

**RILEY COUNTY LAW ENFORCEMENT AGENCY  
LAW BOARD MEETING  
City Commission Meeting Room  
1101 Poyntz Avenue  
Manhattan, KS  
December 15, 2008 12:00 p.m.  
Minutes**

**Members Present:** Mike Kearns Bruce Snead  
Al Johnson Barry Wilkerson (arrived at 12:04 p.m.)  
Tom Phillips Mark Hatesohl  
Gail Urban

**Absent:** Cpt. Grubbs

**Staff Present:** Director Schoen AD Doehling  
Captain Hegarty Captain Hooper  
Captain Nelson

**I. Quorum Established:** By Chairman Mike Kearns at 12:00 p.m.

**II. Pledge of Allegiance:** Led by Director Schoen.

**III. Consent Agenda:**

- A. Approval of Minutes
  - a) November 17, 2008 Law Board Meeting
  - b) November 19, 2008 Special Law Board Meeting
- B. Approve 2008 Expenditures
  - a) 2008 Budget Expenditures
  - b) Facilities, Maintenance & Repairs Expenditures
  - c) Juvenile Transports
  - d) Seizure Expenditures
- C. County Inmate Medical Expenditures-*(Review)*

Snead moved to approve consent agenda items A and B as presented. Wilkerson seconded the motion. The motion passed 7-0.

**IV. General Agenda:**

**D. Additions or Deletions:** None.

**E. Public Comment:** None.

**F. Child Advocacy Center Update:** Sunflower Court Appointed Special Advocate (CASA) Director Jayme Morris-Hardeman explained that the Stepping Stones Child Advocate Center (CAC) opened and began providing services on July 1, 2008. For most

advocacy centers it takes them anywhere from 2-3 years to get up and running. It took the Stepping Stones Child Advocacy Center 1 year which was pretty amazing. They obtained funding from the National Children's Alliance and State of Kansas. They have a Program Coordinator who oversees operations, and a Family Victim Advocate. Interagency partners include the Riley County Attorney's Office, Riley County Police Department, Social and Rehabilitation Services, Mercy Regional Health Center SANE/SART and Pawnee Mental Health Services. To date there have been 19 children who have come through the center since July 1, 2008, all of whom were alleged to be the victims of sexual abuse. Additional statistics were provided to the Board.

Bria Thaddkin, Program Victim Advocate was present to provide additional information regarding the functions of her job. The mission of Stepping Stones Child Advocacy Center is to provide a comprehensive, multi-disciplinary team response to allegations of child abuse in a child-friendly facility to help reduce trauma to the child while maintaining the integrity and comfort of the child. Thaddkin explained that once the children arrive at the center for the forensic interview their parents are not allowed in the interview room. During that time, she meets with the parent or caregiver to explain the multi-disciplinary team approach, and provides them a better understanding of the process. She also goes over the basic services available to the parent or caregiver and the child. She also conducts a follow-up after the initial interview. She works with the family and children from the time of the interview through prosecution. If there is not a case to be prosecuted she will still touch base as needed with the family and let them know they can contact the center if they have any concerns.

Phillips asked if there is a state certification for their organization to ensure they are following the accepted legal procedures.

Hardeman responded that the National Children's Alliance oversees the centers to ensure they are following the 10 standards that are set forth. The CAC has become an associate member, which is the first step. In November 2008 the CAC received an associate membership, which is to say that the center met some of the standards, but not all at that time. The standards are quite strict and usually it takes 3 years to reach accreditation. Hardeman said they plan to apply for accreditation when they feel they meet all of the standards.

Hatesohl said currently the center is funded from grant sources. He asked if those grant sources will continue to be available.

Hardeman said it is very competitive funding. They were one of the very few to have received funding for 2009 through the National Children's Alliance Grant. It is not guaranteed funding. CASA oversees the center so there are other mechanisms for fundraising. They have branched out to other local funding sources such as the City and United Way. It is difficult to find funding, however to date they have been lucky. They will be looking for additional channels to assist with funding for future years.

Hatesohl asked if the children that have come to the center were involved in incidents from inside or outside Riley County. He asked if the center covers any other region other than Riley County.

Hardeman said currently the CAC only covers Riley County. Those children mentioned above were ones who since moved to Riley County, and are here at the time of the interview. That does not mean that the incident actually happened in Riley County.

Hatesohl inquired about the annual budget for the CAC.

Hardeman said the annual budget for the center is approximately \$80,000. A large portion can be attributed to utility costs, rent and salaries for the two positions.

Snead asked where the center is located.

Hardeman responded that the center is located at 1014 Poyntz Avenue.

Wilkerson said one of the overriding benefits of the Child Advocacy Center is that it minimizes the number of interviews the child has to endure. Prior to the development of the center, the child would be interviewed by police officers, investigators, social workers, and medical personnel each at different times which can be traumatic to the child.

Kearns thought it might be beneficial for the Child Advocacy Center to team up with the Flint Hills Sexual Assault Coalition as well of which he and Wilkerson are members. If it is something the CAC is interested in they can contact Mr. Wilkerson. He thanked both Jayme Morris-Hardeman and Bria Thaddkin for the information they provided.

Hardeman wished to note that the CAC has experienced excellent cooperation from RCPD and thanked them for all of their help.

**G. RCLEA Meeting Schedule:** It was resolved that the monthly meeting of the Riley County Law Enforcement Agency will be held in the City Commission Chambers at 12:00 noon on the third Monday of each month, provided that if Monday is a legal holiday or on a holiday specified by the agency, the regular meeting shall be held on the following day at the same hour. The schedule does not preclude the meetings from being changed.

