

City of Costa Mesa Police Department Memorandum



DATE: July 14, 2020
TO: Lori Ann Farrell Harrison, City Manager
FROM: Bryan Glass, Chief of Police
Daniel Stefano, Fire Chief

SUBJECT: 2020 FOURTH OF JULY HOLIDAY REPORT

The following report summarizes the 2020 Fourth of July holiday operations and the six-day operational period of June 30 through July 5, 2020. The City's annual operational goals for the Fourth of July holiday are community outreach and education, effective handling of routine and emergency calls for service (CFS), high visibility and proactive approach to illegal fireworks enforcement, and enhanced customer service response for the anticipated increase of firework related calls. These goals remained the focus in 2020, despite the COVID-19 pandemic and ongoing community and operational obligations that occurred throughout June 2020.

Community Outreach

Annually, the City makes considerable efforts to inform and educate the Costa Mesa community of the City's firework policies leading up to and during the Fourth of July holiday. This year, due to the COVID-19 pandemic and public health concerns, canvassing and the distribution of informational Fourth of July fliers and/or pamphlets in identified "hot spots" were not conducted as in years past. Costa Mesa Fire & Rescue (CMFR) placed information banners on each of the six city fire stations informing the public about illegal firework use and the non-emergency phone number for citizens to call to report illegal fireworks to the Costa Mesa Police Department (CMPD).

Starting in June, the City, CMPD, and CMFR used social media and other community platforms, i.e., Instagram, Twitter, Nixle, Nextdoor, City webpage, the City's Snapshot newsletter, and Facebook for community outreach. Messaging focused extensively on educating the public on fireworks safety, safe & sane fireworks usage, targeted enforcement against sales and possession of illegal fireworks, and how to report illegal fireworks. For example, on Nextdoor two posts were published in regards to the use of fireworks in Costa Mesa, how to report illegal fireworks, and the targeted enforcement. One educational message was sent out via text and email through Nixle about the proper use of fireworks. On Twitter, Instagram, and Facebook several posts referenced what constitutes an illegal firework, the purchase and use of safe & sane fireworks, and illegal fireworks targeted enforcement. Reminder posts leading up to the Fourth of July were also published on Instagram and Facebook. Further, the Police Department engaged community questions on social media with a reminder to report illegal fireworks to the non-emergency phone number.

On July 2, 2020, Fire Marshal Neal and Chief Glass took part in the Mayor's virtual town hall and addressed safety and enforcement of illegal fireworks from our respective departments.

A new public service announcement video for 2020 was also created and posted on social media, the City's YouTube channel, and the City's website:

<https://www.costamesaca.gov/city-hall/city-departments/fire-rescue/fireworks>

As in previous years, six electronic LED message boards were strategically placed throughout the city along major thoroughfares advising of the City's "zero tolerance" policy on illegal fireworks. The LED message boards were placed at the following locations:

- Southbound Newport Blvd., north of Mesa Dr.
- Southbound Fairview Rd., north of Adams Ave.
- Northbound Newport Blvd., north of 19th St.
- Northbound Harbor Blvd., south of Victoria St.
- Eastbound Adams Ave., west of Albatross Dr.
- Eastbound Victoria St., west of Canyon Dr.

Additionally, electronic messages were posted on the OC Fairgrounds electronic marquees. The messages included the City's "zero tolerance" stance, the \$1,000 fine, and the non-emergency phone number to call to report illegal firework violations and suspicious activity.

Police Staffing & Deployment

Patrol Services staffing remained at normal levels throughout the holiday operational period and was supplemented by reserve officers and the K9 Unit working on the weekend. Further, members of the Traffic Safety Bureau were deployed for impaired driver enforcement during the holiday through OTS grant funding.

In previous years, extensive overtime was used to significantly increase staffing and create directed enforcement teams. Based on staffing and budgetary factors, Field Operations Division resources were utilized from July 2 through July 4, 2020, to create directed enforcement teams. This consisted of assigning Patrol Services staff to directed enforcement teams on July 2, 2020, on their pre-designated "payback" day and assigning Patrol Services and Community Policing Unit (CPU) staff to directed enforcement teams on July 3 through July 4, 2020.

Two voluntary overtime shifts for directed enforcement were created for July 4, 2020. The utilization of overtime was minimal and in comparison, only 25 hours of overtime were used for 2020 to the approximate 110 hours in 2019.

Throughout the holiday period, the directed enforcement teams were assigned to each of the two geographical patrol areas and were tasked specifically with firework related CFS and proactive visibility patrols in and around "hot spot" areas. Directed enforcement teams worked in uniform and in unmarked police vehicles, independently of Patrol Services operations; however, they were available to assist if required for any major incidents.

