

City of Costa Mesa Police Department Memorandum



DATE: July 14, 2017

TO: Chief Robert N. Sharpnack
Captain Mark Manley
Lieutenant Greg Scott
Lieutenant Joyce LaPointe

FROM: Sergeant David Casarez

RE: **Fourth of July After-Action Report for 2017**

The following is the After-Action Report for the deployment of public safety and City resources for the five-day period from July 1st through July 5th, 2017. The stated goals of the Police Department's operational plan were to maximize the Police Department's ability to effectively handle routine and emergency calls-for-service (CFS) through the Fourth of July holiday. In addition, the operational plan was intended to provide a highly visible and proactive approach to illegal fireworks enforcement and an enhanced customer service response for the anticipated increase in Fourth of July holiday related CFS.

The Fire Department partnered with the Police Department on many fronts, including community outreach, public education, social media, and operational enhancements. The Fire Department allocated one Battalion Chief (Arson Investigator) specifically to firework enforcement on July 4th. The City Attorney's Office, Finance and Public Services Departments also played important roles in preparing for the holiday weekend, as noted later in this report. Finally, the City Manager's Office and the City Council provided the necessary financial resources to support substantial outreach efforts that served the City's clearly stated position on safety within the community.

Public Education / Community Outreach / Social Media

Considerable efforts were made to inform and educate the general public of the City's fireworks-related policies leading up to July 4th. On July 1st, July 2nd, and July 3rd, Police Explorers and advisors, two police bicycle officers, a Fire Department engine company, as well as several CERT Volunteers, canvassed and distributed informational Fourth of July fliers within "hot spot" neighborhoods previously known to have a higher volume of illegal firework CFS. Approximately 5,000 bilingual door hanger fliers were ordered for distribution. The door hangers were printed in both English and Spanish. They included language advising of a "zero tolerance" policy, the identification of illegal fireworks, hours to discharge "safe and sane" fireworks, a 24-hour Police Department contact phone number to report illegal firework use or suspicious activity, and the declaration of possession and/or use of illegal fireworks being a crime being punishable by up to a \$1,000 fine and/or imprisonment. Informational flyers were distributed at firework stands and posted on the Newport-Mesa Unified School District website.

The City Council authorized a citywide mass distribution of letters to approximately 44,000 residential households emphasizing a "zero tolerance" approach to illegal fireworks and being a good neighbor

during the Fourth of July holiday. The letter was printed in both English and Spanish and was authored by Police Chief Sharpnack and Fire Chief Stefano, on behalf of the City.

Approximately 22,000 informational firework fliers were sent out to households via the Mesa Water District billing cycle in June.

Social Media – including Instagram, Nixle, the City’s webpage, and the respective CMPD and CMFD Facebook pages, were utilized extensively to inform the public of the City’s stance on illegal firework usage and enforcement.

Also, electronic LED message boards were placed strategically throughout the city along major thoroughfares advising the same. The City’s LED message boards were placed at the following locations:

- Southbound Newport Blvd, north of Mesa Drive
- Southbound Fairview Rd, north of Adams Avenue
- Northbound Newport Blvd, north of 19th Street
- Northbound Harbor Blvd, south of Victoria Street
- Eastbound Adams Ave, west of Placentia/Mesa Verde Drive East
- Eastbound Victoria St, west of Canyon Drive

Additionally, a new Public Service Announcement (PSA) was completed by CMTV featuring Police Chief Sharpnack and Fire Chief Stefano. The PSA was posted on a variety of the City, Police and Fire Department social media pages and websites. The web link is listed below.

<http://www.costamesaca.gov/index.aspx?page=1909>

Police Department Staffing & Deployment

Police Department patrol staffing remained at normal levels on July 1st and July 5th. In order to manage the anticipated increase in CFS leading up to July 4th, normal patrol staffing was augmented with additional firework Directed Enforcement teams July 2nd through July 4th.

Enhanced staffing was achieved through utilization of voluntary Directed Enforcement overtime on Sunday, July 2nd, and 3/12 shift officers working their monthly payback day on Monday, July 3rd, and Tuesday, July 4th. Throughout this period, officers assigned to the firework Directed Enforcement teams were tasked specifically with firework-related CFS and proactive “hot spot” patrols and enforcement.

Furthermore, on July 4th, officers from the 4/10 AM shift volunteered to work five-hour overtime shifts during peak firework enforcement hours prior to their regularly scheduled nighttime shifts. This was the first year where a dedicated Communications Bureau dispatcher and police radio frequency was utilized to allow for more efficient radio communication between Directed Enforcement teams and the Communications Bureau. Directed Enforcement teams were able to work more independently of the normal patrol field operations, yet be available to assist patrol officers if a major incident occurred. Directed Enforcement teams were assigned to each of the two Police Department geographic patrol areas. Directed Enforcement strategies included uniformed officers in both marked police vehicles and unmarked police vehicles.

