



Agenda 10/14/14 TIME 1:27p  
BY Shannon Perez  
FILED BY [Signature]

**PUBLIC SAFETY COMMITTEE**  
**Tuesday, October 21, 2014**  
**4:00 PM**  
**City Council Chambers**  
**200 Lincoln Avenue, Santa Fe, NM 87501**

1. Roll Call
2. Approval of agenda
3. Approval of Tuesday, September 16, 2014 minutes
4. Old business:
  - A. NONE
5. New business:
  - A. Acceptance of the 2013 Supplemental Homeland Security Grant Program sub-grant from the New Mexico Department of Homeland Security and Emergency Management in the amount of \$5,000.00 (Emergency Manager Andrew Phelps)
  - B. Proposed resolution adopting the City of Santa Fe Hazard Mitigation Plan as the mitigation plan for the City of Santa Fe (Councilor Dimas, Emergency Manager Andrew Phelps)
  - C. Proposed resolution in the interest of Public Safety, directing Parking Division Staff to remove four parking meter spaces on Canyon Road Eastbound from Pasco De Peralta to Delgado Street (Councilors Maestas and Ives, Parking Division Sevastian Gurule)
  - D. Proposed resolution amending rule 16A of the City of Santa Fe Personnel Rules and Regulations regarding drug and alcohol testing policies for Transit Division employees who perform safety sensitive functions (Councilors Bushee and Lindell, Safety Manager Debbie Rouse)
  - E. Santa Fe Public Schools-School Resource Officer Program Presentation (Chief of Staff Latifah Phillips and Director of Safety & Security Gabe Romero)
  - F. Memorandum of Understanding Between the City of Santa Fe and Santa Fe Public Schools regarding the School Resource Officer Program (Police Lieutenant Andrea Dobyns)
6. Matters from Municipal Court
7. Matters from Police Chief Eric Garcia
8. Matters from Fire Chief Erik Litzenberg
9. Matters from the Santa Fe Police Officers Association
10. Matters from the Santa Fe Firefighters Association
11. Matters from the Regional Emergency Communications Center
12. Matters from City of Santa Fe Emergency Manager Andrew Phelps
13. Matters from Committee Members
14. Communications from the Floor
15. Adjournment

For information regarding the agenda, you can call Shannon Perez at 955-5074. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

# INDEX SUMMARY OF MINUTES

## Public Safety Committee

October 21, 2014

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
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Call to Order	<b>Call to Order by Councilor Bill Dimas, Chair at 4:00 pm in the City Council Chambers.</b>	Page 2
Roll Call	<b>A quorum was declared by roll call.</b>	Page 2
Review and Approval of Agenda	No changes by staff or committee Members.  <i>Mr. Bowen moved to approve the agenda as presented, second by Mr. Harris, motion carried by unanimous voice vote.</i>	Page 2
Approval of Minutes  September 16, 2014	No changes by staff or committee members.  <i>Mr. Mizrahi moved to approve the Minutes of September 16, 2014 as presented, second by Dr. Nancy Owen Lewis, motion carried by unanimous voice vote.</i>	Page 3
Old Business	<i>None</i>	Page 3
New Business a) Acceptance of the 2013 Supplemental Homeland Security Grant Program sub-grant from the NM Department of Homeland Security and Emergency Management in the amount of \$5,000. b) Proposed resolution adopting the City of Santa Fe Hazard Mitigation Plan as the mitigation plan for the City of Santa Fe. c) Proposed resolution in the interest of Public Safety, directing Parking Division Staff to remove parking meter spaces on Canyon Road	<i>Mr. Bowen moved to approve the 2013 Supplemental Homeland Security Grant Program sub-grant from the NM Department of Homeland Security and Emergency Management in the amount of \$5,000, second by Mr. Johnson, motion carried by unanimous voice vote.</i>  <i>Mr. Harris moved to approve the City of Santa Fe Hazard</i>	Page 3-7

