Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the PHOENIX CITY COUNCIL PUBLIC SAFETY AND VETERANS SUBCOMMITTEE and to the general public, that the PUBLIC SAFETY AND VETERANS SUBCOMMITTEE will hold a meeting open to the public on December 10, 2014 at 9:00 a.m. located in Phoenix City Hall, Assembly Rooms A, B, C, 200 West Washington Street, Phoenix, Arizona.

One or more members may participate via teleconference. Agenda items may be taken out of order.

The agenda for the meeting is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Call to Order</th>
<th>Chairman Nowakowski</th>
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<tbody>
<tr>
<td>2</td>
<td>Approval of Minutes for November 12, 2014.</td>
<td>Subcommittee</td>
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<td>3</td>
<td>Call to the Public</td>
<td>Chairman Nowakowski</td>
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Items 4-6 are for Consent. No presentations are planned; however staff will be available to answer questions.

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<thead>
<tr>
<th></th>
<th>Authorization to Accept FY 2014-15 Grant Funds from the Driving Under the Influence Abatement Council</th>
<th>Daniel V. Garcia, Chief of Police</th>
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<td>4</td>
<td>This report requests the Public Safety and Veterans Subcommittee recommend City Council approval to accept grant funds, in the amount of $50,000, from the Driving Under the Influence (DUI) Abatement Council. This item is for Consent.</td>
<td>Page 11</td>
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<th>Daniel V. Garcia, Chief of Police</th>
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</thead>
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<td>This report requests the Public Safety and Veterans Subcommittee recommend City Council approval to enter into a Letter of Agreement (LOA) with the United States Food and Drug Administration’s Office of Criminal Investigations (FDA/OCI) to accept funds for police services. The LOA allows the Police Department to continue its participation in the FDA/OCI Task Force and to assist with criminal investigations. The amount of the agreement is $15,000. This item is for Consent.</td>
<td>Page 13</td>
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<td><strong>APPLY FOR AND ACCEPT 2014 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM – ISOS TRAINING</strong></td>
<td>Kara Kalkbrenner, Fire Chief</td>
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<td><strong>SEX OFFENDER CLUSTERING</strong></td>
<td>Daniel V. Garcia, Chief of Police</td>
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<td>This report provides the Public Safety and Veterans Subcommittee with information on the Sex Offender Clustering in the City of Phoenix.</td>
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<td><strong>COMMUNITY ORIENTED POLICING SERVICES GRANT PROCESS</strong></td>
<td>Daniel V. Garcia, Chief of Police</td>
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<td><strong>CHIEF PRESIDING JUDGE SELECTION PROCESS</strong></td>
<td>Honorable Eric Jeffery, Acting Chief Presiding Judge</td>
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<td>This verbal report provides the Public Safety and Veterans Subcommittee with information on the selection process for the next Chief Presiding Municipal Court Judge.</td>
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<td>Verbal Report</td>
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<td><strong>RECONSIDERATION OF AUTHORIZATION TO DEViate FROM FULL COST RECOvery OF USER FEES CHArged FOR MARKED POLICE VEHICLES USED IN OFF-DUTY WORK ASSIGNMENTS</strong></td>
<td>Subcommittee</td>
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<td>This item is a reconsideration of authorization to deviate from full cost recovery of user fees charge for marked police vehicles used in off-duty work assignments previously passed by the Public Safety and Veterans Subcommittee on November 12, 2014.</td>
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<tr>
<td><strong>This item is for Discussion and possible Action.</strong></td>
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11. **REQUEST AUTHORIZATION TO DEVIATE FROM FULL COST RECOVERY OF USER FEES CHARGED FOR MARKED POLICE VEHICLES USED IN OFF-DUTY WORK ASSIGNMENTS**

This report requests the Public Safety and Veterans Subcommittee recommend City Council approval for staff to deviate from the full cost recovery of user fees charged for marked police vehicles that are approved for use in police off-duty work assignments.

*This item is for Discussion and Action.*

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<th>Daniel V. Garcia, Chief of Police</th>
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12. **PUBLIC SAFETY BUDGET UPDATE**

This verbal report provides and update to the Public Safety and Veterans Subcommittee on the budget status for Fire, Police and Municipal Court.

