

**RILEY COUNTY LAW ENFORCEMENT AGENCY  
LAW BOARD MEETING  
City Commission Meeting Room  
1101 Poyntz Avenue  
Manhattan, KS  
March 26, 2018 12:00 p.m.  
Minutes**

**Members Present:**

Craig Beardsley	Mike Dodson
Usha Reddi	Marvin Rodriguez
BeEtta Stoney	Ben Wilson
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 Beardsley at 12:00 p.m.
- II. Pledge of Allegiance:** Director Schoen led the Law Board in the Pledge of Allegiance.
- III. Consent Agenda:**
  - A.** Approve February 20, 2018 Law Board Meeting Minutes
  - B.** Approve 2017/2018 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.** 1.3.13 Use of Force Annual Report- (*Review*)

Wilson noted one correction to the February 20, 2018 Law Board Meeting minutes. Page eleven of the packet, paragraph three should read “Chairman Beardsley referred to ~~Aaron~~ Aaron Wright’s earlier comments.”

Dodson moved to approve the Consent Agenda as amended. Stoney seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

**IV. General Agenda:**

**H. Additions or Deletions:** Dodson moved to postpone discussions regarding item Q. Range Update until after Executive Session. Wilkerson seconded the motion. Beardsley polled the Board and

the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

**I. Public Comment:** Linda Mays, Executive Director, Aggieville Business Association (ABA), and Dennis Cook, Member, ABA, discussed recent events that transpired in Aggieville which caused area business owners concern. Mays stated that she and a number of business owners are unhappy with Riley County Police Department (RCPD) procedures during special events. She specifically addressed their concerns with the placement of snipers on rooftops during the Little Apple New Year's Eve Celebration, overabundance of officers working during Fake Patty's Day which caused participants to go outside of Aggieville to less controlled house parties, and the unnecessary closing of streets during the K-State Men's Basketball Elite Eight game which resulted in a loss of revenue for Aggieville businesses.

Mays explained that she understands the need for public safety; however, there is such a thing as going too far. There is a need to review policies, procedures and city ordinances to determine if these types of law enforcement actions are out of necessity or simply reaction. The business districts desire more open communication with the Riley County Law Enforcement Agency (Law Board) and RCPD.

Cook supported the comments made by Mays. He stated that leading up to this discussion there appeared to be the implication that Mays was aware of and approved of the plan to close the streets during the Elite Eight game, which is untrue.

Beardsley thanked Mays and Cook for their comments.

**J. Fraternal Order of Police Lodge #17 Comments:** Brian Johnson, President, Fraternal Order of Police (FOP) Lodge #17, reserved his comments for discussion concerning Fake Patty's Day, should there prove to be time available later in the meeting.

**K. Board Member Comments:** None.

**L. Community Advisory Board Update:** In January, membership of the Community Advisory Board reorganized. Gina Scroggs introduced herself to the Law Board as the newly appointed Chair of the Riley County Police Department Community Advisory Board (CAB). She stated that Lewis Smith has been selected to serve as Vice Chair. Since the last update to the Law Board, four vacant positions on the CAB have been filled. Newly appointed members include Diahann Frazier, William Kaszer, Brent Riffel, and Tim Sigle. By-laws for the CAB call for no fewer than nine and no more than twelve members. Presently, the CAB has full membership.

In addition to public comment and updates provided by RCPD administration, the CAB routinely has guest speakers. In November 2017, Sergeant Doug Wood provided a presentation on the department's Unmanned Aerial Systems (UAS or drone) program. In December, Lieutenant Brad Jager and Sergeant Scott Hajek discussed the department's Use of Force training and how it has evolved over the years. In addition, Director Schoen briefed the Board on a number of department matters to include high profile cases, the Manhattan/Riley County Emergency Services radio infrastructure, RCPD storage building expansion, and range.

The CAB welcomes public input and encourages members of the community to attend the monthly meetings. The CAB meets on the first Tuesday of each month at 11:30 a.m. at Bluestem Bistro in Aggieville.

