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A DESCRIPTIVE STUDY OF STATEWIDE EDUCATIONAL
INCENTIVE PAY PROGRAMS FOR POLICE CURRENTLY
IN OPERATION AND THE LIKELIHOOD OF A SIMILAR
PLAN BEING ADOPTED IN MICHIGAN

by

Stanley Louis Dulin

A THESIS

Submitted to
Michigan State University
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MASTER OF SCIENCE

School of Criminal Justice

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ABSTRACT

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This study reviewed the current educational incentive pay plans for police officers in Florida, Kentucky, and Massachusetts in order to develop an educational incentive pay plan for Michigan. To accomplish this, several subgoals were developed for the study. The first of these was to gauge the probability of support for an educational incentive pay plan by local governmental executives, police chiefs, and the presidents of various police employee organizations. The second subgoal was to examine any local plans of this nature in Michigan and incorporate any outstanding features from the plans or from recommendations made by respondents into the plan presented in the study. The third subgoal of the study was to derive a first-year cost estimate of operationalizing such a program.

To accomplish the purposes stated in the previous paragraph, two procedures were used. A combination of correspondence and personal interviews with the administrators of the programs in Florida, Kentucky, and Massachusetts was

used to review the programs in those three states. To gauge political support from the described populations in Michigan, determine the existence of local plans in Michigan, gather input for the construction of a statewide program, and gather data for the derivation of a first-year cost estimate, a questionnaire was utilized. The questionnaire was mailed to the local governmental executives, police chiefs, and presidents of employee organizations connected with each of the 38 largest police agencies in the state. The sample was limited to 38 for economic reasons. Responses to questions concerning existence of local plans, probability of support, and the demographic data were tabulated. The remaining responses were analyzed in a narrative fashion.

The review of the three state plans currently in existence yielded valuable information utilized in drafting a proposal for an educational incentive program for Michigan. Experience in the three states indicated that a voluntary, state-shared incentive pay plan will meet with less opposition than a mandatory one in which local governments must bear the total cost. All credits claimed for incentive payment must have been earned at an accredited institution of higher education, and payment should be made to those in police-related fields such as police administration. Payment should be based on a specific, monthly dollar amount for each eligible educational level and should not be payable until

an employee completes one full year of employment with an agency. Local governments may not use state funds paid them for the educational incentive program for any other program.

The results of the survey revealed that a wide majority of all three categories of people surveyed supported legislation creating a state-shared educational incentive program for police officers. The results also revealed that approximately one-third of the surveyed agencies have some type of local educational incentive plan for police officers, but that few of the plans are as comprehensive as the one proposed in this study. Demographic data gathered indicated that approximately 25 percent of the police officers in the state would be eligible for some level of incentive payment if the proposed plan were adopted.

The major implication of the study is that if such a plan is introduced into the Michigan State Legislature it will receive support from local governmental executives, police chiefs, and police employee organizations throughout the state.

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TABLE OF CONTENTS

	Page
LIST OF TABLES	v
LIST OF APPENDICES	vi
 Chapter	
I. INTRODUCTION AND STATEMENT OF THE PROBLEM . .	1
CONCEPTUAL FRAMEWORK	4
STATEMENT OF PURPOSE	7
HYPOTHESES	8
DEFINITION OF TERMS	9
LIMITATIONS	10
OVERVIEW	11
II. REVIEW OF THREE CURRENT STATE PROGRAMS . . .	12
INTRODUCTION	12
FLORIDA	15
KENTUCKY	32
MASSACHUSETTS	43
SUMMARY	53
III. METHODOLOGY	57
SAMPLE	57
METHOD OF RESEARCH	58
DATA ANALYSIS	61

Chapter	Page
IV. ANALYSIS OF DATA	63
ANALYSIS OF ITEM 1: CURRENT EXISTENCE OF AN EDUCATIONAL INCENTIVE PAY PLAN	64
ANALYSIS OF ITEM 2: PROBABILITY OF SUPPORT FOR AN EDUCATIONAL INCENTIVE PAY PLAN	68
ANALYSIS OF ITEM 3: COMMON FEATURES OF CURRENTLY OPERATING EDUCATIONAL INCENTIVE PAY PLANS	69
ANALYSIS OF ITEM 4: FEATURES RESPONDENTS THOUGHT SHOULD BE INCLUDED IN THE PROGRAM	71
ANALYSIS OF ITEM 5: SPECIFIC REASONS FOR OPPOSITION TO THE PROPOSAL	72
ANALYSIS OF DEMOGRAPHIC DATA	73
V. CONCLUSIONS AND RECOMMENDATIONS	76
SUMMARY	76
CONCLUSIONS	78
RECOMMENDATIONS	80
MODEL EDUCATIONAL INCENTIVE PAY PLAN FOR POLICE OFFICERS	80
COST ESTIMATE	86
APPENDICES.	89
BIBLIOGRAPHY	123

LIST OF TABLES

Table	Page
1. Responses From Surveyed Jurisdictions	65
2. Response to Question 2: Will Your Agency Support a Statewide Educational Incentive Pay Plan?	68
3. Officers Employed by Responding Agencies at Each Educational Level	74

