

SUMMARY OF MINUTES

PUBLIC SAFETY COMMITTEE

5:30 P.M., MONDAY, MARCH 9, 2009

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Council Member Vivian H. Burke, Chair
Council Member Molly Leight, Vice Chair
Council Member Wanda Merschel

MEMBER ABSENT: Council Member Nelson L. Malloy, Jr.

OTHERS PRESENT: Council Member Joycelyn V. Johnson (out at 5:51 p.m.)

Vice Chair Leight called the meeting to order. Council Member Merschel requested that Item G-3 be considered first.

G-3. REPORT ON IMPLEMENTATION OF TASERS BY THE WINSTON-SALEM POLICE DEPARTMENT.

Mr. Scott Cunningham, Chief of Police, stated that the packet of information provided was supplemental to what the Committee had previously received. He stated that police interaction with citizens is both important and controversial and tasers will offer an additional tool to police officers. Various techniques are utilized by the Winston-Salem Police Department (WSPD), such as the baton and pepper spray. Due to the unacceptable amount of injury sustained by citizens and officers, the WSPD would request full taser implementation, department-wide. While two-thirds of the agencies within the U.S. utilize tasers, 370 agencies in North Carolina use them in some way. Chief Cunningham noted that the WSPD consulted medical experts and solicited feedback from staff on the use of tasers. The National League of Cities recommended the use of tasers in 2006, and of all tools, this is one device that currently measures and documents its use. Byrne Justice Assistance Grant (JAG) funding is available to purchase the tasers, rather than City funds.

Council Member Leight requested to know why there was a discrepancy in the information documenting cases of taser usage and deaths.

Chief Cunningham stated that in state-wide institution reported information, there is no substantiated case where the use of a taser was directly linked to the death of an individual, within an approximate timeframe of being tazed. There is no medical examined ruling where a taser was listed as the cause of death. Any and all use of tasers will be reviewed by medical staff and the WSPD Professional Standards Division. Chief Cunningham noted that police officers utilize in-custody procedures to monitor the effects of their weapons as well as a suspect's behaviors.

Chair Burke noted that given the history of the WSPD, some tools may be misused, so if police officers are approved to carry tasers, it should be verified that they will be adequately trained.

Chief Cunningham noted that in a case of misuse, the officer will be met with strict disciplinary action. There will be a constant review of the use of tasers and reports will be delivered to Council for the first six months to one year and longer if requested. He also noted that if he had concerns about the use of tasers, he would not recommend them.

Council Member Johnson out at 5:51 p.m.

Council Member Merschel noted that in the natural progression of an officer's weapons, the taser is an additional tool to prevent the use of a firearm.

Chief Cunningham noted that the Byrne JAG grant may be able to fully fund the need.

Mr. Lee Garrity, City Manager, noted that action on this item will be delayed until the budget process is begun.

Council Member Merschel noted that the Finance Committee would review the item later in the year and defer to the Public Safety Committee for a decision on use of the tasers.

Chief Cunningham noted that an eight-hour taser training course is required per officer, so it will take several months to train all staff.

At the request of Council Member Leight, Police Sergeant John Morris showed an X-26 taser device and noted that a separate cartridge will be attached to end of the device with two small fish-hook probes. Those probes will extend 21 feet and exude 50,000 volts of electricity for five seconds.

In response to Chair Burke's question, Dr. William Bozeman, Winston-Salem, stated that a tazer affects a child in the same manner as an adult by causing the muscles of the body to contract. Children may be more susceptible to heart affects after being tazed, but it has not been documented.

Chair Burke stated that this item will remain in Committee for further discussion and requested that the community be made aware of the possible forthcoming use of tasers. She also asked that Dr. Bozeman make comments when the item is reviewed again.

In response to Council Member Merschel's question, Chief Cunningham stated that a training curriculum was defined with Dr. Bozeman's help and that curriculum is outlined in the agenda materials.

GENERAL AGENDA

G-1. RESOLUTIONS COMMENDING CAPTAIN RICKEY JARVIS, FIRE ENGINEER CHRISTOPHER BELCHER AND FIREFIGHTER RUSSELL WALSER.

Mr. Antony Farmer, Fire Chief, recognized three firefighters for their response to a medical call, where they resuscitated a citizen in cardiac arrest. He read a letter from the Wake Forest Baptist Medical Center (WFUBMC), noting that this was the first full cardiac-arrest save seen in 20 years. Council Member Leight made a motion to approve the resolutions. The motion was duly seconded

by Council Member Merschel and carried unanimously.

Dr. Mary Claire O'Brien, WFUBMC, stated that she recommended the firemen for their life-saving efforts.

Mr. Barry Boyd, Winston-Salem, stated that his son called 911 and within three minutes, the firemen were onsite and resuscitated him.

At this time, Chair Burke stated that the Committee would consider the Consent Agenda. No items were pulled.

Council Member Merschel made a motion to approve the Consent Agenda. The motion was duly seconded by Council Member Leight and carried unanimously.

CONSENT AGENDA

- C-1. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - *Alonzo Drive*.
- C-2. APPROVAL OF PUBLIC SAFETY COMMITTEE SUMMARY OF MINUTES - *February 9, 2009*.
- G-2. ITEMS RELATED TO PROPOSED REVISIONS TO CHAPTER 78 OF THE CITY CODE:
 - b. ORDINANCE AMENDING CHAPTER 78-54 OF THE CITY CODE CONCERNING THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, noted that a speaker at Council's last Public Comment Period expressed concern because potential taxi/limousine owners only have an opportunity once per year to apply for a Certificate of Public Convenience and Necessity. This ordinance will allow the City Secretary's Office to issue a temporary certificate mid-year until Council takes action on the consideration of a standard three-year certificate.

