

**RILEY COUNTY LAW ENFORCEMENT AGENCY  
LAW BOARD MEETING  
City Commission Meeting Room  
1101 Poyntz Avenue  
Manhattan, KS  
December 21, 2020 12:00 p.m.  
Minutes**

**Members Present:** Craig Beardsley (Via Video Conferencing) Wynn Butler  
Linda Morse Marvin Rodriguez  
BeEtta Stoney (Via Video Conferencing) Robert Ward  
Barry Wilkerson

**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:** 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 November 16, 2020 Law Board Meeting Minutes
- B.** Approve 2020 Expenditures/Credits
- C.** Juvenile Transport Reimbursement
- D.** RCPD Related County Expenditures- (*Review*)
- E.** Seizure Expenditures- (*Review*)
- F.** Riley County Jail Average Daily Inmate Population- (*Review*)
- G.** Monthly Crime Report- (*Review*)

Morse observed that during the pandemic, the average daily inmate population for the RCPD decreased. The average daily inmate population for the month of November was 69.3, which is close to the January 2020 average. She noted that as the community reemerges from the pandemic, the Department may see an increase in the number of incarcerated individuals.

Ward referred to the Monthly Crime Report. He commented that for the month of November, there was a significant increase in the number of motor vehicle thefts (200.0% above the five year average). He wished to know the reason for the increase.

Director Butler stated that seven out of the eighteen motor vehicle thefts had keys left inside of the vehicle. The RCPD often reminds and cautions the public not to leave their vehicles unlocked. Not only can their vehicle be stolen, but personal items from within the vehicle can be taken as well. He noted that it is difficult to explain such a large increase from a spike that was experienced in a single month. Additional data over a period of time would be needed to identify any trends. He reiterated how important it is for everyone to lock their vehicles and hide valuables so they are not in plain sight.

Morse moved to approve the Consent Agenda as presented. Ward 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:**

**H. Additions or Deletions:** Director Butler wished to remove item M. from the General Agenda and reschedule it for the January Law Board Meeting. Officer Cusimano had an unavoidable issue and was unable to attend the meeting.

**I. Public Comment:** None.

**J. Fraternal Order of Police Lodge #17 Comments:** Brian Johnson, President, Fraternal Order of Police (FOP) Lodge #17, stated that he appreciated the opportunity to represent the labor force of the RCPD and speak to the Law Board. He reported that the FOP concluded the Cops N' Kids Program for 2020. With the help of donations from the community and RCPD employees, the FOP set a record in funds raised which allowed them to sponsor all of the children who had applied to the program. He thanked the employees and community members who, despite all of the difficulties that has accompanied 2020, were able to dig deep and sacrifice to help support the children in the community.

Johnson addressed the officer-involved shooting that took place on October 2, 2020 on Freeman Road, Manhattan, KS. He wished to publicly recognize Riley County Attorney Barry Wilkerson for his thorough examination of the case. Johnson noted that there were numerous hours of police officer body-worn camera video footage and hundreds of documents associated with the case. He appreciated the in-depth examination conducted by Attorney Wilkerson not only from a community member aspect to ensure that officers act in accordance with state statute and Department policy, but also from an officer perspective to know that when an incident like this occurs, it will be given the due diligence that it demands.

**K. Board Member Comments:** Morse wished to acknowledge the consequences of the COVID-19 pandemic in the community and region. To her knowledge, it is predicted that the public will see an increase in COVID-19 positive cases for the months of January and February. She strongly encouraged the public to wear masks and take the appropriate preventative health measures during this time. She expressed her desire for *all* to have an enjoyable, memorable holiday, even though it will likely be different from the normal celebration/gathering that everyone is used to.

**L. Promotion Announcement:** Director Butler and Assistant Director Moldrup announced the promotion of Sergeant Scott Hajek to the position of Lieutenant. Scott Hajek has served the RCPD and citizens of Manhattan and Riley County since October 28, 2001. Scott Hajek was accompanied by his son, Carter Hajek, who assisted with the pinning.

Director Butler and Assistant Director Moldrup announced the promotion of Lieutenant Gregory “Greg” Steere to the position of Captain. Greg Steere has served the RCPD and citizens of Manhattan and Riley County since May 14, 2000. Greg Steere was accompanied by his wife Charla and his two children Casen and Keely, who assisted with the pinning. Also, in attendance were his father and mother-in-law Don and Charlotte Brewer.