LIST OF APPENDICES

Appendix	Page
A. Excerpts from Florida Statutes, Chapter 23, Part IV	90
B. Excerpts from Florida Police Standards Council "Administrative Rules"	93
C. Florida Police Standards Council Transcript Request Form	97
D. Excerpts from Kentucky Revised Statutes	98
E. Excerpts from Kentucky Law Enforcement Foundation Program Fund "Rules and Regulations"	102
F. Massachusetts General Laws, Chapter 835, Section 108L	106
G. Massachusetts Board of Higher Education, "Guidelines for Police Higher Education Program"	108
H. Letter to Police Departments	112
I. Questionnaire to Police Department	113
J. Letter to Local Governmental Executive	115
K. Questionnaire to Local Governmental Executive	116
L. Letter to Employee Organization Executive	118
M. Questionnaire to Employee Organization Executive	119
N. Follow-up Letter	121
O. A Partial List of Michigan Police Departments Having Educational Incentive Pay Plans	122

Chapter I

INTRODUCTION AND STATEMENT OF THE PROBLEM

Much has been written in recent years about the crises in law enforcement in the United States. We have been bombarded with material telling us what is wrong with the criminal justice system and why it cannot function effectively. Various governmental agencies at both the local and federal level have commissioned studies to find out what is wrong with the police and to recommend solutions to the problems. In 1931 the Wickersham Commission¹ found substantive problems with the police and made recommendations for correction of the deficiencies. The President's Commission Task Force Report: The Police,² published in 1967, revealed many of the same deficiencies still existed and again made some specific recommendations for alleviating the problems. It is apparent from the two reports that in the intervening 35 years relatively little progress was made toward correcting

¹National Commission on Law Observance and Enforcement [Wickersham Commission], Report on the Cost of Crime (Washington: Government Printing Office, 1932).

²The President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: The Police (Washington: Government Printing Office, 1967).

the ills first described in the Wickersham Commission report. The Task Force Reports were published in 1967 and resulted in the passage of the "Omnibus Crime Control and Safe Streets Act of 1968." However, until the formation of the National Advisory Commission on Criminal Justice Standards and Goals and funding of the project by the Law Enforcement Assistance Administration, U.S. Department of Justice under the auspices of the Omnibus Crime Act of 1968, little had been done with a view toward standardizing the nationwide administration of criminal justice. Nor had any definitive work been done to develop a viable set of standards and goals that could be applied to the various parts of the criminal justice system throughout the country. The Commission has not proposed taking law enforcement and its administration out of the hands of state and local governments, but rather has endeavored to make recommendations concerning the establishment of a set of goals and standards that local governments throughout the United States could apply to the components of the criminal justice system.³

One of the specific areas addressed by the Report on Police was education of the police. The report specifically recommended a requirement that by 1982 all police

³National Advisory Commission on Criminal Justice Standards and Goals, Report on Police (Washington: Government Printing Office, 1973), p. 3.

officers have an undergraduate degree or its equivalent.⁴

In this country we have been saturated with the notion that if an individual is going to make anything out of his life, he must possess a college diploma. We have been told in the past and are again being told by this report that college-educated policemen perform more efficiently than their non-college educated peers.⁵

It seems not unlikely that future Law Enforcement Assistance Administration grants will be tied to adoption of some or all of the standards recommended by the Commission on Standards and Goals, either exactly as recommended or with some modifications. The problem, then, partially becomes one of encouraging those policemen currently employed in various law enforcement agencies in the state of Michigan and elsewhere to pursue baccalaureate degrees in criminal justice or related fields. The second portion of the problem is inducing people holding undergraduate degrees

⁴Report on Police, p. 367.

⁵George H. Brereton, "The Importance of Training and Education in the Professionalization of Law Enforcement," The Journal of Criminal Law, Criminology and Police Science 52:111-121, May-June, 1961; A. C. Germann, "Education and Professional Law Enforcement," The Journal of Criminal Law, Criminology and Police Science, 58:603-609, December, 1967; Robert T. Jagiello, "College Education for the Patrolman--Necessity or Irrelevance?" The Journal of Criminal Law, Criminology and Police Science, 62:114-121, March 1, 1971; Charles B. Saunders, Jr., Upgrading the American Police (Washington: The Brookings Institute, 1970).

in needed fields to choose careers in law enforcement and to fill vacant positions with these people. A more specific problem is to establish a specific incentive pay program that will enable agencies to encourage police officers to work toward their college degrees and to recruit into police work those people already holding degrees. This problem is specifically addressed by Standard 15.2 (3) of the Report on Police:

Incentive pay should be provided for the attainment of specified levels of academic achievement. This pay should be in addition to any other salary incentive. It should amount to at least 2.5 percent of the employee's current salary for each 30 semester units of college work completed in pursuance of a degree that will lead, directly or indirectly, to service betterment warranting the expense of salary incentive.⁶

CONCEPTUAL FRAMEWORK

The concept of incentive pay in itself is not new to police work. For many years various agencies have offered extra pay for such things as motorcycle or harbor patrol and to pilots and detectives. The law enforcement community is also beginning to realize that we must have college-educated policemen if we are to upgrade or professionalize the American police. Although a number of programs are available, both at the local level and through federal grants such as the Law Enforcement Education Program, to provide tuition