Directed enforcement team staffing and schedules:

- Thursday, July 2, 2020 (1400-0000 hours):
 - unmarked units with a two-officer team – 2
 - marked unit with a sergeant (incident commander) – 1

- Friday, July 3, 2020 (1330-0200 hours):
 - unmarked units with two-officer team – 3
 - marked unit with a sergeant – 1

- Saturday, July 4, 2020 (1330-0200 hours):
 - marked unit with a sergeant (incident commander) – 1
 - unmarked units with two-officer team – 4

Enforcement Strategies

The Police Department used the criminal citation process for enforcement of firework-related violations of the Costa Mesa Municipal Code (CMMC) and the California Health and Safety Code (H&S). In all cases, violators were cited and released in the field for the applicable misdemeanor charges and were issued a court date to appear at the Orange County Superior Court, West Justice Center, in Westminster. Prior to the Fourth of July holiday, the Police Department collaborated with the City Attorney's Office to work closer in the coordination and prosecution of these cases. All citations will be sent to the City Attorney for review and prosecution.

This was the fourth year the department conducted investigative operations with undercover detectives from the Special Investigations Unit (SIU) ahead of the holiday period. Investigative operations were conducted leading up to the holiday operational period, but were limited due to previous and on-going investigative obligations. The operations that were conducted resulted in two arrests and the seizure of approximately 942 pounds of illegal fireworks.

Fireworks confiscated during the operational period were secured by CMFR at Station 4 and later disposed of by the Orange County Sheriff's Department (OCSD) Bomb Squad. Any fireworks deemed an explosive were collected at the scene by the OCSD Bomb Squad for safe disposal.

Police Calls For Service

This year, the department experienced an unprecedented and significant increase in firework related CFS prior to the holiday six-day operational period. From March 19 through June 30, 2020, there was a 234% increase in firework related calls compared to the same period in 2019. This was experienced countywide with some cities having increases of over 500%.

During the six-day operational period (June 30 through July 5, 2020), Communications received a total of 681 firework related CFS. Of the calls, 512 of them were dispatched through general broadcasts to area police units. Officers were dispatched and responded to the remaining 169 firework related CFS. The holiday calls generally peaked between

2000 hours to 2300 hours and were an addition to the normal non-firework related CFS during the holiday.

The following table reflects a five-year historical summary of firework related CFS for the Fourth of July holiday operational period:

Firework CFS	2016	2017	2018	2019	2020	2019/2020 Comparison
Firework General Broadcast	857	585	466	415	512	+23%
Firework w/ Officer Response	152	161	99	76	169	+122%
Total Firework CFS	1,009	746	565	491	681	+39%

Fire & Rescue Calls for Service

CMFR responded to a total of 199 CFS from July 1 through July 5, 2020. On July 4, 2020, Fire responded to 47 total calls for service. Of the calls, 12 of them consisted of small brush, dumpster or trash, and/or other small property fires. No significant property damage was identified during the holiday period; however, CMFR responded to a small roof fire that was extinguished upon arrival (noteworthy incident).

In terms of significant injuries related to fireworks, CMFR responded to, treated, and transported a partial hand amputation related to illegal fireworks (noteworthy incident). Furthermore, CMFR responded to two other separate patient calls related to embers from fireworks. One of the patients was a minor and both were assessed, but refused treatment and transport.

The following table reflects a five-year historical summary of CFS received by CMFR over the holiday period:

Fire CFS	2016	2017	2018	2019	2020	2019/2020 Comparison
July 1 st	38	30	25	43	26	-40%
July 2 nd	42	38	36	33	43	+30%
July 3 rd	32	41	32	33	47	+42%
July 4 th	40	33	64	32	47	+47%
July 5 th	30	41	29	37	36	-3%
Total CFS	193	183	186	178	199	+12%

Noteworthy Events & Directed Enforcement Statistics

The below statistics solely reflect the efforts of the directed enforcement teams:

- Thursday, July 2, 2020:
 - CMMC firework cites – 1
 - H&S firework cites – 2
- Friday, July 3, 2020:
 - CMMC firework cites – 1

- H&S firework cites – 1
- PC and/or warrant arrests – 2
- Saturday, July 4, 2020:
 - CMMC firework cites – 25
 - H&S firework cites – 6
 - PC and/or warrant arrests – 1
 - B&P cites/arrests – 1

In total, the Police Department’s directed enforcement efforts resulted in 37 arrests for misdemeanor firework related violations of the California Health & Safety and Costa Mesa Municipal Codes. Overall, 40 arrests were made including one individual arrested for reckless burning after starting a bonfire of used fireworks in the middle of the street. Further, approximately 140 lbs. of illegal fireworks were confiscated. In all cases, violators were cited and released in the field for the applicable charges.

