

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Ave.
Manhattan, KS
June 21, 2021 12:00 p.m.
Minutes**

Members Present: Kathryn Focke John Ford
Patricia Hudgins (arrived at 12:03 p.m.) Linda Morse
BeEtta Stoney Robert Ward
Barry Wilkerson

Absent:

Staff Present: Director Dennis Butler Assistant Director Kurt Moldrup
Captain Erin Freidline Captain Brad Jager
Captain Josh Kyle Captain Greg Steere
Captain Derek Woods

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

- I. **Establish Quorum:** By Chairperson Morse 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. Approval of Minutes
 1. May 17, 2021 Law Board Meeting
 2. June 3, 2021 Special Law Board Meeting
 - B. Approve 2021 Expenditures/Credits
 - C. Juvenile Transport Reimbursement
 - D. RCPD Related County Expenditures (*Review*)
 - E. Riley County Jail Average Daily Inmate Population- (*Review*)
 - F. Reports- (*Review*)
 1. Monthly
 - a) Monthly Crime Report

Chairperson Morse inquired about Voucher #6035 payable to Pawnee Mental Health Services for co-responder salaries. She wished to know if the payment was solely for the salaries of the two authorized mental health co-responders.

Jennifer Reifschneider, Accountant, Riley County Police Department, responded that the amount includes salaries *and* benefits for the two mental health co-responders.

Member Ford moved to approve the Consent Agenda as presented. Member Stoney seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

IV. General Agenda:

G. Additions or Deletions: Director Butler wished to add the RCPD Notice of Budget Hearing first published in the Manhattan Mercury on June 10, 2021 to the Law Board packet. The document reflects the decision of the Law Board at the June 3, 2021 Special Law Board Meeting regarding the budget and vote to publish.

H. Public Comment: Lorenza Lockett, Assistant Professor of Social Work, Kansas State University, briefed the Law Board on the Fair and Impartial Policing (FIP) Working Group. Dr. Lockett and Captain Kyle discussed the ongoing collaboration between the Coalition for Equal Justice (CEJ) and the RCPD, and the group's recommendations for enhancing the Riley County Police Department's comprehensive program to produce fair and impartial policing.

It was explained that in July 2020, the CEJ and the RCPD came together to ask questions, discuss community concerns, and make recommendations to the Director for changes to the police department. Both parties committed to meet in early 2020; however, concerns related to COVID-19 delayed initial gatherings. Over the last ten months, the core group members met regularly and occasionally guests were invited to bring their expertise to the discussion.

Conversations were framed around the work of Dr. Lorie Fridell, a national leader in the field of human bias, measuring and reporting police activities, and their application to the functions of law enforcement organization. Her work has culminated in the creation of a Comprehensive Program to Produce Fair and Impartial Policing. In 2015, Dr. Fridell presented to RCPD staff and community members and assisted with the development of Department policies concerning unbiased policing. Her course began RCPD's journey into developing and delivering a comprehensive program to produce FIP.

Captain Kyle stated that the process started in 2015. After a few years, and significant changes in administration, efforts effectively stalled and it was time for the Department to look once again at its FIP comprehensive program and decide what was needed to move forward. The CEJ and RCPD formed the Fair and Impartial Policing Working Group.

Although conversations up to this point have been largely exploratory, a number of recommendations have taken form and the FIP Working Group believe these recommendations are ready for formal consideration by the Director. The FIP Working Group anticipates that this will be the first series of recommendations forwarded to the Director. A document detailing their recommendations was provided to the Law Board and those in attendance.

Dr. Lockett took a moment to acknowledge his colleague and fellow CEJ Member, Dr. Alayna Colburn who was present for the meeting. He also recognized Be Stoney, who was selected to serve as the mediator of the FIP Working Group.

Dr. Lockett observed that the initial focus of the CEJ was on building a relationship with the RCPD. They wanted to first identify objectives and concerns as well as discern how to constructively relate to one another and their genuine interests and responsibilities that best fit the overall wellbeing of the community. Shortly after the group began to meet two major events occurred: the death of George Floyd and the pandemic. The CEJ wanted to take preventative steps to eliminate the potential something like that which transpired in Minneapolis from happening locally. The FIP Working Group continued to work and meet through the pandemic. The group's discussions were framed around the concepts of Dr. Fridell regarding fair and impartial policing. From that constructive relationship building, the group decided to structure their focus on areas of intervention and building a comprehensive program to produce fair and impartial policing. Dr. Lockett explained the seven Areas of Intervention which are listed below.

- Recruitment, hiring, and promotion: Strategies designed to achieve a state where RCPD personnel reflect the unique characteristics of the community it serves.
- Policies prohibiting biased policing: Ensuring that RCPD's policing policies reflect current law and community standards.
- Training: Impactful training as it relates to bias and policing.
- Leadership/supervision and accountability: Creating a culture within the agency that day-to-day policing activities are to be conducted in a fair and impartial manner.
- Measurements: Methods used to examine policing activities for possible signs of police bias.
- Promoting FIP and perceptions with operations: Seriously consider complaints/concerns alleging biased policing. Police management must ensure that the agency's responses to crime are balanced with community consent.
- Outreach to diverse communities: Consistent engagement with the community and participation in discussions about race and policing.

