

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Government Office
222 S. Broadway
Riley, KS
July 16, 2018 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Mike Dodson
Usha Reddi Ben Wilson
Barry Wilkerson

Absent: Marvin Rodriguez BeEtta Stoney

Staff Present: Director Schoen Assistant Director Moldrup
Captain Fink Captain Hooper
Captain Kyle Captain Hegarty
Captain Woods

- I. **Establish Quorum:** By Chairman Beardsley at 12:00 p.m.
- II. **Pledge of Allegiance:** Director Schoen led the Law Board in the Pledge of Allegiance.
- III. **Consent Agenda:**
- A. Approval of June 18, 2018 Law Board Meeting Minutes
 - B. Approve 2018 Expenditures/Credits
 - C. Juvenile Transport Reimbursement
 - D. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
 - E. Riley County Jail Average Daily Inmate Population- (*Review*)
 - F. Monthly Crime Report- (*Review*)

Wilson noted one correction to the June 18, 2018 Law Board Meeting minutes. Page five of the packet, paragraph nine should read “He explained that the County has delved further into their budget process and they anticipate increases to purchase emergency radios and *to fund additional ambulance department expenses, an ambulance*, to name a few.”

Dodson moved to approve the consent agenda as amended. Wilkerson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

IV. **General Agenda:**

G. **Additions or Deletions:**

Reddi moved to table item K. (Kansas Statute 19-4427) on the General Agenda and discuss the topic at a future Law Board Meeting. Wilson seconded the motion. Beardsley polled the Board and the motion

passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

Schoen wished to add an Addendum to the Riley County Mental Health Co-Responder Project Cooperative Memorandum of Understanding (MOU) between the Riley County Police Department (RCPD) and Pawnee Mental Health Services as item K. on the General Agenda.

Moldrup explained that RCPD, in cooperation with Kansas State University and Pawnee Mental Health Services, is proposing an internship program to provide mental health services to inmates in the jail. The document is an addendum to the existing Mental Health Co-Responder MOU.

Dodson moved to approve the addition of item K. as described. Wilson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

H. Public Comment: None.

I. Fraternal Order of Police Lodge #17 Comments: Brian Johnson, President, Fraternal Order of Police (FOP) Lodge #17, stated that he was pleased that the City of Riley could host the July Law Board Meeting. Hopefully residents found it more convenient to attend. He added that in keeping with the commitment of the Lodge to help the community, they have devoted \$500.00 to the Flint Hills Breadbasket through two charitable fundraisers that will be held later in the year.

J. Board Member Comments: Wilson stated that he was contacted by a constituent with a question regarding police presence near Pillsbury Crossing. According to the individual, there have been numerous motorists in and around the area traveling at high rates of speed on gravel roads, one of which resulted in a rollover accident. The individual requested increased police presence at Pillsbury Crossing during the summer months.

Schoen thanked Wilson for bringing the concern to his attention. He will coordinate with Captain Fink to increase police presence in the area.

Reddi stated that she and Mayor Linda Morse attended the Human Trafficking Conference held on Wednesday, July 11, 2018. They plan to continue dialogue with city staff and commissioners to see what can be done to make the community a safer place. Reddi commended Wilkerson and those who assisted him with organizing the conference.

In the interest of transparency, Reddi requested the Department provide the public with an option to subscribe to an email alert service to receive notices of upcoming Law Board Meetings, agendas and packet materials.

Schoen agreed to research the matter and report back to the Board.

Dodson asked that issues pertaining to the firing range, with the exception of that which is to be released by the county, be brought to the Law Board first so that they are better informed.

Wilkerson thanked Reddi for her earlier comments regarding the Human Trafficking Conference. He agreed that work needs to continue in that area.

K. Addendum to the Riley County Mental Health Co-Responder Project Cooperative Memorandum of Understanding: Director Schoen explained that the addendum allows Pawnee Mental Health Services to employ a licensed Qualified Mental Health Professional (QMHP) to provide ten hours of services a week at the Riley County Jail (RCJ) effective July 16, 2018. The internship ends April 26, 2019. Hunter Stanfield, who is completing a PhD internship in Marriage and Family Therapy will be under the clinical supervision of Pawnee Mental Health Services and work under the same understanding as outlined in the MOU. The Department will reimburse Pawnee Mental Health Services at a rate of \$13.50 per hour. Job duties include:

- Provide intake and assessment of inmates per request of RCJ administration.
- Provide individual and group treatment consistent with treatment plan.
- Collaborate and consult with other professionals on behalf of inmates served.
- Collaborate appropriate services for inmates who will be released from RCJ.

Reddi requested that future topics, specifically those requiring Law Board approval, be added to the meeting agenda in advance and included in the packet.

Dodson inquired about an indemnification clause.

Schoen responded that the intern will be subject to the same provisions outlined in the MOU. He asked Riley County Law Enforcement Agency (Law Board) Attorney Michael Gillespie to elaborate on the matter.

Gillespie explained that there aren't any specific indemnification provisions in the MOU, chiefly due to the fact that the Qualified Mental Health Professional and Mental Health Co-Responders participating in the project are employees of Pawnee, not RCPD. He recalled discussion took place regarding naming each other on the respective insurance policies; however, Pawnee was not in favor of doing that. As far as an indemnification procedure, because those participating in the project will be covered under Pawnee's insurance, it was believed that an indemnification provision would not be needed. In his opinion, under the police department's existing liability policies, if the employee were deemed to have committed an act on behalf of RCPD and not Pawnee, the police department's policy would cover it.

