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**FEDERAL FUNDING OF POLICE OVERTIME:
A UTILIZATION STUDY**

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PREFACE

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Executive Summary

(1) Total federal support for policing by state and local governments have been growing in the 1990s. Federal support for overtime has also been growing but is difficult to estimate precisely because expenditures are scattered among so many agencies - HUD, DOT, DEA, BJA - and programs - Weed and Seed, Byrne Memorial, Community Oriented Police Services.

(2) According to the same survey, the Department of Justice now accounts for approximately 60% of the federal government's expenditures on overtime by state and local governments.

(3) Federal expenditures on overtime by the Department of Justice are not a scandal waiting to happen. Money invested in overtime by state and local law enforcement agencies is spent on the purposes for which it is intended.

(4) Expenditures by the Department of Justice on overtime by local police do not supplant local spending. For every dollar of federal money invested in overtime by state and local police, localities spend an additional \$2.65.

(5) By and large, overtime money is provided and used for supplementing traditional programs rather than sponsoring programmatic innovations. Federal expenditures shift enforcement priorities somewhat, but they do not bring about substantial organizational change.

(6) Federal overtime payments may enhance the quality of community policing in some departments, but their impact is relatively slight across the country as a whole.

(7) Based on our survey, community policing is quantitatively common in police departments but qualitatively thin. The most common COP programs reported by police departments are DARE and some form of crime-prevention.

(8) Of departments that report doing community policing, the most common package of COP programs are DARE, crime-prevention, and beat officers (57%).

(9) Although overtime expenditures by the Department of Justice provide a genuine increment in policing, analysis needs to be undertaken to determine whether the increment is

so valuable as to be paid for at premium wages - namely, at time and one-half.

(10) Reimbursing overtime in money is preferable to reimbursing in comp time. Paid overtime produces an increment to policing, while comp time results in a decrement to policing because comp time must be repaid by taking time and one-half from other activities.

(11) Reliance on overtime in American policing may have ~~harmful consequences that are not sufficiently appreciated~~ by police managers, such as exhaustion on the part of officers, unwillingness to provide any service without tangible reward, increased antagonism between supervisors and rank-and-file, and the undermining of professionalism.

(12) American police departments vary enormously in the attention they pay to overtime, their management of it, and their ability to produce information about it.

(13) Overtime should be viewed, within limits, as a fixed cost of policing. Overtime charges cannot be eliminated altogether, regardless of the number of police officers employed, because of inevitable shift extensions, court appearances, unpredictable events, and contract requirements.

(14) Overtime practices represent substantial possibilities for cost-savings. Though overtime can never be eliminated, it can be more successfully controlled.

(15) The Department of Justice can contribute to improving the management of overtime nationally by publicizing the "best practices" of selected police departments which are doing a superior job of regulating it.

(16) The key to improving management of overtime is foresight on the part of senior officers. This requires attention to record-keeping, analysis, and supervision.

PREFACE

EXECUTIVE SUMMARY

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CHAPTER 1

Introduction

This report examines how state and local law enforcement agencies use money provided by the Department of Justice for overtime payments to police personnel. Its overriding concern is whether the federal government gets value for money when it supports police activities paid for at overtime rates. The study is prompted by two facts: (1) federal support for local law enforcement is growing and (2) doubts about the usefulness and propriety of overtime payments to police officers is common in professional circles. Let's examine both.

Federal support for local law enforcement is large and growing. Between 1982 and 1992, total expenditures for criminal justice (police, courts, corrections) in the United States rose by 162%, from \$35.8 billion to \$93.7 billion (Bureau of Justice Statistics, 1994, T 1.2). The federal increase was proportionately larger than state and local during the same period - 291% versus 154%. National outlays for police protection only rose from \$19 to \$41 billion (215%), again with the federal component increasing more than either the state or the local (193% federal, 108% state, and 97% local).

These increases in federal spending on criminal justice and police were not all passed on to subordinate levels of

government, nor were they passed on in forms that support overtime. However, the record shows that not only has the amount of money spent by the federal government on criminal justice gone up sharply over the past 15 years, the proportion devoted to intergovernmental transfers to all ~~sectors of criminal justice has risen as well.~~ In 1979 intergovernmental transfers from the federal government to state and local governments were 17% of federal expenditures on criminal justice, amounting to \$681,305,000 (Bureau of Justice Statistics, 1982, T 1.2). In 1992 they were 22% of federal outlays, at \$3.9 billion (Bureau of Justice Statistics, 1994, T 1.3). In other words, state and local criminal justice was subsidized by the federal government by \$3.9 billion in 1992.

The increase in intergovernmental transfers by the federal government for policing rose even more dramatically. In 1979 transfers accounted for 0.1% of federal expenditures on policing (Bureau of Justice Statistics, 1982, T 1.2); in 1992, they were 9% (Bureau of Justice Statistics, 1994, T 1.3). This proportion rose sharply again with the passage of the 1994 Violent Crime and Law Enforcement Act which allocated an additional \$9.2 billion for the hiring of police officers at local levels. Altogether, then, federal spending on state and local police rose steadily during the last 15 years both absolutely and as a proportion of federal outlays for policing.

Although the the Justice Department is a particularly large player in providing support for local local law enforcement, many other federal departments and agencies contribute as well. For example, the Department of Housing and Urban Development provides grants to local agencies to enhance police protection in public housing projects; the Department of Transportation provides money to enforce laws against drunk driving. Although our report will focus on programs of the Department of Justice, it is important to recognize that there is a larger story to tell.

In 1992, just over one-fifth (22%) of all federal intergovernmental transfers to local criminal justice (\$865.7 million of \$3,894 million) were made through the Office of Justice Programs of the Department of Justice (Bureau of Justice Statistics, 1994, T 1.14). Additional transfers were made by other Justice-supervised agencies, such as the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA). As far as we know, there is no consolidated figure available on the total amount of money provided by all Department of Justice agencies to support local law-enforcement. The Office of Justice Programs was created by the Justice Assistance Act, 1984, which consolidated the Law Enforcement Assistance Agency (LEAA) and the Office of Justice Assistance, Research, and Statistics. OJP expenditures in 1995 were 8.8 times larger than in 1985. In constant dollars, the increase

was fivefold (STATISTICAL ABSTRACT OF THE UNITED STATES, 1994-95, T 747).

The Office of Justice Program administers a host of programs covering all sectors of criminal justice. It is difficult to determine how much of its expenditures are passed through specifically to police without examining the guidelines for each program. It is even more difficult to determine how much of the pass-through goes to support police overtime.

From official sources we know that in 1995 the greatest outlays by OJP (35%) were made under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program - \$450 million out of \$1,286 million, (Bureau of Justice Statistics, 1994, T 1.14). Authorized by the Anti-Drug Abuse Act of 1988, the Byrne program emphasizes "drug-related crime, violent crime, and serious offenders, as well as multijurisdictional and multi-State efforts to support national drug control priorities" (Bureau of Justice Assistance, June 1995, p. 1). One-third of that goes to multijurisdictional police task-forces (DiIulio, 452), largely for the payment of overtime.

The 1994 Crime Control Act also created a new and much larger program of support for local policing, namely, the Community Oriented Police Services program. The COPS program provides money directly to local law enforcement agencies to hire additional police officers. A new office within the

Department of Justice was created to administer it, separate from the Office of Justice Programs. In its first year of operation, the "COPS shop" spent approximately \$1.4 billion nationally. Though the COPS effort dwarfs the outlays of the Office of Justice Programs, its funds cannot be used for the payment of overtime.

It seems clear from the data presented that if there is a problem with the utilization of federal money for overtime by local police, the place to begin investigation is with the programs of the Department of Justice and more specifically with those of the Office of Justice Programs. These account for most of the federal expenditures for overtime by local police.

The second fact that prompts this study is that overtime practices are generally viewed by police as well as outside observers as being a potential source of scandal, inadequately regulated, and subject to recurrent abuses. Everyone who works in policing has their favorite story about abuses of overtime: the officer who accrued so much unpaid overtime, known as "comp time," that he could retire four years early at full salary; the police department that regularly charged the city overtime for marching in the St. Patrick's Day parade; the officers who annually earn more than their chiefs by working overtime; the many officers who volunteer for unpaid overtime, awarded at "time and a half," so that they can work a second job; and officers who are carried on the books as employees for a year or more after

retirement so that they can collect previously unpaid "comp. time." In some jurisdictions the issue is so sensitive politically that police departments refuse to publish information about individual overtime earnings. Many departments do not even keep, let alone publish, an account of accruals of unpaid overtime. The need to monitor and control overtime is reported as one of the primary, some say the primary, duty of middle-rank supervisors. Overtime is also a source of constant, bitter, and sometime expensive wrangling between police unions and management whenever rule changes are proposed.

With these two "facts" as background - the growth in federal support for policing and the pervasive sense that the management of overtime leaves much to be desired - the Department of Justice, through its National Institute of Justice, commissioned this study of the use of overtime funds provided by the federal government to police departments and multijurisdictional task forces. Specifically, NIJ was interested in how federal money authorized for overtime payments was being used by local law-enforcement agencies. The Department of Justice was also interested in the use of overtime by multijurisdictional task forces, but we determined at the outset that that would require a separate study. Further study of overtime utilization by multijurisdictional task forces is certainly justified since one-third of Byrne funds go to these task forces and, as we have seen, Byrne funds account for a

significant a proportion of all DOJ intergovernmental transfers.

Our research plan, therefore, concentrated on the use of overtime funds by full-service police departments. It contained three elements:

(1) An inventory of programs supervised by the Department of Justice that provide money for police overtime locally, determining program objectives, expenditures, and grant recipients. These programs are administered by the Bureau of Justice Assistance, the FBI, DEA, Office of National Drug Control Prevention, the Office for Community Oriented Policing, and the Executive Office of Weed and Seed.

(2) A mail survey of overtime expenditures and practices in a representative sample of police departments. After discussing overtime issues with a variety of police departments, we designed a seven-page questionnaire (see Appendix A) that was mailed to 2,183 state and local police agencies. This sample was drawn from the agencies that responded to the 1990 Law Enforcement Management and Administration Survey (LEMAS) conducted by the Bureau of Justice Statistics. The LEMAS survey included all U.S. police agencies, except for half of those with five or fewer full-time personnel. This exclusion does not affect our survey because LEMAS data shows that very small departments generate little overtime. We also contacted the largest 100 police agencies by phone to ensure maximum response from the

police departments that account in the aggregate for most of the overtime worked in the United States. In effect, we weighted our sample in favor of the departments that draw most federal support for overtime.

(3) Case-studies of overtime practices in 11 police departments of various sizes from every region of the country. Although several police departments declined to participate, most departments were very cooperative, made information readily available, and went out of their way to explain the local complexities of overtime use.

Our report is organized in four sections: (1) the scope of federal grant activity, with particular attention to the characteristics of police departments that apply for and accept federal grants; (2) trends in overtime expenditures by police departments, with commentary on the adequacy of information-bases; (3) the programmatic uses of overtime, with emphasis on community policing; and (4) conclusions with respect to the ability of police departments to manage overtime and the usefulness of federal support to local law enforcement through grants involving overtime.

CHAPTER 2

FEDERAL PROGRAMS

The Department of Justice (DOJ) administers several programs through which it supports overtime by state and local police agencies. Some programs provide grants to state and local agencies that are intended to stimulate or advance improvements in state and local police operations, in the implementation of which state and local agencies may incur overtime. Some of those grants support demonstration projects, which might be expected to prompt recipient agencies and others to adopt innovative approaches that prove their worth. Some other programs reimburse state and local police for overtime they incur in performing joint operations with DOJ agencies. For these programs, the scope and nature of the tasks undertaken by state and local police are more directly controlled and more narrowly circumscribed by federal direction; state and local police act as federal agents.

Here we briefly summarize the objectives of these programs and the restrictions (if any) that are placed on the use of DOJ funds. Our discussion is organized in terms of the agencies through which the programs are administered: the Bureau of Justice Assistance, the Executive Office for Weed and Seed, the Drug Enforcement Administration, and the Federal Bureau of Investigation.

Bureau of Justice Assistance

The Bureau of Justice Assistance (BJA) administers several grant programs that may provide funds for state and local police overtime. BJA assists state and local police agencies through the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, which "places emphasis on drug-related crime, violent crime, and serious offenders, as well as multijurisdictional and multi-State efforts to support national drug control policies" (BJA, 1995). Byrne Program funds are distributed through a formula grant program, which awards grants to states and, through the states, to state and local agencies, and a discretionary grant program, which awards grants directly to public, private, and nonprofit agencies. Most of the funds are distributed through the formula grant program; in FY 1995, \$450 million was appropriated for formula grants, and \$50 million for discretionary grants.

