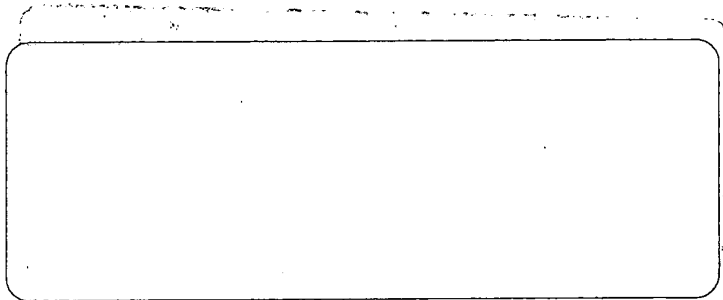
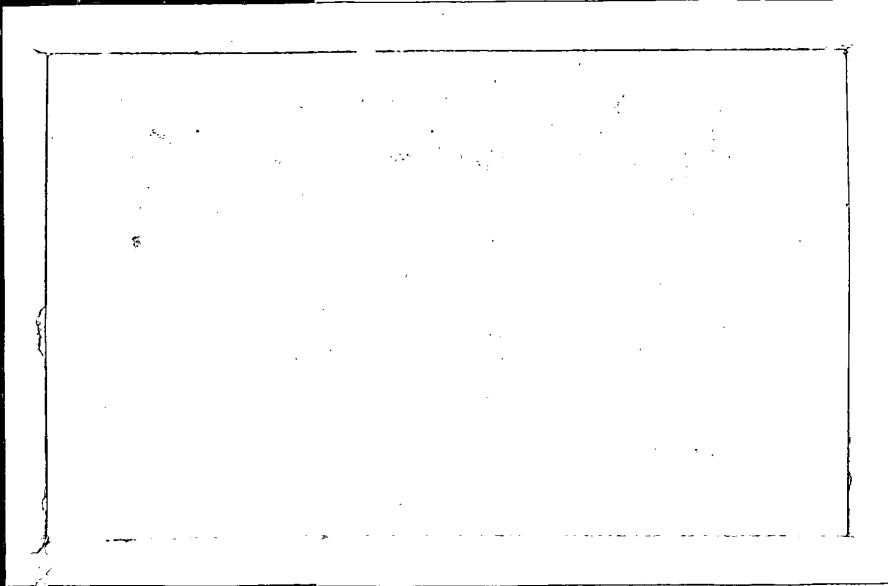


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**COORDINATION AND CONSOLIDATION
OF POLICE SERVICE**

PROBLEMS AND POTENTIALS

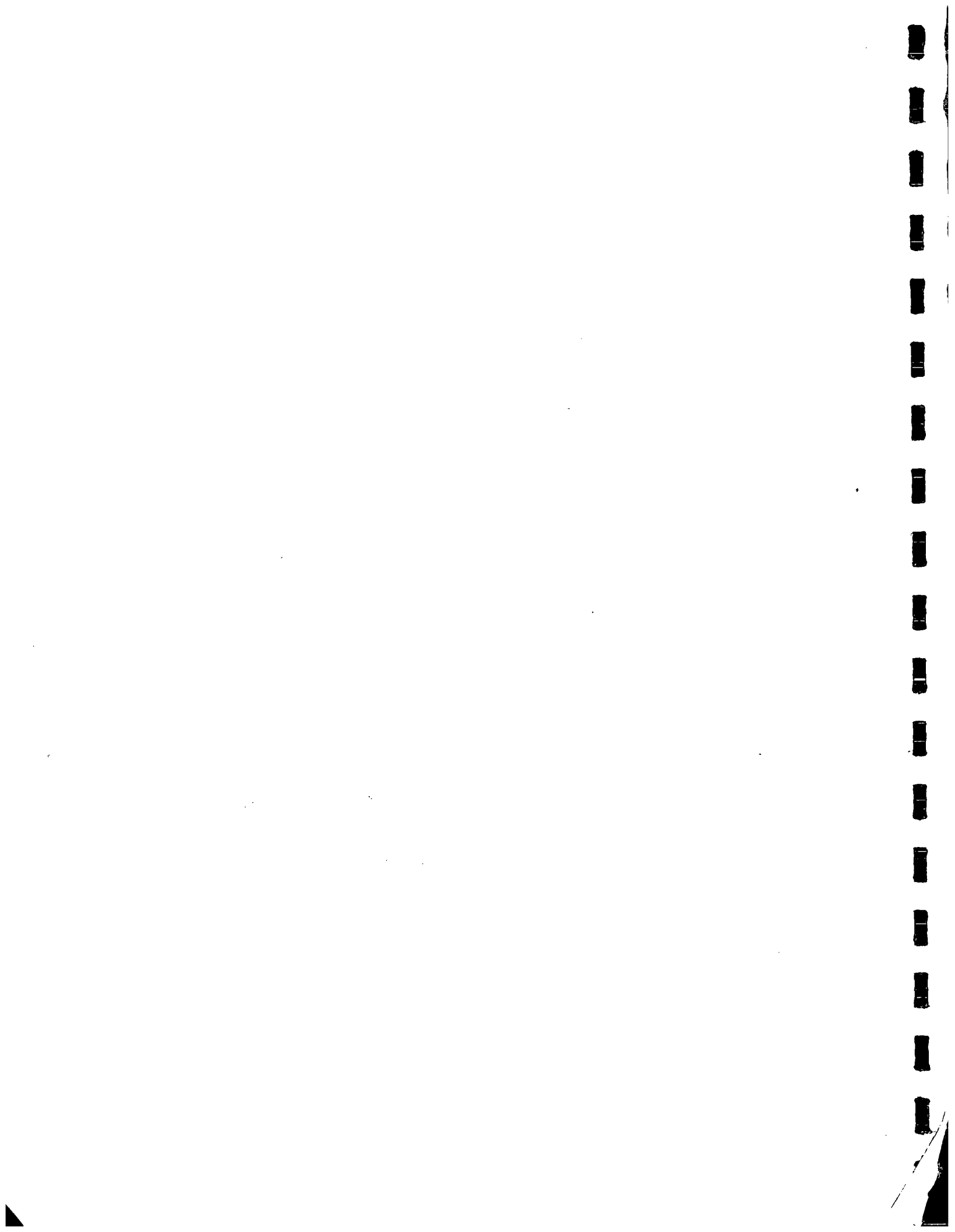
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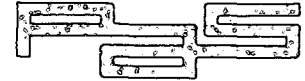
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December 2, 1966

U. S. Department of Justice
Office of Law Enforcement Assistance
Washington, D. C. 20530

Gentlemen:

We are pleased to submit herewith our report, Coordination and Consolidation of Police Service, Problems and Potentials. It was prepared in keeping with contract No. LEA 66-3, executed on February 24, 1966.

The study was done and the report prepared by G. Stephen Lloyd and David L. Norrgard, of our regular staff, under the direction of Dr. George D. Eastman, of our senior staff, who also reviewed the report. The study team was assisted at various times by Jerry E. Berg and James L. Fyke, of our regular staff, and by Albert Bowman, a special consultant to Public Administration Service.

We wish to express appreciation for the cooperation extended to us by your office and by staff of the President's Commission on Law Enforcement and the Administration of Justice.

Very truly yours,

G. M. Morris
Field Services Director

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(Organized not-for-profit on June 27, 1933, under the laws of the State of Illinois)

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be discussed are staff services^{4/} typical of law enforcement agencies, such as the recruitment, selection, and training of personnel; planning, purchasing, internal investigation, and the like; auxiliary services,^{5/} such as records and communications systems, detention facilities, laboratory services, and the like; and selected field services,^{6/} including criminal investigation, delinquency control, special task force operations, vice control, and related activities.

It is important at this point to establish some working definitions of "consolidation," "cooperation or coordination," and "region." In the context of this report, consolidation is the merging, in whole or in part, of one governmental jurisdiction, or function thereof, with another governmental jurisdiction, or function thereof. This definition is made as broad as possible, to include any type of governmental jurisdiction or function and any type of formal agreement which constitutes the assimilation of one unit or function, in whole or part, into another.

Cooperation or coordination presupposes a formal agreement between two or more governmental jurisdictions each with defined responsibilities to jointly provide a common service. This definition is limited to formal agreements and does not extend to informal arrangements.^{7/} The phrase "defined responsibilities" is used to suggest that each participating unit has a particular responsibility in a cooperative venture, whether in terms of providing financial aid, equipment, personnel, or of support by some other means.

^{4/} Staff services are nonline functions and activities used to develop personnel and departments to effectively meet police responsibilities.

^{5/} Auxiliary services are nonline functions, separate from staff services, which provide technical, special, or supportive services to other nonline or line elements of a department.

^{6/} Field services are line functions and activities directly concerned with the fulfillment of primary police responsibilities.

^{7/} Informal arrangements tend to be those of a mutual-aid nature in which one department agrees to come to the assistance of another as required, usually during emergencies. Such arrangements serve a valid purpose, but they do not materially add to the quality of service provided by a specific department nor do they improve the quality of personnel.

A definition of region poses some problems. The word "region" immediately suggests some established boundaries, albeit artificial ones. The English common law concept of a region (or community) as an area having a commonality of interests is accepted as a definition of a region in this study; thus, it is not confined within defined political boundaries. Rather, one is speaking of two or more governmental jurisdictions with political, economic, social, or other ties and with common problems.

The remaining word which may pose some questions is "police." In this report, the term "police" refers to the executive arm of government (municipal, county, or state) charged with responsibility for preservation of peace, protection of life and property, and enforcement of criminal laws and certain regulatory statutes and ordinances. Of immediate concern is the identification of functions which properly fall in the province of police responsibility and those functions traditionally, or for other reasons, which are performed by police that might be better handled by some other agency. This report will make a distinction between such functions and will identify possible steps by which nonpolice functions might be transferred to other public agencies.

Scope of the Report

It should be kept in mind that in the bulk of this report, nothing is mentioned about reducing the large number of police jurisdictions in the United States. Chapters III, IV, and V are concerned with analyzing the problems and potentials of coordination or consolidation of selected police functions (e.g., staff, auxiliary, and field), given the present situation. It will be assumed in these chapters that the present proliferation of police jurisdictions is not intrinsically bad, and that each jurisdiction is capable of providing at least a modicum of service to its citizens. The mission, in these chapters, then, is to suggest methods of improving selected police functions through coordination or consolidation, with the hope that each jurisdiction will be better able to cope with the problems of law enforcement. In short, the assumption is that

total consolidation of one jurisdiction with another is unnecessary if certain staff, auxiliary, and field assistance can be provided each jurisdiction.

In Chapter VI, the problem is viewed in a different way. It is assumed that the number of police jurisdictions must be reduced in order to deal effectively with the need for more and better police service. Significant methods used in consolidating police jurisdictions will be described. It is a fair assumption that where these methods have been utilized, it was realized by the affected governmental jurisdictions that fragmented, decentralized policing was either uneconomical or ineffective. It will be assumed, also, that coordination or consolidation of selected police functions was not sufficient and that jurisdictional consolidation was the only answer.

A new approach to achieving coordination and consolidation is the focus of Chapter VII. Consideration is given to the formation of state agencies with responsibilities for developing statewide requirements for quality of performance in law enforcement and for insuring that such requirements have compliance.

Throughout this report it will be evident that quality in police service is the desired goal. If quality can be achieved only through coordinating or consolidating selected police functions, or only through total consolidation of police jurisdictions, these are the routes that should be taken; but it does not mean that they will be taken.

Thus, although this report is directed toward improving the quality of police service through coordination or consolidation, the transfer or shift of selected functions or total law enforcement from one unit to another cannot be argued simply in this manner. Present-day realities do not allow it. Interest in local self-rule has been strong enough to develop the present system, and it certainly is strong enough to retard or prevent changes in it. The democratic process implies a desire for local control, whether or not there is local control in fact. Chapter II describes some of the obstacles to the redistribution of law enforcement functions.

Before proceeding with the report, three basic assumptions regarding the status of local government in the United States which bear on the scope and content of the report should be set out. First, local government will not be eliminated, even if some governments are completely consolidated with others. Second, it is unnecessary to think of removing a function from any local government that is capable of providing that function at a level desired by local residents, or if in its performance, it can meet state standards regarding quality of service. Third, it is desirable to preserve as much local governmental control as is reasonable while increasing the quality and quantity of service. These three basic assumptions underlie the ensuing discussion regarding coordination or consolidation of law enforcement services.

Research Methods Utilized

Several techniques were utilized in the preparation of this report. A detailed review was made of available literature, ranging from general metropolitan studies to studies of specialized police activities. Special attention was given to the literature on existing arrangements for inter-governmental cooperation, even though most such arrangements do not relate to police activities. Publications of the Advisory Commission on Inter-governmental Relations were carefully reviewed, and some applicable recommendations have been incorporated into this report. Also consulted were other project reports prepared for the President's Commission on Law Enforcement and the Administration of Justice.

The project staff also reviewed selected state constitutions, pertinent legislation, opinions of attorneys general, court decisions, and other sources to determine legal authorizations, prohibitions, or restrictions relating to the coordination or consolidation of law enforcement activities. As a result of this survey, legal provisions have been identified that promote or retard the professionalization of law enforcement activities.

Members of the project staff made intensive field visits to a number of governmental jurisdictions and agencies to obtain firsthand

impressions and factual data relating to the coordination and consolidation of law enforcement activities. Law enforcement and general government officials were interviewed in Phoenix, Arizona; Los Angeles County and the Cities of Lakewood, Norwalk, Downey, and Oakland, California; the Metropolitan Government of Nashville-Davidson County, Tennessee; the Municipality of Metropolitan Toronto, Canada; Metropolitan Dade County, Florida; and Nassau and Suffolk Counties, New York. Visits also were made to the California Department of Justice; the California Disaster Office; the California Commission on Peace Officer Standards and Training; the Chicago Police Department; the Illinois State Police; the Illinois Division of Criminal Identification and Investigation; and the Sauk-Prairie Police Department, Sauk City, Wisconsin. Discussions were also held with staff members of the League of California Cities and the Association of Bay Area Governments. Other staff members of Public Administration Service provided information regarding law enforcement activities in other cities with which they were familiar, including, among others, Kansas City, Missouri; Baltimore, Maryland; and Atlanta, Georgia.

Two conferences were of special value in the preparation of this report. A two-day conference, held in mid-June, 1966, brought together a number of law enforcement and general government officials of states, counties, and cities; several members of university faculties; and members of the staff of Public Administration Service especially conversant with the problems of law enforcement. The possible areas of coordination or consolidation of law enforcement activities and potential alternative solutions to law enforcement problems were discussed. A second, smaller conference of like people, held in August, reviewed drafts of the project report and evaluated recommendations. Many of the suggestions emanating from both conferences have been incorporated into the report.



I. GENERAL FINDINGS AND CONCLUSIONS

The ensuing discussion summarizes the general findings and conclusions of a detailed study of the problems and potentials of coordination and consolidation for the achievement of better police services. The discussion follows the chapter arrangement of the report, presenting first the general findings and then the more important conclusions or recommendations.

Obstacles to Coordination and Consolidation

Findings

Obstacles to the coordination or consolidation of the police services of different jurisdictions are similar to the obstacles to restructuring and relocating other functions of local government. The fragmented, decentralized system of police administration parallels the organization of local government generally. However, the obstacles to coordination and consolidation of police services tend to be among the most formidable, primarily because police service is generally considered to be one of the most local of governmental services, and also because even the smallest local governmental jurisdictions like to believe that they can provide at least minimal needed police services.

Generally, the political and social pressures inherent in the desire for local self-government, rather than legal restrictions, militate against the coordination and consolidation of police services. Most counties, however, operate under legal restrictions that limit their ability to provide urban-type services, including law enforcement. Moves for the coordination and consolidation of local police services must take into account the strength of the political and social pressures for local self-government.

Primary Conclusions

Broad joint-exercise-of-powers legislation, that permits many types of intergovernmental agreements, appears to be the most convenient authority

under which coordination and consolidation of police services can be accomplished. Action under such legislation involves no changes in existing governmental boundaries or political structures, nor does it negate principles of local self-government; rather, it represents responsible exercise of the powers of local self-government. All aspects of police service--staff, auxiliary, and field services, and even total police service--can be coordinated and consolidated. Many states already have adopted some form of joint-exercise-of-powers legislation.

Other Conclusions

If the county is to become a viable instrument for providing urban-type services, especially law enforcement, significant changes in its legal status must be made. Particularly, the role of the sheriff will need to be modified.

Coordination and Consolidation of Staff Services

Findings

On the basis of their potential for coordinated and consolidated action, staff services fall into two major groupings. Recruitment, selection, and training of personnel and planning lend themselves to joint action; whereas public information, internal investigation, and staff inspection are more closely identified with individual jurisdictions.

All police agencies need qualified, trained personnel capable of performing assigned duties. Unfortunately, many lack the necessary resources for recruiting and selecting qualified personnel and for providing the training needed at all levels of service. Many also lack the resources and capabilities for providing the sound, continuous planning that is the basis for evaluating departmental effectiveness and assigning personnel. These endeavors lend themselves to an areawide approach through coordination or consolidation of the efforts of a number of jurisdictions.

Staff activities associated with public information, inspection, and internal investigation are appropriately the tools of the individual police administrator and only rarely, or in limited degree, lend themselves to performance on an areawide basis.

Criminal intelligence is a staff service that does not fall precisely into either of the two general groups. In one sense, it is a tool of the individual administrator; however, in order to be fully effective, the criminal intelligence activities of one department must be coordinated with the activities of other departments engaged in similar and related work.

Primary Conclusions

Police activities related to manpower needs should be organized on the basis of areas large enough to support good programs. Through joint recruitment, selection, and training, police agencies increase their ability to secure the best available personnel. The state should participate in the programs through developing standards and requirements, assisting in making training facilities available to all departments, and establishing manpower reserves upon which local departments can draw to maintain their strength when their personnel at whatever level are receiving training.

The fulfillment of police responsibilities depends upon the effective use of manpower. To this end, all police agencies need planning assistance on organizational and procedural matters and access to areawide crime and modus operandi analyses. Such planning tools are beyond the capacity of all but the larger departments.

Other Conclusions

If criminal intelligence is defined as intelligence data regarding organized crime, coordination on an areawide basis is needed and possible. It is primarily an information-gathering activity, and the data from many jurisdictions usually must be coordinated to provide useful information.

Public information services should be coordinated in metropolitan areas. A practical example would be a coordinated public information program between a central city and its suburbs.

Each state should consider establishing a unit which would have as its sole responsibility provision of internal investigation assistance as required and the initiation of investigations when necessary.

Coordination and Consolidation of Auxiliary Services

Findings

The auxiliary services of records and communications, crime laboratory services, and detention are the police responsibilities best suited to coordination and consolidation on an areawide basis; and with the possible exception of training, these are the services most often performed jointly. Joint action is possible primarily because it involves cooperation only on technical matters; in this, auxiliary services differ significantly from other police functions, particularly field services. Auxiliary services are costly, and resources beyond the competence of most jurisdictions are needed in order to perform them with any degree of effectiveness.

Auxiliary services make it possible for police agencies to fulfill their basic responsibilities by dispatching personnel promptly, bringing to bear the information in records files in the solution of crimes, and studying and analyzing the physical evidence pertinent to a particular investigation. Many police agencies cannot adequately perform these services alone.

One auxiliary service, detention, is not concerned with the fulfillment of basic police responsibilities; consequently, it is not necessary that each local police agency provide this particular service.

Primary Conclusions

The increased pooling of resources among police jurisdictions is essential to the provision of effective records, communications, and laboratory services. Certain records must be maintained, and certain records services provided, on an areawide basis.

Communications systems must be improved through interjurisdictional contractual arrangements, coordination among radio systems, and through an increased role for the state as a coordinating agency.

Crime laboratory services must be available to every police department. With proper training, the routine gathering of evidence can be performed on the local level, but expensive analytical services must be provided by areas capable of supporting them, preferably by the state. Often the resources of poorly operated laboratory facilities in close proximity can be combined to establish one good facility.

Detention services, including temporary detention, should not be a municipal police responsibility. All detention responsibilities should rest with the county or, preferably, with the state.

Coordination and Consolidation of Selected Field Services

Findings

Field services are a controversial area for the implementation of coordinated and consolidated police service, primarily because such activities involve the fulfillment of basic police responsibilities that involve direct contact with the public. Opposition to the coordination or consolidation of programs in police service is most apt to be concentrated in the area of field services.

Selected field services, among them criminal investigation, vice and delinquency control, and special task force operations, require specialized training and manpower beyond the capacity of most jurisdictions to supply adequately. Criminal investigation and vice control tend to be concerned primarily with criminals who most frequently operate areawide, rather than in a single jurisdiction. Control of delinquency requires special legal knowledge, and special task force operations can be characterized as emergency situations requiring large numbers of trained personnel. These selected field services lend themselves to performance through coordinated or consolidated programs covering wide areas.

Primary Conclusions

Because criminal investigation and vice control, particularly, are concerned with a highly mobile criminal element and require significant manpower investments, they are susceptible to areawide performance.

Delinquency control responsibilities are the most local and least susceptible of performance on a coordinated basis. Special training and legal skills are essential, however, to successful programs, and consequently this aspect of delinquency control is susceptible of areawide development.

Policing of special events is a proper activity for coordinated action, particularly through the use of mutual aid pacts. In some cases, a statewide task force for this purpose could provide needed manpower which would not be available to individual jurisdictions acting alone.

Other Conclusions

Special tactical units should be organized on an areawide basis in order to be fully effective. However, the continuing need for manpower, as distinguished from manpower needs for the policing of special events, precludes the use of mutual aid agreements for their establishment. A state or county police organization might provide such units.

Police Service and Jurisdictional Consolidation

Findings

Not every police department is capable of providing needed staff, auxiliary, and selected field services; nor is every local government capable of providing a desirable quality of police services generally. Many local jurisdictions cannot provide adequate police protection unless they receive assistance from other jurisdictions; and many jurisdictions, for one reason or another, cannot provide even basic patrol services. These situations call for the coordination or consolidation of effort and services.

A number of approaches have been used successfully in consolidating police responsibilities. They include: comprehensive reorganization under metropolitan-type governments; the use of subordinate service taxing districts under a strong county government; intergovernmental agreements; and annexation by municipalities of fringe areas. One additional approach, the use of single-purpose special districts, has been utilized occasionally.

Primary Conclusions

Comprehensive reorganization under a metropolitan-type government offers the best possibilities for unifying police services on an areawide basis, but such reorganization is difficult to accomplish.

The provision of police service through use of subordinate service taxing districts offers a viable means of achieving consolidation within the existing framework of local government, especially through a county policing agency operating under a county charter.

At present, consolidation is perhaps most easily achieved through the use of intergovernmental agreements or contracts. The prime advantages are that permissive legislation is already available, and that consolidation can be accomplished without appreciably disturbing existing governmental structures.

Other Conclusions

Annexation and police special districts are also tools which can be used in achieving consolidation of police responsibilities. Both, however, have serious limitations. Annexation cannot be used effectively when the central city is largely surrounded by other municipal corporations, a situation that frequently prevails. Special districts covering a large territory may be created to provide police protection, thus eliminating jurisdictional problems. However, this method involves the creation of a single-purpose local government over which little popular control can be exercised.

Role of the State in Improving Local Police Service

Findings

States are becoming increasingly aware of the problems of local government, including the problems common to police service. This awareness may be augmented as a result of the reapportionment of state legislatures. Urban, and particularly suburban-influenced, legislatures may demand that the states pay more attention to local police problems.

Although the unique characteristics of each area preclude the design of a precise model for the role of the state, the states may be forced to establish standards and requirements and provide assistance aimed at improving local police service. State training legislation provides a precedent for expanding the role of the state into other areas of police service.

Primary Conclusions

States increasingly must establish standards and requirements for the conduct of local police service. The establishment of such standards will not endanger local control.

The provision of quality law enforcement through the coordination and consolidation of services should be a primary goal of the states. Planning for the accomplishment of this goal should not await requests from local jurisdictions.

Grants-in-aid may be an effective tool for inducing local jurisdictions to improve police service through coordinated and consolidated efforts.

Other Conclusions

Stipulation that a jurisdiction must contain so much area or population in order to be able to provide certain staff, auxiliary, or field services, or total police service, are not likely to be accepted and would be difficult to implement.

Indices, such as crime rates and clearance rates, are good indicators of the level of police efficiency in particular communities, but must be applied with recognition of their limitations in any general application. Standards cannot be based on such indices.

II. OBSTACLES TO COORDINATION AND CONSOLIDATION

Law enforcement is regarded generally as one of the most "local" of all governmental activities. Although a ranking of these activities on any type of local-areawide scale is subject to criticism, the Advisory Commission on Intergovernmental Relations concludes that law enforcement is considered to be a highly local activity along with fire protection, public education, and libraries; whereas health, urban renewal, parks and recreation, transportation, and planning activities are among the least local or most areawide in nature.^{1/}

Although the report of the Advisory Commission on Intergovernmental Relations (ACIR) would seem to suggest that law enforcement is not a very promising area in which to initiate coordination or consolidation, it notes, nevertheless, that certain aspects of police services are very amenable to larger-area handling. The Commission specifically cites staff and auxiliary services and some specialized field activities such as vice control and major crime investigation. "Large scale administration of these activities is more effective since it is better equipped and staffed, and facilitates over-all planning and development of resources."^{2/}

The ensuing discussion will consider some of the obstacles to the coordination and consolidation of law enforcement services on an areawide basis--legal, political, economic, and social--and offer suggestions for lessening their impact.

^{1/} Advisory Commission on Intergovernmental Relations, Performance of Urban Functions: Local and Areawide, 1963, pp. 9-23. See also John C. Bollens and Henry J. Schmandt, The Metropolis: Its People, Politics and Economic Life (New York: Harper & Row, 1965), p. 312.

^{2/} Ibid., p. 14.

Legal Obstacles--Constitutional and Statutory

Unlike the United States Constitution, state constitutions generally are very detailed and contain many provisions that are essentially statutory in nature. State constitutions also can be amended with relative ease in comparison with the Federal Constitution. The distinction between a constitution as fundamental law, on the one hand, and ordinary statute law, on the other, is not always clear cut.^{3/} In essence, concern is directed at one and the same time (and often in the same document) to constitutional and statutory matters when discussing legal obstacles to intergovernmental cooperation, coordination, or consolidation.

State constitutions have defined very carefully the powers delegated to local governments, with the result that "local government is fractionated and confusing. It is restricted territorially, financially, in structure and personnel, and sometimes directly in the functions authorized."^{4/}

Status of Municipal Government

The tradition of local self-government is strong in the United States. Home rule for municipalities dates from the mid-1870's in Missouri and has now been adopted in some form by 28 states.^{5/} Its growth primarily

^{3/} Paul G. Kauper, The State Constitution: Its Nature and Purpose. Citizen Research Council of Michigan, Memorandum Number 202, 1961, p. 13. The Book of States, 1966-67 (Chicago: Council of State Governments, 1966) indicates that a total of 3,904 amendments have been made to 47 state constitutions (Michigan and Alaska constitutions have no amendments; data are not available from North Carolina). Twenty-eight states have amended their constitutions more than 30 times. This would seem to verify Kauper's observations that there is no real reluctance to amend state constitutions. (Data extracted from tables, pp. 10-13.)

^{4/} Advisory Commission on Intergovernmental Relations, State Constitutional and Statutory Restrictions Upon Structural, Functional, and Personnel Powers of Local Government, 1962, p. 11; hereafter cited as Restrictions.

^{5/} Charles S. Rhyne, Municipal Law (Washington, D. C.: National Institute of Municipal Law Officers, 1957), Sec. 4-3. See note 11, p. 62, for a complete listing of home-rule states including constitutional or statutory references. It should be noted that not all authorities agree on the same list of home-rule states.

represents an effort on the part of municipalities to avoid the restrictions of special and general law legislation. The basic precept of home rule is that municipalities be permitted to establish and amend their own charters, within certain constitutional and legislative limitations.

There are two basic types of municipal home rule. Under the self-executing form, home rule is granted directly by the state constitution and requires no legislative implementation. The second is the non-self-executing type, which requires legislative implementation.

One view that dominated early thinking about municipal government was that home rule was an "inherent right," and some early court decisions alluded to this "right."^{6/} In fact, home rule is not a right but a privilege granted by the state to be exercised within certain specified limits. This is not a denial of democratic government but rather a recognition that the state has created municipal governments and allowed them to exercise certain powers on behalf of the state and the municipality without day-to-day direct control. The current legal principle governing municipal government was expressed by Judge John F. Dillon some years ago:^{7/}

It is a general and undisputed proposition of law that a municipal corporation possesses and can exercise the following powers, and no others: First, those granted in express words; second, those necessarily or fairly implied in or incident to the powers expressly granted; third, those essential to the accomplishment of the declared objects and purposes of the corporation--not simply convenient, but indispensable. Any fair, reasonable, substantial doubt concerning the existence of power is resolved by the courts against the corporation and the power is denied.

A municipal corporation is a public corporation that can be regarded as a subordinate branch of state government and as an instrumentality of state administration, with certain delegated powers to be exercised

^{6/} People v. Hurlbut, 24 Mich. 44 (1871). Justice Thomas M. Cooley said, "... local government is a matter of absolute right; and the state cannot take it away."

^{7/} Commentaries on the Law of Municipal Corporations, fifth ed. (Boston: Little, Brown and Co., 1911), Vol. 1, Sec. 237.

primarily for local purposes. The essential and distinguishing characteristic of a municipality is its duality of purpose, namely: (1) to assist in the government of the state as an agent or arm of the state and (2) to regulate and administer the local affairs of the incorporated area for the benefit of the local community.^{8/}

A municipal corporation performs certain services for the benefit of the people living within the corporate boundaries. These services are generally limited to the corporate boundaries by two related rules of legal interpretation. The first is the general rule that a municipal corporation's power ceases at the municipal boundaries and cannot, without specific legislative authority, be exercised beyond them. The second is that two lawfully organized public or municipal corporations cannot have jurisdiction and control at one time over the same population and territory for the exercise of like powers. These two well-settled legal interpretations prevent municipalities, without specific state authorization, from performing governmental acts in concert or from contracting for their performance.

An opinion of the attorney general of the State of Washington typifies this legal position.^{9/} When asked if a city could contract with a county for law enforcement services, he stated that it was not possible because of lack of an express grant of power. "If there is a doubt as to whether the power is lacking, it must be denied."

Home rule, as such, cannot be considered a legal obstacle to inter-governmental cooperation, but it is a political obstacle. A typical example of the political obstacles generated by the concept of home rule can be found in the reactions to recent legislative proposals in the State of Michigan. A number of bills introduced in the legislature were viewed

^{8/} Rhyne, *op. cit.*, Sec. 1-2. See also, Eugene McQuillin, The Law of Municipal Corporations (Chicago: Callaghan and Co., third edition, 1949), Vol. 1, Sec. 2.07-2.09. A municipal corporation does not include counties, townships (unless so designated by statute), or special districts. These units of government are more appropriately called quasi-municipal corporations.

^{9/} Attorney's General of Washington Opinion 65-66, No. 28, July 26, 1965.

by the Michigan Municipal League (the association of Michigan municipalities) as an intrusion by the state into the prerogatives of home-rule municipalities.^{10/} No one questioned the right of the legislature to pass legislation affecting home rule; the question was, rather, a political one. The position of the League was that any legislation introducing further controls by the state over municipal government is inimical to home rule.

Legislative proposals designed to establish statewide criteria for law enforcement activities will meet opposition from home-rule advocates, not because the state does not have the power to enact such legislation, but rather because it would be an infringement of home rule. Home-rule advocates probably would not object to permissive legislation authorizing interlocal agreements for law enforcement on a voluntary basis. They would, however, probably resist any move to establish statewide mandatory training requirements for police officers, for example.

Status of County Government

Three aspects of current county government have an effect upon law enforcement service provided by counties. These are the traditional structure of county government, the role of the sheriff, and the emerging trend of county home rule.

Traditional County. Counties are quasi-municipal corporations organized as subordinate agencies of the state government to aid in the administration of state affairs, with such powers and functions as the law prescribes. Counties are distinguished from municipalities because they are created for the benefit of the state and not for the advantage and convenience of the people within their boundaries.^{11/}

^{10/} Robert E. Fryer, "1966 Legislative Report," 39 Michigan Municipal Review 172 (1966).

^{11/} Rhyne, op. cit., Sec. 1-4. McQuillin, op. cit., Sec. 2.46. See also Commissioners of Hamilton County v. Mighels, 7 Ohio St. 109 (1857), which is a significant court decision identifying the role of counties by a state court.

In most instances, the state exercises greater control over counties than over municipalities because counties primarily are performing responsibilities delegated to them by the state, whereas municipalities usually are performing services for their residents, who requested that a corporation be created to provide certain types of services that the county was not providing.

The distinction between counties and municipalities becomes more clear when it is noted that "the city is what the legislature chooses to make it, subject to certain constitutional limitations, but the county is what the constitution makes it and the legislature is limited to dealing with the organization written into the constitution."^{12/} Thus, counties are controlled by the state constitution, whereas municipalities are controlled more directly by the state legislature.

Throughout the United States, counties almost always have the same fundamental structure, based upon detailed constitutional provisions calling for the frequent election of a large number of department heads, each with specified duties and independent authority. Most state constitutions provide that all county governments in the state have the same organization, severely restrict the changing of boundaries, limit the types of service that can be offered at the county level, restrict taxing authority, and establish low debt limitations and other restrictions. The governing body of most counties, which usually consists of three to five members, has both legislative and administrative responsibilities. There is seldom a single county executive with over-all responsibility for county governmental activities.

Office of Sheriff. The county sheriff is an anomaly in the law enforcement field in the United States. No other law enforcement official is so carefully provided for by constitution and statute as is the sheriff;

^{12/} John M. Winters, State Constitutional Limitations on Solutions of Metropolitan Area Problems (Ann Arbor: University of Michigan Law School Legislative Research Center, 1961), p. 47.

no other law enforcement official is saddled with so many nonpolice duties; and none has been accused of such lack of professionalism.

It is not uncommon to find sheriffs performing law enforcement functions, maintaining custody of prisoners, serving civil papers and otherwise acting on behalf of the courts, collecting taxes, operating dog pounds, and performing many other duties not directly related to basic police service. The sheriff is usually an elected official with short tenure and operates a department staffed with patronage employees who also have short-term tenure.

Every state except Alaska and Hawaii has provided in its constitution for the office of county sheriff. The constitutions of 22 states provide for the election of sheriffs; 25 states provide by law for the election of sheriffs; and Rhode Island provides by law that sheriffs be appointed by the governor. This follows the strong tradition throughout the United States of electing county department heads, each with independent spheres of responsibility.

With few exceptions, state constitutions do not mention or define the sheriff's duties and responsibilities. When a constitution creates an office without specifying its duties, the courts have generally assumed that the framers intended the office to embody all of the common law and statutory functions that existed in relation to that office at the time the constitution was adopted. Under this view, duties may be added by statute but none can be removed. Courts concerned with preserving the traditional structure of local government tend to adopt this line of reasoning.^{13/} Law enforcement traditionally has been considered a common law duty of the sheriff.

An opposing legal theory holds that the mention of the office of sheriff does not imply that the attributes and functions of the office, as they existed at the time of adoption of the constitution, are rendered

^{13/} For a detailed discussion of the general character of the office of sheriff, including significant court case citations, see: Max A. Pock, Consolidating Police Functions in Metropolitan Areas (Ann Arbor: University of Michigan Law School Legislative Research Center, 1962), pp. 6-15.

immune to change by the legislature. A similar view has been adopted by some courts in interpreting state constitutions which contain provisions that the duties of the sheriff be prescribed by law.

On occasion, provisions of state constitutions place unusual limitations upon the activities of sheriffs. In Texas, the attorney general has ruled that incorporated municipalities could not contract for police services from a sheriff because such a contract would be in conflict with the state constitutional requirement prohibiting dual office holding by certain civil officials.^{14/} The sheriff under a contract program would become, in fact, the police chief of the contracting municipality.

Although the constitutional status of sheriffs and their relationships to the changing needs of the office are not well settled in law, it is apparent that fundamental changes in the office to permit various types of experimentation may necessitate changes in state constitutions. In the words of Max Pock, ". . . to constitute the county in its present form as a metropolitan police unit would at best be difficult and at worst unconstitutional."^{15/}

Changes in the status and structure of county government hold some promise in reconstituting the office of sheriff. For example, Multnomah County (Portland), Oregon, recently adopted a county home rule charter to go into effect on January 1, 1967,^{16/} which calls for the abolishment of the office of elected sheriff and the appointment of a director of public safety responsible to the county executive. Civil functions performed by the sheriff under the old system will be transferred to the newly established department of judicial administration, and tax collection functions will be transferred to the new department of finance.^{17/} In brief, the new

^{14/} Attorney's General of Texas Opinion, No. C-661, April 15, 1966.

^{15/} Pock, *op. cit.*, p. 15.

^{16/} A vote to repeal the charter, adopted May 24, 1966, will be held on November 8, 1966.

^{17/} Multnomah County Charter, Sec. 6.20-6.40.

director of public safety assumes law enforcement responsibilities of the former sheriff, plus detention operations.

