



LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)

POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT City/County Police Consolidation Study  
REPORT NUMBER 78-014-190  
FOR Junction City and Geary County, Kansas

	<u>City</u>	<u>County</u>
Population:	20,655	4,543
Police		
Strength (Sworn)	43	17
(Civilian)	13	1
Total	56	18
Square Mile Area	4.5	351

CONTRACTOR Public Administration Service  
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CONTRACT NUMBER J-LEAA-002-76

DATE June, 1978

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## I. INTRODUCTION

This report was prepared in response to a request for technical assistance from Junction City, Kansas, in the form of a feasibility study to determine if law enforcement and associated technical services could be improved by city/county law enforcement consolidation in Geary County.

Mr. Robert Doran, Staff Associate, was assigned to the project to design the study methodology, conduct the field interviews, data collection and analysis, and write this report.

Other persons involved in processing the technical assistance request were:

Requesting Agency: Mr. John F. Higgins  
City Manager  
Junction City, Kansas

Approving Agencies: Richard Bleam  
Police Specialist  
Governor's Commission on  
Criminal Administration  
Topeka, Kansas

Mr. Robert O. Heck  
Police Specialist  
Office of Criminal Justice Programs  
Law Enforcement Assistance Administration  
U.S. Department of Justice

The purpose of this study is to determine the legal, economic, organizational and practical feasibility of law enforcement consolidation in Geary County and provide recommendations for the implementation of such consolidated policing in the event that the required referendum is passed. Consolidation of functions would be directed primarily toward the Junction City Police Department and the Geary County Sheriff's Department. However, given the existing statutory provisions relating to police consolidation,<sup>1/</sup> any consolidation would affect other municipalities and police departments within Geary County, specifically the municipalities of Grand View Plaza and Milford.

The specific results to be accomplished through various tasks that make up this study were:

1. A general overview of the socioeconomic, demographic, and crime-related characteristics of the area.

<sup>1/</sup> See Kansas Annotated Statutes, 19-4434 (hereafter referred to as KSA).

2. A general review and assessment of the Junction City Police Department and Geary County Sheriff's Department relating to the potential for, and feasibility of, consolidation.
3. The development of conclusions and recommendations as to the feasibility of consolidation and, if feasible, the identification of methods and procedures for implementation.

Since the referendum issue is required to be placed on the ballot, 90 days prior to the general election in November<sup>2/</sup> (August 7, 1978 deadline), immediate on-site assistance was requested by the city.

The purpose of the consultant's on-site visit on May 15-16, 1978, was to gain a first-hand understanding of the nature and extent of law enforcement functions and services provided by the city and county, discussions with the Mayor, City Manager, Police Chief/Sheriff, and legal representatives, regarding the proposed consolidation and the collection of data to support the initial study efforts.

During the period June 5-8, 1978, an additional three-day site visit was made to collect further data and refine previously collected data. In addition, a preliminary report of findings and conclusions was made to city officials and their input to the study was solicited.

Persons contacted and interviewed for the purposes of this study were as follows:

Mr. Thomas Fegan  
Mayor  
Junction City

Mr. Donald Ealy  
Police Lieutenant  
Junction City Police Department

Mr. John Higgins  
City Manager  
Junction City

Mr. John DePersio  
Undersheriff  
Geary County Sheriff's Department

Mr. Thomas Johnson  
Administrative Assistant to  
City Manager  
Junction City

Mr. Jack Lacy  
Executive Director  
Economic Development Commission  
Junction City, Geary County

Mr. James Cross  
Junction City Police Chief and  
Geary County Sheriff

Mr. James Manns  
Police Lieutenant  
Junction City Police Department

Mr. Richard Bleam  
Police Specialist  
Governor's Committee on  
Criminal Administration

Mrs. Kathy Augustine  
Deputy Sheriff  
Geary County Sheriff's Department

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<sup>2/</sup> KSA 19-4426.

Mr. Michael McKone  
City Attorney  
Junction City

Mr. Michael Francis  
County Attorney  
Geary County

Mr. Dennis Sauter  
County Attorney  
Riley County

Mrs. Verda Frisbie  
Geary County Clerk's Office

## II. ANALYSIS OF THE PROBLEM

As stated, the purpose of this study was to assess the feasibility of consolidated law enforcement services in Geary County. Since the Geary County Sheriff's Department and Junction City possess the only significant law enforcement resources in the county -- excluding of course the various Federal, state, and military law enforcement agencies -- this study will be confined to their administration and operations as related to consolidation.

Since this study is a technical assistance effort rather than a comprehensive organization and management study, it is not an exhaustive examination of all the issues, policies, procedures, and other considerations which can, and will, influence the decision-making process. Rather, this study is first meant to identify the most visible or critical issues and concerns which should be addressed in determining the feasibility of consolidated law enforcement. Secondly, this study is confined to those recommendations and conclusions pertaining to the additional technical assistance, resources, and programs which are of an immediate and intermediate-term nature. Should the city/county consolidation prove feasible and be adopted by referendum, this study would serve as a preliminary program planning and strategy implementation design.

### Study Methodology

In conducting this study a number of data collection, analytical, and developmental techniques were employed. Key policy and decision-making elected and appointed officials were interviewed; reports, studies, policy manuals, statutes, and other pertinent documents were examined and analyzed; police and sheriff's departments' facilities and equipment were viewed and assessed; and many of the operations and support personnel were observed while at work. Formal data collection on the administration and operations of the departments was conducted through the use of a questionnaire which was completed by both departments. In addition, the consultant spent several hours with police patrols in and about Junction City and the county to gain an understanding and appreciation of the policing problems presented by the socioeconomic, demographic, and topological characteristics of the area. An informational meeting was held with the Junction City Commission to gain their individual and collective experiences and perspectives on the issue. These activities allowed the consultant to become sufficiently familiar with the geographic area and departmental operations so that informed judgments could be made regarding the feasibility of consolidation and the potential for improving law enforcement services.

