

Kansas Commission *on* Peace Officers' Standards *and* Training (KS♦CPOST)

COMMISSION MEETING MINUTES
Kansas Law Enforcement Training Center
November 6, 2007

Attendees:

KS♦CPOST Members Present	Staff
Commissioner Jackie Williams, Chairman	Steven R. Culp, KS♦CPOST Executive Director
Commissioner Sam Breshears	Ed Pavey, KLETC Director
Commissioner Ellen Hanson	John Green, KLETC Associate Director
Commissioner James Jarboe	Dave Warry, KLETC Assistant Director
Commissioner Bob Odell	Darin Beck, KLETC Legal Counsel
Commissioner Vernon Ralston	Mark Damitio, KLETC Deputy Asst. Director
Commissioner William Seck	Patricia Dunsworth, KLETC Central Registry Manager
Commissioner Steven Stowers	Lisa Webster, KLETC Administrative Assistant
	Lanny Grosland, KS♦CPOST Staff
	Kyle G. Smith, Commission Counsel
Public Present	Vicki Mork, KS♦CPOST Administrative Assistant
Darrell and Carol Wilson	
Eric Williams	
Linda Culp	
Matt Culp	
William Smith	

Commission Chairman, Jackie Williams, called the meeting to order at 1:00 p.m. and led the pledge of allegiance. Roll call of appointed members of KS♦CPOST.

Presentations and Recognitions by the Commission

Larry Welch, former KS♦CPOST commissioner and Director of KLETC since 1987 was acknowledged in his absence. He retired from the KBI earlier this year and is unable to be here today due to personal business.

Darrell Wilson, former chairperson of the Commission for 8 years, retired Sheriff of Saline County, Executive Director of the Kansas Sheriff's Association and been involved with Kansas Law Enforcement for at least 45 years was honored. KS♦CPOST Executive Director Steve Culp asked Commissioner Williams to come the front of the room to present the awards. Commissioner Williams commended Mr. Wilson as one of the most professional law enforcement officers he had ever known and presented him with the award. Pictures were taken.

Next to be recognized was William Smith, recently retired Chief of Police from Harper, Kansas and a KS♦CPOST Commissioner. His career in law enforcement began in 1977. His plaque was presented and

pictures were taken. Kyle Smith, Special Counsel for the Commission since 1987, was honored upon his retirement from Kansas Bureau of Investigation and the Commission.

Former KS♦CPOST Special Investigator Lanny Grosland's service to the Commission, the KBI and the Warrensburg Police Department since 1965 was acknowledged. The day's final honoree, Rick Trapp was unable to attend but he served the Commission as designated counsel from the Attorney General's office. His 30 year history in law enforcement includes service as Douglas County Sheriff and Deputy District Attorney for the Douglas County District Attorney.

KS♦CPOST Executive Director Culp proposed permanent display of these service awards when KS♦CPOST moves into permanent headquarters sometime after the first of the year. He requested a motion from the floor to ensure this becomes a part of KS♦CPOST tradition. Commissioner Sam Breshears made a motion to permanently and openly display the commissioners and staff's plaques in the new office site upon its opening if it is desirable by the recipient. Seconded by Commissioner Ellen Hanson, the motion passed unanimously. Kyle Smith volunteered his plaque to be the first one displayed.
Executive Director Oath of Office

Commissioner Williams called KS♦CPOST Executive Director Steve Culp to the front of the room and administered the KS♦CPOST oath of office. The Commission's executive director is required by statute to be a sworn law enforcement officer.

Approval of Minutes

Commissioner Williams asked if everyone had received the previous Commission meeting minutes, Director Culp assured him they had been distributed. Commissioner Bob Odell moved to accept minutes as submitted and Commissioner Steven Stowers seconded it. Motion passed unanimously.

