



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

SPECIAL COMMITTEE: POLICE & COMMUNITY

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
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Date: July 30, 2021

Time: 3:00pm

Location: Executive Conference Room (3rd Floor City Hall) 215 SE 7th St
(Virtual attendance was available as well)

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

City staff present: City Manager Brent Trout, Chief of Staff Bill Cochran, Interim Police Chief Bryan Wheelles, CPT Jana Harden, LT Jennifer Cross, SGT James Moore, SGT Ruben Salamanca, Gretchen Spiker (TPD PR Specialist), Ed Collazo (Independent Police Auditor)

1) Call to Order

Chairwoman Ortiz called the meeting to order at 3:00pm. Committee members introduced themselves.

2) Approve minutes from June 29, 2021 meeting

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

3) Presentation: Crime Scene Investigations (CSI)

[This presentation can be found on the committee's webpage at <https://www.topeka.org/citycouncil/police-community>]

Crime Scene Investigations (CSI) SGT James Moore provided a presentation to introduce the Topeka Police Department's CSI Bureau.

Highlights from presentation:

- CSI Unit is composed of 2 unit supervisors for 1st and 2nd shifts; with the 3rd shift supervisor being from the Criminal Investigations Bureau. Six officers/technicians. This unit serves as a 24 hour response Monday-Friday, with call back assigned for weekends.
- CSI responds to any call involving a deceased human body, offenses involving life-threatening injuries, rape where a crime scene has been located, and fatality accidents. Responding officers are also responsible for evaluating

whether to call CSI in for crime scenes that require specialized photography, a need to collect evidence beyond the training of uniformed officers, or any other special circumstances which may require CSI.

- There are many areas of technology used by CSI today. SGT Moore listed sixteen.
- SGT Moore discussed the establishment and benefits of partnering with the National Integrated Ballistic Information Network (NIBIN). The technology is vital to any violent crime reduction strategy because it enables investigators to match ballistics evidence with other cases across the nation.
- SGT Moore showed photos and spoke about two pieces of technology that the department was working toward acquiring. The Contactless Fingerprint System, and Alternate Light Source (ALS).
- Review of Kansas Change of Domestic Battery Statute. Strangulation increased from misdemeanor to felony, 2017. K.S.A. 2016 Supp. 21-5414. As such, the utilization of Alternate Light Source (ALS) to photograph domestic violence victims allow for better documentation. Using different colors of lighting can show bruising that cannot be seen in standard indoor lighting, which provides better quality evidence.
- Improvements to infrared photography technology have also been positive. Whereas a regular photograph may show a gunshot hole, the infrared photograph can also show the gunshot residue. This residue can lead to a multitude of investigative leads, specifically when it comes to people TPD speak to in interview rooms who deny shooting a gun, and we find out they have residue on their person, whether it be their clothing or anything. We can use this infrared photography as a presumptive test to challenge the validity of their statement.

Questions:

- Contactless Fingerprint System: You are doing examination quality photos from a cell phone, or something?

The system takes the surface and projects the light source onto it. When the camera sees the light reflecting off of the oils from the fingerprint, it allows us to take a photograph. Previously, we would have to process the print with powder and actually take a lift. Another nice application to this is, once we

collect the photograph, we can have preserved the print, and then can swab for DNA without compromising the actual print markings.

- Chairwoman Ortiz noted she had been approached by a family member of a homicide victim who had asked her to request a presentation from CSI. His hope was that with these newer pieces of technology, some additional pieces from the case could possibly come forward. Chairwoman Ortiz then asked how long evidence is kept, and if evidence from a case is put through the new processes to see if any additional information can be found?

Yes. Homicide evidence is kept indefinitely. The hope is that a lead will be generated over time.

- Can you go over the call back process?

Each individual in the unit, along with the supervisor, are on a call back schedule. There are 8 individuals in the unit, so there is an eight-week rotation. If the third shift unit should get overloaded or need additional assistance, they can request the call back members to step in.

- With this newer technology, did you say the department already has that or is hoping to get it?

It is my understanding that we are waiting for delivery.

- A lot of interest in the community is prevention. How well is this known is this new technology on the street? And, is there an advantage to working on making sure the public is more aware of it?

Misinformation is a primary reason for the confusion. The crucible may be at the District Court, where evidence is introduced and allowed into cases.

- The technology regarding gun shots, is that usable for checking a suspect vehicle?