A number of factors have a bearing, either directly or indirectly, positively and negatively, upon the feasibility and possible implementation of consolidated police services. For sake of logical expression,

clarity, and analysis, these factors can be classified and presented as:

1. Conceptual--police consolidation.
2. Legal--constitutional, statutory, and ordinance considerations.
3. The general nature of the area--its economy and the characteristics of the service population.
4. Organizational--resources, policies, and procedures of the existing police and sheriff's departments.

#### Police Consolidation

The 1967 Task Force Report on Police<sup>3/</sup> identified a number of methods for merging police agencies, activities, and functions as one of the means by which law enforcement efficiency and effectiveness could be increased while, at the same time, reducing the fragmentation and duplication that has prevailed in the American criminal justice system. In addressing this issue, the Task Force stated, "Formal cooperation or consolidation is an essential ingredient in improving the quality of law enforcement. Crime is not confined within artificially created political boundaries but, rather, extends throughout the larger community."<sup>4/</sup>

While many throughout the nation expended efforts to analyze and implement the recommendations made by the Task Force, only partial success was realized, however. With the publications of the National Advisory Commission's Standards and Goals<sup>5/</sup> in 1973, a renewed interest in combined police services was generated and many municipal, township, county, and state officials have seriously studied the feasibility of and then implemented combined police services.

To give the reader an overview of regionalized policing, the various concepts pertaining to regionalized policing and methods of implementation, have been abstracted from the National Advisory Commission's Standard,<sup>6/</sup> and are presented below. In analyzing this Standard, the reader should keep several thoughts in mind.

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<sup>3/</sup> The President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Police, U.S. Government Printing Office, Washington, D.C., 1967 (Chapter IV).

<sup>4/</sup> Ibid., p. 68.

<sup>5/</sup> National Advisory Commission on Criminal Justice Standards and Goals, Reports on Police, Courts, Corrections, Juvenile Delinquency, et al., U.S. Government Printing Office, Washington, D.C., 1973.

<sup>6/</sup> National Advisory Commission, Report on Police, pp. 108-115.

The most critical, and often most misunderstood consideration, is that relating to costs. In many cases, a form of regionalized policing is adopted and implemented with the explicit assumption that policing costs will be reduced. More often than not, this assumption proves to be erroneous and subsequent disappointments a certainty.

Rather than seeking any reduction in cost, the advocate should be assessing the potential for increasing police efficiency--the method through which a service or activity is provided, and effectiveness --the relative impact of a service or activity in alleviating a problem, reducing crime, etc. In many cases, the monies saved through a reduction of fragmented, duplicative, or uncoordinated administrative or operational activities is required elsewhere in the organization to provide more intensive or extensive services. Thus, while expenses may be reduced through consolidation, these resources can be reapplied to the law enforcement function to provide new services and activities--if needed --or to strengthen existing services and activities.

The second consideration to be addressed is one of an evaluative nature. In order to state with any certainty that consolidated law enforcement has increased efficiency and/or effectiveness, certain performance standards and measures are necessary. These standards and measures, to be most useful, should be identified and developed prior to actual consolidation. These standards will permit a rational delegation of authority, the recipient knowing exactly what is expected in terms of performance and the time-frame in which these activities are to be completed.

The National Advisory Commission report includes as Standard 5.2

"Every . . . (jurisdiction) . . . should provide police services by the most effective and efficient organizational means available to it. . . . Each should acknowledge that the police organization . . . should be large enough to be effective but small enough to be responsive to the people."

In specifying the means through which this effectiveness and efficiency may become reality, the Commission recommends that:

- a. "Every state should enact legislation enabling local governments and police . . . , with the concurrence of their governing bodies, to enter in interagency agreements to permit total or partial police services."
- b. "Every local government . . . take whatever actions are necessary to provide police services through mutual agreement or joint participation where such services can be provided most effectively."
- c. "No state or local government or police agency should enter into any agreement for or participate in any police service



that would not be responsive to the needs of its jurisdiction and that does not . . . ."

- (1) Maintain current service levels at a reduced cost;
  - (2) Improve current level of service at the same cost or at increased cost if justified; or
  - (3) Provide additional service at least as effectively and efficiently as could be provided by the agency alone.
- d. "Every local government and every local police agency should study possibilities for combined and contract police services, and where appropriate, implement such services," including:
- (1) Total consolidation of all police agencies in a geographic area (regional consolidation).
  - (2) Consolidation of specific functional units of several police agencies (functional consolidation).
  - (3) Centralize specific functional services on a geographic basis (functional regionalization).
  - (4) Consolidate all governments and governmental services within a metropolitan area (metropolitan policing).
  - (5) Contract for total police services from another unit of government (contractual policing).
  - (6) Contract for specific police services from another unit of government (contractual policing).
  - (7) Shared support services with another police agency (shared services).
- e. Staff services should be regularly evaluated to determine if they are adequate, cost effective, and whether they could be more efficiently or effectively provided if combined with those of other police agencies.
- f. Line operations should be identified that might be more effective and efficient in preventing, deterring, or investigating criminal activity if combined with like operations of other agencies.

Within the context of this study, the only method of combining police services to be studied will be regional consolidation. Since statutory authorization for such consolidation in Geary County presently exists,<sup>7/</sup> other forms of combined services mentioned will be in the context of providing background or illustrative materials.

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7/ See KSA 19-4424, et seq.

### Legal Issues

Included within the legal factor are issues of a constitutional, statutory, and ordinance nature associated with the concept of consolidation. This factor must be adequately addressed and analyzed to preclude the potential of any future legal challenges to the consolidation and to surface those legal issues that are inherent in the concept, e.g., tort liability, pension and disability provisions, transfer and disposition of tangible property, etc.

#### Constitutional

The Constitution of the State of Kansas empowers cities to determine their local affairs and government except when limited or prohibited by legislation applicable uniformly to all cities of the same class.<sup>8/</sup> This legislative philosophy of self-determination is extended to a great degree in Section 5(d)<sup>9/</sup> which mitigates the generally accepted tenets of Dillon's Rule.<sup>10/</sup> Section 5(d) is explicit in stating that powers and authority granted pursuant to Section 5 are to be liberally construed to give cities the largest measure of self-government.

