's website.
6. The Council should allocate a reasonable amount of funds (+/- \$3,500 for the first year and \$2,000 each subsequent year) for training and support as deemed necessary by the HRC.
7. The Council should amend the HRC ordinance to require that a list of resources be developed and made available to assist citizens needing information regarding conflict resolution or cultural differences. It will be the responsibility of the City's administrative staff and the HRC to maintain and update such resources to keep them expansive and current.
8. The Council should amend the HRC ordinance to require the HRC to conduct an annual symposium to provide education and dialogue on HRC issues. Such symposium will be publicized through multiple means throughout the metropolitan area and guest speakers will be sought.
9. The Council should amend the HRC ordinance to require the HRC to develop a strategic and work plan, to be reevaluated every three (3) years.
10. The Council should amend the HRC ordinance to require the HRC to prepare and publish a written annual report describing the activities of the prior twelve months by December 31 of each year.
11. It is agreed and understood that the HRC will serve as a body to accept comments and concerns of citizens at HRC meetings. At this point the HRC will not serve as an investigating or mediating body. Such a role would require advanced skills, education and training which volunteer citizens may not be reasonably expected to have and for which the City has no resources to provide. In addition, a well-established legal process at the state level exists to address discrimination complaints.
12. It is agreed and understood that the HRC will not serve as a body to address employee personnel matters. The Council does not have the authority to grant the HRC such powers, and it is unclear whether or not authority could be sought and granted by the State of Missouri; regardless, a well-established legal process already exists to address these issues.
13. It is agreed and understood that the HRC will not serve as a review or investigatory body regarding Kirkwood R-7 issues or matters of private businesses. The Council does not have the authority to grant the HRC such powers and it is important to preserve, support and refer to the already-established dispute and grievance processes within the

School District and available to the Kirkwood business and consumer community through the Better Business Bureau and community mediation organizations. The HRC is encouraged to support staff, students and parents of Kirkwood School District R- in their efforts to increase understanding among racially and culturally diverse groups. Information regarding community dispute resolution resources will be provided to concerned citizens.

14. It is agreed and understood that the HRC shall serve for the purpose of assuring that the parties to this process have made every attempt in carrying out this Agreement. The HRC shall continue to review the progress and implementation of the terms of this Agreement every year for a period of three (3) years from the date of execution. The HRC shall also prepare and publish a written annual report from the date of execution describing the activities and progress of this Agreement and shall refer to a four-person advisory committee as needed, as referenced below.

***Status of Item 1*** – *The Council reviewed the existing Human Rights Commission ordinance and made changes in accordance with the Agreement. Below is the updated HRC ordinance which was adopted in July, 2010. Changes to the ordinance which correspond with the agreed upon terms outlined above are highlighted.*

## ARTICLE II. HUMAN RIGHTS COMMISSION

### **Sec. 12-31. Created; composition; appointment, qualification of members.**

A Human Rights Commission “Commission” is hereby created and established which shall consist of nine (9) persons. The Commission members shall be residents of the City of Kirkwood. Members, to the extent possible, broadly representative of economic status, race, color, religion, gender, national origin, ancestry, marital status, physical or mental disability, sexual orientation or familial status. The Commission shall be appointed by the City Council based upon their interest, and an expressed commitment. Commission members shall serve without compensation. (Gen. Ords. 1959, §4.24(a); Ord. No. 4860, §1, 12-5-63; Ord. No. 7313, §1, 2-21-85; Ord. No. 7332, §1, 3-21-85)

### **Sec. 12-32. Purpose.**

The Commission shall review and advise the council on ways to:

- (a) Promote community awareness and education on the value of diversity to the community.
- (b) Work to eliminate discrimination based on economic status, race, color, religion, gender, national origin, ancestry, marital status, physical or mental disability, sexual orientation or familial status.
- (c) Develop tools necessary to establish the Commission as an active servant and leader that is a transparent service to the community, including periodic review of this enabling ordinance.

- (d) Promote responsiveness of government to concerns of all minority groups and others in the community that may be subject to bias or discrimination.
- (e) Encourage the creation of community programs and activities that are available and accessible to all Kirkwood residents.
- (f) Provide an open and inviting forum for Kirkwood residents who believe they are facing discriminatory practices or acts so that residents can share those experiences with the Commission for advice and counsel.

(Gen. Ords. 1959, §4.24(e); Ord. No. 4860, §1, 2-5-63; Ord. No. 7313, §2, 2-21-85)

**Sec. 12-33. Terms of members; removal; vacancies.**

In the original appointment of members to the Commission one-third (1/3) of those appointed shall be appointed for a term of one (1) year; one-third (1/3) of those appointed shall be appointed for a term of two (2) years and one-third (1/3) of those appointed shall be appointed for a term of three (3) years, thereafter all appointments shall be for a three (3) year term. The council may remove any member of the Commission at any time without cause.

