

Marjory Stoneman Douglas High School Public Safety Commission
Written Testimony
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My name is Mike Ryan. I am the Mayor of the City of Sunrise. In lieu of testifying before the Commission, I have requested that the Chair accept my written comments as it relates to the historic and current situation involving Broward County's role in the regional emergency 911 ("E911") system.

By way of background, I have been a Broward League of Cities' representative designated to participate in E911 issues for nearly the past decade. The Broward League has been visionary in being able to galvanize various stakeholders focused on necessary improvements to and greater interoperability of our E911 System. The current Broward League President, Mayor Dan Stermer of Weston, has participated in this journey from the outset and has been a powerful force to drive improvements.

In 2010, I began writing publicly about the need to implement the will of the voters, as expressed through a County charter mandate, to construct a system for closest unit response for medical emergencies by implementing consolidated systems of emergency communications as well as the operational necessity to improve E911 communications to avoid the significant and persistent delays in emergency response due to call transfers amongst the numerous communications centers in the County. Thereafter, from 2011 to 2012, I served as Vice Chair of the Broward County Consolidated Communications Committee, focused on evaluating the potential for regionalization of E911 Communications. I was Co-chair of the Broward County Consolidated Communications Implementation Advisory Board in 2012 through 2013. I was Chair and Vice Chair of the reconstituted Broward County Consolidated Communications Committee, often referred to as BC4, from 2015-2018; BC4 was stood up again after I and others raised concerns related to transparency in reporting and the need for stakeholders to have a voice in the new regional system.

In addition, I am past Chair and past Vice-chair of the Public Safety Committee for the Broward League of Cities from 2012-2013; past Co-chair of the Broward County League of Cities' Joint School Resource Officers Task Force from 2012-2013; current co-chair of Broward County League of Cities' School and Community Public Safety Taskforce from March 2018 to the present, which issued a lengthy report and over 100 recommendations in the aftermath of February 14, 2018. I am also a member of Broward County After-Action Advisory Council formed to make additional recommendations related to the aftermath of the tragedy.

The journey of consolidating and improving interoperability of our E911 communications in Broward County was not easy nor was it a straight line. At the outset, there were those who told me consolidation or regionalization of E911 communications, while necessary, would never happen. There were those who participated in early discussions who openly resisted the idea of regionalization and a better system of interoperability. But, in the months that the initial Consolidated Communications Committee met, the reasons in support of the need for increased interoperability and the potential for improved E911 communications through regionalization

became more obvious. Consensus began to develop around the benefits of providing better, faster and more resilient E911 services through regionalization.

Closest unit response in medical emergencies, despite being the overwhelming mandate of the Broward County voters in 2002, had still not progressed. Some of the reasons were because of technology; some of the reasons were related to the need to lay the foundation for interoperability. Either way, it was far too slow.

Call transfers amongst the E911 centers (known as “Public Safety Answering Points” or PSAPs) were frustrating the fastest possible emergency response. With the advent of cell phones as the primary method to place E911 calls, it was well recognized that towers routinely directed E911 calls to E911 centers outside of the caller’s municipality; that meant, far too often the call taker and dispatchers could not send help immediately or at all in emergency situations. The caller, desperate for assistance, would provide all the information as to their emergency only to be told the call taker would have to transfer the caller to another E911 center which could actually send help. Then, after transfer, the interrogation of the caller would often start all over again, causing delays in emergency response.

There were no consistent standards for call handling, quality assurance, or implementing the latest technological improvements for all E911 calls. Remember, we may have lived in one city, worked in another, travelled to school in a different one, and found entertainment or shopped in yet another – each with a different E911 center, different standards, different call handling procedures, and differing commitments to latest innovations.

Anyone who has been involved in E911 call handling knows, whether here locally, anywhere in our country, or even internationally, no system is perfect all the time. Mistakes happen in addresses, deployment and information; sometimes callers cannot provide the best information as to location. Call taking and dispatching is a difficult and stressful job under the best of circumstances. Turnover rates locally and nationally are in the 20% per year range. Training budgets are routinely adjusted and best staffing is subject constant analysis.

So, claims that a particular center handled every E911 call perfectly prior to regionalization or that they had the best system each hour of every day is not realistic. To be sure, there was no transparent reporting of problems or even consistent standards for performance across the different E911 centers. Traditionally, problems or complaints would be handled internally and within the respective agency protocols and etiquettes.

Now, in the system of regionalization, there is greater transparency in E911 call handling than ever; in fact, there are identifiable and consistent benchmarks for performance in those centers in the regional system. There is a procedure in place to file a complaint regarding call taking or dispatching, whether the complaint comes from first responders or the public. The system is intended to be more transparent than ever. There is a process to determine outcomes from the complaints, including counseling, additional training and even progressive discipline when appropriate. Those who do not take advantage of filing a complaint when there is a reason to do so or simply rely on anecdotes actually frustrate the collective efforts to make the system better through transparent and honest assessment of performance. Every complaint or concern

should be logged, heard and addressed. There is a need to constantly and honestly evaluate performance with the goal of providing the best service possible throughout Broward County.