⁶Report on Police, p. 372.

assistance and monies to help with other education-related expenses for inservice policemen, the very fact that the Commission felt compelled to recommend an educational incentive pay plan seems to indicate that existing programs are not luring adequate numbers of police officers back to school. In his doctoral dissertation, Hoover reported that only 23 percent of entering police recruits in the state of Michigan had one or more years of college and a mere 9 percent had four or more years of college.⁷ The research was conducted in 1973, and is yet another indication that if we are to attract college graduates into police work and get currently employed officers back to school, they must be offered some sort of financial incentive. This is not the only type of program that needs to be instituted to upgrade the average educational level of the police, but it is the only one that will be dealt with in this thesis, because of the specialized nature of the topic.

In this age of ever-growing demands on governmental budgets and decreased value of the dollar, taxpayers are more effectively resisting attempts to increase tax rates at the local level for even the best of reasons, such as improving the school system. This can readily be seen in those jurisdictions where an increased budget for the school

⁷Larry T. Hoover, "Police Recruit Educational Background Analysis" (unpublished Doctor's dissertation, Michigan State University, 1974), p. 100.

system requires a school tax hike and such a raise cannot be instituted without voter approval. In district after district such proposals are going down to defeat. Therefore, it is unlikely that a proposal to pay a 10 percent salary increase to each police officer holding a baccalaureate degree would find much support among local taxpayers, particularly if such a proposal would mean an increase in local taxes. However, history has shown that most governmental units are quick to jump on the matching funds bandwagon, fearful of being left behind or not getting their share. Therefore, this paper will propose and develop a locally based, statewide incentive pay plan for police personnel with college degrees, with provision for the state matching funds for those local governments that adopt the plan. The plan will require legislative action to give the proposal the force of law and provide state funding for it. The plan will also require local action to adopt the plan and provide local funding.

According to a 1969 study by Crockett and Moses, only the Grand Rapids and Saginaw police departments in Michigan provided specific pay increases for the number of college units (semester hours) completed.⁸ This investigator

⁸Thompson S. Crockett and John Moses, "Incentive Plans for Law Enforcement Education," Police Chief, 36:38-40, August, 1969.

believes that if the state were to provide 50 percent of the specific incentive pay amounts authorized by local governments, up to a specified monthly maximum for each officer, many if not most communities in the state would adopt an educational incentive pay program for their police. A program of this nature would enable the state to meet the incentive pay standard recommended by the Commission on Standards and Goals, and would aid in raising the overall educational level of the police in the state. A program like this would allow the state to reach these goals without placing the financial burden entirely on the state or local governments, and would have the added advantage of not seeming to force a state program upon local governments.

STATEMENT OF PURPOSE

This study reviewed current methods used by the state of Florida and the commonwealths of Massachusetts and Kentucky to provide incentive pay to police employees who meet certain specific educational standards prescribed by those states. The first purpose of the study was to design and recommend adoption of specific legislation by the state of Michigan to provide a state-shared incentive pay program for police officers in the state. A second purpose of the study was to gauge the probability of support by local governmental executive officers, police chiefs, and the executive officials

of organizations such as the Fraternal Order of Police, representing policemen in each surveyed jurisdiction, for such a proposal when it is introduced in the legislature. The third aim of the study was to provide an estimate of the first-year cost to the state if such a plan were adopted.

HYPOTHESES

To achieve the second purpose described above, that of gauging probable support for an incentive pay measure, the following hypotheses were tested:

1. A majority of the police agencies in the state currently have no specific incentive pay program for employees meeting specified educational criteria.

2. The majority of the administrators of police departments in the state of Michigan responding to a survey about an incentive pay program calling for a state-shared program for police officers meeting specified educational standards will support such a measure.

3. The majority of the presidents of employee organizations representing the policemen of the state of Michigan will support legislation that calls for a state-shared incentive pay program for police officers meeting specified educational standards.

4. The majority of chief executives of the governmental units surveyed will not support legislation that calls

for a state-shared incentive pay program for police officers meeting specified educational standards.

A fifth hypothesis will be tested to gauge the validity of the third purpose described above.

5. A state-shared incentive pay plan for specified educational achievement by police employees is economically feasible.

DEFINITION OF TERMS

For the purposes of this study, the following terms are defined as indicated:

Incentive Pay: a payment made to a police officer each pay period, independent of and in addition to his base pay and any other incentive or additional payments due him.

Legislation: a statutory law enacted by the state legislature.

Local Government: any county, city, township, or combination thereof.

Police Officer: a full-time employee of the state or a local government, whose primary responsibility is prevention and detection of crime and enforcement of the general criminal statutes and the traffic laws of the state and the local government by which he is employed.

Specific Educational Achievement: successful completion of 30, 60, 90, and 120 semester hours, or the equivalent in quarter hours, at an accredited institution of higher

education; possession of an associate degree from a junior or community college or matriculation as a junior in a four-year college, possession of a baccalaureate or master's degree from an accredited institution of higher education.