# INDEX SUMMARY OF MINUTES

## Public Safety Committee

October 21, 2014

<p>Eastbound from Paseo de Peralta to Delgado Street. Sevastian Gurule</p> <p>d) Proposed resolution amending Rule 16A of the City of Santa Fe Personnel Rules and Regulations regarding drug and alcohol testing policies for Transit Division employees who perform safety sensitive functions.</p> <p>e) Santa Fe Public Schools – School Resource Officer Program (Informational)</p> <p>f) Memorandum of Understanding between the City of Santa Fe and Santa Fe Public Schools regarding the School Resource Office Program.</p>	<p><i>Mitigation Plan, second by Dr. Nancy Owen Lewis, motion carried by unanimous voice vote.</i></p> <p><i>Mr. Bowen moved to approve the removal of four parking meter spaces on Canyon Road Eastbound from Paseo de Peralta to Delgado Street, second by Mr. Johnson, motion carried by unanimous voice vote.</i></p> <p><i>Mr. Bowen moved to approve the proposed resolution amending rule 16A of the City of Santa Fe Personnel Rules and Regulations regarding drug and alcohol testing policies for Transit Division employees, second by Mr. Mizrahi, motion carried by unanimous voice vote.</i></p> <p><i>Mr. Bowen moved to approve the Memorandum of Understanding Between the City of Santa Fe and Santa Fe Public Schools regarding the School Resource Officer Program, second by Mr. Mizrahi, motion carried by unanimous voice vote.</i></p>	
Matters from Municipal Court	<i>Report included in meeting packet.</i>	Page 7
Matters from Police Chief Eric Garcia	<i>Informational</i>	Page 8
Matters from Fire Chief Babcock	<i>Informational</i>	Page 8
Matters from the Santa Fe Police Officers Association	<i>None</i>	Page 8
Matters from the Santa Fe Fire Fighters Association	<i>None</i>	Page 8
Matters from the Regional Emergency Communications Center	<i>Informational</i>	Page 8

**INDEX SUMMARY OF MINUTES**  
**Public Safety Committee**  
**October 21, 2014**

Matters from the City of Santa Fe Emergency Manager	<i>Stated Above, Informational</i>	Page 8
Matters from Committee Members	<i>Informational</i>	Page 8
Communications from the Floor	<i>Informational</i>	Page 9
Adjournment	Meeting was adjourned at 5:05 pm	Page 9
<b>Signature Page</b>		Page 9

# **PUBLIC SAFETY COMMITTEE MEETING**

**Tuesday, October 21, 2014**

**City Councilor's Conference Room, Santa Fe, NM**

**4:00 pm - 5:05 p.m.**

## **1. Call to Order**

The Chair, called the meeting to order at 4:00 pm, City Councilor's Conference Room, Santa Fe, New Mexico. A quorum did exist and is reflected in roll call.

### **Present:**

Councilor Bill Dimas, Chair  
Herbert Harris, Vice Chair  
Dr. Nancy Owen-Lewis  
Peter Mizrahi  
Joe Arellano  
Eric Johnson  
Mike Bowen

### **Not Present:**

Dr. Mike Mier  
David Trujillo

### **STAFF PRESENT**

Eric Garcia, Chief of Police, Santa Fe  
Dale Litzenberger, Assistant Chief of Police, Santa Fe  
Chief Babcock, City of Santa Fe Fire Department  
Lieutenant Andrea Dobyns, SFPD  
Sevastian Gurule, Parking Division Manager  
Debbie Rouse, Public Safety Manager  
Andrew Phelps, Emergency Manager, City of Santa Fe

### **OTHERS PRESENT**

Gabe Romero, Director of Safety & Security, SFPS  
Ken Martinez, Regional Emergency Communications Center  
Fran Lucero, Stenographer

## **2. Approval of Agenda**

No changes by staff or committee Members.

*Mr. Bowen moved to approve the agenda as presented, second by Mr. Harris, motion carried by unanimous voice vote.*

**3. Approval of Minutes**

No changes by staff or committee members.

*Mr. Mizrahi moved to approve the Minutes of September 16, 2014 as presented, second by Dr. Nancy Owen Lewis, motion carried by unanimous voice vote.*

**4. Old Business**

None

**5. New Business**

- a) Acceptance of the 2013 Supplemental Homeland Security Grant Program sub-grant from the NM Department of Homeland Security and Emergency Management in the amount of \$5,000.**

Mr. Phelps informed the committee members that this sub-grant was awarded on October 1, 2014 to provide \$5,000 for travel and per diem expenses to attend state-approved homeland security and emergency management and response training, conferences, workshops and related events. There is no local match requirement for this grant. The sub-grant expires on July 30, 2015. All expenditures must be pre-approved by the NM Department of Homeland Security and Emergency Management. (Grant Agreement attached to meeting packet for prior review).

