



General Government & Social Services

February 7, 2017

Summary and Motions

Chair Lamb called the meeting to order at 1:00 p.m. Committee members Evans, Kay, Stinnett, J. Brown, Higgins, Farmer, F. Brown, and Henson were present. Council Member Moloney was absent. Council Members Scutchfield and Bledsoe were also in attendance as non-voting members.

I. Approval of Committee Summary

A motion was made by Kay to approve the January 17, 2017 General Government & Social Services Committee Summary, seconded by Henson. The motion passed without dissent.

II. Minor Curfew Ordinance

F. Brown provided a background on Ordinance 66-95, Curfew for Minors. F. Brown said this item was brought to committee so the council could support the community in its fight against youth violence, drug trafficking, and fear in the neighborhoods. He said the current ordinance appears to be outdated and not used as intended. He said he met with Law Department, Police Department, and the County Attorney's office to update the ordinance. He introduced Melissa Murphy from the Law Department who reviewed revisions to the existing ordinance. She said most of the changes were cosmetic and clerical. She said the first main change was the time changed to the hours between 1 a.m. – 5 a.m., seven days a week. Murphy said another change to the ordinance was removing 4 of the 12 exceptions that the committee felt should not be there.

Scutchfield expressed concern about children under 16 who are required to leave work by 9 p.m. having the curfew hours between 1 a.m. - 5 a.m. Scutchfield asked why 1 a.m. Murphy deferred to other members saying it was a discussion and a time they all agreed on. She said it was also dealing with the Police Department and the timeframe when children were spotted out and it was chosen as the appropriate timeframe across the board. Scutchfield asked if we looked at the employment laws pertaining to hours that juveniles are allowed to work. Assistant Chief Holman responded that the time is complaint driven; he added that in other jurisdictions 11 p.m. is seen as too stringent; he said 1 a.m. is not a set time, it can be changed.

Evans said the curfew is difficult to enforce and she is glad to see the time extended. Evans also expressed concern about homeless minors asking about enforcement because it is still the parent who is potentially fined; she asked how the parent of a homeless minor would be fined. Assistant Chief Holman said that they do not leave anyone under the age of 18 on the streets at night. He said if they determine the child is homeless, the child will be taken to a shelter and Cabinet for Health & Family Services will be called; and there is follow-up. He said the only way they would leave a child on the street is if they were with a parent. Evans asked how that

scenario would work. Assistant Chief Holman said they would not be able to do much, but they would call Social Services to try and offer assistance to that family.

Bledsoe asked what happens as a follow-up to a citation. Assistant Chief Holman said in the past when a citation was issued, the parent had to go to court. In court, if there was no hard data, the parent would say they did not know or the child snuck out and the case would be dismissed. Bledsoe asked if our goal is to stop the behavior from continuing and does issuing a citation do that. Assistant Chief Holman said that in the past he would say no. Bledsoe asked how the judges will handle this moving forward; she explained if we issue citations and on their side nothing happens, then we have wasted officers' time and we are not changing the behavior. He said they cannot charge the child. So they are left with citing the parent and all the parent has to do is say they didn't know or approve and the judge is likely to say they are not in violation. Bledsoe said her concern is that it is not changing behavior because nothing is being enforced. She said unless we are going to make strong efforts to follow up with the family or the child who repeatedly breaks curfew we have done nothing to stop the problem. She added that someone needs to address the repetition.

J. Brown expressed concern about law enforcement and asked if the ordinance will be enforced consistently city-wide. He also expressed concern about repeat offenders and asked if there was a way to track these individuals who are habitually staying out late. Assistant Chief Holman said these are all things to consider and they share the same concerns. He said they would enforce the ordinance equally across the city. J. Brown asked about communication between Social Services and Police Department on resources needed to support this effort. Assistant Chief Holman said they can have those discussions. J. Brown asked Commissioner Ford if there was anything in place to address the reoccurrence of curfew violations. Ford said they are ready to engage in the conversation with Police Department and Law Department to strategically coordinate resources that may be available. Ford said they will provide assistance where they can.

