

OLDE TOWNE EAST/MAIN STREET COMMUNITY SAFETY WORKING GROUP

Thursday, September 9, 2010 @ 4:00

950 E. Main Street, 12th Precinct

MEETING MINUTES

STAKEHOLDER AND INTERESTED PARTY ATTENDANCE			
The Hon. Paul Herbert, Judge Muni Court		The Hon. Harland Hale, Judge, Enviro. Court	
The Hon. Ron O'Brien, FC Prosecutor	X	The Hon. Andrew Ginther	
Walter Distlezweig, Chief of Police		The Hon. Richard Pfeiffer, City Attorney	X
Mitchell Brown, Director, Public Safety		Lara Baker, Chief City Prosecutor	X
George Speaks, Public Safety	X	Thomas Fischer, Commander, Zone 5	X
Kim Jacobs, Deputy Chief of Police	X	Robert Meader, Lieutenant, Zone 5	
Terry Kalous, Liaison Officer	X	Kevin Conley, Lieutenant, Zone 5	X
Mike Moore, Olde Towne East Neig. Assn.	X	Howard Pettinger, Sergeant, B Company	
Phil Haynes, Old National Road Bus. Ass'n		Carla Fountaine, Childrens' Hospital	X
Yuri Harrington, Salvation Army		Kathy Webb, Olde Towne East Block Watch	X
Matt Wovrosh, Columbus Compact Corp.	X	Pam McCarty, Central Community House	X
Walter Penn, Franklin Park Area Ass'n	X	Courtney Rowland, Central Community House	X
Heather Bowden, Olde Towne East	X	Michelle Santini, Fair Avenue Block Watch	
Bob Ward, Rev. First English Lutheran	X	Walter Chappellear, South of Main Block Watch	X
Katy Harper, Columbus Compact Corp.	X	Jon Beard, Columbus Compact Corporation	X
Stan Alverson, COTA Safety	X	Vicky Rogers, Homeowner	X
Belinda Taylor, COTA	X	Mike Woods, Commander, Zone 5 (future)	X
Drew McCafferty, First English Lutheran Church	X	Jason Buehler, City Attorney's Office	X
Kate Pishotti, Columbus City Council	X	Jodi Spurlock, City Attorney's Office	X

1. Our meeting began with a welcome, introductions, and attendance.
2. Community concerns were then voiced and summarized by several residents and stakeholders in attendance. Attendees were referred to the August 20th letter for additional specific concerns that have been voiced by community stakeholders. The consensus among community stakeholders is that highly-visible criminal activity is at an unacceptably high level, that the same problems remain persistent for too long, and that there must be an alternative approach to addressing this criminality. Community members noticed that the past three weeks had shown an influx in creative and visible policing, including mounted police, bike patrols, and the strategic response vehicle's presence. Community members also noted the success of a recent warrant sweep. However, the effectiveness of policing in the neighborhood, especially around E. Main Street, remained a large concern for community members as since the sweep new faces have expanded and increased their visibility – particularly using the COTA Transit Center itself as a base for selling drugs. Mike Moore, President of Olde Towne East Neighborhood Association gave his assurance that the Block Watch groups in the neighborhood go above and beyond their duty. He insisted that they do everything that is within a citizen's legal abilities to combat crime

in the neighborhood. The community wanted to know why highly-visible criminal activity remains such a large issue in the community despite continual complaints, and what can be done to reduce it.

3. George Speaks with Public Safety informed the group that the Summer Task Force that has regularly been a part of Columbus' policing strategy had encountered budget difficulties, and that only as of August was it able to resume. He informed the group that the Summer Task Force had a high level of focus on the 12th precinct. He believed that the 2011 City budget would contain items that would address the types of concerns being aired.
4. Jon Beard, with the Columbus Compact Corporation, brought up the problem of shoplifting and the local businesses' concern that the police frequently fail to make arrests even when video evidence of criminal activity is present. Thomas Fischer, Police Commander, and Kim Jacobs, Deputy Chief of Police, explained that there are legal limitations as to when an officer is able to make an arrest for crimes that they did not personally witness. They indicated that Assistant City Attorney Bill Hendrick has a program to educate retailers/shop owners about how to prosecute theft, which the community stakeholders will follow up. The information outlined by the City officials differs substantially from the reports area merchants give of the actual practice. A question was raised regarding the role and powers of private security guards, and whether their view of an offense substituted for a police officer's personal view of an offense. A detailed description of the citation and arrest policies was requested in writing, for distribution to the Working Group and further communication to other key stakeholders. It was left unclear as to whether the written follow-up sh/would come from Bill Hendricks, Lara Baker, Rick Pfeiffer, Kim Jacobs, or Commander Fischer. The goal of such written follow up would be to share City police and/or prosecutorial standards and protocols, so that the roles and accountability of shop owners, police, and prosecutors can be assessed. Video evidence was identified as being insufficient on its own for prosecutorial purposes, but could be used as another piece of evidence in support of charges, depending on the circumstances.
5. Jon Beard mentioned Save-A-Lot's providing documentation that on at least occasions, individuals with active warrants are detained by a store's security until police arrival, and the police found active warrants but have failed to make arrests. Chief Jacobs indicated that such inaction by an officer could be dereliction of duty, and that such incidents should be documented as to the officer's identity and forwarded to Internal Affairs Bureau. On multiple occasions, local police have unofficially informed community members that the prosecutors have instructed them not to make arrests over low level crimes because it is a burden on the judicial system. This assertion was roundly denounced by Prosecutor O'Brien, City Attorney Pfeiffer, Chief Prosecutor Lara Baker, Assistant Director Speaks, and Chief Jacobs as being untrue – all supported the statement that there are no policies or directives, written or informal, that would inhibit an officer from enforcing the law and making proper arrests. Prosecutor Baker, was very specific to demonstrate that the Prosecutors Office is very proactive in prosecuting low level crimes. It was stated that the Municipal Court and Environmental Courts should be a part

of this discussion [note: both invited, but unable to attend]. They were clear in stating that citizens should acquire the name and badge number of police officers engaging in such behavior and submit this information to the Internal Affairs Department, however, more information from the C.P.D. is still needed on this process. They stated that these problems exist on an individual level, and not a systematic level of policing, and they should be treated as such. Police officials said such information should be sent directly to city police Internal Affairs Bureau, on each instance when it occurs.