*This item is for Information and Discussion.*

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13. **Future Agenda Items**

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14. **Adjournment**

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<th>Councilman Nowakowski</th>
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For further information, please call Corey Williams, Management Assistant, City Manager’s Office at 602-261-8875.

Persons paid to lobby on behalf of persons or organizations other than themselves shall register with the City Clerk prior to lobbying or within five business days thereafter, and must register annually to continue lobbying. If you have any questions about registration or whether or not you must register, please contact the City Clerk’s Office at 602-262-6811.
Phoenix City Council
Public Safety and Veterans Subcommittee
Summary Minutes
Wednesday, November 12, 2014

1st Floor Atrium
Assembly Rooms A, B, and C
200 West Washington Street
Phoenix, Arizona

Subcommittee Members Present: Councilman Michael Nowakowski, Chair
Subcommittee Members Absent: None

Councilwoman Thelda Williams
Councilwoman Kate Gallego
Councilwoman Laura Pastor

Staff Present:
Matthew Giordano
Jill Celaya
Don Taylor
Salvatore Freni
Samantha Tavares
John Wayne
Gonzales
Harry Markley
Darren Viner

Kenneth Leake
James Orloki
Thomas Remes
Mary Roberts
Stacy Osborne-Fry
Dan Brown
Karen Peters
Anthony Lopez
Vicki Hill

Milton Dohoney, Jr.
Penny Parrella
Corey Williams
Thomas Remes
William Miller
Daniel Garcia
Jeffrey Barton
Steve Martos
Jeffry Barton

Public Present:
Megan Cassidy
Walt Gray
Carter McGrade

1. Call to Order
Councilwoman Williams called the meeting to order at 9:06 a.m. with Councilwoman Pastor and Councilwoman Gallego present. Chairman Nowakowski attended telephonically.

Councilwoman Williams stated Item 12 would be moved to the December 2014 Public Safety and Veterans Subcommittee meeting agenda.

2. Approval of the Minutes from the October 15, 2014 Meeting
Councilwoman Pastor moved to approve the minutes from the October 15, 2014 Public Safety and Veterans Subcommittee meeting. Councilwoman Gallego seconded the motion, which passed 4-0.

3. Call to the Public
None.

4. Authorization to Apply and Accept Grant Funds from the Arizona Automobile Theft Authority

5. Authorization to Enter into an Agreement with the U.S. Department of Homeland Security, Transportation Security Administration for Police Services
6. **Request Authorization to Issue an RFP for FY 14-15 Financial Wellness Educational Services**

7. **Authorization to Submit a Grant Application to the National Institute of Justice for the Research and Development for Publicly Funded Forensic Science Laboratories Program**

8. **Authorization to Enter into an Intergovernmental Agreement with the Arizona Department of Child Safety in Support of the Internet Crimes Against Children Task Force**

9. **University of Arizona Firefighter Injury Study**

10. **Request to Apply for 2014 Firehouse Subs Public Safety Foundation Grant Funding**
    Councilwoman Pastor moved to approve Consent Items 4 through 10. Councilwoman Gallego seconded the motion, which passed 4-0.

    Item 16 was taken out of order.

16. **Request Authorization to Deviate from Full Cost Recovery of User Fees Charged for Marked Police Vehicles Used in Off-Duty Work Assignments**
    Police Chief Daniel Garcia explained the request to alter the fee structure of off-duty vehicle use for the expanding neighborhood patrol.

    Assistant Chief Harry Markley summarized the rental procedures of police vehicles used for off-duty employment. Mr. Markley stated the rate was $7 per hour and $0.95 per mile. Mr. Markley explained the proposed new fixed rate included a mutual benefit to both the Police Department and the public. He continued that an off-duty police officer would respond to calls for service in the area in which they were working.

    Mr. Markley stated the new proposed rate was $1.25 per mile and would recover direct costs only for the use of the vehicle.

    Deputy Budget and Research Director Jeffry Barton outlined the analysis of the full cost recovery model to determine the new fix rate. Mr. Barton created a model to analyze the direct costs and determined the new rate would benefit both the Police Department and the public.

