

Mindy Manes

December 15, 2020

Mayor Carl Gerlach  
City Hall  
8500 Santa Fe Drive  
Overland Park, KS 66212

Dear Mayor Gerlach—

I am concerned that the comments made about the Civil Service Commission during your 8/21/20 press conference could leave an inaccurate impression of the Commission's integrity and commitment to the ongoing strength of the police department and our community. This issue was mentioned in last night's Commission meeting.

Below are quotes to which I am referring:

- 00:08:27**      **Mayor Gerlach:** "If we would've fired [Officer Jennison], we wouldn't have had cause, and if we didn't have cause, he could sue us. He could also go before our Civil Service Board and be reinstated. Well, that's the one thing we didn't want to happen. And that's why we negotiated to get the agreement signed by him and get him out. We did not want him as an officer, and we didn't want to put him back on the street because the Civil Service Board wouldn't agree with us firing him."
- 00:11:53**      **Mayor Gerlach:** "...there wasn't enough to charge him with. And since they couldn't charge him, we had to make a decision. Do we fire him, like I mentioned before, and go through a long legal battle and have our Civil Service Board actually put him back on, or should we negotiate and make sure he's out of our community . . ."

As I was Chair during the time frame encompassing four appeals, a lawsuit by the city, and the John Albers shooting—the same time period referenced in your comments—it is important that I clear up the above miscommunications.

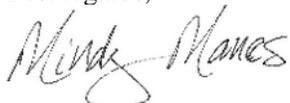
The decisions rendered by the Commission during appeals follow strict guidelines from our by-laws. The Commission had an attorney to guide us through the process, as well as the added benefit of having an attorney as one of our members. The integrity and careful work of the Commission was affirmed when the city of Overland Park sued us over our 8/14/17 appeal decision and the Commission's work was decisively upheld in court.

Just like actual court cases, no one knows ahead of time how an appeal will be decided—not Civil Service Commissioners, not attorneys, not the mayor. Neither the Commission nor you could know how an appeal by Officer Jenison would have played out before it happened.

A more accurate comment which could have been made in the 8/21/20 press conference would be that the city was concerned that the Civil Service Commission's hands might be tied by the city having inadequate policies to address incidents such as the officer shooting of John Albers.

I believe we both have the best interest of Overland Park at heart and will find a way to make it even stronger. As communities across America are now restructuring relationships with their police departments to include enhanced citizen involvement, I am proud that Overland Park is already decades ahead in that process as shown by their creating the Civil Service Commission and their Non-Biased Policing Board. Additionally, my personal interaction with the OPPD has been excellent for the 27 years I've lived here. I am consistently impressed with the level of professionalism and genuine caring of our officers and am proud of them.

Best regards,



Mindy Manes  
Commissioner, Civil Service Commission