



# CITY OF COSTA MESA

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FROM THE OFFICE OF CHRISTOPHER SHAWKEY, CHIEF OF POLICE

TO: Allan Roeder  
City Manager

FROM: Christopher Shawkey  
Chief of Police

SUBJECT: 2008 Fireworks Response Plan After Action Report

DATE: July 21, 2008

## **Introduction**

The purpose of this memorandum is to provide an after action report on the City's operational plan for the 2008 4<sup>th</sup> of July holiday. This report is based on information provided by the Police and Fire Departments, as well as Telecommunications and Public Services.

The Costa Mesa Police and Fire Chiefs directed the implementation of a task force and operational plan to address illegal fireworks and misuse of "Safe and Sane" fireworks related problems during 2004. The practice was repeated in 2005, 2006, 2007 and again this year. The goal of the task force was to ensure the safety of the community and to gain compliance to the city ordinances and state laws governing the use of fireworks.

As part of the increased effort to inform the public about the dangers of both illegal and misused "Safe and Sane" fireworks, activities began in mid-May 2008. Public Service Announcements (PSA's) were completed and aired for several weeks prior to the 4<sup>th</sup> of July on Channel 24 (CMTV). Interviews with the local print media were completed and the resulting articles continued the effort to help make 2008 a safer holiday. "Safe and Sane" posters and informational packages were posted at the front desk of the Police Department, as well as being posted on the City's website.

On-site education was conducted at all permitted fireworks stands from approximately 4:00 p.m. until 10:00 p.m. on July 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> to help ensure compliance with local ordinances and state laws. As part of the pre-holiday contact, officers directed personnel working at the fireworks booths to educate customers about all applicable fireworks laws and ordinances, with particular emphasis being placed on customers that live outside Costa Mesa. Volunteers working the stands were encouraged to call the Police and Fire Departments for assistance as needed. Increased cooperation was evident between the vendors and city personnel, and these pre-holiday contacts were well received.

An operational plan was created and the fireworks enforcement program was implemented on July 4<sup>th</sup> from 5:00 p.m. to 1:00 a.m. During the course of the evening, enforcement officers responded to approximately 370 calls regarding fireworks.

Officers assigned to the Fireworks Enforcement Detail issued one citation for a fireworks related violation, and made one arrest for a dangerous firework which involved a bomb squad response from the Orange County Sheriff's Department. In addition, Police and Fire Department personnel also confiscated several hundred pounds of illegal fireworks.

## **Program Details**

### **Planning and Direction**

As in previous years, an operational plan was developed and distributed to all personnel assigned to work the holiday. Before the execution of the plan, a briefing was held to familiarize each employee with their job assignment. Informational packages were provided to each team with cell phone numbers of the assigned personnel, call signs of deployed teams, all permitted fireworks stands, all permitted “block parties,” Costa Mesa Municipal Code sections and related State laws pertaining to fireworks, alcohol possession and consumption, and use of the parks.

Police and Fire personnel supervising the 4<sup>th</sup> of July staffing coordinated their efforts and activities quite well. The group seamlessly integrated personnel and provided a very effective division of labor/tasks resulting in the most comprehensive effort to date.

### **Police/Fire Staffing**

Two teams consisting of two police and fire personnel were established to inspect and monitor firework stands from July 1<sup>st</sup> to the 4<sup>th</sup>. The duties of these teams were noted in the introduction.

On the 4<sup>th</sup> of July, the Police Department had a total of fifteen police personnel assigned to work the event. The personnel consisted of two sergeants, one motor officer, ten patrol officers, and two park rangers. Eight enforcement teams were staffed with the motor officer assigned to “roving” enforcement within designated areas. Teams operated in full uniform while driving both marked and unmarked vehicles.

The Fire Department increased its staffing for the 4<sup>th</sup> of July to forty-one, opposed to their normal staffing of thirty three. The increase consisted of one Engine Company (captain, engineer, and two firefighter /paramedics), three firefighters, and an additional battalion chief. The number of fire vehicles deployed for the event was twelve.

