

City of Bel-Ridge

Missouri

8920 NATURAL BRIDGE

ST. LOUIS COUNTY, MO 63121

poly system chief

September 30, 2016

Sent by Hand Delivery
And Certified Mail

Gordon Brock
8610 Wales
St. Louis, MO. 63121

Re: Immediate Suspension Without Pay and Removal from Office for Just Cause

Dear Mr. Brock:

Please be advised, on October 15th, 2016 at 2:00 p.m., the Board of Alderpersons ("Board") for the City of Bel-Ridge ("City") will hold a hearing to consider your removal as police chief for the City at city hall located at 8920 Natural Bridge Road, Bel-Ridge, Missouri 63121. You may attend the hearing and, upon written request, you will be given an opportunity to be heard before the Board at that time. You also have the right to bring any witnesses, evidence and/or counsel of your choosing to the hearing. Subsequent to the hearing, should a 2/3 majority of the Board vote to remove you for just cause, you will be so removed, effective immediately.

The allegations constituting "just cause" for your removal are as follows:

(1) Failure to maintain and process criminal files. Hundreds, perhaps thousands, of criminal files, reports, and evidence relating to same have not been properly maintained and/or processed. These files have literally stagnated for years, the chain of custody for evidence relating to each case severely jeopardized. Cases involving serious crimes/felonies- such as assault first and statutory rape- and victims. The cases have not been submitted to St. Louis County. The evidence- including bullets, cash, drugs- has not been properly maintained, separated and/or secured. All of these cases are now at risk (Testimony of Detectives, Exhibits 1-4);

Both

(2) Failure to submit all DWI apprehensions to the State repository as required by the Missouri State Highway Patrol DWI tracking system known as DWITS. Effective August, 2010, all law enforcement agencies must submit all DWI apprehensions to a state repository. However, the City did not even have a DWITS account until September, 2016. This places grant money and federal funding for law enforcement programs at risk (Testimony of Detectives,

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Exhibits 1-4);

(3) Insubordination: calling the Mayor "dumb" and "stupid" in front of other officers and detectives and sending the Mayor text messages on city cellular phones referring to the Mayor as a "crazy psycho bitch" (Exhibits 1,2 and 5);

(4) Insubordination: refusing to follow orders from the Mayor regarding the attendance of board members at meetings as required by the City code (Exhibits 1 and 4);

(5) Violating the City code in that, as chief of police and employee of the city, you used your position as chief to engage in City politics and campaigned in the 2012 ("Lowery Report"- 2012) and 2016 elections (Testimony of Mayor and Capt. Flannery, Exhibits 1, 2, 4 and 11);

(6) Informing subordinate police officers if they voted for a specific candidate in the 2012 election they would be subject to discipline (Exhibits 1, 2, 4 and 11);

(7) Treating City employees, including the City clerk, improperly by cursing at the clerk and threatening the clerk in the summer of 2015 when you slammed on the door leading to the clerk's office after business hours and used profanity (Testimony of city clerk, Exhibits 1 and 4);

(8) Failure to provide the City with the 2016 police department budget (Exhibits 1 and 4);

(9) Revising at least **28 general orders** in the Bel-Ridge police manual without permission from the Board, in violation of City code sections 200.060 and 200.120 (Testimony of Mayor and Capt. Flannery, Exhibits 1, 4, 11 and 12);

(10) Unilaterally removing reprimands from police officer files, including the file of Chris Evenson (Testimony of Mayor and Exhibits 1 and 4);

(11) Knowledge that City employee Daniel Klein used the City gas credit card for personal use amounting to thousands of dollars charged to the City and a failure to address, investigate and/or report same (Testimony of Capt. Flannery, Exhibits 1 and 4);

(12) Admitting to a City employee that you obtained from former City Manager, Glenn Taupe, a backdated and false authorization purportedly permitting Mr. Klein to utilize the City credit card for personal use (Testimony of Capt. Flannery, Exhibits 1 and 4);

(13) Failure to properly process restraining orders, allowing the restraining orders to become inactive, placing petitioners at risk and respondents subject to false arrest for violating an inactive order. This also places the City at substantial risk for potential lawsuit relating to false imprisonment (Testimony of Detectives, Exhibits 1 and 4); *accept over*

