

REQUEST FOR COUNCIL ACTION

Council Meeting of 3-20-07
Agenda Item _____

SUBJECT: APPROVAL OF AN AIR SUPPORT UNIT FOR THE REDLANDS POLICE DEPARTMENT

MOTION:

1. I move to authorize the Police Department to implement a 18-month fixed-wing *Air Support Unit* trial program with the understanding that: a) the program shall be funded through asset seizure and traffic impound funds, grants or donations and that no additional General Fund money can be expended on the program without the approval of the City Council; b) the Police Department will report back to the City Council after the program has been operational for 18 months and a determination will be made as to whether the program has met its performance indicators; and, c) if a determination is made that the program does not meet appropriate indicators of success, it shall be terminated unless otherwise extended by the City Council.
2. I move to approve the additional appropriation of \$185,000 from narcotics asset seizure and traffic impound accounts to implement the Police Department's *Air Support Unit*.
3. I move to approve and authorize the purchase of a Cessna 172 airplane with the price not to exceed \$80,000.
4. I move to authorize the Police Department to utilize a City-owned hanger at the Redlands Municipal Airport to support the program and waive any inter-fund transfers related to the storage of the plane in the hangar.

DISCUSSION:

On September 9, 2006 the City Council authorized the Police Department to develop an *Air Support Unit* proposal to leverage the department's current crime fighting resources. The department's work is complete and the questions relative to operations and cost have been answered. The Department is now seeking Council approval to implement the program on an 18-month trial basis.

After much discussion over the last year-and-a-half, significant research and thoughtful dialogue within the police department and with City leaders and community members, it is the opinion of the Chief of Police, the department's senior leadership, the Redlands Police Officers' Association (RPOA) – which represents the department's officers, detectives and sergeants –,

the Redlands Civilian Safety Employees Association, the Redlands Chamber of Commerce and many thoughtful community members, that adding a fixed-wing *Air Support Unit* (ASU) to the police department represents the most cost-effective way to leverage the community's investment in the police department and multiply the existing workforce's effectiveness.

No cost-effective alternatives to this proposal have been suggested to the department. Nonetheless, in light of the City's current fiscal dilemma, rising rates of violent crime and the very real prospect of decreasing police resources, the police department's leadership remains committed to investigating any reasonable suggestion for increasing the effectiveness of its officers while avoiding increased General Fund expenses.

This proposal provides for the addition of an *Air Support Unit* at no additional cost to the City's General Fund and the stipulation that only the City Council can authorize additional General Fund expenditures for this project. It also requires the establishment of a set of performance measurements to determine if the program has achieved its stated goals at the conclusion of its 12-month evaluation period. If the program does not prove effective the Chief of Police will report this to the City Council and request permission to terminate the program and sell the plane.

Albert Einstein, one of the world's greatest thinkers, once said about the need to innovate in the face of significant problems, that, "the world we created today has problems which cannot be solved by thinking the way we thought when we created them." If the RPD is to maintain its current ability to protect the people of Redlands and attract desired businesses, then now – perhaps more than anytime in recent history – the City *must* think differently about police department strategies and the resources it has available to control crime.

During the Department's September presentation to the Council, several points were made that bear repeating:

- "Force multipliers" in policing are those factors that dramatically increase the crime control effectiveness of a police department. Technology, civilianization, forensics, the employment of retired officers, community partnerships, volunteers and aviation support of ground officers are the multipliers actively employed by the police departments throughout America. The notion of using aircraft to multiply literally every officer in-the-field when the aircraft is available is not unique to the RPD. In the Inland Empire, 12 law enforcement agencies have, or are currently developing, air support units for this very reason.
- Over the last three years RPD officers have needed increasingly more air support assistance from the San Bernardino County Sheriff's Department's Aviation Division (an average of 15 calls per month in 2006 compared to 9 calls per month in 2004). These numbers do not include occasions when RPD officers requested air support but the crews were busy on other calls or otherwise unavailable.