A member's absence may be excused by the Chair or the Vice-Chair in the absence of the Chair upon request provided such request is made prior to the meeting. Any member who is absent, without being excused from three (3) consecutive meetings or 25% of the regular meetings within a calendar year shall be considered to have resigned. Such resignation shall be presented in writing as a recommendation to the City Council by the Chair through the City Clerk.

Each member of the Commission shall serve until a successor is duly qualified and appointed. In the event of the death, resignation, or removal of any member, a successor shall be appointed to serve the unexpired term for which such member had been appointed.

(Gen. Ords. 1959, §4.24 (b); Ord. No. 4860, §1, 12-563)

**Sec. 12-34. Organization.**

The officers of the Commission shall consist of a Chairperson and a Vice-Chairperson who shall be elected by the members of the commission; such officers shall serve in their respective offices for a term of one year, or until their successors shall be elected, unless re-elected to such office. (Gen. Ords. 1959, §4.24(c); Ord. No. 4860, §1, 12-5-63)

**Sec. 12-35. Rules of procedure; meetings; records.**

- (a) The Commission shall make such rules and regulations as it deems necessary for the conduct of its affairs. Such rules and any subsequent amendments shall be filed with the City Clerk and subject to Council approval.
- (b) The Commission shall meet monthly at a fixed time place and day of the week. Special meetings may be called by the Chairperson. Notice of all meetings shall be posted in accordance with State law.
- (c) All meetings shall essentially be conducted in conformity with Robert's Rules of Order.

(d) The Commission shall keep a complete record of its activities and a journal of all of its meetings and proceedings.

(Gen. Ords. 1959, §4.24(d); Ord. No. 4860, §1, 12-563)

**Sec. 12-36. Powers and duties generally.**

The Commission shall have the powers and duties to:

- (a) Formulate and conduct educational programs designed to minimize or eliminate discriminatory acts.
- (b) Provide a forum for individuals who believe they have been victims of discrimination
- (c) Gather and maintain a list of referral agencies and organizations best capable of providing assistance for the purpose of aggressively obtaining a resolution of the issue.
- (d) Cooperate with other organizations and private and public educational institutions to seek ways to eliminate discrimination.
- (e) Advise the City Council on human rights issues.
- (f) Hold forums on the state of human rights and relations in the city and on general human rights issues.
- (g) Recommend that staff create new process(es) for placing matters of concern or service requests before the Commission and other areas of city government, which shall be periodically evaluated for effectiveness.
- (h) Accept comments and concerns of citizens given at Commission meetings,
- (i) Sponsor or initiate focused workshops and ongoing programs to improve human relations and foster understanding and acceptance of each other.
- (j) To present, upon request, informational programs and literature on human rights to schools, businesses, and other organizations.
- (k) To conduct an annual human rights symposium on such issues facing the community and society at large.
- (l) To develop a strategic plan for accomplishing the goals and responsibilities outlined in this ordinance, to be re-evaluated every three (3) years.
- (m) To prepare and publish a written annual report describing the activities of the prior twelve months by December 31 of each year.
- (n) To recommend the creation, expansion and/or focus on specific Kirkwood Police programs and joint programs administered by the Kirkwood Police and specified community members.

(Gen. Ords. 1959, §4.24(f); Ord. No. 4860, §1, 12-5-63; Ord. No. 6782, §1, 8-6-81; Ord. No. 7313, §3, 2-21-85)

**Sec. 12-37. Facilities and personnel; assistance by the city attorney.**

The City, through the office of the chief administrative officer, shall assign to the Commission such office space and facilities and such necessary clerical help as shall be necessary for the fulfillment of its duties. The city attorney shall render such legal services as shall be necessary. (Gen. Ords. 1959, §4.24(g); Ord. No. 4860, §1, 12-5-63)

**Secs. 12-38—12-58. Reserved.**

(Ord. No. 8721, §1, 5-7-98; Ord. No. 9938, §1, 7-15-10)

***Status of Item 2*** – *A new HRC specific form was developed and can be found on the city's website. See below.*

**Human Rights Commission**

The Kirkwood Human Rights Commission is one of the most important volunteer opportunities anyone can offer the citizens of the city. Membership provides an opportunity to support and educate the community about the importance and value of diversity among us. Diversity manifests itself in all forms whether it is age, gender, sexual orientation, disability, racial or ethnic identity, religion, and other categories. It is the City's commitment that diversity should be embraced and not avoided.

The nine citizens who serve on this commission seek ways to create educational opportunities and provide an outlet for residents who are facing real or perceived injustices. The city has a long heritage of finding ways to encourage such concerns. The predecessor commission the Kirkwood Human Rights and Awareness Commission was created over 50 years ago. The city enacted a fair housing code as far back as 1963 to help insure fairness in seeking housing opportunities. The fact that such commissions exist today is a tribute to Kirkwood's commitment to human rights.

The following are examples of traits that assist a resident in serving comfortably and effectively as a commission member. The following are not requirements for appointment, but only issues offered for self-reflection. The City wants a committee

member to be effective and know that their service is important to the city government and the community at large.