#### Statutory

Under the aegis of this constitutional provision, Geary County is authorized by legislative enactment to adopt the provisions of the Kansas Statutes<sup>11/</sup> which permit the consolidation of county and municipal law enforcement agencies within counties having a statutorily prescribed population and assessed tangible valuation.

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<sup>8/</sup> Constitution of Kansas, Article 12, Section 5(b), 1861 (as amended).

<sup>9/</sup> Ibid.

<sup>10/</sup> This legal principle governing municipal government was expressed by Judge John F. Dillon some years ago:

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

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

<sup>11/</sup> KSA 19-4424 et seq.

Under these provisions the proposition of consolidated law enforcement is placed on the ballot at the next general election for voter approval. If approved by the electorate, a single county law enforcement agency responsible for police protection throughout the county is thereby created. This law enforcement agency, composed of three county and two municipal officials, is authorized to exercise a wide range of administrative powers necessary to the agencies' purpose,<sup>12/</sup> including: appointing sworn and other personnel; establishing job classes and salary structures; acquisition and disposition of necessary equipment; maintenance of files and records; the authority to enter into contracts; and the necessary budgetary authority.

Given the nature and scope of this legislation, there does not appear to be any significant legal issues which would prevent the consolidation of law enforcement services in Geary County. There are, however, several issues which should be addressed and resolved prior to the implementation of consolidated law enforcement.

The most significant of these issues is that of governmental liability for the acts of the law enforcement agency personnel. During a discussion with the Junction City Attorney<sup>13/</sup> the issue of where civil liability might rest for the tortious acts of law enforcement agency personnel was raised. Since the law enforcement agency does not have the authority to levy taxes<sup>14/</sup> it would appear, therefore, that the agency would not be considered a unit of government but, rather, an instrumentality of government exercising only those powers, duties, and responsibilities previously exercised by the county and city independently.

In a telephone conversation with the Riley County Attorney,<sup>15/</sup> it was learned that the Riley County Consolidated Law Enforcement Department holds a liability insurance policy paid for from its annual budget. An unresolved issue that should be addressed, then, is the extent to which a participating municipality or county would be liable should a judgment exceed the amount of liability insurance coverage.

#### Retirement System

At present, Junction City police officers are covered by the provisions of the Kansas Police and Fireman's Retirement System, while

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<sup>12/</sup> KSA 19-4429.

<sup>13/</sup> Discussion with Mr. Michael McKone, May 16, 1978, Junction City, Kansas.

<sup>14/</sup> KSA 19-4443.

<sup>15/</sup> Telephone conversation on May 24, 1978, with Mr. Dennis Sauter, Manhattan, Kansas.

the Sheriff's personnel are covered under the provisions of the Kansas Personnel Retirement System (KPER). Section 19-4441 of the Consolidation Act specifically states that all consolidated law enforcement agencies shall make application for affiliation with the Kansas Police and Fireman's Retirement System, and all service with the police or sheriff's department is generally credited toward retirement, death, and disability benefits.

While the issue of pension interests and rights is specifically addressed and resolved by the Consolidation Act, several personnel-related issues should be addressed. These include:

- A comparison of the scope of coverage and eligibility criteria for the KPER and Police and Fire Retirement Systems.
- The financial impact, if any, upon the city and county as a result of retirement system unification.

#### City Ordinances

Provisions of the Consolidation Act transfer all responsibilities for the enforcement of city ordinances "which have been declared to be crimes under the laws of the state of Kansas"<sup>16/</sup> to the consolidated law enforcement agency with those ordinances not considered crimes enforceable by the agency on a contractual basis. The issue raised here impacts upon the establishment of equitable cost sharing between the consolidating agencies. As generally stated, the city and county would share in the total consolidated budget in the same proportion as their existing separate budgets are in relationship to the consolidated budget.<sup>17/</sup> Since the Junction City Police Department enforces ordinances vis-a-vis its current budget, the imposition of a contract for the enforcement of ordinances which have not been declared crimes under state law may potentially result in the city paying twice for ordinance enforcement.

It is suggested that a comparative study of the Junction City ordinances and the Kansas Criminal Code be undertaken to identify ordinances not defined as criminal acts under state law and include the enforcement of these ordinances, for nominal consideration, as a provision of the contract between the city and the law enforcement agency.

The transfer of city property to the law enforcement agency may also be by contractual agreement. It is suggested that such a contractual agreement be devised to record the conditions upon which the property is transferred should it become necessary to reconstruct property inventory systems.

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<sup>16/</sup> KSA 19-4434.

<sup>17/</sup> KSA 19-4443.

### General Characteristics of the Area

Junction City, established as a municipal corporation in 1857, is the county seat of Geary County and is located in the northeast portion of Kansas. Operating under a commission-manager form of government since 1947, the city has a population of 20,655,<sup>18/</sup> which represents approximately 80 percent of the county's population. Included in the remaining 20 percent are the unincorporated county area and the municipalities of Grandview Plaza and Milford. These population figures do not include the military personnel stationed at Fort Riley, which is contiguous to the city. Recent data indicate a total population, including military personnel and dependents, of 36,427.

The economy of the area includes agriculture, industry, commerce, and Fort Riley. In order to minimize the economic effects of Fort Riley upon the area, a joint City-County Economic Development Commission, the first in the state, was established in 1972 to plan for the economic growth of the area through diversified light industrial and commercial development. The city is currently developing a 150-acre industrial park which, within the next two years, is planned to be contributing to the economy and tax base. At present, Junction City has four major industries which employ 1,000 persons; it serves a trade area within a 30-minute drive of downtown in excess of 125,000 persons.

Fort Riley, covering 157 square miles and with annual payroll of \$183 million, is the home of the First Infantry Division. The Fort also serves as a retraining center for personnel requiring additional socialization into army life. Approximately 6,900 Army personnel and dependents reside in Junction City.

The Junction City-Geary County area includes Milford Lake which has a surface area in excess of 16,000 acres and 163 miles of shoreline. This lake is known to have some of the best fishing in the state, and the area around it is open to the public for hunting during season. Located approximately 4 miles from Junction City, the lake area has camping, picnic, boat launching, and swimming facilities which attracted 1,704,000 visitors in 1976.

