

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
November 16, 2015 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Robert Boyd
Karen McCulloh Usha Reddi
Ron Wells

Absent: Wynn Butler Barry Wilkerson
Captain Kyle

Staff Present: Director Schoen Assistant Director Doehling
Captain Fink Captain Hegarty
Captain Hooper Captain Moldrup

I. Establish Quorum: By Chairman Boyd at 12:00 p.m.

II. Pledge of Allegiance: Led by Director Schoen.

III. Consent Agenda:

- A. Approve October 19, 2015 Law Board Meeting Minutes
- B. Approve 2015 Expenditures
 - a) Seizure Expenditures
 - b) Budget Expenditures/Credits
- C. Juvenile Transport Reimbursement
- D. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
- E. Riley County Jail Average Daily Inmate Population- (*Review*)
- F. Monthly Crime Report- (*Review*)
- G. 3rd Quarter Reports
 - a) 82.1.4 Crime Statistics
 - b) 61.1.1 Traffic Accident & Enforcement Analysis
 - c) 84.1.8 Seizure & Forfeiture Report

Reddi sought additional information regarding Voucher# 11016 in the amount of \$3,000 payable to Kansas State University for contract-public attitudes.

Schoen said that the Riley County Police Department has contracted with the Kansas State University (KSU) to conduct a study of citizen's attitudes. He explained that there is nothing surreptitious happening. He was deliberately being vague in his description to avoid adversely impacting the results of the research.

McCulloh inquired about Voucher# 11283 in the amount of \$5,456.88 payable to Taser International, Inc. for body-worn cameras. She wished to know what items were purchased.

Schoen responded that the Department purchased 3 police officer body-worn cameras and 2 docking stations.

Reddi moved to approve the consent agenda as presented. McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

IV. General Agenda:

H. Additions or Deletions: None.

I. Public Comment: Patrick Brodersen- Wamego Resident: Chief Engineer with the Holiday Inn at the Campus Patrick “Pat” Brodersen expressed his concerns regarding unauthorized vehicles parked in the Holiday Inn parking lot. The Holiday Inn at the Campus is situated across the street from KSU and a parking garage that was built for faculty, students, and staff. Brodersen stated that despite having the proper signage, students continue to park in the Holiday Inn parking lot. The only recourse available to him is to call the police department to have the driver of the vehicle ticketed. Unless the police officer writes “authorized to tow” on the citation, the wrecker service will not tow the vehicle. Brodersen would like to have the option and authority to have a vehicle towed from the private property, if necessary.

Wells stated that he too has heard of incidents in which private business owners or individuals have been unable to have vehicles (abandoned or otherwise impeding access) towed from the property.

Schoen explained that this subject represents only one portion of a much larger conversation that was held a number of years ago. He said that any individual may contract with a wrecker company to tow vehicles from their property. However, the wrecker company is not likely to enter into an agreement unless the individual is willing to pay when an error is made and a vehicle is mistakenly towed. The wrecker company wants to be assured that they are going to receive payment and not eat the cost to tow and store the vehicle.

Schoen said that at the time of the larger discussion, the City of Manhattan modified the ordinance permitting RCPD police officers to use discretion concerning whether or not a vehicle should be towed. Prior to that, if there was an error on the part of the police department and the wrong vehicle was towed, the City was responsible for the tow and storage fee. There was a desire to try to minimize that impact, and the City granted RCPD the discretion to determine when to tow a vehicle and whether it would be prudent to do so. The general rule of thumb is if there is a serious obstruction on the property then the officer will authorize the tow.

Schoen explained that with respect to private parking lots, if there is an event going on and there is no remaining parking stalls for patrons, the Department will authorize the towing of vehicles. If there is not an event, the officer will issue a citation only. This has proven distasteful to some and favorable to others. Even among property owners there are varying opinions about how they believe the matter should be handled. The fact of the matter is that someone has to be liable to pay. He added that ultimately it is a City ordinance matter. The police department is the enforcement arm of the ordinance. He believes it is an appropriate policy.

McCulloh inquired about the cost of a parking ticket.

Schoen said that it is \$25.00 if the vehicle is parked on private property. If the vehicle is parked in a handicap stall the ticket becomes more pricy.

McCulloh informed Brodersen that she would review City ordinances and look into the matter further.

Boyd assured Brodersen that the Board would take the matter under advisement and see what could be done.

J. Board Member Comments: Reddi stated that she was pleased to have representatives from the Riley County Police Department attend the presentation provided by Kansas State University Professor Charles Epp the evening of October 28, 2015. In addition, Captain Kyle attended a public deliberation on positive development in Riley County at the Manhattan Public Library. It was nice to have them present, particularly since attendance was not mandated.