*Mr. Bowen moved to approve the 2013 Supplemental Homeland Security Grant Program sub-grant from the NM Department of Homeland Security and Emergency Management in the amount of \$5,000, second by Mr. Johnson, motion carried by unanimous voice vote.*

- b) Proposed resolution adopting the City of Santa Fe Hazard Mitigation Plan as the mitigation plan for the City of Santa Fe.**

Mr. Phelps reported that the City of Santa Fe has been working on the Hazard Mitigation Plan for approximately 2 years with input from city staff and members of the public. The Federal Management Agency (FEMA) requires adoption of the plan and updating every five years in order to ensure the City's continued eligibility for certain categories of federal hazard mitigation funding. There are quite a few projects outlined in this plan and the city is not limited to only those listed in the plan. The city can pursue any other programs in addition to the 6 listed.

*Mr. Harris moved to approve the City of Santa Fe Hazard Mitigation Plan, second by Dr. Nancy Owen Lewis, motion carried by unanimous voice vote.*

**c) Proposed resolution in the interest of Public Safety, directing Parking Division Staff to remove parking meter spaces on Canyon Road Eastbound from Paseo de Peralta to Delgado Street. Sevastian Gurule**

Mr. Gurule advised the committee members that the segment of Canyon Road from Paseo de Peralta to Delgado Street is a two-way street and is not wide enough to accommodate two-way traffic with parking on one side. A survey of businesses along Canyon Road from Paseo de Peralta to Delgado Street was conducted by the Canyon Road Merchants Association which showed 77% of businesses supporting the petition to remove four parking spaces in the above mentioned area and 23% did not support the removal of the parking spaces.

Removing the current four parking meter spaces on Canyon Road from Paseo de Peralta to Delgado Street will alleviate traffic congestion, promote pedestrian safety and allow quicker fire suppression response. It has been requested that the Parking Division staff monitor and report back to the Public Safety Committee after the first year. There is also a petition that was signed for committee review.

Dr. Nancy Owen Lewis: Have there been a great number of accidents in that area?

Mr. Gurule responded that to date there have not been a great number of reported accidents.

Chief Garcia, SFPD said that his traffic division has done a review on this request and they support the removal of these 4 spaces which will also provide for better emergency and public safety vehicles access.

Chief Babcock, SFFD said that Fire Marshall Gonzales has made the review and supports the removal of these spaces for easier access for the Fire vehicles.

Mr. Gurule clarified that these space four spaces are in front of businesses. The Chair asked what the owners of the businesses felt about this change. Mr. Gurule said there were 8 in favor of removal and 6 opposed.

***Mr. Bowen moved to approve the removal of four parking meter spaces on Canyon Road Eastbound from Paseo de Peralta to Delgado Street, second by Mr. Johnson, motion carried by unanimous voice vote.***

**d) Proposed resolution amending rule 16A of the City of Santa Fe Personnel Rules and Regulations regarding drug and alcohol testing policies for Transit Division employees who perform safety sensitive functions.**

Debbie Rouse, Drug and Alcohol Program Manager:

The Federal Transit Administration (FTA) conducted an on-site review of the City of Santa Fe – Transit Division in September, 2014 and the review focused on the City's compliance in 17 areas, including the Drug & Alcohol Testing Program, which is

regulated by 49 CFR Part 40, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs.” During the review, the FTA review team identified that Rule 16A was missing key elements from Part 40, namely, a complete listing of what constitutes a “refusal to test” for both drug and alcohol tests. FTA’s guidance for drug and alcohol testing programs is that both lists should be included in their entirety, or not at all, with a simple reference to the pertinent sections of Part 40.

Thus, in rule 16A, Section 5.B, it is proposed that the partial listing of behavior that constitutes a refusal to test be removed, and that this be replaced with the statement, “An employee will be deemed to have refused to take a drug or alcohol test if any of the conditions listed in 49 CFR Part 40.191 or 49 CFR Part 40.261 are met.”

***Mr. Bowen moved to approve the proposed resolution amending rule 16A of the City of Santa Fe Personnel Rules and Regulations regarding drug and alcohol testing policies for Transit Division employees, second by Mr. Mizrahi, motion carried by unanimous voice vote.***

- e) SFPS – School Resources Officer Program Presentation – Gabe Romero, Director of Safety & Security Officer

Exhibit A. The Agenda at a recent meeting regarding the School Resource Office Program included discussion on; Mission and Goals, Defining the Role of a School Resource Officer (SRO), Historical Information on the SRO program, Program Concept, School Administrator Input, SRO Support & Community Awareness and Measurable Outcomes. The meeting was held at the Santa Fe Public School Administration Offices and Chief Eric Garcia was present.

Number one priority is student safety and campus security. The definition of a School Resource Officer (SRO) was discussed with input from the principals from Santa Fe Schools and the Police Department. Presently SFPS has approved through a formal School Board meeting \$70,000 towards the SRO position. There would be a match necessary from the City of Santa Fe.

