LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on September 9, 2013, at 6:00 p.m. with Chairman Lynn presiding. Members present were Mr. Hare, Mr. Slavin, Mr. Rushe, and Mr. Shevock. Members of Council present were Mr. Dixon and Mr. Hutchison. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Rushe moved for approval of the agenda, seconded by Mr. Shevock and unanimously carried.

Fund to Combat Violent Crime - FY14 Grant

Police Chief Hosfelt advised members that the Fund to Combat Violent Crime Program was a new grant program managed by the Department of Safety and Homeland Security for use by local law enforcement agencies in connection with initiatives to combat violent felonies pursuant to Section 4201(c) of Title 11 of the Delaware Code. The first increment of funding was released during FY13; however, it was uncertain at that point whether the program would be recurring. During the last quarter of FY13, the Dover Police Department was made aware that a FY14 grant was anticipated and the amount appropriated ($75,523.53) was much higher than the previous year's amount ($46,785.34). As a result, there were not enough funds budgeted in FY14 for the total amount of the grant, so a budget adjustment would also be needed to cover the portion remaining.

Police Chief Hosfelt explained that approval of this request would allow for the Police Department to use its grant allocation from this program. He stated that a portion of the funds would be used to upgrade the duty weapons for all police officers ($17,649), purchase rifles for supervisors' vehicles ($16,067.94) and for technology upgrades to boost the signal and reception of the cellular lines in the Department's police vehicle fleet and start a long-term project to enable the download of information from police vehicles wirelessly ($21,806.59). The remaining portion ($20,000) would be used to target violent crime throughout the City with extra duty overtime patrols and to provide education to citizens on measures they can take to avoid or cope with violent crime related activities.

Staff recommended approval of the grant and the intended purchases.

Responding to Mr. Lynn, Chief Hosfelt stated that all officers wear body armor (vests) and explained that the vests are replaced on a regular basis to remain up to date. With regard to duty weapons, he explained that old weapons are traded in, which helps to offset the cost of purchasing new weapons. He stated that rifles are carried by a limited number of officers and the purchase of rifles would allow for all supervisors' vehicles to carry a patrol rifle while on duty. The purchase of these rifles would add to the Police Department's current inventory.

Mr. Hare moved for approval of the Fund to Combat Violent Crime - FY14 Grant and intended purchases, as recommended by staff. The motion was seconded by Mr. Shevock and unanimously carried.

"Safe Whistles" - National Recreation and Park Association Recommended Guidelines for Credentialing Volunteers (Background Screening for Youth Coaches and Sports Officials for All City Recreation Offerings) ***(Lynn and Slavin)***

Members reviewed National Recreation and Park Association Recommended Guidelines for Credentialing Volunteers. Mr. Slavin explained his request for staff to review the information and develop a recommendation for requiring background screening for youth coaches and sports officials. In his experience as a sports official, he had observed a screening process for coaches, volunteers, and officials in scholastic sports, etc. and felt that this should be required for recreational sports as well. Mr. Slavin indicated that this was a national concern, not unique to Dover or Delaware, and stated that several states were now requiring a thorough background check of all officials, coaches, volunteers, etc. in order to certify that a safe environment was being provided. He stated that there had been some high profile cases, noting a recent incident involving the Director of an Amateur Athletic Union (AAU) basketball team in Washington, D.C. who was recently arrested for holding a kilo of cocaine in his basement and serving as a major drug dealer in that area. Mr. Slavin felt that it was the City's responsibility to ensure that when the City sponsors a program for children, a safe environment will be provided.

At the request of Mr. Slavin, Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained the City's current process in this regard for youth programs. She stated that all City staff, regardless of their status (full-time, part-time, temporary, etc.) must pass a standard City background check. Volunteers involved in youth programs are checked with the Sex Offense Registry for the State of Delaware only. In regard to officials, since the City contracts with organizations rather than individuals, the City takes no action in the selection/hiring process. She indicated that she had discussed the possibility of requiring those organizations to conduct background checks and expressed her support of Mr. Slavin's request.

Mr. Slavin stated that he did not feel that the "flow" of volunteers would be affected by instituting such guidelines and indicated that the guidelines would only eliminate volunteers whom the City would prefer not to have working with its youth. Should City Council adopt the National Recreation and Park Association Recommended Guidelines, he explained that there would be specific guidelines that would be followed for sex offenses, felonies, misdemeanors, etc.

Noting her involvement with Little League and Pop Warner football, Mrs. Townshend stated that all volunteers go through a background check for both of these organizations; therefore, she felt that the requirement would be no different from what other non-profit and volunteer organizations do.

Referring to the costs that may be associated with such a requirement, Mr. Slavin requested that staff investigate the various types of background checks and research the costs of outsourcing to a third party, consider employing in-house resources, and determine if the City Police Department could possibly play a role.

Responding to Mr. Lynn, Mrs. Townshend stated that the City typically has a one (1) year contract with various organizations and often uses the same officials/volunteers that other recreation programs contract. Should the City implement this requirement, she expected that other organizations would do so as well. Mr. Lynn suggested that the City include the requirement of a background check as a specific enumerated contract requirement and also include that the contractor

would bear the cost so that the City does not incur any further expenses. He explained that the two (2) primary types of background checks are: 1) through the State Bureau of Investigation (SBI), which checks the Delaware Criminal Justice Information System (DELJIS), and 2) a comprehensive check through the National Crime Information Center (NCIC). Mr. Lynn relayed his support; however, he requested that any costs be incurred by the vendor and urged a mandate to require a NCIC background check in order to obtain information from databases in other states as well.

Mr. Hare stated that although he was not aware of the costs of an NCIC background check, the school districts require substitute teachers to obtain an SBI background check. He suggested that the costs of both background checks be obtained for comparison.

In response to Mr. Lynn, Mr. Slavin indicated that his intention would be to require a check for anyone involved in the City's delivery of a recreation program, which would include coaches, volunteers, officials, etc.

Mrs. Townshend questioned if the desire would be to have such a requirement only for youth programs or for all programs. Responding, Mr. Slavin suggested that staff consider the options and provide a recommendation regarding the matter.

Responding to Mr. Shevock regarding potential duplication of checks performed by other organizations, Mrs. Townshend felt that the idea would be for the City to include a background check certification requirement within the contract for officials. She suggested that periodic auditing be conducted to ensure that background checks have been completed.

Noting that an NCIC background check may take longer to complete, Mr. Dixon questioned if the background check requirement could delay the start of a program. Responding, Mrs. Townshend stated that this would be an issue that would require further review, explaining that it is often a struggle to obtain volunteer coaches for basketball; therefore, timing, costs, etc. would be issues that staff would review in formulating a recommendation for the Committee's review.

Mr. Slavin moved to recommend that staff, specifically Mrs. Townshend and Mrs. Hawkins, Human Resources Director, be directed to review the National Recreation and Park Association Recommended Guidelines to conduct an analysis and formulate a recommendation regarding the scope and depth of the background checks that should be required, the cost and how it would be addressed, the period of time the background check would remain valid, and some type of roll-out implementation strategy to be brought back to the Committee within one (1) month for their review and recommendation to City Council. The motion was seconded by Mr. Rushe and unanimously carried.

By unanimous consent, the meeting adjourned at 6:17 p.m.

Sean M. Lynn
Chairman

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