- This proposal includes the purchase of a used Cessna 172 airplane that will fly approximately 800 hours per year and be based at the *Redlands Municipal Airport*, the use of volunteer pilots and observers as well as policy guidelines to ensure that implementing and operating the program can be accomplished with funds from the department's narcotics seizure and traffic impound accounts at no additional expense to the City's *General Fund*.
- The use of a helicopter was considered but rejected due to the high operating costs of available helicopter services (approximately \$400 per hour).
- An *Aviation Advisory Committee*, comprised of citizen volunteer pilots, will advise the department on aviation safety issues to ensure the program is operated with the utmost concern for safety.
- A \$2 million insurance policy will protect the City in the event of a rare accident.
- The police department's asset seizure and traffic accounts – both of which have non-supplanting restrictions – currently hold sufficient funds to acquire a plane and operate an *Air Support Unit* for more than two years. Historic evidence indicates these sources generate more than enough annual revenue to operate an aviation unit – *without General Fund participation*.
- Under the terms of this proposal, only the City Council can authorize additional costs to the General Fund to operate this program.
- Budget constraints and the nature of crime in Redlands have made the addition of an air support component to the police department critically important. The City has enacted a citywide hiring freeze and it is apparent the City may be required to reduce its expenditures on police services. This reduction will almost certainly affect the police department's ability to provide the level of protection to which Redlands is accustomed.
- While overall Part I crime was down in 2006, violent crime rose 22%. The majority of robberies in 2006 were committed by non-Redlands residents (75%). RPD gang officers have noticed a marked increase in out-of-town gang members in Redlands neighborhoods (possibly as a result of crime displacement from neighboring cities). A recent "drive-up" shooting/attempted murder underscores this.
- Sustained commercial and residential growth over the last several years – in Redlands and surrounding communities – has impacted traffic and affected the police department's calls-for-service. This has resulted in challenges for responding officers intent on apprehending suspects during or immediately after a crime. In the western portion of the City, where response time can be extended, this is especially true. The police department has completed extensive "time and distance" studies that demonstrate how far criminals can flee during a relatively short period of time – and almost always before ground officers can arrive on scene.

- During the RPD's May 2006 flight assessment testing, multiple scenarios proved that a plane flying on patrol over Redlands could be in a position to respond to, and observe, high calls-for-service locations much faster than ground officers (between 30-120 seconds). Upon arrival, the air crews proved capable of providing support to the ground officers and directing them to suspects or their vehicles.
- RPD narcotics and serious crime investigators estimate they would utilize a RPD aircraft in surveillances, that are currently very manpower-intensive, at least 4-6 times per month. This support would make the surveillances safer for officers and less expensive. Frequently, regional law enforcement aircraft are unavailable (as was the case in a recent murder investigation) and many more officers are required to conduct the surveillances. This increases the danger to officers, jeopardizes investigations and increases the City's expenses.
- The RPD does not have an effective way to patrol Redlands' sizable open spaces (i.e. San Timoteo, Live Oak Canyon, the Santa Ana wash, etc.). An RPD plane will conduct daily patrols over these areas and allow the department to effectively monitor these areas for problematic issues such as fires, abandoned/stolen vehicles, off-road trespassers, illegal shooters, lost persons and transient encampments.
- An *Air Support Unit*, such as the one proposed here, will further the RPD's nationally recognized community policing and youth development strategies through the use of volunteer citizen pilots and by eventually establishing an *Aviation Explorer Unit*.

The start-up costs for this program are estimated at \$103,250 (see attached costs and revenue worksheets). This includes the purchase of the plane, necessary equipment and its installation (i.e. rear swivel seat and floor-to-ceiling surveillance window, a short take-off and landing kit, an anti-car theft *LoJack* system, etc.). Operating costs for 18 months (6 months of training and start-up and 12 months of operations and evaluation) are estimated at \$78,773. The operating costs are based on flying 800 hours per year and include fuel, oil, maintenance and "engine reserve" (the cost of inspections and engine overhauls) and a \$2 million insurance policy. This cost does not include monthly rental of a City-owned hangar at the Redlands Municipal Airport. The police department requests the City Council waive the inter-fund transfer fees for the hangar (approximately \$3,000-4,000 per year).