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

Enforcement Stats	2016	2017	2018	2019	2020	2019/2020 Comparison
Citations / Arrests	79	80*	55	60	37	-38%

* 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 released in the field with a written citation. Previous years reported both civil citations and arrests.

From the 2019 Fourth of July holiday operational period, 20 “hot spot” areas were identified for directed enforcement efforts in 2020. Approximately 23% of the total 2020 directed enforcement citations and/or arrests occurred within the identified “hot spot” areas.

Noteworthy incidents consisted of:

- July 2, 2020, at 2048 hours, CMPD and CMFR responded to a roof fire at 2924 Chestnut Ave. No significant damage was caused and the cause of the fire is expected to be from a small aerial firework (Incident #2020-064650).
- July 4, 2020, at 1345 hours, CMPD and CMFR responded to a medical aid at A&B Towing, 1297 Logan Ave. involving an amputation from the use of illegal fireworks. An illegal fireworks incident report was taken for potential charges (DR 20-008322).

City Approved Street Closures and Block Parties

The City did not approve any street closures or block parties for the Fourth of July weekend due to the on-going COVID-19 pandemic.

Logistics

All directed enforcement teams used the department's primary Green 1 radio channel during operational periods.

No vehicle or safety equipment issues were noted during the operational period.

Animal Control

During the holiday period, there were no CFS directly related to fireworks. Animal Control impounds consisted of the following:

- July 1st – 1 dog
- July 2nd – 1 dog
- July 3rd – 2 dogs
- July 4th – 1 dog
- July 5th – 0

Firework Stands

The Finance Department issues firework stand permits every year to qualified applicants in accordance with City Ordinance and City Council Policy 400-2. Finance issued 30 permits to eligible applicants for 2020 (32 for 2019). The permit fees were waived pursuant to Council Policy 400-2.

CMFR conducted fireworks stand orientation with all of the vendors and booth operators. Further, CMFR's Community Risk Reduction Division worked closely with the Building Department for site inspections of each fireworks booth, which included the posting of bi-lingual health and safety posters at each booth.

Public Services

Public Services staff manufactured and placed firework prohibition signs at the entrances to all city facilities and public parks. This contributed to the absence of any noteworthy firework issues on any city property or in any public parks, although several firework complaints were broadcasted in or near Smallwood Park on Corsica Street. The area to the east of Smallwood Park is traditionally a "hot spot" for illegal firework activity, which likely contributed to the calls.

Recommendations

The outreach, staffing, and enforcement strategies used over the last three years have been effective in addressing the CFS and related matters associated to the Fourth of July holiday. The following recommendations are for future deployments:

- Continue with all of the previously outlined public outreach efforts and reinstitute canvassing if no health concerns.
- Conduct earlier investigative operations into illegal firework sales in and/or in the proximity of the City's jurisdiction.
- Identify "hot spot" locations based on previous year CFS.
- Per State Fire Code, ensure firework stands provide informational fliers to each patron, which outline laws pertaining to the use of purchased safe & sane fireworks.

- Broadcast the Fourth of July PSA video during City Council meetings starting in early June.
- Continue to use the misdemeanor criminal citation/arrest for firework violations.
- Deploy both marked and unmarked units for directed enforcement.
- Consider if the safe deployment of bicycle officers within “hot spots” neighborhoods is a feasible option.
- Increase patrol checks and monitoring of Fairview Park.
- Review the applicability of Whittier’s new ordinance to hold property owners, renters and/leasers responsible for illegal fireworks ignited on or in front of their property by persons associated with the property.
https://library.municode.com/ca/whittier/ordinances/code_of_ordinances?nodeId=1027574
- Evaluate the deployment of CPU directly to illegal firework enforcement at least a week prior to the Fourth of July holiday with the goal of increased enforcement before the actual holiday.

Conclusion

The City’s multi-prong approach towards the Fourth of July holiday was developed from experience and success over previous years. The community outreach, preventative preparations and regulations, and enforcement strategies have contributed to mitigating illegal fireworks within the city in previous years. In 2020, there were challenges and restraints that prevented the multi-prong approach from fully being implemented. The listed recommendations should be reviewed and considered for upcoming Fourth of July holidays if the environment permits.