The History of the SRO Program at SFPS:

- ✓ SROs in SFPS were previously funded through the “Cops in Schools” Federal Grant.
- ✓ The program lasted for three (3) years. In 1998, when Federal grant funding ended, so did the program.
- ✓ Police who participated described the assignment as one of the most rewarding of their career.
- ✓ A form SRO, now SFPS staff member, said, “The program was very successful deterring truancy and improving school safety.”

The program concept is to collaborate with police agencies, law enforcement officers, educators, students, parents, and communities to provide safe learning environments in our schools, provide valuable resources to school staff, foster a positive



relationship with our nation's youth and develop strategies to resolve problems affecting our youth with the goal of protecting every child so they can reach their fullest potential.

Questions: Who provides the training?

Mr. Romero said that SFPS staff will be providing the training.

Who selects the officer?

Chief Garcia added that SFPD will also be responsible for training. The position will be posted per the Police Officer Association hiring guidelines and in addition discussion and collaboration will take place with the Mr. Romero from SFPS to assure that the fit and selection of the two officers meet the criteria.

Chief Garcia has also met with the principals from the schools to hear and learn of their needs. Chief Garcia explained that the funding received from SFPS is for the next 3-years.

The question was asked regarding rotation of officers in this program. Chief Garcia stated that at this time there is no intention of rotating the selection of officers. They would like to have consistency with the officer and the kids in our schools.

Mr. Johnson commended this effort and supports the creation of this program. He asked if the positions have been opened up to the police department.

Chief Garcia said they are waiting for the MOU to be finalized through the City Council before they open it up for applications. There is great interest from within the police department and specifically from the Uniform Bureau for these positions.

Mr. Arellano asked how the positions would be funded.

Chief Garcia said \$70,000 will be provided to the City of Santa Fe from the Santa Fe Public Schools and the remaining amount due for their salaries, units, equipment, will be subsidized through the City of Santa Fe.

Mr. Arellano asked if there was illness or a reason for an officer to be out, would the Chief assure that there is cross training to assure an officer can fill in if the resource officer is not able to be on duty. Chief Garcia responded, definitely.

Mr. Johnson asked if the Resource Officer has to go through a special training. Chief Garcia said that was correct and SFPS will host the training for these two officers and additional officers. The commitment is for the City, District, SFPD, and the High School's administrators coordinate in good faith regarding the scheduling, training, responsibilities and particular duties of the SROs.

Mr. Johnson asked if the insurance and liability have also been discussed.

Mr. Garcia said that the directives are listed in the MOU. Both SFPS and the City of Santa Fe would both need to be insured.

Mr. Mizrahi asked, "What is the target date to have these two SROs in place?"

Chief Garcia said that the notice to hire has to be posted through the POA for 10 days, and from there go on to the City Manager and City Council for approval which will be approximately 30-days.

Mr. Bowen asked if SFPS would give consideration to middle schools in the future.

Mr. Romero said that it would be a goal for the future. At this time the SROs will be at the two high schools.

Mr. Arellano asked if these two positions would be new positions.

Chief Garcia said no, that it would be two internal officers. Chief Garcia also noted that the officers will not be involved in any administrative matters at the SFPS level. The two officers will also be re-integrated into the City Police Department work plan when they are not at the high schools.

Mr. Romero said that one of the main outcomes is attendance and truancy. The School Resource officer would play an important role with this endeavor and also work closely with burglary concerns in the city during school hours.

Mr. Johnson asked if there is data available to know how many calls come in to the SFPD during the day where youth are involved. Chief Garcia said that their report analyst is working on that report and will be brought back to the Public Safety Committee at next meeting.

***This item presented as an informational item today, thank you to SFPS and to the SFPD.***

- f) Memorandum of Understanding Between the City of Santa Fe and Santa Fe Public Schools regarding the School Resource Officer Program (Police Lieutenant Andrea Dobyns)

Lt. Dobyns set forth reference to the MOU included in the packet for committee review regarding the SFPD/SFPS School Resource Officer Program Agreement and stood for questions. (Exhibit B)

***Mr. Bowen moved to approve the Memorandum of Understanding Between the City of Santa Fe and Santa Fe Public Schools regarding the School Resource Officer Program, second by Mr. Mizrahi, motion carried by unanimous voice vote.***

- 6. Matters from Municipal Court (report in packet)

7. Matters from Police Chief Eric Garcia

Follow up from last meeting: Inmate release reports are being received by the SFPD and they are now being distributed to the officers.

Bumper stickers are being worked on showing the drug tip hotline phone numbers.