KS♦CPOST Financial Report

Director Culp began his report by referring to the KS♦CPOST revised organizational chart. He explained the changes were required in order that KS♦CPOST receive an ORI. Commissioner William Seck had referred Director Culp to a consultant who explained that in order to qualify for such there must be a clear delineation between criminal records and the administrative and personnel records which the previous organization chart did not convey. Basically it is the same organization, same staff, and the budget remains the same. There was no other organizational option if the agency is to receive an ORI. Commission Counsel Kyle Smith pointed out there is no box in the chart for prosecuting counsel from the Attorney General's office and Ed Pavey, director of Kansas Law Enforcement Training Center (KLETC) is all by himself. Director Culp explained that he and Commissioner Williams intend to meet with Attorney General Morrison to ascertain his plans for such a position. Criminal wise it would be a good inclusion and may help with the ORI.

The revenue report shows a noticeable increase but on an inconsistent basis. Director Culp speculated that some municipalities or counties may be delaying revenue submissions in order to generate interest revenue for their local budgets. This is not a widespread practice, but as an agency KS♦CPOST needs to be able to plan on a consistent funding stream. There are also a number of smaller cities not fully compliant as they have failed to submit any docket fee assessments from tickets being written by officers. A letter may need to be sent out requesting compliance along with a copy of the law.

Based on the 2009 proposed budget, operation of KS♦CPOST at full capacity will require a monthly average contribution of \$59,626. Currently the average monthly revenue is \$47,569. Reviewing revenue

for the 1st Quarter of this year shows an improvement. The annual budget is \$715,000 and the agency has a reserve because the agency went for a year and a half without any expenditures. At this time the agency is in good shape concerning revenues.

Expenditures at this time are fairly modest, directly related to lack of staff and currently no rent obligation. Director Culp characterized the rather large expenditure on agency badges, identification credentials and other symbols as a supply which will suffice for some time. It is an appropriate purchase given the agency's current circumstances and considering the low expenditures from prior year. Total expenditures of \$138,724.94 at the same time revenue was \$570,000 resulting in a sizeable forward balance.

Director Culp referred to the document showing mission, operations and goals and objectives of KS♦CPOST along with statutory history. It was submitted to the State of Kansas for budgetary purposes on short order with instructions to include three goals and objectives. While KS♦CPOST does lots more than three things this summarizes the most important activities.

The next item is the State of Kansas budgetary document for KS♦CPOST FY 2008 & 2009. The budget includes projections for telephones, moving costs, and office furniture. The final page shows identical budget amounts for 2008 and 2009, maintaining consistency to avoid scrutiny.

The following document received from the KS♦CPOST Central Registry shows a steady increase in the number of full time peace officers in Kansas between 2000 and 2007. The clear trend shows the addition of 681 officers representing a 10.1% increase since 2000. Discussion followed that additional officers should lead to higher levels of enforcement and a greater number of arrests resulting in additional docket fees which are used to pay for their training.

Unfortunately a number of circumstances affect the generation of docket fees including natural disaster emergencies, officers added as school resource officers or community policing officers and officer vacancies in police departments. The current trend of steadily increasing officers must be monitored for impact. It was also suggested that the numbers of increasing peace officer numbers be compared/contrasted to trends in Kansas' general population increases to review possible correlations. Commissioner Breshears made motion to accept Finance Report by Director Culp, seconded by Commissioner Hanson. Motion passed unanimously.

Report on Disciplinary Hearings and Investigations

Director Culp reported a committee meeting was held prior to the current meeting but there is nothing for the full commission to vote on at this time. There is nothing to report at this time.

Report on the Municipal Training Reimbursement Fund

Director Culp explained that due to absent commission members no meeting was held prior to today's meeting. However, he said for the record that the work has been done; only waiting for response from some of the satellite academies regarding our cost estimate and their verification of such. Once the information is received another subcommittee meeting will be scheduled with the members. After the committee meets a memo will be sent out informing every one of the results.

