

**RILEY COUNTY LAW ENFORCEMENT AGENCY  
LAW BOARD MEETING  
City Commission Meeting Room  
1101 Poyntz Avenue  
Manhattan, KS  
January 17, 2012 12:00 p.m.  
Minutes**

**Members Present:** Karen McCulloh Jim Sherow  
Barry Wilkerson Loren Pepperd  
Dave Lewis Wynn Butler

**Absent:** John Matta

**Staff Present:** Director Schoen Assistant Director Doehling  
Captain Hooper Captain Hegarty  
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.** Approve December 19, 2011 Law Board Meeting Minutes

**B.** Approve 2011 & 2012 Expenditures

a) 2011 Budget Expenditures

b) 2012 Budget Expenditures

c) Juvenile Transports

d) Seizure Expenditures

**C.** County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)

Schoen noted one correction to the 2011 budget expenditure list. Voucher #13053 should be listed payable to the Kansas Sheriffs Association not the Kansas Association of Chiefs of Police.

Lewis asked if the Department utilizes purchase cards like that of the County. Routinely the County receives money back for purchases made, which can add up to a fairly significant amount. The County is refunded several thousand dollars on a regular basis based on a percentage of the expenditures. If it is not a tool RCPD is currently utilizing he would highly recommend it.

Schoen responded that the Department does not utilize purchasing cards for expenditures. Assistant Director Doehling has been involved in discussions with County department heads about such cards. Schoen said he is aware of a number of cards available that have cash back or rebate options. The Riley County Police Department is fairly unique in that expenditures are approved at the monthly Law Board Meetings which could cause problems given the billing cycle of certain cards; however, he agreed that it would be worthy of investigating further.

Lewis moved to approve the consent agenda as amended. Pepperd seconded the motion. The motion passed 6-0.

#### **IV. General Agenda:**

**D. Additions or Deletions:** Director Schoen informed the Board that items L. and M. on the agenda were not needed as there were no attorney client privilege or non-elected personnel matters to discuss. He asked that the items be removed from the general agenda. The Board agreed to the change.

#### **E. Public Comment:**

**Carroll Hess, Manhattan Resident:** Mr. Hess briefed the Board on the Crisis Intervention Team (CIT) program. The CIT is a pre-booking jail diversion program designed to improve the outcome of police interactions with persons with mental illness. A document containing the specifics of the program and training available was provided to the Board. Hess urged the Board to work with the Director of RCPD to have staff attend the training program where officers would learn about mental illness, how to recognize individuals who suffer from mental illness, and how to handle such individuals so that they receive proper care rather than become part of the jail system. He would also like RCPD participation in the next CIT meeting.

McCulloh stated that she and Hess attended a recent CIT meeting. Representatives from the Riley County Police Department, Junction City Police Department and other agencies were present. The guest speakers were from Johnson County and were very enthusiastic having attended the CIT training. She explained that Johnson County is a little different in that they have the KU Medical Center to work with when caring for individuals with mental illness. However, the mental health issue is going to be one that will be ever growing and she feels discussions should continue concerning the program.

Schoen stated that the topic has been the subject of a considerable amount of discussion over the years as a result of the changes made to the mental health system by the state. He has, on a couple of occasions, discussed the matter with Mr. Hess and Pawnee Mental Health Service Executive Director Robbin Cole. In his estimation, the true issue is one of funding. Crisis intervention programs are quite successful in places such as Wichita and Kansas City. Funding to local mental health care providers is driven in large part by population. Money goes to those jurisdictions with the preponderance of the population, which of necessity then means that areas such as Manhattan and Riley County does not have as much funding. In the alternative, RCPD has provided internal training to employees on how to recognize those with mental illness and how to treat the individuals they encounter.

Schoen added that the Department tends to rely on the state statues when encountering those with a mental illness. When an officer encounters an individual with a mental illness the officer has to determine whether he/she is of danger to themselves or others. If they are, the individual is taken into protective custody and transported to Pawnee Mental Health Service where he/she is evaluated. If it is determined that the needs of the individual rise to the level that they require additional care or treatment they are transferred to the state hospital.

Schoen explained that his struggle with the CIT program as a concept has nothing to do with whether or not the Department can commit officers to attend the training. The Department could commit the resources to the training, but to get enough that there is at least 1 trained officer on duty all of the time would require that at least 8 to 10 officers attend. Of course, when there is turnover

the Department would need to commit to sending officers to the training on a regular basis. The more important question to answer is once trained, what will happen as an outcome when officers encounter individuals with mental illness? If there is a CIT system in place to help address the problem then it will be a success. If on the other hand, there is no funding for the program then the Department falls back into the system that is now in place. It does not make sense to keep training officers in a program that does not exist. The matter needs to be addressed from a holistic perspective. Multiple departments need to be on board to include RCPD, Pawnee Mental Health Service and Mercy Regional Health Center. Moreover, there needs to be funding and support behind the program. This could devolve rather rapidly into a political decision on the part of elected officials as to whether they are willing to fund the program and where the funding will come from. To the extent that it is possible for RCPD to take the program on and make it a go is unrealistic.