State Shared: the state matching, on a dollar-for-dollar basis, local funds paid to a police officer by local governments enrolled in the educational incentive program, up to a stated maximum dollar amount per officer per month.

LIMITATIONS

The limitations of this study as identified by the investigator were:

1. There exists only a sparse amount of information about educational incentive pay plans for police officers.
2. The data collection tool was a mailed questionnaire and, in spite of repeated requests, the total response rate was only slightly over 60 percent.
3. Questionnaires were sent to the presidents of police employee organizations, who were asked to respond for the entire membership.
4. Until applications for enrollment in such a program are received from local governments, including the number of officers eligible to receive the benefits, an accurate cost estimate cannot be derived.

OVERVIEW

There is a distinct lack of literature about statewide educational incentive pay programs for the police. Therefore, in Chapter II the statewide educational incentive pay programs that have been adopted by Florida, Kentucky, and Massachusetts are reviewed. In Chapter III the descriptive survey method of research, utilizing a questionnaire with a combination of questions requiring yes or no answers and questions requiring descriptive answers as a data-gathering device, is discussed. An analysis of the results of the survey is presented in Chapter IV. Chapter V is devoted to presenting the major findings of the investigation and a model statute recommended for adoption by the state of Michigan. The information in Chapter II aided in drafting the model statute presented in Chapter V, to avoid the problems experienced by those states.

A detailed review of the programs currently in existence in Florida, Kentucky, and Massachusetts is presented in the next chapter. Also included is a review of the problem areas already experienced or anticipated by the administrators of the programs in those states.

Chapter II

REVIEW OF THREE CURRENT STATE PROGRAMS

INTRODUCTION

Although some literature has been written in the recent past on the need for police officers with education beyond high school, virtually nothing has been written about providing incentive pay to officers with a college education. The National Advisory Commission on Criminal Justice Standards and Goals recommended in its Report on Police that all police officers be paid an incentive of at least 2.5 percent of their basic pay for every 30 semester hours earned.⁹ The report cited several municipal governments that provide incentive pay to their officers based on the officer's level of education; however, only one state, Florida, was revealed to have a statewide program. Since the goal of this study is to develop a statewide educational incentive pay program for police officers with education beyond high school, it was considered appropriate to review the programs of any states that had such plans.

⁹Report on Police, p. 372.

Three states--Florida, Kentucky, and Massachusetts--were found to have apparently operational educational incentive pay programs on a statewide basis. The state attorney general's office in each state was contacted for information concerning the program. In each case relatively little information beyond the name of the person and/or agency administering the program was forthcoming. The administrators of the programs in Florida and Kentucky forwarded some additional information. It was decided that the only way detailed information could be gleaned regarding the introduction and passage of legislation creating the programs and the actual administration of the programs was through personal interviews with appropriate officials in each of the three states.

Accordingly, interviews were arranged with the people most closely connected with the administration of the program in each of the three states. In Florida, Mr. Warren Headlough, Administrator of the Career Services Section of the Police Standards Board, the staff organization that administers the program, was interviewed. Mr. Headlough was responsible for developing the program and drafting the legislation and administrative rules concerning the administration of the program. He is now responsible for the administration of the program and was, therefore, extremely knowledgeable about all facets of the plan.

In Kentucky, the investigator interviewed Mr. Rex Tucker, Crime Commission Administrator of the Kentucky Law Enforcement Foundation Program Fund and Mr. Tom Rogers, Crime Commission Specialist, of the same organization. These two men are primarily responsible for the administration of the educational incentive program in Kentucky. Neither of the men was with the agency when the program was being developed; consequently, neither was able to provide very detailed information concerning drafting the legislation or the actions necessary to gain passage of the bill. However, they were most helpful with regard to the actual functioning of the program and the outlook for its future.

In Massachusetts, Miss Helen Chin consented to an interview. Miss Chin is currently filling the position of Coordinator of Police Higher Education of the Board of Higher Education of Massachusetts. She is actually Assistant to the Chancellor of the Board of Higher Education and has been given temporary responsibility for the incentive pay program. Since there is uncertainty about the continuation of the program, the Board did not want to hire an administrator when the previous administrator left. Aside from purely political considerations, which are discussed later, the program is under fire because the state portion has never been funded and, more importantly for the purposes of this study, because of certain abuses of the program.

The next three sections of this chapter are devoted to a review of the programs in these three states. The information about the programs was gathered, as previously stated, through correspondence and personal interviews.

FLORIDA

The information about the educational incentive program in Florida was gathered largely through personal interviews conducted with Mr. Warren Headlough, Administrator, Career Services Section of the Police Standards Board, and from written materials he provided during the course of the interviews. A telephone interview was conducted on March 15, 1974, but the results were generally incomplete and unsatisfactory. The main interviews were conducted at his office in Tallahassee, Florida, on March 20 and 21, 1974.

The educational incentive portion of the incentive plan in Florida will not actually begin operation until July 1, 1974. However, legislation creating the program was initially passed in 1967, and all of the administrative work necessary for the operation of the program has been completed. The only item lacking for a completely operational program is the actual start of payments to the officers.