    Councilwoman Pastor asked at what point the cost per mile calculation began. Mr. Markley confirmed the cost per mile began when an off-duty officer picked up the vehicle.

    Councilwoman Gallego inquired about the program’s current and future revenue. Mr. Barton stated last year the City collected $135,000 from the program would collect approximately $40,000 less with the new proposed fixed rate. Mr. Markley noted the budget would have a minimal impact on the program and would result in higher visibility presence.
Councilwoman Gallego moved to approve Item 16. Councilwoman Pastor seconded the motion, which passed 4-0.

Item 13 was taken out of order.

13. **Phoenix Police Recruitment Plan**

Police Lieutenant Anthony Lopez summarized the eight-step process that all applicants would undergo to determine if they qualified to begin the Police Academy in March or April 2015. Mr. Lopez cited the recent completion of the third test for Police recruitment and that there would be one more test soon.

Mr. Lopez reviewed the process and stated it first began by applying online and applicants must pass a test before an invitation could be sent for the physical agility assessment. Mr. Lopez detailed the background process, the polygraph exam, the medical evaluation, and the psychological exam. Mr. Lopez identified the final step as the controlled substance screening.

Mr. Lopez described recruitment efforts that occurred on local college campuses, universities, and community events such as job fairs. Mr. Lopez announced over 1,300 people applied within 36 hours. Mr. Lopez added that on October 30, staff met with committee advisory groups and presented the recruitment plan.

Councilwoman Gallego asked if the advisory groups offered other avenues to recruit. Mr. Lopez recounted several advertisements in diverse newspapers, both in English and Spanish. Mr. Lopez noted the effort to recruit women at various running events around the City and recruitment efforts on social media.

Chairman Nowakowski asked how reserve officers were being used as a recruiting tool. Chief Garcia remarked the reserve program would continue and reserve officer recruitment could change due to younger individuals applying for a regular officer position. Chief Garcia detailed his efforts to allow retiring officers the opportunity to join the reserves up to one year after their retirement announcement.

Councilwoman Gallego exited the meeting at 9:52 a.m. She attended the rest of the meeting telephonically.

11. **Public Service Announcement “Take It, Lock It, Conceal It”**

Police Lieutenant Steve Martos explained “Take It, Lock It, Conceal It” (TLC) as a method to prevent crime. Lieutenant Martos stated the goal was to partner with a number of malls in the City to post information.

Lieutenant Martos detailed TLC as a method to prevent burglarized and or stolen vehicles. He stressed individuals must remove property from a vehicle or hide it, and then lock the vehicle.

Councilwoman Williams questioned how the campaign would be advertised. Lieutenant Martos listed the use of social media and described the Police Department’s partnership between private organizations and malls.
Councilwoman Pastor asked if officers met with property owners. Lieutenant Martos explained staff has met with different security personnel in different malls, since malls were the current focus. He stated the need for voluntary promotion by private organizations to post the information. Chief Garcia detailed the signs would be in parking garages and hung in easily visible areas such as light poles.

Councilwoman Pastor inquired about the cost of each sign. Lieutenant Martos remarked each sign would cost between $40 and $70.

Chairman Nowakowski commented on pushing the signs with the slogan “Shop Phoenix” during the holiday season.

14. Regulation of Marijuana Compassion Clubs
Police Sergeant Darren Viner stated there is no need for legislation to regulate compassion clubs. Sergeant Viner explained that a compassion club was where medical marijuana cardholders meet as a group to share or transfer marijuana from one patient to another and he stressed it is legal under the Arizona Medical Marijuana Act. Sergeant Viner emphasized that trading or receiving anything of value for marijuana was illegal.

Sergeant Viner continued to explain that illegal compassion clubs were set up as legal marijuana dispensaries without the proper registration or licensing information.

Councilwoman Pastor inquired about caregivers. Sergeant Viner explained caregiver cards were no longer issued in the City of Phoenix.

Sergeant Viner noted the Police Department continued to investigate illegitimate compassion clubs.

16. Arizona Center for Police Leadership
Chief Garcia stated the partnership with Arizona State University (ASU) was a great move for leadership development in the Police Department.