### Population Characteristics

The combined city-county area population grew at a rate of 33 percent from 1950 to 1960. However, since that time the combined population has decreased, 2.0 percent from 1960 to 1970 and 11.0 percent from 1970 to 1976.

Table 1, below, illustrates these population changes for the city, the county, and their combined populations.

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<sup>18/</sup> U.S. Department of Housing and Urban Development, 1978 estimate.

Table 1 -- CITY/COUNTY POPULATION: 1950-1978<sup>19/</sup>

	1950	1960	Percent + or (-)	1970	Percent + or (-)	1976	Percent + or (-)	1978	Percent + or (-)
City	13,462	18,700	39.0	19,018	2.0	20,519	8.0	20,655	.07
County	8,209	10,079	23.0	9,093	(9.7)	4,543	(50.0)	4,543	0.0
Total	21,671	28,779	33.0	28,111	(2.0)	25,062	(11.0)	25,198	.05

It is readily apparent that Junction City, while its growth rate has slowed down from the 1950-1960 era, has maintained population growth to varying degrees while the county population has been decreasing. The reasons for these patterns are not readily discernible, but reductions in the number of personnel assigned to Fort Riley may be one factor.

Several other indicators of the viability of the area are assessed valuation of real estate, total water customers, and bank deposits. From 1970 to 1976, privately owned real estate values increased 20.5 percent while corporation-owned real estate increased over 300 percent. Total water customers increased 5.8 percent, and bank deposits increased by 73 percent.<sup>20/</sup> While these figures do not take into account inflation or other general economic factors, the viability of the Junction City area does not appear to be a problem.

Other factors bearing upon law enforcement include minority population (14 percent minority--blacks comprising 13 percent), welfare levels (177 families--approximately 2.6 percent, on welfare), and relative poverty (775 families--13.8 percent, earning less than the Federally defined poverty level).<sup>21/</sup>

The incidence of criminal offenses in Junction City is in part strongly influenced by many of the general characteristics mentioned above. It has been estimated by city officials that approximately 80 percent of the criminal offenses actually occurring in the city can be attributed to the close proximity of Fort Riley and a significant military population living in the city. This poses several problems for the police and sheriff's departments as well as to the entire criminal justice system serving the area.

Because of the transient nature of military personnel, a stable city population is difficult to maintain. This aggravates the law enforcement problem in that a sense of anonymity is bound to arise, and individuals may become more crime prone under such conditions.

<sup>19/</sup> Economic Development Commission, Junction City, Geary County, Community Profile on: Junction City, Kansas (Undated mimeographed publication).

<sup>20/</sup> Economic Development Commission, op.cit.

<sup>21/</sup> U.S. Bureau of Census, 1970 Census.

Other factors which have been shown to be correlated with high crime rates and which are significantly present in Junction City and the county are:

- relative economic status of the population.
- composition of the population with reference particularly to age, sex, and race.
- relative percentage of owner-occupied homes.
- seasonal variations in population, such as tourists, fishermen, etc.<sup>22/</sup>

The crime problem is further aggravated by the highly transient population, since offenders, victims, and witnesses frequently move from the area and prosecutorial efforts are hampered. The establishment of crime prevention/citizen education programs is also hampered, since a continual effort is required to reach those who are continually moving into the area. This problem can be partially addressed, and possibly alleviated, through a viable crime analysis program which could assist in the development and implementation of crime-specific prevention efforts, the implementation of "split-force" or "directed patrol" programs, and the more effective utilization of investigative, prosecutorial, and judicial resources.

Table 2, below, illustrates the yearly trends in the number and rate of Part I Offenses for Junction City.

While the number of offenses and crime rate dropped approximately 10 percent in 1976 as compared to 1975, the upward trend in 1977 is just as significant. Based upon first quarter 1978 crime data, and assuming that this reflects one-fourth of yearly criminal offenses (which in reality it does not),<sup>23/</sup> Junction City can anticipate a 63.2 increase in founded offenses in 1978. Property-related offenses, which constitute 69.9 percent of Part I offenses, are most amenable to crime prevention and proactive patrol techniques.

The city crime volume and rates have been significantly higher than the county volume and rates in the past. While the lower crime volume is to be expected due to fewer persons, property, population densities, etc., in the unincorporated areas, the total crime rate (which standardizes population differences) has historically averaged

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<sup>22/</sup> Federal Bureau of Investigation, Crime in the United States, Uniform Crime Reports, Washington, D.C., 1976.

<sup>23/</sup> Burglary, for example, is known to have a higher rate of occurrence during the summer months. This offense constitutes 30.3 percent of the 1977 Part I Offenses in Junction City. Thefts are highest in August and constitute 56.2 percent of offenses.

Table 2 -- PART I FOUNDED OFFENSES, JUNCTION CITY, KANSAS

<u>Year</u>	<u>Total Index Crime</u>		<u>Violent Crime<sup>a/</sup></u>		<u>Property Crime<sup>b/</sup></u>	
	<u>Number</u>	<u>Rate/10,000</u>	<u>Number</u>	<u>Rate/10,000</u>	<u>Number</u>	<u>Rate/10,000</u>
1974 <sup>c/</sup>	1,822	911.0	281	140.5	1,541	770.5
1975 <sup>d/</sup>	2,060	1,030.0	194	97.0	1,866	933.0
1976 <sup>d/</sup>	1,868	911.2	137	66.8	1,732	844.4
1977 <sup>e/</sup>	2,003	972.3	199	96.6	1,807	875.7
1978 <sup>f/</sup>	3,268	1,578.7	240	115.9	2,284	1,103.4

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Source: Junction City Police Department, Records Division

a/ Violent Crime includes murder, rape, robbery, and aggravated assault.

b/ Property Crime includes burglary, theft, and motor vehicle theft.

c/ Population estimated at 20,000.

d/ Population estimated at 20,519.

e/ Population estimated at 20,600.

f/ Population estimated at 20,655, first quarter offenses projected to one year (x4).



