

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: April 16, 2008

CALLED TO ORDER: 5:31 p.m.

ADJOURNED: 6:30 p.m.

ATTENDANCE

Attending Members

Ryan Vaughn, Chair
Vernon Brown
Bob Cockrum
Mary Moriarty Adams
William Oliver
Marilyn Pfisterer
Christine Scales

Absent Members

Ed Coleman

AGENDA

PROPOSAL NO. 170, 2008 - amends the Revised Code regarding the requirements for a merit promotion, and for the appointment of chief, within the Indianapolis Fire Department

“Postpone until April 30, 2008”

Vote: 6-0

PROPOSAL NO. 201, 2008 - amends the Revised Code regarding the qualifications of chief of the Indianapolis Fire Department

“Postpone until April 30, 2008”

Vote: 6-0

PROPOSAL NO. 66, 2008 - appoints Melanie Brizzi to the Crime Prevention Advisory Board

“Amended and Postponed until April 30, 2008”

Vote: 6-0

PROPOSAL NO. 153, 2008 - appoints Jeffrey M. Wells to the Crime Prevention Advisory Board

“Do Pass”

Vote: 5-0

PROPOSAL NO. 166, 2008 - appoints Kevin Quinn to the Law Enforcement Advisory Council

“Do Pass”

Vote: 7-0

- PROPOSAL NO. 167, 2008 - appoints Cynthia Kirchhofer to the Citizens Police Complaint Board
"Do Pass" Vote: 7-0
- PROPOSAL NO. 168, 2008 - appoints Natalie Wolfe to the Marion County Community Corrections Advisory Board
"Do Pass" Vote: 7-0
- PROPOSAL NO. 169, 2008 - appoints Dennis Bender to the Marion County Community Corrections Advisory Board
"Do Pass" Vote: 7-0
- PROPOSAL NO. 188, 2008 - appoints William Carr to the Marion County Community Corrections Advisory Board
"Do Pass" Vote: 7-0
- PROPOSAL NO. 198, 2008 - reappoints Robert J. Hill to the Marion County Community Corrections Advisory Board
"Do Pass" Vote: 7-0
- PROPOSAL NO. 199, 2008 - appoints Aaron Freeman to the Law Enforcement Advisory Board
"Do Pass" Vote: 7-0
- PROPOSAL NO. 202, 2008 - appoints Robert Dale Buwalda, II to the Marion County Community Corrections Advisory Board
"Do Pass" Vote: 6-0
- PROPOSAL NO. 171, 2008 - appropriates \$150,000 in the 2008 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to provide funding to the Ten Point Coalition for its Savings Kids of Incarcerated Parents (SKIP) and Youth Empowerment (YEP) programs, financed by a Juvenile Accountability Block Grant
"Do Pass" Vote: 7-0
- PROPOSAL NO. 172, 2008 - transfers and appropriates \$273,198 in the 2008 Budget of the Marion Superior Court (County General, Drug Treatment Diversion Program, and State and Federal Grants Funds) to fund the salaries of two commissioners assigned to Circuit Court, a portion of the local match required for Drug Treatment Court grant, and salary for a full-time Probation Officer, financed by transfers, fund balance and a grant from the Indiana Juvenile Justice Task Force
"Do Pass" Vote: 7-0

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, April 16, 2008. Chair Ryan Vaughn called the meeting to order at 5:31 p.m. with the following members present: Bob Cockrum, William Oliver, Marilyn Pfisterer, and Christine Scales. Absent was Ed Coleman. Vernon Brown and Mary Moriarty Adams arrived shortly thereafter.

Chair Vaughn said he would like to take agenda items out of order. He said that Proposal Nos. 170 and 201, 2008 both address the way in which the city can appoint the Chief of the Indianapolis Fire Department (IFD). He said that the Mayor's Office worked with him in drafting these proposals. The Mayor's Office called and asked that these proposals be postponed at tonight's meeting, so that they can continue to work with the language and discuss them with members of IFD.

[Councillor Brown arrived at 5:33 p.m.]

Councillor Cockrum moved, seconded by Councillor Pfisterer, to "Postpone" Proposal Nos. 170 and 201, 2008 to April 30, 2008.

Councillor Oliver asked for the background concerning these proposals. Chair Vaughn stated that both proposals modify the same section of code. He said the Mayor's Office now feels that the current language of the proposals does not meet their needs. He said that they would like to meet with members of IFD to find language that will be satisfactory to both sides and meet the needs of the Mayor's Office.