Report of Kansas Law Enforcement Training Center by Ed Pavey, Director

KLETC Director Pavey began his report by referring to the handouts he provided (attached). The construction planning for the KLETC expansion project revealed some issues requiring resolution before

the actual building could begin. They are represented by items I., II, and III on the list. John Green, Associate Director of KLETC has worked with Reno County Board of Commissioners to resolve them. The KLETC campus has been rezoned, a special use permit has been issued for Welch Hall and the proposed new dormitory, and Hornet Street, from the staff entrance parking lot all the way to the corner, has been designated a private road and will be closed so the new building can be joined to the existing dormitory. The entire campus has been replatted into the KLETC subdivision at a cost of \$20,000 for civil engineer services.

Advance preparation services have begun at the site, old steam tunnels were dug up and asbestos abatement has taken place on the insulation enclosing them. Construction bids are due December 4th instead of the 7th and a contractors meeting will take place November 8th a big turnout is expected. KLETC just purchased 140 acres, see attached map. The land is adjacent to the EVOC tarmac where the driving course is located; this parcel is going to work out perfectly, as it contains old taxiways from the former Naval Air Station. Kansas Department of Transportation has reviewed them and said the existing surfaces will save us a million dollars. An engineering firm has been here to look at the property with the goal of incorporating it into a state of the art driving facility. The project is to begin right after the first of the year.

Director Pavey explained that they are ready to bond this Capital Improvement Project. It is anticipated that yearly expenses for the Capital Improvement Project (C.I.P.) will be between \$1.4 – 1.5 million. Referring to Director Culp's comments on docket fees and issues that impact the collection of them, Director Pavey said last year there was a \$700,000 shortage of docket fees. This year fees are much closer to target.

KLETC Annual Report FY '07

- trained 298 full time officers
- trained 52 part time officers
- 29 went through on reciprocity -- out of state officers who needed to be certified in KS
- 23 challenge exams – for those people who had been out of law enforcement for 5 years or more (18 passed)
- Total 402 went through basic training related programs

Specialized Training/Continuing Education – area of Mark Dimitio and Richard Powell

- 145 training events – 3759 officers attended those events
- 23 distance learning programs with 597 enrollments
- HR 218 training for the retirees – retirement qualifications for 35 officers from around the state

The Instructor Ride Along Program began in 1998 when instructors were sent out state wide to ride along with police officers and sheriff's deputies throughout the state for a 4 hour period and to interview either the Police Chief or the Sheriff and the officers they rode with. This year the ride along is scheduled for November 19 and 20. Arrangements have been made for the instructors to ride along with 16 police officers and 18 sheriff's officers this year. Upon completion of the "ride alongs" an administrative report is to be written and a meeting will be held to discuss the experience and how to incorporate the findings into KLETC curriculum. During the same time a Strategic Planning seminar will be conducted involving all management staff to determine future goals and objectives.

KLETC received a three primary grants this past year -- KDOT grant of \$100,000 for the new driving simulator which is up and running in the same room as the new Fire Arms Training System scenario which was made possible with a Federal grant through the Governor's office. The final grant was \$16,500 received through the Governor's office to assist in curriculum development combating domestic violence. A new class begins next week, there are 60 slots in the 195th class and we have 57 enrollees but we have had no luck getting anyone to move up and fill those classes from future class enrollments. This concludes the KLETC report.

Old Business

Director Culp reported on directives received at prior meetings. He reported that authorization had been granted through the Director of Appointments in the Governor's office for the establishment of a retirement account for him. He expressed his gratitude.

It was also reported that in accordance with the directive to honor retired Chief and KS♦CPOST Commissioner Ed Klumpp a plaque, recognizing his prior service, had been presented to him during Kansas Chiefs of Police Board Meeting at the Joint Conference in Topeka.

The final directive, vehicles for the agency has been accomplished. A car has been included in the 2008 budget. Since there are no investigators hired yet cars are not a big priority at this time. Commissioner Seck also offered seized vehicles to fill some of the need of the agency. Locating a permanent office is ongoing and narrowed down to about 3 or 4 sites. The plan is to move in the 1st Quarter of 2008. Director Culp expressed gratitude towards KLETC for their assistance as he forms the agency KS♦CPOST into a free standing division of state government.

