

SAFETY COMMITTEE

April 20, 2010

3:40 P.M.

Councilwoman Ladd called the meeting of the Safety Committee to order with Councilpersons Scott, Rico, McGary, Murphy, Berz, Gilbert, Robinson and Benson present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Larry Zehnder, Chief Maffett, Chief Rawlston, Dan Johnson, Chief Parker, Richard Beeland, David Johnson, Chief Williams, Chief Dodd, Daisy Madison, Randy Burns and Frank Hamilton. Dave Crockett joined the meeting later.

Councilwoman Ladd indicated that this would be her last time to chair the Safety Committee.

On motion of Councilwoman Robinson, seconded by Councilman Murphy, the minutes of the previous meeting were approved as published.

Councilwoman Ladd stated that Wade Scott was supposed to be here to talk about traffic cameras. He was not in the audience, and she moved to the next topic.

INTRODUCTION BY INTERIM CHIEF RAWLSTON

Chief Rawlston stated that he wanted to give a report of crime trends; that since 2001, there had been a 28% reduction in crime; that 2009 had not been posted but that there was a downward trend. He noted that homicides were staying below 25, which was 30% lower in 2010; that rapes had been 130 and were down to below 40. The aggravated assault trend was downward. Simple assault was tremendously down. Burglaries, however, have trended upward, and Chief Rawlston stated that they were working on this diligently; that they were really hustling and had some good news this morning. Auto thefts are down from 2100 to 800; there is a slight upward trend in armed robbery. He noted that arrests spiked in 2005; that there were about 10,000 arrests in 2008; that this chart started with 2001. He next addressed how we shape up against other cities, stating that he did not have a 2009 report. Memphis has 19 officers per 100,000 people. Nashville, Knoxville and Chattanooga are about the same with approximately 14 officers per 100,000. We rank 45th in crime in the State.

He went on to say that we carry 43 vacancies; that there was one intent to retire today and two others are resigning. Nine (9) officers are off injured; five (5) are off the payroll due to active military duty. He stated that all police departments are heavy with reservists, and they take our people for active duty.

Chief Rawlston reported that the first quarter numbers were 20.72 decrease in crime; that violent crime is down 6%; the only number up is rape, with only a difference of three (3). Overall we are down across the board.

He mentioned that there was a lot of attention drawn to Coolidge Park; that they had had 36 calls to Coolidge Park since 2009, which was not a tremendous call load.

Chief Rawlston stated that for all these decreases, we have neighborhoods with challenges and additional work to do; that he was impressed with their people; that these are trying times for the City with the shootings. He asked if there were any questions.

Councilwoman Robinson thanked Chief Rawlston for attending a meeting on Sunday; that she and Councilman McGary were there; that it took place at 4:00 p.m. and lasted for two hours; that there was a public exchange with Father Peter translating to immigrants from South Africa; that there were a lot of questions that Chief Rawlston could answer. She reiterated that the meeting lasted two hours and then there was a reception; that the Chief and herself stayed another hour. She stated that Councilman McGary could run a Day Care Center because he had the best behaved children. She noted that Chief Rawlston tracked her down in regards to this meeting, and she thanked him for this.

Councilman Gilbert mentioned the gang activity and asked if there was anyway to measure increases and decreases? Chief Rawlston responded that no city has an effective way of tracking gang crime; that none of the cities that he had researched could say which crimes are gang related. Councilman Gilbert stated that some individuals are known as gang people and asked if it could not be tracked this way. Chief Rawlston agreed to see if this could be filtered in. Councilman Gilbert stated that it was going to take all of us working together and wanted to know what we can do as a community and what the churches can do.

Councilman McGary thanked Chief Rawlston for joining us today and for his slides. He had a question about recent trends and asked if there was any information from these shootings so that we could see trends developing? Chief Rawlston responded that they go with statistical information and could make their bi-weekly meeting material available; that they discuss issues each week and what was done to address these issues. He stated that some trends have developed but there were things he could not discuss in this meeting.

Councilman McGary had a second question, which he stated might be sensitive information—that summer is our most heated months and wanted to know how the Police Force adjusts to summer? Chief Rawlston responded that the commanders of all the units have flexibility to move people; that if they see a trend, they can move people; that they were great at borrowing with each other; that as they monitor communities, they shift personnel day to day; that the street dictates their life, and they have the flexibility to move people around as needed.

