

Memorandum



CITY OF DALLAS

DATE March 22, 2019

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT Community Prosecution Update

On Monday, March 25, 2019, the Public Safety and Criminal Justice Committee will be briefed on an overview of the Community Prosecution Division of the City Attorney's Office. I will be presenting along with Jill Haning, Chief of Community Prosecution. The materials are attached for your review.

A handwritten signature in black ink, appearing to read 'C. Caso', written over a horizontal line.

Christopher J. Caso
Interim City Attorney

T.C. Broadnax, City Manager
Jon Fortune, Assistant City Manager
Carol A. Smith, City Auditor (Interim)
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizar Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Laila Alequresh, Chief Innovation Officer
Directors and Assistant Directors

Community Prosecution

**Public Safety and Criminal
Justice Committee**

March 25, 2019



City of Dallas

Christopher J. Caso, Interim City Attorney

Jill Haning, Chief of Community Prosecution

Agenda

- **Mission**
- **History**
- **Organization**
- **Process**
- **Recent Successes**
- **Collaborative Enforcement Initiatives**
- **Collaborative Revitalization Initiatives**
- **Opportunities for Improvement**
- **Questions**

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Mission

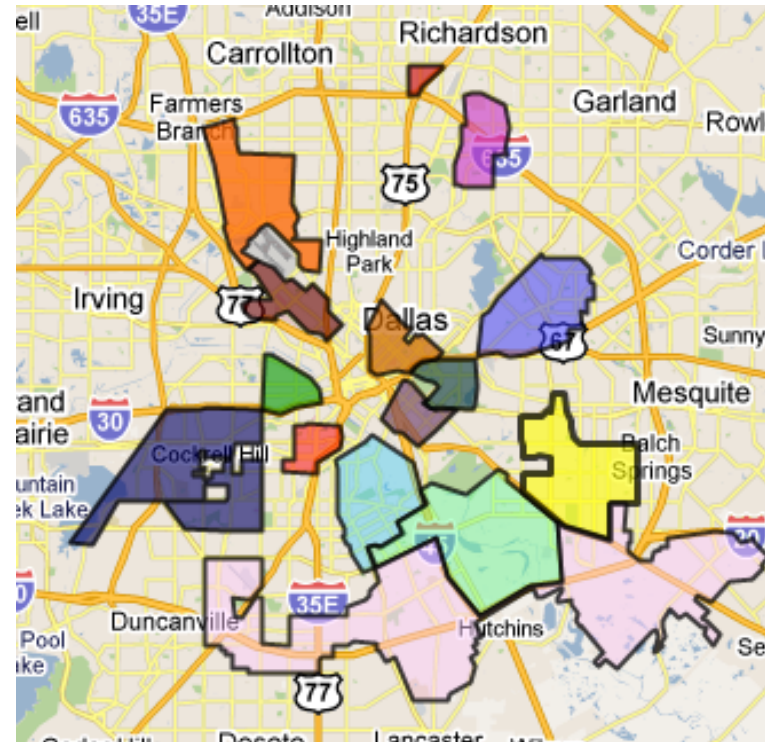
The mission of the Community Prosecution Team is to *proactively* improve public safety and the quality of life within the City of Dallas by:

- *Engaging the community* to identify and solve nuisance-related problems.
- *Strategically collaborating* with other city departments and local agencies to more effectively deploy city resources.
- Seeking *voluntary compliance* from property owners and business owners who maintain substandard or hazardous properties or illegal land uses.
- Using all available legal tools to gain compliance from non-compliant property owners, most commonly *filing suit* against them under state laws *seeking injunctive relief and civil penalties*.

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History

- Community Prosecution is a proactive approach to address public safety and quality of life issues within the City of Dallas.
- The Dallas City Attorney's Office adopted the community prosecution model in 2001. Community prosecutors were assigned to designated target areas based on census tracts or council districts to address code violations.



Organization

Chief of Community Prosecution

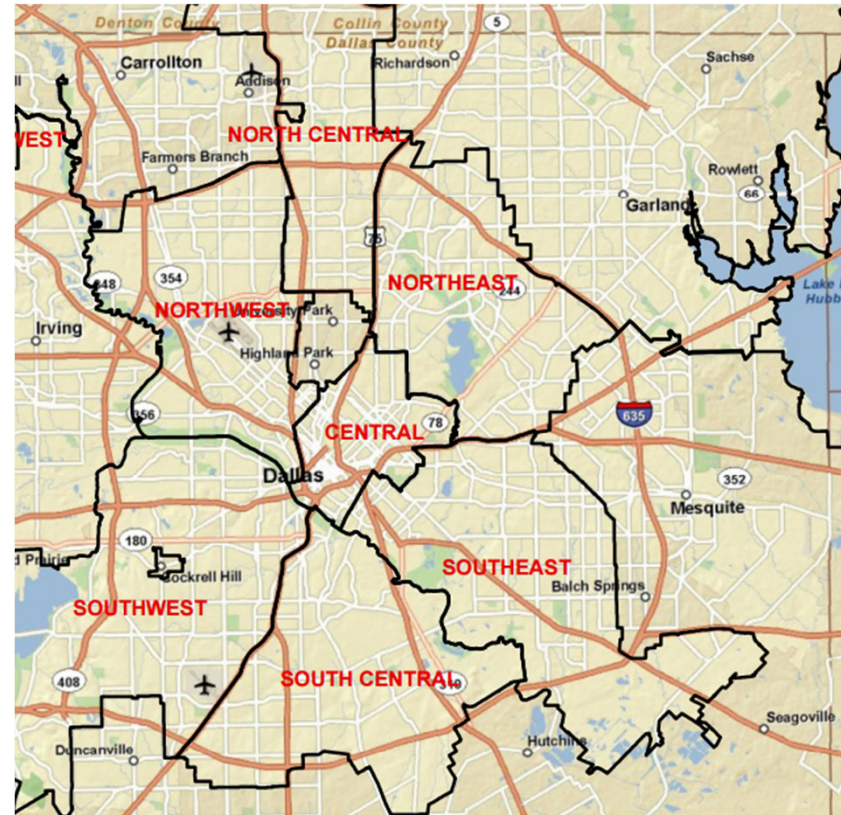
Two (2) Deputy Chiefs: Litigation & Field Divisions (one vacancy)