6. An issue that went unexamined and still must be discussed is the alleged work slowdown in the C.P.D. that could have an impact on the effectiveness of local policing, if such a slowdown does in fact exist. It had been asserted in the past by various individuals involved in the Police Force that the redistricting of the 12th precinct has resulted in a net loss of up to 4 officers per shift. Deputy Chief Jacobs stated that redistricting has absolutely nothing to do with reductions in police strength in the 12th Precinct, and that such issues may be caused by injury, illness, and other situations beyond redistricting. Chief Jacobs said that if anything the policing system is, over all, more effective as a whole.
7. The issue of the problematic bootleg locations was addressed. Police and attorneys in attendance addressed the complications involved in shutting down a bootleg establishment. Vice needs to actually enter and acquire the goods being illegally distributed numerous times in order to result in legal action. In addition, liquor law allows for exceptions including the sale of liquor up to 5 times a year, which requires multiple confidential informant buys. Thus far, Vice has not been able to gain adequate entry to these locations. Prosecutor O'Brien insisted that more aggressive policing of the area will result in a slowdown of criminal activity, and that enforcement of minor infractions can be an effective tool to reduce criminality in an area. A specific bootlegging location was discussed at length. Commander Fischer proposed to make a concerted effort to more aggressively police this location. He suggested that there be an assessment within 30 days of the policing effort (which will take place at the following Olde Towne East Block Watch meeting October 12th, which meets the second Tuesday of every month). Commander Fischer cautioned that strict enforcement may have unintended results of some police action against citizens who are not involved in the drug trade.
8. The Police and city/county officials in attendance voiced their unawareness of any negative perception of the 12th precincts effort. The nickname "The Retirement Precinct" was stated to be inaccurate and not reflective of the effort of the 12th precinct police. Regardless of the accuracy of such assertions, this widespread perception is problematic and will need to be continually addressed on numerous levels: citizens and businesses alike believe that first and third shift police effort, in particular, is inadequate.
9. Additional problematic locations were brought up, and the Injunctive Relief response to stores that serve as public nuisances was mentioned by City Attorney Pfeiffer. The N.A.G. process (inter-agency inspections) was discussed, and further follow up after the recent citations at

Super Saver is recognized by the community stakeholders as being beneficial. More information is still needed from the City Attorney's Office about how to use Injunctive Relief and what its legal parameters are.

10. The under-utilized capacity of the Main Street Camera Program for investigatory purposes was discussed. A proposal to create a 6-8 month pilot project funded by CPD, which would include creating a position where a community agency would hire an individual to be liaison providing distilled video images to police would be instituted. The recommendation was that Officer Kalous would be the right liaison on the police side, if the program is funded. Commander Fischer will look into seeing whether the \$20-40,000 in requested funding can be found. A similar request had been made to the City Prosecutors office, with a thought of creating a pool of funding to help create this position. There are possibilities that exist with grants such as the Byrne Memorial Grant to acquire the funds either through the C.P.D. or a community agency. This will be thought of as a pilot project and hopefully open up continual avenues of communication between the C.P.D. and various stakeholders proactive in community policing. The Compact will forward samples of video information potentially valuable as an investigative tool to Commander Fischer and Deputy Chief Jacobs.
11. The issue arose in our meeting that some laws that currently exist may be inadequate and serve as limitations to the policing effort. It was proposed that certain laws could be created or revised in order to more effectively police the types of crime that we see frequently in the 12th precinct. Drug Trafficking offenses as well as Criminal Trespassing laws will be an issue as revisions are discussed. There was an overwhelming attitude present at the meeting that the aggressiveness of the Policing in the area needs to be increased, especially in certain areas that are continually problematic. There also needs to be police access to the Compact's camera system, which may be a part of the position that may be created. Police also need to have access to the "Search" and "Pan Tilt Zoom" function of these camera systems via the Internet. Such access can readily be granted upon request by CPD.

Subsequent Meetings

There was an agreement to continue these meetings to include high level officials, and invitations have been extended for this group of officials to attend the Olde Towne East Block Watch meetings regularly, the second Tuesday of each month, at 7:00PM. The next meeting this Working Group will attend is Tuesday, October 12th, at 7:00, at the 12th Precinct (950 E. Main Street). Following that, the next Working Group meeting will be held on November 16th, 2010 at 4:00 in the Police Substation at 950 E. Main Street.

Post Meeting Follow Up Notes:

- City Prosecutor Lara Baker has prepared and forwarded a memo on probable cause determination for merchants seeking to prosecute for theft. This information will be forwarded to all Main Street businesses and subject of an upcoming business association meeting and can be forwarded upon request.

- County Prosecutor Ron O'Brien forwarded information from the Department of Justice on the Weed and Seed Program (discontinued) and coming Byrne Criminal Justice Innovation Program (replacement for W&S).