

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Ave.
August 17, 2020 12:00 p.m.
Minutes**

Members Present: Craig Beardsley (Via Telephone) Wynn Butler
Linda Morse Marvin Rodriguez
Barry Wilkerson 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: 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 July 20, 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.** 2nd 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
 - d) Alcohol Enforcement Semiannual Report
- H.** Monthly Crime Report- (*Review*)

Morse moved to approve the Consent Agenda as presented. She commented that the information included in the second quarter reports was very helpful.

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:

I. Additions or Deletions: Director Butler informed the Board that scheduling Law Board Meetings in the various counties (Leonardville, Ogden, Randolph, Riley) was temporarily suspended primarily due to COVID-19. Now that budget discussions have concluded and buildings have reopened, Executive Assistant Nichole Glessner will begin identifying suitable locations to hold future Law Board Meetings outside of the City Commission Meeting Room.

Morse voiced her support of hosting Law Board Meetings in the counties as long as social distancing and other safeguards can be accomplished.

J. Public Comment: None.

K. 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 directly to the Law Board. He apologized for having missed the past two Law Board Meetings due to court and other job related obligations.

Johnson addressed the RCPD uniform and outer vest proposal on the agenda for discussion. He stated that the FOP fully endorses the proposal. He explained how unforgiving the current uniform is in Kansas during the warmer months. He also discussed the discomfort and lower back pain experienced by many officers over the years due to the weight of the equipment that is attached to the duty belt. The proposed new uniforms provide flexibility in relieving that discomfort and still look professional. He noted that it is important to the FOP that the officers maintain a professional yet approachable image.

Johnson commented that officer use of force, particularly lethal force, is a high liability area in law enforcement. Fortunately, there have been very few instances in which officers of the RCPD have to use lethal force. Nevertheless, it is important to effectively train officers in such a high liability area. He and the FOP are pleased that the County is moving forward with the new RCPD firing (shooting) range.

L. Board Member Comments: None.

M. Award Presentation

- a) Letter of Appreciation Citizen Tori Lamb: Director Butler presented Citizen Tori Lamb with a Letter of Appreciation in recognition of her role in the September 15, 2019 injury accident on highway K-18. Although shaken and injured, Ms. Lamb contacted the RCPD Communications Center, obtained pertinent information for first responders and provided aid to others involved in the crash. Ms. Lamb comforted a woman trapped in one of the vehicles and provided guidance to other citizens in an effort to assist the victims and prepare for the arrival of first responders. Her quick

thinking and willingness to take action directly contributed to a better outcome for all involved in the incident.

- b) Certificate of Appreciation Citizen Amber Fournier: Director Butler presented Citizen Amber Fournier with a Certificate of Appreciation in recognition of her efforts on February 6, 2020 in locating sixty-eight-year-old Lydia Robles of Manhattan after she went missing from her home. Following an “attempt to locate” post on RCPD social media pages, Ms. Fournier contacted the Department and provided information on Robles location and direction of travel. Officers were promptly dispatched to the location where they were able to locate and safely return the woman to her family and home. Robles was returned home safe due in large part to Amber’s attentiveness while driving and for connecting with the RCPD on its social pages.

N. Approval of Edward Byrne Memorial Justice Assistance Grant: Director Butler 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 Department requests that the Law Board authorize the agency to move forward on an application for grant funds through the 2020 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$19,628. The grant funds will be used to replace the aging lighting systems for the rifles that are assigned to all marked patrol units and the purchase of suppressors for use in the armored vehicle (Lenco Bearcat) that was acquired in 2019. The Riley County Board of County Commissioners reviewed the application on August 10, 2020 and approved it at a public meeting.

Ward moved to approve the Department’s application for the 2020 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$19,628 for the purposes set forth in the memo dated August 11, 2020. 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.

O. Federal Bureau of Investigation Joint Terrorism Task Force Cost Reimbursement Agreement: Director Butler explained that the Federal Bureau of Investigation (FBI) Kansas City Joint Terrorism Task Force (JTTF) Cost Reimbursement Agreement is an addendum to the original Memorandum of Understanding (MOU) with the FBI which was approved by the Law Board in February of 2016. The Cost Reimbursement Agreement is a separate document from the MOU and allows for reimbursement of overtime expenses resulting from RCPD officers assigned to and working full-time on FBI KC JTTF related matters. He noted that the Department presently has one detective assigned to the JTTF.

Stoney moved to approve the Cost Reimbursement Agreement as presented and authorize the Chair to enter into the agreement on behalf of the Law Board and RCPD. 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.

P. RCPD Firearms Range Planning Update: Captain Kyle and Lieutenant Brad Jager provided a presentation to members of the Board on the progress made toward the design and construction of the new RCPD range that will be situated on 146 acres of land purchased by the County.

Lieutenant Jager reported that the new range is ½ mile from the former range. The new range will have one qualification range with a fixed turning target system to be used for the state mandated qualification as well as teaching officers the fundamentals of firearms, and one practical range with a mobile target system to be used primarily for scenario based training exercises. The new site will have a bullet containment system, and a building where officers will receive instruction on firearm fundamentals and how to properly clean and inspect a firearm, to name a few. The County hired Bruce McMillan AIA Architects, P.A. to design the range building and Schultz Construction was awarded the project. The estimated construction cost is \$415,000.

Lieutenant Jager reported that the firing ranges are projected to be completed late October 2020. The range building is not anticipated to be completed until March 2021. He added that future plans are to have a driving pad at the site to provide instruction on pursuit driving and vehicle safety. He said that because the officers spend a lot of time in their patrol cars it is important to train them on vehicle safety. On behalf of the RCPD, Jager extended appreciation to the County for all of their work during this long process.