Table 3 -- PART I FOUNDED OFFENSES, GEARY COUNTY SHERIFF'S DEPARTMENT

<u>Year</u>	<u>Total Index Crime</u>		<u>Violent Crime<sup>a/</sup></u>		<u>Property Crime<sup>b/</sup></u>	
	<u>Number</u>	<u>Rate/10,000</u>	<u>Number</u>	<u>Rate/10,000</u>	<u>Number</u>	<u>Rate/10,000</u>
1974	n/a	n/a	n/a	n/a	n/a	n/a
1975 <sup>c/</sup>	150	300.0	21	42.0	129	258.0
1976 <sup>d/</sup>	214	475.6	26	57.8	188	417.8
1977 <sup>d/</sup>	194	431.1	30	66.7	164	364.4
1978 <sup>e/</sup>	148	328.9	60	133.3	128	284.4

Source: Geary County Sheriff's Department, Records Division

Note: n/a = not available

a/ Violent Crime includes murder, rape, robbery, and aggravated assault.

b/ Property Crime includes burglary, theft, and motor vehicle theft.

c/ Population estimated at 5,000.

d/ Population estimated at 4,543.

e/ Population estimated at 4,500, first calendar quarter offenses projected to one year (x4).

approximately one-half that of the city rate. Table 3 illustrates the county crime volume and rate trends of Part I offenses and those violent and property crimes included in total Part I offenses.

Violent crime rates have ranged from 43 to 87 percent of the city rates during the period 1975 to 1977. On a projected 1978 calendar year, the county violent crime rate exceeds the city rate by 15 percent.

Property crime rates also have been historically lower in the county as compared to the city. In 1976, these offenses peaked in both volume and rate, the county rate being 49 percent of the city rate.

Thus, while the city crime rate for all Part I offenses is rising, the county rate is noticeably decreasing. However, when comparing the violent and property crime rates, a much different picture is presented. Table 4 presents this comparative analysis.

Based upon past experience and projected 1978 crime data, the violent crime rate is increasing significantly less in the city than in the county, while the opposite is true for property crimes. In fact, the city property crime rate is increasing while the county rate has demonstrated a relatively large decrease.

Explanations for this phenomenon are difficult to derive from the limited data collected for this analysis. One potential explanation that should be studied, however, is crime displacement. Given the initial rate reductions in city violent crime (1975 and 1976) and the subsequent slower rate of increase projected for 1978, city police activities may, in part, be causing offenders to move their activities to unincorporated county areas. An additional, at least partial explanation relates to any changes in police crime reporting policies and practices. In any case, these fluctuations and variances should be closely studied to determine contributing factors and effects upon citizen perception of law enforcement services.

The point of this discussion is to present the issue of increasing crime rates in Junction City and Geary County as well as to suggest that consolidation may provide greater flexibility for the implementation of various crime analysis, crime prevention, and criminal apprehension programs. With the reduction or elimination of duplicative functions and services, opportunities for the implementation of various staff support and operations programs are presented. These programs can be used to allocate and deploy personnel and other resources in a more effective manner, with the ultimate objective of controlling crime rate increases and variances.

#### Existing Law Enforcement Resources and Practices

As part of this description of the existing personnel, equipment, facilities, and other resources available to the law enforcement agencies



Table 4 -- PART I FOUNDED OFFENSES  
CRIME RATE COMPARISONS: JUNCTION CITY - GEARY COUNTY, 1975-1978

	<u>Index Crime Rate</u>		<u>Violent Crime Rate</u>		<u>Property Crime Rate</u>	
	<u>Change + or (-)</u>		<u>Change + or (-)</u>		<u>Change + or (-)</u>	
	<u>(in percent)</u>		<u>(in percent)</u>		<u>(in percent)</u>	
	<u>City</u>	<u>County</u>	<u>City</u>	<u>County</u>	<u>City</u>	<u>County</u>
1975	13.1	N/A	(30.9)	N/A	21.1	N/A
1976	(11.5)	58.5	(31.3)	37.6	(9.5)	61.9
1977	6.7	(9.4)	44.6	15.4	3.7	(12.8)
1978*	62.4	(23.7)	19.9	99.9	26.0	(21.9)

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\* Estimated 1978 rates based upon fiscal calendar quarter offenses.

N/A = 1974 data not available.

Source: Consultant analysis of crime data supplied by Junction City and Sheriff's Departments.

in the county, a brief overview of current administrative and operational policies and practices is included to identify those areas where modifications may be necessary to implement a consolidated law enforcement department.

#### Junction City Police Department

The Junction City Police Department is staffed by the Chief of Police (also concurrently the Geary County Sheriff), 1 captain, 6 lieutenants, 5 sergeants, and 30 patrol persons, all full-time. These patrol persons include 4 investigators, 24 field patrolmen, and 1 policewoman.

Civilian personnel include 5 clerks, a typist, a secretary, and 6 technicians--dispatchers, animal control, school crossing, and parking meter enforcement. In addition, there are 14 part-time auxiliary police officers, including a commander and deputy commander.

In fiscal (calendar) year 1977, the police department received an appropriation of \$681,275;<sup>24/</sup> a per capita expenditure of \$32.97.

The department is housed in one wing of the municipal building, which also contains the city administrative officers and the fire department. The police facility has approximately 6,867 square feet, of which 400 square feet is used by the City Court. All police functions operate from this facility. The reception and desk area is immediately visible upon entering the facility, with the communications and records sections adjacent to it. The lock-up has a maximum capacity of 38 prisoners, although state detention standards allow for a capacity of 12. The department plans to remove a large cage-like cell block which would provide approximately 1,200 additional square feet for office space. With this additional space, the facility should be capable of handling all administrative and support functions of a consolidated department.

The department provides 24-hour, 7-day-a-week police services including (in order of the department's stated priority): initial investigation, traffic accident investigation, follow-up investigation and crime scene search, noncriminal calls for service, preventive patrol, and criminal surveillance. Other functions performed include: parking meter enforcement, animal control, school-crossing guards, and vacation watch.

