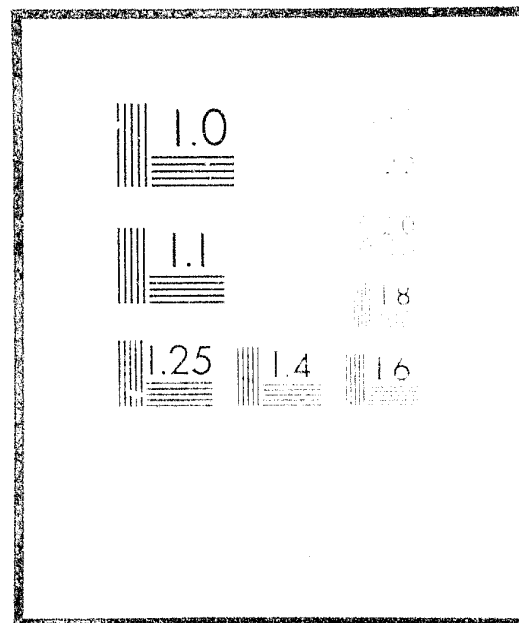


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REPORT  
ON THE  
PROCEEDINGS  
OF THE  
COMMITTEE OF STATE ASSOCIATIONS  
OF  
CHIEFS OF POLICE  
EXECUTIVE TRAINING SESSION  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
CONDUCTED AT  
COCOA BEACH, FLORIDA  
NOVEMBER 3-6, 1975

This Executive Training Session of the Committee of State Associations of Chiefs of Police, a standing committee of the International Association of Chiefs of Police, was made possible through a grant from the Law Enforcement Assistance Administration.

Observations contained within this report are not necessarily those of the Law Enforcement Assistance Administration, nor should they be construed as official policy of the International Association of Chiefs of Police.

NCJPS

AUG 17 1976

ACQUISITION

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#### COMMITTEE OBJECTIVES

This IACP Standing Committee serves as a coordinating body between the several and separate State Associations of Chiefs of Police and the membership of the Association not holding membership in such separate State Associations. It is the responsibility of this Committee, through its appointed officers, to disseminate the views and needs of the membership of the several State Associations to balance the Association membership in such matters as: suppression of crime, police equipment, highway safety management, communications systems, training, and other such matters as may become apparent and necessary from time to time.

## ATTENDEES

### Committee Members

Forty-four State Associations were represented at our Executive Training Session, hosted by Chief Bruce Parsons at Cocoa Beach, Florida from November 3-6, 1975. The session was made possible through a 90% grant from the Law Enforcement Assistance Administration. The remaining 10% (\$3,180.00) was provided through the voluntary \$150 annual dues system initiated last year by the Committee. A roster of attendees is included on the following pages.

States not represented at the session were:

Hawaii  
Maryland  
New Mexico  
North Carolina  
Oklahoma  
South Dakota  
Wisconsin

### IACP Board of Officers

The Board of Officers of the International Association of Chiefs of Police elected to conduct their quarterly meeting to coincide with the Executive Training Session, so that they could be in attendance at the Session. Those in attendance included:

President  
Richard C. Clement  
Toms River, New Jersey

Immediate Past President  
Rocky Pomerance  
Miami Beach, Florida

Second Vice President  
Howard C. Shook  
Levittown, Pennsylvania

Third Vice President  
Wilson E. Speir  
Austin, Texas

Fourth Vice President  
Joseph S. Dominelli  
Rotterdam, New York

Fifth Vice President  
William F. Quinn  
Newton, Massachusetts

Sixth Vice President  
James P. Damos  
University City, Missouri

### IACP Staff

Glen D. King  
Executive Director

Glen R. Murphy  
Director  
Technical Research Services Divisions

Norman Darwick  
Director  
Police Management and Operations Divisions

Frank D. Roberson  
Assistant Director  
Technical Development Division  
Technical Research Services Divisions

### Guest Speakers (Other than IACP Staff)

H. Stuart Knight  
Director  
United States Secret Service

Vernon L. Hoy  
Deputy Chief of Police  
Los Angeles Police Department

### Special Distinguished Guests

Mayor John Moore  
City of Cocoa Beach, Florida

City Manager Kay Wright  
Cocoa Beach, Florida

Lou Frey  
United States Congressman

Robert L. Shevin  
Attorney General for the State of Florida

COMMITTEE OFFICERS

CHAIRMAN Bruce E. Parsons  
Chief of Police  
Cocoa Beach, Florida

FIRST VICE CHAIRMAN George Krelo  
Chief of Police  
Bridgeton, Missouri

SECOND VICE CHAIRMAN James H. Johnson  
Chief of Police  
El Segundo, California

SERGEANT-AT-ARMS Willie Bauer  
Chief of Police  
Beaumont, Texas

SECRETARY/IACP STAFF Frank D. Roberson  
Assistant Director  
Technical Research Services Divisions  
for the  
Technical Development Division

ADVISORY SUBCOMMITTEE

(Consists of all Past Committee Chairmen)

Edwin R. Anderson  
Chief of Police  
Fargo, North Dakota

Ben Roach, Jr.  
Chief of Police  
East Peoria, Illinois

Roy E. Kelch  
Chief of Police  
Logan, Ohio

Raymond Mass  
Chief of Police  
Shrewsbury, New Jersey

Ramon Nardini  
Chief of Police  
Vandalia, Ohio

EX-OFFICIO MEMBERS

Richard C. Clement  
President  
International Association of Chiefs of Police, Inc.

Glen D. King  
Executive Director  
International Association of Chiefs of Police, Inc.

COMMITTEE MEMBERS IN ATTENDANCE

Alabama: John F. Haley, Chief  
Mountain Brook, Alabama  
Alabama Association of Chiefs of Police

Alaska: Charles Anderson, Chief  
Anchorage, Alaska  
Alaska Association of Chiefs of Police

Arizona: John A. Cozad, Chief  
Casa Grande, Arizona  
Arizona Chiefs of Police Association

Arkansas: Cleddie Shock, Chief  
Pine Bluff, Arkansas  
Arkansas Association of Chiefs of Police

California: Jim Smith, Chief  
Lompoc, California  
California Police Chiefs Association

Colorado: Edward R. Pinson, Chief  
Wheat Ridge, Colorado  
Colorado Association of Chiefs of Police

Connecticut: Alfred F. Quintiliano, Chief  
Rocky Hill, Connecticut  
Connecticut Chiefs of Police Association

Delaware: William Brierley, Chief  
Newark, Delaware  
Delaware Police Chiefs Regional Council

Florida: Claude W. Miller, Chief (Guest)  
Titusville, Florida  
Florida Police Chiefs Association

Georgia: John W. Crunkleton, Chief  
Gwinnett County, Georgia  
Georgia Association of Chiefs of Police

John J. Langsfield, Supervisor (Guest)  
Law Enforcement Studies  
Georgia Police Academy  
Georgia Association of Chiefs of Police

Idaho: Buster L. Baker, Chief  
Maypa, Idaho  
Idaho Chiefs of Police Association

Illinois: George P. Graves, Chief  
Western Springs, Illinois  
Illinois Association of Chiefs of Police

Indiana: Robert Copeland, Chief  
Speedway, Indiana  
Indiana Association of Chiefs of Police

Iowa:	Buddy A. Olson, Chief Maquoketa, Iowa Iowa Association of Chiefs of Police and Peace Officers	New Hampshire:	Kent Williams, Chief Melford, New Hampshire New Hampshire Association of Chiefs of Police
Kansas:	Willis L. Penhollow, Director of Police Riley County, Kansas Kansas Association of Chiefs of Police	New Jersey:	Joseph G. Michnisky, Chief East Windsor Township, New Jersey New Jersey State Association of Chiefs of Police
Kentucky:	John H. Holman, Chief Fort Mitchell, Kentucky Kentucky Association of Chiefs of Police	New York:	Charles G. McLaughlin, Chief Rye, New York New York State Association of Chiefs of Police
Louisiana:	Charles Bourque, Chief Gonzales, Louisiana Louisiana Association of Chiefs of Police	North Dakota:	Gerald D. Barnhart, Chief Dickinson, North Dakota North Dakota Police Committee
Maine:	Clinton R. Hayward, Jr., Chief Calais, Maine Maine Chiefs of Police Association	Ohio:	George J. Mavromatis, Chief Steubenville, Ohio Ohio Association of Chiefs of Police
Massachusetts:	Joseph R. Connell, Chief Westford, Massachusetts Massachusetts Chiefs of Police Association	Oregon:	Don L. Newell, Chief Beaverton, Oregon Oregon Association of Chiefs of Police
Michigan:	Robert Anderson, Chief Grand Rapids, Michigan Michigan Association of Chiefs of Police	Pennsylvania:	Ben Cairns, Chief Upper Gwynedd Township, Pennsylvania Pennsylvania Chiefs of Police Association
Minnesota:	Richard E. Alstad, Chief Albert Lea, Minnesota Minnesota Chiefs of Police Association	Rhode Island:	Thomas J. O'Connor, Chief Cumberland, Rhode Island Rhode Island Chiefs of Police Association
Mississippi:	Matt Cox, Chief Ocean Springs, Mississippi Mississippi Association of Chiefs of Police	South Carolina:	Walter E. Newman, Chief North Augusta, South Carolina South Carolina Chiefs Association
Missouri:	William C. Morton, Executive Director (Guest) Central Missouri State University Missouri Chiefs of Police Association  A.T. Zlotopolski, Sr., Chief Jennings, Missouri Missouri Chiefs of Police Association	Tennessee:	Hugh A. Wells, Chief Greeneville, Tennessee Tennessee Chiefs of Police Association
Montana:	Ken Losett, Chief Miles City, Montana Montana Chiefs of Police Association	Texas:	Joe M. Watson, Chief Hurst, Texas Texas Police Chiefs Association
Nebraska:	Dale A. Adams, Assistant Chief Lincoln, Nebraska Police Officers Association of Nebraska	Utah:	Wayne Shepherd, Chief University of Utah Utah Chiefs of Police Association
Nevada:	Charles H. Crump, Unit Supervisor Nevada State Department of Parole and Probation Nevada Peace Officers Association	Vermont:	Charles T. Goodnow, Chief Bellows Falls, Vermont Vermont Chiefs of Police Association
		Virginia:	M. David Hooper, Chief Roanoke, Virginia Virginia Association of Chiefs of Police
		Washington:	James R. McMahon, Chief Bothell, Washington Washington Association of Sheriffs and Police Chiefs

West Virginia:

Thomas Durrett, Chief  
Beckley, West Virginia  
West Virginia Chiefs of Police Association

Wyoming:

Robert J. Zipay, Chief  
Casper, Wyoming  
Wyoming Association of Chiefs of Police

AGENDA

MID-YEAR EXECUTIVE TRAINING SESSION

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

COCOA BEACH, FLORIDA

NOVEMBER 3-6, 1975

Sunday, November 2, 1975

5:00 - 9:00 pm

Registration of Attendees  
Issuance of Training Materials

7:00 - 9:00 pm

Get-Acquainted Hour

Monday, November 3, 1975

9:00 am

Call to Order - Chairman Parsons  
Invocation  
Presentation of Colors  
Calling of Roll  
Opening Comments and Introduction of  
Distinguished Guests - Chairman Parsons

9:50 am

Keynote Address:

"The Role of the Chief Executive"  
Director H. Stuart Knight  
United States Secret Service

10:50 am

Coffee Break

11:00 am

Address:

"Standards for Selection and Retention of  
Police Chief Executives"  
Vernon L. Hoy  
Deputy Chief of Police  
Los Angeles, California

12:00 noon

Lunch

1:15 pm

Address:

"Police Labor Relations"  
Glen R. Murphy, Director  
Technical Research Services Divisions  
IACP

2:15 pm

Address:

"Police Management and Operations—An IACP  
Venture"  
Norman Darwick, Director  
Police Management and Operations Divisions  
IACP



3:15 pm	Coffee Break
3:30 pm	Address: "Police Discipline" Glen R. Murphy
4:30 pm	Organize Workshop Sessions
5:00 pm	Adjourn First Day's Activities

Tuesday, November 4, 1975

9:00 am - 12:00 noon	Commence Workshop Sessions
12:00 noon - 1:30 pm	Lunch
1:30 pm - 5:00 pm	Continue Workshop Sessions
5:00 pm	Adjourn Second Day's Activities

Wednesday, November 5, 1975

9:00 am - 12:00 noon	Continue Workshop Sessions
12:00 noon - 1:30 pm	Lunch
1:30 pm - 5:00 pm	Group Reports
5:00 pm	Adjourn Third Day's Activities
7:00 pm	Banquet
	Address: Mr. Glen D. King Executive Director IACP

Thursday, November 6, 1975

9:00 am - 12:00 noon	Group Reports
12:00 noon - 2:00 pm	Committee Business
2:00 pm	Closing Remarks
	Adjournment

WELCOME—Mayor John Moore, City of Cocoa Beach, Florida

We think we have the finest police chief in these United States but we are certain that all of you are next best. We are proud that you would hold your Mid-Year Meeting and Executive Training Session in our city. We respect you for your dedication to the preservation of law and order. We respect you for your achievements and your professionalism. We respect your desire for improved performance as you examine the role of the executive in your training session for in these rapidly changing times, surely there is a need for good leadership in our society at all levels. Indeed, are we, the leaders, even keeping up? How fast are we going? Is progress passing us by?

As you ponder the feasibility of implementing your goals and standards, let me build for you a perspective of size, of enormity, of complexity, rates of travel, rates of progress. All of us sitting here in this room are not sitting still at all. Our speed is over a thousand miles an hour as we sit on the good earth and rotate with it. So all of us here in this room are now traveling over a thousand miles an hour. But our earth, as it travels around the sun taking us with it, is traveling sixty-six thousand miles an hour. That's how fast we are going. But our sun, taking us with it traveling around the hub of our galaxy, the Milky Way Galaxy, is traveling four hundred and sixty thousand miles an hour. Our Milky Way Galaxy is fairly large in fact. Traveling at four hundred and sixty thousand miles an hour as we are with the sun, it takes our sun, to make one orbit of the Milky Way Galaxy, two hundred million years. Our Milky Way Galaxy isn't sitting still. It's orbiting around a hub in a cluster of about twenty-five hundred galaxies. Its speed is 1.3 million miles an hour and it is taking us with it. So, that's how fast we are traveling. We build a perspective of size. Lest we get complacent here on earth, thinking that our solar system with its few planets is the only body that might have life on it in our galaxy, we must recognize that our sun is but one of over one hundred and fifty billion suns in the Milky Way Galaxy, each with its own potential for planets and life.

Just recently our scientists recorded on film the light of a newly discovered galaxy, ten times the size of ours. Its distance is eight billion light years away. The light which they recorded on film traveled six trillion miles a year for eight billion years to get to us. That's how vast we are: that's how small we are. Well, we lucky few on our good planet Earth have developed a civilization that's awesome. Let's look at this development for a moment.

Here we have just celebrated the sixth anniversary of our lunar landing, a marvelous technological feat. We have just launched two satellites to determine if there is life of any kind on Mars. We have been infinitely blessed to have witnessed almost all the technological achievements in history. Almost all of the advancement in technology has occurred in our lifetime. Look at it like this: there are about fifty thousand years in mankind's history—difficult to visualize. Suppose we compressed it into only fifty years of our lifetime, when would it have happened and where? Well, ten years ago we would have stopped being cavemen; five years ago the smartest person here would have developed some sort of pictorial writing as a means of communication; two years ago Christianity would have appeared; fifteen months ago the printing press; twenty days ago electricity; eighteen days ago the airplane would have flown; ten days ago a radio would have been developed; four days ago television; and a jet airplane would have been developed since I started talking.

Since rate of travel is a very good measuring stick of man's progress, let's plot this progress on a graph. For the first forty-nine thousand eight hundred years of man's existence, his rate of speed never exceeded the rate of a horse. He could go only so fast as a horse could carry him - thirty to thirty-five miles an hour. Thus, if we plotted this we might have a line five hundred feet long and that line would have shown no rate of improvement whatsoever for the first four hundred ninety-eight and one-half years. Only in the last foot and a half of this line on this graph would there be any upswing in progress - a foot and a half ago! Since that curve started up, man's rate

of travel, and thus technological progress, has increased over seven hundred times. It was just one hundred and fifty years ago that man broke the "oats" barrier, when he could travel faster than a horse, when the steam engine was developed. It was just seventy-two years ago that the first airplane flew at Kitty Hawk. Forty-one years ago, and I remember it well, an Italian flew a sea plane four hundred miles an hour. What an achievement! Thirty years ago, the sound barrier was broken for the first time. About fifteen years ago, and I remember it well though I was not the first, I remember the thrill of first flying past twice the speed of sound, over fourteen hundred miles an hour. In the early 1960's, this was about as fast as you could go. And, within five years of that time, men were traveling twenty-five thousand miles an hour en route to the moon and back. Yes, almost all the technological progress that has occurred in civilization has occurred in our lifetime.

