

WEST LAFAYETTE POLICE MERIT COMMISSION MINUTES
August 8, 2016

The West Lafayette Police Merit Commission met in regular session at the West Lafayette Morton Community Center on August 8, 2016, at 5:30 p.m.

PRESENT: Commission President Rollock, Commission Vice President Corrigan, Commission Secretary Parker, Commissioner Troyer, and Commission Attorney Burns

ABSENT: None

ALSO PRESENT: Deputy Chief Harris

APPROVAL OF MINUTES

Commissioner Troyer moved to accept the minutes of July 11, 2016, meeting. Vice President Corrigan seconded the motion.

President Rollock stated that in the Chief's Report, there is mention of the incident in Dallas. He asked that it be clarified in the minutes that this was a civilian protest march around the shootings of unarmed African-American men. In that same paragraph, the reference to "our people" should be our officers in the West Lafayette Police Department.

The motion was passed by unanimous voice vote.

OLD BUSINESS

Promotion Procedure Rule Change

President Rollock reminded that we are in a strange place in the life of the Department right now where we have limits in terms of our Lieutenants. There was a proposal on the table to resolve the issue on a case-by-case basis by waiving the rule for two-year time-in-grade in order to allow that to happen for this particular time.

Deputy Chief Harris stated that we had one person eligible to be promoted to Lieutenant, but he withdrew his name, leaving us with no qualifying candidates. We have asked for a rule change to waive that two years and allow all of the Sergeants to test for that position.

President Rollock stated that Attorney Burns drafted some language to be used.

Attorney Burns stated that he was not at the meeting, but there is a notation in the minutes about another idea, which is to do this for one year. He stated that given the size of the Department, it is just a matter of time before this issue reoccurs. He explained that when he does bylaws he likes to make them stand the test of time as much as possible. Therefore, he feels that this is a better approach to dealing with this problem, and then everything reverts back to the old rule. The rule is there for a reason; it is a good rule as a bit of longevity in office is helpful. However, in the right case, the Commission has made a case-by-case determination of unusual circumstances that call for unusual decisions. The new rule gives the Commission that power now, and if it happens again in 10 years the Commission will be able to make a similar case-by-case decision. He confirmed for President Rollock that the one-year situation was only a suggestion that he had not thought of. He stated that he feels that the way he put it together is better for the longevity. Counsel Burns stated that the language, as cited correctly in the minutes, will come after the normal language about the requirement. He read the language, saying "However, the two-year

minimum in-service requirement for Lieutenant and Captain may be waived on a case-by-case basis if the Commission finds particular circumstances exist which make the requirement contrary to the best interest of the Police Department.” That would be the rule change. He stated that he thinks it would take care of it, and the Commission has to make a finding of those particular circumstances. The rule will be in place until the Commission makes a finding of those circumstances.

Vice President Corrigan asked how common it is that somebody turns down a promotion. Deputy Chief Harris responded that it is uncommon. He explained that this Sergeant is in a unique position in the organization as Sergeant of the Traffic Unit, and he rides a motorcycle. He explained that this Sergeant enjoys what he is doing very much, and a promotion would put him back on midnights.

Commissioner Troyer moved to adopt the resolution as proposed by Attorney Burns. Commissioner Cohen seconded the motion.

The motion was passed by unanimous voice vote.

President Rollock stated that we have adopted that language, and it sounds like we do have a situation where this rule would be invoked. He stated that it sounds like the consensus of the Commission would be then to proceed with this idea that the variance is in effect at this point.

Attorney Burns confirmed for Vice President Corrigan that the language will be inserted.

Deputy Chief Harris stated that he does not have a copy of the language in front of him. He asked if it addresses the issue of time of year that we begin the promotion process, and if this allows the process to begin now. Attorney Burns stated that bylaw changes can take effect automatically after 30 days from passage, so 30 days from today, or upon receipt by all of the members.

Deputy Chief Harris asked if this being passed allows for promotion exams in September, and then again in February. He confirmed for Attorney Burns that these candidates have not yet taken the Lieutenant exam, and Attorney Burns stated that it can be done whenever possible after the 30 day wait or after the officers receive the rule change.

Vice President Corrigan asked if Article V in the rule book will be updated, and Attorney Burns responded that it will.

In response to comments from Commissioner Troyer and President Rollock, Attorney Burns explained that this change can be passed orally at this meeting, and then the membership can be notified that the PMC passed it on this date. A written document can be signed at the next meeting with today’s date, and he will have a resolution at the next meeting.

Testing

President Rollock stated that he would like to propose that the PMC look at the entire testing item set at some point. He would like to see if Secretary Parker and Captain Sparger would look at that every five years on a rolling basis to make sure that the test maintains reliability and validity. It should be a part of the entire procedure for testing over the long-term.

Meeting Schedule

President Rollock stated that the second Mondays have continued to be our schedule, except for in October when it falls on Columbus Day, which is a federal holiday. After discussion with the

Commissioners, President Rollock said that a decision about the October meeting would be made at the September meeting, and that 5:30 would become the permanent time for meetings.

Hiring Process

President Rollock asked where we are in the hiring process, and Deputy Chief Harris responded that they are in the background phase; there are six backgrounds that we hope to have done in a couple of weeks. President Rollock stated that the documents will be sent around in password-protected PDF format with sensitive information removed.

Deputy Chief Harris confirmed for Vice President Corrigan that there are three officers in the Field Training Officer (FTO) phase of training.

DEPUTY CHIEF'S REPORT

The Commissioners reviewed an emailed report from Deputy Chief Harris.

Commissioner Cohen asked if the Captain's Board consists of the Captains in the Department. Deputy Chief Harris explained that it is a historical name. There is one Captain on the Board, and it is made up of different ranks throughout the Department and some FTOs.

NEW BUSINESS

Ratify New Hires

President Rollock stated that the Commission had given provisional authority to make a conditional offer of employment to Drew Adams and Corey Frain, in the absence of a full vote. That offer has been extended and accepted, but at this point there should be a formal vote. President Rollock stated that these individuals have been interviewed and were at the top of the list at that time.

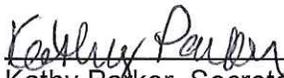
Commissioner Troyer moved to make an offer of employment to Drew Adams and Corey Frain. Vice President Corrigan seconded the motion. The motion was passed by unanimous voice vote.

Promotion

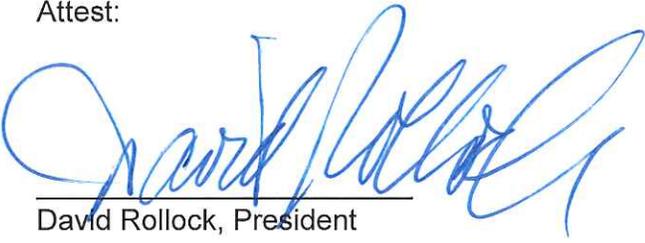
President Rollock stated that Adam Ferguson has been promoted to Sergeant, and that takes effect immediately. He asked if Sergeant Ferguson's duty shift changes, and Deputy Chief Harris responded that it will remain the same at least until the end of the year. Vice President Corrigan asked if the Commission needs to do anything for this promotion, and President Rollock responded that it is done.

ADJOURNMENT

Commissioner Troyer motioned to adjourn the meeting, and President Rollock adjourned the meeting.


Kathy Parker, Secretary

Attest:



David Rollock, President