

Law Enforcement Advisory Board Meeting NOVEMBER 14, 2018

x denotes presence

X	Paul Soptick
	Patrick Dunn
X	Scott Mackey
X	Reed Partridge
	Lee Brown
	Lt Col Bob Gunja
	Dixie Kaster
X	Don Jolley
	Tony Carter
	Maria Cecilia Ysaac
X	Terry Zeigler
	Tyrone Garner
	Irene Caudillo
X	Don Ash
	Mary Hopkins
	Kelli Bailiff
X	Joan DeMoss
	Carol Diehl
	Dan Soptic
	Jeffry Fewell
	Michael York
	Terry Brockman
	Curtis Nicholson
X	Kevin Steele
	David Thaxton
	Lynn Melton
X	JONAS CRUZ
X	Cherish Cho

Paul Soptick opened the meeting at 4:00pm

Reed Partridge introduced our new member, Cherish Cho that replaces Patrick Dunn . Appointment was made by Commissioner Walters.

Reed reminded the board that we normally do not meet in December. A motion was made by Reed and seconded by Paul Soptick and approved unanimously and set our next meeting at January 9, 2019.

Reed presented the Prisoner Reimbursement Audit Sheriff's Office.

Reimbursement for Prisoners Held by WYSO

The Wyandotte County Sheriff's Office (WYSO) receives reimbursement for housing of prisoners under certain circumstances. Generally, those circumstances stem from housing prisoners under the municipal authority of Kansas City, Kansas (KCK), Bonner Springs and Edwardsville. The WYSO also receives reimbursement from the Kansas Department of Corrections (KDOC) for prisoners held for parole violations. Finally, the WYSO receives nominal amounts throughout the year from the Federal Government for prisoners held in custody by the authority of the United States Marshall.

Statutory Authority and Interlocal Agreements

Authority to seek reimbursement from cities in Wyandotte County (WYCO), KDOC and the Federal Government stems from Kansas statute. Kansas Statute 19-1930 directs sheriffs in Kansas to receive prisoners by the authority of the United States or cities within the county and receive compensation for housing those prisoners at the same rate as other county inmates. Further, the statute allows the WYSO to seek compensation from KDOC for prisoners held for violating parole, conditional release or post-release supervision.

Interlocal agreements between WYCO, and the cities of KCK, Bonner Springs and Edwardsville further defined prisoner reimbursement. For example, a December 1991 interlocal agreement outlined the type of costs considered and basis for determining the per diem rate for reimbursement. Similarly, a separate April 1993 agreement between WYCO and KCK established a rate (\$65 per day) for a period of one year to be reviewed annually. Notably, research showed the \$65 rate was never implemented and there is no documentation to indicate the per diem rate was reviewed annually.

Reimbursement Collected

Reimbursement for housing of prisoners is deposited in the County General Fund. Since unification, the KCK reimbursement is a transfer of funds from the City General Fund to the County General Fund. Although WYCO and KCK are unified

the transfer serves to protect citizens of Bonner Springs and Edwardsville from the burden of paying for the cost of prisoners held by the authority of KCK Municipal Court. All other reimbursements are deposited with the County Treasurer. All transactions are posted in an account established specifically for tracking reimbursement for prisoners in WYSO custody.

During 2017 the reimbursements to the County General Fund for prisoners held in WYSO custody totaled \$1,258,374. Table 1 presents reimbursements deposited in the County General Fund for 2014 through October 2018.

Table 1
WYSO
Prisoner Reimbursement

Jurisdiction	2014	2015	2016	2017	Jan - Oct 2018
Kansas City, KS	1,188,838	1,032,516	703,407	971,633	610,369
Bonner Springs	54,289	43,733	27,612	47,420	22,381
Edwardsville	40,731	60,368	45,362	64,227	38,931
KDOC	112,101	99,570	65,009	173,330	103,474
U.S. Marshall	1,848	2,772	2,982	1,764	252
Total	\$1,397,807	\$1,238,958	\$ 844,372	\$1,258,374	\$ 775,406

Source: Unified Government General Ledger

Differences due to rounding.

Note: KCK, Bonner Springs and Edwardsville billed monthly. KDOC billed quarterly. The amounts presented above were based on deposit date and may not reflect billing date or billing period.

Prisoner Reimbursement Rate

The current rate for prisoner reimbursement is \$85.75. The current rate has been in place since July 2011. In 2010 the Unified Government contracted with a firm to complete a per diem cost analysis which served as the basis for the current rate. Before 2011 the per diem rate was \$60.25. No subsequent cost analysis has been performed.

Per Diem Rate Review

The current prisoner per diem rate of \$85.75 was based on 2009 WYSO expenditures and effective July 2011. In 2010 an outside firm performed the analysis to help set the per diem rate. The detailed approach to the analysis consisted of an examination of each object code across all general ledger divisions of the WYSO. As a result, attempts to duplicate the 2010 analysis with more recent data were problematic because of the complexity of the original analysis.

Conclusion

The prisoner reimbursement rate has not changed since July 2011. A detailed study of costs by an outside firm with the necessary experience and expertise would be beneficial when updating the prisoner per diem rate. Additionally, the December 1991 interlocal agreement between WYCO, KCK, Bonner Springs and Edwardsville notes the per diem rate should be based on an actuarial study and exclude capital outlay costs. The April 1993 interlocal agreement between WYCO and KCK notes that a qualified firm with experience shall be retained to analyze the costs and make recommendations as to the per diem rate.