(14) Failure to process autopsy reports from the coroner's office thereby placing related cases at substantial risk (Testimony of Detectives, Exhibits 1 and 4);

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Tom

- (15) Failure to keep a record of procedures relating to juvenile crimes (Testimony of Detectives, Exhibits 1 and 4); - Tom's
~~Mark~~
- (16) Failure to properly classify crimes committed in the City (Testimony of Detectives, Exhibits 1 and 4); - Mark
- (17) Failure to keep proper Uniform Crime Reporting ("UCR") statistics, as required by the Missouri Highway Patrol- going back as far as ten (10) years (Testimony of Detective, Exhibits 1 and 4); - Mark
signed John
- (18) Failure to properly separate evidence- including guns, drugs and money- placing the chain of custody of said evidence and related cases at substantial risk (Testimony of Detectives, Exhibits 1-4);
- (19) Failure to properly "purge" the evidence locker (Lowery Report) (Testimony of Detectives, Exhibits 1-4);
- (20) Failure to properly secure the evidence room and all evidence contained therein by leaving your evidence room key hanging on the wall of your office (Lowery Report) (Exhibits 1-4);
- (21) Failure to comply with P.O.S.T. ("Peace Officers Standards and Training") and confirm that City officers complete their P.O.S.T. training (Lowery Report) (Exhibits 1-4);
- (22) Illegal removal and deletion from the REJIS records a narcotics arrest for a friend and *admission of same* (Lowery Report) (Exhibits 1-4);
- (23) Insubordination: Failure to provide the Mayor with resumes of prospective officers- per her request (Exhibits 1, 4 and 6);
- (24) Insubordination: Failure to provide the Mayor with your police department audit/inventory per her request (Exhibits 1, 4 and 6);
- (25) Failure to answer your City provided cell phone and/or respond to discuss City business in a timely fashion (Exhibits 1, 4 and 6);
- (26) Violation of City police "Department General Order 2000-73" in that you failed to complete the required "goals and objectives" including goal/objective numbers 7, 9, 12, 14, 18, 19, 20, 21 and 23 (Testimony of Detectives, Exhibit 4);
- (27) Violation of City police "Department General Order 97-58 Index 1.1.4" in that you failed to carry out your "Duties and Responsibilities" as chief of police as detailed in subsections 1-7, 9-11 and 13-14 of said general order (Testimony of Detectives, Exhibit 4).
- (28) Using and making racially insensitive and racist references to the city clerk regarding the death of Michael Brown and using the word "nigger" (Testimony of city clerk, Exhibits 1-4);

(29) Obtained secondary employment at local businesses without authority from the City and accepting cash payments without reporting same for tax purposes to the Internal Revenue Service (Testimony of city Clerk, Exhibits 1, 2 and 4);

(30) Conducting unauthorized occupancy permit inspections on the weekends without authority from the City and improperly "passing" individuals without following proper procedure and/or filing paperwork regarding same (Testimony of city clerk, Exhibits 1, 4 and 11);

(31) Conducting unauthorized commercial inspections on behalf of the City in violation of the City Code and *accepting bribes* from business owners to pass these "inspections" (Testimony of city clerk and Capt. Flannery, Exhibits 1, 4, 7 and 11);

(32) Absconding with cash from a wallet found at a City bus stop and turned over to you in June, 2015. Said wallet was turned over to you with cash and identification and found four (4) hours later in a City dumpster by the public works department. When the wallet was located in the dumpster the cash was gone. This is an active investigation by the City police department and St. Louis County (Testimony of city employees, Exhibits 1, 4, 8 and 11);

(33) Allowing at least four (4) prior and unauthorized City employees access to City property and the City computer network by not canceling and/or disabling said employee "fobs" as reported by "Alarm 24" on July 20, 2016 (Exhibits 1, 4 and 9);

(34) Sending disrespectful electronic mail and communication(s) to City employees (Testimony of city clerk, Exhibits 1, 4 and 10);