Wonder if we're going too fast? Well, with the social mores changing at an ever increasing and frightening rate, with standards of decency challenged by society and often confounded by our legislative and judicial systems, how appropriate that you are focusing on standards and goals in the role of the chief executive. For now, more than ever, in the two hundred years of our nation's existence, there is a need for good strong leadership. If, in your important executive training session, we in Cocoa Beach can make your stay more comfortable or your sessions more profitable, please let us know. Welcome!

WELCOME—City Manager Kay Wright, Cocoa Beach, Florida

Good morning and welcome to Cocoa Beach. We are most pleased that you decided to come and visit with us and attend these sessions. And, we are also pleased that Mr. Parsons decided to invite you to see our lovely new town. We're very proud of it and we think it's beautiful. Of course, I know each one of you has your own hometown that you think is the best in the world. I adopted Cocoa Beach and Cocoa Beach, I think, adopted me. We hope that your stay will be very pleasant and if there is anything we can do for you, please let us know. We do hope that you enjoy yourself here and go back home and think how wonderful Cocoa Beach is.

I know you have a very fine program ahead of you. I've been with the state for a good number of years in the field of management and moved into the City Manager's spot one year ago, which I have found most challenging. I know that, as the Mayor has indicated to you, we are changing. The world is changing so rapidly we all need to learn more and more. I don't know where we find the time to learn what we should learn in order to be able to cope with events that are happening today. It is, of course, such a rapid rate of change that I find I have to run to try to keep up. I'm very pleased that Hugh Parsons is by my side; we try to work as a team in Cocoa Beach. I'm sure you do in your community too. Let me tell you that I think Mr. Parsons is one of the finest chiefs of police in the world and I want to reiterate that he has done a marvelous job with our Cocoa Beach Police Department. I was here before he came so I know what he has accomplished. I will try to sit in on some of the sessions with you since they look like they will be very worthwhile and I am anxious to learn all that I can, particularly in the police field. Thank you so much for coming and I will be seeing you again in some of the later sessions.

ADDRESS—Richard C. Clement, President, International Association of Chiefs of Police

As I look around here, it's like being at a meeting of "who's who" in the law enforcement world. Probably you could take the names here and put the years together and the knowledge and the expertise and, without a doubt, it would be one of the most outstanding groups that has ever come together. As a matter of fact, the group in here right now is representing better than four hundred thousand in the public law enforcement field, who will in turn affect our complete society. You know this has taken a long time to become a reality but in a short period of time you have come so far and you have done so much that I know that you are going to come forward to meet the needs in our law enforcement field today.

The good Mayor spoke in terms of technology. We think of the airplane as we ride in comfort at thirty-five thousand feet at five hundred and fifty miles an hour when the air temperature outside is about sixty-five degrees below zero with just a thin piece of metal in between that was manufactured by the lowest bidder and we have no fear whatsoever. But yet, we have the fear of something happening to us when we walk out to the mailbox to get the mail. We have fear of walking down the street; we have fear of leaving our homes. So, we have a job to do, a big job, and I'm sure that through your committee you're going to give leadership to others and determine what direction to take and how to go. We appreciate the Board of Officers giving us an opportunity to be here and I'm sure when they said the southern hospitality is unbeatable, they were quite correct.

Everyone has been so nice. I spoke to a Chief whom I think was from Montana last night and he said, "Boy, this is great. Everybody you talk to says, 'sir' to you. You just don't get that back up North."

I would like to take a minute and introduce the Board of Officers. Judge Leonard, our President back in 1941, was here for the meeting but he had to leave a little while ago. But, I would like to introduce at this time Frank Looney, Past President of IACP. Frank, would you please stand up? And, of course, your own Rocky Pomerance and we have also with us Chief Shook, who is our Second Vice President of IACP from Pennsylvania. Colonel Speir from Texas, who is our Third Vice President, Chief Dominelli from New York, Chief Quinn of Massachusetts, and Chief Damos from Missouri are also here. Chief Davis would like to have been here; he is in Hawaii right now attending a meeting. Chief Nardini, our Treasurer, could not attend but he does send his regards. Once again, we want to thank you for letting us be part of your great committee. Thank you so much.

KEYNOTE ADDRESS—H. Stuart Knight

Good morning. I'm going to be as informal as possible as the keynote speaker role scares me a little bit. I feel a lot more comfortable with the introduction I received today than the last time I was introduced. I'm going to have to tell you about that. Circumstances were this: there is an organization in the Miami Beach area known as The Two Hundred Club. These gentlemen are concerned about the welfare of widows and families of police officers and firemen and they do an outstanding job with the great civic burden that they carry. They meet twice a year and they asked me to speak on this occasion. Rocky Pomerance was my host. The night of the speech, my colleague and I were picked up at our hotel and driven to another hotel. The valet parked the car and we walked into the lobby and wandered around for about five minutes looking for the Chief of Police until we discovered we were at the wrong hotel. After much delay, we found the right hotel where we were awaited by 200 gentlemen, all in tuxedos. I imagine that the accumulated wealth in that room was several hundred million dollars. These were the movers and shakers of the Dade County area. Rocky was the one who had suggested to this group that they invite me to be the speaker, so he felt some obligation. He introduced me, we shook hands, and as he was returning to his seat, he said to me out of the side of his mouth, "You'd better be good." Now, I don't know if you've ever had a fellow the size of Rocky Pomerance say to you, "You'd better be good," but you'd better be good!

The chief executive has so many problems, it's difficult to focus on one or two that might be meaningful to you. So in the event that I miss something that meets your interest, I'd like to do two things with you this morning. First of all, I'll share with you some of the things that I feel a chief executive should be concerned about and secondly, if time permits, we will have keynote questions and hopefully some keynote answers.

I think one of the first things you have to decide as a chief executive is what kind of an organization you want to preside over. How are you going to shape that organization? What's it going to be like? With the risk of oversimplifying, I'd like to describe four basic types of organizations. First of all, there are those organizations that resist and reject change. I think with today's society, the way we're moving, that any organization that resists or rejects change already has one foot in the grave. If you try to maintain the status quo you're on your way to the graveyard. Secondly, there are those organizations that react to change, that are caught unaware and don't know that changes are occurring and try to react. That's only slightly better than the first type. The third type of organization is that which predicts and plans for change, so that they can assimilate change and make a smooth transition from one phase to another. The fourth type of organization is the one that promulgates change, those that create change for themselves. I suggest that you look not in the law enforcement field, but look at social acting organizations; they are the ones to promote change. My personal preference is a combination of the third and fourth. I think it's necessary to plan and I think it's necessary to predict and then be able to create change at times when it's needed.

What are the functions of a chief executive? Well, there are all kinds of theories from all different kinds of behavioral scientists and management specialists. Luther Dulick for example, has made up a nonsense word, "posdcorb." He says those letters contain all the elements that a chief executive should have. "P" stands for plan, which we've already discussed. Planning is an integral part of any chief executive's function. The "O" is for organizing. We must organize. I'm reminded of a biblical story of Moses who said that he just had too much work to do and he consulted with his father-in-law, Jethro, who suggested that he appoint captains of 100 and lieutenants of 10 and work with them. That may have well been the first bureaucracy. You've got to organize. "S" is for staffing. If you don't have a good staff, you're in big trouble. I'll get back to that later. "D" is for directing; that's the day-to-day operation and decision-making process that we go through. The "C" and the "O" stand for coordinating. We talked about the complexities of society and the possibility of each unit in your organization acting either unilaterally or independently. Everything must be coordinated. What one unit

does affects to a greater or lesser degree other units in the organization. "R" stands for reporting. You must have reports, you must have a background institute; memory is not sufficient today. In less complex times, you could remember every incident, now you must have a document. And finally, the "B" is for budgeting. As I shared with you all before, but it's worth repeating, budgeting, in my opinion, is one of the more important, critical tasks of an administrator. I shared with you my theory of management, and that is the golden rule theory. The golden rule means very simply, he who has the gold rules. And if you think that's not true, try to get along on a budget if you don't have the gold. I'm not for a minute suggesting that the more money you put into a project the more effective it's going to become. I am suggesting that the more money you take away from a project, the less efficient. "Posdcorb," those are the seven functions of the chief executive.

I talked earlier about Moses and Jethro adapting. I think it's important to remember that Moses complained to God that he was not of quick tongue. God suggested that he have his brother Aaron speak for him: a function of staffing. God also gave Moses people who were strong in areas where Moses was weak: again, staffing. There's a difference between being a staff and a chief executive, a great difference.

I'm reminded of the major league baseball coach who was elevated to manager. Some reporter asked him the difference between being a coach and a manager. He replied, "There's a hell of a lot of a difference between making suggestions and making decisions." Of course, when you have a staff you have to delegate. Obviously, no one is going to be able to run the whole business. I've delegated everything that I possibly can. There is one item that I still am seeking to delegate and if any of you have the answer I'd appreciate it. I have not yet found out how I can delegate blame.

Confucius tells us that there are three things that a good ruler must have. There must be sufficient to eat, there must be a sufficient army, and there must be confidence in the ruler. He was asked if a ruler had to give up one of those three things, which one should he give up. He said, "I would give up the army because as unpalatable as it would be, we could get along without the army." Then he was asked if he had to give up one other what it would be. He said, "Sufficient food to eat would be the next item. There will always be death, but you cannot exist without confidence in the ruler." That brings me to the thing that I talk to my people about, confidence in a ruler, integrity, and basically, the difference between authority and power. Authority and power. Authority comes to me from above. In my case, the Secretary of the Treasury gives me my authority. I don't get my power from him, I get my power from my people. Unless they are going to give me that power, I am in effect, powerless. I think you all see what I am talking about.

I talked about change and how various organizations react to it. Any change an executive contemplates should be tested against four items and it should pass all of these tests or it can't be implemented. The first test of a change that I'm contemplating is to consider whether it is technologically possible. For example, you'd all like to have a wristwatch radio that can receive and transmit for 500 miles, but that's not technologically possible. You can forget about that. Secondly, it has to be economically feasible. Let's assume that the first was technologically possible but the cost was five hundred thousand dollars per item. Well, that's not economically feasible, so we're not going to pursue that. The third test is whether it is socially acceptable. For example, in our business with counterfeiters and forgers we might propose that everyone convicted of forgery would have their right hand severed at the wrist. That might solve the problem, but that's not socially acceptable so we don't consider that. And fourth, is this change politically practical? Political in the small sense. For example, Jim Davis may feel that the most effective form of law enforcement in the St. Louis area would be consolidation of the fifteen or twenty communities in that area for law enforcement purposes. But he won't do that because that's not politically feasible. So those tests must be given to any change that you're contemplating.

A few more words about change and then I'm going to wrap it up. First of all, a wise man once said to me, "All change is not necessarily progress," and you've got to think about that. Sometimes changes are made for many purposes, showing change, but all change is not necessarily progress. My last word about change I want to read to you because I have this framed and it hangs in my office. It's a quotation from "The Prince," by Nicolo Machiavelli, where he talks about a king.

And it ought to be remembered that there is nothing more difficult or more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of faith. Because the innovator has for all his enemies those who have done well under the old system, and lukewarm defenders in those who may do well under the new. This coolness arises partly from fear of the opponents who have the laws on their side and partly from the instability of men who do not really believe in new things until they have had long experience.

Gentlemen, that was a keynote address. I think we do have some time left so I would hope that in keeping with the theme that you have, I've said enough things that might pique your interest that you may have some questions that perhaps I can respond to. This way I'm talking about the things that you want to know more about.

ADDRESS—Vernon L. Hoy

Deputy Chief Hoy has requested that his address not be reproduced in this report.

ADDRESS—United States Congressman Lou Frey

Welcome. We're certainly delighted to have you here and honored by the presence of each and every one of you. I thought that with the few minutes I have, I'd just touch on a couple of things from the perspective of someone who's been serving in Washington over the last seven years. Being a member of the Republican leadership is like being with Custer's Seventh Cavalry right before the Little Big Horn. I've been involved in law practice as a prosecutor and have spent a great deal of time in one area, especially, in the Congress: the drug field. I'd like to talk about a couple of things that are on my mind and a couple of things I may not have the answers to. I wish I did. To begin with, as a former prosecutor and one involved in law enforcement, I've always had the feeling that the importance of law enforcement, not only enforcement, but in the prevention sense, has never gotten through to the individual American. Too many times I encountered an attitude that depicts the law officer as some sort of person whom you really only see when he stops you to give you a ticket for doing seventy in a fifty-five mile zone. Someone who takes a great deal of abuse for whatever he does and someone whose publicity isn't always the most positive. I guess in your business and mine, if you go home and kiss your wife it isn't news, but if you go home and shoot her, it's front page. Somehow, the perspective and the balance isn't kept. And yet, I think it is so important that each of us recognize that part of the job that we have to do is not only to perform certain services, but somehow to make sure that people know you're doing a good job.

My squadron was in Hawaii when I was a young ensign. I went over there and looked around and I noticed that about seven families owned all the land. I looked a little further and I found they were missionary families. That's the first time I ever heard the expression that you've got to do good while doing well, and that there's nothing wrong with that. They certainly did that over there. And I think a great deal of the problem that we have in this country is one that touches on what I'm talking about. You know this nation was formed on the basis of "we the people." It isn't that any more, it's "I the people." Each group rips off for itself what it wants and they look roundward at the whole mess and somebody says, "Hey, how did we get there?"

I got elected to the Congress. The budget's about a hundred and fifty billion dollars and next year it will be four hundred and twenty billion dollars. Incredible. The national debt is six hundred billion dollars. There are only two differences between the federal government and New York City: one, we're in worse financial shape; two, we print our own money. Interest on the national debt is thirty-three thousand dollars a minute. The average house in this country costs forty-three thousand dollars. What I'm trying to say is that it appears to me we've got a real question of which way this country is going to go. The real basic decisions to be made are not the decisions that people think about. I'm really not afraid of which way we'll go and what people want. My frustration is really how to get people to think about these decisions. How do you get people to realize the importance of law enforcement, the rule of law? How do you get people to realize the importance of the government itself? Last year, twenty and a half percent of the people elected the Congress. Those who could register and didn't, those who could vote and didn't, represent a majority. Will Rogers said, "The only trouble with political jokes is that some get elected." And that's about the way I feel about this Congress that I'm serving right now. It's been a pretty tough one, and a pretty tough one regarding the attitude.

I also have a personal problem that bothers me with the judiciary, with all due respect. I've been plenty involved, as I said, in the heroin area. I've written some of the laws and I'm trying to write a law that will take some of the discretion away from the judges. A survey of the BNDD, now the DEA, for instance, in the last several years has shown that something like forty-three percent of the people involved in drug offenses who are charged, get out on bail, and even those who are arrested get minimal sentences. I think this is a disgrace. I don't think that you could do anything to make these people pay and I'm talking about the non-addict, the person who is making money out of the thing. I was over in northern Thailand with our undercover people up in the mountains with the Mayo

tribesmen. For about four hundred U.S. dollars I could have bought about half a million dollars worth of the poppy on the street; that's quite a mark-up. I just came back from Colombia recently where ninety percent of the cocaine is being manufactured in labs in three cities and sent into this country. You're all aware of the problem that we have with Mexico where probably fifty to sixty percent of our heroin is coming from. It's a big business, a well-organized business. It's going to take a combination of our undercover people, our federal, state and local people to do it. But the frustration is that when you get these people in custody, before you can get them into court to convict them, they're out again in the street on bail and sometimes jump bail and head down to Colombia. I think we've got a couple hundred of them down in Colombia now, just floating around and doing pretty well.

What we're trying to do in the Congress is get through a bill which would impose mandatory penalties in these areas. You're probably aware that the President has also proposed mandatory sentences in certain other areas regarding federal crimes. I don't like that idea, I really don't. But, I don't see any other way we can go right now with what's happened. I really don't see any other way we can stick it to these people unless we do that because I don't think that the judiciary has been willing to do it on a nationwide basis. I don't know what the chances are of getting the Bill through Congress. I think that the chances are getting a little better to get this kind of a Bill through with the President's proposal. There needs to be a great deal of public outrage, which there just doesn't seem to be. I think people are apathetic and afraid. The issues are so complex that they're really not sure what the answer is.

My last eighteen hours were rather interesting. I had dinner last night with the President and President Sudat. I taught three classes this morning—9th, 10th and 11th grades and now I have the privilege to be here with you. It was interesting to me to hear the questions that the young people had and their ability to really understand some of the issues. These are sharp young kids; this is a great country; we've got a lot going for us. There are those people who don't want to destroy the institutions and those people who believe in a rule of law. Certainly we should protect the rights of the criminals, but we also have to protect the rights of the people getting hit over the head. Those people who would like to insure that we spell out a better program in this country really can do it. It's just a question of getting everybody off their chairs and saying, "Look, we can do it; let's put our money where our mouth is; let's go ahead and make this great country even greater."

