

COMMUNITY LAW ENFORCEMENT PARTNERSHIP COMMISSION

June 11, 2018

9 a.m. – 11 a.m.

Herbert Abrams Public Health Center
3950 S. Country Club Road
1st Floor Conference Rooms

AGENDA

1. Welcome and Call to Order
2. Pledge of Allegiance
3. Introductions
4. Responsibilities of the Committee
5. Operation Stonegarden Work-to-Date
6. Election of Chair and Vice Chair
7. Open Meeting Law Training
8. Review meeting schedule
 - i. Every two months
9. Create shorten URL link to webpage
10. Call to The Public
11. Adjournment

Action may be taken on any item. Correspondence and background materials sent to the Committee are available at <http://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=426028>

Board of Supervisors' Meeting of February 20, 2018
Relating to the following item:
Addendum Item No. 5, Request for Reconsideration:

Supervisor Valadez: I move the condition -- the conditional approval of these two items on five conditions.

1) The E.R.E., employee related expenses, for this grant be modified to reflect the analysis of the Finance and Sheriff's department to jointly determine correct E.R.E. to be used by the Sheriff's department. Furthermore, I ask that the Sheriff and the finance staff review the last three years or more, if possible of Stonegarden grants to determine if the County applied the current E.R.E. and was appropriately reimbursed for its expenses, if the amount was less then we request reimbursement for the actual expenditure.

2) I would direct the County Administrator to develop a grant coordination process for the Sheriff and the County Attorney, for federal or state grants, not directly administered by existing county grant staff, so that these grants are monitored by a centralized county grant staff under the direction of the County Administrator.

3) Direct the County Administrator to ensure a process exists for collecting appropriate data, and information that both confirms a specific benefit of a criminal justice grant such as Stonegarden, but also establishes a data and information reporting system such that the cost of accepting such a grant on other elements of the county funded criminal justice system as prosecution defense and adjudication through the County May be fully and transparently disclosed. This is inclusive, obviously, of the information we talked about, who is being stopped and why.

4) That the Sheriff develop a written policy that is to be provided to this Board, that indicates specifically how, when and under what circumstances county law enforcement agents will interact with Federal immigration officials including the border patrol, customs, and immigration officials, including at the border patrol stations stops, and

5) That we put together and compose and populate a Board of Supervisors committee to report to both the Board of Supervisors and the Sheriff's Department with two members from each Board member to oversee the issue of potential racial profiling in this and other instances.

Supervisor Bronson: Would you be amenable to amending that to include in addition to what you said, direct the Sheriff to establish training and transparency measures. If we look at what's happened in Maricopa County recently, and I'm -- it's the Melendres vs. Penzone and this was a consent decree. I think that we can look to that reporting and transparency requirement that was spelled out in that consent decree.



MEMORANDUM

Date: February 23, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Community Law Enforcement Partnership Commission**

When reconsidering the acceptance of the Federal Stonegarden Grants, the Board, at its February 20 meeting, approved the grant with a number of specific conditions. One was the formation of the Board Appointed Group to review actual Stonegarden implementation and report – both to the Board and the Sheriff – regarding Stonegarden issues and/or community concerns that may be raised. These issues include, but are not limited to:

- 1) Disproportionate impacts on minority communities;
- 2) The role of Pima County Law Enforcement Officers with the Federal Border Patrol Agents;
- 3) Roles and responsibilities of all law enforcement or federal agents with respect to travel on public highways including state and local highways;
- 4) Other issues as deemed appropriate by the Commission to fully understand the impacts as well as the benefits of the receipt and implementation of Federal Stonegarden Grants from the Federal Department of Homeland Security administered through the Arizona Department of Emergency Management and Homeland Security.

Based on the motion, the Commission shall be ten in number, two members appointed by each member of the Board of Supervisors to assist this Commission. I have tasked Terrance Cheung of my Criminal Justice Reform Unit in the County Administrators Office to provide staff support to the Commission. I would also suggest including a representative from the Sheriff's Department, identified by Sheriff Napier, as an ex-officio, non-voting member.

I am attaching a motion approved by the Board regarding this matter, if the Board has any questions please contact me.

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **Community Law Enforcement Partnership Commission**
February 23, 2018
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Please expect communication from Mr. Cheung regarding the formation of the Commission and the identification of your representatives.

CHH/mb

Attachment

c: The Honorable Mark Napier, Pima County Sheriff
Julie Castañeda, Clerk of the Board
Wendy Petersen, Assistant County Administrator
Terrance Cheung, Program Manager

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MEMORANDUM

Date: March 20, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Community Law Enforcement Partnership Commission Update**

To date, four Commissioners have been appointed to the Community Law Enforcement Partnership Commission. The Sheriff is appointed as an Ex-Oficio member. Staff members supporting the Commission are Program Manager Terrance Cheung and Special Staff Assistant Dana Morales.

The attached information sheet provides more information regarding the Community Law Enforcement Partnership Commission. The first meeting will be scheduled upon appointment of a quorum.

If you have any questions regarding the Community Law Enforcement Partnership Commission, please contact Mr. Cheung.

