

PUBLIC SAFETY COMMITTEE

October 24, 2007

The Public Safety Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on October 24, 2007 at 9:00 a.m.

COMMITTEE PRESENT

Mike Whalen, Chairperson
Kyle Jones
Tom Rawles

COUNCIL PRESENT

None

STAFF PRESENT

Christopher Brady
Debbie Spinner

1. Items from citizens present.

There were no items from citizens present.

2. Hear an update, discuss the status of the Photo Safety Program and make recommendations on the future operation of the program.

Police Chief George Gascón introduced Commander Mike Dvorak of the Metro Division and Lieutenant Mario Lattanzio of the Traffic Division, and he announced that Lieutenant Lattanzio would assume the position of Commander in the near future.

Commander Dvorak stated that Lieutenant Lattanzio would make the presentation. He noted that representatives of the vendor, Jim Tuten, President of American Traffic Solutions (ATS), and Adam Tuten, Executive Vice President, were also present.

Lieutenant Lattanzio displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) to provide an update on the Photo Safety Program. He advised that the program currently includes:

- 30 operational intersections equipped with 34 cameras.
- 7 intersections have "speed on green" and 2 more will be operational soon.
- 4 mobile speed vans.

Lieutenant Lattanzio advised that the City currently pays for five "speed on green" locations and the remaining four are provided by ATS at no cost for the first year under the new contract, which is an increase of six months from the previous contract. He displayed a chart titled, "Paid Citations Per Day Per Camera at Current Payment Rate" (see Attachment 1), and noted that the intersections that exceed the breakeven point offset some of the other intersections that fail to break even. He added that equipment performance problems experienced in July, August and September are currently being addressed and that the October figures show an improvement.

In response to questions from Chairman Whalen, Lieutenant Lattanzio stated that "acceptance rate" refers to the number of citations issued. He added that the Committee could be provided with a report regarding the clarity of the photographs.

Lieutenant Lattanzio responded to a question from Committeemember Jones by advising that the criteria for issuing a citation is when there is a gender match of the vehicle owner to the photograph. He added that when the gender does not match the photograph, a notice is sent to the vehicle owner requesting that the driver in the photograph be identified.

Lieutenant Lattanzio continued the PowerPoint presentation by advising that the number of "Speed on Green" cameras increased from five in July to seven in August and September and that by the end of October, nine cameras should be in operation. He noted that although initial problems with the acceptance rate required camera adjustments, the acceptance rate for October to date is 83.92 percent compared to 73.25 percent in September.

Responding to a question from Chairman Whalen, Lieutenant Lattanzio stated that the "Speed on Green" intersections have cameras in place, but no additional markings are present that identify a "Speed on Green" intersection.

Lieutenant Lattanzio advised that heat conditions this summer required the replacement of loops in the ground and several yellow lights. He reported that additional strobes were added and that cameras are being cleaned more frequently. He said that an analysis of 16 intersections indicated a reduction in the number of accidents in the past year.

In response to a question from Committeemember Rawles, Chief Gascón stated that the number of accidents Citywide has been reduced by six percent year-to-date. He noted that additional statistical analysis would be required to determine the impact of the cameras.

Discussion ensued relative to the fact that some intersections with cameras have experienced an increase in the number of traffic accidents; that some intersections without cameras have experienced a reduction in the number of accidents; that manpower is also being utilized to reduce the number of accidents; and that the Police Department has increased traffic enforcement and increased the number of citations.

Adam Tuton outlined the results of surveys conducted in Mesa to determine the level of citizen support for the City's Photo Enforcement Traffic Safety Program (see Attachment 2). He reported that the survey indicated that more than 80 percent of Mesa residents support the Photo Safety Program.

Committeemember Rawles noted that many factors affect the accident rate, and he stated the opinion that several years of data would be required in order to obtain a meaningful statistical analysis.

Lieutenant Lattanzio advised that deficits in the program costs of \$17,073 in July and \$23,684 in August should be eliminated by the fact that ATS would staff the mobile speed vans a minimum of 8 hours per day, 5 days per week, at no cost to the City and guarantee monthly payments of \$6,500 per van. He advised that other items in the contract addendum include the following:

- The addition of four intersection speed controls at no cost to the City for 12 months.