You know, I'm silly enough and I guess naive enough to believe that this country is great, not because we've got more automobiles or more houses or are better fed probably than any place in the world, but because this country was built on intangibles. This country was built on words like equality, opportunity, freedom, and even words like duty and honor and country. I happen to think that it's that type of words, that type of belief, that has made this country different from any place in the world. There have only been six nations in the last three hundred years that have had freedom for over a period of fifty years. We have freedom only because a lot of people are willing to pay for it and work for it. I, for one and as one member of the Congress, would like to thank you and each of your officers and men for the tremendous job that you're doing for us. I appreciate it and I think there are many others of us who appreciate it; maybe we don't say thank you enough but let me at least for myself say it. We do appreciate it; we think you're doing a great job. We just hope that you are going to be better able to communicate what you are doing, why you are doing it, and how you are doing better and have people appreciate it. You know, I think of the old days when most of the murder cases that I tried were based around a confession. And now, as we know, unless you have the sun over your left shoulder between eleven fifteen and eleven twenty on the second Thursday of the month, it is pretty hard to get a confession to use in a case. So, police officers have to do a different job, a different kind of job. They have to be better equipped, better trained and we're sure headed this way, so there's a lot to be proud of. There is a lot of work yet to be done and I don't think any of us are doing

a good enough job, otherwise we wouldn't be in the mess we are in today, we wouldn't have the public attitudes that we have today. So, we've got to think a little harder, work a little harder and keep working on the fact that, just like the missionaries that went to Hawaii, we've got to do good so let's also do well. Thank you very much.

ADDRESS—Robert L. Shevin, Attorney General for the State of Florida

Ladies and gentlemen, mostly gentlemen, welcome to Florida. I hope that you're able to take time to enjoy our climate and any of our attractions, such as the Kennedy Space Center, Disney World, and, of course, our beaches. I also hope that your conference is a successful one, and that you may be able to take back to your communities some new ideas for combatting the major crime problems that we all recognize.

No one can fully appreciate the tremendous responsibilities and pressures faced by today's law enforcement officers and their executives. Society seems to be willing to settle for nothing less than law enforcement officers imbued with the wisdom of Solomon, the charity of Jesus, the patience of Job, and the instant no-fail justice of Dick Tracy. Unfortunately, even with the high standards set by this organization, which we have tried to implement and add to in Florida, it is difficult to recruit men and women with all of these attributes. But law enforcement, in spite of the critics and the rising incidence of crime, is doing a good job in the country in the face of overwhelming odds. I want all of you to know that the great majority of public officials whom I've come in contact with during my years in office, respect and deeply appreciate the efforts of the law enforcement community. I believe that each of its departments, through its executives and officers, does a good job of cultivating sound community relations. You will receive the unqualified support of most of your constituents.

First, we must understand that the primary responsibility of law enforcement is purely and simply protection of our services. I think there is no question that our men and women behind the badges are doing a superb job in the face of overwhelming odds. Crime and the other problems of our community have become increasingly complex over the past twenty years. Law enforcement must become far more sophisticated and more conscious of other disciplines outside criminology that are interacting in an officer's day-to-day confrontations with the public. Today's good cop, if I may use that term, must be a sociologist, a psychologist, a social worker, an electrical engineer, a teacher, a doctor, and a first-rate expert in community relations. He or she must be able to handle everyone from crazed killers and hyped-up kids to mischievous pranksters and cheating husbands and wives. The public must be made to appreciate this. Our police officers have chosen one of the most arduous, demanding, and thankless vocations available to anyone. They face daily frustrations in the streets, in the station houses, in the courts, in their pay envelopes and in their family lives. It's true that as a career it can be a most rewarding one personally, but to reap those rewards the men and women who choose this career need more than their share of dedication, compassion, fairness, firmness, justice, courage and a sense of unity. Few of us in a lifetime are subjected to the abuses and the unpleasantness that a law enforcement officer faces on a daily basis. He is called "pig" and "killer" and worse for doing nothing more than carrying out his assigned mission. He must wrestle with drunks and kids strung out on drugs; he must deal with the outraged, the injured and the violated; he must view the inhumanity that man perpetrates against man in homicide, criminal assaults, and automobile accidents. He must notify the survivors and he must deal many times with surly judges. It takes a special kind of person to deal with these problems and it's the kind of special person that we must have in law enforcement if it's to continue to be effective.

We want and we must have law enforcement that is effective against organized crime. The novel and the movies the "Godfather" and "Godfather II" may have done something to romanticize this national blight and to try to prove to us that there are good crooks just like Robin Hood, but the gang wars which erupt every so often in our larger cities are not make-believe; they are real gangs competing for territories in which to engage in real criminal activities. And the pinnacles of their organizations are not confined to the city limits of New York, Detroit, or Miami; they are international in scope and they reach right in, even to the smaller communities. Organized crime has spawned probably the most serious medical, social and criminal problem that this country has ever experienced and that's drug addiction and the use of narcotics. Law enforcement officers everywhere are shaking their heads and ringing their hands as they see an increase in



the type of crimes that are directly traceable to addicts stealing and robbing to satisfy their habit. As law enforcement officers whose primary responsibility, once again, is the protection of society, I urge you to do your best to help those who are afflicted with the illness of drug addiction. Help them to receive the medical treatment that they need to get rehabilitated and also do your utmost to put behind bars the vermins who are causing this social disease, the pushers and the distributors of hard narcotics. They are despicable and as long as they operate, they are a direct threat to the mental, physical, and moral well being of our children and our society.

Mass protest is another problem which is unique to this age. Protests come in all sizes and for all purposes. Some are serious, some are not. All can be volatile and dangerous because they insure for the participant the anonymity of the mob. It is there, particularly in those instances where race or politics is at the root of the demonstration, that the law enforcement officer is tested perhaps the most. Being too aggressive or too passive can literally be fatal. Police are called upon to walk a tempermental tight-rope if faced with an individual or a whole mob whether their action might start or stop a full scale burning or bloodletting.

These are awesome responsibilities and we know that when officers are alone in their cruisers or on the beat there are times when it seems nobody gives a damn about their safety or security, which is not true. The overwhelming majority of the people in this country do support you in law enforcement and do appreciate your efforts. And we in government are fully aware of the service that you are rendering and we are trying to alleviate, wherever possible, your problems and your frustrations. I realize that you might find this last statement a little hard to believe when you take note of the action or, perhaps, in many instances, the inaction of Congress and the state legislature dealing with certain problems as they arise. One problem where I think there has been extreme inaction on the part of either Congress or the state legislature is the controlling of Saturday Night Specials. It is getting very frustrating to me to keep watching this kind of legislation go down the tube when the arguments and evidence for such controls are so overwhelming and the people of the United States have shown consistently in poll after poll that they favor some limitation on these killings and maimings by otherwise useless weapons known as Saturday Night Specials. What kind of data do our lawmakers need to impress them? Isn't it enough that in the last ten years there were eight hundred thousand robberies committed with the use of guns? Isn't it enough that during this same period of time there were seven hundred thousand woundings by guns, one hundred thousand suicides and ninety-five thousand murders? There is enough murder and mayhem to kill and cripple every man, woman and child in this and several surrounding counties. And, isn't it enough that the killing of police officers with the use of small cheap handguns has increased ninety percent? If you read the actions of these legislative committees, the only answer you can get is apparently not. Nobody is trying to take legitimate firearms away from responsible people—we are not talking about shotguns and rifles, we are not talking about good, solid reputable handguns used by law enforcement officers, sportsmen or citizens for self-protection. We are talking about shoddy, little, easily concealable instruments of death that you wouldn't trust if you were taking a pot shot at a rattle snake or attempting to protect yourself from an intruder, but which are used effectively in over fifty percent of all crimes of violence. It would seem to me that the right of life and property should be stronger than the right to buy a gun for \$15 to \$30. The gun dealers and their friends in the state and national legislature are fond of saying that when guns are outlawed only the outlaws will have guns. That's clever, but it's meaningless. Most street criminals are punks and hoodlums without sophistication, without the contacts or the resources to come into the possession of expensive firearms. The teenage thugs who are mugging people in the street, shooting up grocery stores and filling stations and 7-11's would be virtually out of business if cheap handguns were outlawed. We can prove unequivocally that this legislation would save lives, it would reduce armed robbery, it would reduce murder, it would reduce forcible rape, and frankly, it sickens me to see those who would annularly subvert the public will.

Why? Well, the profit motive is certainly one reason. The profit motive is very strong. There's a factory down in Hialeah, Florida that manufactures four thousand Saturday Night Specials each and every week and if you don't think that's profit, then think about it. Americans are armed right now with forty million handguns. Another two and a half million will be sold this year. About twenty-five thousand men, women and children will die by the handgun in 1975, half of them victims of murder. Twice in recent weeks, the President's life has been threatened by someone with a handgun. More than a hundred bills have been introduced in the Congress and more than eighty percent of the people who were interviewed say they favor control on handguns and most police officials starting with the FBI down, agree. I only hope that you can be as indignant as I am about Saturday Night Specials and that we can eventually bring them under control.

There are several problems within the criminal justice system that must be corrected if we are going to get the most out of our law enforcement. There are tremendous inequities in sentencing, in plea bargaining, in bail pending criminal appeal, and in early release of convicted felons which should all be abolished or drastically reformed. I am one that does not believe in plea bargaining. I don't like it. I think it's the most discouraging thing that has happened to law enforcement in a long, long time. When you delve a case you want that case to stick. True, juries are fickle sometimes, and true, it's going to cost a lot more money to go to trial and true, we don't have enough courtrooms, we don't have enough prosecutors, we don't have enough public defenders today to immediately abolish all plea bargaining, but when something is bad we ought to aim toward its elimination. Plea bargaining is bad and therefore we ought to set a goal and you and the International Association of Chiefs of Police ought to set a goal that by 1980 or 1985 there will be no more plea bargaining in this country. Because only in that way, aiming towards its abolition, will we eventually see it abolished. We have thieves in Florida who stole a few bottles of whiskey and get life imprisonment; we have others who commit first degree murder and get probation. We also see public officials who steal tens of thousands of dollars getting probations for six months. On the other hand, we have a woman who is paroled in this State last week after serving twelve months of a 16-year sentence for starving one of her children to death. We have another woman released after serving only eleven months of a twenty-year second degree murder term. A man convicted of multiple robbery-torture charges was let out on parole in Florida after having served nine years of a one hundred and ninety-eight year sentence. I feel that the judge who gave him almost two centuries of prison time obviously didn't expect him back on the streets after nine years. All of these glaring deficiencies in the system must be cleared up if we're going to assure the swift and sure justice mandated by national tradition.

I think we have another major problem and that's not really something that can be brought about by this group but certainly your influence, your efforts and your discussions will be helpful. It's now resting in the bosom of the United States Supreme Court. It's a question of whether or not the states of this country are going to be able to again resort to the use of even the ultimate punishment of death—capital punishment—in these heinous and atrocious cases that call for that penalty. And, I'm not talking about the North Carolina case because that's the case that the Supreme Court has heard arguments on and that's the case they are going to re-argue sometime in the next few months. That case perhaps isn't a death penalty case. It involves a heat of passion crime, a bar room brawl, resulting in a murder. We've got cases in our state and I'm sure you have some in yours. Cases that are presently in my office involving very heinous offenses, very atrocious offenses, very cruel offenses. The kinds that speak, I think, very eloquently for the need to have the availability of the ultimate punishment of death. I don't believe it's a panacea, I don't think it's a cure-all and it's not going to have the ultimate punishment of death in certain types of cases. Cases like the one we've got now in the United States Supreme Court, which I'm very hopeful the court will allow me to argue sometime this year. It involves the rape and murder of a thirteen-year-old girl. An innocent girl who was brutally raped, she was abused both vaginally and anally and then she was shot eight times, twice in her head. Her body was left like a piece of trash over a garbage pail. That happened in Palm Beach County. Or a case

coming out of Tampa involving the recent murder of three generations—a grandmother, a mother, and a daughter, all of whom were raped and all of whom were murdered in one evening by some degenerate. Or a case out of Tampa involving an eleven-year-old boy who was mutilated, torn from limb to limb, killed, mutilated like a lamb. These are the kinds of cases where I think that the United States Supreme Court has got to allow the states of this nation the right to use the ultimate penalty. I would also urge you, while I have this forum, as police executives, to reexamine your priorities as well. I'm aware of and sympathetic with the manpower problems that are faced by each of you and I am also aware that the public expects you to do much more. Much more than is possible because of limitations placed upon you by tight budgets and loss of personnel which have become discouraged by lack of incentive and lack of support. So, it's you who must decide how and in what manner your manpower is to be deployed. If you come from a community which is suffering as most are from an upsurge in property crime or a rash of murders or a rash of rapes or a rash of robberies, then you should be using your personnel to most effectively meet the new and immediate challenges. There are areas where even though they are public nuisances, I would not think that they would hold as high a priority in the minds of the community, in the minds of the public that you serve, than to prevent and to protect against the crimes of murder, rape, robbery and breaking and entering, because those are crimes that people expect protection against. It is a matter of priorities. I have urged on many occasions that clerical functions and traffic control should be handled wherever possible by civilian or auxiliary police personnel. It makes no sense to me to have trained and qualified law enforcement officers writing tickets or directing traffic while violent crimes and property crimes continue to climb. I hope you will keep in mind as you return to your offices throughout the country that you and the men and women in your respective departments are the only bulwarks that we have in this country against senseless anarchy. I know sometimes it seems to you that the walls are going to break and nobody cares what happens to you. This is not the case. There is a lot of public support out there, but it must be constantly cultivated. It is up to you, the executive officers, to provide the leadership and to build departments, departments of courage, of confidence, of dedication and of integrity. That's no easy task, but it must be done. Thank you.

ADDRESS—Glen R. Murphy

I appreciate the opportunity to be here this afternoon and speak with you.

I would like to draw your attention to an annual status report of the Research Division of the International Association of Chiefs of Police. I would like to just briefly point out a couple of things to you and then let you read it on your own. Basically, we have three sections: the Legal Research Section, the Technical Security Section, and the Technical Research Section. Frank Roberson is the Assistant Director in charge of the latter.

As of three weeks ago, the IACP has been put in a position of working in the equipment research area. Frank Roberson is the Project Director of that effort and we have put together a National Advisory Committee on Equipment Research and Evaluation funded by LEAA. A very prominent committee of approximately twenty people in the United States with technical skills as well as managerial skills will serve on this Advisory Board and will make recommendations on the expenditure of research funds to evaluate police equipment in the United States. In addition to establishing priorities for research efforts, we will also be putting out a monthly publication, which you all will get copies of, on the status of equipment research in the country. We will also be putting out warning bulletins regarding faulty police equipment, an annual directory of police equipment, and monthly bulletins to review pertinent equipment developments. I have high hopes for this program, and I have mentioned only the rudiments of what this program is going to be about. I think it will be highly successful and we have some indications that it's going to go on for a considerable period of time. We now have on our staff the appropriate technically qualified people; chemists, physicists, automotive specialists, and electronic specialists. They will work in each one of the major research areas. We will be working on writing specifications, the purchasing of equipment, and we hope that by the end of the fiscal year, we will be able to provide for you a compendium of police equipment with the specifications that the manufacturers say their equipment meets, accompanied by an assessment of whether or not they meet those specifications. We're just getting started on it, and have not had our first organizational meeting, but you will be hearing much more about it in the next forty-five days. I think it's something that law enforcement wanted; we have needed to have a voice in police equipment problems. The thing that will make it successful, though, is getting the information back from you regarding the problems that you are or are not having in the field. We need input concerning the kinds of research needs that you see and the kinds of problems that you are having. Some of you are having very serious problems with the mattresses, as you all well know, in your jails. We've had several deaths, 14 deaths, this year already from suffocation by mattresses. There will be a formalized mechanism by which you can get your information to us, but also I want you to know the informal method is there if you have any needs in this area. You know Frank and you know me personally and you can certainly call us at the IACP and we would be most interested in attempting to help you. That's all I will say on the Equipment Center now and if you want any other information, just ask Frank or myself and we will help you the best we can.

I'd like to talk about labor relations this afternoon and tell you a little bit about what we're involved in. I suspect that everybody who talks on any subject feels that the subject they are talking about is the most important area in law enforcement and if all of our subjects were the most important subject, we wouldn't get anything done. We must establish priorities. I think that the immediate need in law enforcement, if I view the horizons right, are the citizens we have around us. Law enforcement is currently involved in labor relations while the private sector has been involved in this area since about 1930.

The growth of labor relations problems and I'm going to use the word unions here and my definition of a union is anything that walks like a duck, talks like a duck and acts like a duck is a duck. We can call it an association, the Patrolman's Association, perhaps is one of the biggest unions in the United States as far as police unions in



New York City—Patrolmans' Benevolent Association. I think we are very frequently lulled into a sense of security by the title of an organization, if they call themselves fraternal, parental or whatever. But when we're talking in the labor relations area or at least for the purposes that I'm talking about here, if they're talking about the panoply of financial benefits, job conditions, management practices, etc., then for my definition, it is a union.

Let me tell you a story of seven years ago when we first tried to develop the Labor Relations Center in our Association. The concept was turned down by the Executive Committee eight years ago, by an overwhelming vote saying, "No, we're not going to have anything to do with unions," which I think shows that even at that time, the leadership of the country and law enforcement did not view this kind of a problem seriously. As a matter of fact, as I go around the United States and read contracts in those jurisdictions that have collective bargaining and I read the first and second contracts that are negotiated by management, it is very obvious to me that nobody did attach any importance to the collective bargaining issue. Gentlemen, the first contract you negotiate really is important if you are going to negotiate one at all. I'm not trying to convince you that unions are inevitable. I think unions are coming at a very rapid rate, but I don't believe that every police department will have a union someday. I think many of you are too good as managers to necessitate a union in the normal sense of the word. But, I think that we cannot ignore the growth that we've had in the ten years from 1965 until 1975. Originally, there were eleven states, and in 1966 there were 17 states that had collective bargaining statutes. There are now 31 states with various types of collective bargaining statutes in the public sector.

