



# Agenda

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**PUBLIC SAFETY COMMITTEE**  
**Tuesday, July 17, 2007, 4:00 PM**  
**City Council Chambers**  
**200 Lincoln Avenue, Santa Fe, NM 87501**

1. Roll Call
2. Approval of agenda
3. Approval of June 19, 2007 minutes
4. Old business:
  - A. Proposed resolution directing staff to research the adoption of a citizens on patrol program that would allow citizens to assist the Santa Fe Police Department in making Santa Fe a safer place in which to live (Councilor Patti Bushee, Councilor Ronald Trujillo and Councilor Carmichael Dominguez)
  - B. Proposed ordinance amending section 1-3.2 SFCC 1987 to include a substance abuse fee and a municipal court bench warrant fee; and amending section 1-3.3 SFCC 1987 to be consistent with the current practice of the Municipal Court (Councilor Karen Heldmeyer and Honorable Judge Ann Yalman, Municipal Court)
5. New Business
  - A. Proposed ordinance dissolving the Citizen's Police Incident Review Board so that Article 6-15 SFCC 1987 and Sections 6-15.1 SFCC 1987 through 6-15.9 SFCC are repealed (Councilor Matthew Ortiz and Chief Eric Johnson)
  - B. Proposed ordinance amending Section 24-2.6 SFCC 1987 to restrict truck, truck trailer and other large vehicle traffic on La Cieneguita, Calle Sotero and Calle Angelina (Councilor Miguel Chavez and Rick Devine, Special Engineer Supervisor)
  - C. Proposed ordinance amending Section 24-2.6 SFCC 1987 to restrict truck, truck trailer and other large vehicle traffic on Gonzales Road, between East Alameda and Hyde Park Road. (Councilor Chris Calvert and Rick Devine, Special Engineer Supervisor)
  - D. Proposed joint resolution directing City and Public School Staff to prepare recommendations for the Governing Body and the Board of Education regarding housing on school property for police officers (Councilor Carmichael Dominguez and Kathy McCormick, Director of Affordable Housing)
  - F. Report on graffiti removal and police efforts to locate offenders (Detective Bryan Gonzales and James Martinez, Parks (Graffiti) Supervisor)
6. Matters from Police Chief Eric Johnson
  - A. Update from Sexual Assault/Domestic Violence Coordinator Dr. Carol Horowitz
7. Matters from Fire Chief Chris Rivera

8. Matters from Municipal Court
9. Matters from Committee Members
10. Communications from the Floor
11. Adjournment

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**CITY OF SANTA FE**  
**PUBLIC SAFETY COMMITTEE**

July 17, 2007

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

**Santa Fe, New Mexico**

**July 17, 2007**

A regular meeting of the City of Santa Fe Public Safety Committee was called to order by Councilor Karen Heldmeyer, Chair 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 quorum as follows:

**Members Present**

Karen Heldmeyer, Chair  
Herb Harris, Vice Chair  
Pete Mizrahi  
Frank Stuto  
Henry Valdez

**Member(s) Excused**

Michael Bowen  
Don Moya  
Nancy Owen-Lewis  
Mike Mier

**Staff Present**

Chief Eric Johnson, Santa Fe Police Department  
Jeannie Price, Senior Planner  
Shannon Cantu, Santa Fe Police Department  
Fire Chief Chris Rivera, City of Santa Fe

**Others Present**

Councilor Carmichael Dominguez  
Honorable Ann Yalman, Municipal Judge  
Gabriela Guzman, Albuquerque Journal  
Carol A. Horowitz  
Sgt. Alessio  
Officer Paulk  
Detective M. Martinez  
James Martinez  
Veronica Maldonado, Stenographer

## APPROVAL OF AGENDA

**Mr. Harris moved to approve the agenda as presented. Mr. Mizrahi seconded the motion which passed unanimous by voice vote.**

## APPROVAL OF MINUTES: June 20, 2007

**Mr. Mizrahi moved to approve the minutes of June 20, 2007. Mr. Stuto seconded the motion which passed by unanimous voice vote.**

## OLD BUSINESS

**A. Proposed resolution directing staff to research the adoption of a citizen's on patrol program that would allow citizens to assist the Santa Fe Police Department in making Santa Fe a safer place in which to live.**

Chief Johnson reported that they have done some research with Sergeant David Webb who has been contact with some people in Ft. Worth, Texas and they seem to have a pretty intense program with a number of volunteers and it seems that the program works very well for them. In order to make it a successful program they need to run a thorough background check to make sure that none of these volunteers have a criminal history. They obviously don't want some one who is a sex offender to participate in this type of program.

Chief Johnson said that there are some costs associated with starting up this program although they won't know what the accurate cost is until they get the volunteers first of all. Chief Johnson said that Ft. Worth trains these volunteer on the law, proper radio etiquette and personal safety as well.

