



PUBLIC SAFETY CITIZEN TASK FORCE

August 7, 2013 Meeting Staff Report

Recommendation

It is recommended that the City of Santa Cruz Public Safety Citizen Task Force (PSTF) hear and deliberate on expert presentations regarding Theme 1: Environmental Degradation and Behaviors Affecting our Sense of Safety in the City’s Parks, Open Spaces, Beaches and Business Districts.

It is further recommended that the TF members come prepared to ask questions of the expert panel, keeping in mind the preferred outcome of the PSTF: a set of quantifiable recommendations which can be operationalized by the City, County, neighborhoods and/or voters.

Background

The City of Santa Cruz Public Safety Citizen Task Force (PSTF) has held six meetings thus far. Following its inaugural meeting that focused on governance and schedule, the two subsequent meetings provided the City’s perspective on current public safety issues and community members an opportunity to share with the PSTF their personal concerns and priorities through open comment. Both meetings were intended to assist the PSTF in developing its work plan and priorities.

During its fourth meeting, the PSTF set its educational priorities around a set of four themes.

No.	Theme	Questions
1	Environmental Degradation and Behaviors Affecting our Sense of Safety in the City’s Parks, Open Spaces, Beaches and Businesses Districts.	<ol style="list-style-type: none"> 1. Other than the City, what jurisdictions are involved with the management of these issues? 2. What resources are necessary to reduce the prevalence of these activities/behaviors and mitigate their effects?
2	Drug and Alcohol Abuse, Drug Trafficking and Related Non-Violent or Petty Crime	<ol style="list-style-type: none"> 1. Other than the City, what jurisdictions are involved with the management of this issue? 2. Are there adequate resources devoted to substance abuse treatment? 3. What is the relationship between substance abuse and petty crime in our community? 4. Are there too many high-risk alcohol outlets in our community? 5. How does substance abuse play a role in Theme 1? 6. Is drug dealing more prevalent in our community than other towns? Is the availability of hard drugs a cause of Theme 1?
3	Gang Violence and Violent	<ol style="list-style-type: none"> 1. Other than the City, what jurisdictions are

No.	Theme	Questions
	Crime	<p>involved with the management of gangs and gang violence?</p> <p>2. What resources are necessary to reduce the prevalence of gang assemblage and violent crime in our community?</p> <p>3. What is the relationship between gang violence/violent crime and drug trafficking?</p>
4	Criminal Justice System and Governance	<p>1. How do current local and statewide policies and budget issues within the criminal justice system contribute to the severity of the public safety issues described in Themes 1-3?</p>

The fifth and sixth PSTF meetings were held on July 10th and July 24th. These meetings focused on drug abuse and related crime, Santa Cruz County substance abuse treatment options and best practices, and the intersection of drug treatment and the criminal justice system.

This staff report will include a brief overview of the outcome of the July 10th and 24th meetings. In addition, the report will include a preface to the next two meetings and their content and focus some attention on the many community perceptions around the issue, including Theme 1’s relationship to our homeless demographic.

Theme 2: Alcohol and Drug Abuse, Drug Trafficking, and Related Nonviolent or Petty Crime, Summary of Outcome

The PSTF convened two meetings, July 10th and July 24th, to examine substance-abuse and the related nonviolent or petty crime. The focus of the process was to hear from local experts in the field, collect pertinent data, and dialogue about current community perspectives on the issue. A diverse group of panelist participated in the discussion. All panelists provided incredibly useful insight on the city's substance-abuse challenges.

The July 10th panel consisted of Santa Cruz Police Department Deputy Chief Rick Martinez, a current recidivist/heroin addict named Nate, Lynn Harrison of Santa Cruz County Health Services Agency and Rod Libbey, PSTF member and Director of Janus.

The discussion centered around the state of the community, from the perspective of the Santa Cruz Police Department and County Health, with regard to substance abuse and local treatment options/best practices. Nate, the current recidivist/heroin addict, provided a personal perspective on the prevalence of drugs in Santa Cruz County and the related nonviolent crime.