The Metropolitan Government of Nashville and Davidson County, Tennessee, illustrates another development. With the merger of the city and the county, the position of sheriff was retained, but the duties and responsibilities of the office were materially altered. A metropolitan police force was established, headed by a chief of police responsible to the mayor, to handle law enforcement duties within the city and the county. The sheriff, still an elected official, is no longer the "principal conservator of peace" within the county, that function having been transferred to the metropolitan chief of police. Instead, the duties of the sheriff are confined to control of the county jail and custody of prisoners and the usual responsibilities for civil processes.^{18/}

Changes in the office of the sheriff of Los Angeles County represent still another approach. The sheriff remains an elected department head who retains the traditional functions of providing police service, maintaining custody facilities, and serving civil papers. However, under a county home rule charter and permissive state legislation authorizing interlocal agreements, the sheriff provides complete law enforcement services to 29 municipalities in a program of functional consolidation. The sheriff, an elected official, has 1 exempt appointment; the remaining 5,000 employees are all under civil service. The Los Angeles County Sheriff's Department enjoys an excellent reputation for professional service--even though maintaining a semblance of a traditional sheriff's department.

Enabling legislation authorizing interlocal contractual agreements may be necessary to meet the problem of dual office holding and, in some cases as in Texas, a constitutional change may be required. The Michigan Constitution contains a provision (Art. VIII, Sec. 28, Clause 2) that permits this type of arrangement:

^{18/} Metropolitan Government Charter for Nashville and Davidson County, Art. 8, Chapter 2, Sec. 8.201-8.210; Art. 16, Sec. 16.05.

Any other provisions of this constitution notwithstanding, an officer or employee of the state or any such unit of government or subdivision or agency thereof, except members of the legislature, may serve on or with any governmental body established for the purposes set forth in this section [intergovernmental cooperation and joint administration of functions] and shall not be required to relinquish his office or employment by reason of such service.

Development of County Home Rule. Old concepts regarding the functions of county government are undergoing some change. There are several combined city and county governments which operate primarily as cities, including San Francisco and Denver; one metropolitan government which operates primarily as a city, the Metropolitan Government of Nashville and Davidson County; and several city governments which exercise some county responsibilities, including Philadelphia and New York.^{19/}

There is also a trend toward the development of county home rule. Patterned after municipal experiences, several states now allow counties to write their own charters--among them California, Maryland, Michigan, New York, North Carolina, and Oregon. Several other states allow county home rule on selected bases, including Florida, Pennsylvania, and Tennessee.

The main shortcoming of some of the provisions for county home rule is that they really do not give counties as much freedom for action as is usually granted to municipalities. The Michigan situation provides some insights into the problem of changing the role of the county to that of a local government. The State Constitution establishes the principle of county home rule and authorizes the legislature to implement the provision through general law.^{20/} Following several years of discussion, the

^{19/} U. S. Department of Commerce, Bureau of the Census, Governing Boards of County Governments, State and Local Government Special Studies Number 49 (Washington, D. C.: Government Printing Office, 1965), pp. 2-5.

^{20/} Michigan State Constitution (1964), Art. VII, Sec. 2, "Any county may frame, adopt, amend or repeal a county charter in a manner and with powers and limitations to be provided by general law"

legislature adopted a home-rule measure in 1966,^{21/} but it does not permit the residents of a county to fully redesign the traditional structure of county government. The act requires that all existing constitutional offices, including that of sheriff, be continued. A significant change is that a single, elected county executive is required. Also, internal reorganization of some statutory boards and commissions by the county commissioners is permitted.

Powers of home-rule charter counties are circumscribed to avoid conflicts between counties and the municipalities within them. New powers may not be exercised within a municipality without its consent, and the cost of a service rendered must be charged to the specific area benefited until it is performed on a countywide basis. Thus, possible infringements on municipal prerogatives by charter counties have been carefully guarded against. County home rule in Michigan would appear to be home rule in name only, with the traditional structure of county government largely preserved and the powers of the county carefully prescribed to avoid conflicts with municipalities.

Don Hummel, former mayor of Tucson, Arizona, and presently an assistant secretary of the U. S. Department of Housing and Urban Development, has succinctly summarized the prevailing municipal point of view regarding the expansion of county services. Speaking against an Advisory Commission on Intergovernmental Relations' recommendation to give all functional powers not expressly reserved, pre-empted, or restricted by the state to cities and counties, he said, "The city as the historical and basic unit of government designed to provide urban type service should be the logical recipient of this grant of power. The county as a division of state government designed to provide rural type service should not be reconstituted to compete for urban service responsibilities." Hummel further noted that making county government a competitor of city government would aggravate rather than improve intergovernmental relations.^{22/}

^{21/} Public Act 293 of 1966.

^{22/} Restrictions. See footnotes pp. 68, 72, 73 for Don Hummel's comments in dissenting to certain recommendations made by the Advisory Commission on Intergovernmental Relations of which he was a member.

If a county is to perform urban-type services, even in unincorporated areas, it must be equipped with increased powers, means of self-determination, adequate financial resources, and a flexible internal structure.^{23/} The county home-rule provision in Michigan does not meet these specifications adequately. Although the powers of counties are increased, it is apparent that their basic structure remains the same. The several modifications in their status are not enough to overcome the traditional situation of the county as essentially an administrative unit of the state.

The current general pattern of county government is ill-suited to provide urban-type services. Counties that are essentially administrative units for the performance of state functions cannot be major providers of local services. Changes such as have occurred in populous Los Angeles County have been made possible by giving counties greater flexibility in organizing their own affairs. Home rule is essential to the further development of counties. The county, to participate more fully in the performance of urban services, needs the legal status of a municipality.

Metropolitan Areas and Intergovernmental Relations

A crucial question facing each governmental jurisdiction in a metropolitan area is what can be done to solve the problems that are areawide. Common problems suggest a joint or coordinated program.

In discussing ways to resolve metropolitan area problems, the question of the prerogatives of home rule is often raised. It may be argued, however, that the principle of home rule was not meant to apply when problems have expanded significantly beyond the boundaries of a municipality.^{24/} Court decisions in New York and Michigan, two states

^{23/} "The Urban County: A Study of New Approaches to Local Government in Metropolitan Areas," Harvard Law Review, Vol. 73:526, pp. 528-582. Gladys S. Kammerer, County Home Rule, Civic Information Series No. 34 (Gainesville: Public Administration Clearing Service, University of Florida, 1959), pp. 16-17.

^{24/} William Martin, "Metropolitan Regionalism: Legal and Constitutional Problems," 105 University of Pennsylvania Law Review, pp. 592-593 (1957).

with strong home-rule traditions, tend to support this view. The New York Court of Appeals has held that when a city cannot handle a specific problem (in this case, an inadequate sewage disposal system that endangered the health of residents in several adjacent communities), the state may step in and rectify the situation.^{25/} The Michigan Supreme Court has ruled that highways are a statewide concern, and that home-rule prerogatives do not prevail if property within the municipality is required for highway purposes.^{26/} It would be presumptuous to predict what a court would say regarding law enforcement activities, but in other areas of public safety and in matters relating to public health, court decisions have held that home-rule prerogatives do not prevail over the greater public need. The spillover needs in matters of law enforcement suggest that the courts might follow this line of reasoning when confronted with similar issues in this area.

An analysis of the role of municipal home rule in a metropolitan area suggests that, in the long run, a multiplicity of local governments may be a contributing factor to the loss of local control over local problems. When a problem is local to an entire region, and is not confined to a single municipality, it demands an areawide solution and, failing this, may bring action from a higher level of government.^{27/} Local jurisdictions, therefore, need to work in concert on problems where individual action is not sufficient.

The National League of Cities (an association of state municipal leagues and direct-member cities with over 50,000 population) recognizes this situation in its 1965 official policy statement regarding home-rule powers. The policy statement says:^{28/}

^{25/} Robertson v. Zimmerman, 263 N.Y. 52, 196 N.E. 740 (1935).

^{26/} City of Dearborn v. Michigan Turnpike Authority, 344 Mich. 37, 73 N.W. 2d 544 (1955).

^{27/} Winters, op. cit., 151.

^{28/} National League of Cities, National Municipal Policy. Adopted at the 42nd Annual Congress of Cities, July 24-28, 1965, Sec. 13-5. (Emphasis added.)

. . . Home rule conceived solely as isolation from outside relationships is a self-defeating anomaly. An essential ingredient of successful home rule is a recognition of interdependence among levels and units of government as the key to continued strength and vitality in local government. Interdependence implies operating relationships among units and levels of government of such kind that the resources of total government are marshalled and brought to bear effectively on the problems of localities, metropolitan areas and regions. In this sense home rule privilege obligates local units of government to a practice of collective cooperative and coordinated responsibility

Law enforcement is one of the problem areas where cooperation is needed. The more prosaic governmental services (e.g., water distribution and garbage disposal) frequently have been provided on a regional basis, but only Los Angeles County, Nashville-Davidson County, and one or two other large urbanized areas have made attempts to coordinate or consolidate law enforcement services. There are also some rural communities like Prairie du Sac and Sauk City, Wisconsin (total population 3,200), which have consolidated their law enforcement services, but this is still a rare occurrence. The prime reason for lack of cooperative action is the value each government places upon having its own law enforcement agency. It is not so much the argument for home rule, as opponents to coordinated or consolidated law enforcement agencies would have one believe, as the desire for control over police activities.

Joint Exercise of Powers

The augmenting of coordination and consolidation of services between or among governmental jurisdictions may be accomplished through intergovernmental agreements. Such agreements open the way to joint efforts and to transfers of responsibilities for the performance of governmental functions.

Objections to Intergovernmental Agreements. It may be argued that intergovernmental agreements tend to impede more comprehensive reorganization by ameliorating current dissatisfaction with a particular condition which in the long run could be dealt with more effectively through governmental

reorganization.^{29/} It is difficult to counter the argument that comprehensive reorganization is the more logical solution to providing better, more efficient local government. It is incumbent upon governments, however, to provide the best possible services within the legal and political frameworks in which they operate. A provision most commonly found, and the one which will offer the fewest political obstacles, is a joint exercise of powers act. Comprehensive reorganization, albeit a desirable goal, is generally not a realistic one for meeting immediate problems.

Counties and municipalities as legal creatures of the state have limited powers, even under home-rule provisions. Express statutory authority is therefore necessary for functional consolidation or joint action through intergovernmental contracts. More than half of the states have now adopted legislation which permits intergovernmental contractual relationships. Unfortunately, however, most of these enabling acts relate only to the particular requirements of a particular area and have been enacted to meet a specific need as it arose. Consequently, a number of states have many uncoordinated statutes pertaining to specific problems and areas. Critics are correct in identifying this type of interjurisdictional authorization as stop-gap solutions that do not go to the basic question of governmental reorganization.

California Joint Powers Act. A notable exception to this pattern is found in California, which has adopted broad joint powers legislation. The Joint Exercise of Powers Act^{30/} allows any designated public agency^{31/} to exercise any power common to the contracting parties, even though one or more of the contracting parties may be located outside of the state.

^{29/} For a more complete discussion of the objections to interlocal agreements see: Advisory Commission on Intergovernmental Relations, Alternative Approaches to Governmental Reorganization in the Metropolitan Areas, 1962, pp. 29-32.

^{30/} Government Code, Section 6500-6513, as amended by Chapter 990, 1963.

^{31/} The broad concept of a public agency in this act includes the federal government or any federal department or agency, the State of California, an adjoining state or any state department or agency, a county, city, public corporation, or public district of California or any adjoining state.

This act is as brief as it is broad in scope and serves as one of the most effective vehicles for interlocal cooperation in the United States.

Early in this century, Los Angeles County entered into contractual arrangements with a few cities located within the county to assume tax assessment and collection responsibilities for them. Questions were raised about the legal status of the contract program and, in an effort to legitimize what was already an accomplished fact, the state legislature proposed a constitutional amendment sanctioning the relationship, which was adopted in 1914. The amendment authorized the legislature to provide by general law for the intergovernmental agreements, and the Joint Powers Act of 1921 was the result of this action. The act was redesigned in its current form in 1964 to meet certain criticisms.

Among the features of the California act are provisions that (1) allow the continuance of privileges and immunities, workmen's compensation, and other benefits of employees when engaged in the performance of any of their functions extraterritorially; (2) allow contracting parties to use public funds, supplies, and equipment in carrying out a joint activity; and (3) enable the participating jurisdictions to establish a separate agency to administer or operate a joint program, including such specified powers as the right to enter into contracts, employ personnel, acquire, construct, maintain, manage, or operate buildings, and related powers and activities.

An act of the scope of the California Joint Exercise of Powers Act permits intergovernmental agreements for nearly any type of activity. The Association of Bay Area Governments (ABAG), a council of governments providing an areawide forum for discussion of common problems encompassing a nine-county area around San Francisco Bay, was formed under the aegis of this act, and contract programs for services by a number of California counties to other jurisdictions fall within its scope.^{32/}

^{32/} Interestingly, the legal authority upon which the so-called Lakewood Plan was formed in Los Angeles County is the State Constitution (Art. XL, Sec. 7.5), which authorizes charter counties to provide contract services if so stated in the Charter. No one questions the fact, however, that the Joint Exercise of Powers Act encompasses the contract services program. See: Jack M. Mereham, "Legal Machinery for Providing Services," Proceedings, 6th Biennial County Institute, County Supervisor's Association of California, 1963, p. 7. See Chapter VI for a complete discussion of this program.

The implications of this act for law enforcement are considerable, and several programs have been worked out under it. A prime example is the Police Information Network (PIN) operated by Alameda County for city and county governments in the San Francisco Bay Area.^{33/} Alameda County provides a police records center for county and municipal governments in the Bay Area which eventually will house all warrants and other police records on a regional basis. Similar programs for other regions of the state are being studied. Other possibilities under the act would be the joint operation by the state, counties, and municipalities of detention facilities, crime laboratories, training schools, and related programs.

Other Joint Powers Acts. Unfortunately, the joint powers legislation of other states generally is not so broad as that of California. Connecticut, for example, has legislation on interlocal agreements that permits certain types of joint action by public agencies, but the concept of a public agency is not so broad as that of California, and areas for agreements are also limited.^{34/} In the law enforcement field, only radio communication systems can be operated under interlocal agreements.

Tennessee authorizes an unrestricted range of interlocal agreements but limits them geographically; only contiguous counties and municipalities within the same county may enter into agreements to provide for the joint operation of functions and services.^{35/}

Enabling legislation for interlocal agreements that is restrictive in nature is not an effective means of fostering interlocal cooperation. Broad and all-encompassing legislation is needed.

^{33/} The PIN program is discussed in greater detail in Chapter IV.

^{34/} Connecticut Code, Chap. 105, Sec. 7-339a-Sec. 7-3391. Public agency as used in the Connecticut law means only city, towns, boroughs, fire districts, school districts, improvement districts, or district corporations of the State of Connecticut and any local governmental unit, subdivision, or a special district of another state. The definition of a public agency differs from that of California in that the state's (or adjoining states' departments or agencies are not included.

^{35/} Tennessee Code Annotated, Sec. 5-113-5-114.

The Council of State Governments proposed a model interlocal or joint exercise of powers act in its Suggested State Legislation Program for 1957. (A complete copy of the model act can be found in Appendix A.) This model suggests provisions for states that wish to initiate legislation or revise existing acts. Under the model, a state will authorize joint or cooperative activities on a general basis, which allows the local governmental units to decide what functions they wish to contract for or perform in concert. The act does not suggest that new powers be granted to localities but encompasses only existing powers. The model act would also permit agreements between jurisdictions located in more than one state. Most existing legislation does not provide for agreements across state lines, but patterns of population frequently would make such agreements advantageous.

It is recommended that an act similar in scope and content to the model act be adopted by all states to further intergovernmental activities. At present, at least six states (Indiana, Kentucky, Maine, Nebraska, Utah, and Virginia) have adopted the model act in substance. The California Joint Exercise of Powers Act is even more permissive than the model act.

Interlocal Agreements Across State Lines. A question has been raised whether states can authorize agreements for interlocal cooperation across state lines because they are assumed by some to be interstate agreements or compacts requiring consent of the United States Congress under the Federal Constitution. While this question has not been settled through court decisions, it may be argued that because the powers exercised by local governments are under jurisdiction of the states, not the federal government, it is within their power to authorize interstate cooperation at the local level.^{36/} Because some legal doubt still exists, however, it seems appropriate that the Advisory Commission on Intergovernmental Relations review the problem and make appropriate suggestions to clarify these questions.

^{36/} John M. Winters, Interstate Metropolitan Areas (Ann Arbor: University of Michigan Law School Legislative Research Center, 1962), pp. 85-95.

INTRODUCTION

Nearly every critic of local government in recent years has pointed with alarm to the proliferation of local governmental jurisdictions, especially in metropolitan areas. The desire for local self-government no doubt accounts for the zealous development and protection of numerous local units--even when larger, more cohesive units would seem to be a logical solution to metropolitan area problems.

Going hand in hand with the large number of local governments is the apparent need each community feels to maintain its own law enforcement program. Commenting on this situation, Professor Gordon E. Misner says, "Despite gross changes in other facets of our society, the basic organizational structure of law enforcement has remained relatively unchanged since the turn of the century." Continuing, Misner notes that regardless of size, location in relation to other units of general local government, or financial resources, each local governmental unit is deemed "capable" of administering basic law enforcement within its own jurisdiction.^{1/}

^{1/}"Recent Developments in the Metropolitan Law Enforcement," 50 Journal of Criminal Law, Criminology, and Police Science 497 (1960).

There were 91,236 governmental units in the United States at the beginning of 1962: 56,507 local governments; 34,678 school districts; 50 state governments; and 1 federal government. A further breakdown shows 3,043 counties, 17,977 municipalities, 17,144 township governments, and 18,323 special districts. Of additional interest is that, although the total number of local governments has been reduced in recent years, the reduction has occurred only through the elimination of school districts. Nonschool special districts and municipalities have actually increased in number. [Source: Municipal Year Book, 1966 (Chicago: International City Managers' Association, 1966), p. 11.] It has been estimated that there are 40,000 law enforcement agencies in the United States: 50 federal agencies; 200 state agencies; 3,050 county agencies; and 36,700 municipal and township agencies. [Source: A.G. Germann, Frank D. Day, and Robert R. J. Gallati, Introduction to Law Enforcement (Springfield, Illinois: Charles C. Thomas, 1966), p. 153.]

Colonel E. Wilson Purdy, former Commissioner of the Pennsylvania State Police, points to the web of overlapping police jurisdictions and vague police powers which hamper the law enforcement officer in his day-to-day activities and concludes, ". . . is it no wonder that many law enforcement agencies find themselves on a treadmill with no progress being made to meet their increasing responsibilities."^{2/}

These comments point to a fundamental problem confronting law enforcement today--fragmented crime repression efforts resulting from the large number of uncoordinated local governments and law enforcement agencies. It is not uncommon to find police units working at cross purposes in trying to solve the same or similar crimes. Although law enforcement officials speak of great cooperation among agencies, the reference is often simply to a lack of conflict. There is, in fact, little cooperation on other than an informal basis, not a very effective means of meeting current needs.

Formal cooperation or consolidation is an essential ingredient in improving the quality of law enforcement. Crime is not confined within artificially created political boundaries but, rather, extends throughout the larger community. A workable program of formal cooperation or consolidation for law enforcement services within a "common community of interests" (as community is defined in English common law) is the desired goal for improving the quality of law enforcement at the local level.

Definition of Terms

Briefly stated, the concern of this study is "an analysis of the problems of local police administration and the potential of coordination or consolidation of services as an aid to the repression of crime."^{3/} To

^{2/}"The State Police: The Attempt to Eliminate Overlapping and Duplication of Effort and Promote Efficiency." Remarks made at 2nd Annual Southern Institute of Law Enforcement, September 25, 1964, mimeo., p. 3.

^{3/}As the concern of this study is with police functions normally associated with the repression of crime, attention will not focus on police activities related to traffic law enforcement.

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Political Obstacles

Political obstacles to the coordination or consolidation of law enforcement services are many and wide-ranging. The fear of a police state is one; others include political representation and influence, the status of the elected sheriff, and municipal home rule.

Fear of a Police State

Emotion-laden arguments about the dangers of a police state are frequently encountered in discussions of coordinating or consolidating law enforcement services. A typical argument is that centralization of police services represents a danger to democratic self-government, leading ultimately to dictatorship and tyranny.

A telling argument against the assumption that coordination or consolidation of law enforcement services leads to tyranny can be found in the Final Report of the Royal Commission on the Police of Great Britain.^{37/} The Report states that in a democratic society arguments regarding the fear of a police state rest upon fallacious assumptions. "The proper criterion is whether the police are answerable to the law and ultimately, to a democratically elected Parliament."^{38/} The argument continues:

It is here, in our view that the distinction is to be found between a free and totalitarian state. In the countries to which the term police state is applied opprobriously, police power is controlled by the government; but they are so called not because the police are nationally organised, but because the government acknowledges no accountability to a democratically elected Parliament, and the citizen cannot rely on the courts to protect him. Thus in such countries the foundations upon which British liberty rests do not exist.

^{37/} (London: Her Majesty's Stationary Office, 1962.) See especially Sec. 118-151 which discusses the concept of national and local police services in Great Britain.

^{38/} Ibid., Section 135.

The ties between the United States and the British legal systems are indisputable. The two countries share a heritage of common law, re-enforced through constitutional and statutory law, that is protected zealously by the courts. The observations of the Royal Commission on the Police, therefore, are as applicable to the United States as to Great Britain.

The United States Supreme Court in its landmark decisions, Escobedo v. Illinois 378 U. S. 478 (1964) and Miranda v. Arizona 86 S. Ct. 1602 (1966), makes it clear that the court will not permit any semblance of the police state. A democratic government, whether centralized or decentralized, rests upon the rule of law, not the rule of men.

Relinquishment of Responsibility

Another argument made against coordinating or consolidating law enforcement services is that no government should allow another to assume responsibilities it will not undertake itself. Criminal activities, however, are not confined within political boundaries, but spill over into other governmental jurisdictions, and single jurisdictions, therefore, cannot adequately repress them. The objection that no government should allow another government to provide a service that it cannot itself provide fails to acknowledge the fact that not every governmental jurisdiction is financially or otherwise capable of providing comprehensive services.

Governments have a basic responsibility to provide needed services for their constituents. If it is beyond the ability of an individual jurisdiction to provide adequate basic services, there are three alternatives: (1) abolish the jurisdiction and make some other jurisdiction responsible for the services; (2) continue inadequate services; (3) seek, through joint action, to meet its local responsibilities more adequately. The first choice usually is not feasible politically. The second choice invites an increase in criminal activity and direct action by a higher level of government to protect the public security. The best alternative is the third, the initiation of joint programs with other governmental jurisdictions. Such action is not a rejection or relinquishment of responsibilities but,

rather, the recognition that certain problems require resources beyond the capacity of a particular jurisdiction.

Lessening the Authority of Local Police

It is sometimes argued that the authority of the local police department is lessened if the local government acknowledges deficiencies within the local law enforcement operation. To acknowledge deficiencies without making any attempt to rectify them certainly diminishes the authority of a local department; taking steps to overcome deficiencies through joint programs with other governmental jurisdictions is not an abrogation or a lessening of authority, but its responsible exercise.

As mentioned earlier, the desired goal is to bring quality to law enforcement. An examination of possible alternative methods has led to the conclusion that certain law enforcement activities will best meet this goal if they are conducted on a coordinated or consolidated basis. If the individual police officer becomes more professional in the performance of his duties through such action, it is difficult to see how it will in any way lessen his status and authority in the local community.

Difficulties in Achieving Local Government Reorganization

Comprehensive reorganization has been a usual goal of reformers in trying to restructure local governments for the provision of more adequate services. Political and other obstacles to comprehensive reorganization of local government, especially in metropolitan areas, are, however, formidable. The failures of most such attempts are well documented;^{39/} the principal successes in the United States, in Nashville-Davidson County, Tennessee, and Dade County, Florida, have also been

^{39/} See: Government Affairs Foundation, Metropolitan Surveys: A Digest (Chicago: Public Administration Service, 1958); James A. Norton, The Metro Experience (Cleveland: The Press of Western Reserve University, 1963); and Henry J. Schmondt, Paul C. Steinbicker, and George D. Wendel, Metropolitan Reform in St. Louis (New York: Holt, Rinehart, and Winston, 1961).

treated in depth elsewhere.^{40/} It is sufficient, here, merely to note what types of obstacles will be met.

The Advisory Commission on Intergovernmental Relations suggests some of the difficulties in its report on attempts at government reorganization in 18 of the nation's standard metropolitan statistical areas:^{41/}

1. Proposals for governmental reorganization in metropolitan areas have faced a largely apathetic public.
2. Reorganization efforts should not be undertaken lightly, but with full recognition of obstacles to their success.
3. Any consequential local government reorganization in a metropolitan area will inevitably involve "political" issues.
4. One condition for success in metropolitan reorganization is an intensive and deliberate effort to develop a broad consensus on the best attainable alternative to the status quo.
5. Enlistment of popular support for governmental change in a metropolitan area calls for the use of a variety of promotional methods, suited to the diverse composition of the electorate.

In brief, a comprehensive reorganization of local government in metropolitan areas faces many hazards. The success of such an endeavor is related directly to the degree of local consensus that has been achieved and, most particularly, to the degree of consensus reached by the political leadership.

Robert C. Wood, now undersecretary of the U. S. Department of Housing and Urban Development, has noted that the political leadership of a metropolitan area must be involved in the decisions regarding the functional

^{40/} See: Edward Sofen, The Miami Metropolitan Experiment (Bloomington: Indiana University Press, 1963); and David A. Booth, The Nashville Consolidation (East Lansing: Michigan State University Institute for Community Development, 1963).

^{41/} Advisory Commission on Intergovernmental Relations, Factors Affecting Voter Reactions to Governmental Reorganizations in Metropolitan Areas, 1962, pp. 24-33.

coordination or consolidation of services. In the past, most such proposals have been advanced largely by the technicians involved in the immediate administration of a functional specialty, "Little real attention was paid to the construction of meaningful political communities, or to the question of obtaining political responsibility, although these objectives were honored in passing."^{42/} Such proposals have raised almost insuperable problems of representation and shifts in political influence and have called for a surrender of local political privileges and prerogatives in return for only increased administrative benefits.

It is imperative that questions regarding representation and political influence be met before programs of coordination and consolidation of local government activities can be adopted. Especially in the area of law enforcement where so much local control is being exercised, such programs must enlist the agreement of the political leadership of the governments involved.

Other Obstacles

Not all political obstacles can be traced to an overt or articulated political position or to a need for political influence. Some are much more subtle. Municipal chiefs of police in Dade County, Florida, were reported to be reluctant to turn over certain staff and auxiliary law enforcement services to the elected sheriff of the county, presumably because of a mistrust of elected law enforcement officers. This attitude was in contrast to their earlier attitude under the original county charter when the sheriff was an appointed official, and numerous inter-jurisdictional agreements were made for staff and auxiliary services.^{43/}

^{42/}"A Division of Powers in Metropolitan Areas," Arthur Maass (Editor), Area and Power: A Theory of Local Government (Glencoe, Illinois: The Free Press, 1959), p. 60.

^{43/}Letter to Samuel C. Chapman, Undersheriff, Multnomah County, Oregon, from Dennis I. Carter, Budget Officer, Metropolitan Dade County, December 8, 1964.

These attitudes of municipal police chiefs regarding the sheriff involve basic personal values that are beyond the concern of a government. They constitute, however, another argument for changing the office of sheriff into that of a police administrative officer.

A chauvinistic attitude toward local police departments may also be a political obstacle to the coordination or consolidation of services. Several years ago, Battle Creek, Michigan, and an adjacent community, Springfield, voted to merge, and the cities began to consolidate their operations, including law enforcement. The State Supreme Court subsequently held the consolidation invalid because of a procedural error, and a second vote was held. This time consolidation was defeated by the voters of Springfield. One of the turning points was that during the period of actual consolidation, fewer police officers were visible in Springfield than when the city operated its own police department. The police needs of the newly merged community demanded a reallocation of personnel and equipment, and the residents of Springfield felt they were not receiving the full benefits of consolidation because fewer policemen were in evidence.^{44/}

Such an attitude may be expressed in other ways, for example, a demand that physical facilities be located in specific areas. Some of these demands can be accommodated without reducing the quality of law enforcement. Sometimes simple actions that in no way lessen law enforcement service will be helpful to local pride. For example, if so requested, the Sheriff's Department of Los Angeles County will place the name of a contract city on a sheriff's car regularly assigned to that city, and the police vehicle thus becomes identified with the community. Similar resourcefulness will pay off in other jurisdictions involved in coordinating and consolidating operations.

^{44/} Earle Roberts, former Chief of Police, Battle Creek, Michigan, Law Enforcement Regionalization Seminar: Discussion Notes (Chicago: Public Administration Service, 1966), mimeo, p. 21.

Finally, the political strength of municipal home rule should not be overlooked. Home-rule advocates will oppose any efforts to lessen or alter the scope of municipal home rule. The recent United States Supreme Court decision regarding reapportionment of state legislatures relates to home rule, and strong home-rule advocates have noted that local government may be swallowed by some metropolitan giant under the one-man, one-vote rule--that is, urban forces may succeed in securing comprehensive reorganization at the expense of home rule.^{45/}

It may be assumed that change in the government of metropolitan areas will be inevitable with highly urban-oriented legislatures. It follows that areawide problems, such as law enforcement, will receive attention in local reorganization plans. The opposition of home-rule advocates may become even more of a political obstacle than it is now.

Councils of Governments

A device that holds some promise of lessening the impact of political obstacles is the council of governments. A council of governments is a voluntary association of governments, usually county and municipal, which attempts to solve areawide problems on a common basis. Currently, eight such councils exist, and the ninth is in the planning stages.^{46/}

The best known council is the Association of Bay Area Governments (ABAG), which includes in its membership 8 counties and 78 municipalities in the San Francisco Bay Area. It has been described as a "comprehensive, multiple but limited purpose, regionally-based institution for developing

^{45/} Richard Carpenter, "Reapportionment--A Hollow Victory," 46 Public Management 225 (1964).

^{46/} The eight existing councils of government are: ABAG, San Francisco area; New York Metropolitan Regional Council, New York City area; Metropolitan Atlanta Council of Local Governments, Atlanta area; Metropolitan Washington Council of Governments, District of Columbia area; Mid-Willamette Council of Governments, Salem, Oregon area; Puget Sound Governmental Conference, Seattle area; Regional Conference of Elected Officials, Philadelphia area; Southern California Association of Governments, Los Angeles area; and East-West Gateway Coordinating Council, St. Louis area. A ninth council is now being formed in the Detroit metropolitan area.

cooperative, coordinated approaches to areawide problems."^{47/} A significant factor is that ABAG is an association of the political leaders of its member jurisdictions. Organized under the California Joint Exercise of Powers Act, ABAG is capable of bringing authority to bear upon areawide problems because it is politically viable, representative of the local governments in the area, and also because it is concerned with maintaining effective local government institutions.^{48/}

While ABAG has not been directly concerned with the coordination or consolidation of law enforcement service, other councils of government have been.^{49/} The Metropolitan Washington Council of Governments has prepared a detailed study for a computer-based regional law enforcement records system which will encompass the District of Columbia, several Virginia and Maryland counties, and the City of Alexandria.^{50/} The Metropolitan Atlanta Council of Local Governments took the lead in establishing Metropol (the Metropolitan Police), the areawide police unit which provides communications, training, and investigative services to a six-county area.^{51/} In all, five of the eight existing councils of government have some concern with law enforcement activities.^{52/}

A council of governments, with a committee on law enforcement, can be an effective vehicle in metropolitan areas for promoting consolidation or cooperation in law enforcement activities. Four of the councils are now engaged in negotiating cooperative agreements among member units, and three also mediate disputes. All of the councils have been active on

^{47/} Randy Hamilton, ABAG Appraised: A Quinquennial Review of Voluntary Regional Cooperative Action Through the Association of Bay Area Governments (Berkeley, California: Institute for Local Self-Government, 1965), pp. 5-6.

^{48/} Ibid., pp. 55-56.

^{49/} Interview, Warren Schmid, Executive Director, ABAG, May 18, 1966.

^{50/} Systems Science Corporation, A Regional Law Enforcement Systems Design, a study prepared for Metropolitan Washington Council of Governments, 1966.

^{51/} "Metropol: Working Together for Better Law Enforcement," 15 Georgia Municipal Journal, No. 9 (1965), pp. 8-11.

^{52/} Citizens Research Council of Michigan, Research Brief on Staff Services and Programs of Councils of Government (Detroit, 1966), p. 11,

an informal basis in promoting interjurisdictional agreements.^{53/} It is a simple step to include law enforcement as part of a council's total program.

Because these councils of government are comprised primarily of the political leaders of the member jurisdictions, the political obstacles to coordinated or consolidated programs are not so great as when the development of such programs originates with the day-to-day administrators. It would appear that the problem of political representation and influence suggested by Wood can be met through such an association. As noted, one of the strengths of ABAG is its interest in preserving local government. Thus, a council of governments may also allay some of the fears of home-rule advocates.

Social and Economic Obstacles

In addition to legal and political obstacles, there are also important social and economical obstacles in the way of coordinating or consolidating local law enforcement activities.

Social Climate and Change

Communities are developed and sustained through the common interests of their residents. While the composition of a given community changes considerably over the years, basic patterns of areal differentiation and specialization tend to persist.

Changes occur more readily in the neighborhood of a central city than in a suburb of that same city, for the suburb has built-in mechanisms to resist change because its corporate character permits cohesive politics of protection and preservation of values not available to city neighborhoods. "There is no doubt that local control does not have meaning for suburban

^{53/} Ibid., p. 9.

municipalities."^{54/} This is one reason for movement to the suburbs-- to exercise more direct control over the neighborhood where one resides. Similar generalizations can be made regarding rural communities.

To challenge the local community through efforts to introduce change in the political structure and reduce access to the political decision maker develops social pressures which can be translated into political obstacles. Plans for comprehensive reorganization must recognize that communities have developed for specific purposes, for example, to control the land-use policy in a specific area, and along with that, to provide law enforcement; to transfer that power to another governmental entity seriously erodes the power of the local unit.

Interlocal Cooperation and Social Status

A detailed analysis of the Philadelphia metropolitan area has provided insights into social status as it affects cooperative or coordinated ventures. Communities of high social rank expect their municipalities to provide better public service and public amenities (park, recreation, and library facilities), as well as to maintain the existing social structure. Low social-ranking communities expect their local governments to maintain low taxes, are not particularly concerned with public amenities, and also expect the government to keep certain types of potential residents out of the community.^{55/}

In brief, communities of a high social ranking are predisposed to joint activities with other communities insofar as such activities will raise service standards and not affect the status of the community. Low social-ranking communities are less well disposed to cooperative programs, despite the fact that many are so small as to be unable to provide adequate

^{54/} Oliver P. Williams, Harold Herman, Charles S. Liebman, and Thomas R. Dye, Suburban Differences and Metropolitan Policies: A Philadelphia Story (Philadelphia: University of Pennsylvania Press, 1965), p. 297.

^{55/} Ibid., p. 220.

services independently.^{56/} This position stems in part from concern over real or potential increased costs.

Public officials are responsive to the interests of the communities they represent, and their behavior with regard to interlocal cooperation is probably related more to the social and economic than to personal or political factors in their communities.^{57/} At the same time, public officials often can mold the views of their constituencies. Experience in St. Louis demonstrates that popular public officials who do not support coordinated or consolidated programs can sway the attitudes of all interest groups, even those favoring a joint approach.^{58/} The political leadership of communities must be involved in a positive manner before coordinated or consolidated ventures can be successful.

Finally, cooperation has its best chance for success in those services which do not necessarily bring residents of a metropolitan area into close contact with one another.^{59/} In those aspects of law enforcement which involve contact with other jurisdictions on staff or auxiliary services, cooperation is more possible than it is in basic law enforcement, because contacts between the two groups of citizens are minimal.

Economic Obstacles

Any program of coordinated or consolidated services in law enforcement (or any other governmental activity) must be concerned with financing. As noted, one impediment to the participation of low social-ranking communities in joint ventures is the fear of increased costs. Higher-ranking communities may want to provide even more law enforcement service than is really needed--because it is considered a public amenity. Also,

^{56/} Ibid., p. 245.

^{57/} Ibid., p. 265.

^{58/} Henry J. Schmandt, Paul C. Steinbicker, and George D. Wendel, Metropolitan Reform in St. Louis: A Case Study (New York: Holt, Rinehart and Winston, 1961), p. 43.

^{59/} Williams, et al, op. cit., p. 233.

no central city wants to be in the position of financing a joint program for the benefit of suburban communities. Each of these situations, then, poses problems of costs.

For example, suburban areas in the Chicago metropolitan area have approximately 49 per cent of all assessed property valuation and the City of Chicago and Cook County have the remaining 51 per cent. The suburban areas, however, are not paying anything approaching 49 per cent of the total law enforcement expenses in the metropolitan region under the current fragmented system. A metropolitan police force, financed by property taxation, would call for increased taxes in the suburbs unless Cook County and the City of Chicago absorbed the increased costs. Suburbs would not view a redistribution of the tax burden favorably,^{60/} even if more effective law enforcement resulted. This points to a basic difficulty in coordinating or consolidating law enforcement services--cost of any such program must be distributed on an equitable basis.

Several techniques have been devised to redistribute costs for services, including special service districts, subordinate service districts, contractual agreements calling for specified payments for services rendered, and related approaches.^{61/} Each of these techniques has its individual problems with regard to equitable distribution of costs, but each provides partial answers to the dilemma. Suffice it to say at this point that it is as important to provide for the proper distribution of costs as it is to include the political leadership in any joint program of coordinated or consolidated law enforcement services.

^{60/} Gilbert Y. Steiner, Metropolitan Government and the Real World: The Case of Chicago (Chicago: Center for Research in Urban Government, Loyola University, 1966), pp. 12-14.

^{61/} For a complete discussion of the various techniques used in distributing the cost of law enforcement services, see Chapter VI.

