

# POLICE COMMITTEE MINUTES

July 10, 2000

The Police Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on July 10, 2000 at 3:30 p.m.

**COMMITTEE PRESENT**

Dennis Kavanaugh, Chairman  
Jim Davidson  
Pat Pomeroy

**COUNCIL PRESENT**

Mike Whalen

**OFFICERS PRESENT**

Mike Hutchinson

1. Further discussion and consideration of issues associated with juvenile case enforcement in the Municipal Court.

City Manager Mike Hutchinson stated that the above matter is a transition item from the prior Council, and because of the complexity of the issue, staff recommended that the current Committeemembers receive an update.

Presiding City Magistrate Walter Switzer provided the members with a brief overview of this agenda item. Judge Switzer indicated that Maurice Portley, Presiding Judge of the Maricopa County Juvenile Court, was notified by the Presiding Phoenix City Magistrate that the Phoenix Municipal Court would no longer be handling any criminal juvenile cases, including City Code violations.

Judge Switzer indicated, by way of history, it was originally his opinion that the most appropriate manner by which to resolve this issue was via Council action whereby the Municipal Court Magistrates could be decertified as hearing officers to preside over criminal juvenile cases; however, Judge Portley issued a memo requesting written information from the City by June 30<sup>th</sup> relative to the City's position on this matter.

Judge Switzer stated the opinion that it is appropriate to send a letter to Judge Portley notifying him of the Council's decision to retain jurisdiction over Mesa City Code criminal violations, such as curfew violations, but will refer criminal juvenile cases to Maricopa County due to a lack of existing enforcement authority in Mesa. Judge Switzer said that he is seeking input from the Committee relative to this agenda item.

In response to a question from Committeemember Pomeroy relative to the lack of enforcement mechanisms that exist in the Municipal Court relative to 14-year-old offenders, Judge Switzer said that although he stated at the May 25, 2000 Police Committee Meeting that he would prefer not to be involved at all in criminal juvenile cases, it was his impression that the members of the Committee favored retaining jurisdiction over the local ordinances and curfews.

Committeemember Pomeroy expressed the opinion that if the City Court has no enforcement authority relative to criminal juvenile offenders, such cases should be referred to the Maricopa County Juvenile Court.

Committeemember Davidson commented on the fact that the State legislature has removed the City's enforcement mechanism regarding criminal juvenile offenders and also noted his concern that by funneling such cases into the County system, the children may become lost.

Discussion ensued relative to the authority of the Maricopa County Juvenile Court.

Committeemember Davidson concurred with Committeemember Pomeroy's remarks, but expressed concerns relative to the possibility that the Municipal Court may lose its ability to enforce Mesa City Code ordinances regarding juvenile cases.

Chairman Kavanaugh stated that based on the Municipal Court's lack of enforcement authority, he supports the reversion of the juvenile criminal cases to the Maricopa County Juvenile Court and added that the City should retain jurisdiction over City Code criminal and civil offenses. Chairman Kavanaugh also recommended that staff track the new system for six months and provide the Committee with an update relative to the system's operation and performance.

Judge Switzer clarified that the Municipal Court will retain the ability to hear criminal juvenile cases or relinquish them to Maricopa County without instituting formal action.

Discussion ensued relative to the classes of criminal and civil offenses defined in the Mesa City Code; the fact that the Municipal Court has the enforcement authority to suspend licenses, but there are no consequences if the juvenile does not possess a driver's license and the fact there is no enforcement mechanism in place for civil offenses other than the collection of judgments.

It was moved by Committeemember Pomeroy, seconded by Committeemember Davidson, to recommend to the City Council that all Municipal Court criminal juvenile cases be referred to Maricopa County Juvenile Court and that the Municipal Court retain jurisdiction relative to civil juvenile cases.

Carried unanimously.

Chairman Kavanaugh expressed appreciation to Judge Switzer for his presentation.

2. Hear an update on the Police Department recruitment efforts.

Recruiting Sergeant Lynn Koliboski provided the Committee with a brief synopsis of the above-agenda item. Sergeant Koliboski outlined the Police Department's current efforts to recruit new officers including college and university job fairs; Special Events; Affirmative Action events; military bases; high schools; community organizations; demonstrational seminars; radio and television advertisements and Internet sites.

Sergeant Koliboski stated that the Police Department has also adopted a policy which allows lateral recruits from around the State who possess a minimum of two-years' experience. Sergeant Koliboski added that consideration is being given to the adoption of a proposal for out-of-state lateral transfers as an additional source of candidates.

Discussion ensued relative to the screening process for out-of-state lateral recruits; the fact that the applicants must submit to a seven-part test administered by POST; the fact that until completion of the screening process, the City will not allow the candidates to waive tests and the fact that potential problems should be detected in the records search which is conducted by the Police Department.

Chief Strauss clarified that staff has not endorsed the adoption of out-of-state lateral recruits as of yet. Chief Strauss added that a safeguard to ensure the appropriateness of the potential candidates would be accomplished through the examination of the candidate's file and also conducting interviews with previous supervisors.

Committeemember Pomeroy spoke in support of lateral transfers and encouraged staff to focus their recruitment efforts in the Midwest including Iowa, Nebraska and Kansas.

Chairman Kavanaugh expressed appreciation to Chief Strauss and her staff for their input and requested that staff provide the Police Committee with an update relative to retention policies for veteran police officers.