Several overarching themes resonated through panel remarks and follow-up questions:

- There is a substantial oversaturation of alcohol outlets in Santa Cruz.
- There is a substantial oversaturation of serial inebriates in Santa Cruz. Serial inebriates are responsible for much of the public nuisance issues in our community.
- Homeless and serial inebriates account for nearly half of the Police Department arrests. This is a significant drain on the City’s public safety resources.
- Violence and alcohol abuse intricately linked.
- Citations for Santa Cruz Municipal code infractions are ineffective due to the Superior Court civil process. Many public nuisance issues are code infractions related to substance abuse.

- Treatment of addiction is grossly underfunded in Santa Cruz County. It is a universal problem experienced throughout California and the nation.
- Addiction treatment *with* accountability works.
- Collaboration (treatment, law-enforcement, and the courts) is paramount.
- Forced/coerced treatment of addiction can be effective.
- Treatment lowers the rate of recidivism.
- There is a strong correlation between addiction and crime. Alcohol addiction and violent crime are particularly linked.
- Santa Cruz County severely lacks early education on substance abuse and addiction.

The July 24th panel consisted of Bill Manov, Program Chief of the Santa Cruz County Health Services Agency Drug and Alcohol Program, Scott McDonald, Santa Cruz County Probation Chief, Lisa Hernandez, Medical Services Director/County Health Officer, and Emily Ager, Community Health and Harm Reduction Supervisor, Street Outreach Supporters.

The Panel discussed at length the relationship between the criminal justice system and drug treatment, as well as the needle exchange program. Similar themes to the July 10th meeting with regard to substance abuse resonated from the panel remarks and PSTF discussion with the following additions:

- Alcohol outnumbers all other drugs combined in terms of cost impacts.
- Only 3% of the County’s substance abuse budget is spent on education and prevention.
- The Serial Inebriate Program has resulted in a 60% drop in arrests and 30% drop in ambulance runs and ER visits amongst participants.
- Drug Court is very effective, though costly, in reducing recidivism.
- No local research has been conducted on the effectiveness and impacts of the syringe exchange program. However, the few studies conducted on exchange programs have demonstrated that they decrease the spread of blood-borne pathogens and do not increase drug use or the spread of trash in the communities studied.

Task Force Discussion around Community Perceptions

As noted in the Draft Problem Statement included in the July 10th PSTF Staff Report, community sentiment on Theme 2 is diverse and opinionated. One important charge of the PSTF is to study such perceptions and draw conclusions as to their validity.

The following table outlines these community perceptions and preliminary conclusions drawn by the PSTF process.

Perception	PSTF Conclusion
Drug dealing and use is more prevalent in Santa Cruz than other communities with similar demographics.	Anecdotal evidence was discussed by panelists. Drug dealer saturation seems incredibly high. Ease of access is notable. With over 21,000 individuals responding to a telephone poll noting substance abuse issues (this number may be low), Santa Cruz County’s per capita rate of addiction seems high. More data may be required.
Santa Cruz has a brand that draws addicts, dealers and criminals to our community.	Anecdotal evidence was discussed by panelists. Arresting cops received feedback from suspected criminals that Santa Cruz County is soft on crime and

Perception	PSTF Conclusion
	lax on punishment of drug offenses. More data may be required.
The criminal justice system in Santa Cruz County is ineffective in handling drug offenses.	Many factors seem to contribute to this problem. <ul style="list-style-type: none"> • Lack of adequate treatment funding. • Unavailable jail space. • No coerced treatment options. • Lack of funding for Drug Court.
Meth has changed the drug user demographic is Santa Cruz. Transients come to Santa Cruz to use and abuse meth.	This perception was not discussed directly.

Noted Problems and Solutions

Several problems and recommended solutions were noted during the PSTF panelist remarks and roundtable discussion.

Problem	Recommended Solution
Too many alcohol outlets resulting in violence and serial inebriate problem.	Work with planning and zoning committees to redefine and eliminate future high risk alcohol outlets.
Lack of treatment funding	Increase funds to address the current empty bed problem (capacity is there, but there is a lack of funding)
Lack of collaborative approach in addressing addiction and recidivism.	Increase funding for Drug Court.
Lack of early education around substance abuse.	Widespread implementation of community education, particularly about underage alcohol and marijuana use.
Lack of funding for Drug Court	Increase funding for Drug Court.
Serial inebriates are a significant draw on public safety resources.	Increase funding for the Serial Inebriate Program.
High level of municipal code infractions has profound impact of quality of life of residents.	Revise municipal code violation practices that are conflicting with quality of life. Negotiate with Superior Court to address issue more effectively.

