

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Ave.
November 16, 2020 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Wynn Butler
Linda Morse Marvin Rodriguez
Barry Wilkerson (left at 2:12 p.m.) BeEtta Stoney
Robert Ward

Absent:

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

Recorder: Victim/Witness Coordinator Lisa Hafliger, Riley County Attorney's Office

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 October 19, 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. 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
- G. Monthly Crime Report- (*Review*)

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

IV. General Agenda:

H. Additions or Deletions: Director Butler requested to remove Item S from the general agenda; he stated that they will bring this policy back to the Law Board at the December meeting.

I. Public Comment: None

J. Fraternal Order of Police Lodge #17 Comments: Brian Johnson, President, Fraternal Order of Police (FOP) Lodge #17, introduced Officer Rachel Pate as the president-elect for the FOP. She's an active member and volunteer for the FOP and supports all of their charitable events. Officer Pate will take over in 2021. Brian shared that they recently started fundraising for the Cops N' Kids program. This program allows children that may not otherwise receive presents to shop with a cop. They typically have around 70 children that they sponsor, they anticipate that there may be more families applying for the program this year due to economic concerns related to COVID. Depending on how fundraising goes, this may be the first year they have to use a lottery system to select the children. Currently, they have raised enough funds to sponsor approximately 20 children; Brian will provide an update on this at the next month.

Morse inquired if Officer Pate will be the first female president of the FOP, Brian confirmed that she is.

Officer Pate stated that she hopes to continue the positive relationship between the FOP and the Law Board and she looks forward to working with everyone.

Director Butler personally thanked Det. Johnson for his collaboration in addressing issues within the RCPD. He stated that they have a very good relationship and their ability to have candid conversations has allowed them to come to the right assessment and conclusions.

K. Board Member Comments: Morse shared that the Law Board made a recommendation to the County Commission regarding parking in Aggieville and they ultimately decided not to do that. She asked Chairman Rodriguez to comment on that as a County Commissioner and how they came to that decision.

Chairman Rodriguez shared that there were multiple factors that they considered when making the decision, but the biggest one was the fact that they would not own the structure. Buildings they typically purchase are the sole property of the County, and in this situation that would not be the case. Another consideration included the unknown costs as there was limited information/detail available for some of the plans. He shared that the status of their current budget was also a factor. Chairman Rodriguez shared that they recognized that the RCPD could likely operate more efficiently with a building, but with the uncertainty of funds for next year, they decided to hold off.

L. Promotion Announcement Corrections Lieutenant Micheala Harris: Director Butler and Assistant Director Moldrup announced the promotion of Corrections Sergeant Micheala Harris to the position of Corrections Lieutenant. Micheala Harris has served the RCPD and citizens of Manhattan and Riley County since March 13, 2011 as a Corrections Officer. In June of 2016 Micheala was promoted to the rank of Corrections Sergeant working in the Jail Division where she will continue to serve after her promotion today to the rank of Lieutenant.

Lieutenant Harris demonstrated her commitment to excellence through her certification as a Correction Training Officer. As a result, she has been able to leave a lasting impact on the department by shaping and molding many of our current corrections officers. She has also served on several Corrections Officer Oral Boards helping to select a number of the outstanding employees who work in the jail today. As one of the police service aid supervisors, she helped update the training curriculum to an eight hour class with court house tours and a training matrix.

In 2014 Micheala was nominated for the Corrections Officer of the Year and then in 2019 she was nominated for the Core Value Award of Teamwork and Cooperation. Lieutenant Harris also served as an adjutant for one of the key presenters at the 2014 KSA/KJA Joint Training Conference. Lieutenant Harris was accompanied by her mother, Olivia Harris, and retired RCPD Corrections Lieutenant Diahann Frazier assisted Director Butler with the pinning.

Lieutenant Harris thanked those who have supported her. She shared that there is pride in the badge and she does not want to dishonor that.

M. George Mason University Presentation: Director Butler shared that Dr. Christopher Koper, Dr. Cynthia Lum and Dr. Xiaoyun Wu from George Mason University (GMU) were prepared to present their findings from Operation Laser Point to the Board via zoom. Dr. Lum is the Director of the Center for Evidence Based Crime Policy at GMU. Dr. Lum shared that Riley County is one of the longest continuing evidence based crime prevention programs, which she accredited to the agencies commitment to crime prevention and Captain Hegarty's efforts to make sure the intervention happens. Their program conducts research and evaluation studies, but also focuses heavily on translation, dissemination and institutionalization of evidence based practices and policies.

