

# COSTA MESA POLICE DEPARTMENT

## MEMORANDUM

TO: Robert Sharpnack, Chief of Police  
Mark Manley, Captain  
Bryan Glass, Acting Captain  
Ed Everett, Lieutenant  
Vic Bakkila, Lieutenant

FROM: Jerry Souza, Sergeant

**SUBJECT: 4<sup>th</sup> of July After-Action Report for 2015**

DATE: July 6, 2015

The following is the After-Action Report for the deployment of Public Safety and city resources for the five-day period of July 1<sup>st</sup> through July 5<sup>th</sup> 2015. The stated goals of the Police Department's operational plan were to maximize the Police Department's ability to effectively handle prioritized emergency calls for service and routine calls for service (CFS) leading up to and through the 4<sup>th</sup> of July holiday. In addition, the operational plan was also intended to provide for a highly visible and proactive approach to illegal fireworks enforcement and an enhanced customer service response in regard to the anticipated increase in holiday related calls for service. The Fire Department partnered with the Police Department on all fronts, including community outreach, public education, social media, and operational enhancements. Specifically, the Fire Department increased staffing on July 3<sup>rd</sup> and 4<sup>th</sup> and utilized a task force of arson investigators teamed up with police officers on July 2-4. The Finance and Public Services Departments also played important supportive roles in preparing for the holiday weekend as noted below. Finally, the City CEO's Office and the City Council provided the necessary financial resources for the substantial outreach efforts that served to clearly state the city's position on safety in the community.

### **Public Education / Community Outreach / Social Media**

Considerable efforts were made to inform and educate the general public of the city's fireworks policy leading up to the 4<sup>th</sup> of July. Police Explorers and CERT Volunteers canvassed "hot spot" neighborhoods, distributing informational door hangers on 6/29/15, 7/2/15 and 7/3/15. Approximately 2,500 door hangers were ordered for distribution. The door hangers were printed in both English and Spanish. They included wording 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 - including being punishable by up to a \$1,000 fine and imprisonment. This message was also placed on 16 x 20 posters which were placed at every firework stand. In addition, Zero Tolerance flyers were also handed out at the fire firework stands and posted on the Newport-Mesa Unified School District website.

Moreover, this year, City Council authorized a mass distribution of letters citywide to approximately 43,000 residential households emphasizing a Zero Tolerance approach to illegal fireworks and being a good neighbor on July 4<sup>th</sup>. 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.

Social Media, including Nixle, the City Webpage, and the respective CMPD and CMFD Facebook pages, were utilized extensively to inform the public of the Police Department's stance of Zero Tolerance for illegal firework usage and enforcement, thereof. Additionally, electronic LED sign boards were placed strategically throughout the city advising the same, to include a new partnership with the Orange County Fairgrounds and Costa Mesa and Estancia High Schools to broadcast our firework safety message on their LED signage.

The City's LED signs were placed at the following locations:

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

Additionally, two Public Service Announcements (PSAs) were completed by CMTV; one featuring Police Chief Sharpnack and Fire Chief Stefano, and a second featuring Fire Education Specialist Brenda Emrick and Police Crime Prevention Specialist Kelly Vucinic. These PSAs were posted on the Police Department's Facebook page, as well as the City of Costa Mesa website. The web links are below.

[https://www.youtube.com/watch?v=yn\\_6pR75PIQ&feature=youtu.be](https://www.youtube.com/watch?v=yn_6pR75PIQ&feature=youtu.be)

<https://www.youtube.com/watch?v=ymTvnGNMCUc>

Finally, officers assigned to Directed Enforcement (DE) on Thursday, July 2<sup>nd</sup>, worked 1200-2200 hours. These officers were tasked with walking "hot spot" neighborhoods for several hours in the early afternoon and did a considerable amount of community. Officer's contacted approximately 120 persons throughout these neighborhoods, most of which were very receptive toward the officers. Photographs of these efforts were taken and posted to the Police Department's Facebook page as part of the continuing outreach.

