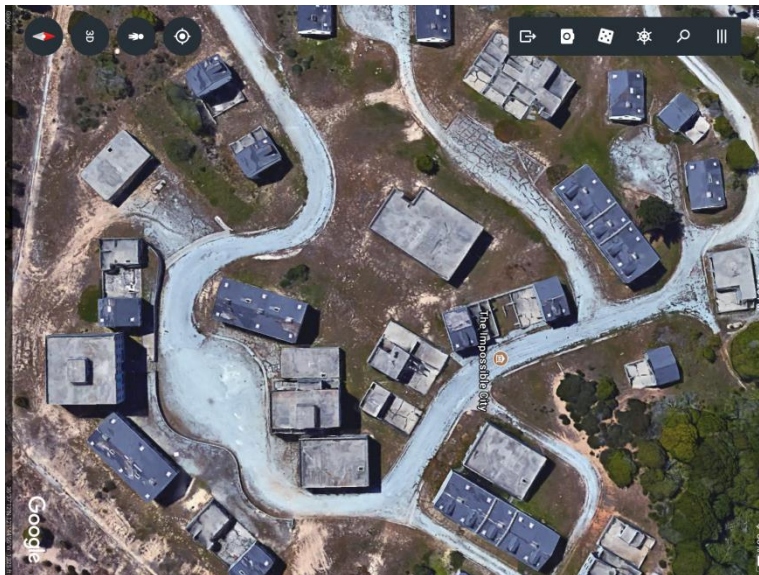


LAW ENFORCEMENT TRAINING OPPORTUNITIES ON THE FORMER FORT ORD



The Military Operations Urban Terrain (MOUT) facility located at the former Fort Ord

SUMMARY

In 2003 the County of Monterey, the Monterey Peninsula College (MPC), and the Fort Ord Reuse Authority (FORA) entered into an agreement regarding the transfer of land from FORA to MPC for the development of a public safety officer training facility.

The proposed training facility includes an existing military operations urban terrain (MOUT) facility built in 1987 to help train soldiers for combat in semi-urban settings overseas. It also includes land at a separate, non-contiguous, site on the former Fort Ord for constructing an emergency vehicle operations course (EVOC). The EVOC will enable police and fire recruits and employees to be trained in safe emergency vehicle handling skills, including practice in scenarios on a city street grid, high speed pursuits and handling vehicles on wet pavements. The EVOC site also includes space for a firing range.

A police officer training academy certified by the California Commission on Peace Officer Standards and Training (POST) has been established by MPC at a third site located on the former Fort Ord. The MPC program is offered through the South Bay Regional Public Safety Training Consortium.

The police academy is fully functional and its graduates are being hired by police departments throughout Monterey County and elsewhere. Additional action needs to be taken regarding the implementation of the MOUT and EVOC components of the training facility.

The purpose of this report is to identify facts and findings relevant to the MPC decision regarding how it wants to proceed with the implementation of those additional facilities, examine the current status of those police training facility projects, and assess whether law enforcement entities within Monterey County feel there is still a need for those facilities.

BACKGROUND

In 1988, as the Cold War was winding down, Base Realignment and Closure (BRAC) legislation was passed by Congress to reduce the number of American military bases in operation. In 1991 Fort Ord was selected by BRAC for deactivation, and the post was officially closed in 1994.

The Fort Ord Reuse Authority (FORA) was established by state law in 1994. Its mission is to oversee the conversion of the 28,000 acre former military base to community reuse and assist in the local economic recovery from losses attributable to the closure of the base.

In 2003 the County of Monterey, the Monterey Peninsula College (MPC), and FORA entered into an agreement that identified three sites of land on the former Fort Ord that would be transferred to MPC for use as a Public Safety Officer Training Academy, including:

- A Military Operations Urban Terrain (MOUT) facility
- An Emergency Vehicle Operations Course (EVOC) facility
- A weapons training range