The salary incentive program in Florida was initially conceived by a powerful Florida legislator who intended to run for governor and wanted the police vote. As he initially

conceived it, the program was essentially a giveaway program called the Minimum Foundation Fund, in which each officer would be paid state money based on his salary, tenure, and rank. The legislature apparently passed the bill as a gesture to its initiator; however, they did not fund the program. Members of the legislature approached the Police Standards Board and asked the staff of the agency to develop for the police an incentive or supplemental pay plan that was not a giveaway program. An incentive pay plan was developed to operate in conjunction with the already proposed career development program. This plan was to consist of 240 hours of basic training and 320 hours of refresher training during a police officer's career.

The pay plan was passed by the Florida legislature. It required all municipal and county governments in the state to comply with the standards and rules propounded by the Police Standards Board. Compliance with the standards was also made a precondition for local governments to receive state revenue sharing funds. However, if a local governmental unit decided not to participate in the state revenue sharing plan, they still would have to comply with the standards for police as provided for by state statutes and by the rules of the Police Standards Board.

To gain passage of the educational incentive pay plan, the Police Standards Board organized an impressive

array of political support. Groundwork was done with certain legislators long before the legislative session began. Sponsors of the bills were obtained and contacts were made with other legislators to gather support for the bill. It was decided that the members of the Police Standards Board would provide professional testimony before the legislature but would do no lobbying themselves. The Fraternal Order of Police, the Florida Chiefs of Police Association, the Florida Sheriffs' Association, and the Police Officers Association of Florida lobbied for passage of the bill. These statewide police organizations and their local chapters enacted resolutions supporting the proposed measure and sent copies to the members of the legislature and to the governor. The Fraternal Order of Police sent their legislative council to the state capitol for two months during the session to lobby for passage of the bill.

Cost estimates for the educational incentive portion of the legislation were prepared prior to introduction of the bill. The cost estimates were derived in the following manner:

1. All community colleges, senior colleges, and four-year colleges were contacted and asked to provide the Police Standards Board with the following information:
 - A. How many active police officers had been granted degrees.

- B. How many active police officers were then enrolled in degree-granting programs and the projected number of graduates in that and following years.
- C. Projected enrollment of active police officers in future years.

2. In each case the director of the Criminal Justice Program was contacted; he obtained his figures from information available from Law Enforcement Educational Program data at his institution.

3. Data were gathered to determine the annual growth rate in the number of police officers in the state.

4. The number of officers who had been granted degrees and who were then pursuing degrees was compared to the number of officers in the state to derive a percentage of the total number of officers in the state who would be eligible for incentive payment. This figure was then multiplied by the annual growth rate factor from (3) above to get the number of officers who would be eligible in future years.

5. The number of officers eligible in a given year was then multiplied by the maximum dollar amount each officer could earn, to arrive at a total cost figure.¹⁰

A maximum cost was estimated by anticipating that growth in the size of departments would level out in ten more

¹⁰Statement by Warren Headlough, personal interview, March 19, 1974.

years and by assuming that every officer would then be eligible for the maximum payment. The highest cost estimate was approximately \$20 million annually. However, it was estimated that the actual cost would level off between \$9.5 and 10 million annually. The lower figure is attributed to the fact that training incentive is included in the cost, thus creating a situation in which less than maximum cost will be realized each year simply through normal attrition and the addition of new, replacement officers to the police force every year.

Section 23.062 of the statute creating the program¹¹ established the Police Standards Council to administer the program. Section 23.066 enables the Council to promulgate rules and regulations and to employ a director and staff to perform the functions of administering the program.¹² For the purposes of the discussion that follows, the Police Standards Council is referred to as the Council and the permanent staff, called the Police Standards Board, is referred to as the Board.

The Board was already developing the career development program when they were approached by the members of the

¹¹Florida Statutes, Chapter 23, Part IV, Section 23.062 (June 21, 1967).

¹²Florida Statutes, 23.066.

legislature to develop a program to make its incentive pay plan more than a giveaway. The linking of the two was just what was needed to make compliance by local government more attainable. The members of the Board also viewed this as an opportunity to increase the quality of personnel recruited into police service by requiring that an educational incentive be paid by local governments. This was included in the bill, which eventually became Chapter 23.078 and Chapters 218.22 and .23 of the Florida Statutes. The Board felt training alone would not improve the quality of police personnel in the state as much as was desirable. The Council decided that inclusion of an educational incentive program would induce many inservice officers to return to school for more education and would provide incentive for college graduates to choose police careers. The aim of attracting more qualified personnel was furthered by requiring that all agencies pay a minimum salary of \$6,000 per year, based on a 40-hour work week.

Although the legislation has received widespread support, one unsuccessful attempt has been made to have the law repealed by the City Managers Association of the state of Florida. It is anticipated that a more moderate attack on the legislation will be made during the session of the state legislature in April and May of 1974. It is suspected that if the Association is unsuccessful in having the

legislation totally repealed, it will attempt to have it removed from the Revenue Sharing Act. Both attempts will probably be unsuccessful.