### **Police Department Staffing & Deployment**

Department patrol staffing remained at normal levels June 30<sup>th</sup>, July 1<sup>st</sup> and July 5<sup>th</sup>. In order to manage the anticipated increase in calls-for-service leading up to and through July 4<sup>th</sup>, normal patrol staffing was augmented with additional Directed Enforcement firework enforcement teams. The enhanced staffing was achieved through utilization of the 3/12 buyback day on Thursday, July 2<sup>nd</sup>, and a mandatory department-wide seniority based draft of officers on Friday, July 3<sup>rd</sup>, and Saturday, July 4<sup>th</sup>. Throughout this time period, officers assigned to the directed enforcement teams addressed specific firework related calls-for-service and proactive "hot spot" enforcement.

As mentioned above, this year marked the first year CMPD Management enacted mandatory staffing for the 4<sup>th</sup> of July holiday utilizing a seniority-based model in order to help manage anticipated the Friday night and Saturday night staffing needs. This allowed for Directed Enforcement teams to work completely independent of our normal patrol field operations, yet be available to assist patrol officers if a major incident occurred. Directed Enforcement teams were assigned to each of our two geographic patrol areas. A mix of teams were comprised of two-person police officers paired and CMFD Arson Investigators units, a plainclothes officer assigned as a “spotter”, and other officers specifically dedicated to July 4<sup>th</sup> alcohol and traffic functions – accident investigation and DUI enforcement. Plainclothes personnel and plain cars were utilized to act as spotters to try to assist in catching violations in the act.

The fireworks suppression teams worked the following schedules:

- Thursday, July 2<sup>nd</sup> 1200 - 2200 hours
- Friday, July 3<sup>rd</sup> 1600 - 0200 hours
- Saturday, July 4<sup>th</sup> 1600 – 0200 hours

Supplemental Resources by day/date:

- Thursday, July 2<sup>nd</sup> – Two units comprised of a police officer and Arson Investigator, two units comprised of two police officers, two plain clothes units with one police officer each, and two Traffic units, for a total of 8 units consisting of 10 PD, 2 FD and 3 Park Rangers.
- Friday, July 3<sup>rd</sup> – Two units comprised of a police officer and Arson Investigator, two plain clothes units with one plainclothes police officer each, two plain car with a uniformed officer, and two Traffic units, for a total of 8 units consisting of 10 PD, 2 FD and 3 Park Rangers.
- Saturday, July 4<sup>th</sup> – Six units comprised of a police officer and Arson Investigator, one unit comprised of two police officers, one plain car with two uniformed police officers, two plain car one plainclothes police officers each, and one Traffic unit, for a total of 11 units consisting of 13 PD, 6 FD and 3 Park Rangers.

### **Enforcement Strategies**

The civil citation and criminal citation process were utilized for the enforcement of firework-related violations of the Costa Mesa Municipal Code and Health & Safety Code. Officers were afforded the discretion whether to issue a civil citation, criminal citation or physical arrest, depending on the severity and nature of the offense. Violations of the CMMC resulting in issuance of a civil citation and an incremental sliding fine schedule starting at \$150.00 and going up to \$1,000. Administrative hearings were set for September 1, 2015.

On July 4<sup>th</sup>, officers patrolled and issued 28% of the total citations in the “hot spot” areas. As a result, we experienced a 62% reduction in calls for service in those areas combined.

### **Police Department Calls-For-Service (CFS)**

For the evaluation period (July 1<sup>st</sup> – July 5<sup>th</sup>), Communications received 540 firework-related CFS that were handled via general broadcast (GB) to area police units, compared to 428 in 2014. Officers were dispatched and responded to an additional 131 firework-related CFS where the officer either generated the call or the reporting party requested personal contact with an officer, compared to 89 in 2014. There were a total of 671 firework-related CFS over the five-day period.

Throughout the days leading up to July 4<sup>th</sup>, CFS volume was semi-moderate with a dramatic increase on July 4<sup>th</sup>. CFS on July 4<sup>th</sup> generally peaked between the hours of 1930 to 0100.

CFS increased in all categories from 2014 to 2015. Additionally, the available statistics for both 2013 and 2014 are derived from a six-day evaluation period, whereas the statistics for 2015 are derived from a 5 day evaluation period. In spite of this, for 2015 there was a significant increase over previous years.

The following table reflects CFS and citations for the 4<sup>th</sup> of July deployment periods over the last four years.

