

**Phoenix City Council
Public Safety and Justice (PSJ) Subcommittee
Summary Minutes
September 14, 2022**

City Council Chambers
200 W. Jefferson St.
Phoenix, Ariz.

Subcommittee Members Present

Councilwoman Ann O'Brien, Chair
Councilman Jim Waring
Councilwoman Yassamin Ansari
Councilmember Carlos Garcia

Subcommittee Members Absent

CALL TO ORDER

Chairwoman O'Brien called the Public Safety and Justice Subcommittee to order at 9:33 a.m. with Councilman Jim Waring, Councilwoman Yassamin Ansari, and Councilmember Carlos Garcia present.

CALL TO THE PUBLIC

None.

MINUTES OF MEETINGS

1. Minutes of the Public Safety and Justice Subcommittee Meeting

Councilwoman Ansari made a motion to approve the minutes of the June 8, 2022 Public Safety and Justice Subcommittee meeting. Councilman Waring seconded the motion which passed unanimously, 4-0.

INFORMATION AND DISCUSSION (ITEMS 2-3)

2. Phoenix Police Department Hiring and Recruitment Techniques and Attrition Update

Assistant Chief Bryan Chapman presented on current staff levels, retirements and resignations, testing procedures for new police recruits, and recruitment efficiencies. He said total staffing was 2,603 sworn filled positions, with 82 police recruits in the academy and 1,006 officers working in patrol as of Sept. 1.

Councilman Waring asked if the numbers shown were worse than the previously presented and if the number of recruits in the police academy increased.

Chief Chapman responded the staffing data fluctuated monthly and staff would continue exploring ways to offset loss of staff with recruitment efforts in the next six months to a year.

Councilman Waring said he understood there was a net loss in staffing over the last few months.

Chief Chapman confirmed that was correct, but believed the department was in a better position based on progress over the last year and continued efforts would result in improved future staff numbers.

Chief Chapman continued with 2022 retirement and resignation totals and explained the positive momentum in the cadet program pipeline and police academy to offset retirements resulted from many department changes, including relationship building at high schools, tuition assistance for cadets, and the market adjustment approved by City Council.

Chief Chapman mentioned there were limitations to hiring because of the decreased officers available to train the new hires. He said year-to-date 900 people went through applicant testing and 600 entered the background check process, with an 800% increase in hires as a result of an academic waiver for those with an associate degree or higher. Chief Chapman explained some candidates were not successful in the hiring process in the applicant testing stage, and staff planned to pilot an oral board, but also during the background investigation, where 91% of people dropped out due to poor history or lack of integrity.

Councilman Waring asked for clarification on the disqualification of 91 percent of people interested in becoming a police officer.

Chief Chapman explained 91 percent of the number of applicants eliminated from the process overall were disqualified within the background step.

Councilman Waring and Councilwoman O'Brien thanked Chief Chapman for the clarification.

Chief Chapman stated two new non-sworn positions would be tasked with developing strategies and marketing to better achieve recruitment objectives. He said the new eSOPH software, approved by City Council, would improve recruitment efficiency and cut the time to send conditional offers in half.

Councilman Waring spoke of an individual who wanted to join the Phoenix Police Department last year but took a job in Glendale because they did not hear back. He asked if the staff was certain the techniques would give everyone the chance to join the Police Department and the youngest page an individual could be to apply to the academy.

Chief Chapman discussed improvements that had been made to the recruitment process, including increased recruitment officer staffing to five plus a sergeant, active outreach out before testing to answer questions and offer test prep, and follow-up with those who did not show up to offer an online testing option. He emphasized the importance of uploading information into the Human Resources database in a timely manner.

Councilman Waring asked the youngest age an individual can be to apply to the academy.

Mr. Chapman specified the age requirement to enter the academy was 20-and-a-half, but applications could be accepted sooner.

Councilman Waring encouraged 20-year-olds watching the meeting to do their part to fill out the forms and asked staff if there was an age limit to go through the academy.

Chief Chapman confirmed there was not an age limit to go through the academy.

Councilman Waring asked who answers calls from those contacting the hiring phone number posted on vehicles.

Chief Chapman replied officers answer those calls and were highly responsive to those calls or emails. He added the Human Resources Department was another first point of contact and the two departments communicated well.

Chief Chapman continued by presenting the benefits of Skillbridge, an educational and professional development program in partnership with the Department of Defense, as well as educational opportunities and offering hiring and testing virtually.

Councilman Waring asked what percentage of Police force had a military background.

Chief Chapman said he could provide that percentage to the subcommittee.

