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9 UNITED STATES BANKRUPTCY COURT  
 10 EASTERN DISTRICT OF CALIFORNIA  
 11 SACRAMENTO DIVISION  
 12

13 In re:  
 14 CITY OF STOCKTON, CALIFORNIA,  
 15 Debtor.

Case No. 2012-32118  
 D.C. No. JD-1  
 Chapter 9

**DECLARATION OF ERIC JONES IN  
 SUPPORT OF CITY OF STOCKTON'S  
 OPPOSITION TO FRANKLIN'S  
 MOTION FOR STAY PENDING  
 APPEAL OF CONFIRMATION  
 ORDER**

Date: December 10, 2014  
 Time: 11:00 a.m.  
 Dept: C, Courtroom 35  
 Judge: Hon. Christopher M. Klein

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1 I, Eric Jones, hereby declare:

2 1. I am the Chief of Police in the City of Stockton, California (“City” or “Stockton”).  
3 I make this declaration in support of the City’s Opposition To Franklin’s Motion For Stay  
4 Pending Appeal Of Confirmation Order.

5 2. I have served in the Stockton Police Department in some capacity for over 20  
6 years. I became the Chief of Police in March of 2012. Prior to becoming Chief, I served as  
7 Assistant Chief from September 2011 to March 2012 and as Deputy Chief from March 2008 to  
8 September 2011. I hold a bachelor’s degree in Criminal Justice from California State University,  
9 Sacramento, and a Masters of Public Administration from National University. I am a member of  
10 the Central Sierra Police Chiefs Association, California Police Chiefs Association, and the  
11 International Association of Chiefs of Police. I hold certificates from the Commission on Peace  
12 Officer Standards and Training, and am a member of the FBI’s National Academy Law  
13 Enforcement Executive Development Association and Police Executive Research Forum.

14 3. The City’s fiscal state and perceived instability have caused great consternation  
15 and stress for the entire Stockton Police Department. Morale is extremely fragile and police  
16 officers continue to leave. Our police force is paid at below market rate for our area and yet  
17 officers continue working tirelessly in a dangerous environment, often called upon to fill extra  
18 shifts due to staffing shortages. Should instability linger, as it would if the City were forced to  
19 delay in implementing the plan of adjustment until Franklin’s appeal is resolved, I fear that there  
20 is a real possibility of a mass exodus of officers from our police department. Officers already  
21 continue to depart.

22 4. We currently have 371 sworn police officers. Although the Stockton Police  
23 Department has made incremental progress in our police officer hiring numbers, we are still  
24 tasked with getting to a total of 485 sworn police officers with the recent passing of local Measure  
25 A. This is proving extremely difficult due to our ongoing recruitment and retention problem. In  
26 fact, since January of 2012, we have hired 185 police officers with a net gain of only 52. There  
27 have been 133 total departures of our well-trained officers (including retirements, early  
28 retirements, disabilities, terminations, resignations, and deaths), but what is alarming is that 48 of

1 these departures are by officers leaving to other law enforcement agencies. Many other law  
2 enforcement agencies are hiring in large numbers. They actively recruit our personnel with  
3 compensation packages at market rates or above and also offer less dangerous, more stable, and  
4 less stressful working environments.

5 5. Even more alarming is that since the October 1, 2014 announcement of a delay in  
6 the confirmation ruling, the number of departures of our young and most mobile police officers  
7 increased over the number that departed during any other two-month period since the bankruptcy  
8 filing in June 2012. Based on both individual and group conversations I have had with police  
9 staff, I believe any further signs of instability or uncertainty, such as a delay in implementing the  
10 City's plan of adjustment at the request of a creditor that argues for a drastic reduction in officer  
11 (and other City employee) pensions, or any other negative impacts on officers' compensation or  
12 benefits, could cause a sharp increase in departures – possibly a mass exodus. Should that occur,  
13 the potential effects could be devastating for the entire City.

14 6. The investment made in these officers is substantial and should not be overlooked.  
15 The City incurs a significant cost per new officer in terms of background, academy, training, and  
16 equipment expenses that it cannot recover once an officer leaves Stockton.<sup>1</sup> These costs are  
17 approximately \$132,105 to \$153,005 per officer.

