

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
May 16, 2016 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Robert Boyd
Wynn Butler Karen McCulloh
Usha Reddi Ron Wells
Barry Wilkerson

Absent:

Staff Present: Director Schoen Assistant Director Doehling
Captain Fink Captain Hegarty
Captain Hooper Captain Kyle
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 April 7, 2016 Law Board Meeting Minutes
- B. Approve 2016 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. 1st Quarter Report Synopses & Report- (*Review*)
 - a) 82.1.4 Crime Statistics
 - b) 61.1.1 Traffic Accident & Enforcement Analysis
 - c) 84.1.8 Seizure & Forfeiture Report
- G. Monthly Crime Report- (*Review*)

McCulloh moved to approve the consent agenda as presented. Beardsley seconded the motion. On a roll call vote, motion carried 7-0.

IV. General Agenda:

H. Additions or Deletions: Director Schoen noted one change to the general agenda. Item M. Contract for Service Country Stampede L.L.C. is listed as a discussion item. However, after speaking with legal counsel it was determined that a vote will be required.

I. Public Comment: Meryl Wilson- Manhattan Resident: Riley County Division II Chief Judge Meryl Wilson was present to answer questions from the Law Board concerning courthouse security. Wilson explained courthouse security has always been a concern for those who work in the

court system. He has been involved in courthouse security discussions for approximately three years. People tend to believe that the issues revolve around the accused and convicted criminals who are in the building on a daily basis. That is not the case. The situations that cause more concern locally and nationally are those for which they are not aware. Those situations tend to be domestic rather than criminal defendants.

Wilson said that his concerns were heightened when the legislature in Topeka passed a law that allows concealed carry in the courthouse unless adequate security measures are in place. It has been the unanimous decision of the judges not to allow handguns into the building. The only way to prevent that is through a screening process.

Due to the hard work of the Commissioners, Riley County District Court now has the ability to screen everyone who enters the facility. It was quite an undertaking to say the least; however, it is not complete because it is not staffed. Currently, the court has one armed law enforcement officer to cover five courtrooms. Wilson said that is an impossible job for only one officer. The court has had to prioritize where the officer is to be located at any given point during the day. The proposal is to have 3 full-time officers and 2 security officers.

Wilson has spoken with several chief judges, to include those in Lawrence, Wichita, and Topeka where they have had a screening process in place for a number of years. They indicated that they frequently confiscate weapons from individuals attempting to enter the courthouse. Wilson is quite certain that the same thing is happening at the Riley County District Court, they are just not aware of it.

McCulloh said that she is pleased with the work that has gone into planning for courthouse security. Though, she believes it is important that the public understand the fiscal note that is associated with it.

Butler received a couple emails from citizens who were concerned about the cost for courthouse security. They wanted to know if it is necessary to have that many sworn officers in the courtroom.

Wilson spoke with other chief judges around the state. He is not aware of their financial situations but by way of example, the city of Emporia has five sheriff's deputies in the courthouse at all times. It would be Wilson's preference to have an officer in all courtrooms at all times. Simply having a uniformed law enforcement officer present has a certain calming effect. The officers can diffuse a lot of situations that would otherwise escalate.

Wilson added that the judges have received threats. The threats are perceived to be legitimate by law enforcement to the point that some type of action is taken. So far they have gotten by, but that does not mean that is the right solution. Wilson said that he and Schoen are in agreement regarding the proposed staffing level for courthouse security.

Schoen referred to correspondence that was forwarded from citizen Joe Knopp to members of the Law Board. Contained in the communication were references to the National Center for State Courts (NCSC). Schoen explained that the NCSC website has documents which essentially lay out the best practices for court security. He was struck at how markedly similar the NCSC best practice recommendations were to that which is being proposed by RCPD. In fact, they appear to be a bit stronger. For example, the NCSC suggests that the court have a video monitoring system. Unfortunately, the Riley County District Court does not have the space or personnel to support that recommendation. With respect to the screening stations, the NCSC pretty much described the scenario that is being discussed with the Law Board in terms of security officers and sworn personnel. If at

some point the City and County become serious about a new courtroom to accommodate both entities, a step-by-step process is provided in the abovementioned documents.

Wilson noted that following September 11, 2001 the federal government conducted security audits of all courthouses in the United States. The results of the audit were contained in a confidential report. The Riley County District Court received a failing grade with regard to courthouse security chiefly due to the limitations of the facility.

