

City of Fort Bragg Public Safety Police and Fire Protection

Police and fire protection services in Fort Bragg have not been reviewed by the Grand Jury in over ten years. The Grand Jury reviewed these services and found serious problems that should be addressed.

Police and fire protection for the incorporated City of Fort Bragg (City) is provided by a City operated and managed police department and a volunteer fire department.

Method of investigation

The Grand Jury interviewed the City Manager, the Fire Chief, an interim Police Chief, and Police and Fire Department officers. The Grand Jury toured the Police and Fire Department facilities and reviewed financial records, policies and procedures, contracts and agreements, and other documents from both departments and the City.

Police Protection

Background information

The Police Department (PD) is currently operating under the supervision of an interim Chief of Police (Chief) who in turn answers to the City Manager (Manager). The PD consists of 11 officers and a support staff of four. The PD patrols in three shifts, each under the command of a sergeant, 24 hours per day, seven days per week.

Findings

- 1. For several months now PD has been operating under the supervision of an interim chief since the permanent chief left on medical leave. There has been no resolution of the existing permanent chief causing a lack of continuity, poor morale, and excessive costs.**

Response (Fort Bragg City Council): The Fort Bragg Police Department is operating under the direction of an interim Police Chief. The permanent Chief is on leave which is available to him as a statutory right. The Grand Jury should be well aware that this is a confidential personnel matter and cannot be the subject of public discussion. Therefore, the City finds that the Grand Jury inquiry, findings and recommendations regarding “resolution” are fully inappropriate and the City cannot respond.

What is important is that the City has, and will continue to provide appropriate, continuous, competent and effective leadership to the Police Department. The City Council and City Manager believe that the availability of the qualified and

effective departmental leadership is essential to the operation of the department and the delivery of public safety services to residents of the City of Fort Bragg. The City Council further finds that the costs for this service are fully necessary and therefore disagrees that the City has incurred “excessive costs”.

2. The City does not have a local jail facility. The City therefore contracts with the County for the use of a holding cell located in the County court building in Fort Bragg and County Jail use in Ukiah. The following procedures constrain the PD in the performance of patrol duties:

a. Holding cell: Once an arrest is made the prisoner is placed in the holding cell and guarded by the arresting officer until the prisoner can be transported to the County Jail in Ukiah. The following procedures constrain the PD in the performance of patrol duties:

Any subsequent arrests that are made require that the arrestee remain with the arresting officer in his/her vehicle until the holding cell has been emptied. Situations have occurred where officers were not available to do patrol because they were acting as jailers. Furthermore, because crime can occur at any time it is not unusual for officers to be called in on overtime to patrol while others are required to act as jailers.

The Sheriff also has a County holding facility in close proximity to the holding cell leased by the City.

b. Prisoner transport: Because of time, space, and personnel limitations, prisoners must be transported to Ukiah as soon as possible after booking. The PD currently uses special community service officers when available to do this, but there is a high turnover rate and it is not unusual for regular officers to serve as transporters. Here again, because crime can occur at any time overtime becomes inevitable.

Response (Fort Bragg City Council): The City Council agrees with the basic findings that the City uses a holding cell and the need for transport of prisoners to Ukiah. The City has used hourly part time Transport Officers to transport prisoners to Ukiah as needed. The City has experienced difficulty in maintaining adequate availability of Transport Officers. This situation has resulted in situations where officers are called in on overtime to transport prisoners. This situation is in the process of being resolved as discussed below in response to Recommendation B.

The City Council does not agree with the implication of this finding that adequate public safety patrol services are jeopardized by this situation. While there have been unusual, infrequent instances where an officer is requested to respond to a call while maintaining custody of an arrestee, the department’s staffing of a Sergeant and two officers or two officers per shift is adequate for the community’s typical patrol requirements. The primary issue of concern to

the City Council, City Manager and Police Chief is officer fatigue and low morale due to lack of adequate Transport Officer services. This situation is being resolved as discussed below.

- 3. The PD does not dispatch, but contracts with the County for dispatch services. The PD station has a fully functional dispatching terminal. The PD staff includes trained dispatch operators. Witnesses reported problems with dispatching because County dispatchers in Ukiah did not have accurate information about Fort Bragg streets.**

Response (Fort Bragg City Council): The findings that the City contracts for dispatch services, that the City has a dispatch terminal and that certain City staff have previous training as dispatchers are correct. Contracting for dispatch services is a common, routine, efficient and cost and service effective method employed by small Police agencies throughout the State. The City maintains regular communication with the County Sheriff's Office as the contract provider of dispatch services. Any communication, coordination or other service issues which may arise are dealt with promptly and efficiently. Information about City streets is a routine matter which can be, and is, handled as a training issue for dispatchers providing service to the Fort Bragg Police Department.