**M. National Public Safety Telecommunications Week Proclamation:** Chairman Beardsley read the National Public Safety Telecommunications Week Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of April 8<sup>th</sup> through April 14<sup>th</sup>, 2018 as National Telecommunications Week, in honor of the men and women whose diligence and professionalism keep the city, county and citizens safe. Communication Center Manager Diane Doehling, Dispatch Shift Supervisors Patricia Noriega and Tyler Siefkes, and Dispatchers Sarah Bell, Ceaven Evans, Kylee Filley and Marina Kistler accepted the proclamation on behalf of the Department.

**N. FBI Joint Terrorism Task Force Cost Reimbursement Agreement:** Director Schoen explained that the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF) Cost Reimbursement Agreement is an addendum to the original Memorandum of Understanding (MOU) with the FBI which was approved by the Law Board in February of 2016 and signed on behalf of the Board by then Chairman Robert Boyd. The Cost Reimbursement Agreement is a separate document from the MOU and allows for reimbursement of overtime expenses (subject to availability of funding) resulting from RCPD officers assigned to and working full time on FBI KC JTTF related matters.

Wilkerson moved approve the Cost Reimbursement Agreement as presented and authorize the Chair to enter into the agreement on behalf of the Law Board and RCPD. Wilson seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

**O. Impaired Driving Deterrence Program Grant:** Included in the Law Board packet was the Riley County Police Department's application for the Impaired Driving Deterrence Program (IDDP) Grant from the Kansas Department of Transportation. Captain Fink explained that RCPD has participated in the program for the past several years. The grant covers employee overtime and equipment expenses related to conducting enforcement activities such as check lanes and saturation patrols expressly designed to detect and deter impaired drivers. If approved, the program will run through September 30, 2019. The State of Kansas has agreed to reimburse up to \$8,361.00 during the first year and up to \$10,593.00 during the second year.

Beardsley wished to know if Department plans to publically announce when they will be performing DUI saturation patrols and check lanes.

Fink responded that RCPD intends to announce the dates and times of DUI saturation patrols and check lanes in the newspaper and on social media.

Dodson inquired about the total number of DUI saturation patrols and check lanes that will be performed during the grant period.

Fink stated that the Department typically runs between six and eight patrols throughout the year.

Wilkerson moved to approve the Department's application for the IDDP Grant. Stoney seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

**P. Law Board Meetings Hosted in the County:** Chairman Beardsley informed members of the Law Board and public that the July 16, 2018 Law Board Meeting will be held at 222 S. Broadway, Riley, Kansas. The September 17, 2018 Law Board Meeting to be held at the VFW building, 108 W. Randolph, Randolph, Kansas.

Reddi requested the meetings be recorded and posted to the Department's website for members of the public to view.

**Q. Fake Patty's Day Review:** Captain Fink provided the Board with a summary of calls for service, reports filed, citations issued, and arrests made during the 2018 Fake Patty's Day event compared to that of the previous four year averages.

Fink explained that a total of fifty-four RCPD officers and twenty-four officers from other jurisdictions were dedicated to the event. Jurisdictions that assisted RCPD with the event were the 1st Infantry Division Fort Riley, Emporia Police Department, Kansas Alcoholic Beverage Control, Kansas Bureau of Investigations, Kansas Highway Patrol, Kansas State University Police Department, Lawrence Police Department, Lyon County Sheriff, Pottawatomie County Sheriff, Junction City Police Department, and Kansas Wildlife & Parks.

Fink reported that over the weekend period of Friday, March 9, 2018 at 7:00 p.m. to Sunday, March 11, 2018 at 6:00 a.m., RCPD received a total of 598 calls for service compared to 499 in 2017. In 2018 law enforcement officers responded to 287 citizen generated calls for service (generated by citizen complaints and not including officer initiated calls for service) compared to 213 in 2017. These complaints consisted of, but were not limited to, disturbing the peace, parking problems, welfare checks, and reckless driving.