Director Butler stated that earlier in their careers, Captain Steere and Lieutenant Hajek were instrumental in the formation of the Department’s current police officer training program which is centered around fair and impartial policing. The training program and fair and impartial policing have been critically important to promote the legitimacy of law enforcement in the community. He noted that it is not an accident that the officers who, many years ago saw the value in the program and worked on it together, are standing here today being promoted to lead other supervisors and younger officers in that same vein.

Director Butler added that Captain Steere will be replacing Captain Richard “Rich” Fink who will retire from the RCPD on December 31, 2020. Captain Fink served in the U.S. Army prior to joining the RCPD. The end of the year will mark his twenty-eight years of service to the RCPD. Director Butler simply wished to publicly acknowledge the amazing service Captain Fink provided to the community as well as the leadership and insight he imparted to the men and women of the RCPD.

Captain Fink said that he has had a very successful career with the RCPD and worked with some great individuals. He stated that he has been in law enforcement since 1998. He noted that Community Advisory Board Chairman and RCPD Chaplain Lewis Smith was his platoon sergeant in the 1<sup>st</sup> Military Police (MP) Company, which further illustrates the type of leadership he has learned from over the years.

Captain Fink explained that he always had things he wanted to accomplish in life, but was never in the position to take advantage of those things. Working for the RCPD these many years has provided him the means to begin to accomplish those goals. He stated that he is looking forward to retirement and has a very busy schedule ahead. He added that when the police department has gifted leaders such as Captain Greg Steere and Lieutenant Scott Hajek waiting to fill his position, it is hard to stand in the way. They are good hearted individuals with unbelievable resumes. Captain Fink thanked the employees of the RCPD, City of Manhattan and Riley County.

Morse commented that she attended the Mental Health Task Force Meeting when the topic of a Crisis Intervention Team was discussed. She was very appreciative of Captain Fink for stepping forward to take leadership of that initiative.

**M. Meritorious Service Award Presented to Officer Mark Cusimano:** This item was removed from the General Agenda.

**N. Drug Enforcement Administration Midwest High Intensity Drug Trafficking Award Presented to Captain Tim Hegarty:** Director Butler presented Captain Hegarty with the 2019 Midwest High Intensity Drug Trafficking Area (HIDTA) Award/Certificate of Appreciation in recognition of his efforts in connection to Operation Chicago and outstanding work in drug law enforcement. Receiving the award at a later date for their involvement in the operation are: Officer Eric Beaubien, Officer Brian Zachary, Detective Calvin Sanders, former Detective Michael Parr, Detective Logan Swartz, Corporal Robert Dierks, Corporal Michael Dunn, Lieutenant Brad Ingalls, and Lieutenant Daryl Ascher.

Director Butler stated that due to health guidelines and meeting space restrictions related to COVID-19, the decision was made to make the Board aware of the recognition and present individual certificates to those mentioned above in-house at a later date. A letter from Midwest HIDTA Executive Director Jeffrey Stamm accompanied the award wherein he passed along his thanks, as well as the gratitude and salute from the entire Midwest HIDTA staff, for their excellence and dedication in keeping the citizens safe from drug trafficking and abuse. Their endeavors and tremendous accomplishments are greatly appreciated and truly make a difference.

**O. Community Advisory Board Member Recognition:** On behalf of the Law Board, Riley County Police Department and Community Advisory Board (CAB), Director Butler and Assistant Director Moldrup presented Patricia “Pat” Hudgins, Marcos Medina, Lewis Smith and Terrence Stewart each with a plaque in recognition of their dedication and service to the citizens of Riley County, Kansas and men and women of the RCPD.

**P. Community Advisory Board Update:** Lewis Smith, Chairman, RCPD Community Advisory Board, shared that the CAB has made a lot of progress over the past year with respect to community outreach. Members of the Board have made themselves easily accessible to the community to share thoughts and concerns as they relate to the RCPD. He explained that the Board met in Ogden, Kansas in September, and Riley, Kansas in November. The CAB was well received in both communities and was invited to return to speak with the residents in the future. Smith said it has been an honor to serve on the CAB for over five years. He expressed his appreciation to all of the great people that helped mentor him along the way. He informed the Board that Tim Sigle has been selected to serve as the next Chair of the CAB. Smith has no doubt that Sigle will do an excellent job in that capacity.

On behalf of the Law Board, Chairman Rodriguez thanked Lewis Smith for his service.

**Q. RCLEA 2021 Meeting Resolution:** Ward moved to approve Resolution 21-02, Riley County Law Enforcement Agency (RCLEA) Meeting Schedule as presented. 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.