GLOSSARY OF ACRONYMS

BRAC	BASE REALIGNMENT AND CLOSURE
BLM	BUREAU OF LAND MANAGEMENT
CEQA	CALIFORNIA ENVIRONMENTAL QUALITY ACT
EVOC	EMERGENCY VEHICLE OPERATIONS COURSE
FORA	FORT ORD REUSE AUTHORITY
MEC	MUNITIONS AND EXPLOSIVES OF CONCERN
MOUT	MILITARY OPERATIONS URBAN TERRAIN
MPC	MONTEREY PENINSULA COLLEGE
POM	PRESIDIO OF MONTEREY
POST	PEACE OFFICER STANDARDS AND TRAINING
PSTC	PUBLIC SAFETY OFFICER TRAINING CENTER

APPROACH

In conjunction with this investigation the Monterey County Civil Grand Jury (Jury):

- Interviewed senior personnel at MPC and the MPC Public Safety Training Center
- Interviewed senior personnel at FORA
- Interviewed senior Law Enforcement Personnel at eight police departments in Monterey County
- Surveyed one senior law enforcement official selected from each of the 16 police departments headquartered in Monterey County.
- Conducted numerous internet queries
- Reviewed relevant documents provided by FORA and MPC¹
- Toured the MOUT and proposed EVOC sites
- Visited the MPC Public Safety Training Center

DISCUSSION

The closure of Fort Ord resulted in 28,000 acres of land being repurposed for a wide range of federal, state, county, and city uses. Three sites are being transferred to MPC for public safety officer training. The land on those three sites is in excess of 536 acres with a value estimated by FORA of approximately \$48,000,000.

A police officer training academy certified by the California Commission on Peace Officer Standards and Training (POST) has been established on property transferred to MPC. It is located at 2642 Colonel Durham Street, Seaside California 93955. A firefighter academy accredited by the State Fire Marshall is located at that same facility.

In addition to the land and buildings currently used by the police academy, separate non-contiguous sites of land are in the process of being transferred to MPC from the Fort Ord Reuse Authority (FORA). This would enable a large scale EVOC and a long-rifle range to be constructed. The sites already contain a military operations urban terrain (MOUT) facility that would facilitate certain types of active shooter, special weapons and tactics (SWAT), and other related police training exercises. Transfer of those two sites is awaiting certification of

¹ The list of documents reviewed includes: the 2002 Agreement Regarding Public Safety Officer Training Facilities; the 2002 Assessment of East Garrison-Parker Flats Land Use Modifications Fort Ord, California; the 2003 Agreement Regarding Public Safety Officer Training Facilities; and the 2005 Memorandum of Understanding Concerning the Proposed East Garrison/Parker Flats Land-Use Modification between the Fort Ord Reuse Authority, Monterey Peninsula College, County of Monterey, US Bureau of Land Management, and US Army as Parties to the Agreement.

ordinance removal, which is expected by the end of 2018. There are land-use deed restrictions on these sites.

Military Operations Urban Terrain (MOUT)

The MOUT facility was built by the Army in 1987 to help train soldiers for combat in semi-urban settings overseas. The MOUT facility land being transferred to MPC includes 42 cinder block buildings on 51.25 acres of land with a value estimated by FORA at approximately \$4,500,000. The 2003 agreement regarding the public safety officer training academy at the former Fort Ord stipulates that MPC will devise a schedule for non-exclusive annual usage of the MOUT facility with no use fees for up to 45 days for the US military, 30 days for the FBI, 12 days for the Monterey County Sheriff's Office, and 5 days for the Bureau of Land Management.

MOUT is suited for night vision military and police training exercises and for other types of exercises where the training would benefit from being away from populated areas (e.g., practicing helicopter rescues from buildings, rappelling down buildings, etc.). The MOUT buildings and neighborhood settings bear little resemblance to those actually found in Monterey County where active shooter incidents might occur (e.g., schools, workplaces, theaters, restaurants). However, conducting training exercises using actual buildings and towns, coupled with relevant exercises away from the general public at a facility, like MOUT, would provide a broad training platform for police and other first responders.