Examples of such traits:

- respect for all people
- a vision for a highly respectful and inclusive community
- a passion for justice
- a willingness to advocate change
- willingness to help those that perceive they are the victim of bias or discrimination
- an ability to listen attentively
- openness to creative solutions
- a confidence amid criticism
- a comfort with collaboration
- an appreciation for maintaining confidentiality

Please feel free to contact Mike Brown, Kirkwood's Chief Administrative Office should you have any questions. Office telephone 314-822-5806, or [brownmg@kirkwoodmo.org](mailto:brownmg@kirkwoodmo.org)

Briefly describe your interest in serving on the Human Rights Commission. Which of the above traits can you bring to your work on the HRC?



**Status of Item 3** – The on-line, automated tracking system that logs written and oral communication from citizens was purchased and put in place. A report of the usage of the Contact Management software was prepared in March, 2012 and given to the HRC. Usage from 8/31/2010 through 3/8/2012 showed that the City had been contacted via the on-line program 407 times. Thirteen (13) of the contacts had been directed to the HRC. Eight contacts were tests by various people to determine if the system was working. Three were simple requests for information from staff, which were handled by staff. One was a complaint submitted to HRC in error and which staff forwarded to the correct department. One complaint was by a resident concerning handicapped access at the post office from parking spaces out front.

*Excerpt from the April 10, 2012 HRC meeting minutes:*

The Commission was again informed that the parking at the post office is ADA compliant. Both Novus and the Regional Manager of the Post Office have been contacted regarding the issue. Novus followed the ADA Code when the building was constructed at which time an ADA door was not a requirement.

*Excerpt from May 8, 2012 HRC meeting minutes:*

Jonathon Browne and Larry Hoyt, Novus, had been asked to attend the HRC meeting by Commission members to discuss possible remedies to make the accessible parking safer at the Kirkwood Post Office. Carol Gilster explained that she didn't feel safe going from the disabled parking space in front of the post office to the existing ramp as one has to go behind parked vehicles. She suggested an asphalt ramp be built so that people using the parking spot would not have to go behind parked cars.

Parking issues:

- Door access
- Weekend access from the west lot
- Access issues from the disabled parking space in front of the post office

Jonathan Browne explained that:

- The disabled parking is ADA compliant.
- There was discussion on having paddle doors installed on either one or both doors. The entry doors are the responsibility of the post office. Novus would authorize them to do whatever is needed. It was noted that the metal detector inside the door might create an obstacle.
- The weekend access from the west lot has been restricted due to vandalism. It is a security issue for people working upstairs in the building.
- Novus will look into what remedy would be safe in order to eliminate the danger of using the disabled parking space at the front of the building, an architect will be consulted (ramp, adding another space, step down curb to ramp).
- Timeline for completion would be 90 days unless special approval is needed.

***Status of Item 4*** – *An attendance requirement was written into the new ordinance. See above.*

***Status of Item 5*** – *The ordinance requires the HRC to set a fixed day, time and location for HRC meetings. Currently, the commission meets the second Tuesday of the month at 6:30p.m. The meeting agendas are posted in advance at city hall and on the website.*

***Status of Item 6*** – *The City Council made available to the HRC in excess of the stated \$3,500 in fiscal year 2010/11 and \$2,000 thereafter.*



**Status of Item 7** – The ordinance was amended to include responsibility for gathering and maintaining a list of referral agencies capable of providing assistance in resolution of issues. At the HRC meeting of 9/11/12 a representative from the United Way made a presentation on the 2-1-1 system. This toll-free phone number connects people 7 days a week, 24 hours a day with available community resources. Callers may remain anonymous and are only asked for their zip code so the professionals providing referrals can be sure and provide information on the most conveniently located service providers. The United Way annually contacts all the service providers in their database to make sure their information is up-to-date. The HRC expressed their satisfaction with using this existing service rather than having the city duplicate efforts.

**Status of Item 8** – The ordinance was amended to require the HRC to conduct an annual symposium. The first symposium took place on October 22, 2011 and featured U.S. Representative Emmanuel Cleaver as its featured speaker. The second symposium will take place on October 13, 2012 on the topic of bullying.

**Status of Item 9** – The ordinance was amended to require the HRC to develop a strategic plan and for it to be re-evaluated every three years. Below is an excerpt from the Kirkwood Human Rights 2011 Annual Report:

“In compliance with the Agreement and to set its course to meet its objectives the HRC developed a Strategic Plan (The Plan). The Plan’s stated Vision is to: seek to be trusted, visible and be an effective advocate and resource in the Kirkwood Community.

The Plan’s defined Mission is to be “dedicated to the value of diversity and the elimination of discrimination, provide an ongoing forum and educational opportunities for the Kirkwood Community to promote community concerns”.

