



The Board was in agreement to add the additional funds to the carryover.

Butler stated that he would like more information regarding consolidated dispatch, specifically how the shifts are staffed and scheduled. He wished to know if there is a way to make consolidated dispatch more efficient.

Lewis echoed the comments made by Butler. He expressed his preference to add only 1 dispatcher to the Department's authorized personnel for 2015 if it is believed to be a workable solution. In the past he has received a number of requests from the County for an increase in workforce which unfortunately had to be turned down.

**C. Discussion of Senate Bill 436, a proposal to change the method of selecting the RCPD Director and which would make the position an elected, rather than appointive, position:** Chairman Matta opened for public comment.

**Kevin Barone- Lobbyist, Representative for Citizens Assuring Transparency and Topeka Resident:** Barone explained that Senate Bill 436 was brought about by a group of citizens who felt that they could not voice their complaints to the Riley County Police Department for fear of retaliation or that no action would be taken with respect to the complaint. According to Barone, the group, Citizens Assuring Transparency is comprised of doctors, lawyers, business men and women who live in various parts of Manhattan and Riley County who have different issues with the police department.

Barone introduced the Bill to the Federal and State Affairs Committee. He explained that the intent behind the Bill was not to disband the Law Board or to deviate from consolidated law enforcement. He remarked that the Department has been a consolidated agency for quite a number of years and he is not saying there is a problem with it. The idea is to allow citizens of Manhattan and Riley County who have unresolved issues or distrust in the system to, at the very least, vote for the individual who will fill the position of Director of the Riley County Police Department. He stressed that Kansas Senator Tom Hawk, Representatives Sydney Carlin and Tom Phillips were not involved with the introduction of the Bill, nor have they expressed support of it. However, they were in support of the process of bringing something forward to begin conversations.

Barone suggested that members of the group be given the opportunity to come forward and speak with the Law Board publically regarding their concerns at the regularly scheduled April Law Board Meeting. He indicated that there have been a lot of private conversations over the telephone and behind closed doors concerning the matter. There are those in the group who honestly believe that they have an issue with the Department, are scared to come to the Law Board or have tried to resolve the issue through a single individual, but have not gotten anywhere.

Matta asked if a lobbyist can introduce a bill or if it requires a legislator to do so.

Barone said that with most committees the chairman will ask if there is anyone in the audience with a bill. Very few times do legislators put their names on certain bills.

Matta stated that the newspaper provided the name of a specific legislator.

Barone responded that he provided the Bill to a senator from Wichita because it was quicker to have her introduce it.

Wilkerson asked if the Bill went before an executive committee.

Barone confirmed that it had.

Wilkerson stated that the Bill did not go through the normal process. He recalled that February 14, 2014 was the turnaround date at which time all bills had to be passed out of their chamber of origin. He wished to know why the Bill was not discussed before turnaround.

Barone stated that the Citizens Assuring Transparency did not get together early on because there was not a designated leader. The group came to him late and asked if they could still introduce the Bill. He tried, and the Bill went before an executive committee. Barone reiterated that the Bill was introduced to try and facilitate conversation between concerned citizens and the Law Board. Barone apologized for not telling everyone upfront about the Bill. He said he was not certain how people in Manhattan and Riley County normally handle such matters. He asked if people here normally let everybody know when they do something. He said that he was simply brought in to help the group through the process.

**Calvin Sanders- RCPD Employee and Manhattan Resident:** Sanders recalled a statement made by Barone indicating that he does not see a problem with RCPD being a consolidated law enforcement agency. Sanders asked if it is not broken, why fix it? He went on to state that making the position of Director an elected, rather than appointive, position would greatly increase the potential for politics to influence the agency. Oftentimes money is behind such elections. In his opinion there would be a growing concern of public trust if it were an elected position.

He added that currently the Director is held accountable by the Law Board. The same would not hold true if he were an elected official. The Director has a good working relationship with most community members and the Law Board. If an individual were elected into the position potentially every 4 years he/she would have to work to establish those relationships.

**Brian Johnson- RCPD Employee, President of the Fraternal Order of Police and Manhattan Resident:** Johnson provided each member of the Law Board with a copy of a letter authored by Manhattan resident Helen Roser. Roser was unable to attend the meeting and requested that her comments in opposition of Senate Bill 436 be forwarded to the Board.

