

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
September 16, 2019 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Mike Dodson
 Linda Morse Marvin Rodriguez
 BeEtta Stoney Robert Ward
 Barry Wilkerson

Absent:

Staff Present: Director Dennis Butler Assistant Director Kurt Moldrup
 Captain Rich Fink Captain Erin Freidline
 Captain Tim Hegarty Captain Josh Kyle
 Captain Derek Woods

Recorder: Lisa Hafliger

- I. Establish Quorum:** By Chairman Dodson 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 August 19, 2019 Law Board Meeting Minutes
 - B.** Approve 2019 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 & Trends – (*Moved to General Agenda for Briefing*)

Chairman Dodson shared that Item A needs to be amended as Craig Beardsley was not present for the executive session at the last meeting.

Morse inquired about the monthly inmate report and why the population was up by ten for the month of August. Director Butler shared that they were housing federal inmates and they have since been transferred.

Ward inquired about the increase in the number of juveniles that were transported. Captain Woods shared that there just happened to be that many juveniles that needed to be transported during that reporting period.

There was no public comment. Morse moved to approve the Consent Agenda with the corrections to the minutes. Beardsley seconded the motion. Chairman Dodson polled the board and the motion passed with Wilkerson, Rodriguez, Morse, Stoney, Ward, Beardsley, and Dodson voting in favor, and no one voting against. The motion passed 7-0.

IV. General Agenda:

G. Additions or Deletions: None.

H. Public Comment: None.

I. Board Member Comments: Morse shared that the crime rate for Manhattan/Riley County is lower than the state and national averages. She commented that it is a good place to be and it is great for the community.

Chairman Dodson remarked that the RCPD, Emergency Medical Services (EMS) and Fire Department were all well represented at the 9/11 Remembrance Ceremony last week. It is his hope that they continue to build on the ceremony as he appreciates all that they do.

J. Promotion Announcement Evidence Supervisor Roxanne Peterson: Director Butler and Assistant Director Moldrup announced the promotion of Roxanne Peterson to the position of Evidence Supervisor. Roxanne Peterson has served the RCPD and the citizens of Manhattan and Riley County since 2005. Prior to her promotion, Roxanne served in many capacities to include: Intern (2005), Police Officer (2006-2009), Evidence Technician (2009-2012); Records Management Systems Technician (2012-2019). Roxanne's husband, Adam Peterson, and her parents were in attendance.

K. Community Advisory Board Update: Lewis Smith, Chairman, RCPD Community Advisory Board (CAB), briefed the Law Board on CAB activities to date. He explained that the CAB is in the process of revamping the direction they wish to go. Members continue to focus on educating the community on the function and purpose of the CAB. He encouraged members of the community to contact the CAB or the Director of the RCPD with any issues or concerns they may have. The CAB meets the first Tuesday of each month at Bluestem Bistro, 1219 Moro, Manhattan, at 11:30 a.m.

Morse stated that she previously attended the meetings and found it extremely informative. She encouraged others to apply to serve on the CAB.

L. RCPD Firearms Range Planning Update: Captain Kyle shared that he previously met with Riley County Commissioner John Ford to brief him on the RCPD firearms range and answer questions. Kyle added that TRS Range Services and county staff continue to work on the site plan for the range.

Director Butler added that the department will continue to update the Law Board monthly regarding the progress of the range as the deadline of early spring is approaching.

M. Approval of Special Order 2018-016 Emergency Response Unit- Unmanned Aerial Systems (Drone) Team: Assistant Director Moldrup explained that the RCPD began a pilot program a

little over a year ago for the drones prior to establishing a formal policy regarding operating procedures. Presented to the board as part of their packets for approval was RCPD policy 46.2.01 Emergency Response Unit- Unmanned Aerial Systems (Drone) Team. Moldrup stated that the department has and intends to continue using drones during natural disasters (e.g., floods), searching for missing persons or fugitives, serving warrants and mapping crime/accident scenes, etc. However, prior to deploying the drones, the captain of the patrol division would need to approve the request. If there is a location that the drone would need to go that would require a search warrant, the officer would need to get a search warrant to use the drone. The department follows the Federal Aviation Administration (FAA) regulations and all drone pilots have been trained.