**Status of Item 10** – The ordinance was amended to require the HRC to prepare and publish a written annual report. Annual reports for 2010 and 2011 are available on the Human Rights Commission’s page of the city website.

**Status of Item 11** – The Agreement called for the HRC to accept comments and concerns from citizens but to specifically not serve as an investigating or mediating body. The Commission has not been altogether successful in accepting this limitation (see Status of Item 3 above).

**Status of Item 12** – The Agreement stated that HRC would not serve as a body to address employee personnel matters. No personnel matters have been brought to the attention of the HRC.

**Status of Item 13** – The Agreement stated that the HRC would not serve as a review or investigatory body regarding Kirkwood R-7 issues or matters of private businesses. The HRC has not addressed any Kirkwood R-7 issues.

**Status of Item 14** – *The Agreement names the HRC as responsible for reviewing the progress and implementation of the terms of the Agreement annually for a period of three years from the date of execution. Periodic summaries of the status of specific items found in the Agreement have been made available to the HRC. Police Chief Jack Plummer attended the HRC meetings of March 8, 2011 and April 10, 2012 and provided details on the status of the items pertaining to the police department. Mention of the Agreement’s progress can be found in the HRC annual reports (available on the city’s website).*

Page 6 of the Agreement:

**Create, expand and/or focus on specific Kirkwood Police programs and joint programs administered by the Kirkwood Police and specified community members.**

**Specifically, the teams agreed to the following as excerpted from the Agreement:**

1. Increase efforts to recruit minorities for the Police Explorer Program.
2. Continue the Friday Hot Dog Lunches in the Park in the summer in Meacham for children up to 18 years. This will be expanded to other neighborhoods and other youths in the Kirkwood area beginning 2010.
3. Work with the Kirkwood School Resource Officers and school principals to help those youth that are in trouble with the police.
4. Work with the Block Grant Funds, Hope Unlimited, Sprog, and the Police Chaplains to find jobs for youth of school age. The effort will be for the Police Department through the Chaplains to coordinate these efforts.
5. Work with volunteers to develop jobs for minority youth and other youth expelled from school. In partnership with the School Resource Officers and the Kirkwood School District, these students will be given community service projects to help prevent these students from being unproductive during their period of expulsion.
6. The creation of a local court which will attempt to provide a partnership with area youth in the administration of justice by their peers. This program will be available for High School students. It will be a voluntary program and it is anticipated that it will be sanctioned by the Family Court but administered by the Kirkwood Police Department under the Chief of Police.
7. Emphasize the “Ride Along Program” to improve relationships with police. This program would be available to youth as well as adults and would be advertised on the website and through the Block Captain Program, the Kirkwood School Resource Officers and the Police Chaplains.

**Status of Item 1** – *The school resource officers and other members of the department have increased their efforts to recruit minorities to the Explorer program but have not been able to add any minority Explorers although one additional Explorer has joined. There is a lot of competition for the extra-curricular hours of students. The department will continue its efforts and will print and distribute flyers concerning the program to churches and citizen groups in and around the Meacham area in addition to the city in general.*

**Status of Item 2** – *The Hotdog Lunches in the Park have continued with the assistance of the park department. A number of HRC members have attended one or more of the lunches.*

**Status of Item 3** – *The police department has continued to partner successfully with the school district through the school resource officer program which was expanded to the middle schools as of 2009. This is a very strong and successful partnership that is highly valued by the school district.*

**Status of Item 4** – *The police department voluntarily initiated the chaplain program whose scope has greatly exceeded traditional chaplain programs. They have worked with the chaplains to find summer jobs for youths with an emphasis on minority youths. The police department has provided summer paid internships as have several local churches involved with the chaplain program. The city in 2010 and 2011 participated in a program run by the Urban League, accepting responsibility for 2-3 high school students working in various departments with the students being paid through CDBG funds (through the Urban League). The city was not given this opportunity in 2012.*

**Status of Item 5** – *This was found not to be necessary once the school district explained their procedures. Students who have been removed from regular classes for disciplinary reasons are not sent home and do not have unproductive time during the school day that needs to be filled. Rather, the school district operates what they call an Alternative School on their property but students being disciplined are kept separate from their normal classes, routines and friends and receive instruction in a small group setting. On a case-by-case basis, the police department has and will continue to provide service opportunities for young offenders who they believe will benefit from the experience.*

**Status of Item 6** – *This was originally proposed by the Police Chief who was aware of similar programs in other jurisdictions. The Police Chief put in a substantial number of hours researching court programs from all over the country. He found that most juvenile peer courts operate as part of a larger juvenile court system or as an independent 501C3 program. The programs function under the supervision of an independent board of managers or by employees of the agency managing the program. Very few of such programs are operated by law enforcement agencies, however those*