The motion to "Postpone" Proposal Nos. 170 and 201, 2008 carried by a vote of 6-0.

Chair Vaughn stated that he would like to apologize to the members of IFD and International Association of Firefighters (IAFF), Local 416, for the late notice and hopes to see them in a few weeks.

PROPOSAL NO. 66, 2008 - appoints Melanie Brizzi to the Crime Prevention Advisory Board

Councillor Cockrum moved, seconded by Councillor Pfisterer, to "Amend" Proposal No. 66, 2008 to strike the name "Melanie Brizzi" and replace it with "Tammie S. Jones", everywhere it appears in the proposal.

Councillor Brown stated that the amendment will make this an entirely different proposal. He said that this should be stricken and a new proposal introduced to the Council. Councillor Cockrum stated that it has been done this way for several years under majorities. Chair Vaughn said that he plans to postpone this proposal, but there have been amendments in the past to reflect changes in persons.

The motion to "Amend" Proposal No. 66, 2008 carried by a vote of 6-0.

Chair Vaughn stated that Ms. Jones informed him that she would not be able to attend this meeting.

Councillor Oliver moved, seconded by Councillor Scales, to "Postpone" Proposal No. 66, 2008 to April 16, 2008. The motion carried by a vote of 6-0.

PROPOSAL NO. 153, 2008 - appoints Jeffrey M. Wells to the Crime Prevention Advisory Board

Chair Vaughn introduced Mr. Wells and asked him about his background and his desire to serve on this committee.

Mr. Wells stated that that he is currently the Director of Medicaid for Indiana. He has been resident of Indianapolis for five years. He completed his medical training at Indiana University School of Medicine. He said that he and his wife have two children. He believes that the safety of this community is of the utmost importance and would personally like to contribute as much to the community as possible.

Chair Vaughn stated that he had the opportunity to work with Mr. Wells through his law firms work with Family and Social Services Administration (FSSA) and asked him to serve.

Councillor Oliver asked Mr. Wells if he is the head of FSSA. Mr. Wells answered in the negative. Councillor Oliver said that this board is very important and asked what signs are indicators that children may be going down the wrong path. Mr. Wells stated that he does not have any expertise in the social sciences, however his experience with Wishard Hospital and Medicaid has shown him the importance of good family structure in the areas of economic security and personal responsibility. He said that he is not coming to this committee with a set perspective and is willing to learn as he goes. Councillor Oliver asked if he believes that there is relationship between the levels of poverty and education to criminal behavior. He asked if Mr. Wells has any solutions to the problems. Mr. Wells said he has no prejudice or agenda for any solutions, but that he is open to listen to those who have the data and facts. He said that he believes he will be able to make a rational judgment.

Councillor Brown asked if the board appointment from last year will remain on the board. Chair Vaughn answered in the affirmative. Councillor Brown asked if they would be meeting soon. Chair Vaughn stated that as soon as all the appointments are made they will schedule a meeting. Councillor Brown asked what department of the

Mayor's Office is working with this board. Chair Vaughn stated that Deputy Mayor Olgen Williams is the contact.

Councillor Pfisterer moved, seconded by Councillor Cockrum, to send Proposal No. 153, 2008 to full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0

PROPOSAL NO. 166, 2008 - appoints Kevin Quinn to the Law Enforcement Advisory Council

Chair Vaughn said that this board has several requirements, including that one republican and one democrat be appointed. Mr. Quinn is a democrat and fulfills that requirement.

Chair Vaughn introduced Mr. Wells and asked him about his background and his desire to serve on this committee. Mr. Quinn stated that he is an attorney and a lifelong resident of Indianapolis. He said he looks forward to serving the community.

[Councillor Moriarty Adams arrived at 5:45 p.m.]

Councillor Pfisterer moved, seconded by Councillor Brown, to send Proposal No. 166, 2008 to full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 167, 2008 - appoints Cynthia Kirchhofer to the Citizens Police Complaint Board

Chair Vaughn introduced Ms. Kirchhofer and asked her about her background and her desire to serve on this committee. Ms. Kirchhofer stated that she is a lifelong resident of Indianapolis. She has worked as a paralegal, mostly in civil law. She works with Saint Francis Hospital and for Perry Township, as well as being involved in the Town of Beech Grove. She said she has a grown daughter who works at the Indiana Department of Child Services. She said that Councillor Speedy asked her to serve.