Yes. When a gunshot happens, you get a report (loud noise), as well as an exhaust of hot gases and unburnt powder, all of that has to go somewhere and will either end up on a person, inside and outside of the vehicle. The specifics of it is being able to identify and locate it, because it is very miniscule evidence. It is very sensitive evidence. Case Law states if there is suspected residue present, the evidence can be secured without a search warrant, as it can be quickly and fairly easily removed or compromised.

- Are we using this a lot for drive-bys?

Yes. This technology will allow us to find out where we need to focus our efforts, and to be more efficient with our current resources.

- This effort has been to inform the public about the processes. Can you give me an idea of the training that goes into any of the specialized training or certification for a unit such as CSI?

The specifics of the training, directly correlates to the disciplines and skillsets that are needed, such as: photography, blood stain pattern analysis, trigonometry. The training is all over the board. There are months long classes, two week long classes, one week long classes, and in a large variety of different areas. COVID-19 hindered some of the training this past year, but we are trying to adapt in order to continue learning.

- On the NIBIN ballistics database, when there is a report of a crime involving one of these things, are you able to collect evidence from that scene and build a database to then compare with evidence collected in other incidents?

Yes. As far as a database, we partnered up better with the federal partners. The database is maintained by the ATF. TPD investigates the local shootings, and place all of that evidence into the NIBIN database to try to generate leads. That breaks it down into dates, so we can have more of an impact on the local crime gun violence. We are able to generate those leads faster and begin to figure out who is participating in what violent activities or which guns are associated with these crimes. The CSI unit leads with the field operations officers, as they go out and conduct their day-to-day missions and seize a gun in a car stop, the gun is test fired and the casing comes back to CSI to put into the database. We may get a hit that shows the gun has been linked to two, three or four different shootings. Now we have a lead for a detective to follow.

- With the advance in the technology and ability to draw more information out of evidence, does that change the response time for when a citizen calls?

Chief Wheelles stated it may not change the time for when we are able to respond to the call, but having the NIBIN system does help shorten the timeframe for how quickly the work can be done and results given once the evidence is collected. There was frustration on the part of the officers when it took months or a year to get results of evidence that had been sent in. However, with the new processes, and 2021 version of the NIBIN system, has helped move cases much quicker.

- You mentioned that shooting is a problem nation-wide...what are we doing about it, locally, to address the issue?

We are communicating with the national and other area partners. We are stewards of the resources of the City. We have to evaluate how we spend the dollars we are afforded, and ask if we are using the best tools to close cases we are seeing.

4) Field Training Officer (FTO) Program (video 52:40 minute mark)

[This presentation can be found on the committee's webpage]

LT Jennifer Cross provided a presentation on the requirements of the Field Training Officer program. SGT Ruben Salamanca is the acting Training Academy Director and provided additional detail into the FTO program.

Highlights from LT Cross's presentation:

- State Training Requirements are regulated by the Kansas Commission on Peace Officers' Standards and Training (KS-CPOST).
- KS-CPOST does not mandate a Field Training program for agencies in the State of Kansas.
- The Kansas Basic Training Academy is 560 hours, over the course of 14 weeks.
- The TPD Training program spans the officers' full 18-month probationary period and is broken down into 3 phases:
 - Phase 1 - Recruit Academy (6 months)
 - Phase 2 - Field Training Phase (5 months)
 - Phase 3 - Solo Evaluation (7 months)
- Recent changes to the Field Training Phase include:
 - Daily observation reports. The FTO keeps a daily narrative of what the Recruit did during their shift. The FTO notes what was done well as well as what they did not do. This report is entered into a computer system where supervisors in the Field Operations Bureau can review the reports. This system serves as an early intervention.
 - Weekly evaluations on 16 core competencies, combined with the daily reports of that week.
 - Completion of the FTO task with 30 different law enforcement related tasks.

- Self-evaluations completed by the recruit officer. The self-evaluations are also an early detection that the FTO needs to be removed, at Chief's level, or that there is a disconnect in communication.
- Bi-weekly documented meetings with the recruit, the training officer and the field training supervisor. This meeting allows for face-to-face discussion to take place to review and sort out any misunderstandings or questions found on the written evaluations.