Commissioner Williams asked if there was any other old business to be discussed and Kyle Smith asked Director Culp about the hiring process to bring an attorney and two investigators on board. Director Culp replied in general terms saying he had conducted lots of interviews over the past few weeks and hired Victoria Mork, Administrative Assistant. He also interviewed some attorneys and is in negotiation with one attorney at this time. He sees more staff being added after the first of the year. Kyle suggested in view of his retirement and pending move to the East coast that once his successor is named they contact Linda regarding his files. Director Culp thanked Kyle Smith and accepted his offer.

Commissioner Williams extended the Commission's thanks to Ed Pavey and the Kansas Law Enforcement Training Center staff for their assistance to KS♦CPOST during the past year. Ed Pavey said he appreciated the opportunity to provide Steve with the historical background of KS♦CPOST and felt the transition of the registry and other regulatory features would be very smooth due to the overlap.

Commissioner Williams called for any additional old business items, hearing none he asked if an executive session was needed; neither Director Culp or the Commission at large indicated a need.

New Business

Commissioner Williams asked if there were any new business items. Ed Pavey said there was an individual in Eastern Kansas upset about the part time officer training program requiring only 80 hours of training. The individual has been on an email campaign with a number of legislators requesting a change in the law. Such a change would impact a number of communities. The 80 hour training figure was chosen as it corresponds to the typical amount of vacation taken by an officer. The volunteers are hired to cover the absent officer during that time. Ed explained he just wanted Commission members to be aware of this individual's actions in event the Kansas legislature should take up this matter. A

response was sent to the individual with copies to the legislators involved saying it was appropriate for the legislature to determine adequate length of training.

Commissioner Williams asked about any pending legislation in the next session that may have an impact on KS♦CPOST. Director Culp said the Governor's Task Force on Racial Profiling may affect law enforcement in general and KS♦CPOST in particular and he is unsure if a legislative proposal has been submitted to the legislature. Director Culp deferred to Commissioner Williams explaining he is co-chair of the Governor's Task Force on Racial Profiling which is made up of law enforcement and public representatives in general. One of the responsibilities of the task force is to make recommendations to the legislature regarding racial profiling. Nothing has been submitted yet but during the past several months town meetings have been held across Kansas seeking public input.

Task Force Meetings have been held in Pittsburg, Olathe, Salina, Wichita and Kansas City, Kansas and later in November the meeting will be in Topeka. After that Dodge City is scheduled and probably will hold the last meeting in Colby or thereabouts. No decisions have been made for recommendations. One of things that has been discussed and brought up by some in law enforcement is which department or agency within the state should receive the complaints on racial profiling. Director Culp appeared before the taskforce in Wichita and was asked about this. Currently complaints are taken by the Kansas Human Rights Commission. It has been suggested that complaints either stay with KHRC, go to the State Attorney General's office or go to the KS♦CPOST. Law enforcement associations have varying positions on this issue. One big concern with KS♦CPOST is their small staff and limited resource level.

Commissioner Hansen stated a preference for an agency with law enforcement experience to handle racial profiling complaints. Her experience has been with KHRC investigators who are knowledgeable in employment settings but uneducated regarding law enforcement issues. On the other hand there are some who are not comfortable with law enforcement investigating law enforcement in this area. Director Culp indicated a willingness to carry out the mandate of the Governor and the legislature whatever their decision may be. Commissioner Williams is concerned about KS♦CPOST from a resource standpoint but is leaning towards the Attorney General's office. As the law is written now, if an investigation yields a probable cause finding there is no further court procedure as a civil finding. There is an interest in criminalizing the findings however, that may be counterproductive and misses an opportunity for officer training.

Herman Jones, task force member, is in charge of the search subcommittee for a Coordinator. Commissioner Williams reports the field has been narrowed to three and interviews will be held in December and hope to bring the staff member on board in the first of January.

