

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
August 20, 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 Moldrup
Captain Fink Captain Hooper
Captain Kyle Captain Hegarty
Captain Woods

- 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 July 16, 2018 Law Board Meeting Minutes
 - B.** Approve 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.** 2nd Quarter Reports- Synopsis- (*Review*)
 - a) 82.1.4 Crime Statistics
 - b) 61.1.1 Traffic Accident & Enforcement Analysis
 - c) 84.1.8 Seizure & Forfeiture Report
 - d) Alcohol Enforcement Semiannual Report
 - G.** Monthly Crime Report- (*Review*)

In response to Dodson's request, Director Schoen briefed the Law Board on trends in traffic accidents for the entire jurisdiction during the month of June.

Dodson moved to approve the Consent Agenda as presented. Reddi 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: None.

I. Public Comment: None.

J. Fraternal Order of Police Lodge #17 Comments: Brian Johnson, President, Fraternal Order of Police (FOP) Lodge #17, commented that the increased attendance by Riley County Police Department (RCPD) employees at the meeting was largely due to two topics on the General Agenda: Policy 26.2.0 Employee-Employee Relationships and the seizure expenditure. Johnson stated that he was not certain what would be discussed, or what the position of the Board will be with regard to Policy 26.2.0 moving forward. However, it is a topic of great interest to not only the FOP, but the organization as a whole.

Johnson stated that he, the FOP and employees of the police department support the use of seizure funds to purchase a Bearcat armored vehicle. He recounted a recent incident in which an RCPD police officer was shot. Having been at the scene, Johnson could attest that the defensive platform was needed. He stated that he could not imagine what the situation would have been like had the Department not had the opportunity to borrow an armored vehicle from a neighboring agency. In his opinion, the vehicle is necessary for the safety of the officers. He stated that the FOP and RCPD employees are very appreciative of the Director and administration for moving forward with the purchase which has the potential to save lives.

K. Board Member Comments: Dodson extended his appreciation to RCPD for participating in various community events such as the Annual Brew 2 Shoe 10K, 5K and Kids Mile Run, and Bloody Kansas Bicycle Race scheduled for September. There are some critical intersections along the route and it is nice to have officers there to control traffic.

Reddi welcomed the return of Kansas State University students. She explained that safety is very important. However, she urged everyone to be patient with the students and families who are new to the area and may not be familiar with the city ordinances or traffic layouts (e.g., roundabouts, etc.).

L. Community Advisory Board Member Recognition: On behalf of the Riley County Law Enforcement Agency, Riley County Police Department and Community Advisory Board, Director Schoen and Assistant Director Moldrup presented Corey Leavell with a plaque in recognition of his dedication and service to the citizens of Riley County, Kansas and men and women of RCPD.

M. Approval of Edward Byrne Memorial Justice Assistance Grant: Assistant Director Moldrup explained that Edward Byrne Memorial Justice Assistance Grant (JAG) funds have been awarded to Riley County for a number of years. The Department has applied for the pass-through grant on behalf of the County each year and received various allocations.

The 2018 allocation totals \$19,135. There is no matching fund requirement. Should the application be approved, the Department intends to apply the funds toward the purchase of two XL-200P Multiband Portable Radios, two XG-75M Two Way Mobile Radios, and eight spare batteries to be utilized by on-

duty uniformed police officers. The radios are compatible with the P25 Radio System Upgrade that is currently underway.

Due to time constraints beyond the control of the Department, a public hearing for the 2018 Edward Byrne Memorial Justice Assistance Grant was held at the August 16, 2018 Board of County Commissioners (BOCC) Meeting prior to being brought to the Law Board. The Riley County Police Department requests the Law Board authorize the Department to proceed with the grant application process through the Riley County BOCC, and to accept and utilize the funds should the application be approved and the funds awarded. The application deadline is August 22, 2018.

Rodriguez moved to approve the Department's application for the 2018 Edward Byrne Memorial Justice Assistance Grant. 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.

