

Program for 2018. With the help of donations from the community and Riley County Police Department (RCPD) employees, the FOP was able to help seventy-five children.

Johnson referred to a recent article in the Manhattan Mercury that highlighted the invaluable service provided by RCPD dispatchers. He took a moment to thank all RCPD dispatchers for their hard work.

J. Board Member Comments: Chairman Beardsley publically thanked Director Schoen for his leadership and service to the RCPD, Law Board, and citizens of Manhattan and Riley County. He wished Director Schoen the very best of luck in his retirement.

Dodson echoed the sentiments voiced by Chairman Beardsley. He stated that as a consolidated agency, RCPD is very unique. The Director has multiple bosses (Law Board, City Commission, County Commission, etc.). The Law Board and community ought to be proud of the men and women of RCPD. The citizens of Manhattan and Riley County enjoy a safe community, which is not by accident. It takes a lot of hard work to make it happen.

K. Kansas Commission on Peace Officers' and Standards Commission Member Recognition: Director Schoen was presented with a plaque from Kansas Commission on Peace Officers' Standards and Training (KS CPOST) Executive Director Gary Steed. The plaque was in recognition of Schoen's years of service as a Commissioner on KS CPOST and to denote his retirement from the RCPD.

After a thirty-six-year career in law enforcement, Schoen thanked everyone, especially his wife, Susan, for their continued support. He commented that he has had the great good fortune of working through life with his best friend.

L. Promotion Announcement: Director Schoen and Assistant Director Moldrup announced the promotion of Tyler Siefkes to the position of Communication Center Manager. Tyler was accompanied by his wife, Brianna and two children, Jordyn and Kennedy.

Director Schoen and Assistant Director Moldrup announced the promotion of Corporal Richard Deutsch to the position of Police Sergeant. Richard was accompanied by his wife, Kathy who assisted Director Schoen with the pinning.

Director Schoen and Assistant Director Moldrup announced the promotion of Police Sergeant Brad Ingalls to the position of Lieutenant. Brad was accompanied by his wife, Kristi who assisted Director Schoen with the pinning.

M. Community Advisory Board Update: Gina Scroggs, Chairperson, Community Advisory Board (CAB), briefed the Law Board on CAB activities to date. Scroggs stated that 2018 was the "year of learning" for the CAB. Throughout the year, the board received detailed information regarding programs offered by RCPD, which allowed the membership to speak in an articulate manner with the public when concerns were raised.

In addition to public comment, the CAB routinely receives updates from RCPD administration. In July, Assistant Director Kurt Moldrup and Captain Derek Woods briefed the CAB on video visitation;

a new service that is offered to inmates in addition to face-to-face visitation. In August, a presentation was given on the Joint Active Violence Training that RCPD conducted in collaboration the school district, emergency services and other agency personnel. Briefings concerning the director selection process, RCPD range, and various promotions within the department were also provided to the CAB.

Efforts have been made to have a membership that represents a cross-section of the community with individuals from a variety of businesses, geographic and cultural communities. Scroggs stated that since July, Corbin Sedlacek with the Kansas State University Student Governing Association, and Maria Morrison who has a thirty-year background in law enforcement were appointed to the CAB. Scroggs noted that for the first time, the CAB has two prospective members eager to serve on the board when a position becomes vacant.

Chairperson Scroggs, along with past and present CAB members, presented Director Schoen with a “Chief Emeritus” baseball cap as a token of their appreciation for his service as an ex officio member of the board.