Finally, construction is underway for a new Juvenile Justice Center. When completed the new building will have an impact on the housing of adult prisoners and a new per diem rate study may be warranted at that time.

Prisoner Reimbursement Review

Table 1 presented on page 2 shows a significant decrease in reimbursements during 2016. The Adult Detention Center's average daily population was somewhat aligned with the decrease. Additionally, KCK Municipal Court fines collected showed a decrease during 2016 generally aligned with the decrease in reimbursements.

Conclusion

The decrease in reimbursement during 2016 shown in Table 1 is likely a result of law enforcement activity at that time and not the WYSO's billing and reimbursement process.

RESULTS

Audit Process

We performed tests to ensure the WYSO billings and subsequent reimbursements for prisoners held under the authority of municipalities, the KDOC or the Federal Government were accurate and complete. Testing spanned prisoners held from July 2017 through June 2018.

Conclusion

No material errors or instances of non-compliance with statutes were identified in the areas tested related to WYSO prisoner reimbursements.

MANAGEMENT RESPONSE

The WYSO reviewed the report and agreed with the conclusions presented.

Chief Terry Zeigler talked about the PAL (Police Athletic League) program that was to open November 1 but was pushed back to late December because the building they will use had a problem with the heating. They have all the equipment installed and the officers to run the program in place, just need to wait on the heating issue to be fixed.

The PD is looking at a January class and have 8 applications so far. They has a female applicant, very good, strong, athletic, and was asked if she was using anything toward her athletic abilities. She said she was using steroids, and was asked who prescribed them, she said her coach, but would not give the coaches name to the interviewer. She was not hired. There is still a problem getting applicants.

Chief Zeigler was asked if applicants have retried to enter the process and he stated if you lie on the initial application process you will not be asked again. If the problem was drugs, and the applicant said he / she smoked weed last night, he / she would have to wait two years to re-apply.

Chief Zeigler said we have a gang problem in KCK, and we will not try to hide that fact. We have two gangs that have merged and are trying to take out the Hispanic gang F13. They are addressing the issue and the U.S. Marshall's are coming back into our city and doing another "Triple Beam" roundup of violent gang members. In their first program they arrested 205 persons and better than half were gang members. We are asking the DA for aggressive prosecution on these gang members.

There has been a lawsuit filed against 15 previous employees in regards to Detective Golubski on how he allegedly treated some black females. Chief Zeigler said his name was used in the lawsuit but he is not part of the lawsuit. He said that the media called and said that they find it hard to believe the PD did not know what was going on, and Chief Zeigler said he worked with Det Golubski for 3 years and never saw anything that was inappropriate and finds the allegations hard to believe.

Chief Zeigler mentioned the house he rented from the U.G. at the WyCo lake. The house was not lived in for 15 years, and he was renting from the U.G. while fixing up the house. After cleaning the house, painting, laying new carpet, striping the wooden floors, installing new light fixtures, fixing holes in the ceiling, fixing and repairing the heating and cooling units, replacing guttering, replacing doors and all other maintenance making the house livable, and after the U.G. audited all time sheets and receipts he owed a net of agreed rent less expenses of \$1676 which will be paid soon.

The PD received a \$700,000 grant to combat violent crime, \$100,000 for equipment and \$200,000 per year for 3 years for overtime for patrol officers. The PD will be able to put out one extra 2 man cars 5 days a week for the next 3 years in the ICON areas to help reduce crime.

Sheriff Don Ash. On Nov 29th sheriff dept will have 4 new recruits complete their training. This will be the third and last class this year.

They are processing applicants for the next class to start in January 2019. For the last 5 years ending October 2018 they hired 87 new deputies. Over the same 5 years we lost 78 to retirements, resignation, terminations, and the two deputies killed on duty. All departments are seeing deputies and officers leaving as soon as possible with time and grade. Currently the Sheriff's dept is 17 – 18 deputies short in every function of the department.

The parking lot behind Memorial Hall is almost complete. The site work has been completed on the Juvenile Detention site and they are pouring concrete in the ground. The completion of the whole project is approximately 14 – 15 months away.

The Sheriff's dept is working with the District courts and the Municipal courts and all the judges to find a way to even the work load of transporting inmates for everyones safety.

The Sheriffs dept won an arbitration on an employee charged with sexual harrismment. They have done specialized training on sexual harrismment and had human resources come to the dept and do specialized training. In the recent past they have had issues involving 3 male deputies and 2 new female recruits. All three male deputies were either terminated or quit thru a process of arbitration. They have had approx. 10 other instances but all those were worked out by the deputies and the department. The message is that the Sheriff's Department will not tolerate that kind of activity.

The dept lost a deputy to cancer that had three years on the department even though she fought the good fight and did everything she could to beat the cancer. Donna Christ will be missed. A civilian worker has cancer and is going thru treatment and possible surgery but is not expected to come back to work. Sheila Young will be missed.

There will not be a meeting in December so to all have a Great Thanksgiving hiloday and a Merry Christmas, and thank you for all your service.

\Adjorned 5:04pm

Submitted 01-09-2019