Micaela Gonzales, Crime Analyst submitted a report indicating that for the 4<sup>th</sup> time we are at a low – crime is down and morale is up! Down by 36%.

Mr. Arellano asked Chief Garcia if the SFPD has jurisdiction on I-25 in the city limits.

Chief Garcia said that recently the officers were working together with the State Police on a particular incident in this quadrant and they do have jurisdiction.

Mr. Johnson complimented SFPD for assisting in drug related programs in his region.

8. Matters from Fire Chief Babcock

Recently the Santa Fe Fire Department responded to an Ebola reported case. The Office of Emergency Preparedness is working on a plan should this come in to Santa Fe. Once the plan is finalized it will be presented to the Public Safety Committee for review; anticipated date for completion is next monthly meeting.

9. Matters from the Santa Police Officers Association  
None

10. Matters from the Santa Fe Fire Fighters Association  
None

11. Matters from the Regional Emergency Communications Center  
Ken Martinez. RECC report

- ✓ 14 tips were received through the drug hotline in the month of September, 2014.
- ✓ 37,589 calls were received in the month of September, 2014.
- ✓ 21,102 calls were service calls for the City, County, Fire Department and Animal Control.
- ✓ 6,360 of the calls were 911 calls.

Mr. Martinez will continue to provide a monthly update on calls and sources for each meeting.

12. Matters from the Santa Fe Emergency Preparedness, Andrew Phelps.  
Covered above.

13. Matters from the Committee Members

Mr. Bowen asked for prayers for the Family of Joe Garcia who passed away this week.

14. Communications from the Floor  
None

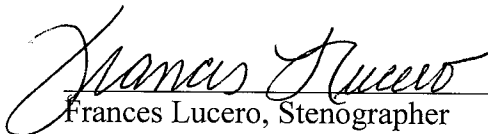
15. Adjournment

There being no further business to come before the Public Safety Committee, the meeting was adjourned at 5:05 pm.

Signature Sheet:

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Councilor Bill Dimas, Chair



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Frances Lucero, Stenographer

# School Resource Officers in Santa Fe Public Schools


Latifah Phillips Chief of Staff  
Gabe Romero Director of Safety & Security

*Exhibit A*



# Agenda

- Mission and Goals
- Defining the Role of a School Resource Officer (SRO)
- Historical Information on the SRO program
- Program Concept
- School Administrator Input
- SRO Support & Community Awareness
- Measurable Outcomes



# Student Safety and Campus Security— Our #1 Priority

- **SFPS Strategic Plan, Goal 4 –**  
Promote a safe, sustainable  
healthy and respectful school  
community.

- **Department of Safety &  
Security Mission Statement:**  
To create a safe and secure  
environment for students, staff,  
and visitors while working with  
communities to enhance the  
quality of life for neighbors and  
citizenry throughout the Santa  
Fe Area.

## Highlights since 2012

- Improved building physical security
- Implemented school security audits
- Conducted in-service preparedness training for all staff
- Provided Crisis Intervention training for Security Officers
- Organized a Safety Summit for families
- Published comprehensive Safety information, (Flip Charts and the Incident Response Plan)
- Updated informative safety web portals for parents and staff

# What is a School Resource Officer?

- A School Resource Officer (SRO) is a police officer with a special assignment to a school.
- At a school site, the SRO serves as a safety expert and law enforcer, problem solver and liaison to community resources, and educator.
- Police agencies have long provided services to schools and assigning an SRO to schools can be an appropriate measure and proactive strategy for schools and police agencies to promote continued safety at schools.







# History of SRO Program at SFPS

- SROs in Santa Fe Public Schools were previously funded through the “Cops in Schools” Federal grant.
- Police who participated described the assignment as one of the most rewarding of their career.
- The program lasted for three (3) years. In 1998, when Federal grant funding ended, so did the program.
- A former SRO, now SFPS Staff member, said, “The program was very successful deterring truancy and improving school safety.”



# What is the Concept of the SRO Program?

- Collaborative efforts by police agencies, law enforcement officers, educators, students, parents, and communities to:
  - provide safe learning environments in our nation's schools
  - provide valuable resources to school staff, foster a positive relationship with our nation's youth
  - develop strategies to resolve problems affecting our youth with the goal of protecting every child so they can reach their fullest potential.

