

# Memorandum



DATE September 19, 2017

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Public Safety and Criminal Justice Committee Action Matrix**

Please see the attached responses to the requests/questions asked during the Monday, September 11, 2017 Committee Meeting. The updated matrix is also attached for your review.

Please contact me if you have any questions or need additional information.



Jon Fortune  
Assistant City Manager

[Attachment]

cc: Honorable Mayor and Members of the City Council  
T.C. Broadnax, City Manager  
Larry Casto, City Attorney  
Craig D. Kinton, City Auditor  
Billerae Johnson, City Secretary (Interim)  
Daniel F. Solis, Administrative Judge  
Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, Assistant City Manager (Interim)  
Joey Zapata, Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Nadia Chandler Hardy, Chief of Community Services  
Raquel Favela, Chief of Economic Development & Neighborhood Services  
Theresa O'Donnell, Chief of Resilience  
Directors and Assistant Directors

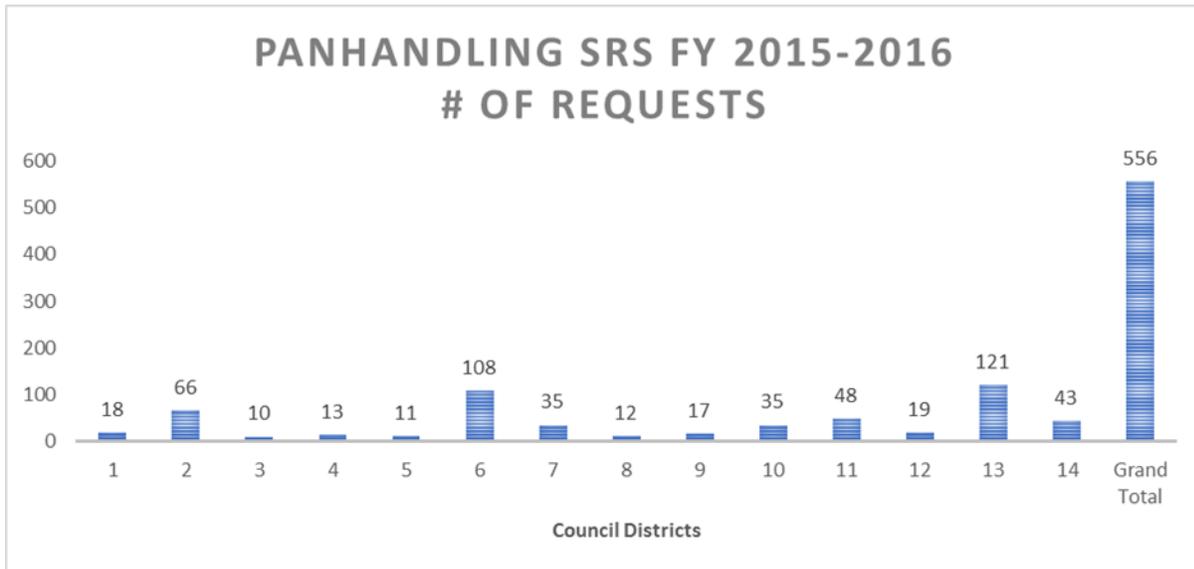
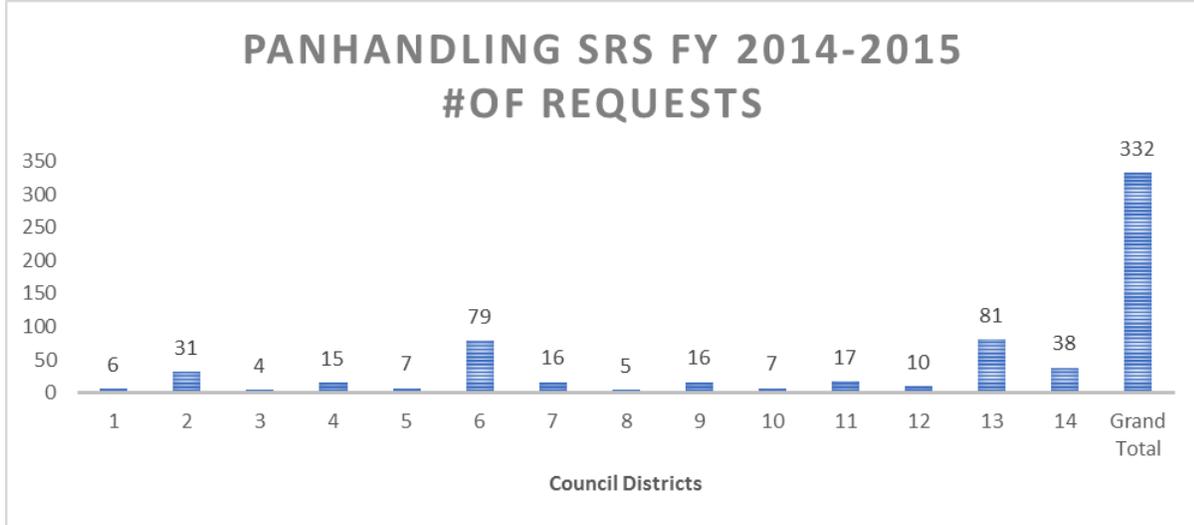
Public Safety and Criminal Justice Committee Action Matrix					
	Requestor	Request	Request Date	Staff/Dept Responsible	Status
1	<b>Caraway</b>	Breakdown of stats regarding panhandling reports generated through 311 for FY15 and FY16	9/11/2017	Cheritta Johnson	Complete - Attached
