

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
April 16, 2012 12:00 p.m.
Minutes**

Members Present:

Karen McCulloh	Richard Jankovich
Barry Wilkerson	Loren Pepperd
Dave Lewis	

Absent:

John Matta	Wynn Butler
Captain Hegarty	

Staff Present:

Director Schoen	Assistant Director Doehling
Captain Hooper	Captain Moldrup
Captain Nelson	Captain Fink

I. Establish Quorum: By Chairman McCulloh at 12:00 p.m.

II. Pledge of Allegiance: Led by Director Schoen.

III. Consent Agenda:

- A.** Approval of Minutes
 - a) March 8, 2012 Special Law Board Meeting
 - b) March 15, 2012 Special Law Board Meeting
- B.** Approve 2012 Expenditures
 - a) 2012 Budget Expenditures
 - b) Juvenile Transports
 - c) Seizure Expenditures
 - d) Edward Byrne Justice Assistance Grant (JAG)
- C.** County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)

Lewis moved to approve the consent agenda as presented. Wilkerson seconded the motion. The motion passed 4-0 (Pepperd not present for the vote).

IV. General Agenda

D. Additions/Deletions: Agenda item L., 2013 RCPD Budget Development was removed from the general agenda. The 2013 RCPD budget was previously approved for publication at the April 12, 2012 Special Law Board Meeting. A public hearing for the budget will be held at the regularly scheduled May meeting. The selection of a Vice Chair was added to the general agenda following public comment.

Jankovich moved to adopt the agenda as amended. Lewis seconded the motion. The motion passed 5-0.

E. Public Comment: None.

F. Election of Vice Chair: Lewis nominated Pepperd to serve as Vice Chair of the Riley County Law Board. Jankovich seconded the motion. The motion passed 5-0.

G. Law Board Member Recognition: On behalf of the Riley County Law Enforcement Agency and the Riley County Police Department, Director Schoen and Assistant Director Doehling presented Jim Sherow with a plaque in recognition of his dedication and years of service to the citizens of Riley County, Kansas and men and women of RCPD.

Sherow expressed his sincere appreciation for being given the opportunity to serve on the Riley County Law Board.

McCulloh thanked Sherow for his commitment and time spent on the Board.

H. Letter of Appreciation: Director Schoen and Assistant Director Doehling presented Detective Dustin Weiszbrod with a Letter of Appreciation in recognition of his work in a case involving multiple counts of prescription fraud and identity theft. Due to Detective Weiszbrod's persistence and diligence, a career criminal was removed from the community and the victims were able to begin the process of repairing the damage that was caused. Director Schoen thanked Detective Weiszbrod for his outstanding work, the assistance he provided to the victims of the crimes, and his commitment to the Riley County Police Department.

I. Correctional Officer Week Proclamation: Chairman McCulloh read the National Correctional Officer Week Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of May 6, 2012 through May 12, 2012 as National Correctional Officers' Week, in honor of the men and women whose diligence in supervising incarcerated individuals and effectively providing custody and care ensure our public safety.

RCPD Correction Lieutenants Diahann Frazier, Derek Woods and Travis Freidline accepted the proclamation on behalf of the Department.

J. Police Officer Memorial Week Proclamation: Chairman McCulloh read the Police Memorial Week Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of May 13, 2012 through May 19, 2012 as Police Week in honor of those police officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

RCPD Police Officers Kevin Baker and Derek Cid accepted the proclamation on behalf of the Department.

McCulloh thanked the Riley County Police Department Correction Officers and Police Officers for their hard work and dedication.

Members of the Law Board and the public were encouraged to attend the Law Enforcement Memorial Ceremony on Friday, May 18, 2012 at 11:00 a.m. at the Riley County Law Enforcement Center. A barbeque will immediately follow the ceremony and it is open to all who wish to attend.

K. Justice Assistance Formula Grant & Public Hearing: McCulloh opened the public hearing on the 2012 Edward Byrne Memorial Justice Assistance Grant.

Captain Fink 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 grants on behalf of the County each year and received various allocations. This year Riley County has been allocated \$23,158. With this allocation the Department intends to purchase mobile radios that will be compliant with the FCC's narrow banding mandate, and compatible for upgrade to further bandwidth restriction outlined in the FCC's Project 25 initiative. There are no matching fund requirements. Captain Fink requested the Board approve the application for grant funds through the 2012 Edward Byrne Memorial Justice Assistance Grant Program.

McCulloh closed the public hearing.

Wilkerson moved to approve the Department's application for the 2012 Justice Assistance Grant. Lewis seconded the motion. The motion passed 5-0.

L. Unruly Patron Ordinance: Director Schoen explained that officers assigned to the Aggieville area have been working on methods of addressing individual disorderly/unlawful behavior in licensed establishments. A sample ordinance from Madison, Wisconsin called the Unruly Patron ordinance was provided to the Board as part of their packets. The idea for a similar ordinance was presented to Aggieville bar owners last month during a Pre-Fake Patty's Day planning session, and there were no objections to it. The Department would like the Law board to request that the City's legal department work with RCPD to draft an unruly patron ordinance for the City Commission's consideration.