III. COORDINATION AND CONSOLIDATION OF STAFF SERVICES

Staff services of law enforcement agencies are those nonline functions and activities that help to develop departmental personnel, assist the departments to perform their basic police responsibilities effectively, and provide meaningful, internal controls. Included in staff services are such activities affecting law enforcement personnel as recruitment, selection, training, staff inspection, and internal investigation. Also included are planning, crime analysis, purchasing, and public information services, among others.

Views on the susceptibility of certain staff services to coordinated or consolidated efforts are mixed. The advantages of coordinated recruitment, selection, and training services seem obvious. However, the value of combined activities in internal investigations and staff inspections and certain other staff services is unclear.

Recruitment and Selection

The need for quality in police officers is generally recognized, and good police administrators seek to recruit qualified personnel. Except in a few jurisdictions, however, the supply of qualified applicants has not kept pace with demand, and police administrators generally have difficulty in filling vacancies.^{1/} Recruitment and selection are critical processes in maintaining and building police departments. Recruitment is the process by which potential employees are brought to the initial point in selection, and selection is the process by which qualified individuals are identified.

When two or more jurisdictions conduct joint recruitment and selection programs, several advantages accrue. It is possible to conduct a more widespread and efficacious recruiting program through the pooling of available

^{1/} Raymond L. Bancroft, "Municipal Law Enforcement, 1966," 4 Nation's Cities, No. 2 (1966), p. 16.

financial and other resources. More sophisticated advertising of openings usually can be justified, and the potential number of qualified applicants may thereby be increased. Another advantage, especially for smaller jurisdictions, is the opportunity to initiate and conduct recruitment and selection programs under the leadership of professional personnel officers, which should result in more effective recruitment and a higher degree of validity and reliability in screening. The applicant has the opportunity of taking a single test for openings in several jurisdictions.

Joint recruitment and selection may take many forms. For example, a local jurisdiction may request a higher level of government to perform these services. Again, two or more jurisdictions at the same level may join in the recruitment and selection of personnel. Joint recruitment and/or selection can be partial, stopping at any mutually agreed upon point, or total.

To have a successful program, the participants in a joint venture must agree, substantially, on how the program is to be conducted and the type of candidates desired. Standards and meaningful prerequisites must be established, and the means for their measurement devised.

Standards

Although the establishment of the basic qualifications of applicants is of major importance, the methods generally used to determine minimum standards or to measure the relative qualifications of applicants have not been especially noteworthy. The establishment of standards for the qualifications of applicants requires specialized knowledge, common sense, and freedom from prejudice or caprice. Attention should be given to standards for intelligence, education, personal and/or psychological characteristics, background or personal history, and physical characteristics.

The desired level or degree of acceptability may vary from one community to another, and the cooperating agencies need not always agree upon the precise degree of qualification required. If emphasis is placed upon those factors which bear an identifiable relationship to quality in

performance, the less significant but more common points of disagreement, such as those concerning residence, physical size, or vision, will become less important to the joint effort. However, the success of a combined recruitment and/or selection program will depend largely upon the careful working out of a basic core of mutually acceptable standards or qualifications.

Program Development

Jurisdictions interested in a joint recruitment and selection program must first agree, in principle, upon methods and techniques. Factors of major concern should include:

1. Specific goals.
2. Scope and depth.
3. Reconciliation with existing legal requirements.
4. Organizational and/or administrative structure and the relationships between and among the participants.
5. Budgetary and staffing requirements.
6. Strategy and tactics.
7. Intent, content, and format of needed brochures, forms, and publications.
8. Protest, appeal, and arbitration procedures.
9. Adherence to recognized professional and scientific practices.
10. Objective, continuing review of processes and programs to determine their relative worth, to measure their validity and reliability, and to insure a consistently high level of performance in keeping with the established goals.

The experience of Bloomington and Burnsville, Minnesota, two fast-growing Minneapolis suburbs, indicates the practical value of a joint recruitment and selection undertaking.^{2/}

^{2/} Personnel Office, City of Bloomington, Joint Recruitment of Policemen by Bloomington and Burnsville, Minnesota: A Case Study, 1966.

Bloomington and Burnsville initially agreed that the recruitment program should be scheduled immediately prior to an established annual recruit training program. This timing insured that no men would be without prompt recruit training. The area covered by the joint recruitment effort included the three largest Minnesota cities and their environs, plus some communities in adjacent states. However, the limited number of vacancies did not justify sending a recruiting team to the more distant locations.

Since Burnsville was relatively inexperienced in recruiting, it had no members on the recruitment team, but it participated actively in the selection process. The tests that had been used by Bloomington were determined to be insufficient by Burnsville, so new tests were developed. These were administered by the Bloomington city personnel officer and a police captain. The Bloomington staff also conducted background investigations of the applicants passing the tests. A group interview, a rating interview, and a final interview were used to select candidates. The group interview was conducted by representatives of the two departments, but the rating interview was conducted by police officials of other communities more experienced in this technique. The final interview was conducted by the chiefs of the two departments.

The selection process was completed with a formal offer of employment by the participating jurisdictions. Most of the candidates certified for appointment stated they would be willing to work for either department, and all vacancies were filled. It was agreed by the two jurisdictions that Bloomington would maintain an eligibility list, since it had an established personnel office; and by its merit system rules, Bloomington was required to maintain the list for one year.

Other Considerations

Some law enforcement agencies may be reluctant to participate in joint recruitment and selection programs because they do not have salary and fringe benefit schedules competitive with those of other agencies and jurisdictions with which they might join. However, several other factors,

including promotional opportunities, community preference, and present residence, may be deciding factors for potential employees.

The Bloomington-Burnsville experience suggests that a joint effort can succeed when interjurisdictional differences have been resolved. It now seems likely that some type of recruitment program involving all of Hennepin County, in which the two towns are located, will soon become a reality.

Despite the advantages of joint recruitment and selection of police officers, such programs are not widespread. Many police administrators, even where favorable conditions exist, are not taking advantage of these efficient and economical procedures, apparently because of an inability or unwillingness to explore possibilities in recruitment and selection beyond their own jurisdictions.

Joint Activities at the State Level

Perhaps more has been done collectively for police service on a statewide basis in California than in any other state. Several groups and agencies have been instrumental in mobilizing police departments to accomplish many things which they could not or would not have done individually. The impetus for a proposed statewide program arose from several factors associated with large-volume demands for personnel and potential large-volume employee retirements. The proposed program will be organized and administered by the California Peace Officer Standards and Training Commission (POST).^{3/}

In the recruitment phase, POST proposes to utilize the resources of a regional advertising association to conduct a statewide publicity campaign. Promotional materials will be distributed at various locations throughout the state, particularly at colleges, universities, and state employment offices. Trained recruitment teams, which will include educators, interested citizens, and representatives of minority groups, will

^{3/} See California Peace Officer Standards and Training Commission, California Law Enforcement Recruiting Program Proposal, September 1, 1966, mimeo., 24 pages.

fan out through the state and speak at schools, shopping centers, and at special events. POST takes the position that the police alone cannot succeed in this endeavor.

In the selection phase, potential candidates will be able to complete an initial screening test at a state employment office. Tests will be graded immediately, and applicants receiving passing scores will be fingerprinted and their records will be checked. It is hoped that the initial written test, given at state employment offices, will suffice for all associated jurisdictions. The list of successful candidates will be distributed to all police agencies in the state, and the individual jurisdictions may then ask an applicant to take an additional examination and may perform background investigations and make such other checks as they deem necessary.

Agreement has already been reached on important prerequisites and basic qualifications for police officers. Although the requirements for applicants are not mandated by state law, to qualify for reimbursement of training costs from the state, a police department must hire only men who meet the standards set forth in the California Law Enforcement Standards and Training Act.^{4/} Since police departments representing 98 per cent of the state's population have qualified for this aid, the effect is a state standard for applicants.^{5/}

The proposed California plan could serve as a guide for other states. While there are many elements in the program, one important feature is implementation on a statewide basis to eliminate a disjointed, uncoordinated search for manpower by hundreds of jurisdictions.

Limited Programs

Should two or more communities be unable to reach agreement on all phases of a recruitment and selection program, this need be no bar to a limited program, such as the use of common forms or of a central employment

^{4/} California Penal Code, Title 4, Chapter 1, Section 13500-13523.

^{5/} Commission on Peace Officer Standards and Training, 1965 Progress Report to Governor Edmund C. Brown, April 1, 1966, p. 5.

information center. There is ample precedent for this approach in other employment fields. For example, the League of California Cities administers a test for young men interested in employment as administrative assistants to city managers. After grading by the League, the test results are made available to managers, who may then call in a man for an interview or initiate additional selection processes. The Federal Service Entrance Examination is another example of a single selection device used by a number of individual agencies.

Summary and Conclusions

Police departments are experiencing increasing difficulties in the recruitment and selection of personnel. Most departments are faced with an apparently declining supply of qualified persons interested in entering police service. Joint recruitment and selection provide some potential for reversing this trend.

Joint recruitment and selection on the local level have been successful where the participating communities were suited for a joint effort. The infrequency of such programs indicates that problems are present that must be identified and resolved if the advantages of this technique are to be fully realized.

At the state level, there is as yet no example of a successful venture, but, hopefully, the POST program in California may point the way.

In conclusion, police departments generally cannot solve their manpower dilemma without assistance. Joint recruitment and selection, while not a panacea, provide some hope for a possible solution.

Training

Police training is a recognized need that is receiving increased attention from educational institutions and police and other organizations, and at all levels of government. In its 1966 National Municipal Policy, the National League of Cities pinpoints its significance:^{6/}

^{6/} National League of Cities, National Municipal Policy, Section 15-3. Adopted at the 42nd Annual Congress of Cities, July 24-28, 1965.

The enforcement of laws and the regulation of human behavior in our complex urban society requires providing recruits with extensive basic training in all facets of police work and providing veteran officers with regular refresher training as well as specialized training in selected areas of knowledge.

At the national level, the Law Enforcement Assistance Act provides for grants for professional police training and related education. The Federal Bureau of Investigation and the Federal Bureau of Narcotics have long had an impact on local law enforcement through their training programs.

States have entered into the police training field with laws and assistance programs perhaps more extensively than into any other areas of support for local law enforcement. Twenty-three states now have some form of training legislation; a few provide for mandatory recruit training and some provide financial assistance to local jurisdictions for this purpose.^{7/}

Large municipal police departments, in numerous instances, have strengthened their training programs and have been able to provide excellent training not only to their own personnel but sometimes to personnel of other departments.

Universities, colleges, and junior colleges are expanding existing programs and establishing new ones. In fact, hardly a month passes without some new junior or community college law enforcement program being started.^{8/}

The need for adequate training at reasonable cost seems to indicate that training functions should be coordinated or consolidated. The rate of growth and the variety of approaches in police training programs are of significance when considering training on a multijurisdictional basis.

Despite the current level of activity in police training, much remains to be accomplished and several factors tend to impede progress. Unfortunately, some police administrators insist that their personnel, particularly recruits, be trained only in their own facilities and by their

^{7/} "State Training Legislation in the United States," 33 The Police Chief, No. 8 (1966), p. 10.

^{8/} Allen P. Bristow, (ed.) "Police College News," The Police Chief, various 1965 issues. Unfortunately for the rest of the country, most junior college programs are in California with the remainder concentrated in New York, Florida, and Michigan. In 31 states, no junior college police administration or police science programs exist.

own instructors. This insistence stems largely from a sense of insularity which presumes a nonexistent uniqueness and does not recognize that most departments need officers with the same basic core of knowledge. Although each department must supplement core courses with instruction in local organization, policies, procedures, and regulations, such local orientation is but a small part of total training needs.

A lack of understanding of training as a meaningful support to improved police service is an impediment to training in many departments. This is understandable, in view of the rather general lack of training and/or education among chiefs of police and their command and administrative staffs. Few such personnel have college degrees, even fewer have advanced degrees, and most have had no significant training for their professional responsibilities.

Limited finances and shortages of manpower are complementary problems that may exist in fact or be offered simply as rationalizations for inaction. Financial limitations are real, however, when departments cannot budget for needed complements of personnel and when manpower cannot be provided to allow development of adequate training programs. Manpower shortages are increasingly a problem, even to departments with adequate financial resources, when high standards of selection and limited numbers of applicants combine to preclude the maintenance of authorized strengths.

There is growing recognition that manpower shortages can be substantially offset by superior training. It is being recognized, more and more, that mere numbers of personnel are not the answer to problems of police efficiency and effectiveness.

Financial limitations and manpower shortages are both factors influencing decisions on training, particularly out-of-city and out-of-state training and educational programs; many small departments feel they cannot release men even for local or in-city training. For example, if one man is released from a five-man department, the others must work overtime and without regular days off, and local police service deteriorates.

Areawide Training Efforts

Many areawide efforts are being made to satisfy the growing demand for better training. These efforts divide rather naturally into: (1) central city assistance to nearby smaller departments, (2) state and regional training programs, (3) institutes and academies for police training, and (4) university and college programs.

Central City Assistance to Other Departments. Most large departments, historically, have made their training facilities available to surrounding smaller communities. Extension of training programs to smaller communities, under new concepts of reimbursement, may be of increasing value.

In 1965, the Chicago Police Training Academy trained 147 recruits from 35 suburban departments and 4 recruits from a department in a neighboring state. Realizing that the normal 14-week school designed for Chicago needs included studies which did not pertain to all local operations, it ran a special 10-week recruit school for these trainees. In addition, police officers from 77 municipal, county, and state police agencies took correspondence courses offered by the Chicago Academy; numerous departments used its reference and film libraries; and the instructional staff of the Academy conducted special courses for many outside agencies.^{9/}

State and Regional Training Programs. There are a number of programs in existence or planned which are based on the concept of areawide service to provide essential training to many departments. A few examples will serve to highlight this trend.

The Metropolitan Fund of Detroit, a nonprofit research corporation concerned with intergovernmental relations in the six-county region of southeastern Michigan, has initiated a study of existing facilities and programs for training in the region, with the intention of providing information necessary to implement a regional system of police training.^{10/}

^{9/} Chicago Police Department, Training Division, Annual Report, 1965.

^{10/} "Met Fund Initiates Training Study," 32 The Police Chief, No. 8 (1965), p. 22.

The Southeastern Michigan Chiefs of Police organization has established a six-week recruit program, the Metropolitan Police Academy of Michigan, Inc., with headquarters in an armory.^{11/}

In Oregon, in 1965, an advanced program coordinated by the Oregon Association of City Police Officers trained 852 law enforcement officers at 15 regional schools. In addition, a three-week basic recruit school was held at a National Guard camp. Both of these programs had modest beginnings, but in recognition of the need for more intensive training, they have been expanded in recent years.^{12/}

Through the efforts of the top commanders of six New England state police organizations, and with the aid of a Law Enforcement Assistance Act grant, the New England State Police Staff College began a training program in 1966 with 36 administrative officers from the 6 state police organizations in attendance.^{13/} The objective of the school is "to provide executive management training and thus improve the management skills of the police executive," with the goal of training all men at the rank of sergeant and above. The course lasts four weeks, and the curriculum is varied according to rank.

Areawide emphasis also appears in some of the recently enacted state training legislation affecting law enforcement agencies. The pertinent sections of the Michigan law provide that the Law Enforcement Officers Training Council shall provide advisory training standards and assist in establishing area training centers in appropriate locations and shall cooperate with other governmental jurisdictions in establishing and operating these centers.^{14/}

Following the passage of the New York Municipal Police Training Council Act, the state was divided into 13 areas or "training zones,"

^{11/} Claude E. Broom and Marvin C. Lane, "New Academy for Michigan," 29 The Police Chief, No. 5 (1962), p. 20.

^{12/} Karl A. Von Asselt, "Cooperative Training Program Assists Oregon Local Law Enforcement Officers," 42 Western City, No. 6 (1966), p. 34.

^{13/} "New England State Police Staff College Holds First Session," 33 The Police Chief, No. 6 (1966), p. 12.

^{14/} Public Act 203 of 1965.

primarily for the purpose of assuring the availability of a training school for every new officer. Zones consist of from two to nine counties, and each zone has a coordinator and a subcoordinator who are responsible for carrying out the purposes of the act within their zones.^{15/} The Council has received a \$50,000 federal grant to assist it in establishing regional police training centers throughout the state, and it is planned to have them in strategic locations where there are junior and community colleges.^{16/}

Training facilities now blanket the State of California, and programs are within the reach of practically every department in the state. By late 1965, 45 facilities had been certified to teach the prescribed recruit course and 30 the 80-hour supervisory course. The California POST (Peace Officer Standards and Training) program also allows credit for preservice college training.^{17/}

Institutes and Academies. Several institutes and academies, affiliated with a university or a federal agency, have served the American police long and well. Some date from the mid-1930's. Among those university-affiliated are the Traffic Institute of Northwestern University, the Southern Police Institute of the University of Louisville, and the Delinquency Control Institute of the University of Southern California. Other less-structured programs also exist--for example, the Annual Institutes on Police and Community Relations at Michigan State University. All such programs need to be maintained and expanded, and additional means need to be found to enroll students. Among the federal agency programs are the National Academy of the Federal Bureau of Investigation and the training facilities of the Bureau of Narcotics.

Universities and Colleges. Institutions of higher learning are sponsoring and supporting two kinds of efforts--recruit and in-service training--and both are increasing in importance. Four-year colleges and

^{15/} Municipal Police Training Council, Municipal Police Training in New York State (n.d.), pp. 12, 52-56.

^{16/} "State Gets Training Grant," 48 Public Management 229 (1966).

^{17/} California Commission on Peace Officer Standards and Training, Certified Courses, November 15, 1965.

universities have long been active in police training, and now the junior and community colleges are undertaking an active role.

The Dade County (Florida) Police Training Program is a good example of a cooperative effort on the part of a county and a school board.^{18/} The school board has provided, without charge, state certified instructors and facilities at the Dade County Junior College for both recruit and in-service training. The Dade County Public Safety Department provides an officer to administer the program and maintain liaison with the junior college staff. The whole program is available without charge to all local jurisdictions within the county.

Current Problems

Despite the vast amount of activity in police training, accomplishments still fall short of needs.

The lack of programs remains critical, and many existing programs are unable to cope with increased demand. For example, the Chicago Police Department Training Academy, which during the past few years has provided training to many suburban departments, cannot accommodate all the requests it receives. Many have turned to the Illinois Police Training School operated by the University of Illinois. Unfortunately, this program also has been unable fully to meet the demand.^{19/} In the Detroit area, a similar situation exists; the Detroit Police Training Academy is no longer able to provide recruit training for suburban communities.^{20/}

In many places the belief continues that each department must train its own men in its own facility. Failure to recognize the core concept of training is at the root of much of the resistance to areawide, coordinated training. The core concept is widely accepted in Canada. For example, in the Province of Ontario, only two departments, Toronto and Ottawa, have their own recruit training programs. All other departments,

^{18/} Metropolitan Dade County, Office of County Manager, Survey of Areawide Government Cooperation, 1963, p. 41.

^{19/} Joliet (Illinois) Herald News, July 14, 1966. One department had to wait two months before its new recruits received training. Meanwhile, the men received on-the-job training while performing police work.

^{20/} Broom and Lane, op. cit., p. 20.

including some very large ones, send their recruits to the Ontario Police College; and Toronto, with nearly 3,000 sworn personnel, is considering amalgamating its training facility with the Ontario Police College.^{21/}

The establishment of truly areawide multijurisdictional training programs probably depends upon state legislation and action to establish statewide curricula of sufficient depth in all areas of training and making it mandatory for all police officers to take the required courses of study.

A state training agency can be in a most favorable position to act. The duties of a state agency, established by law, should include responsibility for determining the need for all phases of training in every department throughout the state, including recruit, in-service, supervisory, specialized, and command and administrative training. Particularly, the agency should test all command personnel to determine training needs, for training at this level is perhaps the most critically needed. Command personnel are in a unique position to influence the future development of law enforcement, guiding the changes which must be made to improve the police service.

The state agency should make an inventory of the training programs of state, county, and local police departments; police associations; federal agencies; junior and community colleges; and four-year colleges and universities. Following this inventory, the agency should make recommendations on the location, size, and curriculum of each program and the area it should serve.

Those states that already have agencies are either following this approach or working toward it. The duties of the Michigan Council, mentioned above, include this function. The California Commission on Peace Officer Standards and Training has the power "to contract with other such agencies, public and private, or persons as it deems necessary, for the rendition and affording of such services, facilities, studies, and reports

^{21/} Interview, James Mackey, Chief of Police, Metropolitan Toronto Police Department, June 17, 1966.

to the commission as will best assist it to carry out its duties and responsibilities." The New York Police Training Council has similar duties.

The Manpower Problem

A problem, particularly acute in small departments, is the inability to free men from their regular police assignments to receive training. Many departments are so short of manpower that training can be accomplished only on the job or during very limited periods of time away from it. Indeed, the small number of hours of recruit training specified in some legislation is undoubtedly due, in part, to the practical limits on the time a small department can spare a man from regular service.

Two solutions to this problem appear possible: (1) a manpower reserve of state police officers available on a statewide basis and (2) a manpower reserve of officers under the jurisdiction of the county sheriff, county police, or public safety department available on a countywide basis.

Statewide Manpower Reserve. State police departments would be excellent organizations in which to establish reserves of men for facilitating local training. Legal obstacles to this approach are minimal, however, even where the state agency is one of limited jurisdiction. State officers assigned to local jurisdictions can be given the necessary authority to enforce local ordinances. The size of such reserves would have to be determined on the basis of a survey of training needs and the adequacy of replacements at the local level.

In our complex society, the training period for recruits should be a minimum of 12 weeks. With an adequate manpower reserve, this period of training should be within the reach of every department, and each new recruit should be able to receive this training before he is placed on basic patrol duty. A manpower reserve should also encourage training of shorter duration for command and other in-service personnel.

Countywide Manpower Reserve. A manpower reserve established by the county sheriff or a county police agency may, in some circumstances, be a reasonable alternative to a state program. Except for some outstanding exceptions, however, the level of sophistication in county organizations

is less than in municipal departments. The alternative of a county reserve can be used only when there is a county law enforcement agency of sufficient professional competence to be able to assist local departments. Many counties, also, do not have enough population to support such a program; in these circumstances, the responsibility should go to the state.

Summary and Conclusions

Police training suffers from lack of effective programs, low budgets, manpower shortages, and individual biases. There are indications, however, that more concerted efforts for training are developing, and that coordinated or consolidated endeavors among all levels of government, and particularly between and among local jurisdictions, are increasing.

There are still departments, however, that insist upon establishing their own complete training programs despite existing programs within easy reach which could serve them better and more economically. They may insist on their own programs because of "local conditions," failing to recognize the core concept of police training. Also there are departments that, through lack of manpower or money, cannot give their recruits sufficient training, let alone provide for more advanced or specialized training.

It is suggested that:

1. State training councils should assist local jurisdictions through the establishment of cooperative training on an areawide basis within each state.
2. Local departments considering the establishment of facilities should take into account the proximity and programs of existing schools, particularly junior and community colleges, and of other departments.
3. Some existing police academies should make training available to additional departments, even if it means expanding their facilities on a shared-cost basis.
4. State legislation should make financial aid available to local departments for training purposes. Such aid will enhance the possibilities for cooperative training programs, especially those conducted at some distance from local departments.

5. Statewide manpower reserves, perhaps regionally organized, should be established to supply men to departments which otherwise could not release men for training.
6. State legislation should provide for mandatory courses of study.

Planning

There are two vital needs of police departments which can be served by areawide, coordinated planning. One is crime and modus operandi analysis, which calls for areawide planning because of the regional nature of certain crimes and criminal activity. The other is assistance on administrative and operational matters, in which many small departments lack competence and facilities. Both are functions which should be performed on a metropolitan or statewide basis.

Crime analysis is a planning function regardless of the organizational unit in which it is placed. The primary purpose of crime analysis is to study "daily reports of serious crimes in order to determine the location, time, special characteristics, similarities to other criminal attacks, and various significant facts that may help to identify either a criminal or the existence of a pattern of criminal activity."^{22/}

Modus operandi, or method of operation, refers to the criminal's individual peculiarities--his methods, techniques, and the tools he uses in the commission of a crime. Modus operandi analysis is concerned primarily with persons, whereas crime analysis relates principally to events, although they are interrelated.

Sound police organization and procedures depend upon good planning. Frequently, the emergency nature of police work and the constant attention that must be given to day-to-day operations do not leave enough time for effective planning. Much planning is done daily in all police operations,

^{22/} O. W. Wilson, Police Administration, (New York: McGraw-Hill, Inc., 2nd ed., 1963), p. 103.

but, primarily, it is to serve an immediate need. Most police administrators seek to improve their organizations, but most do not know how, or do not have enough time, to correct deficiencies in organization and faulty procedures. Many large police departments have established planning units to assist the administrator, and, for the most part, these units are staffed by police officers and civilians who know how to analyze the procedures and organizational structures of police departments. It is principally the smaller departments which do not have the time, manpower, or financial ability to plan improvements in their organization and operations.

Crime Analysis and Modus Operandi Analysis

The crime analysis unit of the Chicago Police Department, for example, is responsible for the analysis of reports of major crimes for strategic and tactical purposes. When definite and identifiable patterns have been established, reports are sent to the concerned line commanders for appropriate action.

This unit is limited in its operations to the boundaries of Chicago, although it is obvious that crime patterns do not coincide with political boundaries. A cartage theft a year ago in a suburban jurisdiction may be related to a continuing series of such crimes in the central city, yet the central city had no knowledge of this crime, and the suburban jurisdiction was uninformed about the central city crimes. Undoubtedly, many such crimes fail to be cleared because of the lack of areawide crime analysis.

The fact that reported crime is increasing in the suburbs faster than in the central cities should give additional support to areawide crime analysis. One chief of a suburban community that has had a serious burglary problem is reasonably sure that residents of his community are not committing the crimes. Since the community borders a high-crime-rate district in the central city, he concludes that much of the problem emanates from it. Although he is in contact with the central city police officials regularly, he feels that an organized areawide crime analysis program would do much to assist his department in coping with this situation.^{23/}

^{23/} Interview, Colonel James Damos, Chief, University City, Missouri, Police Department, August 19, 1966.

Areawide crime analysis requires the timely submission of case reports and other information and data to a central point. A large metropolitan or central city department could assume much of the burden of crime analysis in many areas. In others, a state agency may be the more proper one to provide crime analysis to all jurisdictions within the state.

Modus operandi analysis is properly a large department or state responsibility. California and Michigan have established rather sophisticated modus operandi files which serve all jurisdictions in the state. The Michigan State Police maintains a file on sex offenders and fraudulent check passers. Michigan jurisdictions are required by law to submit reports to the sex offender file from which they, in turn, receive the names of suspects best fitting the description of persons wanted. In 1965, 45 per cent of the items searched against the fraudulent check file were identified with known check passers.^{24/}

The California modus operandi system is fairly complete since California law requires each jurisdiction to submit reports on all felonies daily to the California Bureau of Criminal Identification and Investigation (CII). Crime reports are divided into five major categories: questioned documents, sex, burglary (including receiving stolen property), fraud, and robbery. Modus operandi analysts are assigned to work on each of these categories. Much of the work performed could be considered crime analysis since it is related primarily to correlating crimes and providing investigative data to local jurisdictions. However, specific subject identification is a primary purpose of the operation.^{25/}

Staff Assistance on Administrative and Operational Matters

There appear to be few organizations providing staff planning assistance on administrative and operational matters to other agencies and, in fact, there is little recognition of this need. A few consulting organizations, such as the International Association of Chiefs of Police

^{24/} 1965 Annual Report, Michigan State Police.

^{25/} Interview, O. J. Hawkins, Assistant Director, California Department of Justice, May 16, 1966.

and Public Administration Service, have provided assistance to many jurisdictions on general police matters, and some universities and colleges have occasionally aided local departments on specific problems. There is almost no pooling of governmental resources for planning.

It was precisely for this reason that the Division of Police Administration Services was established in the New York State Office for Local Government on January 1, 1966, as a free service to local police departments. The legislature in establishing this division declared:^{26/}

. . . it is the intent . . . that all units of local government maintaining police forces should be encouraged to promote the highest possible standards of police administration and operations. To that end, this article is enacted to offer such units of local government voluntary advisory services for improving the administration of their police services.

The functions, powers, and duties of the Division of Police Administration Services are:^{27/}

1. To collect, compile, and disseminate current information regarding general developments in the field of police administration.
2. To serve as a clearing house, for the benefit of police agencies, of information relating to common problems and to assist in the solution of those problems.
3. To conduct studies and analyses of the administration or operations of any police agency upon request by the head of the agency, and to make the results available to the agency.
4. To refer police agencies to appropriate departments and agencies of the state and federal governments for advice, assistance, and available services in connection with particular administrative problems.
5. To encourage the further professionalization of police administration.

^{26/} Laws of New York, Chapter 352, Article 20, Section 550.

^{27/} Ibid., Chapter 352, Article 20, Section 552.

Interestingly, the division will not answer questions pertaining to the consolidation of departments. This is considered a matter of local concern.^{28/}

Although in existence only a short time, the division has received many requests for service. One of its recommendations resulted in the consolidation of police communications in one county.^{29/} In addition to its consulting service, the division is collecting manuals and forms from leading police departments across the nation, and establishing a reference library in the fields of police science, public administration, and political science.

At the local level, it was recommended in a recent study by Public Administration Service that a city and a county police department, which share the same facility, establish a joint planning and research unit to coordinate their policies and procedures.^{30/} As yet no action has been taken on this recommendation.

It is noteworthy that the Cook County, Illinois, Sheriff's Department has extensively used the plans developed by the Planning Division of the Chicago Police Department. However, this is merely a sharing of ideas rather than a joint venture.

Summary and Conclusions

It could be debated whether crime and modus operandi analyses are proper functions of a planning unit. This is not the point, however; they are planning functions, wherever they are placed organizationally. Further, they must be organized on an areawide basis to be effective. The extent of their operations depends upon the area in question. In the Chicago area, for example, they should cover the Chicago suburbs and perhaps Lake County, Indiana, as well as Chicago itself.

^{28/} State of New York Office for Local Government, Division of Police Administration Services, The Law Enforcement Executive, July, 1966, (mimeo., unpagged).

^{29/} Interview, Charles C. McCloskey, Jr., Executive Director, Division of Police Administration Services, August 5, 1966.

^{30/} Public Administration Service, Police Services in Salt Lake Valley, (1965), p. 28.

Planning assistance on organizational and procedural matters is sorely needed in small- and medium-sized departments and, frequently, in those of substantial size. The New York Division of Police Administration Services represents the first attempt of one government to provide this assistance to other governments on an organized basis. The opportunities for accomplishment in this approach are great. In the future, for example, departments in the same area might be using the same reporting forms to facilitate central records and crime analysis. They may, after study by the division, amalgamate communications or crime laboratories or many other costly facilities, if it is shown that economies will result and service levels improved. The division is in a position to bring about standardization and improvement in many areas of New York law enforcement.

At the local level, especially in metropolitan areas, there is a special need for coordinated planning which may be difficult for a state to provide. It is urged that councils of law enforcement officials be formed in these areas for the purpose of making policy decisions on the major objectives of law enforcement. Such councils should be provided with staff assistance from the planning units of major departments in the area for policy implementation planning.

Criminal Intelligence

In simple terms, criminal intelligence may be defined as information or knowledge about persons or organizations engaged in illegal activities. This definition encompasses the needs of most small communities and some larger ones for intelligence on criminal matters; it does not extend to fraudulent practices of business and industry or to organized crime, especially interstate crime. Within the more narrow definitions of criminal intelligence, activities tend to be tactical; as the definition broadens, greater emphasis is placed on strategical intelligence. Tactical activities are more closely allied with predatory crime and modus operandi analysis; strategical intelligence is more concerned with anticipating and thwarting major moves on the part of the highly mobile, influential, interstate criminal organization, or syndicate.

It is largely with the latter that this section is concerned. Most large departments now have intelligence units but, within and among them, widely different views are held on organization, objectives, and intra- and interdepartmental relations, operations, and methods. Three major interests predominate, although levels of support for them vary widely. They are local predatory crime, organized or syndicated crime, and subversion.

Many departments refuse to recognize the existence of organized crime and thus rationalize a preoccupation with more local and isolated criminal matters. In many instances, this position has led to virtual operational immunity for the syndicates. Further tending to give them freedom of action is the unwillingness of departments freely to exchange intelligence. Often called a "trust gap," such reluctance seriously impedes effective local or joint action. The close and unwarranted holding of information by individuals and elements of a department denies it the basis for effective action.

Recent Developments

In recent years, several developments offer encouraging signs of improved interdepartmental relations which are leading to more effective action. Probably most significant is the belated recognition of syndicated crime as inimical to the country's security and well being and a problem of great seriousness which cannot be resolved locally.

In 1956, a voluntary organization of law enforcement agencies, the Law Enforcement Intelligence Unit (LEIU), was organized to work for increased sharing of criminal intelligence data. In addition to furthering personal contact between individual members, the LEIU has established a central clearing house for criminal intelligence information in the California Bureau of Criminal Identification and Investigation (CII) to which all members contribute and from which they receive information. Membership is divided into three categories: (1) regular, (2) associate, and (3) affiliate. Regular membership is limited to 70 individuals representing a number of agencies; agencies as such are not members. Regular members

are differentiated from the others in that they have voting rights and have access to the complete file maintained by the CII. The membership of LEIU is divided in four zones: (1) Northwestern, (2) Southwestern, (3) Eastern, and (4) Central. Each zone has a chairman, and members in each zone meet annually. The entire membership also meets annually.^{31/} Discussions of the attributes of LEIU with a number of members indicate that it serves as an excellent means for contact between law enforcement intelligence officials on matters of mutual concern.

The New England State Police Compact developed from discussions of the commissioners of the six New England State Police organizations and came into operation upon ratification by the required three states. The primary provisions of the compact are: (1) a central criminal intelligence file to facilitate the sharing of intelligence information among the member state police forces and (2) authority to the commissioner of state police of a member state to invite personnel from the state police forces of other member states to work in his state with power of arrest. The second provision is particularly far-reaching, permitting the sharing of personnel for investigations, a vital need in long-term surveillance and investigative work.^{32/}

The Law Enforcement Committee of the New York Metropolitan Council has formed a Subcommittee on Organized Crime. The subcommittee encourages contact between law enforcement intelligence units in the New York City area, but its principal undertaking has been to make the intelligence files of the New York City Police Department available to the other police departments in the area.^{33/}

The New York State Identification and Intelligence System (NYSIIS) has been mentioned earlier in connection with its function as a records exchange center for all types of criminal records. Suffice it to say here

^{31/} LEIU, Organization, Rules, and Procedures, January, 1966.

^{32/} New England State Police Compact (mimeo.), January, 1965.

^{33/} Metropolitan Regional Council Law Enforcement Committee, 1963-1964 Annual Report, September 16, 1964.

that the cause of the inception of NYSIIS was the Apalachin meeting of organized criminals in 1957. When fully operational, NYSIIS will include criminal intelligence information on the organized criminals of concern to New York and other police departments.

The Oyster Bay Conferences, held in New York in 1965 and 1966, assembled representatives of agencies from all over the United States for the purpose of furthering efforts against organized crime. The conferences have reached some interesting conclusions, among them, the need to share information on individuals engaged in organized crime.

The relationship of the conspiracy and the criminal act must be shared by the investigative agencies if an effective assault is to be mounted against organized crime. . . . The optimum pooling of intelligence information should include both vertical and horizontal dissemination--vertical as between local, state, and federal levels of government, and horizontal between separate jurisdictions at the same level of government.^{34/}

The participants also recognized that "a primary consideration for information sharing is security."^{35/}

Current Needs

A basic need for the uprooting of organized crime is the increased pooling of resources. This includes exchange of information and also making intelligence files available to more people involved in law enforcement. Substantial files of some intelligence units on the activities of organized hoodlums are unknown to law enforcement officers who could give them major assistance in solving crimes.

Information in the files of large intelligence units should be made available to responsible law enforcement officials in surrounding communities on a meaningful basis. It is obviously impractical for an intelligence unit to reveal the contents of working files on developing cases

^{34/} Proceedings of the Oyster Bay Conferences, Combatting Organized Crime, pp. 33-34.

^{35/} Ibid., p. 34.

unless it is operating in concert with another agency; however, much of the information in intelligence unit files relates to "legitimate" business enterprises of the hoodlums, meeting places, personal data on individuals, and other information which may be widely disseminated.

Even the largest intelligence unit cannot afford the manpower necessary to perform continuous surveillance and investigative work to gather information on organized criminals. The members of the New England State Police Compact have recognized this fact and have taken steps to share personnel.

There is a need for agreement on the objectives and definitions of purpose of intelligence units. The effectiveness of many intelligence units is dissipated by activities not even remotely connected with the task of gathering data on organized criminals. It would be impractical for a true criminal intelligence unit to pool its efforts with one which is largely concerned with other matters.

Data disseminated by many intelligence units are of questionable value to those engaged in real intelligence work. Perhaps a national intelligence file would be of greater value if it were confined to information on the organized "Mafia-type" criminal.

There is continuing need for coordination between the law enforcement agencies of the federal government, on the one hand, and state and local intelligence units, on the other.

Finally, there is a need for better coordination between local and state crime commissions and police intelligence units. Too often the police scoff at the activities of independent crime commissions when, in fact, these agencies can assist the police by making known the actions and objectives of organized crime.

Means must be found to redefine concepts of criminal intelligence and to strengthen local services. Criminal intelligence services also should be developed on broader bases. It would be sound to centralize some criminal intelligence services at the state level while leaving intact the effective local efforts. Under some circumstances, centralized programs and efforts could cover several states.

Summary and Conclusions

Coordination and consolidation of criminal intelligence activities fall short of the need, although there is evidence that attempts are being made to break down the barriers to coordinated efforts. It is impossible in this brief analysis to suggest a full program of action. It is hoped that the Organized Crime Task Force of the President's Commission, in its in-depth study in this area, will consider the suggestions in this section, as well as suitable alternatives, in making recommendations to resolve the problems inherent in criminal intelligence work.