Should the Board approve the internship, Chairman Beardsley requested the Department return to the Law Board in approximately ninety days with a report on the progress and value of the program.

Dodson moved to approve the Addendum to the Riley County Mental Health Co-Responder Project Cooperative MOU between RCPD and Pawnee Mental Health Services. Wilkerson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

L. Policy Discussion: Director Schoen explained that the Riley County Police Department is accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA). The

Department has maintained its accredited status through on-site assessments performed by CALEA every three or four years. The next on-site assessment is scheduled for late 2020.

Schoen explained that to remain accredited, RCPD must demonstrate that it has met an established set of professional standards through the development of department policies. A 6th Edition Standards Manual was recently released by the Commission, with which accredited agencies must comply. However, some flexibility is afforded to agencies regarding when they want to transition to the new edition. Schoen stated that it would be rather cumbersome to have two different record keeping systems and switch to the new edition in the middle of an accreditation process. Therefore, RCPD administration has decided to switch to the 6th Edition Standards Manual following the on-site in 2020.

Schoen noted that the delay in transitioning to the CALEA 6th Edition Standards Manual will have an impact on the Department's policy manual. While relatively minor policy changes are of no concern, wholesale changes or reorganization of the policy manual would prove problematic prior to the on-site and should wait until the Department transitions to the 6th Edition Standards Manual.

Dodson inquired about the process for Law Board members to recommend policy changes.

Schoen explained that not all policies are tied to CALEA and developing a new one would not be particularly problematic. With regard to other minor policy changes, if the Board were to reach a consensus on the topics they wanted to address, administration could put something together and bring it back for approval.

Reddi suggested with respect to future Law Board Meeting agendas, that RCPD administration include a brief cover memo for each topic requiring discussion and/or possible action.

M. Johnson County Sheriff's Office Criminalistics Laboratory Agreement: Captain Hegarty briefed the Board on the agreement between the Johnson County Sheriff, Riley County Law Enforcement Agency and Riley County Police Department. He explained that the Department typically submits evidence for forensic examination to the Kansas Bureau of Investigation (KBI). Recently, the individual responsible for completing a specific type of forensic analysis retired from the KBI and the position has yet to be filled. As a result, RCPD would like to enter into an open-ended agreement with the Johnson County Sheriff's Office for assistance with forensic examination of evidence, when needed. The Riley County Police Department will continue to send evidence to the KBI for examination. However, due to the timeliness of this particular piece of evidence, which involves an ongoing court case with the Riley County Attorney's Office, the Department is seeking assistance from the Johnson County Sheriff's Office.

Gillespie addressed the indemnification language contained in the agreement. He requested modifications to the indemnification clause to which the Johnson County Sheriff's Office politely declined. He informed the Board that the benefit grossly outweighs any risk associated with the clause. Therefore, he was comfortable with the inclusion of the indemnification language and recommended approval of the agreement.

Reddi requested RCPD administration periodically update the Board on use of the Johnson County Sheriff's Office Criminalistics Laboratory and costs associated with said use.

Wilkerson moved to approve the agreement between the Johnson County Sheriff, Riley County Law Enforcement Agency and Riley County Police Department. Dodson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

N. Service Building expansion Update: Captain Hooper reported that on July 6, 2018, RCPD held a pre-construction meeting with those involved in the service building expansion project. The contractor is scheduled to break ground on July 30, 2018. Per contract, expansion of the service building will be a 120-day project. Employees have been informed to anticipate a significant impact on parking and traffic flow in the south parking lot of the law enforcement center.

Beardsley inquired about the total cost of the project.

Hooper replied that the project is expected to cost between \$435,000 and \$450,000.

O. Director Selection Process: Chairman Beardsley reported that McGrath Human Resources Group (McGrath) was on-site July 11-14, 2018 to conduct multiple focus groups and two community meetings. Participants of the meetings discussed the needs of the community and what they would like to see in a new director of the police department. The Director Search Committee (Committee), with assistance from McGrath, will draft the final position description and advertise for the position nationally. The deadline to submit an application will be late August.

Following the application deadline, top candidates will be identified and invited to participate in an Assessment Center Exercise conducted by McGrath and scheduled for September 17-19, 2018. During that time, a public forum will also be held. At the conclusion of the Assessment Center, the Committee will receive a list that ranks the candidates from the top candidate to the lowest, and candidates not recommended by the assessment team. The Committee will recommend approximately four finalists to the Law Board for consideration. The goal is to have the new director identified by mid-September or early October.

Reddi added that the Committee plans to have the job description posted by July 30, 2018. She urged members of public to reach out to those they believe would be a good fit for the community and might be interested in applying for the position, even if they do not reside in Kansas.

P. Executive Session: At 1:10 p.m. Wilkerson moved to recess into Executive Session until 1:15 p.m. for the purpose of discussing non-elected personnel matters. Dodson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

At 1:19 p.m. the open meeting reconvened.

Wilkerson moved to return to executive session until 1:49 p.m. for the purpose of discussing non-elected personnel matters and attorney client privilege. Dodson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

At 1:50 p.m. the open meeting reconvened.

Wilkerson moved to return to executive session until 2:05 p.m. for the purpose of discussing non-elected personnel matters. Dodson seconded the motion. Beardsley polled the Board and the motion passed with Wilson, Reddi, Dodson, Wilkerson and Beardsley voting in favor, and no one voting against. The motion passed 5-0.

At 2:09 p.m. the open meeting reconvened.

Q. Affirmation or Revocation of Discipline: None.

R. Adjournment: The July 16, 2018 Law Board Meeting adjourned at 2:09 p.m.