**Ryan Doehling- RCPD Employee and Manhattan Resident:** Doehling said that prior to being employed by the Riley County Police Department he worked for the Albuquerque Police Department in New Mexico. Albuquerque, New Mexico has both a city and county law enforcement agency. In his experience jurisdiction was an issue for officers responding to calls. He recalled an incident in which the city agency was the first to arrive at the scene of a residential burglary, and the officer was told not to take action because that side of the street lied in the county's jurisdiction.

Doehling feels that the citizens of Manhattan and Riley County have an equal representation with regard to law enforcement. Someone said to him recently that there is no more powerful law enforcement officer than a sheriff. The sheriff can do what he wants, when he wants for 4 years. As

it is right now, the Director is held accountable by the Law Board which is comprised of representatives of both the city and county. He stated that he was not in favor of the Bill.

**Bob Kruh, Manhattan Resident:** Kruh stated that he appreciates having the attention, confidence and professionalism of a Law Board and first rate police force. He has no doubt there are individuals in the community with concerns that require attention. In his opinion, those with concerns should exhaust all options available to them. One such option is the Community Advisory Board (CAB) which has been a very worthwhile addition to the method in which the police department operates. Kruh said that he finds it troubling that there are individuals in the community who are unhappy. On the other hand, there is more than one way to deal with dissatisfaction which should also be a part of the equation.

**Brian Johnson- RCPD Employee, President of the Fraternal Order of Police and Manhattan Resident:** Johnson stated that one of the jobs of a police officer is to protect and defend those who cannot protect themselves. He said that he finds it peculiar at a venue in which one of the objections raised are that individuals do not feel comfortable coming forward to voice concerns with their law enforcement, some of those individuals raising the issue were laughing with the implication of ridiculing someone who wanted their opinion to be heard. He said that he finds the actions to be a bit hypocritical. He does not believe there is an issue with transparency at the Riley County Police Department.

Matta thanked those who provided comment. He added that members of the community are always welcome to speak with the Law Board individually regarding their concerns or through the public comment process. Members of the Law Board are also City and County Commissioners which opens up another avenue for the public to voice their concerns. Matta said that he supports the current structure of the Department and it's dynamic with the Law Board. He does not support the Bill.

Boyd echoed the comments made by Chairman Matta.

Butler expressed his disappointment to hear that there are members of the public who will not talk to the Law Board, City or County Commissioners about their concerns. The few complaints he has received over the years have been worked out and addressed with the Director of the Riley County Police Department. There have been occasions in which the individual wished to remain anonymous and they were able to accommodate the request. He added that approximately 95% of the time no public comment is made at the monthly Law Board Meetings.

Butler noted that the proposed Bill makes the RCPD Director an elected position, but it does not improve upon the current process. If the Director were an elected official the Law Board would have absolutely no authority to direct him to fix the budget. There would be a loss of accountability.

Butler said that if the Citizens Assuring Transparency want to pursue having an elected Director they would first need to have an elected Law Board and provide them mil levy authority. Before any legislature in the state of Kansas vote to approve the Bill, they should allow the County the opportunity to have a referendum on the ballot. Butler said that he is not recommending this, but that is what would need to transpire in order for the Bill to make some sense.

Lewis agreed with Butler. Any Law Board member has the opportunity to bring a grievance, concern or suggestion directly to the Director. It is an exciting process that not many other agencies

have. The Director is very accessible to the Board which is not something you get with someone who has the office in an elected capacity. There are a number of counties in Kansas that are envious of the system in Riley County.

Wilkerson stated that the Director of the Kansas Bureau of Investigation and the Superintendent of the Kansas Highway Patrol are appointed positions, which seem to work well. The CAB was established in 2009. There is a Law Board who has and can continue to field questions or concerns from citizens. To say that there is no place for people turn to voice their concerns is untrue. He is very satisfied with the process they have in Riley County with an appointed Director.

Lewis moved to authorize the Chair of the Law Board write a letter to the State legislature or appropriate committee expressing the Board's opposition to Senate Bill 436. Butler seconded the motion. On a roll call vote, motion carried 6-0.

**D. Executive Session:** It was determined that an executive session was not needed.

**E. Adjournment:** Lewis moved to adjourn the meeting. Wells seconded the motion. On a roll call vote, motion carried 6-0. The March 17, 2014 Law Board Meeting adjourned at 6:50 p.m.