Reddi wished to know if the Department utilizes Yik Yak as a method to identify and locate individuals who have committed or are threatening to commit crimes.

Schoen responded that currently the Department does not use Yik Yak. However, there are a number of measures police can take to recover information in a criminal matter. Police simply need to submit the appropriate forms and/or get a hold of the company to make a request for the information. There have been past investigations in which the Department has had both the necessity and opportunity to delve into social media for information. Schoen said that he was hesitant to go into great detail. To do so would involve operational matters that he believed should not be discussed publically.

K. Change to December Law Board Meeting Date: Due to the holiday and potential quorum issues, Director Schoen sought guidance from the Board as to whether they would like to reschedule the December 21, 2015 Law Board Meeting.

The Board confirmed that there will be a quorum present at the December 21st meeting. No change was necessary.

L. 2015 CALEA On-Site Update: The Riley County Police Department is scheduled an on-site assessment beginning Monday, December 14, 2015 through Thursday, December 17, 2015, to examine all aspects of the Department's policies and procedures, management, operations, and support services. This accreditation cycle, the Department will participate in the Gold Standard Assessment which focuses on processes and outcomes through interviews and observations, as opposed to solely on file review. Employees of the Department and the community will have the opportunity to offer comments at the public information session scheduled for Wednesday, December 16, 2015 beginning at 6:30 p.m. in the City Commission Meeting Room. For those who cannot speak at the public information session, but would still like to provide comments to the assessment team, they may do so by telephone on Tuesday, December 15, 2015 between the hours of 2:00-4:00 p.m.

M. 2015 Police Vehicle Purchase Update: During the September Law Board Meeting, the Department had requested permission to purchase a total of 10 vehicles by the end of 2015, contingent on available funding. The Law Board approved 6 at that time and wanted additional information before deciding on the remaining 4. Based upon analysis conducted by staff and the anticipated availability of funds, Captain Hegarty recommended the Board approve the purchase of 3 vehicles, thus reducing the patrol fleet by 1 vehicle.

McCulloh moved to approve the purchase. Beardsley seconded the motion. On a roll call vote, motion carried 5-0.

N. FBI JTTF Assignment: The Federal Bureau of Investigation has Joint Terrorism Task Forces (JTTFs) in a number of locations throughout the country. Director Schoen explained that the conversation concerning RCPD's involvement in the local iteration of the JTTF dates back to when it became apparent that the National Bio and Agro-defense Facility (NBAF) was going to be situated in Manhattan, Kansas. At that time, discussions between Schoen and the FBI supervisory special agent concluded that RCPD participation on the JTTF was a bit premature.

Last month, at the behest of the Kansas City Office, the current FBI supervisory special agent met with Director Schoen and Assistant Director Doehling to once again discuss RCPD participation on the JTTF. Schoen said that he and Assistant Director Doehling agree that it is now time to engage. If approved, assignment to the JTTF would be from within RCPD's sworn ranks. It would be a full-time position. The individual would routinely report back to the Investigation Division Commander, as well as the Director and/or Assistant Director regarding critical incidents. A selection process markedly similar a promotion would be conducted to identify the right individual for the assignment.

Riley County Law Enforcement Agency Attorney Michael Gillespie explained that the Memorandum of Understanding (MOU) between the FBI and the Riley County Law Enforcement Agency contains an indemnification clause. The Department does not have the authority to enter into a hold harmless and indemnification agreement. Only the Law Board may.

Beardsley inquired about the length of the assignment.

Schoen responded that the FBI asks for a minimum of 2 years.

Boyd wished to know what level of officer would be considered for the assignment.

Schoen said that it is important to select the right individual, which is not necessarily limited by position. However, he and the Assistant Director have discussed the matter and have concluded that the Department likely cannot afford to assign a lieutenant to the JTTF. Therefore, they would be looking at either a line level position or first level supervisor.

It was the consensus of the Board to move forward with RCPD participation on the JTTF and begin the assignment selection process from within the Department. The Board will refrain from taking a vote until the MOU has been received in its final form.

O. Executive Session: At 1:00 p.m. McCulloh moved to go into executive session for the purpose of discussing non-elected personnel matters and attorney client privilege not to exceed 15 minutes. Beardsley seconded the motion. On a roll call vote, motion carried 5-0.

At 1:15 p.m. the open meeting reconvened.

P. Affirmation or Revocation of Discipline: None.

Q. Adjournment: McCulloh moved to adjourn the meeting. Reddi seconded the motion. On a roll call vote, motion carried 5-0. The November 16, 2015 Law Board Meeting adjourned at 1:15 p.m.