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<sup>24/</sup> Includes \$18,450 capital expense for new vehicles, communications, and miscellaneous equipment but does not include \$25,620 appropriated in the police budget for court.

Specialists--photography, crime scene technician and investigators --are available on each shift. The department has a fully equipped mobile crime scene laboratory.

The department has 11 patrol cars and 1 crime scene van, all of which appear to be in good condition. Specialized equipment includes: five radar sets, three field narcotic test kits, and one Identikit. Fifteen pieces of photographic equipment are available through the crime scene technician, including various specialized cameras.

General field support equipment, i.e., heavy weapons, body armor, gas masks, chemical agents, and helmets, appear to be sufficient in number to effectively handle most situations. It does appear, however, that crowd control equipment is needed in order to complete a basic inventory.

Communications equipment includes: 1 base station (460.100, 460.500, 465.100, and 39.58 MglI), 14 mobile, and 6 portable radios. Statewide communications/information retrieval is through the state radio network and teleprinter system.

#### Administrative Policies and Practices

The department does not currently have a full-time planning or research unit for administrative or operations purposes. Patrol beat development and workload analysis is conducted by the watch commanders on an ad hoc basis. A formal line and staff inspection program does not currently exist, although patrol personnel do attend a roll-call session prior to going on patrol.

Written policy and procedures and rules and regulations manuals have been developed and are available to departmental personnel. The department does have a written policy on vice enforcement. No established inventory control for property and equipment exists, and inventories are not regularly scheduled.

#### Intercity/Governmental Cooperation

The city garage performs all vehicle maintenance for the department. Official intercity mail is delivered by the patrol officers.

While the department has no formal mutual-aid agreements, it does receive a variety of back-up services from the Sheriff's Department for criminal investigations and rescue service. Fort Riley provides access to their range for weapons practice.

#### Geary County Sheriff's Department

The Geary County Sheriff's Department is staffed by the Sheriff, the Undersheriff, 2 captains, 1 sergeant, and 12 deputies--all full-time personnel. The staff includes 3 investigators, 10 field and jail deputies, and 4 deputies assigned to the records and communications section.

One civilian cook is employed. In addition, there are nine part-time deputies, including one captain and one sergeant.

In fiscal (calendar) year 1977, the Sheriff's Department expended \$262,179. This represents a total per capita expenditure of \$57.71. Eliminating prisoner care costs, the per capita expenditure would be approximately \$48.88.

The department is housed in a separate facility which contains a total of approximately 6,000 square feet. All departmental activities are directed from this facility. The building houses a combined communications/records area, administrative offices, and the county jail. The jail meets Kansas State detention facility standards for its capacity of 44 prisoners.

The department provides 24-hour, 7-day-a-week police services, including (in order of department stated priority): initial investigations, noncriminal service calls, follow-up investigations, patrol/traffic control, and traffic accident investigation and criminal surveillance. Other functions performed include animal control and rescue service.

Specialists, an investigator and a breathalyzer operator, are available primarily on the day shift (0800-1700 hours). The department makes use of the city crime scene van and equipment as needed.

The department has eight patrol cars, one station wagon, one rescue van, and one four-wheel-drive jeep which appear to be in good condition. Specialized equipment includes one breathalyzer, two field narcotic test kits, one set of scuba equipment, and various rescue equipment.

General field support equipment, including heavy weapons, body armor, straitjackets, and photographic equipment, appears to be sufficient in number. Gas masks, chemical agents, crowd control equipment, and batons are among the items necessary to complete this inventory.

Communications equipment includes one base station (39.58, 39.70, and 39.40 Mgl), nine mobile radios, and five portable radios. Statewide communications/information retrieval is through the state radio network and teleprinter system.

#### Administrative Policies and Procedures

The Sheriff's Department does not currently have a full-time planning or research unit for either administrative or operations purposes. Basic administrative and operations data are collected and tabulated by a deputy assigned to the records section. The data are primarily those required for Uniform Crime Reporting. No formal line and staff inspection program presently exists, and deputies apparently do not have a roll-call briefing session prior to going on patrol.

A basic policy and procedures manual has been developed, although the department does not have a written policy on vice enforcement. An equipment and property inventory control system has been established, and an inventory is taken once a year.

#### Intercounty/Governmental Cooperation

The Sheriff's Department has mutual-aid agreements for civil disturbance and road blocks with the surrounding counties of Dickinson, Saline, Riley, Clay, and McPherson. Support services for crime scene search and evidence collection are provided by the city police department.

#### Consolidated Resources--An Analysis

The various resources presently available to the police and sheriff's departments are discussed below in both a comparative and unified sense. The purpose of this discussion is to present a view of these available resources from a consolidated law enforcement planning perspective and identify those functional areas, not previously addressed, where equipment, procedures, policies, and systems may need revision or modification.

#### Staff Resources

Combining the existing staffs of the two organizations would create a force of 58 full-time sworn officers, 14 civilian personnel, and 23 part-time/auxiliary sworn personnel. The rate of full-time sworn personnel per 1,000 residents would be approximately 2.3. This is contrasted to the national average rate of 2.0 per 1,000 for all cities of 25,000-50,000 population.<sup>25/</sup>

These average rates are not to be considered standards for police/population ratios but rather guidelines upon which to base management decisions regarding the number of personnel required. The allocation and distribution of these personnel should be based upon some "hazard" or "service" related criteria which would permit the most effective use of this resource. Civilian personnel assignments and tasks should be analyzed in conjunction with a consolidated department and positions reclassified or restructured to take these various factors into account.

One basic premise of consolidation that should be kept in mind is the additional flexibility in manpower allocation created by combining personnel resources. In part, this flexibility is created through the elimination of duplicative services and functions when two organizations are performing the same or similar functions. In this case, there is a great deal of functional overlap and duplication in the use of personnel

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<sup>25/</sup> U.S. Department of Justice, Federal Bureau of Investigation, Crime in the United States, 1976, U.S. Government Printing Office, 1976. Note that the rates for sworn personnel ranged from 0.1 to 7.7 per 1,000 residents and sworn and civilian rates ranged from 0.2 to 4.7 per 1,000 residents.



resources for patrol, investigations, records/communications, and administrative services. Examples of observed overlap and duplication are presented below.