Supplemental firework Directed Enforcement teams worked the following schedules:

- Sunday, July 2nd 1330-0130 hours
- Monday, July 3rd 1600-0200 hours
- Tuesday, July 4th 1600-0200 hours, with additional Directed Enforcement personnel staffing between 1700 – 2200 hours

Breakdown of supplemental firework Directed Enforcement personnel (does *not* include normal Field Operations staffing):

Saturday, July 2nd

- Three marked units with two police officers each
- One marked unit with a sergeant
- One marked fire unit with a solo CMFD Battalion Chief
- Two Park Rangers

Sunday, July 3rd

- One marked unit with a sergeant and a police officer
- Two unmarked units with two officers each
- Two park rangers

Monday, July 4th

- One marked unit with a police sergeant and a CMFD Battalion Chief
- Six unmarked units with two police officers each
- Four marked units with two uniformed officers each
- Two park rangers

Enforcement Strategies

The Costa Mesa Police Department utilized the criminal citation process for enforcement of firework-related violations of the California Health & Safety Code (H&S) and for violations of the Costa Mesa Municipal Code (CMMC). In most cases, violators were cited and released in the field for the applicable misdemeanor charges and were issued a court date to appear at the California Superior Court, West Justice Center in Westminster. Prior to the Fourth of July holiday, the Police Department collaborated with the Orange County District Attorney's Office (OCDA) to apprise them of the City's educational and enforcement strategies and to work closer in the prosecution of these cases. OCDA agreed to assign a sole Deputy District Attorney to handle all of the Police Department's misdemeanor state Health & Safety Code firework arrests in order to have a single source of case review and potential prosecution. Concurrently, the Costa Mesa City Attorney's Office will prosecute all Municipal Code firework related misdemeanor arrests also through the California Superior Court, West Justice Center.

This was the first year the Police Department utilized undercover detectives from the Special Investigations Unit to coordinate the purchase of illegal fireworks from suspects selling them within Costa Mesa. The operation lasted for several weeks leading up through July 4th and netted a total of 32 arrests. Two of these arrests included handgun charges. Consequently, detectives seized over 2,100 total pounds of illegal fireworks that were subsequently delivered to the Fire Department for destruction.

Police Department Calls-For-Service (CFS)

For the evaluation period of July 1st through July 5th, the Communications Bureau received a total of 703 firework-related calls-for-service (CFS) over the five-day period (1,009 in 2016). Of those, 545 firework-related CFS were dispatched through general broadcast to area police units (857 in 2016). Further, officers responded to 158 firework-related CFS (152 in 2016). The firework-related CFS workload leading up to July 4th was moderate with a dramatic increase on July 4th. CFS on July 4th generally peaked between 1900 hours and midnight. This firework-related workload was in addition to the normal, non-firework CFS during this same period.

The following table reflects a five-year historical summary of CFS and citations/arrests for the Fourth of July holiday deployment period:

Police Department Calls-for-Service (CFS)	2013	2014	2015	2016	2017	% Change from 2016 to 2017
Firework GBs	430	428	540	857	545	- 36.4%
Officer Response	127	89	131	152	158	+ 3.9%
Total Firework Calls	504	517	671	1009	703	- 30.3%
Citations / Arrests	32/3*	35/0	25/2*	79/0	80**	+ 1.3%
Evaluation Period	6 days	6 days	5 days	5 days	5 days	--

* These numbers are only indicative of fireworks related arrests. They do not account for other patrol, traffic, or any other non-firework related arrests.

** In 2017, the use of non-criminal, civil citations was discontinued. All offenders were arrested for criminal violations, and most were released in the field with a written citation. Previous years reported both civil citations and arrests.

There were 22 “hot spot” locations identified from the previous 2016 Fourth of July holiday. In 2017, 10.1% of the total arrests occurred within these same “hot spot” locations.

Fire Department Calls for Service (CFS)

Battalion Chief Kevin Diamond was the liaison and Branch Director for the Fire Department. On July 2nd, Battalion Chief Diamond patrolled the city in a marked fire department vehicle. On July 4th, Battalion Chief Diamond paired with a police sergeant in a marked police vehicle and patrolled the city. On both days, he provided technical expertise and supplemented Directed Enforcement staffing. Fire Department total CFS during the period of July 1st through July 5th was 183, which included one firework-related trash/dumpster fire.

