

Eugene Police Department
Office of the Chief
PROTECT.SERVE.CARE.



TO: Jon Ruiz, City Manager
FROM: Pete Kerns, Police Chief
RE: Downtown Public Safety Strategy
DATE: September 11, 2013

In January, the City chartered a committee to recommend a path to end the Downtown Public Safety Zone (DPSZ) The Committee compiled a comprehensive list of alternatives and submitted them to the City in July 2013. A staff team including Presiding Judge Wayne Allen, Police Captain Karl Durr, Library, Recreation and Cultural Services Director Renee Grube, Central Services Executive Director Kristie Hammitt, City Attorney Glenn Klein, Assistant City Manager and Planning and Development Director Sarah Medary, and Court Administrator Cheryl Stone met to review the committee's recommendations and to discuss strategies to address downtown safety. As a result of that collaborative meeting, outlined below is the team's recommended strategy to address the public safety needs in the downtown core as the public safety zone sunsets.

It is not recommended that we ask to extend the DPSZ ordinance beyond its sunset this Fall. The current version of the ordinance has fewer applications. Amendments to the ordinance together with service reductions in the District Attorney's Office have made exclusions very rare.

1. Support efforts to continue to increase positive activity downtown.

The City currently supports, permits and schedules a variety of events and activities in the Downtown core. The City directly operates Summer in the City and "Park for Lunch" programming (primarily in Kesey Plaza and on the Park Blocks). The City provides various forms of operational and policy support for the Saturday and Farmer's Markets. The City also contracts with the Saturday Market to promote and permit food carts and events in the downtown core, and provides operational support for the annual Eugene Celebration.

Programming positive activities in public spaces and plazas in the Downtown is an effective way to increase pedestrian circulation which contributes to the safety in the downtown as a whole. These activities also introduce a broader public to amenities and opportunities in the Downtown. The City's active encouragement and investment have been major factors in the recent success of Downtown projects. Loans made to the Broadway Commerce center, the Woolworth and the First on Broadway (Taco Time Building) were fundamental to completing the financing for these projects. The City's investment in the LCC Downtown Center was a key component of the project's capitalization. Smaller loans to the Barn light, Soubise, the Bijou and Off the Waffle and others have helped to create a fabric of commercial activity that has transformed the Downtown experience. Continuation of these policies and use of these tools would contribute to further commercial improvements in the Downtown. As the downtown continues to redevelop, positive activity and pedestrian circulation will support safety goals and the public's perception of a welcoming environment downtown.



An increase in long-term residents has long been viewed as an essential element of success for the Downtown, in terms of economic and social success as well as from a safety perspective. The City has been successful introducing affordable housing in the downtown (WestTown on 8th, Aurora) using local state and federal assistance. There has been some success introducing market rate and student housing (Tiffany, Broadway Place, High Street Terrace, Tate, Capstone) using MUPTE and Urban Renewal. Adding a higher density of market rate housing will greatly enhance the pedestrian presence and overall safety of the Downtown. Given the economic realities of site acquisition and assembly, together with the higher density form of downtown housing, it is likely that public financial tools would remain essential to support downtown development in the near future.

COST: Many of activities are currently underway and funded, and will continue as funding allows. To increase the number and frequency of activities and programs in the downtown from the current level, will cost between \$2,000-\$7,000 per event depending on size and scale of event.

2. Evaluate opportunity to establish a community court, in partnership with the Center for Court Innovations.

Several of the recommendations from the Committee focus on improvements or expansions of court services, including the recommendation to expand alternative sentencing, mental health court, drug court and the development of a list of high-utilizers are all in the purview of and included in the strategy surrounding the development of a community court, described below.

The community court model helps to address criminal activity in communities by using evidence based practices to restructure the criminal justice process. This restructuring process includes assessment of the offender's needs, sanctions which increase defendant accountability and participation in treatment or needed services. A problem-solving approach is designed to address community specific problems, reduce crime, strengthen neighborhoods, support victims, and improve public trust in justice. Models of community courts exist across the nation and worldwide. Each court is customized to address a particular issue defined through a community needs assessment.