Councillor Oliver stated that, previously, a proposal had been discussed regarding the location of the complaint board, because many people felt that coming to the City-County Building, where many police officers work, is very intimidating. He asked if she agrees. Ms. Kirchhofer stated that she has spent a great deal of time in this building and has never felt intimidated. She said that she can understand how people would feel that way in the police wing of the building. She said that she would be willing to consider any concerns about the location and would hope to be able ease the anxiety of people who felt intimidated.

Public Safety and Criminal Justice Committee

April 16, 2008

Page 4

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to send Proposal No. 167, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 168, 2008 - appoints Natalie Wolfe to the Marion County Community Corrections Advisory Board.

Chair Vaughn introduced Ms. Wolfe and stated that this board requires an educator to be appointed, and Ms. Wolfe fulfills that requirement. He asked her about her background and her desire to serve on this committee.

Ms. Wolfe said that she is a lifelong resident of Marion County. She has worked in early education from ages birth to eight years. She completed her master's work in education and service learning with older students. She said she was asked by Judge Lisa Borges to serve on this board. She said that she feels it is important to fulfill a role and bring visionary leadership to the board, not just serve to get a title. She said that she is currently a leadership trainer for both adults and young adults and believes that this knowledge will uniquely serve the board, especially for ex-offenders.

Chair Vaughn stated that ex-offender re-entry programs are very important to both caucuses on the Council.

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to send Proposal No. 168, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 169, 2008 - appoints Dennis Bender to the Marion County Community Corrections Advisory Board

Chair Vaughn introduced Mr. Bender and asked him about his background and his desire to serve on this committee. Mr. Bender said he is currently the Director of Progress House and has been in the mental health field for 20 years, with formal training in addictions. He said he would like to bring a different perspective to the board, because he grew up in the criminal justice system for 20 years. He said he wants to be an active part of finding solutions.

Chair Vaughn stated that this board requires that a reformed ex-offender be appointed, and Mr. Bender fulfills that obligation. He asked Mr. Bender to explain the work done at Progress House. Mr. Bender stated that it is a 70-bed facility for men for early recovery addiction. The men at Progress House have been screened for their willingness to take

accountability for their actions before they are accepted into the program. He said that he believes a lot of crime is driven by addictions, as well as economics. He added that while only a 90-day stay is required, most of the men stay for one year and are completely different people when they leave.

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to send Proposal No. 169, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 188, 2008 - appoints William Carr to the Marion County Community Corrections Advisory Board

Chair Vaughn stated that this board requires that an individual who is involved in a private corrections agency be appointed, and Mr. Carr fulfills that obligation. He introduced Mr. Carr and asked him about his background and his desire to serve on this committee. Mr. Carr stated that he is the President and Chief Executive Officer (CEO) of Correctional Management Company. He said that they are an Indianapolis company that owns and operates juvenile detention and residential facilities. He said prior to 1996, he was a counselor for the Department of Corrections. He said that he has been in the field for a long time and is still interested in it. He believes that operating better corrections facilities is one of the biggest issues facing cities, counties, and states. He said that he believes there should more community involvement in the running of these facilities.

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to send Proposal No. 188, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 198, 2008 - appoints Robert J. Hill to the Marion County Community Corrections Advisory Board

Chair Vaughn stated that he originally believed that Mr. Hill would be on this board by virtue of his office, but the Code states that any public defender can be appointed. He said that Mr. Hill is the Marion County Chief Public Defender and asked him to explain why he thought the Public Defender should serve on this board.

Mr. Hill said that the Public Defender should be involved, because they often resolve cases and should have as much input as the Marion County Prosecutor. Community

Corrections is vital to alleviating jail overcrowding and to those who have committed lesser crimes and provide an alternative.

Councillor Moriarty Adams moved, seconded by Councillor Scales, to send Proposal No. 198, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 199, 2008 - appoints Aaron Freeman to the Law Enforcement Advisory Board

Chair Vaughn introduced Mr. Freeman and stated that this appointment fulfills the requirement to appoint a Republican. He asked Mr. Freeman about his background and his desire to serve on this committee. Mr. Freeman stated that he lives in Franklin Township and is a Deputy Prosecutor. He said his prior work experience includes four years as an Emergency Medical Technician, a 9-1-1 dispatcher, and a reserve Deputy Sheriff. He said that serving on this board is a logical extension of his experience.

Chair Vaughn said that his communications experience will bring another dimension to the board.