The level of BJA support for state and local police overtime through each of its grant programs is difficult to determine. While BJA files contain the proposals submitted by the recipients of its discretionary grants, the information about grant budgets does not exist in computerized form. Moreover, even if such information were readily retrievable, the amounts originally budgeted for overtime are not necessarily the amounts actually expended on overtime, as grantees modify their budgets over the course of the grant period, and quarterly financial

reporting does not break expenditures down by budget categories. The formula grants are awarded to the states, of course, and so any effort to track the uses to which those funds are put must begin with information from the state agencies through which the funds first pass. However, a recently completed BJA study of multijurisdictional task forces does provide some information on the uses of both formula and discretionary grant funds on overtime.

Byrne Formula Grant Program

The formula grants made under the auspices of the Byrne Program can be used for a wide variety of legislatively authorized purposes, not all of which directly involve the police, and they may be expended for personnel, equipment, training, technical assistance, and information systems. According to the BJA study, "states have allocated a significant portion of their funds to multijurisdictional task forces" (BJA, 1996: 3). These task forces represent an effort to foster more coordinated action by multiple agencies at different levels of government against criminal activity that crosses jurisdictional boundaries, and especially to address the distribution of illicit drugs.

The BJA study indicated that 795 task forces received funding under the Byrne formula grant program during FY 1994. A sample survey of these multijurisdictional task forces indicated that slightly more than half incurred overtime costs, and that the task forces that incurred overtime costs tapped several sources for funding, including

Byrne funds, forfeiture funds, and funding by the home agencies. Byrne funds accounted for 17.2 percent of the responding task forces' budgets, and total overtime expenditures represented less than 12 percent of the Byrne funds.

Byrne-Discretionary Grant Program

The discretionary grant program also funds multijurisdictional task forces, some through the Organized Crime Narcotics (OCN) Trafficking Enforcement Program, some through the Financial Investigations (FINVEST) Program, and some through the Firearms Trafficking Program (see BJA, 1996).

The OCN program, which dates to 1986, provides for the participation of multiple agencies in building cases against major drug-trafficking conspiracies. The distinctive feature of the OCN program is the application of a "shared management" model to multijurisdictional operations. Each OCN project establishes a "control group," which includes representatives of each participating agency--including the DEA, and state or local agency, and a prosecutor. The control group develops formal procedures for target selection and the formulation of investigative and prosecutorial plans. Investigative plans specify case objectives, enforcement activities to be undertaken and the required resources, and a prosecutorial strategy. The initiation and continuance of investigations is subject to the unanimous approval of the control group. This model of

management presumably stands in contrast with the practices that prevail in most task forces, and is expected to enhance the commitment of participating agencies to the joint efforts.

OCN funding is limited to the expenses of covert investigations, including purchases of services (e.g., car rentals), evidence, and information, as well as overtime. Personnel costs, however, may not exceed one third of the total expenditures. Six OCN projects were supported in FY 1994, and overtime accounted for 24 percent of their expenditures. By comparison, according to figures provided by BJA, overtime accounted for 32 percent of OCN project expenditures in FY 1992.

The FINVEST program is a spin-off of the OCN program, which originally included a financial investigations " component." The FINVEST program was created in 1989 to increase the number of drug-related financial crime investigations. Like the OCN program, FINVEST projects target major drug-trafficking conspiracies for prosecution and asset seizure, and it uses a similar " shared management" approach.

Unlike the OCN program, FINVEST funds may be used for salaries and fringe benefits, and among the twelve FINVEST projects that were funded in FY 1994, salaries and benefits accounted for three quarters of the total expenditures. Even so, of the remaining budget, overtime accounted for only 10 percent.

The Firearms Trafficking program provides funding to state or local agencies to work with the Bureau of Alcohol, Tobacco, and Firearms (ATF) in implementing a strategy to (1) conduct more complete background investigations on federal firearms license applicants, (2) identify and investigate individuals and organizations involved in the use, sale, or acquisition of firearms in violation of federal or state laws, and (3) develop and implement innovative efforts to control illicit firearms trafficking. The goals are to more tightly regulate and perhaps reduce the number of federal firearms licensees, and to reduce the level of firearms-related violent crime.

Seven projects were funded in FY 1994. According to the BJA study of task forces, salaries and benefits accounted for 69 percent of the expenditures, while overtime accounted for 5 percent.

Comprehensive Communities Program

The Comprehensive Communities Program (CCP) is intended to stimulate comprehensive planning and enhance intergovernmental relationships in 16 selected sites. CCP was initiated in FY 1994 and expanded in FY 1995, and it includes a number of components that make it resemble the Weed and Seed program (discussed below). One component is jurisdiction-wide community policing, which is funded with almost \$10 million from the COPS Office. Recipient agencies may spend grant funds on police overtime.

Executive Office for Weed and Seed

The Weed and Seed Program concentrates efforts by federal, state, and local agencies to "weed" out crime and drug activity in targeted neighborhoods and "seed" those neighborhoods with human services. The program provides funding to 36 demonstration sites (15 of which were added as recently as September, 1994); other sites may receive recognition. "Weeding" in targeted neighborhoods involves federal, state, and local law enforcement coordinated by the U.S. Attorney, typically in task force format, and is directed primarily at drug and violent offenders. The emphasis is on apprehension and prosecution, and the tactics include directed patrol, surveillance, buy-busts, undercover and confidential informant buys, and traffic enforcement. In addition, however, the police role extends to community policing, which is designed as the "bridge" between weeding and seeding. Police are expected to mobilize community residents not only in support of the weeding activities but also in establishing a firmer basis for neighborhood revitalization. Under the Weed and Seed program, then, police might use their time to engage in problem solving, to meet with groups of residents and businesspeople, to patrol on foot or bicycle, and to staff mini-stations--that is, any of a large variety of activities that might be deemed "community policing."

Grant recipients may use grant funds for police overtime incurred in performing community policing.
(Overtime incurred in performing law enforcement activities

is reimbursed by the federal agency with which the activities are jointly undertaken; see below.) According to figures drawn from grant applications and supplied to us by the EOWS, overtime accounted for 27 percent of the total FY 1991-1993 budgets for the 21 demonstration sites.

Drug Enforcement Administration

The Drug Enforcement Administration (DEA) operates four state and local programs: the state and local task force program; the Organized Crime Drug Enforcement Task Force (OCDETF) program;¹ the High Intensity Drug Trafficking Area (HIDTA) program; and the Weed and Seed Program. Through each of these programs DEA may reimburse state and local police for overtime that they incur in performing joint operations.

State and Local Task Force Program

The DEA works with 127 state and local task forces. Like other task forces, these task forces are intended to facilitate interagency cooperation in conducting investigations of criminal activity that crosses jurisdictional boundaries. These task forces target the sources of illicit drugs above the street level. State and local agencies assign their personnel to the task forces on a full-time basis, and they are deputized by the DEA. The state and local agencies pay the salaries of their officers,

¹ This program has reportedly been renamed the Interagency Crime and Drug Enforcement Program, but the parties at all levels with whom we spoke continued to refer to it as the OCDETF program.

but the overtime incurred by these officers in the performance of task force operations is reimbursed by DEA. The amount of each officer's reimbursable overtime is capped, however, at 25 percent of a grade 10, step 1 position, or about \$8,000, per year.

High Intensity Drug Trafficking Area Program

The High Intensity Drug Trafficking Area (HIDTA) program also supports the operation of task forces that target drug distribution, but in contrast to the state and local task force program, HIDTA operations aim at higher-level drug trafficking organizations. In addition, other federal agencies, which contribute complimentary forms of expertise, must participate on the task force. Many HIDTA investigations spring from the work of the state and local task forces and involve the same state and local officers. The overtime that those officers incur in connection with a HIDTA investigation can be reimbursed by DEA; this reimbursement is also subject to the same cap.

Organized Crime Drug Enforcement Task Force Program

The Organized Crime Drug Enforcement Task Force (OCDETF) program is similar to the HIDTA program in that it supports the operation of drug task forces, which involve the participation of DEA and other federal agencies. OCDETF cases, like HIDTA cases, target higher-level drug distribution, and they frequently spring from the work of the state and local task forces and involve the same state and local officers. The principal difference appears to be

that OCDETF operations target individual suspects (rather than drug trafficking organizations), and they are undertaken on a more ad hoc basis. The overtime that state and local officers incur in connection with an OCDETF investigation can be reimbursed by DEA; this reimbursement is also subject to the same cap.

Weed and Seed

As we noted above, the law enforcement or "weeding" portion of the Weed and Seed program involves joint efforts by federal, state, and local law enforcement agencies. State and local police who engage in joint operations with the DEA as part of the Weed and Seed program may be reimbursed for their overtime. In contrast with the operations of DEA state and local task forces, HIDTA cases, and OCDETF cases, the work performed by state and local police under the Weed and Seed program tends to be directed toward lower levels of drug distribution.

Federal Bureau of Investigation

The Federal Bureau of Investigation (FBI) established task forces to facilitate coordination among its field offices and state and local law enforcement agencies, particularly with respect to the investigation of terrorism, health care fraud, fugitives, and gang-related and some other violent crime. Such coordination not only reduces the inefficiencies of duplicated efforts but also allows for the application of sophisticated investigative techniques normally associated with complex organized crime and

racketeering investigations--techniques of which local agencies sometimes cannot otherwise make use--and for the utilization of federal laboratory and identification services. State and local officers who are assigned to FBI task forces are reimbursed for their overtime up to a maximum of 25 percent of a GS-10, step 1 position, or about \$8,000 per year. Requests for reimbursement are reviewed and approved by FBI field supervisors.

Aside from the normal and unpredictable exigencies of investigative work that give rise to overtime work, the incongruity of agencies' shift schedules contributes to state and local officers' overtime. Under existing FBI policy agents work 10-hour shifts. Many state and local officers work 8-hour shifts. State and local officers must work overtime if a task force as a whole is to work together.

Summary

Federal programs that provide funds for overtime work by state and local police serve various purposes. Some--such as Weed and Seed and the Comprehensive Communities Program--serve to experiment with and demonstrate the value of coordinated and in some respects innovative approaches to severe problems of crime and drug trafficking. State and (especially) local police have rather wide latitude within the parameters of the program to develop and implement program components. Funding for overtime arguably enables

agencies to deploy officers for program purposes. Other programs serve more traditional and narrowly-defined purposes, as when state and local police participate in an OCDETF investigation. While the state and local officers who participate may acquire expertise from which their agencies later benefit, these programs have little potential for spawning innovations. At the same time, however, these programs leave less room for state and local agencies to displace federal priorities in favor of their own.

These programs clearly overlap in purpose. The HIDTA program and the OCN program serve similar purposes. The DEA state and local task forces appear to serve the same purposes as the Byrne-funded multijurisdictional task forces. Indeed, the BJA study of multijurisdictional task forces funded under the Byrne formula grant program indicated that about one quarter of the task forces include one or more federal agencies as members, although most Byrne-funded task forces are neither DEA task forces nor FBI task forces. It does not follow, as a matter of logic, that the programs, taken together, are inefficient either in raising the level of state and local police activity to serve federal purposes or in producing the desired social outcomes. Both of these issues are empirical questions, the former of which we address in Chapter 6.

CHAPTER 3

CONSUMERS OF FEDERAL PROGRAMS

Having determined that financial support for local law enforcement is broadbased among federal departments and agencies, varies programmatically, and is substantial in amount, we now examine the consumers of this assistance, namely, local police departments. Specifically, we will determine:

(1) the importance of federal grants for overtime in local police budgets and the federal programs involved;

(2) the characteristics of departments applying for and using federal grants for overtime;

(3) the problems that police departments report in applying for and administering such grants.

The Importance of Federal Overtime Support

Forty percent of the police departments responding to our survey reported using grants from the federal government for overtime payments sometime during the last five years (1990-1994). The proportion using federal money for overtime payments in any given year is rising. It was 20% of responding departments in 1990 and 34.5% in 1994. Our survey may somewhat understate the proportion of local police departments that received federal assistance. Rather than asking an open-ended question about whether a department

received federal funding for overtime, we presented them with a checklist of the federal agencies that our preliminary fieldwork showed contributed regularly to police overtime budgets - namely, the Departments of Justice, Transportation, Housing and Urban Development, and the Treasury. It is possible that other agencies, such as Defense or Energy, may contribute to local policing as well, although we believe their contribution is small relative to the others.

We are unable to provide good estimates of the proportional contribution of different sources of money for overtime by state and local police departments because the returns from our survey for this item were too fragmentary. Each year, the departments that report receiving money for overtime change, so that we do not have a stable population to study from year to year. We take up this subject again in Chapter 5. At the same time, we can report changes in the distribution of overtime providers among federal agencies and programs because departments that reported receiving federal money were also able to provide a breakdown by source within the federal government. The number of departments providing this information was still small, however, rarely more than 25.