CHH/anc

Attachment

c: Terrance Cheung, Program Manager
Dana Morales, Special Staff Assistant

Community Law Enforcement Partnership Commission

Committee Name:

Community Law Enforcement Partnership Commission

How was this Commission established?

Pursuant to the motion of Supervisor Ramon Valadez, formed February 20, 2018 by vote of the Board of Supervisors as a condition of accepting the Operation Stonegarden Program Grant (“OSPG”) from the U.S. Department of Homeland Security (administered through the Arizona Department of Emergency Management and Homeland Security). Subsequent to the vote on the conditions of acceptance, County Administrator Chuck Huckelberry detailed the composition and responsibilities of the Commission in a February 23, 2018 memorandum to the Board of Supervisors.

Purpose: Review and report on the use of OSPG funds in Pima County.

Mission/Scope:

OSPG is a federal grant, which supports enhanced cooperation and coordination among Customs and Border Protection (“CBP”), United States Border Patrol (“USBP”), and local, Tribal, territorial, state, and federal law enforcement agencies. The Board of Supervisors wished to track the impact of and the Sheriff Department’s activities funded by OSPG. The Community Law Enforcement Partnership Commission will review and report to the Board of Supervisors on OSPG-related issues including, but not limited to:

- Evaluation of disproportionate contacts within minority communities;
- The implementation of the OSPG – by the Sheriff;
- Analysis of the impacts and benefits of the receipt and use of OSPG;
- Identify the role of Pima County law enforcement officers during interactions with CBP and USBP agents; and
- Identify the roles and responsibilities of all law enforcement departments and agencies with respect to travel on federal, state and local public highways.

Meeting Schedule:

Every other month or as determined by the Commission.

Scope of Work:

Provide annual report to the Board of Supervisors to include:

- Activities, actions taken, and recommendations made by the Commission; and
- Proposed implementation of the Commission’s recommendations.

Staffing and Support:

County Administration – Justice and Law/Criminal Justice Reform Unit

- Terrance Cheung – Program Manager/Commission Staff
- Dana Morales – Special Staff Assistant

Number of Members:

Ten (10) voting members (two (2) appointed by each Supervisor)

One (1) ex-officio non-voting from Sheriff’s Department (appointed by the Sheriff)

Appointment term?

Coterminous with the term of the appointing Supervisor. Upon re-election, an appointing Supervisor may choose to appoint a new member or reappoint the sitting member. Each member will serve at the pleasure of the appointing Supervisor, recognizing that the nature of the work will require continuity and consistency.

Who's eligible?

Any resident of Pima County. A member need not reside in the District of the Supervisor who appoints the member.



MEMORANDUM

County Administration
Justice and Law

Date: May 22, 2018

To: C. H. Huckelberry
County Administrator

From: Wendy Petersen 
Assistant County Administrator

Re: Update on Operation Stonegarden Analysis

In February 2018, the Criminal Justice Reform Unit (CJRU) was tasked with reviewing several Operation Stonegarden (OPSG) grants and performing an analysis into the programmatic functions of the grants.

CJRU requested public records from the 8 local law enforcement agencies receiving funds from Border Patrol, specifically requesting the Daily Activity Reports (DARs) and narratives for Federal Fiscal Year 2017: October 1, 2016 – September 30, 2017.

The original request was met with some uncertainty about the right to release information and two agencies passed the request to Border Patrol headquarters. At that time, the law enforcement agencies were told to "stand down" on these requests. With direction from the County Administrator, the CJRU went forward with identical records requests made under the Federal Freedom of Information Act (FOIA) to the Department of Homeland Security and Border Patrol.

As recently as a May 15, 2018, telephone call with Border Patrol Assistant Chief Lu Maheda, Border Patrol still expressed hesitation in releasing this information as it might fall into the wrong hands and give insight into Border Patrol daily operations. On May 18, 2018 Border Patrol emailed a working draft of their response to CJRU that did not meet our request. On May 22, 2018, I received a follow-up email from Chief Maheda explaining that Border Patrol is reworking the product they previously sent us to better address our request and "end state". They intend to provide us with a new product this week.

Since the original public records request, CJRU has received redacted DARs from six of the eight agencies, including the Pima County Sheriff's Department. The two agencies that did not fulfill the public records request referred us to Border Patrol. Continued coordination with Border Patrol will result in receiving the information needed for analysis of OPSG. Work to transcribe the portable document format (PDF) DARs into Excel for further analysis has begun, but is manually intensive and requires time to complete. Fortunately, our summer intern, Zach Stout, is assisting us with inputting the data.

Additional analysis still needs to be executed on tracking a dozen cases from arrest, on OPSG deployment, through the criminal justice system. Concern was raised about arrests being

Mr. C.H. Huckelberry

Re: **Update on Operation Stonegarden Analysis**

May 22, 2018

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made during OPSG deployments and whether this increased cost to the criminal justice system outweighs the funds from OPSG. The CJRU is prepared to do this analysis when all the agencies information is received and compiled.

Additionally, we have an outstanding Public Records Request from Arizona Daily Star reporter Murphy Woodhouse who is requesting copies of all of the information we received on OPSG.

We continue to work on this project and will provide periodic updates.

c: John Voorhees, Assistant County Administrator