Purchasing

Purchasing is an activity undertaken by every public jurisdiction, large or small. Traditionally, purchasing was primarily conducted on a departmental basis with little or no centralized purchasing for the jurisdiction. More recently, however, governments, and especially the larger jurisdictions, are abandoning departmental in favor of centralized purchasing.

Purchasing is not a static concern--prices change frequently, the uses of products change, new products are developed, and the materials in products may change significantly. Consequently, purchasing requires a special knowledge of products and a firm grasp of specifications development and of negotiating and contracting techniques. It is a function which logically should be performed by a professional purchasing agent with responsibility for all procurement activities within a jurisdiction. Purchasing is a vital tool of management, and the purchasing function is most appropriately carried out under the general direction of the chief administrative office of a jurisdiction rather than at the departmental level.

There are several advantages to programmed centralized purchasing: (1) lower prices may be obtained through volume buying, (2) the quality of goods purchased can be improved through the development of adequate specifications, (3) there is better opportunity to test and inspect products,

(4) centralized records and storage facilities are available, (5) items used by many agencies throughout the jurisdiction will be recognized, and (6) a systematic program can be developed and operated for the salvage of obsolete supplies. It would be difficult for most individual departments to operate such programs with their own limited resources.

Some jurisdictions are not of sufficient size to justify the employment of a specialized employee such as a purchasing agent. Frequently, in smaller jurisdictions, the city manager or other local official assumes the centralized purchasing responsibility for all jurisdictional purchases.

There is no need for purchasing to be conducted by individual departments, especially in smaller jurisdictions where volume buying is a significant improvement over departmental buying. The individual department is, of course, the judge of the type of equipment or other supplies best suited to its needs; but this does not mean that the department should conduct its own purchasing program.

Role of Police Department

The police department should identify its needs and assist in the development of specifications to be used in the purchase of items. On occasion, the police department should also perform tests of various types of equipment or supplies to aid in the systematic evaluation of products, a role performed by any department within the jurisdiction.

Intergovernmental Purchasing

Most equipment and supplies utilized by one jurisdiction are the same as those utilized by its neighbors, as responsibilities are commonly the same. Thus, purchasing is very susceptible to a joint or coordinated program. Any intergovernmental purchasing program should not be conducted on a department-to-department basis, but rather should involve entire jurisdictions.

A comprehensive intergovernmental purchasing program was the focus of a detailed study prepared by the Metropolitan Fund, Inc., for the Detroit

metropolitan area.^{36/} The study pointed out the various areas in which cooperative, centralized purchasing could be undertaken between governments, and a program to implement joint purchasing was developed. Certainly, purchases necessary for the operation of a police department could be included in such a joint purchasing program.

Studies of possibilities of joint purchasing have been made in several states, including California,^{37/} Idaho,^{38/} and Pennsylvania.^{39/} Los Angeles County now performs a number of purchasing functions for municipalities within the county, and Dade County, Florida, also provides some purchasing services for smaller municipalities within the county.

An example from Pennsylvania illustrates how joint purchasing activities could be beneficial to police departments.^{40/} It was suggested that a centralized specification agency be established to prepare detailed specifications for products to be purchased. Among the sample specifications are those for two products which every police department utilizes--gasoline and police cars. Pooling the resources of a number of governmental units, complete and detailed specifications were developed which could be of considerable value to all governments--even if actual purchases were not performed jointly. It is doubtful that individual police departments, acting on their own, could have had access to all the information available to the group that developed the specifications.

^{36/} C. T. Harwick, Purchasing Study of Local Government in the Southeast Michigan Metropolitan Six-County Region, Metropolitan Fund, Inc., 1965.

^{37/} James D. Kitchen, Cooperative Governmental Purchasing, Bureau of Governmental Research, University of California, Los Angeles, 1953.

^{38/} Robert J. Huckshorn, Waine M. Peterson, and A. M. Rich, Cooperative Centralization of Purchasing for Idaho Municipalities, Bureau of Public Affairs Research, University of Idaho, 1962.

^{39/} Association of Pennsylvania Municipal Managers, Intergovernmental Purchasing Agreements, Institute of Local Government, University of Pittsburgh, 1962.

^{40/} Association of Pennsylvania Municipal Managers, The Establishment of a Centralized Specification Agency, Institute of Local Government, University of Pittsburgh, 1962, pp. 9-13.

Summary and Conclusions

Joint purchasing activities should be conducted on a government-to-government basis, not on the departmental level. Police departments should not be involved in the actual purchase of equipment and supplies, although they should advise on the specifications for products that they use and assist in their testing as needed.

Other Staff Services

Three staff functions remain to be considered--public information, internal investigation, and intradepartmental staff inspections. Basically, these are responsibilities of the individual chief police administrator, and it is doubtful whether they can be divorced from his immediate control. Therefore, these functions cannot be considered along with other staff functions previously mentioned as being susceptible of coordination or consolidation. Many police administrators, however, could profit from what other police departments are doing in these areas, and for this reason, there are some limited possibilities for coordination in these functions.

Public Information

In a public information program, primary emphasis should be placed on planning and performing activities which will keep the public aware of what the police are planning and doing. One of the crucial problems, particularly in metropolitan areas, is that many people live and work in different jurisdictions. The life of the suburban resident may be regulated more, and his property protected as much, by the central city police department as by the police department of the community in which he lives. For example, in one Chicago suburban community, 65 per cent of the working residents are employed outside the community, primarily in Chicago.^{41/}

^{41/} Northeastern Illinois Metropolitan Area Planning Commission, Suburban Factbook, 1962, Table 17, Commuting Characteristics, Employed Residents of Suburban Northeastern Illinois Municipalities, 1960.

With this in mind, a practical, cooperative public information program could be developed by the central city department and the suburban departments to inform the mobile public and solicit its assistance in observing and reporting suspicious circumstances, and in adopting protective practices designed to forestall burglaries, larcenies, child molestations, and other criminal actions. Such a program could consist of joint appearances at informational programs conducted in the suburban communities, distribution of literature describing the activities of the participating departments, and visits to business and industry to analyze needs, promote sound security practices, and so on. Such joint efforts should do much to improve the image of the central city department, to upgrade the public information programs of the suburban departments, and to stimulate cooperation by the public in many needed ways.

Internal Investigation

In large departments, internal investigation for control purposes is often performed by a unit responsible for providing assistance to line commanders and the chief of police. As discipline is a function of command, it therefore is primarily the responsibility of the individual commanders to oversee this activity. It is usually the line commander's responsibility to control the investigation of complaints against his officers and to ferret out any evidence of corruption in the force. The existence of a separate unit with the sole function of assisting line commanders, however, is of considerable value. At times, this unit will also conduct internal investigations, unknown to line commanders, under the direction of the chief police administrator.

Most large departments have internal investigation units, but small departments usually cannot afford such units and have no place to turn for this assistance. Here outside assistance might sometimes prove valuable. Commenting on this problem, the city manager of a community of 75,000 population mentioned that his department was conducting an internal investigation and needed assistance; but there was no person or agency to which it could turn.^{42/} This situation describes the condition in a majority of departments.

^{42/} Interview, Wayne F. Anderson, City Manager, Evanston, Illinois, June 28, 1966.

Pooling resources in internal investigation is fraught with dangers. As has been mentioned, discipline is a function of command, and for this reason, outside assistance might be considered interference. Moreover, many jurisdictions would not be interested in becoming involved in the internal affairs of another jurisdiction. There are also problems implicit in the nature of internal investigation, problems that are not uncommon in an internal investigation operation serving only one department.

Nevertheless, there are enough instances when outside assistance is needed that there should be available an agency totally detached from the normal channels of internal investigation. In California, the Attorney General has a constitutional responsibility for coordinating and supervising the activities of the local law enforcement agencies. The department which he heads--the Department of Justice--is the principal integrating agency for all police functions within the state. Through the efforts of this department, cooperation between all elements of California law enforcement has been achieved. At the same time, however, the Attorney General has the responsibility for initiating investigations pertaining to local law enforcement corruption. It is difficult to visualize an agency which has both the responsibility for inducing cooperation and the duty to enforce police morality. It would seem that an agency which has these conflicting objectives must relax one activity to achieve the objectives of the other. Nevertheless, a unit in the office of the state attorney general may be of significant value on matters of internal investigation, provided that this is its only function.

In Wisconsin, such conflicting objectives have resulted in the demise of a unit in the Attorney General's office.^{43/} This unit was concerned with two things: (1) organized crime and (2) problems of internal affairs. Its usefulness in organized crime investigation was hampered as a result of investigations into the public morality of a large municipal police department. It was reported that Wisconsin law enforcement officials would not cooperate with this unit in crime investigation activities

^{43/} Interview, Professor Herman Goldstein, University of Wisconsin Law School, Madison, Wisconsin, June 29, 1966.

because of its role in the investigation of specific police departments. This is not to say that both activities ought not to be performed; it is only to say that they should be separated.

Perhaps what is needed in every state is a unit which is completely detached from other agencies and has no responsibilities other than assisting local law enforcement with problems of internal affairs and, on its own initiative, conducting investigations. Giving these units no other responsibilities would enhance their utility. A state unit for internal investigation would be a logical extension of the principle upon which local units are based.

Staff Inspections

In large departments, the chief often assigns staff inspections to a separate unit. The primary interest of a staff inspector is in discovering and examining specific areas where irregularities and weaknesses occur and in keeping supervisory officers informed about them, so that corrective action may be taken. He is not basically concerned with evidences of breaches of integrity but is responsible for identifying and reporting them.

The role of the staff inspector is conditioned by the provisions of a departmental plan. If there is a plan that all units are to follow, it is the duty of the staff inspector to determine that they are all carrying it out. For example, if the department has a plan to be followed in crime reporting, the staff inspector must inspect case reports for compliance with it. Nearly every police department has a manual of rules and regulations; it is the staff inspector, in addition to the line commander, who determines that these rules and regulations are being followed.

Unless two or more departments agree on following similar plans, it is unfeasible to establish coordinated staff inspections. Situations such as in California, requiring submission of crime reports to the state, necessitate some control over local reporting procedures. Staff inspectors from the California Department of Justice are responsible for assuring compliance with this mandatory requirement.

All in all, it would seem that intradepartmental staff inspection has little susceptibility for coordination. However, staff inspection on a statewide basis in conjunction with certain state standards is a distinct possibility. This concept will be discussed in Chapter VII.

Summary and Conclusions

The staff services of public information, internal investigation, and staff inspection are not highly suitable for coordinated undertakings. They are mainly staff aids of the individual police administrator. Nevertheless, there are certain needs which can be met by pooling related resources of police departments.

Cooperation in public information services between a central city department and suburban departments would be practical, in view of the fact that both agencies affect the lives and security of the commuting public.

There should be more intergovernmental assistance in internal investigation, although there are numerous obstacles to it. In principle, there should be in every state a unit which should assist the local police department with its internal investigation problems and, at the same time, conduct inquiries into alleged wrongdoing on the part of the local departments. However, this unit should be completely separate from other state agencies and should have only the function of internal investigation.

Joint staff inspections do not hold much promise unless law enforcement agencies have duplicate rules and regulations. If the state requires certain standards for all jurisdictions, some inspectional unit will be necessary to monitor this activity.

IV. COORDINATION AND CONSOLIDATION OF AUXILIARY SERVICES

Auxiliary services are nonline functions other than staff services which provide technical, special, or supportive services to line or other nonline elements of a law enforcement agency. They include such functions and activities as records and communications, detention, laboratory services, and buildings and equipment. After field services, auxiliary services are the most costly part of police management. Generally, auxiliary services as a group are susceptible of joint performance between or among a number of law enforcement agencies.

Records Services

The value of a complete criminal records system to the police effort is well-established. In the words of O. W. Wilson, "The effectiveness of a police department is directly related to the quality of its records."^{1/} Records are needed:

1. To provide the information from which intelligent decisions can be made in matching government resources to community needs.
2. To provide the information to be communicated within and between departments so that police objectives can be accomplished effectively.
3. To assist in the supervision and control of personnel and the measurement of their accomplishments.
4. To inform the public.

Advantages of Areawide Central Records

The advantages of an areawide central records operation are an extension of the advantages of a departmental central records system.

^{1/}O. W. Wilson, Police Administration, second edition (New York: McGraw-Hill, 1963), p. 384.

A departmental central records operation involves the consolidation of all key aspects of criminal, traffic, and service-to-the-public records under a single command. The concept of a central records system is not new. Wilson concluded in 1942 that:^{2/}

The extent to which the records system facilitates police management . . . depends in large measure upon how it is organized and administered The records unit is the information center of the police department All phases of police work must be fitted together to form an integrated system A well-administered central records system contributes to the effective operation and management of the police department. A centralized records system places the responsibility for the effectiveness of records work in a single division head.

There are many reasons why the concept of a central records system should be expanded to encompass many jurisdictions. Some of the more meaningful advantages are discussed below.

When basic information collected by many jurisdictions is centralized in one place, an inquiring jurisdiction need check only one source for information rather than several. Centralization eliminates duplication of effort and facilities and reduces the possibility of error, and increases the speed with which an inquiry or search can be handled. For example, when each department in Alameda County, California, maintained its own warrant files, the time required for one department to check all of these files was over 39 minutes. When the files were consolidated within the automated Police Information Network (PIN), the total elapsed time from the moment a request was made until the information was received was reduced to less than two minutes.^{3/} The time would have been greater if a computerized system were not employed, but it still would have been enough less to justify centralization.

^{2/}O. W. Wilson, Police Records (Chicago: Public Administration Service, 1942), p. 8.

^{3/}Bay Area Law Enforcement Information Control Study Committee, Centralized Electronic Information System (unpaged, no date).

If an areawide records operation includes the collection and compilation of statistics, reporting and documentation can be reduced, an accurate overview of crime in the area may be obtained, and detailed analysis of the data will be possible.

A jurisdiction that turns certain records over to an areawide operation may eliminate related files. In the Dade County, Florida, area, for example, one department eliminated its accident report file when the Dade County Public Safety Department instituted centralized collection, processing, and filing of accident reports.^{4/}

Finally, areawide centralization may result in a reduction of personnel involved in records operations. When the Los Angeles Police Department turned over its stolen property files to the State Bureau of Criminal Identification and Investigation (CII), it was able to reduce its work force by 10 people and the CII needed to only add 2. The only new cost to Los Angeles was a monthly charge for a telephone line to Sacramento.^{5/}

Scope of Areawide Central Records

The scope of an areawide records operation will depend upon, among other things, the geographical area covered, the quality of the participating agencies, and the support of the police administrators involved. Classes of information that may be made available to all users include:

1. Operational information services.
2. Administrative information services.
3. Reporting and statistical services.

Operational information services are concerned with information of value to field personnel. Included would be data relating to wanted persons, identification of suspects, stolen and wanted vehicles, and other stolen and recovered property.

^{4/} International Association of Chiefs of Police, A Survey of Police Services in Metropolitan Dade County, Florida, 1963, p. 101.

^{5/} Interview, Dr. John P. Kenney, Deputy Director, California Department of Justice, June 28, 1966.

Administrative information services are concerned with data of value to command and administrative personnel in making decisions. This type of data includes analytical reports based upon data gathered, along with operational information (e.g., time and location of incidents, work load measurement, clearance statistics and analysis, and personnel management data). This is one of the most valuable and least recognized uses of police records.

Reporting and statistical services relate to the collection of crime reporting information for general statistical uses and for compilation of annual or periodic reports to the FBI Uniform Crime Reporting Program and to state or local reporting programs. They also encompass central report recording and transcribing services.

The provision of operational information services appears to be most susceptible of early implementation on an areawide basis, since there is at present some uniformity of demand, both in content and in volume. Incident reporting and other related data collection and distribution seem the next most susceptible, for the lessons of the Uniform Crime Reporting Program may be used to establish guidelines. There is also sufficient experience with intradepartmental report recording and transcribing systems to warrant consideration of areawide systems.

The provision of administrative information services offers the greatest potential return for individual agencies, but will probably be the most difficult program to secure or to implement, because of a limited knowledge regarding the use of such information by many police administrators. Areawide centralization of vital information such as time and location of police services and manpower deployment is of paramount importance in the effective provision of police service. Until individual agencies, regardless of size, recognize the need for using police records to deploy police forces, the gains made in other uses of police records may be offset by improper or ineffective utilization of manpower.

Other Systems Considerations. A basic impediment to the development and effective use of areawide central records systems is the failure

of management to recognize their purposes and values. There are certain records which must be decentralized. This, however, is not a valid argument against areawide central records operations which can provide information promptly to field personnel for use both in emergency and in routine situations, to police administrators to form the basis for sound administrative and operational decisions, and to the public to inform it on police problems and services.

The following factors should be considered in advance of any serious attempt to establish an areawide central records system or a data processing center to provide statistical, analytical, or general operational or administrative informational services.

1. An effective areawide records system depends upon the utilization of the communications systems of the cooperating jurisdictions. The respective communications operations also must be integrated into a single system working in concert with the areawide records center, because the two systems are interdependent.
2. Information contained in an areawide central records file must be easily retrievable if the system is to realize its full potential. Data of immediate concern to local agencies (e.g., traffic warrants) should be available locally, while state or federal systems could house other types of information serving broader needs.
3. Areawide records services can be effective only with the use of relatively expensive data processing equipment; therefore, careful study of both the immediate and the long-range costs of an areawide central records operation must precede any decision to establish it. The cost of such equipment may be beyond the ability of the jurisdictions considering the areawide service or may not be justified by volume of work, relative needs, and potential service return.
4. Lack of agreement on the content of a program would seriously weaken it; therefore, in any areawide records undertaking, all participants must agree upon the type and level of information services to be provided.
5. The information services of police departments vary widely in form and content, and the potential for human

or machine error would probably be greater with increased volume. Therefore, control of the quality of information put into an areawide system is especially critical. Control over the timely addition or cancellation of information also becomes increasingly a problem when many jurisdictions are involved.

Organization for Areawide Records Systems

Determination of the size of the area to be served by a central records system presents some problems. Although it is usually less costly and more effective to perform certain functions and maintain certain files for a large than for a small area, the size of the area must be related to the uses to be made of files and the need for immediate service. Time and distance influence the physical location of files and services. For example, police reports must be available to courts or copies provided the public without undue delay. Decentralized demands point up the need to recognize the limits of physical and functional centralization.

The possibilities for areawide records services range from a single national system with various subsystems to state systems, with or without intersystem communications capabilities, to local systems, which can serve as effective areawide records centers. Most current records systems are oriented toward providing operational and/or statistical information, while very few yet provide administrative informational services.

A National System. At the federal level, the existence of the Federal Bureau of Investigation's (FBI) fingerprint collection attests to the long-time recognition that police records can be centralized on a nationwide basis. Factors of time and distance, however, have mitigated against full use of this system, and many local and state systems also have been developed.

The FBI is also embarking upon an operational information services program which will result in the National Crime Information Center (NCIC). The philosophy behind the establishment of the NCIC is stated as follows:^{6/}

^{6/}"A National Crime Information Center," FBI Law Enforcement Bulletin, May, 1966, p. 3.

The logical development of electronic information systems proceeds from local metropolitan systems to statewide systems and then to a national system. In effect, each succeeding system would afford greater geographical coverage. The information stored at each level will depend on actual need, with local metropolitan systems naturally having a data base much broader than that of either the statewide or national system. It is most important to avoid any concept that a national system eliminates the need for systems of lesser geographical scope--metropolitan and statewide systems must develop to serve local needs which could not possibly be met by any national systems. The ultimate nationwide network will not be achieved until such systems develop in each state and the larger metropolitan population centers.

The concept of the NCIC is clear. It is intended to complement, not to replace, local and state systems. The national system should be a coordinating mechanism that will further the exchange information of mutual concern among smaller, independent but coordinated systems. Provision should be made for use of the system by federal and regional law enforcement agencies, but parallel or duplicatory systems should be avoided unless for specific backup purposes.

Most everyone in law enforcement is familiar with the FBI's Uniform Crime Reporting Program. From its inception in 1930, this voluntary nationwide program has become progressively valuable to the nation in documenting the crime problem. Despite its voluntary nature, law enforcement agencies serving over 92 per cent of the nation's population submit data to the program.

Perhaps the Uniform Crime Reporting Program is close to the peak of its efficiency in portraying the kind and extent of crime nationwide. There is little doubt that the program gives a progressively better picture of crime, but it suffers from its voluntary nature. First, it can be assumed that there never will be returns from jurisdictions representing 100 per cent of the nation's population. Second, the lack of uniformity among states in crime classification makes it difficult to interpret the statistics. Third, an educational effort will never

succeed in working out all the problems in local reporting systems. Finally, this effort must necessarily exclude many statistics of a purely local nature such as traffic warrants.

State Systems. To date, most of the statewide records systems are manual or mechanized programs dealing with the collection and compilation of simple crime statistics; the provision of clearinghouse service in matters concerning the identification of criminals, victims, and other persons, and wanted or found property; and the provision of auto and driver license registration information. Some also provide rudimentary modus operandi and/or crime analysis. Some of the more noteworthy state systems are discussed below.

The California Department of Justice, particularly its bureaus of Criminal Identification and Investigation (CII) and of Criminal Statistics, has long been involved in providing areawide records services to California law enforcement agencies. Services go well beyond the functions normally performed by "state bureaus." The CII alone employs more than 500 persons in activities directly related to operational information services.

The Bureau of Criminal Statistics, concerned primarily with statistical functions, employs more than 40 persons and has an annual budget of approximately \$370,000. Its statewide coverage and the fact that the reporting to it of crime is mandatory make the California system perhaps the most complete and accurate in the nation. Its annual publications, Crime in California, Delinquency and Probation in California, and Drug Arrests and Dispositions in California, indicate how far the Bureau of Criminal Statistics has gone in providing local jurisdictions with meaningful statistics. Such a statewide statistical program has several advantages and should be considered when attempting to support and augment the Uniform Crime Reporting Program.

The California system may be modified if electronic data processing techniques are introduced. The "total system" approach which is being considered would include not only the CII files for operational information services, but also those of the CII maintained for the statistical purposes

of the Bureau of Criminal Statistics, files of the Bureau of Narcotic Enforcement, and files of agencies outside the Department of Justice (e.g., judicial, correctional, motor vehicle registration, and state highway patrol).

There is increasing interest in other states in providing total systems. The New York State Identification and Intelligence System is being planned to include not only police data, but also data from the files of courts, prosecutors, probation and parole agencies, and correctional institutions.^{7/}

The proposed Michigan Law Enforcement Information Network (LEIN), to be operated by the Michigan State Police, will start with a computer-based file of stolen and wanted vehicles and warrants and then be expanded to include much more data. Plans call for 35 terminals located throughout the state and for complete financing of the system, including terminals and lines, by the state.^{8/}

There are also some existing or proposed statewide systems of more limited scope. The California Highway Patrol operates AUTOSTATIS (Automated Statewide Auto Theft Inquiry System), a statewide file of stolen and suspicious vehicles accessible "on-line" to over 200 police agencies via 158 teletype terminals. The use made of this system is indicated by the fact that approximately 9,000 inquiries per day are logged and, on the average, 1,200 daily file changes are made.^{9/} A similar system is being readied for implementation by the New York State Police.

Metropolitan Systems. At the local level, the best example of a records system of areawide importance is the Bay Area Police Information Network (PIN). PIN was conceived by the Bay Area Law Enforcement

^{7/}New York State Identification and Intelligence System. Information Sharing: The Hidden Challenge in Criminal Justice, 1964.

^{8/}Interview, John Brown, Deputy Director, Michigan State Police, August 17, 1966.

^{9/}Letter, Bradford Crittenden, Commissioner, California Highway Patrol, August 15, 1966.

Information Control Study Committee, a group composed of representatives of police agencies in the San Francisco Bay Area. The distinguishing features of PIN are its (1) limited scope, (2) areawide nature, (3) "real-time" emphasis, and (4) use of the existing county data processing facility.

It was decided early in the planning stage that PIN would be limited to warrants, both criminal and traffic, rather than become involved in a "total systems" approach. In its second progress report, the Bay Area Study Committee states:^{10/}

While the Committee is mindful of the "total system" approach it is also of the conviction that any "total system" must be based upon local needs and must develop from local experience. Hence . . . our first concern should be to establish . . . an active warrant . . . program and utilize our experience to build toward the "total system." A "total system" approach would involve a massive conversion of existing . . . files and entry into a new program on such a scale that, while we are certain that the concept is sound, failure . . . could be both economically and politically disastrous.

It was felt that the warrants systems of all area police agencies were sufficiently alike, whereas other records lacked uniformity to a degree which prevented including them in the initial system. Plans call for additional applications when possible.

PIN is an areawide service. Each of the 13 police agencies in Alameda County has access to the computerized warrant file without charge; and police agencies outside Alameda County have access upon payment of the following charges:

1. Terminals, data sets, and lines: 100 per cent of actual cost.
2. Hardware costs: 3-1/2 cents per warrant input per month.

^{10/} Bay Area Law Enforcement Information Control Study Committee, Second Regular Progress Report, May 19, 1964 (mimeo), p. 16.

3. Personnel and other nonhardware costs: \$1 per 1,000 population per month.^{11/}

Charges have been set low to encourage participation by police agencies outside Alameda County. When the 18 cities in San Mateo County became part of PIN, the county assumed all of their costs.

The Chicago Police Department has an automated file of stolen cars and wanted persons. The file contains the following information: stolen cars, wanted persons, stop orders, criminal and traffic warrants (names), mental institution stop orders, military stop orders, missing persons, revoked and suspended drivers' licenses, and licenses of vehicles driven by known criminals. There are some plans to make this file available to other departments through terminals and lines directly to the computer. Several advantages would ensue: (1) an existing data processing facility would be more fully utilized, (2) the system would cover a larger area, and (3) a step would be taken toward a regional records center with data collected from as well as disseminated to additional agencies. The last advantage is perhaps the most important.

Unmet Needs

It is evident that existing and proposed areawide records systems are beginning to meet the need for multijurisdictional operational and statistical information services. However, little attention has been given to the provision of information to command personnel to help in administrative decision making. The possibilities of compiling and disseminating such information should be explored.

An areawide records operation, particularly at the metropolitan level, could be of much use in assisting command officers with manpower deployment problems. A limited program could be instituted using radio dispatch information from a number of departments and preparing a daily report of each department's work load, by time and location, at a central records center. The tabulated results, plus some limited analysis, would

^{11/} Letter, Gordon F. Milliman, Chief, Data Processing Center, Alameda County, California, June 9, 1966.

then be returned to the participating departments. Periodically, radio dispatch information could be weighed according to the seriousness of incidents and used in the redesign of patrol areas. A more complete data collection program and detailed analysis would be more desirable.

Summary and Conclusions

There are few outstanding examples of areawide police records systems at any level of government. The reasons are many, but the results are the same: incomplete, fragmented, duplicatory, inaccurate, localized, and often useless data collected at considerable expense.

The following conclusions are drawn from an examination of existing and proposed large area systems:

1. The flow and availability of law enforcement information should closely parallel the flow and mobility of population and, more particularly, criminals.
2. The scope of a coordinated or consolidated records operation must be based upon such factors as area, population size and concentration, quality and quantity of law enforcement services, and the relative needs for each type or kind of data services.
3. The appropriateness of a particular joint records system should be determined in part by an evaluation of the capabilities of the several agencies to contribute to and use the system.
4. There are certain readily identifiable classes of data which lend themselves to joint or consolidated recording. They include especially data concerned with operational or field matters and administrative information regarding the analysis of crime and deployment of personnel.
5. The state should assume major responsibility in the direction and coordination of law enforcement data systems, including the total provision of certain information services, and support of qualified local or regional systems within the larger system.
6. An areawide system encompassing several major operational information services (e.g., wanted

persons, stolen property, stolen autos) should be implemented at the metropolitan level whenever circumstances warrant. However, the state can also perform these services, provided it receives adequate support at the local level.

7. The receipt and analysis of crime statistics is a proper responsibility of the state. A state program should include the receipt and analysis of crime reports, mandatorily submitted by local departments, and the submission of statistics to the Federal Bureau of Investigation.
8. Care must be taken in implementing records systems which bring together data from many varied sources of dissimilar responsibilities for the purpose of providing a single, all-encompassing file. "Total systems" which include information from many other agencies could easily jeopardize the real and meaningful value of a police information exchange.

Communications

The nerve center or coordinating mechanism of a police department is its communications system. Coupled with a records system, a communications system provides the means by which any law enforcement agency responds to the needs of citizens and individual police officers. At the present time, however, the development of integrated records and communications systems on an areawide basis is fairly rudimentary, although a number of areawide communications systems are in operation.

An areawide communications center, coupled with an areawide records center, could vastly improve the speed by which citizens' requests for service are answered and appropriate action taken. Individual police agencies which currently must compete with other agencies to use the same communication facilities would no longer face such problems. An immense duplication of expensive facilities could be eliminated on the local level and the possibility of error greatly reduced in dispatching personnel.

Perhaps the most perplexing situation confronting police communications is the multiplicity of single department radio systems, sometimes

sharing the same frequency, in most metropolitan centers. As Professor Gordon E. Misner points out, the availability of communications equipment may tend to aggravate the problems associated with the fragmentation of police resources.^{12/}

There is a current tendency to blame communications difficulties on the lack of frequencies available for police service. This is not entirely a valid observation, however, because coordination of broadcasting in a given area involves more than a limit on the number of frequencies. There must be a realization that coordination requires the sharing of physical facilities and the ability to direct operations from a central communications center which is nearly nonexistent in most metropolitan areas.

Current Trends

There are enough examples of coordinated and consolidated communications systems to indicate some recognition of this need.

Radio. Perhaps the most usual means of integrating communications systems is through interjurisdictional agreements for the joint use of police radio. The primary motivation for such agreements is cost. When new departments are established, or existing departments decide to become radio-equipped, they often join with other departments to provide radio communications or seek service from an established system.

In a 1960 study of interjurisdictional agreements in the Philadelphia area,^{13/} it was found that agreements covering police radio communications were the most numerous and inclusive. There was a total of 107 agreements encompassing 112 of the 128 departments that had radio-equipped cars, and 13 stations provided this service for the 112 departments. Thus, each station served an average of more than 8 departments, with the range from 2 to 35 departments.

^{12/}"Recent Developments in Metropolitan Law Enforcement," 50 Journal of Criminal Law, Criminology and Police Science 502 (1960).

^{13/}George S. Blair, Interjurisdictional Agreements in Southeastern Pennsylvania, Fels Institute of Local and State Government, 1961, p. 38.

The normal agreement in this area included the provision of full dispatching and maintenance services for an annual charge, with both the base station and the mobile units purchased by the central agency. A second type of agreement provided that individual agencies purchase the mobile equipment, with parts charged at cost, and central maintenance and dispatching provided without charge. A third type provided that the individual agencies buy the mobile units and pay for parts and service, with central dispatching available without charge.

In suburban Lake County, Illinois, to the north of Chicago, the County Communications Department operates a radio net for some 20 police departments, providing the departments with base stations and mobile units on a contractual basis. Included in the contract charges are the cost of the equipment and complete maintenance. The county takes out the licenses and thus controls the use of the system, but each department handles its own dispatching.^{14/}

In the Cleveland suburban area, 26 police departments provide communication services for a total of 64 departments. Thus, communities which cannot afford, or do not wish to operate, their own base station can benefit from the facilities of established departments. The largest of these systems, operated by University Heights, services 13 departments with complete dispatching. The weakness in this system, however, occurs prior to dispatching. Each department answers its own telephones and then relays the information to the dispatcher, a practice that entails delay. Moreover, several departments do not have 24-hour answering service, contracting with private answering services or using other stopgap measures.^{15/} Ideally, all emergency phone calls should come direct to the dispatching facilities at all times.

Twenty-seven police departments in Dade County, Florida, are serviced by five separate radio systems operated by the Dade County Public Safety Department and the cities of Miami, Miami Beach, Coral Gables, and

^{14/} Interview, Jay McClaskey, Supervisor, Lake County Communications Department, June 4, 1966.

^{15/} Cleveland Metropolitan Services Commission. Police Protection in Cuyahoga County, 1958, p. 38.

Hialeah. The Dade County and Miami systems are used by other jurisdictions; the others are used only by the base station city. The Dade County system provides complete radio service free of charge, including telephone answering and dispatching, but each using department must purchase its own mobile radio equipment. The Miami system provides complete service for a monthly charge which covers rental and maintenance of equipment and dispatching. Some departments favor contracting with the Miami system because they do not have to purchase their own equipment.

The successful use of interjurisdictional agreements for the provision of police communications services indicates that when service is economical, facilities are maintained in good order, and cars are dispatched promptly and with precision; radio communications is a police function which can be consolidated.

One of the more common practices in metropolitan areas is the monitoring or cross-monitoring of radio frequencies of adjacent departments. The advantages of cross-monitoring are essentially of an operational nature, but seldom does it result in substantial efficiencies in operation. There is usually no formal agreement between the agencies concerned, and the action taken as the result of an intercepted message is generally voluntary. Further, it does not resolve the more fundamental problems of a multiplicity of radio broadcasting stations.

Much the same may be said of the intersystem networks found throughout the nation. Commonly called "point-to-point" nets, these systems provide a "party line" that enables a dispatcher in one department to talk with a dispatcher in another. These point-to-point systems carry a considerable amount of administrative traffic, particularly vehicle registration requests and wanted person and property checks. However, the basic purpose of these networks is for interjurisdictional communication on emergency matters.

An emerging pattern is a point-to-point system which enables a car on one radio system to communicate with a car on another system in emergencies. Such a system, the Illinois State Police Emergency Radio

Net (ISPERN), is being implemented in Illinois.^{16/} In order to establish the communication net, the Illinois State Police relinquished one frequency, and placed it under the control of a governing board to which any police agency desiring access must apply. Once admitted, the agency installs equipment in its mobile units that enables it to broadcast over the ISPERN frequency to all other mobile units on it. Thus far, approximately 30 Illinois police agencies have received permission to install equipment utilizing the ISPERN frequency.

Teletype. Interjurisdictional use of teletype communications has been one of the significant cooperative efforts in law enforcement. Teletype communications networks now span the country through the Law Enforcement Teletype System (LETS). Each state has some form of teletype network linking many or most law enforcement agencies in the state, and county systems are on the increase, as are systems linking central cities and their surrounding suburban areas. Direct teletype links with computerized records centers are also utilized by some police agencies.

LETS consists of six circuits, each with a control station and a line running to a switching center in Phoenix, Arizona. When a message is directed to another network or to all networks, the Phoenix center automatically handles the routing and switching according to the coded message instructions received from the sending station. Each of the control stations pays for a share of the equipment common to the entire system. This consists of lines, switching center equipment, and circuit control stations. Because of variations in needs, each station assumes the cost of its own equipment.

At the local level, 11 California counties operate teletype networks, some free of charge to all participating municipalities. The county networks are linked into a statewide system operated by the California Department of Justice. Also, numerous municipal departments and other law enforcement-related agencies are linked through the state network. In the Chicago area,

^{16/} Interview, Captain William Miller, Commander, Communication Section, Chicago Police Department, May 15, 1966.

several teletype networks link the Chicago Police Department with numerous suburban police departments and with the Illinois State Police. Similar nets are found in most metropolitan areas.

Current Problems

Despite the extensive use of interjurisdictional radio agreements, intersystem radio communications, and nationwide teletype service, much more coordination and consolidation is necessary in order to develop complete areawide communications systems.

One of the primary problems is the existence of many separate police communications systems in close proximity, particularly in metropolitan areas. When these systems share the same frequency, the situation becomes acute. Emergency calls in one department are often blotted out by routine calls in other departments which perhaps could have been handled differently.

Other problems relate to the cost of maintaining and operating separate communications systems and to the belief of many police administrators that they lose control over field personnel if radio dispatching is provided by another agency. In its study of police services in Dade County, the International Association of Chiefs of Police commented:^{17/}

Each system maintains its own service facilities and its own complaint dispatching staff. Each system is looked upon . . . as an indispensable part of the department's operations, and a function which cannot be assigned to another agency without serious loss of supervision and control.

Although his opinion is not universally held, Sheriff Pitchess of Los Angeles County feels that radio communications need not be handled by each individual department if there is available to it a system operated and maintained by a competent central agency.^{18/}

^{17/} International Association of Chiefs of Police, A Survey of Police Services in Metropolitan Dade County, Florida, 1963, p. 239.

^{18/} Pitchess, Seminar, p. 3.

In the use of teletype communications, cost is still a problem for smaller jurisdictions. Existing systems require the least of costly telephone lines, and unless state systems pay some or all of the cost of lines, or cost is otherwise reduced, participation by small jurisdictions will not reach its full potential.

Many intersystem teletype systems have fallen into disuse because of continued use of point-to-point radio for routine information needs. A distinction must be made between the two types of systems so that teletype is used for routine information purposes and point-to-point systems reserved for emergency communications.

Possible Solutions

At present, the problems of radio communications are more serious than those of teletype communications. Indeed, coordinated police use of teletype has reached a high point. It is not suggested here that problems in the use of police radio can be solved by consolidating all radio systems in a particular area, for the chances of implementing such a program are not great.

Increased use of interjurisdictional agreements covering radio communications is a possible approach in many areas. Such agreements should include maintenance, dispatching, and telephone answering services. Through contracting for radio services, equipment costs could be reduced, irrelevant communications controlled, and in some instances, personnel eliminated or diverted to other tasks.

Short of agreements that would remove the responsibility for radio dispatching from some jurisdictions, much could be done to solve the communications muddle through the use of effective radio-dispatching procedures and dispatcher training.