Among the federal agencies contributing to overtime expenses of local police departments (DOJ, DOT, HUD, and the Treasury), DOJ does not account for the lion's share during the 5 year period from 1990-1994 (41%), although its share

is rising (from 19% to 60%). See table 3.1. Overtime support from DOT, HUD, and the Treasury together was larger than the DOJ share during the five-year period, although not as large in 1994. Clearly, DOJ is not the only important federal actor in supporting overtime by local law enforcement

agencies:

Table 3.1

**Contributions to Overtime from Federal Sources
(Police Department Averages)**

| Sources | 1990 | 1991 | 1992 | 1993 | 1994 | Total |
|--------------------------|----------------|----------------|----------------|----------------|----------------|------------------|
| DOJ | | | | | | |
| Weed and Seed | 0 | 200,000 | 62,374 | 58,718 | 30,116 | 351,208 |
| Byrne | 29,936 | 21,855 | 29,560 | 42,681 | 90,752 | 214,785 |
| Other BJA | 13,674 | 30,955 | 11,179 | 30,411 | 21,178 | 107,397 |
| Asset Forf. | 19,818 | 80,542 | 35,550 | 66,552 | 87,923 | 290,385 |
| FBI | 19,684 | 9,739 | 12,854 | 9,274 | 48,565 | 100,136 |
| DEA | 4,872 | 10,467 | 8,301 | 7,996 | 7,506 | 39,142 |
| Other DOJ | 48,359 | 24,163 | 34,782 | 25,503 | 162,604 | 295,411 |
| Total DOJ | 136,343 | 377,721 | 194,600 | 241,155 | 448,644 | 1,398,464 |
| Non-DOJ | | | | | | |
| DOT | 109,976 | 73,848 | 94,127 | 125,710 | 93,518 | 497,179 |
| HUD | 458,373 | 347,982 | 278,618 | 149,634 | 183,862 | 1,418,469 |
| Treasury | 4,650 | 29,000 | 11,928 | 10,069 | 19,634 | 84,281 |
| Total Non-DOJ | 572,999 | 450,830 | 384,673 | 294,413 | 297,014 | 1,999,929 |
| Total All-Federal | 709,342 | 828,551 | 579,173 | 535,568 | 745,568 | 3,398,304 |

Not only has the Department of Justice's share in supporting local overtime grown among federal providers during the 90s, but major changes have occurred in the relative importance of different DOJ programs. See table 3.2. The greatest proportionate increase was by Weed and Seed, which did not exist in 1990 but accounted was the largest supplier of DOJ money for overtime by 1994. The ranking among the other programs was generally the same, although the FBI was a larger player by 1994. Throughout the period, the Byrne memorial program was the largest DOJ contributor to local overtime apart from the growing Weed and Seed program. It was followed by asset forfeiture.

Table 3.2

DOJ Program Support of Local Law Enforcement Overtime

| Programs | Percent of DOJ Expenditures | | |
|------------------|-----------------------------|-------|---------|
| | 1990 | 1994 | 1990-94 |
| Weed and Seed | 0% | 6.7% | 25.1% |
| Other DOJ | 35.3% | 36.2% | 21.1% |
| Asset Forfeiture | 14% | 19.4% | 20.7% |
| Byrne Memorial | 21.3% | 20.0% | 15.3% |
| Other BJA | 9.6% | 4.7% | 7.6% |
| FBI | 14% | 10.7% | 7.2% |
| DEA | 2.9% | 1.6% | 2.8% |

As these figures show, our survey did not adequately pinpoint all the important sources of overtime funding with DOJ. "Other DOJ" should have been a small residual category. Instead, it is one of the largest. The reason for this seems to be that the people who filled out the survey in a few departments with very large outlays of overtime funded by the federal government did not know exactly which Justice programs the money came from. In other words, a little ignorance in several large departments contributed disproportionately to the size of the "other DOJ" item.

Patterns of Federal Overtime Use

What sort of police agencies are more likely to use federal money for the payment of overtime? Based on analysis of our national survey of police departments, federal overtime money is more likely to be accepted and used by departments that are large and unionized. The size of populations served, number of sworn officers, and size of the police budget are all strongly correlated with the use of federal money for overtime (significance levels better than 1%). For example, 58% of police departments serving populations over 500,000 used federal money for overtime, compared with 11% of departments serving populations under 20,000. Similarly, 69% of departments with over 600 sworn officers used federal money for overtime compared with only 9% of departments with under 21 sworn officers. With respect to unionization, 50% of unionized departments used federal

money for overtime compared with 33% of those that were not unionized (significant at the 1% level).

There was no significant difference among regions of the country (east, south, midwest, west) with respect to the use of federal money for overtime: about a quarter of all departments in every region used federal funds for overtime.

The characteristics of police agencies that receive overtime money just from the Department of Justice do not differ from agencies that receive overtime money from any federal source. The characteristics of agencies in these two groups are the same.

We also determined whether police departments relied more on the federal government for overtime support as their need for overtime rose. There is no evidence of this. In our survey, we found that the majority of departments devoted less than 6% of their budgets to overtime. See table 3.3.

Table 3.3

**Proportion of Local Police Budgets Used for Overtime
(1994)**

| Proportion of budget for overtime | Percent of Departments |
|--------------------------------------|------------------------|
| 0-2.9% | 27.1% |
| 3-5.9% | 38.9% |
| 6-9.9% | 9.6% |
| 10% and over | 5.2% |
| Missing cases | 19.2% |

Analysis shows that local use of federal money for overtime does not rise with the proportion of the local police budget

that is devoted to overtime. In other words, taking federal money for overtime does not tempt departments to use more overtime, nor do departments with large overtime requirements rely more on the federal government to support it.

Problems with Federal Grants

Responding to two open-ended questions (items 20, 21), roughly half the police departments in our survey took time to describe the problems they had with applying for and administering federal grants. With respect to applying for grants, 206 complaints were registered from 158 departments. The most common complaint was that they didn't know about grant opportunities in a timely way and so were rushed in preparing applications (32% of responses). Twenty-six percent of the complaints noted that applications were too time-consuming, which may also be a function of inadequate numbers of staff to prepare applications (6% of all complaints). Seven percent of complaints were about the lack of help police departments received from federal agencies in preparing applications. The rest of the complaints (29%) were scattered, and in some cases represented gratuitous opinions. For example, several believed that grant processes were stacked against small police agencies or favored East Coast departments.

We also obtained insight into the problems departments encountered in applying for federal grants during our case-

study visits to 11 police departments around the country. We found that the capacity to apply for federal grants did not vary a great deal, although expertise did. It is rare for even the largest department to have more than one, sometimes two, designated grant officers. In large departments where

~~separate commands are allowed to apply for federal grants on~~

their own, there is in effect a lot of part-time help.

Furthermore, the experience that grant officers bring to their jobs varies enormously. Some are genuine experts with considerable experience of the intricacies of grantsmanship; others are temporary appointees, rotated into the job temporarily; and some are general managers, including chiefs of police in smaller departments, who have other, and what they regard as more pressing, responsibilities.

Police departments rarely search for grant opportunities in a systematic way. They find out about them from federal agencies that call to let them know ("we're on their rolodexes"), from local government grant-watchers who notify all departments, and from local offices of federal politicians.

We found that police departments do not generally apply for grants simply because money is available. Rather, they apply only if a grant provides money for activities that coincide with existing departmental objectives and plans. This suggests that federal grants do not spark local initiative so much as they help to defray the costs of initiatives that have already begun to be implemented. If

this is true, then federal grants expand rather than initiate programs of change in local police departments.

We also found some indication that small departments favored grants disbursed directly by federal agencies rather than provided as block grants to the states. Small departments complained that the pass-through to small departments, as opposed to large departments, from state governments was more problematic than from federal agencies. In other words, if federal agencies did not reserve money for small department at the outset, state governments were even less likely to.

With respect to problems encountered in administering federal grants, 131 local police departments responded in the survey. To the federal government's credit, 32% of the departments said that they experienced no problems in administering federal grants.

Police departments complained most about the complicated reporting requirements (20% of all complaints). Fifteen percent cited inflexibility in using funds to fit changing operational requirements. This comment was made frequently during the field-visits as well. For example, if funds were to be used for drug-market interdiction, they could not be used if the market relocated from one place to another. At the same time, grant officers recognized that detailed reporting was unavoidable if fraud was to be eliminated. Several thought they knew of departments where federal money had been spent for unauthorized purposes.

Furthermore, some experienced grant's officers were surprised at the laxity of federal auditing. They thought that federal agencies should compare annual budgets in order to determine whether expenditure patterns were the same before and after the receipt of a federal grant. Only in this way could supplantation, for example, be detected.

Six percent of the complaints were about differences between state and federal governments auditing requirements, resulting in double work on the same grant, or that fiscal years between grant agencies didn't coincide. It is also true, as we found from our site-visits, that approval processes within local governments may be very cumbersome, requiring approval at each step - application, receipt, expenditure - by elected councils. Some cities require passage of ordinances before grants can be received.

On the basis of the survey as well as the field visits, we are surprised at the lack of complaints about either applying for or administering federal grants. By and large, departments do not seem to be aggravated, but regard any difficulties as the expected, and manageable, cost of doing business with the federal government.

CHAPTER 4

INFORMATION BASES IN POLICE DEPARTMENTS

In this chapter we examine the capacities of police agencies to monitor and report on overtime use, that is, the information about overtime that they maintain and their abilities to retrieve and process that information. Some police departments, we discovered, maintain a wealth of information about overtime: total dollar expenditures; total number of overtime hours; total number of overtime hours for which officers were paid; dollars expended and hours worked by organizational unit and individual officer; and dollars expended and hours incurred in the performance of particular categories of police activity--e.g., criminal investigations, court appearances, arrest processing, DWI patrols, special events, and so on. Information of these kinds would be useful for managerial purposes, inasmuch as managing overtime is facilitated by knowledge about who works overtime, how much, when, and for what purposes. Information of these kinds would also be very useful for analytical purposes, as it would enable us to estimate the increments--of dollars expended and hours worked, overall and within functional categories--attributable to federal support for overtime.

We also discovered, however, that many police departments do not record all or even most of these kinds of information about overtime. Any systematic analysis of

overtime use by police agencies is constrained by the kinds and amounts of information that police agencies can provide, and ours is quite limited by what agencies were able to provide to us. In order to describe more systematically the information infrastructures on which departments can draw, and on which our analyses can build, we examine the kinds and amount of information that our survey respondents were able to provide. In particular, we examine whether (and for how many years) survey respondents reported the numbers of overtime hours worked and dollars spent, overall and within each of a number of categories of activity. In addition, we discuss departments' capacities to monitor overtime hours and expenditures by unit and by individual, based on information gleaned during our site visits. Police agencies' information infrastructures are, we discovered, an important constraint on any systematic analysis of the use of overtime, and this is the backdrop for the descriptive and causal analyses presented in Chapters 5 and 6.

Types and Amount of Information Available

It appears that police departments invest resources in collecting information when it has clear fiscal significance. As Table 4.1 shows, more than two thirds (69 percent) of the responding departments were able to provide all five years of expenditure information. Three fourths of the larger agencies--i.e., those with 100 or more sworn personnel--were able to provide all five years of information. Only 15 percent of all respondents (and 8

percent of the larger agencies) were unable to provide expenditure information for even one year.

But the capacity to monitor spending is not matched by a capacity to monitor hours worked. Much smaller fractions of agencies reported the total number of overtime hours that ~~their personnel had worked during those five years--38~~ percent of all respondents, and only 25 percent of the larger departments--and only somewhat larger fractions reported the number of overtime hours for which officers had been paid. About two fifths of the departments provided no information on the number of hours for any year. In general, then, most agencies are able to monitor dollar expenditures on overtime, but a majority are not able to monitor (or at least did not report to us) the number of overtime hours that officers work, even those for which officers are paid.

Table 4.1
Numbers of Years for which Respondents
Reported Overtime Information

| Number of years | Total expendi- tures | Total hours | Total hours paid |
|--------------------|-------------------------|----------------|---------------------|
| 0 | 15.0% | 39.5% | 38.6% |
| 1 | 2.6 | 4.7 | 4.3 |
| 2 | 3.4 | 5.2 | 4.7 |
| 3 | 4.7 | 5.2 | 6.0 |
| 4 | 5.2 | 7.7 | 6.0 |
| 5 | 69.1 | 37.8 | 40.3 |

N = 233

Respondents provided even less information about the functional uses to which overtime had been put. Among respondents who reported the total number of overtime hours, about 40 percent could account for all or virtually all of those hours by functional category, while another 40 percent could account for no more than half; 30 percent could account for none at all. Larger departments (those with 100 or more sworn) are a bit worse off in this regard than smaller departments are, as only 30 percent of the larger departments could account for all of their overtime hours by function, 50 to 55 percent could account for half or less, and 35 to 40 percent for none.

The inability to monitor and report information about overtime appears to be a pervasive condition affecting police agencies of all types (though sheriff's departments are somewhat less likely, and state police agencies somewhat more likely, to be able to report overtime information) and in all regions of the country. The largest agencies are more likely to be able to report expenditure information, but the smallest agencies--those with 20 or fewer sworn personnel--are the most likely to be able to report overtime hours worked, perhaps because the numbers of hours are fairly small. In general, it appears that policy-makers, managers, and social scientists interested in the issue of police overtime are better able to access information about overtime where and when the overtime has direct implications for police budgets.