- 4. The PD station is closed on weekends.**

Response (Fort Bragg City Council): This finding is correct; the Fort Bragg Police Station, like all other City business offices, is not open on weekends. All regular, routine, special event and emergency public safety services provided through the Fort Bragg Police Department are fully available 24 hours per day, 7 day per week, 365 days per year.

- 5. According to testimony, a potential for PD officer turnover exists because of poor morale, mandatory officer overtime caused by holding cell duty and transport of prisoners to Ukiah, a lack of adequate affordable housing, and a lack of living wage jobs available to officer spouses.**

Response (Fort Bragg City Council): Based upon the City's own review through the Police Chief's observations and interviews with Department staff, Police Officers experience fatigue and the potential of low morale due primarily to the need for overtime to cover operations in the absence of adequate transport staff and vacancies in Police Officer positions. Police Departments throughout the State are also experiencing a shortage of qualified applicants for Police Officer positions. The City is addressing these items through the Department's aggressive Police Officer recruitment efforts and the hire of Community Service Officers to provide transport services on a regular basis.

The need for affordable housing and living wage jobs are issues of significant concern for the City Council and the community as a whole and are not unique

to the Police Department. These items are not specifically relevant to the community's public safety environment or services.

6. The City does not have a PD public review procedure or citizen review board, which could provide oversight of PD operations.

Response (Fort Bragg City Council): The Fort Bragg City Council maintains a standing Public Safety Committee which conducts regular, noticed public meetings. Two members of the City Council are appointed to the Public Safety Committee. Members of the public participate in the committee meetings. This committee provides an effective opportunity for oversight and accountability of Police Department operations.

7. The PD does not have an organized citizens outreach program which could foster a better understanding of PD operations.

Response (Fort Bragg City Council): The Police Department operates regular citizen involvement and outreach programs which are providing effective service to the Fort Bragg community. Police Officers regularly participate in elementary school classrooms, reading to students. The Department provides a very active Police Activity League (PAL) program which sponsors several annual community activities. The Police Department sponsors the highly successful "Every 15 Minutes" High School drug and alcohol awareness and education program and participates in a wide variety of other school programs. The Department benefits from the service of a dedicated cadre of citizen volunteers who provide support in the Police Department offices. The Fort Bragg City Council, City Manager and Police Chief are confident that these activities offer adequate and effective opportunity to foster understanding of Police Department operations.

Recommendations

A. The City Manager negotiate a settlement with the (on-leave) chief and hire a new chief. (Finding 1)

Response (Fort Bragg City Council): The Police Chief has statutory entitlement to certain benefits and leave opportunities. The City is, and will continue, to pursue all necessary actions and the necessary process to ensure both the rights of the chief and the City's obligation to provide effective leadership for the Police Department. As discussed above, public discussion of this confidential personnel matter is inappropriate and will not be pursued by the City.

B. The City Manager conduct a cost-benefit analysis to determine if the holding cell and transport operations are effective. (Finding 2)

Response (Fort Bragg City Council): The Police Chief and City Manager have conducted extensive review of the Police transport situation and alternatives for providing an effective and cost efficient solution. Based upon staff recommendations, the City Council has approved use of State grant funding for hire of Community Service Officers. These staff will provide regular transport services and support to regular Police Department prisoner booking and detention functions. Hire of the new staff is underway. This recommendation has been completed.

C. The City Manager conduct a cost analysis and feasibility study for a combined Police and Fire Department dispatching operation. (Finding 3)

Response (Fort Bragg City Council): The City of Fort Bragg previously operated a jail and in-house Police Department dispatch operations. These programs were discontinued in favor of contracting with the County Sheriff in order to provide more efficient operations and to control service costs. The City Council, City Manager and Police Chief do not believe that the current circumstances warrant reconsideration at this time. As discussed above, the City is not experiencing unusual or extensive problems with the County dispatch contract services which would warrant the recommended cost analysis and feasibility study.

D. In the best interests of public safety, keep the PD station open during weekends. (Finding 4)

Response (Fort Bragg City Council): The Police Department business office is open during regular weekday business hours. It is not open at night or on weekends. Police Department office staff working during business hours do not provide direct public safety response services. This schedule is fully typical of Police Departments throughout the State and the nation. There is no evidence presented in the Grand Jury report or otherwise which suggests that the fact that the Police Department office is closed on weekends is creating public safety problems in the City of Fort Bragg. Police response services are continuously available on a 24 hours per day, 7 days per week schedule. This recommendation is not warranted, would expose the City to unnecessary costs, and will not be implemented.