Police Officer William Miller described the program as an opportunity for officers to excel in their careers. Officer Miller stated there would be classes officers could select from in different enrichment areas in law enforcement.

Councilwoman Williams inquired about the method of payment for the classes. Officer Miller remarked that the classes would be voluntary and tuition reimbursement would be applicable.

Councilwoman Pastor asked if the officers would receive credits for taking the courses. Officer Miller explained the courses were for exposure in different areas of law enforcement and that promotion was not the focus of the center.

Chairman Nawokowski thanked Chief Garcia for his help with this program.

17. 2015 State and Federal Legislative Agenda – Public Safety
Government Relations Director Tom Remes introduced Management Assistant II John Wayne Gonzales and Management Assistant II James Orloski. Mr. Remes explained the new process to receive input in the State and Federal Legislative Agendas. Mr. Remes noted after the Subcommittee process, he and his team would circle back to each Councilmember’s office and then present at the December 9, 2014 Policy Meeting. Mr. Remes specified the Federal Agenda would include the City’s priorities to promote fiscal sustainability and local authority. He added the State Agenda would protect the City’s shared revenues, oppose unfunded mandates, and oppose local authority.

Mr. Gonzales provided a brief update on the outcomes of the recent elections. Mr. Gonzales discussed the Public Maintenance Ordinance focused on individuals impaired in public. Mr. Gonzales noted the possible creation of an ad hoc committee to provide recommendations on how to move forward at the local level since the Arizona has no public intoxication law.

Councilwoman Gallego asked if there was work being done to address sex offenders, graffiti artists, and issues with the Arizona State Hospital. Mr. Remes stated the items were being discussed.

Chairman Nowakowski requested that Chief Garcia speak to his colleagues regarding concerns of public intoxication after sporting events.

Mr. Orloski provided a brief update on the outcomes of the recent elections. Mr. Orloski discussed public safety grants and programs which included the Fire Department grants. Mr. Orloski noted the COPS grant allowed the City to hire an additional 15 officers and that staff recommended the City continue to advocate for public safety grants. Mr. Orloski noted that staff recommended support for ensuring the region’s Homeland Security funding continue. He added that staff recommended supporting applications and recommendations to obtain hazard mitigation and pre-disaster funding as part of flood protection and property damage recovery efforts. Mr. Orloski stated staff recommended the continued pursuit of police technology enhancements.

Chairman Nowakowski questioned how Council could become more involved in the grant process. Mr. Remes indicated staff could work more closely with Council throughout the grant process.

18. Public Safety Budget Update
Police Administrator Jill Celaya reviewed the Police Department’s budget. Ms. Celaya noted month-to-month comparisons from last year to this year. She listed the top ten expenditures of the department and revenues collected from July to September of this fiscal year.

Councilwoman Williams requested clarification of the false alarm revenue item. Ms. Celaya explained the number varied each year and individuals with a new home alarm system were required to register with the City
Councilwoman Pastor stressed a follow-up system should be in place to ensure compliance with registration.

Deputy Fire Chief Kenneth Leake discussed the Fire Department’s budget for the current fiscal year. He listed the top ten expenditures and noted revenues collected. He specified that constant staffing was an anomaly to the department.

Executive Court Administrator Don Taylor explained the Municipal Court’s budget for the current fiscal year. He compared information to last year’s budget and noted the department had spent significantly less this fiscal year. Mr. Taylor listed the top ten expenditures for the department and detailed data entry and contractual transportation. He listed the department’s revenues collected.

Chairman Nowakowski questioned the increase in court awards in the Police Department’s budget. Ms. Celaya explained the item depended on money received from court awards and how much the department requests from the court. Mr. Taylor described the services of the court which included jail reimbursements and default fees.

Chairman Nowakowski thanked Assistant City Manager Milton Dohoney, Jr. and staff for their work on the budget presentations.

Mr. Dohoney noted that departments were not spending more than is authorized as proven from the presentations.

19. Future Agenda Items
Chair Nowakowski requested a review of past public safety grants and a full report of why the grants were not successful. He also requested a report of ways of increasing the police force.

Councilwoman Williams requested a breakdown of expenses related to the hiring of a new officer.