*that are running them utilize part-time or full time personnel assigned to the program. Such programs are very time consuming and require coordination among a number of agencies that have the responsibility for young offenders. The most effective programs operate under a broad based group including schools, juvenile courts, law enforcement agencies, and other groups such as the YMCA. The chief's findings were that while the peer court is beneficial, it is also very time consuming and requires a level of resources that does not exist in our organization. The Police Chief will continue to work with the family court, chaplains and other local groups to keep community service assignments in Kirkwood. He will continue to work with other agencies both private and public in order to address juvenile crime.*

***Status of Item 7*** – *The school resource officers and other members of the department have been emphasizing the Ride Along Program but not with much success. Being seen in a police car is perceived negatively by their peers. The city has been increasing its communication avenues through Facebook, Twitter, and print advertisements in the Meramec and Kirkwood High School newspapers.*

Page 7 of the Agreement:

**The Kirkwood Police also agree to increase communications with citizens in order to eliminate negative perceptions and encourage trust, respect, cooperation, partnership and collaboration between the Police and the community.**

**Specifically, the teams agreed to the following as excerpted from the Agreement:**

1. Place more emphasis on the Police Chaplains Program as an important element in reaching citizens.
2. Perform more walking patrols when possible.
3. Participate in the City's automated citizen complaint program.
4. Make pamphlets available to instruct citizens how to file a complaint against the police.
5. Continue efforts with Block Captains and the Night Out events. In these efforts, the Police will work to increase the number of Block Captains throughout the City and provide Block Captains with more training.
6. Continue the Police Pancake Supper in February.
7. Provide speakers for schools and organizations that want to learn more about the Police Department and its work. Continue school tours of the Department.

**Status of Item 1** – The police department has continued to work and meet regularly with Police Chaplains and utilize their services. Maggie Duwe, a member of the HRC, was asked to serve as a liaison between the chaplains and the HRC. The group of Kirkwood Police Chaplains was established in 2008 and consists of more than 20 chaplains representing around 15 different area religious institutions.

**Status of Item 2** – The department has made several changes in order to be more visible and accessible to the community. To maximize visibility the department has been using two officers in a patrol vehicle for this area for the morning and afternoon shifts (7:00 a.m. to 11:00 p.m.). The two officers normally do at least one walking patrol per shift. In order to keep this district's car in service, the borders of the south district were changed so that another district handles the calls for shoplifting and other calls for service related to the shopping center. The south district patrol car is also designated the last patrol vehicle to assist other officers unless it is an emergency.

**Status of Item 3** – The Citizen Action Center can be found on the city's website. People create a user ID and Pin number to access the system. Once in the system there is a drop down menu of categories they may choose from. One of the choices is "police department concerns/complaints". The first entry the police department received was on 10/19/2010 and the most recent entry was of 7/11/2012. The department has received 18 contacts through the system. One was a test, 1 was a neighborhood parking complaint, 1 concerned Code Enforcement, 1 concerned a council zoning decision, 2 were complaints about not promptly enforcing evening park closure, 2 were compliments, 2 were unknown (the person only entered their contact information), and 8 were about traffic concerns – primarily reporting speeding in their neighborhoods.

**Status of Item 4** – The city's public information officer worked with the police department and developed a pamphlet which contains information on how to file a complaint and the process the police department follows once a complaint is received. A pamphlet was mailed to 10,000+ city residents in their utility bills. Below is an excerpt from the brochure specifically on this issue:

*Upholding the Highest Standards*

Members of the Kirkwood Police Department are professionals who adhere to high standards of service and ethical behavior. Answering around 20,000 calls for service each year, the vast majority of residents are happy to be able to have the department respond to traffic accidents, domestic disturbances, look for lost children, and the wide variety of emergency and non-emergency calls that are received.

On occasion, a resident may be unhappy with their interaction with a member of the department. The Kirkwood Police Department investigates **all** complaints, including anonymous ones.

Complaints are divided into two categories. Class One are those complaints that require a criminal or internal investigation and include allegations that potentially could result in a criminal complaint. Class Two complaints are allegations of rudeness, lack of professionalism or a violation of department rules or policies. A complaint may be reported by any citizen, citizen group, agency or department member, either orally or in writing, by telephone, by any correspondence, either anonymous or signed. In person and telephone complaints are taken by the Watch Commander who completes a Citizen Complaint Summary. Those complaints, as well as any written complaint (letter) received, are reviewed by the Bureau of Support Services Commander to determine the Class of the complaint. Investigation results and disposition of complaints are the responsibility of the Chief of Police and fall into one of the following categories:

- Unfounded (Allegation false or incident did not occur)
- Exonerated (Incident occurred but actions were reasonable, lawful and proper)
- Not Sustained (Insufficient evidence available to either prove or disprove allegation)
- Sustained (Sufficient evidence present to support the allegation)

A response is given of the results of the investigation to any complainant that provides contact information.

On-line at the city's website at [www.kirkwoodmo.org](http://www.kirkwoodmo.org) the community can submit requests for service, compliments or concerns about an employee, and track those requests or comments through the Citizen Action Center.