Chair Heldmeyer asked how intense the training was.

Chief Johnson said that Sergeant Webb understood that they make their volunteers attend the police academy and then have some follow up courses. Even though they want these people to be their eyes and ears out there they do not want them to get into a situation where their safety is an issue.

Chief Johnson said that this program works in conjunction with the Neighborhood Watch program. At this point they also talked to the New Mexico Department of Public Safety to see what the requirements are in order for the SFPD to run this type of program. He would like to move forward and make sure that the Resolution is using the correct language.

Chair Heldemeyer asked if the Committee had any recommendations.

Mr. Harris recommended doing some more research and get more information and make sure that they have the availability and resources to do this.

Mr. Stuto recommended researching a city where the program wasn't successful and comparing it to a city where it was a success and see what the difference was.

**Mr. Mizrahi made the motion to approve this resolution after more research. Mr. Valdez seconded the motion which passed by unanimous voice vote.**

**B. Proposed ordinance amending section 1-3.2 SFCC 1987 to include a substance abuse fee and a municipal court bench warrant fee; and amending section 1-3.3 SFCC 1987 to be consistent with the current practice of the Municipal Court**

Mr. Valdez spoke on some of the recommendations that came out on generating revenue through the imposition of Municipal Court Fees. The idea that for every citation that is issued a dollar comes back and is used for training or for the purchase of equipment. In speaking with Finance he was told that any fees collected shall be deposited in the general fund of the City of Santa Fe.

**Mr. Harris made the motion to accept the Ordinance amending Section 1-3.2 SFCC to include a substance abuse fee and a Municipal Court Bench Warrant Fee. Mr. Stuto seconded the motion which passed by unanimous voice vote.**

#### NEW BUSINESS

**A. Proposed joint resolution directing City and public School Staff to prepare recommendations for the Governing Body and the Board of Education regarding housing on school property for police officers**

Councilor Dominguez said that he was addressing the Committee to see if there was interest in developing a program that existed in the past where a police officer used to live on a school campus. It seems that there is some interest from the school district perspective in providing that type of safe environment for the students and the public with that presence and at the same time it provides affordable housing for a police officer.

Councilor Dominguez said he is trying to raise interest in the program and see if there is a way to resurrect it.

Chair Heldmeyer asked if there were any examples of this in the school district now.

Councilor Dominguez he didn't think they did.

Chief Johnson said it has been about seven years since they had a program like this in place. It was dissolved because of the cost and misuse of the utilities. The officers were under a grant to pay their utilities.

Chief Johnson said the reason he is so familiar with this program is because he lived on campus for a number of years. The minute the police officer presence was gone the schools started having problems with vandalism.

Chief Johnson said in his opinion it was a program that worked well. It helped with the vandalism and it was affordable housing for an officer.

Chief Johnson said that there is interest from officers. He noted that some of the parks also had officers living there. It is something that is worth looking into.

Councilor Dominguez said that he has discussed it with the school board and that the school board is researching it to see if it is legal but for most part there is some interest from some of the board members.

Mr. Harris asked Mr. Dominguez if the school board comes back and there is interest. Who is going to bear the cost for the home, utilities and insurance? Is going to be the school or the City?

Councilor Dominguez said via the resolution they hope to identify some of the challenges that will exist. He has talked to Kathryn McCormick and Affordable Housing there is possibilities to be able to subsidize some of that housing for them. Councilor Dominguez said he really didn't have the details and that these are some of the things they need to overcome to initiate this program.

Chief Johnson said the program was very successful and the way it worked was that each officer owned the mobile home and it offset some of the high rent or the space. The officer paid the space and that covered the space as well in return they were getting the service of the officer walking the grounds.

**Mr. Harris moved to approve the resolution pending the answers to some questions. Mr. Valdez seconded the motion which passed by unanimous voice vote.**

**B. Proposed ordinance amending Section 24-2.6 SFCC 1987 to restrict truck, truck trailer and other large vehicle traffic on La Cieneguita, Calle Sotero and Calle Angelina**

Chair Heldmeyer noted that this particular ordinance grew out of discussions the City Council had with the approval of a commercial development next to the La Cieneguita subdivision.

Mr. Devine said that he was present at this evenings meeting to answer any questions to the regard.

Mr. Harris said that three years ago they had laid out a plan indicating which streets were approved for truck traffic. Trucks were allowed to be on that street if that was the only street you could be on. There was some concern that on some of these streets they wanted legal enforcement.

Chair Heldmeyer said that about a year ago rather than having a separate ordinance for each truck ban every change became an amendment to that ordinance. The amendment stated that if you were on that street you had to be making a delivery on that street.

Chief Johnson said that it was designed for some of the streets and the concern of larger trucks taking shortcuts by going thru neighborhood streets.