20. Adjournment
Councilwoman Williams adjourned the meeting at 10:40 a.m.

Respectfully Submitted,
Samantha Tavares
PUBLIC SAFETY AND VETERANS SUBCOMMITTEE, DECEMBER 10, 2014 ITEM 4

CITY COUNCIL REPORT

TO: Milton Dohoney Jr.
   Assistant City Manager

FROM: Daniel V. Garcia
   Chief of Police

SUBJECT: AUTHORIZATION TO ACCEPT FY 2014-15 GRANT FUNDS FROM THE DRIVING UNDER THE INFLUENCE ABATEMENT COUNCIL

This report requests the Public Safety and Veterans Subcommittee recommend City Council approval to accept grant funds, in the amount of $50,000, from the Driving Under the Influence (DUI) Abatement Council. The DUI Abatement Council grant funds are administered by the Arizona Governor’s Office of Highway Safety (GOHS). The funding period is January 1, 2015 through December 31, 2015. A request is also made to accept additional funds, should they become available during the funding cycle, not to exceed $500,000.

THE ISSUE

Per Arizona Revised Statues 28-1303 and 28-1304, the DUI Abatement Council grants monies to various government agencies for enforcement, education and innovative programs related to impaired driving. These funds allow the Phoenix Police Department to provide additional DUI enforcement and education. The $50,000 in awarded grant monies will support overtime programs to include personnel services and employee related expenses.

RECOMMENDATION

This report requests the Public Safety and Veterans Subcommittee recommend City Council approval to accept grant funds in the amount of $50,000, from the DUI Abatement Council, and to approve the acceptance of additional funds in an amount not to exceed $500,000 should they become available during the funding cycle.

No matching funds are required; cost to the city is in-kind resources only.

Impact is citywide.
This report requests the Public Safety and Veterans Subcommittee recommend City Council approval to enter into a Letter of Agreement (LOA) with the United States Food and Drug Administration’s Office of Criminal Investigations (FDA/OCI) to accept funds for police services. The LOA allows the Police Department to continue its participation in the FDA/OCI Task Force and to assist with criminal investigations. The amount of the agreement is $15,000. The funding period is January 1, 2015 through December 31, 2015. The Police Department also requests permission to accept additional funds, should they become available during the funding period, not to exceed $100,000.

THE ISSUE

The Police Department has partnered with the FDA in the past and is currently participating on this task force. This LOA is renewed annually. The joint task force conducts investigations designed to disrupt illegal activities including drug smuggling and distribution. The task force gathers intelligence related to illegal drug trafficking activities and effectuates seizures of illegal drugs and other illegally held FDA regulated products, and the proceeds generated by such illegal conduct.

The Police Department provides one experienced law enforcement investigator to work with the task force and assist with investigations and prosecutions of these cases. In return, the FDA/OCI will reimburse up to $15,000 in approved overtime costs, related fringe benefits, and other authorized expenses related to the task force investigations.

RECOMMENDATION

This report requests the Public Safety and Veterans Subcommittee recommend City Council approval to enter into a Letter of Agreement with the United States Food and Drug Administration’s Office of Criminal Investigations for $15,000, and accept additional funds, should they be made available during the funding period, not to exceed $100,000.

No matching funds are required; cost to the city is in-kind resources only.

Impact is citywide.
This report requests the Public Safety and Veterans Subcommittee retroactively recommend to City Council authorization for the Fire Department to apply for and accept from the Federal Emergency Management Agency (FEMA) for the Assistance to Firefighters Grant (AFG) Program. The total amount requested is $584,652 to be used for Incident Safety Officer System training.

THE ISSUE

This grant program is intended to help the nation’s fire service by providing vital funds to local fire departments across the country. The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the fire fighting and emergency response needs of fire departments. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. The Fire Department has received AFG funding in previous program years for portable radios, thermal imaging cameras, and incident safety officer training. The grant application is due on December 5, 2014.

The PFD is requesting retroactive authorization to apply for and accept $584,652 to deliver an 80-hour Incident Safety Officer System training course to the Phoenix Fire Department and other Fire Department members in Maricopa County. The primary focus of this course is to enhance first responder safety through building mastery level skill sets in risk management, hazard identification, hazard mitigation, Incident Command System and communications.

