



City of Sunnyvale

Agenda Item

24-0232

Agenda Date: 2/15/2024

Budget Proposal Summary Form

NUMBER

2024-03

TITLE Increase Staffing Levels to Support Year-Round Implementation of the Department of Public Safety Burglary Suppression Detail (BSD)

BACKGROUND

Lead Department: Department of Public Safety

Sponsor:

Councilmembers: Melton, Din, Srinivasan, Klein, Mehlinger, Sell, Cisneros

SCOPE OF ISSUE

What are the key elements of the proposal? What precipitated it?

Councilmember Melton sponsored a Budget Proposal for implementation of a year-round Burglary Suppression Detail ("BSD"), with a primary focus on prevention of catalytic converter theft. The proposed unit would also target petty theft, jewelry snatching, mail theft, package theft, retail crime and other property crimes. Council suggested that the permanent BSD could be either: (a) three PSOs; or (b) two PSOs and one lieutenant (supervisor).

Problem Statement:

DPS is responsible for delivering public safety services to the community of Sunnyvale. The City of Sunnyvale and DPS take pride in being rated as one of the safest cities in the United States. However, Sunnyvale is not alone in that its community members are affected by crime that impacts its quality of life. Common quality of life crimes include burglary, theft, robbery, graffiti, and vandalism.

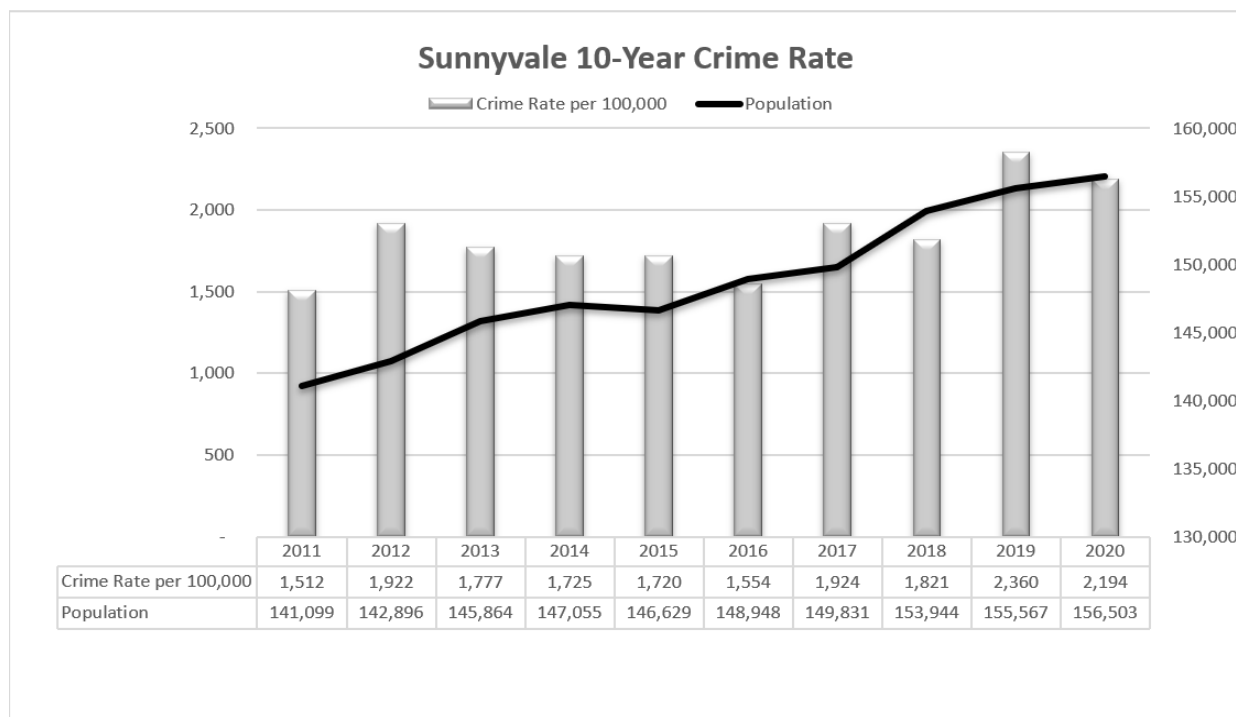
Common concerns DPS receives from the community include the rise in catalytic converter thefts and organized retail theft. In a November 2023 article, the California League of Cities stated: "*Addressing retail theft was one of the League of California Cities' top legislative priorities in 2023...A National Retail Foundation survey found that stores in Los Angeles, San Francisco, Oakland, and Sacramento were the top targets in the nation for organized retail theft. An analysis by the Public Policy Institute of California found similar trends, with commercial burglaries in particular rising above their pre-pandemic levels.*"

Sunnyvale is consistently ranked as one of the safest cities of its size in America. An analysis of ten years of crime reporting data shows an increase in crime, including a notable increase in property crimes.

