



Agenda

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PUBLIC SAFETY COMMITTEE
Tuesday, February 19, 2008, 4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of agenda
3. Approval of January 15, 2008 minutes
4. Old business:
 - A. Discussion on DWI Forfeiture Ordinance, R. Alfred Walker, Assistant City Attorney
5. New business:
 - A. Discussion on Nuisance House Ordinance and reconstructive efforts within the City Prosecutor's Office, R. Alfred Walker, Assistant City Attorney
 - B. Presentation on Court Monitor Program, María José Rodríguez Cádiz, Court Monitors Program Supervisor-Santa Fe Rape Crisis and Trauma Treatment Center
 - C. False Alarm Report, Deputy City Manager William Tallman
 - D. Discussion on signal synchronization, Rick Devine, Signal Engineer Supervisor
6. Matters from Municipal Court
 - A. Informational-Municipal Court Monthly Report-January 2008 and 2007 DUIs
7. Matters from Police Chief Eric Johnson
8. Matters from Fire Chief Chris Rivera
 - A. Approval of Joint Powers Agreement between the Energy, Minerals and Natural Resources Department, Forestry Division and the City of Santa Fe Wildland Fire Protection and Suppression, Fire Chief Chris Rivera
9. Matters from Committee Members
10. Communications from the Floor
11. Adjournment

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CITY OF SANTA FE
PUBLIC SAFETY COMMITTEE

FEBRUARY 19, 2008

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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC SAFETY COMMITTEE MEETING**

Santa Fe, New Mexico

February 19, 2008

A scheduled meeting of the City of Santa Fe Public Safety Committee was called to order by Chair Karen Heldmeyer on this date at approximately 4:00 p.m. in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

Roll Call Indicated the Presence of a Quorum as Follows:

Councilor Dr. Karen Heldmeyer, Chair
Mr. Herb Harris, Vice-Chair
Mr. Michael Bowen
Dr. Nancy Owen-Lewis
Mr. Frank Stuto

Members Excused:

Dr. Mike Mier
Mr. Pete Mizrahi
Mr. Henry Valdez

Staff Present:

Chief Eric Johnson, Santa Fe Police Department
Deputy Chief Ben Montaña, Santa Fe Police Department
Deputy Fire Chief Randy Neumann, Santa Fe Fire Department
Michelle Babcock, Santa Fe Police Department

Others Present:

Councilor Chris Calvert
Alfred Walker, Assistant City Attorney
Rick Devine, Signal Engineer Supervisor
William Tallman, Deputy City Manager
Steve Dichter, CEO, Armed Response Team, Albuquerque
Gabriel Taylor, stenographer

False Alarm Report- William Tallman, Deputy City Manager

Mr. Tallman said that there is a problem nationwide because 35 million activations are handled at a cost of \$1.8 billion dollars by police departments throughout the country. A vast majority of studies have shown that between 94% and 99% of these installations are false. Santa Fe is below the national average with 7% of the total alarm calls are false.

Mr. Tallman explained that various conditions cause these false alarms, such as human error with incorrectly entered keypad codes, wind, and outside animal movement. Faulty

selected and equipment and poor installation are the primary cause of false alarms. Mr. Tallman explained that alarms are fairly ineffective in apprehending burglars. According to the FBI, the burglary rate, nationally, has decreased substantially since the 1990's. He added that also according to the FBI, there is no link between the declining burglaries and the installation of burglar alarms.

Mr. Tallman said that, according to the FBI, burglaries remain one of the most frequently reported crimes, however the clearance rate for most burglars has remained below 15% for many years. He added that he has calculated that there is currently between \$300,000 and \$800,000 in costs for alarm response calls and patrols in Santa Fe. He added that there is a \$500,000 to \$600,000 cost to Santa Fe residents as a result of false alarm calls. He added that these cost estimates do not include such items as dispatchers, software equipment, office space, permitting and billing operations, and lost opportunity costs.

Ironically, burglary rates tend to concentrate around low-income urban areas. Mr. Tallman said that on a nationwide basis, residential burglary rates are higher in lower income urban areas than in affluent areas, where there is greater likelihood that residents would have burglar alarms. He added that this makes for a disproportionate dispersion of police to different areas.

Mr. Tallman said that a thorough research analysis was done of 15 different ways in which false burglar alarms could be handled. The analysis found that verified response was seen as the most effective method of handling these alarms.