FINANCIAL IMPACT

The grant has a required 15% match. The Fire Department will use funds already included in its FY 2015 budget to meet matching requirements.

RECOMMENDATION

The Fire Department requests Public Safety and Veterans Subcommittee retroactively recommend Council authorization for the Fire Department to apply for and accept $584,652 in grant funding for the Assistance to Firefighters Grant (AFG) Program. If awarded, this grant will be used for Incident Safety Officer System training.
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TO: Milton Dohoney Jr.
    Assistant City Manager

FROM: Daniel V. Garcia
    Chief of Police

SUBJECT: SEX OFFENDER CLUSTERING

This report provides the Public Safety and Veterans Subcommittee with information on the Sex Offender Clustering in the City of Phoenix.

THE ISSUE

Currently within the City of Phoenix certain areas have a higher concentration of registered sex offenders residing at specific locations.

BACKGROUND

In 2003, the Mayor and Council directed the Office of Government Relations to work on state legislation that would address sex offender clustering. As a result, Rep. John Nelson (R-Glendale) introduced a "strike-everything" amendment on HB 2301 that prohibited sex offenders from living within one-quarter mile from each other. The bill passed the House Judiciary Committee but failed to receive a review by the House Rules Committee. Legislative analysts conveyed to members that they found the bill as unconstitutional because the law cannot dictate where sex offenders – that have completed their prison sentence – can live outside of the established distance requirements from schools and childcare centers and the prohibition of living at the same location where a minor resides.

After several stakeholder meetings with representatives from the Arizona Administrative Office of the Courts (AOC), Maricopa County Probation Department, American Civil Liberties Union (ACLU), Central Arizona Shelter Services (CASS), and Phoenix Rescue Mission there was no consensus on how to address the City’s concerns. The Courts reiterated that sex offenders on probation were the only group that could receive broader residency restrictions. The Courts shared the following concerns/comments:

- Probation offices throughout the state do not have the financial resources to administer residency requirements.
- Adding residency restrictions may force sex offenders to abscond and not register their whereabouts with law enforcement.
- Those leaving prison face a lot of challenges in returning to their community and the City’s proposal would add a burdensome obstacle in their attempt to be a contributing member of society.
- The recidivism rate of sex offenders is very low when compared to that of other criminal populations.

The homelessness advocates were also opposed because of their concern that the City’s proposal could force more sex offenders into homelessness. They would need additional resources to screen those seeking services to make sure they were kept away from children at the shelters.

During the 2004 legislative session, the City received direction to draft the following two bills:

- **HB 2418: Rental Properties; Sex Offenders** (Rep. Deb Gullet; R-Phoenix) expanded the definition of slum property to include residential rental property with more than three persons posted on the DPS sex offender website and prescribed a civil penalty of $10,000 for landlords with property classified as slum property under the new definition.

- **HB 2135: Sex Offenders; Registration; Lifetime Probation** (Rep. John Nelson; R-Glendale) mandated lifetime probation if a person was convicted of failing to register as a sex offender.

HB 2418 sailed through the House and passed the Senate Family Services Committee before it was held in the Senate Rules Committee. Opponents cited that the measure was punishing landlords that were simply engaged in legal commerce. HB 2135 was approved in the House Judiciary Committee but failed to advance when the bill was deemed not to be in alignment with general sentencing standards.

Prior to the 2005 legislative session, the media began focusing on an apartment complex in Phoenix that housed a large number of sex offenders. As a result, the issue received more attention by legislators and community members. The outcome was the passage of **SB 1338: Sex Offender Registration; Residence; Address** (Sen. Dean Martin; R-Phoenix). This measure clarified when a person subject to registration as a sex offender is to provide an address or place of residence to law enforcement, placed specific restrictions on the number of sex offenders on probation in Maricopa County who can reside in a multi-family housing, provided a penalty for sex trafficking of a person under 15 years of age and added sex trafficking of a minor to the list of offenses that require a person to register as a sex offender. The residency restrictions – which placed a cap on the number of sex offenders on probation that could live in any given apartment complex at 10 percent of the total units – included a sunset provision of December 31, 2010. The sunset language was the result of compromise between the bill sponsor and the AOC.