And, I think another thing that I would mention at this time, which I'll talk about a little bit later if I have the time, is the kind of problems that these statutes have brought about. Most of the statutes, unfortunately, are not written by management. We often fail to distinguish aspects of the public sector versus the private sector. There is a considerable difference. For the purpose of clarity, let me spell out the difference between public sector and private sector collective bargaining. I hope you will remember it especially when you are back in your own jurisdictions and you're dealing with your city managers and personnel managers when they're talking about the kinds of people that you are going to use in your bargaining situations. The private sector, obviously, has to do with those areas that deal with, basically, an economic world. The private sector includes companies such as General Motors, that are profit oriented organizations. One specific distinction is that all of the private sector must comply with the regulations of the federal Taft-Hartley Act. One of the things that is different in the public area is there are no federal overriding rules or regulations in public sector collective bargaining and the differences vary within your states from no collective bargaining statutes to the California Meet and Confer Statute. There are states like Maryland where some public sector school teachers may have collective bargaining, but nobody else in the state may have collective bargaining. So we have the whole spectrum; Florida has a new collective bargaining statute of about a year and a half duration, maybe a little bit longer than that. But these statutes are not regulated by the Taft-Hartley Act, yet many of the people that we see working in the area of public sector, law enforcement collective bargaining or union activities, are attorneys. You know what Shakespeare said about attorneys, "Maybe the first thing we can do is kill all lawyers except for thee and me and I'm not sure about thee." I tend to agree with that sometimes when I look at what they are doing in public sector collective bargaining because their background is generally out of private sector, out of the Taft-Hartley experience. They look at the National Labor Relations Board decisions and they view them as the way the public sector has to go. Instead of working at it and developing precedents of their own, they go over to the private sector and are forcing them into the public sector whether they belong there or not. I don't believe that's the right way to go and I believe one of the problems is that neither government nor management want to take as much time and effort and expense to develop the people in labor relations within their jurisdiction as the unions are willing to spend.

Let me give you a couple of examples. San Antonio, Texas now is having a collective bargaining statute bargained by a firm. That firm gets ten dollars per man per year for just negotiating the contract. That's an excess of 14 thousand dollars just for negotiating the contract. But let's go out to the West Coast where I happen to know what the fees are exactly. In the City of San Diego, California, the Teamsters Union now is the collective bargaining agent for the PBA in San Diego. Their fee that they collect from the troupes is 356 thousand dollars a year for negotiating the contract and for providing legal services in the disciplinary area. Do you know how much money the City of San Diego has put into their Labor Relations Center or into their law firm or into the police department during the same period of time? Nothing! Absolutely nothing! They are working with the same people, the same staff. Mr. Williams is a fine guy, but he'd admit it himself if he were here. As a matter of fact, he does participate and is participating right now in California in our Disciplinary Workshop, and he's the first one to admit the City has not made any change in its whole posture. I can cite one example right after another where this problem exists. It's not the mayor's fault, or the manager's fault, it's not the chief's fault, it's not the board of city supervisors' fault or the council's fault, but it's a collective management problem. Management people are not meeting to plan for the future. We are not planning for future labor relations problems and I don't only mean negotiating contracts, I mean labor relations problems. And I don't think that the solutions are necessarily in the private sector. I think much of it is in the public sector.

What's happening contemporaneously right now in the United States? There are several major unions that are moving in the United States; they have target areas and they are moving very rapidly in these areas. Let me just proceed with some of them. One of them is the IBPO, International Brotherhood of Police Officers, which the gentlemen from Connecticut over here, I'm sure, are very familiar with. It is a homogenous union, a police union of all police officials. It basically is a small organization and it came out of Connecticut. They were the only union that organized a major city (until San Diego affiliated with teamsters) since World War II, when they organized the Washington, D.C. Police Department. IBPO has not gone into other cities. I understand they are not in Dallas, Texas; they've made some move out in Nebraska. They are talking in major cities across the country. We have information about this kind of organization, their bargaining strategy and so forth that we are knowledgeable in and if we can ever help you or if you have the IBPO in your city, we would be glad to give you any information that we can.

The other major union is the ICPA, and by the way, the ICPA is very close to the IACP and if you think that's coincidental—you're wrong. It was done intentionally. It is known as the International Conference of Police Associations. Eddie Kiernan out of New York City PBA is the President of ICPA. Bob Gordon from Suffolk County, New York is the Executive Secretary. The ICPA has been until now a loosely held confederacy of associations without a strong central structure. At their last conference, they reorganized and have organized themselves now along the lines of a traditional union, where they have a president and an executive secretary. They now have negotiating teams; they are going to cities where they have not gone in the past. They now have regional lawyers who represent the disciplinary areas which they have not done in the past and they now are actively involved in organizing departments. They went into Albuquerque, New Mexico, and I understand they've organized Kansas City, Kansas after their recent strike. I know they are talking in Oklahoma City, although I don't know how successful they will be there. They are drawing associations in from all over the country.

One other organization is the American Federation of State and Municipal Employees; Jerry Worth is the President. It is a heterogenous type of organization that has all kinds of people in it. The AFSME organization did lead the strike in Baltimore, Maryland, as you may recall from a summer ago. That was basically a garbage collector problem and then it turned into a police issue and ultimately a police strike. AFSME is generally interested in state and municipal employees rather than police. They do not put great emphasis on police but they take the police if they can—if they can get the whole jurisdiction when they are organizing.

The Teamsters Union is probably the most rapidly expanding union in the United States, although if you ask them in their Washington headquarters if they are trying to organize police their answer is, "No, we are not." They have "no one" who is central to the organization of police departments across the United States, but I would say that they are the most rapidly growing union in the United States as far as representing law enforcement agencies.

The organization that the Teamsters seem to be targeting on, particularly in the southwestern part of the United States, is the FOP. The FOP, Fraternal Order of Police, which I assume many of you belong to, has through necessity moved from its fraternal and paternal type of organization to becoming a more militant type of organization. This is from necessity because when you move into states where they are putting in collective bargaining statutes, the Fraternal Order of Police starts to run head on into the whole problem of who an employee organization represents. One of the militant seas that is occurring across the country is that the people at the level of execution in first-line supervision in most of the departments do not want to be represented by a union that represents management officers, middle-management and upper-management people in it, as well. As a consequence, you see great battles occurring between FOPs. It occurred here in Florida between the FOP and the PBA when they were developing a collective bargaining statute and it developed in Ohio when Ohio was having their collective bargaining statute although it did pass and the Ohio Governor has vetoed it and they are going to override that veto in November, if I recall. The problem with the FOP as reflected in its history is that they tend to bring pressure upon your associations, the chief's associations, to kind of align with them on a collective bargaining statute or on collective bargaining policies of the state because they do represent all ranks. This puts them at odds with all of the other unions who, by in large, if they had their druthers would exclude everybody. They won't say it publicly, but they would like to exclude everybody of the rank of lieutenant and above from the bargaining units. It is causing many of the unions a great deal of difficulty when they have ranking officers within their union. Conflict is arising regarding who they are representing. Are they representing management or are they representing the troupes? This is why, I think, cities such as Richmond, Virginia which was one of the staunch bastions of the FOP and other cities such as Norfolk, Virginia and Charlotte, North Carolina lost out to Teamsters. There are a whole host of them that win the FOP, and the Teamsters run head on into a recognition election that the FOP has lost as it goes down the pike. Don't misunderstand, I'm not for any of these organizations, or against any of them. I have been accused of being against the FOP, which is not true. I do not believe that ranking officers should be included in a contract. I worked with George Mavromatis and his executive board out in Ohio and we prepared testimony and worked on it and the FOP out there feels that we were opposed to the FOP; that's not necessarily true.

Well, I've talked a little bit about the kinds of organizations that are involved with labor relations. When I speak to you later, I'll also talk about employee organizations and discipline concurrently and I would like to open it up to questions.

Let me briefly mention about two or three things that I see as major problems. First, let's talk about your problems. A great number of you are representing states that are now in the throes of developing a collective bargaining statute or have a new one which is going to be amended. One of the difficulties I read in the statutes is that there is no law enforcement input into the collective bargaining statute. We have generally held back from the drafting of collective bargaining statutes for several reasons. First, we think it isn't going to pass, or think it's not going to pass because we don't want it to pass. Secondly, we don't do anything about it because it's generally being supported by the union within your jurisdiction. By the way, most state statutes that have passed within the last ten years have been pushed by the unions which is obvious if you look at the language in it. As a matter of fact, there was one state that had a clause in the state collective bargaining statute passed that had the name of another state in it. They used some language from the Ohio statute in another state and they left the word Ohio in the statute. It was taken there by one of the union organizers, which is what

they do. Police management must get involved in it when it has influence and if it is going to pass, then try to get it to pass in a form you can live with. Law enforcement officials and management people have generally stayed out of it.

The other thing, in all deference to the City Manager here, that is occurring in collective bargaining statutes, is that for some reason the U.S. Conference of Mayors and the National City Managers' Association are taking the posture of not putting a "no strike" clause in the state collective bargaining statute. Florida has a "no strike" clause in their collective bargaining statute. And, George, remember the City Managers and the Mayors of Ohio testified to the fact that they would prefer to take the strike rather than have a "no strike" clause? It's an economic problem as opposed to a managerial problem. In my opinion, if you do not have a "no strike" clause in your contract, you are in very serious trouble, indeed. I am amazed at some of these, which I think are outstanding professional organizations, which are saying that you should take a strike. I see Bob Anderson back there who is with a city in Michigan who has had organized labor for some period of time. Just because you have the "no strike" clause does not mean you're not going to have any strikes. But what it does mean, is that you have a mechanism by which you can handle it more appropriately. The city managers are saying to take the strike and take it through to arbitration. I am not sure that arbitration is the answer to anything, let alone solving strikes.

Another issue is contract negotiation. The first contract that is negotiated by any city is important, as you must live with it for years to come. If you get a "past practices" clause, or if you get the disciplinary system, or if you get your transfer and location system into that first contract, you will have problems. We did some work in New London, Connecticut. The chief of police there was an example of what can happen. He might as well have had a cup of coffee and gone home, because the union ran his department. They had control of everything. He could not transfer a man from one watch to another without going through the union to do it. This can happen and it was not the chief's fault. As a matter of fact, the management within the city excluded the chief, specifically, and his representative from negotiating in the contract, which I think is dangerous. The first contract is extremely important. You must make sure you've got somebody in the negotiating team who knows something about law enforcement. Obviously, the budget director would rather give away a management prerogative than he would a ten percent raise. But maybe that ten percent in the long run is going to be a lot more expensive than it is if you give up a management prerogative. I think that is very important. The police union leaders are now finding that they have a great deal of strength in the contract of management responsibilities that the men are now holding them accountable for—the things that they used to hold management accountable for: the promotional practices, the transfer practices and the leave practices. Some of the management prerogatives have been negotiated away. I urge you to get involved in the negotiation of these contracts so that you will be in a position to provide input regarding your managerial responsibilities, thus determining your own level of effectiveness as a law enforcement executive.

I see that my time is up for now, but I'll be speaking to you again later on in the day.

ADDRESS—Norman Darwick, Director, Police Management and Operations Divisions, IACP

I appreciate the opportunity to speak to this distinguished group of IACP and State Association Police Executives. I believe that this will be an exceptionally worthwhile meeting for everyone here, since the main topic of discussion—Police Standards and Goals, and the Role of the Police Chief Executive—is vitally important.

As Director of the Police Management and Operations Divisions of the IACP, I would first like to talk a little bit about the way we're organized, our services, and how we can help you in your role as Chief Executive. As you know, for many years the International Association of Chiefs of Police has served the law enforcement profession and the public interest by advancing the art of police science. Its staff of police management consultants, educators and trainers, highway safety consultants, researchers, and systems analysts, develop and disseminate improved administrative, technical, and operational practices and promote their use in police work. Our aims are to foster police cooperation and the exchange of information and experience among police administrators throughout the world; to bring about recruitment and training of qualified persons; and to encourage adherence of all police officers to high professional standards of performance and conduct.

Traditionally in the forefront of efforts to improve and professionalize police service, IACP has provided assistance and advice to a large number of police agencies, criminal justice planning councils, educational institutions, congressional committees, and presidential commissions. Since all of you here are either members or in some way connected with the IACP, there is little need here to go over the long history and growth of the Association. But, I think it would be worthwhile to briefly outline a few of the important milestones in its development as they pertain to you, as police executives.

The Association began its program of field consulting in 1935. Since then, it has conducted general management surveys, staff assistance projects, staff studies, implementation programs, planning projects, police executive examinations, and contract training throughout the United States, its territories, and many other nations.

With the advent of the motor vehicle as the basic means of transportation, IACP began a sustained campaign to unify traffic codes and license drivers. In efforts to accommodate the hundreds of requests for assistance, IACP began its Traffic Safety Division in 1936. In the first months of operation, seven police departments incorporated IACP designed Traffic Safety Bureaus staffed by IACP trained personnel. The major cities of Detroit, Chicago, Miami, and Los Angeles were soon operating Traffic Bureaus under Association assistance. The modern police agencies of today provide specialized traffic services incorporating many IACP policies and recommendations.

During the wartime emergency years of the forties, an IACP eleven-point mobilization plan for emergencies and disasters was presented and approved. IACP guidelines and procedures on the handling of espionage, sabotage, planned disorders, and major disasters were adopted by federal, state, and local law enforcement officials. Plans were also provided by IACP for the expeditious movement of troops and equipment on the highways.

The most substantive growth of the Association occurred in the sixties. Reorganization and redefinition of duties were designed to cope with society's new expectations of its police services. Research scientists were added to the IACP staff and new directions included police role concepts, crises intervention, juvenile delinquency causation, sociology training and education. During this period, IACP led efforts to introduce minimum training standards for law enforcement officers. Most of the fifty states have now passed legislation enacting minimum training standards; and, to coordinate their activities, the National Association of State Directors for Law Enforcement Training maintains its offices in IACP headquarters. With projects of this caliber as a background, the IACP embarked on other major programs for the benefit of law enforcement and criminal justice.

Today, the Association supports law enforcement with a wide variety of products and services. In addition to its field consulting programs, the staff develops training courses and materials, bulletins, textbooks, audiovisual courses, conducts legislative research, and publishes annual and monthly journals to keep law enforcement advised of contemporary practices and procedures. It provides assistance to state, regional, and local Criminal Justice Planning Agencies and technical assistance to police departments and Model Cities Agencies on law enforcement-related problems. The Association has become a focal point for basic research data on crime and enforcement and is consulted on a frequent basis by both the Executive and Congressional branches of government. The IACP serves the single purpose of assisting the law enforcement profession in meeting the challenge of today's social problems.

Now let me tell you a little about the Police Management and Operations Divisions and what we're doing to help you as police leaders in the criminal justice system. Last December, an IACP reorganization brought together the Field Operations Division, the Highway Safety Division, and the Division of State and Provincial Police under one organizational entity. The structure encompassing these three divisions is known as the Police Management and Operations Divisions. The former Field Operations Division has been renamed the Police Management Division. The decision to consolidate was a wise one. The move provides for greater staff flexibility and it solves problems of functional responsibility. Prior to the amalgamation, we occasionally bumped into one another as we went about engaging in our own areas of responsibility.

We are basically in the business of providing consulting services to state and local police agencies and their governments. We are committed to the improvement of law enforcement in the areas of highway safety and police management and operations. Our other area of concern, and an important one, is the coordination and support of the activities of police executives at the state level.

In the area of highway safety, we provide four major services designed to improve the skills of the police in highway safety program management. First, we help develop, organize and implement highway safety programs. Second, we serve as liaison with associations and groups which develop and promote highway safety programs. Third, we promote police traffic management and highway safety. And fourth, we provide advice and assistance to IACP members on highway safety issues.

The Association now assists in implementing comprehensive programs to meet the national standards, including the Police Traffic Services Standard and the Alcohol Standard. This provides a foundation for more effective intergovernmental coordination and produces a method for assessing program performance more accurately. Thus far, IACP has assisted 30 states in the development of such programs in staff studies on organizational structures, operational procedures, communications systems, and records management. It also responds to more than 4,500 requests for highway safety information annually.

In the vast area of operational and management consulting, we began offering this service to police agencies and local governments over a decade ago. The Police Management Division completed over 350 general management studies and staff assistance projects throughout this country and abroad.