Mr. Tallman said that the benefit to police departments of establishing a program like this is that it frees up department resources that would otherwise be utilized in responding to alarm calls. He explained that the program would also benefit alarm owners by providing faster response service through a private company. In addition, this program would provide more revenue for the alarm companies. He added that the city would continue to respond to manually activated alarms.

Chair Heldmeyer asked if Albuquerque Police Department still responds to false alarm calls. Mr. Tallman said the Albuquerque Police does respond to false alarm calls, but has taken up to an hour to respond to those calls. Mr. Tallman added that the city does not have take any steps itself, to have this response service offered in Santa Fe.

Mr. Dichter said that the Armed Response Team is a private company, founded by a retired police officer, that contracts with customers with existing alarms in Albuquerque. The Armed Response Team monitors the signals from their costumers' alarm systems. The Team will also respond to any of their customers' burglar alarms.

Mr. Dichter said that the company is based in and operates only in Albuquerque. He said that there was an idea to have a pilot test run with the Armed Response Team in Santa Fe.

Chair Heldmeyer said that, in Albuquerque, it is not mandatory for people to contract for this service. She asked Mr. Dichter if the Armed Response Team needs the city's

permission to work with customers in Santa Fe. Mr. Dichter said that the company does not need the city's permission to work with private customers. He added that the Armed Response Team is licensed by the state.

Vice-Chair Harris asked if it customers who have existing contracts with other alarm companies would be disconnected from those contracts, should they sign a contract with the Armed Response Team. Chief Johnson said that a customer would pick up an additional contract with the Armed Response Team. Then, once the old alarm service contracts expired, customers would have the option of going "full-service" with the Armed Response Team. Mr. Dichter explained that most often the Armed Response Team is able to simply reprogram those existing alarm systems, using no new equipment.

Vice-Chair Harris asked how do the city police know that the Armed Response Team is the verified responder. Mr. Dichter said that the Armed Response Team act as the verified responders to alarm call, and if there is an issue that needs further response the Team would then contact the Santa Fe Police Department.

Chief Johnson said that one advantage in having retired police officers working with the Armed Response Team is that they have experience in knowing what to look for in alarm response situations. He explained that these officers do continue with their training certification with the state.

Chair Heldmeyer asked if there are two simultaneous response calls, and one is given from the Armed Response Team, would there be preference given the Team's response call. Chief Johnson said that if it is verified that a burglary has taken place or in progress, as a result of the Response Team's call, then the response priority would change.

Chair Heldmeyer said that she is concerned that people would feel like they would have to sign up for this service in order to get the Police Department to respond to their calls. Chief Johnson said that the purpose of this arrangement with the Armed Response Team would be to provide a better service for local alarm customers.

Councilor Calvert asked if the Armed Response Team responds to a call, would the other contracted alarm company also receive the false alarm call. Mr. Dichter said that what has been proposed for the pilot basis in Santa Fe, is to have the Armed Response Team act as the first responders for the Police Department, to alarm calls.

Mr. Tallman said that he is convinced that the Armed Response Team program works. He said that the final decision on establishing a pilot program would be made by the City Council.

Councilor Calvert asked Mr. Dichter if he would require a second command center in Santa Fe. Mr. Dichter said that the operations for the Santa Fe program would still be run from Albuquerque command center. He added that ultimately, Santa Fe would have a similar program model to the one that currently exists in Albuquerque.

Councilor Calvert asked what the additional service fee for the service would be for Santa Fe residents. Mr. Dichter said that the company would charge customers \$20 to \$35 for the Armed Response Team services. Councilor Calvert asked Mr. Dichter if the Armed Response Team has any trouble getting personnel. Mr. Dichter said that so far there has been no problem in getting personnel to work for the Response Team.

Councilor Calvert asked Mr. Dichter if there is a model on how personnel would be recruited in Santa Fe. Mr. Dichter said that there would be close coordination between the Armed Response Team and the Santa Fe Police Department so that there is no conflict in the recruitment strategies.

Mr. Dichter said that the Armed Response Team has currently 1,200 customers in Albuquerque.

Councilor Calvert asked if Albuquerque has a program that monitors and keeps track of false alarms and collection for false alarms per customer. Mr. Dichter said that Albuquerque does have fines for false alarms. He added that the Team in Albuquerque also has a collection process for these fines as well. He asked if there are any cities that have verified response. Mr. Tallman said that Salt Lake City has established a verified response policy. Mr. Dichter said that the existing alarm companies do fight the establishment of verified response policies. He added that customers that are paying the small premium for the Armed Response service are freeing up the city's police department resources to respond to the other incidents.