Continued Inquiry and Unanswered Questions

Several areas of inquiry were left open during the two meetings on Theme 2 or left unanswered. For instance, it seems that California State Alcohol Beverage Control (ABC) should better regulate alcohol license holders where violent crimes are consistently occurring. On another note, there was little discussion around drug trafficking and dealing of drugs.

In addition, are the Santa Cruz needle exchange programs effective in reducing the spread of HIV and Hepatitis C in Santa Cruz County? Do our local programs contribute to and/or cause the illegally discarded needle problem? Is the program enabling addicts to stay in Santa Cruz and not seek treatment?

With regard to drug treatment, can Roundtree be used for coerced drug treatment of criminals? Also, why did the Santa Cruz Courts change the way they handled municipal code infractions? Lastly, does a lax judicial system draw drug dealers and criminals to Santa Cruz?

Preparation for Theme 1: Environmental Degradation and Behaviors Affecting our Sense of Safety in the City's Parks, Open Spaces, Beaches and Business Districts

Focus on Theme 1 was postponed until after the examination of substance abuse because addiction is seen as a root cause of the issues around Theme 1. While the PSTF agreed to focus on public safety-affecting behaviors rather than status, the intersection of homelessness and the activities around Theme 1 is highly contested and oftentimes misunderstood by the community.

Given the perennial safety issues and perceptions surrounding homelessness in our community, it is important for the PSTF to grapple with these controversial perspectives and not shy away from discussing them within the context of this educational phase of the process. With that in mind, the program over the next two meetings will consist of panelists that can reflect on the intersection (or lack thereof) of homelessness and Theme 1. Coupling panel experts that can discuss this perceived nexus is not a forgone conclusion, rather an efficient way to draw conclusions based on fact and evidence.

Panelists over the next two meetings will build context around Theme 1 issues with regard to the drain on City public safety resources, but also how Theme 1 affects the City's budget and the local economy.

Co-occurring disorders of addiction, mental illness and homelessness will be discussed as a cause of Theme 1. The PSTF will also hear from experts from the City of San Jose and Santa Clara County on how they are handling similar issues.

Lastly, it is expected that the panels will also include experts on crime prevention through environmental design and environmental criminology, or why people may be drawn to Santa Cruz to participate in Theme 1.

Current City Ordinances Around Theme 1

There are several City ordinances in effect for downtown and public property to alleviate behaviors and activities around Theme 1. The following brochure discusses the current ordinances. Panel members at the meeting will go into greater detail as to the history of the ordinances and their management.

USE OF CITY SIDEWALKS

Mobile Vending

No vending, which includes sales of flowers or food from a pushcart, is allowed downtown.

SCMC 5.22.110

Display of Merchandise

Displaying merchandise on streets or sidewalks is not permitted. Persons may display their own original artwork.

SCMC 5.42.020

Noncommercial Activities

Noncommercial activities, which include any public service or charitable activity that is political, civic, or religious in nature, does not require a permit.

A table or display device being used for noncommercial activities on public sidewalks must be no larger than 6 ft x 6 ft x 3 ft and at least 10 ft from the following:

- building
- street corner or intersection
- fence
- sidewalk café or kiosk
- bench, directory sign, drinking fountain, public trash compactor, sculpture or payphone
- any portion of the sidewalk between the sidewalk café and the curb

After one hour, the display device must be moved at least 100 ft to a new location.

Display devices cannot be used while accompanied by or in the possession of a dog.

SCMC 5.43.020

Distributing Literature

Standing and handing out literature is allowed as long as you do not obstruct or interfere with the flow of pedestrian traffic.

STREET PERFORMANCE

Anyone can perform on any of the publicly owned sidewalks in the downtown area. However, if a street performer places an object on the sidewalk to collect contributions (a "display device"), the performer must abide by the same regulations for location and the length of time of the performance as noncommercial activities.

SCMC 5.43.020

For more information on street performing, see the Street Performing in Downtown brochure.

Sound Amplification

Sound amplification equipment is not allowed without securing a permit from the police department.

