

**CITY OF BRIDGEPORT
JOINT MEETING OF THE
PUBLIC SAFETY & TRANSPORTATION COMMITTEE
AND THE ORDINANCE COMMITTEE
SPECIAL MEETING
MARCH 7, 2012**

ATTENDANCE: Public Safety: Michelle Lyons, Co-chair; Leticia Colon, Co-Chair; Angel dePara

Ordinance: Richard Paoletto, Co-Chair; Warren Blunt, Co-chair; Lydia Martinez, Richard Bonney

OTHERS: Police Chief Gaudett, Sgt. Dickerson; Atty. Mark Anastasi

CALL TO ORDER

Council Member Lyons called the meeting to order at 6:15 p.m. She introduced all the council members present. Council Member Lyons then announced the names of the Committee co-chairs.

Approval of Joint Committee Minutes January 30, 2012

**** COUNCIL MEMBER PAOLETTO MOVED THE MINUTES OF JANUARY 30, 2012.
** COUNCIL MEMBER MARTINEZ SECONDED.
** THE MOTION TO APPROVE THE MINUTES OF THE JANUARY 30, 2012 AS SUBMITTED PASSED UNANIMOUSLY.**

Approval of Public Hearing February 6, 2012

**** COUNCIL MEMBER COLON MOVED THE MINUTES OF THE FEBRUARY 6, 2012 PUBLIC HEARING.
** COUNCIL MEMBER DEPARA SECONDED.
** THE MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 6, 2012 PUBLIC HEARING AS SUBMITTED.**

39-11 Proposed Resolution to enforce a curfew for Youth, age sixteen years and younger.

Council Member Blunt said that there had been a number of meetings and that initiating such a measure would require that this be done correctly. There is a plan to bring this to the Council. There may be another round of public hearing that would have expert testimony included. It is anticipated that this public hearing will be scheduled for April 9th and then presented to the Council on the 16th. Council President McCarthy asked for clarification on the procedure and

pointed out that there would need to be one more Committee meeting. Discussion followed about the timing of the meetings in order to have the item submitted for the April 16th meeting.

Atty. Anastasi said that it would be important to document all the work done by Council Member Blunt on this issue and also to include documents from the Police Department into the record. He said that the City Attorney's Office was committed to working with the Police Department on this issue. Council Member Paoletto said that he had concerns about having another public hearing. He said that he had no problem with the expert testimony, but pointed out that the general public session could go on for hours. Atty. Anastasi said that the goal was to get this issue out of committee and to create a public record.

Council Member Lyons said that the Committee meetings were to give the members updates on the progress of this initiative. These are planning meetings for updates and suggestions. She said that in order to get the public input, there would need to be two separate meetings.

Council Member Blunt asked if it was the intention to replace the document. It would be also important to agree on the curfew hours and the ages. He said that there would also need to be agreement on if it would be pilot program and when the curfew would be.

Chief Gaudett then distributed a copy of a flowchart that showed consequences for curfew violations. The Chief then reviewed the various points in the flow chart. He explained how this would work for the first and second contacts with youth who violate the curfew. He then explained that there would be a fine involved after a second contact and cited where this type of fine was covered in the City Ordinances. Chief Gaudett said that the Department was working with the Magistrate regarding circumstances that would waive the fine.

He also reviewed how the Juvenile Review Board would handle the offenders that were referred to them after the second contact.

Following a third episode, the offender would be taken to the Police Station pending the arrival of a responsible parent or guardian. A meeting did take place with the Juvenile Prosecutor about this and the Juvenile Prosecutor was in agreement with this current process. The fine would increase on a third episode. Upon a fourth contact, the responsible party would have yet another, higher fine.

Chief Gaudett said that the point was to have consequences without throwing minors in jail. Throughout this process there are always services and programs willing to provide assistance.

**** COUNCIL MEMBER DE PARA MOVED TO HAVE THE FLOWCHART SUBMITTED INTO THE RECORD AS EXHIBIT 1-3/7/12.**

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

City of Bridgeport

Joint Meeting of the Public Safety & Transportation Committee and the Ordinance Committee
Special Meeting

March 7, 2012

Page 2

Council Member dePara said that address for City Hall was noted in the ordinance. He then said that this was obviously well thought out and not overly punitive. He said that it does provide opportunities for support services for parents and responsible parties.

Council President McCarthy said that Council Member Blunt has worked very hard on this resolution. He said that the Police Department had stepped up immediately to move this forward.

Council President McCarthy asked what would happen if a 16 year old was picked up and no responsible party could be located within a reasonable time. Chief Gaudett said that Juvenile Law allows 16 & 17 year olds to be released in their own recognizance. He said that this would be the officer's call. Council President McCarthy asked what the best practice was for this. Chief Gaudett said that the Department would provide guidelines for the officers.

Council President McCarthy asked how the officers would determine who would be responsible for any given youth. Chief Gaudett explained that the responsible party may not be a parent or guardian, but could be someone who the parent has left the minor child with.