Mr. Bowen asked if the Albuquerque Police Department started by dispatching a private security firm to respond to the alarm calls. Mr. Dichter said that the Armed Response Team started from scratch and had to build up their business in Albuquerque.

Chief Johnson said that the idea of the pilot project was to see if this program would work in Santa Fe and gather data. He said that the Armed Response Team would also have to advertise to city residents to get established.

Chair Heldmeyer said that presumably there are alarm calls that currently take precedence over other calls. Chief Johnson said that alarm calls wouldn't affect the priority of the order of reported calls. Mr. Dichter said that in most cases, the Armed Response Team would be dispatched to secure the premises scene. Chief Johnson said that if it's an "after the fact crime," it would be put into the priority rotation as a burglary call.

Mr. Tallman said that the program would be put out to an RFP. Mr. Dichter said that no other company has established this type of response program.

Vice-Chair Harris asked why a pilot program has to be established. Councilor Calvert followed up that question, and asked what is the company is hoping to gain from establishing the pilot program. Mr. Dichter said both the Armed Response Team and the Police Department would learn how the program would work in Santa Fe, as well as learn

what resources would be freed up as a result of the program. He explained that the Armed Response Team does have general liability insurance. Chief Johnson said that the alarm response calls require a response by two-officer team. He said that the two-man responses are a departmental policy. He explained that it wouldn't be a good idea to change this policy from a liability standpoint.

Chair Heldmeyer asked what the problem is with implementing the alarm fine laws. Chief Johnson said that there have been problems with the collection for these fines.

Mr. Tallman said that increasing fines for false alarms does not work for several reasons. He explained that it wouldn't solve the problem of false alarms. He said that the Armed Response Team does solve the false alarm problem completely.

Mr. Tallman said that he is convinced that the Armed Response program would work in Santa Fe. Mr. Bowen said that he agrees that there doesn't need to be a pilot program. He added that it is a good program.

Vice-Chair Harris said that there was a city in California that made a policy where the city police wouldn't respond to standard residential alarms until these alarms were verified.

Chair Heldmeyer said that Councilor Calvert would pursue the progress of this report. She added that any comments from the Committee could be included in this report.

Vice-Chair Harris said he would recommend that a pilot program not be established in Santa Fe. He said that he wouldn't be opposed to the Armed Response Team establishing their business in Santa Fe; however, he reiterated that he saw no need to establish any type of pilot program.

Vice-Chair Harris moved to not recommend to the City Council that an Armed Response Team pilot program be established in Santa Fe. Mr. Bowen seconded the motion.

Dr. Owen-Lewis said that it is her impression that there would be a lot of work lost to establish a pilot program.

Motion passed by unanimous voice vote.

Mr. Dichter said that if the program proved to free up resources for the Police Department, then there would be a longer term contract that would provide a base level of support to build up a business in Santa Fe. He added that this business would take at least a year to establish.

Councilor Calvert asked if the money for the pilot program could be put towards the first 12-month period of establishing the business. Chair Heldmeyer said that this program would have to be put out as an RFP

Chief Johnson said that there is no easy fix to this situation. He said that the Police Department is doing the job that should be taken care of by the private alarm companies.

Chair Heldmeyer said that a tax could be put on alarm systems, where the revenue generated from the tax would go directly to the Police Department to offset the response costs.

Councilor Calvert asked if there is a thought to establishing a workable policy for this program. Vice-Chair Harris said that he would have no problem establishing a citywide verified response policy.

Approval of Agenda:

Vice-Chair Harris moved to approve the agenda as amended. Mr. Bowen seconded the motion, which passed by unanimous voice vote.

Approval of January 15, 2008 minutes:

Page 10, first paragraph, first sentence should be changed to: *“Mr. Mizrahi asked Chair Heldmeyer if she contacted Robert Romero about the speeding indicator on Galisteo Street.”*

Mr. Stuto moved to approve the January 15, 2008 minutes as amended. Vice-Chair Harris seconded the motion seconded the motion, which passed by unanimous voice vote.

Old Business:

A. Discussion on DWI Forfeiture Ordinance- R. Alfred Walker, Assistant City Attorney

Mr. Walker explained that he sees the need to establish an impound lot, draft written notification procedures, and hire a hearings officer in order to implement the Forfeiture Ordinance. He explained that there has been discussion of establishing an impound lot on Siler Road, which has 30 spaces, however 25 of those spaces are currently filled. He added that the security at the Siler Road lot is not adequate. He explained that the staff is trying to locate other city property that might be available to establish the impound lot.