Improvements will depend, however, upon coordinating agencies, such as the Federal Communications Commission (FCC), giving concentrated attention to police radio communications problems. It is doubtful that the present state frequency advisory committees of the FCC, with their limited approach, can meet this need.

A possible approach is for the Federal Communications Commission to give the states more power to control public safety communications. A state agency could establish standards for and techniques to evaluate the conduct of local police radio, recommend the amalgamation of radio communications systems where feasible, deny licenses to those police agencies which could readily use another agency's communications system, and establish and operate statewide nets for intersystem police radio communications. The merger of radio communications systems should be encouraged through state grants-in-aid.

If the FCC gives the states the power to enforce and coordinate police radio responsibilities, the states would be provided with a valuable management tool and the power of the FCC to regulate civilian communications would be enhanced.

Summary and Conclusions

This section has been concerned with the pooling of resources in radio and teletype communications and has emphasized interjurisdictional contractual agreements in police radio and the use of radio and teletype in intersystem communications. On the basis of an analysis of present problems in police communications, the following conclusions seem warranted:

1. Areawide communications systems should be developed in concert with areawide records centers because the two systems are interdependent.
2. The states should have more power to regulate the use of police radio, including the power to establish operational standards and to recommend the amalgamation of two or more communications systems. The state's responsibility in this area could be enhanced through the use of grants-in-aid.
3. Greater use should be made of interjurisdictional agreements whereby one system can provide complete radio communications for two or more jurisdictions.
4. Police teletype networks should be used increasingly for routine police communications, thus making intersystem radio communications systems available for strictly emergency uses.

Detention Facilities and Services

Throughout the country, most detained and sentenced persons are housed in community detention facilities. It is estimated that Los Angeles County alone will house over 160,000 such persons during 1966-1967, which is more than half the number of prisoners confined in all state and federal penal institutions.

Briefly, the distinction between the local facilities, on one hand, and the state and federal facilities, on the other, hinges on the type of prisoner confined. State and federal penal institutions normally hold prisoners serving more than a one-year sentence, whereas local jails or stockades seldom house prisoners for more than one year. Local institutions usually hold defendants in felony cases during the judicial process; upon sentencing, they are sent to state or federal institutions.

Current Local Practices

Many local police administrators believe that it is necessary to maintain a local detention facility. Nearly every police department has at least a holding facility for temporary detention and many operate full-scale jails, although most are not adequate according to modern penological standards. In many states, sheriffs are required by law to operate such facilities.

Accepted principles of jail management are that prisoners must be segregated by sex, age, and type of crime; be secure; have ample opportunity for work and recreational activity; live under sanitary conditions; and be provided a well-balanced diet. The capital outlay for the personnel, equipment, and facilities needed to meet these standards is prodigious, even in a modest undertaking. For example, to provide continuous round-the-clock supervision of prisoners by 1 correctional officer requires approximately 5 full-time men working 40-hour weeks. Such supervision would require an annual outlay of at least \$30,000, if the salary and fringe benefits of each officer amount to \$6,000 per year.

The most common problem faced by municipal and county jail administrators, according to a State of Washington survey, is a severe shortage of personnel.^{19/} Many local jails are not supervised round-the-clock by persons on duty in the building, even when prisoners are confined in them. Prisoners are locked in cells, often under unsafe conditions, and helpless in case of disaster. Some jail keepers, concerned about this problem, have gone so far as to leave cells or even jails unlocked when prisoners are without supervision to avoid this potential danger.

In evaluating the local jail program in the State of Washington, the Department of Institutions noted, "In some instances the best thing that can be said is that the jail is seldom used."^{20/} It concludes that many local jails are inadequately staffed, poorly maintained, and inefficiently operated. The mere fact that some jails receive only limited use is a sound argument for the elimination of unnecessary facilities and the operation of joint detention programs.

Local jail problems in the State of Washington are in no way unique. For example, Connecticut over the years experienced many similar ills, and dissatisfaction with local jail administration was a factor contributing to the abolishment in 1960 of all county governments.^{21/}

As an alternative to county jails operated by elected sheriffs, Connecticut established an office of state jail administrator responsible to the governor, with control over the detention of all local prisoners throughout the state. This system is separate from the state penal institutions. Jail personnel of the old county system were absorbed into the state merit system at appropriate levels wherever possible. Old facilities

^{19/} Washington State Department of Institutions, Jail Information Report, 1964, mimeo., p. 20.

^{20/} Ibid., p. 1.

^{21/} Rosaline Levenson, County Government in Connecticut--Its History and Demise (Storrs, Connecticut: Institute of Public Service, University of Connecticut, 1966), p. 83-95.

were demolished and physical improvements made when necessary. Local police agencies do not operate detention facilities other than units to hold prisoners temporarily until they can be transferred to a nearby state facility.^{22/}

This type of solution appeals most to Sheriff Peter J. Pitchess of Los Angeles County, who operates the largest county detention facility in the country. "The custodial functions . . . should be separated from the police and turned over to a state correctional agency."^{23/} Sheriff Pitchess normally has some 11,000 inmates in custody at any given time, operates one of the most modern jails in the country, and has approximately 1,200 personnel engaged in full-time jail or correctional duties. This operation represents approximately 40 per cent of the Sheriff's total budget of \$50 million, yet he would be willing to turn over complete control of the jail to a qualified agency and operate his department strictly as a police agency.

The question has been raised whether it is even necessary for the police to be responsible for temporary holding facilities. Many chiefs of police contend that they need to have jail facilities to provide ready access to prisoners for investigative purposes. This argument has increasingly limited validity in light of recent United States Supreme Court decisions concerning the interrogation of prisoners. Speaking to this question, Professor Herman Goldstein of the University of Wisconsin Law School says:^{24/}

The mere fact that the police have custody of the individual for a period of time, that he is under their control, has created the widespread image that in this period of time he is subjected to a great deal of coercion and pressure. Anyone familiar with police operations recognizes that the need for contact with the prisoner in this period of time is

^{22/} Ibid., pp. 165-168, 182-185.

^{23/} Pitchess, op. cit., p. 9.

^{24/} Herman Goldstein, Seminar, p. 11.

not that great It seems to me that there is great value in ridding the police of this responsibility, so that once the police arrest an individual they turn him over as soon as possible to an independent agency which has no vested interest in the case and is not out to prove the man's guilt. It places the police in a much more favorable light.

An independent agency responsible for detention seems the logical answer. Sheriff Pitchess feels nothing is accomplished if the detention responsibilities of municipal police departments are merely transferred to the local sheriff, unless the duties of the sheriff are redefined. "You would have the same problem and you would create the same evil in another place."^{25/} If the sheriff operates only detention facilities, improved correctional and detention services are more possible; but if the sheriff remains a law enforcement official, and also has detention responsibilities, the problem has not been solved, merely shifted.

The system used in Connecticut, or in Rhode Island, which has a similar detention program, offers the greatest possibility for improvement in jail management. Connecticut through its office of state jail administrator operates all local jails throughout the state in a system separated from the state penal system. This system has improved the management of detention facilities and created a more favorable public attitude regarding jails and law enforcement agencies. Under it, sound correctional training procedures can be developed, greater attention can be given to achieving and maintaining accepted penological standards, and more efficient organization and administration are possible.

In brief, the State should operate jails through an appropriate state agency, and local jails should be discontinued. A logical alternative or interim step would be to have the state agency operate existing facilities, even if they are located in local police buildings.

^{25/} Pitchess, *op. cit.*, p. 12.

Police Officer or Correctional Officer

An additional problem at the county and municipal level is the use of sworn police officers in the care and custody of inmates. The work performed by a guard in a jail facility is quite different from the work that should be performed by a police officer, yet most county and municipal jails are operated by such officers. In the Chicago Police Department, for example, nearly 300 sworn police officers are used to operate temporary holding facilities and provide prisoner transportation services. If correctional officers were utilized, 300 additional trained police officers would be available for normal police duties.

The Los Angeles County Sheriff's Department has recently decided to turn, at least in part, to this system. It was found in Los Angeles County that recruitment was hindered because many potential police officers were not interested in working in a detention facility as is usually required at some point while working within the Sheriff's Department. Consequently, a decision was made to create the new position of corrections officer and use this employee in the minimum security institutions operated by the county.

One difficulty in this approach is evident in the practice of Los Angeles County. In the jail, which is a short-term holding facility where all types of inmates are housed, maximum security is a prime concern. Sentenced prisoners held by the county, however, usually are not convicted felons, and maximum security facilities normally are not necessary. Thus, the county is really operating two facilities--one for presentencing and detained prisoners and another for convicted prisoners sentenced for less than a one-year period. A sound argument can be made for using sworn personnel in maximum security institutions where incidents are more probable, and the risks greater, and correctional officers in minimum security institutions. This argument pertains, however, only to counties or municipalities that continue to provide detention services.

A correlary problem in using sworn police officers in detention work is that it creates a false impression of the number of police personnel available for law enforcement duties, for effective strength is reduced proportionately to the number of personnel utilized for detention.

Sharing Physical Facilities

Several alternatives, other than shifting detention operations to the state or redefining the responsibilities of the office of sheriff, are available. The City of Tacoma and Pierce County, Washington, recently built a new city-county building which includes detention facilities. Each jurisdiction has its own jail, but kitchen and laundry facilities are operated jointly. This limited joint operation has also made it possible to use one facility to house certain categories of offenders and the other facility to house others. For example, one jail confines all male juvenile prisoners, the other all female prisoners. In this way, neither the city nor the county has to provide the total range of jail facilities.^{26/}

Basic philosophical or financial problems have arisen in some areas when the merger of two reasonably large jails or correctional systems is considered or contemplated. Efforts to bring the Miami, Florida, city jail system into the Dade County system have been unsuccessful, in spite of the fact that annual savings to the City of Miami would approximate \$500,000, because the City of Miami expected compensation from Dade County for the "sale" of its facilities. The county takes the position that the public has already paid for the facility and to "purchase" it again is unnecessary.^{27/} A similar difference has occurred between the City and County of Los Angeles.^{28/}

Short of the complete assimilation of one system into another, it is apparent that two jurisdictions can share facilities through a contractual arrangement. Such a program exists between Alameda County and Oakland, California, where under the terms of the contract Oakland pays the county for each city prisoner detained in the county jail and vice versa.^{29/}

^{26/} Washington Department of Institutions, op. cit., p. 4.

^{27/} Interview, William Hampton, Senior Administrative Analyst, Budget and Analysis Division, Dade County, Florida, June 10, 1966.

^{28/} Pitchess, op. cit., p. 9.

^{29/} See Appendix B for details of the contract between Oakland and Alameda County.

Los Angeles County provides complete jail service on a contract basis for all cities in the county except Burbank, Glendale, Long Beach, Los Angeles, and Pasadena. The sheriff feels, however, that sufficient centralization has not yet taken place. He says:^{30/}

Several custodial agencies should not have charge of the operation of custodial facilities in a metropolitan area. We are constantly in conflict with the larger cities. We take custody of all prisoners charged with felonies. The city which has custodial facilities keeps in custody its own misdemeanants and those charged with violations of the city ordinances.

The Puget Sound Governmental Conference, in a recent report, recommended that a regional jail be established in a joint county jail district consisting of King, Kitsap, Pierce, and Snohomish Counties in the Seattle, Washington, area.^{31/} The jail would be used for sentenced prisoners, while the existing smaller units would be retained for presentence detention. King County is in the process of building a new facility which it is hoped will eventually become a regional jail under a joint jail district.

Summary and Conclusions

Local jail facilities usually are used for holding accused persons prior to sentencing and persons serving less than one-year sentences, whereas state and federal penal institutions normally hold persons serving longer terms. Municipal jails largely duplicate the services of county jails, especially in the holding of sentenced prisoners. Two sets of conclusions are offered regarding the operation of detention facilities. The first is based on the premise that municipalities will not operate their own facilities.

1. Municipal police departments should not maintain their own detention facilities. They should turn such operations over to another governmental jurisdiction, preferably an independent state agency. Immediate

^{30/} Pitchess, op. cit., p. 7.

^{31/} Puget Sound Governmental Conference, Regional Joint County Jail District: A Feasibility Study, 1962, p. 15.

detention facilities, although perhaps remaining within the walls of a police facility, should be administered by a separate agency.

2. State governments should establish a jail administration agency with responsibility for the operation and management of all local detention facilities.
3. If the state does not assume detention responsibilities, the county, through the office of sheriff, should operate all jails within the county; the sheriff, however, should not engage in law enforcement activities.

The second set of conclusions is based upon the premise that local governments will continue to operate jail detention facilities:

1. Police officers should be used only in maximum security jails, and in supervisory positions, in the care and custody of inmates; correctional officers should be utilized in minimum security jails.
2. A number of local jurisdictions should join in the operation of detention facilities, sharing physical facilities under contractual agreements, eliminating duplicate facilities, or establishing jail districts.
3. The state should establish minimum standards for the operation of jails, training of personnel, security, feeding programs, and related concerns; it should also maintain a full-time inspectional program.

Laboratory Services

Laboratory services are essential to effective law enforcement. Success in complicated investigations may depend in large part upon the scientific evaluation of pertinent data. The import of recent United States Supreme Court decisions suggests that law enforcement agencies must depend increasingly upon scientific analysis of crimes rather than rely upon traditional methods such as interrogation of suspects.

Two distinct activities are involved in laboratory work: (1) the gathering of evidence at the scene of the crimes and (2) the scientific analysis of evidence. Both activities are essential to the adequate

evaluation and use of evidence. Evidence must be gathered and preserved according to established court criteria to guarantee its value in court testimony and for use in laboratory analysis. A laboratory technician can make a detailed and thorough analysis of evidence only if it has been properly gathered and handled before reaching the laboratory, and evidence that has been mishandled is not admissible in court proceedings.

Competent technicians and good equipment are essential to the success of any laboratory evaluation. This report does not attempt to suggest how many persons or what equipment is needed to perform minimal laboratory services. Suffice it to say that a good laboratory facility is beyond the means of almost all police departments in the United States.

Current Local Practices

The "crime laboratories" of many law enforcement agencies are primarily bureaus of identification which house a number of records but perform no real scientific analysis.^{32/} Other jurisdictions have fully equipped laboratories filled with the latest scientific tools, but no qualified technicians to operate them. One of the greatest obstacles to the development of regionally oriented laboratory operations is the unwillingness of departments to lose their laboratories, even if they are not effectively utilized. As is the case with criminal investigations or data processing equipment, a crime laboratory is regarded as a status symbol.

Local practices relating to laboratory services vary greatly. Evanston, Illinois, for example, established a police laboratory in 1948, but the facility was never used, primarily because of lack of professional staff, and is now not operational.^{33/} In the State of Arizona there is only one crime laboratory, that of the City of Phoenix. This facility performs all necessary tests, including some complex work, for the city

^{32/} Paul L. Kirk and Lowell W. Bradford, The Crime Laboratory (Springfield, Illinois: Charles C. Thomas, 1965), p. 5.

^{33/} Wayne Anderson, City Manager, Evanston, Illinois, Seminar, p. 28.

police department but services beyond the city are severely limited because it has only two full-time, fully trained technicians.^{34/} The Sauk-Prairie Police Department, serving Sauk City and Prairie du Sac, Wisconsin, sends materials needing scientific analysis to the Wisconsin State Crime Laboratory in Madison.^{35/} Kansas City, Missouri, maintains a laboratory which is equipped to provide such basic services as blood analysis, tool-mark identification, firearms identification, and some limited documents examination, but all more sophisticated laboratory work either is not done or is sent to the Federal Bureau of Investigation.

These varied local practices reveal some of the current problems in crime laboratory work. Some cities have the facilities and personnel to do their own work competently, but are not in a position to accept requests for laboratory work from other jurisdictions. Some jurisdictions have limited laboratory facilities that perform basic services and either send more sophisticated analysis work to some other jurisdiction or ignore it. Other jurisdictions have no local facilities, or have them but do not use them, and rely upon outside agencies for such work as they have done.

In sharp contrast is the laboratory operation of the Chicago Police Department. Operating one of the best equipped and staffed facilities in the country, the Chicago Police Laboratory in 1965 processed materials for 140 jurisdictions, including federal and state agencies, counties, and other municipalities, in addition to its regular work for the Chicago Department. Physical evidence submitted to the laboratory for scientific evaluation involved some 150,000 specimens requiring more than 250,000 individual examinations.^{36/}

The Chicago Police Department Laboratory serves the needs of the surrounding metropolitan area. With few exceptions, all municipalities in

^{34/} Interview, Lawrence M. Wetzel, Assistant Chief of Police, Phoenix, Arizona, May 10, 1966.

^{35/} Interview, Robert Rentmeester, Chief of Police, Sauk-Prairie Police Department, Sauk City, Wisconsin, July 18, 1966.

^{36/} Chicago Police Department, Crime Laboratory Division, Annual Report, 1965, mimeo., pp. 5-9.

Cook County call upon it for specialized services, and these services are performed free of charge to any requesting agency with a legitimate need. Consequently, much more use is made in the Chicago area of scientific aids in criminal investigation than in many other sections of the country.

In addition to providing laboratory services, the Chicago Police Department will train the personnel of other departments, especially in the collection and preservation of physical evidence, but also in some more technical operations. For example, the microanalysis section of the laboratory has the only staff within the Chicago area which can successfully group dry blood stains. The next closest facility with this capability is at the Wisconsin State Crime Laboratory in Madison, and the technicians working there were trained by the Chicago Police Department.^{37/} Because of the capabilities of the Chicago Police Laboratory, and because the department is willing to serve all jurisdictions, there is no need for other crime laboratories in the Chicago area.

Problems in Local Practices

This capsule summary of current local practices in police laboratory services indicates some pervasive problems. Proximity, timeliness, and quality are the most important measures of laboratory service. The Kansas City program, for example, fails on all three counts because it does not perform scientific evaluations requiring sophisticated analysis, sends material to the Federal Bureau of Investigation for analysis, or fails to provide for tests. While it may make good sense for Baltimore, Maryland, to use the facilities of the FBI exclusively for scientific analyses, the latter facilities may not be close enough for Kansas City to readily secure timely service. Kansas City largely ignores the facilities of the Food and Drug Administration which has a large regional laboratory adjacent to the police headquarters which is capable of performing most necessary examinations. Jurisdictions should attempt to resolve the questions of timeliness and proximity regionally.

^{37/} Public Information Division, Chicago Police Department, "Micro-analysis--The 'Catch-All'," 7 Chicago Police Star, June, 1966, p. 4.

Another problem is duplication of facilities. The ability of a department to maintain an adequate laboratory should not be the only criterion in establishing one. Both the city and the county of Los Angeles have such facilities when one would suffice for the area. "The prime concern should be a matter of its availability from a geographic standpoint."^{38/} Duplication of facilities within the same region should be avoided.

With but one police laboratory in the State of Arizona, many jurisdictions have no opportunity to obtain scientific examination and evaluation of physical data. A number of jurisdictions make frequent use of FBI services, but reservations regarding timeliness and proximity usually apply. Recently, Maricopa County (of which Phoenix is a part) proposed that a central laboratory serving the county and the cities of Phoenix, Scottsdale, Tempe, Mesa, and Glendale be established.^{39/} Under the proposal, the county would provide the facilities, and all the jurisdictions would share the cost. Such a laboratory would not meet the needs of other jurisdictions in the state, however, which suggests that perhaps the state should provide laboratory facilities. This has been the decision in Wisconsin and in several other states.

When states establish laboratory facilities, however, they should place them judiciously. The Division of Criminal Investigation and Identification in the Illinois Department of Public Safety provides technical service to law enforcement agencies in the state. Recently, the Division built a new laboratory facility in Joliet, which is within the area already served by the Chicago Police Department Laboratory. One reason given for the selection of this location was that it is near the population center of the state.^{40/} Other factors should be considered, however, among them the pattern of requests for assistance from police agencies.

^{38/} Pitchess, *op. cit.*, p. 27.

^{39/} Clyde A. Murray, "Centralized, Cooperative Crime Lab Considered," Phoenix *Republic*, June 25, 1966.

^{40/} Interview, Joseph Nicol, Director, Division of Criminal Identification and Investigation, June 24, 1966.

The Role of States in Laboratory Services

The state can provide meaningful laboratory assistance to local police agencies through several possible alternatives.

A State Crime Bureau. Several states have established crime bureaus to provide technical services to local law enforcement agencies throughout the state. They are generally not successful in providing complete technical service, tending, rather, to emphasize records activities more than laboratory services; or if they provide technical services, tending to emphasize such routine activities as latent fingerprint and blood alcohol analysis--work usually accomplished as effectively on the local level.^{41/}

The first requisite in establishing a state program of laboratory service is to determine what can be done best by the state and what on the local or regional level. Much laboratory work is of a simple, routine nature, if the evidence has been properly collected and preserved. Consequently, local units may well maintain the small laboratory facilities concerned with primary analysis and forward all complex work to a state or regional agency for detailed or specialized analysis. The state agency could also perform crime scene work in appropriate cases. This arrangement permits all needs to be met; the local facility provides timely service in simple analyses, and the state laboratory provides sophisticated analyses and quality control.

All police laboratory technicians need specialized training, in addition to formal training in a specific scientific field, and the state agency could also perform this training function. Gathering and preserving evidence is so crucial to the entire police laboratory program that sound training is mandatory even at the initial level of operation. Qualified instructors should be available to local jurisdictions to assist with in-service training programs, and the state agency also could operate training programs for the instructors of local departments in evidence gathering and preservation. The entire state program should be available free of cost to any requesting law enforcement agency.

^{41/} Kirk and Bradford, op. cit., p. 25.

Provision of a state central laboratory would not entirely eliminate the problem of duplication of facilities, but would reduce it to manageable proportions. At the same time, such a program would allow for the training of personnel in the gathering and preservation of evidence.

Other Approaches. In order to obtain a well-integrated operation, it may be desirable to place the smaller local laboratories and the central state laboratory under a single administration. Such an arrangement is in operation in Texas.^{42/} The same division of work would prevail, but the local jurisdictions would not control their laboratory operations; rather, they would be under the direction of the state laboratory or some other independent agency.

Medical examiners, as well as police, need laboratory services. In many communities a single facility is used for both functions. Sheriff Donald E. Clark of Multanomah County, Oregon, suggests that police laboratories as such be eliminated and placed under the control of a separate agency, possibly a state or local medical examiner.^{43/} One benefit would be to have expert witnesses not affiliated with the police department--a concern of some courts.

Summary and Conclusions

The cost of staffing and operating a laboratory facility capable of handling all needs of a police department is considerable, and a complete program is beyond the financial ability of most departments. At the same time, the need for adequate professional laboratory services is readily apparent. The following conclusions have been reached:

1. Basic laboratory services must be readily available within each locality or region to handle routine requests for service. Facilities for such services could be operated jointly by two or more jurisdictions with costs shared on an agreed basis. These facilities

^{42/} Ibid., p. 23.

^{43/} Clark, Seminar, p. 27

should perform only those scientific evaluations considered to be routine and those not requiring a heavy investment in limited-use equipment. Duplications in local facilities should be eliminated.

2. States should provide central laboratory facilities capable of performing all complex and sophisticated scientific evaluations needed in police work. Local agencies would forward all complex work to this agency, and perform only routine work themselves. State services should be provided free of cost to all law enforcement agencies. Training of local personnel would be an important aspect of the state laboratory's work.
3. Well-developed police laboratories serving metropolitan needs should be continued freeing state agencies to develop needed laboratory facilities in other parts of the state. Duplication of facilities between local and state agencies, and between local agencies in the same area, should be avoided.
4. Consideration should be given to coordinating and consolidating laboratory services for medical examiners and law enforcement, and related agencies, in one facility capable of serving all needs. In many areas such services could be provided on a local or regional basis.
5. Consideration should be given to placing all police laboratories in a state under the direction of a single administration, possibly an independent agency.

Equipment and Buildings

The equipment and building needs of police agencies are generally similar to those of other departments and agencies within the same general government, although they also need some specialized equipment and building facilities.

A Priority Scale for Joint Programs

Equipment and physical facilities are needed for the performance of all staff, auxiliary, and field functions of law enforcement agencies, although needs vary with the type of law enforcement activities undertaken. Usually, the law enforcement agency of a particular government is viewed only as another department when the equipment and space requirements for the entire jurisdiction are being determined; consequently, the special needs of the police department often are not met.

This fact suggests that the equipment and building needs of law enforcement agencies are susceptible of coordination and consolidation. It should be remembered, however, that while the merger of physical facilities will result in economies, law enforcement will not improve unless there is also joint performance of activities.

Throughout this report, it has been demonstrated that certain law enforcement supportive activities are best performed on a joint basis. Particularly, they include the operation of detention facilities, laboratories, communication centers, records systems, and training facilities--all commonly performed law enforcement supportive activities which require extensive and expensive physical facilities and equipment. If any or all of these functions are performed on a joint basis, it follows that equipment and buildings needs will also be supplied jointly.

It is not necessary for joint operations actually to operate out of the same physical facility in order to have a joint program. If, for example, one police department provides central communications service for several departments, equipment is shared and the other departments can eliminate their duplicate equipment and facilities. In other words, if law enforcement functions are operated on a joint basis, it naturally follows that equipment and buildings will be shared, whether or not only one building is used.

City-County Buildings. One of the current trends in cooperation between municipal and county governments is the construction of city-county buildings. Common housing should be encouraged, although by itself it does not materially assist in law enforcement activities.

Location in the same building, however, may be a first step toward the joint performance of law enforcement activities of the two governments.

Mutual Aid Agreements. One of the most common devices providing for the sharing of personnel and equipment is the mutual aid agreement. Some involve formal arrangements, but frequently they are simply informal agreements for mutual use of personnel and equipment when needed. While such agreements are useful by themselves, they do not materially improve the quality of law enforcement nor are they binding if the participating agencies need to use the same personnel or equipment at the same time. They are apt to be concerned only with personnel and equipment, not physical facilities, a fact that somewhat restricts their usefulness. More attention should be paid to coordinating and consolidating law enforcement efforts on a formal basis, restricting the use of mutual aid agreements to special or emergency circumstances requiring rapid augmentation of the resources of one department or the other.

Summary and Conclusions

Coordination or consolidation of all law enforcement activities should receive prime attention in working toward the goal of increased professionalization of personnel and departments. The sharing of physical facilities or equipment, although resulting in economies, will not greatly aid in achieving this goal. Mutual aid pacts or agreements for the use of equipment and personnel also serve a limited purpose.



V. COORDINATION AND CONSOLIDATION OF SELECTED FIELD SERVICES

Field services constitute a controversial area in coordination or consolidation of law enforcement activities for one simple reason: field services are line functions and activities concerned with the fulfillment of the primary police responsibilities, and are characterized by direct contact with people. The police in performing such functions as criminal investigation, vice and delinquency control, and special tactical operations are constantly in the public eye, and the public becomes possessive about these activities. Communities and law enforcement officials willing to operate joint communications centers often are less willing to consider coordinated or consolidated field operations. Political opposition also is most apt to focus on coordinated or consolidated efforts at the police operational level.

Criminal Investigation

Criminal investigation is a police function not usually included in recommendations for functional consolidation of selected police services. The nature of investigative work explains a great deal of the reluctance to consolidate, or even to coordinate, efforts in seeking solutions to crimes. It is natural for every department to want to solve the "big case" on its own. Any information it may give to an "outsider" may enable that agency to receive credit for solving the crime. This is not a sound argument against coordinating or consolidating criminal investigation functions, but one which is current.

A more valid argument is based upon the responsibility which a chief has for preserving order and protecting property in his community. Misner states:^{1/}

^{1/}"Recent Developments in the Metropolitan Law Enforcement," 51 Journal of Criminal Law, Criminology and Police Science 268 (1961).

Since a chief of police should properly be held responsible for crime conditions within his city, the responsibility for criminal investigation is one of his most valuable assets. If he loses the authority to investigate, or if it is necessary for outside agents to intervene within his jurisdiction, his effectiveness as a police executive is in question. Consequently, the normal police executive protects jealously his authority to investigate crimes.

A third argument against coordinating or consolidating criminal investigation is its initial dependence upon local patrol for effectiveness. A thorough investigation depends largely upon an adequate preliminary field investigation, and often investigations must be initiated a second time because of inadequate preliminary work. It may be argued that separating investigators from the department which is responsible for the preliminary investigation complicates the work.

Many reasons may be advanced, however, for some coordination or consolidation of criminal investigation. Most small departments cannot afford full-time specialists; and if they could, it is doubtful whether they would assign an investigator to conduct extended investigations throughout several jurisdictions. In metropolitan areas, many criminals are the object of investigations by a number of departments, and one department often seeks assistance from others in the area.

Sheriff Pitchess of Los Angeles County, whose department provides assistance to many departments in that county, had this to say about the need of many departments for aid in conducting investigations:^{2/}

You do not train a homicide investigator by reading books. . . . When you are confronted with a homicide that is more than just a dead body, you must turn to people who are experts; and the only experts in the field are those who have investigated homicides. Every department in this county, with the exception of Los Angeles and Long Beach, will call us. Pasadena, with over 100,000 population, will also call us, although they are in a better position to train their people because they have homicides. Even Beverly Hills, with perhaps the highest police budget per capita in the United States, used us the other day.

^{2/} Law Enforcement Regionalization Seminar: Discussion Notes (Chicago: Public Administration Service, 1966), mimeo, p. 17.

The factors in favor of and against coordinating or consolidating criminal investigations may be briefly summarized. Among the factors mitigating in favor are:

1. The lengthy character and wide range of many investigations requiring assignment of personnel over extended periods and often into areas outside a single jurisdiction.
2. The lack in many departments of needed expertise for the conduct of investigations arising from inadequate training and narrow experience.
3. The mobility of criminals.
4. The areawide nature of certain criminal activities.
5. Financial and other limitations which restrict the appointment of fully competent investigative staffs.

Arguments against include:

1. The close connection between regular patrol services and investigations, both original and follow-up.
2. The purely local nature of certain crimes.
3. The responsibility of the local police executive for control of crime in his jurisdiction.

It is difficult to establish specific criteria for requesting assistance in criminal investigations, and the majority of existing arrangements are not divided according to any precise delineation of responsibilities. For example, homicides or crimes of similar seriousness are not automatically given to an outside agency to investigate. A particular homicide may be readily investigated by a one-man police department, whereas, the lesser crime of fraudulent check passing may be beyond the capacity of even a much larger department to investigate. Further, many serious crimes may require fewer hours of investigative work than petty crimes.

Because of many factors, it is difficult to suggest a basis for the delineation of responsibility. If one department feels that a crime is beyond its capacity to investigate, it should naturally turn to a jurisdiction that it believes has that capacity. However, it sometimes happens that even if a department desires assistance, there is no reliable agency to which it may turn.

The primary advantage of dividing the responsibility for criminal investigations is flexibility. Concentrating all such investigations in single departments unduly restricts the effectiveness of local law enforcement activities and may make the individual departments a series of local watch services. Again, the establishment of a voluntary central criminal investigation operation will have the desired results only if the local departments turn to it when in need.

Consolidated Criminal Investigation

The consolidation of criminal investigation is most apt to occur in areas where the total consolidation of law enforcement has become a virtual reality.

The Suffolk County (New York) Police Department makes investigation services available to all departments in the county. Although these services are provided only upon request, the local departments use them almost exclusively since there are no independent detective operations in the county. The County Police Department has the sole responsibility for policing the entire western portion of the county with the exception of two communities with departments of fewer than 20 men each, and 5 villages with departments of fewer than 5 men each. These seven independent operations provide basic patrol and initial investigative services to their residents, but rely upon the county for follow-up investigation and case completion.

In the eastern part of Suffolk County, basic patrol is provided by the elected sheriff who exercises nominal powers as a peace officer. Basic investigative services are provided by 19 detectives assigned by the County Police Department to this area; and these men are supported by 61 specialists in auto theft, homicide, arson, and other specialized investigations.^{3/}

The Metropolitan Police Department of Nashville-Davidson County, Tennessee, provides a similar service, but there is an important difference resulting from the way the police services in the two jurisdictions are organized. The Nashville-Davidson Department provides complete police service to all Davidson County, including the areas served by three small

^{3/} County of Suffolk, New York, 1966 Budget.

municipal departments, none of which employs criminal investigators. If a citizen in an area served by a separate department needs immediate service, he may call either the Metropolitan Police or the independent department; but even though it receives the initial call, the independent department usually relays it to the Metropolitan Department.^{4/} Thus, the Metropolitan Department assumes complete control of cases from initial through follow-up investigation. In Suffolk County, the independent departments are responsible for initial investigation, and the Suffolk County detectives thus must rely upon them for some basic information. In order to improve the capabilities of the independent departments in initial investigations, the Suffolk County Police Department is now giving them extensive in-service training in investigative techniques.^{5/}

Partial Consolidation of Criminal Investigation

A jurisdiction may choose to employ its own investigators but to call also upon other jurisdictions for assistance. The services of the Dade County Public Safety Department to local jurisdictions are typical of this kind of voluntary arrangement.

In Dade County, 12 independent municipal departments have turned over general criminal investigation functions to the Dade County Public Safety Department, and 10 other departments are given assistance upon request. Only the five largest departments (Miami, Miami Beach, Coral Gables, Hialeah, and Miami Shores) have staffs capable of performing fairly extensive general investigations. The Public Safety Department also investigates all capital crimes in the county except those occurring in the three largest jurisdictions (Miami, Miami Beach, and Hialeah). The various phases of initial investigation are handled by the independent departments.

^{4/} Interview, Hubert O. Kemp, Chief, Metropolitan Police Department, June 7, 1966.

^{5/} Interview, John P. Finnerty, Deputy Commissioner, Suffolk County Police Department, August 17, 1966.

Except when a small department relies completely on the Public Safety Department, there is no clear assignment of responsibility between it and the Public Safety Department. The latter, by virtue of its county-wide authority, can enter into a local investigation at any time, but only infrequently does it take such independent action.

It is clear that the planners of Metropolitan Dade County intended that criminal investigation be centralized in the Dade County Public Safety Department. The charter provides that Metropolitan Dade County shall have the power to:^{6/}

Provide central records, training, and communications for fire and police protection; provide traffic control and central crime investigation; provide fire stations, jails, and related facilities; and subject to Section 1.01A (18) provide a uniform system for fire and police protection.

Commenting on the divided situation six years after the charter was adopted, John Pennekamp, editor of the Miami Herald, stated:^{7/}

Over the years many failures, growing out of the multifaceted police situation, had become apparent. Criminal cases failed of solution in disputes over jurisdiction. In "easy" criminal cases two or more units wanted to get into the action, to take the credit. When cases became complex there was considerable buck passing with the possible solution evaporating somewhere inside the dispute. Facts were withheld by one unit from the other. Frequently when cases came for trial in court evidence would be missing, lost somewhere in the contest for control of the case.

The International Association of Chiefs of Police (IACP), in its 1963 study of Dade County police services, attempted to bring order out of the apparent chaos relating to the criminal investigation function, by recommending that criminal investigative responsibilities be divided between local police departments and the Public Safety Department as follows:^{8/}

^{6/} Metropolitan Dade County, Florida, The Home Rule Amendment and Charter, Sec. 1.01 (4) [Emphasis added].

^{7/} "In Dade, Police Pile Up," Miami Herald, January 15, 1963.

^{8/} International Association of Chiefs of Police, A Survey of Police Services in Metropolitan Dade County, Florida, 1963, p. 255.

1. Local departments shall conduct all preliminary investigations except those involving fraud, bad checks and vice operations and some continuing investigations such as those involving minor thefts, malicious mischief, simple assaults, and domestic problems.
2. The Public Safety Department and the detectives of Miami, Miami Beach, and Hialeah Police Departments will conduct all continuing investigations except those assigned to uniformed patrolmen and some preliminary investigations, including bad checks, fraud, and vice operations.

No action has been taken on these recommendations.

Under present arrangements, the local departments benefit greatly from the services of the county department, but the continued existence of numerous detective units causes friction, loss of time, and unsatisfactory areawide investigations.

In Dade County, or elsewhere, it is not feasible to divide the responsibility for investigations according to the type or seriousness of crimes. In each instance, it would be necessary to establish a central review unit charged with deciding whether the central unit or the local department would investigate. The local departments with detective forces would be reluctant to approve this approach, since it might result in a dilution of their authority. Also, previous time would be lost waiting for decisions of the review unit.

Cooperation and Coordination

Many criminal investigations involve considerable exchange of information among departments. A good investigator pursues all possible leads, including those that require consultation with investigators in neighboring departments. These consultations occur because a department, although jealous of its reputation and conscious of the favorable publicity that results from solving a major crime, often must depend upon the help of other departments. While informal cooperation is desirable, it falls short of the organized efforts emphasized in this study. Three examples of more formal cooperation and coordination will be described briefly.

The Kansas City area Metro Squad is a corporation made up of men from 7 sheriffs' departments, 20 municipal police departments, and 2 state departments (Missouri and Kansas) in the area. Each agency provides a specified number of men for the Metro Squad, which is governed by a board of directors that has established criteria for participating agencies to use in calling upon it for assistance. Kansas City, Missouri, which has approximately 125 men assigned to investigation, calls upon the Metro Squad as often as Independence, which has approximately 6 detectives. When the Metro Squad is called, up to 50 detectives may be sent on a major case. Metro Squad training classes are conducted, members carry Metro Squad identification cards, and they work in both Kansas and Missouri. Members of the Squad, however, do not have the power to make arrests throughout the metropolitan area. When not on Metro Squad assignments, members work on regular assignments in their respective departments.