Sunnyvale Crime Report Crime Totals and Rate by Year

Uniform Crime Report Data

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Criminal Homicide	3	3	4	1	1	1	1	1	-	2
Rape	21	14	16	14	29	21	29	43	37	32
Robbery	68	71	51	88	61	53	56	71	84	61
Aggravated Assault	58	82	73	64	67	83	96	140	138	134
Burglary	393	524	574	511	545	520	512	424	458	516
Larceny / Theft	1,351	1,696	1,456	1,559	1,514	1,347	1,872	1,764	2,598	2,276
Motor Vehicle Theft	226	335	404	286	296	273	298	353	324	386
Arson	13	22	14	14	9	16	19	8	32	27
Totals	2,133	2,747	2,592	2,537	2,522	2,314	2,883	2,804	3,671	3,434
Population	141,099	142,896	145,864	147,055	146,629	148,948	149,831	153,944	155,567	156,503
Crimes per 100,000	1,512	1,922	1,777	1,725	1,720	1,554	1,924	1,821	2,360	2,194
Violent Crimes	150	170	144	167	158	158	182	255	259	229
Rate per 100,000	1,071	1,345	1,218	1,173	1,173	1,043	1,284	1,183	1,517	1,402
Property Crimes	1,983	2,577	2,448	2,370	2,364	2,156	2,701	2,549	3,412	3,205
Rate per 100,000	759	941	835	798	800	700	857	769	975	896



In 2020, the FBI shifted from the Summary Reporting System (SRS) to the National Incident Based Reporting System (NIBRS) which delves much deeper into each incident. Based on 2022 NIBRS reports, the per capita crime rate was 2,526 per 100,000 people and increased to 2,700 per 100,000 people in 2023. Data is not available for 2021.

Proposed Solution:

Specialized units and directed policing are effective tools for law enforcement to reduce crime and address community priorities. Sunnyvale DPS has historically used the temporary and seasonal BSD to address burglaries and property crimes during the holiday season. Historically, BSD has had success in burglary and narcotics arrests, investigation of burglary rings, seizing firearms, and

supporting patrol operations.

BSD is a special enforcement unit, and the proposed team would be assigned to the Bureau of Police Services - Division of Police Operations reporting directly to a patrol captain. BSD's hours and schedule allow for the unit to work equally with both patrol teams to enhance communication and visibility. Specialized training takes place on duty whenever possible. BSD personnel use a combination of uniformed enforcement and plainclothes activities depending on the nature of the assignment and drive code 3-equipped unmarked vehicles.

Based on the dangerous nature of the crimes being investigated and the potential for high-risk encounters, staff has determined that BSD requires a team of at least four public safety officers and one Lieutenant.

How does this relate to the General Plan or existing City Policy?

The BSD would conduct activities to:

- Reduce crime.
- Focus on property and violent crimes.
- Collaborate with stakeholders to identify and address crime trends.
- Use data and crime analysis to direct operations.
- Support Police Services and Investigations Units.

The implementation of a full-time BSD team aligns with the City's General Plan goals and policies.

Goal SN-3 Safe and Secure City

- Policy SN-3.2 Control Conduct recognized as threatening to life and property.
- Policy SN-3.3 Provide Investigative Services directed toward successful prosecution and conviction of criminal offenders.

Goal SN-4 Public Confidence in Police Services

- Policy SN4.2 Provide for assessment of changing community needs and expectations.

Is the budget proposal a: Operating (Police Services) and Project (DPS Recruitment and Training of Sworn Officers).

If the proposal is operating, specify the change in service level(s) that would result (from what, to what). If the proposal is a project, write N/A.

Sunnyvale community members are affected by crime that impacts their quality of life. Addition of a full-time BSD team to the DPS Police Services bureau would enhance the department's ability to successfully identify and arrest criminal offenders. While increased enforcement may not initially reduce crime rates, it will increase the number of cleared cases and, over time, could act as a deterrent to criminals who enter the city for the sole purpose of committing crimes.