Commissioner Hansen stated she would like to receive a summary report from the Kansas Human Rights Commission at the end of the year that showed number of complaints and the actual findings for that year. She believes this would be a very good use for some of the grant money received by the Commission. Since law enforcement is required to report complaints an annual report by the KHRC summarizing activity would be valuable feedback for departments.

Kyle Smith said complaints against an officer alleging racial profiling represent a possible violation of statutory law and the policies of every law enforcement department at this time, even if an action isn't deemed criminal it could still be a violation of the Commission of Law Enforcement and it would be appropriate for KS♦CPOST to be involved. The collection, submission and analyzation of statistical data represents an expense for the agencies and if few instances of wrong doing are determined then it

would seem that the findings would not support the creation of a bureaucratic system. Instead the complaints should be treated like any other ethical complaint and dealt with through usual KS♦CPOST channels. Politically this could be awkward to handle but the best defense is the lack of data or documentation to substantiate a real problem in this area. Whether KS♦CPOST should handle particular issues of officer misconduct instead of the respective Chief or Sheriff is a matter that can be discussed and decided by KS♦CPOST.

Discussion also centered on the matter of issues with the racial profiling data; who determines a benchmark that defines racial profiling, who holds the reported data and who analyzes the data and what does the analysis consist of. If there is not a major problem demanding a resolution then the resources could best be used in other areas. Commissioner Williams asked if this feeling was shared by most law enforcement agencies in Kansas and was assured it was. He then said he would bring these comments to the attention of the task force at the next meeting.

Commissioner Hansen said in her experience not every complaint of racial profiling amounted to a bona fide incident. She would like to see criteria developed for a minimum standard for a complaint because not every complaint is worthy of an investigation. Yet the Kansas Human Rights Commission staff informed her that they investigate every complaint of racial profiling. Commissioner Williams reminded everyone that any changes regarding agency policies and actions relative to racial profiling were subject to legislative action. Commissioner Hansen recommended that KHRC staff be trained regarding law enforcement and how to conduct an investigation.

KS♦CPOST's procedure for investigation requires evaluation of situation and approval by 3 board members unless the issue is compelling. Commissioner Williams reviewed the process of checks and balances in criminal cases worked through in the United States Attorney's Office before a grand jury issued an indictment. Overall agencies want to do good work but questions remain concerning racial profiling it appears the definition of it and need for it is not so cut and dried

Commissioner Seck, attended a recent task force public meeting and was told that about 30 racial profiling complaints had been received state wide with only 1 or 2 complaints sustained. Considering there are 7,400 law enforcement officers for the state of Kansas this does not appear to be a big problem. He recommends that the Governor's Task Force on Racial Profiling proceed very slowly developing policies in this area. In the meantime the law enforcement community should educate the public and the legislature that this is a small problem because law enforcement polices their own people. Commissioner Williams said he thought agencies were willing to collect data but he's not sure now. Commissioner Hansen said her agency had collected data for 5 years but for what purpose. She feels there are other areas of law enforcement that need resources such as attracting good candidates or keeping law enforcement viable for the next decade that are much more important to the safety of the public and the state. Collecting and analyzing data is time consuming and costs the agencies.

Kyle Smith affirmed the work of KS♦CPOST as a regulatory agency capable of disciplining law enforcement officers when needed. Commissioner Williams explained that the Governor's Task Force on Racial Profiling was reviewing this issue to determine whether to make a recommendation or not. He requested input either at the meeting or later. Commissioner Seck said he would implement data collection procedures when it is required and cautioned against implementing a process without careful evaluation and review or a feedback loop. Commissioner Williams said law enforcement was represented on the task force by Mike Watson, Kansas Association of Chiefs of Police; Herman Jones

who is with the Highway Patrol, Sheriff Green from Kansas City; Mike Padilla, now with the Department of Motor Vehicles; and Terry Moses, Wichita Police Department, ad-hoc member.