Dr. Lockett stated the group has provided and will continue to provide recommendations to the Director on matters of concern to the community. The FIP Working Group recognizes that these recommendations represent only a beginning point for positive changes within the RCPD and the community as a whole. It is their hope that their commitment toward respectful and honest dialogue combined with an earnest desire for enhancing RCPD's pursuit of fair and impartial policing will serve as a model of collaboration both inside and outside of our community. He stated that the FIP Working Group encourages input from the community. Those wishing to provide comment may do so via social media/Facebook or by contacting him directly at renz@ksu.edu or the RCPD at contact_rcpd@rileycountypolice.org.

Chairperson Morse thanked Captain Kyle and Dr. Lockett for the information provided.

I. Fraternal Order of Police Lodge#17 Comments: Rachel Pate, President, Fraternal Order of Police (FOP) Lodge #17, updated the Law Board on the upcoming fundraisers benefiting the Special Olympics Kansas. She stated that the FOP is in the process of planning the annual Law Enforcement Torch Run which will be scheduled during the month of August. The FOP plans to have a community run similar to last year. The event will kick off with the RCPD team and athletes participating in a one mile fun run. She added that the FOP hopes to have the RCPD BBQ Team and trailer present to serve food to the community and make positive connections.

Pate thanked the Law Board for their commitment to serve the Department and community. She addressed the present manpower issues in the patrol and corrections divisions of the RCPD and its impact/stress on

current employees. She asked that the Board think of those employees as they continue 2022 budget discussions. In her opinion, keeping the RCPD competitive is very important. She added that merits and Cost of Living Allowances (COLAs) definitely help employees feel appreciated. The employees of the RCPD love the community and want to do a good job for the citizens of Riley County.

J. Board Member Comments: Member Hudgins discussed the 31st Annual Manhattan Juneteenth Celebration that was held June 17-19, 2021. She commended the RCPD BBQ Team and other entities that participated in the well-attended event. Hudgins shed light on the perspective of some African American community members and their interactions with law enforcement. It is her belief that the RCPD BBQ trailer allows the public to have a different encounter with police; one that says that the police officers are a part of the community, which is an important step to building relationships.

Member Stoney also thanked the RCPD BBQ Team for their service on Saturday, June 19th. She could tell that the officers felt very comfortable and were enjoying themselves as they communicated with those in attendance. She specifically noticed the children talking with the officers. She recalled one child who was given a police officer badge sticker saying to his mother “Mama look! I’m a policeman now!” Stoney stated that those kinds of interactions are important not only for the parents but also the children who will one day become adults. The parents need to feel comfortable knowing that their children will be okay under the watchful eye of the RCPD.

Member Ford voiced his excitement to have the RCPD firing range completed. He said that he is looking forward to attending the Firearms Range and Training Facility Open House on Wednesday, June 30, 2021 from 9:00 a.m. to 11:00 a.m. He added that it was quite a project. The facility is going to be a vital part of training and much of what the RCPD does moving forward.

K. Community Advisory Board Update: An update was not provided.

L. 2021 Mid-Year Salary Adjustment: At the June 3, 2021 Special Law Board Meeting a consensus was reached among the Board to authorize the RCPD to proceed with providing employees a 2% pay adjustment starting July 1, 2021 utilizing unexpended personnel funds. At the direction of legal counsel for the law Board, formal action in the form of a vote would need to be taken by the Board at the regularly scheduled June 21, 2021 Law Board Meeting.

Captain Kyle reiterated that the RCPD is recommending a half-year 2% pay adjustment for its employees in 2021 which equates to \$137,000. He added in 2022 the cost to the taxpayers of this 2% pay adjustment would be less than if regular COLAs and merits were granted in 2021. Under this plan, both county employees and the taxpayers will see a financial relief when compared to business as usual in regards to employee salaries. He noted that there are still some discussions about whether or not American Rescue Plan Act (ARPA) funds could be used for this purpose. The City is waiting on more information to be certain that the funds would be applicable for the purpose described above.

Chairperson Morse stated her understanding that ARPA guidelines from the U.S. Department of Treasury have not yet been finalized.

Member Ford said that is correct. The American Rescue Plan Act signed into law has been deemed Interim Final Rule.

Secretary Wilkerson asked if the RCPD has the funds to cover the 2% pay adjustment in 2021.

Captain Kyle responded that the Department currently has an estimated \$490,000 in unused personnel funds that could be used for this purpose. However, that figure could change as expenditures change throughout the year.

