



Memorandum

TO: MAYOR REED

FROM: Councilmember Pete Constant

SUBJECT: BUDGET DOCUMENT

DATE: May 19, 2010

Approved

Date

RECOMMENDATION

That the following recommendation be enacted.

BACKGROUND

City-Council Initiated Neighborhood Improvement Reserve Fund/Other Budget Proposals

Program/Project Title: Restore Police Officer Positions Re-allocation by converting the MERGE Unit to a collateral assignment and re-assigning officers to patrol functions (20 FTE Officers, 2 FTE Sergeants)

Amount of City Funding Required: ~\$3,370,000

Fund Type (i.e. General Fund, C&C funds, etc.): General Fund

Anticipated Outcomes: Requested funding changes would affect benefits or services for San José residents, businesses, community groups, etc., as described below: (Use as much space as required.)

This will re-allocate existing General Fund dollars to preserve much needed and essential police officer *patrol* positions, while preserving the vital functions of the department's Mobile Emergency Response Group & Equipment (MERGE) Unit.

Funding Source

Program/Project Title: Police Department MERGE Unit

Amount of City Funding Change: ~\$3,370,000

Fund Type (i.e. General Fund, C&C funds, etc.): General Fund

Anticipated Outcomes:

It is well documented that the City of San Jose is critically short of police resources. An analysis by the Police Department shows that the City needs to hire *hundreds* of police officers and non-sworn personnel to adequately provide police response and investigative services to the over 1 million residents and tens of thousands of business and visitors.

During the course of eight years of budget deficits, the City has been able to balance the budget without significantly reducing the number of police officers and has been able to maintain patrol officer staffing at a fairly consistent number. Now, as we enter into FY10-11 with a deficit of

unprecedented proportions, the Council is faced with a budget that proposes reducing the dayshift and midnight shift patrol teams by a full 20%. The impact of these severe reductions will be felt in every neighborhood throughout the City and pose an immediate threat to our officers' safety.

The Mobile Emergency Response Group & Equipment (MERGE) Unit is how the San José Police Department refers to its "SWAT" team. MERGE consists of two ten person teams, two sergeants and one commander. The MERGE Unit is responsible for supporting the patrol officers by providing special skills and equipment to address critical incidents involving threats to life. In addition, the MERGE Unit assists the Secret Service with dignitary protection and provides direct support to patrol personnel in the apprehension of violent criminals. The traditional MERGE method of operation is to work in uniforms and unmarked police vehicles. All officers are highly trained in a variety of different weaponry and work closely in a team setting.

There is no doubt that the MERGE Unit is vital to public safety emergency response, but there is no reason that this assignment cannot be made on a collateral basis for patrol officers. This is a common method for staffing SWAT units in many law enforcement agencies across the nation. With the reality of the City's budget situation we have no other option but to change how we, as a city, deliver services – including police services.

Moving the MERGE Unit to a collateral assignment would re-assign these police officers to a primary patrol function, while keeping the officers available for immediate deployment when circumstances call for a tactical response. In fact, this arrangement would allow the police department to potentially expand the unit by increasing the number of officers assigned on a collateral basis at very minimal marginal cost (5% premium pay per officer).

Acceptance of the Budget Document would make the following changes:

- 20 Officers reassigned to patrol, restoring vital patrol positions
 - Officers could remain in 2 person, unmarked police vehicles but be assigned to the patrol teams with the highest volume of calls for service
 - Officers can re-group on weekly overlap days to conduct needed weekly training and/or proactive apprehension efforts
 - Officers maintain 5% premium pay
- 2 Sergeants reassigned to patrol, restoring vital patrol positions
 - Sergeants can be assigned as 'Relief Sergeants,' available to fill-in as needed to maintain minimum staffing for patrol sergeants
 - When not serving as relief sergeants, these sergeants can coordinate tactical training and other duties required of a MERGE sergeant
 - Sergeants maintain 5% premium pay
- 1 Lieutenant remains assigned to Special Operations to maintain command over the MERGE Unit, K-9 Unit, training and operations
- \$1 million remains in budget for overtime/call back pay as needed
- *OPTIONAL*: \$165,000 can be allocated to increase the number of officers assigned to the MERGE Unit on a collateral basis, adding 20 officers to the unit and 2 sergeants (required for %5 premium pay)

If the administration elects to expand the MERGE Unit collateral assignments by 20 officers and assigned those officers to the midnight shift, it is possible that there will be significant reductions in needed overtime, mitigating the increased costs of \$165,000.

Department or Organization: Police Department

Department or Organization Contact (Please list contact information for the individual that certified cost estimates contained within your recommendation.)

Cost Estimates arrived at utilizing proposed budget and conversations with Budget Office

This change is:

_____ One-time **X** Ongoing

The City Service Area to which the change best relates:

- Community and Economic Development Services
- Environmental and Utility Services
- Neighborhood Services
- Public Safety
- Strategic Support
- Transportation and Aviation Services