

**PUBLIC SAFETY COUNCIL COMMITTEE
MEETING MINUTES**

WEDNESDAY DECEMBER 4, 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*
Councilmember Joe Krier, *District 9*

Members Absent: None.

Staff Present: Erik Walsh, *Deputy City Manager*; Jim Kopp *Assistant City Attorney*; Joe Nino, *Deputy City Attorney*; Nancy Reyes, *Assistant City Attorney*; William McManus, *Police Chief*; Joe MacKay, *Deputy Chief of Police*; Frank Miller, *Director, Aviation*; Anthony Chukwudolue, *Interim Director, Public Works*; Tim O'Krongley, *Assistant Director, Aviation*; Art Reinhardt, *Assistant Director, Public Works*; Denice Trevino, *Office of the City Clerk*

Also Present: Jaie Avila, *Reporter, News 4 San Antonio*; Jack Calhoun, *State Director of Finance, Civil Air Patrol Texas Wing*; Ed Billman, *Commander, Group V, Civil Air Patrol Texas Wing*

Call to order

1. Citizens to be Heard

There were no items addressed by Citizens.

2. Approval of Minutes of the November 6, 2013 Public Safety Council Committee Meeting

Councilmember Viagran moved to approve the minutes of the November 6, 2013 Public Safety Council Committee Meeting. Councilmember Gonzales seconded the motion. Motion carried unanimously by those present.

3. Council Consideration Request for a Review of the Sex Offender Registration Process [Presented by William McManus, Chief of Police] (20 minutes)

Chief McManus reported that four Detectives and two Uniformed Officers were assigned to the Sex Offender Registration Detail (SORD) at a cost of \$768,858 per year. He noted that said costs included all personnel costs, vehicle costs, and facility expenses. He indicated that Sex Offenders were required to register within seven days of arriving in Texas from another State when staying over 14 days; noting that failure to do so could result in jail time and/or a fine. He

stated that a Detective assigned to the SORD would obtain DNA and other identifiers from the Registrant, along with their address. He reported that there were 2,600 Registered Sex Offenders with addresses in San Antonio and each were assigned a Risk Level. He reported that 241 Sex Offenders were classified as High Risk; 914 as Moderate Risk; and 583 as Low Risk. He acknowledged that no fee has been assessed for the Sex Offender Registration; however, he mentioned that Sex Offenders frequently move from residence to residence. He added that many were indigent so imposing a registration fee could be an impediment to their registration. He indicated that State Law included a provision allowing a fee to be imposed by Law Enforcement for release of information regarding registered Sex Offenders; but the Legislature has preempted the City from establishing such a fee. He stated that in addition, SORD Personnel would require training and the equipment necessary to handle cash and credit card transactions. He noted that most Sex Offenders comply with the registration requirements. He stated that the San Antonio Police Department (SAPD) does not recommend the imposition of a City Fee for registration of Sex Offenders. He mentioned that the Public Safety Council Committee may recommend the amendment of Chapter 62 of the Texas State Code of Criminal Procedure at the next Legislative Session to authorize a fee to reimburse the City for the cost of registration.

Chairman Soules noted that this item was a companion to the proposed Ordinance to establish Child Safety Zones. Chief McManus acknowledged that the Courts were responsible for funding the costs of tracking monitors.

Councilmember Gonzales inquired about the Risk Levels. Deputy Chief Joe MacKay replied that Sex Offenders were assigned points by the Texas Department of Public Safety according to a system that tracked:

1. The number of prior Sex Offenses
2. Whether or not the Sex Offender was a stranger
3. Whether or not the Sex Offender was unrelated
4. The victim's gender
5. Whether the Sex Offender had convictions for Non-Contact Sex Offenses
6. Whether the Sex Offender lived with an intimate partner for more than two years
7. The Sex Offender's age at release
8. Whether it was an Assaultive Conviction (Non-Sexual by Title)
9. Whether or not the Sex Offender had a prior Assaultive Conviction (Non-Sexual by Title)
10. Whether the Sex Offender had more than four Sentencing Occasions

He indicated that 6 or more points assigned to a Sex Offender would classify them as High Risk; 2-5 points assigned to a Sex Offender would classify them as Moderate Risk; and negative 3 to 1 points assigned to a Sex Offender would classify them as Low Risk.

In response to Chairman Soules, Deputy Chief MacKay explained that the Sex Offenders who must register for life were those who had been convicted of Sexual Assault and those who were convicted of Indecent Exposure or Attempted Sexual Assault would typically have to register for 10 years.

Chairman Soules inquired whether the Committee Members would like to study this item further and forward it to the Intergovernmental Relations Council Committee, to which they acknowledged that they would.

Chairman Soules advised the Committee that Councilmember Bernal would be proposing a Friendly Amendment in conjunction with the proposed Child Safety Zones Ordinance at the December 5, 2013 City Council Meeting.

No action was required for Item 3.