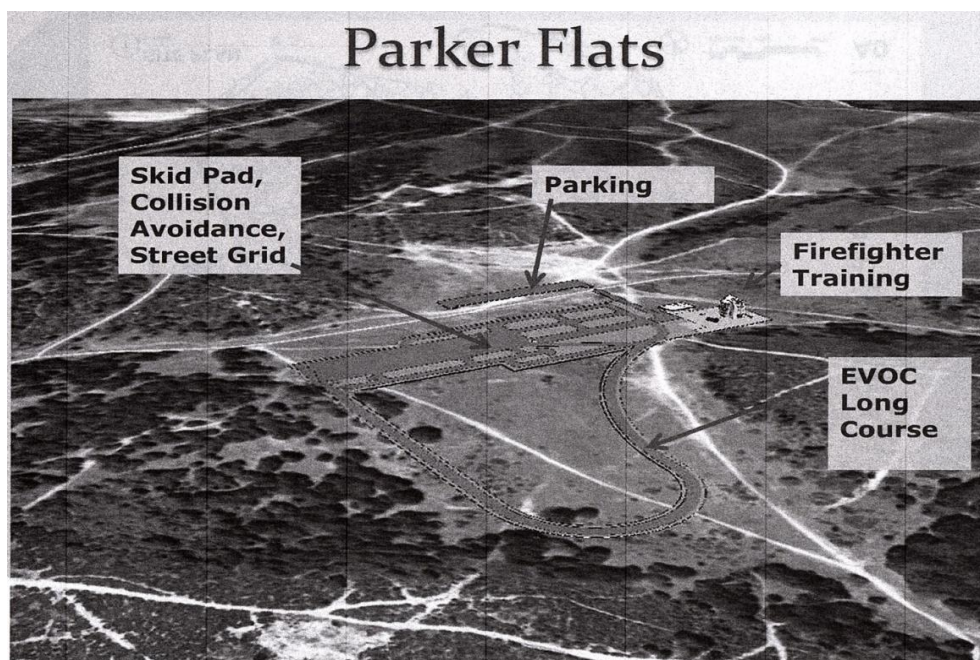
An earlier Monterey County Civil Grand Jury report, issued June 30, 2014, recommended that the County of Monterey and the City of Salinas enter into negotiations with MPC for joint use of the MOUT facility for SWAT, bomb disposal, and long-rifle training by their law enforcement personnel. In response to that Jury's recommendation, the Monterey County Board of Supervisors directed the County Administrative Office to work with the Salinas Police Department and the Monterey County Sheriff's Office on pursuing the matter based upon the timing and needs established by those two law enforcement organizations.

A status update was provided by the Monterey County Administrative Office via letter to the Jury on January 18, 2018. It noted that "the Fort Ord Reuse Authority indicated the MOUT facility is included in their Environmental Services Cooperative Agreement (ESCA) Remediation Program with the Army and is scheduled to be transitioning to MPC ownership in late 2018. The field remediation is complete and final transfer documentation processing is underway. In the interim, the Monterey County Sheriff's Office has been authorized to utilize the facility for training, through the US Army POM Right of Entry with FORA. The Sheriff has also been in negotiations with executive management at MPC regarding permanent training agreements anticipated to be available to other police organizations within the County. Final agreements are expected following transfer of ownership to MPC in 2018."

Potential for Creating a Green Emergency Vehicle Operations Course (EVOC)

The land being transferred to MPC for the EVOC is 484.8 acres of the Parker Flats area (see architectural design below) valued by FORA at approximately \$43,500,000. Two hundred ten (210.0) of those acres are designated as habitat acreage, which cannot be developed. The proposed EVOC long course consists of a large bell shaped track. The foliage selected as ground cover inside the track should be low enough that vehicles anywhere on the track can be viewed by EVOC personnel from an observation tower.

Designating some acreage as greenbelts, potential solar farming areas, or a combination of the two, could have a positive impact on the environment and possibly help generate funds for maintaining the public safety training facilities over their lifetime. A May 2013 Feasibility Study² addressed the potential for solar farming at the former Fort Ord. It concluded that all of the locations their study considered on the former Fort Ord have great potential for solar farming and could be especially beneficial if the land sites chosen either cannot be or will not be used for other purposes.



Parker Flats Emergency Vehicle Operations Course Architectural Design³

Law Enforcement Feedback

In order to assess the opinions of Monterey County law enforcement executives regarding training opportunities on the former Fort Ord, a survey was conducted addressing that issue.

² Feasibility Study of Economics and Performance of Solar Photovoltaics at the Former Fort Ord Army Base Site in Marina, California. (May 2013) National Renewable Energy Laboratory Report NREL/TP-7A30-58241.