N. RCLEA 2019 Meeting Resolution: Wilkerson moved to approve Resolution 19-02, RCLEA Meeting Schedule as presented. Dodson seconded the motion. Beardsley polled the board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

The 2019 schedule of Law Board Meetings is as follows:

January 22, 2019 (Tuesday)	July 15, 2019
February 19, 2019 (Tuesday)	August 19, 2019
March 18, 2019	September 16, 2019
April 15, 2019	October 21, 2019
May 20, 2019	November 18, 2019
June 17, 2019	December 16, 2019

O. Ka-Comm. Inc. Maintenance Agreement: Captain Kyle explained that the Ka-Comm. Inc. Maintenance Agreement is renewed annually to maintain the department’s police radios and related equipment. There is no increase in the proposed 2019 maintenance agreement over the 2018 agreement. He recommended board approval.

Dodson moved to approve the Ka-Comm. Inc. Maintenance Agreement. Reddi seconded the motion. Beardsley polled the board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

P. Grant Funding for Victim Assistance Coordinator: This topic was postponed until the January 22, 2019 Law Board Meeting.

Q. Law Board Ad Hoc Committee Report: In October 2017, the Law Board established a special “ad hoc” committee to address claims of racial disparities in marijuana arrests in Riley County, specifically among African Americans, voiced by the Manhattan-Riley County Coalition for Equal Justice (CEJ) and Manhattan Alliance for Peace and Justice (MAPJ). Cited as one of their sources, the

June 2013 report by the American Civil Liberties Union titled “The War on Marijuana in Black and White,” examined marijuana arrests rates for blacks and whites across the country. The report stated that blacks are three times more likely than whites to be arrested for marijuana possession in Riley County based on FBI arrest statistics and unadjusted census data.

The Ad Hoc Committee (membership listed below), was charged with determining if the disproportionate marijuana arrest rate is due to racial bias in policing practices or other variables, and preparing a report to be presented to the Law Board and public which may include recommendations for future actions.

Will Chernoff, Manhattan Alliance for Peace and Justice
Mike Dodson, City Commission and Law Board
Brian Johnson, Fraternal Order of Police
Jonalu Johnstone, Manhattan Alliance for Peace and Justice
Josh Kyle, Captain, Riley County Police Department
Corey Leavell, Community Advisory Council
Marvin Rodriguez, County Commissioner and Law Board
Brad Schoen, Director, Riley County Police Department
BeEtta Stoney, KSU Prof and Law Board

Based on public comment, the committee was particularly concerned about marijuana arrests which occurred during traffic stops, especially those stops which occurred for minor violations. Dodson, Chairman of the Ad Hoc Committee, explained that the committee began by reviewing marijuana arrest data for 2014 and 2015. From 2014 to 2015, Riley County police officers made 332 arrests (261 cases) for marijuana possession. Of the 261 cases, 46 occurred during traffic stops. Forty of these stops occurred for what the committee deemed were minor traffic infractions rather than traffic safety reasons. Minor infractions ranged from such driving behaviors as failing to properly signal to equipment violations (e.g. brake/taillight out). These 40 cases were redacted to remove the name of the person(s) arrested along with their identifying information to include race. All 40 of these cases were then printed and read by each committee member. Each case was discussed at length.

An initial review of the 40 reports revealed 5 cases which merited additional examination. After discussion the committee determined that these 5 cases were conducted according to established RCPD guidelines and did not represent a concerning pattern or practice by RCPD officers.

Brian Johnson, Member, Ad Hoc Committee, explained that the committee diligently reviewed every case involving stops for minor violations and found no concerning patterns of officer behavior or exceptions made to the law or established RCPD policies in any singular case. The committee found that of the 261 marijuana arrest cases, 40 involved traffic stops for minor violations. These stops largely occurred in locations where traffic problems, calls for service, and reports of criminal activity are prevalent. These locations were spread throughout the City of Manhattan and did not appear to concentrate in demographically specific neighborhoods. In every case, officers relied upon probable cause to search vehicles for drug activity rather than asking for consent. Intelligence information overtly accounted for 5% percent of the cases, but may have been a factor in other cases. Eighty-five percent of the cases occurred during the hours of darkness.