4. Briefing and Possible Action on Chapter 21, Article 1, of the City Code Allowing Citizens to Choose Whether or Not to Receive Door-to-Door Advertisements [Presented by William McManus, Chief of Police] (20 minutes)

Chief McManus reported that City Code Article IX, Section 16-226 that was adopted by City Council in October 1998 and required those who conducted retail sales door-to-door be licensed. He stated that said License Fee was \$120.00 per year. He noted that City Code does not prohibit anyone from knocking on doors, and/or ringing the doorbell of a home, nor does it apply to the distribution of Religious or Political Publications. He indicated that the "No Trespassing" Ordinance included in Article I, Section 21-3 was adopted by City Council in December 2010 and prohibits any Handbill from being placed on private property unless they were Religious or Political in nature. He confirmed that a violation of said Ordinance was a Class C Misdemeanor.

Chairman Soules stated that many were under the impression that a "No Solicitation" Sign would prevent anyone from knocking on doors and/or ringing the doorbell of a home. Chief McManus indicated that City Council may enact an Ordinance that prohibits someone from knocking on doors and/or ringing the doorbell of a home. He stated that another alternative would be to utilize a "No Trespassing" sign which would prohibit anyone from knocking on doors and/or ringing the doorbell of a home.

In response to Chairman Soules, Jim Kopp stated that a "No Trespassing" Sign would be applicable from where it was located on the homeowner's property.

Chief McManus explained that there were burglars who knock on doors and ring doorbells under false pretenses to see if a resident is home.

Erik Walsh stated that staff does not recommend amending the No Solicitation Ordinance which prohibits Handbills because it could further complicate the issue. He suggested that San Antonio Fear Free Environment (SAFFE) Officers meet with Neighborhood Associations to provide information on the use of a "No Trespassing" Sign.

Chief McManus indicated that SAPD received 87 calls in 2011; 66 calls in 2012; and 11 calls to date for violations of the No Solicitation Ordinance.

No action was required for Item 4.

5. Briefing on Civil Air Patrol [Presented by Jack Calhoun] (15 minutes)

Jack Calhoun stated that he was the State Director of Finance for the Civil Air Patrol (CAP) which was an auxiliary of the United States Air Force. He noted that four years ago, the CAP obtained a 50-year lease for land at Stinson Municipal Airport (Stinson). He spoke of building a facility on said land to provide a home for the CAP in this area of Texas. He acknowledged that the CAP would forward a request for funding to the full City Council.

Lt. Colonel Ed Billman noted that the CAP was staffed by unpaid volunteers. He indicated that the duties of the CAP were to provide Emergency Services, Cadet Programs, and Aerospace Education. He discussed what the CAP field organization consisted of, and provided an overview of the benefits provided by the CAP. He stated that the cost of the Hangar proposed for the CAP would total \$350,000 and the required features included: 1) Indoor storage for up to four planes; 2) Ample room for offices and training facilities; 3) Direct access to and from the facilities; and 4) Direct access to the taxi lane. He added that said Facility would attract more activities to this region.

Mr. Calhoun suggested that a Memorandum of Understanding (MOU) be developed to promote efficiency by allowing members of the CAP to indirectly interact with City of San Antonio (COSA) Staff.

Councilmember Viagran asked of the number of flights by the CAP that were generated at Stinson in a given month. Mr. Calhoun replied that the maximum number of flight hours tracked was 1,000 and the average number of missions was 800-850 per month. He noted that the average month consisted of 700-800 flight hours. He also confirmed that the CAP and SAPD partnered on a regular basis.

In response to Chairman Soules, Mr. Calhoun reported that there were 30,000 Cadets in the nation with 1,500 in Texas and 150 in San Antonio. He further noted that young people may join the CAP as Cadets as early as age 12 and may stay until their 21st birthday, at which time they may choose to become adult CAP Members. He acknowledged the preference was to recruit at ages 12-14 so that there are enough years to complete major portions of the program.

Chairman Soules outlined the plan of action to include: 1) Creation of an MOU between COSA and the CAP; 2) Improved communications; and 3) Plans for a new facility.

Councilmember Viagran proposed that the CAP brief the Airport Advisory Committee and the Quality of Life Council Committee at their next meeting to review their Plan of Action in concert with the Stinson Master Plan.

Mr. Calhoun indicated that Frank Miller would coordinate a meeting with the CAP.

Chairman Soules confirmed that the CAP would meet with the Airport Advisory Committee and Staff would propose a briefing of the CAP to the Quality of Life Council Committee.

No action was required for Item 5.

6. Briefing on Pedestrian Safety [Presented by Anthony Chukwudolue, Interim Public Works Director] (15 minutes)

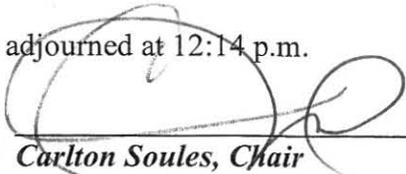
Due to time constraints, it was noted that Item 6 would be addressed at the next Public Safety Council Committee meeting in January 2014.

7. Consideration of Items for Future Meetings

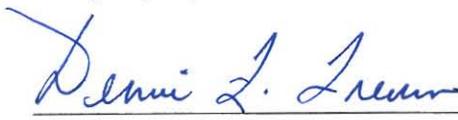
There were no items discussed.

8. Adjourn

There being no further discussion, the meeting was adjourned at 12:14 p.m.


for Carlton Soules, Chair

Respectfully Submitted,


Denice F. Treviño
Office of the City Clerk