The Eugene Municipal Court is interested in pursuing these evidence based practices to address several of the recommendations from the Downtown Public Safety Committee as well as other efforts in the City where related matters are discussed. A community court can be structured to meet any specific geographic need, focused on frequent users of the justice system, or may be focused on a particular problem, such as mental health, substance abuse, theft, lack of housing opportunities, or on factors that arise in a needs assessment of the individual offender. If the City pursues this model to address quality of life crimes the project would include developing new sentencing alternatives, expanded use of problem-solving courts such as mental health and drug court, and may result in a focused effort on high-end users of the system. The community needs assessment and evidence based practices would facilitate the needed change to increase the likelihood of successful outcomes.

The City is engaged in conversations with the Center for Court Innovation (www.courtinnovation.org) to provide technical assistance through their experience with these community programs. Working with the Center for Court Innovation, the municipal court is creating a timeline and roadmap to build a community court model in Eugene to improve outcomes for quality of life offenders. The Center for Court Innovation is a federally funded agency and provides technical assistance to forward thinking communities interested in this problem-solving approach. The community needs assessment will likely take three to four months. Once the assessment is completed the court and justice system partners will

engage in the planning and development of the program. The development phase may take six to nine months depending on the extent of change and scope of the program.

COST: Technical support for the needs assessment is being provided by the Center for Court Innovation. Staff support is being supplemented with two interns from the University of Oregon, who will begin in October. With the information gathered from the needs assessment, a proposal for a community court may be developed and if necessary, a funding strategy will be identified.

3. Complete a triple bottom line analysis to determine need for restroom facilities in the downtown core.

The committee recommended that if increased restroom facilities cannot be installed, the City should develop a plan to address the needs in the future. Considering space limitations and expected use, several potential restroom options are possible downtown. Before evaluating alternatives however, we recommend a triple-bottom-line analysis to determine need.

COST: If it is determined that there is a need for additional public restrooms, costs range from \$130,000 for a two-stall prefabricated toilet, to \$270,000 for a four-stall permanent structure. Annual operating costs are estimated at \$10,000 per stall.

4. Explore possibility of adopting certain drug offenses into city code, enabling jurisdiction in Municipal Court.

Increasingly, circuit court drug related arrests have not been filed by the District Attorney due to a lack of resources. This includes both distribution and possession charges. The City spends numerous hours on enforcement, and there are effectively no consequences for offenders who commit these crimes. The City may be able to adopt some of the more prevalent charges in the city municipal code, and the resulting cases can be filed in municipal court. This would result in increased accountability, including the ability to impose geographic conditions as a term of probation.

The charges under consideration relate to: possession of greater than one ounce of marijuana; possession of marijuana within 1000 feet of a school and possession or delivery of schedule 1-4 controlled substances (i.e. marijuana, heroin, cocaine, methamphetamine, prescription drugs).

While this initiative would give Eugene Municipal Court jurisdiction in what are now felony drug offenses, the Court, Prosecutor's Office and court appointed attorneys do not have sufficient resources to adopt the entire volume of cases that would qualify under this initiative. All Municipal Court cases will need to be managed and charged in such a way as to ensure there is no growth in the load on the Municipal Court system. Adding these offenses to the municipal code is not intended to increase the Municipal Court System's workload, but instead is intended to provide more options to the prosecutor to increase the accountability for certain, drug offenders.

COST: Court, Prosecutor and court appointed attorney resources are at capacity. The use of adopted State statutes for certain drug offenses will need to be carefully managed to ensure a cost neutral application. The purpose of this initiative is to provide options, although limited, to officers and prosecutors without increasing expenses. Please note that increased caseload and reduced funding have already increased court delays beyond judicial standards.