Johnson further explained that African Americans represented 29.2% of persons arrested/cited for marijuana possession in 2014/2015. That percentage dropped to 25% when looking at stops for minor traffic violations. Based on the cases examined, there was no evident pattern of officers targeting minorities for stops by means of minor traffic violations. Seventy percent of the cases occurred during times when officers attempt to detect and deter intoxicated driving. The pattern of daytime/nighttime traffic stops remained about the same for whites and minorities. Five percent of the cases examined involved persons who were arrested for reasons other than drugs (e.g. DUI). They were then found to be in possession of marijuana at the time of arrest. The committee found no singular incident or concerning pattern of practice of racial bias in RCPD's enforcement practices, as they pertain to stops for minor traffic violations.

Johnson said that from a committee and policing standpoint, this is an issue of concern. It is unknown exactly what is creating the disproportionate number of arrests for marijuana; however, the police department is grateful for the MAPJ and their continued vigilance to ensure that the agency is not conducting itself in a racial bias manner. Officers and employees of RCPD try to be aware of the perceptions of the community. The department continues to train and encourage officers to use the principles of procedural justice when engaging the public. Research for procedural justice programs states that these efforts should go a long way in reducing perceptions about racial bias during police/citizen encounters.

Reddi thanked the Ad Hoc Committee for their work in attempting to address the issue. She felt that there was some authenticity in the way the committee approached the subject. However, she found the African American stop percentage of 25% to be concerning for a community with an African American population of only 5.5%. She also voiced her concern with the level of officer discretion that is afforded when deciding whether to issue a citation or warning to motorists who are pulled over for a traffic violation. She explained that there could be instances in which the officer's implicit bias unintentionally causes him/her to be more lenient to a certain population over others.

Jonalu Johnstone, Member, Ad Hoc Committee, extended her appreciation to the Law Board for establishing the committee. She agreed with the comments made by Reddi with respect to the African American stop rate. She added that there is a lot that remains unknown with respect to arrests for marijuana possession that are not the result of a traffic stop. The committee was looking very narrowly at minor traffic stops and asking whether the officer's actions were reasonable within the law, but there are issues that remain and need to be looked at.

John Exdell, Member, MAPJ and CEJ, echoed the comments made by Johnstone. He explained that the report does not address the treatment of minorities once they are stopped for minor traffic violations, however minor they might be. He wished to know if based on race, different treatment is given to those who are stopped. Exdell stated that the MAPJ continues to have grave doubts about the equitableness of police stops with respect to these issues. He proposed Charles Epp, University of Kansas Professor and Author of the book "Pulled Over, How Police Stops Define Race and Citizenship," be granted the opportunity to review and provide comment on the final report presented by the Ad Hoc Committee.

Stoney thanked members of the Ad Hoc Committee and MAPJ for providing comment and asked that they remain patient as the Law Board and RCPD continue to look at this issue. She explained the very

thorough process in which the Ad Hoc Committee studied the matter. She clarified that the committee was tasked with determining if the disproportionate marijuana arrest rate (resulting from minor traffic stops) was due to racial bias in policing practices or other variables. The committee objectively examined a lot of information in only one year, which is a good start. They will continue to work together to ensure that the citizens of Manhattan and Riley County are being treated fairly and equitably.

R. Director's Contract: Wilkerson moved to authorize the Law Board to enter into a contract with the new director of the Riley County Police Department. Stoney seconded the motion. Beardsley polled the board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

S. Executive Session: At 1:24 p.m. Wilkerson moved to recess into Executive Session until 1:42 p.m. for the purpose of discussing non-elected personnel matters and attorney client privilege. Stoney seconded the motion. Beardsley polled the board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

At 1:42 p.m. the open meeting reconvened.

T. Affirmation or Revocation of Discipline: None.

U. Adjournment: Reddi moved to adjourn the meeting. Stoney seconded the motion. Beardsley polled the board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0. The December 17, 2018 Law Board Meeting adjourned at 1:42 p.m.