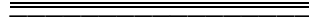


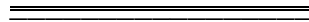
**The Bill Blackwood
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The Need for Police Maritime Response in Coastal Cities



**A Leadership White Paper
Submitted in Partial Fulfillment
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Leadership Command College**



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ABSTRACT

A police maritime response unit is an often overlooked aspect of policing within many coastal communities with many such communities lacking any type of police maritime support. The community leaders ultimately decide whether to have a police maritime response unit for their community. Basic assumptions of cost, lack of understanding the true nature of overlapping jurisdictions between the federal, state and local agencies, and a perceived lack of need often prohibit the creation of a police maritime unit, regardless of the validity of the assumptions. This paper addresses these assumptions as well as laying out the methods of creating a local police maritime response unit. This paper discusses scalability for size and cost, emergency and investigative services provided and cost reduction potentials. This paper provides evidence along with analysis and supports the creation and significance of a local police maritime unit.

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INTRODUCTION

While many civic leaders pay particular attention to serving their public on land, preparedness for public safety on the waters within their jurisdiction are often ignored. As a result, police agencies serving coastal communities often face the unnecessary, economically burdensome, and at times, multifaceted law enforcement challenges of a marine related event as a result of this shortsightedness. Far too often, basic resources and training to effectively deal with these challenges are not realized, much less facilitated, until after the unique demands of a marine event has transpired.

The unique needs of a community with a marine-based culture and economy foster a need for a myriad of services unnecessary for a city's inland counterpart. Public safety demands of citizens change as soon as they move their leisure activities from land to water. A law enforcement presence at a public water event, such as pier-based firework displays or party gatherings at local sandbars, are just as much of a public safety necessity as meeting the public needs of a group of citizens enjoying a community celebration at a local park or along a parade route .

Search and rescue operations are never a function of physical geography either. Saving lives and property along the coastlines of such communities are both very real law enforcement tasks which preserve the very communities whose law enforcement agencies are sworn to protect. The risk of hurricane and typhoon strikes are an added and seasonal challenge coastal and island communities demand ongoing training and preparedness. Ignoring such seasonal demands poses additional high stake dangers to its citizens and property.

Underwater investigative services not only have equal import to their land corollaries, but often operations such as body and evidence recovery also require certain techniques and training in order to preserve the evidence from deterioration, thus preserving its evidentiary value in a court of law. Other threats to evidence in the absence of proper training, include the oxidation of recovered evidence causing it to quickly break down when exposed to air, marking critical object positions and correctly ensuring the chain of custody of items to ensure its optimal use in court.

Further, none of the aforementioned services would be facilitated without a well-trained, certified dive team to execute these investigative services. Criminal investigations would end at a community's water line without the use of dive teams to recover evidence such as firearms, vehicles, or even bodies in that community's surrounding bodies of water. Police agencies serving coastal communities should have the ability to optimally perform public safety, law enforcement, and investigative services on the water as seamlessly and as competently as any law enforcement duty they might perform on land.

POSITION

A local police marine response group can be called on to provide law enforcement services as needed, especially when other state or federal agencies lack the resources to respond to the specific needs of a coastal community. Local authorities, as opposed to state or federal officials, can decide when and where to deploy marine assets to public events such as firework displays, boat races and other potentially dangerous water situations. According to Becker (2000), "as the number of people using recreational waterways increases, so do the number of accidents,

drowning, and violent crimes, including homicides, that occur in such settings” (p. 1). Police may also be called upon to respond to a domestic disturbance on a boat. For larger coastal communities, reliance on state and federal marine assets is simply not feasible for a timely response.

For example, the Texas Parks and Wildlife, the primary state level law enforcement agency for Texas waters both coastal and inland, has had several budget shortfalls. Their total biennium budget for 2014-2015 is slightly higher than the previous budget, it is still 11.2% lower than the 2010-2011 budget (TWP, 2014, p. 23). Their ability to focus on law enforcement around coastal communities has been severely impacted. For example, Texas Parks and Wildlife states that “additional funding is needed for field operations... and additional full-time equivalent positions for law enforcement support functions” (TWP, 2014, p. 31). Other coastal state agencies have seen similar budget cut backs.

The United States Coast Guard (USCG) is the primary federal level law enforcement agency on the water. Besides law enforcement, the USCG’s scope of responsibilities has also grown over the years to include focusing on counter terrorism and oil spills in addition to their traditional role of search and rescue and military readiness. Inversely, the USCG budget has decreased in recent years. The total 2015 USCG budget has decreased by 6.14% from the previous year while a smaller percentage of the funds obtained go to law enforcement (USCG, 2014, p. 5).