This pattern is generally consistent with what we found during our site visits. In the one department in which **all** overtime is compensated with dollars, rather than compensatory time, we found one of the most complete and sophisticated information system for monitoring overtime

use.¹ In that department, hours worked and dollars paid are tracked by organizational unit and by function, and this information is updated and disseminated to department managers every two weeks. The fiscal implications of overtime use are quite obvious in this department, and the department has developed a capacity to monitor the use of overtime very closely.

By contrast, another department, in which much of the overtime is compensated with time off rather than money payments, has a much more limited capacity to monitor overtime. Numbers of hours worked by individuals are tracked carefully within each division over the course of each 28-day work cycle, so that steps can be taken (encouraging individual officers to take time off as they approach the limit) to minimize the likelihood that patrol officers will accrue hours for which they must be compensated monetarily and at a higher (time and one half)

¹ An equally complete and sophisticated information system was found in a department that uses compensatory time as well as paid compensation. This department also is widely regarded as one of the most progressively managed in the country, and furthermore, it is one that is very concerned about the prospect of unfunded liabilities.

rate. But the aggregate patterns of overtime work are not monitored, and the only information that could be economically retrieved (from payroll records) for analysis is information on expenditures. Overtime could be analyzed in terms of the activities that are performed only by manually reviewing the paper forms that officers complete, which include a narrative description of the activity performed on overtime. This laborious process is not performed, one might infer, because the perceived benefit of the information does not match the cost of retrieving it. Compensatory time is a relatively invisible cost (especially in this department, which is by all reports well staffed), and consequently, the department monitors (potential) overtime primarily with a view toward using compensatory time in a preventive fashion; additional information about overtime is not perceived as valuable.

In another department, overtime is typically compensated monetarily, but little overtime is incurred, partly because it must be pre-authorized by supervisors, and supervisors take steps to avoid overtime work. Given that overtime is not regarded as a significant budgetary issue, little information is computerized for analysis. Records of overtime are available, and particularly detailed records of overtime incurred under the auspices of federal grant programs are kept, but they are not routinely compiled and analyzed; the latter records are available in the event of a federal audit.

Our site visits also suggest, however, that some police agencies are making great strides in developing their capacities to monitor overtime use. Two departments had within the past year instituted for the first time an information system that would enable them to monitor not ~~only dollar expenditures but also hours worked,~~ overall and within each of a number of categories of activity. It appears that fiscal pressures prompted each of those departments to look for potential savings, and thus to learn more about the forces that drive overtime use. While overtime expenditures represent a small fraction of total police expenditures, they are **to some degree** discretionary and potentially manageable, in contrast with the scale of salaries and fringe benefits. Thus as the executives of fiscally strapped agencies look for items in their budgets, such as overtime, that can be squeezed for savings, they find that they need to know more about the forces that drive overtime spending. Many of the survey respondents who were able to report information for at least one but less than all five years might be among those that have only recently developed the capacity to monitor overtime use.

Implications for Analysis

Any systematic analysis of overtime use by police agencies is as limited as the kinds and amounts of information that police agencies can provide. Information about dollar expenditures is apparently the most readily available, although a significant fraction of our

respondents were unable to provide even that information for more than a few years. This means that while cross-sectional analyses can be performed, longitudinal analyses rest on a weaker base of data.

Moreover, because information about hours worked--~~overall and especially within categories of activity--~~is in many cases unavailable, more probing analyses of overtime use and determinants must be qualified by the still greater potential for non-response biases. With information on the number of hours worked in particular categories of overtime--e.g., criminal investigation--one could estimate the impact of federal support on the use of overtime for those specific functions, in addition to the impact on overtime in total. But many of our respondents (and probably most or all of our nonrespondents) were unable to provide such information.

As a result of these reporting patterns, our analyses focus largely on dollar expenditures for overtime. The response rate to our survey, which was almost certainly deflated by agencies' inability to report information about overtime use, restricts our analysis, and the low levels at which responding agencies were able to report information about hours worked further limits our analysis. Analysis rests on the strongest base of information when it concerns expenditures, and when it is restricted to larger agencies--those with 100 or more sworn personnel. Fortunately, this information probably suffices to address the central question of the study: the impact of federal

support on local overtime spending. We turn to that question in Chapter 6, after we have examined in Chapter 5 the local forces that shape police overtime.

CHAPTER 5

EXPENDITURES AND USES

In this chapter we dwell principally on describing the use of overtime by American police departments, and analyzing the local forces that shape their expenditures on overtime. We draw primarily on information reported by respondents to the survey, supplemented by LEMAS data and by UCR data; we also draw on the more detailed information collected in our site visits.

Hours, Compensation, and Expenditures

Police departments' use of overtime varies enormously. A few departments reported that they incurred no overtime at all, and even some larger departments reported small amounts. Other departments generate large amounts of overtime. The median department, which we may take as "typical" in some sense, generated 14,894 hours of overtime in 1994, a five percent increase over 1990. Overtime varies directly with the size of the department, of course, and given the strength of this association, more interpretable estimates of overtime use are rates per sworn officer. In 1994, the median department generated 122 hours of overtime per sworn officer. Moreover, overtime per officer ranged from zero to over 400 hours. As Table 5.1 makes clear, this dispersion is not merely an artifact of a few outliers, as the respondents to our survey are distributed rather widely among the categories of overtime use.

Table 5.1

Average Number of Overtime Hours
Per Full-time Sworn

| OT Hours Per FT Sworn | All Departments | Over 100 FT Sworn |
|----------------------------|--------------------|----------------------|
| 0-40 | 16 12.3% | 6 8.0% |
| 41-80 | 20 15.4% | 6 8.0% |
| 81-120 | 27 20.8% | 18 24.0% |
| 121-160 | 24 18.5% | 16 21.3% |
| 161-200 | 14 10.8% | 10 13.3% |
| 201-240 | 12 9.2% | 8 10.7% |
| 241+ | 17 13.1% | 11 14.7% |
| N= | 130 | 75 |
| Percent Data from FY 94 | 100% | 100% |

As we indicated in Chapter 4, many agencies are apparently unable to monitor the use of overtime according to the activities in the performance of which overtime is incurred, and so our findings about the relative importance of different categories must be qualified. For few agencies could we provide a portrait of the uses to which overtime is routinely put, and the volume of missing data is so great that it precludes any meaningful analysis of either trends or the departmental correlates of particular categories of overtime. Instead, for each of the categories of overtime activities that our survey included, we can estimate the fraction of all overtime use for which those activities account, but only for the agencies that could report such information, which ranges from almost half (for court appearances) to only 28 percent (for DWI patrols). Since a number of respondents reported figures in one or a few but not all categories, the categories cannot be reliably compared with one another.

For the typical (median) department, shift shortages were the largest category of overtime use (20%) in 1994. court appearances and extended criminal investigations were next (15% respectively). Some departments specify a minimum number of hours for which officers are credited regardless of the time that they are actually in court, and in other agencies court appearances necessitate overtime whenever officers who work fixed shifts (other than the day shift) must appear. Training accounted for 7 percent; special

events for 5 percent; arrest processing for 5 percent; and DWI patrols for 1 percent. Thirty-two percent of overtime uses remain to be accounted for.

Table 5.2

Uses of Overtime

| | |
|------------------------|-----|
| Shift Shortage | 20% |
| Criminal Investigation | 15% |
| Court Appearances | 15% |
| Training | 7% |
| Special Events | 5% |
| Arrest Processing | 5% |
| DWI Patrols | 1% |

Police departments also vary in their reliance on compensatory time for overtime work. Some departments rely entirely on compensatory time, and even some larger agencies pay for only ten to twenty percent of their overtime, while others report that all of their overtime is paid. Among respondents who reported both total overtime hours and the number of hours for which officers were paid, the median percentage of paid overtime is 90 to 95 percent across the five years about which we inquired. We should add, however, that this may be an overestimate for departments generally, as the responding departments that could report these figures on the survey might be those for which the percentage is higher. Furthermore, departments' reliance on compensatory time is unrelated to other characteristics: the type of department (sheriff, state police, etc.), per

capita calls for service, total budget, and the size of the department.

Given the variation in overtime use and in compensation practices, it should come as no surprise that police departments vary also in their dollar expenditures for overtime. The typical department spent \$2,730 per officer on overtime in 1994, but as Table 5.3 illustrates, many departments spent much less and many spent much more. Larger departments typically paid more per officer for overtime, perhaps because of their salary structures.

Table 5.3

Average Overtime Paid Per
Full-time Sworn

| OT Paid Per FT Sworn | All Departments | Over 100 FT Sworn |
|----------------------------|--------------------|----------------------|
| \$0-499 | 15 8.4% | 7 5.8% |
| \$500-999 | 11 6.2% | 5 4.1% |
| \$1000-1499 | 18 10.1% | 9 7.4% |
| \$1500-1999 | 14 7.9% | 8 6.6% |
| \$2000-2499 | 24 13.5% | 15 12.4% |
| \$2500-2999 | 20 11.2% | 14 11.6% |
| \$3000-3999 | 22 12.4% | 18 14.9% |
| \$5000-6999 | 21 11.8% | 18 14.9% |
| \$7000+ | 14 7.9% | 12 9.9% |
| N= | 178 | 121 |
| Percent Data from FY 94 | 100% | 100% |

Sources of Funding

Many survey respondents were unable to account for the sources of overtime funds, and many of those who could account for some of the sources could not account for all.

~~Based on the data that are available, it appears that~~ overtime is funded largely through local sources, particularly through municipalities' general funds. This source accounts for three fourths to almost nine tenths of overtime expenditures over the years 1990 through 1994. State sources accounted for approximately one eighth, and private sources (e.g., reimbursement by the sponsors of special events) for less than five percent. Federal funds accounted for five to ten percent of overtime outlays.

We might add that from our site visits and our telephone contacts with some of the survey respondents, it appears that most police managers--i.e., the commanders of patrol divisions, narcotics divisions, criminal investigation divisions, and so forth--do not know the sources from which overtime money comes. Even if they are aware that overtime payments are available from a set-aside amount, they typically neither know nor care about whether the money originated in a federal grant to the department, in a grant to their state that was passed through to their department, in a state grant, or elsewhere. Many of the people with whom we spoke and who are responsible for managing the units in which significant amounts of overtime

is incurred were unfamiliar, for example, with the Byrne grant program.

Local Determinants of Overtime Expenditures

As a prelude to our analysis of the impact of federal support for police overtime on local expenditures, we specify and estimate the effects of local factors that we would expect to influence agencies' overtime spending. These factors constitute the context within which federal support is utilized, and we believe that the impact of federal support cannot be estimated without identifying these factors, whose effects must be isolated from those of federal grants and reimbursements.

We would expect, a priori, that absolute levels of overtime use would reflect the scale of police operations, and thus that overtime use is strongly related to the size of the agency. Any analysis must, therefore, control or standardize for this factor. But our site visits would lead us to expect that the use of overtime would be related to-- and driven by--a number of other factors, indicators of which can be found in or derived from UCR, LEMAS, or our survey data. Police agencies sometimes incur overtime when officers appear in court, and sometimes when officers must work past the end of their scheduled shifts to process arrests. One would expect therefore that overtime use would be correlated with the number of arrests, and perhaps especially with the number of Part 1 arrests, which might be more likely to eventuate in court appearances. Police

agencies also sometimes incur overtime in connection with criminal investigations, when investigators are called back to duty or when in the course of an investigation they must work more than a standard work-week. One might expect, then, that overtime use would be correlated with the number of reported crimes, and especially serious offenses that may be more likely to attract investigative attention. Police agencies sometimes incur overtime when temporary personnel shortages make it necessary for officers to work extra shifts to maintain a minimal level of staffing. One might expect therefore that overtime use would be correlated with indicators of the demand for police services (e.g., in the form of citizens' calls for service) and of the relative supply of police personnel. Finally, one might expect that agencies' dollar expenditures on overtime would be correlated with whether their officers are represented by a collective bargaining unit, inasmuch as the collective bargaining agreement might restrict the latitude of police managers in limiting overtime, and with regional variations in the cost of living.

These factors can be summarized in the form of a mathematical model:

$$Y = \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \beta_6 X_6 + \beta_7 X_7 + \beta_8 X_8 + m$$

where

- Y = total overtime expenditures in dollars;
- X₁ = the number of full-time sworn officers;
- X₂ = the number of Part 1 arrests;
- X₃ = the number of Part 2 arrests;
- X₄ = the number of reported index offenses;
- X₅ = the number of calls for service;
- X₆ = the ratio of full-time sworn police officers to calls for service;
- X₇ = 1 if overtime is governed by a collective bargaining agreement, 0 otherwise;
- X₈ = a set of dummy variables for region.

The parameters of this model--the β_k --indicate the magnitude of the effects of these factors, respectively, while the effects of the remaining factors are statistically held constant. Thus, for example, β_1 indicates the dollar amount by which overtime spending increases with each additional full-time officer.

