

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
VFW Building
108 W. Randolph, Randolph, KS
October 19, 2020 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Wynn Butler
Linda Morse Marvin Rodriguez
Barry Wilkerson BeEtta Stoney
Robert Ward

Absent: Captain Tim Hegarty

Staff Present: Director Dennis Butler Assistant Director Kurt Moldrup
Captain Rich Fink Captain Erin Freidline
Captain Josh Kyle Captain Woods

Recorder: Executive Assistant Nichole Glessner, Riley County Police
Department (RCPD)

- I. **Establish Quorum:** By Chairman Rodriguez at 12:00 p.m.
- II. **Pledge of Allegiance:** Director Butler led the Riley County Law Enforcement Agency (Law Board) in the Pledge of Allegiance.
- III. **Consent Agenda:**
 - A. Approve September 21, 2020 Law Board Meeting Minutes
 - B. Approve 2020 Expenditures/Credits
 - C. Juvenile Transport Reimbursement
 - D. RCPD Related County Expenditures- (*Review*)
 - E. Riley County Jail Average Daily Inmate Population- (*Review*)
 - F. Monthly Crime Report- (*Review*)

Ward inquired about voucher #10024 payable to KG Moats & Sons for camera/door repair in the amount of \$10,569.56.

Assistant Director Moldrup responded that the expenditure was to replace a failed, outdated camera in the jail. He explained that the cameras presently in the jail are rather antiquated. As they fail, they are replaced with digital cameras.

Captain Woods explained that with respect to the door repair notation in the expenditure description, it was the control panel that malfunctioned.

Ward asked if there is a Kansas Statute which would allow the RCPD to recoup some of the costs to feed inmates, perhaps from the inmates themselves. He noted that some police departments utilize a variety of means to recover fees from inmates

Assistant Director Moldrup stated that he was not aware of such a statute or provision which would allow the RCPD to recoup said costs. He added that the County is responsible for inmate related expenses. The RCPD receives some money from things like inmate commissary and video visitation which is then used to offset jail costs that directly benefit the inmates. However, it is not a profit making process.

Ward moved to approve the Consent Agenda as presented.

Morse asked if the Law Board intended to discuss the Director's evaluation form during executive session.

Chairman Rodriguez stated that the Board will discuss the topic today and address it again at the November Law Board Meeting during executive session.

Stoney seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Wilkerson, Stoney, and Ward voting in favor, and no one voting against. The motion passed 7-0.

IV. General Agenda:

G. Additions or Deletions: None.

H. Public Comment: Morse commented on the Board's strong commitment to serve the entirety of Riley County which includes Riley, Randolph, Ogden and Leonardville. The Board will continue to do its best to spread out and be available to the community by hosting meetings at those locations as they are able. She added that the Board is available following the meeting to receive comments and questions from the public, if they wish.

I. Fraternal Order of Police Lodge #17 Comments: None.

J. Board Member Comments: Stoney recognized Director Butler, Captain Kyle, Police Officer Rachel Pate and Public Information Officer Aaron Wintermote for attending the Breonna Taylor Day of Remembrance event on September 30, 2020 at the Kansas State University (KSU). She mentioned that Dr. Thomas Lane, Vice President for Student Life and Dean of Students at KSU, shared how great it was to see representatives from KSU and RCPD attend the function. A great space was created for students and members of the community to share thoughts and voice concerns.

Stoney reported that the Coalition for Equal Justice (CEJ) Fair and Impartial Policing (FIP) Committee met with a team of trainers at the RCPD. The group shared several questions with the team that focused on cultural awareness, culture competency, mental illness, domestic violence,

sexual assault, sexual harassment and sensitivity of male officers when dealing with females who are possible victims. She informed the Law Board that the group had a great discussion.

Beardsley announced that the Law Board recently had the opportunity to tour the new RCPD firing range. He commented on the stark difference between the present facility and the new range. In his opinion, it is one of the nicest facilities he has seen in Kansas that should do well for the police department for many years. He commended the County Commission for their work on the new firing range and training facility.