### **Calls for Service**

Despite assigned enforcement coverage and more staffing levels than last year, the enormous volume of calls for service resulted in delayed responses to many of the calls. In a few cases, fireworks calls for service were held approximately 45 minutes. As a result, teams had to rely more on educational contacts and warnings rather than taking enforcement action. This allowed officers to quickly complete contacts and move on to other pending calls for service.

Many of the calls for service that were received were “anonymous” and general in nature. These types of calls were handled as “general broadcast” calls. After the broadcast, the calls were closed and deployed units used them as markers for locations of attention. All calls requesting contact were handled with contact being made. Firework enforcement teams were able to handle all calls for service related to fireworks, including those requesting contact. In prior years, calls for service which required contact were dispatched to available patrol units. This change was made to allow patrol officers to respond to routine calls for service.

Total fireworks related calls for service numbered approximately 370 on the 4<sup>th</sup> of July. Self initiated activity by enforcement units generated an additional 150 calls, for a total of 520 calls for service, a 10% increase over last year.

The Fire Department also responded to a higher than average number of calls on the 4<sup>th</sup> of July than they would on a typical Friday night. Normal call volume for a Friday is approximately 26 calls, compared to the 47 calls they responded to on Friday, July 4<sup>th</sup>. In comparison, the Fire

Department responded to 53 in 2007 (Wednesday), 41 in 2006 (Tuesday), and 42 (Monday) in 2005.

As indicated, the Fire Department responded to 47 total calls on the 4<sup>th</sup> of July this year as opposed to 53 total calls last year. However, the Fire Department responded to only one fireworks related call this year versus ten such calls last year. They responded to fewer mutual aid calls this year in Newport Beach because the Newport Beach Fire Department significantly increased their staffing levels. The following table illustrates the Fire Department's calls for service:

Year	2005	2006	2007	2008
Total Number of Calls	42	41	53	47
Fireworks Related	10	7	10	1
Mutual Aid	6	4	13	2

### **Equipment**

Disposal bins for confiscated fireworks were maintained at Fire Station #4 on Placentia Avenue. One firefighter was utilized as a "field pick up" to minimize the time needed to drop off confiscated items. Three 55-gallon drums were filled with confiscated illegal fireworks.

### **Block Parties**

Police and fire personnel contacted organizers of each permitted block party in order to gain compliance with fireworks laws and street closures. They also checked the entire city for "unauthorized" block parties and street closures. Those contacted were educated about the process for obtaining a city authorized block party and the permit restrictions on fireworks usage in Costa Mesa. Generally, all of the permitted block parties were in compliance with City imposed restrictions.

### **Confiscation of Fireworks**

During calls for service and self initiated contacts, officers confiscated all illegal fireworks they discovered. The total amount of confiscated fireworks filled three 55-gallon barrels and was estimated to be several hundred pounds.

One isolated incident involved a homemade type explosive, modified from legal fireworks. This incident occurred on Darrel Street and required the response of the Orange County Bomb Squad. The explosive was made by disassembling fireworks, retrieving the flammable material and reconstructing it into plastic bottles with flammable liquids.

### **Parks and Schools**

Officers and Park Rangers were directed to routinely check parks and schools for fireworks usage, with special emphasis at Vista and Tanager Park based on activity levels and complaints from last year. Staff reported that activity levels at all city parks were high this year, and that as soon as a park was cleared and teams moved to another location, crowds would return to the parks.

As a deterrent and by request of the Police Department, all park sprinkler systems were to activate either a half hour before or after sunset. Based upon the observations of personnel in service at sunset, the sprinkler systems at some parks did not activate near sunset, but sometime after. As a result, there was more fireworks usage in some city parks than anticipated.

At Vista Park, Police Department staff went through the park at regular intervals throughout the day instructing people that the park would be closed at 8:34 p.m. This was done to give them the opportunity to relocate to another location for the purpose of viewing fireworks. While we received some complaints about this, it was much more effective than last year when people were ordered to leave just prior to the start of the Huntington Beach fireworks display.

Fireworks related calls for service were received at Tanager Park, but because of the additional patrols in that area throughout the day, the number of calls was less than last year.