When the parameters of this model are estimated using our data, the results confirm several of our expectations (see Table 5.4).² Total overtime expenditures are strongly related to the size of police departments. It would be surprising indeed if this relationship did not hold. But in

² These results are based on an analysis of only agencies with 100 or more sworn personnel. We believe that our sample of these agencies is more representative of the population of larger agencies, and in addition, data on calls for service, arrests, and index crime were readily available only for these agencies.

addition, overtime expenditures are apparently affected also by regional forces: they are higher in the east and west

Table 5.4

**Regression Analysis of Overtime Expenditures:
Local Determinants of Overtime Expenditures**

| Variable (X_k) | B | Significance |
|------------------------------|-------------|--------------|
| Full-time sworn officers | 4310.10 | .00 |
| Part 1 arrests | - 496.31 | .00 |
| Part 2 arrests | 7.12 | .53 |
| Index offenses | 7.39 | .70 |
| Calls for service | 4.52 | .00 |
| Calls for service : officers | -435.54 | .59 |
| Union regulations (1 = yes) | 613499.02 | .08 |
| Eastern region | 1143719.13 | .06 |
| Southern region | 705375.44 | .17 |
| Western region | 2034477.52 | .00 |

than in the midwest (the reference category) or the south, as one might expect given differences in the cost of living. Overtime spending also rises with the volume of calls for service, although it does not independently covary with the ratio of calls to sworn officers. Curiously, overtime expenditures decline with increases in the number of Part 1 arrests. The effects of other variables--the volume of index crime, the number of Part 2 arrests, and union

regulations that govern overtime use and management--are in the expected direction, but they do not achieve statistical significance.

These results indicate that overtime spending is driven not only by the size of the department--larger agencies spend more on overtime--but also by other forces in police department's environments. We now focus on one additional factor: federal support for overtime.

CHAPTER 6

FEDERAL SUPPORT AND LOCAL SPENDING

In this chapter we focus on the impact of federal grants and reimbursement to state and local agencies on those agencies' expenditures for overtime. Federal officials in any programmatic domain--e.g., education, transportation, urban development--are often concerned that intergovernmental transfers to state and local agencies might merely prompt those agencies to reduce their own levels of effort--that is, that federal spending supplants state and local spending. With respect to federal support for police overtime, one might fear that federal funds are used to some degree to compensate officers for overtime they would have incurred in any event, notwithstanding federal support for particular kinds of police activities. If federal support is used for the intended purposes and does not supplant local spending for overtime, then at a minimum one would expect that total spending by localities on police overtime would, other things being equal, rise by an increment equivalent to the amount of federal support.

Thus we examine overtime expenditures in a single year--1994, the year for which we have the most complete data--by all of the respondents to our survey that employed at least 100 sworn personnel, including those that received varying amounts of federal funds for overtime, and those that received no federal funds at all. Statistical comparisons

among these agencies yields an estimate of the impact of federal support on local expenditures, independent of other factors, from which we may draw conclusions about whether federal support supplants local expenditures, produces dollar-for-dollar increments in local expenditures, or even stimulates additional local expenditures. As we explained in Chapter 1, we believe that this is the best approach to systematically analyzing the impacts of federal support for police overtime.

Ours is certainly not the only approach. One could instead perform audits in a number of police departments that had received federal support for overtime, in order to determine whether the funds had in fact been used to compensate officers for overtime work, and particularly to compensate officers for the performance of police activities, such as the surveillance of suspected narcotics traffickers, for which federal agencies had contracted. Such audits can, of course, uncover instances of abuse, as when officers were in fact not working overtime or when officers were performing unauthorized activities on overtime. But this approach does not enable one to determine how widespread such abuses are, because it would be prohibitively expensive to audit a sufficiently large number of agencies to make such generalizations. Moreover, the supplantation question is a very difficult one to answer based on what amounts to a case study, because factors other than federal support often change over time, and it would be

difficult to say with any degree of certainty what an individual police department would have spent on overtime in the absence of federal support.

In order to examine broad patterns of federal impact, and to estimate the degree to which--if at all--federal support supplants local spending, a more systematic approach is called for, and that is precisely what we have attempted here. We estimate the parameters of a model of overtime expenditures, which includes all of the factors identified in Chapter 5 and, in addition, measures of federal support for overtime. The size of the estimated parameters (regression coefficients) for federal support tell the story about its impact: from a coefficient less than 1.0 we would infer supplantation, from a coefficient greater than 1.0 we would infer a stimulative effect, and from a coefficient of 1.0 we would infer a dollar for dollar increment.³

Federal Determinants of Overtime Expenditures

In Chapter 5 we explained our expectations of how overtime use is shaped by various local factors, such as the number of sworn personnel, the volume of crime and calls for service, and so on. To the model that incorporates all of

³ We cannot tell from this analysis whether federal support for overtime incurred in the performance of particular functions (e.g., drug enforcement) supplants local efforts to perform the same function on straight time. Nor could any systematic analysis be performed to answer this question, because police departments do not in general use program budgets.

those factors we now add federal support for overtime, as in the following model:

$$Y = \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \beta_6 X_6 + \beta_7 X_7 + \beta_8 X_8 + \beta_9 X_9 + \beta_{10} X_{10} + m$$

where

- Y = total overtime expenditures in dollars;
- X₁ = the number of full-time sworn officers;
- X₂ = the number of Part 1 arrests;
- X₃ = the number of Part 2 arrests;
- X₄ = the number of reported index offenses;
- X₅ = the number of calls for service;
- X₆ = the ratio of full-time sworn police officers to calls for service;
- X₇ = 1 if overtime is governed by a collective bargaining agreement, 0 otherwise;
- X₈ = a set of dummy variables for region;
- X₉ = total dollar support for overtime by the Department of Justice;
- X₁₀ = total dollar support for overtime by other federal agencies (HUD, DOT, Treasury).

As in our previous analysis, the parameters of this model--the β_k --indicate the magnitude of the effects of these factors, respectively, while the effects of the remaining factors are statistically held constant. The parameters of particular interest here are β_9 and β_{10} , which indicate the magnitude of the increment in local overtime spending attributable to Justice Department support and to support by other federal agencies (such as HUD), respectively.

When the parameters of this model are estimated, the results indicate that for each additional dollar of DOJ support, local spending on police overtime increases by **\$1.68** (see Table 6.1). In other words, a dollar of federal investment in overtime produces an additional \$0.68 in local expenditure. This point estimate implies that Justice

Department support has a stimulative effect on state and local spending. Although this estimate is subject to a margin of sampling error, a 95 percent confidence interval ranges from 0.96 to 2.4, so one can infer with a high degree of confidence that Justice expenditures are not supplanted.

Table 6.1

**Regression Analysis of Overtime Expenditures:
The Impacts of Federal Support**

| Variable (X_k) | B | Significance |
|-------------------------------|------------|--------------|
| Full-time sworn officers | 3916.58 | .00 |
| Part 1 arrests | -510.62 | .00 |
| Part 2 arrests | 16.89 | .10 |
| Index offenses | 10.68 | .29 |
| Calls for service | 5.55 | .00 |
| Calls for service : officers | -434.79 | .28 |
| Union regulations (1 = yes) | 508791.76 | .05 |
| DOJ support (in \$) | 1.68 | .00 |
| Other federal support (in \$) | 0.06 | .47 |
| Eastern region | 1066838.19 | .02 |
| Southern region | 685307.77 | .07 |
| Western region | 1868517.87 | .00 |

One cannot reach the same sanguine conclusion about the impact of other federal agencies' (e.g., HUD, DOT) spending for police overtime, as the results indicate that for each additional dollar of other federal support, local spending on police overtime increases by just six cents.

~~Our site visits suggest why federal support might have~~ a stimulative effect. Federal reimbursement for overtime incurred by individual officers is sometimes capped, as it is in DEA drug task forces, and overtime that is incurred in connection with federally supported activities and that exceeds the cap is paid by state and local agencies. Similarly, federal support for overtime is sometimes restricted to particular activities (e.g., targeted traffic enforcement), and any overtime work that ensues from those activities (e.g., court appearances) must be compensated by the state or local agency. So it is that overtime begets overtime, and some of the overtime begotten by that which is federally supported is paid by the state or local agency.

Such results raise a question about police departments' incentives for accepting federal money for overtime payments, in view of the implications it tends to have for their own outlays. In some instances, particularly with respect to federal task forces, local agencies accept federal funds for overtime--even though they consequently incur more overtime than that for which federal agencies reimburse them--because of the carrot of asset forfeiture. Several of the police managers with whom we spoke indicated

that the prospect of revenues that flow from the forfeited assets shared among participating agencies--and not the limited sums available for overtime reimbursement--make participation in federal task forces very attractive. We cannot confirm, however, whether the receipts from asset ~~forfeiture exceed local departments' additional spending on~~ overtime.

In some other instances, federal support coincides with a department's programmatic plans and makes it possible to undertake particular activities on a larger scale than would otherwise be possible. Grants that enable police departments to implement on an overtime basis targeted traffic enforcement, or drug enforcement in public housing developments, are sought and accepted because the programmatic activities serve local needs, and in spite of the fact that these activities generate additional costs for the departments (as when overtime for court appearances results from federally supported enforcement activity). In such instances, federal spending has a multiplier effect in advancing particular priorities.

Our site visits uncovered still other examples of a stimulative effect, albeit an effect felt over several years that would not be detectable in our regression analysis. In one city, a federal grant that provided for overtime patrols in a public housing development was perceived to be so effective that it was eventually extended to other developments and continued at local expense. In fact, the

use of overtime to provide a higher level of patrol presence in targeted areas was sufficiently attractive that for a time it was also applied--at local expense--in the downtown business district. In this city, we gathered, federal support for overtime was the basis for a successful demonstration project. In another city federal funds supported overtime payments for community policing activities in a targeted area. These activities proved so popular that overtime payments can now be made from a newly created fund, supported by a local ½¢ sales tax and earmarked for crime control and prevention.

It appears, then, that while federal support for overtime leaves room for abuses by recipient agencies, and while we do not doubt that abuses occur, our analysis provides no evidence that such abuses result in systemic supplantation of local spending. To the contrary, our findings indicate that DOJ support for police overtime produces at least dollar-for-dollar increments in police overtime, and quite likely produces a still greater increment of overtime than that for which federal support directly provides.

CHAPTER 7

COMMUNITY POLICING

Community policing is the most widely discussed new strategy for the organization and conduct of policing since the development of the professional police model in the first three decades of the 20th century (Kelling and Moore 1988). In general, community policing requires the police to extend their activities beyond reactive law enforcement and to work cooperately with local communities to create a moral and physical climate that discourages incivility, disorder, and crime (Goldstein 1990). Interest in community policing has mushroomed during the past decade, extending into almost every community in the United States as well as to other democratic countries (Bayley 1994).

The federal government in the U.S. has been instrumental in the development of community policing. For many years, the Office of Justice Programs, through the National Institute of Justice, sponsored seminars in community policing, encouraged local demonstrations of its principles, and evaluated its effects. In 1992 the Bush Administration created "Operation Weed and Seed" which sought to apply community-policing principles to the problem of violent crime, especially gang activity and drug trafficking (Executive Office of Weed and Seed 1992). The Weed and Seed program provides money, some of it for overtime, to law enforcement targetted on particular

neighborhoods ("weeding"), which is then followed up with community development activities designed to discourage the recurrence of criminal violence ("seeding").

In 1994, federal outlays for community policing made a quantum leap with the appropriation of \$8.8 billion dollars ~~for six years under the Violent Crime Control and Law~~ Enforcement Act of 1994. This money is to be administered by the newly created office of Community-Oriented Police Services of the Department of Justice. Although most of its money supports the hiring of new police offices, a considerable amount can be used for overtime as long as such expenditures produce increments of community-oriented street presence. For example, the COPS MORE funds can be used to pay 75% of officers' overtime wages, not including pro-rated fringe benefits, as long as "officers are actually engaging in increased levels of community oriented policing activities during the funded overtime period" (Office of Community Oriented Police Services, n.d.).

Altogether, then, the federal government has made a serious and continuing commitment to community policing, with the payment of overtime being one of the funding mechanisms. Drawing on our national survey of police departments, this chapter will explore the issue of overtime and community policing in three ways:

- (1) By describing the forms that community policing is currently taking in the United States;

(2) By determining whether the adoption of community policing practices can be associated with certain characteristics of police departments and their environments.

(3) By assessing whether financial assistance provided by the federal government, especially for overtime, makes an important difference to the likelihood that police departments will adopt community policing.

Forms of Community Policing

Out of the 226 police departments responding to our survey, 74.8% reported having some form of community policing. Recognizing that there is considerable disagreement in the field about what community policing is, especially what it looks like in operational terms, we asked police departments to check whether they had any of 11 specified programs commonly associated with it (Bayley 1994). See survey items 18, 19, and 19a in appendix A. Space was also provided so that departments could list local programs not covered by the 11 categories. The forms of community policing most commonly reported are shown in table 7.1. The 11 community programs listed for selection were reported 1029 times by the police departments surveyed, whereas 26 additional community policing programs were written in 75 times. Bike patrol was the most frequently cited "other" program (26 times), while most of the rest were mentioned only 1 or 2 times. Because it is easier to check yes or no to categories already specified, we

recognize that we may have "led" our respondents to some extent with respect to what might be considered as community policing.

