



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

SPECIAL COMMITTEE: POLICE & COMMUNITY

CITY COUNCIL
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Date: January 26, 2021

Time: 3:00pm

Location: Classroom A; Law Enforcement Center 320 S. Kansas Ave

Committee members present: Councilmembers Karen Hiller, Sylvia Ortiz (Chair), Michael Padilla

City staff present: City Manager Brent Trout, CPT Jamey Haltom (TPD), Ed Collazo (Independent Police Auditor), Mary Feighny (Deputy City Attorney), Interim Chief Bryan Wheelles (TPD)

1) Call to Order

Chairwoman Ortiz called the meeting to order at 3:02pm. Committee members introduced themselves.

2) Approve minutes from December 17, 2020 meeting

Committee member Padilla made a motion to approve the minutes. Committee member Hiller seconded the motion. Motion approved 3:0.

3) Presentation - Police Department Programs and Boards

a. Civilian Boards & Programs

[This presentation can be found on the Committee's webpage at:

<https://www.topeka.org/citycouncil/police-community/>]

CPT Haltom introduced a number of boards, committees, and programs for civilian volunteers to participate in as well as community partnerships that the Topeka Police Department is involved in. CPT Haltom noted there were around 55 different programs within the community that TPD Staff volunteer with.

Committee member Padilla inquired about the selection process for choosing which TPD staff are allowed to participate on the boards, specifically if there is representation from top to bottom of the rank and file as well as what the demographic is. CPT Haltom noted all areas of the department are represented, from the Chief and Command Staff to newer officers still on the street. Some of the board selection is chosen by certain

positions and how they fit to the need of the board, while others are to enhance the networking to grow relationships. Interim Chief Bryan Wheelles stated there is a goal to introduce newer officers into service in the community and to grow the relationship as they carry on with their time in the department. He felt a sense of reward as an individual, as well as beneficial for the department. CPT Wheelles stated that serving on a community board is an eye-opening experience into how the agency impacts the community.

Committee member Padilla inquired if there has been a course regarding board service, and professional development, in the Training Academy? Interim Chief Wheelles appreciated the suggestion, but that it has not been previously considered. He feels there would be value to have some of the senior leadership personalize the program with including their experiences.

Committee member Hiller asked how the representation on some of the boards that involve community unrest-type of issues rely on the police department for input, and as a way to share feedback. CPT Haltom stated receiving feedback firsthand is extremely valuable. Having the opportunity to serve on a board and have a voice is important, but it is equally important to hear from the others to help paint the broader picture. This information helps shape how the department looks at policy and community resources.

Committee member Hiller inquired about some of the programs she knows TPD is associated with, but did not see on the list. She mentioned the Topeka Human Relations Commission and the City's Civil Service Board as two examples where having a law enforcement perspective could be useful. She noted that one of the charges for the committee was to see if there were any gaps in community outreach and connection. From the list, she felt there was a great place to start. Interim Chief Wheelles noted the list was not a comprehensive list. Some items missing were the different youth sports programs and boy scouts. CPT Haltom added that the items on the list referenced the organized boards/programs/organizations that the department was associated with. However it did not account for the number of individual officers who coach a youth sports team, church organizations or others, for example. Although those officers are participating as a role outside of their profession, everyone on the team knows they are in law

enforcement. They are in a mentorship position, and are representing their profession in a positive way to those youth in the community.

Committee member Hiller mentioned that there may be some concern with tax payer dollars being used for on-duty personnel to attend meetings. Interim Chief Wheelles stated that although there are some meetings that occur while staff are on the clock, for many of the positions, time is given voluntarily outside of “on duty” time.

b. Community Partnership Programs [Video 40:30 minute mark]

Committee member Padilla inquired if there could be some description of the advisory boards to the Chief’s office, and what the process is if an observation or problem is brought to the board, and how it is addressed then by the Chief’s office. Interim Chief Wheelles stated that former Chief Cochran relied on his Chief’s Advisory Board as the starting point for new initiatives or programs. This was a way to get formative input before rolling it out to the wider public. The information brought to the Chief by the advisory board is appreciated, and important for decision making.

Chairwoman Ortiz inquired how the Chief’s Advisory Board members were chosen. Committee member Hiller followed up with inquiring if there are other boards that serve under the Chief. Interim Chief Wheelles stated the idea from Chief Cochran was to have a diverse group of community leaders from various ethnic, faith, and other background pieces to represent the community in the best way that he could in order to have concerns and questions brought to him from as many areas as possible. Interim Chief Wheelles could provide a list of board members to the committee.

c. TPD Special Units [Video 46:40 minute mark]

CPT Haltom presented information about the various special units within the Police Department to include the application process, selection process, and training for each of the units.