FISCAL IMPACT

Budget Proposal Request for a team of three (3) officers, the initial cost is as follows:

Description	Cost per Officer*	Quantity	Total
Recruitment Cost: Public Safety Officer II	\$ 397,539	3	\$ 1,192,617
Vehicle – Police Unmarked car	\$ 70,000	3	\$ 210,000
Patrol MDT (rugged laptop with air card)	\$ 5,000	3	\$ 15,000
Total			\$ 1,417,617

The annual cost for a team of three (3) officers is as follows:

Description	Cost per Officer*	Quantity	Total
Salaries and Benefits:			
4601 – Public Safety Lieutenant	\$ 317,905	1	\$ 317,905
3001 – Public Safety Officer II	\$ 263,137	2	\$ 526,274
			\$ 844,179
Equipment & Vehicles			
Vehicle – replacement Cost per year	\$ 14,000	3	\$ 42,000
Patrol MDT (rugged laptop with air card)	\$ 1,000	3	\$ 3,000
Total			\$ 45,000

**Preliminary estimate of current costs for recruitment projects and operations*

The ongoing cost of approximately \$ 889,719 per year, which includes vehicle and computer replacement at 5 years. The twenty-year cost is estimated at \$ 22,242,975.

Projected cost (rough annual cost of budget proposal):

Operating Issue (Annual Operating Costs, ongoing)	\$ 889,719
Capital/Project (Project Cost, one-time)	\$ 1,417,617
Total (Associated Annual Operating Costs)	\$ 2,307,336

Alternative 1:

Based on the attached memorandum prepared by staff, DPS recommends that a BSD team be staffed with four (4) public safety officers and one (1) Lieutenant. The initial cost for five personnel is as follows:

Description	Cost per Officer*	Quantity	Total
Recruitment Cost: Public Safety Officer II	\$ 397,539	5	\$ 1,987,695
Vehicle – Police Unmarked car	\$ 70,000	5	\$ 350,000
Patrol MDT (rugged laptop with air card)	\$ 5,000	5	\$ 25,000
Total			\$ 2,362,695

The annual cost for a team of five (5) officers is as follows:

Description	Cost per Officer*	Quantity	Total
Salaries and Benefits:			
4601 – Public Safety Lieutenant	\$ 317,905	1	\$ 317,905
3001 – Public Safety Officer II	\$ 263,137	4	\$ 1,052,548
			\$ 1,370,453
Equipment & Vehicles			
Vehicle – replacement Cost per year	\$ 14,000	5	\$ 70,000
Patrol MDT (rugged laptop with air card)	\$ 1,000	5	\$ 5,000
Total			\$ 75,000

The ongoing cost of approximately \$1,445,453 per year, which includes vehicle and computer replacement at 5 years. The twenty-year cost is estimated at \$ 36,136,325.

Projected cost - DPS Recommendation (rough annual cost of budget proposal):

Operating Issue (Annual Operating Costs, ongoing)	\$ 1,445,453
Capital/Project (Project Cost, one-time)	\$ 2,362,695
Total (Associated Annual Operating Costs)	\$ 3,808,148

Recommended funding source:

General Fund

Please describe recommended funding source:

Public Safety services are funded by the General Fund

STAFF RECOMMENDATION

Position: Refer budget proposal for consideration in Recommended Budget.

The Council sponsor for this budget proposal suggested that permanent BSD would be either: (a) three PSOs; or (b) two PSOs and one lieutenant (supervisor). Specialized units like BSD often address inherently high-risk, dangerous problems such as gun violence, tactical situations, or the apprehension of violent offenders.

Because of the high-risk nature of the assignment, the proposed staffing level is inadequate. To safely operate, DPS has determined that the BSD must be staffed by one (1) Public Safety Lieutenant and four (4) Public Safety Officers, for a total of five (5) officers. A more complete discussion of the need for the number of positions recommended is included in Attachment 1.

Staff recommends Council refer the five (5) officer version of the proposal to the budget process.

Reviewed by: Chief Phan S. Ngo, Director, Department of Public Safety

Reviewed by: Tim Kirby, Director, Finance Department

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. DPS Memorandum



SUNNYVALE DEPARTMENT OF PUBLIC SAFETY

Memorandum

SUBJECT: PROPOSAL FOR BURGLARY SUPPRESSION DETAIL (BSD)

This memo summarizes a proposal to develop and implement a full-time Burglary Suppression Detail (BSD) for the Sunnyvale Department of Public Safety (DPS).