SGT Salamanca added that an additional layer to the FTO program, is the Field Training Supervisor. The Field Training Supervisor maintains that continuation, so that although the FTO changes through the phases during five months, the Supervisor does not. This also ensures that the relationship, rapport and communication is maintained, in the event that there may be some personal issues going on between the FTO and Recruit. That type of environment is not conducive to learning, so the Field Training Supervisor will contact Training to have a discussion. It is not delivered as a punishment, but sometimes we place that Recruit Officer with a new FTO, just so the recruit is able to continue with their training. The big piece here, with the instructor development, is to remove the FTO's ego. We remind them it is not about them, it is about the recruit. The Field Training Supervisor does not supervise the performance of the FTO, they supervise the performance of the recruit as it relates to the performance of the FTO.

LT Cross also explained that another new addition is that the Recruit Officer evaluates their FTO following each phase, with a very specific set of questions. These evaluations help us identify if we have a gap, or have missed something. Throughout training, the Training Division facilitates training with the FTO's in attendance so they are observing what their recruits are being taught, and any differences can be matched up before they hit the street.

- Phase 4, a two-week phase at the end of the 5 month FTO phase where the Recruit returns to their first FTO to evaluate growth and progress.
- Final step of this phase is a review committee to assess progress and determine if the Recruit is ready to move to the solo phase. Other recommendations may include remedial training, extending the officer's time with a Training Officer, or termination. The review board is comprised of the two Field Training Captains, and the Field Training Supervisors. We are looking at making some changes to include a

problem-based learning component, where Training provides a simple scenario and have the Recruit give a presentation. This is more of a verbal narrative report, so we are engaging the Recruit's ability to answer for their actions.

- Following this review, the Recruit moves into the Solo Phase. They are evaluated at the Field Operations Bureau level in patrol. They meet monthly with the supervisors to be evaluated on specific competencies to include: report writing, officer safety, decision making, time management, their positive attributes, their disciplinary issues, errors where additional training is needed, and then constructive input on retention decisions. The Recruit is still working within those core competencies about the FTO training book, but these are specific ones they self-evaluate monthly, in writing for a documented format, and with their direct supervisors in FOB for the duration of that solo phase.
- Other Field Training Programs - Each agency is left to create their own FTO program. They are not mandated by the State of Kansas. Kansas Highway Patrol's FTO program is a 3-phase program that is 77 days long. The FBI utilized the New Agent Development Program (NDAP) for Agent development. This program is 18 months long and utilizes logbook experiences, training in core investigative skills, and the assignment of a Field Training Agent.

Questions from LT Cross's presentation:

- One of the things that is been very important in the engagements and discussion over 2020, was to be sure that our officers were good at de-escalation and customer service. I did not hear those two, I heard "command of the situation" but not the other two in the core competency list.
Customer service and de-escalation fall under almost everything, with Command Presence, Preparedness, Relationship, and Ethics. Subcategories provide a further breakdown of the Relationship and Ethics categories. Example: Relationships - subcategories include how you relate to the public, your communication styles, adapting your communication style to the person, etc. It is evaluating the Recruit's interactions with the public, with other officers, and all of that is encompassed into that.
- Committee member Hiller requested to see some of the competency task manual. LT Cross showed number 25, of the 32 FTO Task book commands, Command Presence, and read the information for "acceptable", "unacceptable",

and “superior” standards for critiquing those items. This language is much more specific and detailed to allow for easier scoring.

- Are these standards, since they are newer, are they reflected across the board for all officers?

The changes have been made in the formalization of the training program. The standard has always been used as well as an evaluation tool, however the narrative model had been lacking, and this allows for the day-to-day gray area to be better critiqued and reviewed. It is my job to put forward the expectations and following them as well.

Chief Wheelles stated it is the expectation of the entire agency to be respectful, confident in our dealings, but to also be professional and articulate. The standards that are reflected in the training program are definitely the expectations that TPD has from the top down.

- With what LT Cross said about the change and how it has been implemented for the recruits and the training classes, has there been a change in how it has been managed at higher levels?

Chief Wheelles stated that, to some degree, those changes have been made more in the formalization and how the documentation of the training program have been to take out some of the subjectivity. Up the Chain of Command, we do not have daily and weekly evaluations, but I believe the gist of the issues have always been the expectations, and we continue to work on those. I think there were a number of things committed that were brought forth to the Committee, that would speak to the advancements that TPD has done, in regard to customer service and professional conduct.

- Could you send the Committee the page of this document?