Councilman Waring commented on the natural fit of former military members to be officers and believed it would be a seamless way to get new officers, since they were previously vetted and physically fit.

Chairwoman O'Brien applauded steps that were made in the last year to value the time of those interested in being officers and expressed excitement that the cadet program was filled. She asked for more information on preparing field trainers as more academy hiring occurred.

Chief Chapman answered the Mountainview Precinct and South Mountain Precinct had patrol division field training. He said a third precinct, Desert Horizon, would add field training based on need.

Chairwoman O'Brien commended staff for acknowledging some individuals do not take written tests well and adjusting the test process.

Councilman Waring asked about trends with retirement and wanted to know if people were incentivized to stay with the pay increase.

Chief Chapman said the market rate adjustment slowed the attrition rate of current employees. He also stated Councilman Waring's assessment of the City moving from an older force to a young force due to retirement was a correct analysis. However, Chief Chapman noted more officers are still retirement eligible.

Councilman Waring asked for the maximum number of cadets that could go through the training academy at one time.

Chief Chapman said traditionally 300 people per year and at that time the academy had 25 or 30 recruits in a class every six weeks, with physical capacity issues on weekends or on second shift.

Councilman Waring noted there was a three-year period of precipitous drop in staff due to retirements.

Chief Chapman said it would be a couple of years to grow staffing levels back to where the department was in prior years.

Councilman Waring expressed concern that the staffing issue was not fixable and hoped Chief Chapman's positive projections were correct.

Councilwoman Ansari was encouraged by projections and efforts by staff, such as the Skillbridge program. She asked staff for new data on diversifying the force to include more women, those with a college education, and people of color.

Chief Chapman did not have specific numbers but provided a list of upcoming community events attended by officers as a snapshot of the efforts to target diverse audiences. He gave an overview of the City's involvement in the nationwide concept of 30 x 30 to increase the percentage of women as sworn officers.

Councilwoman Ansari asked what percentage of the Police Department was female.

Assistant City Manager Lori Bays stated the force is currently 14 percent female officers.

Councilwoman Ansari wanted to focus on achieving 30 percent female officers before 2030 and asked staff to look at other partnerships nationwide to specifically address gender equality.

Chairwoman O'Brien requested the 2030 Goal be a future agenda item.

3. Angels on Patrol

Chairwoman O'Brien introduced Assistant Police Chief Sean Connolly, Angels on Patrol Executive Director Melinda Cadena, and Angels on Patrol founder and former Phoenix Police Officer Jacqui MacConnell to present on the item.

Mr. Connolly began by sharing the value Angels on Patrol provides to the City and Police Department including resources, housing, and financial support to assist individuals in need before handing responsibility over to community entities equipped to help.

Ms. MacConnell discussed the experience that motivated the creation of Angels on Patrol program, which impacted 19,000 lives. She defined the mission and vision of the program, which was to provide immediate support in crisis at an officer's request, and highlighted successes of the program.

Ms. Cadena provided examples of how the program moves families from crisis to stability and shared stories of officers using it to find immediate resources as an alternative to making an arrest or trespassing a family. She stated Angels on Patrol served 361 Phoenix residents this year.

Ms. MacConnell added domestic violence was a recent primary request and explained how Angels on Patrol prevented victims from being homeless by providing lodging before the long-term resource was available.

Councilman Waring asked how officers knew about Angels on Patrol and if they were encouraged to participate.

Ms. Cadena responded Angels on Patrol attended briefings and trainings where officers learned about them or heard word of mouth. She said officers were often in disbelief at the amount of assistance the organization could provide.

Councilwoman Ansari asked how Angels on Patrol partnered with Phoenix providers in situations to support the unsheltered population.

Ms. Cadena responded families facing homelessness for the first time were not aware of resources, so Angels on Patrol would direct them to the family housing hub, 2-1-1 Arizona, or different shelters in the valley.

Councilwoman Ansari asked for a specific example of a time when an officer provided a family a safe space for the night.

Ms. Cadena answered generally the officer bridged the person to a long-term service by buying them some time in a hotel room.

Councilwoman Ansari asked about the funding model to support requests.

Ms. Cadena replied staff applied for grants and received donations. She said the amount of assistance fluctuated based on how much was in the budget, which then was \$500 spent per family.

Ms. MacConnell added grants from foundations funded them historically, but they were seeking more monthly donors.

Chairwoman O'Brien thanked the women for their service.

Chairwoman O'Brien revisited public comment for items two and three, but no speakers were present.