- 18 a. Background costs are approximately \$1,885 and include medical and  
19 psychological evaluations, a polygraph test, and payments associated with  
20 conducting a background investigation of each recruit.
- 21 b. Academy costs range from approximately \$59,533 to \$80,433 per officer. They  
22 include not only the cost of attending the academy for each recruit (tuition,  
23 equipment, books), but also the recruit's salary, benefits, and insurance while he or  
24 she is attending the six month academy (\$4,275 salary per month plus  
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26 <sup>1</sup> The City recently created a reimbursement agreement for police trainees to sign that would require trainees/officers  
27 to pay back to the City certain background, police academy, and training costs (not salary or benefits) if they  
28 voluntarily resign from the Stockton Police Department within two years of service. The reimbursement owed  
gradually decreases from 100% to 0% between the officer's second and fifth years on the job. The City has no  
experience enforcing this agreement and has no knowledge as to whether it will prove effective in recovering the  
agreement's specified trainee costs.

1 benefits/insurance, totaling \$51,733 over six months) and the prorated salary of a  
2 Recruiting Officer or Academy Sergeant depending on whether the academy is  
3 located outside of or within Stockton. Until September 2014, the Stockton Police  
4 Department sent all of its recruits out of town to attend a police academy, which  
5 meant that the City also paid for all recruits' meals and lodging while they were  
6 attending academies in places like Santa Rosa, Chico, and Napa, California.  
7 Including tuition (\$3,600), equipment and books (\$2,000), and meals and lodging  
8 (\$20,000), the academy cost for a recruit sent to the Santa Rosa police academy,  
9 for example, is approximately \$25,600, not including salary, benefits, and  
10 insurance. The City also pays for a Stockton Recruitment Officer to periodically  
11 visit out-of-town police academies to monitor Stockton recruits at a cost of  
12 approximately \$3,100 per recruit over the six month academy. Recently, the City  
13 opened its own local police academy at the San Joaquin Delta College, but its  
14 capacity is limited to 16 recruits. It cannot house all of the officers the Police  
15 Department needs to hire, and when the academy fills up, the Police Department  
16 continues its past practice of sending recruits to out-of-town police academies and  
17 paying for meals and lodging on top of other academy costs. Including tuition  
18 (\$2,700) and equipment and books (\$2,000), the cost to the City per recruit to  
19 attend the police academy in San Joaquin Delta College is approximately \$4,700,  
20 not including salary, benefits, and insurance. The Police Department has also  
21 placed a full-time Academy Sergeant at Delta College for training purposes, which  
22 amounts to approximately \$3,100 per recruit.

- 23 c. Training costs also include approximately \$8,938 per officer for participation in a  
24 Problem-Oriented Police ("POP") orientation, which is an intensive two-week  
25 training bridging the gap between police academy and work with Stockton Field  
26 Training Officers. This training cost of the orientation amounts to approximately  
27 \$4,400 per officer. An officer's salary, benefits, and insurance during the two  
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1 weeks of the orientation is approximately \$4,538 (half of the \$4,971 monthly  
2 salary plus benefits/insurance).

- 3 d. Additional training costs include each new officer's first six months on the job  
4 working with Field Training Officers following the police academy and POP  
5 orientation (approximately \$61,099 per officer). During these six months, the City  
6 incurs six months of each officer's salary, benefits, and insurance, \$58,999 (\$4,971  
7 salary per month salary plus benefits/insurance), plus the additional salary paid to  
8 Field Training Officers for the training, approximately \$2,100 per new officer.
- 9 e. Many equipment costs cannot be recovered once an officer leaves as well. Vests,  
10 uniforms, and leather gear all must be custom-fitted for each officer for safety  
11 reasons. The latter two items are contained within the police academy equipment  
12 cost, and custom-fitted vests are approximately \$650 per officer.

13 7. As I have done in the past, I continue to meet with each Stockton police officer  
14 seeking employment elsewhere. The common theme I hear in these meetings, which are separate  
15 from formal exit interviews, is that officers perceive the City to be unstable and they are unhappy  
16 with their level of total compensation. The officers feel overworked and underpaid. And they  
17 believe their pensions are at risk while the City remains in bankruptcy. Based on these  
18 conversations, it is my belief that a delay in implementing the plan of adjustment until Franklin's  
19 appeal is resolved would prolong and worsen the Stockton Police Department's attrition  
20 problems, which in turn would adversely affect the City's crime problem.

21 8. Crime is still a major issue for the City of Stockton. In fact, in 2014 to date,  
22 Stockton has seen 47 homicides, which is an over 67% increase from last year at this time. Other  
23 violent crime remains high. Just one example is the armed robbery that occurred at Van Buskirk  
24 Golf Course earlier this month. On November 16, at around 3:30 p.m., two individuals, one with  
25 a handgun, approached a couple in their mid-60's on the 4th hole. They forced the couple to lie  
26 on the ground and took the victims' wallet and purse. The Police Department was on the scene  
27 shortly, but not in time to catch the suspects.

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