Morse requested that when planning future tours of this nature, that public notice of a Special Law Board Meeting be made so that all members of the Board may attend.

Director Butler pointed out that the building under construction is slated to be finished by the end of March or early April 2021. Shortly after, the RCPD plans to host an open house for members of the Law Board, City Commission, County Commission and public to attend. Butler echoed the comments made by Beardsley regarding the quality of the design and construction of the new firing range. He extended his appreciation to all who were involved in the process. The product was the culmination of ten years of hard work.

Assistant Director Moldrup took a moment to thank Captain Kyle and Lieutenant Brad Jager who did a tremendous amount of work on the project on behalf of the RCPD in addition to their partners at the County.

K. RCPD Firearms Range Planning Update: Captain Kyle once again thanked County staff for their work on this project. Their staff spent an immense amount of time and effort into the development and design of the range. He reported that they are at the halfway point with respect to construction. The main body of the shooting range is complete; however, the range house still needs to be built. He assured Morse that the RCPD has discussed the matter and plans to arrange an open house once construction of the range is complete.

Beardsley asked if the RCPD is officially using the new firing range to qualify officers.

Captain Kyle said the RCPD has used the range to qualify an officer who returned from active duty service. The officer needed to qualify prior to returning to work. He noted that the RCPD does not plan to have major training events at the new range at this time. However, there will be the occasional one-off situation where an officer may have to qualify in order to meet certification standards.

Chairman Rodriguez recalled that certain guidelines and assurances were given to those living in the area surrounding the range. He wanted to be sure the RCPD follows those guidelines when the range is in use.

Captain Kyle explained that an automatic announcement system is in place to alert those in the area that the range is in use. He noted that he recently met with RCPD training staff and the accreditation manager to discuss policies and procedures that will need to be in place when the range is fully operational. The use of a flag will be one of them.

Director Butler added that the location of the flag pole is part of the building construction and design. Prior to vacating the previous range, the RCPD implemented an automatic notification system, similar to weather alerts, that those living in the surrounding area were invited to become subscribers. The system was tested and it worked. He assumed that the system was used in this situation. If it was not, he will make sure that it is used in the future.

L. Aggieville Substation: Captain Kyle provided a presentation to the Law Board requesting their official endorsement (or non-endorsement) of a police substation and/or public access training room contained within the City of Manhattan's parking garage project located at N. Manhattan and Laramie. Captain Kyle also sought the Board's official recommendation to encourage the City of Manhattan and the County of Riley to discuss financial options if they endorsed all or some of the proposal. He reminded the Board of the space constraints that exist within the current Aggieville Substation which is a space rented by the County since 1993 (The County is responsible for RCPD's "quarters and facilities" by state statute.) He also reminded the Board that the City approached the RCPD and offered approximately 4,200 square feet of space within the garage. The idea was that RCPD would act as the City's site security plan for the project.

Captain Kyle provided draft floor plans for the new substation and training room. He indicated that support for the substation has been almost universal whereas support for the training space has been inconsistent. Budgetary planning numbers for the project consisted of \$443,820 for the substation and \$221,544 for the training space. Captain Kyle explained that the Department's main facility (the Law Enforcement Center or LEC) has been experiencing increased space constraints. This is most evident within the Communications Center with dispatchers working twelve hour shifts in a small windowless room. The training room within the LEC is located adjacent to the Communications Center. Creating a training space within the parking garage would allow the RCPD to expand the Communications Center into the LEC's training room. Doing so would involve updating and upgrading the dispatchers' work environment, give them access to natural light, and create a dedicated training console for on-the-job training. Captain Kyle noted that the turnover rate and training failure rate within the Communications Center is very high. It is hoped that creating a professional working environment will stabilize retention within the Communications Center. Captain Kyle also pointed out that when the LEC was built in 2000, the Communications Center only dispatched RCPD personnel. However, the center is now consolidated with dispatchers responsible for county-wide police, fire, and EMS matters.