*National Association of School Resource Officers*

# Support for SRO Programs



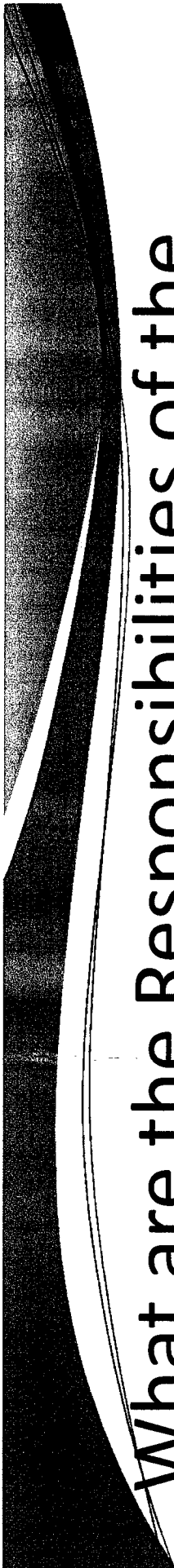
NMSBA supports funding to meet school security needs including funding for school resource officers.

<http://www.nmsba.org/14NMSBALegProgram.pdf>

# Who are the Stakeholders?

- Parents
- Students
- City Of Santa Fe
- Juvenile Probation Office
- Magistrate and District Courts
- Santa Fe Police Department
- Santa Fe Public Schools
- Community of Santa Fe





# What are the Responsibilities of the School Resource Officer?

- Handle calls for service from schools.
- Provide positive role model and law enforcement association with students.
- Serve as primary liaison between school and truancy court.
- Assist in developing school protocols that address crime, delinquency and parental negligence.
- Develop and expand community justice initiatives for students.
- Provide a proactive police resource including relationship building and educational support.


*“The City, District, SFPD, and the High Schools’ administrators shall coordinate in good faith regarding the scheduling, training, responsibilities and particular duties of the SROs.”*

# Where will SROs be placed?



- One SRO will be located at each of the comprehensive high schools.
- Office space will be provided with computer access and a phone.
- The Police Department will provide a fully trained and equipped SRO.

*SFPS may request removal and replacement of an SRO at any time.*



## What do Administrators at Capital High School & Santa Fe High School Have to Say?

- Both schools are enthusiastic about the additional support.
- More efficiencies working with a familiar law enforcement professional that is well versed in school policies, appropriate response to confrontational behavior, supportive of the truancy process, etc.
- A quicker response when police support is requested.
- Deterrent effect for those considering disrupting the educational process.

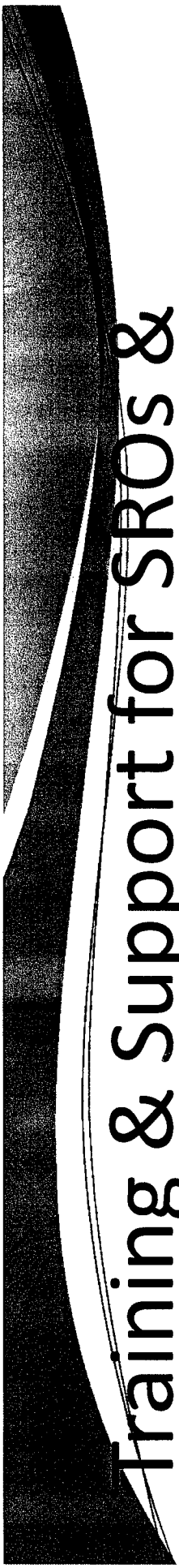
*This support translates to more productive time for administrators, teachers, and students.*

# Outcomes of School Resource Officers (SROs) in Schools

- A social network analysis conducted by Albuquerque Public Schools in four schools showed that there is a positive impact on schools and communities and a **decrease in suspension and detention rates** when SROs exist within schools but serve in a preventative role in the school. 2012 NM House Joint Memorial 21







# Training & Support for SROs & School Communities


## SRO Training Support:

SFPS will coordinate and provide specialized training to SROs for operating within a school environment. Topics may include:

- Child and adolescent development and psychology
- Positive behavioral interventions and supports, conflict resolution, peer mediation, or other restorative justice techniques
- Interacting with students with disabilities or other special needs
- Cultural competency
- Bullying prevention

## Community Awareness:

- Website announcements and information
- Introduction of SRO program during community meetings
- Opportunities during extra-curricular activities to interact with the SRO



# What Are the Goals and Anticipated Outcomes of the SRO Program?

- Working alongside school staff we would expect:
  - a reduction in truancy.
  - reduced school crime, detentions, and suspensions
  - Proactive relationship building between the school community and police agencies
  - Continuity of services already being provided by the police agencies

# Questions?



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF SANTA FE AND SANTA FE PUBLIC SCHOOLS  
REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM**

This Memorandum of Understanding regarding the School Resource Officer Program ("MOU") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of Santa Fe, a New Mexico Municipal Corporation, (the "City") and the Santa Fe Public School District (the "District") (from time to time collectively referenced as the "Parties").

