

SUMMARY OF MINUTES

PUBLIC SAFETY COMMITTEE

5:34 P.M., MONDAY, APRIL 13, 2009

COMMITTEE ROOM

ROOM 239, CITY HALL

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

OTHERS PRESENT: Council Member Joycelyn V. Johnson

Chair Burke called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. No items were removed for discussion.

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 ON CITY STREETS - *Austin Lane, Meadow Lane, Swaim Road, and Plaza Hollow Drive.*
- C-2. ORDINANCE REDUCING THE NUMBER OF AUTHORIZED VEHICLES ON CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF PRESTIGE LIMOUSINE FOR THE OPERATION OF A LIMOUSINE SERVICE IN THE CITY OF WINSTON-SALEM.
- C-3. APPROVAL OF PUBLIC SAFETY COMMITTEE SUMMARY OF MINUTES - *March 9, 2009.*

GENERAL AGENDA

- G-1. RESOLUTION APPROVING THE USE OF JUSTICE ASSISTANCE GRANTS FUNDS FOR POLICE SUPPORT SERVICES. [*\$536,198.*]

Mr. Scott Cunningham, Chief of Police, stated that the Winston-Salem Police Department (WSPD) is pursuing a formula grant and is seeking guidance on the allocation of funds for the May 18 deadline. There is a disparate funding section within the grant where all involved parties must be in agreement and the WSPD is currently unable to reach an agreement with the Sheriff's Department.

In response to Chair Burke's question, Chief Cunningham stated that there is money earmarked for

city use and feels that it should not be given to the county to be used for non-city purposes. He also stated that he has been unsuccessful in trying to reach an agreement with the Sheriff's Department.

Chair Burke suggested that Chief Cunningham remain steadfast in his negotiations.

In response to Council Member Malloy's question, Chief Cunningham stated that if no agreement is reached by the specified deadline, any funds will revert back to the federal government and he believes the City should seek an appropriate allocation of funds.

Council Member Malloy noted that it appears the City bears the bulk of the crime and questioned if it would be possible to ask for public support to put pressure on the Sheriff's Department.

Council Member Leight noted that the City Manager and Chief Cunningham may try to reach an agreement through communication with the County Manager.

Mr. Lee Garrity, City Manager, noted that the statute states that the legal entities are responsible for forming an agreement, which would mean the County Commissioners and the City Council.

Chair Burke stated that the public should be made aware of this process and why the agreement is necessary to receive appropriate funding.

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

G-2. REPORT ON IMPLEMENTATION OF TASERS BY THE WINSTON SALEM POLICE DEPARTMENT. *[Item continued by Public Safety Committee in March.]*

Chief Cunningham displayed a civilian taser tool that will discharge for 30 seconds, rather than five seconds, similar to the tasers that the WSPD would be using.

In response to Chair Burke's question, Chief Cunningham noted that the civilian taser can be purchased for \$339, while the professional grade tasers cost \$880. The professional tasers also contain a statistical tracking mechanism that records data each time the device is discharged.

In response to Council Member Malloy's inquiry, Chief Cunningham stated that the professional grade taser contains prongs that discharge up to 15 feet, as well as the ability to be used by touching a criminal. He also stated there have been no deaths specifically tied to the use of tasers. Police personnel will be trained to evaluate a criminal prior to the use of a taser, for signs of excited delirium, which can overload the heart. He further stated that police personnel will not ignore the risks involved with the use of tasers and will monitor its usage. Dr. Bozeman has agreed to help monitor the use of tasers within the WSPD and will review every deployment of a taser. Reports will be presented to the Council at six month and one year intervals after implementation. Chief Cunningham noted that the taser device does what it needs to do, then the effect stops.

Chair Burke commented that there is a great deal of responsibility involved with the use of tasers

and stated that any user should be trained and monitored. She also commented that police personnel need to understand the diversity of the community in hopes that there will be no misuse of force.

Chief Cunningham noted that along with Dr. Bozeman, he will personally review all taser usage. He also noted that any issues of concern will be addressed.

In response to Council Member Leight's question, Chief Cunningham stated that the personal taser has the same voltage power as the professional taser, but the prongs do not reach the same distance. He also stated that the personal taser discharges for 30 seconds to allow a victim to escape an attacker.

In response to Council Member Malloy's question, Chief Cunningham noted that police personnel hope there will be no taser usage with juveniles, and dependent upon the age of the criminal, the police officer will determine which of his weapons would be the most effective tool. He also noted in a recent incident, an officer was seriously injured, where the use of a taser would have prevented the injury. He further noted that once the trigger is pulled, the taser deploys for five seconds, then it must be re-deployed for further use, and each use is documented through the internal tracking device.

Council Member Malloy requested a copy of the WSPD Use of Force Policy and what observation steps are taken by police officers to determine whether or not taser use is warranted.

Dr. William Bozeman, Mercia Court, Associate Professor of Emergency Medicine, Wake Forest University Baptist Medical Center, stated that it is unknown if taser use is contributory when the cause of death is unknown. He also stated that the physiological effects of taser usage in children are the same, but officers use discretion according to age and the degree of violence. He further stated that to date, there have been no reported electrical problems within the heart with the use of taser. Dr. Bozeman noted that he is working with the WSPD on protocol use of tasers and is educating local Emergency Medical Service personnel as well.

In response to Council Member Merschel's question, Chief Cunningham stated that the civilian tool is available to citizens and he feels that there will be misuse with the tool, since civilians will have no training. He also stated that to purchase the civilian tool, one must be over the age of 18, complete a criminal background and there will be restrictions where the device can be carried.