Appropriate sections of Chapter 23, Part IV of the Florida Statutes, pertaining to the salary incentive program, and Rule Chapter 98-14.01 and .02, which applies to the educational incentive portion of the salary incentive program for local law enforcement officers, are included in Appendices A and B. Additionally, portions of the statute and the rules chapter are discussed on subsequent pages.

The Florida Council has determined that all full-time police officers in the state are eligible to participate in the salary incentive program. The statute defines a police officer as a full-time employee of the state or any political subdivision of the state whose primary responsibility is crime prevention or detection or law enforcement.¹³ The effect of this definition is to exclude part-time or auxiliary police officers and people holding such police-related positions as that of jailer. County sheriffs are specifically excluded from participation by the statute creating the method of determining their salary; however, deputy sheriffs are included in the program. Chiefs of police who are elected may participate in the program. The Florida State Highway Patrol and other law enforcement agencies of the

¹³Florida Statutes, 23.061(1).

state are not currently included in the educational portion of the salary incentive program. It was decided when the bill was written to exclude the state Highway Patrol because their level of training, education, and salary was generally higher than that of local law enforcement personnel. They are, however, required to comply with the training standards as delineated by the Board. A bill is to be introduced during the 1974 session of the legislature, which will include the members of the Highway Patrol in the educational incentive plan; the total cost is to be borne by the state.¹⁴

The Council must approve all police-related educational subjects taught to police by any institution in Florida before classes are taught.¹⁵ The Council also must approve any diplomas or certificates issued by any police or law enforcement school.¹⁶ All people who act as instructors in such schools must be certified by the Council.¹⁷ However, the courses and diplomas of any law enforcement schools certified by the State Department of Education are exempt from certification by the Council.¹⁸

¹⁴Headlough.

¹⁵Florida Statutes, 23.068(5).

¹⁶Florida Statutes, 23.068(6).

¹⁷Florida Statutes, 23.068(7).

¹⁸Florida Statutes, 23.068(8).

For the purposes of the educational incentive program, the statute allows the Council to grant the police officer who has accrued 60 semester hours and achieved junior standing at an accredited four-year institution the status of having the equivalent of a community college degree.¹⁹ For the purposes of drawing educational incentive pay, the state does not recognize a degree until the Council has certified the degree and issued a document to the officer so qualifying.²⁰

The statutes provide that any law enforcement officer who has a two-year degree or its equivalent be paid \$30.00 per month²¹ and each officer who has a baccalaureate degree be paid a sum "not exceeding fifty dollars (\$50.00) per month."²² Although the language of this section seems to indicate that the maximum allowable educational incentive pay is \$50.00 per month, it is not. The interpretations of these sections are explored in the subsequent discussion of the rules of the Council.

The statute specifically forbids the use of state funds or federal funds distributed under this statute to

¹⁹Florida Statutes, 23.078(1)(f).

²⁰Florida Statutes, 23.078(1)(f) and (h).

²¹Florida Statutes, 23.078(2)(b).

²²Florida Statutes, 23.078(2)(c).

circumvent the payment of "any currently planned or existing salary or compensation plans which provide normal pay increased periodically to its law enforcement officers."²³

The Board is required to establish such rules and regulations as are necessary to provide efficient administration of the statute. The rules must include but are not limited to documentation of education and documentation of the establishment of required salary incentive plans by local governments as required by the statute.²⁴

The administrative rules of the Council as drafted and implemented by the Board require that all education claimed by eligible law enforcement officers be certified by the Council prior to payment.²⁵ The Board requires that all educational credits be transmitted directly to the Board by the educational institution granting the credit in the form of sealed, official transcripts. The Board also requires that the officer's employing agency be informed that he is applying to the Board for certification of eligibility for educational incentive payments. To facilitate both of these requirements, the Board has developed the form included as Appendix C. The Council requires that 18 semester hours or

²³Florida Statutes, 23.078(2)(f).

²⁴Florida Statutes, 23.078(2)(g).

²⁵Florida Police Standards Council, Administrative Rules, Chapter 9A-14.01, Section (7) (May 26, 1972).

equivalent quarter hours of an associate or community college degree be in an area of study related to the criminal justice system, as defined by the Council.²⁶ The specific subject areas that are considered to be related to the criminal justice system are outlined later in this discussion. The Council requires that a bachelor's degree holder show a "major study concentration area related to the criminal justice system of semester or equivalent quarter hours as required by the accredited college or university from which the degree was granted."²⁷

The rules promulgated by the Board require that a police officer must have been employed by the same agency for a period of one full year before becoming eligible for any incentive pay.²⁸ The interview revealed that there were two main reasons for the inclusion of the one-year rule. The first reason is that most departments have a one-year probationary period before an officer becomes a permanent employee and the Board did not feel it was right to pay incentive monies to probationary employees. The second stated reason for the rule is to allow the local governments adequate lead time to allow for the incentive pay in their

²⁶Chapter 9A-14.01, (8).

²⁷Chapter 9A-14.01, (9).