**RECITALS**

WHEREAS, in 2008, the City and the District enacted Joint Resolution 2007-090407 (District) and 2008-4 (City) in which the Parties directed their staff to prepare recommendations for the placement of police officers on high school campuses; and,

WHEREAS, in 2013, the City and the District enacted Joint Resolution 2013/14-11 (District) and 2013-101 (City) in which the Parties committed to work together to continue to make Santa Fe a world-class city with a system of world-class schools; and,

WHEREAS, in 2014, the City and the District entered into a certain Cooperative Agreement in which the Parties "recognize[d] the importance of having uniformed police officers based at each of the comprehensive high schools" and "agreed[] to review annually the addition of these officers to the high school campuses based on available funding"; and,

*Exhibit B*

MOU Regarding the School Resource Officer Program

WHEREAS, the Santa Fe Police Department (the "SFPD") regularly responds to police service calls at Capital High School and Santa Fe High School (collectively the "High Schools"); and,

WHEREAS, a dedicated police officer presence (School Resource Officer or "SRO") in the High Schools will foster a positive relationship between the City's law enforcement officers and the District's students while providing those students with both a role model and an additional on-site security presence.

AGREEMENT

NOW THEREFORE, in exchange for the mutual obligations contained herein, the Parties agree as follows:

1. Obligations of the City of Santa Fe. The City agrees to assign two (2) police officers to act as SROs, with one (1) officer assigned to each of the High Schools. The SROs are to maintain a physical presence within their High Schools during the regular school year (the "School Year")<sup>1</sup>. During the School Year, SROs will dedicate forty (40) hours per week to duties relating to their role as SROs. Those duties will primarily consist of providing an on-site SFPD presence at schools but may also include related activities such as: community outreach; specialized training; performing criminal investigations; court appearances; providing a liaisons between the High Schools' administration and the SFPD; and, assisting in developing protocols to address on-site crime, truancy, parental neglect, and community justice

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<sup>1</sup> The School Year is generally recognized to consist of approximately one hundred seventy-eight (178) school days between mid-August and the end of May.

MOU Regarding the School Resource Officer Program

initiatives. If an SRO is absent for more than three (3) consecutive school days for reasons unrelated to their role as an SRO, then the City will upon request of the District provide a suitable substitute or replacement.

2. Obligations of Santa Fe Public Schools. The District agrees to provide seventy thousand dollars (\$70,000) per School Year (the "SRO Contribution") to the City to help fund SRO salaries. In addition, the District will ensure that the High Schools provide the SROs with dedicated private office space in which the SROs may conduct police business.

3. Timing of SRO Contribution Payments. The SRO Contribution shall be due quarterly<sup>2</sup> beginning on the first day of the School Year in which the SROs are present within the High Schools and considered delinquent if unpaid thirty (30) days later. If the SROs are not present at the beginning of a School Year, then the SRO Contribution amount shall be prorated to reflect the actual start date.

4. SRO Selection. Selection of officers to act as SROs will be at the sole discretion of the City and the SFPD. However, the City will seek the District's participation and advice in the evaluation of candidates for the SRO positions. The Parties anticipate that SRO candidates will have at a minimum two (2) years of experience as police officers and possess strong communication, public speaking, and conflict resolution skills.

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<sup>2</sup> The quarterly schedule for the 2014-15 School Year is generally recognized to consists of quarters beginning on: August 18, 2014; October 20, 2014; January 5, 2015; and, March 12, 2015. Quarterly payments in subsequent years shall be calculated to match the quarters of that year's academic calendar.

MOU Regarding the School Resource Officer Program

5. Recognition of Separation of Powers and Commitment to Cooperation.

A) The SROs will neither be an employee of the District nor be responsible for enforcing school discipline or punishing students. Public-order level offenses involving students including, without limitation: disorderly conduct, disruption of a public assembly, trespass, loitering, profanity, and fighting that does not involve physical injury or a weapon, may be considered school discipline issues to be addressed by the District rather than criminal law issues requiring law enforcement intervention. Except for cases involving an apparent threat to public safety, the SRO shall not use physical force or restraints on a student.

B) The SROs will at all times be employees of the SFPD and, accordingly, the SROS will report through the SFPD chain-of-command. In addition, serious legal violations and threats to public safety will be handled in accordance with SFPD policies and procedures.