During this time period, police officers physically arrested 48 subjects and filed 122 non-alcohol related crime reports. Crimes that caused arrests included, but were not limited to DUI, disorderly conduct, unlawful possession/consumption of alcohol by a minor, and possession of marijuana. A total of 513 citations were issued for offenses that included, but were not limited to, possession of an open container of alcohol, possession of alcohol by a minor, parking issues, and minor obtain or purchase alcohol. He noted that of the individuals cited or arrested, 78% reside twenty-five miles or more outside of the Manhattan/Riley County community.

Fink referred to the 2018 Fake Patty's Day Neighborhood vs Aggieville Comparison Charts. Historically, the neighborhoods have been busier than Aggieville during the event. Over the years, there have been a high number of calls for service initiated by citizens who reside in the surrounding neighborhoods. Fink stated that Fake Patty's Day is becoming more of a house block party than in previous years, which can be difficult to control. Officers were called to assist with a number of house parties around 9<sup>th</sup> and Ratone Street. He stated that those hosting the parties lost control of their residence and were thankful to have officers help remove those they did not know from their homes.

Reddi recalled that in 2015 there were reports of shots fired at Britt's Garden Acres on Fake Patty's Day, and a number of vehicles were parked at the church across the street from the property. It was a very different situation this year. The location was dark and vehicles with dimmed lights were entering Britt's.

Fink stated that Britt's informed RCPD of the party a week prior to the event. Britt's also requested a patrol vehicle be stationed at the location, which RCPD was unable to provide. However, the Department had a police officer drive by Britt's as often as possible. In addition, the Department met with management from the church to ensure they had the proper "No Trespassing" signs posted which would allow RCPD to take law enforcement action. He noted that there were a lot of people at the party, but there were no major issues.

Beardsley commented that Aggieville was relatively tame during Fake Patty's Day compared to previous years. He noticed food trucks operating in the neighborhoods. It appears as though a lot of activity has moved out of the Aggieville area. He stated that perhaps the Law Board and City of Manhattan ought to look at what can be done to bring business back into Aggieville where the event can be better controlled.

Dodson wished to know how RCPD arrived at the decision to close the streets during the K-State Men's Basketball Elite Eight game.

Fink responded that the game and the potential to draw an enormous amount of people into the streets of Aggieville. Therefore, the decision was made to remove vehicles and close the streets. Though a celebration, there have been instances in other cities where vehicles were turned over and windows were broken. Once something like that happens, it is very difficult to control. The Department was hoping for the best for K-State and at the same time trying to be prepared for the worst. Had the Department not taken precautionary measures and problems developed, police officers could not have properly responded.

Dodson asked if there is a process in place to inform the appropriate parties, such as the ABA and Law Board, of decisions like this.

Fink said with regard to the Elite Eight game, he contacted Assistant City Manager Kiel Mangus and informed him of the plan. Lieutenant Mark French contacted the Linda Mays in her capacity as Executive Director of the ABA.

Mays requested copies of the summary of calls for service, reports filed, citations issued, and arrests made during the 2018 Fake Patty's Day event. She said that moving forward, the ABA would like to have a committee get together to plan for Fake Patty's Day and hopefully move the event back into Aggieville where it is easier to patrol and contain.

Mays added that there were a number of business owners present at the Law Board Meeting, some of whom had to leave early and could not speak. There are others who did not attend the meeting and are afraid to speak for fear of retribution.

Reddi stated that the Law Board is open to receiving communications from the public via letter or email. Alternatively, the public can contact members of the Board to set up a meeting. She would like Aggieville to be successful. It is in the best interest of the community.

**R. 2019 Budget Development:** Members of the Law Board were provided copies of the 2019 budget narrative as part of their packets. Assistant Director Doehling briefed the Board on each of the personnel related budget lines and options (A through E) under consideration. A concise description of each option to include the percent increase over the 2019 base budget (personnel only), are depicted in the chart below. A full budget narrative which includes non-personnel related line items will be provided to the Law Board in April.