The growing "metropolitan" crime problem was a factor leading to the formation of an organization in the Atlanta area called Metropol.^{9/} The idea for the organization developed when the City of Atlanta asked the Atlanta Council of Governments to suggest a program which might improve areawide law enforcement. On June 1, 1965, a meeting was called with representatives of the 38 law enforcement agencies in the 6-county Atlanta region in attendance. Out of this meeting came five projects: (1) development of areawide teletype services, (2) adoption of uniform radio call signals, (3) establishment of a metropolitan fugitive squad, (4) creation of a metropolitan training school, and (5) publication of a daily bulletin for all departments.

One of the more important projects is the Metropolitan Fugitive Squad made up of officers from the Atlanta Police Department's fugitive squad and from surrounding departments. These men are available to conduct investigative work on a metropolitan basis. Each department provides an automobile which has Atlanta police radios and other common equipment. Consideration is being given to providing all members of the Fugitive Squad with arrest powers throughout the metropolitan area.

^{9/}"Metropol - Working Together for Better Law Enforcement," Georgia Municipal Journal, September, 1965, p. 8.

The Major Case Squad of the Greater St. Louis Area, similar to the Kansas City Metro Squad, is comprised of investigators from both Illinois and Missouri police departments. The Board of Directors of the Squad states in its manual:^{10/}

We feel that larger law enforcement agencies with their greater police facilities should make them available to the smaller municipalities, as a cooperative gesture.

The Board goes on to state the specific reasons for the existence of the Squad:

1. A smaller municipality rarely is sufficiently staffed to investigate a major case.
2. The perpetrator in many cases resides or takes refuge in the larger city while he preys on the smaller.
3. Witnesses, leads, and evidence may be found in more than one jurisdiction.
4. The general pooling of resources seems to^{11/} be the only answer to the fight against crime.

The Major Case Squad has already proved its worth. Only recently activated, the Squad failed to clear the crime that led to its establishment, but has already cleared many other crimes.

In contrast to the Kansas City and Atlanta operations, each member of the Major Case Squad from St. Louis County has the power to make arrests throughout the county by virtue of deputization by the St. Louis County Police Department.

It should be noted, generally, that though such organizations are multijurisdictional in an operational sense, individual officers' legal authority arises from deputization. Thus, there is no common source of authority or responsibility throughout such organizations.

^{10/} Major Case Squad of Greater St. Louis Area, Manual of Instructions and Procedures, January, 1965, p. 1.

^{11/} Ibid., p. 1.

Summary and Conclusions

There is increasing evidence of pooling of resources for the conduct of criminal investigations. Arrangements vary, but all have the common characteristic of being voluntary.

In some areas there is practically total consolidation of the criminal investigation functions of local departments stemming from the inability of individual departments to provide their own staffs of criminal investigators. Such an arrangement exists in Nashville-Davidson County, Tennessee, and Suffolk County, New York. In Dade County, Florida, there is an arrangement for sharing the responsibility for criminal investigation. Some departments rely entirely upon an areawide detective operation, others are served upon request, and still others have almost complete criminal investigation operations of their own. There are also cooperative arrangements which have been formalized. The wide variety of arrangements indicates that there is no single standard for the coordination or consolidation of criminal investigation functions.

The following conclusions relating to coordinated or consolidated criminal investigation arrangements seem warranted:

1. Small departments in metropolitan areas should not be responsible for all continuing investigations. There should be available to them a trained staff of investigators either provided by a larger department or composed of investigators from many departments. The individual local departments should conduct preliminary investigations, and their responsible officers should receive extensive training in the conduct of such investigations.
2. Formal cooperative arrangements, such as are represented by the Kansas City Metro Squad, the Atlanta Fugitive Squad, and the St. Louis Major Case Squad, should be extended to other areas in which continuing investigations require the coordination of many departments.

Control of Delinquency

The problem of juvenile delinquency, perhaps more so than any other police problem, is dealt with by many individuals and agencies. If effort were the criterion for success in reducing or eliminating delinquent behavior, it would have been achieved long ago. Part of the failure to curb juvenile delinquency may lie in the plethora of agencies established to try to cope with it. Many factors cloud the issue of delinquency control. First, there is no universal definition of what constitutes delinquent behavior; and indeed, some communities maintain that they have no juvenile delinquency.^{12/} Second, the police are not sure of their role in curbing delinquent behavior. Third, even if they were, other agencies and individuals have differing views of what this role should be. These unsettled issues have been dealt with at length by others. In this brief section, therefore, suggestions are limited to avenues of approach to the problems of cooperation among the police themselves and between the police, on the one hand, and the total community, on the other.

Cooperation Among Police Departments

Generally, the curbing of delinquent behavior is a primary responsibility of each individual police department regardless of its size. It is also the responsibility of each patrol officer; nevertheless, there are occasions when specialized techniques are useful in dealing with delinquents.

A question may be raised on the desirability of specialization in police juvenile work. The fact that a separate court system for juveniles has been developed is one reason, for it calls for special knowledge on the part of the police to understand the operations of this system as differentiated from the other court proceedings. Also, different state and local laws apply to the conduct of juveniles and of adults and it is often necessary to have specialized personnel available to decide what procedures and techniques will conform with these laws.

^{12/}"The Suburbs: Made to Order for Crime," 30 Look magazine, May 31, 1966. It was reported that one wealthy New York suburb did not report one delinquent boy between 1940 and 1960.

Kenney and Pursuit suggest that "one juvenile officer for 15 to 20 in the force . . . is a modern necessity."^{13/} If this premise is accepted, it is clear that most departments cannot and should not specialize.

One alternative is to have specialists from large departments train the personnel of small departments in the techniques of handling juveniles. Because of inadequate training, officers bring many juveniles before the courts unnecessarily when other actions would have served better in particular cases. Universities and colleges throughout the country have established institutes to train officers in methods of handling juveniles, but not every department is in a position to send personnel to these schools.

Another approach is to have specialists in large departments handle cases that are beyond the capability of the small jurisdiction. Such action is particularly advantageous when cases must be brought into the juvenile courts.

A central index of juveniles who have come in contact with the police also will be of considerable value to the small jurisdictions. Such an index should be maintained on an areawide basis and made available to all departments in the area. If an areawide records center is established, as has been suggested, juvenile index records should be incorporated into it. Examples of centrally maintained juvenile indexes are found in Onondaga County, New York, and in the Chicago metropolitan area. The Onondaga County central registry is a confidential file containing certain identifying information on juveniles who have had contact with one or more police jurisdictions in the county.^{14/} The Chicago area file is limited by the fact that it does not include information on juveniles in the central city of Chicago.^{15/}

^{13/} John P. Kenney and D. G. Pursuit, Police Works with Juveniles (Springfield, Illinois: Charles C. Thomas, 1954), p. 14.

^{14/} See Lee J. Carey and Robert H. Hardt, The Central Registry: An Index of Juveniles Who Have Contact With Law Enforcement Agencies (Syracuse, New York: Syracuse University Youth Development Center, 1961), for a full discussion of this file.

^{15/} See State of Illinois Youth Commission, Community Services Division, The Juvenile Officers Information File, 1961, for a discussion of this index.

Areawide associations of police juvenile officers are effective in stimulating the exchange of ideas among police jurisdictions and can serve as a means of increasing the level of competence of small jurisdictions in this field. The Metropolitan St. Louis Police-Juvenile Officers Association is an example. Formed in 1959, the association, although limited to police juvenile officers, has been successful in establishing procedures for the handling of juveniles that are followed by all departments in the area, including those without juvenile officers.^{16/}

Cooperation Between Police and Other Agencies

A pooling of the resources of police and community agencies is a sound approach to reducing the incidence of delinquent behavior. The Oakland, California, Associated Agencies program, for example, was established primarily because of the difficulties the Oakland Police Department was encountering in trying to deal with juvenile delinquency alone. In a report to the Oakland City Manager, the chief pointed out, among other things, that "the 15 cars we are sending to Technical High School every day are not the answer to this problem."^{17/} At his urging, the Associated Agencies program was established. Composed of representatives of some 10 city, county, and state departments, including the police, the group meets regularly to work out ways of dealing with specific kinds of juvenile problems. Similar programs have been developed in other cities.^{18/} Suffice it to say that all agencies, including the police, are coming rapidly to a realization that juvenile delinquency can be contained only through joining forces.

^{15/} Norman Hertel, "Metro Cooperation in Youth Services," 29 The Police Chief 24 (January, 1962).

^{17/} Wayne E. Thompson, "Developing a City's Human Resources," 45 Public Management 74 (1963). For a complete description of the program, see Institute for Local Self-Government, The Associated Agencies Program, November, 1963.

^{18/} See International City Managers' Association, Inter-Agency Coordination of Juvenile Delinquency Control Programs, Management Information Service Report No. 269, June, 1966.

Summary and Conclusions

It has not been the purpose of this study to bring order out of the chaos associated with the efforts of the many agencies concerned with reducing juvenile delinquency. It has been considered within its scope, however, to point out relationships that should exist among the police themselves, and between the police, on the one hand, and the total community, on the other.

It is concluded that:

1. The control of delinquent behavior is a primary responsibility of each police jurisdiction, regardless of its size.
2. Because some specialization in delinquency control is necessary, and because small departments frequently find it impossible of achievement, these departments should rely on large departments for essential training in the handling of juveniles and for assistance in cases that are beyond their capabilities to investigate.
3. Juvenile records should be developed and maintained on an areawide basis as a function of an areawide police central records operation.
4. Areawide associations of police juvenile officers should be formed for the purposes of coordinating and standardizing the handling of juveniles by the police and of assisting small departments that cannot afford to specialize in delinquency control.
5. The police must establish relationships with other community agencies concerned with delinquent behavior, and these relationships should be formalized through the establishment of continuing organizations.

Vice Control

The Federal Bureau of Investigation does not include violations of vice laws in its documentation of the rising crime rate nationwide. Yet the public is apt to equate vice violations with the increasing problem of crime, and breakdown in the enforcement of vice laws often has been the basis of criticisms of local law enforcement. Many moves for police reorganization have grown out of investigations into local vice conditions.

Vice includes types and classes of personal or group conduct or activity that has been declared through legislation to be inimical to the public welfare and subject to commercial exploitation. Vice is usually considered to embrace prostitution, the illegal use and sale of narcotics, illegal gambling, the use and sale of illegal alcoholic beverages and the illegal sale of legal alcoholic beverages, and the distribution and sale of obscene or pornographic material.

It is not the purpose of this section to document the breakdown of local law enforcement in the area of vice control. It will suffice, rather, to define the relationships that should exist among law enforcement agencies to help in the enforcement of vice laws.

In considering this question, a distinction must be made between local and areawide vice activities, although the line between the two is often indistinguishable. Localized vice can be largely controlled by effective local law enforcement, and where the laws prohibiting vice are rigidly enforced, open vice does not exist to any great extent. Real problems occur, however, when vice operations become so deeply imbedded in the community or are so controlled by outsiders that it is practically impossible for local law enforcement agencies to repress them effectively.

Cooperation and coordination in vice control efforts are essential in all vice control activities and are especially important for control areawide. The emphasis in this section is on cooperation and coordination, not on full-scale intervention by outside agencies; although intervention is required when local enforcement fails to curb vice. It is assumed in this discussion that local police departments and officers are diligent in their efforts to enforce the law and have a desire to cope with vice conditions both local and areawide.

Local Vice Problems

Basically, every local vice problem can be handled by the local police department and responsibility should reside at that level. Nevertheless, assistance from an outside agency is occasionally necessary.

The training of local officers in the recognition of vice activities and in the enforcement of laws against them is often inadequate, and the needed training may be best supplied by outside assistance as is the case also in other police training. Some departments are so small that lengthy vice investigations would divert manpower from needed patrol activities, as is the case with other criminal investigations. For these departments to pursue many such investigations to their conclusion would be impracticable. Manpower can be made available from other jurisdictions. This is also true for surveillance activities where local officers may be not only inadequate in numbers but also well known and easily recognized.

Areawide Vice Problems

It is readily apparent that areawide vice problems are intertwined with the problem of organized crime, and every major investigation of such crime has concluded that there is need for greater cooperation among law enforcement agencies. In only a few areas does a single agency have the responsibility for coordinating the vice control activities of the many agencies involved in them.

Most of the cooperation among police jurisdictions in controlling vice is on an informal basis and conforms to no common pattern. Joint raids are conducted, information is exchanged between chiefs who know one another, and one department may request the services of specialists in another department when it realizes its own inadequacies. Yet all of these efforts, though laudable, are less than adequate. The congeries of agencies involved in vice control call for some coordinating mechanism. Speaking to this problem, one author states:^{19/}

The . . . local-state-federal mixture of responsibility, legal structure, and action should be of primary concern. Fragmented, repetitive efforts are commonplace; local detectives find themselves following federal agents. Amidst the welter of competing interests and separate governmental units, there is much warm talk to cooperation but no mechanism to make coordination work.

^{19/} Eliot H. Lumbard, "Local and State Action Against Organized Crime," 347 The Annals 86 (1963).

Discussing possibilities for control and coordination, he suggests that:

(1) the collection of information should be on a broad scale, (2) assimilation or coordination should be on a narrow scale (by one agency), and (3) dissemination would be on a wide scale and action should be taken based upon the patterns emerging from dissimilar and apparently unrelated facts.^{20/}

At the federal level, a coordinating agency has been established in the Organized Crime and Racketeering Section of the Justice Department's Criminal Division. This unit, organized on a regional basis with offices in a number of larger cities, coordinates the work of many federal investigative and prosecutive resources.

At the state level, the pattern varies. In some states, the state police provide some coordination areawide in vice control. In Illinois, a state crime commission has been established with duties and responsibilities which appear to provide some coordination in vice control on a statewide basis.^{21/} This agency has certain investigative responsibilities in vice matters and a wide range of responsibilities associated with organized crime, but it also conducts investigations into the alleged misconduct of local and state legislators and into arson and bomb incidents. In California, coordination of statewide narcotics control efforts is the responsibility of approximately 100 agents of the Bureau of Narcotics Enforcement of the Department of Justice, but this is its sole vice responsibility.

At the local level, the pattern is even more varied. Probably the ideal organization for coordinating areawide vice control operations would be a county department. Most county police agencies, however, are understaffed, and their personnel are so largely untrained that meaningful specialization is virtually impossible. Another problem relates to the role of county prosecutors (district attorneys), some of whom have substantial law enforcement duties well beyond the established function of prosecution. For example, the state's attorney (county prosecutor) in

^{20/} Ibid., p. 86.

^{21/} Illinois Crime Investigating Commission, 1965 Report to Governor Otto Kerner and to the 74th General Assembly of Illinois.

Cook County, Illinois, has a staff of police investigators, some of whom are engaged in vice control. Also, large municipal police departments which have specialized vice control units are largely concerned only with their own jurisdictions.

At these three separate levels--federal, state, and local--single coordinating agencies for vice control operations are needed. This need has been met in part at the federal level with the establishment of the Organized Crime and Racketeering Section in the Department of Justice. At the state level, the state police department or the investigators under a state department of justice, as in California, should have major responsibility for coordinating statewide vice control operations. State crime commissions or commissions of investigation (e.g., in New York) should not have this responsibility; these are and should be primarily "watchdog" agencies.

Locally, only the county police agency can provide effective area-wide coordination, whether it be organized under a sheriff or otherwise. County prosecutors should not have the responsibility; their only concern should be prosecution and related activities, not original investigations. At the municipal level, larger police departments should have units composed of specialists in vice control, but only for the purpose of pursuing and coordinating responsibilities for vice control of their own departments. Areawide problems should be referred to the county police agency or the state police or other law enforcement agency. A small department should not attempt to specialize in vice control. Any vice conditions existing in a small community with which the local patrol force cannot cope should be made the responsibility of a larger agency with areawide jurisdiction. It will remain the responsibility of the local patrol officers, however, to identify these conditions and bring them to the attention of the larger unit.

Some variations in this three-tiered approach may be desirable. In some states, for instance, it may not be practical to involve the counties because of their limited law enforcement development; here a state agency should have the responsibility for coordinating local efforts. Nevertheless, the approach of having one agency at each level responsible for the coordination of vice control activities should be the model.

Summary and Conclusions

In a brief analysis, it is difficult to suggest ways for solving the problems in vice control resulting from the fragmentation of responsibility that now exists. One solution might be simplification of present governmental structure, but short of this, far more can be accomplished within the present structure than currently is being done.

It is concluded that:

1. Federal efforts have crystallized with the formation of the Organized Crime and Racketeering Section of the Department of Justice, and the advantages of this coordinating mechanism are beginning to be realized. Not only are federal efforts being coordinated, but there is a decided increase in federal cooperation with local and state law enforcement agencies.
2. The primary responsibility for areawide vice control, nevertheless, remains with local and state law enforcement agencies.
3. At the state level, the achievement of coordination in areawide vice control efforts should be the responsibility of the state police or similar law enforcement agency. State crime commissions should not have this responsibility; their primary activity should be the investigation of breakdowns in local law enforcement.
4. At the local level, a county police organization should be the agency through which local coordination is achieved. County prosecutors should be responsible only for prosecution and related activities, not the coordination of investigations.
5. A larger municipal police department should coordinate vice control operations within its own jurisdiction, but should forward information on areawide vice operations either to the county or to a state agency.
6. A small municipal police department should be responsible for local vice problems, but specialized vice investigation should be the responsibility of a county or a state agency. When areawide vice operations or problems come to the attention of the small department, it should immediately notify the county or state agency responsible for areawide vice control coordination.

Special Task Force Operations

The concept of a mobile striking force or task force has been growing in importance in recent years. It may be defined as an element designed to operate as a compact, mobile, effective operational striking force in given locations at times where the record indicates the need for a special concentration of enforcement pressure. In the words of O. W. Wilson, "A mobile striking force is of value in those situations which call for a saturation of an area either to prevent the outbreak of criminal activity or a racial, religious, or nationalist conflict, or when an emergency of major proportions necessitates the assistance of additional personnel."^{22/} He goes on to say that "in large cities, the continual demand for details to police special events may justify a detail section of the task force for this purpose."^{23/}

There are two types of situations where there is need for a task force or body of manpower to serve more than one jurisdiction. The first is the special event, whether it be a large public event or a civil disaster or emergency, where the individual jurisdiction cannot provide sufficient police manpower to cope with it and outside assistance becomes necessary. The second is the situation where crimes are beyond the ability of a single jurisdiction to solve because it lacks some special type of tactical operation.

Special Events

The task force concept has been expanded to cover more than one jurisdiction for the policing of special events or emergency situations, although the manpower thus assembled has never officially been described as a task force.

^{22/}O. W. Wilson, Police Administration, second edition (New York: McGraw-Hill, 1963), p. 250.

^{23/}Ibid., p. 250.

Among the things that must be covered in any agreement for the pooling of resources are the power of arrest and the privileges and immunities of police officers when requested to act outside their own jurisdictions. State police officers have the power of arrest statewide when enforcing state criminal or penal codes, and county law enforcement officers normally have this power throughout their jurisdiction. At the municipal level, the situation is less clear. Extraterritorial arrest powers are limited primarily to situations in which an officer is engaged in fresh pursuit or is executing an arrest warrant. A typical decision has been rendered by the California District Court of Appeals:

We assume without deciding that a . . . police officer lacks the authority of a peace officer to make an arrest under Penal Code Section 836, when he is outside the city limits unless he is engaged in fresh pursuit or is executing a warrant authorizing such arrest.^{24/}

This type of decision has led California to amend its Penal Code as follows:

Upon the request or authority of a chief, sheriff, or chief administrative officer of any county or city, officers from other localities, jurisdictions, or communities shall exercise full police powers as relate to their normal jurisdictions.^{25/}

Another means of overcoming legal barriers is the local mutual aid agreement, and the number of these in existence attests to its value. (See Appendix C for a typical mutual aid agreement.) Perhaps the most encompassing provision for mutual aid in the country is contained in the California Disaster Act which establishes the California Civil Defense and Disaster Plan. This plan provides the guidelines for full-scale mobilization of police resources in California in the event of civil or military emergency. The plan has been used recently in Vallejo to prevent civil disorder, in the Los Angeles area to help curb disorders following a police-resident incident in the Watts area, and in San Jose to help contain similar problems.

^{24/} People v. Alvarado 208 ACA 683, 685.

^{25/} California Penal Code (as amended), 1965, Section 817.

Officers can be summoned from all parts of the state to the scene of a disturbance, and while acting under authority of the Disaster Act, they have the same authority they would have if they were acting in their own jurisdictions. The pertinent provision of the Act states:

All of the privileges and immunities from liability, exemptions from law, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of such officers, agents, or employees of any such agency when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this chapter.^{26/}

Tactical Operations

It is difficult to find a single example of a multijurisdictional task force directed to prevent or control specific crime problems. The metropolitan detective units in Kansas City, Atlanta, and St. Louis come closest to this concept, although they are strictly investigative units. Multijurisdictional task forces for enforcement purposes, however, have thus far not been developed, although legal and other barriers to such forces could be overcome.

The need for concentrations of police personnel can be determined from an analysis of the crime problems in any given area. Essentially, the deployment of a mobile striking or task force is related directly to crime analysis; if such analysis is performed on an areawide basis, as suggested earlier in the report, an areawide task force will be an effective extension of it.

One means of establishing an areawide task force is through some form of mutual aid agreement. Normally, provisions on compensation are not included in such an agreement. However, since a task force will be utilized on a more regular basis than a force mobilized for special events, some consideration needs to be given to its continuing financing.

^{26/} California Disaster Act, Chapter 1, Division 7, Military and Veterans Code, as amended September 20, 1963, Section 1587.

Cooperative ventures in criminal investigation, however, have not included any provisions for financing; salaries of the men participating in these efforts are paid by their employing departments. The method of financing an interjurisdictional task force must be decided by the participants if mutual aid agreements are utilized. Effective organization calls for a commander and other supervisory personnel, an established set of rules under which the unit will operate, and agreement on the crimes on which the unit will focus its attention. Such a unit may well be organized along the lines of the metro squads of investigators, but it should also have the power to make arrests in any cooperating jurisdiction, and, to be effective, should be continuously employed in its task force capacity.

Implementation of the concept of a multijurisdictional task force by the localities involved will require each participating jurisdiction to donate manpower over an extended period of time, and this may not be possible. Thus, it may be necessary to turn to the county or the state police agency to establish a unit specifically designed to serve local departments in this capacity.

Summary and Conclusions

There are numerous examples of mutual aid agreements on task forces to police special events and emergency situations beyond the capacity of one department to handle. Little or no use has been made, however, of interjurisdictional tactical forces to saturate high-crime areas or to work on crime patterns regardless of their jurisdictional location. If the analysis of crime on an areawide basis is felt to be a valid police objective, a logical consequence will be the establishment of a multijurisdictional tactical force to work on special crime situations. Serious thought needs to be given to the possibility of establishing such units.

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VI. POLICE SERVICE AND JURISDICTIONAL CONSOLIDATION

Thus far, this report has considered methods of ameliorating the effects of decentralized local police administration through the coordination or consolidation of staff, auxiliary, and certain field functions. It has not considered coordination or consolidation in relation to basic patrol services; yet, if these services are not considered, it must be on the assumption that every police agency, regardless of size, is capable of providing them effectively if staff, auxiliary, and certain field services are available on a coordinated or consolidated basis. Such an assumption is not valid.

It has been shown that every new police officer needs basic training upon appointment. But even though adequate training programs are available, the fact remains that some police agencies, for one reason or another, will never make use of them. High standards for the recruitment and selection of police officers can be established, but some jurisdictions will escape these provisions. Crime laboratories, records centers, centralized communications, centralized crime, juvenile and vice investigative staffs, and other supplementary services can be established with the intent of assisting departments who cannot provide these services for themselves. Once again, some departments, because of a variety of limitations, will not effectively use them.

The number of departments administered and staffed by untrained, part-time personnel is distressing. A recent survey of police manpower in two counties in the Chicago metropolitan area revealed that many of the small departments employ more part-time (not auxiliary) police officers than full-time officers. Indeed, one department was entirely so staffed. (Appendix D presents the tabulation of this survey.) A similar survey in Onondaga County (Syracuse), New York, showed that there are 13 towns and 17 villages employing a total of only 34 full-time police officers and that the bulk of police service is provided by 104 part-time

officers.^{1/} In both of these areas, basic police protection (patrol) is largely in the hands of essentially unqualified personnel.

The cost of providing basic police service is of paramount importance in considering total consolidation. It has been pointed out in previous chapters that certain staff, auxiliary, and field services are beyond the resources of many departments to provide. This is also true, in many areas, with regard to basic patrol services.

Partial or complete consolidation of police services reduces conflicts over jurisdiction; with consolidation, there are fewer jurisdictions with which to contend. The compelling reason for consolidation is the elimination of the law enforcement powers of jurisdictions that do not provide quality law enforcement because of administrative deficiencies or financial inadequacies.

This chapter considers alternative approaches to the consolidation of the police services of two or more jurisdictions. Discussed in turn are consolidation of police services through the establishment of a metropolitan-type government, through formation of a subordinate service district under a county police agency, through annexation, through contract with another jurisdiction for law enforcement, and through the establishment of a separate special district.

Police Service Under Metropolitan Government

There have been many efforts for comprehensive reorganization of local government in metropolitan areas, but with only two noteworthy examples in this country--Nashville-Davidson County, Tennessee, and Miami-Dade County, Florida. The major reorganization of local government in metropolitan Toronto, Canada, has had much impact upon local government in the United States. Each of these reorganizations takes a different form.

^{1/} Onondaga County Division of Research, Law Enforcement in Onondaga County, March 23, 1966, pp. 8-11.

Nashville-Davidson County represents a total consolidation of a city and a county into a new government performing areawide services. The Dade County reorganization represents the granting of certain areawide powers to a charter county without affecting the corporate identity of existing municipalities. Toronto is a federated form of government, with the Municipality of Metropolitan Toronto providing all services deemed to be metropolitan and the local governments maintaining control of all services deemed to be local. The Toronto structure resembles that of Dade County, but differs significantly from that of Nashville-Davidson County.

Law enforcement services are organized differently in each of these areas. The Metropolitan Toronto Police Department is the largest of the departments and the most consolidated. The Nashville-Davidson County department is similar in form to that of Toronto, but has not met the success of Toronto, in part because it is not the only law enforcement agency in the county. In Dade County, there is no single metropolitan police force, although the county department has countywide jurisdiction.

Metropolitan Dade County

Metropolitan Dade County has a strong county government providing urban-type services in the unincorporated areas and performing certain areawide functions throughout the county. Metropolitan Dade County was the first metropolitan-type government in the United States; often there is a misconception that there is only one government in Dade County, whereas, in fact, there are 28.

Dade County had a 1963 estimated total population of more than 1 million, 40 per cent of whom reside in the unincorporated area of the county and 60 per cent in one or the other of the county's 27 municipal corporations. The municipalities range in size from the central city of Miami, with 330,000 persons, to the recently created city of Islandia, which is virtually uninhabited.^{2/}

^{2/} Metropolitan Dade County Government, The First Ten Years: A Proposed Government Information System for Dade County, Florida, 1966, p. 66.

In May, 1957, the voters of Dade County adopted a county charter that brought three basic changes. First, it transformed the former typical county government to the commission-manager form, making numerous elective offices, including that of sheriff, appointive. Second, it gave Dade County home rule and vested in the Board of County Commissioners the authority to adopt local legislation in a number of areas. Finally, it gave the Board of County Commissioners the power to carry on a central metropolitan government. Among the enumerated powers of the county are some pertinent to law enforcement, including provision of central police records, crime investigations, communications, jails, and training and setting reasonable minimum standards for all governmental units in the county for the performance of any service or function.

Law Enforcement. Law enforcement services in the county are provided in a variety of ways. Each incorporated municipality except Islandia offers some police protection, and some municipalities provide almost complete law enforcement services. The Dade County Public Safety Department provides some law enforcement services for those municipalities that choose to avail themselves of them and also provides complete police service to unincorporated areas. Table 1 shows the services performed by the county for the municipalities.

Law enforcement in Dade County has two principal problems caused primarily by the congeries of jurisdictions. Police strength of the several law enforcement agencies, shown in Table 2, is distributed unevenly, some departments consisting of fewer than five men. Also, as is typical in many metropolitan areas, municipal boundaries have little order, and large unincorporated pockets exist in the heart of some municipalities. Law enforcement services in these pockets are the responsibility of the Dade County Public Safety Department, but frequently adjacent municipal departments answer calls for service initially while awaiting the arrival of the county personnel who have primary responsibility. Formal procedures are lacking and residents are confused as to jurisdictional responsibility.

There are solutions to both these problems, under powers granted in the charter, short of the total amalgamation of all police departments



Table 2
POLICE MANPOWER IN DADE COUNTY
1965

<u>Jurisdiction</u>	<u>Population</u>	<u>Police Strength (Full Time)</u>
Dade County	424,720	719
Miami	329,900	627
Miami Beach	73,750	209
Hialeah	76,700	94
Coral Gables	37,600	74
North Miami	31,710	47
North Miami Beach	24,000	38
Miami Springs	12,600	30
South Miami	10,540	29
Miami Shores	9,310	24
Opa Locka	10,440	22
Homestead	9,920	21
Surfside	3,330	18
Bal Harbour	820	14
North Bay Village	2,870	13
Bay Harbor Island	3,660	13
West Miami	5,530	8
Golden Beach	480	6
El Portal	2,150	5
Medley	200	5
Florida City	4,500	4
Biscayne Park	3,070	4
Sweetwater	820	3
Hialeah Gardens	200	2
Virginia Gardens	3,250	1
Pennsuco	260	1
Indian Creek Village	60	Private Patrol
Islandia	0	0

Source: The First Ten Years: A Proposed Government Information System for Dade County, Florida, p. 66.

in the county. Section 1.01A (18) of the charter, states the Board of County Commissioners may set reasonable minimum standards for all governmental units in the county for the performance of any service or function. If a governmental unit fails to comply with the established standards, and does not correct deficiencies, the county may take over and perform, regulate, or grant franchises to operate any such service. In addition, Section 1.01A (17) grants the Board of County Commissioners the power to enter into contracts with other governmental units within or outside the boundaries of the county for joint performance, or performance by one unit in behalf of the other, of any authorized function. Neither of these provisions has been invoked thus far in connection with the provision of law enforcement.

The minimum standards provision could be used to remove all law enforcement responsibilities from certain municipalities and have them performed by the Dade County Public Safety Department. This action would require the county to establish certain minimum standards and a system of inspection. Under this provision it is also possible for a municipality to divest itself of law enforcement responsibilities in favor of the county by referendum or ordinance.^{3/}

The contract provision enables a municipality to contract with the county for police services. One municipality requested the Public Safety Department to estimate the cost of contract policing, but although the county could provide the service for considerably less than the municipality, the city decided that it preferred to have its own police department.^{4/}

^{3/}The powers of Metropolitan Dade County under this provision are not so broad or all inclusive as might appear: In Miami Shores Village v. Cowart, 108 So. 2nd 471 (Fla. 1958); the Florida Supreme Court apparently interpreted this provision to mean that unless a municipality voluntarily abdicates a function, the power of the county to assume such function rests upon judicial determination.

^{4/}Interview, George Leppig, Acting Sheriff, Dade County Public Safety Department, June 10, 1966.

It is the responsibility of the county planning director to study municipal boundaries with a view to recommending their orderly adjustment and improvement. Proposed boundary changes may then be initiated by the Board of County Commissioners, the governing body of a municipality, or by petition of any persons or group concerned. Municipal elections are required in most circumstances to change boundaries.

At present, the chances for a merger of all police departments in Dade County are slight. Since the office of sheriff was returned to elective status, coordination and consolidation of certain services have become less attainable. This roadblock could be removed, however, through a charter amendment reestablishing the office as appointive. A greater difficulty arises from the constitutional amendment which gives the county the power to perform a wide range of services but limits its taxing powers to those of other Florida counties which do not have like powers. The present law enforcement budget is supported almost entirely by ad valorem taxes. Expanded services would require an increase in the county tax rate and, unless accompanied by a proportionate decrease in municipal property taxes, the burden on the Dade County taxpayers would be substantial. Another possibility would be to consider new sources of revenue.

A first step toward consolidation could be a merger of the smaller police departments with the county operation, by contract or other means. Larger municipalities could continue to be self-sufficient in basic police services, but could gain help from the county agency in staff, auxiliary, and certain field functions.

The powers granted to the county are considerable and could become of greater significance in coordinating and consolidating law enforcement services. Of particular importance is the minimum standards provision which allows the county to exercise important controls over local services.

Metropolitan Nashville-Davidson County

The Metropolitan Government of Nashville-Davidson County, Tennessee, is the most complete metropolitan government in the United States. Separate city and county governments merged into a new government servicing the

entire area. Among the functions performed by the metropolitan government is law enforcement.

Several factors contributing to Nashville's success in forming a metropolitan government are unique. The Nashville-Davidson County area experienced the same suburban population growth as other metropolitan areas, but not the new municipal incorporations that plague so many areas. Only six incorporated municipalities outside Nashville remain in Davidson County.

Mounting population and governmental problems of the area led to the formation of the metropolitan government. In 1953, the state constitution was amended to authorize the legislature to provide for the consolidation of any or all functions of cities and counties in Tennessee.^{5/} In 1957, the legislature passed a general enabling act which permitted cities and counties having a combined population of more than 200,000 to establish a charter commission that could propose a charter for a consolidated city and county government to the voters.^{6/} The Nashville area met these requirements but, in 1958, the voters turned down a charter providing for the amalgamation of the governments of the City of Nashville and Davidson County. The issue was decided by the large negative vote in the suburbs and the rural areas.

Meanwhile, Nashville was trying to solve its own problems, particularly those related to a declining tax base. Property taxes were increased and a new vehicle tax was imposed both on residents and on certain nonresidents. The city also annexed by ordinance, and without an advisory vote of the affected residents, an adjacent area that included some 80,000 people. The residents of the newly annexed area were incensed because they were required to pay higher taxes without an appreciable increase in municipal services, and it was in essence the city's annexation policy that

^{5/} Constitution of Tennessee, Article XI, Section 9.

^{6/} Tennessee Code Annotated, Sections 6-3701, et seq.

provided the necessary stimulus for success when a second election was held on forming a metropolitan government in 1962.^{7/}

Two provisions of the new charter are particularly relevant to police service in Nashville-Davidson County. First, the county is divided into two districts--an urban services district and a general services district--with residents of the urban services district paying higher taxes for urban-type services.^{8/} In effect, the urban services district is the old city of Nashville, and the general services district is the entire county. Residents of each area pay for the level of services they receive, including law enforcement. The second provision relates to the expansion of the urban services district.^{9/} Whenever the metropolitan council finds that areas of the general services district require urban-type services (e.g., more police protection), they are included within the urban services district and are made subject to higher taxes.

Law Enforcement. Prior to reorganization, law enforcement was provided primarily by the Nashville Police Department and the elected county sheriff. The sheriff had a two-year term, and changes in management and manpower were frequent. In addition, elected constables with constitutional status had some law enforcement responsibilities and were paid on a fee basis. Private police agencies whose personnel had deputy sheriff's commissions provided law enforcement for some areas under a subscription service. Only three municipal police departments were in operation, each of limited proficiency. Police protection in the county was inadequate at best.

Upon establishment of the metropolitan government, approximately 100 sheriff's deputies were absorbed by the new Metropolitan Police Department which now has an authorized strength of approximately 550 sworn officers.

^{7/} See David A. Booth, Metropolitics: The Nashville Consolidation (East Lansing, Michigan: State University Institute for Community Development and Services, 1963), for a complete discussion on the history and events which led to the consolidation.

^{8/} The Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee, 1962, Article 1, Section 1.03.

^{9/} Ibid., Article 1, Section 1.04.

The sheriff's sole responsibility, in addition to the serving of civil processes, is custody and control of the metropolitan jail.^{10/} The Metropolitan Police Department has no detention responsibilities. Soon after the charter took effect, the newly elected sheriff initiated court action to restore his criminal law enforcement powers on the basis that he was an independently elected constitutional officer. The Tennessee Supreme Court, however, upheld the charter, stating that the sheriff had no criminal law enforcement powers.^{11/} No change was made in the constitutional office of constable; but without exception constables no longer perform any law enforcement functions.

Three municipalities continue to have their own departments, but all others rely on the Metropolitan Police Department. Seven private agencies continue serving both incorporated and unincorporated areas by subscription. The Metropolitan Department, however, patrols the entire county as if the other departments did not exist, and any need for major police services is immediately forwarded by the smaller departments to the Metropolitan Department.

The division of charges for law enforcement between the urban services district and the general services district presents a problem. The police department budget for the 1966-1967 fiscal year is \$4.6 million, of which \$2.6 million is chargeable to the urban services district for services beyond normal police protection. In other words, the tax rate in the urban services district is based on the entire police department budget, whereas the tax rate for residents of the general services district is based on only that portion of the department's budget considered normal police protection, or 55 per cent of the total.

As the population of the suburban areas has increased, the charge for extra police protection to the urban services district has decreased from \$4 million in fiscal year 1963-1964 to the present \$2.6 million. There is some feeling on the part of residents outside the urban services district

^{10/} Ibid., Article 16, Section 16.05.

^{11/} Metropolitan Government v. Poe 383 S.W., 2nd, 265 (1963).

that they may be paying for more police protection than they receive from the Metropolitan Police Department.^{12/} The present distribution of charges is not calculated on any precise basis, and calculations are made difficult by the fact that patrol beats of the services districts overlap.

Another problem is the continued existence of private police services and of small municipal police departments. This is unfortunate because of some overlapping jurisdiction and because the residents of areas served by the Metropolitan Department and the private or small municipal agencies, as a matter of local choice, are paying more for police protection than is necessary. As has been noted, however, jurisdictional problems are minimized by the clear ascendancy of the Metropolitan Department. As a practical matter, the chief of the Metropolitan Department feels that the independent departments served a useful purpose in the period following the reorganization before the Metropolitan Department could adequately cover the suburban and rural areas.^{13/} This situation has now been remedied through the addition of personnel and an increase in patrol coverage.