Sergeant Doug Wood, UAS Team Leader, was present to answer questions.

Ward sought clarification regarding the types of situations in which a warrant would be needed to deploy the drones.

Assistant Director Moldrup indicated that it can be complicated. In essence, the drone is an extension of the officer's eyes; therefore, similar regulations apply. If an officer would typically need a warrant to view something, a warrant would be needed for the drone as well.

Director Butler stated that the RCPD would err on the side of caution and obtain a warrant so that evidence is not lost.

Beardsley inquired about the possibility of using the drones outside of the jurisdiction (if requested), and how that would impact insurance or the authorities of the operator.

Director Butler responded that if they were to deploy a drone outside the jurisdiction for a mutual aid operation, the insurance coverage would follow them.

Morse asked if every county or police jurisdiction is moving in the direction of getting a UAS team, or if they are being called to other communities to assist.

Sergeant Wood said the team has not been called to other jurisdictions yet. Several other agencies have contacted him and expressed interest in starting their own programs. Approximately ten other agencies already have their own aircraft(s).

Sergeant Wood shared that presently, the RCPD has four aircrafts. They learned that the previous model they had did not work well in inclement weather; the new model is much more effective in various weather conditions.

Chairman Dodson inquired if the UAV would be used the same as a helicopter.

Sergeant Wood explained that typically, they survey a large area and then zoom in, if needed.

Director Butler explained that if they were looking for a missing person, they would not need a search warrant to look for that person, because they are not investigating a crime. If during the course of the search they find something that is illegal in nature, then would have to stop viewing of that area and

obtain a search warrant. If looking for a wanted person that went into a wooded area, officers would typically set up a perimeter and try to find a way to get the person to come out safely. The drone makes it much safer with infrared to locate the fugitive and reduces the chance of injury for everyone. Another example is accident reconstruction that the overhead view provides them.

Chairman Dodson asked if one of the drones has grid search capability.

Sergeant Wood responded that it does, and it can be programmed to run on an automated flight pattern.

Beardsley wished to know who manufactures the drones that were purchased by the RCPD.

Sergeant Wood stated that all four of the drones were manufactured by DJI.

Ward moved to approve Special Order 2018-016 Emergency Response Unit- Unmanned Aerial Systems (Drone) Team as presented. Beardsley seconded the motion. Chairman Dodson polled the board and the motion passed with Wilkerson, Rodriguez, Morse, Stoney, Ward, Beardsley, and Dodson voting in favor, and no one voting against. The motion passed 7-0.

N. Strategic Multi-Year Plan: Director Butler shared that the department has a strategic plan, but it had not been updated for some time. He felt it is important to have a template that emphasizes what they think is important as an agency for delivering service to the citizens of Riley County. This strategic plan will be reviewed on an annual basis and updated if necessary. This was a group project by the command staff, but Captain. Hegarty led the efforts to get it finalized.

Captain Hegarty shared that they wanted to identify high level/big picture goals that they wouldn't need to change every year. They established four main goals and then each Division Commander was tasked with coming up with goals for their division that would support the agency goals. The first part of the goal indicates a change that they want to create; the second part indicates what actions they will use to affect that change. They arrived at the specific high level goals by using the mission statement and then creating a vision statement that encompasses what they would strive for.

The vision statement reads: The Riley County Police Department will strive to be the premier Kansas Law Enforcement agency by using strategy, innovation and accountability to collaborate with community partners in solving community harms through the most cost effective manner possible.

The first goal is to minimize the financial and social cost of public safety (see page 51& 52 of the packet). The social cost is usually in the form of a ticket, an arrest or limitations to somebody's freedom and they want a balance of the cost/benefit analysis. If they can lower the social and financial cost and still achieve their objectives, then that is the goal.

The second goal is to maintain a safe and secure community (page 53 & 54 of the packet). Captain Hegarty said that this is the primary mission of a police department and why they exist.