The system was also inefficient from a staffing and infrastructure perspective. With 10 different E911 centers, the costs to the taxpayers were unnecessarily high. Moreover, some of these E911 centers were close to the coast and/or not designed to withstand more than a category 2 hurricane.

Relevant to the focus of my comments today, despite important improvements, there has been frustration on a number of levels still today. To understand why, we must go back historically.

At the outset of evaluating the potential for regionalization, turf battles, prior resentments, and agency traditions made the discussion regarding the need for regionalization and improved interoperability difficult. In fact, those factors at times appeared to be enough to prevent regionalization despite overwhelming belief that there were significant potential benefits from regionalization.

When we began the regionalization process and analysis, we recognized there was a paramount need to ensure a governance structure in which the stakeholders have a meaningful voice. One of the other guiding principles was to ensure bureaucrats and elected officials were not running or interfering with the oversight and daily operations of the public safety system. Finally, there was also a need to ensure a predictable, consistent and stable source of funding that was not subject to being undermined through future parochial battles.

At the intersection of developing governance recommendations, the challenges began. Once the Broward County Board of County Commissioners wisely agreed to be that source of, predictable, consistent and stable funding, County Administration wanted to play a role in governance. Broward Sheriff's Office ("BSO") would be the operator, but as the funder the County Administration officials wanted, and began, to play an outsized role. The development of a County's Office of Regional Communications and Technology, known as ORCAT, was a response to the desire of the County Administration to play that role.

However, ORCAT was not directed by, overseen by or made up of those who had meaningful public safety experience in the field or running E911 centers. As a result, technology decisions which impacted public safety were being made exclusively by ORCAT, sometimes to the frustration of those operating the system, those with experience in E911 communications and public safety professionals.

The Police and Fire Chiefs issued multiple joint pronouncements objecting to the County's oversight. These joint pronouncements were unprecedented calls for action. The Chiefs spotlighted that those running the system from the County side did not have public safety experience and that the wishes of the public safety professionals in the field were being vetoed by those with no public safety experience. I took the public position that the County administrators should not be interfering with or making the final decisions involving a public safety system.

Recently, on May 29, 2019, the Broward County Chiefs of Police issued yet another strongly worded letter outlining their latest concerns and the need for change in the management and governance of the regional communications system. Whether the correct change is to embed ORCAT within BSO or some other model, it is clear that something must occur to alleviate the continued friction and refusal to ensure public safety professionals are guiding and overseeing our E911 system. So long as County Administration is ultimately responsible for decisions which affect public safety, and there is a lack of full recognition of the impact of those decisions daily, we will continue to fall short of a seamless system.

I previously proposed amendments to the Broward County Charter that would create a Director of Public Safety Communications who would answer directly to the County Commission. I also proposed a permanent Public Safety Communications Advisory Council, much like the latest iteration of Broward County Consolidated Communications Committee, before being sunset by the County, made up of community stakeholders to ensure transparency and greater voices. See attached Exhibit A.

Initially, the majority of a sub-committee of the Broward County Charter Review Committee tasked with evaluating these proposals actually voted in favor of these proposals. However, during a later meeting at which I was not present, they scuttled these ideas after based upon advocacy from County Administration. They were told by County Administration that we would finally have a person with public safety experience running ORCAT after years of interim directors with no public safety experience. In short, County Administration, in my opinion, did not want to dilute its power and control over the public safety communications system – which has been an endemic problem to this day. Eventually, the County would hire someone who had past experience, but that person was immediately tasked with other duties as well.

Perhaps a good example of the frustration is the radio throttling issue. In the aftermath of the throttling issues on February 14, and as part of my role as BCCCC chair, I pressed for a county-wide meeting to discuss the technical issues. It was at that meeting that for the first time experienced public safety professionals were told that simply turning on a radio or switching a channel was the equivalent of pushing the radio button to talk; turning on a radio or switching channels stressed and overloaded the system as if they were talking at the same time. I watched first hand as seasoned veterans expressed shock at this notion. It had long been the practice during events, mass or otherwise, to have those unrelated to the deployment, or even off-duty, to listen in on and follow the unfolding events.

However, what was frustrating is that the County's after action report involving the Fort Lauderdale Airport shooting actually contained a passage regarding radio training and discipline as it relates to throttling. Those in the County Administration who run the radio system never followed up with that issue or communicated to the public safety professionals in the field county wide what that meant – until at that meeting ... after February 14, 2018.

