Board of Police Commissioners of Kansas City, Missouri		Section: 500 **Resolution**
Subject: **A RESOLUTION OF THE BOARD OF POLICE COMMISSIONERS OF KANSAS CITY, MISSOURI, ON ATTORNEYS FOR POLICE WITNESSES**		**Number: 01-2**
Rescinds:	**Date Approved: February 27, 2001**	**Page: 1 of 2**

WHEREAS, the Board of Police Commissioners of Kansas City, Missouri (Board) determines that any investigation where a person is killed or seriously injured as a result of a police contact must be thorough and complete, and

WHEREAS, Board determines that any Department member involved in any such investigation shall provide a statement that is as complete and detailed as possible.

NOW THEREFORE, be it resolved by Board that in any incident where a person, including a Department member, is killed or seriously injured as a result of a police contact and the incident is investigated by the Police Shooting Team or the Accident Investigation Unit, the following actions shall be taken.

1. Any member involved in the incident will be given an opportunity to consult with a member of the Legal Advisor's Office prior to giving an official statement concerning the incident.

2. If the member requests additional legal advice prior to giving an official statement, the Legal Advisor will arrange for the member to speak with an attorney from the list of attorneys approved by Board. All such attorneys will be experienced criminal or civil trial lawyers.

3. Unless the member is given a Miranda Warning, no attorney will be present when the member gives the official statement.

4. At the stage of the investigation where the Police Shooting Team or the Accident Investigation Unit is involved, no Department member will be required to give an official statement unless the decision to require such a statement is approved by the Chief of Police.

5. Consultation with an attorney as set forth in paragraphs 1 and 2 above will be limited to providing an initial official statement. Thereafter, Board Resolution 95-3 will apply.

6. If, under the circumstances outlined above, the member elects to speak with an attorney other than one approved by Board, the cost of that attorney will be borne by the member and not Board. Under these circumstances, Board will then review the matter to determine how the Department will proceed under the provisions of Board Resolution 95-3.

7. If the member declines to give a formal statement under the above circumstances, the completed investigation will be presented to the appropriate prosecuting attorney as directed by the Chief of Police.

Dated this 27th day of February, 2001.

Dennis C. Eckold President	Joseph J. Mulvihill Vice President
Karl Zobrist Member	Dr. Stacey Daniels-Young Treasurer