C) The City, District, SFPD, and the High Schools' administrators shall coordinate in good faith regarding the scheduling, training, responsibilities, and particular duties of the SROs.

6. FERPA Compliance. The SROs will comply with the requirements of the Family Educational Rights and Privacy Act of 1974 ("FERPA" and 20 U.S.C. § 1232(g)). Education records shall not be shared with the SROs unless a FERPA exception applies.

MOU Regarding the School Resource Officer Program

7. Removal of an SRO. The City will remove any officer acting as an SRO from the High Schools at the written request of the District. In addition, the City may remove any officer acting as an SRO from the High Schools without advance notice to the District. At the written request of the District, the City will replace any removed SRO with a new SRO within three (3) business days. In the event that the removal of an SRO implicates the SRO program, the Parties will participate in good faith discussions regarding the design and viability of the SRO program. If those discussions fail, either party may invoke the termination clause under §8 of this MOU.

8. Termination of MOU. With or without cause, either Party may terminate this MOU upon thirty (30) days written notice delivered by Certified US Mail, overnight mail, email or fax to the other Party. Upon termination, any payments made by the District to the City under this MOU will be refunded to the District on a prorated basis according to the number of days the SROs served during the School Year.

9. Notice. For the purpose of providing notice under this MOU, the Parties addresses are as follows:

To the City at:

Brian Snyder, City Manager  
P.O. Box 909  
200 Lincoln Ave.  
Santa Fe, NM 87504  
505.955.6848 (Phone)  
505.955.6683 (Fax)  
bksnyder@santafenm.gov



MOU Regarding the School Resource Officer Program

With a copy to: Kelley Brennan, City Attorney  
P.O. Box 909  
200 Lincoln Ave.  
Santa Fe, NM 87504  
505.955.6512 (Phone)  
505.955.6748 (Fax)  
kabrennan@santafenm.gov

To the District at: Joel D. Boyd, Superintendent  
610 Alta Vista Street  
Santa Fe, NM 87505  
505.467.2003 (Phone)  
505.995.3300 (Fax)  
jboyd@sfps.info

With a copy to: Gabe Romero, Dir. of Safety & Security  
2195 West Zia Road  
Santa Fe, NM 87505  
505.467.3440 (Phone)  
505.989.5564 (Fax)  
gromero@sfps.info

10. Term. Unless extended or amendment as provided in § 14 of this MOU, the term of this MOU shall be from the effective date until the end of the 2016-17 School Year.

11. No Third-Party Beneficiaries. This MOU only inures to the benefit the Parties. No term or provision of this MOU shall benefit any person or entity not a party to it. The Parties shall cooperate fully in opposing any attempt by any third person or entity attempting to claim any benefit, protection, release, or other consideration under this MOU.

MOU Regarding the School Resource Officer Program

12. Severance. If any provision within this MOU is held illegal or unenforceable, then such provision shall be severed from this MOU. All remaining provisions of this MOU shall remain in full force and effect.

13. Liability. Neither party waives or relinquishes any immunity or defense—including, without limitation, under the New Mexico Tort Claims Act—on behalf of itself, its trustees, officers, employees, and agents as a result of the execution of this MOU or the performance of the obligations contained herein. The Parties are solely and individually liable for the actions of their trustees, officers, employees, and agents and no Party to this MOU shall be responsible for liability incurred as a result of the other Party's acts or omissions in connection with this MOU.

14. Integration and Amendments. This MOU is the entire agreement between the Parties and supersedes any and all oral agreements or other understandings between the Parties regarding its subject matter. Modifications, amendments, or extensions to this MOU shall be enforceable only if they are in writing and are signed by authorized representatives of the Parties.

15. No Waivers. The failure by one Party to require performance of any provision shall not affect that Party's right to require performance at any time thereafter, nor shall a waiver of any breach or default of this MOU constitute a waiver of any subsequent breach or default or a waiver of the provision itself.

16. Effective Date. This MOU shall be effective from the date of the last signature hereto, which date shall be recorded in the first paragraph.

MOU Regarding the School Resource Officer Program

CITY OF SANTA FE:

SANTA FE PUBLIC SCHOOL DISTRICT:

\_\_\_\_\_  
JAVIER M. GONZALES, MAYOR

\_\_\_\_\_  
JOEL D. BOYD, SUPERINTENDENT

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

*Kelley A. Brennan FOR:*  
KELLEY A. BRENNAN,  
CITY ATTORNEY

APPROVED:

\_\_\_\_\_  
TERESITA GARCIA,  
ASSISTANT FINANCE DIRECTOR