The experience of Nashville with metropolitan government is fortunate, but it seems doubtful that its approach can be applied easily to many metropolitan areas, particularly those with numerous established local governments. Its success can be largely credited to the lack of many established local jurisdictions, each with its own set of services and personnel and an established political hierarchy.

Metropolitan Toronto

The Metropolitan Toronto Police Department provides police protection for the entire Toronto metropolitan area, which includes 241 square miles, nearly 2 million people, and 13 incorporated municipalities including

^{12/} Interview, Robert Horton, Fiscal Assistant to the Mayor of the Metropolitan Government of Nashville-Davidson County, June 7, 1966.

^{13/} Interview, Hubert O. Kemp, Chief, Metropolitan Nashville-Davidson County Police Department, June 6, 1966.

the City of Toronto. There are no independent policing agencies in metropolitan Toronto.

The Metropolitan Toronto Police Department is responsible to a five-man Metropolitan Board of Commissioners of Police appointed by the Province of Ontario. It is financed by an assessment on each of the 13 incorporated municipalities, the amount varying with the proportion each municipality's assessed valuation is of the total assessed valuation of the 13 municipalities. Budgetary control is exercised by the Council of the Municipality of Metropolitan Toronto, comprised of areawide representatives and heads of the government of the 13 municipalities. The only ties between the Metropolitan Police Department and the Municipality of Metropolitan Toronto are on matters of budget, finance, and taxation. The Municipality of Metropolitan Toronto is based upon the concept that certain functions of government in metropolitan areas must be performed on an areawide basis, whereas others can be reserved to local jurisdictions. Police protection is considered a metropolitan function.

In order to understand the development of the Metropolitan Police Department, it is necessary to describe briefly the formation of the Municipality of Metropolitan Toronto. The primary reason for establishing a metropolitan government was that suburban areas were increasingly unable to supply certain services themselves and a system of intermunicipal agreements had proved inadequate to the task. A study was conducted in the early 1950's which recommended the establishment of a federated government that would have jurisdiction over matters of common concern to the 13 members of the federation. Hearings were conducted before the Ontario Municipal Board (the provincial agency concerned with local affairs), with representatives of the 13 municipalities in attendance to present their views. Not every municipality favored the particular solution, but the board recommended it to the Ontario Provincial Legislature and the Legislature thereupon passed the act creating the Municipality of Metropolitan Toronto, to take effect January 1, 1954. Law enforcement was not one of the original functions of the metropolitan government.

In 1954, a special committee was appointed by the Metropolitan Council to study the feasibility of amalgamating the 13 police departments. After hearing arguments from the affected municipalities, and despite the arguments against it by nine of them, the committee recommended the merger.^{14/} The Metropolitan Council then recommended to the provincial legislature that the 13 forces be merged and following the enactment of legislation, the Metropolitan Department came into being on January 1, 1957.

Staff and auxiliary services are now provided by the Metropolitan Police Department in a degree that would have been impossible even under partial merger. A 14-week recruit-training program is provided where prior to amalgamation only 2 departments had recruit-training programs. Centralized communications is a reality. Records are centralized and central investigation is provided for all jurisdictions.

One measure of the effectiveness of the consolidated police department is the rate of crime clearances. In 1957, the clearance rate for major offenses was 39.5 per cent; in 1965, it was 46.2 per cent.^{15/} In terms of the cost, the police budget has risen from \$11.6 million in 1956 to \$27.7 million in 1966, or approximately 140 per cent. Total expenditures for fire protection, still a municipal function, have risen, however, by a greater percentage.^{16/}

Shortly after the department was formed, criticism was leveled against the consolidation because patrol service had been reduced in certain areas. This criticism was correct in substance, as personnel of the consolidated department were allocated according to need, not prior

^{14/} Five of the nine municipalities opposed to the merger, however, recommended the centralization of certain staff and auxiliary services. The four in favor of the merger recognized that this was only a partial solution to the problem and that without total amalgamation local municipalities would still be forced to expand police protection to meet the rising population demand. The number of unsolved crimes was also a dramatic argument for amalgamation. See Appendix E for the arguments for and against consolidation.

^{15/} Unpublished report of the Metropolitan Board of Commissioners of Police.

^{16/} Interview, Magistrate Charles O. Bick, Chairman, Metropolitan Board of Commissioners of Police, June 17, 1966.

assignment. More recently, the concern has been that there is not enough contact between police and community officials. In its brief to the Royal Commission on Metropolitan Toronto, officials of the Township of Scarborough stated that:^{17/}

Our concern is that the Police Force is too centralized and there is too little association directly with the local municipalities. If there were a larger measure of authority at the local level there would be a greater participation by the Police in community functions to the end that their association with local residents would be on a more personalized level.

The officials went on to state that the district commander should have more authority, and transfers of personnel should be less frequent so that officers would become more familiar with local problems.^{18/} It is now standard practice for the district commanders to attend meetings of the municipal councils.

The federated form of government in the Toronto area provides some possible approaches to achieving comprehensive reorganization in this country, and the success of the consolidated law enforcement program demonstrates that a total system approach is possible. It should be borne in mind, however, that comprehensive reorganization in this country depends upon local participation in the decisions to change the structure of government, whereas it is accomplished by the provincial government in Canada.

Summary and Conclusions

Police service under metropolitan forms of government varies significantly, as evidenced by developments in the three areas that have been described.

^{17/}H. Carl Goldenberg, Commissioner, Report of the Royal Commission on Metropolitan Toronto, p. 61. (This report, commonly called the Goldenberg Report, recommended among other things reduction in the number of municipalities from 13 to 4. By act of the provincial legislature, the number will be reduced to 6 on January 1, 1967.)

^{18/}Ibid., p. 61.

Reorganization in Toronto and Nashville-Davidson County is far more comprehensive than in Dade County. The Dade County experience has been included in this discussion primarily because police service in Dade County has been improved through the use of the metropolitan government as an integrating device, as a supplier of certain staff, auxiliary, and field functions to police departments in the area, and because future improvements can be made through the use of county charter provisions. In short, the Dade County experience portrays an evolutionary approach to the improvement of police service.

On the other hand, the Toronto and Nashville experiences depict a general reorganization of police services, albeit somewhat more complete in the Toronto than in the Nashville area. The method of implementation also differs significantly.

Based upon the experience of police reorganization under metropolitan government, the following conclusions have been reached:

Dade County. The steps taken in Dade County can be followed in other counties that elect to provide strong county government. They include:

1. Provision of certain staff, auxiliary, and field services to municipal departments, financed by general county revenues.
2. Provision of complete police services, including basic, to municipalities through contract.
3. Establishment of reasonable minimum standards for police service in municipalities that wish to maintain their own police departments.

Nashville-Davidson County. The methods used in Nashville-Davidson County have been facilitated by the existence of a single large city and only a few incorporated satellite communities. They have included:

1. Complete police protection rendered the entire area by one police department.
2. Financing of such protection through a tax on the various areas in proportion to the level of service received.

Toronto. The Toronto model of metropolitan government could be applied in the United States, but the methods of achieving it would differ. General conclusions are:

1. Total police service can be performed through a metropolitan government.
2. Where complete police protection is provided by one agency to an entire area, the cost of protection can be financed by funds derived from an assessment on each municipality, the amount varying in accordance with the proportion each municipality's assessed valuation bears to the total assessed valuation of the area.
3. Some local control can be maintained through local representation in the body responsible for the budget.

Police Service Through County Subordinate Service Districts

It is common practice for county police agencies to provide police services to unincorporated areas of the county. Normally, such services are financed from general county revenues. It is uncommon, however, to find a county department providing police services to residents of incorporated areas with financing through a special tax on these residents--the pattern found in Suffolk and Nassau Counties (Long Island), New York.

Suffolk County

Suffolk County is one of the largest and fastest growing counties in the United States, with an area of 922 square miles and a population of 900,000. Governmental functions are performed by the county, 10 towns, and 36 villages, each with its own elected officials. The county is made up of two distinct areas, the western and the eastern. Most of the growth has taken place in the western portion, whereas the eastern part remains basically agricultural. In the western half are 5 of the 10 towns and 27 of the 36 villages.

In order to understand law enforcement in Suffolk County, it is necessary to trace the events that led to the formation of the Suffolk

County Police Department. Prior to the formation of the department in 1960, law enforcement was provided by some town police departments, some village departments, district attorney investigators, and an elective sheriff. Not only was law enforcement in the county inadequate, but government was not organized to cope with problems inherent in the growth of the area. In order to strengthen both county government and law enforcement, a special act of the State Legislature, the Suffolk County Charter, was passed in 1958.^{19/} This charter called for a strong county government and a county police department, to be voted on by the electorate of Suffolk County in November, 1958. Two votes were taken; one secured the adoption of the charter and the other the formation of the County Police Department, financed in part through a special police district tax on residents voting to receive complete police service from the department.

Six provisions of the charter pertain to the formation and services of the department. First, each town and village wishing to transfer its law enforcement functions to the county department must vote on the issue and be subject to a special police district tax. Second, in order to form the district, an affirmative vote of three contiguous towns was necessary. Third, any village within a contiguous town joining the police district could, by majority vote, transfer its police functions to the county department, and be subject to the special tax. Fourth, for the future, any town or village contiguous to a town already served by the county department could elect to join it. Fifth, any town or village not choosing to become a part of the police district could contract with the county department for police service for a period of two years. And, finally, a decision taken to receive county department service and be subject to the special tax is irrevocable.^{20/}

Initially, the 5 contiguous western towns and 20 of the 27 villages within these towns voted to turn over police functions to the county police

^{19/} Laws of 1958, Chapter 278.

^{20/} This rather complex method is covered in Laws of 1958, Chapter 278, Sections 1206, 1207, and 1209.

department, and the department came into operation on January 1, 1960. Manpower came primarily from the towns and villages which elected to divest themselves of their police function; 3 of these had more than 100 officers each at the time of merger. The investigators of the district attorney's office were also brought into the new department. Present strength is approximately 1,300 sworn police officers.

The Suffolk County Police Department, through the police district, provides complete police protection services for 560 of the county's 922 square miles, and 765,000 of the county's population of 900,000. Seven villages within the joining towns voted not to join the police district, and so maintain their own departments, the largest of which has fewer than 20 men. An elected sheriff provides a modicum of patrol to the residents of the five eastern towns and the villages within them. In all cases, the county police department supplements the efforts of the independent agencies. The county department also supplies all criminal investigation services and performs most staff, auxiliary, and field functions. Detention, however, is a function of the elected sheriff.

Important features of the charter relating to police services are concerned with financing, the enabling of a town or village independently policed to divest itself of police responsibilities and be served by the county department, and the irrevocability of this decision once it has been made.

The police budget is divided into two parts: one is for the services provided solely to the special police districts (in 1966, it amounted to an expenditure of \$14 million, or more than 85 per cent of the total budget of \$16 million), and the other covers the cost of services that are provided countywide. Services to the police district are financed by a tax on the residents of the district; countywide services are financed from county general revenues. Services charged to the respective funds are detailed in Table 3.

Any town or village, by vote, can join the police district if it is contiguous to or wholly contained within the district. Also, any village or town, not part of the county police district, may contract

Table 3

DISTRIBUTION OF SERVICES BETWEEN THOSE FINANCED
BY POLICE DISTRICT TAX AND COUNTYWIDE REVENUES^{a/}Financed by Countywide Revenues

1. Commissioner of Police and his staff.
2. Chief Inspector in charge of auxiliary services.
3. Deputy Chief Inspector in charge of detectives.
4. Deputy Inspector in charge of Communications and Information Bureau.
5. Central Records and Statistical Bureau.
6. Personnel Bureau except Inspection Section.
7. Property Bureau.
8. Civil Defense Bureau.
9. Finance Bureau.
10. Special Service Bureau of Detectives (e.g., homicide squad, auto theft squad, narcotics squad, etc.).
11. Squad of detectives assigned specifically to area outside police district.
12. Crime Laboratory.
13. Juvenile Aid Bureau.
14. Part of Planning Bureau.

Financed by District Tax

1. Chief of Police District.
2. All personnel assigned to Police District including district detectives.
3. Communications and Information Bureau.
4. Transportation and Maintenance Bureau.
5. Traffic and Safety Bureau.
6. Tactical Platoon.
7. Marine Bureau.
8. Inspection Section of Personnel Bureau.
9. Part of Planning Bureau.
10. Principal and interest on bonds of police district stations.

^{a/} County of Suffolk, New York, Budget, 1966.

with the county department for service for a term of not less than two years. This decision can be taken by a resolution of the governing body and gives the local jurisdiction an alternative means of securing service without joining the police district.

Finally, the charter provides that when a town or village elects to join the county police district, it cannot subsequently withdraw. The wisdom of this provision might be questioned, but in order to provide consistent police protection, it has been considered to be necessary.

The county police department was established because existing law enforcement agencies were not able to meet the needs of the increasing population in the western portion of the county. More recently, a request by the county legislators representing the five eastern towns resulted in expansion of the criminal investigation squad serving this area. As population in the eastern section grows, the five eastern towns are likely to find that existing law enforcement arrangements will not meet their needs and may turn to the county department.

Nassau County

Nassau and Suffolk counties resemble one another in their provisions for law enforcement, but with differences that reflect the geographical and political composition of the two counties.

The Nassau County Police Department, with approximately 2,600 sworn officers, provides complete police protection to 45 of the 69 incorporated municipalities in the county. This service is financed by ad valorem tax on their residents. The police district, the area on which the tax is assessed, includes 205 of the county's 300 square miles and 1.1 million of its 1.4 million population. Of the total 1966 budget of \$30 million, \$21 million is to be expended for services rendered to residents of the police district.

Twenty-four jurisdictions continue to provide law enforcement services through their own police departments, but the county department provides certain supplemental services to them. The cost of these services, financed by countywide revenues, amounts to \$9 million for 1966.

The essential differences between the two county departments stem in part from their respective histories. Whereas the Suffolk County Department was established only in 1960, the Nassau County Department dates from 1925 and is, perhaps, the oldest county police department in the nation. The original force consisted of 55 men transferred from the county sheriff's office (the sheriff no longer has police responsibilities). The police district originally encompassed the unincorporated area of the county and two special districts which have since been dissolved. As noted above, 45 of the 69 incorporated communities have joined the police district, the last in 1962.

To join the police district, the governing body of an incorporated community must adopt a resolution, which must then be acted on favorably by the county board, a more simple method than that employed in Suffolk County. The area policed by the district need not be contiguous, and a municipality may withdraw from the county police district upon petition and a referendum vote. As in Suffolk County, a municipality may contract with the county department for service for a period of two years.

The departments also differ in their internal organization and methods. For example, communications are centralized in Suffolk County so that residents need call only one number when desiring service from the county department. In Nassau County there are eight telephone numbers, each terminating in one of eight precinct stations. Cars are dispatched from a central radio room after the message is relayed by direct telephone line from the precinct station. It could be said that the Suffolk County Department has used its unique position to better advantage in this respect.

The division of charges between the police district and the county also differs. Whereas more than 85 per cent of the Suffolk County Department's budget is charged to the police district, in Nassau County the percentage is only 72. The major reason for the difference is that the cost of the total detective force in Nassau County is charged to the county-wide budget; whereas in Suffolk County the costs of only specialized units and the detective unit serving the eastern portion of the county are so charged.

Summary and Conclusions

It is common practice for counties to provide police services to residents of unincorporated areas, with financing from general revenues. A unique arrangement is found in Suffolk and Nassau counties, however, where police services are provided to residents of incorporated areas, with financing from a special tax on these areas.

There are several advantages to this approach. First, there is a direct correlation between the level of services provided and the payment for these services. Second, because of more adequate financing, better police service can be provided. Third, in Suffolk County, particularly, police service is provided to a vast, contiguous area without regard to municipal boundaries. Finally, a measure of local control is maintained, since representatives of the local units are members of the county governing body and thus may establish the level of county service through the budget process.

In terms of their applicability to other areas, the following conclusions have been drawn:

1. Provision of police service through a special tax on areas provided this service is an equitable method of financing.
2. The subordinate service district can provide for a contiguous policing jurisdiction guaranteeing a consistent level of service throughout an area.

Annexation

The practice of adjusting municipal boundaries through annexation is widespread. Annexation is the absorption by a city of territory which is normally contiguous, unincorporated, and smaller than the annexing city. The result is a larger jurisdiction, usually with essentially the same form of local government.

Techniques of Annexation

Annexation practices vary significantly from state to state, but five principal methods are utilized: (1) legislative determination, in which municipal boundaries are extended by special act of the state legislature; (2) popular determination, in which the voters decide whether an annexation shall take place (this vote may be taken separately or jointly by the voters of the enlarged municipality, the territory to be annexed, and/or the jurisdiction that will lose the annexed land); (3) municipal determination, by unilateral action of the annexing municipality; (4) judicial determination, in which a state court decides whether a proposed annexation shall take place; and (5) quasi-legislative determination, in which a commission or board makes the decision.^{21/} Several of the principal methods also may be used in conjunction with one another.

The major strength of annexation as an approach to reorganizing local government is its broadening of the geographical jurisdiction of existing municipalities. It can forestall the creation of special districts or new municipal incorporations and thus help prevent local governmental patterns from becoming more complex. Because annexations are usually of the fringe areas around cities, the cities can then include them in their total program of governmental services and prevent the fringe areas from becoming a source of spillover problems.^{22/}

Although there is a trend toward making annexation easier to accomplish through the use of quasi-legislative groups like state boundary commissions, in most states the laws do not work to the advantage of an annexing municipality and thus present obstacles to consistent growth through annexation. Also, the prospect of annexation frequently precipitates "defensive" incorporations by fringe areas, which work against orderly growth and development. Finally, annexation is of limited use to a city surrounded on all sides by incorporated areas.^{23/}

^{21/} Advisory Commission on Intergovernmental Relations, *Alternative Approaches to Governmental Reorganization in Metropolitan Areas*, 1962, p. 58.

^{22/} Ibid., pp. 63-64.

^{23/} Ibid., pp. 64-65.

Annexation and Police Services

One city which has experienced major growth in recent years through a strong policy of annexation is Phoenix, Arizona. In the 16-year period from 1950 to 1966, the city has grown from 16 square miles to nearly 250, and the population has increased from 100,000 to over 500,000. All of the growth in area has come through the annexation of unincorporated areas surrounding the city and lying within Maricopa County.

Phoenix actively sought annexations as a means of providing for orderly growth and development of the city through preventing the formation of special districts and new municipal corporations on its outskirts. Most of the area annexed has not added sufficient revenues to meet the cost of the necessary expansion of services, but the city is convinced, under its circumstances, that annexation is the best approach to resolving a number of municipal problems.^{24/}

Law enforcement service in annexed areas was formerly provided by the county sheriff, who had a huge land area to cover with a small staff. The sheriff provided this service on a request basis, and no significant attempts were made to set up established patrol areas. With annexation, the city police department extended complete law enforcement service to the newly added areas immediately, with a corresponding increase in the size of the department.^{25/}

The need for better law enforcement usually is not a prime factor in moves for annexation, but improvement in enforcement services in the added areas is a direct result of annexation.

Summary and Conclusion

Annexation usually cannot be considered the best technique for achieving widespread coordination or consolidation of law enforcement services. It can be used only by those cities that have room to expand, and it pertains primarily to unincorporated areas.

^{24/} Interview, Marvin Andrews, Assistant to City Manager, Phoenix, Arizona, May 10, 1966.

^{25/} Interview, L. M. Wetzel, Assistant Chief of Police, Phoenix, Arizona, May 10, 1966.

Contract Law Enforcement

Intergovernmental agreements are the most widely used means of broadening the geographical base for handling common functions, especially in metropolitan areas. They provide one of the least complicated means of accomplishing coordinated or consolidated governmental services, including law enforcement. Under a contract program, one government agrees to provide certain specified services to another for a fee--in brief, to act as an agent of the other in its jurisdiction.

Contract programs for services are most commonly associated with local government in California, where nearly 3,000 such programs are in operation, including 500 in the law enforcement field.^{26/} Contract programs in California usually involve an agreement between a county and a city whereby the former provides services to the latter. In Atlanta, Georgia, by contrast, the city provides law enforcement services to Fulton County under the terms of a contract. In Connecticut, the state provides law enforcement services to municipalities on a contract basis.

County to City

Los Angeles County provides complete law enforcement service to 29 of 77 incorporated municipalities within the county. In addition, it provides selected staff, auxiliary, and field services to all jurisdictions. The major advantage of the total program is that the sheriff's department is able to economically provide professional police services directed to the over-all needs, but also adapted to the particular needs of any local community. The major disadvantage is that the municipalities participating in the contract program are not contiguous, and law enforcement, therefore,

^{26/} Samuel K. Gove, The Lakewood Plan, Commission Papers of the Institute of Government and Public Affairs (Urbana: University of Illinois, May, 1961), Table 3, p. 15. (Sometimes the contract plan is referred to as the Lakewood Plan, because the program, as it is presently known, originated in the City of Lakewood.)

is somewhat uneven. Total consolidation of the metropolitan area has not been achieved, nor does it seem likely to occur through the contract program.

Beginning in 1954, there have been 29 new municipal incorporations in Los Angeles County, the first since 1939. Each of these new cities was immediately confronted with the basic problem of providing the usual municipal services to its residents. A logical solution was to have the county continue to provide services on a contract basis. The City of Lakewood initiated the program, and it has been accepted in large part by 28 of the other 29 new municipalities. The one exception, the City of Downey, chose to provide its own basic services, including law enforcement.^{27/}

Cities enter into a contract program with the county on a voluntary basis, and it is this aspect which has contributed to its success. No effort is made to sell a particular kind of service to them. The program has been described by Arthur G. Will, county-city coordinator of all contract programs, as:^{28/}

A partnership of cities and the county to provide joint services at the least cost while both agencies retain the power of self-determination and home rule. It is further a voluntary partnership under which cities may establish and maintain local identity without heavy initial investment in capital plant, equipment, and personnel. Thus, neither agency loses any of its powers but cooperates for the provision of the services at a mutually satisfactory level.

Objections to Contract Program. Two principal objections have been made to the contract program in Los Angeles County. First, many noncontract cities have felt that the county was subsidizing the contract cities, at least in part, at the expense of noncontract cities. Second, it has been objected that the contract program is an abrogation of local home rule.

^{27/} Gove, op. cit., provides a detailed resume of the development of the contract program in Los Angeles County.

^{28/} Arthur G. Will, "Another Look at Lakewood," address presented to the 27th Annual Conference of the National Association of County Officials, July 11, 1962, mimeo, p. 4.

It is the express policy of Los Angeles County to recover the entire cost of any services performed for another government, and the state constitution, in fact, prohibits a county from underwriting costs of another government.^{29/} A contract program costs a city less than if it provided the service for itself, largely because of the economies resulting from larger programs, but charges would seem to reflect the actual costs of services accurately.

The cost of a law enforcement program is determined according to an established formula based on the total annual cost of providing one patrol unit. A patrol unit consists of one deputy during the daytime and two deputies during both the evening and the early morning shifts, and the vehicle used in the operation, 24 hours per day throughout the entire year. In addition, the contract includes the prorated costs of other departmental services and operations including investigation, detention facilities, laboratory services, and similar staff, auxiliary, and field services. The cost for one patrol unit in 1966 was slightly more than \$104,000.^{30/} A contracting agency may have as many units as it desires, but must meet the minimum standards established by the sheriff.

The principle of home rule is not violated through the use of a contract program because the program is initiated by the city desiring the service. One city official in testimony to a California legislative committee studying the question of contract programs stated:^{31/}

^{29/} See: Earle, op. cit., p. 123, for a copy of the General Services Agreement, especially Section I, which is the basic contract between Los Angeles County and any municipality contracting for services.

^{30/} For a complete description of the method utilized in determining the cost of the contract law enforcement program in Los Angeles County, see Appendix F. See Table 4 for a summary of contract charges per unit, per year from 1958 to 1966.

^{31/} Final report of the Assembly Interim Committee on Municipal and County Government, Functional Consolidation of Local Government, Assembly Interim Committee Reports, Vol. 6, No. 10, 1957-1959, p. 26.

Table 4

RATES CHARGED BY LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
 FOR PATROL CAR SERVICE TO CONTRACT CITIES
 July 1, 1958 to June 30, 1966^{a/}

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Cost Elements	July 1, 1958 to December 31, 1962	July 1, 1962 to June 30, 1963	July 1, 1963 to June 30, 1964	July 1, 1964 to June 30, 1965	July 1, 1965 to June 30, 1966
<u>Station</u>					
Salaries and employee benefits	\$68,919	\$81,779	\$83,414	\$ 88,776	\$ 90,853
Services and supplies	901	1,855	1,893	2,015	2,062
Vehicle expense	4,003	5,337	5,445	5,794	5,930
<u>Administrative Overhead</u>					
Patrol Division	525	--	--	--	--
Sheriff's Department	1,426	--	--	--	--
General county	<u>2,626</u>	<u>4,932</u>	<u>5,029</u>	<u>5,352</u>	<u>5,477</u>
Cost for a 24-hour shift using: one 1-man car and two 2-man cars	<u>\$78,400</u>	<u>\$93,903</u>	<u>\$95,781</u>	<u>\$101,937</u>	<u>\$104,322</u>

^{a/} Los Angeles County Sheriff's Department.

The use of the contract plan does not mean an abolition of local home rule. The city council, in electing to use and operate under the contract system, set the level, the type, of services. Each contract has a clause whereby they can be terminated. . . . This is not an abrogation of local home rule. All we did was simply substitute city departments, personnel and payrolls, for county departments, personnel and payrolls, to perform these municipal functions as contractual agents of the city, thereby eliminating a costly duplication.

The legislative committee concluded that home rule was, in fact, not abrogated under the contract program, and this is also the point of view of the League of California Cities, one of the most articulate defenders of home-rule prerogatives in the state.^{32/}

The validity of this position has been questioned, on the basis that the sheriff determines the minimum standard of service, and the local community may only accept or reject the sheriff's definition of what constitutes minimum service. Richard D. Yerby has concluded that this is a system geared to cost rather than to local flexibility; "as a result, a very limited degree of home rule is preserved."^{33/}

While this objection might seem to have some merit, it may be countered if home rule is viewed as the right to make basic decisions regarding principle. If the municipality has an opportunity to determine whether it will accept the minimum standard established by the county, the principle has not been violated. Also, the municipality can expand the program beyond the minimum level at its own discretion, providing it is willing to pay the additional costs.

Contract Services Performed. Through the contract program of law enforcement in Los Angeles County, 29 municipalities receive total police protection services from the county; the sheriff's department provides

^{32/} Interview, Jack D. Wickware, Assistant Legal Counsel, League of California Cities, May 17, 1966.

^{33/} "The Police Function," in Beatrice Dinerman, Ross Clayton, and Richard D. Yerby (editors), Metropolitan Services: Studies of Allocation in a Federated Organization (Los Angeles: Bureau of Governmental Research, University of California, Los Angeles, 1961), p. 99.

basic patrol service as well as staff, auxiliary, and field services. In other words, there is complete consolidation of law enforcement services in 29 municipalities and the county. Only newly incorporated communities, however, have taken advantage of the contract law enforcement program; no communities with established services have elected to participate.

The sheriff's department is decentralized, with 14 stations located throughout the county providing 24-hour radio car patrol service to unincorporated territory and contract cities, along with investigative and juvenile services. Special staff and auxiliary services are available as needed from the central sheriff's headquarters. Each of the stations is headed by a station commander who, in fact, becomes the operating police chief in contract cities within his district.

The provision of law enforcement services through contract is less expensive and more efficient than if each city provided its own basic police service. The cities of Norwalk and Downey are generally comparable in population and other community characteristics and were both incorporated at approximately the same time. The former contracts with Los Angeles County for law enforcement services whereas the latter provides its own services. In 1963-1964, the cost of law enforcement in Norwalk was nearly \$500,000, whereas costs in Downey were in excess of \$1 million while service was approximately at the same level.

The Downey Police Department consists of slightly more than 100 police officers and 20 civilians, and this complement of personnel provides nearly total law enforcement service to the city. Training of personnel, however, is performed by the City of Los Angeles Police Department on a contract basis; and while Downey has its own vice squad, consisting of two full-time personnel, this unit works closely with and secures help from other jurisdictions to fulfill its responsibilities. Specialized technical services, including laboratory needs, are furnished at no cost by the sheriff's department.^{34/} Thus, although Downey views its Police Department as self-sufficient, it is dependent upon other jurisdictions for a variety of assistance.

^{34/} Interview, Loren D. Morgan, Deputy Chief of Police, Downey, California, May 13, 1966.

In evaluating the contract program, the city administrator of Lakewood stated, "A central police authority in the metropolitan area is not the answer in the administration and enforcement of justice. You must have local control because law enforcement is a local government function. The city must participate in all decisions."^{35/} The city administrator feels that the contract law enforcement program meets this requirement. The station commander of the sheriff's department serving Lakewood functions completely as a chief of police, according to the city administrator, and there are no problems of communication between the administrator's office and the station commander. At no time has the contract program become a political issue in Lakewood, which suggests that the community is satisfied with the quality and level of service it receives.

City to County

Atlanta and Fulton County, Georgia, have together formulated a Plan of Improvement to strengthen local government in the area while preserving the existing structure. The Atlanta Plan of Improvement is based upon these premises: (1) all municipal services should be furnished by a city, preferably Atlanta; (2) the county should furnish only traditional county services; (3) areas needing municipal services should be annexed to a city; and (4) until they are annexed, the city should furnish such services by contract.^{36/}

The Plan of Improvement originated following the failure of an annexation program in Atlanta in the late 1940's. The legislature thereupon created a local government commission to make a comprehensive study and to report to the legislature a plan for improving government in Atlanta and Fulton County. The suggested plan was completed and submitted to the

^{35/} Interview, Marshall W. Julian, City Administrator, Lakewood, California, May 13, 1966.

^{36/} The details of the historical development of the Atlanta Plan of Improvement are summarized in: Governmental Problems in the Chicago Metropolitan Area, a Report of the Northeastern Illinois Metropolitan Area Local Government Commission, Paul J. Randolph, Chairman. Edited by Leverett S. Lyon (Chicago: University of Chicago Press, 1957), pp. 276-278.

legislature in 1950 and was approved in an advisory referendum in June, 1950. The necessary constitutional amendments were approved in November, 1950, and implementing legislation was passed by the Legislature in 1951. The Plan of Improvement went into effect January 1, 1952. A Joint Performance Committee, consisting of equal numbers of city and county officials, handled the details of the transfer of personnel.

The significant features of the Atlanta plan are provisions for continuing annexation by the City of Atlanta of urbanized areas contiguous to it and the reallocation of functions between the city and the county. As a result of the plan, law enforcement has become the sole responsibility of the city which furnishes police service to unincorporated areas under contract with the county.

The City of Atlanta and Fulton County jointly decide the level of police service to be provided in the unincorporated area and prepare the contractual arrangements. Other municipalities in the county continue to maintain their own police departments. The city-county contract is reviewed regularly to reflect changes in police needs. Day-to-day decisions on the allocation of specific personnel and equipment are made by the chief of police of Atlanta, consistent with terms of the contract. Staff, auxiliary, and field services are included in the cost of basic patrol service and are utilized as needed.

All direct expenses incident to and necessary in furnishing police protection and service are reimbursed to the city by the county, with 10 per cent added to cover miscellaneous services and administrative expenses.^{37/} In 1965, the total cost for the contract services was approximately \$375,000.

The office of elected sheriff is retained in Fulton County, but he exercises no actual law enforcement powers; the sheriff acts as jailer for the county and serves as an officer of the court for all appropriate civil matters.

^{37/} See: International City Managers' Association, City-County Cooperation in Providing Municipal Services, Management Information Services Report, No. 191, Appendix B, for a complete copy of the Atlanta-Fulton County Police contract.

In brief, consolidation of basic police services was accomplished in Atlanta-Fulton County through the Plan of Improvement. The structure of local government remains unaltered, although a transfer of certain functions was made. Annexation is being utilized to provide orderly growth and development of fringe areas contiguous to Atlanta and to broaden its geographical jurisdiction. The contract program guarantees that the unincorporated areas not annexed to the city will also receive a level of law enforcement consistent with that in other portions of the county.

State to Local

An unusual contract program for basic law enforcement services, known as the "resident trooper plan," is in operation in Connecticut. The state police, through a contract program, provide a single resident trooper to furnish basic law enforcement service to any requesting municipality that meets certain criteria. Under this plan, 46 towns ranging in population from 1,000 to 17,000 receive law enforcement service.^{38/} The program is limited by legislation to 46 towns.

The state police have full law enforcement jurisdiction in all parts of the state, but they do not exercise this authority in areas that have their own police departments, unless so requested by local officials. Criminal matters not handled by local police are cared for by the state police.^{39/} The sheriff does not perform any law enforcement functions in Connecticut and, in fact, county government has been eliminated. Because of these two factors, the state police have become more involved in local law enforcement than have similar agencies in other states.

Contract Program. Any town, or 2 or more towns (up to the total of 46), lacking a police department, may contract for a resident trooper. Towns receiving such service jointly must share equitably in the total cost of the program. Appropriate costs of the program are determined by the state police commissioner and approved by the state commissioner of finance

^{38/} Letter, Leo J. Mulcahy, Commissioner, Connecticut Department of State Police, June 1, 1966.

^{39/} Ibid.

and control. Contracts are for a two-year period and are subject to review by the state attorney general. Under the current arrangement, the state pays 40 per cent of the cost of a program and the contracting town 60 per cent. The state police commissioner exercises supervisory control over the resident troopers.^{40/}

Each contract provides for only a single resident trooper, which often does not give adequate police protection, especially when an emergency may remove the trooper from routine duties. In addition, because only one trooper is provided, the community does not receive 24-hour police protection. A state police substation in the immediate area will send occasional patrols through an area when the resident trooper is not on duty, but this is only a partial answer to providing complete protection around the clock.

As the name of the program suggests, the resident trooper resides in the community in which he is providing basic law enforcement. As the system has developed, some troopers use their homes as local state police offices, and frequently their wives will serve as local dispatchers. Assignments to the resident trooper program are made on a volunteer basis, and local officials have a right to approve the appointments to their respective communities. For budgetary purposes, resident troopers are maintained in a category separate from regular state police personnel, although selection and training standards are the same for both groups.^{41/}

All towns which have resident troopers have locally elected constables, but, although they have police powers, they have not provided effective law enforcement. Normally they engage in providing school crossing services and related activities. Some communities have arranged to have the local constables under the day-to-day supervision of the resident trooper who directs their activities and training. Such arrangements,

^{40/} Connecticut Codes, Chapter 529, Section 29-5.

^{41/} James H. Ellis, "The Connecticut Resident State Police System," 5 Police, September-October, 69-72 (1960).

however, are not considered part of the contract, and the state does not assist in financing a constable program.^{42/}

Evaluation of the Program. Contractual law enforcement benefits the communities having resident troopers; without the latter, they would have scarcely a semblance of basic law enforcement service. The program is severely limited in its application, however, because it involves the assignment of only one individual to a town. Adequate law enforcement is not possible as a part-time service. Also, the program is arbitrarily confined to 46 towns by action of the State Legislature. Even if more communities wanted to contract for a resident trooper, it would not be possible under existing legislation. This limitation, imposed for budgetary reasons, detracts from consistent law enforcement throughout the state.

Summary and Conclusions

Contract law enforcement is one of the least complicated ways to achieve consolidation of law enforcement services. Under broad joint-exercise-of-powers legislation, governmental jurisdictions can contract for services from other governmental jurisdictions. As noted in Chapter II, legal authority to contract is found in nearly every state (although some provisions are not so broad as others) or is more easily attained than are other methods of attaining consolidations.

General conclusions are:

1. Contract law enforcement programs can be effective without altering existing governmental structures.
2. Any level of government can provide contract law enforcement services to other governments.
3. A contract program can be effectively utilized to meet law enforcement needs in staff, auxiliary, and certain field services; it also can accomplish complete consolidation of all law enforcement activities.

^{42/} Mulcahy, op. cit.

4. Costs of a contract program of law enforcement can be distributed equitably among participants and need not work to the disadvantage of non-participants.
5. No contract law enforcement program can be effective if it is based upon arbitrary standards relating to the allocation of personnel and equipment. Each contracting jurisdiction should determine, in conjunction with the contractor, the actual needs of the jurisdiction, and the allocation of personnel and equipment should be based upon this analysis.
6. Contract programs are limited and voluntary and do not necessarily cover areas that are contiguous.

Police Special Districts

Special districts for law enforcement are rare--no more than 9 among the more than 18,000 special districts in the United States.^{43/} Although most states have enacted legislation authorizing many types of special districts, authorizations for police districts also are fairly rare.^{44/} At the same time, one authority notes that a most persuasive argument for adoption of special police districts is the fact that permissive legislation for such districts requires only a modicum of legal change.^{45/}

Advantages and Disadvantages

The chief advantages of police special districts may be briefly summarized. First, district boundaries can be drawn to correspond with

^{43/} U. S. Bureau of Census, Census of Governments: 1962, Vol. I, Government Organization (Washington, D. C.: U. S. Government Printing Office, 1963), Table 12, p. 66; Census of Governments: 1957, Vol. I, Governments in the United States, Table 13, Note 4, p. 31.

^{44/} John C. Bollens, Special District Governments in the United States (Berkeley and Los Angeles: University of California Press, 1957), p. 68.

