

Memorandum

City of Lawrence

Police Department

TO: Tom Markus, City Manager
FROM: Adam Heffley, Police Captain
CC: Tarik Khatib, Chief of Police
Diane Stoddard, Assistant City Manager
Casey Toomay, Assistant City Manager
Brandon McGuire, Assistant to the City Manager
DATE: August 2, 2016
RE: Fireworks Call Response

Background

In 2015, City Ordinance 9199 repealed the existing Fire Code pertaining to fireworks and adopted a new version of the fireworks prohibition that reads: "5601.1.3 Fireworks. The manufacture, storage, sale, use and handling of fireworks is prohibited." Several exceptions still remain which include official public displays as well as novelty type items as defined by the United States Department of Transportation.

Discussion

Response to a single firework nuisance call can be fairly simple if an officer is able to identify the offender and observe him or her using the fireworks. However, fireworks are disposable, moving devices designed for single use which makes it easier to avoid detection than, for instance, a house party or stereo noise complaint. Adding to the complexity of the issue is the volume of complaint calls. Fireworks calls are triaged as a "non-emergency" call and as such can be held in queue for some time until a unit is available to respond. When an offender is identified, options include educating the offender on the city ordinance, a verbal warning, confiscation of items, or a citation. The time needed for identification of persons, confiscation of the items, and documentation/destruction (at a designated location as the fireworks cannot be safely stored in evidence) of the items requires at least 30 minutes for each instance. This becomes an issue when there are multiple calls for service holding which is typically seen during the time period around the July 4 Holiday. The Lawrence Police Department does increase staffing levels during this time period; however, these resources are usually absorbed into the handling of the increased "regular" call load. The Department has also traditionally provided staffing to be present during the public displays and crowds gathered in the downtown/river levee area.

Police response has included complaint based attention and self-initiated response when time allows. This year, additional off-duty officers were brought in to work on and around the July 4 Holiday. Two additional officers were assigned on July 2 and four additional officers each day were assigned to fireworks calls on July 3 and 4. The officers had the following enforcement options at their disposal: educate the offender on the city ordinance, issue a verbal warning, confiscate and dispose of the fireworks,

or issue a citation.

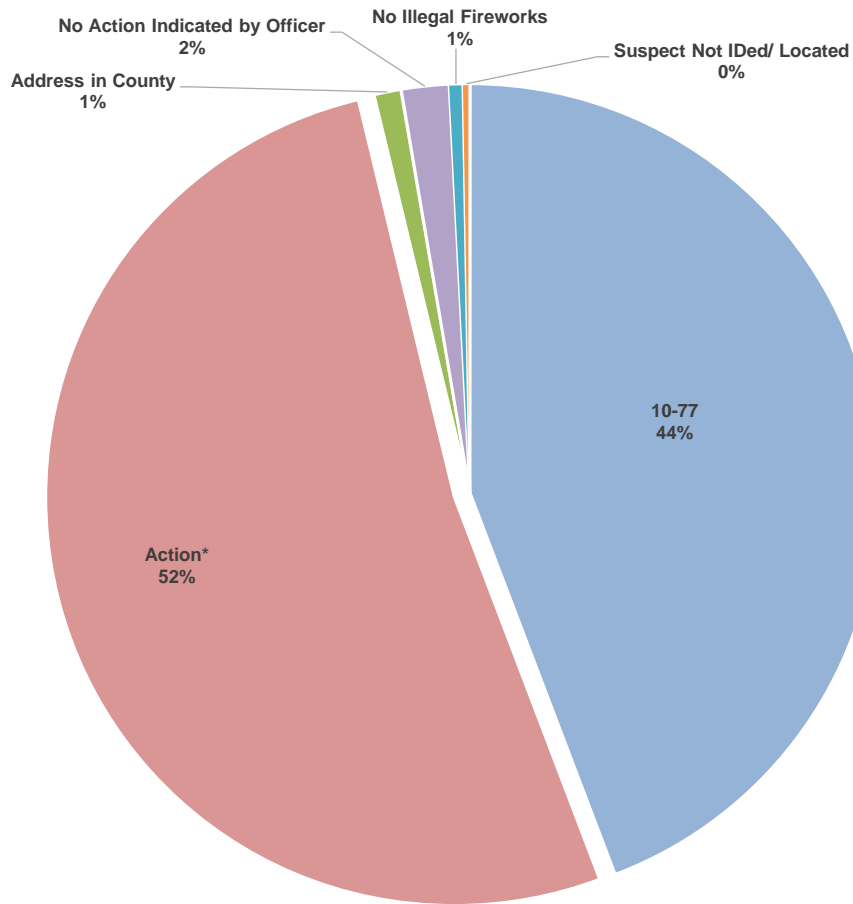
Data

A search was conducted of the Records Management and Computer Aided Dispatch systems for "fireworks" calls and calls of a different nature that were found to involve "fireworks", as reported by the responding officer. The below table shows compiled data by year for the time periods of June 30 through July 6:

	CALLS FOR SERVICE		Action	Citations		
	Fireworks	Other Calls Involving Fireworks				
2008	206	6	28*	4		
2009	212	0	12*	2		
2010	193	2	16*	4		
2011	216	4	9*	1		
2012	206	5	8*	1		
2013	189	1	16	4		
2014	226	0	81	34		
2015	261	3	101	10		
2016	365	6	193	21		
Average	230	3	52			
Action is Citation, Confiscated, Disposal of Firework Remnants, Educated, Warned						
*Citations/ Confiscated numbers only						

In 2015, there were 264 firework related calls for service. This increased to 371 firework related calls for service in 2016. This is an increase of 41% in firework related calls for service. Further analysis of the firework related calls was conducted by determining what each call "Disposition" (or how the call was handled) was determined. The dispositions were grouped into two main categories, "10-77" and "Action", and three smaller categories of note. "10-77" indicates that the officer was not able to confirm if fireworks were present. "Action" indicates the officer either wrote a citation, confiscated fireworks, disposed of firework remnants, educated the citizens or gave a warning. The three remaining categories are "Address (of incident) in County", "No Illegal Fireworks", and "No Action Indicated by Officer (in the system)".

2016 Firework Call Dispositions



**Action is Citation, Confiscated, Disposal of Firework Remnants,*

Recommendation

During the previous nine years of the fireworks prohibition, there have been various different (staffing and activity dependent) enforcement approaches taken which make it difficult to assess the effectiveness of the enforcement efforts. With the exception of 2016, which saw a 42% increase in calls, the data appears to suggest that calls for service have remained somewhat consistent; averaging 216 calls for service per year during the nine year span. Since the deployment response has changed from year to year, it is difficult to say whether any specific plan would have a positive effect on the situation. Additionally, enforcement actions may not be achieving the desired effect on the levels of fireworks calls due to the limited ability of officers to encounter the offenders because of the nature of fireworks, the availability of fireworks in the area, and the views of some on the fireworks ban itself. The number of citations issued does not appear to have any correlation to the number of firework calls during the following year.

In order to determine the best long-term enforcement response to firework issues, a three-year test utilizing the same deployment strategy which was used this year may provide the necessary data to determine if this personnel level and consistent

enforcement action can have an effect on the number of calls for service. This strategy requires a smaller number of off-duty personnel which also has a higher likelihood of sustainability for the Department.