

Fresno Police Department Chief's Advisory Board Minutes

March 25, 2010

Present: Roz Clark, Morgan Doizaki, Harry Gill, Judy Holm, Pamela Kallsen, Elias Loera, Jesse McDonald, Carol Mills, Jim Poptanich, Rebeca Rangel, Luke Raughley, Enrique Reade, Kenneth J Ryan, Phil Connelly (for Bill Simon), Don Weaver, Bob Willis

Absent: Kamal Abu-Shamsieh, Dee Berry, Doug Broten, David Cowin, Paula Farris, Tom Gentile, Edward Moreno

Guests: Chief Jerry Dyer, Deputy Chief Robert Nevarez, Deputy Chief Keith Foster, Lt. Don Gross, Sgt. Mindy Casto, Ofc. John Hall, Ofc. Martin van Overbeek, Eddie Aubrey (Office of Independent Review), Gene Gonzalez (with Enrique Reade)

Call to Order:

The meeting, held in the City Hall Annex Training Room, was called to order at 5:35 pm.

Minutes:

Minutes from January 29th were approved without correction.

Opening Remarks:

None

Agenda Items:

Challenges Dealing with the Mentally III

Deputy Chief Nevarez: Met recently with Donna Taylor of Fresno County Mental Health regarding issues related to 72 hour mental health evaluation holds pursuant to Welfare and Institutions Code (WIC) 5150. He explained the current process and how WIC 5150 holds are obtained, including the necessary documentation. Currently, officers complete an Application for Evaluation form and provide that form to the EMS personnel that respond to transport the patient to the hospital. Once at the hospital, a mental health professional evaluates the patient and determines what treatment and/or medication is appropriate to stabilize the patient. This hold can last for up to 72 hrs. (Form passed around to members present)

When it is determined that additional care is needed beyond the 72 hrs, a hearing is conducted pursuant to WIC 5250 where a patient can be detained for up to 14 additional days in order to receive intensive treatment. The WIC 5250 hearing is based in part on the Application for Evaluation form completed by the initial responding officer. It was discovered that the form itself lacked sufficient space for officers to provide enough information that could assist in making a determination to warrant further commitment beyond the initial 72 hrs.

Ryan: Could a continuation form be used?

Deputy Chief Nevarez: That is a possibility. Our main concern is to get the patient the help they need. Currently the Department is sending some officers to a "Train the Trainer" type classes related to interacting with the mentally ill so they can return to the agency and provide training to other officers.

Lt Gross: Explained the problem continues to be cyclical in nature due to some patients lacking medication and the appropriate follow-up care.

Aubrey: Mentioned some agencies use of Mental Health Court, where the system tries to get services for persons needing them while gaining voluntary compliance with a treatment plan.

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Deputy Chief Nevarez: The last component of this plan is to partner some Alliant University psychological students with officers that have received the training. They would respond to calls that are chronic in nature, dealing with mentally ill persons to provide them additional attention.

Rangel: There is a possibility that Fresno State has students that are interns/graduates that may be able to assist officers with providing evaluations & services.

Deputy Chief Nevarez: The Department is interested in using any qualified persons that are willing to volunteer their time. Interested persons can contact him at Robert.Nevarez@fresno.gov. To be qualified, the person needs to be a licensed mental health professional or operate under someone that has a license.

Operation Cease Fire

Chief Dyer: Spoke on gang violence increase and the constant battle to address this violence. Strong suppression efforts remain a key component in this battle. Next, those gang members that are the most violent, most influential, most active, need to be identified and targeted in efforts to get them out of the gang and change their behavior. Once identified, a voluntary meeting would be set up with the individual(s) and key law enforcement members (US attorneys, DA's, police/sheriff, probation & parole) in order to seek change and provide resources for those gang members willing to quit that lifestyle. They would also be advised that if they refuse the help, the necessary resources would be directed towards them to get them legally arrested, prosecuted (federally), and incarcerated for the maximum terms. Mentioned the members of the Old Navy Crew that were just prosecuted federally for the series of 40+ robberies in Fresno and they each received in excess of 700 year prison sentences for these crimes.

Deputy Chief Foster: Has been researching Cease Fire operations in other cities to learn strategies and methods used to stop the gun and gang violence. Building on MGPI, the Department will incorporate data analysis and community engagement to identify the worst of the worst offenders in order to target those individuals.

Mills: When you identify the worst of the worst, why not just prosecute them?

Chief Dyer: The idea in getting the worst/most influential offenders out of the gang is that others will follow. When they are just prosecuted and incarcerated, other members simply rise in power to fill that void. Additionally, it takes a tremendous amount of resources to successfully prosecute these offenders. As an example, if we target the top 50 worst of the worst and 15 agree to change and leave the lifestyle, then resources can be focused on the remaining 35.

Simon: Based on the funding, how many officers will be dedicated to this?

Chief Dyer: There will be one full-time officer for Operation Cease Fire which will be augmented by 25 gang officers. They'll continue to focus on gangs, with the emphasis on the most influential.

Holm: What happens when they leave, do the gangs generally retaliate?

Chief Dyer: They don't primarily because they are leaders, and others are generally followers.

Deputy Chief Foster: Gave an example of Chicago Vice Lords gang and the City's efforts to target the top leaders. Within a matter of months, several were arrested and convicted and sentenced to lengthy prison terms. A number of those were killed shortly after entering prison. These actions prompted additional high ranking members to leave the gang for fear of a similar outcome if they were targeted by police. As a result, less influential members followed suit. This led to a significant reduction in gang related homicides when Chicago once led the nation in homicides.