In the case of patrol, the Junction City Police Department may well be patrolling beats adjoining unincorporated areas which could be merged, in whole or in part, with the adjoining Sheriff's patrol beat. Criminal investigations being conducted by both departments could be conducted with fewer personnel and other resources if consolidated. Present policies require that all city prisoners must be fingerprinted, photographed, personal property inventoried, and arrest and lock-up forms completed before they are transferred to the county jail, where an identical process is completed. In 1978, the city appropriated \$8,500 for lock-up expenses, most of which could be rebudgeted under a consolidated approach.

In the case of records and communications, the city police and the Sheriff's Department are operating systems that virtually parallel each other in terms of personnel costs, equipment, time, crime reporting, etc.

Administrative functions are duplicative in that two budgets are prepared annually, two sets of rules and regulations, policies, and procedures are required, and must be updated and revised.

In general, a significant amount of flexibility can be realized, and duplicative costs in time and personnel, equipment, and processes reduced or eliminated through organizational consolidation.

#### Communications/Records

At the present time both the police and sheriff's departments are operating communications and records systems that are almost identical in process and procedure. Both are receiving calls for service and complaints via telephone, dispatching, patrol, investigative and administrative field units, operating identical teletype systems, and utilizing "person-oriented" records systems (as distinguished from incident- or location-oriented systems).

The existing radio communications system provides the Sheriff's Department with lowband capability, while the city is operating on Ultra High Frequency (UHF), both in a "simplex" mode.<sup>26/</sup>

The present radio systems present two basic alternatives with respect to organizational consolidation: 1) maintain the existing separate radio systems (lowband and UHF); or 2) switch the Sheriff's Department to the UHF frequencies currently used by the city.

Adopting the first alternative--using existing frequencies--would be the least costly method of integrating the communication function.

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<sup>26/</sup> Allows transmission in one direction only at a given time, e.g., base to mobile or vice versa.

This alternative could be implemented by adding the necessary circuitry to one of the existing base station consoles--given sufficient "rack space"--and possibly increasing the power supply.

Implementing this alternative would allow one communications dispatcher and telephone operator to handle all incoming and outgoing communications, including point-to-point and teletype messages. The base station console would be fitted with a manual switch-over device to change channels for transmitting purposes. All existing mobile and portable radio units could be retained, minimizing modification costs.

Approximate costs would be:

a. Purchase and install UHF mobile unit in existing Sheriff's administrative and command vehicle, \$1,500 - \$2,000/unit	
X units =	\$1,500 - \$2,000
b. Relocate Sheriff's department transmitter to police department	\$ 300 - \$ 500
Total first-year basic costs	<u>\$1,800 - \$2,500</u>

The deficiencies of such an operation are that it prevents the sheriff's and police departments from direct communications via radio unless the dispatcher relays transmission or the common statewide point-to-point frequency is used. In addition, the potential exists for the existing base station to override mobile unit to base station communications in the event that both are broadcasting simultaneously. This problem can be overcome through radio procedure; however, it is not optimal for emergency-type radio communications.

The second alternative--using only UHF frequencies--would be more costly but would provide a more up-to-date and reliable radio communications system. To implement this alternative it would be necessary to replace all of the existing lowband mobile and portable units presently used by the Sheriff's Department and purchase UHF replacement equipment.

The positive aspects of this alternative are well worth considering in light of the additional system expansion capability and reduction in radio frequency congestion and interference. This alternative would permit a unified communications capability with separate channels for operations and administration/detective communications using a duplex mode.<sup>27/</sup> A car-to-car communication capability could be built into

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<sup>27/</sup> Allows simultaneous transmission by base station and mobile units, each transmission being carried on a separate frequency.

the system without the necessity of maintaining two separate radio units in the vehicles (both lowband and UHF).

Approximate costs for implementing this system would include:

- |   |                     |
|---|---------------------|
| a. Purchase nine UHF mobile units<br>@ \$1,500-\$2,000 each   | \$13,500 - \$18,000 |
| b. Purchase eight "scanner heads"<br>for administrative and command<br>vehicles (optional)                  | \$ 2,400 - \$ 4,000 |
| c. Obtain FCC licensing for 465.500<br>MgII (additional frequency) and<br>modify existing UHF mobile radios | <u>\$ 2,100</u>     |
| Total first-year basic cost   | \$18,000 - \$22,000 |

Adoption of the total UHF alternative, and the approximate costs presented above, is predicated upon the existence of a 200-foot radio tower--possibly now used by Sheriff--and no unusual radio wave propagation characteristics within the County. FCC criteria would allow for the eventual expansion of this system to 50 mobile and 150 portable radio units, if and when required.

The present UHF frequencies and the proposed 465.500 MgII would allow frequency pairing for duplex operation, such that:

Field Operations	460.100 base station transmit/ mobile receive .465.100 mobile-transmit/base receive
Administration/Detectives	460.500 base station transmit/ mobile receive 465.500 mobile transmit/base receive
Point-to-point	39.58

The above cost estimates do not consider any additional costs for emergency power supplies, enlargement of the transmitter site building, and, if expansion is necessary, the cost of additional security fencing. A nominal expense that would be incurred is the relicensing of the base station (transmitter) if it is relocated.

The costs presented above, in terms of new and additional expenses, can be significantly offset through budgetary line item transfers. Personnel, radio equipment purchase, and maintenance and teletype machine and land line leasing costs can be reduced through an elimination of duplication.

At the present time, both departments are maintaining similar records systems. Both maintain original records (many of which are

duplicates) for an indefinite period of time. Most notably these include arrest warrants, fingerprint cards, arrestee photographs, UCR reports, and possibly criminal offense reports. Both departments use a manual filing and retrieval system. These systems could be consolidated in a reasonably efficient manner using existing storage equipment and microfilming techniques.

