

PUBLIC SAFETY COMMITTEE
DALLAS CITY COUNCIL COMMITTEE AGENDA

RECEIVED

2015 NOV -6 AM 10:11

CITY SECRETARY
DALLAS, TEXAS

MONDAY, NOVEMBER 9, 2015
CITY HALL
COUNCIL BRIEFING ROOM, 6ES
1500 MARILLA
DALLAS, TEXAS 75201
11:00 A.M. – 12:30 P.M.

Chair, Council Member Adam Medrano
Vice Chair, Council Member B. Adam McGough
Council Member Jennifer S. Gates
Council Member Sandy Greyson
Council Member Philip T. Kingston
Council Member Tiffinni A. Young

Call to Order

1. Approval of Minutes from the October 12, 2015 Public Safety Committee Meeting

BRIEFINGS

2. Water Rescue
Captain Chad Smith
Dallas Fire-Rescue
3. Aircraft Rescue Fire Fighting (ARFF)
Section Chief Lauren Johnson
Dallas Fire-Department
4. Fire Investigation Division
Deputy Chief Tameji Berry
Dallas Fire-Rescue
5. Administrative (Fire) Reports
Deputy Chief Tameji Berry
Dallas Fire-Rescue
 - A. 2507 Scott Street
 - B. 7242 Umphress Road
6. Juvenile Curfew Ordinance
Deputy Chief Robert Sherwin & Major Eno Fite
Dallas Police Department
7. Upcoming Agenda Item(s)

November 10, 2015

- A. Addendum Item: Authorize public hearings to be held on December 9, 2015 and January 13, 2016 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on January 13, 2016, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors

Adjourn



Adam Medrano, Chair
Public Safety Committee

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

A quorum of the City Council may attend this Council Committee meeting

Public Safety Committee Meeting Record

The Public Safety Committee meetings are recorded. Agenda materials are available online at www.dallascityhall.com.
Recordings may be reviewed/copied by contacting the Public Safety Committee Coordinator at 214-670-3316.

Meeting Date: Monday, October 12, 2015 **Convened:** 11:06 a.m. **Adjourned:** 12:03 p.m.

Committee Members Present:

Council Member Adam Medrano, Chair
Council Member B. Adam McGough, Vice Chair
Council Member Jennifer S. Gates
Council Member Sandy Greyson
Council Member Philip T. Kingston
Council Member Tiffinni A. Young

Committee Members Absent:

Other Council Members Present:

Council Member Carolyn King Arnold

Staff Present:

Assistant City Manager Eric D. Campbell, CMO
Fire Chief Louie Bright, III, DFR
Executive Assistant Chief Fernando Gray, DFR
Assistant Chief Norman W. Seals, DFR
Deputy Chief George Gamez, DFR
Assistant Chief Harold Holland, DFR

Lieutenant Julian Almaguer, DFR
Driver Engineer Deborah Duarte, DFR
Assistant Chief Tommy Tine, DFR
Deputy Chief Dominique Artis, DFR
Captain Lynn Brantley, DFR
Assistant Director Wanda Moreland, DFR

AGENDA:

Call to Order

1. Approval of Minutes from the September 28, 2015 Public Safety Committee Meeting

Presenter(s): Council Member Adam Medrano, Chair

Information Only:

Action Taken/Committee Recommendation(s):

A motion was made to approve the September 28, 2015 minutes with the following changes: to reflect that Council Member Carolyn King Arnold was present and ACM Eric D. Campbell was absent.

Motion made by: Council Member Greyson

Item passed unanimously:

Item failed unanimously:

Motion Seconded by: Council Member Young

Item passed on a divided vote:

Item failed on a divided vote:

2. Quality Management Program

Presenter(s): Deputy Chief George Gamez

Information Only:

Action Taken/Committee Recommendation(s):

The committee was updated on the Dallas Fire-Rescue Department's Quality Management Program.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

3. Dallas Fire-Rescue Respiratory Protection Program

Presenter(s): Lieutenant Julian Almaguer

Information Only:

Action Taken/Committee Recommendation(s):

The committee was updated on the Dallas Fire-Rescue Department's Respiratory Protection Program.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

4. Hazardous Materials Response

Presenter(s): Captain Lynn Brantley

Information Only:

Action Taken/Committee Recommendation(s):

The committee was updated on the Dallas Fire-Rescue Department's Hazardous Materials Response Team.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

5. Upcoming Agenda Item(s)

Presenter(s): Council Member Adam Medrano, Chair

Information Only:

Action Taken/Committee Recommendation(s):

A motion was made to move forward to full council for approval; item passed with Council Member Kingston voting against.

Motion made by: Council Member Young

Item passed unanimously:

Item failed unanimously:

Motion Seconded by: Council Member Greyson

Item passed on a divided vote:

Item failed on a divided vote:

6. Administrative (Fire) Reports

Presenter(s): Deputy Chief Tameji Berry

Information Only:

Action Taken/Committee Recommendation(s):

The committee was updated on fire incidents during the period of August 19, 2015 thru September 10, 2015.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

APPROVED BY:

ATTEST:

Adam Medrano, Chair
Public Safety Committee

Crystal Lee, Coordinator
Public Safety Committee

Memorandum



CITY OF DALLAS

DATE: November 6, 2015

TO: Honorable Members of the Public Safety Committee:
Adam Medrano (Chair), B. Adam McGough (Vice Chair), Sandy Greyson, Tiffinni A. Young,
Jennifer S. Gates, Philip T. Kingston

SUBJECT: **Water Rescue**

On Monday, November 9, 2015, the Public Safety Committee members will be briefed on the Water Rescue. The materials are attached for your review.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council