LT Cross stated she could send the full document (133 pages) to the Committee, if requested.

- Committee member Padilla appreciated the use of both the San Jose and Reno evaluation models. He stated he felt if this model is embraced and put into place, with an acceptance, it can shake out the people who can perhaps put on a good show but may slip in other areas which could cause the agency, or someone, problems. Can you explain why the department went to this method?

SGT Salamanca answered that when he went through the FTO program, 20 years ago, an officer was selected who had a good track record, but may or may not have had any instructor development training. When we began re-

examining how we facilitate the program, we start looking at our officers, who were very good officers, but did not have any training on how to actually teach. The Reno model brought connectivity and rapport building. It also identifies Adult Learning Theory. Now we are able to tap into a new generation, because we have to teach with an understanding that people respond differently to different situations. We are proud of the training, and this has been one of the quietest training periods we have had, because we have been able to identify early detection of issues, and that has saved us. Due to the department's staffing, our goal is to get these officers on the street, but to be smart and competent, to better communicate and de-escalate, and in addition to the boxes to be checked, the narratives are also there to justify everything the recruit does and their performance every day is being measured.

LT Cross stated this evaluation was implemented to help with the Field Training Officer program, but the changes are not just affecting our Training Officer program, they are implemented throughout the training processes. It is our intent to use the same models, the same evaluation processes, and the same teaching methods with our in-service training for the seasoned officers. We are changing the culture of how we deliver training. What our changes to the FTO program, as well as the in-service training, are hoping to accomplish is to evaluate whether these people can critically think, whether they can speak to why they are doing what they are doing. LT Cross stated that when people are given a command from a police officer, the majority of those people will follow the command without question. Anyone who does question, sends an immediate red flag to the officer. However, once it has been established that it is not a safety concern, officers cannot get offended about being asked to explain their actions. If we cannot explain ourselves, we should not be doing what we are doing. You can deliver case law all day long, but there is not one set of Supreme Court case law, where the facts are the same. That is why it is important to know the basic core competencies and be able to apply them in split second situations. That is what this is measuring, more so than we have in the past.

- Does the department do self-evaluations for the annual reviews of officers?
No, but it has been part of the command structure for a while. Chief Wheelles noted it was an interesting idea for the officers. LT Cross stated she implements a type of self-evaluation for her subordinates, so they have input into setting their goals. They also need to be able to articulate their strengths and weaknesses. She stated she is not the only supervisor to do this, and that

while it may not be standard in the TPD evaluation process, the cultures are shifting, and people are growing in those things, and you see it on the individual level even before it becomes mandated. She feels this observation puts TPD years ahead of other agencies because there are a lot of people motivated to make the department better.

- The quality of people involved in this training is important, could you speak to the selection process and what you, as the Chief, look for in the Field Training Officer?

SGT Salamanca explained the position is posted to all sworn officers. Officers are selected based on the number of vacancies, and generally there are more submissions than there are vacancies. This is a great “problem” to have, and allows us to do our due diligence in making a selection. We look at past performance evaluations, memos, endorsements from the rank & file, supervisors and commanders. We evaluate what that person brings to the table, what kind of longevity they have, and what they have done in the time they have been with the department. We also look at what experience they may have outside of the scope of law enforcement...one person has had experience as a plant manager, one has been an instructor in the civilian sector, or has lead in-service for a previous employer, maybe it is a veteran who is a firearms instructor...anyone who has that skill set and can command a room and communicate are attributes we consider. Once all of the data has been collected, we send final recommendations to the Chief’s office. The Chief makes the final decision.

Chief Wheelles noted that although the final decision is made by the Chief, the information is reviewed and discussed at the senior command level. He, and the senior commanders, rely a great deal on the information that is put together by the Training Staff. We are lucky to have more officers interested in being a FTO than we have spots available for, which allows us to keep it competitive and select the best of the best.

- We are tasked with looking at the information and asking the questions about the standard and training. We can have great pride knowing the amount of training that our department is requiring. We spoke about the ABLE program before, and how that was another form of check-and-balance, and the Field Training program is another form of multiple layers to ensure checks-and-balances are maintained.