***Status of Item 5*** – *In the last few years the police department has changed the Night Out program in an attempt to avoid problems associated with extreme heat. The department will still participate in any citizen initiated Night Out event taking place on the traditional national Night Out date that takes place in August. The City began celebrating Night Out with an Open House event at the police station in October, 2011. The HRC receives an invitation to participate. Nationally, the participation in the block captain program has been shrinking as older residents retire and younger individuals do not have enough time or the inclination to participate. The department has been making efforts to attract new participants and has been moving to electronic communication. A program that has been increasing in popularity is the CERT program. These individuals often function in a similar fashion to block captains but with more extensive training focused on emergency management.*

***Status of Item 6*** – *The police department has continued its very popular pancake supper. The most recent one occurred on February 9, 2012.*

***Status of Item 7*** – *The police department provides speakers upon request. The number of requests is minimal. School tours of the police department (and city hall) remain very popular. Police department tours are handled by the community service officer and on occasion by the School Resource Officer. In the last school year they*

*provided tours to over 30 school groups. Such groups can have as many as 50 or 60 individuals. The tours have become increasingly popular as ours is one of the few cities to do them. Due to this popularity we have a policy of only doing tours for citizens or school groups with strong ties to the Kirkwood/Oakland area.*

Page 8 of the Agreement:

**The Police Department will also continue its efforts to be non-discriminatory by:**

**Specifically, the teams agreed to the following as excerpted from the Agreement:**

1. Increasing the weight of a category on Department evaluations regarding discriminatory behavior, reviewed twice a year.
2. Requiring supervisors to review Department policies with every employee and require each employee to sign off on the Department policy regarding accepted practices to be used in their relationship with community citizens.
3. Participating and working with citizens on diversity issues when asked.
4. Upholding the Department's commitment to hire qualified personnel without regard to race or gender as required by law.

***Status of Item 1*** – *How officers treat the public is handled under a category titled "Professional Demeanor". This category on the departments' employee evaluation form increased from 10% to 15% in 2010 and has been maintained at this level since. Supervisors review personnel performance with employees twice a year.*

***Status of Item 2*** – *Supervisors have been requiring employees at their twice annual reviews to read and sign off on Department policies regarding interaction with citizens.*

***Status of Item 3*** – *Law enforcement is far from a static profession. Officers daily deal with diverse issues, offenders, clients, complainants, residents, attorneys, and the general public. Diversity issues are sometimes part of the every-day workload and are dealt with in a professional manner by the city's highly qualified and trained police department. The police chief during his tenure with the city has actively worked to be accessible and visible, working successfully with large and small community groups including the Community for Understanding and Healing, the Meacham Park Neighborhood Improvement Association, the HRC, the chaplains group, Rotary, and the city's DOJ Mediation Team. The department has not been asked to work with citizens on diversity issues during the term of the mediation agreement. However, there has been no need to do so since the police chief has been so active in the community and with the groups that express an interest in diversity issues.*

**Status of Item 4** – *The City of Kirkwood and the Police Department are very serious about hiring qualified personnel without regard to race or gender. The city is one of the largest employers in Kirkwood. As of August 10, 2012 the city employed 257 full time employees of whom 37 are African-Americans. That is 14.4% of our total full-time workforce. The 2010 census for Kirkwood indicated that 7.0% of our population is African-American and 1.8% is Hispanic. Including all minorities in the city’s workforce the number increases to 41 or 15.95%. In the police department there are 5 African-American full-time employees out of 70, or 7.14% of the department. The police department employs 14 women who are full-time employees. Five of the women are police officers, eight are dispatchers and one is the code enforcement officer. Over the last ten years the police department has been able to hire several talented and qualified minority police officers. With the training and experience the department has provided, many of these minority officers have moved on to larger law enforcement agencies on the county, state and federal level which allow opportunities for specialization, advanced training, or other opportunities that a municipal department is unable to offer.*

Page 9 of the Agreement:

**Further, the Police Department has worked to eliminate crime and drugs from the Kirkwood community and agrees to continue its efforts to provide Kirkwood with safer neighborhoods. In this effort and in order to provide better police presence specifically in the Meacham park neighborhood, the Police Department agrees to:**

**Specifically, the teams agreed to the following as excerpted from the Agreement:**

1. Utilize two person car patrols whenever possible.
2. Establish a satellite police office on a trial basis in the Meacham Park neighborhood. While the office will not be staffed, it will provide a safe location to meet with officers regarding neighborhood concerns.
3. Work to establish more Block Captains for better street awareness and provide additional training on a number of issues, including diversity.