2	<b>Caraway</b>	What do we know about how panhandlers are organized, get their signs, etc.	9/11/2017	Cheritta Johnson	Complete - Attached
3	<b>Greyson</b>	Implement a public awareness campaign to educate citizens about the panhandling problem	9/11/2017	Cheritta Johnson	Complete - Attached
4	<b>McGough</b>	Follow-up legal briefing on panhandling - possible executive session on case laws as it relates to enforcement	9/11/2017	Legal	Complete - Discussed in Closed Session during the 9/20/17 Council Briefing Meeting
5	<b>McGough</b>	How does staff track and monitor panhandling cases	9/11/2017	Cheritta Johnson	Complete - Attached
6	<b>Caraway</b>	History of K2 enforcement activity between 2010 - 2013	9/11/2017	Gilberto Garza	Complete - Attached
7	<b>Felder</b>	Is there a way to require funeral homes to register and report their formaldehyde purchases.	9/11/2017	Legal	Pending Research
8	<b>Felder</b>	How many smoke shops are in D7 along with locations and any violations	9/11/2017	Gilberto Garza	Complete - Attached
9	<b>Caraway</b>	Status on the legality of the proposed smoke shop to open at 2613 S. Lancaster	9/11/2017	Gilberto Garza	Complete - Attached
10	<b>Kingston</b>	On Item No. 32 are any of the source of funds civil asset forfeiture	9/11/2017	Bret Wilkinson	Complete - Questions were answered during the 9/13/17 Council Agenda Meeting