The third goal is to promote legitimacy in the eyes of the public (page 55 & 56 of the packet). Captain Hegarty shared that research shows that the acceptance by the public of it being a legitimate authority and the public's willingness to accept that authority are based on how effective the department is at

doing its main job of reducing crime and how it treats people while it does that. The police department has taken steps to improve that over the years with operation ARC and by working with the public on a number of projects and with KSU on researching this issue.

The fourth goal is the build a culture of service throughout the organization (page 57 & 58 of the packet). Captain Hegarty commented that if we expect our officers to treat community members in a procedurally just manner, then organizational justice is important. He added that when they come to the Law Board with expenditure requests that may be outside of normal requests, they will be able to be tie it to one of the goals of the strategic plan. The big goals will likely not change, while the division goals may change on a year to year basis and they realize that not all of these will be accomplished in the first year.

Beardsley commented that this is a lot of good work and that it is a great direction to go. He inquired if internally there will be some sort of action plan developed by the divisions in which they'll implement the goals and objectives.

Captain Hegarty stated that is correct and that they have challenged each other to select one goal and develop an action plan for it and they will share those with each other next week. This grew out of one of the suggestions by Mr. Devine and he suggested that they challenge each other by selecting one and giving a definite time-table to help ensure that things actually do happen.

Beardsley added that he thinks they have the right team to make this approach work and that he thinks this is good progress.

Stoney commented that she feels it is good that they carefully thought about how to build a culture of service for the organization and that holding each other accountable is important because in order to have a strong organization, you must understand the culture of the organization, and this will help strengthen the strategic plan.

Director Butler commented that many of the things that are in the strategic plan were already occurring at the RCPD, but he felt like it needed to be put into a plan and written down for reference. His philosophy of leadership is to be inclusive; to have everyone on the command staff and then people in the divisions be part of the decision making process. An extreme example of when they would use the strategic plan is if a citizen came and said they should have a horse-mounted unit. They could then use this strategic plan to evaluate and see if it works for their organization or not (costs, maintenance, utilization, etc.). When they come to the board with new ideas or suggestions, they may refer to the strategic plan as to why they think it is important. This is not just an exercise in his mind, it is something they will use regularly in their planning.

Chairman Dodson commented that he thinks this is a great idea, particularly if it is visible to the public so they have a gauge and can know what to expect. The hardest part has to do with the culture, whether that's interactions with the public, internal relationships, response to the public, etc. and then having a system of measurement to see how they are doing. He appreciates their work on this.

Morse stated that she thinks it is a good idea to formalize this and to put into writing what has been the practice. She inquired if approval was needed or if it was just presented for review by the board.

Director Butler confirmed that approval is not required and that they just wanted to share it with the Law Board after they had met with Mr. Divine and finalized it.

Morse inquired about the statement on page 52 of the packet regarding resistance training and what that entails.

Director Butler said that this would normally be referred to as use of force. Instead of using that terminology, they felt that it would be better to use response to resistance. It is talking about similar things, but there are different approaches depending on what it is and different data collection. This is related to the training that the police and correctional officers will receive.

Morse added that she feels the whole department's reference to culture is important.

O. Off-Site Goal Setting (KSA 19-44): Chairman Dodson shared that he had conversations with both the City & County Commissioners and then had a brief overview here. When they had the change of elections for the County and City officials, this statute has some of this in its defining language. He stated that the other thing that was changed, and that change is hard to find, is the part regarding the fact that they previously had a sharing between the City, County and the City of Ogden. The City of Ogden some years ago came to the Law Board and said that they can no longer afford to support this, so then the revenues were only provided by the City and the County. Chairman Dodson said he would like to get that language clarified instead of just crossed out with no reference to an addendum or any other information.

He added that while preparing to hire for the Director position and going through the KSA, a few things were identified (see slide 2 of the handout). One item is the selection of Law Board Officers; previously they would just nominate and select someone. The difficulty is the outgoing members leave and then the new members come on without having a chance to talk about who might be nominated. Chairman Dodson believes this can be solved with an administrative internal action, not a change to the KSA. Regarding the composition of the Law Board, they have had conversations with the City and the County regarding this issue.