E. The City Council appoint a PD citizen oversight and review board. (Finding 6)

Response (Fort Bragg City Council): The City Council's Public Safety Committee provides oversight and involvement with Police Department and community public safety operations. Some years ago the City established a citizen Police Advisory Committee. This committee was discontinued due to lack of attendance and interest. Re-establishment of a Police Department citizen oversight and review board is not necessary and will not be implemented.

F. The PD develop a formal public outreach program. (Finding 7)

Response (Fort Bragg City Council): The Police Department currently operates a variety of public outreach and involvement opportunities. The Department is directly involved in community activities and enjoys a positive relationship with the community. In addition, the Department continuously evaluates activities and opportunities for citizen involvement and Department outreach to the community. This will continue. The recommendation will not be otherwise implemented.

NOTE: All above responses from the Fort Bragg City Council incorporate the requested response of the City Manager and the Police Chief regarding Police Protection as the City Council has consulted closely with both in the preparation of this response.

Response required

City of Fort Bragg City Council

Response requested

City of Fort Bragg City Manager

City of Fort Bragg Police Chief

Fire Protection

Background information

Fire protection is provided by the Fort Bragg Volunteer Fire Department (Fire Department) operated and managed by the Fort Bragg Fire Protection Authority, a Joint Powers Authority Board (JPA Board) under a Joint Powers Agreement between the City and the Fort Bragg Rural Fire District (District). The five-member JPA Board consists of two City-appointed members, two District-appointed members and a jointly appointed chairman. A five-member public elected board governs the District.

The Fire Department is currently operating under the supervision of a newly appointed Fire Chief, who answers to the JPA Board. The Fire Department has four salaried personnel and 39 volunteer fire fighters.

The Fire Department has two facilities, the main station in downtown Fort Bragg and a substation on Highway 20 about two miles east of Highway 1.

Findings

8. Based on expert testimony, the City downtown business district is a fire hazard. Only buildings that have been recently constructed or remodeled

have had Fire Department inspections. Many do not have interior sprinklers and those located on Main, Franklin, Laurel, and Redwood Streets are impossible for fire fighters and fire equipment to reach on all sides of the building.

Response (Fort Bragg City Council): The Fort Bragg City Council is interested and concerned with the overall fire safety of the community and the downtown business district in particular. The Council agrees with the Grand Jury finding that the historic downtown construction pattern and materials creates the need for special attention to fire safety needs and issues.

The City initiated and participated in a community committee process to develop fire safety standards and an ordinance requiring the installation of fire sprinklers in newly constructed and remodeled buildings in the City. It should be noted that no similar requirements exist in the unincorporated County business areas. The committee analyzed many alternative requirements and determined that the cost considerations would make it impossible for most downtown businesses to install fire sprinklers. The existing new construction and renovation sprinkler requirement is a workable alternative and sprinklers have been installed in downtown buildings as a result of this ordinance. In addition, the Fort Bragg Fire Department is knowledgeable about the specific conditions and requirements of fire response in the downtown district.

9. At present there is no comprehensive system that identifies or corrects violations of fire regulations.

Response (Fort Bragg City Council): The Fort Bragg Fire Department is responsible for monitoring and regulating fire safety within the City as well as within the unincorporated areas served by the Fort Bragg Rural Fire District. The JPA Board established a full time Fire Inspector position last year to improve the Department's ability to provide ongoing fire inspection and fire regulation enforcement services.

10. Fire inspection within the incorporated area of the City is grossly inadequate because of the lack of department personnel. One officer is assigned to inspect all the buildings in the City. The inspector mainly inspects newly constructed buildings or those that require plan check for construction and does not have time to do needed inspections of existing structures.

Response (Fort Bragg City Council): The Fort Bragg City Council agrees with the Grand Jury findings that emphasize the importance of a regular and proactive fire safety inspection program. The City Council has implemented a surcharge on the business license tax collected within the City to assist in funding fire inspections and to highlight the need for regular fire inspections.

The City Council has also approved a budget recommended by the Fire Department staff and the JPA Board to provide for full time fire inspection services. The City Council expects that the Fire Department is implementing the fire inspection program in a responsible and aggressive manner.

11. The Fire Department does not do its own dispatching. Dispatching is contracted out to the California Department of Forestry in Willits. The Fire Department has qualified dispatchers on staff.

Response (Fort Bragg City Council): The City Council is aware that the Fire Department dispatch service is provided through a contract with the California Department of Forestry, Howard Forest. The City Council is not informed regarding the availability of qualified dispatchers on the staff of the Fort Bragg Fire Department.