- ATS conducted 40 violation incident management studies at no cost to the City.
- Four red light cameras will be relocated at no cost to the City.
- Four mobile radar antennas and control units will be replaced at no cost to the City.
- Fixed speed site cameras will be installed on Baseline at Rhodes Junior High at no cost to the City.
- A contract performance guarantee for a 75 percent issuance rate over rolling three-month periods. At the end of each month, the City will receive a reduction to the billing if the issuance rate for the three previous months falls below 75 percent.

Additional discussion ensued relative to the fact that the City owns the vans and leases the equipment; that the vans have Mesa Police Department markings; that ATS operates vans with police department markings in other communities, such as Scottsdale, Avondale and Tucson; that ATS personnel have cell phones; and that ATS personnel will be trained in radio protocol to provide direct access to the communications center in the event of an emergency.

City Manager Christopher Brady stated that the significant costs to the City were the staffing components and leasing the equipment. He stated that staff would provide detailed information on the various cost components.

Further discussion ensued regarding the fact that the Mesa Police lieutenant in charge of traffic will determine the location of vans; and that the vans are not suitable for use at intersections because of the traffic patterns.

Committeemember Rawles noted that the purpose of the program should be to improve behavior rather than to generate revenue. He stated the opinion that the best performing intersections are those that generate the least number of citations because a fewer number of people are violating the law at that location.

Chief Gascón concurred that the purpose of the program is not to generate revenue, but rather to improve public safety by modifying behavior.

Mr. Brady noted that a substantial amount of manpower would be required in order to provide the same level of enforcement as provided by the Photo Safety Program.

Additional discussion ensued relative to the fact that the deployment of the cameras will increase from three hours per day to eight hours under the new contract; and that the City employees currently assigned to the Photo Safety Program will be reassigned to other positions.

Committeemember Rawles expressed concern that non-police personnel would be staffing the vans and issuing citations, and he requested that this activity be monitored closely by the Police Department.

Chief Gascón noted that these personnel will perform a primarily mechanical function and that the Police Department and the Court would review the photographic evidence and computerized reports. He added that the Police Department is sensitive to these types of concerns.

It was moved by Committeemember Rawles, seconded by Committeemember Jones, that staff be directed to move forward with the addendums to the Photo Safety Program contract with ATS and that the contract be brought forward to the full Council for consideration.

Additional discussion ensued relative to the fact that although the costs for first twelve months for the two additional speed on green cameras are at no charge to the City, the City will be charged for the costs after that time period.

Chairman Whalen called for the vote.

Carried unanimously.

3. Hear a presentation, discuss and make a recommendation on response options for call reductions.

Chief Gascón stated he became aware during employee meetings of a perception that the department was unnecessarily responding to some calls, which increased the workload at a time when the department was understaffed. He noted that a group of employees met during the past year to develop the proposed recommendations on response options.

Assistant Police Chief John Meza referred to a printed outline that was provided to the Committee (a copy of the document is available for review in the City Clerk's Office) and stated that the group's objective was to develop a call-reduction process that enables a more efficient response to certain types of calls. He noted that the proposal estimates that 4,800 hours of officer time would be saved annually and that customer service would be improved. Chief Meza added that the proposal changes the manner of the response in that a citizen could be provided with resources rather than having officers respond in person.

Communications Training Supervisor Kim Clark explained that the current process requires a response to every 9-1-1 hang-up call. She advised that the department would continue to respond to residential and business hang-up calls, but 9-1-1 coin phone hang up calls from a public location, such as a shopping mall, would be responded to only when an emergency situation is confirmed.

Chief Meza noted that reports of minor shoplifting crimes would continue to be tracked and that the reports would be taken over the phone.

Ms. Clark explained that an individual reporting a shoplifting crime would be asked if he or she intends to prosecute the suspect. She stated that a case in which the perpetrator would not be prosecuted would be assigned a case number and that any additional information would be gathered over the phone.

Chief Gascón advised that data on these shoplifting incidents would be included in department records in order to identify patterns of criminal activity, but the process would avoid the useless dispatch of a patrol car when the purpose of the police report was to enable the victim to file an insurance claim or obtain replacement merchandise from a vendor.

Discussion ensued relative to the fact that the callback function is not fully staffed at the present time; that groups have been formed to establish pilot programs in order to improve organizational efficiency; that the goal of the department is to become more efficient to extend the capability of the existing resources; that Costco has an effective program to reduce shoplifting; that Target and Wal-Mart are testing similar programs that may be implemented in Mesa in 2008; that the effectiveness of police work is enhanced by the visibility of police officers in the community; and that a database is being developed in order to identify serial shoplifters.