Fireworks use at the schools appeared to be consistent with prior years, especially the north and south parking lots of Estancia High School. Both parking lots of this high school had not been secured, which served as an invitation for illegal fireworks usage. Again, staff regularly patrolled the school and ordered people to leave, but like the parks, people would return once police personnel left the area.

### **Helicopter Program**

ABLE provided a helicopter to capture a video recording of the illegal aerial discharge of fireworks over the City.

### **Other Enforcement**

Based on prior years' experience and resident input, emphasis was directed to areas identified as potential problem locations. Those areas were:

1. Meyer Place between Wilson Street and Victoria Avenue
2. Republic Avenue near Linden Place
3. 700 Victoria Avenue / contact with residents at D-3 (per their request)
4. Tanager Park
5. Vista Park
6. Other locations that were known to illegally block city streets to construct makeshift fireworks displays

### **Fiscal Impact**

Below is an analysis (overtime estimate) of labor costs related to the Fireworks Education and Enforcement Program.

<u>Personnel</u>	<u>Cost</u>
Police	\$ 5,631.11
Fire	\$ 14,428.92
Tele-communications	\$ 828.00
Total Cost	*\$ 20,888.03

\* Additional costs may be incurred as a result of properly destroying and removing the confiscated fireworks. Fire Department personnel will address this issue when the information becomes available.

In addition, Public Services was responsible for manufacturing, installing, and removing over 40 signs at 20 entry points into the City as well as at different parks. They also were responsible for cleaning up areas that had higher than acceptable fireworks debris or other garbage. Below is an analysis of cost breakdown as reported by Public Services:

<u>Service</u>	<u>Cost</u>
Labor	\$ 2,936.21
Sign Materials	\$ 3,073.50
Street Sweeping	\$ 521.12
Programmable Message Boards	\$ 285.07
Vista Park Sign Installation	\$ 154.69
Total Cost	\$ 6,970.59

**Total city-wide cost related to the 4<sup>th</sup> of July: \$ 27,858.62**

### **Follow up / Suggestions for Subsequent Years**

The continued use of pre-holiday PSA's and media contact should be expanded. Deployment of two teams of personnel during the pre-holiday legal fireworks sales period (July 1<sup>st</sup>-3<sup>rd</sup>) should be continued as it provides the opportunity to develop a rapport between vendors and city personnel. It also allows public safety personnel to verify permits and compliance with safety regulations.

Closure signage at Vista Park should be larger in size and manufactured. The signs for this year consisted of standard sized paper affixed to wooden posts, and the instructions were in small typeface and difficult to read.

Use of sign boards at entrances to the City was helpful and should be used every year.

It is recommended for 2009 that the pre-4<sup>th</sup> of July contact with the fireworks vendors continue. They were appreciative of our concern and aware that we were expecting strict compliance.

Work with the Newport Mesa Unified School District to ensure that the parking lots to Estancia and Costa Mesa High School are secured in order to prevent people from congregating on those properties to discharge fireworks.

### **Conclusion**

A significant amount of attention was placed on the City of Costa Mesa and its approach to the fireworks issue this year. City staff was cognizant of the fact that the holiday fell on a Friday this year, placing an additional burden on what is already a very busy night of activity for both the Police and Fire Departments. As a result, this year's operational plan allowed for even more pre-holiday educational efforts and increased staffing levels for the holiday.

The results of this year's plan were promising. The pre-holiday educational efforts were well received by fireworks vendors, and the City received many favorable comments about the portable message boards that were placed at the city borders. The City received more fireworks related calls for service (perhaps because of the increased awareness the City created to the issue), but all staff that worked the event felt there was more overall compliance to the municipal ordinance and state laws regulating the use of fireworks. As a result, significantly fewer arrests were made this year, and staff was able to handle the additional workload as efficiently as in years past, albeit there were still several calls for service held longer than what would normally be considered an acceptable amount of time.

Several locations still required an inordinate amount of attention from public safety, but the response to those locations was managed throughout the day, as opposed to requiring an overwhelming response immediately after sunset.

The City received significantly fewer complaints after the holiday this year compared to last year. Media accounts regarding how the City responded and handled the 4<sup>th</sup> of July this year were

also very positive. Last, at the City Council meeting after the holiday, there were no negative public comments regarding the City's response to the holiday.