To consolidate the records systems in the most economical manner, consolidation should begin after the organizational consolidation. All records, reports, dispatch and index cards, radio logs, etc., would become uniform and filed in one system. To preserve historical records of all Part I Offenses, microfilming could be implemented which would save storage space and expedite records retrieval. Costs estimates for the microfilming could be developed after a more in-depth review of the system and the number of documents which, by law, must be preserved or would be of some future value.

At the present time it is anticipated that the only unique file which needs to be maintained is the Sheriff's prisoners records. Assuming that the communications center could be located within the city police facility, the records process should be centralized there with the exception of current prisoner records, which would be maintained at the county jail.

Implementation of this consolidated approach would reduce the present number of dispatcher/clerks required. Personnel surpluses created by this consolidation could be addressed in several ways. First, sworn personnel currently performing communications/records functions could be transferred to other duties requiring sworn status and, secondly, surplus civilian personnel could be used for microfilming --if adopted--and other tasks and, if need be, later staff reductions made through normal attrition.

While specific cost savings cannot now be accurately determined, a reasonable estimate would be a 30 percent reduction in personnel costs for the communication/records function. In addition, it is estimated that approximately \$3,900 per year could be saved by eliminating one of the teletype machines,<sup>28/</sup> with additional savings resulting from bulk, single purchases of paper, report forms, and other associated supplies.

#### Financial Resources

Considering the FY 1977 expenditures of the two existing departments, a consolidated budget would total approximately \$943,454.<sup>29/</sup> Reallocation

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<sup>28/</sup> Based on an estimated monthly lease cost of \$75 for the teletype and \$5/mile/month for 50 miles land line lease (does not include paper, maintenance, etc.).

<sup>29/</sup> Does not include \$25,620 appropriated by the City for court administration and operation.

of these financial resources, within the confines of this study report, is very difficult due to differences in the budget formats used by the city and county. While the city uses a basic program fund budget, the county uses a line-item budget, thus making it difficult to compare and contrast appropriations and expenditures between the two departments.

No attempt will be made to develop a consolidated budget in this report. Costs which can be presently anticipated under a consolidated department are included below for consideration in any proposed budget.

Depending upon the alternative selected for developing a radio communication system, the costs could range from \$1,800 to \$22,000. As stated earlier, the expense to this cost center could be partially offset by a reduction in communications personnel through normal attrition.

To create uniformity in department image and recognition, consideration should be given to standardizing uniform clothing, stars and shields, automobile and equipment markings, stationery and report forms, traffic citations, etc. Since uniforms would represent a major expenditure of funds, costs would be reduced significantly if the police department's existing uniform was adopted by the consolidated department. It is estimated that the cost to create this uniform image would be approximately \$2,000.

Other costs to be considered are salary and benefit increases in those cases where the salary and benefit schedules are not comparable between the existing departments.

With the consolidation of personnel, it may be advisable to create the position of personnel officer to handle those responsibilities presently assumed by the city and county. Purchasing and payroll structures and personnel may be required to replace existing city and county services or contractual arrangements developed for the continuation of these services. Additional administrative costs to be anticipated are reimbursable out-of-pocket expenses incurred by the agency policy board members and possibly compensation to the board members who hold nonelective public office. Such compensation could potentially add \$2,400 to the budget in addition to other actual expenses.

### III. CONCLUSIONS AND RECOMMENDATIONS

From the foregoing data analysis, review of the various characteristics of the Junction City/Geary County area, assessments of the police and sheriff's departments, and related constitutional and statutory considerations, it is apparent that countywide organizational consolidation is both feasible and practical.

The legislative intent embodied in the applicable statutes reviewed and analyzed in this study clearly support the proposed consolidation of the police and sheriff's departments.

The present facilities and equipment are generally sufficient to support a consolidated department with minor modifications and additions. In order to provide the additional space in the present police department facility, the cell block area should be converted for use by administrative or support functions. Equipment modifications would potentially include the conversion of the radio communications systems (presently low band and UHF) to a single UHF system.

While the statutes cited address many of the organizational, administrative, and operations issues inherent within the concept of police consolidation, there remain several important issues which require further attention and resolution. In addition to the overall conclusion that consolidated law enforcement in Geary County is feasible, certain recommendations relating specifically to consolidation and law enforcement in general became apparent during the course of this study. These recommendations include:

1. Should the required consolidation referendum receive voter approval, a formal organization and management study should be conducted prior to consolidation. This study should address the initial planning, organization, implementation, operation and administration, and evaluation of such a consolidation to promote an orderly transition to a consolidated department. This study should include:
  - a. The development of an organizational design for more efficient and effective utilization of existing resources;
  - b. the development of performance standards and measures;
  - c. the resolution of issues relating to liability insurance;
  - d. a comparative analysis of the KPER and Police and Fire Retirement Systems;
  - e. a study of city ordinances to identify those not currently defined as criminal acts under the Kansas Criminal Code;
  - f. an analysis of personnel classifications and salary schedules;

- g. a radio communications study to determine systems design;
  - h. the feasibility of microfilming existing records and files and;
  - i. the development of written policies and procedures, rules, regulations, and other supportive documentation.
2. The existing uniform of the Junction City Police Department should be adopted, along with badges and shields, by the consolidated department as a means of reducing consolidation costs.
  3. A program for the cross-training of present municipal and county police personnel should be developed and implemented to familiarize them with the duties, responsibilities, and problems of the other department.
  4. A citizen awareness program should be implemented with the objective of informing the citizenry of the consolidation, what functions the consolidated department will undertake, and how they can obtain police services.
  5. Consideration should be given to the planning and development of a crime analysis/operations planning unit within the police department.
  6. Official intercity mail delivery by the police department may have to be eliminated after consolidation if it is not transferred to another city department.
  7. All existing contracts and mutual aid agreements should be renegotiated after consolidation to maintain the availability of these additional resources.
  8. Consideration should be given to the establishment of an investigative case management system (case priorities) in the consolidated department.
  9. In conjunction with number 7, above, a priority prosecution program should be established in the county prosecutor's office due to the heavy caseloads and the transient nature of many victims and witnesses.





**END**