Water Rescue

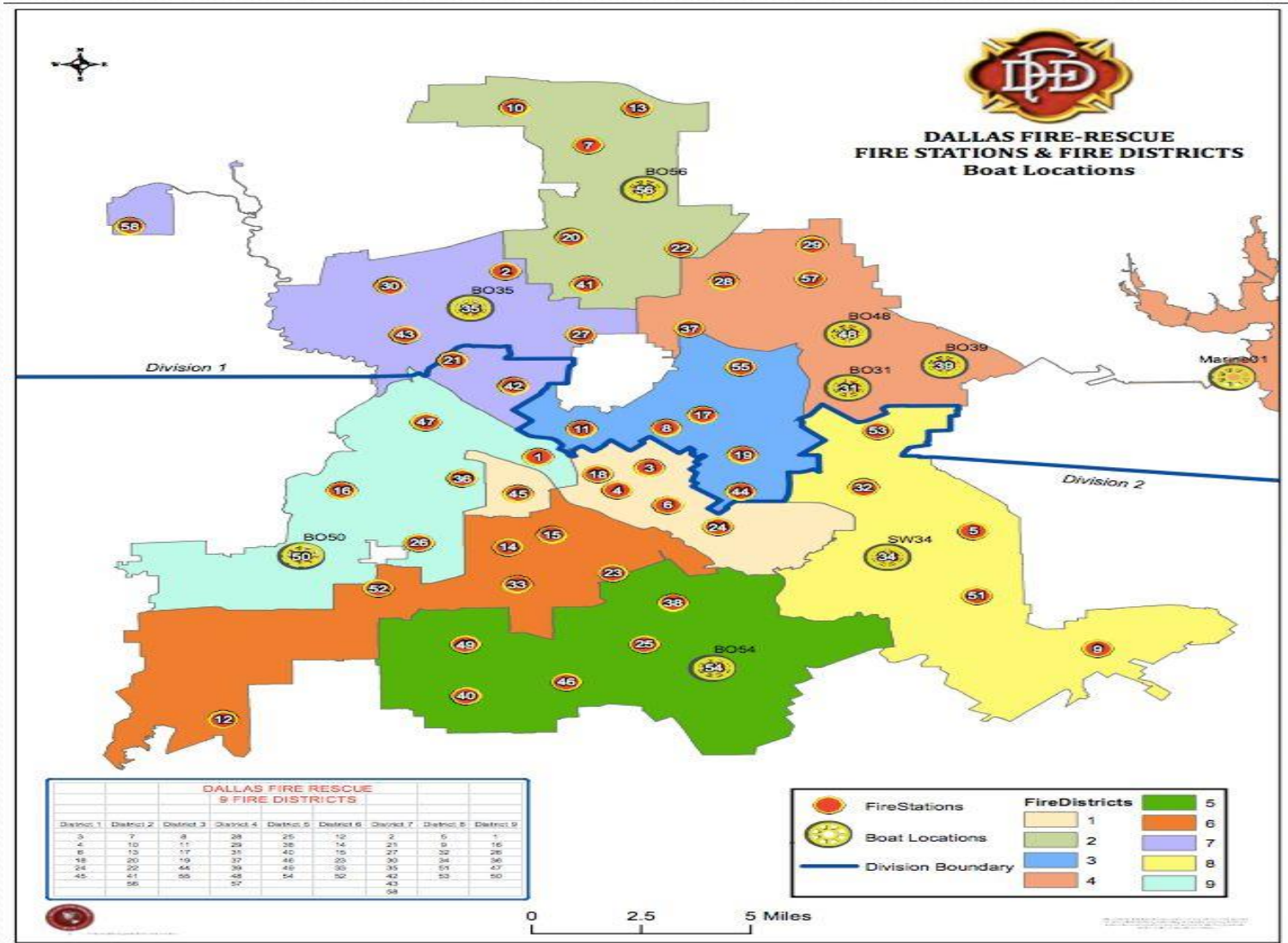


Public Safety Committee
November 9, 2015

History of Swiftwater Rescue in Dallas

- **May 5, 1995 super storms**
- **Technical Rescue Team 15 until 2007**
- **Swiftwater 34 July 7, 2007**
- **One Swiftwater Team**
- **Seven flat water boat stations**

Current Boat Locations



Organization

- **Deputy Chief of Special Operations (812)**
- **Section Chief of Special Operations (815)**
- **Water Rescue Coordinator (824)**
- **Officers at Station 34**
- **Swiftwater Technicians**
- **Staffing minimum of 6 Swiftwater Technicians per shift**

Training Requirements

- **National Fire Prevention Agency (NFPA) 1006 & 1670**
 - I. **Swiftwater rescue (50hr)**
 - II. **Technical rope rescue (80hr)**
- **All members certified as technicians in all areas of water rescue**
- **Continuing Education - 40 hours per year**

Responsibilities

- Respond to all Swiftwater incidents
- Respond to all boat calls as the rescue team (NFPA 1670)
- Respond when special called (searches, recoveries, investigations)
- Conduct at least 40 hours of continuing education per year
- Conduct 4 hours of continuing education for all boat crews

Apparatus

Swiftwater 34



Trailer with Inflatable Boat

Personal Equipment

- **Wet Suit / Dry Suit**
- **Personal Flotation Device**
- **Helmet**
- **Throw bag**
- **Whistle**
- **Knife**
- **Footwear**
- **Flashlight**



Effects of Moving Water

- **Swiftwater - moving water at a rate greater than 1 knot (1.15 mph)**
- **Force of water at varying speeds**

Current Velocity	Average Force of the Water in (lbs)	
MPH	On Legs	On Body
3	16.80	33.60
6	67.20	134.00
9	151.00	302.00
12	269.00	538.00

Rescue Priorities

of the Water Rescue Team

- REACH
- THROW
- ROW
- GO



Priorities



Swiftwater Responses 2015

- **Swiftwater Rescue Team**
 - Responded to 51 water rescues
 - Rescued 35 victims

Questions?



Memorandum



CITY OF DALLAS

DATE: November 6, 2015

TO: Honorable Members of the Public Safety Committee:
Adam Medrano (Chair), B. Adam McGough (Vice Chair), Sandy Greyson, Tiffinni A. Young,
Jennifer S. Gates, Philip T. Kingston

SUBJECT: **Aircraft Rescue Fire Fighting (ARFF)**

On Monday, November 9, 2015, the Public Safety Committee members will be briefed on the Aircraft Rescue Fire Fighting (ARFF). The materials are attached for your review.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Aircraft Rescue Fire Fighting (ARFF)



Public Safety Committee
November 9, 2015



Overview

1. Dallas Airport System (DAS) facilities
2. ARFF Incident Classifications
3. ARFF Staffing
 - Dallas Love Field Airport
 - Dallas Executive Airport
4. Personal Protective Equipment
5. Extinguishing Agents
6. ARFF Apparatus
7. Training Requirements
8. Current ARFF Program Projects

Dallas Love Field Airport

- Opened by the US Army in 1917
- 1,300 acres in size
- 380 passenger flights per day
- 210 "other" (general aviation, corporate/private, military, etc.) flights per day
- 43,320 people travel through Dallas Love Field every day
- ARFF Index "C"



Dallas Executive Airport

- Formerly known as “Redbird Airport”
- Built in 1945
- 1,040 acres in size
- Serves as a general aviation and a “reliever” airport
- Non-Indexed Airport because it does not have scheduled commercial flights (ARFF Index B capable)



Dallas CBD Vertiport (49T)

- Built in 1994
- Adjacent to the Convention Center
- Approximately four (4) acres in size
- Approximately 50 landings and take-offs per month



How is ARFF different from structural firefighting?