Public safety duties, another major priority for police agencies, amplifies in coastal communities. The very nature of a coastal community’s resultant commerce and leisure opportunities can add to the burdens of public safety. A police marine response

unit would spearhead and most effectively assure this aspect of public safety in turn further safeguarding individuals, business owners, tourism and local economies. Boat inspections, no wake zone enforcement, and meetings with the public regarding water safety and hurricane awareness are all aspects of public safety as well.

Since 9/11, the world climate and perspective on terrorism reprioritized the emergency management element in most communities. The war on terror has created a major concern for many cities. As Kim and de Guzman (2012) point out, “the terrorist attacks also highlighted the inadequacies of local law enforcement to address terrorism” and therefore emergency police priorities needed to shift which has manifested in more focused and well funded emergency management systems (p. 338). This heightened awareness includes not only the planned response to potential terroristic elements, but also by its very nature, amplified the necessity of community actions plans in the face of other emergent situations which would call for response from police agencies.

Community safety in the face of terroristic acts, natural disasters such as tornados, flooding or epidemics as well as man-made disasters such as chemical spills would all fall under the purvey of a coordinated emergency response plan. Coastal communities’ needs in terms of emergency response would be incomplete without taking into consideration how its physical geography would impact the creation and implementation of its own response plan. The police marine response unit would assist in patrolling and reacting to maritime incidents under these plans.

In addition, coastal communities also contend with hurricane preparedness, boater safety issues and general beach safety. Strong leadership and expertise from local marine response groups would best serve to head up these challenges. In the

absence of a local marine response group, the coastal community becomes dependant on state and federal agencies which may not be able to provide adequate assistance during or proper training prior to a large scale disaster such as a hurricane due to its lack of pulse and familiarity with a particular community and any political, governmental or institutional encumbrances including proximity, response time and interagency communication. Hurricane Ike alone “caused \$25 billion in damages and dozens of death” (Bedient, 2012, p. viii). Bedient (2012) later pointed out that “a successful response is dependent on the dissemination of the preparedness message to the community so that citizens can make plans for all types of hazards” (p. 92). As representatives of the local community with an expertise of the hurricane hazards, the local police marine unit is invaluable to the community.

Coastal community police agencies often need a marine response to assist in criminal investigations. Criminals can operate on both land and water in coastal communities. As Becker (2000) points out, “the influx of criminals seeking a watery repository for weapons and other evidence of wrongdoing has caused law enforcement agencies to become more involved in underwater recovery” (p. 1). Police divers are needed to recover such evidence while maintaining the integrity of the evidence during recovery.

For example, a suspect may try to dispose of evidence by throwing it the water. Simply pulling the firearm out of the water and exposing it to air will cause oxidation to speed up exponentially, possibly ruining the evidentiary value of the item. Proper techniques must be used for future integrity of the item as evidence in a court of law. A

properly trained police dive unit will be equipped with the tools and training to prevent loss of evidence.

In addition, criminal investigations requiring underwater vehicle recovery poses its own challenges. Besides the mass of the vehicle itself, police divers must take care to preserve the contents inside the vehicle during recovery as well as operate in waters possibly contaminated by fuel and oil. As Glenn (2009) notes, “vehicles in the water often leak gasoline, battery acid, brake fluid, transmission fluids and oils” (p. 58). A successful operation requires a police marine response team capable of dealing with such hazards as may be present and still manage to properly preserve the evidence.

Body recovery also poses challenges that require a police marine response team. As Haupt (2006) pointed out, “drowning represents the fourth leading cause of accidental death in the United States, with between 4,000 and 5,000 incidents occurring annually” (p. 15). The bodies themselves poses risks as well. As Glenn (2009) pointed out, “the decaying victim leaches bodily fluids, including urine, feces, gastric juices, cerebra-spinal fluid and others into the surrounding water” (p. 58-59). While the public may assist in surface searches, only a police marine response team can realistically be expected to deal with underwater body recoveries. Underwater search patterns to locate the body and underwater crime scene preservation and examination require underwater police investigators to ensure maximum court integrity as well as preserving the dignity of the deceased.

It is for the above stated reasons that a police marine response unit should be created for coastal communities. Local police marine response units carry out a wide

range of missions that directly impact coastal communities. Reliance on state or federal agencies is simply not practical.

COUNTER POSITION

One of the most prominent opponents of a police marine response team for coastal cities is the cost. Boats, dive equipment, storage fees, and other items and training associated with police marine response teams cost money. Opponents often cite tight budgets and may claim the money could be spent better on other priorities. However, coastal communities currently without a law enforcement marine response group can often implement one with little or no impact on current services.

A police marine response unit can be scaled to the needs of the department. A fully functional dive team can consist, at a minimum, of only five officers. In addition, the police marine response unit does not have to be full time. With only one designated training day a month, a smaller team can perform all the necessary functions without interfering with the agency's other police functions.