LT Cross stated she has only been the Training director for 30 days, but that in that time, something that has resonated with her has been the advancement of training, that maybe the public is not only aware of, but even within the agency we are not aware of. She has asked Chief Wheelers to address the full Command Staff in an effort to educate our internal people about not only what Training Division is changing, but to also invite them to observe that training. She will be participating in the Instructor Development School, hosted by KLETC, and the training will be coming to our community so we can train more instructors and more people in it. This 4-day instructor school will be for all of the regional academies that are in this part of the state: Lawrence, Johnson County, Kansas City, and TPD. How we teach is more important than what we teach. Quality supersedes the quantity by 100%.

- Chairwoman Ortiz provided final comments in this area. She voiced appreciation for SGT Salamanca's, and Team, work in the Training Division, and to hear we have some checks-and-balances.

5) Summer Community Outreach Program Report (video 1:43:45 minute mark)

[This presentation can be found on the Committee's webpage].

CPT Jana Harden presented on the Community Outreach activities and programs that have occurred thus far in the summer of 2021.

Highlights:

- School Resource Officers (SRO) and the Boys & Girls Club Teen Center members participated in a number of activities to include:
 - Basic car maintenance such as changing a tire
 - Habitat for Humanity project - Build Adirondack chairs and a picnic table that were donated for one of the new homes that were renovated.
 - OFC Hamilton has a background in construction, so he also taught the teens about woodworking. They went to Habitat's Re-store, where he taught them about the machinery, how to build, and some basic life skills.
 - One slide showed the schedule for the 5-week camp. There were 24 items listed ranging in physical activities such as hiking and fishing; to life skills such as finances, manners, and an etiquette dinner; University & Trade school visits/tours and attending Career Day; visits/tours to area historical sites, COT divisions; and fun field trips to B&B Theater, the Negro League Museum and a KC Monarchs game, along with many other activities.

- The teens also did a project presentation. They had to do a project on their own, and present it to the SRO's and Boys & Girls Club Staff.
- The program is not just us trying to mentor. We are also teaching. It is somebody else adding another layer that happens to be a police officer. We get to show that we are human, and we have to do all of these things in our own lives. And we get to impart it onto these kids. It has been a fantastic program and it will likely be one TPD repeats.
- Basketball Camp with Ta'nia Gibbs. There were 35 7th & 8th graders who attended the camp at Chase Middle School. The SRO's assisted with this as well.
- The Community Operations Bureau will also be participating in the upcoming Movie Night, sponsored by Councilwoman Ortiz. Chairwoman Ortiz stated she and Topeka Public Schools will be hosting the free movie night on August 21. The movie will be Coco and will be held at the soccer field at Hummer Sports Park.
- Community Police Officers (CPO) began attending the Neighborhood Improvement Association (NIA) meetings again in June, and have attended 15 so far. The next event for the CPO's and SRO's is the August 7th National Night Out Against Crime.
- Additional notes on the CPO unit. OFC Lister was named as Boys & Girls Club of Topeka's volunteer of the year. In addition to working with neighborhoods, the CPO's also work with the Police Athletic League, Florence Criterton, Hy-Vee for a ham giveaway, drive-by birthday parties, and Special Olympics.
Committee member Padilla noted that OFC Lister has also been involved with the creation and attending the Three Shields Boxing program, at the Salvation Army. He is appreciative of the time and effort that he, and other officers, have volunteered in being coaches or just attending.
- Segway Patrol Downtown - This has begun over the summer, during the lunch hour and during events at the Evergy Plaza. The officers are basically there to do community outreach, to be seen, and to get out of the police car.
- With COVID-19 briefly slowing down, the unit was able to attend some additional events in 2021.

Question:

- Compliment: Very appreciative of the return of the Community Policing Unit for neighborhoods to have a direct contact that they can send concerns, that are not emergencies. Those officers get to know the neighborhood, and the neighborhoods find value in knowing that there is an officer assigned to their area.

- The Segway's...the Council have received complaints about the Bird scooters, and geo-fencing, especially in the Downtown area. Can you tell us if those two components have helped curtail some of the activity we had been seeing? Yes. There were other issues with "typical" other types of crime occurring in the parking garages and other areas, and the police presence has seemed to help cut this down tremendously.
- Compliment: I want to thank the community officers and the police department for getting involved in the community. The School Resource Officers who attended the basketball camp were great, and I heard a number of comments from people that they are so excited the Community Police program is back.

6) Other Items [Video minute mark]

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 .

7) Adjourn

Chairwoman Ortiz adjourned the meeting at 5:03pm.

Meeting video can be viewed at: https://youtu.be/kIQcftK8i_M