- Incident Types
- Strategies and Tactics
- Personal Protective Equipment (PPE)
- Extinguishing Agents
- Apparatus

During an emergency...

- ▶ FAA performance requirements are based on “aircraft skin **burn-through**” and providing a safe **exit corridor**
- ▶ These influence ARFF response time requirements and ARFF station locations



ARFF Incident Classifications

Alert 1

- **Minor in-flight** emergency

Alert 2

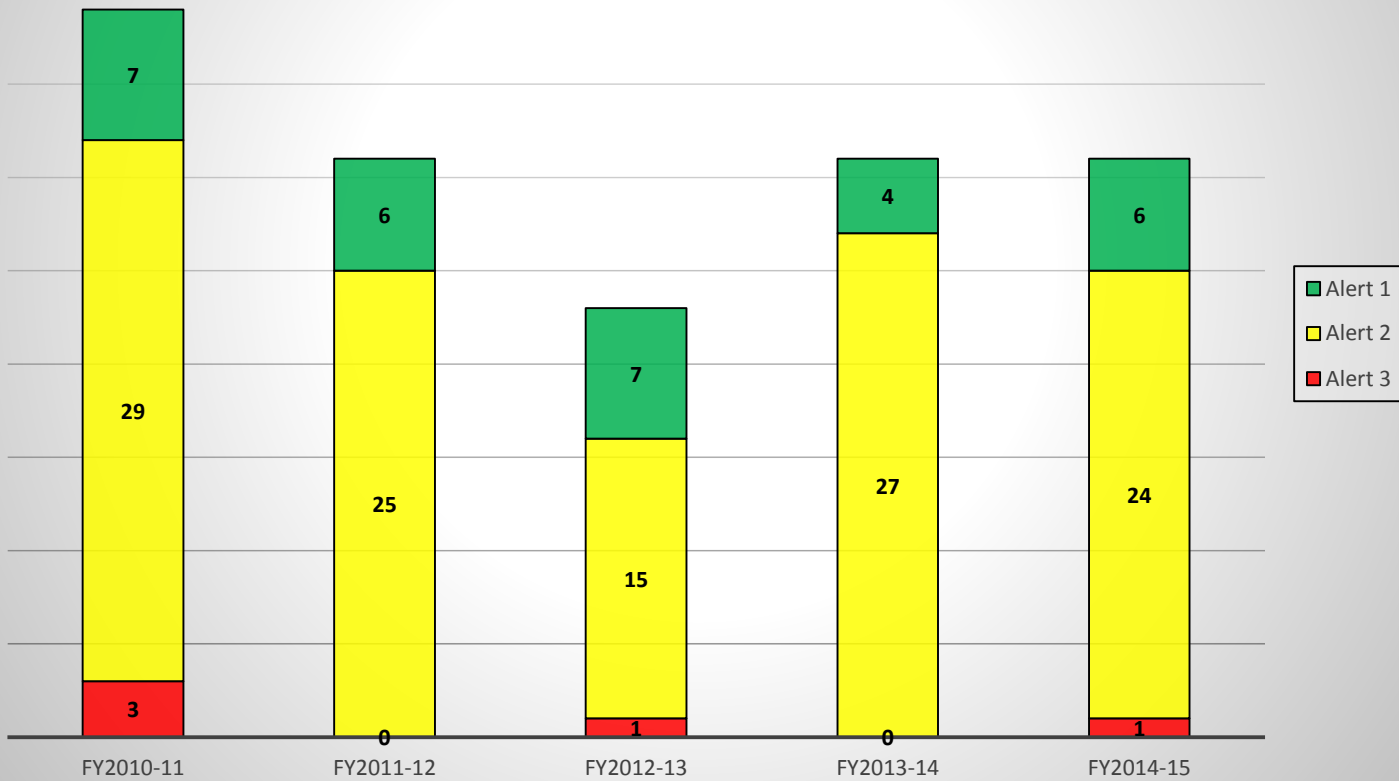
- **Major aircraft in-flight** emergency
 - Faulty landing gear
 - Engine fire
 - Bomb threat

Alert 3

- Aircraft crash or fire involving an aircraft **on the ground** 8



Number and Type of Alerts at Dallas Love Field Airport



ARFF Staffing – Dallas Love Field

Station 21

- Dedicated to Dallas Love Field
- Seven (7) ARFF firefighters per shift

Station 42

- Structural, EMS, and ARFF
- Minimum of two (2) ARFF firefighters per shift



ARFF Staffing – Dallas Executive

Station 40

- Structural, EMS, and ARFF responsibilities
- Minimum of two (2) ARFF firefighters per shift

Station 49

- Structural, EMS, and ARFF responsibilities
- Minimum of four (4) ARFF firefighters per shift

Personal Protective Equipment



Extinguishing Agents



Dry Chemical –
Purple K



Foam – Aqueous Film
Forming Foam (AFFF)

ARFF Apparatus



Arm Extension



Red 1

Dallas Love Field ARFF Apparatus

Red 1

- 2011 Rosenbauer Panther
- 3000 gallons of water
- 420 gallons of foam (AFFF)
- 500 lbs. of dry chemical extinguishing agent
(Purple K)
- High-Reach Extendable Turret (HRET) – “Stinger”



Dallas Love Field Apparatus

1999 and 2001 Oshkosh Ti-3000s

- We have three of these
- Two will be replaced in 2016
- 3,000 gallons of water
- 420 gallons of foam (AFFF)
- 500 lbs. of dry chemical extinguishing agent (Purple K)
- HRET – “Snuzzle”



Dallas Executive Airport Apparatus

Red 49

- 1998 Oshkosh T-3000
- 3,000 gallons of water
- 420 gallons of foam (AFFF)
- 500 lbs. of dry chemical extinguishing agent
(Purple K)



ARFF Training Requirements

- Federal Aviation Administration (FAA)
 - 13 Training Categories
 - Hands-On Training (HOT) - Aircraft
 - Live Fire Training
 - Airport-Specific Training
- Texas Commission on Fire Protection (TCFP)
 - Basic ARFF Certification
 - Continuing Education based on FAA requirements
- Dallas Fire-Rescue
 - Compliance with state and federal requirements
 - 40 hours of recurrent training every 12 months

Current ARFF Program Projects

- Update of our FAA Recurrent Training Program
- Acquisition of replacement ARFF Apparatus
- National Fire Protection Agency (NFPA) 1851 Risk Assessment



ARFF Questions?