Mr. Walker said that he is drafting some procedures for the city’s police officers to distribute to city drivers.

Mr. Walker said that seizing the vehicle and locking it up would be the first steps. He added that there would have to be a hearing completed with due process.

Vice-Chair Harris asked where the Ordinance process stands currently. Mr. Walker said that the biggest challenge at this point is finding a location for an impound lot that would be secure. He said that he was unsure what property could be made available for the lot.

Chief Johnson said that the thinking currently is to wait until the 14 acres of property on Siler Road is possibly purchased to move forward with the Ordinance process. Chair Heldmeyer said that the city is in talks, but has not agreed to purchase an additional 14 acres of property that abut current city property on Siler Road. She added that price negotiations are still in progress. She said that strategically, people are feeling that this would be a good location for an impound lot, and in addition to other various city office buildings as well.

Chief Johnson said that the current impound lot on Agua Fria and Siler Road has numerous security issues, including break-ins.

Vice-Chair Harris asked if there has been any progress made with the proposed vehicle booting facility. Mr. Walker said that booting is in lieu of forfeiture. He explained that to begin the process, the city needs a facility to house the seized and booted vehicles.

Chair Heldmeyer asked if there is a potential for having a temporary impound holding area established. Mr. Walker said that any area of land that could be made secure would work as a temporary impound holding lot.

Mr. Walker said there was discussion of establishing something to begin with that could be made secure. He said once an area is established, it would be 30 days.

Dr. Owen-Lewis moved. Vice-Chair Harris seconded the motion. Motion carried 3 to 1.

New Business:

A. Discussion on Nuisance House Ordinance and Reconstructive Efforts Within the City Prosecutor's Office- R. Alfred Walker, Assistant City Attorney

Mr. Walker said that this ordinance is still "a work in progress." He added that staff is still trying to get the message out to the Santa Fe community. He explained that the problem is that many people are not calling the police to respond to incidents.

Mr. Walker said that the attorney's office is addressing the complaints and concerns that have been registered.

Chair Heldmeyer asked if the ordinance is difficult to enforce. Mr. Walker said that there are two mechanisms of enforcement. He explained if necessary he could bring nuisance actions in district court against "party houses." He added that there is a code enforcement issue with older vacant houses that are dealt with by the city's Code Enforcement Division.

Chair Heldmeyer said that the response from Police Department that she had received was that the activity hadn't reached a dangerous level at these houses in several recent incidents.

Mr. Walker said that he has drafted some guidelines for the ordinance.

Chief Johnson said that often the police officers that respond to complaints have not observed these incidents.

Chair Heldmeyer asked if it would be useful for citizens to document evidence and accounts of these incidents. Mr. Walker explained that it would be useful, and added that he has told callers to call in complaints to the Police Department.

Chief Johnson said that he has told callers to file complaints with their homeowners' associations.

Chair Heldmeyer asked Mr. Walker what changes he would like to see established. Mr. Walker said that the primary issue is receiving the information. He added that what he needs is a way to flag the addresses where officers are being called out too frequently. Chief Johnson said that the dispatch officers could track these calls to document the addresses of the call locations.

B. Presentation on Court Monitor Program- Maria Jose Rodriguez Cadiz, Court Monitors Program Supervisor, Santa Fe Rape Crisis and Trauma Center

Ms. Rodriguez-Cadiz said there are 32 monitor programs nationwide. She explained that she has supervised the Monitor Program for approximately 4 ½ years. She said that the program was a collaborative effort of the League of Women Voters and the Santa Fe Rape Crisis and Trauma Treatment Center.

Ms. Rodriguez-Cadiz said that the program works with volunteers, who observe impartially at the hearings. The volunteers research and make recommendations for solutions. There are three in-depth levels of observation that the Monitor program has achieved. The first level is establishing a public presence. Ms. Rodriguez-Cadiz said that the presence of the court monitors show that the monitors are informed and interested. The second thing that the program achieves is the compilation of data. The biggest goal of the program is to identify issues that can be advocated at the Legislature.

Ms. Rodriguez-Cadiz said that there are currently eight court monitors in the program. The court monitor program is now well established.

Ms. Rodriguez-Cadiz said that the program staff has seen that the greatest number of crimes have been those committed against children. She explained that 62% of all registered sex offenders in New Mexico have committed a crime against a child who is under 9 years old.