		<i>Option A</i>	<i>Option B</i>	<i>Option C</i>	<i>Option D</i>	<i>Option E</i>	
	2018	2019 Base	+1.7% COLA	Video Clerk	6 Corrections Officers	3 Corrections Officers	2019 Proposed Personnel Draft Option E (Includes Options A, B, and C) \$506,784
Personnel (\$)	17,759,600	18,198,150	248,162	38,518	220,104	110,052	18,704,934
Non-Personnel (\$)	2,942,400	TBD	TBD	TBD	TBD	TBD	Not Yet Determined
Total (\$)	20,702,000	TBD	TBD	TBD	TBD	TBD	Not Yet Determined
% Change to 2018 Base Personnel	-	+2.47	+1.36	+0.21	+1.19	+0.60	+2.78

Doehling explained that RCPD has a system that allows for the electronic tracking of time worked which interfaces with the department’s accounting software. As a result, approximately three years ago the department removed one records clerk from the budget. Due to an increase in digital files from police officer Body-Worn Cameras (BWC), in-car camera systems, and interview rooms, the amount of work necessary to manage those files is ever-increasing. Therefore, Option B includes the addition of one video clerk to administer all requests for digital files from the courts and other public sources.

Wilkerson suggested the video clerk be assigned to the evidence function of the Investigations Division since much of what will be reproduced (e.g., written statement, recording of event, etc.) will be evidence or have evidentiary value.

Schoen addressed Budget Options C and D which include the request for additional corrections officers. He explained that in 2009, the jail’s authorized staffing was 26 corrections officers. That number increased by 11 to 37 in 2010 as a result of the jail expansion project. The reason for this increase was primarily to staff the additional control room (Control 2) in the new portion of the jail. Some of the duties of the officer in Control 2 involved monitoring the new medical/psychiatric cells as well as the 12 new disciplinary cells.

Approximately four years ago Captain Moldrup made the decision to start allowing supervisors to pull the Control 2 officer from their post to meet the increasing demands on the floor. This started off being done periodically, but due to the increasing need for additional officers on the floor this position was pulled far more regularly to the point that it is presently rarely staffed. There are several reasons why

this happened to include a decrease over the last four years in available manpower due to intermittent position vacancies, and new officers attending training.

Schoen explained that the jail has experienced an increase in the number of inmate transports to and from court, state hospitals and other facilities. These transports have increased significantly over the last three years. Not only have they increased, but the natures of the crimes that these individuals have committed have increased in severity requiring more than one officer to provide the transport. While some of these transports can be scheduled, many are unplanned for and require an immediate response. As a result, staff is taken from the floor reducing the available numbers to meet the daily tasks involved in managing the pods.

Likewise there has been an increase in “special management” inmates. Over the last three to four years, the jail has seen an increase in the number of inmates with special management needs. More and more inmates are struggling with severe mental illnesses, suicidal ideation or substance abuse problems that require much more time and attention to manage.

Schoen said that recently there have been two significant attempted suicides in the jail. Both attempts occurred in the new portion of the jail that would have been under the close supervision of the Control 2 officer. This caused Captain Moldrup to recognize that it is no longer in the best interest of the jail to allow Control 2 to remain unstaffed. However, nobody expects that the reasons that led to pulling the corrections officer out of Control 2 are going to go away. In essence, the issues will be relocated back to the floor where the corrections officers work day-to-day with the inmates. It is believed that six additional corrections officers are needed to staff Control 2 twenty-four hours a day, seven days a week.

Schoen added that he would be remiss if he did not bring the matter to the attention of the Law Board. As part of the budget discussions, he will be looking to the Law Board for guidance on how they would like to proceed and what they would like to see in the way of adjustments or additional options.

Wilson asked if a local regional mental health crisis center would help current or future strain with regard to inmate transports.

Moldrup stated that many of the inmates who suffer from mental illness are transported to the state hospital. The addition of a regional mental health crisis center would likely not have an impact on the number of inmate transports and overtime associated with those transports.