In addition, boats, unlike police vehicles, can last decades before needing to be retired. Texas Parks and Wildlife currently designates that vessels should be replaced no sooner than after nine years of service and often last much longer. In addition, while some boat manufacturing companies, such as Zodiac and SafeBoat, have models specifically designed for law enforcement, any boat appropriate for the waters it will be operating in can be utilized for law enforcement missions with little or no modifications. The addition of police markings and police lights, often obtained from surplus items at the city garage, are really the only absolutely required additions. A VHF marine radio should be installed, but handheld models are also available. Other items, such as a

depth finder or sidescan sonar, can be budgeted and purchased at a later date as the unit develops. The cost for outfitting a fully equipped diver is on par with fully equipping an officer. But, unlike the issued police equipment, the dive equipment can be used by different police divers. In addition, there are multiple grants available from the federal government earmarked for the purchase of equipment in port cities which can sometimes entirely offset the cost of boat and equipment purchases.

When it comes to training, the USCG offers several training courses to law enforcement agencies. In addition, public safety diving is taught in many areas of the country. Federal grants exist that can provide coastal communities with equipment and training. As Perin (2009) pointed out, “approximately one-seventh of the Coast Guard budget goes toward law enforcement funding” (p. 31).

Another claim by opponents of a police marine response unit is one of overlapping jurisdictions and that the federal government will intervene in an emergency. Some will ask why a police marine response unit is needed when the USCG or a state agency has jurisdiction already. Even with overlapping jurisdictions, federal and state marine units cannot be everywhere at once. Mertens (2007) pointed out that after the Hurricane Katrina disaster, “law enforcement officials nationwide can take from this experience is the need for standards, and a culture of preparedness - thinking and acting collaboratively before disaster strikes” (p. 18). In addition, coastal community police agencies have a duty to serve and protect its citizens, regardless whether on land or surrounding waterways. While one should not discount the advice the federal officials may provide, it is ultimately up to the local community to ensure reliable marine coverage. As Mays and Williams (1986) pointed out, “local officials may

know much about the politics of the situation and other unique circumstances” while adding that “federal officials may know more about what has worked in the past and what is technically feasible” (p. 29).

With a local police marine response unit able to deploy quickly and with the communities interests at the core, the unit becomes a valuable asset to the citizens of the community. Whether searching for a missing boater or the recovery of evidence, the delay in waiting for a state or federal agency to respond could mean the difference in success or failure. As time passes, boats and bodies drift farther away while underwater currents may push evidence away from the initial point of drop. On the federal level, the USCG does not currently operate a team of divers capable of responding to local or state requests. The USCG considers diving to be salvage operations, and as such, does not fall into their mission profile of search and rescue or law enforcement. Therefore, the USCG considers dive operations to be the purview of each state and/or local community.

Finally, should disaster strike, “history shows that 41 percent of all state and localities that have requested presidential disaster declarations have had their request denied” (Sylves & Waugh, 1990, p. 33). Without a presidential disaster declaration, access to the presidential disaster relief fund becomes very limited or non-existent. A local community simply cannot rely on the federal government to provide resources and funds in the event of an emergency.

RECOMMENDATION

It is the position of this paper that police agencies serving coastal communities should implement a police marine response unit. Team members can be recruited from

within the existing ranks. Equipment can be budgeted for purchase. The marine response unit should examine existing grants that may be available as well as cross training with other existing marine response units in the area.

In order to be successful as a unit, there must be a unit commander in overall charge of the team. Outside of the unit commander, leadership on the team should be based on experience with the unit's mission as opposed to standard rank structure. Equipment must be maintained, divers and boat operators trained. Depending on the size of the unit, consideration should also be given to implementing a position qualifications system. On the dive side, a system could include levels such as basic diver on one end, increasing to intermediate and advanced as training and experience is gained and finally dive leader at the peak. On the marine "surface" side, the levels could start at basic crewman, increasing to intermediate and advanced as boat experience and training increases and finally peaking at coxswain or advanced coxswain. Smaller units may not need such a "rank" system, while some may desire it to give members goals to strive for on the team.

In order to be successful as a community asset, the unit must engage in public information campaigns. For gulf and east coast units, spearheading a hurricane awareness and preparedness plan is a prime example of what the unit brings to the table. Community center meetings, coordinating mutual aid agreements with surrounding agencies, and utilizing national night out programs are all good methods for both getting the message out and partnering with local communities.

With its multiple mission profile, professional training, and ability to reach out to the local community, a police marine response unit will provide valuable services to its

coastal community. Whether its evidence recovery, law enforcement, criminal investigations, or response during a disaster, the local police marine response unit will be there. Without a local police marine response unit, a community is limiting its services and reliant on others to provide such services, if they even exist.

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