

# Neighborhood Protection Unit (NPU)

City Council Meeting  
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Presented by:  
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# Background

City Attorney's Office has had the authority to prosecute municipal code offenses as misdemeanors since at least 1968 [*Charter Section 503(b)(6)*]

2005/2006: City hired a dedicated Code Enforcement Attorney with criminal enforcement experience

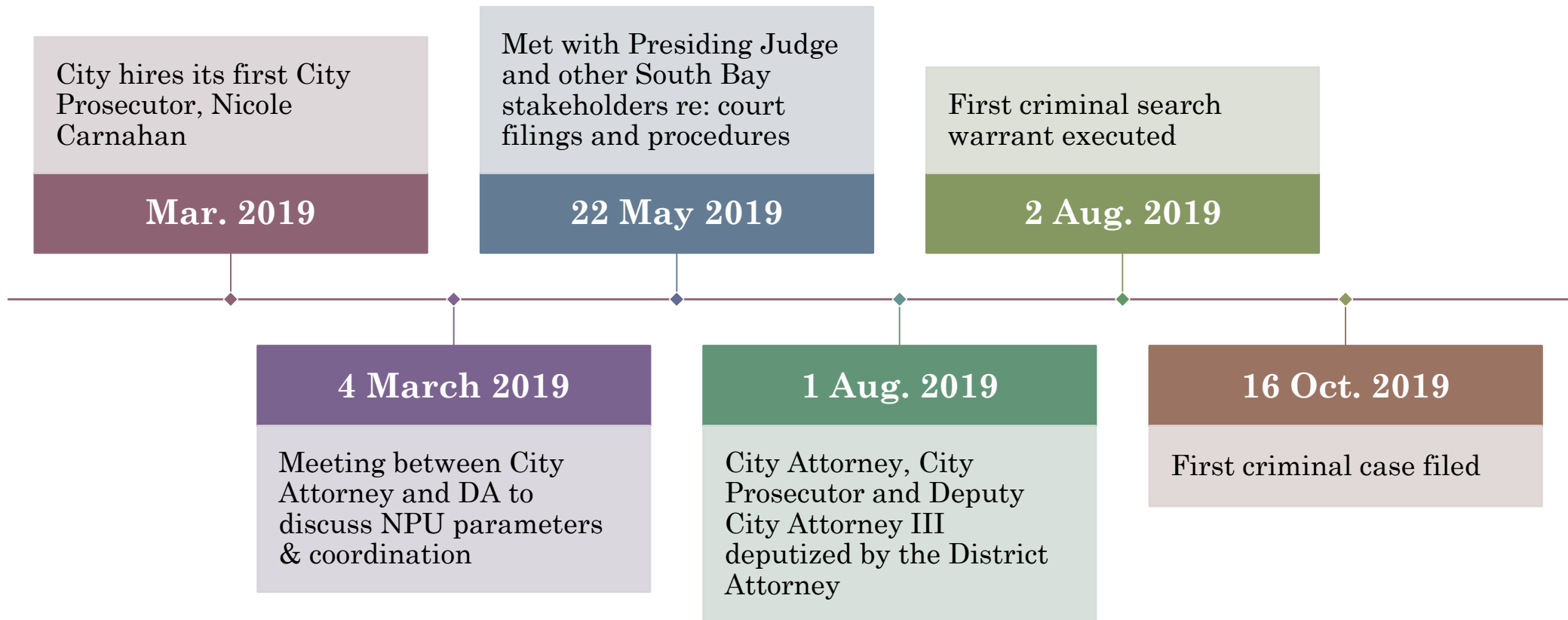
2009: CVPD receives 2-year \$357,000 grant for "prosecuting" attorney to work on Apartment Safety Project

Since 2010, knowing the value and importance of having the capacity to prosecute criminal cases, City Attorney's Office has been exploring setting up a full fledged NPU

2018: Need to address illegal marijuana businesses triggers creation of Neighborhood Protection Unit by creating the new classifications of City Prosecutor, Paralegal and Investigator

2019: Prosecutor position funded out of Measure A "overhead"

# Current Status of the NPU: “Stand Up” Phase Complete



# Focus on Cannabis



# Early Results

- Executed 6 criminal search warrants at 5 different dispensaries and 1 residence
- 16 people have been charged with crimes
- Recovered hundreds of thousands in cash
- Seized \$60 million worth of product
- Recovered multiple firearms
- 14 defendants have already pled guilty, now on probation
- Building relationships with State Attorney General and San Diego County District Attorney



# Next Step: Transition to Full Operations

- Hire the necessary staff to implement a full-service, fully functioning Neighborhood Protection Unit
- Focus new resources on marijuana enforcement and deterrence
- Lay the groundwork for addressing other quality of life crimes and public nuisances



# NPU “Minimum” Staffing

- NPU staffing model is based on review of other models and jurisdictions
- Confirmed by newly hired Criminal Prosecutor
- In recognition of limited resources minimum staffing proposed:
  - Prosecuting attorney (1)
  - Paralegal (1)
  - Investigator (1)

# City Prosecutor

- “Stand Up” and lead the Neighborhood Protection Unit
- Work closely with the State, the District Attorney’s Office, Chula Vista Police Department and the community to help identify and address crime and disorder
- Help create and/or plug into existing diversion programs
- Identify and pursue alternative funding sources
- Ongoing community outreach and engagement
- Act as the City’s Criminal Prosecutor:
  - Case review and filing charges, if appropriate
  - Arraignment
  - Pre-trial motions and hearings
  - Settlement negotiations
  - Conduct trials
  - Post-adjudication hearings
  - Probation hearings
  - Appeals



# Paralegal

- A well-qualified and effective Paralegal is necessary to meet the demands and requirements of modern prosecution
- Core Responsibilities
  - Prepare and draft legal memos and pleadings, perform legal research
  - Obtain, review and process body worn camera, social media, and other technology
  - Handle tasks such as case intake, data entry, mailings, correspondence, and other administrative tasks
  - Assist with trial support and management
- Additional Responsibilities
  - Administer the Asset Forfeiture Program
  - Assist with set-up and administration of diversion programs

# Investigator

- An investigator plays a critical role in preparing a case for trial and performs functions that the attorney cannot
- Core responsibilities:
  - Obtaining dockets/court records
  - Gathering documentary evidence like taking photos, obtaining certified records, DMV records, and criminal history
  - Locating and serving civilian witnesses with subpoenas
  - Posting and serving cease and desist notices
  - Investigating businesses with the Secretary of State, Bureau of Cannabis Control & other state agencies
- Added value: relieves already overburdened Police and Code Enforcement departments

# Immediate Need: Cannabis

- Timing is Critical
- Illegal Cannabis Businesses are rampant
- NPU is currently at caseload capacity
- Activation of additional police resources will generate more cases and more complex cases
- Need to minimize adverse impact on lawful operators

# Long Term Value of NPU

- Serious Municipal Code violations will get the attention they deserve, with increased volume and quality of outcomes of lower level, but still important, criminal cases
- Deterrent effect for future offenders
- Police department investigators freed up to focus on high-priority, felony cases
- Ability to create/tap into restorative justice program(s)
- Enhanced community perception -and reality- of safety and security in the community

# Proposed Funding Source

- Measure A funding would be legal, appropriate and in many respects ideal
- Out of respect for competing demands for Measure A monies, current proposal is to fund out of City Attorney's Office existing budget resources

## **RECOMMENDATION:**

**Approve budget amendment to add one Paralegal and one Investigator to City Attorney's Office budget**