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to send Proposal No. 199, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 202, 2008 - appoints Robert Dale Buwalda, II to the Marion County Community Corrections Advisory Board

Chair Vaughn introduced Mr. Buwalda and stated that this appointment fulfills the requirement to appoint a victim of a crime. He said he has also worked in community corrections. He asked Mr. Buwalda about his background and his desire to serve on this committee. Mr. Buwalda said the case in which he was involved was a felony possession and dealing case near a park at Purdue University in Lafayette, Indiana. He said he was working at the University Hotel as a catering manager. An alarm was set off and they had to make entry to a room. The guests were unconscious and had crack pipes labeled for each day of the week. He contacted the Lafayette Police Department, who took the guests into custody. As the guests were being removed from the property, they were threatening him. He said he asked that they be charged with trespass and not allowed to come back on the property. He was told that the guests had rented the room and could not be kept away. He said the guests had bonded out of jail and were back in the hotel for breakfast. He said that he also served as a surveillance officer through Tippecanoe County's home detention program.

Councillor Oliver asked about alternatives to juvenile incarceration. Mr. Buwalda stated that he believes it is important to keep kids in school and make sure they stay with a good

crowd. He said that kids need to be involved in community activities that help keep them invested in their communities. Councillor Oliver said that he supports this appointment.

Councillor Cockrum asked if the hotel guest was a student. Mr. Buwalda answered in the negative and said he was a local executive who was going through a divorce. He had a lot of money and was partying a little too much.

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to send Proposal No. 202, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 171, 2008 - appropriates \$150,000 in the 2008 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to provide funding to the Ten Point Coalition for its Savings Kids of Incarcerated Parents (SKIP) and Youth Empowerment (YEP) programs, financed by a Juvenile Accountability Block Grant

Steve Dyson, Fiscal Deputy, Marion County Justice Agency, stated that this appropriation is for a nine-month period, beginning January 1, 2008. The Ten Point Coalition applied for the grant on its own. According to law, they must have a government agency be the legal applicant, and the Justice Agency agreed to act as such.

Councillor Brown asked for a description of the Ten Point Coalition. Mr. Dyson said they are a faith-based, non-profit. He said Reverend Harris is the Chairman of the Board of Directors. Councillor Brown asked if the Justice Agency is simply acting as a go-between for the grant money, or if they will also be monitoring how the money will be spent. Mr. Dyson answered in the affirmative and said that they will submit quarterly progress reports. Councillor Brown asked if this initiative is new for the coalition. He said he has been on this committee for four years and does not remember discussing any grant money for them. He said he thought they ended eight or ten years ago. Mr. Dyson said that he believes it is a new initiative. He said that he has heard of the SKIP program and believes they have been running without money.

Councillor Pfisterer asked for an explanation of the SKIP program. Mr. Dyson stated that their application for the grant states that they focus on at-risk kids of incarcerated parents by giving them positive role models as mentors and constructive alternatives. They also provide assistance to connect kids to other programs.

Councillor Oliver asked if the SKIP program attempts to ensure that the kids in their program are not ostracized by their peers because their parents are incarcerated. Mr. Dyson stated that he cannot answer that question, and unfortunately, no one from the SKIP program is in attendance. Councillor Oliver said that he will not offer support of this program unless he finds out the answer.

Public Safety and Criminal Justice Committee

April 16, 2008

Page 8

Chair Vaughn stated that he will ask the representatives of the Ten Point Coalition and SKIP program to give a presentation to the committee in the next few meetings.

Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, to send Proposal No. 171, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 172, 2008 - transfers and appropriates \$273,198 in the 2008 Budget of the Marion Superior Court (County General, Drug Treatment Diversion Program, and State and Federal Grants Funds) to fund the salaries of two commissioners assigned to Circuit Court, a portion of the local match required for Drug Treatment Court grant, and salary for a full-time Probation Officer, financed by transfers, fund balance and a grant from the Indiana Juvenile Justice Task Force

Valerie Washington, Marion Superior Courts Director of Finance, distributed a handout detailing the appropriation, and introduced Judge Jose Salinas, supervising Judge of the drug treatment and re-entry courts. She added that Deputy Chief Probation Officer, Christina Ball, is in attendance to answer any questions. She said that after the courts were consolidated, it was determined that the commissioners should be paid from the Superior Court budget and assigned to circuit courts. She said in order to do that, an appropriation from the Circuit Court needs to be transferred. She said that they are also asking for an appropriation from the Marion Superior Court Drug Treatment Fund. It was created in 1994 by the Indiana General Assembly to help fund local treatment courts. She said the funds would be used for drug screening, housing, and treatment, as well as salaries and fringes. She said they had a similar appropriation in 2007. Because of the way accounting works, the December 2007 salaries were not paid from that appropriation. They will need to be appropriated this year. She said that \$53,013 in grant funding was received from the Indiana Juvenile Task Force. She said this is a three-year grant, and this is the appropriation for the second year. She said this will fund a full-time probation officer who works with the Juvenile Community Transitions Program. They help juveniles transition from incarceration to community life.