DISCUSSION AND ACTION (ITEM 4)

4. Judicial Appointments

Chairwoman O'Brien stated the Subcommittee would interview six candidates recommended by the Judicial Selection Advisory Board to fill two vacant seats on the Phoenix Municipal Court. She said members of the Subcommittee would ask each candidate one question and candidates had two minutes to answer.

Candidate Alexander Benezra approached the table.

Councilwoman Ansari asked the candidate what personal and professional accomplishments prepared them with maturity and wisdom to be a municipal court judge.

Mr. Benezra responded he put together the suspended license court from 2017 – 2020 which was a professional accomplishment because it identified a problem that helped thousands of people. He spoke personally about the joy he has for his two-year-old son.

Councilman Waring asked what cases will be most difficult to rule on and why.

Mr. Benezra responded he would give as much opportunity to everyone involved with the court to collect all the information, so he could rule impartially and seek counsel from others when he had questions.

Councilmember Garcia asked what upsets them and what helps them calm down.

Mr. Benezra responded he did mindfulness exercises and sung to loud music. He said broken lines of communication frustrated him, but he understood court was scary for the person and those calming actions allowed him to detach before he heard the next case.

Chairwoman O'Brien asked for their views on the role of the Municipal Court and, when individuals leave the court, how the experience should have impacted them.

Mr. Benezra responded the court is part of the community and with his diverse cultural background he understood how important it was for the marginalized to have felt the legitimacy and integrity of the court.

Candidate Michelle Gamez approached the table.

Councilwoman Ansari asked the candidate what personal and professional accomplishments prepared them with maturity and wisdom to be a municipal court judge.

Ms. Gamez responded she served on the Arizona Supreme Court Committee on the impact of domestic violence, that revamped the bench book and the roles on protective order and procedures. She said personally she hiked the Grand Canyon rim to rim, raised her younger brother while in law school, and moved her mom in to live with her.

Councilman Waring asked what cases will be most difficult to rule on and why.

Ms. Gamez responded she worked every kind of case possible as a prosecutor and therefore would have no issue ruling on any of them. She said she would have independence and discretion in making decisions.

Councilmember Garcia asked what upsets them and what helps them calm down.

Ms. Gamez responded the sight of injustice upsets her, so she took a recess and hiked, talked to a friend, prayed in order to remain professional. She said she convinced people to attend court even though they were scared or afraid of consequences, because she showed they were needed, and she advocated for them.

Chairwoman O'Brien asked for their views on the role of the Municipal Court and, when individuals leave the court, how the experience should have impacted them.

Ms. Gamez responded they should feel they were treated fairly with dignity and respect whether they were a witness, victim, or police officer. She said she ensured the person was represented and clearly understood the court procedures.

Next candidate Heidi Gilbert approached the table.

Councilwoman Ansari asked the candidate what personal and professional accomplishments prepared them with maturity and wisdom to be a municipal court judge.

Ms. Gilbert responded she reflected during the pandemic and took time to decide if she was ready to give up being an advocate or had learned enough through her experience as a lawyer. She said she was ready to do things in a meaningful way.

Councilman Waring asked what cases will be most difficult to rule on and why.

Ms. Gilbert responded domestic violence cases were the most personal because of the worry about the danger the family was in and the uncertainty about what could happen when those people walked out of the court room.

Councilmember Garcia asked what upsets them and what helps them calm down.

Ms. Gilbert responded when things did not move quickly, such as civil cases lasted more than two days. She said power tools and building projects that showed tangible progress calmed her down.

Chairwoman O'Brien asked for their views on the role of the Municipal Court and, when individuals leave the court, how the experience should have impacted them.

Ms. Gilbert responded the role of the court was to execute justice in an impartial and fair tribunal and maintained checks and balances. She said the court had the resources to stop people from spiraling further into trouble and that people needed to feel heard.

Candidate Utiki Laing approached the table.

Councilwoman Ansari asked the candidate what personal and professional accomplishments prepared them with maturity and wisdom to be a municipal court judge.

Ms. Laing responded she sat on the Maricopa County Superior Court bench for nine years with three assignments. She observed most of the people did not want to be in court, so she put them at ease with a smile and respect. She showed the person she understood the predicament they were in and how hard it was to be there.

Councilman Waring asked what cases will be most difficult to rule on and why.

Ms. Laing responded orders of protection were the most difficult because the accusations were from a traumatized victim that she was required to question and could not give the exact decision the victim wanted, sometimes with regards to children placed on the order.

Councilmember Garcia asked what upsets them and what helps them calm down.

Ms. Laing responded she felt upset when her family was injured and gave an example of when middle schoolers were mean to her daughter. She learned to breathe, reflect on what motivated the other person to be mean, and danced.