Dr. Koper presented a power point which provided a brief overview of the evaluation study of Operation Laser Point, which Riley County has been using since 2013. Hot spot policing shows that typically half of crime occurs at 5% or less of street blocks within a jurisdiction. Hot spots are generally stable, chronic problem locations with social and environmental features that draw or generate crime; the Aggieville bar district is a local example. The impact for law enforcement is that by focusing on these areas, they have the potential to reduce crime through targeted, precise efforts. By using a variety of patrol, enforcement and prevention approaches, police are highly successful in reducing crime at those locations. The studies show that crime is reduced in the surrounding areas as well and that crime is not displaced to other areas. The RCPD's Laser Point Program uses crime analysis to identify up to 10 hot spot street blocks in Manhattan for each day and shift. Officers are instructed to make 15-20 minute patrol visits at these locations 1-2 times per shift with the emphasis being on visibility and problem-solving. RCPD has an effective system in place for tracking these patrols and activities which aids in crime prevention. The GMU's research shows that traffic stops for RCPD have declined considerably over the life of the program.

The evaluation of RCPD's program includes patrol implementation from 2013 - August of 2019; they also reviewed citizen's call to police from January of 2011- August of 2019. The researchers reviewed crime trends in the primary hot spots, areas outside of the hot spots in Manhattan as well as areas in Riley County that are outside of Manhattan. The results related to the total calls from 2011- August of 2019 show that crime and disorder in the hot spots (89 locations) was notably reduced with the implementation of the program and it has not displaced crime to other areas of Manhattan. Their

research suggests that crime and disorder went down overall across Manhattan. Dr. Koper presented that the trend line for crime in areas outside of the City of Manhattan are stable, so one can conclude that the Laser Point Program did not impact crime rates in the rest of Riley County. In summary, their research finds that the Laser Point Program reduced crime and disorder in hot spots and in Manhattan overall, that on the city level there was an estimated 14% reduction for total crime and disorder calls, 12% reduction for disorder calls, 18% reduction for property crime calls and 41% reduction for violence calls. He reiterated that this program only required moderate modifications to patrol operations and that it did not require additional resources.

Director Butler thanked Dr. Lum, Dr. Wu, Dr. Koper and the rest of their team for the presentation. He emphasized that their research and findings show that crime was reduced overall, not just in the hot spots.

Dr. Wu shared that they rarely have the opportunity to conduct studies in places that represent most of the country and that this puts Riley County on the map.

Dr. Koper shared that by focusing on and properly managing the high risk locations, you can get crime reduction benefits across the jurisdiction, not just in the hot spots.

Morse commented that she appreciates the opportunity to cooperate with this study and that their work reinforces that the RCPD is doing a good job. She also commended Captain Hegarty for his involvement in the program.

Captain Hegarty shared that this program has been sustained through four different division commanders, which has contributed to the longevity of the program. Their relationship with GMU has benefited the RCPD and helped make Riley County safer.

Assistant Director Moldrup emphasized that it is the officers on the street that make this program a success as they believe in the program and see the benefits of it. It has been institutionalized within the RCPD and the officers see the results from it.

Director Butler shared that each location and each locations crime sometimes require different strategies. He stated that the officers help come up with the strategies and develop the laser points which are implemented across the patrol division. The ability to be flexible and to recognize improvements, changes or new issues and develop strategies is important to the overall success of this program. They feel it is an effective program and see no reason to change at this time.

N. City of Riley Radio Project Interlocal Agreement: Clancy Holeman, County Counselor for Riley County shared that the second amendment is adding the City of Riley to the agreement which allows them to participate as an emergency communication user on the upgraded system. Mr. Holeman shared that it was always anticipated that they would be added to the agreement.

Morse inquired what the benefits are for the City of Riley.

Mr. Holeman shared that by participating in this, their radio communication system will be interoperable for the life of the system and it will enable all emergency responders to communicate effectively with one another on their radios.

Ward moved to approve the Second Amendment adding the City of Riley as a party to the Radio Communications Systems User Agreement. Beardsley seconded the motion. Chairman Rodriguez polled the board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Stoney, Ward and Wilkerson voting in favor and no one voting against. The motion passed 7-0.

O. Kansas Office of the Governor Federal Victims of Crime Act Grant Program:

Captain Hegarty shared that this grant covers 80% of the Victim Advocate Coordinator position. This is the third year they have been awarded this grant and the agreement was signed and submitted last week. The assurance letter details the expenses and their requirements to be compliant with the grant. Melissa Mosher currently holds this position and over the last year she has provided services to approximately 180 victims from over 200 different types of crime and she had over 350 incidences of direct service.

Morse asked Captain Hegarty to describe the types of services that the Victim Advocate Coordinator provides.