Memorandum



CITY OF DALLAS

DATE: November 6, 2015

TO: Honorable Members of the Public Safety Committee:
Adam Medrano (Chair), B. Adam McGough (Vice Chair), Sandy Greyson, Tiffinni A. Young,
Jennifer S. Gates, Philip T. Kingston

SUBJECT: **Fire Investigation Division**

On Monday, November 9, 2015, the Public Safety Committee members will be briefed on the Fire Investigation Division. The materials are attached for your review.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

FIRE INVESTIGATION DIVISION



Public Safety Committee
November 9, 2015

Our Purpose



To determine the **Origin** and **Cause** of fires

Our Vision



Positively impact the crime rate and quality of
life in Dallas

Our Mission



- Reduce accidental fires through education and intervention



- Reduce incendiary fires through arrest and conviction

Our Values

- Compassion
- Integrity
- Dedication
- Effectiveness
- Customer Service



Arson Investigators

Investigates intentionally set or suspicious in nature fires.



Certified Peace Officers

Qualifications

- Basic Fire Inspection from Texas Commission on Fire Protection (minimum 196 hours)
- Basic Fire Investigator from Texas Commission on Fire Protection (minimum 150 tested hours and 27 skills tests)
- Peace Officer Certification from the Texas Commission on Law Enforcement (minimum 643 hours covering over 30 topics)

Arson Investigators



Components of Fire Investigation



Fire Investigation

Accidental Fires



Incendiary Fires



Accidental Fires



Operational Deficiency

Electrical Failure



Incendiary Fires

Deliberately setting a vehicle on fire for monetary purposes



Intentionally setting a fire on school property

TEXAS STATE LAW

Penal Code PC 28.02

- **Arson** - an offense if a person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:
 - Vegetation, fence, or structure on open-space land
 - Building
 - Habitation
 - Vehicle

TEXAS STATE LAW (cont.)

- Knowing that it is:
 - Within city limits
 - Insured
 - Subject to a mortgage
 - On or within property of another
 - Reckless and endangers an individual or property of another

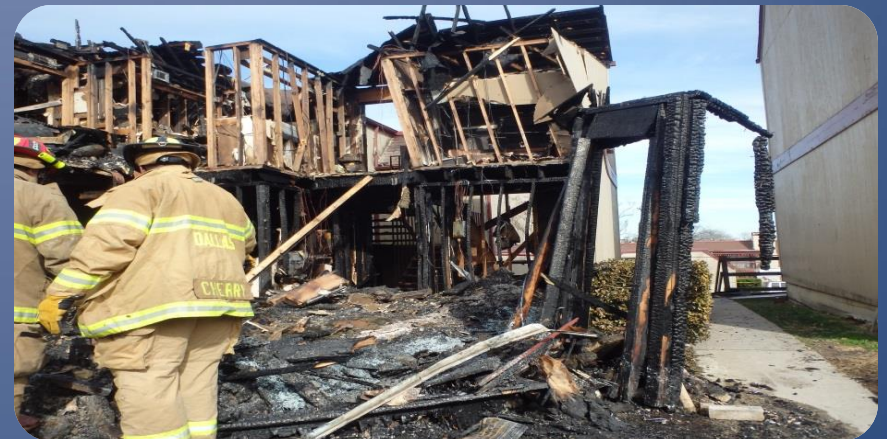
Arson Crime

Criminal Punishments

- Arson:
 - Second Degree Felony - Texas Department of Corrections (TDC) 2 to 20 years and up to \$10,000 fine
- Arson with bodily injury, death or arson of a habitation or place of assembly or worship:
 - First Degree Felony – (TDC) 5 to 99 years or life and up to \$10,000 fine
- Criminal Mischief:
 - Class and fine is contingent on the amount of pecuniary loss

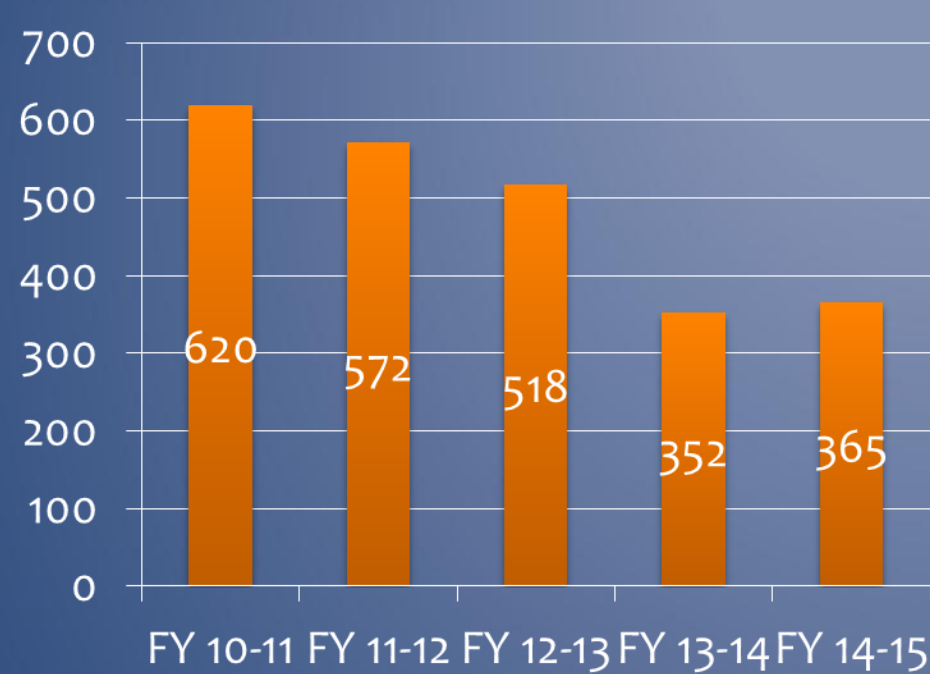
Reasons Behind Arson

- For Profit
- Revenge
- Crime concealment
- Psychological compulsion
- Mass Civil Disturbance (Riot)
- Terrorism
- Gang initiations
- Thrill seekers and dares