There are two categories for the special units; full time and collateral duty. The full time special units include:

- Canine (K-9)
- School Resource
- Behavioral Health

- Motorcycles
- Community Police
- Task Force Officer
- Narcotics
- Court Services
- Technology Unit

The collateral duty units include:

- Response Team
- Bomb Squad
- ATV
- Accident Reconstruction
- Crisis Negotiators
- Honor Guard
- Security Preservation Team

Questions:

- There have been concerns, from community groups, about the reviews and documentation of performance. If the management council is having to make decisions based on performance reports, have those reports been accurate in recording? Interim Chief Wheelles stated he felt comfortable with the comprehensive and extensive nature of the management council, and evaluation process. Performance evaluations are not based on numerical score, each section requires a comment and notation as to why a certain score was given. Special Unit appointments are not a lifetime guarantee. There are standards that are to be met and if they are not, the officer can be removed from the special unit.
- During K-9 training, do the officers get a dog to begin with? Yes. Once a handler is assigned to the unit, they receive a dog and begin bonding with it prior to the training school. They complete the training school together.
- We have seven dogs? There are seven patrol dogs, and two explosive detection dogs. Nine total.
- If an officer is out in the field and comes across a suicidal person, do they call the crisis negotiation team? No. All officers have received the 40 hour basic crisis intervention training. They could certainly call for backup, but would be able to immediately begin stabilizing the scene.

- With regard to the CIT (Crisis Intervention Team), are you saying there are enough officers trained in the basic CIT course to have all three shifts covered? Yes. All officers received the 40 hour basic course, with additional training available.
- At one point, I thought the third shift was short an officer with advanced training. Is that not the case? There are trained officers to provide coverage, however the department is short on a civilian co-responder, who is a licensed and trained social worker.
- How many co-responders does the department have? There are two. Distinction should be made between officers with the basic 40 hour crisis intervention training, and the specialty unit which consists of officers who have additional 40 hours of advanced CIT training and are accompanied on calls by a civilian co-responder. It is unusual for most police departments to have all officers train in crisis intervention, however TPD is ahead of that curve and it is likely something you will begin to see more departments moving toward.
- Often times when we see interactions between officers and the community that don't go well, it's reported that some of these people are having complications with mental health issues. When we look at funding for the police department to increase areas such as funding a co-responder for the third shift, is that something that would be recommended for TPD? Interim Chief Wheelles confirmed. He stated that law enforcement responses with people having a mental health crisis is the single biggest challenge that we have moving forward. Having the co-responder program is an incredibly valuable tool for the department to have available. He feels there should be increased training for all officers, but also having the ability to grow the unit with more co-responders would only benefit the community and the department. Committee member Padilla and Chairwoman Ortiz voiced support for increasing funding in the budget to grow the program.
- Are calls to the consolidated dispatch regarding behavioral or mental issues recorded to help document things that might be helpful to provide to officers when responding to that address? Is there any protocol for this to be documented and provided to officers before they arrive on scene? There are mechanisms in place at the dispatch center where safety information associated with an address based on past history of calls for police service, is available. There are protocols on officer safety flags that is readily available and will be sent when calls for service go

out. It is based on past calls for police service, which is accessible information. If there is past history that may be an officer safety issue, it is provided automatically.

- Former-Chief Cochran discussed a behavioral program that allowed people to enroll in that provided details of mental or behavioral issues to the Department, so that if called to that residence, the officers would have some knowledge of potential triggers or behaviors to expect and could be aware of what is going on. Is that information sent as well? The program Chief Cochran discussed is the Behavioral Health Premise Alert program and Take Me Home program. Those are voluntary registration programs. That information may be documented by dispatch, but Interim Chief Wheelles was not sure if there was a protocol in place to make that a requirement. The information pertaining to these programs would need to be requested by the responding officer.

Interim Chief Wheelles also noted there are cases where youth are involved who frequently run away, or individuals with autism or dementia. Something like the Take Me Home program, would provide details to officers to get them where they need to be quicker.

Chairwoman Ortiz requested links for those programs. They can be found on the Topeka Police Department's webpage.

- Is it part of the training for dispatch to always check the history of a particular address that an officer is being sent to and provide that information? Officers are not required to request history information from Dispatch. However, the dispatch center has some of the officer safety/house watch information available and will often provide that information to the officer automatically. Officers will frequently ask dispatch for call history on a particular address. When the officer concludes that call, the information can be added to existing information, or deleted. If the residents of an address have changed, the past history for that address is no longer needed.