Rangel: When will the program be up and running?

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Chief Dyer: The Department has already been working on the program for two months and goal is to be functioning as early as May 1st.

Rangel: Are you creating programs/resources for those up and coming wanna-be gang members?

Chief Dyer: Will continue to utilize MGPI but there aren't enough services available.

Reade: Do the majority of these leaders work? Do they have help getting a job?

Chief Dyer: Through partnerships with the EEOC and MGPI, they are provided help with job skills and gaining employment. As another component, the mayor will be soliciting the involvement of local pastors to work with the families of the gang leaders to influence them to drop out.

Doizaki: Have you identified them already?

Chief Dyer: Preliminarily have identified 52 key members, and the Department is in the process of confirming this with data available.

Loera: Believes the way to deal with the gang members is to make it as uncomfortable as possible to be a gang members so it is not seen as a glamorous lifestyle. This has worked in Sanger by prohibiting them from congregating together and the town is safer because of it.

Chief Dyer: Agrees that is an important strategy to maintain and that is why suppression efforts will continue.

Soliciting on Medians

Chief Dyer: Discussed the ordinance created by Larry Westerlund that passed and takes effect April 17th. Advised the Department is working on internal procedures for addressing these violations to prevent officers from responding inappropriately. Discussed some of the general provisions and exceptions to the ordinance. Added that there will be a strong educational piece to inform the public, which will include warnings for initial violations. Initially, the ordinance will be enforced by traffic officers and an evaluation will be done to determine its effectiveness.

General discussion ensued from several members present regarding the pros and cons of the ordinance, and issues that officers might face.

ROUND TABLE:

Chief Dyer: Asked the groups opinions on legalizing the use of marijuana due to it being included on the upcoming ballot.

General discussion ensued, including the case involving the operators of the MedMar marijuana dispensary, home invasions for the purpose of drug rip-offs, and the involvement of the Mexican drug cartels in growing and distributing marijuana.

MacDonald: Asked about the mounted patrol unit being disbanded from an article he read.

Chief Dyer: Initially this was not considered over the last two rounds of cuts however, the Department has since lost 233 positions. Patrol vacancies will go from 24 current vacancies to 60, with additional civilian layoffs anticipated. The Chief is currently working with members of the community that have committed to donating some of the anticipated \$30,000 necessary to maintain the use of the horses for a year. It is his hope that enough money could be obtained for two years so that fund raising will not have to be done again next year.

Reade: Suggested doing a program similar to Scared Stiff for minors, and using the funds generated to pay for the horses.

Chief Dyer: Discussed options the Department is exploring to maintain the program.

Rangel: Inquired about the tow policy and efforts to educate officers on its implementation.

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Chief Dyer: Discussed the distribution of policies utilizing PowerDMS, and notifications to officers regarding new policies. Related to the towing and release of vehicles, discussed the challenges that Records Bureau faces in processing towed vehicles after going from 75 personnel to 25. As a result of the personnel cuts, Records Bureau had to limit their hours of operation from 10am to 2pm. In efforts to provide better customer service, the Department is working with the tow companies to implement software that will facilitate the release of vehicles directly from the tow company itself, eliminating the long lines at Headquarters. The goal is to have this new process in place in 90-120 days.

Simon: Asked about policies of the Department, including the difference between a policy and general order.

Ofc. Van Overbeek: Explained the old standing order format previously found in the Department's Bluebook, and the transition to the Lexipol policy & procedure format in December 2007.

Chief Dyer: Discussed the forming of the Professional Standards Division, which includes the Internal Affairs unit, Audit & Inspections Unit, Policy & Procedures Unit, and the CALEA Accreditation Unit.

Rangel: Inquired about the City's website being updated with Eddie Aubrey's photo & info

Aubrey: Stated he has been in contact with the website developer and that is in the works.

Doizaki: Spoke on continued drug sales and illegal activity previously investigated in China Town at Tulare/F involving El Rancho, Guadalajara, and Gonzales Meat Market.

Chief Dyer: Will forward the information on to the District Commander for follow-up and see about the possibility of installing a video policing camera. Currently working on a downtown safe zone which utilizes four video policing cameras and has an additional nine slated for installation. This will eventually make its way to Chinatown after some other commitments are met within the City.

Simon: Discussed similar problems that have been present at Aldos Bar on Belmont that include prostitution, drug sales, and opportunities to work marijuana grows in the nearby hills.

McDonald: Believe this could be handled by an eight person vice squad.

Chief Dyer: This could probably be best handled by the Major Narcotics Unit, and they might already be working it.

Reade: Introduced Gene Gonzales and a new radio talk show on a Sikh radio station where they will discuss community issues on the air. Starting Mondays, Wednesdays, and Fridays in May.

Clark: Mentioned continued problems with cell phone violations while driving, red light runners, and response times to property crimes with no suspects present.

Chief Dyer: Discussed the need to remain crime fighters and not merely report takers. The Department is exploring the use of Citizens On Patrol (COPs) for the reporting of certain property crimes. This will require training on report writing and even court room testimony.

Closing Remarks:

None

Adjourn:

Meeting adjourned at 7:15 p.m.

Next Meeting:

May 27, 2010