Ms. Jeanie Price said what they are recommending to the staff and if the Councilors agree to it is to put the two together into one bill. It will be safer to do that and if it is done twice it gets to confusing. It will go forward from this Committee to the other committees as one bill.

Chair Heldmeyer said she would like to recommend that this proposed ordinance and the ordinance amending Section 24-2.6 SFCC 1987 to restrict truck, truck trailer and other large vehicle traffic on Gonzales Road between East Alameda and Hyde Park Road be combined.

**Mr. Harris moved to approve to combine the ordinances into one bill. Mr. Valdez seconded the motion which passed by unanimous voice vote.**

### **C. Report on graffiti removal and police efforts to locate offenders**

Chair Heldmeyer noted that this was an issue that was brought up by Councilor Ortiz at the last Council meeting. Councilor Ortiz was the principal sponsor of the graffiti ordinance and he had concerns that civil fines were not being given to the graffiti artists.

James Martinez said that as of today they have not issued any citations but they have gone over 2800 locations of graffiti in the city of Santa Fe. This is from January to July of this year. This can be from a small graffiti on a sign to an entire wall.

Chief Johnson said that Councilor Ortiz seems to believe that there is a master list of graffiti artists. For instance if they see a wall downtown that says "Westside," Councilor Ortiz wants to interview every person associated with that group in hopes that someone will snitch. Chief Johnson said it doesn't work that way. Most of the time, it just depends if it is a felony or a misdemeanor. In the case of a misdemeanor they have to be able to observe the events.

Chair Heldmeyer said Councilor Ortiz had the law changed because he felt he could issue civil citations. She asked if you catch an individual and that particular graffiti has shown up in several different places, can you then send out citations and what do you do to connect that individual to that graffiti?

Chief Johnson said first they have to establish probable cause to make sure they find some sort of evidence that they can use to identify the taggers. Depending on the amount of damage, if it is over one thousand dollars they refer to the District Attorney. If it goes to the prosecutor, they have to go through the court system. If they are convicted of the crime the judge may order restitution.

Chair Heldmeyer said it sounds like they need a formal opinion for the City Attorney on this issue. The problem seems to be that you are never going to connect anything to anyone. Are there tags that belong to certain individuals?



Mr. Martinez said that they are trying to work on going back on cases where they have suspects and forward those names and depending on what happens with the courts they can be fined.

Part of the problem now is that the Sheriffs Department picked up the tagger that was putting WSK. What they are going to do now is go through the reports and see how many reports they have and photograph the ones they know about. They would hate to catch a tagger one night doing one wall, issue them a citation and miss maybe 50 or 60 other tags that he did. They are going to try to investigate it and get as much information and forward it.

Mr. Martinez said they had this conversation with Councilor Ortiz on some training that they did. He was under the impression that they were issuing administrative citations and Councilor Ortiz was told that basically they are in charge of the criminal portion of it and there should be a place where they can forward it back at the City.

Chair Heldmeyer asked Mr. Martinez, if several misdemeanors could equal a felony and therefore relieve him the obligation of having to witness that person in the act of tagging?

Mr. Martinez said that part of the problem is that if a tagger is caught today, Councilor Ortiz wants them fined today. There are some that they would have to go back and follow-up and find out how many reports were generated because of this one tagger. Mr. Martinez said they want it set up to where they do an investigation, they forward it to Juvenile Probation who works hand in hand with District Court and then they have issues to see if they are juveniles or adults. If they are juveniles, the fine will go to their parents.

Mr. Martinez said they need to find out how it is going to work once they do their investigation, they send it out to the District Attorney's office, Juvenile probation and then it is sent over to administer the fine. Mr. Martinez said they can administer the citation but not the fine. A lot of the kids they are dealing with are juveniles.

Chair Heldmeyer noted the conversation when the ordinance was changed and it was based on the laws in Albuquerque. Chair Heldmeyer said it was time that they voted on this and that Councilor Ortiz had said that it was successful in Albuquerque. Her memory was that they were going to have a computer database. She asked if that was available.

Mr. Martinez said that yes it was available in his office.

Chief Johnson said it one should be considered a separate incident. If you have one tagger that hits 15 stop signs, each tag would be a separate misdemeanor charge.

Detective Gonzales said the only problem with that is that for instance the young man that was electrocuted his tag is still showing. What you get is copycats and a group of his friends that are doing this in his memory. There is a lot that has to be done so no one is falsely accused.

Detective Gonzales asked Mr. Valdez if they have fifteen different victims would his office put them all together or do a separate one.

Mr. Valdez said that in some cases you have confessions. You may have seen this person but you need to prove that he was involved in going others. This is not enough evidence for a criminal prosecution. On civil standards it would be up to the city attorney.

Chair Heldmeyer asked if there is a fix for graffiti.