Chief Meza advised that some cellular phone companies require customers to file a police report when a cell phone is lost. He stated that the proposed process provides the customer with a case number, and the department would maintain a record of the report.

Ms. Clark advised that the proposal would reduce the amount of staff time utilized to complete reports regarding lost cell phones, which currently requires approximately 27 hours of staff time per month.

In response to comments by Chairman Whalen, Chief Gascón stated that the department is exploring the use of automated, on-line reporting systems and voice-activated telephone reporting systems.

Chief Meza advised that according to the State Statutes, the police are not required to respond to non-injury traffic accidents that incur damages of less than \$1,000, unless the incident involves alcohol and or a hit-and-run incident. He noted that dispatchers would be trained to explain to callers that reports are not necessary in these circumstances.

In response to concerns expressed by Committeemember Jones, Chief Gascón said that an individual involved in an accident could go to a police station to file a report. He added that insurance companies are legally prohibited from demanding a police report as a prerequisite to paying a claim. He explained that the reason insurance companies prefer to receive a police report is that the process reduces their costs for insurance investigators.

Further discussion ensued relative to the fact that calls reporting accidents are recorded; that 25 percent of police responses to accident calls are cleared with an exchange of information by the parties involved; that an explanation of the process would be provided when a citizen reports a minor accident; that citizens would not be inconvenienced by long waits for officers to arrive on the scene of low priority incidents; that an officer would be dispatched in response to a third party call reporting an accident when the extent of damages and injuries are unknown or when traffic is being obstructed; that dispatchers would be trained to provide information on service levels; and that the community would be educated regarding the level of service that can be expected.

Responding to a question from Chairman Whalen, Ms. Clark advised that there are 16 incoming 9-1-1 lines. She added that there are 27 dispatch positions and that the minimum staffing at a given time is eight individuals.

Committeemember Rawles expressed support for the proposal. He thanked staff for presenting the proposal to the Committee in order to address the public perception regarding these issues. He added that the proposal outlined the types of changes that he expected the Chief and his staff to implement internally.

Chief Gascón noted that the projected savings would be the equivalent to the cost for three officers.

In response to questions from Committeemember Jones, Ms. Clark stated that callers with noise complaints are asked a series of questions, such as is a party in progress, is there loud music, are weapons present, etc. She said that if the caller requests police contact, an officer would be dispatched. Ms. Clark added that a caller who does not wish police contact would be advised that two anonymous calls regarding the situation would be required in order for the police to respond.

Committeemember Jones reported that he recently called in a noise complaint with a request for police contact, but he was not contacted by an officer. He said that constituents advise him that they have received different responses to their noise complaint calls, such as three anonymous calls are required in order for the police to respond or that noise complaints are not valid until after 10:00 p.m.

Ms. Clark stated that the focus of staff training in October relates to parties and drunk drivers.

Chief Gascón said that Police Commanders would be made aware of neighborhoods that are experiencing chronic problems so that contact can be made with the landlord and/or residents. He added that addressing noise complaints would be included as a future training issue.

It was moved by Committeemember Rawles, seconded by Committeemember Jones, that staff be directed to move forward to implement the recommendations on response options for call reductions.

Carried unanimously.

4. Hear a presentation and discuss operations and maintenance for the proposed arraignment center.

Chief Gascón advised that Commander Steve Stahl would provide an update on the proposed arraignment center.

Commander Stahl advised that currently full court sessions are held each morning, Monday through Friday, which include the prosecutor, defense, and clerical staff, and that the afternoon session includes only a judge and a skeletal clerical staff. He added that on Saturdays and Sundays, a judge and a skeletal clerical staff are present. Commander Stahl said that the proposal for the arraignment center is to schedule two full court sessions, seven days a week: one from 8:30 a.m. to 5:00 p.m. and another from 8:30 p.m. to 5:00 a.m. He referred to the operations and maintenance cost estimate (see Attachment 3), which projects a twenty percent increase in incarceration.

In response to questions from Chairman Whalen regarding the estimated costs, Court Administrator Paul Thomas advised that the daytime court sessions are currently funded in the budget. He said that the increases reflect the additional costs to duplicate the daytime services during the evening hours and the additional costs for full court sessions on the weekends.