²⁸Florida Police Standards Council, Administrative Rules, Chapter 9A-14.02, Section (1) (December 6, 1973).

budgets. A third and not so obvious reason was to prevent personnel raids by departments unwilling to pay for the officer's training or education on departments that do pay for training and education. It was felt that an officer would give more serious consideration to leaving a department that paid for these benefits if he knew he would have to give up his incentive pay for a year.²⁹

The rules of the Board provide that payment of \$30.00 a month will be made to each officer qualifying for the incentive who has an associate in science degree from an accredited institution in the field of criminal justice, law enforcement, courts, or corrections.³⁰ They also provide for a \$30.00 a month payment to be made to any qualifying officer who receives an associate in arts degree from an accredited institution.³¹ Qualified officers who have been granted

. . . a bachelor degree with the major field of study in criminal justice, law enforcement, courts, corrections, management, human resources management, management science, administrative systems, general business administration, public relations, public administration, social work, social welfare, communications, accounting, political science, government, home and family life, psychology, sociology, anthropology education or philosophy. . . .³²

²⁹Headlough

³⁰Chapter 9A-14.02, (4).

³¹Chapter 9A-14.02, (5).

³²Chapter 9A-14.02, (6).

will receive \$30.00 per month as if they had received a two-year degree, and an additional \$50.00 per month for possessing a baccalaureate degree. The Board was required by statute to spell out the degrees qualifying for the additional payment. The Board had to justify to the Council several of the major areas included above, but had relatively little trouble in doing so. The example given was the area of home and family life. As soon as the members of the Board reminded the Council that the police officer feels a domestic disturbance is one of the most dangerous situations he faces and one with which he often feels least equipped to deal, the Council accepted that subject area.³³ The Board went to some trouble to spell out the fact that an officer holding a bachelor's degree in a recognized subject area was entitled to \$80.00 a month. The Board felt the language of the statute was so ambiguous as to allow the interpretation that the baccalaureate degree would bring the officer an extra \$20.00 a month in addition to the \$30.00 per month granted for holding an associate degree, bringing his total to \$50.00 per month. The interpretation intended by the legislature was the officer would receive an additional \$50.00 per month, bringing his

³³Headlough.

educational incentive pay to \$80.00 as specified by the paragraph listing the degrees allowable.³⁴

The rules of the Board allow an officer who holds a bachelor's degree with a major field of study not identified above to receive a payment of \$30.00 per month.³⁵ If a local agency wishes to pay incentive monies to an officer who has a degree in a field other than those listed and feels that the officer's education contributes to the efficient functioning of the department, that agency may apply to the Council for an exception. Such cases will be judged on their individual merit.³⁶ The Council decided that, since most degree programs require a broad-based curriculum during the first two years, anyone holding a bachelor's degree would meet the same educational requirements as the holder of an associate in arts degree, and thus would be eligible for the same benefits as any associate degree holder.³⁷ The reason the program was based on the attainment of degrees was to ease the administrative burden. The incentive is based on a set amount rather than on a

³⁴Headlough.

³⁵Chapter 9A-14.02, (7).

³⁶Chapter 9A-14.02, (9).

³⁷Headlough.

percentage of the officer's base salary, to prevent the cost of the program from becoming prohibitive.³⁸

Rule 9A-14.02 (8) provides that a person who holds a bachelor's degree in a field not identified above is eligible for an incentive payment of \$80.00 per month, as if he had his bachelor's degree in a specified field.³⁹

Although Florida requires all local law enforcement agencies to meet the standard of a \$6,000 a year minimum salary, to meet certain basic training standards and to participate in the educational salary incentive program, the state does not provide any of the funds for paying the educational incentive. Local governments must comply with the standards developed by the Board in order to receive state revenue sharing funds, and must comply with the standards and participate in the educational incentive plan even if they elect not to participate in the Revenue Sharing Act. Local governments may use their revenue sharing funds to finance the educational incentive program, but most are funding it through the regular tax base.⁴⁰ As noted previously, the law specifically forbids the substitution of incentive pay for any normal pay or pay raises.

³⁸Headlough.

³⁹Chapter 9A-14.02, (8).

⁴⁰Headlough.

It should be noted that any educational credit granted by an accredited institution toward attainment of a degree is not questioned by the Board. However, it should also be noted that the Board has a statutory responsibility to approve all criminal justice curricula. For example, if an institution grants an individual six hours credit for military service and awards him an associate in arts degree, the Board may not question those credits. There should allegedly be no problem with Florida institutions, but some institutions in other states have been known to be quite liberal when granting credit for various work experiences.

Although a detailed, somewhat complicated method for deriving a cost estimate was developed, the accuracy of the estimate with regard to the educational incentive has not been proven, since the plan does not become effective until July 1, 1974. Also, the cost estimates in Florida include the training as well as educational incentive payments. The incentive payments must be made monthly by the agencies. They may not save the money in a special account and pay the officer at the end of the year. When some local governments requested this option, they admitted they might invest the money and would not pay the officers the interest accrued from any such investment. Some of the governments further stated they did not intend to place the money into a special account each month. The Board determined that the

officer must receive his monies each month. An officer is eligible for payment one year after the start of his employment with the agency, and must be paid either for the whole month or for that portion of the month that falls after his first anniversary of employment. The local government must begin payment within 30 days after the officer becomes eligible.