In the past few years, the staff of the Police Management Division has recognized the need to broaden the scope of our consulting work. We have created a number of new services to assist police chiefs with the increasing management problems of law enforcement, advancements in technology, and the demands of comprehensive law enforcement planning programs. Services offered by the Division are as follows:

- General management surveys
- Administrative and operations reviews (concise, inexpensive surveys with limited report-writing)

- Regional policing studies
- Survey implementation assistance
- Special staff assistance projects, such as records studies, manpower studies, and building design projects

The Police Management Division is also adding new concepts and innovations to management studies. In those police agencies where the overall state of management, education and training is conducive to new concepts, our staff has recommended the implementation of some of the following programs:

- Team policing
- Contract policing
- Consolidation of certain administrative, operational and technical services

In the past several years, we have been particularly active in responding to requests to study either the feasibility of unifying existing police agencies in a particular county or region, or consolidating certain support activities. We have conducted a number of such studies since 1970 and we expect the demand for consolidation feasibility studies to increase.

Our approach to the management study of police departments has been completely revised. In the past we have been criticized for building a substantial report and leaving—never to return. The new approach involves a three-phase effort:

1. Analysis of the existing system—one-third of the work involves examining the current operation and the reaching of agreement with the chief and his command staff that this is in effect what the department now looks like.
2. Planning development—examine data collected and develop plan for improvement; typically, a five-year plan.
3. Technical assistance—spend time in the field assisting that person with responsibility for implementing recommendations to put the plan into operation.

Although there is always room for improvement, significant progress has been made in improving the overall quality of Police Management Division survey reports. Examples of improvement in quality control may be summarized as follows:

1. Special efforts have been devoted to responding to the unique problems and conditions existing in each individual study.
2. Less rhetoric and more specific facts, problems, and solutions are finding their way into most of our reports.
3. Efforts have been taken to encourage more input from chiefs of police, their command officers, and entry

level police officers during the course of surveys and to provide more on-site contact between IACP staff members and members of the department under study.

4. The format of our comprehensive management and operational survey reports has been modified and made more flexible in order to respond to unique problems in different agencies under study.

We are concentrating more and more effort on the on-site implementation of our survey reports. We have received numerous requests to implement the recommendations in our reports from the chiefs of the departments which have been studied. This is particularly gratifying because these requests reflect a high degree of acceptance of IACP survey reports coupled with confidence in the ability of our staff to implement the hundreds of recommendations made in each report. Members of our staff have improved implementation methodology to the degree that the process of change is effectively managed and controlled so as to insure a high degree of implementation success, coupled with a minimum disruption of normal management and operations.

Last, but not least, of our services is one which is the topic of concern here today—Police Standards and Goals. The Police Management and Operations Divisions has prepared a program of staff and technical assistance to aid police executives in determining the most effective means of utilizing the standards and goals recommended by the National Advisory Commission.

Upon request of local police executives, we are prepared to provide staff and technical assistance in the following program areas:

- Identifying present management and operational programs that are consistent with the standards and goals adopted by the American Bar Association and the National Advisory Commission on Criminal Justice Standards and Goals.
- Identifying management and operational programs recommended by the American Bar Association and the National Advisory Commission on Criminal Justice Standards and Goals that do not presently exist in the department under study that are feasible and would, if implemented, result in improving the delivery of police services in the community under study.
- Assist in establishing program priorities on a cost-effective basis.
- Provide on-site staff and technical assistance in the actual implementation of recommended standards and goals.

Our implementation strategy concerns eight different program components as follows:

1. Utilizing our staff attorneys in conjunction with local attorneys to determine whether each of the approximate 110 standards are consistent with existing state statutes and local ordinances or whether enabling or amendatory legislation is necessary or desirable.

2. Modifying certain standards and goals in order to fall within the purview of existing state statutes and local ordinances.
3. Analyzing each of the 110 separate standards for the purpose of determining changes or modifications necessary to best meet the needs of state or local communities.
4. Measuring each standard against present and future community needs and establishing a rank order of priority based on actual community needs.
5. Studying existing police resources and capabilities to measure their productivity and effectiveness in the actual delivery of police services.
6. Measuring each standard against present police department resources and capabilities and establishing a rank order of priorities for each standard in terms of the actual needs of each department.
7. Measuring each of the standards to determine the degree it impacts on the actual delivery of police services to the community and assigning a rank order priority to those standards that directly influence the quality or the timeliness of actual delivery of police services.
8. Reviewing each separate standard on a cost-effective basis and establishing a rank order of implementation priority that recognizes the cost of each program as well as the ability of the community to fund such a program.

Finally, a word about selecting law enforcement consultants. When a community decides to have a study of its law enforcement agency conducted, it is faced with the problem of selecting the most qualified consultants available. This is an important decision that will have a direct influence on the future growth and development of local law enforcement and may very well determine, to a significant degree, the quality and timeliness of the delivery of police services to the community for many years in the future. We recommend that the determination of which consulting firm is to be selected should be based on uniform criteria and we suggest the following guidelines be used in making this important determination:

- How many law enforcement agencies of approximately the same size or larger have previously been studied by the firm? Will the firm provide a list of previous studies conducted so that you may contact previous clients for an assessment of the quality of their work?
- Does the consulting firm use full-time professional police management consultants or do they recruit part-time, temporary personnel, or graduate students after they receive a contract?
- Will the consulting firm identify the consultants who will participate in the study in advance and provide you with their biographical outlines? Will the same consultants be available for any subsequent implementation assistance requested?

- Have the consultants had extensive law enforcement professional experience, significant management consulting experience, and do they possess suitable academic credentials?
- Will the consulting firm agree to assist in the implementation of their specific recommendations? How many of their own studies have they actually implemented? Will they identify these agencies and encourage you to contact them?
- Has the consulting firm the capability of accomplishing a professional manpower allocation and distribution study utilizing a computer-assisted program?
- Has the consulting firm had any practical experience that would permit their consultants to objectively evaluate the actual delivery of police services to the community? How much actual law enforcement, street experience do the consultants possess?
- Will the consulting firm agree to make specific recommendations that are both practical and feasible, or will they render a report that is general, conceptual, and theoretical to the degree that the law enforcement agency is provided with the type of recommendations that they cannot readily understand and implement?
- Is the consulting firm professionally committed to upgrading law enforcement and have they demonstrated a willingness to be constructively critical when required?

In conclusion, gentlemen, our main goal—and I can't stress this enough—is to help the police administrator. We are not interested in criticizing him merely for the sake of being negative or finding something wrong. Nor are we interested in embarrassing the chief or any of his people. This serves no purpose at all. We want to help. We can help. And we think we can help best by combining our recommendations for improvement with a comprehensive plan of action with well-defined programs for progress that will have a significant impact on the actual delivery of police services to the community for many years to come. Thank you.



Remarks—Jack Shreve, Legal Advisor for the Secretary of State of the State of Florida

I want to welcome you to Florida on behalf of the Secretary of State, Bruce Mathis. I'm General Council for the Secretary of State and we have a cabinet system in Florida, so once again I'm able to be involved with law enforcement and serve as liaison for the Secretary of State with law enforcement.

Chief Parsons and some of the other chiefs and I are involved, right now, in setting up a liaison between the Secretary of State's office and the chiefs of police of local law enforcement. We believe that law enforcement, in reality, is local law enforcement. Efficient crime prevention has to be at the local level. In the past few years of working with Florida chiefs of police, that's exactly the direction in which we've moved. We had a statewide grand jury bill and then a complete reorganization of law enforcement with emphasis on formation of a new division for local law enforcement. We're still trying to push the state government into really effectively cooperating with local law enforcement. We feel, here in Florida at least, and I have felt as Chairman of the Criminal Justice Committee, that until the politicians start realizing that instead of passing theoretical, philosophical laws that sound good, and until they start really talking to and communicating with the people who actually know what's going on, which is your local law enforcement agencies, we're not going to be effective.

We in Brevard County and also in the State of Florida, are very proud of Bruce Parsons. At every turn, since I've been involved in law enforcement, Bruce has been a man that I could always turn to for advice and he's always been free with his time in coordinating and communicating with local law enforcement and the prosecution and your legislature and now, the cabinet. I just want to say how much I appreciate all the work that he's done and how much help he's been to me and to the State of Florida in passing effective legislation. Now we are trying to create an even better communication between the cabinet, the Governor, and the Cabinet of the State of Florida, and local law enforcement. I just hope you have as good a relationship and effective people working with you as we in state government do, down here. We really appreciate the Florida Police Chiefs Association, which we've been able to work with at every turn and I'll tell you something—it's really good to be in the legislature pushing for a piece of legislation you've worked on that you know is good, and when you get bogged down, you're able to call somebody and have an effective lobby. I don't mean that term in a bad way at all, but an effective lobby which is able to contact its representatives and senators throughout every county and every city in this state through the chiefs of police. It really helped me pass some legislation and I really do appreciate all the help that Chief Parsons has always been. Thank you very much for letting me come. I look forward to enjoying part of your meeting this afternoon.

ADDRESS—O.P. Burden

Thank you very much, Chief. I would like to start by thanking you for your hospitality and for the privilege of attending this conference. In the envelope in front of you, you will find a variety of literature about the development and scope of the 100 club program. I'm sure that most of you are familiar with the fundamentals, although 21 states have no 100 club and 22 have only partial coverage in their state. Basically, these are private membership associations. Membership comes from the business and professional community in each municipality. Members pay a certain amount in dues each year to a central treasury which is tax deductible because the organizations have IRS clearance. When a law enforcement officer or, in some cases, a fireman, is killed in the line of duty, payments are made out of that treasury to his widow and family to pay off his debts, pay off the mortgage on his house and provide scholarships for the children.

The first 100 club was started in Detroit in 1952. Since that time, 57 100 clubs that we've identified so far have sprung up across the country and they have paid out more than four million dollars to the surviving families of slain police officers and firemen. In some communities they are known by other names, Blue Coats, Back Stoppers, Heroes, 200 Clubs and the like, but they all share the same rationale, the same methodology, the same common concept. The flexibility of the clubs is unlimited. It all depends on the local constitution and bylaws.

If any of you have a club in your community or in your area which is not identified on the map, I would appreciate your informing me or the council at the address on the literature because each club is completely autonomous and often they know little about each other's operation. That is why we started the informational council which does not represent any of the clubs but provides a vehicle for the exchange of information through the newsletter and encourages the formation of new clubs. The chief of police is in an ideal position to organize this kind of organization in his community because the organization depends critically on key leaders from the business and professional community. The chief is not involved in the administration of the club. That is generally considered a conflict of interest situation because the club will be making decisions relative to benefits which will be paid out to the members of his department. Basically, the chief is in a position to set up an organizational meeting of key community leaders, particularly the presidents of the civic groups, such as Kiwanis, Rotary and the Chamber of Commerce. We are arranging a private program now at Bucks County, Pennsylvania and we would like to set up similar programs in different municipalities throughout the nation. There is no charge for any of our services. We have a substantial amount of information about the way these clubs are organized and operated, the benefits they've paid out and the various problems and complications you run into.

There is one point I want to make absolutely clear because questions are often raised. In these days we have a few citizens supportive to law enforcement, but a lot of them have their own angle, their own hook. They want special privileges. It is included in the constitution and regulations of these clubs that any individual member who uses his membership card, insignia or reference to the membership to attempt to influence the law enforcement officer is automatically expelled from membership in the organization.

You will also find in your envelope a copy of the testimony I gave before the Judiciary Committee on the fifty thousand dollar death benefit bill affecting policemen. There are some useful statistics in there on pension plans and death benefits throughout the country. In going through those statistics you will notice that most death benefits and pension payments are completely inadequate because most of the pension plans require a vesting period of ten years. Whereas, if you go through the FBI UCR you will see that the median age of a law enforcement officer killed in the line of duty is after only five years of service. So in most cases, he is not eligible for lump sum cash benefits or pension benefits. The death benefit legislation has been kicking around Congress for over four years. It has been bogged down by political maneuvering and personality conflicts. Things do not look much better this year and I met personally with Congressman

Radino, the Chairman of the Judiciary Committee, to discuss the legislation. This is another occasion when the private sector can move in to help law enforcement. I don't need to point out that this kind of organization would be a great vehicle for general community support of the police department. Generally, the clubs have one or two dinners a year at which prominent members meet with the chief of police and other law enforcement officials. But I want to emphasize that the clubs are not social organizations. They are totally professional and proper and designed to provide a broad base of community support.

At this point, I want to thank Glen King for attending our second annual conference at which Pete Velde was the keynote speaker, and for delivering some very incisive remarks about our operation. Thank you, gentlemen. If you have any questions, I'd be pleased to answer them. I hope you'll contact me if you want any additional information.

#### GROUP WORKSHOP SESSIONS

An important component of the Executive Training Session was the Group Workshops. Each delegate, according to his home state and geographic area was assigned to one of five groups.

##### Group Meetings

The groups met in closed session on Tuesday and until noon on Wednesday. Group reports were presented to the entire Committee Wednesday afternoon and Thursday morning.

##### Group Leaders

Group leaders, recorders and reporters were selected by each group as they went into closed session.

##### Group Reports

The group leaders' responsibility was to keep the group's discussion channeled within designated areas. The recorder maintained sufficient notes so that the report could be included in the final report to LEAA. The reporter presented the findings of the group to the entire Committee.

##### Methodology

For each standard area assigned to each group, the following, as deemed appropriate, was considered:

- A generalized view of the standard as seen by the group.
- Feasibility of implementing the standard.

NOTE: The consideration was not restricted to whether the standard was "good" or "bad," but could it be implemented.

- Fiscal considerations.
  - Manpower
  - Equipment
- Considerations affecting department morale.
- Legal considerations.
- Political considerations.
- Considerations affecting relationships with:
  - other law enforcement agencies
  - the courts
  - prosecutors
  - corrections officials
  - social workers

- Any discussion or observation which seemed feasible to note on problems between NAC and NBS Standards.
- Problems between standard and traditional requirements.

GROUP WORKSHOP AREAS

GROUP A

Participants:

Massachusetts  
Vermont  
Connecticut  
New Hampshire  
Rhode Island  
New York  
New Jersey  
Maine  
Pennsylvania

Assigned Areas:

Chapter 18, p. 442  
Standard 18.1, p. 447  
Standard 18.2, p. 454  
Chapter 7, p. 162  
Standard 7.1, p. 166

GROUP B

Participants:

Virginia  
Kentucky  
Mississippi  
South Carolina  
West Virginia  
Delaware  
Tennessee  
Alabama  
Florida  
Georgia

Assigned Areas:

Chapter 18, p. 442  
Standard 18.3, p. 457  
Standard 18.4, p. 465  
Chapter 7, p. 162  
Standard 7.2, p. 169

GROUP C

Participants:

Arkansas  
Texas  
Kansas  
Nebraska  
Louisiana  
Missouri  
Iowa

Assigned Areas:

Chapter 19, p. 469  
Standard 19.1, p. 474  
Standard 19.2, p. 477  
Chapter 7, p. 162  
Standard 7.3, p. 172

GROUP D

Participants:

Minnesota  
Michigan  
Wyoming  
Wisconsin  
Montana  
Utah  
Illinois  
North Dakota  
Colorado  
Ohio  
Indiana

Assigned Areas:

Chapter 19, p. 469  
Standard 19.3, p. 480  
Standard 19.4, p. 483  
Chapter 7, p. 162  
Standard 7.4, p. 177



GROUP E

Participants:

California  
Washington  
Nevada  
Arizona  
Alaska  
Oregon  
Idaho

Assigned Areas:

Chapter 19  
Standard 19.5  
Standard 19.6  
Chapter 7  
Standard 7.5

GROUP A REPORT

Group A has studied and discussed the assigned areas which include:

1. The command and control planning
2. The police executive and employee relations

In addition, we have reviewed various other areas of the report. In considering the feasibility of implementing the standards, the fiscal considerations, and moral, legal, political and other factors, we find that because of the historical nature of American law enforcement including the principal of home rule, budgetary personnel, political, and governmental considerations the above mentioned standards and goals should be judged solely by each individual community law enforcement agency. Acceptance and/or implementation of these or any other standards and goals should be determined by the individual community.

You have heard the report of Group A on this Section. Do I have a motion that we adopt this?

I'll motion that.

What state?

Pennsylvania.

Second by New York.

Now it's open for discussion. Does anybody have anything to add to this? If not, I'll call the question on the Report of Group A. All in favor say aye.

Aye.

Anybody object?

Passed.

Ok, I'm going to call on Group B for their Report.

## GROUP B REPORT

Thank you, Mr. Chairman. Group B considered the assignment as directed and added to it somewhat in their report. At the outset, the assignments were Standards 18.3, 18.4 and 7.2.