Ward asked if the officers use their duty weapon to qualify and practice at the range. He also wished to know if other weapons will be stored at the range.

Lieutenant Jager confirmed that the officers train with their duty weapon. He stated that there are no current plans to store weapons at the range.

Morse inquired about the reclamation of the current range and projected cost.

Rodriguez said that the County continues to discuss the matter. The current projected cost is in the neighborhood of \$80,000, but that is not a final figure.

Director Butler extended an invitation to the Law Board to tour the new range in October 2020.

Q. Diversity & Inclusion: Morse previously requested the topic of diversity and inclusion be added to a Law Board Meeting agenda for discussion. Director Butler informed the Board that the Fair and Impartial Policing (FIP) Committee, Chaired by Be Stoney, met for a second time. The next meeting will be scheduled for some time in September.

Director Butler explained that the Department is presently conducting a promotion process for the positions of sworn captain and non-sworn jail captain. As part of the process, he gave the applicants the assignment to develop a plan to increase diversity in the Department and include specific details on

how to accomplish the goals of the plan. Each candidate will present their plan to Director Butler during their interview. He added that for many months he has discussed the importance of increasing diversity within the agency. This is just another example of that goal being instilled in the minds future promotees.

Morse thanked Director Butler for his efforts in working to attract more diverse applicants to the RCPD.

R. Policy 26.2.0 Employee-Employee Relationships: Riley County Police Department Policy 26.2.0 Employee-Employee Relationships is a policy that was approved and published in June 2020. Director Butler explained that the revised policy was not required to be presented for approval by the Law Board. However, a few Law Board members requested it be included in the packet for discussion.

Director Butler stated that shortly after his appointment to Director of the RCPD, it was brought to his attention that there was some interest among the Board to have him review the employee-employee relationships policy. In February 2019 he sent out an employee survey to gauge employee thoughts/perceptions and obtain feedback about the police department. Without prompting, commentary by the employees revealed a need to carefully examine the policy. As a result, he decided to form an employee committee to review the Department's policy and recommend possible revisions. The committee was comprised of officers and civilian employees from various divisions within the Department.

The former policy and current published policy were included in the Law Board packets. Director Butler commented that the committee worked very hard to revise the policy. A consensus could not be reached among the committee for certain portions of the policy. Therefore, the he made the final decision on a few of the revisions and included policy language from his previous experiences that were not recommended by the committee. It is his hope that the changes alleviate some of the concerns that members of the Law Board and employees may have.

Members of the Board wished to include revisions to the policy previously provided to them by Law Board Attorney Michael Gillespie. The Board expressed appreciation to the Director, Mr. Gillespie and employees who served on the committee for their work on the policy.

Morse asked the Director to keep the Law Board apprised of any future major changes to Policy 26.2.0 Employee-Employee Relationships.

Director Butler assured the Board that administrative staff would flag the policy so that future edits or revisions are brought before the Law Board before it is published.

S. RCPD Uniform & Outer Vest: Director Butler explained that for the first time in forty-six years, the RCPD will change the style and color of the uniforms for sworn officers. The number one issue raised by employees in the aforementioned survey was the police uniform. While commentary about the uniform varied greatly, most centered around comfort. Butler said that police uniforms are constantly evolving because of the type of work that the officers do and equipment that they carry. Additionally, the availability of certain fabrics and materials has changed greatly over the

years. In response to the employee commentary, an internal committee was formed to research and field test different uniform options and provide a recommendation.

The committee narrowed it down to two professional and functional uniform options to replace the current one. Their final recommendation for a new uniform included the option for each officer to wear an outer vest. Corporals Jamie Dickson and Neil Ramsey (also members of the committee) were present at the Law Board Meeting to model the two uniform options.

Corporals Dickson and Ramsey explained that the current uniform pants are made of a polyester/wool blend which is not a breathable material and can be very warm in the summer months. Further, it is not a very forgiving material and the seams can easily tear. They explained that the outer vest option was selected to lessen the amount of weight officers carry on their hips due to the gear that is on their duty belt. Back pain is a common complaint of officers because of the duty belt. Dickson explained that it may seem an innocuous part of the uniform, but it carries all an officer's crucial tools including a gun, radio, flashlight, extra magazines, handcuffs, pepper spray, a baton, glove case, tourniquet kit, and a taser.

Godfrey's Tactical Supply was selected as the vendor for the uniforms and GT Distributors was selected as the vendor for the outer vests. Director Butler informed the Board that this year, the initial allocation will be made for all sworn employees to purchase four pairs of pants and six shirts, which is a reduction from the committee's original proposal. He noted that the initial cost estimate to change over to the new uniform was \$127,000. With the reduction in the number of pants and shirts being issued to each officer this year, the cost was reduced to \$85,000. Approximately \$14,000 remains in the budget for uniforms. Director Butler sought approval from the Board to use unexpended 2020 personnel funds to move forward with the purchase of the new uniforms.

Wilkerson asked if the officers are in favor of switching to the new uniform.

Ramsey responded that once the final options were identified, he sent a survey to the officers. The majority of the officers were in favor of the new uniform. There were a few officers who favored the old uniform.

Morse was very pleased with the process used to field test the uniforms and gain the support of the employees.

Wilkerson moved to authorize the Director to use \$85,000 toward the purchase of the new uniforms which includes the use of \$71,000 from the personnel account to fund the purchase. 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.

T. Executive Session: It was determined that an executive session was not needed.

U. Affirmation or Revocation of Discipline: The Board did not have any disciplinary matters to consider.

V. Adjournment: Wilkerson moved to adjourn the meeting. 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. The August 17, 2020 Law Board Meeting adjourned at 1:06 p.m.