Table 7.1

Community Police Programs

| Number of Times Mentioned by Police Departments | | |
|--|-----------------|---------|
| Type of Program | Times Mentioned | |
| Crime Prevention | 142 | (13.8%) |
| DARE | 140 | (13.6%) |
| Beat police officers | 113 | (11%) |
| Problem-solving | 102 | (9.9%) |
| Foot patrols | 99 | (9.6%) |
| Juvenile delinquency prevention | 82 | (8%) |
| School police officer | 80 | (7.7%) |
| Storefront offices | 78 | (7.6%) |
| Youth gang programs | 70 | (6.8%) |
| Crime prevention newsletters | 62 | (6%) |
| Citizens' advisory council | 61 | (5.9%) |
| Other | 75 | (7.3%) |

The survey results underscore an observation often made by people in the field, namely, that "community policing" lacks precise programmatic meaning. Although most police managers in our experience can discuss community policing as a philosophy, the connection between philosophical objective and programmatic implementation is tenuous. In addition to the 11 categories the survey provided, departments included as programs as diverse as Police Athletic Leagues, horse patrols, targetted street sweeps, computers in patrol cars, domestic violence officers, drug hotlines, and graffiti abatement. Our purpose in pointing out these varied

operational definitions is not to suggest they are wrong, which would mean imposing our own definition of community policing, but to underscore the difficulty the federal government faces when it comes to determining what programs justify funding under any mandate to encourage community policing.

The implication of table 7.1 is that the most common community police programs reported by police departments were crime prevention (Neighborhood Watch, Operation ID) and DARE. Seventy percent of police departments reporting that they had community policing listed one or both of these programs.

Although table 7.1 tells us how frequently programmatic elements of community policing occur in our sample, it does not tell us what the most common package of programs are. That is, we need to determine which of these elements most commonly go together to create community policing. In order to determine this we analyzed the overlap in community programs, beginning with the most common program and moving successively through the next most common until we had exhausted all 11 specified categories. The results are found in

Table 7.2
Community Policing Packages of Programs
(N=171)

| | |
|--|-----|
| Departments with crime prevention programs | 85% |
| Crime prevention with DARE | 75% |
| Plus beat officers | 57% |
| Plus problem-solving | 44% |
| Plus foot patrols | 35% |
| Plus storefront police offices | 29% |
| Plus school police-officers | 22% |
| Plus advisory councils | 15% |
| Plus juvenile delinquency programs | 15% |
| Plus youth gang programs | 12% |
| Plus crime-prevention newsletters | 9% |

Among police departments reporting some form of community policy, over 50% combined crime prevention, DARE, and assigned beat officers. In other words, these elements constituted the modal program of community policing among responding police departments. The next most common package of community policing program included problem-solving (44%), and so forth. Nine percent of the departments said that they had all the specified elements of community policing.

Although the survey suggests that community policing is now fairly general throughout American policing (74.8%),

there are important qualitative differences in effort. Many of the community policing elements listed most frequently (56%) in table 7.1 - crime prevention, DARE, juvenile delinquency prevention, youth gang programs, crime-prevention newsletters and storefront offices - either pre-date the community policing movement or are programs added on to traditional activities of random patrol, emergency response, and criminal investigation. The modal community policing programs too were dominated by traditional programs, but half the departments did report more ambitious elements, such as beat officers and problem-solving.

The community police programs that indicate a more profound change in standard operating procedures - such as beat police officers, problem-solving, foot patrols, school police officers, and citizens' advisory councils - constituted 44% of the responses. Whether these are really solidly community-policing efforts depends, of course, on the manner in which they are implemented. Beat officers may or may not be truly have responsibility for policing in their areas; foot patrols may engage in problem-solving and community mobilization or they may simply patrol in a passive way, interacting with the public only when called upon. Judgements about the vitality of community policing in local communities requires first-hand inspection and cannot be reliably inferred from a survey.

Our conclusion is that that community policing in the United States is still fairly superficial. Its most common

forms represent easy additions to traditional operations rather than the sort of fundamental reform envisioned by its proponents. This comment is not meant to denigrate the intrinsic worth of any of these programs. All that glitters is not community policing (Bayley 1994). Police initiatives may be valuable even if they do not fit the model of community policing. At the same time, the public may become disillusioned with community policing if it is simply old wine in new rhetorical bottles.

Patterns of Adoption

The police departments that reported having any form of community policing, whether our categories or their own, tend to be larger than those that do not, as indicated by the size of their budgets (significant at the 4% level), the number of sworn officers (significant at 2% level), and the population served (significant at 5% level). Adoption of community policing did not vary by region of the country.

Similarly, larger police departments were much more likely to display the modal pattern of community police programs - namely, crime prevention, DARE, and beat officers - than small departments. Size of budget, number of sworn officers, and populations served were all significantly correlated with the modal pattern at better than a 1% level of significance. So too was the volume of calls-for-service, which would certainly be associated with the size of department and the population served. Again, region was not associated with adoption of the modal pattern.

Whatever the reason, larger and presumably more urban police departments have moved more rapidly to adopt community policing than small departments.

Federal Impact on Community Policing

Does assistance provided by the federal government, especially as support for overtime, make a difference to the likelihood that a police department practices community policing? Yes, but not a lot. Only 30% of the community police programs reported by police departments were funded with support from the Department of Justice. This proportion was the same for the 11 most frequently cited programs as well as for all the programs written into the survey. In other words, if our sample can be generalized, 70% of community policing initiatives in American policing appear to be supported entirely locally.

In terms of qualitative effect, federal support made a greater difference to the more ambitious community policing programs, such as problem-solving, beat patrol officers, and foot patrols. See table 7.3. Of the three programs that constitute the modal community police package - crime prevention, DARE, and beat officers - only beat officers is significantly dependant on DOJ financial assistance.

Table 7.3

Federal Support for Community Police Programs

| Nature of Program | % Supported by Federal Government |
|---------------------------------|--------------------------------------|
| Problem-solving | 51% |
| Beat officers | 48 |
| Foot patrols | 33 |
| Youth gang programs | 27 |
| DARE | 26 |
| Juvenile delinquency prevention | 26 |
| Crime prevention | 26 |
| Storefronts | 24 |
| Schools | 20 |
| Citizens' advisory councils | 20 |
| Crime prevention newsletters | 14.5 |

It appears, therefore, that the more strategically significant community police programs are more heavily dependent on federal funding than the others. However, most of the programs that pass for community policing in the country are supported more heavily by local funds.

Police departments regularly use overtime to implement their community policing programs. Eighty-eight percent of the departments that had some form of community policing reported using overtime payments to support their activities. And this may not be the whole story. Some observers have noted that dedicated community policing beat-

officers work many additional but unreported hours. They do not claim the overtime hours because it is too time consuming and might jeopardize the officer's freedom of action if the uncompensated time violated terms of the labor contract.

~~Department of Justice grants were rarely used to~~ provide overtime connected with community policing. Only 11% of departments whose community policing programs incurred overtime covered them with DOJ funds. It would appear, therefore, that the federal impact on community policing at the present time is much greater through supplementary hiring grants, such as COPS AHEAD, COPS FAST, and the new Universal Hiring Program, than through support for overtime.

CHAPTER 8

MANAGING OVERTIME

There is a sense both inside and outside the police that overtime is overused, misused, and only half-heartedly controlled. The federal government is concerned that money given to local police agencies for the payment of overtime will be well spent. Local police agencies are equally concerned. So the question for this chapter is whether overtime can be responsibly managed? And, if so, how?

Very little has been written about the management of overtime, except to point out that it is viewed among both private and public sector managers as a recurring problem.⁴ About overtime in policing, there is almost no writing in the public domain at all. We canvassed the major professional organizations specializing in police research, as well as prominent police scholars, and could discover no studies of the use of overtime in policing. Management consultants write private reports to individual police agencies that sometimes address the overtime issue, but this is a fugitive literature that is not generally available.⁵

4. We are grateful to Professor Hal Gueutal, School of Business, State University of New York at Albany, and his graduate students for searching the economic and business literature for us.

5. Exceptionally, the Madison, WI, police department have published three reports on overtime: (1) John Elliot, Timothy J. Fisher, Kay Hutchison, and Neil Turner, from the University of Wisconsin School of Business, "City of Madison Police Overtime Final Report" (December 18, 1988); (2) Joe Balles, et al., "City of Madison Police Department Overtime

Police departments themselves have vast experience in managing overtime, but they have not yet shared that knowledge. People we contacted often chuckled when we told them what we were studying, urging us to go ahead but indicating that there were good reasons why no studies had been done. The universal opinion was that our inquiry was long overdue but that the subject might prove too sensitive to study successfully. Readers should understand, therefore, that what we present here by way of suggestions for managing overtime represents very much a first-cut at a difficult subject.

How does one control overtime in policing? Our answer: by recording, analyzing, managing, and supervising. We will examine each of these activities in this chapter, so that police managers may better understand what they can do in a practical way to improve overtime performance.

The four activities we have listed would appear to suggest a temporal order of things for police departments to do: build data-bases, analyze them for patterns, make appropriate managerial decisions, and supervise the resulting policies. Nothing could be more mistaken. The key element that precedes all the others is management. Useful records systems cannot be constructed unless managers anticipate what they need to know. Management is essential too for analysis, and analysis needs to be specified before

responsive data-systems can be designed. In other words, although it is certainly true that analysis cannot be done without records, records cannot be sensibly constructed without prefiguring analysis. Recording, analyzing, managing, and supervising are interactive, not sequential.

~~And the key is managing. One of the besetting problems of~~ contemporary policing, as managers everywhere ruefully recognize, is that the new computer-based information systems pour out an avalanche of data that isn't used. Unmanaged information-systems are like the sorcerer's apprentice - madly producing data that buries its consumers.

Another way to put this point is that management of overtime comes in two forms - decisions that create an organization that can manage overtime and making policies about overtime based on an understanding of what is going on. The first sort of management precedes all the other activities. The second sort can only take place if the first sort has been done well.

Recognizing that managerial decisions about the kinds of analysis and consequently records that are needed must be made at the very beginning of any attempt to control overtime, our presentation will be in the following order - analysing, recording, managing, and supervising.

Analysis

In order to ensure that overtime is used responsibly, what should managers know? What are the big questions they should continually ask about overtime in their departments?

First: Are overtime expenditures justified in terms of the work being done? Because overtime represents police work that is being done at premium rates - time-and-half - managers need to be able to determine whether the same work could be performed at less cost on straight-time. In order ~~to do this, they need to know how much of their agency's~~ work is being performed on overtime, what sort of work it is, and the circumstances of its use.

In estimating the cost-effectiveness of overtime, it is critically important to separate work done on paid overtime from work done on unpaid, or compensatory, overtime. Work done on paid overtime is generally an increment to policing, even though paid for at premium rates. The cost is borne by city councils as an addition to the police budget. Comp time, on the other hand, represents less policing because every hour worked must be repaid by the department at time-and-half. Comp time comes out of existing capacity. Therefore, managers need to be able to determine whether the work done on comp time is more important than work being scrimped through the comp-time payback.

The implication for record-keeping is that not only must paid-time and comp-time budgets be kept, but their respective uses must be monitored as well and, in the case of comp time, the nature of the work forfeited to pay for comp time must also be studied. They are called opportunity

costs - the costs of doing one thing at the expense of another.⁶

Second: Are expenditures for overtime within the existing capacity of the police and the local government to pay? Police managers need to know whether they are "on budget" throughout the year, so as to avoid overruns and consequent political exposure. This means that they need to know how much has been expended at any time throughout a fiscal year and how the rate of expenditure compares with previous years. It also means that they should try to judge current expenditures against likely future contingencies. Financial monitoring is a tool of planning, and planning requires forecasting overtime needs based on analyses of past patterns. Although some overtime expenditures will not be predictable, repeated surprises indicate a failure of analysis. As the philosopher George Santayana said, people who do not know the past are doomed to repeat it.

Since comp time does not come out of existing budgetary allocations, police departments tend to treat it as a "freebie" and do not monitor its use as systematically as they do with paid overtime. This is a mistake, as some cities have ruefully discovered. Officers who do not use their comp time may claim it as money at retirement. Unless

6. We don't mean to suggest that there aren't opportunity costs in paid overtime as well. Money spent at time-and-a-half comes from somewhere, and takes resources that cities might allocate to other aspects of policing, crime-prevention, or other public sector undertakings.

police departments keep close track of the amount of comp time earned and paid back, cities may suddenly face large financial pay-outs that they have not anticipated. These are called unfunded liabilities. Police departments also need to keep track of accumulations of comp time by individual

~~officers because departments cannot require officers, under~~ the Fair Labor Standards Act or their own labor agreements, to work more than specified maximums of comp time without being paid.⁷ Overtime beyond this amount must be paid as money. Police departments need to know where they stand with respect to this obligation.