Captain Kyle pointed out that there are no plans to take what is being offered as far as within the garage itself and expand the operations or change the fundamental operations of the RCPD out of Aggieville. The public would continue to see the same amount of police presence in Aggieville that they have seen in the past.

Jason Hilgers, Deputy City Manager, City of Manhattan, and Rich Vargo, County Clerk, Riley County, were present to answer questions from the Board. Director Butler and Captain Kyle both acknowledged their appreciation for the work and money the County expended on the RCPD firearms range. They communicated that in view of the range, the timing of the substation

proposal was not ideal, but the City had approached the RCPD with an opportunity and so they sought official guidance from the Board.

After some discussion, the Board voiced unanimous support of the new Aggieville Police Substation within the City's parking garage, but not the training space. However, the Board recognized the urgent need to address the space issues within the Communications Center.

Morse moved to approve the following language as the official endorsement of the Law Board for the police substation in Aggieville:

"The Riley County Law Enforcement Agency endorses the design and construction of a Police Aggieville Substation within the parking garage being built by the City of Manhattan located at N. Manhattan and Laramie, Manhattan, Kansas. The Law Board recommends that the County of Riley fund the substation per KSA 19-447. The Law Board further recommends that the County of Riley and City of Manhattan enter into funding discussions so that the Riley County Police Department can be involved in the design and construction process."

Butler seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Wilkerson, Stoney, and Ward voting in favor, and no one voting against. The motion passed 7-0.

Ward moved that the City and County begin financing discussions by way of a formal Letter of Intent to be sent to the City Commission and Board of County Commissioners by the Chair of the Law Board, Marvin Rodriguez. Morse seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Wilkerson, Stoney, and Ward voting in favor, and no one voting against. The motion passed 7-0.

M. Freeman Road Officer Involved Shooting: Director Butler briefed the Law Board on the active investigation into the officer-involved shooting that occurred on Freeman Road, Manhattan, Kansas on October 2, 2020. Per policy, the RCPD requested an outside law enforcement agency (Lawrence Police Department) conduct the investigation. He explained that typically, in any kind of criminal investigation where evidence is collected, it is sent to a lab. It takes a while to get the results, even for more serious cases. It is his understanding that there are a number of lab results waiting to be returned to the Lawrence Police Department.

Director Butler said that the RCPD has and continues to cooperate fully with the investigating agency by providing all of the information that is requested as if it were a cooperating witness in the community. Once the investigation has concluded, the Lawrence Police Department will submit the case to the county attorney for review. After the case has been submitted, the RCPD will start an internal administrative investigation to determine if the employees involved followed department policies. By policy, an internal administrative investigation is successive to the criminal investigation. They are two different types of reviews for the same incident.

Director Butler said that personnel involved in the incident have been offered peer support services. In addition, the RCPD offers employee assistance services, should they choose to pursue those. Also, by policy, any employee directly involved in the shooting must be evaluated

by a psychologist to assess his/her current mental state and his/her ability to return to work later. Those things have been done and are ongoing.

Beardsley asked if the officers involved in the incident will remain on administrative leave until the internal investigation has concluded.

Director Butler said that the officers involved are on administrative leave with pay. They are not working inside of the police department. Once the case is submitted to the county attorney and the administrative review is started, a number of factors will be considered to include the psychological evaluation to determine whether or not the employee is suited to return to work in an administrative capacity only. The Department will then wait for the finding from the county attorney before the employee returns to full duty.

N. Executive Session: At 1:03 p.m. Wilkerson moved to recess into Executive Session until 1:23 p.m. for the purpose of discussing non-elected personnel matters. Butler seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Wilkerson, Stoney, and Ward voting in favor, and no one voting against.

At 1:23 p.m. the open meeting reconvened.

O. Adjournment: The October 19, 2020 Law Board Meeting adjourned at 1:24 p.m.