Higgins asked why guardian was being excluded and Murphy said the term "parent" encompasses "legal guardian". Higgins asked about multiple repeat offenders in the home and the fees associated; asking if the parents would be charged these fees each time. She also asked if we were working with the parents to control the minors. Murphy said the fees are a range of costs; they are not one specific fee. Lee Turpin from County Attorney's office said it is not an enhance-able crime. She said they would be able to check the records to see how many times the individual violated curfew, it is made reflective in what they offer as a penalty and they do enhance it. However, if it goes to trial, the jury would not know this because it is not enhance-able, they only see it is as a first time offense. The rules of evidence do not allow them to bring in the prior violations. Turpin said it could still be a deterrent because the parents have to take off work to appear before the judge. She added that there is a juvenile status offense that this is a "beyond control"; she said that is when we would get Social Services involved and encourage them to file a "beyond control" with CDW's office and getting the child in there in that respect. Higgins asked about unsafe neighborhoods where a lot of crime happens, and if we are allowing children to be out on their own sidewalks in these neighborhoods. She said it might be something to consider that all children need to be inside at a certain time. Murphy

said that is what they have done; she said regardless of where they are, they need to be inside by 1 a.m. Higgins asked if we have conversations with Homeowners' Associations about behavior that happens when it gets dark. Assistant Chief Holman said yes they do that all time.

F. Brown addressed Bledsoe and J. Brown's concerns about repeat offenders and said they are working on a way to follow repeat offenders and track them. Turpin said if they are able to work out a tracking system with the Police Department, when a child is out and needs the police to take them home, County Attorney's office is notified. County Attorney will write the parents a letter explaining the law and potentials that can happen, services that are available and options that the parents may or may not have. F. Brown said it is one of the concerns that has come up and he said if we can get police and County Attorney involved we can put some teeth in the curfew.

Stinnett asked if we have looked at other cities around us to see if they have curfews and is this consistent with other curfews around us. F. Brown said he has youth curfews in comparable cities, but not regionally. Stinnett said we should look at nearby cities to see what their ordinances are. Stinnett asked about car break-ins that happened over the summer and how this ordinance helps that situation. Assistant Chief Holman said it comes back to allocation of resources and what the end result is in court. He said if curfew is not successful in court, they would have to make changes to allocation of resources and how much time and effort we want to put into it. He said they focus on criminal activities of juveniles. Stinnett asked what the rationale is behind 1 a.m. curfew since they can't work that late and after school activities don't run that late. Assistant Chief Holman said they aren't set on that time. He said it is an understanding of contemporary families and social media, the freedom kids have and how quickly they grow up. It can be changed, but it helps to have the time consistent every day. Stinnett said we have rules for a reason and we need to stand firm on this because the crimes that are happening that we are reading about are happening during those hours. Stinnett said midnight is a more reasonable hour.

Lamb said she has concerns about 1 a.m., but asked what is being done about repeat offenders. She asked what happens if you see a child out repeatedly and whether there is a follow up. She suggested that if there is a minor who has been a repeat offender that at the very least we sit down with Police Community Resource Officer and County Attorney and discuss the child's activity and express any concerns to the parents and the child. She said we need to make sure the parents realize how important it is for them to step up and be better parents and keep a better eye on their children. Lamb supports coming back off of the 1 a.m. curfew on a weeknight.

Evans responded about the timeframe that keeps coming up and she said that she understands this is to be consistent for police officers so they don't have to be concerned with the time difference on weeknight versus weekend. She feels like the discussion brought a lot of presumptions that the crimes taking place are by minors outside; she said this is not always the case. She said just because the kids are out, they are not necessarily committing crimes. She said we can't fix the underlying problem which is the relationship between parent and child and the obedience and discipline that goes along with it. She said we do need to look at this as a

tool that we can use and neighbors can use. She said this is a statement that says as a community children need to be indoors and not on the sidewalk at a certain time. She said with the timeframe it makes sense that there is one time regardless of whether it is a weekday or weekend because it isn't fair for police to have to figure out the different curfew depending on the day. Evans said she is in favor of this ordinance as it has been amended; she was not in favor of it before.

F. Brown said this is not a new ordinance, but a clean-up of an old ordinance. He said he thinks it can be effective. He would like the community to know we are trying to do address the criminal activity in the city.