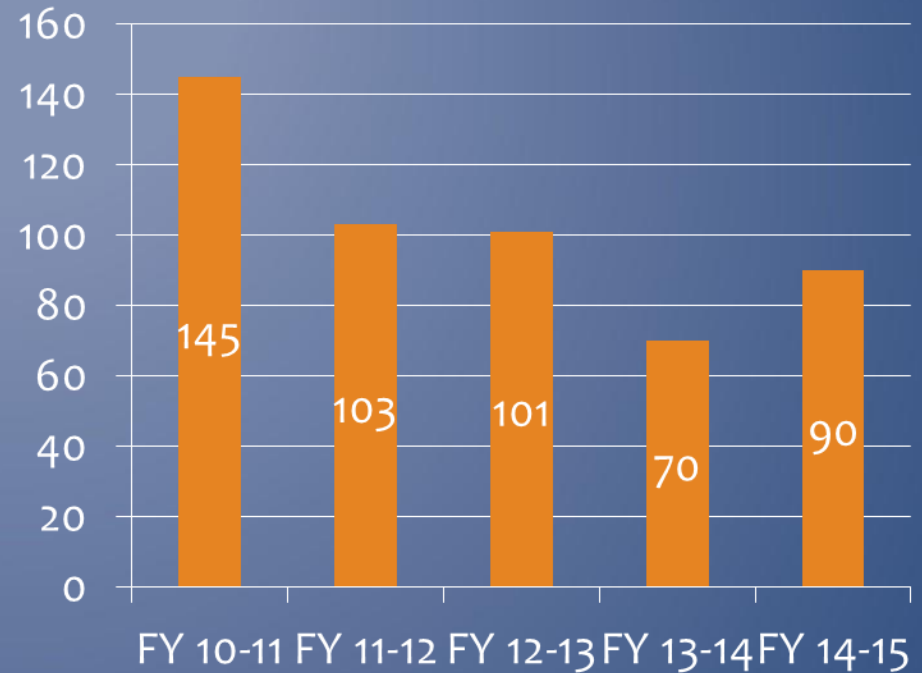


2010-2015 Arson Statistics

Total Arson Incidents



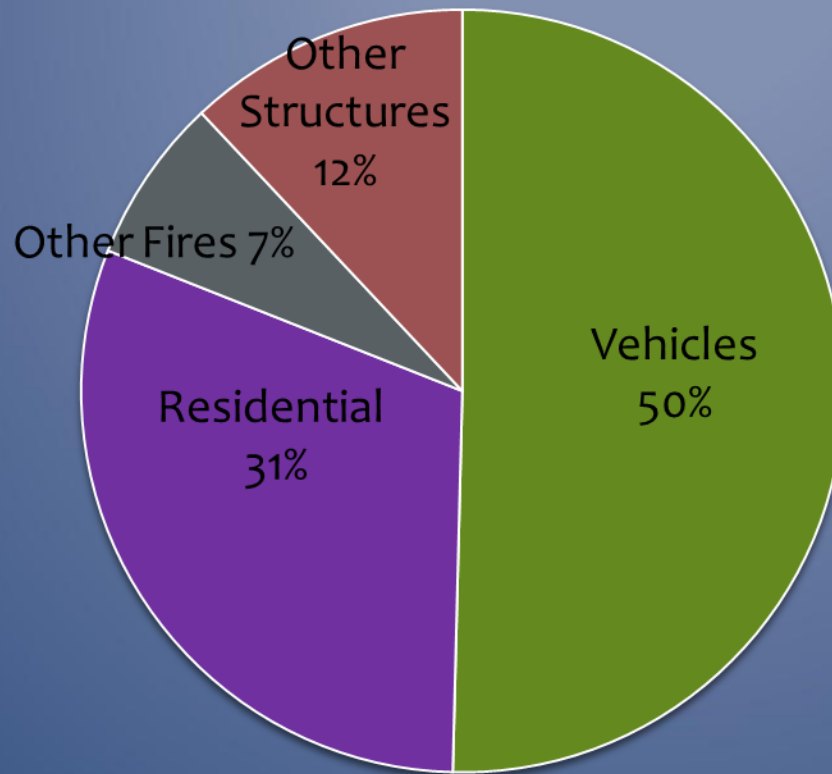
Total Arson Arrests



What does Arson look like?

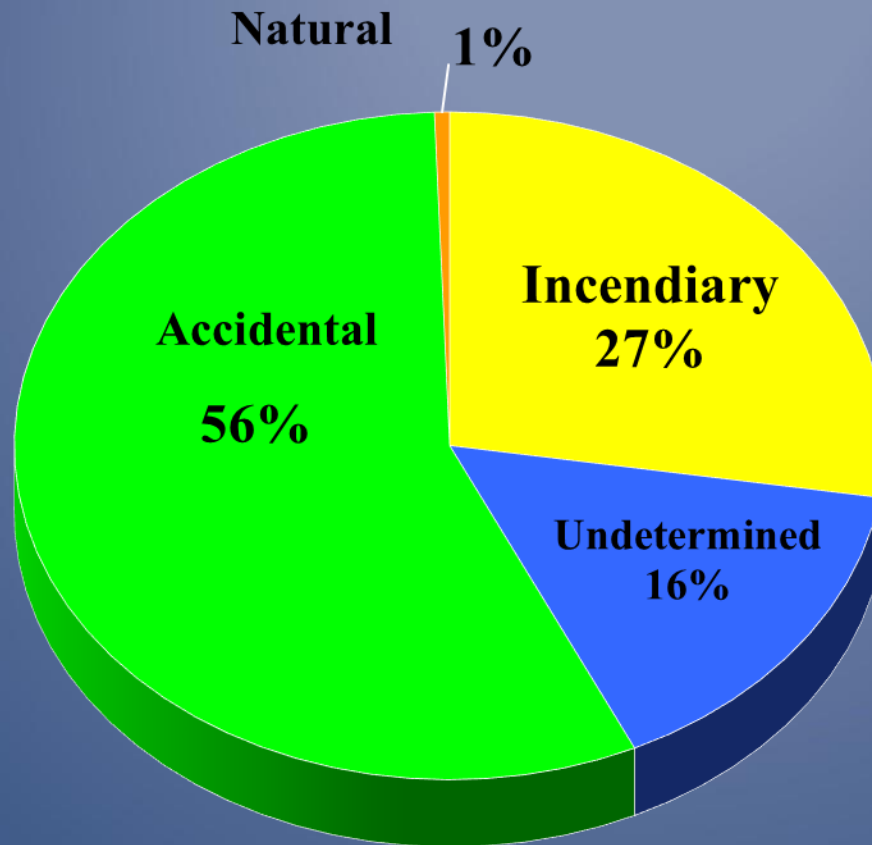


Incendiary Fires FY 2014-2015



373 Investigations

Cause of Fires in Dallas FY 2014-2015



1396 Fire
Investigations

Cause Determination

- Witnesses
- Insurance
- Financial History
- Previous Fire History
- Criminal Background