**Status of Item 1** – *Two officers are routinely assigned to the morning and afternoon shifts for the south district.*

**Status of Item 2** – *The police substation is being established in the all-purpose building of the First Baptist Church of Meacham Park. The location provides the department with the best opportunity to work with citizens and Reverend Darren Smotherson and his congregation have had a positive relationship with the police department for a number of years. The site will not be staffed continually but will provide a convenient location where citizens can meet with officers and the location will*



*help keep officers in the neighborhood due to the fact that they will not need to go to the station as often. The department will pay the church \$250.00 per month for twelve months, at which time the program will be evaluated to determine if it will continue.*

***Status of Item 3*** - *Nationally, the participation in the block captain program has been shrinking as older residents retire and younger individuals do not have enough time or the inclination to participate. The department has been making efforts to attract new participants and has been moving to electronic communication. A program that has been increasing in popularity is the CERT program. These individuals often function in a similar fashion to block captains but with more extensive training focused on emergency management.*

Page 9 of the Agreement:

**Address the perceptions and misconceptions of the TIF process.**

**Specifically, the teams agreed to the following as excerpted from the Agreement (p.10):**

The Teams agree that there is no viable way to go backwards and that the time has come for a new future-directed approach to work toward insuring the preservation and viability of the community's neighborhoods. Such an approach should take place outside the mediation process and be shaped in a partnership with the affected residents. In an effort to now move toward a new future and strengthen specifically the Meacham Park neighborhood, the City and Community Teams agree to a process to envision a new sense of identity, growth and involvement for the residents.

Members of the City and Community Teams commit to engage in a series of focus groups with Meacham Park residents in order to identify the current cultural composition of Meacham Park, what issues are important to the community and what issues must be addressed to effect change for the future.

With this information, additional steps will be taken by interested Meacham Park residents and others to bring about the change desired by the Meacham Park community.

Participating City and Community members commit to engage in this effort outside and beyond this mediation process.

***Status of Item*** – *Below is a copy of the focus group report.*

**Meacham Park Focus Group Summary**

A total of three focus groups were held. They were on Sept 13, September 23 and September 25, 2010. The first two sessions were at Turner School. The final session which was primarily for the youth of Meacham Park was held at St. Mathews CME Church. During these sessions 35 residents showed up to answer two questions about the future they wished to see for Meacham Park.

**Question One**

If you left Meacham Park today and came back five - ten – twenty years from now what is it that you would like to see here? How do you want it to be different? How do you want it look? How should it feel? What should it be like to live here? Raise a family here? Retire here?

We have divided the responses to the first question into four broad categories. The number appearing after each of the categories is number of responses recorded.

- 1) Public Safety and Health (20)
- 2) Sense of Community (21)
- 3) Physical Environment (15)
- 4) Youth (15)

Based on the responses the focus group participants seemed to care about each of the four categories equally. There was much discussion about the need to create a safe environment for children, more opportunities for youth and a place where parents could feel comfortable that their children would be safe.

The following chart contains the responses to the first question. Because there is overlap some of the responses are shown in more than one category. A few responses given by participants have been moved to the response section for question two.

Public Safety and Health	Sense of Community	Physical Environment	Youth
<ul style="list-style-type: none"> <li>• Less police officers</li> <li>• Park safe for children—no gambling, no drugs</li> <li>• Turner School—a community center</li> <li>• Neighborhood buildings being used for services</li> <li>• Young children playing in park</li> <li>• No kids hanging at corners</li> <li>• Groups of kids hanging—receiving same treatment (limits on group</li> </ul>	<ul style="list-style-type: none"> <li>• More men involved</li> <li>• Harmony &amp; peace between people</li> <li>• Older people helping younger people</li> <li>• Unity</li> <li>• Unified churches</li> <li>• Improved neighborhood leadership</li> <li>• Respect</li> </ul>	<ul style="list-style-type: none"> <li>• Very clean—trash cans available</li> <li>• Mature trees— like rest of Kirkwood</li> <li>• Families taking care of yards</li> <li>• Homes well kept &amp; repaired</li> <li>• Property</li> </ul>	<ul style="list-style-type: none"> <li>• More kids with Cecil</li> <li>• More activities for kids</li> <li>• Better role models</li> <li>• Young ladies communicating</li> <li>• Park safe for children</li> <li>• Turner—a community center</li> </ul>

