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May 26, 2009

REPORT OF THE COMMITTEE
ON PUBLIC HEALTH AND PUBLIC SAFETY

The Committee on Public Health and Public Safety convened on May 26, 2009, with Chairman William White presiding and Committee Members Aldermen John Connolly and Rebekah Gewirtz also present and voting. Also present were Administrative Assistant Jessie Baker, Police Chief Anthony Holloway, Police Captain Paul Trant, Animal Control Officer April Terrio and Assistant City Solicitor David Shapiro.

187254 - capture and disposal of wild animals:

Ms. Terrio and Mr. Shapiro discussed the regulations governing the capture and disposal of wild animals. Problem Animal Control (PAC) is handled by PAC agents licensed by the Massachusetts Division of Fish and Wildlife. PAC agents may handle complaints relative to non-domesticated reptiles, birds and mammals that have or are endangering the life and health of humans or domesticated animals, damaging property, obstructing reasonable and comfortable use of property or otherwise acting in a manner that can reasonably be presumed to result in damage or hurt to persons or their property. PAC agents are authorized to handle specific animals as listed in 321 CMR § 2.14(20)(a) and 321 CMR § 2.14(24). The city's Animal Control Officer is not a licensed PAC agent and therefore is not authorized to handle complaints relating to problem animals, unless there is an immediate threat to public health and safety. 321 CMR § 2.14(15)(e). In addition, a state or municipal police officer or animal control officer may kill any raccoon, skunk, red or gray fox, bat or woodchuck that is displaying behavior that causes the officer to reasonably conclude that the animal is diseased, or that has attacked a human. 321 CMR § 2.14(15)(e).

Chairman White requested that the committee be provided with a list of the animals which PAC agents are authorized to handle and a list of the animals that the city's Animal Control Officer is authorized to handle so that a universe may be established defining which animals may not be handled by the city's Animal Control Officer. Chairman White requested that Mr. Shapiro write a memo, derived from the state's regulations, setting forth procedures to be used with respect to the authorized handling of wild animals, i.e., clearly defining who, or what agency, may handle said animals and under what circumstances. Chief Holloway informed the members that the Police Department would put together a policy and provide it to the committee.

Crime Statistics:

Chief Holloway addressed the committee regarding crime in the city and explained that the Police Department analyzes data over a three year period. Overall, for the period January 1, 2009 through May 13, 2009, crime in the city is down 14% when compared to calendar year 2007 and down 22% when compared to calendar year 2008. With respect to violent crimes - rapes and robberies are down while aggravated assaults have increased. Property crime, including residential and commercial burglary, motor vehicle larceny and vehicle theft, has decreased. Chief Holloway said that crime trends have decreases with the presence of police officers in the neighborhoods. Chairman White requested that Chief Holloway break down the statistics further to show all categories of crime, and the arrests in each, and that this updated information be emailed to all members of the Board of Aldermen. Chairman White also asked Chief Holloway to provide information on vice crimes, i.e., drugs and prostitution.

Alderman Connolly inquired how closely the Police Department works with the District Attorney's Office and Chief Holloway replied that meetings are held with the DA's Office and with court personnel to review crime statistics. Chief Holloway also informed the members that there is a grant in place for the Police Department to hire a victim advocate to assist victims with restraining orders and to help them through the process. Responding to a question regarding the impact of the city's budget on the Police Department, Chief Holloway said that officers could be lost in the sub-stations and there might also be a loss of ward officers.

187119 - protruding tree limbs at 25 Fiske Ave.:

Chairman White's motion *that the Commissioner of Public Works forward a written response to the Committee on Public Health and Public Safety regarding the status of item 187119, (an order pertaining to protruding tree limbs at 25 Fiske Ave., and directing NSTAR to remove any safety hazard caused by tree limbs becoming entangled with street wires)*, was approved.

186825 - incident of February 8, 2009 at DIVA in Davis Square:

Chairman White directed the Clerk of Committees to send a communication to the Licensing Commission requesting that the Commission provide the Committee on Public Health and Public Safety with a written report of what action, if any, was taken by the Commission against the establishment.

No papers were acted on.

Alderman William A. White, Jr., Chairman
Committee on Public Health and Public Safety