



## Legislation Text

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**File #:** 21-0217, **Version:** 1

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**TO:** Mayor Mayor Richard C. Irvin

**FROM:** Commander Rick Robertson

**DATE:** March 18, 2021

**SUBJECT:**

Resolution authorizing the City of Aurora to purchase 100 ballistic shields with asset forfeiture and general funds.

**PURPOSE:**

The Aurora Police Department presently has ballistic shields in most of our police cars, and they have been instrumental in providing officer safety over the years. With that being said, the manufacturer's warranty on such products is five years from the date of production; our present shields have reached their end of life.

**BACKGROUND:**

The Aurora Police Department identified that police officers are often confronted with situations where ballistic shield protection is needed to protect themselves and citizens during armed confrontations. Ballistic shields were then purchased for most of the cars in the fleet, which were Patriot 3 foldable shields with a manufactured date of March 2013, with a five-year service life. (These are the same shields that are still in service.) These shields are used during person with weapons call, narcotic related enforcement, and a variety of other circumstances where firearms have the potential for being present. This tool was critical in 2019, during the mass shooting at Henry Pratt. Due to having multiple shields, it allowed officers the ability to clear the building safely and rescue workers hiding from the gunman. Additionally, many violent crimes are a result of narcotic related transactions where firearms and armed offenders are present, the ballistic shields provide critical protection to the officers.

**DISCUSSION:**

A ballistic shield has a warranty for five years from the date of manufacture. This is due to the breakdown of the material that provides the protection; our present shields have passed that threshold and are eight years old. Being a larger police agency, United Shield contacted APD and related that a custom order from a large agency was unable to be completed through to delivery and they now had excess inventory. Keeping shields in the warehouse is not ideal as the date of manufacture is clearly listed, and each month the shields sit in their facility they are degrading and losing their appeal to prospective customers. Additionally, selling approximately 100 shields outside of a custom order is a difficult task. United Shield then began reaching out to those agencies that could possibly purchase a bulk order.

The shields are brand new, not factory seconds, and have never left the manufacturing facility. The

standard retail price for each is \$2530, however, because of the circumstances surrounding degradation they would like to sell the entire stock at approximately \$1000 each to get them out of inventory.

However, United Shield is a manufacturer of ballistic shields and do not sell direct. They do have specific distributors that they work with and they reached out to them to inform them about their situation with the overproduction and spoke with their local distributor, Ray O'Herrons. Due to it being a bulk order, Ray O'Herrons was able to offer a further discount with each shield quoted at \$972 dollars, with a freight cost of \$1200, making the entire order \$98,400.

(As a comparison, if these shields were ordered at full price, with freight, it would be \$254,200. This offer is a savings of \$155,800.)

This purchase can be covered under account 217, the State Asset Forfeiture Account. This was vetted through the Illinois State Police, who oversee the State Forfeiture Account, as well as City Legal and they concurred it was a justified expense. Legal recommended that we may also want to consider buying a few of the shields from the general fund, as under the State Forfeiture expenditures the items purchased need to be used for the investigation of drug related crimes. Although the shields will primarily be used for such related crimes, there are circumstances they could be used for incidents where there is no nexus to a drug offense. Purchasing a few shields with City funds would ensure that we remain in compliance with authorized purchases and ensure that if there is no drug nexus, we can show that in good faith we knew that there would be occasions they would be used outside the scope outlined.

Therefore, it is recommended that Account 217-3536-421.61-40 be used to purchase 90 ballistic shields and Account 101-3536-421.61-40 be used to purchase 10 shields, with freight coming out of the 217 account.

**IMPACT STATEMENT:**

If this project is approved, it will allow for Aurora Police Officers to have greater ballistic protection from gunfire and provide greater public safety to our citizens in those situations when they must be removed from danger to areas of safety.

**RECOMMENDATIONS:**

Approve the purchase of 100 United Shields to be placed in Aurora Police vehicles.

cc: Finance Committee



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_

DATE OF PASSAGE \_\_\_\_\_

A Resolution authorizing the City of Aurora to purchase 100 ballistic shields with asset forfeiture and general funds.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Aurora Police Department presently has ballistic shields in most the police cars, and they have been instrumental in providing officer safety over the years. The manufacturer's warranty on such products is five years from the date of production; the Department's present shields have reached their end of life; and

WHEREAS, the Aurora Police Department identified that police officers are often confronted with situations where ballistic shield protection is needed to protect themselves and citizens during armed confrontations. Ballistic shields were then purchased for most of the cars in the fleet, which were Patriot 3 foldable shields with a manufactured date of March 2013, with a five-year service life. (These are the same shields that are still in service.) These shields are used during person with weapons call, narcotic related enforcement, and a variety of other circumstances where firearms have the potential for being present. This tool was critical in 2019, during the mass shooting at Henry Pratt. Due to having multiple shields, it allowed officers the ability to clear the building safely and rescue workers hiding from the gunman. Additionally, many violent crimes are a result of narcotic related transactions where firearms and armed offenders are present, the ballistic shields provide critical protection to the officers; and

WHEREAS, A ballistic shield has a warranty for five years from the date of manufacture. This is due to the breakdown of the material that provides the protection; our present shields have reached that threshold. Being a larger police agency, United Shield contacted APD and related that a custom order from a large agency was unable to be completed through to delivery and they now had excess inventory. Keeping shields in the warehouse is not ideal as the date of manufacture is clearly listed, and each month the shields sit in their facility they are degrading and losing their appeal to prospective customers. Additionally, selling approximately 100 shields outside of a custom order is a difficult task. United Shield then began reaching out to those agencies that could possibly purchase a bulk order; and

WHEREAS, the shields are brand new, not factory seconds, and have never left the manufacturing facility. The standard retail price for each is \$2530, however, because of the circumstances surrounding degradation they would like to sell the entire stock at approximately \$1000 each to get them out of inventory; and

WHEREAS, United Shield is a manufacturer of ballistic shields and do not sell direct. They do have specific distributors that they work with and they reached out to them to inform them about their situation with the overproduction and spoke with their local distributor, Ray O'Herrons.. Due to it being a bulk order, Ray O'Herrons was able to offer a further discount with each shield quoted at \$972 dollars, with a freight cost of \$1200, making the entire order \$98,400; and

WHEREAS, this purchase can be covered under account 217, the State Asset Forfeiture Account. This was vetted through the Illinois State Police, who oversee the State Forfeiture Account, as well as City Legal and they concurred it was a justified expense. Legal recommended that we may also want to consider buying a few of the shields from the general fund, as under the State Forfeiture expenditures the items purchased need to be used for the investigation of drug related crimes. Although the shields will primarily be used for such related crimes, there are circumstances they could be used for incidents where there is no nexus to a drug offense. Purchasing a few shields with City funds would ensure that we remain in compliance with authorized purchases and ensure that if there is no drug nexus, we can show that in good faith we knew that there would be occasions they would be used outside the scope outlined.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: authorizes the purchase of 100 shields, and that Account 217-3536-421.61-40 be used to purchase 90 ballistic shields and Account 101-3536-421.61-40 be used to purchase 10 shields, with freight coming out of the 217 account.