Interviews



It is essential for the investigators to interview the fire fighters and witnesses immediately following a fire incident.





What are we doing about Arson?

- Arson Awareness/Prevention Program
 - Utilizing the “Crime Stoppers Program”
 - Canvassing neighborhoods for tips
 - Arresting arsonists
 - Assist the Public Information Officer for timely press releases
 - Intervention with Juvenile Fire Setters

QUESTIONS?

Memorandum



CITY OF DALLAS

DATE: November 6, 2015

TO: Honorable Members of the Public Safety Committee:
Adam Medrano (Chair), B. Adam McGough (Vice Chair), Sandy Greyson, Tiffinni A. Young,
Jennifer S. Gates, Philip T. Kingston

SUBJECT: **Administrative (Fire) Reports**

On Monday, November 9, 2015, the Public Safety Committee members will be briefed on the Administrative (Fire) Reports.

This is an informational memo to provide the Public Safety Committee with a brief description of fire reports for September 19, 2015 – September 26, 2015.

There were 2 (two) injuries as a result of fire incidents. The materials are attached for your review.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

**Public Safety Committee
Administrative Fire Reports
Summary
October 2015**

DATE	ADDRESS	COUNCIL DISTRICT	TYPE	CAUSE	LOSS	ALARM
A. 09/19/15	2507 Scott Street	District 7	1-Story Frame Dwelling	Accidental	\$3,500.00	1 Alarm
B. 09/26/15	7242 Umphress Road	District 5	1-Story Frame Duplex	Accidental	\$150.00	1 Alarm

One Alarm Fire (A)

Date of Fire:	September 19, 2015	Time of Fire	3:18 AM												
Response Time	2 Minutes 45 Seconds														
Location	2507 Scott Street	Service Area	Southeast												
Bldg. Type	1-Story Frame Dwelling	Council District	7 (Young)												
Business Name	N/A														
Fire Alarm System	No	Operational	N/A												
Cause	Accidental														
Value/ Damage Estimate	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="text-align: center;"><u>Value</u></th> <th style="text-align: center;"><u>Damage</u></th> </tr> </thead> <tbody> <tr> <td>Building:</td> <td style="text-align: right;">\$17,210.00</td> <td style="text-align: right;">\$3,000.00</td> </tr> <tr> <td>Content:</td> <td style="text-align: right;">\$4,000.00</td> <td style="text-align: right;">\$500.00</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right; border-top: 1px solid black;">\$21,210.00</td> <td style="text-align: right; border-top: 1px solid black;">\$3,500.00</td> </tr> </tbody> </table>		<u>Value</u>	<u>Damage</u>	Building:	\$17,210.00	\$3,000.00	Content:	\$4,000.00	\$500.00	TOTAL	\$21,210.00	\$3,500.00		
	<u>Value</u>	<u>Damage</u>													
Building:	\$17,210.00	\$3,000.00													
Content:	\$4,000.00	\$500.00													
TOTAL	\$21,210.00	\$3,500.00													
Narrative	<p>This is an accidental fire that resulted when a pan of oil was left unattended on a hot stove, overheated and ignited. The fire traveled from the stove to the counter tops and caused moderate damage to the kitchen window and cabinets adjacent to the stove. Truck 24 was the first arriving company.</p>														

One Alarm Fire (B)

Date of Fire:	September 26, 2015	Time of Fire	7:51 AM												
Response Time	2 Minutes 52 Seconds														
Location	7242 Umphress Road	Service Area	Southeast												
Bldg. Type	1-Story Frame Duplex	Council District	5 (Callahan)												
Business Name	Umphress Terrace														
Fire Alarm System	Yes	Operational	Yes												
Cause	Accidental														
Value/ Damage Estimate	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="text-align: center;"><u>Value</u></th> <th style="text-align: center;"><u>Damage</u></th> </tr> </thead> <tbody> <tr> <td>Building:</td> <td style="text-align: right;">\$4,500,000.00</td> <td style="text-align: right;">\$50.00</td> </tr> <tr> <td>Content:</td> <td style="text-align: right;">\$5,000.00</td> <td style="text-align: right;">\$100.00</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right; border-top: 1px solid black;">\$4,505,000.00</td> <td style="text-align: right; border-top: 1px solid black;">\$150.00</td> </tr> </tbody> </table>		<u>Value</u>	<u>Damage</u>	Building:	\$4,500,000.00	\$50.00	Content:	\$5,000.00	\$100.00	TOTAL	\$4,505,000.00	\$150.00		
	<u>Value</u>	<u>Damage</u>													
Building:	\$4,500,000.00	\$50.00													
Content:	\$5,000.00	\$100.00													
TOTAL	\$4,505,000.00	\$150.00													
Narrative	<p>This is an accidental fire that resulted when a lit candle, in the bathroom, ignited a blouse. Fire damage contents in the bathroom during an attempt to extinguish the blouse in a basin. Engine 34 was the first arriving company.</p>														

Memorandum



CITY OF DALLAS

DATE: November 6, 2015

TO: Honorable Members of the Public Safety Committee:
Adam Medrano (Chair), B. Adam McGough (Vice Chair), Sandy Greyson, Tiffinni A. Young,
Jennifer S. Gates, Philip T. Kingston

SUBJECT: **Juvenile Curfew Ordinance**

On Monday, November 9, 2015, the Public Safety Committee members will be briefed on the Juvenile Curfew Ordinance. The materials are attached for your review.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council



Juvenile Curfew Ordinance

Public Safety Committee
November 9, 2015



David O. Brown
Chief Of Police

Purpose

- Provide an overview of the impact of the Juvenile Curfew Ordinance on the City of Dallas.
- Provide statistical information relating to enforcement of the Juvenile Curfew Ordinance.