Vice-Chair Harris asked if the program acts as an advocate for the victims. Ms. Rodriguez-Cadiz said that the program does not focus so much on victim advocacy, but is concerned that the system at large is working and operates under the law.

Chair Heldmeyer said that the League of Women Voters looked at a change in the law because of the issue of the age of consent and the issue of control.

Dr. Owen-Lewis asked what types of recommendations the program has made in terms of legislative and other system changes. Ms. Rodriguez-Cadiz said that the latest recommendation was during a case where a statute of limitations was presented.

Chair Heldmeyer asked what kind of data is available. Ms. Rodriguez-Cadiz said that periodical newsletters were distributed to all the agencies and could be disseminated to the Committee members, as well as collected data that has already been gathered.

C. Discussion on Signal Synchronization- Rick Devine, Signal Engineer Supervisor

Chair Heldmeyer said that the issue of synchronization was brought up because of the ongoing red-light camera discussion.

Mr. Devine said that most of the signals in the city are synchronized. He explained that the lights must run the same cycle down the arterial length of the street at each intersection. The cycle lengths and volume data is then computed. He added that the lights run different cycle length based on traffic patterns. He added that the lights are running the same cycle lengths, with both a.m. and p.m. cycle lengths.

Mr. Devine said that the signal optimization is a challenge. He said that progression could not be achieved for both directions when the signals are not spaced equally. He said that the staff tries to space out the delay.

Chief Johnson said that at certain intersections, there are shorter green arrow signals. Mr. Devine said that the signals turn at different rates throughout the day. Mr. Devine said that the staff could not predict the lights' green time. He added that the staff does constantly make adjustments.

Mr. Devine said that there are certain things that will throw the system out of progression, which then takes three to five cycle lengths to get back in synchronization with the other lights. He added that when pedestrians are crossing, this extra time isn't programmed in, which also will throw the system out of sync.

Mr. Devine said that there is someone reporting signal errors during evening hours.

Mr. Devine said that the Traffic Department relies on the police department to report major signal problems.

Matters From the Municipal Court:

A. Informational-Municipal Court Monthly Report- January 2008 and 2007 DUIs

Chair Heldmeyer said that the Municipal Court report includes a memo from Judge Yalman on DUIs. She said that a presentation on the DUI memo could be added to next month's meeting agenda.

Matters From Police Chief Eric Johnson:

Chief Johnson said that Ms. Babcock would be filling in for Ms. Cantu, who is on medical leave.

Matters From Fire Chief Chris Rivera:

A. Approval of Joint Powers Agreement between the Energy, Minerals and Natural Resources Department, Forestry Division and the City of Santa Fe Wildland Protection and Suppression- Fire Chief Chris Rivera

Chief Rivera said that the agreement is between the City's Fire Department, the Federal Government, and the Forest Service, which allows the Department to participate in the regional mobile state plan. He added that this is an updated agreement.

Chief Rivera said that there are 17 cadets going through the application process. He added that there were several women cadet candidates who have said that they would re-apply because they were within seconds of meeting the criteria during the applications process.

Matters from Committee Members:

Chair Heldmeyer thanked the Committee members and the Fire and Police Departments who have provided information and the differing viewpoints.

Chair Heldmeyer said that there are racial issues in the schools that might be good if the Police Department were made aware of. Chief Johnson said that there are tensions between local teens and immigrant teens. He said that there seems to be a breakdown in the consistency in dealing with behavioral problems. Chair Heldmeyer added that there has been real concern regarding this issue.

Chief Johnson said that it has to do with accountability issues.

Chair Heldmeyer said that she received a letter about a case of a home invasion. She said that in this case, there was some evidence in the case. However, the residents of the home were notified that this case was not worth pursuing by the Police Department. Chief Johnson said that he is familiar with this particular case. He said that he would research this particular case.

Dr. Owen-Lewis thanked Chair Heldmeyer for her work as the Chair of the Public Safety Committee.

Mr. Stuto thanked Chair Heldmeyer for her work as well.

Communications From The Floor:

None

Adjournment:

Its business being completed, the meeting was adjourned at 6:21 p.m.

Approved by

Councilor Karen Heldmeyer, Chair

Submitted by

A handwritten signature in black ink, appearing to read "Gabriel Taylor". The signature is written in a cursive style with a large initial "G" and "T".

Gabriel Taylor, Stenographer