Pepperd asked if individuals who are cited under this ordinance would become blacklisted from all licensed establishments, or just the one establishment.

Schoen said if the City opted have an ordinance like that of Madison, Wisconsin the individual would not be able to enter any licensed establishment city wide. It may turn out that is precisely what the City wants, and it may not. He is seeking a consensus from the Board to simply enter into those discussions with the City.

Pepperd said that he could easily envision an intoxicated individual who is normally a good person getting into trouble one evening and becoming blacklisted. That would be a concern for him; however, he is not opposed to the City looking into the matter and having the discussion.

Jankovich asked if the proposed ordinance is in reaction to problems officers are experiencing with one establishment in particular, or if it is intended to mitigate future problems.

Schoen said the latter. Discussions with respect to this topic commenced before officers started experiencing problems with the one establishment.

Lewis asked how long the ordinance has been in effect in Madison, Wisconsin and what impact, if any, it has made.

Schoen responded that the ordinance has been in place for some time now. When something has been in place that long, it is difficult for governmental organizations to go back and point out the significant changes that have occurred.

Lewis wished to know how many communities have an unruly patron ordinance in place.

Schoen said he did not know offhand.

A consensus was reached among the Board to forward the matter to the City to continue dialogue and determine if a similar ordinance would be prudent for the city of Manhattan.

M. Crisis Intervention Team Response: At the January 17, 2012 Law Board Meeting, Carroll Hess briefed the board on the Crisis Intervention Team (CIT) model of handling individuals suffering from mental health issues and with whom Department employees (primarily officers) have occasion to contact during the course of their duties. As a result of the discussion, the Board asked Director Schoen to contact Pawnee Mental Health Director, Robbin Cole, and ask that she attend the February meeting to further the discussion. It was the consensus of the Law Board that it might prove beneficial to explore the concept and thought that the Department might serve as the catalyst to move the discussion to its formative stages. There was some sentiment that exploring the formation of the Crisis Center Inc. as a model by which to approach CIT might also prove beneficial.

Director Schoen engaged The Crisis Center's Director, Judy Davis, in a couple of discussions concerning the origin of the Crisis Center. In short, The Crisis Center was purely voluntary in 1978 and 1979 by citizens who set out to determine if domestic violence and sexual assault were problems in the area. Assuming the problems existed they began to look at services available for victims of these crimes. A needs assessment using a written survey was conducted reaching out to the 5 regional communities. The assessment revealed that domestic violence and sexual assault were pervasive and there was nothing available to meet the particular needs of the victims and survivors of domestic violence and sexual assault crimes. The group of volunteers and local government leaders later evolved into, and became known as, the "Domestic Violence Task Force" which eventually shaped The Crisis Center as a 501 c 3 organization.

Schoen said nearly all of whom he has spoken to agrees that a CIT program in Manhattan and Riley County would be of benefit to the community; however, funding will be an immediate issue. A CIT program would prove to be a valuable resource for officers who encounter individuals with mental illness, but he does not view it as a police driven initiative. While the Department would make use of the resources available, and while it is a component of some of the things that police departments do, it is only one component of the overall approach. When it comes to leading the development of whatever may come out of this process, the ball probably should not be in RCPD's court, mental health being outside the Department's area of expertise. But the Department can provide information to those who are subject matter experts in order to help them and community leaders come to some sort of conclusion.

The Board by and large agreed with Director Schoen's comments that it would not be appropriate for RCPD to lead in the development of a CIT Program. Individual Board member comments are as follows.

Jankovich commented that there is less and less capacity for handling individuals who suffer from mental illness. A lot of people end up in police custody that maybe should not be. He stated that the topic is worthy of further discussion at the Joint City/County Meeting.

Lewis stated that most contentious part of the process will likely be identifying funding for the program, which will be a challenge for everyone. However, he feels it would be wise to move forward with the discussion.

Wilkerson concurred with the comments made by Jankovich and Lewis.

Pepperd agreed with Director Schoen that the development of such a program lies outside the Department's realm of expertise. Funding will be an issue as a facility will be necessary, and resources will need to be available 24 hours a day, 7 days a week to those who suffer from mental illness.

McCulloh noted that the topic has been added to the next Joint City/County Meeting agenda for additional discussion. The Board had no objections.

N. Executive Session: At 12:37 p.m. Lewis moved to go into executive session for the purpose of discussing attorney client privilege and non-elected personnel matters not to exceed 10 minutes. Jankovich seconded the motion. The motion passed 5-0.

At 12:47 p.m. Lewis moved to return from executive session. Jankovich seconded the motion. The motion passed 5-0.

Lewis moved to approve the Rivera settlement as presented in executive session. Wilkerson seconded the motion. The motion passed 5-0.

O. Adjournment: Jankovich moved to adjourn the meeting. Lewis seconded the motion. The motion passed 5-0. The April 16, 2012 Law Board Meeting adjourned at 12:48 p.m.