

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
November 21, 2016 12:00 p.m.
Minutes**

Members Present:

Craig Beardsley
Wynn Butler
Barry Wilkerson

Robert Boyd
Usha Reddi

Absent:

Karen McCulloh

Ron Wells

Staff Present:

Director Schoen
Captain Fink
Captain Hooper
Captain Moldrup

Assistant Director Doehling
Captain Hegarty
Captain Kyle

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 17, 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. Monthly Crime Report- (*Review*)
- G. 3rd Quarter Reports: Synopses- (*Review*)
 - a) 82.1.4 Crime Statistics
 - b) 61.1.1 Traffic Accident & Enforcement Analysis
 - c) 84.1.8 Seizure & Forfeiture Report

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

IV. General Agenda:

H. Additions or Deletions: None.

I. Public Comment: None.

J. Board Member Comments: Reddi thanked Captain Kyle for attending the recent National Alliance on Mental Illness (NAMI) meeting to discuss the mental health co-responder program. She explained that NAMI is the nation's largest mental health organization comprised of

families and those affected by mental illness. The group truly appreciated the time Captain Kyle took out of his busy schedule to provide the presentation and answer questions.

K. Promotion Announcement: Assistant Director Doehling announced the promotion of Police Officer Brandon Tapp to the position of Police Sergeant. Tapp was accompanied by his wife, Brooke who assisted Director Schoen with the pinning.

Assistant Director Doehling announced the promotion of Police Sergeant Brad Jager to the position of Police Lieutenant. Jager was accompanied by his wife, Pam and father, Rodney who assisted Director Schoen with the pinning.

L. Award Presentation: Director Schoen presented Sergeant Dan Bortnick and Officer Tanner Monroe each with a Meritorious Service Award for their actions on May 3, 2015. At approximately 1:20 a.m. the Riley County Police Department (RCPD) was alerted to a shooting which occurred following an altercation outside a bar in Aggieville. Officer Monroe confronted and attempted to take into custody the suspect who had just shot two individuals. The armed suspect refused to comply with Officer Monroe's commands and fled on foot. Sergeant Bortnick and Officer Monroe subsequently gave chase. The suspect was ultimately taken into custody after an Electronic Control Device was deployed.

The suspect was charged with two counts of attempted Premeditated First Degree Murder and Aggravated Weapons Violations by a Convicted Felon. Assistant County Attorney Bethany Fields credited all officers involved in the incident for their exceptional performance. She also commented that on scene and in court, the Riley County Police Department was well represented.

While several officers played an important role in the investigation of this case, it was the persistence of Sergeant Bortnick and Officer Monroe which led to the arrest of the dangerous suspect. For their courage in putting public safety ahead of their own, and to their commitment to applying the training that they received in responding to critical incidents, the Meritorious Service Award was presented to Sergeant Dan Bortnick and Officer Tanner Monroe.

Director Schoen presented Officer Brian Dow and Officer Jason Krause each with a Life Saving Award in recognition of their role On July 3, 2016 in providing critical lifesaving assistance to an individual who had attempted suicide. Officer Dow and Officer Krause responded to a report of a person on a ledge attempting to commit suicide by jumping. Citizen Virginia Bono was on her way home when she noticed the individual on the ledge acting peculiar. Virginia made her way up to the apartment, and through an open window physically held onto the suicidal person to prevent him from jumping until the officers arrived on scene. Once on scene, and after some difficulty, Officer Dow and Officer Krause were able to pull the suicidal man from the ledge through the window. Officer Dow was injured in the process. The individual was placed in protective custody and transported to Mercy Regional Health Center.

If not for their quick thinking and determined action the distraught subject may have succeeded in taking his own life. Therefore, Officer Dow and Officer Krause are to be commended and presented the Life Saving Award with the full thanks and appreciation of the Department.

M. Substation Lease Agreement Renewal: Included in the Law Board packet was a letter to the Board of County Commissioners concerning the continued need for the Riley County Police Department Aggieville substation. Director Schoen explained that prior substation lease renewals were

not handled in this fashion. In fact, the renewal has become such a matter of routine that Riley County Counselor Clancy Holeman simply contacts GJL Real Estate Limited Partnership (lessor) and renews the contract with Riley County (lessee) on behalf of RCPD.

Schoen explained that the Aggieville substation is an integral part of the Department's day-to-day operations as it provides necessary work space for officers assigned to foot patrol in and around the Aggieville area. The facility has temporary storage lockers, and it is used by police officers to process arrestees and evidence. The facility serves a multitude of functions and saves officers time by not having to drive back and forth to the main law enforcement center. He requested the Law Board authorize the Chair to sign the letter asking the BOCC take the necessary steps to renew the contract for the Aggieville Substation for the period of January 1, 2017 through December 31, 2017. He also sought guidance from the Law Board on how they would like to handle future lease renewals.