Detective Gonzales said honestly no. One of the things that would help is if people when it does happen. There are a lot of people that see and don't call the police. They need descriptions and pin them even if it is for just one tag.

Chief Johnson said it involves public awareness and it also involves the parents working with them. If they notice their walls at home, their notebooks and signs they should contact them.

Chair Heldmeyer asked that Councilor Ortiz get a copy of the minutes of this meeting.

#### **MATTERS FROM POLICE CHIEF ERIC JOHNSON**

Chief Johnson said that as of July 1<sup>st</sup> they have stepped up their traffic units. Lt. Anthony Robin is heading up traffic enforcement. It seems to be working very well. By next month they will have a status report on how many citations were issued.

The recruiting efforts seem to be working out very well. Chief Johnson noted that they are getting in a lot of applications and have done some hiring. The numbers are at nineteen. They have five cadets and have hired three. In their Boston trip they interviewed twenty seven people. They are coming home with seven in the background. They have had one person from the Oregon trip who is in background right now. As of this morning they have twenty one testing on Saturday. They are sure the numbers are going to go up.

Mr. Stuto asked if they had ever considered doing a student intern program with the criminal justice students from the universities.

Officer Paulk noted that yes they have thought of that but it requires a lot of research on for liability purposes and who they are going to coordinate with to get the students. They have also thought of a mentorship program where they can bring an individual in early so they can be mentored by a senior officer before getting on the street and educate them on the city and the department. These are all long term plans that they are putting in place.

#### **a. Update from Sexual Assault/Domestic Violence Coordinator**

Ms. Carol Horowitz talked about the list of grants that she has written. One of the grants was for a youth academy for the ages of 18 and 21 to go a training program over the summer that would train them for perhaps a career in law enforcement.

Ms. Horowitz said since she started on March 26, she has written grants for the Santa Fe Rape Crisis and Trauma Treatment Center and Esperanza Youth Shelters to provide domestic and sexual assault counseling for homeless. She is currently on a letter of intent for Alma Rape Crisis Center to develop the Immigrant Women's Sexual Assault Conference. They will be getting funding from the Edward Burns Memorial Fund in the amount of \$40,000 this year and \$30,000 for next year to purchase equipment. She has also written the Edward Burns Discretionary Grant for \$300,000 to purchase computers. She has also written two grants to the community policing the Department of Justice for the academy and the other for technology.

In terms of community organizing, she has started working with the faith community to organize a summit on domestic violence, sexual assault and stalking. They have chosen October 19 and she is hoping to have it at the library.

Ms. Horowitz said they held their first meeting with Esperanza to facilitate as well as several of the agencies in town. They are developing a community work group, social services, substance abuse, medical care providers and criminal justice. They are looking at education and youth. They are going to be working all there focus is gong to be on ending violence and make Santa Fe the safest city in the world in five years.

Ms. Horowitz reported that between January and March there were 489 calls to dispatch. Since April there have been 613. She does not have the numbers that were compiled for May through July. One of the things that she feels is important is that this year there have been over 400 children that have been witnesses to domestic violence. If you look at the number of cases of domestic violence it is happening now in families between family members. What happens to children who have witnessed domestic violence it increases the chances that they will more likely become perpetrators or victims.

Ms. Horowitz said the date she collected in the data in a two month period there were nine repeat victims and sixteen repeat offenders.

Chair said that the perpetrators of some of these cases have not been arrested.

#### **MATTERS FROM FIRE CHIEF CHRIS RIVERA**

Fire Chief Rivera noted that the event on Saturday was very successful. He estimated that 200 kids were fingerprinted and he was informed by Chief Johnson that it was the best single day that they ever had. Safe Ride NM handed out 200 packets. Mr. Rivera said that this was a first time event and was not sure if they want to do it again.

Mr. Rivera updated committee members on the physical agility test for the fire department. Mr. Rivera spoke with the Human Resources Director. Human Resources will get in contact with the SFCC to see if it is worth doing a Firefighter Fitness program.

Mr. Rivera has spoken to his staff and they came up with some good ideas on giving certificates that would be good for one year. If they take the test and pass it and they are hiring they don't have to take the physical agility test again.

**MATTERS FROM MUNICIPAL COURT**

None

**MATTERS FROM COMMITTEE MEMBERS**

None

**COMMUNICATIONS FROM THE FLOOR**

None

**ADJOURNMENT**

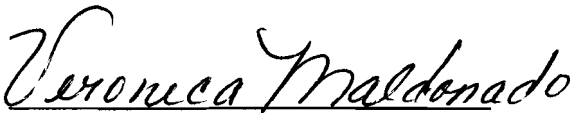
**Its business being completed, the meeting was adjourned at 5:10 p.m.**

**Approved by:**



**Councilor Karen Heldmeyer, Chair**

**Submitted by:**



**Veronica Maldonado, Stenographer**