Council President McCarthy said that he had read a court case where a responsible party gave permission for a minor child to be out past curfew. Atty. Anastasi said that the goal was preclude legitimate reasons for a child to be out past curfew, such as a business event, medical treatment or possibly holding a job. This is the kind of decision where the ordinance needs to focus. He then provided the details of the case to the Council Members. He said that it would be important to match up specific instances where juveniles would be in public areas during curfew hours. It will be important to make sure that the facts do warrant the ordinance and does what the Council wants it to do.

Council President McCarthy said that there were people who put juveniles in harms way. Atty. Anastasi agreed. Council President McCarthy pointed out that there were statistics available. Atty. Anastasi agreed and pointed out that 65% of homicides occurred during curfew hours. However, it is important to look at the facts behind the stats, since most homicides occur in the home, and not all homicides involve juveniles.

Council President McCarthy then asked about the curfew contacts that had been mentioned. Chief Gaudett said that the contact list would be available over the radio or on the computers in the patrol cars. The database may also be available to the dispatcher.

Council Member Bonney asked about the fine that a responsible party might receive on the first contact and whether the potential to have that fine waived would be present. . Chief Gaudett said that the first contact did not have a fine attached. It would be on the second contact that a fine would be involved.

Council Member dePara then read out the citation in the Ordinances where parental responsibility was mentioned. Atty. Anastasi said that the ordinance referred to loitering where the free movement of the public was blocked in a public area. He suggested that there be two different ordinances, loitering and curfew, to avoid confusion.

Council Member dePara asked if the database would be confidential. Chief Gaudett said that the Department would consider it confidential.

Council Member Martinez asked if there was information available from other cities that could be shared with the Committee members. Chief Gaudett said that he would defer to Sgt. Dickerson. Sgt. Dickerson said that Philadelphia has a curfew designed to curb flash mobs. Information on the Pennsylvania ordinances, the newsletter and methods of curbing these has been sent to Bridgeport Police Department. Hartford does have a curfew in place along with a number of other cities including Denver, Colorado and Camden, New Jersey.

Council Member Martinez asked how successful these programs were. Sgt. Dickerson said that he had information from the National Conference of Mayors on this. Council Member Martinez asked for copies for the Council Members.

Council Member Martinez asked who was following up on the Connecticut State DMV curfew for younger drivers. She said that she would like to see that data also. Chief Gaudett said that he was collecting this information so that they could report to the Council. Chief Gaudett said that the ability to be flexible was important. There has been much concern and care taken with this, so people are not punished.

Council Member Lyons asked about the material that would be provided to the responsible parties when a juvenile was picked up. Chief Gaudett then passed around an example of what a brochure looked like from Hartford and said that the Department did not yet have their own draft. The BOE has volunteered to distribute materials through the schools in order to educate the parents and students. He added that he would be willing to address the public as why it would be important to have a curfew.

Council Member Lyons asked about the guidelines and training for the officers on how to facilitate this program. Chief Gaudett said that the goal was to create a one page training sheet for the officers included in the daily meetings with the officers. The results of the curfew would be monitored on a daily basis and reported back out.

Council Member Paoletto asked if there would be a requirement of the responsible party to sign a release or show identification upon picking up a juvenile from the Department. Chief Gaudett said all the details for the program were not completed yet, but that the responsible party would have to sign and provide proof of who they are. Council Member Paoletto said that the citation would be given to the responsible party, not the juvenile. Chief Gaudett said that there would be an acknowledgement by the responsible party and it would be tracked, but the details have not

City of Bridgeport

Joint Meeting of the Public Safety & Transportation Committee and the Ordinance Committee
Special Meeting

March 7, 2012

Page 4

yet been developed. Council Member Paoletto asked what the protocol was for the worst case scenario where DCF would be called for safe placement. Chief Gaudett said that once DCF becomes involved, then the matter becomes their case.

Council Member Blunt said that there has been a great deal of work that has been done by the Chief and the Sergeant on this in order to keep the youth out of the system. Keeping the loitering and curfew separate had been mentioned.

Chief Gaudett said that based on experience, the issue becomes loitering and there are adults that loiter with juveniles. It is important to communicate that the behavior is being targeted, not juveniles. Atty. Anastasi said that it could be possible to have this in one ordinance, but it needs to be clearly defined. He gave an example illustrating that it was possible for a juvenile to loiter during non-curfew hours.

Council Member Paoletto said that the two categories, juvenile and minors, as defined in the document, were good. Council Member Colon said that she felt age 17 would be appropriate. Discussion followed.

Council Member Blunt asked about the time factor. Discussion then followed about when the curfew time should be. Atty. Anastasi said that the Committee would decide on the hours based on the Chief's statistics.

**** COUNCIL MEMBER PAOLETTO MOVED TO HAVE A PUBLIC HEARING ON MONDAY, APRIL 9TH AT 6 P.M. IN THE COUNCIL CHAMBERS AND A SPECIAL JOINT MEETING ON TUESDAY APRIL 10TH AT 6 P.M.**

**** COUNCIL MEMBER BONNEY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER COLON MOVED TO ADJOURN.**

**** COUNCIL MEMBER PAOLETTO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services