Since that county-wide technical meeting regarding radio throttling, there have been training modules issued and development of policy and procedures to address command and control issues involving radios and radio discipline. We may experience throttling in the future

again during in a mass event, particularly one that has multiple sites or runs across jurisdictions. But today we understand more. The question is – why was it that a mayor was raising the issue of needing a county-wide discussion and understanding of radio system throttling and not those in the County Administration who were responsible for the daily operation of the radio system after the Fort Lauderdale Airport shooting? Perhaps because they did not report to public safety professionals, but rather to County administrators responsible for other matters, such as parks and libraries.

It is absolutely true that we need to have highly skilled technical people involved in an E911 system. The issues in an E911 are technically complex. There are certainly some very talented and technically capable people in ORCAT who care deeply about the mission. However, ORCAT and County Administration should not be making decisions regarding, or fail to be responsive to, the needs of the public safety professionals. As I said, whatever the model is implemented to reduce that friction, it needs to be implemented now. In fact, it should have been resolved long ago.

Today, I offer my comments in an effort improve interoperability and move the needle towards a system that is run by public safety professionals whose only mission is to provide the best possible E911 service to all the residents, businesses and visitors of Broward County. I am thankful to the Police and Fire Chiefs Associations for their continued advocacy, publicly and privately, as well as that of the Broward League of Cities and so many elected officials who feel equally passionate about these issues. I am also grateful to Coral Springs Fire Chief Frank Babinec for his focus on interoperability and our collaborative work together.

Thank you for your consideration of these important issues.

ARTICLE V. - PUBLIC SAFETY

§ 5.03. Broward County ~~Public Safety Communications Advisory Fire-Rescue~~ Council

A. The County Commission with cooperation from Municipalities shall ~~maintain~~establish a countywide emergency communications infrastructure for law enforcement, fire and emergency medical services. The County shall provide funding for the communications infrastructure and all municipalities service providers will have the opportunity to utilize the elements of the communications infrastructure. ~~The communications infrastructure shall facilitate closest unit response for life-threatening emergencies and support for regional specialty teams.~~

B. There shall be established a Broward County Public Safety Communications Advisory ~~Broward County Fire-Rescue Council~~ that will be advisory and shall facilitate the coordination between the County and the Municipalities in carrying out the intent of Section 5.03(A), the regional public safety radio system and the consolidated E911 Communications system. The Public Safety Communications Advisory ~~Broward County Fire-Rescue~~ Council shall be comprised of ~~eleven~~nine (119) members appointed as follows:

(1) One (1) member shall be appointed by the Broward County Commission, who may be a member of the County Commission.

(2) One (1) member shall be appointed by the Broward County League of Cities ~~who is its Chair or Vice Chair~~.

(3) One (1) member shall be appointed by the by the Broward County City-County Manager's Association ~~Broward County League of Cities who is a current elected Municipal official~~.

(4) ~~Two One (21)~~ members shall be appointed by the Fire Chiefs' Association of Broward County ~~Broward County League of Cities who is a current city manager~~.

(5) ~~Two One (21)~~ members shall be appointed by the Broward County Chiefs of Police Association ~~Council of Professional Fire-Fighters~~.

~~(6) One (1) member shall be appointed by the Broward County Fire Chiefs' Association.~~

~~(67)~~ One (1) member shall be appointed by the Sheriff of Broward County ~~Broward County Medical Association~~.

~~(78)~~ One (1) member shall be appointed by the EMS Council ~~Sheriff of Broward County~~.

~~(9) One (1) member shall be appointed by the Director of the Broward County Trauma Management Agency.~~

(8) One (1) member shall be appointed by the Broward County County Administrator.

(9) One (1) member shall be appointed by the Greater Fort Lauderdale Alliance so long as that organization is in existence, or alternatively, by the County Commission representing the business community in Broward County.

Such members shall be members or employees of the applicable appointing organization.

C. The term of each member shall be two (2) years from the date of appointment.

D. The Council shall issue recommendations from time to time and an annual report to the County Commission and Municipalities.

§ 5.05. Broward County Director of Public Safety Communications

A. There shall be a Director of Public Safety Communications. The Director of Public Safety Communications shall be appointed by the County Commission, and may be removed by the County Commission.

B. The Director of Public Safety Communications shall be responsible to the County Commission for the proper administration of the Office of Regional Communications and Technology, including providing technical support to the Operator and participating municipalities in the Consolidated E911 Communications System for Broward County; oversee performance metrics and overall operational performance of the Consolidated E911 Communications System and the supportive regional systems; review and analyze the emergency and public safety radio system performance; review and analyze the regional law and fire records management systems; review and analyze the regional computer aided dispatch system; coordinate and collaborate with municipalities to ensure maximum countywide involvement of all stakeholders; provide recommendations to maintain and provide advancements in the area of Public Safety Communications.

C. The County Commission shall include in the general fund of its annual budget for each fiscal year such sum as is necessary for the Director of Public Safety Communications to carry out its duties.