CFS	2012	2013	2014	2015	% Change 2014 to 2015
Firework GBs	329	430	428	540	+26%
Officer Response	29	127	89	131	+47%
Total Calls	358	504	517	671	+30%
Citations/ Arrests	7 / 0	32 / 3	35 / 0	25 / 2*	-29% / +200%
Evaluation Period	5 days	6 days	6 days	5 days	N/A

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

### **Fire Department Calls for Service**

Battalion Chief Kevin Diamond was the liaison and Branch Director for the Fire Department. BC Diamond and Arson Investigator Keating rode with PD personnel all days of this deployment. All 6 CMFD Arson Investigators partnered with PD personnel on July 4<sup>th</sup>, providing technical expertise and a force multiplier. DE teams made up of PD/FD conducted one Arson investigation and investigated an accidental fire of a trash can. In addition, over 100 pounds of illegal fireworks were confiscated.

### **Calls for Service (All Calls)**

CFS	2013	2014	2015	% Change 2014 to 2015
July 3 <sup>rd</sup>	24	39	35	-11%
July 4 <sup>th</sup>	37	42	56	+33%
July 5 <sup>th</sup>	27	41	41	0%
Total Calls	88	122	132	+8%

Fire Department total calls for service during the period of July 3 through July 5, 2015 were 132, which included a total of 5 trash/dumpster fires, 1 tree fire and 1 call to investigate possible dynamite; later determined to be a modified road flare.

### **Noteworthy Events / Enforcement by Day**

These events were handled by Directed Enforcement (DE) officers assigned to firework enforcement.

### **Thursday, July 2<sup>nd</sup>**

- Officers conducted “foot patrol” community outreach in various “hot spot” neighborhoods, contacting approximately 120 people.
- While on foot patrol, officers contacted warrant suspect and arrested a tagger after interrupting a tagging incident in progress and suspect fled.
- Officers responded to a suspected stick of dynamite that required an OCSD Bomb Squad response; later deemed an altered flare.
- Due to volume of calls for service, officers handled two traffic collisions as our Traffic officers were delayed due to other collision investigations.
- Officers wrote 4 citations for CMMC related issues. Most fireworks complaints did not start coming in until after 2100 hrs.

### **Friday, July 3<sup>rd</sup>**

- Due to volume of calls for service, officers investigated an injury traffic accident and made a DUI arrest
- Officers arrested a warrant suspect, issued 3 Vehicle Code citations and 3 firework CMMC civil citations.

### **Saturday, July 4<sup>th</sup>**

- Officers wrote 22 firework CMMC civil citations for discharging dangerous fireworks.
- One felony arrest for making a destructive device and possession of a destructive device, requiring an OCSD Bomb Squad response to render two bottle dry ice bombs safe (18720 / 18715a1 PC).
- One arrest made for misdemeanor possession of dangerous fireworks.
- 4 citations were issued for Vehicle Code and Business Code alcohol violations.
- Approximately three 55 gallon drums at the FD were filled with confiscated illegal fireworks.
- Officers and Fire personnel investigated a vehicle arson. Investigation ongoing.

### **City Parks / Permitted Block Parties:**

In contrast to previous years, there were *no noteworthy issues* regarding fireworks violations within our city parks or with the six permitted block parties. They had no adverse impact on department resources.

### **Communications / Logistics / Equipment**

DE personnel originally worked off of the Green 1 police frequency due to challenges with Communications staffing monitoring multiple frequencies. However, due to activity levels and the need to communicate frequently car-to-car, DE personnel worked off of the Green 3 frequency for tactical communications and simultaneously monitored Green 1 for crime broadcasts, requests for assistance, or monitoring fireworks CFS. This was also challenging for personnel due to the need for additional pac-set radios for some teams, like the plainclothes officers who did not have a dedicated car police radio. For future deployments, an off-channel clearance and dedicated dispatcher would be ideal.

During the first day of the DE deployment, we realized there was a shortage of available, charged pac-set batteries due to the overlapping patrol shifts and the unprecedented number of DE personnel. We borrowed batteries from the SWAT arsenal and were also able to obtain more from

OCSD Control 1 through the remainder of the operation. In the future, it would be best to obtain loaner batteries from Control 1 ahead of time and assign them each day so as not to draw from Patrol needs.