Twelve (12) Community Prosecutors:

- Nine (9) CPs assigned across the police/code divisions
- Two (2) CPs assigned to the litigation unit
- One (1) CP responsible for environmental cases (two CP vacancies)
- Paralegals
- Support Staff

Caseload:

- Average: 40 litigation cases
- Average: 20 pre-litigation case/attorney



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Organization



COMMUNITY
PROSECUTOR



CODE OFFICER



FIRE
PREVENTION
OFFICER



DETECTIVE

- Other Critical Departments:
 - Office of Environmental Quality
 - Dallas Water Utilities
 - Sustainable Development and Construction
 - Planning and Urban Design Department
 - Department of Housing and Neighborhood Revitalization

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Process: Overview

- CP team identifies (proactively or by referral) properties with violations of health and safety ordinances and/or habitual criminal activity in their geographic area.
- CP team attempts to obtain voluntary compliance by notifying owners of outstanding issues, meeting with them, and developing deadlines for obtaining compliance.
- If such attempts are unsuccessful, enforcement is taken either through litigation or municipal court citations.
- Common Enforcement Remedies Available:
 - Injunctions
 - Civil Penalties
 - Appointment of Receivers
- All attempts to address blight and/or crime is enhanced through strategic engagement of community residents and stakeholders through community meetings and revitalization strategies.

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Process: Individual Case

- **Evaluation for Acceptance or Rejection:**
 - Is the property a place where habitual criminal activity occurs?
 - Do the ordinance violations at the property pose a substantial danger?
 - Is there a complex, unprecedented, or new code issue?
 - Has the property owner been unresponsive to previous enforcement?
 - Is departmental collaboration necessary?
- **Initial Inspection:** to document the condition of the property, including land use, health and safety hazards, and/or implementation of reasonable measures to support a pre-litigation case and, if necessary, litigation.
- **Issuance of Notice:** to notify owners of outstanding issues as required by the applicable law(s).
- **Meeting with Owners:** to educate owners, further investigate the issues, and develop timeframes for compliance.
- **Obtaining Agreement:** to set expectations and deadlines for the City and owners for compliance.
- **Voluntary Compliance or Litigation**

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Process: Additional Responsibilities

- Protesting the issuance of new or renewal of TABC licenses.
- Defending department director decisions before the Permit and License Appeal Board.
- Seeking appointment of independent or dependent administrators to probate estates which own property in the city.
- Obtaining writs of possession to vacate city-owned or city managed properties.
- Hosting and leading intra-departmental meetings for city staff working in the division.
- Hosting and leading resident and stakeholder meetings who live and/work in the division.

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Recent Team Successes

Voluntary Compliance

- Property owners demolish a large vacant commercial structure after receiving notice of code violations.
- Absentee owners of a property preliminarily designated as an habitual criminal property sells property to new owner who fences the property; increases security presence; rehabs property while maintaining affordability; and reduces documented crime from twenty-six (26) abatable offenses to zero.
- After failing to comply with notices issued by Multifamily Code, property owner of apartment complex enters into and complies with the repair agreement. Property is now family-friendly; units are being rehabbed; and tenants contributing to crime have been evicted.

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Recent Team Successes

Litigation

- Three illegal massage parlors used for prostitution is ordered closed.
- Owner of a self-serve car wash known for open-air drug sales and violent crime agrees to install security cameras and controlled-access gates, hires a security surveillance company to monitor the cameras, and limit the hours of operation.
- Court appoints receiver to take possession and control of an abandoned substandard hospital with asbestos.
- Property owners agree to vacate and demolish a substandard mall.
- Business owner causing environmental harm is required to shut down business operations.

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Recent Team Successes

Strategic Community Engagement

- Development of business symposium to educate local business owners of city services.
- Collaborative efforts results in the closure of a hotel known for drug sales, prostitution, and violent crime.
- Collaborative efforts result in the eviction of business owners of a convenience store for failure to address the ongoing criminal activity.
- Property owners of twenty-four (24) multifamily properties begin communicating directly to address shared issues of trash and crime.

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Collaborative Enforcement Initiatives

- Enhancing DPD's Vice Unit enforcement by:
 - Advising their licensing practices re SOBs, dance hall, and late-hours permits;
 - Seeking civil forfeiture of seized 8-liner gaming machines;
 - Obtaining injunctive relief of common nuisances.
- Abating common nuisances in collaboration with the United States Attorney's Office's Project Safe Neighborhood & Civil Forfeiture Division.
- Identification of enforcement challenges and development of realistic solutions through the intra-departmental Business Regulations Working Group.
- Collaboration with Planning and Urban Design Department in the development of complementary community engagement and enforcement strategies.

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Collaborative Revitalization Initiatives



Collaborative Revitalization Initiatives



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Opportunities for Improvement

Suggested Improvements

- Empower individual teams through development of:
 - intra-departmental practices (defining process, roles, and responsibilities);
 - training programs conducted by CAO and outside experts; and
 - proactive community engagement and enforcement plans.
- Monthly reporting to council, departments, and city manager's office.
- Case reviews every 90 days by immediate supervisors.
- Quarterly program reviews by executive leadership team.
- Re-organization of departmental structures to ensure appropriate supervision.

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QUESTIONS



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