<p>size) as in the rest of Kirkwood</p> <ul style="list-style-type: none"> <li>• Church (Baptist) providing space for recreation center</li> <li>• A safe community</li> <li>• Limited police presence</li> <li>• Illegal activities addressed by police in a timely manner</li> <li>• Intergenerational activities</li> <li>• Christian based youth center</li> <li>• Age appropriate recreation for children, adults—community center</li> <li>• Constructive activities for children</li> <li>• Scholarships available that encourage education beyond high school</li> <li>• No longer any drug dealing/gambling on streets/street corners</li> <li>• Signage—“children playing”</li> <li>• Children treated equally in school district</li> <li>• Blight, drug dealing eliminated</li> </ul>	<ul style="list-style-type: none"> <li>• Pride in neighborhood</li> <li>• More men involved in community</li> <li>• Moral character—linkages among families, school &amp; community</li> <li>• Residents feel ownership to improve community</li> <li>• Vehicle in place to organize volunteering</li> <li>• Drama free</li> <li>• People showing respect for other people</li> <li>• More unity—parents &amp; others correcting children</li> <li>• Happiness</li> <li>• Better understanding</li> <li>• Young ladies communicating</li> <li>• Welcoming and peaceful</li> <li>• Different ethnicities feel comfortable in</li> </ul>	<p>maintained (2)</p> <ul style="list-style-type: none"> <li>• Properties worth over \$200K</li> <li>• Increased home ownership</li> <li>• Sign at main entry to landscaped and maintained</li> <li>• Clean streets</li> <li>• Upkeep of homes</li> <li>• Blight eliminated</li> <li>• Less trash (3)</li> </ul>	<ul style="list-style-type: none"> <li>• Young children playing in park—age appropriate play</li> <li>• Christian based youth center</li> <li>• Comfortable with kids playing in park</li> <li>• Age appropriate recreation for children—community center</li> <li>• Constructive activities for children</li> <li>• Scholarships available that encourage education beyond high school</li> <li>• Children treated equally in school district</li> <li>• Parent responsible for their kids (2)</li> </ul>
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**Question Two**

What things do you believe need to happen within the Meacham Park community to move toward the vision on the board?

The responses to question two have been divided into two categories. General ideas on what the residents of Meacham must start doing and specific actions that can be taken. While the responses to question two varied, there seems to have been wide spread agreement that the residents working together and working with a purpose could change the future of Meacham Park.

What was recognized by the group seems to have been that success would require that many more residents get involved in helping Meacham Park become a great place to live.

<b>General</b>	<b>Specific Actions</b>
<ul style="list-style-type: none"> <li>• Resources</li> <li>• Get more people involved</li> <li>• Get young people involved</li> <li>• Get churches involved</li> <li>• Engage parents</li> <li>• Teach empowerment</li> <li>• Empower ourselves</li> <li>• Look out for and encourage each other</li> <li>• Locate/identify resources/models/ideas to improve/strengthen community to help shape how we move forward</li> <li>• More responsible adults</li> <li>• Parents assuming responsibility for kids</li> <li>• Greater presence of churches in community</li> </ul>	<ul style="list-style-type: none"> <li>• Develop action plan</li> <li>• Strengthen neighborhood association</li> <li>• Re-activate revitalization committee</li> <li>• Find out who we are—gather demographic info</li> <li>• Engage P.E.A.K. in working on education improvement—5 step program, etc.</li> <li>• Residents informed about rules/regulations/ordinances</li> <li>• Community liaison person</li> <li>• 5 step program for children; education</li> <li>• External linkages strengthened</li> <li>• More residents employed</li> <li>• A working relationship with police department</li> <li>• More activities for older youth</li> </ul>

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*The above report was shared with the HRC and appears on the city's website. As noted in the Agreement, further action will need to be taken by interested Meacham Park residents and others to bring about desired change. Such an effort is to take place outside the mediation process and City and Community Team members are committed to participating in the undertaking.*

**Page 12 of the Agreement:**

The Advisory Committee and signing members of this Agreement may convene at any time and choose to modify, amend or dissolve the Agreement. The Agreement, however, shall not be modified, amended or dissolved in any respect except by a written instrument executed by all signing members to this Agreement. The Advisory Committee shall remain in existence for three (3) years unless otherwise dissolved or extended by the respective Teams.

If at any point the Advisory Committee or the signing members determine by consensus that the tenets of this Agreement are not being achieved, the non-complying entity shall be requested to prepare and publish a written report describing how it has made every attempt to implement the goals of this Agreement and why the entity is unable to satisfactorily implement the recommendation and goals articulated in this Agreement.

**Conclusion:**

The terms of the signed DOJ agreement were agreed upon after more than 18 months of weekly meetings by both the Community and the City teams. Each issue was thoroughly discussed and negotiated, almost word for word. Words and sentences were parsed and debated in order to bring clarity and specificity to each issue. There was an agreement at the outset that both groups had to be comfortable with what was under discussion. Until the right words or phrases were agreed upon the issue was not passed on.

It is this level of detail that drove the entire process. Two groups working in concert with the goal of opening up dialogue and agreeing on programs that both groups believed would best serve the African-American community and more specifically the Meacham Park neighborhood. Many concepts were placed out on the table for discussion and most have been fully implemented. A few concepts, such as the Juvenile Peer Court as proposed by the Police Chief were thought by all to be a viable approach to minor teen crime. Unfortunately, the concept was good, but the available resources became an insurmountable barrier.

This report states with as much clarity as possible, that the city's good faith effort to implement all of the issues was achieved. It is understood that some will not agree that

the above satisfies the letter or spirit of the agreement, but the City strongly disagrees. The City has said in the past that the conclusion of the implementation does not mean that the City is backing away from finding ways to continue dialogue and seek ways of furthering the inclusion of all neighborhoods and all citizens. In fact, the City is dedicated to enhancing the quality of life for current and future generations of Kirkwood residents.