The following table reflects a four-year historical summary of CFS received by the Fire Department over the Fourth of July holiday period:

Fire Department Calls-for-Service (CFS)	2014	2015	2016	2017	% Change 2015 to 2016
July 1 st	35	39	38	30	- 21%
July 2 nd	21	43	42	38	- 9.5%
July 3 rd	29	35	43	41	- 4.7%
July 4 th	42	56	40	33	- 17.5%
July 5 th	41	41	30	41	+ 36.7%
Total Firework Calls	168	214	193	183	- 5.2%

Noteworthy Events / Enforcement by Day

These events were handled solely by uniformed officers assigned to the firework Directed Enforcement teams and does not include those arrests made during the previously stated undercover operations:

Sunday, July 2nd

- Officers made two firework-related arrests
- Officers made two warrant arrests
- Officers made one arrest for open container
- Officers assisted patrol officers on four priority incidents

Monday, July 3rd

- Officers made five firework-related arrests, including a subject on probation
- Officers made one DUI arrest
- Officers made two narcotics related arrests
- Officers wrote two citations for vehicle code violations

Tuesday, July 4th

- Officers made 41 firework-related arrests
- Officers made one arrest for possession of burglary tools
- Officers made two arrests for urinating in public
- Officers wrote one citations for vehicle code violations

The Police Department made a total of 80 arrests for misdemeanor firework-related violations of the California Health & Safety Code or the Costa Mesa Municipal Code. In most cases, violators were cited and released in the field for the applicable misdemeanor charges.

City Parks / Permitted Block Parties

There were no noteworthy firework-related issues within public parks or with the seven permitted block parties. They had no adverse impact on City resources. On July 4th, Park Rangers issued 36 parking tickets for violation of CMMC 12-26, vehicle in the park after dark. This was largely due to people using park parking lots for off-site parking for 4th of July events.

Communications / Logistics / Equipment

All Directed Enforcement personnel utilized the Communication Bureau's "Green 3" police radio frequency. The dedicated Communications dispatcher and radio frequency was ideal, as it did not hinder regular patrol operations. Communications Bureau personnel performed commendably, handling the fast-paced and large workload of CFS from the community and related radio traffic from officers.

No vehicle inventory issues were noted, as most Directed Enforcement personnel were paired up in a single vehicle for efficiency and safety. There were no safety equipment issues noted, as well.

Animal Control

The following is animal impound information during the Fourth of July holiday period:

- July 1st – Two dogs and one cat impounded
- July 2nd – Two dogs impounded
- July 3rd – Two dogs and two cats impounded

- July 4th – Five dogs impounded
- July 5th – No animals impounded

Some of these impounds were found pets that likely escaped the home due to the discharge of fireworks.

Finance Department

The Finance Department issues firework stand permits every year to qualified applicants in accordance with City Ordinance and City Council Policy 400-2. For the period of the Fourth of July holiday, the Finance Department issued 35 permits to eligible applicants; in comparison, 36 permits were issued for the 2016 holiday. The permit fees were waived pursuant to Council Policy 400-2.

Public Services

Public Services staff manufactured and placed firework prohibition signs at all entrances to City facilities and at all public parks. This contributed to the absence of any noteworthy firework issues on any City property or in any public parks. Areas of heavy firework debris were swept after July 4th with no added costs. Fireworks companies also assisted with some cleanup. Public Services material and personnel costs for temporary signage at public parks and along main thoroughfare streets was approximately \$3,415.

Recommendations

The following are recommendations for future deployments:

- Continue to use the misdemeanor criminal citation/arrest for firework violations
- Modify the existing Municipal Code ordinances relating to illegal fireworks to add a simple possession violation.
- Consider creating a Municipal Code ordinance mandating that firework stands provide informational fliers to each patron that outlines laws pertaining to fireworks. Perhaps, these fliers can be funded through a council adopted fee for organizations with firework stands.
- Continue with all of the previously outlined public outreach efforts.
- PSA to be completed and broadcast during City Council meetings beginning in early June.
- Continue with early, coordinated investigative efforts to root out supply of illegal fireworks coming into the city.
- Continue to use a dedicated, alternate radio frequency and Communications personnel for Directed Enforcement fireworks-related CFS.
- Continue partnership with all City departments.
- In addition to supplemental firework Directed Enforcement personnel, consider adding additional Police Department traffic enforcement coverage throughout the holiday period.
- Continue to be flexible and modify strategic deployment of Police and Fire personnel as necessary.

Conclusion

Illegal fireworks were a persistent issue throughout the city leading up to and magnified on July 4th. Police Department executive staff received several concerned emails/phone calls from the community regarding the volume of illegal fireworks being discharged. The above recommendations should provide a foundation for next year's operational plan.

With the significant increase in CFS over a five-day period, the operational plan was able to provide enhanced customer service to the community. City sponsored educational campaigns, proactive enforcement efforts to mitigate the flow of illegal fireworks into the city prior to July 4th, increased Police Department staffing over the Fourth of July holiday, and continued collaboration amongst City departments, resulted in a net *decrease* of overall firework-related CFS with a slight increase in the number of arrests, year-to-date. Furthermore, the Fire Department's dedicated allocation of a Battalion Chief (Arson Investigator) and the Fire Department's collection and transportation of confiscated fireworks to the Orange County Sheriff's Bomb Squad provided essential resources that advanced the operational plan's effectiveness. Contributions from the City Council, City Manager's Office, and all other City departments, supported the overall success of the City's Fourth of July operations.