Council Member Merschel made a motion to approve the ordinance. The motion was duly seconded by Council Member Leight and carried unanimously.

- a. REPORT ON PROPOSED REVISIONS TO CHAPTER 78 OF THE CITY CODE RELATING TO VEHICLES FOR HIRE.

Mr. Turner noted that there were concerns when issuing licenses for drivers versus a company, and the proposed ordinance is for discussion and comment, rather than a vote. He also noted that a meeting was held with local taxi/limousine drivers and owners and that staff is seeking feedback from the City Attorney's office in drafting the ordinance.

Council Member Leight noted that due to previous problems of bad driving records, the

consequences should lie with the company owners.

Chair Burke stated that she hopes drivers will provide more feedback and continue to offer their services to the City and hopes that the Taxi Inspector remains open-minded and fair.

G-4. REPORT ON 2009 STRATEGIC PLAN FOR COMMUNITY SAFETY.

Chief Cunningham presented preliminary figures for 2008 crime statistics and reviewed the report.

In response to Council Member Merschel's question regarding crime reporting, Chief Cunningham noted that it may be a disadvantage to report all crimes rather than ranking them but that type of reporting is the most accurate. He also noted that the WSPD is working with the Winston-Salem Chamber of Commerce to personally address agencies that may have concerns. The Chamber of Commerce can provide that information to citizens and businesses who request it.

Council Member Merschel suggested that the WSPD keep two parallel reports, one detailing more serious crimes and one total incident based report.

Chief Cunningham noted that the WSPD is currently converting crime statistics to be easily compared with other communities and this will eliminate the misinterpretation of the data. In response to Council Member Leight's question, he explained the Uniform Crime Reporting data in the chart on page 67 of the agenda book.

In response to Chair Burke's comment, Chief Cunningham stated that he personally believes citizens are good and may resort to crime due to increased stress, the economy and personal relationships, but does not believe that crime as a whole increases in relation to the economy. He noted that a few local businesses have increased security, but that is generally seen more around holidays, and there has been no overall increase in requests for off-duty officers.

Council Member Merschel shared the story of a citizen that approached an individual breaking into her home and expressed concern that more citizens will try to handle crime themselves, rather than relying on police. She suggested that the WSPD provide safety tips for citizens to utilize at their own properties.

Chief Cunningham stated that the WSPD works hard to get information and education into the community and does not encourage citizens to take personal safety into their own hands, but rather to be a good witness and call 911.

Mr. James Taylor, 858 Shalimar Drive, stated that he has received emails from former Happy Hill Gardens residents and there is a concern that there are homeless individuals who may have criminal records, sleeping in the lobby of the recreation center. He also stated that he would provide the address of the building and if the WSPD could patrol that area, the residents would feel safer.

Chair Burke requested that the Strategic Plan be provided to local high school government and civics classes, as well as local churches and outreach organizations that may be affiliated with Crime Watch or other neighborhood groups.

Council Member Merschel requested that a master list of neighborhood watch groups and active

neighborhood associations be compiled and that this information be provided to them.

Council Member Leight suggested that the Neighborhood Assistant Specialists be utilized to compile the list.

G-5. DISCUSSION OF REQUEST FOR PROPOSAL BY WINSTON-SALEM/FORSYTH COUNTY SCHOOL SYSTEM FOR SCHOOL RESOURCE OFFICERS.

Chief Cunningham stated that staff is requesting guidance from Council in pursuing the contract, under which the WSPD would provide School Resource Officers (SROs) county-wide, except in Kernersville, to cover those schools located inside the Winston-Salem City limits. He also stated that most students are city residents and the program could be an opportunity to build trust and relationships that will benefit the community. He further stated that the WSPD would utilize those Sheriff's deputies currently under contract with the School System who wish to remain in the program.

Chair Burke noted that the SRO program is a Winston-Salem/Forsyth County School System funded project rather than a City project, and expressed concern with the behavior of some current SROs. She also requested additional information on the student population with which the WSPD would work.

Chief Cunningham noted that the proposal is seeking one agency to take over the program, but the city's jurisdiction prevents the WSPD from doing so, and also noted that there are only a few schools outside the city limits with which the WSPD would have no contact. In response to Council Member Leight's question, Chief Cunningham stated that the School System contracts the SRO program to provide some percentage of the total cost of SROs in schools and that there are funds available for the program. The WSPD will submit a proposal, as it will benefit the City to have WSPD officers in schools rather than Sheriff's Deputies.

Council Member Merschel noted that it may be difficult to have two agencies serving one group as far as responsibilities are concerned, and also noted that the Sheriff's Department may become less of a necessity as the corporate city limits are expanded. She also expressed concern that efforts may be duplicated.

Mr. Garrity stated that the County Manager performed a study nine months ago and reviewed law enforcement county-wide. There are less than 30,000 citizens located outside the city limits, but due to the costs of providing protective services and coverage, other municipalities contract to the Sheriff's Department for that service. It may be more sensible for small communities to form their own protective agencies or to contract with a large agency.

Chair Burke indicated this item would be held in Committee for further discussion.

ADJOURNMENT: 6:57 p.m.