The 2021 schedule of Law Board Meetings is as follows:

January 19, 2021(Tuesday)	July 19, 2021
February 16, 2021 (Tuesday)	August 16, 2021
March 15, 2021	September 20, 2021
April 19, 2021	October 18, 2021
May 17, 2021	November 15, 2021
June 21, 2021	December 20, 2021

**R. RCPD Firearms Range Planning Update:** Captain Kyle reported that the range is progressing and the weather has been very favorable for construction. He has been informed that construction of the range is scheduled to be completed in March 2021.

**S. Aggieville Substation Lease Agreement Renewal:** Riley County Counselor Clancy Holeman contacted GJL Real Estate Limited Partnership (Lessor) and renewed the agreement with Riley County (Lessee) on behalf of the RCPD. The agreement provides rental space to the Lessee to be used as the RCPD Aggieville Substation in the amount of \$875.00 per month. The term of the lease is for one year. Captain Kyle noted that the Department intends to obtain a new sign for the Aggieville Substation as the current sign is difficult for the public to see.

**T. Federal Bureau of Investigation Standard Operating Procedures for Task Force Officer Body-Worn Camera Program:** Director Butler briefed the Law Board on the proposed addendum to the current Memorandum of Understanding between the RCPD and the Department of Justice regarding use of body-worn cameras by federally-deputized task force officers during Federal Bureau of Investigation (FBI) task force operations. Also included in the packet was a copy of the FBI Standard Operating Procedures (SOPs) for the Task Force Officer Body-Worn Camera Program.

Director Butler explained that the addendum and SOPs provide comprehensive guidelines for task force officers to wear body-worn cameras during certain situations. In the past, the FBI did not want law enforcement officers to wear body-worn cameras during task force operations. The FBI recognized that this was causing issues with police departments around the country because officers have to operate under the policies of their department and it created some issues with participation on these task forces. He and staff have reviewed the proposed addendum and have no issues with its requirements.

Wilkerson moved to approve the SOP as set forth in the document. 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.

**U. End of Year Expenditures:** Captain Kyle reported that the Department projects 1.2 million dollars in funds by the end of the year due to vacant positions, unexpended overtime funds and reimbursed monies from the CARES Grant. Riley County Police Department staff met previously and discussed the Department's needs, prioritized them, and assigned the funds

accordingly. Captain Kyle recommended year-end funds be used to address the below Department priorities.

<u>Priorities:</u>	Anticipated Remaining Funds \$1,200,000	
1- IT Reserve Fund		\$488,400
2- Worker's Comp. Fund		\$100,000
3- Medical Fund		\$200,000
4- Emergency Reserve		\$50,000
5- Firearms Range		\$57,000
6- Training Software		\$45,000
7- Police Utility Terrain Vehicle		\$20,000
New Uniforms (encumbered)		\$52,170
Jail Supplies (annual expense)		\$25,000
Axon/Taser Contract (unfunded)		\$199,999
	Total	\$1,197,569
	Difference	\$2,431
	Minimum Carryover	\$80,000-\$120,000

Morse wished to know if a budget amendment was needed to accomplish the tasks previously described by Captain Kyle.

Captain Kyle responded that there is no vote or amendment needed.

Wynn Butler stated that he had no issues with the way the end-of-year funds are to be used because it will impact future budgets, potentially making them easier to manage. He commended RCPD staff for the effort they put into identifying and prioritizing the Department's needs.

Director Butler personally thanked the outgoing members of the Law Board whose term expires December 31, 2020. He commented that it has been a pleasure working with each member over the past two years. The support that the Law Board provides accomplishes a lot of things that other communities are envious of in terms of citizen involvement and oversight. He thanked members of the Law Board for their volunteer service, unique individual perspectives, and the support they have provided the men and women of the RCPD.

**V. Executive Session:** At 1:20 p.m. Wilkerson moved to recess into Executive Session until 1:50 p.m. for the purpose of discussing non-elected personnel matters. 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.

At 1:53 p.m. the open meeting reconvened.

Wilkerson moved to return to Executive Session until 2:13 p.m. for the purpose of discussing non-elected personnel matters. 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.

At 2:13 p.m. the open meeting reconvened.

**W. Affirmation or Revocation of Discipline:** None.

**X. Authorize the Chair to execute a modified Employment Agreement between the Riley County Law Enforcement Agency and Director Dennis P. Butler, beginning with the first pay period of 2021:** No action was taken.

**Y. Adjournment:** Ward moved to adjourn the meeting. 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. The December 21, 2020 Law Board Meeting adjourned at 2:13 p.m.