Judge Salinas said that Court 14 is the drug treatment and re-entry court and has programs that help the community by helping ex-offenders adjust to life outside of jail and to stay off drugs. He said that he is in favor of the entire proposal. The portion of the proposal that addresses urine testing allows them to test the clients weekly. This proposal also helps with housing and allows them to have at least five contacts per week with each client. It is an intensive program and helps them stay clean. He said that these programs are an example of drug prevention after incarceration at its best and they help prevent multiple convictions. In order to make sure that these clients are monitored, this

Public Safety and Criminal Justice Committee

April 16, 2008

Page 9

program is important. He said it is very important to provide housing for clients who have nowhere to go or nowhere safe to go. He said he would like to extend an invitation

to the Councillors to attend a ceremony in court for those who have graduated out of the program. He said it is very moving and a worthwhile event.

Councillor Cockrum asked if the Circuit Courts approved the funds transfer. Ms. Washington answered in the affirmative.

Councillor Pfisterer asked if \$15,000 is enough to fund urine testing and housing. Ms. Washington stated that this is a small part of another grant. It is not the sole source of funding.

Councillor Brown stated that Judge Salinas has been a wonderful addition and is doing excellent work on the west side of Indianapolis. He said that he would like to steal him away to do some work on the east side of the city. Judge Salinas thanked the committee and said his court is always open. He said that it is a privilege to do this work, he did not truly understand how much of a privilege it would be until he took the bench. Councillor Brown asked which facilities the juvenile transition program are coming out of. Ms. Ball stated that it is a part of the Indiana Department of Corrections facilities. Councillor Brown asked if this is the program that works with the incarcerated child's family to help them transition for the children as well. Ms. Ball answered in the affirmative and said that the program works with the families immediately after the child is incarcerated and continues after they are released. Councillor Brown asked when the program was implemented. Ms. Ball said it was instituted in April, 1996. Councillor Brown asked for the recidivism rate. Ms. Ball stated that 139 children have completed the program; eight have been recommitted as children and 13 have been recommitted as adults. She said their failure rate is 17%, but the statewide average is 30%. Councillor Brown stated that Indiana ranks as one of the highest in incarcerating young people and lowest in educating them. He said that Ms. Ball, Judge Marilyn Moores, and Gayle Deppart are working hard to change that.

Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, to send Proposal No. 172, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

Public Safety and Criminal Justice Committee
April 16, 2008
Page 10

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:30 p.m.

Respectfully submitted,

Ryan Vaughn, Chair
Public Safety and Criminal Justice Committee

RV/cc

Public Safety Criminal Justice Committee Hearing April 16, 2008

Proposal #172 appropriates funding for the following:

- With the consolidated courts, it was determined that Commissioners would be hired by the Superior Court and then assigned to the Circuit Court. This allows for greater flexibility in scheduling these Commissioners. As a result, we need to transfer \$200,000 from the Marion County Circuit Court to the Marion Superior Court character one budget.
- Appropriates \$20,185 in the 2008 budget of the Marion Superior Court's Drug Treatment Diversion Program Fund that will be used as the local match for our ICJI Drug Treatment Court grant. The Indiana General Assembly created this fund in 2004 to help fund drug treatment courts. Specifically, \$15,000 of this funding will be used to pay for urine drug screens and to provide housing and treatment assistance, and \$5185 will be appropriated to character one for salaries and fringes.
- Appropriates \$53,013 in grant funding received from the Indiana Juvenile Justice Task Force.
 - This is the 2nd year of a three year grant running from October 1, 2007 through September 30, 2010.
 - Year One - \$53,013
 - **Year Two - \$53,013**
 - Year Three - \$53,013
 - Fund one full-time Probation Officer who will work with youth served by the Juvenile Community Transitions Program. Specifically, this person will work with the youth to allow for a smooth transition from incarceration back into the community.
 - There is **one** FTE associated with this funding.
 - There is no local match requirement.