Third: Is overtime being abused, in the sense that it is being used in ways which cannot be justified and may, as a result, cause embarrassment to the organization? Generally, overtime abuses take the form of large, undetected overtime earnings by individuals or units within a police department. Such abuses represent a failure of supervision, which in turn reflects the inability of an organization to know what is going on in a timely way. In order to avoid these embarrassments, police departments need to analyze patterns of overtime expenditure, both as time and money, by individuals as well as units and the nature of the work performed. Unusual pay-outs to individuals or units may indicate problems of organizational management.

7. Under the Fair Labor Standards Act, an officer who agrees to work comp time in lieu of cash cannot accumulate more than 480 hours of it during a lifetime. Many union contracts stipulate more restrictive maxima.

In sum, if a police department is to manage overtime, it needs to be able to justify expenditures in terms of the work performed, to anticipate the rate of pay-out, and to be able to explain why overtime had to be paid to particular people and units at particular times.

Recording

In order to undertake the analysis just described, the following records must be kept current and up-to-date.

(1) A police department's total obligations and payments for overtime, both paid overtime and compensatory time.

(2) Obligations and expenditures of overtime by individual officers and commands and/or budgetary units, e.g. investigations, traffic, patrol, SWAT, etc. Computer programs can be put in place that automatically notify managers whenever overtime obligations exceed specified thresholds - for example, when a police officer earns more than 10% of monthly salary or at a projected yearly rate over \$25,000, or when a unit's overtime budget is running 10% ahead of previous year's expenditures.

(3) The uses of overtime. Setting up a system that adequately captures the uses of overtime requires forethought on the part of managers because the categories vary somewhat from place to place. The most common uses are the following:

(a) holdovers or shift-extensions;

(b) back-filling or buy-backs, i.e. paying people on leave to fill temporary vacancies;

(c) holidays;

(d) briefings/rollcalls;

(e) court appearances;

~~(f) callbacks to duty;~~

(g) emergencies, e.g. homicides, snowstorms;

(h) planned events beyond normal duty, e.g. traffic control at venues;

(i) meetings/training outside of working hours.

Because of the opportunity costs associated with compensatory overtime, it is also necessary to keep track of the functions that were not carried out as a result of police being granted time-and-a-half off. Only in this way can departments truly determine the public-safety cost-effectiveness of claiming overtime as time instead of money.

(4) Circumstances of overtime use. Where, when, and under what circumstances was overtime incurred? This information is necessary if managers are to be able both to anticipate overtime and to justify its payment. For example, if overtime occurs chronically in particular units, then additional hiring or the reallocation of existing personnel are possible solutions. On the other hand, if overtime is concentrated at particular times of the year, additional hiring would probably not be the solution.

(5) Sources of overtime payments. Does reimbursement for overtime come from the city, state government, federal government, or private consumers? With respect to city expenditures, it would be useful to keep track separately of overtime accounts from the general fund, the police budget, ~~or charges against the budgets of other municipal agencies.~~

From what we have seen in police departments around the country, we believe that developing informative record-systems is not a particularly daunting or costly activity. Commitment seems to be the critical ingredient. Record-systems can be put in place within a year or so, with the largest cost probably being in staff to input data. Departments can also make the transition more easily by copying systems already developed by other departments. In every region of the country there are exemplary departments that have developed protocols for recording data and analysis programs that automatically provide managers with perspective on overtime.

Managing

It is important to say again that managing is not a separable activity from recording, analyzing, and supervising. Recording, analysis, and supervision are required for the successful management of overtime, but recording, analysis, and supervision must be managed so that useful knowledge is available to the managers who set policies concerning overtime.

Responsible management of overtime requires leadership from the top. If the chief doesn't care or prefers not to know about what is happening to overtime, overtime becomes a taboo subject, with the certain result that the support systems, human and technical, necessary to manage overtime

~~will be neglected. A chief's indifference will also leave~~

middle-managers in an exposed position: reluctant to go where the chief prefers not to tread, but at risk if surprises occur.

It is also important to be realistic about what management may achieve in controlling overtime. Some overtime may be manageable, some may not. In fairness to the police, one should have a sense of the limits within which overtime may be controlled. For example, some shift extensions are inevitable because police officers work eight-hour shifts for the most part and time-consuming problems can occur at any time. Sensational crimes or natural disasters are impossible to predict and require extraordinary outlays of effort. Police work also inevitably generates court appearances, rollcalls, meetings, and holidays. This sort of overtime can be viewed as fixed cost of normal policing, and will occur regardless of the number of officers employed. The point is that overtime is not a discretionary category that can simply be managed out of existence. The public, as well as politicians, need to be careful about judging the police according to unrealistic

expectations. The devil is in the details, for which few except experts have much patience.

Overtime is also critically affected by labor rules - the "contract" - which mandate uses and rates. In our visits to police departments, we found the following examples of

~~contract stipulations with respect to overtime:~~ any court appearance by an officer, no matter how short, earns a fixed minimum amount of overtime, as much as 3 to 4 hours; officers called back to work are guaranteed a minimum of 2 hours of overtime no matter how long they actually work; supervisors who are on standby in the event of an emergency earn a minimum of 3 hours overtime; patrol officers are given 15 and even 30 minutes of overtime each shift for attending rollcalls; an officer waiting at home to be called to court is allowed a fixed amount of overtime, on the argument that the officer is forfeiting an opportunity to work at another job; and all meetings outside the department are charged to overtime.

In our survey, 45% of police departments reported that overtime was governed by collective bargaining agreements; 39% said that such agreements applied specifically to patrol personnel, which is the most numerous speciality in policing.

Some departments have tried to divide overtime expenses between those that are controllable and those that are not. This is probably a fruitless exercise. The issue generally is not whether a particular form of overtime is controllable

but by whom and at what cost. Contract stipulations, for instance, are frequently treated as not controllable. That is true from the point of view of supervisors, but it is not true for senior managers who are responsible for contract negotiations. Contract provisions are controllable in

~~in principle, even though the likelihood of doing so, given the~~ political power of unions, is small. Even in the case of shift extensions, the option exists for police to pass work on to successor shifts. All of overtime is potentially manageable by someone, but the costs of doing so in some cases are greater than the benefits. So when departments say that some proportion of overtime is not controllable, they are making a judgement about what they are willing to try. And their willingness may be based on entirely correct assessments of what is likely to be achieved.

In our discussions of overtime with police officers throughout the country, we heard of several suggestions for policies that could more tightly control overtime.

Court appearances may be more manageable than many assume, but doing so requires agreement among police and court personnel. The police themselves can eliminate some abuses, such as not listing supervisory personnel on incident reports and arrest warrants. There is no reason for supervisory personnel to appear in courts since their testimony would be hearsay. District Attorneys can be asked to subpoena only officers listed on arrest reports whose testimony might be important. Court appearances can be

scheduled so as to coincide with normal working hours rather than time off. While officers are waiting to appear, they can be given indoor work, such as staffing property rooms, interviewing complainants, preparing shift rosters, or answering questions that come over the telephone.

~~Responsibility for approving shift extensions rests with~~ immediate supervisors. In our survey, 91% of the responding police departments said that immediate supervisors were authorized to approve overtime. Seventy-three percent said supervisors were provided with guidelines that specified the purposes for which overtime could be used. Managers need to review these guidelines regularly, as well as the performance of each supervisor under them.

A more general solution, well beyond the capacity of any police force to enact, is to abolish the 40-hour week as the basis for overtime, aggregating hour-maximums by month or years (Mazur 1995). This would allow departments to require longer hours of work for short periods without incurring overtime costs, compensating officers by less work during slack periods. In 1995 a Congressman proposed holding hearings on the idea (Laabs 1995).

Persistent backfilling, or employing officers off-duty to fill necessary positions, indicates a chronic shortage of personnel in relation to work needing to be done. Since local governments determine the strength of police forces, this imbalance is generally beyond the capacity of departments to fix. When hiring is allowed, departments may,

however, be able to reduce the period of imbalance, and hence overtime, by shortening the time needed to recruit and train new police officers. Departments may even consider using civilians or partially trained police officers in non-enforcement lines of police work, thereby freeing

~~experienced personnel for more demanding tasks or those~~
where minimum staffing levels must be maintained.

Departments should also study carefully all unplanned emergency mobilizations in order to determine how best to use existing capacity and thereby minimize exorbitant callbacks or extensions. Emergencies often require overtime, but they do not justify any amount of overtime. To some degree, overtime represents a failure of planning. It can be minimized in emergency situations by fine-tuning responses, making them more efficient, as well as by building capacity to handle contingencies that singly are unpredictable but in the aggregate are not. These possibilities are probably greater for large departments where unpredictable events occur in greater numbers and therefore can be "averaged" on a yearly basis. In a small department, on the other hand, these events, such as a sensational murder, occur once every twenty years.

Departments often pay officers overtime for handling unplanned special events, such as crowd-control at festivals or traffic at sporting events. Because these are episodic, it is not cost-effective to maintain capacity to handle them. If these events are privately sponsored, departments

might consider requiring sponsors to pay the costs of policing as a condition for granting a permit. The Madison, WI, police department, for example, requires that a "police impact" statement be filed as part of the permit process. In addition, cities and police departments need to develop policies about when the costs of policing special events are to be publicly or privately borne. This may be a touchy political matter. In some places, local ordinances, strongly supported by police unions, require police rather than private security to work such events. Finally, work schedules of police can be adjusted, if permitted by contract regulations, so that officers can accumulate slack time that can later be allocated for policing these predictable manpower-intensive events.

From what we have seen during our visits to police departments throughout the country, we are convinced that departments are ingeniously experimenting with ways of minimizing the burden of overtime. Frustrated by the rigidities of current practice and fearful of embarrassing public revelations, concerned managers are learning valuable lessons about managing overtime. Unfortunately, this knowledge is not being collected systematically and shared within the profession. The profession does not know which departments are the "benchmarks" that manage overtime particularly well. In our view, a national canvassing of techniques for managing overtime would be very worthwhile.

Supervising

Supervision of overtime on the job is commonly seen as the first-line of defense against overtime abuses. Middle-rank commanders everywhere complain that one of their major responsibilities is controlling overtime. They believe it is critical to how they are judged as commanders. In fact, frontline supervision of overtime is the last line of defense and supervisors are often made the scapegoats for what are more general failures of management. Most of the factors that determine overtime are beyond the control of any middle-rank manager, such as contract regulations, calls-for-service, crime emergencies, vacations, injuries, retirements, and approval of special events. Although front-line supervisors formally approve overtime, their ability to refuse is very restricted. Moreover, they are frequently not given the information needed to anticipate demands and adjust work schedules. As a result of inadequacies in managing records and analysis, supervisors cannot really control overtime, they can only audit it. There is a discrepancy between supervisory appearance and reality. The control of overtime looks to be decentralized but it really is not. It is structured by policies set at more senior levels or even outside the police force altogether.

Overtime can also be supervised by officers generally, through peer pressure, if amounts of overtime worked by individual officers are posted publicly at regular intervals. Several departments we visited were doing this. Knowing that overtime will be scrutinized by their peers,

officers will be careful that what they claim is justifiable in operational terms.

The successful control of overtime also requires assistance from people outside police departments. At the present time, police managers fear that providing outsiders, such as city councils and the press, with information about overtime practices will expose them to unfair criticism. This is one reason some departments are reluctant to set up computer-based monitoring and on-line analysis of overtime. Police managers should realize, however, that factual information about overtime, if it is properly explained, can strengthen their hands in advocating needed reforms both inside and outside their organization. By showing what the restrictions on controlling overtime are, managers gain leverage over the people who would thwart effective reform. Managers have more to fear from lack of information than from too much. Gradually, we believe, information in the public domain about overtime will expand. Some cities now regularly report all forms of overtime to city councils and even encourage the media to publish their department's analyses of patterns.

City councils and other outside auditors must also understand that overtime cannot be effectively controlled by frontline supervisors. They must not allow senior officers to lay off the responsibility for managing overtime on junior officers. This means that councils and the media must be instructed, most likely by police themselves, in what the

elements of an effective overtime management system are.

Analytic reports of overtime provide police managers with an opportunity to explain the limits on their ability to manage overtime and then to construct a fact-based division of responsibilities between themselves and city councils.

~~Police managers have more to gain from making overtime~~
visible than from keeping it hidden, though this lesson is not generally appreciated.

CHAPTER 9

IS THE FEDERAL GOVERNMENT GETTING VALUE FOR MONEY?

Yes, we believe that the federal government is getting value for money when it supports overtime in local policing, but we doubt that the country is. This statement is not as paradoxical as it may seem. The federal government may be getting exactly what it paid for, and what it paid for may be valuable, but it may nonetheless be questionable whether policing as a general governmental activity throughout the country should be supported on an overtime basis.

In order to determine whether the federal government is getting value for money, four questions need to be answered:

- (1) Is federal money being spent as intended?
- (2) How much policing does the federal government get for its local overtime investment?
- (3) What sort of policing does the federal government get for its investment?
- (4) Is overtime a payment mechanism that the federal government should encourage in policing?