In terms of 18.3, titled Collective Negotiation Process, our group or subcommittee, as we titled it, was adamantly opposed to the Standard 18.3 as written. "Every police agency and all police employees should be allowed, by 1975, to engage in collective negotiations in arriving at terms and conditions of employment that will maintain police service effectiveness and insure equitable representation for both parties." Our group felt that this Standard is not feasible as written. The prerogatives it implements should be the choice of each individual state and/or local unit of government thereof. The issues should be a matter of local option. Our subcommittee recommends to this full committee of the State Associations, a resolution which will come in later as a part of the resolution, but, in essence it says that we feel that we should oppose any federal act or regulation or administrative rule that would usurp or prohibit local or state units of government from exercising their options and/or individual rights to choose for themselves what course of action might be best for their locality. We would further recommend to the full Committee of State Associations that the IACP staff be directed to strongly oppose any attempt at federal legislation which would have the effect of mandating "enabling legislation relative to collective bargaining." We felt that the fiscal impact of this Standard is impossible to assess. The long range implications must result in substantial increases in police budget allocations for personnel services and equipment. The management prerogatives of the police chief executive would lack flexibility resulting in deterioration and reduction of the agency's ability to provide necessary services. We felt that department moral would be affected. The collective bargaining process, particularly, mandated by that statute would be a disruptive process; it would insert between management and middle management and operational street level personnel a barrier; produce role conflicts and loyalty conflicts throughout the majority of the departments and create internal conflict within the department which would not be beneficial. We felt that the legal considerations again were virtually impossible to predict. However, past experience clearly indicates that no one can predict what course of action the courts might take in interpreting the terminology used in the collective negotiations process. We felt that certain units of government must bear the expenses of such contracts and/or court processes to determine the interpretation at a considerable fiscal impact. We did not address the political considerations and felt that they were, in fact, in violation of the principles of majority rule. They did restrict elective representative ability to act in the best interests of the public it serves. The process tends to place emphasis on employee demands without consideration for public interest or government responsibility. Furthermore, the external and internal political activity on behalf of police agency personnel is enhanced, which is contrary to the objectives of professionalism in the service. We felt that the collective bargaining process would affect every criminal justice agency with which a police agency comes into contact in one way or another. It was the opinion of this Subcommittee that the collective negotiation process is in direct conflict with the basic purpose of the establishment of standards and goals and it is detrimental to police professionalism.

In reference to Standard 18.4, which deals with work stoppage and job action, the Committee said at the first stage that no state should be required to adopt such legislation. They then said that in the event, however, that such a condition does exist, that the provisions of 18.4, which recommends that any such state law include a "no-strike" clause, was good. Furthermore, the remainder of that particular Standard was well founded and provided a good guideline for any chief of police who may find himself in that position. We did add somewhat by saying that this Standard, as written, was acceptable with the exception of the 1976 target date. That seemed to be totally impractical and untimely in that some state bodies meet on a biannual basis. We felt that additional consideration should be given somewhere in the process of developing such statutes should they be developed where awarding amnesty or no reprisal should be addressed. And these as a

mechanism or terms of a final settlement and means of avoiding further conflict, if the Standard and/or statute is to be meaningful, must be enforced with some impact and implied consequences. Therefore, in deliberating legislation, this should be considered and discouraged.

Regarding Standard 7.2, which deals with the police chief executive's responsibility in incidence of civil disorder, we took no exception to the Standard as it was written, and acknowledge that the Standard clearly defines the authority and the responsibility for command. It was felt by this Committee that such authority is properly fixed with the local police chief executive in the jurisdiction where the incident might occur. Paragraphs one and two clearly outline good command practices which are probably already in effect in the majority of police agencies. Our Committee made some other deliberations which will be brought to you in the form of resolutions. Thank you, Mr. Chairman.

All right, gentlemen, you've heard the Report of Group B. We are not going to vote on the resolution we talked about, only on this report. We are voting to see whether or not you accept these Reports of the body of the overall searching. The resolution we will take up later.

(Idaho) Do I understand him to recommend that states not pass enabling legislation allowing collective bargaining?

No sir.

(Idaho) What did he say?

Our Report was that the Standard requiring or recommending that all states have such legislation was in and of itself not good. That this should be a local option of the state to determine whether or not it should.

Does that answer your question?

(Idaho) No sir. I still understand the gentleman to say that a state at least should not suggest that a state should pass collective bargaining legislation and I am dead set against any approach that says a state should not. Not, that legislation should include local option but we certainly need guidelines at the state to control the collective bargaining that is going on. It's going to go on and it's going to grow.

With that we agreed, sir, in the second Standard. The second Standard deals with that portion of the enactment. We said that if this does occur that the second Standard is good and the guidelines there are well founded.

I think this group should recommend that every state should pass enabling legislation to allow collective bargaining to go on, so that we have a guideline within that state to control it. I've been involved in collective bargaining without guidelines for three years and, gentlemen, you can't function that way. I'm working for the federal government to extend the Taft-Hartley Law to cover public employees who (parts inaudible).

I would respectfully disagree with you, sir, in that there are many states that do not have at this point enabling legislation. I would feel it totally improper for us to dictate or suggest to them that they pass such enabling legislation. I think that it is their option to veto, if they choose to do so, certainly the guidelines would be used. But at this point there are states that prohibit collective bargaining with that state.

I agree that they do prohibit but I do believe that those prohibitions are unconstitutional. People are going to negotiate, not only today, what we said here, and tell people.

New Hampshire.

I move we accept the report.

I'll second it.

We've got the motion on the floor that we move to accept the report and we have a second. Now it's open for discussion.

(Parts of the discussion were inaudible on tape.)

I think that the gentleman from Idaho brings up a good point. I think that some of the problems that we're experiencing now regarding organized labor moving into law enforcement is a direct result of management in the area of local government, in the area of public safety, police, and fire to act and to develop some type of legislation that does control collective bargaining. I agree with the man and I've experienced it myself. The unions are very active and they see a tremendous market. I'm not an advocate of organized labor moving in, I'm just indicating that it is occurring and I don't think it is mandated. It's only a recommendation and I believe that every state should have it, based on my personal feelings of an experience; that if we don't take some type of action to establish some viable, workable procedures upon which the public safety agencies throughout the country can meet their particular desires to a degree, we're going to be in deep trouble. And I think he brings up a very good point, and I feel that probably I could feel a lot of emotion in his comment because he's probably had some very undesirable experiences. Correct me if I'm wrong. It's just a matter of what the Standards and Goals are saying is a recommendation and I think that you have a little difficulty in relating to these things. We are saying that they are recommendations but they are going to be mandated. I don't think that's the case. I think we'd better look at it realistically. You may have personal hangups and likes and dislikes, but that's a real threat. We all talk about it, I've heard people here in discussion and they are talking about unions meet and confer. So, I think the gentleman from Idaho brings up a very good point.

Did I understand him correctly to say that in the subject matter that the recommendation by the LEAA is that by 1975 all states should pass collective bargaining legislation? Is that correct?

That is correct.

If my understanding is correct, this is what the group proposes: setting a dictate that by 1975 all states pass collective bargaining legislation. They are proposing to mandate to the state that they have to pass it. That is optional, that they may if they want to, but they don't have to in order to comply with LEAA. If my understanding is correct, then I'm in agreement with his findings on that.

(Virginia) Sir, if I may, I will quote the first paragraph of that Standard that we address, and I quote: "Every police agency and all police employees should be allowed, by 1975, to engage in collective negotiations in arriving at terms and conditions of employment that will maintain police service effectiveness and insure equitable representation for both parties."

I want to ask you all something. Anytime any of you speak, please identify what state you are from because some of these cards are on a slant and I can't quite read them. Any other discussion on this before I call the question on whether or not you accept the report? Not the resolution. Just the report.

Yes, sir. Idaho.

(Idaho) I can support a recommendation of 18.4 and 7.2 but I cannot support 18.3. Can you

break this down in your call for a vote?

I'll be glad to take them one at a time. What are the three Standards, please?

18.3 entitled Collective Negotiation Process.

Alright, let's talk about that one. I know we have a motion covering everything.

The Committee, I believe, opposed 18.3. The guy from Idaho says he's opposed to it so . . .

No, he's opposed to that portion of the report.

We're going to vote on one at a time. We're going to ask all people that are in favor of 18.3 to vote. I'm going to ask the Sergeant-at-Arms to take the count. All in favor hold up your hand. In favor of the report period. All of them opposed, let me see your hands. Let's recount, we've got eight against. It's passed, except for that report.

Now on Standard 18.4, Work Stoppages and Job Actions.

(Louisiana) I move we accept the report.

Seconded by Connecticut.

If I may amend that. I move that we accept both the other reports. I don't think there is any objection to it.

I'll second the motion.

We're talking about both standards now. What is the other Standard?

7.2, Executive Responsibility.

Now we're taking a vote on accepting the reporting on Standards 18.4 and 7.2. All in favor, say aye. Anybody opposed? Passed. Let the record so note.

## GROUP C REPORT

Thank you, Mr. Chairman. Gentlemen, if you could turn to page 172 in the book you could try to follow along some of the thinking of the Subcommittee. The first Standard was 7.3 entitled Organizing for Control. We went through this thing line by line and we made some changes in the language and made some inserts. As far as Standard 7.3 per se, we didn't find anything significantly objectionable except some wording that we thought ought to be in there. On page 172, we felt all the definitions were ok. No problems with that, until page 173 in the section regarding stage alerts. In that particular area we made some changes because we felt the chiefs should have certain responsibilities. It's apparent to us that whoever drafted this wasn't thinking like we were. If you are reading with me I will read this sentence so that you can see how our changes have come about. Under "Alerts" it is said, "A first-stage alert announces a minor occurrence that can be handled by on-duty patrol personnel within a division or precinct, with the assistance normally available from other divisions of the city. Those units not assigned to the involved area should continue their normal activities, but should be available for radio contact if the situation escalates. Off-duty personnel would not be affected." We struck "would not be affected." We said, "Off-duty personnel, chief staff personnel, and local and state officials also should be alerted. The decision to declare an alert at this stage should be made by the chief or his designate," instead of "the ranking on-duty officer." So we think that the chief or his designate should be there. Reading in that paragraph on the second stage alert it says, "A second-stage alert applies to an occurrence that normal on-duty organizational structure and resources cannot control. The agency should discontinue certain nonemergency functions." There had been the phrase "certain nonemergency functions," and we were unable to determine just what they meant by "certain" so we scratched the word "certain" and we said that the agency should "discontinue nonemergency functions." Except for those changes I just noted, we have no objections to the rest of this page.

On page 174, we liked the reading down to where the National Guard gets involved. When the National Guard becomes involved in a local disaster scene, we find generally the local patrols and the state patrols are lost and marshal law becomes effective. So at that point, line 6, we scratched the words "National Guard". However, we did enter them later on in the section. We say (at the end of the section) ". . . and support field operations. When the situation escalates and cannot be contained by municipal, county, or state authorities, the National Guard may be called." We didn't want to say shall be, we say "may be called." We found nothing wrong with the other part of that except that at the top of 173 where we're talking about the news media, we said that "As the agency command post, all news releases shall be made by the chief or his designate." We didn't want everybody making news releases. They have to be made so that the responsibility can be placed, otherwise everybody in the disaster area is going to be making news releases and we're not going to be able to pinpoint the responsibilities. We felt all news should be released either by the chief or those whom he designates to do so. The rest of the wording was all right.

Refer to page 175 regarding the intelligence-gathering process, the intelligence organization of a disaster area. The last paragraph we said, "The intelligence function is the most important aspect of riot control. Preparedness through intelligence gathering can save lives. There is no basis for determining the manpower and equipment required to control an occurrence." We scratched out part of the wording.

Personnel units, no problem with that.

Regarding the Logistics Unit, we had one suggestion in the first paragraph where we say, "The logistics unit should also determine the necessity of feeding, housing, and scheduling of field personnel." There were no provisions for scheduling there and we felt it is a very important aspect because he's going to have to start scheduling the men pretty quick. Get relief. The rest of this section was ok.

Referring to page 176, the Casualty Information Center, on the last line where it says "It need not be located in the control center, but should be in communication with and under the control of the control center." Coming down in the paragraph you will note that it says, "Personnel from this unit should establish liaison with the medical examiner-coroner and various relief agencies, maintain a chronological log, and submit hourly reports to the control center." We said, "submit reports as required by the chief executive," because he might need to report more frequently than hourly. Outside of that we found Standard 7.3 acceptable. If you could get the wording changed, of course, the book is already printed. It's like the horse is already out of the barn and we're trying to close the door.

Regarding Standard 19.1, Foundation for Internal Discipline, it appears that these people that had input into the book were trying to set up a disciplinary civilian review board. It looked as if they were trying to have the discipline department be administered by some outside agency. So we found portions that we think should be changed. Page 474, Standard 19.1, under number 1. "Every police agency immediately should establish formal written procedures for the administration of internal discipline and an appropriate summary of those procedures should be made public." We want to strike "should be made public," and offer a period after "procedures." It's a feeling of the Subcommittee that we shouldn't have to make those things public. The rest of that was ok.

Under the portion, "Written Foundation," where it says "Formal written policies, procedures, and rules in this area establish the standards for police employee conduct and redress for the three involved parties: the public, the police agency, and the police employee." We struck out the words, "the public, the police agency, and the police employee." It should now end with a period after "parties". We felt that the written foundation was really sufficient and we omitted the rest of the section. I think it ought to be omitted because they referred to specific cities (Seattle, Washington; Los Angeles, California; and Kansas City, Missouri) and we didn't feel it was necessary.

### Police Chief Executive Responsibility

We left in, verbatim, the first paragraph and omitted the rest of the entire section. We think that is as far as we had to go. It should read, "The police chief executive is the ultimate police supervisor; he should design and supervise the disciplinary machinery of his agency. Civil appeal of disciplinary actions serves as a check on the actions of the police chief executive. If he maintains a fair and effective system, his decisions will be upheld by reviewing authorities."

### Rules for Employee Conduct

"Employee rules of conduct are one of the primary elements of an internal discipline system." We omitted the rest of the paragraph, "Roger . . . through enforceable." We then put, "Rules should be well organized, well-written, and in concise, simple form that every employee can understand." We omitted the sentence of that paragraph referring to Columbus, Ohio.

Paragraphs two and three have no changes.

Paragraph four should stop with "development process," thus eliminating, "Smaller agencies such as Covina, California have been particularly active in seeking employee participation."

The next paragraph has been changed to read: "Rules of conduct must be presented to all police employees during the early phase of employment, and employees should familiarize themselves with them. Procedural orders should be in the form of an operational manual and the manual should be readily accessible and distributed to employees." We omitted the part about Kansas City, and substituted the words "and distributed to employees," for their wording of "if not distributed to employees."

On the top of page 476, we eliminated the first paragraph dealing with a brochure on the entire disciplinary process being available to the public. We don't think that the public needs to know about the disciplinary procedures and we should not put it out in a brochure. I think that police administrators are very capable of handling them. We therefore recommend that this paragraph be deleted.

#### Encourage Employee Understanding

Verbatim. We have no problem with this section.

#### Standard 19.2 - Complaint Reception Procedures, p. 477

We reworded some of this section. Number one remains unchanged. Number 2, "Every police agency, on a continuing basis, should inform the public of its complaint reception and investigation procedures," we recommend should be omitted in its entirety. We reworded Number 3, (added the word "formal.") It should now read, "All persons who file a formal complaint should be notified of its disposition; personal discussion regarding this disposition should be encouraged." We are not in total agreement with this formal complaint among the Subcommittee members. However, after some amount of dialogue between us we got a consensus of opinion that the complaint should be formal. If the citizen wants to make a complaint against a police officer, it should be taken down by a notary, we feel. Make a sworn complaint rather than to just call up and make a complaint. We recommend that number 4 be deleted in its entirety. We have changed number 5 to read, "Complete records of complaint reception, investigation, and adjudication should be maintained." It goes on about publishing records and we don't think this needs to be done. There's a good grapevine within the police department and you cannot discipline anybody within a police department without everybody knowing it anyway. So why should we put it up on the bulletin board and, moreover, why should we give it out to the public? I can't see why the public should know why or what is going on concerning disciplinary actions. This is the feeling of the Subcommittee.

#### Commentary, p. 477

We felt it was ok but stopped after "... public-police rapport." "It is also in the best interests of a police agency that all instances of employee inefficiency and misconduct be revealed," should be omitted. The rest of that page then is ok. We don't think in all instances employee inefficiency and misconduct should be revealed.

On page 478 the first paragraph is changed to "Initial filing of a complaint alleging employee misconduct must be a quick and simple process." We eliminated the rest of the paragraph where it refers to Fresno, California: "... simple process and a person who wants to initiate a complaint should be able to do so at any police facility." We stopped there and omitted paragraphs two, three, and four. Paragraph five through the end of this section is ok.

#### Insuring Public Awareness

We want this whole section omitted. We can't see where it serves any useful purpose, but as you people read it and discuss it, you might find that it does serve some useful purpose. We think it's just opening "Pandora's Box."

#### Final Notification to the Complainant

The first paragraph should now read, "All persons who file a formal, sworn complaint must receive information regarding results of the investigation." We stopped at the word "fostered" in the second paragraph, and omitted the talk about Oakland, California, and Kansas City, Missouri and Kansas City, Kansas. That's not apropos to every police department.

#### Insuring the Reception of Complaints, p. 478

We'll go along with this up to the point where it mentions Kansas City, Missouri again and their outstanding written procedures. I'm from that area and we're not saying they are the greatest, so we took that out. The rest of it is ok.

On page 479, the first paragraph should be changed to read as follows: "Information concerning all discipline complaints, even those initiated internally, must be recorded. The recording procedure is designed to insure that all complaints are received and investigated. Agencies may use a phone recording device at the station to receive complaints on a twenty-four hour basis." As you can see, we reworded extensively.

#### Disclosure of Internal Discipline Statistics, p. 479

We found nothing to our dissatisfaction in this section.

So we had to go through it line by line and felt like some of those changes should be made in the wording. It appeared to us that we're trying to get too much of the public into the administrative end of the patrol function of the police department and we feel that that's the prerogative of the police department and the chief should be able to handle it. If he can't handle it, get a new chief.