# Attachment A

## Public Safety and Criminal Justice Committee Action Matrix

### September 11, 2017 Responses

**#1 - Breakdown of stats regarding panhandling reports generated through 311 for FY15 and FY16**



**#2 - What do we know about how panhandlers are organized, get their signs, etc.**

Although anecdotal reports from numerous sources persist, staff has been unable to verify allegations of organized panhandling. This notwithstanding, staff will continue to follow up on organized panhandling leads.

**#3 - Implement a public awareness campaign to educate citizens about the panhandling problem**

The Pilot Panhandling Initiative Program will include a public awareness component to disseminate information about public health and safety, referral options for social needs and mental health services, provide alternative donation options, discourage “on the street” donations, and other relevant topics.

## **#5 - How does staff track and monitor panhandling cases**

Staff tracks and monitors panhandling cases using 311 and either the Municipal Courts system or the Community Courts system. Initial panhandling complaints are input and processed for response using the 311 system. Once the service request is created and assigned for investigation, responding DPD officers either identify a violation, take enforcement action and close the case, or they close the case if it can't be substantiated. Cases that result in a citation or arrest are processed through Municipal Courts or Community Courts.

## **#6 - History of K2 enforcement activity between 2010 – 2013**

Texas Senate Bill 331 was enacted in September 2011, which amended Chapter 481 of the Health and Safety Code to include enforcement of synthetic cannabinoids. The City of Dallas enacted ordinance 31-32.1 and 31-32.1(b) in August of 2010 to address synthetic cannabinoids. The police department took enforcement action of synthetic cannabinoids between 2010 and 2013. From both the Patrol and Narcotics Division, there were 132 chargeable cases and 53 found property cases made.

## **Ongoing and future plans to address K2**

The Narcotics Division continues to investigate synthetic cannabinoids (K2 as it is known in Dallas) sales occurring in the Central and South Central Patrol Division. The majority of the sales of K2 occur within the homeless and indigenous populations. Thus far in 2017, Narcotics Detectives conducted two major undercover investigations that have taken down two supply locations in the Central and South Central Patrol Divisions. Those cases are being prosecuted at the state level with the assistance of the Dallas District Attorney's office.

At this time, the Narcotics Division is working with our federal partners at the Drug Enforcement Administration. Detectives are working in an undercover capacity to make purchases and identify street dealers. Links are being made to locate the source of particular K2 product sold in Dallas in attempts to identify the local distributor and source of supply. Also, arrests made by the Central Patrol Division of street level dealers were picked up by our DEA Task Force Officer (TFO) who was able to successfully secure four (4) federal indictments on Sept 14, 2017. More indictments are expected as our current undercover investigations continue to produce arrests.

Our DEA TFO is also utilizing the federal labs to investigate overdoses to determine the chemical compositions of the K2 being sold in Dallas. Our TFO constantly communicates with both police officers and Dallas Fire Rescue (DFR) personnel to obtain the necessary information. This also requires the cooperation of Southwestern Institute of Forensic Sciences (SWIFS) to process the collected the samples need to identify the chemicals.

We are working closely with DFR to find ways to better track K2 calls through our communication sections. This tracking will assist us in identifying users, collecting evidence and properly deploying resources. It will provide us with the ability code calls correctly and review data to provide analysis.

We are working together with DFR and the Crisis Intervention Team to begin a drug abuse education program amongst the indigenous and homeless. We will be meeting with our shelter managers, church leaders and providers to allow us to administer this education piece. We will be speaking to those affected in person, providing an information pamphlet and poster campaign to warn of the dangers and where assistance can be found. Our first education interaction will be planned to begin on Sunday, October 8th with church leaders that administer to the homeless in the Central Business District.

Lastly, we will continue to collaborate with DART and DSO Officers to gain intelligence and assistance when needed. Assistant Chief Tittle spoke directly with DART Assistant Chief Matt Walling. The two will hold an operational plan meeting in the week of September 25, 2017 to discuss further enforcement actions. We will continue to investigate and take down known drug locations around DART train stations in Dallas that are selling K2. We will also be looking at new ways to attack this K2 problem differently, finding those that may be importing chemicals in large supply. We will seek best practices; pursue strengthening penalties and researching field testing devices.

#### **#8 - How many smoke shops are in D7 along with locations and any violations**

At this time, we know of six (6) locations that are considered to be straight smoke shops in District 7:

- Smokers Discount, 6102 Samuel Blvd., Dallas, TX
- Paradise Smoke Shop, 4511 S. 2<sup>nd</sup> Ave., Dallas, TX
- Puff Puff Pass, 3622 Samuel Blvd., Dallas, TX
- Eshop Smoke Shop, 2233 N. Prairie Creek Rd., Dallas, TX
- Dallas Discount Tobacco, 3653 Holmes St., Dallas, TX
- One Love Smoke Shop, 2240 N. Prairie Creek Rd., Dallas, TX

None of these six (6) locations have any known violations at this time. Under the new paraphernalia shop ordinance 12B, the Police Department is investigating, inspecting and requiring all locations in every district that are selling paraphernalia to register.

#### **#9 - Status of the legality of the proposed smoke shop to open at 2613 S. Lancaster**

The new owners of the smoke shop located at 2613 S. Lancaster informed the Sustainable Development & Construction Department that it was not going to be a paraphernalia shop. Thus, this would exclude them from registering as a paraphernalia shop as regulated by City Ordinance 12B. The store would be legal and not subject to the distance requirements as called for by City Ordinance 12B. The store owners are currently working with the Sustainable Development & Construction to receive their certificate of occupancy.