Mr. Brady noted that staff was challenged to project the future utilization of the court, and he said that the concern exists that the Police Department is currently unable to process many of the individuals with whom they have contact.

Mr. Thomas reported that the court currently has a thirty percent "no show" rate for the regular arraignment of individuals who were cited and released. He stated the opinion that an arraignment center should be fully staffed to maximize the potential for settling the case at the defendant's first appearance, which would mitigate the Maricopa County jail costs.

In response to a question from Chairman Whalen, Budget Director Chuck Odom advised that the cost for the entire remodel of the court building was just under \$16.4 million.

Chief Gascón advised that the arraignment center's capability to access state and national records would enable the positive identification of each individual, including those with outstanding arrest warrants. He noted that this process is likely to increase the number of arrests and the number of prisoners in jail, which would result in a safer community.

Responding to a question from Committeemember Rawles, Mr. Thomas advised that currently prosecutors and public defenders are present for the morning session.

Commander Stahl advised that during 2006, the jail facility was at full capacity fourteen percent of the time, which represents 2,000 cases where officers were required to "cite and release" rather than incarcerate the individuals.

Committeemember Rawles expressed concern that there would not be a sufficient number of cases to justify the operational costs for evening court sessions.

Chief Gascón stated that a twenty-four hour arraignment center would reduce the thirty percent rate of "no shows" for individuals who were cited and released. He said that the "no shows" generate an arrest warrant and incarceration in the County jail facility, which is a very expensive process. Chief Gascón added that although individuals with positive identification are cited, other individuals with questionable forms of identification might not be cited for minor offenses.

Committeemember Rawles reiterated his concerns that operating a twenty-four hour arraignment facility would increase the City's jail costs.

Mr. Thomas explained that his approach to the issue was to determine the capacity that would enable the Police Department to make arrests, as needed, twenty-four hours a day. He noted that future needs are somewhat unknown.

Councilmember Rawles requested additional information regarding the number of in-custody arraignments that are processed each day.

Mr. Brady said that the basic determination to be made for planning purposes is if the arraignment court should continue to be included in the capital side at a cost of \$16.4 million and the amount of operational costs that would be required.

Councilmember Rawles expressed support for continuing to include the arraignment center, but he stated the opinion that the City does not need 14 full arraignment sessions per week. He suggested that staff consider a reduced schedule.

Mr. Thomas explained that the arraignment center would handle cases for individuals who were recently arrested; pre-trial sessions for individuals held on bond at the County jail facility, and cases involving individuals held on Mesa warrants who were arrested in other jurisdictions.

City Prosecutor John Pombier advised that if the individual is not released on bond, the pre-trial hearing for in-custody defendants is held in the in-custody court. He added that the in-custody trial occurs in the regular trial division.

Presiding City Magistrate Matt Tafoya stated that the in-custody court handles approximately 10,000 to 11,000 cases per year and that the number of cases reflects the number of individuals cited by the Police Department.

Mr. Brady stated that Committeemember Rawles has raised good issues, and he noted that the discussion has been valuable. He suggested that the project could be scaled back, and that a discussion of the issues would continue.

Committeemember Jones stated that the City should move forward with plans to construct the arraignment center, and that staffing requirements could be addressed at a later date.

Chairman Whalen concurred with the comments made during the discussion. He noted that the public would have to be educated regarding the fact that this project is in the best interest of the City. Chairman Whalen suggested that some funds be allocated for an eastside holding facility that would complement the arraignment center.

Chief Gascón recommended that a consultant be retained to prepare a master plan of public safety issues for the next twenty years that includes holding facilities. He advised that other alternatives are being explored, including discussions with a private group that may be interested in building a holding facility to serve the East Valley.

Mr. Brady added that the plan must address current needs as well as how to best meet future needs.

Chairman Whalen suggested that police chiefs throughout the Valley discuss their common needs and law enforcement issues with the County Board of Supervisors. He noted that this presentation was an update to the Committee.

Mr. Brady advised that Public Safety issues would be included in a November 8th Council Study Session discussion of capital projects and bond programs.

Chairman Whalen thanked staff for the presentation.

5. Adjournment.

Without objection, the Public Safety Committee meeting adjourned at 10:56 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Safety Committee meeting of the City of Mesa, Arizona, held on the 24th day of October 2007. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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Attachments (3)