Joe Knopp- Manhattan Resident: Mr. Knopp expressed his concerns about the proposed expenditures for operating security at the Riley County Courthouse and its impact on the taxpayers. Knopp said that he appreciates the risks that all public safety officials take every day, including court personnel. He has a tremendous respect for those who stand between the public and evil. However, there are certain levels of risk that accompany those types of positions. It is up to elected officials to decide how much money they are willing to spend to address that risk. If money were not a consideration a policeman would be posted on the front door of every house in Manhattan. That is not realistic.

The current proposal by the Director of the Riley County Police Department calls for an additional detail of officers and security persons. Knopp believes that a more conservative approach should be considered first. He urged the Board to consider hiring 1 officer and 1 security person. In his estimation it is the more preferable, sensible, and fiscally responsible approach as opposed to increasing a police force that will never be reduced.

Boyd thanked Knopp for his comments.

J. Board Member Comments: In recognition of National Police Week Reddi took a moment to acknowledge the men and women police officers who keep the community safe.

K. Life Saving Award Presentation: Director Schoen presented RCPD Police Officer Tanner Monroe and Dispatcher Sarah Bell each with a Life Saving Award in recognition of their role On February 3, 2016 in providing critical lifesaving assistance to an individual who had attempted suicide and suffered significant blood loss. Both employees showed compassion and remained professional during the situation. Their actions contributed significantly to the saving of the person's life.

L. Fake Patty's Day Expense Summary: Captain Hooper provided the Board with a list of final expenses for RCPD and agencies that assisted with the 2016 Fake Patty's Day event. The total was \$46,114.23 which does not include sworn and non-sworn employees assigned to work their regular shift. It does include costs for those specifically assigned to the Fake Patty's Day function.

Knopp asked the Board to not only look at the costs associated with managing Fake Patty's Day, but also the revenue that it produces (e.g., court fees, fines, sales tax). Before someone uses the above figure as a condemnation for Fake Patty's Day, they should realize that it may be a revenue producer for the City of Manhattan and its municipal court system.

Boyd said that there are a couple of working groups that have been tasked with discussing the Fake Patty's Day event, to include associated costs and revenues.

Butler agreed with Knopp. The figures provided by RCPD are only one piece of a larger picture. Butler is in the process of obtaining additional data from other emergency services. Once received, the Board will have a better handle on the overall cost of the event.

M. Contract for Service Country Stampede L.L.C: Director Schoen briefed the Law Board on the proposed contract between the Riley County Law Enforcement Agency, Riley County Police Department, and Country Stampede, L.L.C. The contract proposes Country Stampede, L.L.C. reimburse RCPD for expenses to deploy manpower and equipment associated with providing security and traffic control at the event. The Department has provided this service for a number of years. Schoen said that the only change this year is that the event will be held over three days as opposed to four.

Schoen conferred with legal counsel and determined that the contract must be approved by the Law Board each year. Should Country Stampede, L.L.C. default on the contract they only way to recoup costs would be through litigation. The Riley County Law Enforcement Agency (Law Board) is the only entity that can take such action. He recommended the Board authorize the Chair to sign the contract.

McCulloh moved to authorize Chairman Boyd to sign the agreement between the Riley County Law Enforcement Agency, Riley County Police Department, and Country Stampede, L.L.C. Beardsley seconded the motion. On a roll call vote, motion carried 7-0.

N. Approve 2017 Budget for Publication: At the April 18, 2016 Law Board Meeting members of the Board were provided copies of RCPD 2017 Budget Narrative Proposed Budget Draft 2 and courthouse security staffing recommendations for Riley District and Municipal Courts. It was the consensus of the Board to continue discussions regarding court security court security (option A), the addition of 2 dispatchers (option C), and the addition of 1 mental health response professional (option B) at the May 16, 2016 Law Board Meeting.

Director Schoen briefed the Board on the House Substitute for Senate Bill No. 35 which includes previously discussed exemptions for emergency services. Although the Bill has not been signed at this time, he anticipates the exemptions will remain in place.

Following discussion, a consensus was reached among the Board to support the adjusted court security schedule which combines city and county court. The schedule would include the addition of 1 sergeant, 3 full-time sworn officers, and 4 security officers.

Butler moved to approve RCPD Budget Draft 3F for publication. This option includes basic salary adjustments, court security, ½ year mental health contract, and 1 dispatcher. Wilkerson seconded the motion. On a roll call vote, motion carried 7-0.

O. Executive Session: At 1:24 p.m. Beardsley moved to go into executive session for the purpose of discussing non-elected personnel matters not to exceed 10 minutes. Wilkerson seconded the motion. On a roll call vote, motion carried 7-0.

At 1:34 p.m. the open meeting reconvened.

P. Adjournment: The May 16, 2016 Law Board Meeting adjourned at 1:34 p.m.