Beardsley stated that he was willing to consider Budget Options A and B. He preferred to reserve comment on Options C and D until the full budget narrative which includes non-personnel related line items is provided in April.

Reddi did not want to commit to any single budget option until a holistic picture of the budget is presented to the Law Board. Reddi stated that she was not in favor of any of the options provided by RCPD. She would like to see decreases in the budget instead of constant increases.

Dodson stated that one or two mils would be very difficult for the Law Board, City and County to support. Given that the Department’s budget is primarily driven by personnel and related costs, he

recommended RCPD Administration conduct a police staffing analysis to determine what the risk of a 2% or 5% reduction in the budget would do in terms of personnel.

As part of the analysis, Wilkerson asked RCPD Administration explore the amount of time sworn personnel spend on more significant level crimes (homicides, attempted homicides, sex crimes) vs minor crimes (disorderly conduct, misdemeanor marijuana cases). In his opinion, the Investigation Division appears to be understaffed.

Schoen cautioned that projects of this nature tend to be long and drawn out and they take time to work through. However, Administration will put together some information and get back to the Board when it is available.

Schoen recalled that at the January Law Board Meeting Wilson requested a list of past years' significant year-end expenditures to show what budget lines the funds have been taken from and where they have been expended. Administration is in the process of reviewing that information and plans to provide it to the Board in April.

Joe Knopp, Resident, Manhattan, shared his concerns with the Board regarding the number of security officers assigned to the District and Municipal Courts. In his estimation, there are other areas that could benefit from the additional personnel and make the community safer than to have eight officers sit at the courthouse. He felt that the number of police officers could be reduced without negatively impacting overall security. He recommended the Board consider reducing the number of officers assigned to the District and Municipal Courts.

**S. Director Selection Process:** Chairman Beardsley announced that a Request for Proposal (RFP) was sent out to five vendors to conduct a national search for the next director of the Riley County Police Department. The due date for responses is April 2, 2018. To date, he has not received any responses. He will distribute the formal bids to the Board once they are all received.

Beardsley received additional input from members of the Law Board regarding the composition of the committee charged with assisting the Law Board in the director selection process. He noted that Director Schoen will serve on the committee as a non-voting member in an advisory capacity regarding RCPD operations.

The Board agreed with the composition of the committee as described below.

- Member of the Law Board (3)
- President of the Fraternal Order of Police (1)
- Non-sworn RCPD employee (1)
- At large resident of Manhattan (1)
- At large resident of Riley County who is not a resident of Manhattan (1)
- Minority representation to provide for a more diverse committee (1)
- Representative from Kansas State University (1)
- Representative from Fort Riley (1)

**T. Executive Session:** At 2:37 p.m. Reddi moved to recess into Executive Session until 3:07 p.m. for the purpose of discussing non-elected personnel matters. Dodson seconded the motion.



Beardsley polled the Board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

At 3:14 p.m. the open meeting reconvened.

At 3:14 p.m. Reddi moved to return to Executive Session until 3:34 p.m. for the purpose of discussing non-elected personnel matters. Stoney seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

At 3:34 p.m. the open meeting reconvened.

**U. Range Update:** Chairman Beardsley informed the public that a range update would not be provided. He opened the floor for comments from the public.

Joe Knopp addressed the Law Board as the attorney representing James Seymour, owner of the property that Riley County leases for the purpose of firearms training by RCPD, otherwise known as the shooting range. Knopp explained that the lease is scheduled to expire July 1, 2019. Should RCPD elect to stop using the shooting range, negotiations to terminate the contract and plans clean up the property need to commence. Should the lease be extended, those items outlined in termination (e.g., hazardous waste removal due to possible lead contamination, roadway construction, etc.) can be delayed. From an operational and financial standpoint he felt that it made sense to continue to use the existing range at the sum of \$36,000 per annum.

Chairman Beardsley thanked Knopp for his comments.

**V. Adjournment:** The March 26, 2018 Law Board Meeting adjourned at 3:40 p.m.