Goals

The following departmental goals will continue to be achieved by enforcement of the Dallas Juvenile Curfew Ordinance:

- Change the behavior of juveniles in a positive manner
- Reduce overall crime committed by juvenile offenders, particularly during school hours
- Decrease the number of juvenile victims of violent crimes
- Youth crime reduction strategy contributing to the Dallas Police Department's goal of making Dallas one of the 5 safest large cities

Briefing

- Dallas Juvenile Curfew Ordinance specifies the hours of curfew for daytime during school sessions and nighttime curfew year round.
- Daytime curfew hours are 9:00 A.M. until 2:30 P.M. during weekdays.
- Nighttime curfew hours are 11:00 P.M. until 6:00 A.M. from Sunday night through Thursday night.
- Weekend night hours are 12:00 A.M. until 6:00 A.M.

Exceptions to Prosecution (Daytime)

- The school in which the minor was enrolled or otherwise required to attend was not in session.
- The minor was participating in a school approved work study program.
- The minor was on an excused absence from school in which the minor was enrolled or otherwise required to attend and had permission from a school official, or in the case of a home-schooled minor, from the minor's parent or guardian.

Exceptions to Prosecution (Nighttime)

- Accompanied by minor's parent/guardian.
- On an errand at the direction of the minor's parent/guardian.
- Engaged in or going to or from an employment activity.
- Involved in an emergency.
- On the sidewalk abutting the minor's residence or neighbors residence.
- Attending, going to or from an official school, religious or recreational activity supervised by adults.

Briefing

- Adopted by the Dallas City Council on June 12, 1991.
- The City of Dallas amended the ordinance on May 18, 2009, to include daytime curfew hours as a violation.
- On April 25, 2012, the ordinance was renewed.
- Texas Local Government Code requires the curfew ordinance be renewed every three years.
- Dallas Juvenile Curfew Ordinance expired on May 1, 2015.

Briefing (continued)

- Prior to the daytime curfew, the average number of juveniles arrested each year for property crimes was 307.
- Since the daytime curfew hours were added, the average number of juveniles arrested each year for property crimes has dropped to 228, a reduction of 26%.
- Since 2012, arrests of juveniles during daytime curfew hours for property crimes have dropped by 11%.

Briefing (continued)

- Prior to the daytime curfew, the average number of juveniles arrested each year for violent crimes was 100.
- Since the daytime curfew hours were added, the average number of juveniles arrested each year for violent crimes has dropped to 87, a reduction of 13%.

Summary

- Violent and property crimes committed by juveniles during daytime hours have been reduced since the enactment of the curfew ordinance.
- Most juveniles cited for Section 31-33 Daytime Curfew are placed in a 1-day life skills class.
 - Successful completion results in the charge being dismissed

Questions?

Memorandum



CITY OF DALLAS

DATE: November 6, 2015

TO: Honorable Members of the Public Safety Committee:
Adam Medrano (Chair), B. Adam McGough (Vice Chair), Sandy Greyson, Jennifer S. Gates,
Tiffinni A. Young, Philip T. Kingston

SUBJECT: **Authorize public hearings to be held on December 9, 2015 and January 13, 2016 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on January 13, 2016, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors**

The Juvenile Curfew Ordinance, Dallas City Code Section 31-33, is due for reinstatement. The original curfew ordinance was adopted on June 12, 1991, by the Dallas City Council. The Texas Local Government Code requires that before the third anniversary of the adoption of a juvenile curfew ordinance and every third year thereafter, the City of Dallas must review the ordinance's effects on the community and on the problems the ordinance was intended to remedy, conduct public hearings on the need to continue the ordinance, and abolish, continue or modify the ordinance, or else the ordinance will automatically expire. The ordinance expired on May 1, 2015. It is attached for your review.

In order for the ordinance to be reinstated, there must be two public hearings prior to a final vote by the City Council. The request for the two public hearings is scheduled to be a council agenda item on November 10, 2015. The hearings would then be scheduled for December 9, 2015 and January 13, 2016, before the City Council, with the final vote occurring on January 13, 2016.

Prior to the daytime curfew, the average number of juveniles arrested each year for property crime was 307, since the addition of the daytime curfew hours in 2009, the number has dropped to 228, a reduction of 26%. Since the ordinance was last renewed in 2012, arrests of juveniles during daytime curfew hours for property crime have dropped 11%. This indicates the ordinance has been successful at its goal of changing juvenile behavior.

The Dallas Police Department is seeking the support and recommendation of the Public Safety Committee to authorize the two public hearings for December 9, 2015 and January 13, 2016 and amending Chapter 31 of the Dallas City Code. This item will be placed on the November 10, 2015 City Council Agenda.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

2/23/2012

ORDINANCE NO. 28639

An ordinance readopting and continuing in effect Section 31-33 of CHAPTER 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, as amended; providing for the continuation of the city's juvenile curfew ordinance as required by state law; continuing daytime and nighttime curfew hours for minors; readopting definitions; continuing provisions for offenses and defenses for minors, parents and guardians of minors, and business establishments violating curfew requirements; continuing provisions for enforcement of curfew requirements by the police department; continuing provisions for waiver by the municipal court of jurisdiction over a minor when required under the Texas Family Code; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date and an expiration date.