Committee member Hiller brought up incidents where a house had been boarded up by Code Enforcement but people were at the residence anyway. She would like to see a continued effort to grow the Community Policing unit, as these types of incidents would be something that a CPO would have known about whereas different officers being called for different incidents may not. Interim Chief Wheelles agreed improvements to the system could be reviewed.

4) Discussion:

a. Chokeholds [Video 1:36:00 minute mark]

CPT Haltom referenced department policy Use of Force policy, 4.2.12(E) Prohibited Uses of Force, which states “Officers shall not use any type of neck restraint or chokehold, unless deadly force would be authorized”. To clarify deadly force, CPT Haltom referenced 4.2.8 Deadly Force to explain that process. The national discussion on banning chokeholds is ongoing, however it has been part of TPD policy for a number of years to never use neck restraints or chokeholds unless authorization of deadly force has been given.

Committee member Hiller noted another maneuver that uses pressure points and targets the neck, which although different from the chokehold is used to achieve a similar result of compliance, and asked if TPD uses that technique. CPT Haltom stated that the maneuver, called a lateral vascular neck restraint (LVNR), would be in the same category of a chokehold restraint and would not be allowed per policy. Committee member Hiller inquired that with this technique not being taught or allowed by the department, would it be considered to be a non-issue. Interim Chief Wheelles stated this forum was a good place to have the discussion and make the clarifications, but that it is not something performed by the Topeka Police Department.

b. No-knock warrants [Video 1:41:30 minute mark]

CPT Haltom referenced an ordinance that was passed a few months ago to ban no-knock warrants within the city of Topeka. Prior to the ordinance, the no-knock search warrant was not something that was heavily utilized by the TPD. In review of numbers from the 95 search warrant cases from January 2017 to present, there was only a total of nine no-knock search warrants served. Officers are trained to knock on the structure, announce their presence and wait 15 seconds before entering on search warrants. They are also able to utilize a long-range amplification system to relay clear directives to subjects of a search warrant. Interim Chief Wheelles noted that there is a great deal of training, resources, and planning that goes into setting up and performing a search warrant.

Committee member Hiller inquired if the new ordinance would have been as successful in the nine no-knock warrants that had occurred in the past? Interim Chief Wheelles felt the Response Team could have handled those cases successfully with the new ordinance, had those been the rules at that time. CPT Haltom stated the Response Team prefers to plan when to serve a search warrant and do not like to startle individuals. There are a lot of checks/balances and approval for the operation plans that work all the way to the Chief's office.

CPT Haltom described the difference between a No-Knock warrant and an Announce-and-Enter warrant. In the warrants that may be considered to be no-knock warrants that CPT Haltom had been a part of previously, he would consider them to be a "breach and callout". The breach may occur without an initial knock, however announcements immediately begin the moment that door has been breached. Announcements expressing the desire for a subject(s) to peacefully exit are made as the team works through the house. It is preferred that the subject come to the officers rather than the officers having to enter unknown structures and find the subject.

Chairwoman Ortiz inquired about procedure when a wanted subject is in a house with innocent people, such as a family. CPT Haltom stated the announcements are made for any/all occupants to come to the door and make themselves known. Those individuals come to the door and are removed to safety. The ideal hope would be for the wanted individual to also come out peacefully, however, the second best scenario is for all other occupants to be safely removed from the house with only the wanted subject left inside. Interim Chief Wheelles explained some of the additional detail and surveillance that is considered when planning the warrant. Timing is a big factor. If it is known that children live at the residence, the warrant may be served during school hours when they are less likely to be home, etc. There are a number of other options that are also available and often used.

Committee member Hiller inquired about the changes that were put into place with the new ordinance. CPT Haltom explained the new ordinance removes the ability for the no-knock breach and hold. The announcements must be made a minimum of 15 seconds prior to breaching the structure.

c. Deployment of Officers for Special Needs Populations

Due to time constraints, Chairwoman Ortiz stated item 4c would be added to the February agenda.

5) Set next meeting agenda and date

Chairwoman Ortiz will be coordinating the agenda and next meeting date with the City Council Assistant. To receive notice of future meetings when they are posted to the City of Topeka's Public Calendar, please complete the information found on the E-Notify program at: <https://www.topeka.org/e-notify/>

Citizens wanting to speak on the items may contact the committee. Questions or comments should be sent to the Liz Toyne, City Council Assistant, at etoyne@topeka.org .

6) Adjourn

Chairwoman Ortiz adjourned the meeting at.

Meeting video can be viewed at: <https://youtu.be/oY5XMWxacOI>