## **Attachments**

What follows is the after action report submitted by the Fire Department. There are three attachments to this report. They are detailed breakdowns of Fire Department and Public Services costs for the 4<sup>th</sup> of July program, and the Fire Department Loss Report.

### **Fire Department After Action Report**

The following report will address the fire department contribution to the Fireworks Enforcement Program for July 1<sup>st</sup> – July 6<sup>th</sup> 2008. Areas covered include Staffing, Call Volume, Block Parties, Community Patrol, Community Service Requests, Fireworks Enforcement, and Fiscal Impact.

### **Staffing**

The fire department had normal staffing on July 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, and 6<sup>th</sup>. Normal staffing consists of thirty-three (33) fire personnel per shift; one (1) Battalion Chief, eight (8) Captains, eight (8) Engineers, ten (10) Firefighter/Paramedics, and (6) Firefighters delivering service on nine fire vehicles. On July 4<sup>th</sup> we increased our staffing to forty-one (41). This included the addition of one (1) Engine Company (Captain, Engineer, and two (2) Firefighter /Paramedics), an additional Battalion Chief, and three (3) Firefighters. This also increased the number of fire vehicles deployed from nine to twelve.

### **Call Volume**

As expected, we did respond to a higher than average number of calls on the 4<sup>th</sup> of July. Normal call volume for a Friday, the 4<sup>th</sup> fell on a Friday this year, is approximately 26 calls. We responded to 47 calls; an increase of 44%. In comparison, we responded to 53 in 2007 (Wednesday), 41 in 2006 (Tuesday), and 42 (Monday) in 2005. The numbers seem fairly consistent from year to year, but a closer examination reveals they are not.

Last year, of the 53 calls, 13 were into Newport Beach. This year, Newport Beach Fire Department up-staffed significantly, and we only had 2 responses into their jurisdiction. In addition to those calls, we had 10 that we deemed as "fireworks related" compared to one this year. This year, the police department took a much more active role in enforcement and confiscation which minimized the number of "fireworks" related calls we responded too. When those numbers are subtracted, the total drops to 30 calls. 2006 and 2005 were similar. In 2006 there were 4 calls into Newport Beach and there were 6 calls in 2005. In 2006 there were 7 fireworks related calls and in 2005 there were 10. Again, when these are subtracted from the total, there were 30 calls in 2006 and 26 in 2005. See table below:

Year	2005	2006	2007	2008
Total Number of Calls	42	41	53	47
Fireworks Related Calls	10	7	10	1
Mutual Aid	6	4	13	2
Total Calls	26	30	30	44

(Excluding fireworks related and Mutual Aid)

## **Block Parties**

Fire Department personnel visited all approved block parties. Visits were conducted by the Arson Investigators, Battalion Chiefs and on-duty Fire Suppression Personnel. All were generally in compliance with stated city requirements.

## **Community Patrol**

Starting at approximately 1700, all fire apparatus began patrolling their respective first due areas. In addition, one extra manned engine company was assigned to the Westside incorporating both Station 3 and 4's area. The purpose of these patrols was twofold; to educate the public on the safe usage of "Approved" Safe and Sane Fireworks, and to confiscate, where safe, any illegal fireworks.

The public, for the most part, seemed receptive to the education component. A majority of the education involved reminding citizens that all safe and sane fireworks need to be discharged on the ground, not off of step ladders, need an adequate safety zone from viewing areas, and that they need to be cognizant of both pedestrian and vehicular traffic.

The confiscation aspect was much more difficult and far less successful. Observed violations were difficult to trace to the source and when those areas were located, violators disappeared into the crowd or the illegal fireworks were removed from plain view prior to our arrival. Obviously, large fire apparatus are highly visible and any chance to catch violators "in the act" of discharging illegal fireworks is slim. Overall, the effectiveness of the fire department in curbing the use of illegal fireworks, especially aerial ones, was negligible.

In addition to the neighborhood patrols, fire vehicles routinely checked to make sure that the fireworks stands were complying with all appropriate regulations. This included making sure product was not stacked outside of the sales facilities and that they stopped selling by 8:00PM.