³ From Fort Ord Ballot Initiatives, MPC Governing Board Meeting, September 25, 2013.

One command level departmental representative was selected by each department headquartered in Monterey County to provide responses to the questions contained on that document.

Departmental representatives indicated that the MPC Police Academy should provide more remedial training for students who failed to achieve required proficiency levels in areas like pursuit driving, shooting, arrest/de-escalation and report writing. Fifteen of the 57 students (26.3%) who enrolled in the 3/20/2017 MPC police academy class taught by the South Bay Training Consortium failed to successfully complete the program. When asked what changes departmental representatives would like MPC to implement, the single most frequent response (40%) was more remedial training. The police representatives indicated that failing students resulted in a significant loss in terms of:

- Funds paid by departments that sponsored those unsuccessful students (e.g., academy tuition, salary, per diem, etc.)
- Availability of new recruits to fill local critical law enforcement vacancies

Executives surveyed also indicated that having available nearby facilities and trainers where training and remediation could occur (e.g., EVOC, rifle/pistol ranges, etc.) would be helpful in alleviating those problems.

In addition to plans for using the MOUT and EVOC facilities for training students attending the MPC police academy at the former Fort Ord, those facilities would also be available to address the perishable skill training needs of current police officers throughout Monterey County. Those perishable skills, such as driving and shooting, require regular retraining, testing and certification to ensure proficiency is maintained.

- Fourteen out of 15 surveys (93.3%) from the law enforcement organizations in the county indicated they thought the existing MOUT facility would be useful for training their law enforcement personnel
- Twelve out of 15 surveys (80%) from law enforcement organizations in the county indicated they thought the proposed EVOC facility would be useful for training their law enforcement personnel

The potential benefits of using the additional training facilities located on the former Fort Ord most frequently cited on the surveys were:

- Reduced direct training costs if free or less expensive than the costs incurred at the facility currently used (15 out of 15; 100%)
- Increased variety of training and testing environments to broaden personnel ability to perform in the field when confronted with those types of issues (15 out of 15; 100%)

- Reduced travel time and related personnel costs for departments located closer to the facilities at the former Fort Ord than where they are currently receiving that same type of training (13 out of 15; 86.7%)

Use of MOUT and EVOC by Firefighters and Emergency Medical Personnel

There are approximately 700 sworn law enforcement officers in Monterey County. In addition to police training, both the EVOC and MOUT are applicable for training firefighter and emergency medical first responders. Such training could include working with police at the MOUT on how to help people wounded in active shooting situations. EVOC is appropriate for emergency vehicle driver training in a variety of road conditions.

Measure I Funds

In November 2002 Measure I was passed. It provided \$145,000,000 to improve and repair MPC facilities, including funds for the public safety officer training facility. Approximately \$9.5 million⁴ remain from that bond measure, which has been allocated to the public safety officer training facilities at the former Fort Ord or to other improvement applications specified in the bond measure. MPC may also apply for state matching funds for its public safety officer training facility bond projects, which could double the funds available. In the event MPC has insufficient Measure I and state matching funds to complete the public safety officer training facility, another bond measure will be needed.

FACTS:

The following issues need positive resolution:

1. Military Operations Urban Terrain (MOUT) Facility
 - a. MOUT currently has no water or electricity.
 - b. Without water available to fight potential fires, the exercises conducted at the MOUT facility need to be limited to those not posing a fire danger (e.g., using paintball, laser tag, or other safe simulated weapons).
 - c. FORA indicated the Marina Coast Water District is responsible for providing water to areas within the former Fort Ord, However, it is not known whether those services would be provided free of charge or how long it would take to activate them.