Bill, you mentioned a couple of lines to be left out of Standard 7.3, page 173, lines 7 and 8 from the bottom on the righthand column. They become unnecessary because of the changes we made and we can cross those two lines out.

Thanks for calling it to my attention. Lines 7 and 8 can be deleted then on page 173, gentlemen.

Gentlemen, we've heard the Report of Group C. We have Standards 7.3, 19.1, and 19.2 that they reported on.

(Florida) On page 478, "Insuring the Reception of Complaints," I wonder what the Subcommittee considered regarding anonymous complaints. Were not police agencies to accept all complaints? What happens when they receive the first telephone or letter anonymously? I wonder if they discussed that.

There was some discussion about the anonymous complaint. It's a feeling that sometimes that is the only way you can discover some things that are going on. My personal belief on these things is that I don't believe you should get involved with the anonymous complaints, but it was the consensus of the Subcommittee that you cannot disregard some of those things because sometimes something can come out of them and you have to look at it as if it needs to be disproved or proved. Would the Chairman from Louisiana like to expand on that a little further?

Our reasoning for leaving this in there was certainly not to discourage any complaints at any time because of the nature—let it be anonymous, foreign, apathetic or anything of this nature. We should be receptive to all types of complaints. However, after a complaint is received what action is taken from there on is left to the department's discretion.

Thank you, gentlemen. You heard the Report. Do I have a motion that we accept all three of the Standards? Pennsylvania. He had a question. I'd like to get a motion on the floor before any other discussion. Do I have a motion that we accept this or decline this? Texas moves that we accept. Seconded by Kansas. Now, any more discussion on this? Do you want to get into any details?

(Illinois) I just had a question relative to keeping the public uninformed about the

policies of the departments to accept complaints, and also, a question relative to reporting back perhaps on the action that's taken. Don't we have to have some kind of accountability to our public?

Chief, we did recommend that when they report back they make a sworn or formal complaint. However, we didn't feel the rest of the procedures, what the policies are concerning functions of the discipline process, has any concern outside the agency. We felt that's an in-house thing and that it brings a lot of trouble. I think it also brings moral problems. You've got a lot of people looking for those types of things and I think it brings on a little trouble. I think it's the feeling of the Subcommittee. We do feel if you make a formal complaint and it is investigated you are entitled to being reported back to, and we did make that recommendation. But if you put the disciplinary procedures into a brochure form and distribute them to the public, we didn't feel it would be in the best interest of the men. I think we have to be considerate of them.

You might want to be aware that in 19.2, the one that he is referring to where they are recommending that records not be made available to the public, it states in the book here that they should be made available to the public. In Standard 19.5, which is just a few pages beyond the recommendation in the book, it states that all disciplinary investigations should be kept confidential. Directly contrary to what it says in 19.2, so the Commission apparently couldn't make up their minds.

I don't really see any conflict between those two. I agree with your Committee that the public shouldn't be able to get all the information. I think if you're going to take all this out of here you need to put something back into it. A department should establish some policy for at least their investigation of internal affairs, or the contents of their investigation of internal affairs, but some information on internal investigation because when you have serious matters that word is going to leak out. It's going to get out to the press; it's going to get out. And, it just looks as though the police department is trying to whitewash itself or police officers; it always comes off worse for the department than if you gave them some information, not of your investigation but that it is being investigated and that the problem exists.

Mr. Chairman, do you want to respond to that?

Maybe I can clarify to some extent. We do not intend or want to relate that we want this information withheld on a sworn affidavit where an investigation is made and disciplinary action is taken. As stated, all of this information will be released to the complainant on an investigation: what the investigation consisted of, what disciplinary action is taken and the name of the individual officer. But it shouldn't be made public information where it goes out to the news media. (Sentence inaudible on tape.) We didn't intend to withhold information to the complainant of any complaint.

If I understand your question correctly, you are thinking that we should release something to the press in these areas? Is that what you want to say?

No. What I'm saying is if you're going to take all this out about releasing anything and make it strictly confidential, you're going to run into this problem of the press. It is going to get information on your more serious internal cases. I think a chief has to establish some policy of what information he's going to give them even if it's no more than the fact that it is being investigated and that it will be handled by the department and that the department is aware of it, so that it doesn't look like you are trying to sweep all your dirty stuff under the carpet, which none of us really try to do but the newspapers can make it look that way.

Ok. Your point is well taken.

(New Jersey) I have a feeling that the police chief executive covers two roles—both to the community he serves and the men in the departments. Is there any consideration given

to a possible Standard for departments that are encouraging the men who have sworn complaints against them, when these complaints are found to be false (part of tape inaudible) civil action with complete backing by the department.

We didn't consider that and some of the departments say they do that. We didn't discuss that.

There was a recommendation in the Standard already that any complainant should be notified of any civil liability.

(Nevada) I'm in complete agreement that these things are in-house problems and should be kept in-house, but the thing that concerns me is subsection 4, Standard 19.2, involving records keeping within the department.

Could you put me on the page please?

Page 477, Subsection 4. It is my understanding they deleted Subsection 4.

Yes sir.

I want to stand corrected to a degree and I see what we did. We put in "a police agency should develop a procedure that would insure that all complaints, whether from an external or internal sources, are permanently and chronologically recorded," period. Does that help you?

Yes sir, I'm in complete agreement with that.

Ok. Then we deleted the rest of it, the remainder.

We have a motion on the floor.

I'm going to run the chance of being branded a screaming liberal. I have to say this. Some of the problems we're experiencing now, I think, in dealing with the public relate to the fact that the public is not informed. A majority of the objections to this mentioned here, I tend to agree with. I certainly agree with the idea that when a complaint has been investigated and found to be unfounded or an attempt to be malicious, there should be some recourse. I don't think that the public should have a right to take potshots at us. But, I also heard the recommendation made that we should not document in the form of a pamphlet or something like that the procedure that a person should go through, the logical way to make that public. I think the more informed that we make the public that we are doing these things the better off we are. In our state, it's mandated that we shall, and the due date is by 1975, that every police department in the state shall develop a procedure and document for investigating all complaints and to prepare a pamphlet setting forth those procedures: not the internal specifics, but that which the citizen is concerned about. How do I file a complaint if I feel I have a complaint? Gentlemen, if you say that is not the right of the public, I think we're really hurting. And not only do we publish it, we publish a pamphlet that is in English and Spanish. I think that if I read the recommendation here that's the only part that I really have a hangup with. I don't think that we have to make public all of the internal investigations made. Certain aspects of it may by necessity be required, but I think we're really missing the boat if we say we should not publicize or publish what you are doing. We're doing it because we want to do it, because we want to show the people that, look, if you've got a complaint, by golly, we'll listen to it, but if we find it to be unfounded we'll tell you that it's unfounded. I don't think we have that kind of a problem within the staff.

Can I respond to that, please? I agree that the public should know what procedures they can take to make a complaint, but on page 476, it refers to a brochure which concerns the entire disciplinary process. Now I'm talking about the word "entire" and we're



talking about all of it being available to the public. The public should have reasonable access to the rules of conduct and the operational manual of their police department. I don't think we should give them a copy of those rules and regulations. I can give you a prime example as to a firearm policy in writing. It's now being recommended that we don't put the firearms policy in writing because the defense attorney can subpoena that in the courts and bring it up against the officer who wasn't following the procedure. So that's why I'm saying that these things can get in the hands of the wrong people (rest of this address inaudible).

I think you're on the right track. I'm not saying make everything public, I'm saying that I believe, and that's included in there, that we should advise the public what our procedures are. Now, I'm talking about the broad sense. I don't say we have to tell them what our firearms procedures are, we don't have to tell them what the mechanics are specifically. I'm only saying that it should outline a fact that we are receptive to complaints and this is the procedure which they can go through to file that complaint, and also what's going to happen to the complaint. It will be investigated and then the results of that investigation will be made available to them. In other words, whether it's founded or unfounded and that's the part that I'm talking about. I think it's inclusive of the things that we're talking about. I think it should be included in those things that we should do. I think it helps us. I don't have any argument at all with your point; I don't think every internal function of a chief of police or of the department has to be laid out on the table. Certain portions of it may be necessary.

I'm going to take my option as Committee Chairman for a rule. This was a very debatable subject—back and forth. You're going to recess right now until 1:30. Come back in here at 1:30 and we'll get back to the discussion.

I've got another question about whether New York City has followed the instructions in respect to the methodology. As I read it, the instructions were to include in the report a number of things. I don't see any language which would incorporate within your report amendments of the specific Standard. Going through them as you have, I wonder if we might not be inadvertently endorsing something that we haven't seen down on paper without being able to follow through page by page and line by line. I wonder if you'd comment on that?

Yes, we do have a recording secretary which I think has the written material down and I hope that that will be reduced to typing. Is that correct? Apparently we were remiss in our duties there, chief, by not following the first phase as directed. I wasn't aware of what you were referring to.

I don't mean to criticize you, all I feel is that there might be inherent problems in submitting this as we are. As I read it, it is whether or not the Standard is acceptable as it appears in the book, or if it is not acceptable. I think if the distinction between your presentation and the two earlier ones is not made, we might run into a problem here.

It was acceptable to us with a few exceptions. I'd have to call on the Chairman of the group if he wants to comment further on it.

I have no comment other than what you just said. I believe the exceptions were noted.

There were exceptions and we're going to put them in writing. We have them on tape and we're going to give them to Frank.

Aren't we really just accepting the reports?

(New Jersey) Regarding our earlier discussion, I sort of agree with the chief from California on public standards in certain aspects. I think the word "public" is what mixed us up, that we also feel, or I feel, that the person making the complaint, the

individual, has the right to know what has happened to that complaint, what were the results. I think the word "public" has confused some of the chiefs, that it possibly should be let out to the general public when one person made a complaint. Is there some way that could be changed to the person making the complaint should have a right to know?

That's in there. We recommended that the person making the formal complaint has the right to know of the investigation and its disposition—not to release it to the newspaper.

I have a question on that. Why do they tell you to say that your group accepted the recommendation that your investigative process for a citizen's complaint may not be disseminated to the public? Is that your position?

Yes sir, I believe that's it. It's my understanding. Is that correct, Mr. Chairman, and members of the Subcommittee?

I seriously don't feel that this is going to encourage the public or enlighten the public to the fact that a police department is receptive to citizens' complaints, and that's the thing that troubles me.

We don't mean to imply that we're not receptive, we just don't think that we should make all the details known to everybody. This is what we think is the right to privacy for the officers.

I'm not talking about that. What I'm speaking of is the investigative process. In other words, your procedure for investigating a citizen's complaint.

I agree with you. We accept that. But we don't think that the dissemination of the results other than to the person making the complaint is a matter of public record.

Well, ok. Fine.

I agree with the fact that the internal information or investigation should stay within the department. Release only the part of it that is appropriate to disseminate to the individual making the complaint. My other part—that I had trouble with—is that I believe the public should be made aware, all of the public, that we do, number one, have a procedure or a vehicle upon which we investigate all complaints, and how they can go about initiating that vehicle. That's the only hangup that I have.

I think that we're just not on the same wave length. We're thinking just exactly like you did there. We think the public should know how they go about initiating a complaint. We feel the mechanics and the results of that thing should not be a public record. We feel the person who made the complaint is entitled to be told personally what the results were. We do not feel we should allow the newspapers to lay this out. The officer in question will have already been disciplined, so why carry this out in the newspaper any further? Now, if we have a criminal incident of magnitude within the department, then we should lay all the cards on the table. We're not going to sweep anything under the rug. I've been a police administrator and I just don't believe in being stampeded into making decisions here by some people that want us to throw our people to the wolves. And I think that's what happens many times with many police administrators. There are two sides to every story and I think that you need to get into both sides of the story and find out just exactly what all the facts are in the matter and if it is warranted, we take disciplinary action. If it doesn't, we rule in favor of the officer. I just don't want us to get the impression that the public is going to run the police department. In my opinion, you as a chief of police are going to run that department and you have to make those decisions and a lot of times they are hard-line decisions. I don't think we need anyone present here from the PTA, I'll call them the Parent Teacher Assassination group, running in there stampeding you to make some kind of a decision against your people that shouldn't be made. We don't think that the public should be having lots of input into the

disciplinary procedures. Now, if you're chief of police and you can't handle the situation, then you should be removed if you can't meet your responsibilities. But, I'm a real strong advocate about not throwing those people out to the wolves.

Bill, I read over that section and all it says is that some cities do have systems where they warn the individual making the sworn complaint of the possible action. I would still like to see, if we're going to go for Standards, let's make it also a Standard that can encourage and we will aid any officer when a sworn complaint is made and found to be false, in either the civil action or the prosecution of criminal action. And I think that's also important. I would like to see that part of the Standard.

Did you want to put that in the form of a motion?

I will make that in the form of a motion.

I think that we're going to take this as an amendment to the report. Motion for the amendment?

I'll make that a motion for amendment.

Made by New Jersey. Who seconded it? New York. Any questions on that motion?

Would you repeat it, please? Would you read it so we can pick it up?

Yes, sir. This is not to contradict. I've read it and in some cities it may be the system. I'm saying that it should be the system and it should be known that this is part of the Standard and that it should be said that we will also encourage and aid an officer if we find a complaint to be sworn to falsely, to aid that officer either in the prosecution of a criminal or civil case. And I think that should be part of the Standard.

Ok. As we have an amendment, we're going to take them up one at a time. Any discussion on that amendment? All in favor of the amendment say aye. Anybody opposed? The amendment is passed. Do we have anything else in discussion? Then I'm going to call the question. All in favor of accepting the report with the amendment that we just passed hold up your hands. Anybody opposed? One opposition. Correct that. Two. All others voted in favor of it.

I just want a point of verification. Is the report going to go as original or is it going to be revised? What about the part on the complaint procedure? Is that inclusive in the report as you have it? If that's not included, then I reverse my vote.

It was read from the podium in that manner; it will be included unless I'm directed otherwise. (Roberson)

It was not in the original report. The original report indicated that type of material (parts inaudible). And after discussion and clarification as far as what was specifically meant by "procedure" and the public being made aware of the procedure, is that to be included?

It is to be included.

#### GROUP D REPORT

Gentlemen, the first Standard that I'd like to address to this group would be 7.4, Mass Processing of Arrestees. Our committee felt that this was a good Standard, that it was needed and realistic, and that it could be implemented. We also felt that it would require coordination, particularly in the area of financial consideration, that it would need to be evaluated within the department relative to the legal considerations that might be in effect. There's also the possibility that jurisdictional facts and agreements or legislation would have to be enacted under the political consideration relative to implementation of this particular Standard. We made no comparison with the ABA Standards on any of the Standards that we had because we didn't have available the data to review and we saw no problem in reference to traditional operations versus standard operations. We have another commentary to offer in that we felt that the first sentence of this particular Standard should be changed or amended to read that "Every police agency should begin immediately to develop or coordinate with other agencies in the development of the Mass Arrest Processing and Transportation Systems." We had no quarrel with any other comment within the Standard. And one suggestion was offered by a member of our organization that tied in with the financial consideration and that was that in his particular state he was capable of entering into an agreement with the Attorney General and the National Guard for the availability of equipment that might be needed for the particular Standard implementation. I think that in view of the other Standards that we have to discuss in the area of discipline, which obviously will probably result in some discussion, I wonder, Mr. Chairman, if I can move that this Standard be adopted at this time.

Can I have a motion on that Standard? Motioned by Utah and Ohio seconded the motion. Any discussion on this Standard? Yes, sir.

(Idaho) Just a word of clarification. I understand you're saying that the Attorney General made arrangements for National Guard equipment?

(Wayne) I can add to that. Having a problem with equipment and storage of equipment, we entered into an agreement with the Governor and the Attorney General whereby we agreed to take care of the problem within their armory as far as being protective and they would be willing to supply equipment to us. This helped us save quite a bit of money and a lot of storage problems.

My problem was the words "Attorney General" versus Adjutant General. The Adjutant General in our state would be the party you would deal with. The Attorney General has nothing to do with National Guard equipment, at least in Idaho.

This is true, we had to also coordinate this with the Adjutant General, as well.

Ok. Any other discussion. If not, I'm going to call the question. All in favor of accepting this particular Standard 7.4 from this report say aye. Anybody opposed? It is passed.