## **Community Service Requests**

The fire department did respond to several community service requests. They consisted of static displays at block parties and also for leading short neighborhood processions or parades.

## **Fireworks Enforcement**

This year the Arson Investigation Unit continued its fireworks enforcement program with the CMPD. Enforcement teams conducted patrols on July 1<sup>st</sup> through July 6<sup>th</sup>. Each night arson investigators were teamed up with patrol officers for the specific function of enforcing the City's fireworks ordinances. All confiscated fireworks were taken to Station 4 and deposited in 55-gallon barrels located next to the training tower. The amount of fireworks collected filled approximately three (3) barrels and will be turned over to the State Fire Marshall's office on July 24<sup>th</sup>. The Orange County Bomb Squad was called into the City to retrieve an Improvised Explosive Device created from a Piccolo Pete and a 2-Liter plastic bottle. The individual who made the device was arrested and transported to the CMPD jail. The CMPD will be presenting a more detailed report on arrests and citations issued.

## **Fiscal Impact**

Fire department labor costs related to the Fireworks Enforcement Program totaled \$14,428.92. These costs included the addition of Arson Investigators, the deployment of an additional engine

company and Battalion Chief on the 4<sup>th</sup>, plus three additional firefighters to augment current staffing. For a more detailed breakdown of staffing and costs for the July 1<sup>st</sup> – July 6<sup>th</sup> period, see the attached spreadsheet.

### **Fire Loss**

There were a total of seven (7) loss incidents from July 1 – July 6, 2008 for a Total Dollar Loss of \$62,700.00. These incidents included two (2) building fires and five (5) outside trash, rubbish or waste fires. See the attached Fire Department Loss Report for more details.

# Daily Fire Loss Report

Report Run Date - Report Period: From 07/01/2008 To 07/06/2008

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Date of Incident - 07/01/2008

Address - 2855 PINECREEK Dr

Type of Call - 111 - Building fire

Property Use - 429 - Multifamily dwellings

Estimated Property Loss - \$1,500.00

Estimated Content Loss - \$300.00

Estimated Total Loss - \$1,800.00

Involved:

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Date of Incident - 07/04/2008

Address - 1924 WALLACE Ave

Type of Call - 151 - Outside rubbish, trash or waste fire

Property Use - 429 - Multifamily dwellings

Estimated Property Loss - \$200.00

Estimated Content Loss - \$0.00

Estimated Total Loss - \$200.00

Involved:

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Date of Incident - 07/04/2008

Address - 677 PLUMER St

Type of Call - 151 - Outside rubbish, trash or waste fire

Property Use - 965 - Vehicle parking area

Estimated Property Loss - \$100.00

Estimated Content Loss - \$0.00

Estimated Total Loss - \$100.00

Involved:

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Date of Incident - 07/04/2008

Address - 448 COSTA MESA St

Type of Call - 151 - Outside rubbish, trash or waste fire

Property Use - 419 - 1 or 2 family dwelling

Estimated Property Loss - \$400.00

Estimated Content Loss - \$0.00

Estimated Total Loss - \$400.00

Involved:

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Date of Incident - 07/05/2008

Address - 1765 SANTA ANA Ave

Type of Call - 151 - Outside rubbish, trash or waste fire

Property Use - 965 - Vehicle parking area

Estimated Property Loss - \$100.00

Estimated Content Loss - \$0.00

Estimated Total Loss - \$100.00

Involved:

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Date of Incident - 07/05/2008

Address - 3030 CEYLON Rd

Type of Call - 111 - Building fire

Property Use - 419 - 1 or 2 family dwelling

Estimated Property Loss - \$50,000.00

Estimated Content Loss - \$10,000.00

Estimated Total Loss - \$60,000.00

Involved:

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Date of Incident - 07/06/2008

Address - 854 CONGRESS St

Type of Call - 118 - Trash or rubbish fire, contained

Property Use - 419 - 1 or 2 family dwelling

Estimated Property Loss - \$50.00

Estimated Content Loss - \$50.00

Estimated Total Loss - \$100.00

Involved:

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