Background

DPS is responsible for delivering public safety services to the community of Sunnyvale. The City of Sunnyvale and DPS take pride in being rated as one of the safest cities in the United States. However, Sunnyvale is not alone in that its community members are affected by crime that impacts its quality of life. Crimes include burglary, theft, robbery, graffiti, arson, and vandalism.

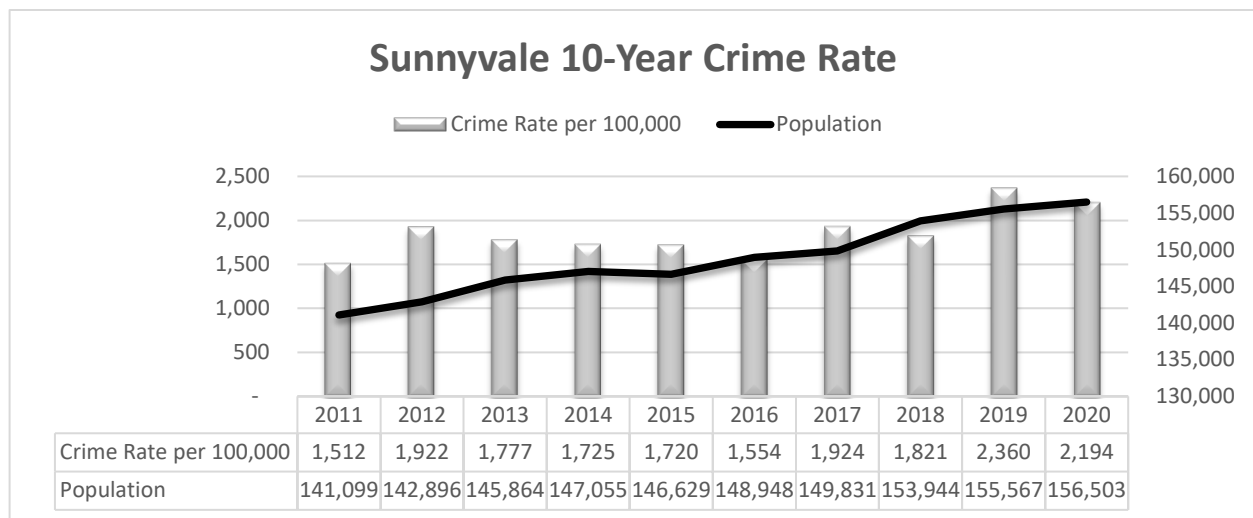
Common concerns we receive from the community include the rise in catalytic converter thefts and organized retail theft. In a November 2023 online article, the California League of Cities stated: *“Addressing retail theft was one of the League of California Cities’ top legislative priorities in 2023...A National Retail Foundation survey found that stores in Los Angeles, San Francisco, Oakland, and Sacramento were the top targets in the nation for organized retail theft. An analysis by the Public Policy Institute of California found similar trends, with commercial burglaries in particular rising above their pre-pandemic levels.”*

Problem Statement

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In 2020, the Federal Bureau of Investigations launched the National Incident-Based Reporting System (NIBRS). The goal was to improve the quality of crime data reported by law enforcement. NIBRS replaced Summary Reporting System (SRS) in 2021. The SRS reported crime statistics covered under the Uniform Crime Reports. Unlike data reported through SRS, NIBRS delves much deeper into each incident.

DPS transitioned from SRS to NIBRS during FY2021; therefore, crime data for FY2021 is not available. In FY2022 per capita rate for crimes was 2,526 per 100,000 people; the FY2023 per capita rate for property crimes was 2,700 per 100,000 people.

Current Policy

The implementation of a full-time BSD team aligns with the City's General Plan Goals and Policies.

- Goal SN-3 Safe and Secure City
 - Policy SN-3.2 *Control Conduct recognized as threatening to life and property.*
 - Policy SN-3.3 *Provide Investigative Services directed toward successful prosecution and conviction of criminal offenders.*
- Goal SN-4 Public Confidence in Police Services
 - Policy SN4.2 *Provide for assessment of changing community needs and expectations.*

Proposed Solution

The Burglary Suppression Detail (BSD) will support the DPS Police Service Bureau by conducting activities including, but not limited to, the following goals:

- Reduce crime.
- Focus on property and violent crimes.
- Collaborate with stakeholders to identify and address crime trends.
- Use data and crime analysis to direct operations.
- Support Police Services and Investigations.