WHEREAS, on June 12, 1991, the city council of the city of Dallas adopted Ordinance No. 20966, which added Section 31-33 to the Dallas City Code to establish nighttime curfew hours for minors, which ordinance was amended by Ordinance No. 21309 on June 10, 1992; and

WHEREAS, the city voluntarily delayed enforcement of this juvenile curfew ordinance pending adjudication of a challenge to the ordinance's constitutionality; and

WHEREAS, on August 10, 1992, the United States District Court for the Northern District of Texas permanently enjoined the city from enforcing the juvenile curfew ordinance; on November 19, 1993, the United States Fifth Circuit Court of Appeals overturned the district court's decision and upheld the city's ordinance as constitutional; and in April 1994, the United States Supreme Court declined to review the Fifth Circuit's decision; and

28639

121222

WHEREAS, on May 1, 1994, the city began initial enforcement of the juvenile curfew ordinance; and

WHEREAS, Section 370.002 of the Texas Local Government Code requires that, before the third anniversary of the adoption of a juvenile curfew ordinance and every third year thereafter, the governing body of a home rule city must review the ordinance's effects on the community and on the problems the ordinance was intended to remedy, conduct public hearings on the need to continue the ordinance, and abolish, continue, or modify the ordinance, or else the ordinance will automatically expire; and

WHEREAS, after conducting public hearings on the need to continue the juvenile curfew ordinance, the city council adopted Ordinance No. 23079 (passed April 9, 1997; effective May 1, 1997), Ordinance No. 24235 (passed April 26, 2000; effective May 1, 2000), Ordinance No. 25231 (passed April 9, 2003; effective May 1, 2003), Ordinance No. 26336 (passed April 26, 2006; effective May 1, 2006), and Ordinance No. 27527 (passed April 22, 2009; effective May 1, 2009), each of which readopted and continued in effect the juvenile curfew ordinance establishing nighttime curfew hours for minors, and adopted Ordinance No. 27538 (passed May 13, 2009; effective May 18, 2009), which added daytime curfew hours for minors to the juvenile curfew ordinance; and

WHEREAS, it has been nearly three years since the last readoption of the city's juvenile curfew ordinance, and the city council has reviewed the ordinance and determined that the daytime and nighttime curfew hours for minors established by the ordinance have had a positive effect on the community and have had a significant effect on reducing crimes committed by and against juveniles in the city, which problems the ordinance was intended to remedy; and

WHEREAS, on March 28, 2012 and April 25, 2012, the city council conducted public hearings on the need to continue the juvenile curfew ordinance; and

WHEREAS, the city council has determined that a need exists to continue in effect the juvenile curfew ordinance in order to further the health, safety, and welfare of juveniles, and other persons, residing in or visiting the city of Dallas; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 31-33, "Curfew Hours for Minors," of CHAPTER 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, as amended, is readopted and continued in effect, as restated below, with an amendment to Subsection (f) to read as follows:

"SEC. 31-33. CURFEW HOURS FOR MINORS.

(a) Definitions. In this section:

(1) CURFEW HOURS means:

(A) 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day;

(B) 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday; and

(C) 9:00 a.m. until 2:30 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday.

(2) EMERGENCY means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

(3) ESTABLISHMENT means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

(4) GUARDIAN means:

(A) a person who, under court order, is the guardian of the person of a minor; or

(B) a public or private agency with whom a minor has been placed by a court.

(5) IN SESSION means the status of a school during the fall or spring term when students are required to attend the school. A school is not in session during its summer break or during any holiday or other scheduled general student vacation day or part of a day observed by the school.

(6) MINOR means any person under 17 years of age.

(7) OPERATOR means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

(8) PARENT means a person who is:

(A) a natural parent, adoptive parent, or step-parent of another person;
or

(B) at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

(9) PUBLIC PLACE means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

(10) REMAIN means to:

(A) linger or stay; or

(B) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

(11) SERIOUS BODILY INJURY means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(b) Offenses.

(1) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(2) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(3) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(c) Defenses.

(1) It is a defense to prosecution under Subsection (b) that the minor was:

(A) accompanied by the minor's parent or guardian;

(B) on an errand at the direction of the minor's parent or guardian, without any detour or stop;

(C) in a motor vehicle involved in interstate travel;

(D) engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

(E) involved in an emergency;

(F) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence, except that this defense does not apply to a violation of the curfew hours described in Subsection (a)(1)(C) of this section;

(G) attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city of Dallas, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city of Dallas, a civic organization, or another similar entity that takes responsibility for the minor;

(H) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(I) married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.

(2) It is a defense to prosecution under Subsection (b)(3) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

(3) It is a defense to prosecution under Subsection (b) of this section for a violation of the curfew hours described in Subsection (a)(1)(C) that:

(A) the school in which the minor was enrolled or otherwise required to attend was not in session;

(B) the minor was on the premises of the school in which the minor was enrolled or otherwise required to attend;

(C) the minor was participating in a school-approved work study program, or was going to the work study program or returning to home or school from the work-study program without any detour or stop;

(D) the minor was on a lunch break from a school that permits an open campus lunch and was qualified to participate in the open campus lunch program;

(E) the minor was on an excused absence from the school in which the minor was enrolled or otherwise required to attend and had permission from a school official, or, in the case of a home-schooled minor, from the minor's parent or guardian; or

(F) the minor was a high school graduate or had received a high school equivalency certificate.

(d) Enforcement.

(1) Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Subsection (c) is present.

(2) A police officer shall not issue a citation to or arrest a parent or guardian of a minor for a violation of Subsection (b)(2) of this section relating to the curfew hours described in Subsection (a)(1)(C), unless the parent or guardian has, within the same calendar year, received at least two prior written warnings from a police officer for a violation of Subsection (b)(2) relating to the curfew hours described in Subsection (a)(1)(C). In calculating the number of warnings received by a parent or guardian in a calendar year, all warnings issued to the parent or guardian will be counted, regardless of whether the warnings relate to the same minor.

(3) A police officer shall not issue a citation to or arrest an owner, operator, or employee of an establishment for a violation of Subsection (b)(3) of this section relating to the curfew hours described in Subsection (a)(1)(C), unless the establishment has, within the same calendar year, received at least two prior written warnings from a police officer for a violation of Subsection (b)(3) relating to the curfew hours described in Subsection (a)(1)(C). In calculating the number of warnings received by an establishment in a calendar year, all warnings issued to any owner, operator, or employee of the establishment will be counted, regardless of whether the warnings relate to the same minor.

(e) Penalties.

(1) A person who violates a provision of this chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.

(2) When required by Section 51.08 of the Texas Family Code, as amended, the municipal court shall waive original jurisdiction over a minor who violates Subsection (b)(1) of this section and shall refer the minor to juvenile court.

(f) Expiration. This section expires on May 1, 2015 [~~2012~~], unless sooner terminated or extended by city council ordinance.”

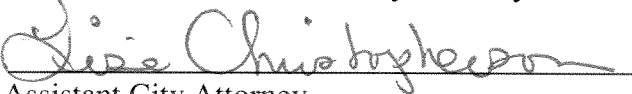
SECTION 2. That CHAPTER 31 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 4. That this ordinance will take effect on May 1, 2012, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed APR 25 2012

LC/DCC/00520A