Councilman Murphy stated that he had heard Chief Rawlston on the radio, and he represented the City well. He asked if the Armed Robbery Bill got through? Chief Rawlston responded that there is very little truth in sentencing; that they do 30% and get good time off; that the Chiefs of Police had put together legislative initiatives; that one thing they jumped on this year was changing the sentencing guidelines for armed robbery; that any Bill with a fiscal note is dead on arrival; that as a trade-off, instead of a first time conviction there would be mandatory community service for non-violent crimes. Councilman Murphy noted that those arrested for murder frequently are arrested first for illegal weapons; that if we catch them with a gun and know they are in a gang, is there any hope for a greater penalty? Chief Rawlston mentioned gang legislation—that when three or more are conspiring to commit a crime, they were recommending enhanced punishment; that this died on the vine last year, but they continued to bring it up. Councilman Murphy stated that he had done ride-alongs—that burglary alarms are a nuisance. Chief Rawlston noted that we had passed an Alarm Ordinance in 1997 and started enforcement; that Chief Dodson thought it was too onerous and not enforceable; that Memphis has an Office of Alarm Enforcement, and it is self-sufficient. Councilman Murphy noted that we are short on manpower and should not be chasing false alarms. He went on to say that Chief Rawlston showed us numbers for other cities in Tennessee. He asked if he had any numbers for adjoining States? Chief Rawlston responded that the TBI does not track these numbers—that we compare apples to apples; that we don't know the laws in other States outside of Tennessee.

Councilwoman Berz mentioned 43 positions with vacancies and soon to be 46. She asked if these positions are funded, but unfilled? Chief Rawlston responded that they were unfunded. She asked if we had these 46 positions filled, would we be at optimum capacity? Chief Rawlston stated that we would have 475 officers. She asked if we had these 46 funded and were at optimal strength, would we be at where are strength should be? Councilman Benson noted that 500 officers were recommended. Chief Rawlston stated that he did not think that 500 was a magic number. Councilwoman Berz stated that looking at 46 would get us in good shape; that CDC says rapes are up, yet Chief Rawlston was saying rapes were down. She questioned if rapes were not being reported. Chief Rawlston stated that they could only list what is reported. Councilwoman Berz noted that there might be a lack of reporting. Chief Rawlston agreed that there could be under reporting. Councilwoman Berz asked if this tremendous drop was reported by TBI or the FBI. Chief Rawlston stated that it was the TBI, who gives their figures to the FBI.

Councilwoman Scott asked if we could get 46 who have applied and want on to come on? She asked about the Academy.

Chief Rawlston responded that they had run lateral academies—that it takes 10 weeks for a lateral academy and 20 weeks for brand new hires; that we don't have a lateral academy planned at this point; that they had 150 applications to look at, and there would have to be multiple academies with 25 to 30 in each one; that the first one would probably have 30-35, which is a high number and the second academy, they would fill in what they needed.

Councilwoman Scott confirmed that for brand new officers, it would be 20 weeks.

Councilman Murphy stated that the plan was for two academies—that people continue to retire and questioned if they would do a lateral academy if we had a minimum of ten? Chief Rawlston stated that ten would probably be the minimum; that there were problems with lateral academies (even though he, himself, was a product of a lateral academy); that if we hire outside the State, we tend to keep them a couple of years, and they get homesick and go home.

Councilman Gilbert noted that at his place of employment, if they trained them, they had to sign a document they would stay or else give the money back.

Chief Rawlston stated that contracts had been discussed for years; that he went to college on a LEAP Grant Program and had to give two years back.

Councilman Gilbert felt that they needed to sign something and make a choice.

Chief Rawlston stated that some don't know whether they will stay or not and really don't like this idea.

Councilman Gilbert stated that they could join the academy and finish and then go to L.A. Chief Rawlston stated that they had had this happen—that there was never any proof, just a verbal contract. Councilman Gilbert maintained that we need to have a contract. Chief Rawlston stated that he supported this.

Councilman Benson stated that we had spent a lot of time with this with every Police Chief; that there was no simple answer.

Councilman McGary asked about police officers in neighborhoods and a Police Community and also he asked about the potential of combining with the County Police Force. Chief Rawlston responded that they push officers to work with neighborhood groups; that we do this well. He then addressed meetings concerning consolidation. He stated that they had a joint meeting today with the Sheriff and his Chiefs and himself and the City Chiefs; that they discussed pros and cons and came out of the meeting with an agreement that everyone will be professional and courteous to each other; that as they consolidate, any disputes will remain in the room. Councilman McGary asked if future meetings were planned? Chief Rawlston responded “not right now”; that he had had two or three meetings with the Sheriff but there was no moving forward; that this would have to be discussed with the Mayor’s Office for direction as to where we need to go.