In 2007, Rep. John Nelson introduced **HB 2500** which would have changed the multi-housing cap contained in SB 1338 from ten to five percent. The bill never received a hearing.

**OTHER INFORMATION**
• The Maricopa County Probation Department currently oversees 2,246 sex offenders.
• Only 12 probationers are classified as homeless. However, they are being monitored via a GPS tracking device.
• Sex offenders under probation can return to the community they are from or the locale where there is family support. The probation function of the Administrative Office of the Courts has worked diligently to ensure that rural Arizona has the resources to provide treatment and counselling services for this population.
• Although A.R.S. § 13 – 922 was repealed on January 1, 2011 (the law that restricted the clustering of sex offenders on probation in multi-family housing), the Maricopa County Probation Department continues to implement this policy.
• Barbara Broderick, Chief Probation Officer for Maricopa County, relayed that her department is fully staffed and is doing an excellent job of monitoring this population.
• The Maricopa County Probation Department is funded by the Maricopa County Board of Supervisors. Ms. Broderick mentioned that lobbying the state legislature for more funding for their operations would not be the ideal way to secure monies, especially when the department is operating efficiently and effectively.
• A representative from the Administrative Office of the Courts reminded all that the majority of sex offenders in the state have been adjudicated and completed their prison time. Other than registration requirements and restrictions from living within 1000 feet from schools and child care facilities, any law that attempts to direct where sex offenders that are not on probation may live would be viewed as unconstitutional.

While there are areas throughout the city with a higher concentration of registered sex offenders, these offenders are registering as required by law.

The more restrictive residency laws become, there is a higher risk for:
   a) Sex offenders reoffend.
   b) The offender leaving their registered address and not registering.
   c) Law enforcement not knowing where the offender resides.

RECOMMENDATION

This report is for information and discussion.
TO: Milton Dohoney Jr.  
Assistant City Manager  

FROM: Daniel V. Garcia  
Chief of Police

SUBJECT: COMMUNITY ORIENTED POLICING SERVICES GRANT PROCESS

This report provides the Public Safety and Veterans Subcommittee with information regarding the U.S. Department of Justice, Community Oriented Policing Services (COPS) grant process.

THE ISSUE

Federal grant announcements are typically made between January and March annually, depending on approval of the Federal budget. The Police Department Grants Unit researches all available funding opportunities several times a week and forwards eligible grant solicitations to the Chief’s office for review and approval to move forward with the application process. The Police Department then seeks approval from City Council to apply for the grant. Grant applications are typically due 3-6 weeks after their announcement. Grant award notifications are made after grant applications have been reviewed and scored by the granting agency.

OTHER INFORMATION

The Police Department applied for the COPS Hiring grant, the Microgrant for Law Enforcement, and the Community Policing Development grant in May of 2013. In September of 2013 the Police Department was advised of the grant award for the hiring and microgrants. The hiring grant application requested funding for 25 officers for a total of $3,125,000, but was awarded for 15 officers for a total of $1,875,000. The hiring grant only funded $125,000 per officer over the three year grant period. The remaining balance of salary, fringe benefits, etc. is the City’s responsibility. The microgrant was awarded for the total amount requested, $50,000, to support the Business and Economic Stability Team (BEST). The grant application under the Community Policing Development program was not awarded.

The Police Department applied for a new round of funding through the COPS Office in June of 2014. Applications were submitted under the hiring grant and the Community Policing Development Microgrant. Neither of those grants were awarded. On November 3, 2014 Government Relations and the Police Department participated in a debriefing conference call with the COPS Office regarding our 2014 COPS Hiring grant application and the reason it was denied funding.