Determining the value of expenditures on overtime is not simply a question of whether the federal government gets what it pays for, but whether it gets enough both quantitatively and qualitatively to justify overtime outlays. Furthermore, it is important to examine both the

intended and the unintended consequences of federal overtime assistance.

Although we believe that a responsible examination of overtime requires the sort of broad approach we have indicated, it is important to be clear about what we will not do. We will focus only on activities of the Department of Justice; we will not include other departments even though they may have large police-support programs. We do not assess the relative advantages of different mechanisms for providing federal funds to local governments - pass-through vs direct block grants, categorical vs block support, and so forth. Finally, we will examine the use of federal funds by full-service police departments and not specialized law-enforcement agencies, such as multijurisdictional task forces, even though these account for a substantial proportion of federal expenditures on overtime.

Is Federal Money Being Spent as Intended?

The value of governmental programs cannot be assessed unless their objectives are specified and understood (Nathan 1995). The Department of Justice supports overtime for a variety of purposes under a host of programs. We cannot assess whether each of them achieves its objectives. We can, however, determine whether the money given to localities by the federal government for overtime is likely to be spent as program managers intend.

In general, we conclude that police departments do use overtime money for the purposes intended by the federal government. There are several reasons for this.

First: police departments are law abiding. Although cynicism is fashionable, one should not assume that police managers are always looking for ways to avoid the responsibilities entailed by the money they receive. On the contrary, they are as well motivated as most of us and want to do what is right (Nathan 1983).

Second: our research suggests that police departments do not apply for overtime money from the federal government unless it fits their own programmatic objectives. This coincidence of interest ensures that federal money will be spent as intended (Chesney 1994).

Third: federal overtime money is not spent on core functions of local policing, but on supplemental activities. Although overtime plays an important part in police financing, local managers do not want to become dependent on the uncertain support of the federal government. For them, such use would mask the responsibility of local government to provide core services. Managers do not view federal overtime money as a general resource. It has specific programmatic purposes, and there is little temptation to try to use it for core functions. As a result, federal overtime money tends to be segregated in budgets, making a transfer to another account quite visible.

One implication of this reasoning is that as local revenues decline relative to needs, the temptation to use federal overtime funds for core programs rises. The federal government should be cautious about providing overtime support in such circumstances.

**How Much Policing Does the Federal Government Get for
Its Local Overtime Investment?**

A dollar of federal support for overtime provides some increment of policing unless it is either supplanted to cover expenses normally supported locally or is fraudulently recorded as covering non-existent activities. We find little evidence of either of these.

It is critical to remember that the federal government supports overtime by cash. It cannot give compensatory overtime, where an hour of overtime is traded against 1.5 hours of released time later on. Federal overtime support, therefore, can produce an increment of policing because the overtime need not be paid back out of existing capacity. As we have suggested earlier in this report, an important question for American policing is under what circumstances compensatory overtime should ever be paid? American police officials need to work out the cost/benefit rules for comp time, meaning what sorts of activities are so important that other sorts can be scrimped to support them?

Federal overtime money is a bonanza to police departments: it is money that can be spent on activities by

officers above and beyond their normal workload. Police departments and their members want to see the money spent; they have no interest in using it to save money for their local governments. Unions, especially, object vigorously if federal overtime money is diverted to cover core functions.

~~This reduces local government investments in policing and,~~ possibly, the number of officers employed. Furthermore, federal overtime money appears to be free: it can be spend without imposing obvious costs on localities. This is not the case with federal money for supplementary hiring of police officers, where localities must pick up the costs of recruitment, training, equipment, and fringe benefits.

Actually, federal overtime money is not free, as our analysis in Chapter 6 shows. Federal overtime money appears to generate additional overtime costs - \$1.68 extra for each \$1.00 of federal money - that must be borne by local government. This is additional evidence that supplantation is not occurring.

The specificity of Justice Department grants also discourages supplantation. All Justice Department overtime has a programmatic purpose. It must be spent in particular ways in particular places at particular times. This reduces the fungability of these funds: they cannot be transferred without risk of exposure to other purposes that might relieve the local budget.

There is a general lesson here. In order to reduce the likelihood that federal funds can be used to supplant local

revenues in the support of policing, overtime payments are preferable to supplemental hiring. Because a police officer can be used for several purposes, often at the same time, it is harder to monitor whether all of his/her activity is a true increment to local policing or a supplantation. Task expenditures can be programmatically monitored; people expenditures cannot, or only with difficulty.

This suggests a paradox with respect to the federal practice of financing the hiring of police officers locally. A federal increment to policing through hiring is most assured when it is provided to less needy communities and most at risk when provided to communities that need it most. Poor communities cannot support the start-up costs of hiring and are more tempted to use outside sources to relieve their own budgetary limitations. Because overtime, on the other hand, suffers from neither of these defects, it is a better method for providing an assured supplement to local policing in needy, financially strained communities. The trade-offs in this calculation are assured increments against programmatic restrictions. It follows that in order to secure its investment, the federal government needs to play a larger role programmatically in needy departments than in affluent ones.

In most departments, because federal money for overtime represents a small proportion of police budgets, supplantation simply can't yield very much. As long as this

is the case, the risks of raiding it to cover core needs will be greater than the benefits.

Fraudulent accounting of overtime is the other major cause of loss in federal overtime investments. It is impossible to say how common this is. Overtime expenditures are not more vulnerable to it than other financial devices for supporting policing. The solution to fraud, whatever the form of expenditure on police, is conscientious and knowledgeable front-line supervision. At the same time, some overtime uses may be more vulnerable to abuse than others - for example, narcotics investigations compared with the enforcement of truck-weight limits. This would be worth studying, perhaps by canvassing the opinions of experienced police managers about what they thought were the activities most vulnerable to abuse.

This leads us to a general conclusion about overtime use in American policing: routine, around-the-clock police activities should not be funded on an overtime basis. In some localities, cities pay police officer at overtime rates for covering particular places, such as public housing or public transportation. Although unions love the premium wages on such details, routine policing should be financed on straight-time. These practices are a scam on an ill-informed public.

As far as we can tell, no Justice Department programs are used like this. The federal government is not supporting around-the-clock specialized units or specialized police

departments at overtime rates. The numerous multijurisdictional task forces, often focused on drug trafficking, are composed of local police officers paid by their respective departments. The federal government only pays their overtime, and this is strictly for work beyond normal functioning. Such payments are just as justified as paying overtime out of local funds for non-routine law enforcement. The only question the Department of Justice should ask is whether narcotics investigations and drug-law enforcement are more difficult to supervise and monitor against abuses than other forms of police work. We cannot tell. Even if they were, federally supported overtime is hardly more likely to be abused than local. Looked at this way, the wastage produced by overtime in some specialized units is an inevitable cost of doing business, regardless of whom the paymaster is.

**What Sort of Policing Does the Federal Government
Get for Its Investment?**

Granting that the federal government's investment in overtime to local police forces probably produces the bought increment of policing, what sort of policing has been bought? By and large, overtime money from the Department of Justice purchases relatively traditional programmatic additions rather than innovations. It expands what departments have experience in doing; it does not make a major

contribution to experimentation or systemic reform. This finding isn't really surprising. Overtime is usually paid for extensions of what has already been programmed; a department doesn't undertake an innovation because overtime money is available for it. While a department may welcome overtime money to cope with unplanned extensions, it undertakes innovation because innovation is valuable enough to support through normal budgetary processes. To suppose that overtime could have much effect on innovation would be like expecting the tail to wag the dog.

At the same time, overtime payments by the federal government have facilitated important qualitative innovations in particular cases. Some departments have used federal grants to advance ambitious strategic and organizational changes, rather than simply augmenting the status quo. In these cases, federal overtime support has cushioned the cost of innovation and encouraged officers to participate. It is hard to estimate the number of these, but our impression is that they are the exception rather than the rule.

The important issue, therefore, is whether the additional but rather traditional increments to policing produced by the Department of Justice justify paying premium rates for them? What is the qualitative achievement of these overtime investments? The real effect of federal overtime is to change the priorities of local policing in the direction of federal objectives. By paying premium rates, federal

overtime coaxes extra capacity out of the police system. The premium induces regular police officers to work beyond their normal obligations in order to fulfill law enforcement objectives set in Washington. This is not to say that local officials object to these activities or find them without merit. It simply means that left on their own, local officials would not do so much of them.

Could the federal government obtain this sort of leverage if it did not pay the premium? Since labor laws prohibit working more than 40 hours a week, extra work could only be produced if the federal government enabled localities to hire extra officers. The danger of federal resources being used to supplant local ones would be greater because, as we have argued, monitoring the activities of new hires to prevent supplantation is more difficult than monitoring specific contracted functions. Subsidizing hiring provides less assurance that federal purposes are being achieved.

In sum, the benefits of overtime are that it is flexible and relatively easy to monitor when it is paid in money. The disadvantages are that the extra policing is unlikely to be qualitatively innovative and may not meet the most pressing needs of local communities. Federal overtime produces good works, but perhaps not as good as would be produced if revenues could be concentrated in new hires dedicated to high-crime needs in particular communities.

Is Overtime a Payment Mechanism that the Federal Government Should Encourage in Policing?

Overtime has become a fact of life in every police department. It is hard to envision a police department doing away with it. It has become a part of standard operating procedure. At the same time, quiet concern is often expressed by police managers about the effects that reliance on overtime is having. Since the Department of Justice is using overtime quite explicitly as a mechanism for supporting local police, it is worth asking what the effects are that trouble some observers.

First: overtime may lead to overwork, exhaustion, and accidents. Although this does not appear to have been studied in policing, research in other industrial areas shows that fatigue stemming from overtime increases accidents, raises health-care costs, increases absenteeism, and diminishes creativity (Moore-Ede 1995; Danzier 1994). We have heard police supervisors complain that their officers are over-stressed from working too long or at too many jobs. Some even say that officers come to work in order to rest. It is possible, therefore, that the quality of policing can be diminished by demanding too much of police officers.

Second: payment of overtime enhances the blue-collar, unprofessional nature of police work by putting a value on time worked rather than objectives achieved. Overtime reinforces a time-clock mentality, where every bit of time must be compensated and nothing is given to the job

voluntarily. With such a mind-set, policing becomes a job rather than a vocation (Bayley 1994).

Senior police officers often say that younger officers do not view policing as a service but almost exclusively as an opportunity to make money. Younger officers seem to begrudge any time demanded by the organization that is not paid for - whether it is training, community meetings, or a crime emergency. Whether this is true or not is hard to say: every generation believes that standards were higher when it was young.

This change in orientation to the job coincides with the strengthening of the position of unions in policing. "The contract" is much more powerful than it was 30 years ago. Whether unionization brought about this cultural change in policing or a cultural change encouraged the rise of unions is an interesting but open question. In any case, the payment of overtime seems to have risen in importance during the last 30 years and fits uncomfortably with the enhancement of professionalism.

Third: when overtime is viewed as an entitlement, the costs of policing rise. Despite warnings, many officers count on overtime in their family finances. Rather than being viewed as a nice extra, overtime earnings become a necessary part of their personal budgets. We have heard stories of officers refusing promotion because they could no longer earn overtime or senior officers volunteering for traffic details so that they can earn overtime. When

overtime becomes an entitlement, police officers become less sympathetic to attempts to control it, less scrupulous in reporting of it, and resistant to appeals to work beyond the "call of duty."

Fourth: when overtime is repaid as comp time, a ripple effect is produced because positions are left unstaffed or must be filled on a temporary basis by others. On any given day it sometimes seems that everyone in a police department is doing someone else's job. Everyone apologizes for the fact that he/she is only filling in for someone who is taking time off. As comp-time expands, expertise on the job diminishes.

These are the sorts of concerns about overtime, quite apart from the need to manage it, that are quietly being discussed among American police. Whether they are being overstated or not, we cannot say. We are convinced, however, that the manner in which work is rewarded affects more than whether jobs get done and the costs of doing them. It affects the culture of policing - the way in which police service is viewed, management is conducted, quality maintained, and satisfaction derived.

Conclusion

The federal government is limited in the ways in which it can responsibly contribute to local law enforcement. Because it must protect its expenditures from misuse, most importantly from supplantation, it needs to insist on

programmatic restrictions. Because overtime is easier to monitor programmatically than supplementarily hired officers, the federal government's need to be responsible in the use of public money encourages the use of overtime as a funding mechanism.

~~Whether overtime achieves value-for-money may be a more~~ important question for policing in general than it is for the federal government. Overtime payments from the Department of Justice do result in extra work being done by local law enforcement agencies. In this sense, federal payments for overtime produce more policing. At the same time, it is not clear that the work produced can be justified at overtime rates. The work that is done through federal intervention changes the composition of policing, although generally in ways that local police forces accept. Nonetheless, there may be other ways of using those resources that would benefit society more if they were dispensed at other levels of government.

Someone once observed that the correct answer to any important question is, "It all depends." This is certainly the case with federal payments for overtime. Although simple answers are attractive, none are to be had in this area. There are both quantitative and qualitative aspects to the answer, and costs and benefits must be accounted for at different levels of government.

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