^{45/} Max A. Pock, "Are Metropolitan Police Districts Legally Feasible," 12 Journal of Public Law, 317 (1963).

the most logical areas for providing police service and without regard to existing governmental boundaries. Second, police special districts can be free of immediate local political influence in their day-to-day activities. Third, police districts are legally feasible without need for significant legislative or constitutional change.^{46/}

In general, special districts do not represent a reorganization of government but, rather, the creation of a new single-purpose unit to furnish a service which, for some reason, existing local units are not providing adequately. Functional specialists and other groups concerned about the performance of existing governments frequently seek to separate the functions in which they are particularly interested and have them performed by special districts. It seems easier to establish a special district than to reform the existing unit.^{47/}

Special districts normally are financed in two general ways: through user charges and through property tax assessments. The first method does not lend itself to police services as it does, for example, to sewer and water services. The second method places the district in direct competition with units of general local government for property taxes. Although in most instances special district tax levies are small in comparison to those of general units of local government, their combined impact can be significant. Overlapping of districts levying property taxes is not unusual as there is no limit on the number of special districts that may tax a given piece of property.^{48/} Also, special districts may increase the total cost of governmental services unduly because of a duplication of administrative costs.^{49/}

^{46/} Max A. Pock, Consolidating Police Functions in Metropolitan Areas (Ann Arbor: University of Michigan Law School Legislative Research Center, 1962), p. 40.

^{47/} Advisory Commission on Intergovernmental Relations, The Problem of Special Districts in American Government, 1964, p. 74, hereafter cited as Special Districts; see also Bollens, op. cit., pp. 251-252.

^{48/} ACIR, Special Districts, pp. 34-37.

^{49/} Ibid., p. 75.

A principal criticism of special districts is that they may function largely unnoticed and uncontrolled by the public. It is much easier for citizens to focus their attention on units of general government than on special districts. "The multiplicity of special districts often prevents the citizen from knowing exactly what is going on in his community. . . . The programs of many districts appear to be completely independent from and uncoordinated with similar programs of general government."^{50/}

The lack of visibility and public awareness strongly suggests that law enforcement is a function which should not be performed by an independent special district. The nature of law enforcement makes empathy with the public desirable, and such a relationship normally cannot be developed through a special district.

Summary and Conclusions

There is no reason to believe that the patterns of police special districts would be greatly different from those of other special districts. There are, however, more suitable alternatives than special districts for performing police service on an areawide basis. Among them are the organization of metropolitan-type governments, the utilization of subordinate service districts under a county police agency, and contractual agreements among governmental jurisdictions. These methods either strengthen existing local units of general government or consolidate two or more units into a new government; they do not call for the creation of new single-purpose units of local government.

^{50/} Bollens, op. cit., pp. 254-255.

VII. ROLE OF THE STATE IN IMPROVING LOCAL POLICE SERVICE

Throughout this report reference has been made to the role of state government in assisting local police jurisdictions. Examples have been given of current state assistance in various police activities (e.g., training, records and communications, and crime laboratories), and suggestions have been made regarding the expansion of the state role in these areas.

It is not possible to construct a precise model of the role the state should play in assisting local law enforcement because each state has its own unique characteristics. In highly urbanized areas with a large number of local governments where some other integrating force is lacking, the state may need to become more action-oriented in providing services and coordinating mechanisms to local law enforcement agencies. In less populous states, with fewer local governments, the need for a positive integrating force may be less, and the state may confine itself to providing guidelines and suggestions for action.

The purpose of this chapter is to focus attention on state government as a catalyst for improving local law enforcement. Covered, in turn, will be some of the probable effects of the reapportionment of state legislatures upon local law enforcement, the role of the state in establishing standards and requirements for the conduct of local law enforcement, and state assistance in planning for improvements in local law enforcement.

Effects of Reapportionment

Recent court decisions on the reapportionment of state legislatures may have important effects on state participation in law enforcement reorganization and assistance programs. Present apportionment practices often deny effective state participation in resolving the problems of local government. In the words of one commentator:

To the extent that past apportionment practices have given a disproportionate voice to small-town-life styles and values . . . , the tendency has been to weaken the influence of state government in the federal system. . . . The small-town ideology has made state legislators less willing to spend money on new programs, particularly those which would for the most part benefit urban areas.^{1/}

As the effects of reapportionment are felt, state governments seem likely to address themselves more to the problems of urban living, including those of law enforcement.

The effects of reapportionment on local law enforcement may be more widespread in the suburban areas, since reapportionment will probably add considerable political strength to these areas. According to the latest issue of Crime in the United States, it appears that law enforcement is undergoing its greatest test in the suburban areas.^{2/} It is doubtful, however, that suburban-influenced legislatures will have major concern with the massive reorganization and amalgamation of local governments, since the suburbs have developed for opposite reasons. A more likely possibility is increased attention to the role the state can have in providing certain services to local governments without radically altering their organization. Law enforcement is a promising area for inclusion in programs of state assistance.

Reapportionment may also affect the structure and services of county government. If counties are to become effective units of local government, they must be strengthened and perhaps combined into larger units. In some states, it may be desirable to reduce the powers of counties or even to eliminate them. In such cases the state would need to fill the resulting gap, including an expansion of the role of state police agencies.

^{1/} Charles C. Adrian, "State and Local Government Participation in the Design and Administration of Intergovernmental Programs," 359 The Annals 40 (1965).

^{2/} Federal Bureau of Investigation, Crime in the United States, 1965, p. 2.

State Standards and Requirements

As has been pointed out in this report, state governments provide many direct services to local law enforcement. A role not so well established is the setting of standards and requirements which, to date, has been done primarily in connection with training. The success of the states in establishing standards for police training suggests that standards might be established and implemented in other areas as well. Before discussing other state standards, however, it must be repeated that the primary goal of this study is to point to ways of achieving quality in police service through coordination and consolidation. An underlying concern, at the same time, is to maintain as much local government control as is reasonable.

A principal need in local law enforcement is improvement in the quality of police administrators. Improvement in police administration depends upon adequate leadership and the improvement of police service at the top administrative levels. A first step would be the establishment of standards for chiefs of police covering such areas as minimum training, education, and experience, and set high enough to leave no doubts as to the desired product. Similarly, standards should be established also for supervisory, specialized, and other command personnel.

Recruit selection and training requirements also need to be strengthened. Indeed, there are many police officers who are entirely lacking in specialized training, even in states with mandatory training legislation.^{3/}

^{3/}In commenting on how some local departments circumvent mandatory training laws, one chief stated, "The law does not give much leeway, but smaller departments do use part-time employees who are not covered by the act. This is frowned upon when done over a long period of time, but not much seems to be done about it. The smaller departments also hide their policemen, or some of them, under other titles, such as laborer, or use them for concurrent nonpolice duties." Letter from Chief William H. T. Smith, Syracuse, New York, August 3, 1966.

Minimum standards and requirements for the operation of communications and records systems, detention facilities, crime laboratories, and a whole host of other police functions are distinct possibilities. The state, for example, under the direction of the Federal Communications Commission, could more closely control radio frequency allocations through establishing minimum standards for the possession of radio facilities. The state also could require that certain forms be utilized in all police records systems as a means of achieving uniformity in reporting and interchangeability of information.

A standard of prime importance would be that no police department could be staffed in whole or in part by part-time (not auxiliary) police officers. The consequences of using part-time untrained officers are dire, and such standards would force significant improvements in local law enforcement in many communities.

Requirements that a jurisdiction contain so much area or so many people in order to have its own police department, or to provide certain staff, auxiliary, or field services, are nearly impossible of implementation.^{4/} This does not mean, however, that a state cannot use this approach in evaluating police service, and it is in areas such as these that grants-in-aid can become an effective tool of the state in improving law enforcement service.

It is fruitless, also, to base standards or requirements on such indices as crime rates, clearance rates, percentage of stolen property recovered, and so forth. Although these are reasonably good indicators of police efficiency in a particular community, limitations on their general application must be recognized. The state can use such indices, however, to measure and evaluate the effectiveness of individual departments.

^{4/} In its Final Report on police service in Great Britain, the Royal Commission on the Police concluded that a police force numbering less than 200 suffers considerable handicaps, but did not mention what they are. It added that a force of 500 or more is an optimum size, although it did not give the precise basis for this determination. (See Royal Commission on Police of Great Britain, Final Report. London: Her Majesty's Stationary Office, 1962, Sec. 279.)

Planning for Improved Police Service

Some years ago, the Commission on Organized Crime and Law Enforcement of the American Bar Association recommended a Model Police Council Act for enactment by the states.^{5/} The model act provided for a council, with staff assistance, to be appointed by the governor with power to make periodic inspections of police departments, to conduct surveys and studies with a view to consolidation of police departments, to inspect and improve police training schools, to develop mandatory training and appointment procedures for all police personnel, and to grant subsidies for police training. All these provisions were intended to strengthen the hand of the state in improving police performance within its borders.

A number of states have incorporated provisions of the model into recently enacted legislation relating to training. Not yet enacted by any state are the provisions calling for the inspection of police departments and the power to make surveys with the intention of recommending the amalgamation of police departments. These provisions form the basis of the ensuing discussion.

The new state-level police planning unit in New York was discussed in Chapter III. This unit is responsible for making continuing studies of police administrative problems, serving as a clearinghouse, conducting studies and analyses of services of police agencies upon their request, and it has several other similar responsibilities. It should be emphasized that the unit can conduct studies of a particular agency only upon request. In order generally to raise the quality of local law enforcement, a state unit must have authority to take the initiative in making inspections and surveys of local police agencies. Further, if state standards are established, there will have to be a state unit to insure local conformance with these standards. All of these functions could be performed by the same state unit.

The state unit should be equipped to make recommendations for the establishment of uniform criminal records systems. A standard records system should enhance the chances for areawide centralization of records.

^{5/}American Bar Association Commission on Organized Crime, Organized Crime and Law Enforcement, Volume II (New York: The Grosby Press, 1953), pp. 139-156.

The state unit should have the power to recommend changes in communications systems, with the objective of bringing some order out of the seeming chaos in radio communications. If no action is taken to establish a state department of corrections with responsibility for local detention operations, as suggested in Chapter IV, this unit also should study local detention needs. It should also undertake studies to determine the need for crime laboratories, and to increase the capabilities of existing laboratories or to disband them.

With respect to surveys of the feasibility of amalgamating police jurisdictions, a planning unit could be effective in pointing out to local officials where economies could be accomplished and services improved, while at the same time maintaining local control.

State inspections should be made in connection with state standards and requirements. Inspections of general police practices should be considered a normal extension of the inspections now provided for in state training legislation.

Grants-in-aid may properly become part of a state program, to help in implementing the recommendations of a state law enforcement planning and inspection unit. A grant-in-aid program should not be used to perpetuate the lives of inefficient units, to place barriers in the way of desirable reforms, or to supplement existing police budgets. A program of grants-in-aid should seek, rather, to promote quality in police service through coordination and consolidation of law enforcement functions and/or agencies.

There are ample precedents of state encouragement of coordination and consolidation in the successful consolidations of local school districts, where the quality of education has been improved and reasonable local control maintained. Similarly, the state can, through grants-in-aid, make possible the development of areawide communications centers or crime laboratories, thereby promoting improved police service, without endangering local control. Thus, without specifying rigid criteria as to the area or the number of people necessary in order to have certain staff, auxiliary, or field services, the state can still promote coordination and consolidation.

The inducement of financial assistance from the state, coupled with permissive legislation such as a joint exercise of powers act, could make such an approach a viable means of improving quality in police service. What this suggests is that two or more jurisdictions will have to develop a "workable plan" of improving local police service through coordination or consolidation if they are to be recipients of state grants-in-aid.

Summary and Conclusions

This chapter has suggested some guidelines for the role of the state in improving local police service. Although some states have become increasingly active in assisting local police departments, much more is needed and can be achieved. State governments are improving their organizations and administrative practices and should be increasingly able to assist local departments. The reapportionment of state legislatures may prove a significant factor in increasing the state's role in local law enforcement assistance.

Attention should be focused on state government as a catalyst in improving local police service. The states can:

1. Establish personnel standards and requirements to be used in the conduct of local law enforcement. Particular attention should be given to establishing requirements for police administrators.
2. Initiate studies directed to improving local staff, auxiliary, and field services. Such studies should not be contingent upon the request of local police jurisdictions.
3. Inspect local police agencies to insure compliance with established state standards for local law enforcement.
4. Provide grants-in-aid as an inducement to implementing approved state plans for improving local police service through coordination and consolidation.



APPENDICES

- A. Interlocal Cooperation Act
- B. Jail Contract Agreement, City of Oakland and Alameda County
- C. Police Cooperation Agreement, Cities of Allentown, Bethlehem, and Easton, Pennsylvania
- D. Number of Full-Time and Part-Time Police Officers in Cook County, Illinois (Excluding Chicago)
- E. Arguments for and Against Unification of the 13 Police Departments in the Metropolitan Toronto Area into a Metropolitan Police Department
- F. Method of Determining Cost for Contract Law Enforcement Services in Los Angeles County

1. 1950

2. 1951

3. 1952

4. 1953



Appendix A
INTERLOCAL COOPERATION ACT^{a/}

[Title should conform to state requirements.]
(Be it enacted, etc.)

1 SECTION 1. PURPOSE. It is the purpose of this act to permit local
2 governmental units to make the most efficient use of their powers by enabling
3 them to cooperate with other localities on a basis of mutual advantage
4 and thereby to provide services and facilities in a manner and pursuant to
5 forms of governmental organization that will accord best with geographic,
6 economic, population and other factors influencing the needs and development
7 of local communities.

1 SECTION 2. SHORT TITLE. This act may be cited as the Interlocal
2 Cooperation Act.

1 SECTION 3. PUBLIC AGENCY DEFINED. (a) For the purposes of this
2 act, the term "public agency" shall mean any political subdivision [insert
3 enumeration, if desired] of this state; any agency of the state government
4 or of the United States; and any political subdivision of another state.

5 (b) The term "state" shall mean a state of the United States and
6 the District of Columbia.

1 SECTION 4. INTERLOCAL AGREEMENTS. (a) Any power or powers,
2 privileges or authority exercised or capable of exercise by a public agency
3 of this state may be exercised and enjoyed jointly with any other public
4 agency of this state, and jointly with any public agency of any other state
5 or of the United States to the extent that the laws of such other state or
6 of the United States permit such joint exercise or enjoyment. Any agency
7 of the state government when acting jointly with any public agency may
8 exercise and enjoy all of the powers, privileges and authority conferred
9 by this act upon a public agency.

10 (b) Any two or more public agencies may enter into agreements with
11 one another for joint or cooperative action pursuant to the provisions of
12 this act. Appropriate action by ordinance, resolution or otherwise pursuant
13 to law of the governing bodies of the participating public agencies shall be
14 necessary before any such agreement may enter into force.

15 (c) Any such agreement shall specify the following:

16 1. Its duration.

17 2. The precise organization, composition and nature of any
18 separate legal or administrative entity created thereby together with the
19 powers delegated thereto, provided such entity may be legally created.

^{a/} Source: Council of State Governments, Suggested State Legislation
Program for 1957, pp.93-97.

- 20 3. Its purpose or purposes.
- 21 4. The manner of financing the joint or cooperative undertaking
- 22 and of establishing and maintaining a budget therefor.
- 23 5. The permissible method or methods to be employed in accom-
- 24 plishing the partial or complete termination of the agreement and for dis-
- 25 posing of property upon such partial or complete termination.
- 26 6. Any other necessary and proper matters.

27 (d) In the event that the agreement does not establish a separate
28 legal entity to conduct the joint or cooperative undertaking, the agreement
29 shall, in addition to items 1, 3, 4, 5 and 6 enumerated in subdivision (c)
30 hereof, contain the following:

31 1. Provision for an administrator or a joint board respon-
32 sible for administering the joint or cooperative undertaking. In the case
33 of a joint board public agencies party to the agreement shall be represented.

34 2. The manner of acquiring, holding and disposing of real and
35 personal property used in the joint or cooperative undertaking.

36 (e) No agreement made pursuant to this act shall relieve any public
37 agency of any obligation or responsibility imposed upon it by law except
38 that to the extent of actual and timely performance thereof by a joint
39 board or other legal or administrative entity created by an agreement made
40 hereunder, said performance may be offered in satisfaction of the obligation
41 or responsibility.

42 (f) Every agreement made hereunder shall, prior to and as a con-
43 dition precedent to its entry into force, be submitted to the attorney
44 general who shall determine whether the agreement is in proper form and com-
45 patible with the laws of this state. The attorney general shall approve
46 any agreement submitted to him hereunder unless he shall find that it does
47 not meet the conditions set forth herein and shall detail in writing addressed
48 to the governing bodies of the public agencies concerned the specific respects
49 in which the proposed agreement fails to meet the requirements of law.
50 Failure to disapprove an agreement submitted hereunder within [. . .] days
51 of its submission shall constitute approval thereof.

52 [(g) Financing of joint projects by agreement shall be as provided
53 by law.]

1 SECTION 5. FILING, STATUS, AND ACTIONS. Prior to its entry into
2 force, an agreement made pursuant to this act shall be filed with [the keeper
3 of local public records] and with the [secretary of state]. In the event
4 that an agreement entered into pursuant to this act is between or among one
5 or more public agencies of this state and one or more public agencies of
6 another state or of the United States, said agreement shall have the status
7 of an interstate compact, but in any case or controversy involving performance
8 or interpretation thereof or liability thereunder, the public agencies
9 party thereto shall be real parties in interest and the state may maintain
10 an action to recoup or otherwise make itself whole for any damages or lia-
11 bility which it may incur by reason of being joined as a party therein.
12 Such action shall be maintainable against any public agency or agencies
13 whose default, failure of performance, or other conduct caused or contributed
14 to the incurring of damage or liability by the state.

1 SECTION 6. ADDITIONAL APPROVAL IN CERTAIN CASES. In the event that
2 an agreement made pursuant to this act shall deal in whole or in part with
3 the provision of services or facilities with regard to which an officer or
4 agency of the state government has constitutional or statutory powers of
5 control, the agreement shall, as a condition precedent to its entry into
6 force, be submitted to the state officer or agency having such power
7 of control and shall be approved or disapproved by him or it as to all matters
8 within his or its jurisdiction in the same manner and subject to the same
9 requirements governing the action of the attorney general pursuant to Section
10 4(f) of this act. This requirement of submission and approval shall be in
11 addition to and not in substitution for the requirement of submission to
12 and approval by the attorney general.

1 SECTION 7. APPROPRIATIONS, FURNISHING OF PROPERTY, PERSONNEL AND
2 SERVICE. Any public agency entering into an agreement pursuant to this act
3 may appropriate funds and may sell, lease, give, or otherwise supply the
4 administrative joint board or other legal or administrative entity created
5 to operate the joint or cooperative undertaking by providing such personnel
6 or services therefor as may be within its legal power to furnish.

1 SECTION 8. [Insert severability clause, if desired.]

1 SECTION 9. [Insert effective date.]

THE
OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS
AUGUST 19, 1934

TO THE HONORABLE
COMMISSIONERS OF THE
LAND OFFICE

RE: THE PROPOSED
CONVEYANCE OF
CERTAIN LANDS
TO THE STATE OF TEXAS



Appendix B
JAIL CONTRACT AGREEMENT
CITY OF OAKLAND AND ALAMEDA COUNTY

THIS AGREEMENT, made and entered into this ___ day of _____, 1960, by and between the CITY OF OAKLAND, a municipal corporation organized and existing under and by virtue of the laws of the State of California, hereinafter called "City," and the COUNTY OF ALAMEDA, a political subdivision of the State of California, acting by and through its Board of Supervisors, hereinafter called "County:"

W I T N E S S E T H:

WHEREAS, each of the parties hereto now owns and maintains jail facilities; and

WHEREAS, pursuant to Section 4004.5 of the Penal Code of the State of California, City and County may enter into an agreement, through their respective legislative bodies, whereby City shall furnish jail facilities for County prisoners upon such terms as may be mutually agreed upon; and

WHEREAS, it is considered necessary and desirable and in the public interest that the County and the City exercise the rights and privileges afforded by said section.

NOW, THEREFORE, it is mutually agreed by and between the City and the County as follows:

1. The jail facilities owned and maintained by the City are hereby made available and furnished for holding prisoners held for examination, held for trial, or held subsequent to sentencing until transported to other facilities.
2. The reimbursement for costs of maintaining prisoners in the parties respective jail facilities shall be computed and paid as herein provided, to wit:

- a. For each person sentenced and transported to the County owned and maintained jail facilities a rate of three dollars and eleven cents (\$3.11) per day; however, said rate may be modified as provided in (c) of this paragraph, provided that any such payment shall be made solely for such persons as have only been charged with, and found guilty of, violations of city ordinances or city charter provisions .
 - b. For each person sentenced and transported to the City owned and maintained jail facility a rate of three dollars and eleven cents (\$3.11) per day; however, said rate may be modified as provided in (c) of this paragraph, provided that no such payment shall be made for prisoners charged only with the violation of city ordinances or city charter provisions.
 - c. The parties further agree that the rate established in (a) above may be adjusted annually based on costs of operation of said County jail facility and set by resolution of the Board of Supervisors adopted before the first of May and effective on the first of July of each year, and that the rate for prisoners maintained by City, as provided in (b) above, shall increase or decrease automatically to equal the rate when set by County's Board of Supervisors by resolution.
3. It is mutually agreed by and between the parties hereto that the term "per day," as used in paragraph 2 of this agreement, shall mean the twenty-four (24) hour period from midnight to midnight, or any fraction thereof, that a prisoner is held in the jail facilities: except that such term shall not include, nor shall charge be made for, any fractional period of time the prisoner is held upon the date of his discharge from the jail facilities.
 4. In the event that prisoners charged with or found guilty only of violations of city ordinances or charter provisions are removed to the County Hospital for examination, medical services, or hospital care, City shall reimburse County at the rate per day fixed by the Board of Supervisors of County together with the additional cost of necessary guards and for the safe-keeping of such prisoners.

5. The amounts due under this agreement by the County to the City, and by the City to the County, shall be due and payable thirty (30) days from and after the receipt of itemized invoices by each party to this agreement for services rendered to it by the other.

6. This agreement shall be in force from and after the first day of July, 1960, and may be modified or terminated at any time by mutual consent of the parties. Either party may terminate by giving notice to the other party in writing of its intention so to do at least two (2) months prior to the end of the fiscal year in which it is so terminated.

CITY OF _____

BY _____

COUNTY OF ALAMEDA, a body politic and corporate and a political subdivision of the State of California

BY _____
Chairman of the Board of Supervisors



Appendix C

POLICE COOPERATION AGREEMENT
CITIES OF ALLENTOWN, BETHLEHEM, AND EASTON, PENNSYLVANIA

WHEREAS, increasing population and an increasing number of common problems have tended to obliterate municipal boundaries in the enforcement of laws of the Commonwealth of Pennsylvania in the Lehigh Valley; and

WHEREAS, there is an urgent need for uniformity and continuity in the enforcement of such laws in the Lehigh Valley; and

WHEREAS, cooperation among adjoining Cities in the exercise and performance of their governmental powers, duties, and functions is authorized by the Act of Pennsylvania Assembly of 1959, September 29, P. L. 990, as amended, (53 P.S. 472 et seq.).

This Agreement executed by the Cities of Allentown, Bethlehem, and Easton.

W I T N E S S E T H:

1. Each of the parties intends to be legally bound by the terms of this Agreement and has executed the Agreement in accordance with authority conferred by Ordinance or Resolution duly enacted by its City Council.
2. The Mayor of each municipality shall swear in the police officers below the rank of sergeant of the other two municipalities as Auxiliary Policemen of his municipality.
3. In the event of emergency, the Mayor of the municipality affected may call on the Mayors of the other two municipalities for the services as Auxiliary Policemen of such number of personnel and such equipment as he deems essential. On the receipt of such a call, the Mayor called upon shall assign to service in the requesting community such number of personnel as Auxiliary Policemen and such equipment as in his judgment may be released for such purpose.

4. Personnel and equipment from any municipality assigned on such an emergency call shall be subject to recall by the Mayor of that municipality.
5. At periodic intervals, compensation on the basis of payroll cost of personnel supplied and fair rental for equipment supplied shall be mutually determined.

IN WITNESS WHEREOF, this Agreement has been executed in sextuple as of the ____ day of _____.

ATTEST:

CITY CLERK

CITY OF ALLENTOWN

BY _____
MAYOR

ATTEST:

CITY CONTROLLER

CITY OF BETHLEHEM

BY _____
MAYOR

ATTEST:

CITY CLERK

CITY OF EASTON

BY _____
MAYOR

Appendix D

NUMBER OF FULL-TIME AND PART-TIME POLICE OFFICERS
IN COOK COUNTY, ILLINOIS (EXCLUDING CHICAGO)
1966

Municipality	Estimated Population (In Thousands)	Cook County		Grand Total
		Full-Time Officers	Part-Time Officers	
Alsip	8.5	7	4	11
Arlington Heights	42.5	40	0	40
Barrington	6.5	15	14	29
Barrington Hills	2.5	7	6	13
Bartlett	2.5	3	3	6
Bedford Park	0.75	15	0	15
Bellwood	22.8	24	15	39
Berkeley	7	7	8	15
Blue Island	25	17	4	21
Bridgeview	9.5	8	11	19
Broadview	9.6	13	6	24
Brookfield	23	23	0	23
Burnham	3	3	3	6
Calumet City	30	23	8	31
Carpentersville	22	20	0	20
Chicago Heights	40	55	0	55
Chicago Ridge	8.2	8	10	18
Cicero	70	98	0	98
Cook County Sheriff	--	176	0	176
County Club Hills	5	2	11	13
Countryside	3	8	0	8
Des Plaines	50.7	55	0	55
Dixmoor	3.2	0	12	12
Dolton	2.5	14	8	22
East Chicago Heights	4.7	5	4	9
Elk Grove Village	13.5	21	5	26
Elmwood Park	24	21	0	21
Evanston	80	127	0	127
Evergreen Park	25	26	23	49
Forest Park	15	23	0	23
Franklin Park	22	27	12	39
Glencoe	11	18	0	18
Glenview	24	29	0	29

Appendix D (continued)

Municipality	Estimated Population (In Thousands)	Cook County		Grand Total
		Full-Time Officers	Part-Time Officers	
Glenwood	3.5	2	5	7
Hanover Park	6.6	3	10	13
Harvey	33	26	15	41
Harwood Heights	9.5	9	12	21
Hazel Crest	9	7	12	19
Hickory Hills	8	3	14	17
Hillside	12	24	10	34
Hoffman Estates	17.5	14	0	14
Hometown	7.6	1	26	27
Homewood	17.8	16	0	16
Justice	5.5	2	10	12
Kenilworth	3	11	0	11
La Grange	17.5	29	0	29
La Grange Park	17	24	0	24
Lansing	22	15	26	41
Lincolnwood	14	24	0	24
Lyons	11	14	14	28
Markham	17	13	3	16
Matteson	4	5	1	6
Maywood	29	40	10	50
McCook	0.5	12	3	15
Melrose Park	25	36	20	56
Midlothian	14	10	8	18
Mount Prospect	31	28	0	28
Niles	29.5	43	0	43
Norridge	17	10	0	10
Northbrook	19	23	0	23
Northfield	5	14	0	14
Northlake	16	20	5	25
North Riverside	8.5	16	8	24
Oak Forest	11	6	15	21
Oak Lawn	49	49	0	49
Oak Park	63	76	0	76
Olympia Fields	2.5	3	7	10
Orland Park	4.5	4	8	12
Palos Heights	5.3	3	12	15
Palos Park	3	1	10	11

Appendix D (continued)

Municipality	Estimated Population (In Thousands)	Cook County		Grand Total
		Full-Time Officers	Part-Time Officers	
Park Forest	32	21	0	21
Park Ridge	40	40	0	40
Phoenix	4.2	7	13	20
Posen	4.5	3	8	11
Richton Park	1	0	7	7
Riverdale	13.6	12	0	12
River Forest	12.6	25	0	25
River Grove	10	11	0	11
Riverside	10	15	0	15
Robbins	7.5	10	10	20
Rolling Meadows	15	14	5	19
Sauk Village	6	3	7	10
Schaumburg	7	7	15	22
Schiller Park	10	11	20	31
Skokie	69	117	0	117
South Chicago Heights	5.5	4	7	11
South Holland	18.5	11	10	21
Stickney	7	9	10	19
Stone Park	4.5	12	2	14
Summit	10.3	12	13	25
Thornton	3.9	1	14	15
Tinley Park	8.7	8	5	13
Villa Park	25.4	26	0	26
Westchester	22	20	6	26
Wheeling	12.5	15	0	15
Wilmette	32	32	0	32
Winnetka	13.4	27	0	27
Worth	10.3	8	8	16
Total		<u>2,060</u>	<u>591</u>	<u>2,651</u>



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Appendix E

ARGUMENTS FOR AND AGAINST UNIFICATION OF THE 13 POLICE DEPARTMENTS IN THE METROPOLITAN TORONTO AREA INTO A METROPOLITAN POLICE DEPARTMENT^{a/}

Arguments Against

1. Police administration would be removed from the close contact with the residents of local municipality.
2. The local police force has a much better appreciation of local problems, and the means whereby they may be solved.
3. The present arrangements are satisfactory and adequate.
4. Police protection in the suburban municipalities is not less sufficient than in the City of Toronto.
5. The concentration of all calls through one communication centre would result in the "jamming" of such centre with consequent delays.
6. The formation of a Metropolitan Toronto Police Force was not recommended by the Ontario Municipal Board in the recent amalgamation proceedings, and this decision should not now be interfered with in any summary or less exhaustive review.
7. All area municipalities do not have the same police problems, and therefore, local police forces can best deal with local situations and enjoy the pride of local residents.
8. Transfers of personnel to distant divisions would result in hardship for such personnel due to excessive traveling.

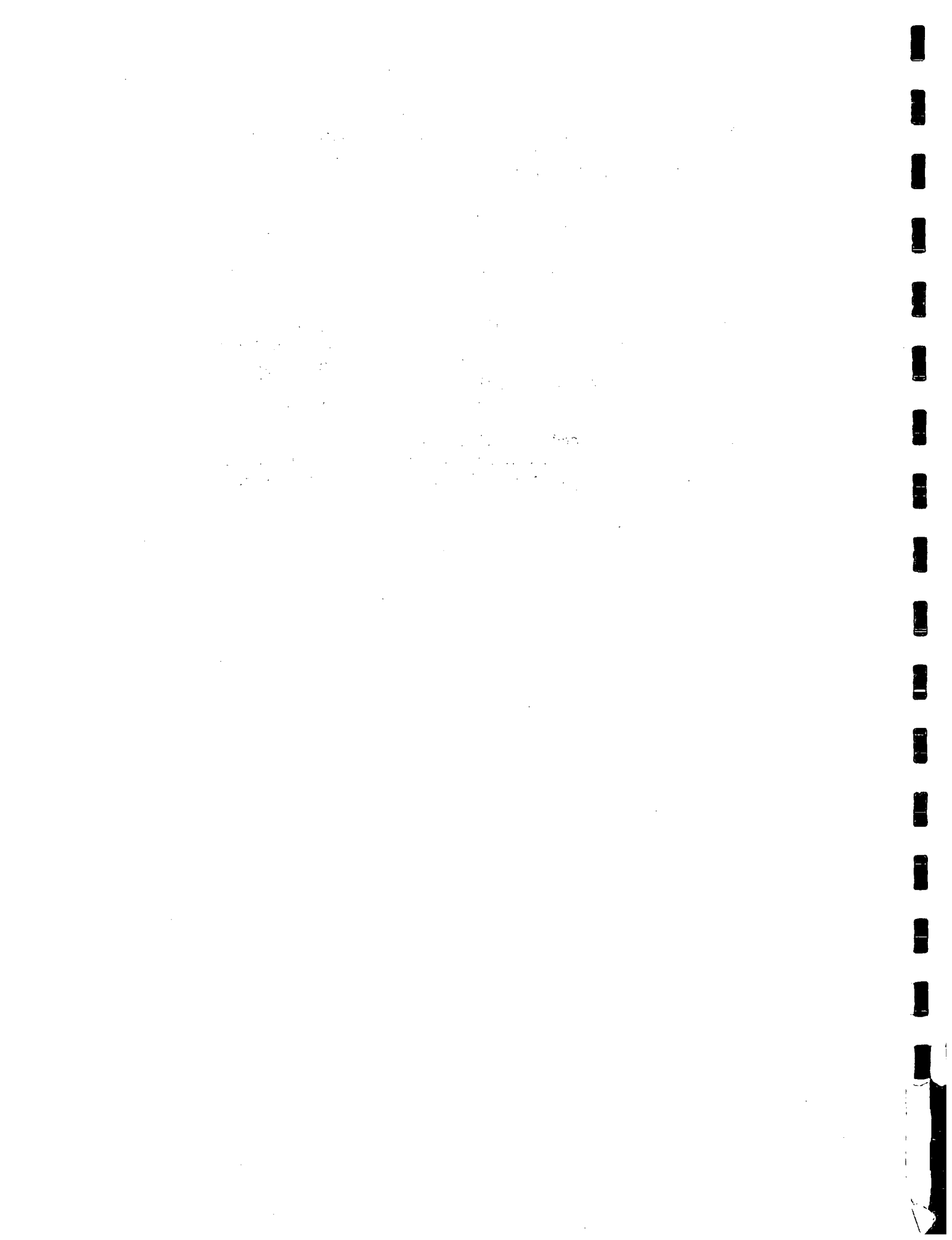
^{a/} Source: Report No. 1 of the Special Committee Re. Unification of the Police and Fire Departments in the Metropolitan Area: For Consideration by the Council of the Municipality of Metropolitan Toronto (Toronto: September 29, 1955), pp. 2-4.

9. It would be too difficult to unify police services of the entire area in one operation and if the proposal is considered at all it should be done by degrees.

Arguments For:

1. Duplication of police services would be eliminated.
2. A central communications department would remove costly delays which now exist in emergent and critical situations where speed is an important factor in apprehending an offender.
3. A properly equipped crime laboratory could be established which would provide expert witnesses for court actions.
4. A proper system of centralized records of offenders would be available to the entire area and eliminate delays involved in searches of several police files.
5. Uniform control of traffic would result from direction received from a central traffic bureau.
6. Specialized bureaus could be established which would operate over the entire Metropolitan Area and release personnel for the very important and too often neglected duties of foot patrol.
7. The entire Metropolitan Area would have the benefit of central (a) morality branch, (b) traffic branch, (c) criminal investigation branch, (d) criminal identification branch, (e) training school, and (f) transportation of prisoners.
8. Substantial savings to the taxpayer through central control of purchasing would result.
9. Policing the Metropolitan Area would be more efficient, and the costs of such policing would be equalized over the various municipalities.
10. A unified police force would provide better control over those criminals who operate as receivers and disposers of stolen goods by making it possible to provide adequate surveillance of such persons.
11. The number of unsolved crimes in the Metropolitan Area indicates that a change in police organization is necessary.

12. Differences that presently exist in wage schedules for police officers doing similar work in different municipalities would be eliminated.
13. Local councils should no longer attempt to direct and administer the activities of a local police force.
14. Adequate finances would be available to properly equip a unified force.
15. There would be one police commissioner who would administer the entire Metropolitan Area in an impartial manner resulting in a uniform enforcement of police regulations and the Criminal Code, free from the possibility of local political interference.
16. Unification and modernization of police departments by the formation of a Metropolitan Police Force would result in greater benefits to every municipality.



Appendix F
METHOD OF DETERMINING COST FOR CONTRACT LAW ENFORCEMENT SERVICES
IN LOS ANGELES COUNTY^{a/}

The basic unit of contract law enforcement service is one car on continuous around-the-clock duty in three 8-hour shifts--one 1-man shift and two 2-man shifts.

The chargeable rate is based on the combined direct operating costs of four selected sheriff stations whose work loads consist mainly of providing law enforcement service to contract cities.

The operating costs of these stations were determined from the budget allocation records maintained by the Sheriff's Department. From these costs, the following items were deducted:

1. Cost of services applicable to other contracts such as prisoner maintenance, school safety officers, crossing guards, etc.
2. Costs indicated by the Sheriff as representing the normal staffing of each of the four stations.
(Staffing required if patrol car services were not rendered to contract cities.)

The remaining costs, plus applicable county retirement and social security contributions and workmen's compensation insurance, were allocated between one- and two-man cars fielded by each of the stations as follows: station supervision was allocated on the basis of the salaries of patrol deputies assigned to cars. Station support such as detectives, clerical, desk sergeants, etc., were allocated on the basis of number of one- and two-man car shifts fielded in the ratio of 1 to 1.5, respectively. Services and supplies costs were allocated on the basis of the aggregate salary costs including supervision and support previously distributed to the one- and two-man cars.

^{a/}Los Angeles County Sheriff's Department.

The station costs allocated to one-man cars and the cost allocated to two-man cars were then divided by the number of one- and two-man car shifts, respectively. This computation provides the basic cost per one-man and two-man car shifts. In addition, auto expense and applicable county indirect expense were added to the station cost per car shift.

County indirect expense recovers the cost of activities of service departments (auditor-controller, county counsel, purchasing agent, etc.) and expenditures from centralized service appropriations (utilities, telephone, insurance, etc.) which are not charged to operating departments.

The cost per shift of one 1-man and two 2-man cars were combined to arrive at the cost for around-the-clock services. Each fiscal year, this rate is updated to reflect salary adjustments provided for deputy sheriffs.

The Sheriff's departmental and divisional administrative overhead and central support services were not considered a chargeable cost in the computations made subsequent to 1962. The exclusion of these costs recognizes that the Sheriff retains his countywide responsibility for law enforcement, and that the only proper charge to contract cities are for the additional costs incurred in order to provide the contracted services. Accordingly, all sheriff overhead and central support activities (special units, crime laboratory, training, etc.) were considered applicable to the Sheriff's statutory responsibility and, therefore, not chargeable to a contracting city.