Butler concurred with Director Schoen. The CIT program appears to be a good program, but there needs to be support behind it. To train officers first and not have a complete program in place would be counterproductive.

Wilkerson stated that there are proposals for a diversion program on mental illness, but there has to be funding from the state to help address the issue. Pawnee Mental Health Service has taken a number of budgetary cuts over the past several years. Resources need to be made available to make the CIT program work.

Sherow said this is the first he has heard of the CIT program. It would help him a great deal in making a decision regarding the correct approach if he were to have more information. He would like to know the cost/benefit ratio in terms of dealing with individuals with mental illness in the jail system opposed to through the mental health care system. Aside from the pure humanitarian aspect of dealing with those with mental illness, he would like to know what the cost/benefit ratio would be the way it is handled now compared to the way it might be done if officers were CIT trained.

Schoen suggested inviting Cole to a future Law Board Meeting at which time they could take the matter up again, and possibly answer some lingering questions he and the Board might have. He also would invite Mr. Hess back to participate in the discussion if he desired. Perhaps at that time they could come to some conclusion about how the Board would like the Department or local elected officials to approach the matter.

The Board agreed with the recommendation.

**Ronald Goering, Blaine, Kansas Resident:** Mr. Goering provided the Board with a letter documenting negative encounters that he and area residents have had with RCPD over a 7 year period. According to Goering those encounters include officers issuing false citations and threats of false arrests, to name a few. He provided the Board with his contact information and asked that they help to resolve the issue.

**F. Community Advisory Board Update:** Riley County Police Department Community Advisory Board (CAB) Chairman Jerry Boettcher briefed the Law Board on CAB activities to date. He explained the composition of the CAB. Members are appointed for a term of 3 years with no more than 1/3 of the terms to expire each year. The CAB strives to have members on the Board representing various groups within the community. Newly appointed members of the CAB include Scott Emley, not-for-profit organization representative, Don Slater, south county representative, and Mario Morales, minority representative.

Boettcher informed the Board and public that CAB meetings are now held at 11:30 a.m. on the first Tuesday of each month at Paddy O'Quigley's in the Clarion Hotel. Guest speakers are routinely invited to attend monthly meetings. Recent guest attendees include Manhattan Broadcasting News Director Cathy Dawes, and KMAN Program Director Erik Stone. Bimonthly updates are provided by the CAB Website and Communication Committees. The focus of the Communication Committee is to meet with civic and service organizations, make citizens aware of the existence of the Community Advisory Board, and communicate community issues to RCPD.

**G. 2013 Budget Preparation Timeline:** The Board was provided the 2013 Budget Preparation Timeline developed in accordance with the statutes of the Riley County Police Department and the Riley County Law Enforcement Agency. Director Schoen recommended the Board adopt the timeline as a plan to move through the budget process for the coming year. He noted that there was interest among the Board to start the budget process earlier this year. As a result, McCulloh and Butler have agreed to represent their respective governing bodies by attending preliminary budget meetings with RCPD administration.

**H. RCLEA Meeting Schedule:** At the December 19, 2011 Law Board Meeting it was asked that Director Schoen return with alternate meeting dates and times that would meet the needs of the Board as well as the public who wish to provide input. A memo offering alternate dates and times in which the City Commission Meeting Room was available was provided to the Board as part of their packets. Following some discussion among the Board the decision was made to continue with the current meeting schedule.

**I. 2011/2012 RCPD Goals:** Director Schoen wanted to inform the Board that given the timing of the January Law Board Meeting a review of the 2011 goals and proposed 2012 goals will be provided at the February meeting.

Pepperd expressed his desire to have a 2012 goal that addresses the increase in major crimes in the area. He is becoming more and more concerned with the increase in assaults and shootings that have occurred as of late.

Schoen said that he is equally concerned. He and the Command Staff have had discussions about how the Department is structured internally, how cases are investigated, and how information is disseminated across divisions in an effort to address the growing issue. He had Captain Moldrup obtain homicide statistics for the last 20 years. In the past 3 years there were 12 deaths due to homicide. To have 12 homicides in 3 years has not happened before. Director Schoen reviewed those cases with an eye toward finding a common theme. At issue is how to go about reducing these serious crimes as a matter of policy or procedure. This proves difficult because thematically issues like gang activity, drug related shootings, or turf war homicides are not present. Rather it appears these homicides are more directly linked to issues such as intoxicated individuals who become involved in physical altercations, domestic violence related cases, individuals with mental illness, etc. The Department continues to thoroughly review those cases in an attempt to deal with the variety of inputs that cause those types of crimes, and is currently considering organizational changes which may help.