Our next Standard was 19.1, Foundation for Internal Discipline. There has been some commentary from the Committee on this prior to going through the charge for the committee. We felt that as written in the Standard, discipline and accountability are essential to our police agency in that the integrity of the police agency can be maintained by responsible and effective systems dealing with internal discipline. To be effective, the chief executive, the chief of police must demonstrate a positive attitude toward internal discipline. An investigation should be based on sound investigative principles and formally written, clear policy and procedures and this has already been covered by a motion. We also felt that the accused employee should be given an opportunity to present his side of the story and if reasonable and with the consent of the chief of police, redress the counter file incident complaint, if it were found that complaints were not sustained. The severity of discipline should be clearly spelled out in the rules and



regulations and all officers should have available to them a copy of the rules and regulations. The public should feel free from reprisal or harassments and have available a reasonable procedure for the filing of complaints. This will probably be subject to some discussion later. The disciplinary system should be based on sound management principles and consistent with the current law. We felt that the Standard was feasible and could be implemented. We didn't feel that there was any concern relative to manpower, equipment and fiscal considerations. Considerations affecting department morale we felt would be a positive result, if handled properly. We also felt that as a legal consideration, that it might possibly reduce lawsuits against our agency. Under political considerations, we felt that it would enhance the considerations politically, but we also qualified that by saying, if not circumvented by the political authority, it's handled by the chief of police. The discipline is handled by him. Other considerations were that among other law enforcement agencies, courts, prosecutors, we felt there would be good working rapport. We also felt that we couldn't make a comparison with the ABA standards. Reference problems between standards and the traditional, we felt that we'd be creating a desired upgrade disciplinary procedure by good management procedures, not by reactions to crisis situations and that was Standard 19.1.

#### Standard 19.3, Investigative Responsibility

We also handled this Standard dealing with investigative responsibility and investigation of all complaints from the public. We felt all allegations of criminal misconduct and internal discipline should be handled by the chief of police or his designate. When we're talking about units to conduct the investigative responsibility, we felt that the size of the units should depend on the size of the department and be consistent to meet the needs of the particular entity. If you have a large workload then maybe you need more people; if you have none, then it would probably end up as the assistant chief of police or his command officers. We felt that legal advice should be obtained during investigations of criminal allegations when the chief concludes that it's in the public interest to do so and that they would be best served by the fact that we would also have legal advice on it. Investigations, we felt, should be confidential, accurate, and complete. Our general view was that this Standard was good if the chief retains the authority to manage and direct the complaint handling. We felt that it could be implemented. We didn't see any particular problem with equipment or manpower. We didn't see any problems with the political process or legislative process if it was handled correctly. The only thing was that, we felt, the area of political considerations should not override sound management prerequisites so that we could function properly. We didn't see any major impact on any other agencies listed and we didn't see any problems with traditional problems of law enforcement.

#### Standard 19.4, Investigation Procedures

We felt that a police agency should insure that internal discipline complaint investigations be performed with the greatest possible skill and that investigation procedures should be formal and written into a formal policy. We also felt that every police chief should have the legal authority during internal discipline investigations to relieve employees from their duties if he feels that it is in the best interest of the department and the public. In Standard 19.4 it indicated that the chiefs didn't have this discretion, but that the officer under investigation or employee under investigation would be automatically relieved. We felt that it shouldn't just be automatic we think it should be the chief's discretion or his responsibility. We felt also that discipline investigations should be handled as soon as the facts can be obtained and given careful consideration and analyzation. We felt that it was a good Standard but subject to our concerns that we have mentioned. We think it could be implemented and would have a good effect on police morale if properly handled. There might be the possibility that there would be need to legislate an ordinance support and that the city government may feel that you are restricting their prerogative politically, but we didn't think it would have a severe effect on the political considerations if handled properly by the chief.

Gentlemen, you've heard Group D Report on Standards 19.1, 19.3 and 19.4. We've already disposed of 7.4. Is there any discussion? Before we have the discussion I would like to have a motion to accept. Indiana makes a motion to accept and Missouri seconded the motion. Now it's open to discussion and questions.

(New Jersey) Since these are standards that we're going to have to live with, I think we should have the ultimate authority and responsibility, and to me "should" is a loose word. Where it says, "the police chief executive should," I think that should be "shall."

You want to change "should" to "shall."

I think it should be mandatory so once this thing is passed they can make a decision on who's going to have it when it's not a mandatory Standard.

I have no objections to that.

Let it be noted in the records that "should" is changed to "shall." Anybody else got anything else? If not, then I'm going to call the question. All in favor of accepting this report say aye. Anybody opposed? So carried.

Gentlemen, Group D had two other points that they'd like to discuss and it's not in the form of a Standard, but in our discussion we talked about the possibility of this organization giving a mandate to its officers and to the staff of the IACP. And this is something we could vote on perhaps in the business of tomorrow. That would be that where it comes to matters that might be very important to law enforcement rather than there just being a general mail to all of us, that we notify regional representatives and presidents of chiefs' associations. As soon as work begins on this, the state chiefs' organization should be notified that work is being done on this and what the problem area is going to be so that we can put the red flag up. After discussion with many people here since we've been in Cocoa Beach, I find that most all of us haven't read the privacy legislation paper which was presented by IACP, and put in the mail back in June of 1975. With all the reading we have to do, a suggestion from our group was that there be some method of directives from IACP staff to officers' associations regarding something they would want to consider.

Would you turn that over to the Chairman of the Resolution Committee in case you want to make a formal resolution? Thank you.

## GROUP E REPORT

Group E was given assignments to review Standards 19, 19.5, 19.6 and 7.5

Standard 19.5, Adjudication of Complaints, p. 487.

The first paragraph remained unchanged.

Number 1. Number 1 remains unchanged.

Number 2. Number 2 remains the same except the last sentence has been deleted in its entirety. "The penalty should be at least a suspension up to 6 months or, in severe cases, removal from duty." We felt that an officer or whoever gets suspended for six months isn't worth having around.

Number 3. Number 3 remains unchanged.

Number 4. "The accused employee should be entitled to representation and logistical support equal to that afforded the person representing the agency in a trial board proceeding." We had a lot of turmoil over this particular paragraph and the consensus was that the key word was "equal." In other words, if an internal investigation was assigned to internal affairs, the logistical support of the other side should be equal to that. If the city were to use an attorney or a city attorney, then equal support to the other side would be appropriate. We felt that it is a general rule rather than the exception that these types of investigations are turned over to internal affairs.

We did not have a summary that we could put into page 490, the equal representation paragraph. We did not agree with their summary. I think the police employees should be allowed to appeal executive decisions. The police agency should not provide the resources or funds for appeal.

Number 6. We left the same.

Number 7. We left the same.

We added a number 8 to read: "The Department's findings and disciplinary action should be developed to stand the judicial review." This is what was recommended in Fargo last year. We believe that this particular section would stand with all other seven sections and make it more appropriate.

Standard 19.6, Positive Prevention of Police Misconduct, p. 492

We found that this Standard was acceptable and therefore it has remained unchanged.

Standard 7.5, Legal Considerations, p. 180

We deliberated quite heavily on this area. However, we have made no changes. The wording in these particular opening statements is confusing and you must refer back to what a., b., and c. under numbers 1. and 2. really are addressing. It's confusing and it takes a little time to get the proper meaning. We made no changes in 7.5; we thought it was a good recommendation. Mr. Chairman, that's our report.

Gentlemen, you've heard the report from Committee E. Do I have a motion to accept the report? Idaho moves and it was seconded by Delaware. Now it's open for any discussion.

(New Jersey) I will raise the same question concerning the word "should" as used where citing functions of the chief executive. These are Standards that we are going to have to live by, the word should be "shall." Political people cannot change it once it is adopted.

The statement was that the word "should" as written in these Standards should be changed to "shall." Is that the consensus of the group? It will be noted in the record to that effect unless we have any objection. No objections. Thank you, New Jersey. Any other discussion?

(Washington) I understand what we are trying to do here, but I wonder if we're being consistent. As I recall, when Group B made their report on one of the Standards, we were deleting the first sentence because it was making it mandatory upon the state and we felt that it shouldn't be mandatory on the state—it should be optional. Now, if we follow that philosophy in some of these, do we not follow it in all?

Unless I misunderstood, I don't think that we've ever said that it's mandatory throughout the states to be uniform in what we're doing. This is only a guideline and each state can have its own prerogative.

(Washington) I don't read that as the purpose of New Jersey's amendment. Your purpose on the amendment was to make it mandatory.

Only on the executive chief's desk.

We all know that once this thing is passed and accepted by our group and it comes out as recommendations to the state, the state will use it as guidelines. My purpose of the amendment is that it can't be played with once it's developed in the state. The word "shall" will fix responsibility and authority rightly with the police chief executive and the politicians will not be able to bypass or make it a political game. That's the purpose of my using the word "shall" instead of "should."

Is that verification enough, state of Washington?

I'm trying to get some protection for those police chief executives that are going to have this in their state. That's the purpose of this meeting, that we were here and we did agree to certain things.

You're not envisioning that this become a federal mandate?

I'm envisioning that this become a federal guideline that says if you don't adopt something based on this you won't get any federal funds. All our states are going to adopt something and I hope at least we'll have some input in it and some protection.

(Idaho) Idaho would like you to explain one thing. We've already adopted the standards and goals of criminal justice people in Idaho as if it were our adoption of the federal justice standard and goals. I have to object to some of the things you are doing here. I'm not dealing along with you personally, I'm simply telling you what our state has done.

I think you have the right to do that. We'll acknowledge it.

I believe the problem of this being a mandate upon a state is a problem that we'll handle later in the meeting by a resolution and I think that will clear this up when that is voted on and it won't be a question any longer.

I think the resolution is going to follow in a very few minutes. In other words, we're just accepting the reports that these people tell you and so forth, in general, before we have the discussion on it.

In the state of New Jersey, they did not make it mandatory in any respect. As far as the application to different states it's just that he wants it understood, as I perceive it, that it is the chief executive who is the one and only one that will handle certain administrative disciplinary actions within his organization. By saying that he's the one

"shall" rather than "should" reinforces that a little bit more. Is that correct? Yes.

Any other questions? If not, then I'm going to call the question. All in favor of accepting the report as presented with exceptions as noted, say aye. Any objections? So noted and shall be recorded.

#### RESOLUTIONS

Resolutions passed by the Committee at Cocoa Beach are enclosed. The resolutions appear as passed. Executive Director Glen D. King made the resolutions available to the IACP Board of Officers and their observations were as follows:

- Judicial Accountability—resolution should be more factual, as it implies that all states lack machinery of accountability. The Board felt this was not true, and that this should be directed to the states and federal systems that do not have such machinery.
- Adequate Law Enforcement Representation—Standards and Goals Projects—Board feels that language could flow more smoothly, but concurred with resolution.
- Withholding of LEAA Funding to Small Agencies—Board concurred.
- Mandatory Implementation of Standards and Goals—Board felt that this resolution is contrary to fact, that LEAA is not attempting to force law enforcement agencies to adopt LEAA's standards and goals, but is merely requiring them to adopt some standards and goals.
- Committee Chairman to Serve as Member of Board of Officers—Board concurred with resolution. Executive Director Glen D. King will cause the suggested constitutional revision to appear in the June or July Police Chief, and it will appear on the ballot for our Miami Beach Conference.
- Social Security and Retirement Systems—Board tabled resolution for staff report on Bill, and this is now underway.
- Opposition of Mandatory Collective Bargaining—Board concurs.

The Resolutions, as passed by the Committee, do not constitute official IACP policy. Before becoming official IACP policy, all resolutions must undergo a complicated process of review by the IACP Resolutions Committee before being presented to the IACP membership for approval or rejection.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

JUDICIAL ACCOUNTABILITY

November 1975

WHEREAS, The Committee of State Associations of Chiefs of Police recognizes a need for judicial discipline and accountability; and

WHEREAS, The Committee of State Associations of Chiefs of Police is concerned with the present judicial conduct which is prejudicial to the administration of justice; and

WHEREAS, There does not now exist a process for evaluating the quality of judicial actions and procedures for removing a physically or professionally incompetent member of the judiciary; now, therefore be it

RESOLVED, That the Committee of State Associations of Chiefs of Police does endorse procedures whereby a judge will be subject to discipline or removal for permanent physical or mental disability seriously interfering with the performance of judicial duties or willful misconduct in office, willful and persistent failure to perform judicial duties, habitual intemperance, or conduct prejudicial to the administration of justice; and, be it further

RESOLVED, That a "Judicial Conduct Commission" be created by each state and by the federal system, empowered to investigate charges bearing on members of the Judiciary regarding competence and their ability to continue in their positions and be empowered to take appropriate action regarding their conduct.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

ADEQUATE LAW ENFORCEMENT REPRESENTATION—STANDARDS AND GOALS PROJECTS

November 1975

WHEREAS, Numerous standards and goals projects are currently being conducted in the United States; and

WHEREAS, There appears to be a move to adopt the National Advisory Commission draft by individual State Commissions; and

WHEREAS, There is a lack of adequate law enforcement representation on the task forces; and

WHEREAS, It appears that the standards and goals as written by the State Commission Staff will be mandated; and

WHEREAS, There is an obvious lack of adequate police representation on standards and goals projects in the United States; and

WHEREAS, The Committee of State Associations of Chiefs of Police considers such lack of representation to be a serious threat to their ability to provide quality law enforcement services to the citizens of their communities; now, therefore be it

RESOLVED, That the Committee recommends that this serious condition be remedied, and that copies of this resolution be forwarded to the President of the United States, to Congress, to each Governor, to the Law Enforcement Assistance Administration, and to all State Planning Agencies.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

WITHHOLDING OF LEAA FUNDING TO SMALL AGENCIES

November 1975

WHEREAS, There is considerable evidence that the original intent of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, has been circumvented; and

WHEREAS, Such circumvention has seriously hampered the original goals of the Act; and

WHEREAS, Policies have been established within the Law Enforcement Assistance Administration that can have the effect of seriously affecting the quality of police service within the United States; and

WHEREAS, One such policy, that of denying LEAA funds to certain smaller agencies has been established within LEAA and/or State Planning Agencies; and

WHEREAS, The policy obviously has, for its long-range goal, the forcing of consolidation or regionalization of smaller police agencies or police services; and

WHEREAS, There is no existing evidence that consolidation or regionalization of police agencies or services will improve police services in all cases; and

WHEREAS, Ninety-two (92) percent of all police agencies in the United States have fewer than ten men; and

WHEREAS, The denial of federal law enforcement assistance funds seriously affects the quality of police services to a substantial number of our citizens and has the effect of relegating them to second class status; now, therefore be it

RESOLVED, That the Law Enforcement Assistance Administration and State Planning Agencies shall not be allowed to prohibit any police agency from applying for or receiving such funding solely on the basis of number of officers or number of citizens served; and, be it further

RESOLVED, That copies of this resolution be forwarded to the President of the United States, to Congress, to each Governor, to LEAA and to all State Planning Agencies.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

MANDATORY IMPLEMENTATION OF STANDARDS AND GOALS

November 1975

WHEREAS, The government of the United States of America has historically and constitutionally been based upon the principle of home rule; and

WHEREAS, The most efficient and least expensive form of government is the local community; and

WHEREAS, Law enforcement agencies in the United States have received financial assistance from the Law Enforcement Assistance Administration; and

WHEREAS, LEAA is promulgating standards and goals upon local governments; and

WHEREAS, Receipt of federal law enforcement assistance funds should not depend on mandatory implementation of standards and goals as dictated by LEAA; now, therefore be it

RESOLVED, That the Committee of State Associations of Chiefs of Police of the International Association of Chiefs of Police does hereby condemn these actions by LEAA as being contrary to the principles of separation of power; and, be it further

RESOLVED, That this Committee does request the IACP Board of Officers and Executive Committee to adopt this resolution and to cause its distribution to the President of the United States, to Congress, and to the Law Enforcement Assistance Administration.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

COMMITTEE CHAIRMAN TO SERVE AS MEMBER OF BOARD OF OFFICERS

November 1975

RESOLVED, That the person serving as Chairman of the IACP Committee of State Associations of Chiefs of Police, through proper constitutional revision, serve as a member of the IACP Board of Officers.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

SOCIAL SECURITY AND RETIREMENT SYSTEMS

November 1975

WHEREAS, Municipal police officers employed by municipalities in Louisiana who pay social security and choose to join the Municipal Police Employees' Retirement System, are compelled to continue paying social security contributions of 5.85 percent, and pay 7 percent contributions into the Municipal Police Employees' Retirement System; and

WHEREAS, Municipal Police Officers cannot withdraw from social security, unless the entire municipality withdraws; and

WHEREAS, This places a tremendous burden and hardship on municipal police officers employed by municipalities paying social security; and

WHEREAS, Many municipal police officers have chosen to withdraw from the Municipal Police Employees' Retirement System, due to the fact they cannot withstand deductions from their salaries of 12.85 percent; and

WHEREAS, Be advised many municipal police officers in Louisiana are concerned and want procedures implemented to enable them to withdraw from social security on an individual basis or as a special group basis, thereby, deleting them from the two-year waiting period under which municipalities must follow; now, therefore be it

RESOLVED, That the Committee request the urgent assistance in the passage of H.R. 9298, introduced by Congressman Joe Waggonner, now pending in the House Ways and Means Committee in Congress which would correct the problem at hand.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
COMMITTEE OF STATE ASSOCIATIONS OF CHIEFS OF POLICE

OPPOSITION OF MANDATORY COLLECTIVE BARGAINING

November 1975

WHEREAS, Federal legislation and federal governmental agency administrative rules and regulations or restrictions directing or requiring state or local governments to enact legislation to enable collective bargaining is an infringement upon the principle of separation of powers between the federal government and the several states; now, therefore be it

RESOLVED, That the Committee of State Associations of Chiefs of Police does hereby vigorously oppose any federal action which would have the effect of imposing, either directly or indirectly, collective bargaining processes on any unit of state or local government.

**END**