The annualized cost of this program is estimated at \$52,515 (based on 800 hours of flying). Given that the plane will provide a potential force multiplying effect for literally every officer in-the-field at the time it is flying, this is, in the opinion of the police department's leadership, an incredibly cost-effective concept – especially when compared to the average of \$124,876 per officer in annual salary and benefit costs (FY 2007-08). There really is no comparison to the impact the plane is projected to have compared to the impact of just one, more expensive officer.

As of the end of February, 2007 there was \$111,521 available in the state and federal narcotics asset seizure accounts, \$127,184 available in the traffic impound account and the City has received a donation of \$15,000 with another \$2,000 promised for the *Air Support Unit* program.

This equates to a total of \$255,705 available to support this project. Based on historical data, the police department estimates (very conservatively) that the additional estimated revenue over the next 18 months is \$40,000 in the asset seizure accounts and \$60,000 in the impound account. Of this \$355,705 total, approximately \$185,000 is required to purchase the plane, equip and operate it for 18 months. The remaining \$170,705 is available for qualified, non-supplanted expenditures related to narcotics or traffic issues.

When considering this project, it is important to keep in mind the federal and state regulatory prohibitions against using the funds to supplant the City's budget. U.S. Department of Justice guidelines for seized assets clearly indicate the funds "...must be used to increase or supplement the resources of the receiving state or local law enforcement agency..." In addition, Section 11489 of the California Health and Safety Code is extremely direct about supplanting and states "state seizure funds must also be kept in a separate account and that the funds shall not supplant any State or local funds that would be made available to support law enforcement functions." The U.S. DOJ law enforcement liaison officer has approved the use of asset seizure funds for the *RPD Air Support Unit*.

It is the police department's intention to facilitate community donations and seek grants for the program if it is approved. As mentioned, the department has already received \$15,000 in donations with another \$2,000 promised if the program is approved.

During the development of this concept, the department has formed an *Aviation Advisory Committee* comprised of local citizen-pilots. These individuals are high-hour private, corporate or active duty law enforcement pilots and certified flight instructors. Two of these individuals have agreed to serve in the capacity of "Chief Pilots." As such, they are responsible for determining the qualifications and skills of volunteer pilot candidates and overseeing flight safety policy and procedures.

Program safety is foremost in the minds of the department's leadership. Accordingly, the department has, in consultation with the Chief Pilots and regional law enforcement aviation professionals, developed an *RPD Air Support Unit Policy and Procedures Manual*. This manual will guide the flight training of the program's pilots and observers. In addition, the department is finalizing its ASU program training program for pilots and observers pending the Council's approval of the program.

This request for the City Council's approval proposes an innovative strategy that meets Einstein's charge and leverages the investment Redlands taxpayers have made in their police department, crime control and public safety.

The timing of public safety issues frequently do not conform to the City's budgetary timelines or financial challenges. By their very nature, crime and other public safety issues are unpredictable. However, Redlands' City Councils have a history of supporting crucial public safety needs whenever they present themselves – *especially when a funding source other than the General Fund has been identified.*

It is hoped that the information presented to the Council in this report, and from the department's presentation at the September 9, 2006 Council Meeting, demonstrates the need RPD officers have for an aviation resource dedicated solely to Redlands. Such an asset will increase their crime fighting capabilities and enhance their "officer safety."

Finally, it is the opinion of the Chief of Police that Redlands' taxpayers deserve the type of police protection that can be achieved through the force multiplying effects of the proposed *Air Support Unit*. Such a unit will ultimately leverage their existing "investment" in the Redlands Police Department and make Redlands a safer community.

FISCAL IMPACT: There is no additional impact on the General Fund. This trial program will be funded by narcotics asset seizure and traffic impound revenue.

ALTERNATIVES:

1. Take no action.
2. Propose a yet-as-unidentified alternative.

Prepared by:

Reviewed by:

James R. Bueermann
Chief of Police

Sam Racadio
Interim City Manager

Dan McHugh
City Attorney

Tina Kundig
Finance Director

Gary Phelps
Director, Municipal Utilities