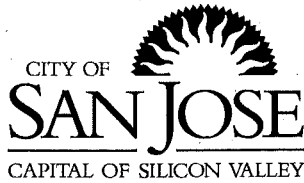


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MAR - 6 2009



by City Manager's Office
Memorandum

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Debra Figone

SUBJECT: SEE BELOW

DATE: March 6, 2009

**SUBJECT: PUBLIC INTOXICATION TASK FORCE REVISED SCHEDULE & STATUS
OF RELEASE OF INCIDENT REPORTS REGARDING PUBLIC
INTOXICATION [PENAL CODE SECTION 647(F)]**

INFORMATION MEMO

The purpose of this Information Memo is to provide the revised schedule for the Public Intoxication Task Force (PITF) and the status of the Police Department's release of Incident Reports regarding Public Intoxication [Penal Code Section 647(f)].

Background

On November 18, 2008, the City Council held a public hearing to discuss the issue of public intoxication. The City Council directed the City Manager to establish a task force that is charged with developing recommendations for (1) non-criminal sanctions and alternative approaches to arrest under Penal Code Section 647(f), and (2) additional procedures that a police officer should satisfy to obtain objective evidence to support findings to these arrests. In addition, the City Manager was directed to return to the Public Safety, Finance and Strategic Support (PSFSS) Committee, at its December 18 meeting, with a work plan that reflects recommendations regarding the proposed composition, process design, and expected outcomes of the Task Force.

By City Council direction, the Task Force was charged with completing its work within 90 days of the Council's approval of the PSFSS Committee report and for the City Manager to report findings and proposed recommendations. At the January 13, 2009 City Council meeting, the City Manager's report was approved regarding the approach to the City Council's direction and a preliminary meeting schedule. At that time, the targeted completion date was by March 26, with a City Council report scheduled by April 28, 2009.

Revised Schedule and Status of Release of Incident Reports Regarding Public Intoxication

On February 26, I released an Information Memo stating the City's intentions to release a representative sampling of Penal Code Section 647(f) Incident Reports which stated that it would take approximately two weeks to complete this work.

HONORABLE MAYOR & CITY COUNCIL

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On March 4, I received an update on the release of the Incident Reports and wanted to let the City Council know that the distribution of reports will take longer than originally anticipated. The random selection of Incident Reports generated some reports that involved juvenile defendants or co-defendants, which cannot be released and had to be replaced through an additional round of random selection. In addition, the Incident Reports are warehoused in multiple locations throughout the City, which makes retrieval of the records more time consuming than originally anticipated. Once staff has finished collecting all 200 reports, the process of redacting privacy and confidential information will begin. I will also be sharing this revised schedule with the PITF, and will notify them as soon as copies of the Incident reports are available for pick up.

I believe that it is important for the PITF to have the time necessary to review the reports before the Task Force meets again. As a result, I am reconsidering the current PITF meeting schedule. To provide the additional review time, I am postponing the March 12 meeting and rescheduling it to March 26. The March 26 meeting date was originally established as an extra meeting slot if we did not conclude the "Prioritization of Solutions" by March 12. As a result of this schedule change, the final meeting will now be held on April 23. I have scheduled the meeting far out enough so that Task Force members can calendar this meeting and staff will be working with Task Force members to confirm this meeting date. To clarify the schedule going forward, here are the key meeting dates.

Table 1: Public Intoxication Task Force Meeting Schedule

Date	Time	Purpose
January 15, 2009	6:00 – 9:00 p.m.	Phase 1: Identifying the Nature of the Problem
February 5	6:00 – 9:00 p.m.	Phase 1: Identifying the Nature of the Problem Phase 2: Identification and Analysis of Solutions
February 26	6:00 – 9:00 p.m.	Phase 2: Identification and Analysis of Solutions
March 12	6:00 – 9:00 p.m.	RESCHEDULED/CANCELLED
March 26	6:00 – 9:00 p.m.	Phase 2: Identification and Analysis of Solutions
April 23	6:00 – 9:00 p.m.	Phase 3: Prioritization of Recommendations

At the February 26 PITF meeting, the Task Force agreed to reserve time at the next meeting to hear the results of their individual examination of the Incident Reports. Based on the revised schedule above, we will set aside substantial time for this discussion on March 26 and conclude our discussion on April 23. Given the revised schedule, I now anticipate presenting recommendations to the City Council's direction on May 19, with circulation of the report by May 5. If there are any questions regarding this Information Memo, please contact me or Deputy City Manager Norberto Dueñas at 535-8180.


Debra Figone
City Manager