12. Pending construction of a new Noyo Harbor bridge will severely handicap fire and emergency equipment access to south Fort Bragg in respect to the following:

- a. Cal Trans, bridge project manager, forecasts traffic backup during lane construction.**
- b. A recently released proposal by Cal Trans to use Harbor Drive, the only access road to the harbor, as a construction access road will hinder fire fighting equipment access to the harbor.**

Response (Fort Bragg City Council): The Fort Bragg City Council is aware of the potential for traffic congestion and delay during the Noyo Bridge construction. The City Council has, on numerous occasions, expressed its concern about this issue to Cal-Trans officials responsible for introducing, planning and managing the construction project. The need to maintain adequate public safety circulation and access to all areas of the community are priority concerns for the Fort Bragg City Council in all communications with Cal-Trans regarding this project.

Most recently, the City Council directed City staff to work closely with Cal-Trans staff to develop an alternative access route to the construction staging area at the northern foot of the bridge which will alleviate the potential for congestion on North Harbor Drive. The City has received assurances from Cal-Trans that they will evaluate the use of an access road behind the North Cliff Motel directly to the construction staging area for ingress of construction vehicles so that North Harbor Drive is used only for vehicles leaving the construction site and exiting the harbor. This work is in progress.

Recommendations

Response (Fort Bragg City Council): In responding to the recommendations contained in the Grand Jury report, the Fort Bragg City Council notes that the JPA Board, which administers the operations of the Fire Department, consists of two members of the City Council, two members of the Fort Bragg Rural Fire District and one member selected jointly by the City Council and the District Board. As such, the City Council is not solely responsible for fire safety services, nor is the Council in a position to direct the priorities of the Department without the concurrence and cooperation of the Rural Board. As such, the Council believes that it is essential for the Rural Board to also review and respond to the Grand Jury findings and recommendations as a jointly responsible agency.

- A. The JPA Board seek a method whereby all downtown City business district buildings are properly equipped to assist the Fire Department in saving the structure if a fire were to occur in the area. The JPA Board investigate a common building sprinkler system similar to the system used in Old Town Sacramento. (Finding 8)**

Response (Fort Bragg City Council): The City Council agrees with this recommendation and encourages the JPA Board to conduct an evaluation to determine if a common building fire sprinkler or other fire safety system is a practical and desirable approach for the downtown business area. The results of any analysis should be presented to the City Council for review and evaluation.

- B. The JPA Board increase fire inspection staff in order to provide annual safety inspections of all occupied buildings in the City and provide enforcement of fire regulations. (Finding 9, 10)**

Response (Fort Bragg City Council): As discussed above, the Fort Bragg City Council strongly supports the need for regular fire safety inspections. The Council supported and has budgeted for the establishment of a full time position in the Fire Department for this purpose. The Council urges the JPA Board to review and monitor the progress of the inspection program as currently approved in order to assess its effectiveness and the need for additional resources.

- C. The JPA Board join the City in investigating the possibility of creating a Fire Department and Police Department combined dispatching operation. (Finding 11)**

Response (Fort Bragg City Council): The Grand Jury report does not identify any problems with the current Fire Department dispatch service and the City Council is not otherwise aware of any concerns which would suggest the need for investigation of this alternative. The Police Chief and City Manager recommend that a typical problem of joint Police and fire dispatch operation is a

complaint that Fire operations receive less attention and priority than Police operations. California Department of Forestry, Howard Forest, is currently providing good, cost-effective service to the Fort Bragg Fire Department. In-house joint Police/Fire dispatch would likely result in increased costs for both agencies. This recommendation should not be pursued at this time.

D. The JPA Board seek to permanently staff and equip the Highway 20 substation to assist emergency operations during the bridge construction period. The City strongly encourage Cal Trans to seek an alternative to the use of Harbor Drive. (Finding 12)

Response (Fort Bragg City Council): The City is currently working with Cal-Trans to evaluate the alternative construction route identified above. This portion of the Grand Jury recommendation is in process and will be completed within the next 60-90 days.

The recommendation to permanently equip and staff the Highway 20 substation is an unnecessary response to the temporary situation of bridge construction activity. A portion of the substation is leased to a volunteer firefighter as a residence and some firefighting equipment is housed in that location to assist in providing response to locations south of the Noyo Bridge. The City Council finds that there is no need to take additional action.

NOTE: All above responses from the Fort Bragg City Council incorporate the requested response of the City Manager relative to Fire Protection as the City Council has consulted closely with both in the preparation of this response.

Response required

City of Fort Bragg City Council
Fort Bragg Fire Protection Authority

Response requested

City of Fort Bragg City Manager
Volunteer Fire Department Chief