Chairwoman O'Brien asked for their views on the role of the Municipal Court and, when individuals leave the court, how the experience should have impacted them.

Ms. Laing responded the experience needed to be positive where the defendant felt dignity, fairness, and respect. She added the person needed to know they were heard and seen by calling them by name.

Candidate Lynn Pucino approached the table.

Councilwoman Ansari asked the candidate what personal and professional accomplishments prepared them with maturity and wisdom to be a municipal court judge.

Ms. Pucino responded that personally the varying roles in motherhood challenged and rewarded her. She said professionally she represented individuals with developmental disability or emotional difficulty which required communication skills and trust.

Councilman Waring asked what cases will be most difficult to rule on and why.

Ms. Pucino responded cases where the rule of law did not result in the outcome she wanted to see emotionally as a human because it tested her commitment to her role.

Councilmember Garcia asked what upsets them and what helps them calm down.

Ms. Pucino responded she did not like to see the vulnerable be exploited, so she swam, walked, and enjoyed the outdoors to calm down. She said professionally the power of reason and the application of the law was a refuge during conflict or disturbing situations.

Chairwoman O'Brien asked for their views on the role of the Municipal Court and, when individuals leave the court, how the experience should have impacted them.

Ms. Pucino responded the municipal court was an image of justice for the community at-large because people would likely encounter it at some time. She said the people should sense the rule of law was king and mattered with emotions set aside.

Candidate Scott Silva approached the table.

Councilwoman Ansari asked the candidate what personal and professional accomplishments prepared them with maturity and wisdom to be a municipal court judge.

Mr. Silva responded he was a licensed attorney for 25 years and owns Silva Law Firm. He said he served as judge pro tem in multiple courts where he presided over a variety of criminal cases. He said the practical experience gave a point of reference to make decisions.

Councilman Waring asked what cases will be most difficult to rule on and why.

Mr. Silva responded there was not a particular type of case that was difficult, but the difficulty came when there were no witnesses or evidence other than one person's word against another. He said the judge then had to draw from their own life experience to judge the credibility and apply the burden of proof.

Councilmember Garcia asked what upsets them and what helps them calm down.

Mr. Silva responded his children could try his patience and he could be stressed while he worked with people that were aggressive or insulted him in court. He said he enjoyed the outdoors with his family and stayed busy with water activities.

Chairwoman O'Brien asked for their views on the role of the Municipal Court and, when individuals leave the court, how the experience should have impacted them.

Mr. Silva responded every judge should hold the mission of the Phoenix Municipal Court in mind, which is equal access to justice, fair treatment, and resolution in a timely manner. He said the judge should promote confidence in the impartiality of that branch of government and apply the law objectively. He added the judge should have a good temperament to act above the behavior of others.

CALL TO THE PUBLIC

Kristopher Califano spoke in support of appointing Alex Benezra to the Municipal Court.

Kimberly Anderson spoke in support of appointing Scott Silva to the Municipal Court.

Councilmember Garcia left the meeting at 11:34 a.m.

John Riggs spoke in support of appointing Scott Silva to the Municipal Court.

Stephanie Ehrbright spoke in support of appointing Scott Silva to the Municipal Court.

Amy Ellingson spoke in support of appointing Michelle Gamez to the Municipal Court

Jaqueline Molina spoke in support of appointing Utiki Laing to the Municipal Court.

Councilmember Garcia returned to the meeting at 11:41 a.m.

Jason Max spoke in support of appointing Utiki Laing to the Municipal Court.

Terry Esperaza spoke in support of appointing Utiki Laing to the Municipal Court.

Councilwoman Ansari made a motion to enter into Executive Session for subcommittee deliberations. Councilmember Waring seconded the motion which passed unanimously, 4-0.

CALL TO RESUME

Chairwoman O'Brien called the Public Safety and Justice Subcommittee to back to order at 12:16 p.m. with Councilman Jim Waring, Councilwoman Yassamin Ansari, and Councilmember Carlos Garcia present.

Chairwoman O'Brien moved the subcommittee appoint Alexander Benezera and Heidi Gilbert as judges of the Phoenix Municipal Court for a four-year term. Councilwoman Ansari seconded the motion which passed unanimously, 4-0.

FUTURE AGENDA ITEMS

Councilwoman Ansari submitted a memo requesting a presentation and discussion from the Phoenix Fire Department.

Councilmember Garcia and Councilwoman Ansari asked for a community assistance program (CAP) presentation.

ADJOURNMENT

Chairwoman O'Brien adjourned the meeting at 12:19 p.m.

Respectfully submitted,

Nina Fader
Management Intern