Director Culp referred to the Summary of Legislation of Interest to Kansas Law Enforcement, 2007 Edition prepared by Darin Beck, KLETC Legal Counsel included in the commission notebooks. Commissioner Williams brought up a matter regarding a subcommittee hearing from last year on the sheriff from Smith County. He requested an update as the sheriff filed an appeal in Shawnee County.

Darin Beck, Associate General Counsel for KLETC, responded that while District Court upheld the Commission's decision the Sheriff filed a notice to appeal but had not taken it any further and at this time the notice remains in pending status. The Court of Appeals will have to act on it. Special Investigator Lanny Grosland stated he added Ellsworth L. Murphy to the list of disciplinary proceedings for KS♦CPOST and an order of his revocation will be given the Pat Dunsworth for posting in the registry. As far as KS♦CPOST is concerned he is revoked until a court order states otherwise.

In response to Director Culp's inquiry Kyle Smith replied he was unaware of any pending legislation that would impact KS♦CPOST. Commissioner Williams said he anticipated additional legislation concerning racial profiling to be sponsored by both Senator David Haley out of Kansas City and Senator Donald Betts out of Wichita in the coming 2008 legislative session. He also noted Senator Betts is running for the US House of Representatives.

Director Culp said reports (of racial profiling incidents) were to be sent to the Attorney General's office but the data remains housed locally with the agency. Commissioner Williams explained that one of the criticisms made is that not all agencies are reporting, but the legislation does not require agencies to report if there are zero complaints. It is anticipated this issue will be amended in the near future.

The matter of reporting and recording racial profiling training for law enforcement officers was brought up and the question is who is keeping track of the data. Director Culp said that training should be reported to KS♦CPOST for record keeping. However, the current law requires only that agencies report 40 hours of training not the specific topics. Commissioner Stowers suggested the Commission consider developing a system specifically tracking racial profiling training by agencies in event the legislature would require it of each law enforcement officer. Currently agencies provide this training in a variety of ways some of which may not even constitute continuing education hours. Commissioner Williams said the Governor's Task Force has a subcommittee developing dynamic training on racial profiling.

Commissioner Seck asked Commissioner Williams if it would be appropriate for the Commission to prepare a position paper/statement recommending the agency best suited to investigate complaints of racial profiling. Commissioner Williams said it would be very helpful. Commissioner Seck clarified he did not intend for the group to develop it today but spend some time and thought on it. Director Culp said a Commission statement was a good idea but it should include information about the resources needed to accomplish the assignment. Commissioner Williams said Director Culp had the expertise to develop that piece. Kyle Smith said the KHRC had one supervisor and two investigators with funding of \$200,000. If the investigative responsibility is given to another agency KHRC does not want to look like they lacked the ability to fulfill their responsibility.

Kyle Smith, said that for the next meeting we should decide whether we think that this should be done by KS♦ CPOST; if we suggest that then explore the matter of an annual report – without an annual report requirement it is impossible to know if there is good data or not, hard to know if an agency failed

to file their report or if there was nothing to report and a requirement for training means a system is required. Commissioner Hansen objected saying she thought that level of accountability rested with each agency. She acknowledged the political volatility of the topic but maintains this issue, racial profiling, should not be treated much more differently than other areas within the organization.

Commissioner Williams encouraged the Commission to take a proactive stance because once the legislative session begins it's impossible to know when the anticipated legislation might be filed and what the time table will be. Commissioner Williams said the Governor's task force is bound to make recommendations. Darin reminded the group that it was highly likely that Director Culp would be called to testify before legislative sub committees on a bill and without Commission action sooner rather than later there would be no Commission position.

Commissioner Brashears suggested Steve prepare a survey for all the members. He also asked if the Commission wanted to make a recommendation for future KS♦CPOST activities. Director Culp suggested that issue be part of the survey. He also reminded everyone the survey would be public information.