Chairman Dodson commented that as you read through the KSA, it is somewhat unclear what Law Board's duties are in reference to policy. He stated that the determination of some of the policy, which seems to be a community responsibility, the description of it is absent. Chairman Dodson has spoken with some of the elected representatives (Phillips, Carlin and Senator Hawk) and it is difficult for them to support a change unless it is what the community wants, and most of what the community wants is held inside the various elements of our government, the City and County Commission and the Law Board. He indicated that they are willing to support whatever they come up with.

Chairman Dodson would like the board to think about the information on Slide 3 of the handout and get their thoughts on it and then go back to the City and County Commission and see where they stand and try to reach a consensus on these items.

Rodriguez shared that he knows the County Commission has discussed it and they do not want any changes made to the Statute, as they have no way to know what the legislators will do with it and there's a 50/50 chance of it coming back like you want.

Chairman Dodson asked that he suggest to them that this is written in two parts; KSA 19-44 has a part that is generic to the entire State of Kansas and one that is specific only to Riley County. So any change we would make would not change the statute to the State of Kansas; so why would the legislatures do something to our City or County, and not change it for the entire State?

Wilkerson said that there are state statutes that govern it, and then there are statutes specific to Riley County, and statutes specific to Lyon County as well. He said that it is a creation of State Statute by the Legislation and that it is not a local creation.

Chairman Dodson commented that the overall statute governs all of the counties in the State and then there is one that is specific to Riley County and one specific to Lyon County. When Marvin commented that they are concerned to open it because of what the legislators might do, it would mean that they would have to change the overall Statute to all of the counties in the State, rather than just the one to Riley County.

Wilkerson commented that it would depend on which Statute was amended and that generally speaking, anytime a Statute goes before the legislature, there is always some uncertainty of how it will come out as you don't have control over it at that point (balloon amendments, bill completely replaced by another bill, etc.) It could be changed in committee or on the floor.

Chairman Dodson inquired if Wilkerson had some idea of how they have addressed the meeting times and other various regulations and ordinances that were impacted as a result of the change of the election time to November.

Wilkerson thinks that the Former Secretary of State was probably responsible for pushing that legislation through that changed the municipal elections to November.

Chairman Dodson asked members to submit commits and questions to him and the Director and they will consolidate them and then talk to the county commissioners and possibly the writer's in Topeka to try and ensure an agreement before they go any further.

Morse asked is there is no way to proceed legislatively, can they make administrative changes. She suggested that whoever is elected in November, then the current mayor could ready those appointments to be effective January 1st. This would allow for some orientation for the new members of the Law Board to better prepare them.

Chairman Dodson commented that they could have a process guide for the Law Board and include how they select the officers inside of the Law Board and the relationships with the director.

Beardsley commented that administratively he would like to see some sort of program in which we can bring new members up to speed, an on-boarding process. Morse commented that it could be as simple as Robert's Rules in the beginning.

Ward commented he went over the “red-line” statutes submitted by Chairman Dodson and he has a number of suggestions.

Chairman Dodson would like to get the comments captured and then determine what type of meeting they need.

Ward commented that he does have concern that if sent to the legislature, it may come out differently and he would prefer to address it administratively, if allowed.

P. Executive Session: At 1:03 p.m. Wilkerson moved to recess into Executive Session until 1:13 p.m. for the purpose of discussing non-elected personnel matters. Stoney seconded the motion. Chairman Dodson polled the board and the motion passed with Wilkerson, Rodriguez, Morse, Stoney, Ward, Beardsley, and Dodson voting in favor, and no one voting against. The motion passed 7-0.

At 1:13 p.m. the open meeting reconvened.

Rodriguez extended his condolences to Be Stoney on the loss of her brother.

Chairman Dodson commented that he understands RCPD Executive Secretary Nichole Glessner’s father is in the hospital and she had to leave the meeting to be with him. He stated that his thoughts were with Be and Nichole.

The next meeting will be held at the Community Center in Leonardville, KS.

Q. Adjournment: The September 16, 2019 Law Board Meeting adjourned at 1:15 p.m.