A motion was made by F. Brown to approve the amended Curfew Ordinance 66-95 and move the item to the full Council, seconded by Henson. The motion passed by a vote of 6-3 (F. Brown, Henson, J. Brown, Evans, Farmer, Kay – yes; Higgins, Lamb, Stinnett – no).

III. Human Resources Management Audit

Lamb introduced Beth Beldon, Human Resources Manager, who presented the Human Resources Audit item. She said they are concluding the audit and they are ahead of schedule. She gave an update on where we are with the audit; why the audit was implemented; what was implemented; and the results of that implementation. Beldon discussed the objectives of the audit including more streamlined processes; improved efficiencies, increased transparency, and better communication across government. She also reviewed the implementations which include launching of management orientation program; update of all job descriptions; utilize PIO office to improve communication; automated P3 (staffing acquisition) process; and a policy review section in HR. The results of the audit include meeting a 70-day goal for time it takes to hire; provided 49 different trainings for HR staff in 2016; enrolled 17 people in the management orientation; and provided one executive-level management training with another scheduled for March 17; better communication across government; and improved working relationships.

Lamb asked Beldon to expand on the type of improved communications with PIO and how they have been improved. Beldon said they have engaged and utilized them more. Stacey Dimon now goes to the weekly management meetings and if there is anything they need to get out to employees, she provides ideas on how to do so. Lamb asked about LEAD training taking place at Director's meetings and if it was just at this one time. She said they used to take a long period of time to complete, not just one day. Beldon said LEAD is one day and is for executive management; the Academy which is the long-term training is still offered and improvements have been made to it as well. Lamb asked about management orientation that 17 employees have attended; she asked if it was one day as well. Beldon said it is 4 days, but not consecutive so they aren't removed from the division for a week. Lamb asked if directors or supervisors recommend employees for the training. Beldon said HR tracks that and any newly promoted or hired manager is obligated; she said the division can also make recommendations. Lamb asked who teaches the LEAD and orientation. Beldon said orientation is within our Division or the city; LEAD program is outsourced through a consultant.

Evans asked about results, asking what specifically was done different and how were positions filled sooner. Beldon said before it took about 130 days and paperwork was not being tracked as it was transferred from HR to the division and back; she said now they track them differently and have tightened the gap.

Stinnett asked when we will be able to tell when the changes are working and when the morale and confidence of employees is where we want it to be; he asked how we measure those things and when we assess that. Beldon said this is a work in progress they have to continue to seek those measurements so we don't fall backwards and we continue to be progressive. Beldon said the implementation is complete, but the work is just getting started. Stinnett asked how it will be measured. Beldon said surveys sent to everyone would be ideal. Stinnett said he would like to see a measurement; he thinks we are making progress with this audit and we can do better and we are on track to do better. He said he would like to have a measurement so we can go back to this committee and say it is working, morale is up, positions are getting filled in a timely manner, and we are working well with all departments.

J. Brown asked what the 49 trainings were. Beldon said they were both classroom and webinar, but they were all over the map. She said the training was for benefits staff (FML or ACA training), employee relations staff, and talent acquisition staff. They all receive training depending on their section. J. Brown asked if there were any cultural or workplace environment trainings. Beldon said she could send the list of the 49 trainings. J. Brown said one the things they focused on doing was changing the cultural and workplace environment of HR. CAO Hamilton said new diversity officer, Arthur Lucas, has met with HR. She said after attending orientation Lucas said the diversity portion needs to be encouraged. J. Brown asked what the criteria were for the 17 employees who went through entry-level management training. Beldon said HR monitors that so anyone who was hired on or promoted since October, they track that. She said they let the employee know and they let the division know. She said if a division wants to send someone, they can.

No further action or discussion on this item.

IV. Items in Committee

A motion was made by F. Brown to remove the Curfew Ordinance 66-95 item from Committee, seconded by Farmer. The motion passed without dissent.

A motion was made by F. Brown to remove the Human Resources Audit item from Committee, seconded by Farmer. The motion passed without dissent.

A motion was made by Farmer to adjourn, seconded by Henson. The motion passed without dissent.

The meeting was adjourned at 2:13 p.m.

K.T. 2.10.17