

UNITED STATES SENATE  
COMMITTEE ON  
COMMERCE, SCIENCE, AND TRANSPORTATION

TESTIMONY OF  
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SAN JOSE POLICE DEPARTMENT

PRESIDENT  
MAJOR CITIES CHIEFS ASSOCIATION

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Good Morning Chairman Rockefeller and members of the Committee.

My name is Robert Davis and I currently serve as Chief of the San Jose Police Department. I would like to thank you for this opportunity to appear before you today to discuss one of the most critical issues facing public safety that I have witnessed in my 30-year career—the creation of a nationwide, interoperable, wireless broadband communications network for public safety.

I am here today speaking as President of the Major Cities Chiefs Association (MCC). The fifty-six U.S. cities represented in MCC are America's centers of industry, transportation, education, and commerce. Our police departments provide public safety services to roughly forty percent of America's population.

I speak today not only for the Major Cities Chiefs, but also on behalf of virtually all of my colleagues in public safety across America. For the first time in my memory, law enforcement, fire, EMS, and other emergency service organizations have come together to speak with one voice on an issue that profoundly affects the security of our homeland. The organizations leading this effort include the Major Cities Chiefs; the International Association of Chiefs of Police; the International Association of Fire Chiefs, represented by my colleague on this panel, Chief Jeff Johnson; the National Sheriffs Association; the Metropolitan Fire Chiefs; the Major County Sheriffs Association; the Association of Public Safety Communications Officials; and the National Emergency Management Association. We are also joined in this effort by the National Governors Association, the National Conference of State Legislatures, the Council of State Governments, the

National Association of Counties, the National League of Cities, the U.S. Conference of Mayors, and the International City/County Management Association, and too many others to list here today. For those familiar with government, it is indeed a rare event that you will see all of these organizations come together and unite around a single issue.

We have come here with a straight-forward, yet urgent request. Almost a decade has past since the tragic events of 9/11, and our nation needs a mission-critical grade, interoperable, public safety, wireless broadband network controlled by public safety. After much discussion during the past two years, the leadership of public safety in this country has studied this issue thoroughly and concluded that the two most important things necessary to achieve this outcome are: 1) reallocation of the 700 MHz D Block to public safety and 2) adequate funding to build and maintain a national infrastructure. Mr. Chairman, your bill, S. 3756 provides us exactly what we need to make this network a reality. We thank you for your leadership, and we urge all of your colleagues in Congress to support your bill.

Why is the D Block so important? The answer is that this slice of spectrum is both uniquely suitable and desirable for public safety use. First, 700 MHz is the ideal spectrum for nationwide emergency operations. Signals in this band can penetrate walls and windows much better than the higher-band frequencies that some have suggested should be an alternative for public safety. Second, the D Block is immediately adjacent to the existing public safety broadband allocation, thus it can provide needed additional capacity simply and elegantly without complicating network or radio handset design.

Any alternative spectrum would be less desirable, since additional components would be required which would dramatically increase costs while reducing performance. Non-adjacent spectrum blocks will not provide as much throughput capacity as the D Block, since greater efficiency is achieved through spectrum aggregation. Indeed, this is the essence of broadband.

Moreover, the D Block is critical for the accessibility of information by our nation's first responders. New technologies such as automated license plate readers, in-field biometrics, medical telemetry, automated vehicle location, and streaming video only scratch the surface of the applications that will be carried by the national public safety broadband network.

I would like to take a moment to address the notion that has been advanced by some wireless carriers that they should control the network and allow public safety to lease it. This simply *will not* work for public safety. A dropped call on a cell phone is an annoyance; in an emergency it literally can mean the difference between life and death. Public safety personnel must have coverage whenever and wherever we respond in an emergency.

In closing, the public safety organizations mentioned at the beginning of my testimony are unified in the goal of establishing for the first time a nationwide, interoperable, mission-critical, public safety broadband network. We are not motivated by profit or politics. Our only motivation is the ability to serve the public we are sworn to protect.

On behalf of these organizations, I thank you for your attention to this important issue, and I will be pleased to answer any questions from the Committee.