No vehicle issues were noted, as most DE personnel were doubled up in a single vehicle.

### **Finance Department**

Every year, the Finance Department issues firework stand permits to qualified applicants in accordance with City Ordinance and City Council Policy 400-2. For the week of July 4<sup>th</sup> holiday, the Finance Department issued 36 permits to eligible applicants, down from the 37 permits issued for the 2014 holiday. The permit fees were waived pursuant to Council Policy 400-2. Permits were only issued to groups that were approved for the July 4<sup>th</sup> 2012 firework stands and continued to apply in 2015. No permits were issued to new groups.

To gain a better understanding of the benefits that the various youth groups receive from annual firework sales, the Finance Department will send a letter requesting information from each stand operator and the representatives from firework distributors. Disclosure of this information is strictly voluntary.

### **Public Services**

Public Services staff 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 of our public parks.

### **Animal Control**

The following information is for animal impounds for the 4<sup>th</sup> of July holiday period:

July 2<sup>nd</sup>, 2015 – (2) dogs, (0) cats impounded  
July 3<sup>rd</sup>, 2015 – (0) dogs, (0) cats impounded  
July 4<sup>th</sup>, 2015 – (2) dogs, (3) cats impounded

It was requested if the Humane Society would be willing to waive fees for future 4<sup>th</sup> of July holiday dates. NOTE – Dr. Botros, owner of the Humane Society, was contacted and advised that he would be willing to waive impound fees for dogs and cats, as well as the daily care fees. Fees for rabies vaccination, veterinary care rendered costs and state-mandated fines for unsterilized animal impounds would still be the responsibility of the animal owner. This should be confirmed with Dr. Botros next year.

### **Recommendations**

The following were the recommendations from the previous 2014 July 4<sup>th</sup> After-Action Report:

- Utilize the City and PD websites, and other social media resources to mass-distribute information regarding a “safe and sane” 4<sup>th</sup> of July (completed)

- Coordinate with the Mesa Water District (MWD) to disseminate mailers on local and state firework laws with the monthly residential billing leading up to 4<sup>th</sup> of July (was not completed)
- Coordinate with City Hall to create and disseminate a series of press releases focused on a “safe and sane” holiday, local and state laws, and strict enforcement by the Police Department (completed)
- Distribute additional civil citation books to increase accessibility and enforcement capabilities (completed)

Based upon personnel debriefs this year and the contents of this After-Action Report, in addition to the previous recommendations above, the following are recommendations for future deployments:

- Continue with all of the previously outlined public outreach efforts, to include mailers, possibly partnering with MCWD for distribution.
- Consider the use of banners in key locations (e.g., fire stations, police station(s), and other city sites).
- PSA to be completed and broadcast during City Council meeting prior to July 4<sup>th</sup>.
- Later DE personnel start and finish times for July 2<sup>nd</sup>.
- Continue and increase usage of plain clothed officers and/or plain cars with uniformed officers to allow for greater enforcement opportunities.
- Improved anticipation of equipment needs.
- Radio frequency clearance and dedicated dispatcher with fireworks GB’s periodically done over that frequency for plain car personnel.
- Continued partnership with all City departments.
- Consider having traffic supervisory personnel schedule traffic related coverage over the holiday so as to leave DE personnel assigned and focused strictly on DE objectives.
- Consider increased supervisory oversight dedicated solely to the Directed Enforcement each day.
- Continue to be flexible and modify strategic deployment approach as necessary (large show of personnel for unruly crowds)
- Consider training update regarding crowd control, unruly crowds and include Fire Department Arson Investigator personnel.
- Begin messaging fireworks use earlier and address year-round concerns.

## **Conclusion**

This was the first time a mandatory draft was instituted within the Police Department to provide the community coverage over the July 4<sup>th</sup> holiday weekend and days leading up to it. With the significant increase in fireworks CFS over a shorter duration this year, this deployment was able to provide enhanced coverage not only for the Directed Enforcement objectives, but also for the overall Police Department mission during the prescribed time frames. The Fire Department added substantial resources with a team of Arson Investigators who partnered with CMPD officers in patrol and enforcement capacities. Contributions from the City Council, City CEO, Public Services and Finance Departments collectively added to the overall success of the operation as well.