

## **SAFETY COMMITTEE**

**June 10, 2008**

**4:25 P.M.**

Councilwoman Gaines, Chairman, called the meeting of the Safety Committee to order, with Councilmen Page, Rico, Bennett, Benson, Robinson, Berz and Pierce present. City Attorney Randall Nelson and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Richard Beeland, Dan Johnson, Adm. Zehnder, Daisy Madison, Chief Cooper, Sgt. Weary, Lee Norris, and Chief Parker.

### **POLICEMAN'S BALL**

Chairman Gaines stated that she had to leave the last meeting early; that Chief Cooper and Sgt. Weary were present to discuss this matter. She turned the meeting over to Chief Cooper.

Chief Cooper stated that they were proposing to move forward with a Policeman's Ball and wanted the Council's approval to allow them to make corporate requests for funding for the Ball and also other events. One such event is a Grandparents' Luncheon, which was funded out of his Budget in the past; however with the present Budget restraints, they do not have the funds but have those who would assist them. He explained that they planned to set up a separate fund to fund such events, reiterating that the Budget had allowed these in the past but now they were operating with Budget restraints. He stated that such things were very important to the Department and the community.

He went on to say that the Ball, itself, was an event to allow police officers' families to interact with local citizens to celebrate the careers of these men and women; that it would be a formal event with dinner and entertainment; that this was done several years ago but went away because of money. He stated that they polled the department, and they wished to have this again.

Councilman Benson stated that he really respected the Police Department, but he thought that this could establish a precedent to go down a "slippery slope"; that it could go from department to department, asking for sponsorships; that this was all so worthy but these were tight times, and he did not know where this would end. He questioned if we would make it okay for the Public Works Department to have a Ball and also Parks and Recreation would want to go to companies. He noted that he got calls from the Fire and Police Unions, stating that he thought they paid someone to make these calls and a percentage of the money goes off. He stated that he got these calls at dinner time and felt if he did not give, they might not answer his calls if he needed them—that is if he did not give.

Councilwoman Berz stated that this could be called intimidation.

Councilman Benson agreed that it was good what they were doing.

Chief Cooper stated that this is one program—that any department could come before the Council for their own project. He urged not to lump everything together; that they would not be calling homes but businesses; that calls to homes are on a national basis and there is nothing local about it.

Councilman Benson asked Councilman Rico if they called his business for a contribution if he would not feel pressured to give? Councilman Rico responded that he would not feel pressured.

Chief Cooper stated that there were many who wanted to help them in the community.

Councilwoman Berz asked if this did not get approved, would any programs be done away with?

Chief Cooper responded that nothing would be done away with; that they would continue with the Grandparents' Luncheon; that it would have to be cut from his Budget; that they would have to scale back the community tours of the schools where the Police Department supplies pencils and erasers for the school children to take back with them.

Councilwoman Berz asked if these were public relations type things, and Chief Cooper responded “totally”.

Councilman Rico stated that he thought the Council was getting paranoid; that no intimidation was intended; that the Police officers would do their job regardless; that he thought the Council was getting nitpicking. **Councilman Rico moved that this Resolution be recommended for approval by the entire Council.**

Councilwoman Bennett pointed out that when Public Works had their luncheon that they had sponsors who donated; that it was a great event and was good for morale; that there were no hidden agendas, and she thought this worked well for this department.

Chief Cooper stated that he had attended annual Awards Banquets that were totally privately paid for; that businesses wanted to assist in such efforts and all was out in the open.

**Councilwoman Bennett seconded the motion made by Councilman Rico, adding that we needed to follow protocol; that she thought this was good for morale.** She added that if we found there were problems, we could re-visit this.

Councilman Page stated that he would like to see more about the program—who would they call and who would make the calls—would it be captains or patrolmen? He stated that he just wanted to know how they would do this.

Chief Cooper responded that Sgt. Jerri Weary was in charge of a team of people who would be doing this; that they would call on businesses in a professional way.

Councilman Page asked if they would have some training on making calls?

Chief Cooper responded that it would not be phone calls but visits; that they had business people who called them asking how they could help; that he had a list of people; that he was not worried about this; that our Awards Banquet comes out of the City's Budget; that the way these things happen, all will benefit.

Councilman Page stated that he wanted to make sure they would not be canvassing the streets.

Councilman Pierce stated that he felt like businesses were pressured when we use the color "blue"; that many business might want to contribute, and they can come forward, but he thought making a personal solicitation was pressure; that if they came to him "one on one", it would be added pressure on his business. He stated that if this was put in the Budget, it could be approved. He added that the solicitation for tables might be \$1,200 at \$50.00 a head, and he just did not see this; that the Fire Department would be coming next week with the same program; that he would not vote for this the way the economy is now.

Councilman Benson stated that he was told other departments might be doing this, and he was concerned about it getting worse and worse. He mentioned our Code of Ethics and Conflict of Interest that we had recently adopted. He noted that the State had spoke out against giving gifts to employees in order to get better service; that we needed to ask the City Attorney to research the Ethics Law in this regards concerning prejudicial treatment to certain people. He stated that he could not vote on this right now, as it could get out of hand.