Boyd recommended the Aggieville substation lease agreement renewal be a recurring annual agenda item.

The Board concurred.

Butler inquired about the rental amount for the substation.

Schoen replied that the County pays for the lease. He was not certain of the exact rental amount; however, RCPD Accountant Annette Moran believed it was in the neighborhood of \$700.00 a month. Schoen agreed to email the Board the exact figure following the meeting.

Beardsley moved to authorize the Chair of the Law Board to sign the letter to be forwarded to the Board of County Commissioners. Wilkerson seconded the motion. On a roll call vote, the motion carried 5-0.

N. Health Insurance Update: In 2013 the Department opted into a partially self-funded health insurance plan that was projected to reduce overall costs while maintaining benefits. Captain Hooper explained that the latter part of 2014 through 2015 were good years for the Department with respect to health insurance claims. Consequently, the Department was able to reduce employee contributions in 2016, as well as reduce the 2017 budget for health insurance by \$50,000.

Hooper stated that unfortunately, the Department experienced an increase in employee usage and injuries during 2016, which will necessitate a slight increase to employee contributions in 2017 and a potential increase to the budget line in 2018. On a positive note, the 2017 increase to employee contributions will only go back up to what the rates were in 2015. He added that over the past three years, agencies and private businesses of similar size to RCPD experienced increases in health insurances costs between 12-20%. The Riley County Police Department has been able to keep health insurance costs flat for the same period.

O. Police Officer Body-Worn Camera System: The Law Board discussed a study conducted by the University of Cambridge and the RAND Corporation regarding the use of police officer body-worn cameras. Captain Hegarty explained that due to limited data, the study *suggests* reductions in citizen complaints against law enforcement officers when body-worn cameras are in use. Researchers say that the reduction may be attributed to the cameras modifying behavior through the awareness that the encounters are recorded which improves suspect demeanor and police procedural compliance. Hegarty said that studies were also conducted in Rialto, California, Mesa and Phoenix,

Arizona which show promising results. However, when it comes to use of force incidents, the data is less conclusive.

Hegarty said that in November 2014, the Riley County Police Department began testing police officer body-worn cameras. In August 2015, body-worn cameras were issued to all police officers. Hegarty explained that with respect to citizen complaints against RCPD, the numbers are fairly low to start. For example, in 2011 RCPD received seventeen non-use of force complaints from citizens; seventeen in 2012, fourteen in 2013; nineteen in 2014; and seven in 2015. So far in 2016, the Department has received six non-use of force complaints. One could say that perhaps there is a correlation between the use of body-worn cameras and the reduction in complaints, but there simply is not enough data at this time to know with any degree of certainty. With regard to use of force related citizen complaints, the numbers in 2014 and 2015 were virtually identical. Currently, the Department does not have all of the data for 2016.

Hegarty said that the body-worn camera system is an effective tool for law enforcement. Earlier this year the Department was involved in an incident that occurred in Aggieville. As a result of the video captured by the body-worn camera, the Department was able to show that the police officer acted appropriately. Hegarty said that a lot of research is still ongoing. The data looks promising, but it is simply too early to tell. As RCPD Administration learns more they will certainly bring it back to the Law Board.

Beardsley commented that body-worn cameras do not solve every issue, but studies indicate that overall they are good for both the public and law enforcement.

Reddi said that the police officer body-worn camera system is a huge investment, not only with the purchase of the hardware and software, but with storage and training as well. In an age where everyone has a cellphone to record their interactions, it is good to have a video from the perspective of the police officer. The system also provides the community with a sense of transparency.

Butler explained that there are cost associated with citizen complaints in the form of employee time and administration. If the Department were to receive half of the complaints that they used to, it will help to offset some of the hardware and software costs. Perhaps down the road the Department can do away with the dashboard cameras, perhaps not. If the system costs a little more it really doesn't matter because the Department has to go with the best value, and that is clearly the case here.

Hegarty felt that it was important for the public to know that RCPD began down this road well before it became a national issue. This is another example where the Department has been ahead of the curve when it comes to policing issues.

P. Executive Session: At 12:30 p.m. Reddi moved to go into executive session for the purpose of discussing non-elected personnel matters and attorney client privilege not to exceed 20 minutes. Wilkerson seconded the motion. On a roll call vote, motion carried 5-0.

At 12:50 p.m. the open meeting reconvened.

Reddi moved to return to executive session for the purpose stated above not to exceed 15 minutes. Wilkerson seconded the motion. On a roll call vote, motion carried 5-0.

At 1:05 p.m. the open meeting reconvened.

Q. Affirmation or Revocation of Discipline: Wilkerson moved to affirm the Director's disciplinary actions. Beardsley seconded the motion. On a roll call vote, motion carried 5-0.

R. Adjournment: The November 21, 2016 Law Board Meeting adjourned at 1:06 p.m.