Council Member Johnson noted that sensitivity training for police personnel is important and hopes they will stop and assess a situation prior to using any weapon.

In response to Council Member Johnson's question, Dr. Bozeman stated that he will monitor taser usage as a faculty member through the Emergency Department and is receiving no additional financial compensation.

Chief Cunningham noted that Dr. Bozeman is a leader in the nation on the study of tasers.

In response to Chair Burke's comment, Chief Cunningham noted that it is his goal the have the police force be as diverse as the community.

In response to Council Member Malloy's question, Dr. Bozeman stated that research has seen no direct effect on the heart or individuals with pacemakers.

G-3. REPORT ON CONCERNS RAISED ABOUT COYOTES.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, stated that concerns were raised at the February public comment period of the City Council, regarding coyote sightings within the community, specifically at the Children's Home. He stated that there were two options, where either citizens would be allowed to shoot the coyote or allow wildlife officials to have an exemption for hunting coyote in a specified threshold. He also stated that female coyotes will increase the size of their litters to fill gaps within the coyote population. He further stated that a review of the situation will allow for the elimination of problem animals rather than an entire animal group.

Council Member Merschel noted that because this is a safety issue, parameters will need to be set to resolve the problem. She also noted that coyotes are not a protected species, and staff should try to address groups of animals that exhibit aggressive behaviors on residential property.

In response to Council Member Leight's question, Mr. Turner stated that were shooting of the coyote to be considered, shotguns would be the best weapon because the trajectory of the shell is far less than a bullet, yet it can still kill a large animal. In response to her questions regarding trapping, he stated that once the coyote is trapped, it will be killed, and as long as there is no desire to keep the skin, no permit is required. He also stated that a similar provision was adopted to allow for the shooting of deer at Smith Reynolds Airport within a specified area, which has been an effective solution. He further stated that certain calls may be used to attract coyotes to a certain location.

In response to Council Member Malloy's question, Mr. Turner stated that there have been two reported cases where a coyote is thought to have attacked or killed another animal.

Council Member Merschel noted that she has received several calls from within her ward of coyote sightings.

Mr. George Bryan, Children's Home Director, stated that coyotes are similar to packs of dogs, yet coyotes are not easily trapped, making it difficult to kill several at one time. As it is clear that the coyote population cannot be eliminated, there is a need to control the population. He also stated that there have been several daytime sightings of coyotes within the Children's Home area, and while there have been no reported incidents, there is a need to take precaution. He further stated that large scale trapping will allow for handling of a part of the population, but trappers recommend a policy change to allow the use of snares.

In response to Chair Burke's question, Mrs. Angela I. Carmon, City Attorney, stated that she would research the use of snares in the area, but an ordinance could be passed to allow for the discharge of a shotgun within city limits.

In response to Council Member Merschel's question, Mr. Turner stated that if County Animal Control is notified, they will contact the North Carolina Wildlife Commission, but trapping by private residents may be a better option.

Council Member Malloy noted that the most effective method should be determined and employed and that staff research whether or not the most effective trapping method would require a change in State legislature.

Mr. Bryan noted that coyotes can be attracted with specific calls or raw meat to trap. In response to Council Member Malloy's question, he stated that as long as a designated area for shooting is away from the children, he sees no problem with it.

Council Member Merschel requested clarification on the time limit associated with trapping.

Chair Burke suggested that Council Members Merschel and Malloy meet with Mr. Turner, Mrs. Carmon and Mr. Bryan to formulate recommendations.

In response to Council Member Leight's question, Mr. Bryan stated that there are donkeys or llamas in each area that contains cattle, but that isn't enough to detract the coyotes.

In response to Council Member Johnson's question, Chief Cunningham stated that when Animal Control is contacted, citizens should contact the Police Department as well. He also stated that police officers will eliminate any threat or danger to the public on site.

Council Member Leight noted that police officers should be trained to differentiate between coyotes and dogs.

G-4. PRESENTATION ON ISSUES WITH HUMAN TRAFFICKING.

Mr. Ben Holder, 180 Scotland Ridge Drive, presented his senior thesis at Salem College on human trafficking.

In response to Council Member Johnson's comment, Mr. Holder stated that there are different names for individuals who transport illegal immigrants into the United States for purposes of forced labor, prostitution, drug trafficking and other areas. He also stated that some legislature has been developed, and some training on human trafficking is available, but the training is not required.

In response to Council Member Leight's question, Chief Cunningham stated that there is a four hour instruction period for police personnel, but there is also an issue of making the public aware and garnering their support. He also stated that the WSPD is in communication with Pitt County regarding their recent grant to help fight human trafficking. He further stated that the largest issue is the inability to prosecute due to the difficulty in identifying human traffickers.

Chair Burke noted that human trafficking is a problem similar to gangs because victims are afraid to be identified and speak out. She noted that the WSPD could possibly work with local churches to educate them on human trafficking.

Mr. Holder noted that while Hispanic gang activity is prevalent within North Carolina, its three areas of focus are guns, drugs and human trafficking. In response to Council Member Johnson's question, he noted that he would change the legislature to require training for law enforcement personnel on the specifics of human trafficking.

Chief Cunningham stated it is imperative to support current legislation that aims to establish a commission that will determine the scope of the human trafficking problem. It is currently considered a low-level problem due to little or no documentation, but a commission would help to verify that there is more of a problem than currently believed.

Council Member Johnson requested that the agenda for the April 20 legislative meeting of the Council be amended to ask local delegation to consider this commission.

Chair Burke noted that the problem may be more prevalent in Winston-Salem than believed, especially since children are so impressionable and targeted by human traffickers.

ADJOURNMENT: 7:02 p.m.