SCMC 9.40.010

SMOKING IN OUTDOOR PUBLIC PLACES

Smoking is not allowed

- on Pacific Avenue
- in any sidewalk café
- in service lines
- within 25 ft of an open door, window or or air intake facility
- at bus stops

SCMC 6.04.060

How to measure distances on the sidewalk

Each sidewalk square is 2 ft.
5 squares = 10 ft.
7 squares = 14 ft.
25 squares = 50 ft.
50 squares = 100ft.

Distances can be measured in any direction

PANHANDLING/SOLICITATION

Asking (with your voice or with a sign) for a donation of money, food, cigarettes, or items of value is considered panhandling/solicitation and is regulated by time, place and manner.

Panhandling not allowed within 14 ft

- building or fence
- street corner or intersection
- sidewalk café or kiosk
- bench, directory sign, drinking fountain, public trash compactor, sculpture or payphone

Panhandling not allowed within 50 ft

- bank or financial institution
- ATM or money changing machine

Panhandling is not allowed

- in bank parking lots
- while seated or leaning on a bench, planter, monument, or other public property
- on private property without permission
- from or to a person in a vehicle
- in a public bus or at bus stop
- while in the immediate possession of a dog
- after dark

Manner of panhandling prohibited

- in a group of two or more persons
- by using profane or abusive language either during the solicitation or following a refusal
- while under the influence of alcohol or illegal drugs
- by coming within 3 ft. of the person
- by blocking the path of a person
- by following a person who walks away
- giving false or misleading information, such as stating donation is for a need that does not exist

SCMC 9.10.010 – 9.10.060

CONDUCT ON PUBLIC PROPERTY

Sitting on the Sidewalk

Sitting on the sidewalk is not permitted within 14ft of the following:

- building or fence
- street corner or intersection
- sidewalk café or kiosk
- bench, directory sign, drinking fountain, public trash compactor, sculpture or payphone

or within 50 ft.

- bank or financial institution
- ATM or money changing machine

SCMC 9.50.012

Lying on the Sidewalk

Lying on the sidewalk is not permitted.

SCMC 9.50.011

Use of Public Benches

Occupying a public bench or using a public bench for storage for more than one hour in a twelve-hour period is not permitted.

SCMC 9.50.013

Skateboard or Rollerskate

Skateboarding and rollerskating are not allowed.

SCMC 10.36.041

Activities with Airborne Objects

Throwing any solid objects such as hackysacks, frisbees, footballs, baseballs, or other similar devices is not allowed.

SCMC 9.50.020

Conduct on Public Property

Walking, standing, or lying upon a bench, drinking fountain, bike rack, trash receptacle, street-tree planter, utility cabinet, railing, planter, or any other public property not designed for such purposes is not permitted.

SCMC 9.50.020

OTHER LAWS

Dogs are allowed downtown if:

- on a leash at all times
- only one dog clipped to the leash
- within three feet of the person holding the dog's leash
- have visible collar tags that show the dog is vaccinated and licensed
- between sunrise and sunset only
- at no time left unattended or tied to any pole, bench, planter or other object on the street or sidewalk

Groups of dogs, three or more, are prohibited.

SCMC 8.14.205

Alcohol on Public Property

Drinking or possessing an open alcoholic beverage in any public place is not allowed.

SCMC 9.12.020–9.12.070

BICYCLE LAWS

Bicyclists must follow the same laws as vehicle drivers.

- Do not ride a bike on the sidewalk.
- Ride in the same direction as traffic.
- Stop at all stop signs.

SCMC 10.68 and 10.32.040

PUBLIC PARKING LOTS AND GARAGES

Public parking lots and garages are for parking and retrieving vehicles and bicycles or walking from one sidewalk to another or to buildings bordering the parking lot.

No person shall remain in the parking lot or garage premises for more than 15 minutes.

SCMC 9.64.010 – 9.64.050



DOWNTOWN PUBLIC PROPERTY ORDINANCE GUIDE

May 2012

The City of Santa Cruz ordinances are intended to facilitate everyone's enjoyment and use of the downtown area. This guide summarizes some of the relevant ordinance provisions in the Santa Cruz Municipal Code (SCMC) as of May 2012.

The information provided is for informational purposes only and does not constitute legal advice.

The SCMC is available at the public library, 224 Church Street and on the City's website: www.cityofsantacruz.com.