Councilman Rico stated that he thought the Council "was getting out of hand" and nitpicking; that all of this talk was ludicrous; that if businesses want to give, we should allow them to; that we need to keep morale up.

Chief Cooper stated that we needed to get away from the implication that this is a gift; that this is a program being established, and it could be monitored; that this took away from him—that it would be a program established for years to come, and this takes away the ability for any business person to make a donation; that this would supplement his Budget, thanks to the community; that it is a supplemental program in this community; that the Police Department, as an agency, is not benefiting from this.

Councilwoman Berz stated that we needed legal counsel; that the Police Dept. would like the Council to approve donations; that she was trying to get her arms around how this is different—she asked if it was because some of these donations are unsolicited? She stated that in this case, the funds would be solicited rather than the Police Department just accepting them.

Councilman Benson stated that he thought EPB and Comcast would both be glad to make a contribution right now.

Councilman Rico questioned Councilman Benson about the McKamey Animal Center and their solicitation of funds, wanting to know what the difference is—that these are causes that people believe in.

Councilman Benson stated that we needed to get this policy in writing.

Lee Norris stated that he was once sitting in the same place that Chief Cooper was sitting in now—that there was not a community in this country that was not celebrating Public Works Week, but it was nothing that Chattanooga had ever done, and he started the program; that Councilman Benson beat him up about this, but the second year, businesses were contacting them, looking for a place to give maybe \$2,000. He told Councilman Benson that these were not businesses who do business with the City of Chattanooga. He stated that he reported all contributions, and these people were not “buying” influence; that he appreciated what they were doing; that the City could not recognize employees with such events without raising taxes, and the departments could not do it with their budgets. He stated that this was just a way to show appreciation.

Councilman Page stated that the Council needed to be together and most all saw the merit in this; that he was still uneasy about how it would work; that he thought the Council wanted to see and feel comfortable with this; that there was real potential for good—that the Council needed to hear that this can work and here is the way it can work.

Ms. Madison stated that this goes on throughout the City, and she needs the Council to come to some consensus—that sponsorship will raise flags. She went on to say that guidelines could be developed around a program; that we see donations from developers supporting big causes, which could carry the same perception—they volunteer monies rather than us asking for it.

Sgt. Weary stated that she was present at the committee meeting last week; that this Ball is for Police Officers to come together throughout the region for some camaraderie; this is funded by the police for the police, and they will invite the community to celebrate with them; that it is a fund-raiser, with the major portion coming from police officers. She noted that people are always asking them to come out and do public seminars, and they did not have the funds for power-points in their Budget. She went on to say that churches call them wanting to know how to make their buildings more secure and want them to come out and make presentations, and they go out and do this. She stated that they would not go out and ask businesses to give them money—that they would send out letters.

Councilwoman Bennett ask if there would be any follow-up? Sgt. Weary responded that there would be follow-up if they got responses.

Councilwoman Berz asked if the Police Dept. did not have the money to go out to churches and neighborhood groups, where does the money come from?

Chief Cooper stated that Sgt. Weary said what she meant; that for him to have his officers out to meetings where everyone wants them, they have to pay overtime; that their overtime budget is over the limit—that they have to pay people to do this.

Councilwoman Berz stated that she could see where the paper for the letters would be a cost and asked if Chief Cooper was talking about a supplemental salary? Chief Cooper responded “no”.

Attorney Nelson explained that the IRS describes the City as a charitable organization and encourages gifts to the City; that how it is done is another thing—that the City might designate some person in City government to do solicitations; that they would keep the information separate from the department seeking it and would make a list for the department—be it Police Dept. or Public Works, etc.—of the people to call and act independently and not report the information back to the Department as to who turned them down. He stated, however, there would be one glitch—that if the designated person reported who donated, the implication would be that the others on the list did not.

Councilman Benson suggested going ahead with this event and that with the help of Daisy Madison, Randy Nelson and Dan Johnson, we come up with some guidelines that everyone will follow, which should eliminate coercion or favoritism. He reiterated that we needed to have guidelines and need to get something in writing forming these guidelines; that taxpayers already have to pay taxes, and it might be unfair for them to get hit for donations.

Chief Cooper stated that they had people who could solicit—that they were trying to go about this in the right way for this to happen for years to come.

**Councilman Benson moved to go ahead with this Resolution with the understanding that guidelines will be drawn up. This was seconded by Councilman Page.**

Councilwoman Robinson stated that she had been listening to the Chief—that the purpose of this is two-fold; that it is occasionally a morale builder (the Ball), with people paying \$50.00 for a ticket; that really not much more would be needed in the way of corporate support; that there might be \$6,500 over and above. She asked if we had it in the Budget what community outreach would be—meaning such things as power point presentations and favors for the kids—that \$6,500 would make a difference.

Chief Cooper stated that in the past they had used grant money to fund school visits and tours where they met with kids; that federal money is less and less each year because most of this money goes to Homeland Security; that we have some community programs that we can't afford to let go away.

