

**To the Mayor and Members of the City Council****August 2, 2022**

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SUBJECT: 2022 Independence Day Fireworks Enforcement Detail

The purpose of this Informal Report is to provide a report on Fourth of July operations including calls for service and statistics on Fire and Police enforcement.

Fireworks patrol units comprised of FWFD Bureau of Criminal Investigations law enforcement officers (arson unit) responded in all council districts for the purpose of supporting Fort Worth Police Department patrol elements in the confiscation of fireworks and the issuance of General Complaint Citations for violations of City Ordinance Section 3301.1.3 which prohibits the sale, use, and possession of fireworks within the city limits. The primary goal was to ensure Fire Operations resources were available to respond to higher priority fire, rescue, and emergency medical incidents. This detail was operational from Saturday July 2nd through Monday July 4th, for a total of 3 nights.

A change in enforcement strategy was utilized this year, where FWFD law enforcement officers monitored city cameras for violations and utilized license plate information to identify the persons involved that were violating the fireworks ordinance. Citations were then sent by certified mail to the identified individuals. This was a pilot program, which experienced both identified successes and failures, and the effectiveness will continue to be monitored in the coming months as the citations are adjudicated in the municipal court system.

FWFD Bureau of Criminal Investigations law enforcement officers provided JHIT (Joint Hazard Intervention Team) support in a joint operation with FWPD serving the Como neighborhood on July 3rd and the Fort Worth Fourth public event at Panther Island on July 4th.

Fire Investigations and Injuries

- One structure fire in an apartment complex was investigated and determined to have been caused by the use of illegal fireworks. A criminal case for Reckless Arson is pending in that matter.
- Multiple grass fires are likely to have been caused by the use of illegal fireworks.
- There were two known injuries and no deaths caused by the illegal use of fireworks.

Suspension on Firework Display – Several minutes into the fireworks 4th display several grass fires began to occur along the bank of the Trinity in proximity to the shoot site. These are not uncommon, they are the responsibility of the fireworks vendor, and are generally handled without incident. In the days leading up to the event, the water district had water the area in an attempt to reduce risk from dry conditions.

When these fires began to occur they quickly overwhelmed the resources of the fireworks vendor and assistance that was staged resources from the FWFD were called into assist. The first priority was to protect the fire from extending to the firework mortars. This gave the appearance that there was a delay in response, however this was a primary tactic of the fire department response.

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After extinguishment it was determined that the firework tubes had some damage and the company responsible for the shoot was concerned that they could not assure that the mortars would fire correctly. A conversation with the FWFD pyrotechnics inspector demonstrated agreement of the concern and **a joint decision** to suspend the shoot at that point was made.

Statistics (Preliminary)

- Total requests for service received by telephone, website, or phone app: 4,324
- Requests for service by date:
 - July 2 – 432
 - July 3 – 1,232
 - July 4 – 2,660
- 35 citations for possession or use of illegal fireworks were issued by the FWFD.
- 40 pounds of fireworks were legally seized and will be safely destroyed at a later date.
- Monitored and inspected for safety and compliance with conditional permits, 11 permitted professional fireworks displays.

Court Filings:

- 37 Total Violations Filed
 - 34 Possession of Fireworks
 - 1 Fireworks - Parent Aiding Minor
 - 2 Firework Possession/Fire Non-City Limits
- It is our belief that these are cases that the citations issued on video evidence are defendable in court by the FWFD due to the work of the investigators having eyes on the violation occurring and capturing the video evidence for additional review as requested by prosecution or defense counsel and establishing a consistent process for how they reached the decision to issue a citation.

Cost Estimates

- Enforcement Detail - \$23,160
 - July 2 – \$5,628
 - July 3 – \$7,821
 - July 4 – \$9,711

Pyrotechnic Permit AHJ Standby \$3,200

This amount was reduced by invoiced revenue received from pyrotechnic companies of \$3,300.

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- The trial program was successful in identifying people of interest and witnessing violations at The FWFD will be working with police, legal, and the courts to determine the additional opportunities to expand this program for next year.
- The FWFD will create an additional on-going budget needs for this expansion.

Opportunities for Improvement

- This program was labor intensive to capture the information required to issue a citation that we believe is enforceable.
- There is an opportunity to work with other departments to determine a different process or include other agencies in the monitoring of cameras.
- There needs to be consideration to move the location of the shoot in dry conditions to a area where more concrete.

Next Steps

- The FWFD will continue to collect additional after action report items, determine budget, and prepare the next event plan.

Additional questions or information requests should be directed to Fire chief James Davis at jim.davis@fortworthtexas.gov or Police Chief Neil Noakes at neil.noakes@fortworthtexas.gov.

David Cooke
City Manager