City Council Agenda Report on Homelessness Study Session

In April of this year, Tina Shull, Assistant City Manager, presented a comprehensive report to City Council during the Study Session on homelessness. The accompanying Agenda Report, found [here](#), included information on the City's homeless population and the resulting impact to quality of life for the community. Below is a compilation of information that was included in Agenda Report that is consistent with Theme 1 and 2.

- One of the primary causes of homelessness for families includes alcohol/drug issues (21% of the 498 people living in families with at least one child under the age of 18).
- Out of 143 unaccompanied children and youth, 50 responded with answers – 36% reported alcohol or drug use to be the primary event or condition that led to homelessness.
- Many public nuisance issues that business owners have to deal with (report recognizes that only a fraction of homeless or transient individuals are causing problems with the City):
 - Remove human feces, urine, vomit, liquor bottles, cardboard and even mattresses from business exterior.
 - Clean up and monitor restroom use. Restrooms have been used for bathing, drug use and vandalism. Some businesses control the use of restrooms through keys, while others have had to install token devices for their patrons.
 - Install gates or fencing in the back of their businesses at significant expense. Recently a property owner had to install gates across the back of the building entrance because people were sneaking through during the day and hiding in the upstairs until the business closed.
 - Install devices or remove objects on the building in order to prevent people from accessing their roofs, which are sometimes used for camping.
 - Seal all entrances to trash enclosures which are used for camping and rummaging through recycling.
 - Investment of funds for security guards or cameras. Some businesses are currently considering hiring their own security guards to patrol right outside their store. Their employees and customers, especially women, get verbally harassed or intimidated.
 - Many business owners and their employees have had their vehicles broken into and items stolen.
- Many public nuisance issues that Parks and Recreation field staff face:
 - Cleaning encampments
 - Parks staff may spend upwards of \$5,000/month on contract labor, personnel costs, materials and disposal fees to clear encampments.
 - Removing discarded personal biological hazards, or in some cases, being directly inhibited from doing their jobs through the actions of some individuals
 - Also many of the same problems that parks staff deal with.
- To address some of these issues, especially in parks – implementation and enforcement of SCMC 6.36.010 as well as SCMC 13.04.010, SCMC 9.50.030, SCMC 9.50.016 and SCMC 13.04.011.
- In 2011, Police made contacts or responded to 1,567 calls for service involving illegal camping, issuing 615 citations. That same year, Park Rangers made 728 contacts and issued 4 citations. On the aggregate, this equates to a monthly average of 191 contacts and 52 citations issued for illegal camping.
 - In 2012 there was a 24% increase in contacts/calls for service for illegal camping (1,948) and an increase of over 100% in citations issued (1234).
 - In 2012, Park Rangers saw a 34% increase in contacts/calls for service (973) with a 25% increase in citations issued (105).

- Part of the increase can be attributed to stepped-up enforcement responses.
- For the first three months of 2013: there were 629 contacts/calls for service and have issued 193 citations.
-
- Percentage of Fire Department Calls for Service Related to Homeless Individuals.

Year	Number of calls	Total number of calls	Percentage
2008	113	6,187	2%
2009	129	6,208	2%
2010	172	6,427	3%
2011	156	6,109	3%
2012	266	6,777	4%
2008-2012	836	31,608	3%

- These numbers are an estimate (no housing information is determined upon receiving these numbers) though the police/medical/fire contacts preferred to be conservative than overassuming.
 - Figures are drawn by taking calls to locations most frequented by homeless, etc.
- Arrests of Persons Providing Address Information of 115 Coral Street – address of the Homeless Services Center

	Santa Cruz PD	% of Total	Capitola PD	% of Total	Watsonville PD	% of Total	Scotts Valley PD	% of Total
2012 Arrests	2,044	42%	99	13%	293	13%	21	7%
2012 Citations	3,616	32%	49	3%	33	1%	7	1%
2013 Arrests*	532	43%	34	14%	84	12%	Data unavail.	--
2013 Citations *	639	29%	25	6%	5	0%	Data unavail.	--

- 325 unique individuals who supplied 115 Coral St. as their address were arrested 1,259 times in 2012.
 - Each individual being arrested almost four times a year and 3.5 of the 325 individuals being arrested daily.
- Average of \$180 per call for service, with 5,660 arrests or citations of individuals listing 115 Coral St. as an address, or \$,018,800 to service those public safety needs.