⁴ Access the “MPCCPD GO Bond Audit Report 2017 at: <https://www.mpc.edu/about-mpc/campus-resources/fiscal-services/annual-budgets-financial-reports>

- d. The area around the MOUT facility must be fenced to prevent users from wandering into adjacent areas containing unexploded ordnance.
 - e. Roofs on several MOUT buildings are in disrepair.
2. Emergency Vehicle Operations Course (EVOC)
- a. The EVOC proposed for Parker Flats has not been constructed. The site only contains the land needed to develop that course.
 - b. Compared to the MPC Police Academy and the MOUT Facility, the EVOC would be more expensive to build and maintain.
3. Live-fire Ranges
- a. Currently there are no long-rifle ranges in operation at the Former Fort Ord.
 - b. Long-rifle training at MOUT and Parker Flats cannot occur without site improvements.
 - c. Site Improvements must include range berms and/or safety fans⁵ to address potential errant bullets and ricochets.
4. Funding, Project Oversight, Liability and Land Transfer
- a. MPC has some remaining Measure I funds, additional funds and project oversight for the MOUT and EVOC facilities would need to be acquired.
 - b. Some of the MOUT and EVOC training exercises may pose increased potential risk to both trainees and equipment (e.g., police cars, fire trucks, helicopters), as well as increased potential liability to MPC.
 - c. Failure to provide relevant and timely training in a controlled environment where risks can be mitigated is likely to pose even greater risks to first responders and citizens should those skills ever be needed.
 - d. The two sites (MOUT and EVOC) that remain to be transferred still have land-use restrictions.
 - e. Property with deed or covenant restrictions is not expected to transfer until 2019. Deed and covenant restrictions prohibit all uses other than Munitions and Explosives of Concern (MEC) removal or the installation of roadways and utilities.
 - f. This report does not address the impact California Environmental Quality Act (CEQA) may have on the future development of these sites.

⁵ A safety fan is an area on a shooting range facility designed to contain all projectiles fired from a shooting range.

- g. The closure of Fort Ord resulted in MPC being able to acquire 535 acres for public safety officer training at no cost.

FINDINGS

- F1. Large tracts of land are needed for developing the proposed law enforcement training applications, especially for constructing a full-scale EVOC and a firing range.
- F2. The 535 acres being transferred to MPC should be sufficient land to complete the proposed public safety training facilities.
- F3. An EVOC would be highly beneficial for training police recruits, existing law enforcement personnel, firefighters, and other emergency responders throughout the County and region.
- F4. A MOUT facility would be useful for training SWAT and other law enforcement personnel throughout the County. It could also provide a useful training ground for firefighters and other first responder personnel.
- F5. Continuing to use MOUT for its original military purpose is consistent with the 2003 facility use agreement regarding public safety officer training facilities at the former Fort Ord.
- F6. The upgrades and safety features needed for the MOUT facility will be costly.
- F7. Many law enforcement departments in the County would benefit from lower costs and travel time by creating a rifle range at the former Fort Ord.
- F8. Constructing a full-scale EVOC would be expensive. Additional funding may be needed to cover those costs.
- F9. Designating large areas within the 535 acres being transferred to MPC as greenbelts, and/or as areas to be used for solar farming, could help ensure the project has a net positive impact on the environment.
- F10. The operation and maintenance of the public safety officer training facilities would require additional expenditures.
- F11. The MPC Police Officer Training Academy is currently functioning without the use of the MOUT facility, a full-scale dedicated EVOC, or a firing range due to the use of temporary facilities at other locations.
- F12. An EVOC facility and trainers near to the MPC Police Officer Training Academy, where driving-related training and remediation would occur, could reduce training expenses.

- F13. The development of the EVOC and MOUT MPC training facilities at the former Fort Ord has been under consideration for more than 20 years.

RECOMMENDATIONS

- R1. The MPC Board of Trustees should determine whether or not they want to move ahead with the MOUT project.
- R2. The MPC Board of Trustees should determine whether or not they want to move ahead with the EVOC project.
- R3. The MPC Board of Trustees should determine whether or not they want to move ahead with establishing a long-rifle range at Parker Flats.
- R4. A current financial plan detailing the feasibility of these projects should be developed by MPC.
- R5. If the decision is to proceed on one or more projects (i.e., R1, R2, and/or R3), the President/Superintendent of MPC should appoint or hire a program manager. The Program Manager's responsibilities should include overseeing the transfer of land, acquisition of additional funding and the construction, maintenance, and operation of those facilities.
- R6. If the MPC Board of Trustees does not proceed on one or more of these projects, MPC should give up their claim, so the land can be transferred for other allowed and desirable purposes.

RESPONSES REQUIRED

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the Monterey Peninsula College Board of Trustees (F1-F13, R1- R6)

RESPONSES REQUESTED

From the Executive Officer of FORA (F9, R6)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.