Chairman Gaines asked in speaking of policy, if it were possible for Ms. Madison to integrate what Chief Cooper was speaking about into her system. She wanted to know if it would be difficult according to how solicitations are handled or simple?

Ms. Madison responded that we need to make sure that what we are doing is acceptable.

Chairman Gaines wanted to know if this would be time-consuming? Ms. Madison responded that the real issue is the form of solicitation. Chairman Gaines asked her if she would come up with something, along with the City Attorney and Dan Johnson. Ms. Madison responded “yes”.

**The Resolution concerning the Policeman's Ball will be on next week's agenda.**

**JAY CRAVEN REGARDING PROSTITUTION**

Chairman Gaines wanted to make sure that Sgt. Weary was still present, as she had **Jay Cravens** who had some questions about E. Main St. and Highland Park—that he was very involved in curbing prostitution in Highland Park.

Mr. Craven read a letter from a resident of this area. He stated that he would like the Council to review the laws on prostitution, maybe coming up with a prostitution-free zone. He noted that they had started a website and since the website there had been a marked decrease; that they wanted the prostitutes out of the neighborhood and would like the City's help.

Chief Cooper stated that they supported citizens and neighborhood groups getting involved; however the Police Dept. did not want them to put their safety in jeopardy because the Police Dept. had "paid" people for this. He mentioned the problems in Highland Park, Main Street, and East Lake, noting that the problem did not just start and would not just go away; that they were attacking this problem in all ways, including the johns and prostitutes; that this was an ongoing effort for them, and they would continue with this effort. He stated that he could not say for certain the cause of why there had been a decrease; that he did not think going to a website would deter them. He went on to say that Chattanooga has no way near the problem as other major cities; that we did try to curb prostitution in the areas of schools, and the sad part was that this is a misdemeanor and these people can be arrested and re-arrested and all there is is a \$50.00 fine. He went on to say that he did not have the manpower to sit and wait for this to happen, which is much like drug trafficking; that those involved know that the Police Dept. is doing sting operations; that all areas of the City are experiencing this. He reiterated that this is something that they do address and would continue to fight against this. He added that the Highland Park community had always been a great supporter in fighting prostitution and drug trafficking. He stated that there was no quick and easy answer; that he had been on the Police Force for 27 years, and it had not changed. He stated that they did respond to calls about prostitutes, and they would continue to address this problem. He urged Mr. Craven that individuals not get harmed in trying to deal with this.

Mr. Craven stated that they were very pleased with the Police response, but the ball drops after the police have come out and gone—that it is a revolving door. He agreed that it was not going away over night but thought that it would take some momentum to push it away. He stated that it might be everywhere but not as blatant as on Main Street. He urged the City to do something creative because the same old stuff was not working.

Councilwoman Bennett asked from a legislative point of view and repeat offenders if Court Watch was not helping? Chief Cooper responded that Court Watch did follow cases.

Councilman Benson mentioned the \$50.00 fee and changing this. Attorney Nelson noted that it did not get the majority vote to be adopted for change.

Councilwoman Robinson suggested bringing this up again.

Attorney Nelson explained that as Home Rule, we can't do anything contrary to State Law.

Councilman Page asked if City Judges could mandate an educational program? Attorney Nelson responded "probably not"—all they could do was levy a \$50.00 fine.

Chief Cooper stated that it is the "system", noting that some had tried giving them a community to operate in.

Councilman Page asked if you could make prostitutes have a health card? Councilman Pierce asked him if he was trying to legalize prostitution?

Councilwoman Robinson asked if they could be asked to make a contribution plus the \$50.00 fine—if they could be made to reimburse the police for all the work they make them do? Chief Cooper responded that this could not be enforced—that he wished there was a way.

Councilman Benson suggested a "Scarlet Letter".

Chief Cooper stated that he did not know of any way; that he had encountered this in his 27 years, and one could not make it go away.

Attorney Nelson stated that one could go to the State Legislature and have them raise the level of the penalty to make it a felony.

Councilwoman Robinson asked if the worst misdemeanor was Class A? Attorney Nelson responded that it goes to Class E; that we could take them to General Sessions and bind them over.



Chief Cooper stated that the courts look at this as a victimless crime and that it ties up “real” crimes, and the judges won’t go along with it; that this is a judicial problem nationwide, and the prostitutes will not be jailed.

Mr. Craven agreed that they are let out in a week.

Chief Cooper stated that they have tracked some of the prostitutes—that it is a continual process and a revolving door and a total nuisance for the community and time-consuming for his officers.

Chairman Gaines thanked Mr. Craven for coming today. She stated that she would schedule another Public Safety Committee for three weeks from today, as she had planned some discussion about the Noise and Curfew Ordinance. She stated that she would place information in each Councilman’s box and would give them three weeks to look over this and then we would come back and discuss it; that we need to see what can be done to strengthen this; that dollars were spent on a noise device that monitors sound, and we need to look at this and also curfews and crime taking place outside of club areas. She stated that she was going to invite Chip Baker from Riverbend and also David Johnson from the Memorial Auditorium—that we would take 2-3 weeks to look at this and determine how we can strengthen it.

The meeting adjourned at 5:30 P.M.