(35) Evidence from crimes- such as random guns- located in random drawers in random offices with no evidence bag and/or report(s) accompanying same- breaking the chain of custody on this case (Testimony of Detectives, Exhibits 1 and 4);

(36) Engaging in rumors and speculation about the health and viability of the City police department and the City entering an agreement with the North County Cooperative causing officers to question the viability of the department and leave (Testimony of Detectives, Exhibits 1 and 4);

(37) Name-calling and threatening to assault city employee Ron Welch (Testimony of Capt. Flannery and Ron Welch, Exhibits 1, 4 and 11, city Memorandum, dated May 15, 2009, attached hereto as Exhibit 13);

"Just cause" as defined by Missouri law is defined as follows:

(b) Has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;

(c) Has caused a material fact to be misrepresented for any improper or unlawful

purpose;

(d) Acts in a manner for the sole purpose of furthering his or her own self-interest or in a manner inconsistent with the interests of the public or the chief's governing body;

(e) Has been found to have violated any law, statute or ordinance that constitutes a felony;

(f) Has been deemed insubordinate or found to be in violation of a written established policy.

Section 106.273.1 (RSMo. 2015).

Moreover, section 200.080 of the Bel-Ridge city code states:

The Chief of Police shall have custody of all the books, records, weapons, badges, furniture, vehicles, equipment, supplies, and merchandise of the Police Department and shall direct and have the responsibility for the good conduct and proper and efficient performance of the duties of the members and employees of the Police Department. He/she shall perform such specific duties as may be provided by the laws of the State of Missouri and the ordinances of the City of Bel-Ridge.

It appears many of your offenses occurred while the City was still a Village. Hence, if we are applying the Village Code to your offenses, you violated sections 105.040 ("Oath and Bond"), 115.020(1)(2)(3)(4) and (5) and 115.030 ("Prohibited Actions- All Officials and Employees"), 200.050 ("Chief of Police- Powers and Duties"), 200.060 ("Rules and Regulations- How Promulgated"), 200.090 ("To Serve Process- Preserve Order") and 200.100 ("Police Shall Enforce the Ordinances of this Village") and 200.120 ("Adoption of Rules, Regulations and Policies"), of the code.

Finally, the City adheres to a "Police Department Rules & Regulations Policy Manual ("Manual")." From the Manual, you have violated the "Law Enforcement Code of Ethics", sections IV and V of the Manual's "Organizational Values"; Article IV, sections 4.2, 4.3 and 4.6; Article V, section 5.1; Article VII, sections 7.1, 7.3, 7.4, 7.6, 7.9, 7.10; Article VIII, sections 8.1-8.4, 8.6; Article XII, sections 12.1 and 12.2; Article XII, sections 13.1, 13.3, 13.4, 13.9; Article XV, sections 15.3 and 15.5; Article 17, all sections; Section IV "Policy", Chapter II, Objectives, sub-sections 2.1, 2.2(D), 2.3(B); Chapter III "Personal Conduct", sub-sections 3.1(A), 3.2, 3.3, 3.9; Chapter IV "Community Relations", sub-sections 4.2, 4.3, 4.5; Chapter VI "Law Enforcement Operations", sub-sections 6.8 and 6.8(A); Chapter VII "Administration", sub-sections 7.1 through 7.4, 7.6-7.7, 7.12, 7.13, 7.13(B), 7.13(B-G), 7.15; Chapter VIII ("Support and Auxiliary Services", sections 8.2 and 8.4

Your failure to properly supervise and perform the duties as the Chief of Police and engage in the above-referenced harmful and illegal act(s), have placed the City, its police department and residents at substantial risk. You have severely jeopardized countless open cases and the chain of custody of evidence relating to same. You have repeatedly violated numerous laws and the City of Bel-Ridge municipal code, the Village code and your own police policies and procedures manual. You have acted in a detrimental and harmful manner toward the Board, police department and your own officers. These acts/inaction constitute "just cause" for your removal as defined by Missouri law and an immediate suspension, without pay, pending the outcome of the removal hearing.

Sincerely,

A handwritten signature in cursive script that reads "Rachel White".

Honorable Mayor Rachel White
City of Bel-Ridge