Captain Hegarty shared that Melissa has been the face of the RCPD for their sexual assault reporting program that they began last fall. She provides referrals to other programs within the community, has assisted with transportation for victims, and collaborates with other agencies to assist victims, as well as other responsibilities.

P. RCPD Firearms Range Planning Update: Captain Kyle shared that the firearms portion of the range should be complete by the end of the week. Construction on the range house should begin in the next few weeks.

Q. Approval of General Order 2019-029 Harassment: Assistant Director Moldrup shared that all of the changes are a result of the 6th Edition requirements from CALEA to address changes with the law and to ensure best practices. All policies have been presented to staff and then provided to the affected employees to provide input. They then go before the Department's Policy Review Committee for review and approval. On this particular policy, they changed the title from Sexual and Unlawful Harassment to just Harassment. The major change under Section 1 is the addition of the specific discrimination factors that are included. In section 2B, paragraph 1 & 2 were added to provide a better description of the conduct that is prohibited. In section 5B, they have added language to include outside vendors and contracted employees. In Section 6C they included where they can find the appropriate forms on the network with a hyperlink.

Director Butler shared that they have added hyperlinks to the entirety of electronic policy for ease of use for the employees to navigate the system.

Morse commented that she's glad to see the additional information and definitions they have added. She added that she believes it is important to state that harassment is required to be reported and that they have stressed that it should be reported immediately.

Morse moved to approve General Order 2019-029 Harassment as presented. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

R. Approval of General Order 2020-046 Crowd Control Response Training: Assistant Director Moldrup shared that this is a new policy created by the 6th edition requirements of CALEA as they wanted a policy regarding training. He stated that they were already doing this, they just made it a separate policy specifically about training in this area.

Morse asked if they could define what unlawful assembly consists of.

Director Butler shared there is state statute that describes unlawful assembly and the elements of that offense. Based on the conditions in place, the police may determine that it is an unlawful assembly and they advise the group of that finding. If the group fails to disperse after that point, then they could be arrested.

Ward moved to approve General Order 2020-046 Crowd Control Response Training as presented. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

S. Approval of General Order 2020-133 Promotion Process: This topic was removed from the General Agenda.

T. Approval of General Order 2020-208 Bonding/Liability Protection: Assistant Director Moldrup shared that this is another CALEA requirement and that they already had this in their policy, but CALEA wanted it in a separate section.

Beardsley moved to approve General Order 2020-208 Bonding/Liability Protection as presented. Wilkerson seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

U. Approval of General Order 2020-209 Selection Criteria: Assistant Director Moldrup shared that the remaining three policies are required by CALEA for agencies that have either part-time or reserve units. They want them to have the same training as full-time officers. The RCPD does not currently have part-time officers or a reserve unit, but need to have the policy in place in case that changes in the future.

Ward moved to approve General Order 2020-209 Selection Criteria as presented. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

V. Approval of General Order 2020-210 Sworn Appointment Requirements: Ward moved to approve General Order 2020-210 Sworn Appointment Requirements as presented. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

W. Approval of General Order 2020-211 Entry Level Training: Ward moved to approve General Order 2020-211 Entry Level Training as presented. Stoney seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

X. Executive Session: At 1:08 p.m. Beardsley moved to recess into Executive Session for twenty minutes for the purpose of discussing non-elected personnel matters and attorney client privilege with Director Butler & Lieutenant Steere participating. Wilkerson seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

At 1:30 p.m. the open meeting reconvened.

Y. Affirmation or Revocation of Discipline: Wilkerson moved to affirm the Director's disciplinary actions. Morse seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Morse, Stoney, Rodriguez, Ward, and Wilkerson voting in favor, and Butler voting against. The motion passed 6-1.

At 1:31 p.m. Beardsley moved to recess into Executive Session for fifteen minutes with Mike Gillespie present to discuss non-elected personnel matters and attorney client privilege. Wilkerson seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

At 1:50 p.m. the open meeting reconvened.

At 1:51 p.m. Wilkerson moved to recess into Executive Session for twenty minutes for the purpose of discussing non-elected personnel matters and attorney client privilege. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

At 2:11 p.m. the open meeting reconvened.

At 2:11 p.m. Wilkerson moved to recess into Executive Session for fifteen minutes to discuss non-elected personnel matters. Morse seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

At 2:28 p.m. the open meeting reconvened.

Z. Adjournment: Beardsley moved to adjourn the meeting. Morse seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Stoney, Rodriguez and Ward voting in favor, and no one voting against. The motion passed 6-0. The November 16, 2020 Law Board Meeting adjourned at 2:28 p.m.