The Police Department was informed that the scoring process was done electronically, not by a review panel. Scores were assigned based on specific boxes checked on the application document. The narrative sections of the application were not scored.
Additional consideration on the grant application was given to agencies who committed to hire at least one military veteran. The Police Department did commit to this in their application. Other priority areas for additional consideration were given to agencies who addressed one of the following problems:

- Hiring officers to be deployed as School Resource Officers.
- Using newly hired officers to address a homicide and gun violence issue.
- Trust Problems—issues surrounding fairness and impartiality, transparency, respect, and other trust-related problems.
- Non-Problem Area Factors—agencies who had experienced and unanticipated catastrophic event, as well as those applicants with a neighborhood or other geographic area designated as a Promise Zone.

The COPS program goal with this funding program was to implement community policing strategies that strengthen partnerships for safer communities and enhance law enforcement’s capacity to prevent, solve, and control crime through funding for additional officers. The Police Department’s application addressed the homicide and gun violence issue.

There were 15 agencies in Arizona that applied for 2014 COPS hiring funding. The three that were awarded funding are:
- City of Maricopa, 3 officers, application score 132.11.
- South Tucson Police Department, 2 officers, application score 132.01.
- Tohono O’odham Nation Police Department, 4 officers, application score 131.19.

The Phoenix Police Department’s grant application score was 126.33.

In 2014 the COPS Office received applications from 1,296 law enforcement agencies requesting 3,469 officer positions for $425,734,755 in federal funding.

The COPS Office awarded funding to 215 law enforcement agencies for 944 officer positions, for a total amount of $123,882,021.

**RECOMMENDATION**

This item is for information and discussion.
TO: Milton Dohoney Jr.  
Assistant City Manager  

FROM: Daniel V. Garcia  
Chief of Police  

SUBJECT: REQUEST AUTHORIZATION TO DEVIATE FROM FULL COST RECOVERY OF USER FEES CHARGED FOR MARKED POLICE VEHICLES USED IN OFF-DUTY WORK ASSIGNMENTS  

This report requests the Public Safety and Veterans Subcommittee recommend City Council approval for staff to deviate from the full cost recovery of user fees charged for marked police vehicles that are approved for use in police off-duty work assignments. The new fee structure proposed by the Police Department would only seek to recover direct costs associated with the use of the vehicle, and would be less costly than the current user fee. This deviation from the current user fee structure would only apply to surplus marked patrol vehicles that are available and have been approved for use in off-duty work assignments.  

THE ISSUE  

The Police Department is proposing to deviate from the current user fee structure charged for marked police vehicles approved for use in police off-duty work assignments. The proposed fee would consist of a cost per mile fee designed to recover direct costs such as operations, maintenance and fuel associated with the use of the surplus marked police vehicles.  

OTHER INFORMATION  

The Police Department has an off-duty work program which allows officers to be hired in an off-duty capacity to provide security or traffic control functions. The hiring organization can request a marked patrol vehicle for the job at an additional cost. The current user fee charged for marked vehicles consists of a flat fee of $7 per hour, and $0.95 per mile charged for the drive from the precinct to the job location, for the vehicle use and time during the job, and for the drive back to the precinct. This fee structure is designed to recover both direct (operation, maintenance and fuel) and indirect (personnel services, liability and overhead) costs. The Police Department is proposing an alternative off-duty police vehicle user fee of $1.25 per mile aimed at the recovery of direct costs only. Of this proposed amount, $0.66 per mile would be applied to operation, maintenance and fuel costs, which is consistent with the rate established by the Public Works Department, and $0.59 per mile would be applied to costs associated with the in-car Mobile Data Computer (MDC), radio, and annual radio subscriber fees.  

This change in user fees is being proposed because it is recognized that when police officers are hired to work in an off-duty capacity, the community benefits as a result of the increased police presence. If the proposed user fee is approved, the process to...
request a surplus marked police vehicle for off-duty work assignments would not change. Approval would be contingent on the availability of surplus marked police vehicles in the precinct where the off-duty job is located.

RECOMMENDATION

This report requests the Public Safety and Veterans Subcommittee recommend City Council approval for staff to deviate from the full cost recovery of user fees charged for marked police vehicles that are approved for use in police off-duty work assignments. The new fee structure proposed by the Police Department would only seek to recover direct costs associated with the use of the vehicle, and would be less costly than the current user fee. This deviation from the current user fee structure would only apply to surplus marked patrol vehicles that are available and have been approved for use in off-duty work assignments.