N. Automated Law Board Meeting Notifications/Packet Materials: At the July 16, 2018 Law Board Meeting, Reddi requested the Department provide the public with an option to subscribe to an email alert service to receive notices of upcoming Law Board Meetings, agendas and packet materials. Riley County Police Department Public Information Officer (PIO) Hali Rowland researched the matter and proposed the Department use Mail Chimp, a marketing automation platform, to build a subscription list to email the public notifications of upcoming meetings and alert them when packet materials are available. Schoen explained that the basic service is free. However, if interest reaches past 2,000 subscribers, the Department would need to upgrade the plan at a cost. The public can subscribe to receive Law Board Meeting materials via the RCPD website at <http://rileycountypolice.org/about-us/law-board>. Notifications will be sent out at noon on the Thursday prior to each regularly scheduled Law Board Meeting.

Reddi stated that transparency is extremely important. She thanked PIO Rowland for making it easy for the public to receive information regarding Law Board Meetings. She noted that Law Board Meetings are also live-streamed through the RCPD Facebook page.

O. School Resource Officer Program: Reddi discussed various funding options for School Resource Officers (SROs). She explained that there are a number of school districts that, through their respective police department or city, enter an agreement to employ sworn police officers trained and competent to provide the services as SROs. She stated that unlike RCPD who fully funds the SRO positions, Wichita, Topeka, Geary County, Salina, and Junction City all have some form of shared funding with the school districts. She presented the Board with copies of the SRO agreement for the Junction City Police Department.

Reddi stated that RCPD is funded by the City and County solely through property taxes. In addition to being funded by property taxes, the school districts have other funding sources. Reddi said that with the need to increase school security, she can foresee a request for additional SROs in the future. Therefore, she requested the Department examine possible shared funding options for the SROs and bring the information back to the Law Board for discussion during the next budget cycle.

Marvin Wade, Superintendent, USD 383, stated that he truly appreciates the working relationship between USD 383 and RCPD. In response to Reddi's comments, he stated that it really comes down to which taxing entity is going to be paying for the services because it is going to be passed along to the shared taxpayers anyway. The School Resource Officers are employees of RCPD, not the school district. It is the preference of the school district that they remain employees of the police department who would be available to be called away from the schools as the needs arise within the community. It is an arrangement that has worked well for both entities. He added that the SRO Program is a very proactive investment on the part of the Law Board. The officers show interest in the students, build relationships, and intervene before things happen instead of after.

Chairman Beardsley asked if the school district is requesting additional SROs.

Wade responded that discussions regarding additional SROs have taken place. However, at this time they are not requesting any additional officers. The school district is focusing on getting safety and security measures in place for egress, entrance and exit of their buildings.

Eric Reid, Assistant Superintendent, USD 383, stated that requests for additional SROs would be based on supply and demand. If the school district begins demanding more which results in officers being pulled from the streets, then a request for additional SROs would be made. Alternatively, if the needs of the school district are being met, such a request would not be warranted. They have an ongoing, joint conversation running with Director Schoen and RCPD staff.

Schoen agreed to collaborate with USD 383 to take a broader look at the funding arrangements of a variety of school district/police departments that have SROs. The Law Board can then decide what they would like to do during the next budget cycle. Schoen noted that there are school districts in northern Riley County that should be included in the discussions as well.

Chairman Beardsley agreed that discussions should include the whole county.

P. Policy 26.2.0 Employee-Employee Relationships: Chairman Beardsley stated that he had intended to remove Policy 26.2.0 Employee-Employee Relationships from the General Agenda. Having not done so, he wished to use the time to have a discussion regarding the general process for recommended revisions to the Department's policy manual.

Following a brief discussion, members of the Board were directed to submit recommendations for future policy changes or new policy to Director Schoen and Assistant Director Moldrup.

Schoen was asked by to determine whether it would be prudent and practical to provide a link to the Department's policy manual on the RCPD website. Schoen explained that members of the public can make an open records request for a particular policy. Although the majority of the policy manual would likely be okay, there are some policies that would need to be redacted because they contain information that, if released, could have an impact officer or correction officer safety (e.g., policies concerning security within the jail). He agreed to research the matter further and report back to the Board. He will also explore the option of providing computer network access to members of the Board so that they may directly access the policy manual.

Q. Seizure Expenditure: Director Schoen briefed the Law Board on the history of the RCPD seizure fund and the type(s) of expenditures permissible under the laws which control the fund. He stated that shortly after becoming Director in November of 2007 he examined the seizure fund. At that time, in early 2008, the fund balance was approximately \$37,000.00. Since that time there have been debits and credits to the fund.

