

**PUBLIC SAFETY COUNCIL COMMITTEE
MEETING MINUTES**

WEDNESDAY NOVEMBER 6, 2013

11:00 A.M.

MUNICIPAL PLAZA ROOM B

Members Present: Councilmember Carlton Soules, Chair, *District 10*
Councilmember Rebecca Viagran, *District 3*
Councilmember Shirley Gonzales, *District 5*
Councilmember Cris Medina, *District 7*

Members Absent: None.

Staff Present: Erik Walsh, *Deputy City Manager*; Jim Kopp *Assistant City Attorney*; Joe Nino, *Deputy City Attorney*; William McManus, *Police Chief*; Xavier Urrutia, *Director, Parks and Recreation*; Raymond Castro, *Park Police Chief*; Denice Trevino, *Office of the City Clerk*

Also Present: Steven Cote, *Citizen*; Mary Sue Molnar, *Executive Director, Texas Voices for Reason and Justice*

Call to order

1. Citizens to be Heard

Steven Cote provided statistics from the San Antonio Police Department (SAPD) which revealed that over 98% of sex crimes were committed by first time offenders who would not be affected by the creation of Child Safety Zones around the City's Park System. He pointed out that Haven for Hope was located within 1,000 feet of the Garcia City Park.

Mary Sue Molnar stated that there was no supporting evidence that the establishment of Child Safety Zones would prevent crime. She noted that one of the unintended consequences of such an Ordinance would be that it provided people with a false sense of security. She implored the Committee to review the research on repeat Sex Offenders.

2. Approval of Minutes of the October 2, 2013 Public Safety Council Committee Meeting

Councilmember Viagran moved to approve the minutes of the October 2, 2013 Public Safety Council Committee Meeting. Councilmember Gonzales seconded the motion. Motion carried unanimously by those present.

3. Council Consideration Request for the Creation of Child Safety Zones Around the City's Park System [Presented by William McManus, Chief of Police]

Chief McManus stated that the Council Consideration Request (CCR) for the Creation of Child Safety Zones around the City's Park System was reviewed by the Governance Committee and

forwarded the CCR to the Public Safety Committee for review and action. He stated that Public Safety Zones would include a 1,000 foot Buffer Zone bordering City Parks. He noted that under the proposed Ordinance, individuals on the Sex Offender Registry would not be permitted to reside within said Buffer Zone, to loiter within 300 feet of a City Park, or to enter a City Park.

Chairman Soules reported that a review of 100 Municipalities that have adopted a similar Ordinance revealed that Buffer Zones were established for 1) 1,000 feet (61%); 2) 1,500 feet (12%); 3) 2,000 feet (20%); and 4) 2,500 feet (3%).

Chief McManus indicated that those on the Sex Offender Registry that currently reside within Buffer Zones would be grandfathered. He noted that Offenders convicted when they were a minor would be exempt from said Ordinance. He stated that the penalty for violation of the Ordinance was \$500.00. He added that if there were special issues or circumstances to consider, the Offender could submit an appeal to the Chief of Police for exemption.

Erik Walsh stated that it was pointed out at the Governance Council Committee Meeting that the Ordinance would serve as an additional tool for the Police. He noted that the Riverwalk, which is part of the Park System, would not be included in said Ordinance.

Chairman Soules stated that it would be prudent not to include Haven for Hope in the Ordinance, as it is located within 1,000 feet of Garcia Park.

Councilmember Medina asked how a minor would qualify for an exemption from said Ordinance. Chief McManus replied that minors would not have to qualify but would be automatically exempt as written into the Ordinance.

Chairman Soules asked of the implementation date for said Ordinance. Chief McManus stated that implementation would occur on March 1, 2014 which coincides with the opening of the Park Season.

Councilmember Viagran asked how much notice would be given to Sex Offenders. Chief McManus replied that they would be given 90 days notice. Councilmember Viagran noted that Apartment Management and Realtors selling property within the 1,000 foot buffer would have to be given notice as well. She asked of the area defined as the Riverwalk that would be exempt from said Ordinance. Chief McManus stated that only the Downtown Historic Riverwalk would be exempt from the Ordinance. Xavier Urrutia confirmed that the 'Downtown Riverwalk' was defined as the portion of the Riverwalk located between Lexington and Alamo streets. Councilmember Viagran asked of the unintended consequences of said Ordinance. Chief McManus stated that he was not aware of any.

Xavier Urrutia noted that Cemeteries were considered Park Land. The Committee Members agreed that said cemeteries should be exempt from the Ordinance.

Councilmember Gonzales asked of Social Services and Hospitals located within the 1,000 foot buffer area. Chief McManus stated that the intent of said Ordinance was not to deny services to Sex Offenders. Councilmember Gonzales asked if someone who looked suspicious or out of

place in a City Park would be subject to a background check. Chief McManus replied that they would not unless they had broken a law.

Councilmember Medina asked if a SPARKS Park would be included in said Ordinance. Chief McManus stated that it was not a City Park but one on school property. He noted that school property was already designated as a Child Safety Zone.

Councilmember Viagran requested a map of City Parks.

Chairman Soules noted that there were different levels of Sex Offenses. He asked of offenses that would require an Offender to register for life. Chief McManus stated that a Felony or Violent Sex Offense would require the Offender to register for life.

Councilmember Gonzales asked of the definition of loitering. James Kopp stated that the definition of loitering was standing or sitting idle, whether in a vehicle or not, in or around an area. Councilmember Gonzales indicated that future plans for Garcia Park might affect whether or not said Park would be exempt. She stated that she would keep the Committee apprised of that situation. She asked if schools and libraries were designated as Child Safety Zones. Joe Nino indicated that the Texas Statute establishing Child Safety Zones included schools but not libraries.

Erik Walsh stated that he would follow up with Councilmember Gonzales regarding the plans for Garcia Park and would provide Committee members with a map of City Parks. He noted that the Ordinance would be brought before the full City Council on November 21, 2013 or December 5, 2013 at the latest.

Councilmember Viagran moved to forward an Ordinance establishing Public Safety Zones in City Parks with an exemption for Offenders convicted as Minors, Haven for Hope, the Riverwalk from Lexington to Alamo Streets, and City Cemeteries to the full City Council for consideration. Councilmember Medina seconded the motion. Motion approved unanimously by those present.

4. Consideration of Items for Future Meetings

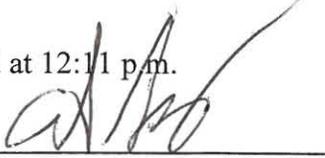
Councilmembers Gonzales and Viagran requested that Pedestrian Safety Issues be discussed at a future Committee Meeting.

Councilmember Viagran asked that the Civil Air Patrol be discussed at a future Committee meeting.

Chairman Soules requested that Peddlers and solicitation be discussed at a future Committee meeting. He noted that the current Ordinance regulating Peddlers did not prohibit someone from knocking on doors in residential areas. Jim Kopp stated that the only thing that the current Ordinance addresses is the placing of handbills on doors. He added that the City could make knocking on doors a Class C Offense when there is notice not to do so.

5. Adjournment

There being no further discussion, the meeting was adjourned at 12:11 p.m.



Carlton Soules, Chair

Respectfully Submitted,



*Denice Treviño
Office of the City Clerk*