3. Discuss and consider a proposed prison holding plan

Police Commander Mike Kalember provided a brief overview of the above-agenda item. Commander Kalember noted that in 1998, due to modifications in the CALEA standards, the Mesa Police Department's holding facility was compelled to alter its booking procedures, which eliminated the number of detainees to 30 or less. Commander Kalember stated that the Mesa Police Department currently has an agreement with the Maricopa County Sheriff's Office to transfer overflow prisoners to the Southeast Jail to be held overnight if the City facility is overcrowded. Commander Kalember added that the County imposes fees upon municipalities to house the prisoners at such facilities. Commander Kalember advised that after considering various options to address this dilemma, staff is proposing that the Mesa Police Department maintain the current holding facility as a processing point and use the Southeast Jail to hold the prisoners and conduct initial appearance court from that site via a video link with the Municipal Court.

Chairman Kavanaugh stated the opinion that the proposed prison holding plan is a viable interim solution, but also recommended that staff pursue partnering with other communities to construct their own facility.

Chief Strauss clarified that in a recent meeting with East Valley Police Chiefs, alternative options regarding regionalization and/or privatization of facilities relative to detention, communications and crime labs were discussed.

Committeemember Davidson spoke in support of the proposed prison holding plan, but expressed concerns regarding the projected costs to fund such a project.

Assistant City Manager Mike Hutchinson clarified that the estimated capital costs relative to this agenda item are not included in the 2000/01 FY budget and said that it is the intention of staff to provide further recommendations to the Council for their consideration.

Committeemember Pomeroy commented that the estimated costs point out the necessity for privatization and/or regionalization and commended Chief Strauss for exploring such alternatives.

Chairman Kavanaugh expressed appreciation to staff for their presentation.

4. Hear an update on senior citizen crime prevention programs.

Chief Strauss introduced Crime Prevention Specialist Karen Stegenga to the Committee. Chief Strauss said that due to the interest generated by Councilmember Claudia Walters relative to senior citizens issues, the Police Department is actively pursuing crime prevention programming.

Ms. Stegenga noted that in 1999, the Mesa Police Department obtained federal grant money to create prevention strategies including an elder abuse investigation training curriculum and also to organize a task force to develop a strategy for elder abuse prevention. Ms. Stegenga added that the task force was named Mesa LEAPS (Mesa Leads in Elder Abuse Prevention Strategies.)

Ms. Stegenga remarked that the Safe Senior Program is an extension of the grant program and its goal is to prevent the victimization of seniors in Mesa through community education, senior citizens and other citizens of Mesa and also training for law enforcement personnel. Ms. Stegenga stated that in an effort to enhance this program, the Mesa Police Department has created an action plan, which includes elder abuse training for law enforcement personnel; fire and crime prevention classes for seniors; the creation of informational cards for officers relative to Alzheimer's disease; an "Elder Abuse" information section on the City's web page, and presentations to seniors on telemarketing fraud, con games, elder abuse and personal safety.

Ms. Stegenga advised the Committee that proposed actions which the Police Department endeavors to enact to enhance the Safe Senior Program include: the creation of a full-time Program Coordinator position; mandatory elder abuse training for law enforcement personnel; implementation of a program to track crimes against seniors; the coordination of an elder abuse investigation team; the development of protocol for reporting cases to and receiving cases from Adult Protective Services; the expansion of the City's web site to include a director of senior services available in the area; the implementation of a "Senior Watch" program; residential security/home safety assessments for seniors in their homes in conjunction with the Mesa Fire Department; the establishment of a working relationship with the Victim Assistance and court personnel on familiarizing senior victims with criminal justice system procedures; the training of outside agencies, including nursing home personnel and caregivers; the publication of more cases of abuse and exploitation as part of a "no tolerance policy" and public awareness campaign; the development of a modified Citizens Police Academy for seniors; the recruitment of senior volunteers to assist with the program, and the creation of a database of seniors with dementia-related illnesses which would assist officers if the individuals became lost or disoriented.

Chief Strauss stressed that upon receipt of federal block grant money, it is the goal of the Police Department to hire a full-time Program Coordinator whose duties would focus on the above-mentioned issues.

Committeemember Davidson spoke in support of the program and emphasized his desire to assist in the implementation of the programs.

Committeemember Pomeroy commended the staff for their efforts.

Chairman Kavanaugh concurred with the other Committeemembers and noted that the proposal represents a strong action plan which will greatly benefit the citizens of Mesa.

5. Hear an update on a rapid deployment training program.

Police Lieutenant Robert Gervasi briefly discussed a video, which was viewed by the members of the Committee, relative to the newly created rapid deployment training program. Lieutenant Gervasi commented that as a result of recent high school shootings, police departments throughout the country are instituting programs to train all sworn officers in basic tactics that are traditionally taught only to SWAT team members. Lieutenant Gervasi noted that in emergency situations, time is of the essence and waiting for the arrival of a SWAT team is not always a viable option. Lieutenant Gervasi added that in cooperation with the Mesa Public School system, Poston Junior High School has been selected as the training site for this program.

Committeemember Davidson spoke in support of the training program and thanked the Police Department for their efforts.

Chairman Kavanaugh concurred with the opinion of Committeemember Davidson and expressed appreciation to staff for their presentation.

6. Adjournment.

Without objection, the meeting of the Police Committee adjourned at 4:50 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Police Committee meeting of the City of Mesa, Arizona, held on the 10th day of July 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 2000

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BARBARA JONES, CITY CLERK