

**TESTIMONY BEFORE THE
GOVERNMENT SERVICES COMMITTEE
ON STUDY OF THE USE OF STATE-OWNED AIRPLANES**

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OFFICE OF ATTORNEY GENERAL
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SUMMARY

The Office of Attorney General obtained a T-42A 1965 Beechcraft Barron in 1993 at no cost through a Counter Drug Program at the US Department of Defense. The initial five years of ownership required that this plane be limited to drug enforcement efforts. After the initial five years of ownership, the airplane became available for other law enforcement functions.

- T-42A 1965 Beechcraft Barron
- Acquisition Date: March 1993
- Initial Cost: \$0
- Cost per hour to operate: \$425
- Total hours used in the past three years: 125
- Specialized equipment included: Police radio equipped with necessary programming to communicate with other local, state, and federal law enforcement agencies

JUSTIFICATION

The Office of Attorney General received a T-42A 1965 Beechcraft Barron in 1993 at no cost through a Counter Drug Program at the US Department of Defense. The initial five years of ownership required the airplane be used primarily for drug enforcement efforts. After the initial five years of ownership, the airplane became available for other law enforcement functions.

Currently, this airplane is used for missions such as transporting evidence (usually in high priority cases such as homicides where DNA may be needed to identify a suspect), surveillance, transporting agents to conduct interviews out of state, searches for missing persons, photography of crime scenes, transporting personnel to and from meetings, monitoring flood activity by the Department of Emergency Services personnel, and transporting agents to assist out of their assigned area when time is essential (Gibbs case in Valley City).

The common denominator for most of these uses is time. We cannot control when a serious crime will be committed, or when someone will go missing. In these types of cases, time is vital to a positive outcome, and we are truly reactive. Having to schedule the use of an airplane would hinder some investigations, such as a successful search for a lost person, and could severely hinder our obligation to provide effective assistance to local law enforcement.

The availability of this aircraft to not only BCI, but to the sheriffs and police departments in the state, is a valuable law enforcement tool. Because local law enforcement agencies do not have the resources some state agencies have, the state is relied upon to assist with specialized equipment such as this aircraft. By statute, BCI is an assisting agency, and we need to prepare and equip ourselves to meet that responsibility.

Approval to dispose of or transfer this aircraft would have to come from the Department of Defense Law Enforcement Support Office.

EQUIPMENT

The only piece of specialized equipment BCI has added to this airplane is a police radio. This radio is equipped with the necessary programming to be able to communicate with all other state, local, and federal law enforcement agencies in North Dakota.

PER HOUR COST TO OPERATE

An example of the cost per hour to operate is: A round trip from Bismarck to Grand Forks is a two-hour flight. Fuel use is approximately 28 gallons per hour. At \$6 per gallon, this equals \$336 for the round trip, or \$168 per hour. Driving 540 miles at \$.51 per mile would cost \$275, plus possibly a motel room and

additional meal per diem. Total cost per hour to operate the airplane (fuel, insurance, hanger rental, annual inspection/repairs) is \$425 per hour.

USEAGE

This plane has been used a total of 125 hours by Attorney General staff in the past three years. (NOTE: The aircraft was out of service for five months for repair after a bird strike.)

