

Memorandum



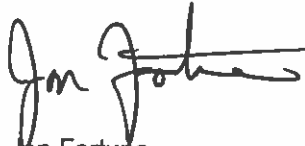
DATE August 7, 2017

TO Honorable Members of the Public Safety and Criminal Justice Committee:
B. Adam McGough (Chair), Philip T. Kingston (Vice Chair),
Jennifer S. Gates (Domestic Violence Task Force Chair), MPT Dwaine R. Caraway,
DMPT Adam Medrano, Sandy Greyson, Kevin Felder

SUBJECT **Nuisance Abatement**

On Monday, August 14, 2017, you will be briefed on Nuisance Abatement by Major Melissa McGee, Dallas Police Department. The briefing materials are 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
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizzor 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

Nuisance Abatement

Public Safety and Criminal Justice Committee
August 14, 2017

Melissa McGee, Major
Dallas Police Department
City of Dallas



Presentation Overview

- Background/History
- Purpose
- Operational Impact
- Proposed Action
- Next Steps



Background/History

- Briefed Public Safety Committee on October 24, 2016
- Discussed new interdepartmental partnerships and added staff
- Highlighted improved internal data, community engagement and case escalation strategies
- Identified shared database and additional training as needs



Background/History

The mission of the Community Risk Abatement Team is to efficiently and effectively reduce crime and improve quality of life at high-crime and blighted properties by:

- Providing sufficient staffing levels such that properties can be inspected on a regular basis,
- Using specific data to focus the team's efforts on the most egregious properties,
- Working closely with a dedicated crime analyst and the investigatory bureau to identify crime trends, and
- Lessening and/or eliminating delays regarding when the city seeks a court order to abate the nuisance



Background/History

Pursuant to Chapter 125 of the Texas Civil Practice and Remedies Code, the City must prove that an owner:

- Maintains a place to which persons habitually go for the purposes of committing certain enumerated crimes,
- Knowingly tolerates the activity, and
- Fails to make reasonable attempts to abate the activity

Background/History

Old Team Staffing

- 7 Risk Detectives
- No dedicated Code Officer at each station
- No dedicated Fire Prevention Officer at each station
- No designated Community Prosecutor



Background/History

Old Case Structure

- High case load
- Extreme variance among divisions related to case management
- No criteria for establishing “preliminary cases”
- Too few cases were accepted for litigation
- Lack of performance measures and training

Purpose

- Introduce new Risk case management procedures for more efficient resolution of nuisance cases
- Update committee regarding additional program enhancements by adding attorney involvement at case inception, utilizing a new case evaluation checklist, and changes to state law

Purpose (Continued)

- Advise committee of updated Risk case screening criteria
- Request committee input regarding new Nuisance Abatement Ordinance
- Inform committee of partnership with Caruth Police Institute (CPI) to provide ongoing training and assist with development of performance measures