**J. Consolidated Dispatch:** Captain Moldrup announced that consolidated dispatch is up and running. After the first of the year the Department began dispatching for Emergency Medical Services (EMS). As of Monday, January 9, 2012 RCPD began dispatching for Fire Services. Five

additional dispatchers were hired to meet the need of consolidated dispatch. The Department has 1 dispatch position dedicated 24 hours a day, 7 days a week to answer EMS and fire calls. He noted that the working relationship between RCPD and the other agencies has been phenomenal. The education provided, and patience of the other agencies has been a tremendous help to RCPD dispatchers. With all things considered, the process is going very well. There were a few bumps in the road, as there are when implementing new procedures, but the issues have been ironed out fairly quickly. There is no doubt that the public will benefit from this service. Riley County Police Department Communication Center Manager Diane Doehling is to be credited for her hard work in getting consolidated dispatch up and running efficiently.

**K. Fake Patty's Day:** The subject of Fake Patty's Day was once again the topic of discussion at the City Commission Meeting held on January 10, 2012. Director Schoen said it was clear coming out of that meeting that the recommendation developed by the Aggieville Safety Committee was not something that the City Commission wanted to implement right away, but first wanted bar owners, City Staff and RCPD to engage in a conversation about how to work together to improve the event. Assistant City Manager Lauren Palmer has organized a meeting among those groups. The Department has begun processing internally what changes can be made this year versus last year to better handle the event. Captain Hegarty was present to brief the Board on the changes.

Hegarty explained that the plan to handle the event this year is a variation of the 2011 plan. This year the community will see more police presence in the residential neighborhoods surrounding Aggieville. Walking patrols, bicycle and motor vehicle patrols will also be assigned to those neighborhoods beginning at 7:00 a.m. on Fake Patty's Day. The area of Aggieville will be closed to vehicular traffic. In addition there will be an increase in officers assigned throughout the City, throughout the day. He noted that the final plan has not been set at this time.

**Jeff Koenig, Manhattan Resident:** Mr. Koenig expressed his concerns with the overflow of inebriated Fake Patty's Day participants into the neighboring residences. He described his personal encounters with those who were intoxicated. On one occasion a highly inebriated female without identification was found nearly unconscious, vomiting in a prone position on Mr. Koenig's front porch. On a separate occasion an intoxicated man from Missouri attempted to break down the front door and enter Koenig's home. He also witnessed a male physically hit a woman in the head with his elbow while standing in Koenig's front lawn.

In an effort to bring a focus to the issues faced by the neighboring Aggieville residences he decided become more involved, and became a member of the Aggieville Safety Group. Koenig emphasized the need to address the apparent threat to individual safety and destruction of private property. He would like agencies; state and municipality assist RCPD in blanketing the city with enough enforcement to effectively shut down the event. Further, he would like them to get word out via social networking sites that Manhattan is no longer a good time for those who come from out of town to participate in what has effectively become a binge drinking event.

**Tim Fitzgerald, Aggieville Business Association (ABA) President:** Mr. Fitzgerald explained that during the past year Aggieville bar owners have taken a great number of actions to better the event. The failure on the part of the bar owners was not in the action, but rather in the communication of those actions. Over the past year, bar owners made additional port-a-potties available in Aggieville, installed additional trash receptacles around the district and at their own expense provided pallets of

bottled water and packaged food goods to help lower intoxication levels. In addition, local establishment staff cleaned up the sidewalks following the event.

The ABA continues to work with RCPD and the Manhattan Fire Department to provide a safer environment for people in the Aggieville business district. He feels they have made a concerted effort to address some of the issues raised during discussions concerning Fake Patty's Day. The Riley County Police Department does a tremendous job, and he credits the officers for how they handle the situation. However, in the process of doing a good job in Aggieville the problem has squeezed out into the neighborhoods. He feels that a large part of the mayhem in and around Aggieville is from visitors attending the event who have no stake in the community. The event has grown exponentially. Businesses in Aggieville would love to provide more of a festival environment. They continue to work with RCPD in an effort to manage what he refers to as a growing beast.

Butler suggested RCPD and Aggieville bar owners utilize social media to communicate the laws and what the expectations are of those participating in the event.

**Ryan Bramhall, Manhattan Resident:** Mr. Bramhall stated that Fake Patty's Day is not an isolated event. He has witnessed similar drinking behavior to that of Fake Patty's Day during home football game days. Aggieville bar owners do what they can to inform patrons of local laws. He agreed that bar owners who have a website or Facebook page could certainly post additional information about the event to better inform the public.

**L. Adjournment:** Wilkerson moved to adjourn the meeting. Sherow seconded the motion. The motion passed 6-0. The January 17, 2012 Law Board Meeting adjourned at 1:33 p.m.