Airplane Costs January 2009-December 2011

	Invoice Date	Amount	Purpose
Insurance			\$ 11,115.00
Northstar Aviation Insurance	5/24/2008	3,116.00	Insurance May 08-May 09
Northstar Aviation Insurance	5/22/2009	3,116.00	Insurance May 09-May 10
Northstar Aviation Insurance	12/23/2009	1,767.00	Insurance Dec 09-Dec 10. (Policy switched year time frame from May-May to Dec-Dec) Total insurance \$4,821 less credit of \$1,349 (for May thru Dec) & DOT paid \$1,705
Northstar Aviation Insurance	12/30/2010	3,116.00	Total insurance \$4,821 less amt DOT paid (\$1,705) (Dec 2010-Dec 2011)
Hangar Fees			\$ 9,559.00
Bismarck Aero Center	12/31/2008	741.00	hangar rental--Jan-Mar 09
Bismarck Aero Center	3/30/2009	741.00	hangar rental -- Apr-Jun 09
Bismarck Aero Center	6/30/2009	741.00	hangar rental --Jul-Sept 09
Foss and Meier (Devils Lake hangar)	12/15/2009	75.00	Parked @ hangar for few hrs @ Devils Lake
Bismarck Aero Center	9/30/09 & 12/31/09	1,556.00	hangar rental -- \$741 (Oct-Dec 09) and \$815 (Jan-Mar 10)
Bismarck Aero Center	3/31/2010	815.00	hangar rental Apr-Jun 10
Bismarck Aero Center	6/30/2010	815.00	hangar rental Jul-Sep 10
Bismarck Aero Center	9/30/2010	815.00	hangar rental -- Oct-Dec 10
Bismarck Aero Center	12/31/2010	815.00	hangar rental Jan-Mar 11
Bismarck Aero Center	3/31/2011	815.00	hangar rental Apr-Jun 11
Bismarck Aero Center	6/30/2011	815.00	hangar rental Jul-Sep 11
Bismarck Aero Center	9/26/2011	815.00	hangar rental Oct-Dec 11
Fuel			\$ 4,203.06
Bismarck Aero Center	3/15/2009	113.10	airplane fuel
Bismarck Aero Center	4/30/2009	149.37	airplane fuel
Bismarck Aero Center	4/30/2009	127.91	airplane fuel
Bismarck Aero Center	6/8/2009	101.01	airplane fuel (Lynk recertification travel)
Bismarck Aero Center	7/9/2009	245.24	airplane fuel
Bismarck Aero Center	8/11/2009	291.59	airplane fuel
Bismarck Aero Center	11/19/2009	175.58	airplane fuel
Bismarck Aero Center	12/7/2009	582.50	airplane fuel
Bismarck Aero Center	12/30/2009	111.55	airplane fuel
Bismarck Aero Center	3/17/2010	158.11	airplane fuel
Bismarck Aero Center	8/28/2010	410.80	airplane fuel
Bismarck Aero Center	9/2/2010	338.04	airplane fuel
Bismarck Aero Center	2/25/2011	184.08	airplane fuel
Bismarck Aero Center	5/15/2011	180.80	airplane fuel
Bismarck Aero Center	5/16/2011	346.91	airplane fuel
Bismarck Aero Center	7/3/2011	257.65	airplane fuel (Lynk flew Carlson to Minot (flooding/one-stop shop)
Bismarck Aero Center	9/30/2011	428.82	airplane fuel

Repairs		\$ 26,119.46	
Bismarck Aero Center	7/8/2009	769.17	
Bismarck Aero Center	8/6 - 9/18/09	11,803.87	(annual inspection & repairs)
Bismarck Aero Center	11/20 - 11/23/09	773.44	airplane repair
Bismarck Aero Center	1/4/2010	36.92	airplane repair
Bismarck Aero Center	12/14/2009	1,135.02	airplane repair
Bismarck Aero Center	4/8 - 7/1/10	1,495.26	non-insurance related airplane expenses
Bismarck Aero Center	9/7/2010	319.28	airplane repair
Bismarck Aero Center	10/19/2010	551.19	airplane repair
Bismarck Aero Center	9/27 - 10/9/10	3,052.28	(annual inspection & repairs)
Bismarck Aero Center	10/12 - 10/26/11	6,183.03	(annual inspection & repairs)
Miscellaneous		\$ 2,111.00	
Honeywell	3/13/2009	402.80	subscription fee for navigation software
Honeywell	5/8/2009	(22.80)	Credit—subscription fee for navigation software (had charged us sales tax)
Bismarck Aero Center	11/23/2010	678.75	New headset
Bruce Burkett	7/6-7/7/10	1,052.25	Airplane mileage—flew two Grand Forks agents to York, NE to find suspect (case #10-0452)
Total Costs			
Jan 2009-Dec 2011		\$ 53,107.52	