Director Butler explained that should the pay adjustment be approved by the Law Board today, it would be the intention of the Department to utilize unused personnel monies to fund it starting July 1st. Depending on the submission criteria for ARPA funds released by the U.S. Department of Treasury, the RCPD would make application to both the City and County to reimburse the Department for the amount expended. Approval from the Law Board would start with the 2% increase on July 1, 2021 using unused personnel funds and the Department and Board will go from there.

Vice Chairperson Ward moved to approve the 2% pay adjustment for RCPD employees for July-December, 2021. Secretary Wilkerson seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

M. American Rescue Plan Act Update: At the June 3, 2021 Special Law Board Meeting the RCPD received guidance from the Law Board to add ARPA funding as a discussion topic for future meetings which would allow for regular updates to be provided as information becomes available.

Captain Kyle explained that now that the Law Board has approved the 2% pay adjustment for 2021, the RCPD plans to monitor the application process for ARPA funds to determine if it would be appropriate for the Department to apply for said monies through a letter of endorsement or other means. Should it be deemed appropriate, it was thought that the 80/20 formula from statute may be a reasonable way to look at this. Captain Kyle stressed that use of ARPA funds are the sole discretion of the City and County. The City and County are under no obligation to release funds to the RCPD.

Chairperson Morse asked if the Law Board will know more by August.

Member Ford responded that the Law Board and RCPD will have to be patient as there does not appear to be a hurry to get the application guidelines finalized and funds expended like that which was experienced with Coronavirus Aid, Relief, and Economic Security (CARES) Act. They may receive clarification by the end of 2021 or beginning of 2022, but he is not certain at this time.

Captain Kyle agreed with Member Ford with regard to the timeline for the U.S. Department of Treasury to release the guidelines. He added that once the funds are released, the City and County will have until 2024 to spend the funds.

N. Public Hearing for 2022 Budget: Chairperson Morse and Director Butler felt it important to share with the Law Board and listening public information regarding the makeup and efficiencies of the RCPD as a consolidated agency. Director Butler explained that consolidation was approved by the voters of Riley County in 1974 and consolidation actually occurred in 1977. He stated that the makeup of the RCPD provides for built-in efficiencies not found in traditional counties. The RCPD is a county-wide,

consolidated law enforcement agency and operates a consolidated Communications Center (police, fire, EMS). In 2020, RCPD's budget represented 10.8% of the City of Manhattan's Annual budget and in 2021 it was 7.12% of Riley County's annual budget. Past research, backed up by recent inquiries, has revealed that RCPD's percentage of budget is the lowest for comparatively-sized agencies in the region. He noted that the budget information for the City and County were obtained through their respective websites. At the time the information was gathered, the City had not published their 2021 budget; therefore, the data was not included.

Chairperson Morse opened the Public Hearing for the 2022 RCPD budget.

Captain Kyle stated that four budget options (B1, B2, 3 & 4) were previously presented to the Law Board. Accountant Jennifer Reifschneider was prepared with an Excel spreadsheet to receive guidance from the Law Board regarding previously presented budget priorities and provide real-time adjustments/reductions to the published budget, if desired.

Chairperson Morse voiced her preference for tighter budgeting in an effort to reduce excessive year-end carryover funds. She stated that she felt comfortable with a 3.5% budget increase, but not 3.95%.

Director Butler said that as members of Command Staff present the budget proposal each year, it is astute and appropriate to request funding for all authorized positions. It would not be appropriate from an accounting or auditor perspective to intentionally request a budget that is lower than the number of authorized positions. He said that he wants to fill vacant positions at the Department. He does not want to have vacancies. However, it is harder to fill positions some years compared to others. That is where the RCPD is right now and that is why the Department has this level of unused personnel funds. It is not by design. It is just how it is working out.

Member Ford explained that he was comfortable with a budget that includes base adjustments, the restoration of salary step increases (merits), and a COLA for employees. In his opinion, there is a need to take care of the employees much in the same manner that they need to take care of employees at the County. He said that he does not plan to hire any new employees at the County. He believes there should be some consistency between the agencies especially as it relates to new positions like the court security screener. He wondered if the need for the additional court security person will be long-term. He was not in favor of a 3.5% increase in the budget.

Following brief discussion among the Board, Chairperson Morse opened for public comment on the 2022 RCPD budget and received none.

Vice Chairperson Ward moved to close the Public Hearing and return to the General Agenda. Member Ford seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

O. Approve 2022 Budget: Vice Chairperson Ward moved to approve the Published 2022 Budget Option 4 (Revised B2) as contained in the packet. Secretary Wilkerson seconded the motion. Chairperson Morse polled the Board and the motion passed with Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and Focke and Ford voting against. The motion passed 5-2.

P. Executive Session: At 1:26 p.m. Secretary Wilkerson moved to recess into Executive Session until 1:41 p.m. to discuss non-elected personnel matters. Member Ford seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

At 1:41 p.m. the open meeting reconvened.

Q. Adjournment: Member Hudgins moved to adjourn the meeting. Member Stoney seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0. The June 21, 2021 Law Board Meeting adjourned at 1:41 p.m.