Among the credits, three in particular have contributed to the seizure fund's growth over time- all three resulted from two cases worked in conjunction with federal authorities in Riley County. These credits amounted to \$154,000.00, \$283,000.00 and \$180,000.00. There have been more significant credits than debits and the seizure fund balance was \$594,386.83.

Schoen explained that the majority of the funds in the account resulted from Federal seizures. As such, the law controlling those funds is slightly different than that which controls state seizure funds. However, both federal and state seizure laws have in common two important elements. First, the funds cannot be used to supplant police budgets. Second, the authority for expenditure of the funds lies solely within the discretion of the Director.

Schoen informed the Board that he intends to utilize approximately \$300,000.00 in seizure funds to purchase a Lenco "Bearcat" which is a civilian vehicle built on a Ford F-550 frame, armored with ballistic resistant glass. The vehicle will be used as a defensive platform to provide protection to officers responding to hazardous calls, a degree of ballistic protection not available by any other means and not currently available within RCPD. As such, it can be used for personnel extractions, and containing armed and violent individuals in specific locations while providing protection to personnel performing those functions. The paint color scheme for the vehicle will be the same as the existing patrol units with the same logos.

Schoen explained that since 2013 there have been three incidents involving shots fired at RCPD law enforcement officers and defensive ballistic protection was warranted. While it would be both his personal and professional preference that the acquisition of a Bearcat by RCPD be unnecessary, the reality of today's policing environment in Riley County proves to the contrary.

Dodson and Reddi voiced their support of the purchase and felt it was an appropriate use of seizure funds.

Reddi commented that the Junction City Police Department funds their armored vehicle with grants from Homeland Security. She offered that as another potential funding source for maintenance of the RCPD Bearcat.

Beardsley opened for public comment and received none.

R. Changes to Law Board Meeting Schedule: The September 17, 2018 regularly scheduled Law Board Meeting was to be held in Randolph, Kansas. Chairman Beardsley proposed hosting the September meeting in Manhattan and the October meeting in Randolph. He explained that members of the Search Committee who also serve on the Law Board will be in the middle of the selection process and Assessment Center for the next director. It would behoove the Committee to be

involved where they can in that process, which is a little more difficult to do if the meeting is held in Randolph.

Wilkerson moved to host the September Law Board Meeting in Manhattan and the October meeting in Randolph. 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.

S. Director Selection Process: Chairman Beardsley reported that the deadline to submit applications for the position of RCPD Director was extended to Friday, August 24, 2018. To date, McGrath Human Resources Group (consultant) has received applications from fourteen qualified candidates. Beardsley clarified that the decision to extend the deadline was based solely on the number of applications received and not the qualifications of the candidates who applied. He briefed those in attendance on the timeline for the director selection process. The timeline is as follows:

- On or around August 27, 2018 the Search Committee will review candidate resumes.
- August 31, 2018 the Search Committee will meet with the consultant to review resumes and identify the final four candidates.
- September 17-18, 2018 the final four candidates will participate in an Assessment Center.
- September 17, 2018 at 6:30 p.m. a public forum will be held with the four candidates. The location has yet to be determined.
- A meeting with the candidates and RCPD employees will be scheduled for the afternoon of September 18, 2018.
- September 19, 2018 from 9:00-11:00 a.m. the Search Committee will meet and present the final four candidates to the Law Board for consideration.
- Toward the end of September, the Law Board will interview the final candidates.

Beardsley encouraged members of the Law Board and community to attend the Special Law Board Meeting Public Forum.

T. Executive Session: At 1:14 p.m. Wilkerson moved to recess into Executive Session until 1:34 p.m. for the purpose of discussing non-elected personnel matters and attorney client privilege. 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 1:34 p.m. the open meeting reconvened.

Wilkerson moved to affirm the Director's disciplinary actions for matters brought to the Board's attention at the July 16, 2018 Law Board Meeting. 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.

Wilkerson moved to affirm the Director's disciplinary actions for matters brought to the Board's attention on August 20, 2018. 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.

Wilkerson moved to return to Executive Session until 1:55 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 1:56 p.m. the open meeting reconvened.

U. Affirmation or Revocation of Discipline: See Wilkerson's motion at 1:34 p.m. in the minutes above.

V. Adjournment: The August 20, 2018 Law Board Meeting adjourned at 1:56 p.m.