Chief Parker stated that they worked with the Police Department; that the Police Department did training with the Fire Department; that training for the Fire Department was a benefit to them—that sometimes they see things that the Police don’t see; that they have people in classes; that the Police Department is pro-active. He mentioned an event that was held where Councilmen Rico and McGary and himself walked a mile in “her” shoes and showed a pair of red high heels that he had worn. He told Chairman Benson that as Chairman of the Safety Committee, they would reserve a pair of shoes like these for him next year. He stated that Councilman Rico finished before he did. He then mentioned a Pancake Breakfast that will be held on Saturday, starting at 8:00 a.m. to 11:00 a.m. at the Number One Fire Hall. The cost will be \$5.00.

WADE SCOTT—TRAFFIC CAMERAS

Councilwoman Ladd allowed Wade Scott to address the committee concerning cameras. He had arrived late, and she informed him that he would only have three minutes to speak.

Mr. Scott stated that this was an exploratory thing for him; that he had traveled on McBrien Rd., and the light changed to yellow—that he either had to slam on his brakes or speed up to get through the light; that he speeded up and got a ticket in the mail; that he called a friend of his who is in the Police Dept. and asked if he gave him a ticket would not police training be involved, which is a reasonable opinion; that when you deal with safety cameras there is no human element involved; that the ones who gain are the people with the ticket company that have a vested interest. He then went on to speak of the legality of these cameras, which he stated had opened up “Pandora’s Box”; that these cameras had been found unconstitutional and a violation of amendments. He stated that he was trying to find out what action needs to take place in so far as public opinion of whether we want these in our City. He noted that no vote had been taken to get these on the books and people are saying “no”, because it violates constitutional rights.

Mr. Scott told of such cameras being instituted in 1992 in England—they had cameras at every intersection. He questioned, as technology evolves, if these cameras would take the place of everything. He stated that no one had actively questioned the legality and questioned if this was constitutionally a violation or was it too late.

Councilman Benson stated that Mr. Scott was asking a legal question; that when police are present, they can use their judgment; however it might be better to use cameras because if someone like a councilman is stopped, they might be excused, whereas John Doe would be fined—that cameras are not discriminatory. He noted that when there are radar tickets and someone is stopped, it often takes an officer 30 minutes and our policemen need to be where there is criminal action taking place. He stated that the police hate to work radar. He stated that he did not know the answer but as the population increases more regulatory action will be necessary.

Councilwoman Berz stated that Mr. Scott's main concern seemed to be Big Brother, and she would be the first person to be against Big Brother; that she was hearing what he was saying but asked if he had seen the protocol and was saying there is a protocol question.

Mr. Scott responded that he was questioning the legality—civil versus criminal; that these cameras can't prove it is you, and this is against how the Constitution is written; that people are never accused—they just get a ticket in the mail and have to pay it and be quiet and be a good citizen.

Councilwoman Berz stated that she was not disagreeing and asked if Mr. Scott was saying that the protocol used flies in the face.

Mr. Scott responded that the issue was not protocol; that the idea of these tickets is for safety, but he felt there were better ways for safety, mentioning that t-bone collisions happen five seconds after the light changes, and the cameras are of no effect; that tickets could be issued when there is a defective light; that there could be all kinds of defects such as funeral processions and cops waving people through a red light.

Councilwoman Robinson stated that Mr. Scott seemed to think that Big Brother is watching us; that with current activities cameras are used all the time—that it is a trade-off; that when you enter an Bank, you are on camera; that when you enter Wal-Mart, you are on camera. She questioned if this was an intrusion? She stated that this was the way we live our lives; that she was happy to have the cameras in Coolidge Park. She mentioned that seven people had been killed on the "S" curves and now the speed had dropped; that it was all about changing behavior, and the money from the cameras goes into Driver Education.

Chief Rawlston mentioned the low threshold for red light violations, noting that some cities are not on the threshold; that the light has to be red before you go across the line.

Councilman Benson mentioned, also, that with the speeding cameras you could be going 60 mph and if you put on the brakes before going past the camera, it won't see you.

Chief Rawlston agreed that you could pass the camera vehicle and go 300 ft.; that you had to be ten miles over the speed limit and there is also a sign posted.

Councilwoman Ladd suggested that Mr. Scott talk to Chief Rawlston about this because we did not want a debate.

Mr. Scott stated that he thought the purpose of this meeting was to debate; that he was just getting "bounced" around.

Councilwoman Ladd responded that we were not here to debate this issue and that Mr. Scott needed to get with Chief Rawlston.

The meeting was adjourned at 4:30 p.m.