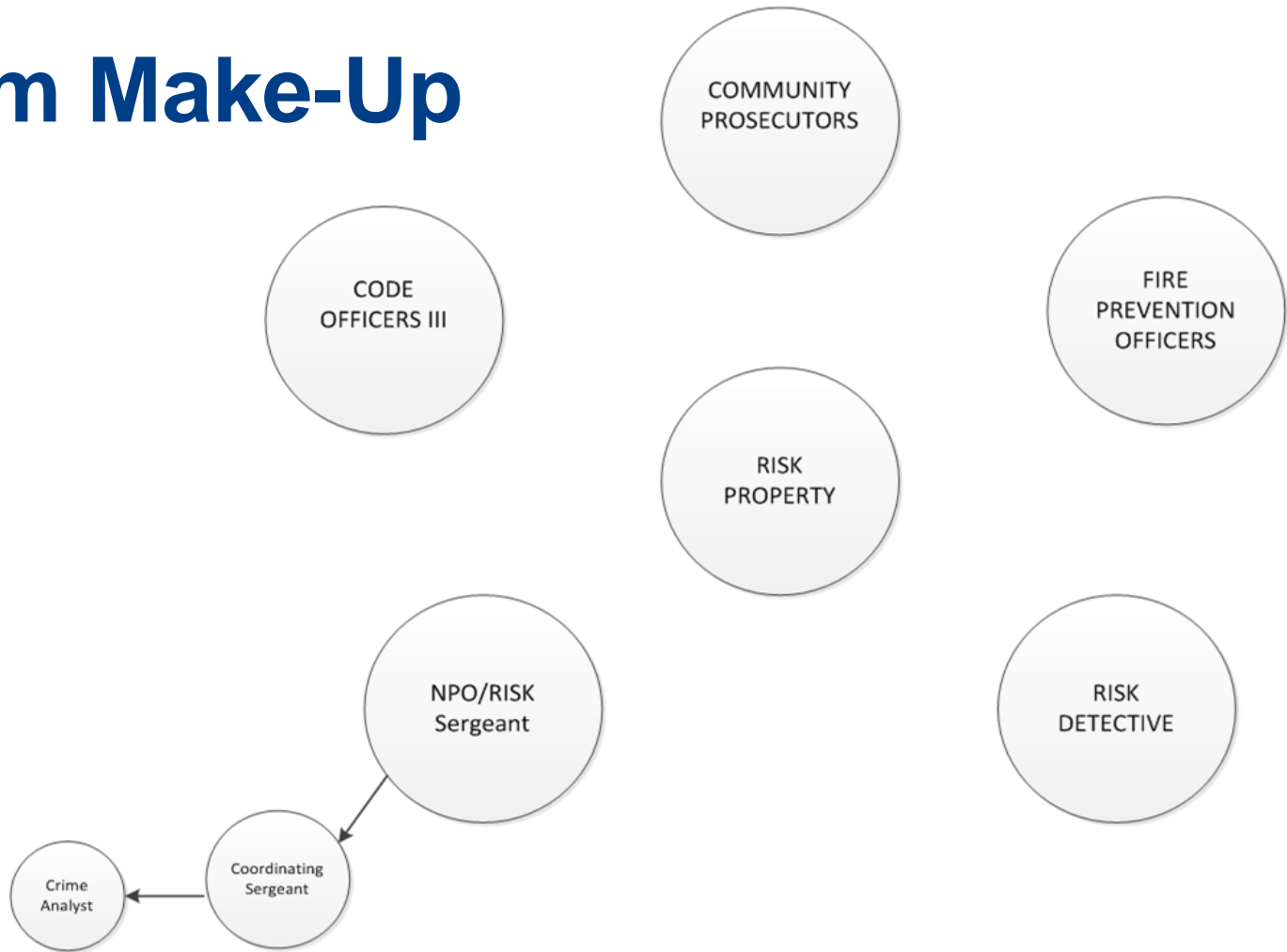
Operational Impact

New Team Staffing

- 7 Risk Detectives
- 18 Community Prosecutors
- 16 Code Inspectors
- 5 Fire Prevention Officers
- 1 Crime Analyst
- Nuisance Abatement Coordinating Sergeant



Team Make-Up



Operational Impact

Case Evaluation Criteria:

- Crime trends at property
- General reputation of the property
- Prevalence and severity of code/fire violations
- Whether property is in a TAAG
- Proximity to residential neighborhoods

Operational Impact

Case Evaluation Criteria:

- Proximity to community service uses (school, library, church, etc.)
- Whether property is owner-occupied
- Whether property is vacant/abandoned
- Whether property has previously been subject to City lawsuit or open nuisance investigation
- Team's existing caseload

Operational Impact

Risk Case Evaluation Criteria:

- Minimum threshold for **Risk** designation
- 5 abatable offenses in past year **and**
- Crime trends that show that property is a place to which persons habitually go to commit criminal activity

Operational Impact

Process:

- When a property is referred to the Community Risk Abatement Team, they conduct a holistic evaluation of the property
- The team accepts properties, as per stated evaluation criteria, that have a significant, negative impact on the community's public safety and quality of life

Operational Impact

Process:

- The team will add a Risk designation to the case if 5 or more abatable offenses have occurred at the property in the past year **and** crime trends show that the property is a place to which persons habitually go to commit criminal activity

Operational Impact

Process:

- Investigatory, enforcement and legal resources are used to the extent necessary to abate crime and improve quality of life at the property

Operational Impact

Organizational Improvements

- Reduced caseload for efficient resolution
- Utilizing case evaluation checklist for consistency
- Attorneys involved at inception of the case
- Partnered with Caruth Police Institute (CPI) to provide ongoing training and assist with development of performance measures
- Working with Dallas County District Attorney to enhance screening of arrests on Nuisance Risk Property locations

18



Next Steps

- Implement established performance measures with the ability to assess the effectiveness of the program
- Requesting committee approval to begin drafting nuisance abatement ordinance
- Authorize City to place placards on Risk properties when a lawsuit is filed



Next Steps

- Create a criminal offense for an owner/person-in-control of a Risk property to fail to attend the accord meeting
- Authorize the City to charge fees to recoup the cost of regulating Risk properties



Nuisance Abatement

Public Safety and Criminal Justice Committee
August 14, 2017

Melissa McGee, Major
Dallas Police Department
City of Dallas



Appendix A

The following offenses are defined as abatable offenses in Chapter 125 of the Texas Civil Practice and Remedies Code:

- Discharge of a firearm in a public place
- Reckless discharge of a firearm
- Engaging in organized criminal activity as a member of a combination
- Delivery, possession, manufacture or use of a substance or other item
- Gambling, gambling promotion, or communicating gambling information
- Prostitution, promotion of prostitution, or aggravated promotion of prostitution
- Compelling prostitution
- Commercial manufacture, commercial distribution, or commercial exhibition of obscene material
- Aggravated assault
- Sexual assault and aggravated sexual assault
- Robbery and aggravated robbery
- Unlawfully carrying a weapon
- Murder and capital murder
- Continuous sexual abuse of young child or children
- Massage therapy or other massage services
- Employing a minor at a sexually oriented business
- Trafficking of persons
- Sexual conduct or performance by a child
- Employment harmful to a child

22



Appendix A

Pursuant to state law change, the following offenses will be considered abatable offenses as of September 1, 2017

- Delivery, possession, manufacture or use of a substance or other item in violation of Chapter 481, Health and Safety Code
- Criminal trespass as described by Section 30.05, Penal Code
- Disorderly conduct as described by Section 42.01, Penal Code
- Arson as described by Section 28.02, Penal Code
- Criminal mischief as described by Section 28.03, Penal Code, that causes a pecuniary loss of \$500 or more
- A graffiti offense in violation of Section 28.08, Penal Code

23