Commissioner Williams asked if there was a motion for a survey. Discussion ensued about the value of a survey that addressed anticipated issues such as who's going to investigate; who's going to collect the data; who's going to track the training; are we willing to do that or do we think that's our responsibility. Ed Pavey asked about funding for the training and development of curriculum. He acknowledged the larger population centers could provide their officers with quality training. But 53% of the 431 agencies in Kansas have 5 or fewer officers, they lack the personnel to develop/present the training, they don't do roll call training because there is only one officer. Some mechanism is needed to get the training out to the small agencies and it can't be the same training year after year. If responsibility is assigned there must be some resources to support it.

Darrin recommended the Commission take an official position on whether KS♦CPOST should accept the burden of investigation for racial profiling complaints. Feedback from the survey on the other issues of training, data collection etc would be very good but the core issue for the Commission of accepting or opposing the burden of investigating racial profiling complaints is an important definitive position. Commissioner Seck said if the Commission is committed to trying to wrest that role back from the KHRC then now is the time. Delaying a decision could be a real lost opportunity. Moving forward and taking action to assume this responsibility would give this newly formed agency some weight.

Commissioner Williams expressed an opinion that the Attorney General's office might be appropriate too but if KS♦CPOST took on this responsibility the matter of resources would be critical. Expanded responsibilities would affect the selection of an office space too. Director Culp said if KS♦CPOST took on the investigative responsibility for these complaints the process should involve collecting facts, analyzing data and presenting it to a separate body that would make a final decision. The matter of making a final decision would be an undue burden on the Commission. The Attorney General's office would be the appropriate decision maker.

Commissioner Williams said while it's hard to predict what the legislature might do, he's concerned they may be unwilling to increase the appropriation considering there was opposition voiced last year about creating KS♦CPOST as a separate entity while KLETC was doing a fine job. There is the possibility that the Commission could end up with additional responsibilities but no additional funding. Discussion ensued concerning current staffing levels at KHRC and current funding resources for Governor's Commission

and data collection activities. Commissioner Williams said the Governor's Task Force will make recommendations and it would happen early in the legislative session.

Motion made by Commissioner Odell for Director Culp to construct and distribute a survey among Commission members on racial profiling issues. Commissioner Breshears seconded it. Motion passed unanimously. Steve asked for input from members as to what to include. Kyle Smith cautioned the Commission to phrase questions for the survey carefully with lots of caveats regarding funding and the drafting of the legislation. Survey should say if properly drafted and properly funded then would we support this. Commission must avoid appearance of supporting actions that are not carefully drawn up to guard against unfunded mandates.

Miscellaneous Commission Comments or Concerns

Commissioner Williams asked members for comments or concerns. Kyle Smith expressed his thanks for 20 years of service to the Commission upon his retirement from the Kansas Bureau of Investigation. He praised the work of the Commission. Director Culp expressed appreciation to Kyle Smith for his service.

Selection of committee assignments for next year was discussed. It was decided to include that issue on the survey. Special Investigator Grosland said the Municipal Reimbursement Committee was short one member and ought to be filled immediately as he would like to finalize the reimbursements next week. It's a three member committee comprised of County Attorney David L Miller, chairman; Sgt. Steve Stowers; and Chief William T Smith, who just retired and resigned. Commissioner Williams said another member could be appointed but two members out of three constitutes a voting majority. He also asked for any volunteers from the Commission. Commissioner Hanson volunteered to serve. Director Culp assured the Commission that the Governor's office has all of the information needed to select another chief of a second class City to replace William Smith.

Ed Pavey announced that the Legislative Reception would be held at 5:30 pm on Wednesday, Feb. 6, 2008 at the Capitol Plaza in Topeka, Kansas. The Sheriff's Administration and Management Seminar will be held from Sunday, February 3, 2008 through Wednesday noon at the Topeka Holiday Inn West. The next Commission meeting will be held at 1 pm on February 5, 2008 in Topeka at a location to be determined.

Motion to adjourn made by Commissioner Odell and seconded by Commissioner Stowers. Vote was unanimous.