Snead moved to approve resolution 09-01, RCLEA Meeting Schedule as presented. Urban seconded the motion. The motion passed 7-0.

**H. Smoking Ordinance Update:** Director Schoen and Assistant Director Doehling met with the City's council, Kansas State University Police Department, Manhattan Fire Department and Code Enforcement. At the meeting, the City provided their preliminary thoughts regarding enforcement of the smoking ordinance. The City requested that each of the departments not go public with the details at this time until the proper revisions have been made. Director Schoen has been assured that the information would be available before the ordinance goes into effect after the first of the year. He anticipates hearing from them

within the next few weeks. Further, he will provide an update to the Board at the January Law Board meeting.

Snead stated that the key issue is communication with the public regarding how the ordinance will be enforced. That information should be provided as soon as possible.

Schoen said when he receives the draft documents he would send them to the members of the Board.

Snead said that would be greatly appreciated and looked forward to an update at the next regularly scheduled Law Board meeting.

**I. End of Year Funding Matter:** Kearns commented that RCPD received the payment in full for the month of December and the matter has been resolved.

**J. 2008 Year End Budget Update:** Director Schoen informed the Board that he anticipates ending the year with roughly \$100,000 in carryover funds. Once the figures are more concrete he will update the Board.

**K. Substation Lease Agreement Renewal:** Director Schoen explained that this is an annual lease agreement for the Aggieville Substation. There is no increase from last year's agreement. He recommended the Board vote to renew the agreement.

Johnson moved to approve the renewal of the Substation Lease Agreement between GJL Real Estate and the Riley County Police Department. Wilkerson seconded the motion. The motion passed 7-0.

**L. Ka-Comm. Maintenance Agreement Contract:** Director Schoen explained that the Ka-Comm. Inc. Maintenance Agreement is an annual contract that covers labor costs for the repair of a majority of the Departments hand held radios, vehicle mounted radios and one repeater. The cost for the same agreement for 2007 and 2008 was \$23,436. The proposed agreement for 2009 will cost \$23,811. The Department did not bid this service due to the fact that this is the closest firm capable of providing the type of frequent support that is needed.

Johnson moved to approve the 2009 maintenance agreement between the Riley County Police Department and Ka-Comm. Inc. Phillips seconded the motion. The motion passed 7-0.

**M. Jail Transports (Mental Illness Transports):** AD Doehling explained that there are essentially two categories of transports that the Department conducts; police initiated and non-police initiated transports. When police receive an alert for an individual who has not participated in criminal activity, but could potentially be of harm to themselves or others RCPD takes the individual to Mercy Regional Health Center where they are evaluated by Pawnee Mental Health professionals. Following the evaluation, if the individual is deemed to need additional treatment, RCPD transports them to Osawatomie State Hospital.

Non-police initiated transports are typically orders by the Judge for RCPD to transport mentally ill individuals from Osawatomie back to Riley County for their court date. Currently RCPD conducts transports for both categories. Doehling explained that per policy, all prisoners being transported will be placed in restraints, to include handcuffs and leg restraints during the transport. He does not feel that is the proper method in which mentally ill individuals should be transported. Furthermore, RCPD calls correction officers in on overtime to conduct these transports. It costs the Department approximately \$30,000 annually for vehicle fuel and overtime.

Doehling requested the Board vote to instill a new procedure in which RCPD reports to the Board the cost to conduct these transports, similar to what is currently done with juvenile transports. The Department will then forward the costs to the County so they can seek reimbursement from the individual.

Johnson said he does not feel that the taxpayers should be paying for private transportation. Further, he does not feel that it is the responsibility of RCPD. Generally there are family members who can transport the individual.

Phillips asked if the police initiated transports could be outsourced to a different company.

Doehling said that is a possibility. Currently RCPD uses Secure Transport for persons extradited from out of the state. However, the company who conducts the transport may have issues with the very short notice that comes with the transports.

Attorney Michael Gillespie stated that the basic issue is not who is going to pay, but rather who is going to conduct the transport. It is his opinion that these issues should be conveyed to Judge Miller and recommend Secure Transport conduct the non-police initiated transports.

Schoen agreed to meet with Judge Miller to discuss the matter. If that does not work then the Department will want to look at forwarding the mental illness transport expenditures to the county.

Kearns recommended a representative from the County attend the meeting between RCPD and Judge Miller as well. Gillespie agreed to arrange the meeting.

**N. 2009 Non-PERB Salary Schedule:** Director Schoen explained that having resolved the salary charts for those positions represented by the bargaining units now comes the time to do likewise for those not represented by the Fraternal Order of Police Lodge #17 bargaining units otherwise referred to as Non-PERB positions. All Non-PERB positions are scheduled (and budgeted) to move to the McGrath salary chart in 2009 except the position of Police Captain and Assistant Director who are scheduled to move to the chart in 2010.

Johnson moved to accept the 2009 PERB exempt salary schedule as presented. Wilkerson seconded the motion. The motion passed 7-0.

**O. Executive Session:** At 1:04 p.m. Urban moved to go into executive session for the purpose of discussing attorney client privilege not to exceed 10 minutes. Snead seconded the motion. The motion passed 7-0.

At 1:14 p.m. Johnson moved to return from executive session. Snead seconded the motion. The motion passed 7-0.

**P. Affirmation or Revocation of Discipline:** None.

Johnson moved to authorize council to sign a defense agreement on the Lowery matter on behalf of the Law Board by the appropriate governmental entities. Phillips seconded the motion. The motion passed 7-0.

**Q. Adjournment:** At 1:15 the December 15, 2008 Law Board meeting adjourned.