

AGENDA FOR THE
ENGLEWOOD CITY COUNCIL
STUDY SESSION



TUESDAY, SEPTEMBER 2, 2014

COMMUNITY ROOM

6:30 P.M.

I. Budget Advisory Committee Update

Members of the Budget Advisory Committee will be present to discuss the committee's findings.

II. Publication of Repeat Offenders Information – 7:00 p.m.

John Collins, Police Chief, and Tamara Wolfe, Court Administrator, will be present to discuss

III. City Manager's Choice.

IV. City Attorney's Choice.

Please Note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood, 303-762-2407, at least 48 hours in advance of when services are needed. Thank you.

Memorandum

To: Michael Flaherty, Interim City Manager
CC: Dan Brotzman, City Attorney
From: John M. Collins, Chief of Police
Date: August 20, 2014
Re: Publishing Names and Addresses of Repeat Code Offenders

City Council will be meeting on September 2, 2014 to discuss the concept of releasing the names and addresses of repeat code enforcement violators and subsequently having that information disseminated to the media. Below are some topics of discussion that will need to be addressed if this concept is to move forward.

- Code Enforcement tracks violations by location not necessarily by name.
- Often times, the code violation goes to the renter of a home. The home owner, who is primarily responsible for the property, may not receive a Notice of Violation or summons. On occasion, a responsible property owner will have the renter's summons dismissed where they are re-issued a summons. This takes place via agreement with the City Prosecutor's Office and not Code Enforcement.
- In a number of cases that are investigated by Code Officers, no one is available to receive a ticket because it is a foreclosure/vacant property. In these cases Code Enforcement conducts an abatement and the City places a lien on the property. Consequently, no one is initially summoned into Court. These are some of the most unsightly locations in the City.
- On many occasions and on some of the worst cases, the judge suspends or defers the conviction and has periodic penalty hearings. This process allows the defendant time to fix or clean up the problem. After a period of time, if they meet the Court's expectations, the case is dismissed.

- Names and addresses are released to the media, it can only occur upon conviction. Code Enforcement only tracks the offense leading to the final disposition of enforcement (i.e. the issuance of a ticket). Code Enforcement is not automatically notified if the person was convicted. The court or prosecutor would have to track and then post convictions. It would be burdensome for Code Enforcement to research convictions – that information is maintained by the court or prosecutor.
- What would be the triggering mechanism be mandating that an individual's name and address to be released?
- If necessary, Code Officers could report to the Court the addresses where tickets were issued and then the court could cross/reference this address with their name lists, and then the court or the prosecutor could check the disposition of the case(s), and then someone (Courts, Prosecutor, Code Enforcement) would have to disseminate this information to the public in whatever means the City Council decides. This would be very time consuming for Code Enforcement and would significantly take away from their primary responsibility of responding to calls for service of Code and Animal issues as well as their ability to proactively patrol/canvass their districts.