Specialized units like BSD often encounter inherently high-risk, dangerous problems such as gun violence, tactical situations, or the apprehension of violent offenders (NPI)¹. Because of this increased danger and the nature of the assignment, the BSD Unit must be staffed with a Lieutenant and four Public Safety Officers (a total of five officers). There are important reasons to support this staffing model:

- **Guns and violence:** At the core of BSD's mission and scope is the enforcement of property crimes like burglaries, auto theft, organized retail theft, catalytic converter theft, and robberies. Individuals who commit these types of crimes are often armed, sometimes with a firearm. In 2022, there were 83 robberies in Sunnyvale: in 40 of those (48%) a weapon was used (DOJ)². Also in 2022, there were 198 Aggravated Assaults in Sunnyvale; in 135 of those (68%) a weapon was used (DOJ). 2022 statistics were used because 2023 data is not yet published.
- **Tactics:** BSD requires specialized training and skills to operate safely and effectively. Basic officer training and best practices call for two officers to contact and interact with a suspect at a time. There are many circumstances where there is more than one suspect since burglars, thieves, and violent criminals tend to work in groups. This would necessitate the need for more BSD officers. BSD also routinely travels out of the City to surveil, investigate, and apprehend dangerous suspects. BSD needs the ability to operate safely and independently in a self-contained fashion. Sunnyvale Patrol and Investigations Unit cannot be relied upon to provide BSD with additional personnel routinely. BSD also cannot regularly rely on allied agencies to provide personnel. It is generally against best practices to integrate other agency personnel into our team in a tactical scenario, absent exigent circumstances.
- In the 29 operational weeks the BSD has worked in the last five years, BSD has made 148 arrests and made hundreds of contacts. BSD seized dozens of firearms, and many of the individuals contacted were violent offenders.

BSD needs the ability to operate autonomously, and five officers allow the team to operate effectively and safely. It is not always feasible to rely on Patrol or Investigative resources to supplement BSD operations. Patrol officers are occupied responding to calls for service, conducting traffic enforcement, maintaining minimum staffing, and visibly patrolling the City. Patrol officers are also uniformed and do not have the specialized training of BSD officers. This is why they generally cannot be integrated with

¹ National Policing Institute (NPI). (2024, January 10). Justice Department releases new guide on the use of specialized units in law enforcement agencies. Office of Public Affairs | Justice Department Releases New Guide on the Use of Specialized Units in Law Enforcement Agencies | United States Department of Justice. <https://www.justice.gov/opa/pr/justice-department-releases-new-guide-use-specialized-units-law-enforcement-agencies>

² State of California Department of Justice. OpenJustice. (n.d.). <https://openjustice.doj.ca.gov/exploration/crime-statistics/crimes-clearances>

BSD absent exigent circumstances. Investigations personnel typically conduct long-term investigations like homicides, sexual assaults, human trafficking, undercover operations, or long and meticulous surveillance. They cannot be removed from these investigations to assist BSD, and it is generally unsafe to use undercover Detectives in an exposed enforcement role, which BSD represents.

Using specialized units and directed policing is an effective tool for Law Enforcement to reduce crime and address community priorities. Sunnyvale DPS has historically used the temporary and seasonal BSD to address burglaries and property crimes during the holiday season in Sunnyvale. BSD has been effective during its operational periods in making arrests of thieves and burglary rings, seizing firearms, making narcotics arrests, and supporting patrol operations.

Examples of BSD's effectiveness include:

- Holiday Season 2018 – 80 proactive contacts, 39 arrests, four burglary "crews" arrested, two guns seized.
- Holiday Season 2020 – 41 arrests, five arrests of violent suspects, nine burglary arrests, eight narcotics arrests, and dismantling an interstate fraud ring that gained media attention. <https://www.sfchronicle.com/crime/article/Sunnyvale-police-arrest-5-on-suspicion-of-1-15773985.php>
- BSD conducted burglary prevention education.
- BSD managed a bait package prevention operation that gained media attention. <https://www.ktvu.com/news/police-in-sunnyvale-are-using-decoy-packages-to-combat-porch-pirates>
- BSD assisted Patrol with surveillance and arrest of an in-progress theft at Dick's sporting goods. The suspect was ultimately contacted and determined to be on Parole for PC Assault with a Deadly Weapon. A search was conducted, and officers located a concealed knife and burglary tools. The suspect was arrested.
- BSD Responded to a report of a possible package theft in progress at an apartment complex. The suspect vehicle was located, and BSD set up surveillance on the vehicle. Patrol developed probable cause for the burglary and identified the suspect.
- BSD located a motorcycle with no license plates. Surveillance was conducted, and a subject was detained. The subject was on probation for Vehicle Theft, Burglary, and gun-related charges. He was found to be in possession of brass knuckles and was arrested.
- BSD assisted with apprehending a wanted suspect for Vehicle Theft and Domestic Violence. He was also wanted for an outstanding 100K felony warrant

for burglary and was a Mountain View burglary suspect. The individual was located inside a stolen vehicle and arrested.

- BSD located a suspect who was known to commit package thefts and had a current case with a pending warrant for burglary in Sunnyvale. The suspect was determined to have an outstanding warrant, and a search of his person revealed several burglary tools. The suspect was arrested for the warrant and the burglary tools.
- BSD located a stolen vehicle and conducted surveillance. Three suspects were seen removing items from a separate vehicle and putting it into the stolen vehicle. BSD conducted a stop on the individuals. Two of the suspects attempted to flee on foot but were quickly detained by BSD. A search of one of the suspects revealed a firearm, and the other two suspects were found to be on probation. The second vehicle the suspects were in was ultimately determined to be an unreported stolen vehicle out of Santa Clara. All three suspects were arrested for various charges. Numerous items were located and recovered. Further investigation revealed the items were taken from an unreported commercial burglary.
- BSD assisted with a Domestic Violence case with a suspect who was known to carry a firearm. After extensive surveillance of the suspect's vehicle and residence. The suspect ultimately left the residence and was detained and arrested without incident.
- BSD witnessed a vehicle leaving the LOWES parking lot with an expired registration of 2021. A traffic stop was conducted, and the driver was determined to be on Probation for Vehicle Theft. The passenger was found to have a felony warrant for Grand Theft. During a vehicle search, BSD located several hundreds of articles of stolen mail with 31 confirmed victims, numerous clothing from different department stores with tags and anti-theft devices still intact, tablets, phones, burglary tools, jewelry, hundreds of keys including mailbox keys, and a postal employee uniform. Both suspects were arrested.
- BSD assisted Patrol with a Domestic Violence case in which a suspect, who was known to carry a gun, was also stalking the victim. Due to the ongoing threats to the victim, extensive surveillance was conducted on the suspect. Through surveillance, officers were able to determine the suspect had changed vehicles through a rental agency. The suspect returned to the area where the victim was staying. Due to the potential threat to the victim, a traffic stop was conducted on the vehicle. The suspect fled but was ultimately located hiding in a dumpster enclosure and arrested without incident.

Specifications

BSD is categorized as a special enforcement unit and will be assigned to the Bureau of Police Services – Division of Police Operations and report directly to a patrol Captain.

BSD's hours and schedule will be designed to allow for the unit to work equally with both patrol teams to enhance communication and visibility. Specialized training will take place on duty whenever possible. BSD personnel will use a combination of uniformed enforcement and plainclothes activities depending on the nature of the mission. BSD will drive code 3-equipped unmarked vehicles.

Fiscal Impact

The initial (one-time) cost for this unit includes:

Description	Cost	Quantity	Total
Recruitment Cost: Public Safety Officer II*	\$ 397,539.00	5	\$ 1,987,695.00
Vehicle – Police Unmarked car	\$ 70,000.00	5	\$ 350,000.00
Patrol MDT (rugged laptop with air card)	\$ 5,000.00	5	\$ 25,000.00
<i>*cost based on current DPS Recruitment Project budget</i> Total			\$2,362,695.00

The ongoing (annual) cost for the unit approximately \$1,445,453 per year.

Description	Cost	Quantity	Total
4601 – Public Safety Lieutenant	\$ 317,905.00	1	\$ 317,905.00
3001 – Public Safety Officer II	\$ 263,137.00	4	\$ 1,052,548.00
Vehicle – replacement Cost per year	\$ 14,000.00	5	\$70,000.00
Patrol MDT (rugged laptop with air card)	\$ 1,000.00	5	\$5,000.00
Total			\$1,445,453.00