The Florida program is automated. All data are stored in computer data banks, as well as on cards in a Diebold located in the Board's office. The Board may check on the training and educational status of any department or individual by requesting the appropriate computer printouts. Police departments are required to notify the Board when any change occurs in an officer's status, i.e. termination, attendance at training, or earning a degree. The Board has printouts made each quarter, by department, showing the status of each officer and the amount of incentive pay due him each month. These printouts are sent to the departments for verification and must be authenticated and returned.⁴¹ The Board feels it would be practically impossible to keep track of the required payments without computerization.

The main problem areas anticipated by the Board are the possibility that some local governments will fail to budget for the educational incentive plan and will be

⁴¹Headlough.

required by the state to rebudget. In some cases, it may be legitimate to waive the one-year rule for eligibility of incentive pay, but this will have to be decided by the Council on a case-by-case basis. The final problem area anticipated is that of certifying certain people, i.e. jailers, for payment under the plan. Once again, if the individual disagrees with the Board he may appeal to the Council. The statute further allows the individual to go to court if he wants to contest the Council's decision.

KENTUCKY

The information gathered from Kentucky was obtained from correspondence with the State Attorney General's office and a series of three interviews conducted with Mr. Rex Tucker, Crime Commission Administrator, and Mr. Tom Rogers, Crime Commission Specialist, both of whom are employed by the Kentucky Law Enforcement Foundation Program Fund, which is responsible for the administration of the incentive program. The first interview was a brief telephone interview conducted with Mr. Tom Rogers on March 11, 1974. The main interview was conducted in Frankfort, Kentucky, on March 18, 1974, with Mr. Rogers and Mr. Tucker. A follow-up interview was conducted telephonically with Mr. Tucker on March 28, 1974. Following is a discussion of the information derived from those interviews.

The Kentucky Law Enforcement Foundation Program Fund was initially developed by the Executive Director of the Kentucky Crime Commission. The Commission is no longer part of state government; it has been replaced by the Department of Justice, which has overall responsibility for the administration of the fund. The Commission wanted to raise local police salaries and to establish minimum standards for local law enforcement officers in the state. To meet these objectives, the Commission drafted a law that required local agencies to meet minimum training, education, and operations standards. The law provided that each officer who worked for a governmental unit participating in the program would receive from state funds, as an incentive payment, an amount equaling 15 percent of his base salary. To participate in the program, a unit was required to pay a minimum annual wage of \$4,350, based on a 2,080-hour year. The unit also had to meet a number of other requirements such as sending each newly employed officer to a 240-hour basic training course and to 40 hours of refresher training each year.

The plan further included provisions that the state would pay up to 50 percent of a salary incentive program initiated by eligible local governments. The plan limited state payment to \$500 a year for each eligible officer. To be eligible for the educational incentive program, a department must first be participating in the training incentive

plan and meet the standards required for participation in that program. It took the Commission five years to develop the plan fully, gather support from local government, and present the program to the governor and the legislature. When the program was presented to the legislature in 1972, it was unanimously adopted by that body.

It was decided that if the various aspects of the program were made mandatory, there would be increased resistance from local governments. If participation in the training and educational incentive plans were made voluntary, and consequently if adherence to the proposed minimum standards were also voluntary, there would be far less resistance to the total package. The Commission felt that, with a voluntary program, those local governments that opposed the standards would simply choose not to participate rather than organize a lobby against passage of the plan, as they might do if the standards were mandatory.⁴² The Commission was able to gather ample support from the local governments and from the police chiefs and the various patrolmen's associations in the state.

Cost estimates for the first year of the educational incentive plan were prepared by Mr. Rogers' predecessor. The first fiscal year of operation of the plan was from

⁴²Statements by Tom Rogers and Rex Tucker, personal interview, March 18, 1974.

July 1, 1973, to June 30, 1974. Mr. Rogers indicated that, with the year three-fourths over, the estimates were wide of the mark. He further indicated he did not know what method had been used to arrive at the original cost estimate, and that he had been unable to develop a satisfactory formula for the next fiscal year. The problem of deriving a satisfactory cost estimate is compounded by the fact that local governments are not required to participate at the maximum allowed by law. Although the local government may only enter the program at the beginning of each fiscal year and must file an application for participation and a plan by April 30 of each year, each individual officer of a participating agency may be paid his incentive as he becomes eligible.

The Kentucky Law Enforcement Foundation Program Fund was created pursuant to KRS 15.430, 1972. Requirements for participation in the fund, including the minimum standards, were created by the same bill.⁴³ The legislation further directed that the fund was to be administered by the Kentucky Crime Commission, now the Kentucky Department of Justice. This section also directed that the Department of Justice issue such rules and regulations as were necessary to administer the fund.⁴⁴ The Department of Justice created a

⁴³Kentucky Revised Statutes, Section 15.440 (1972).

⁴⁴KRS 15.450.

staff to direct the operation and administration of the fund; that organization will be referred to as the Fund for the remainder of this discussion.

The Commission felt the development of a training and educational pay program, in which salary increases would be earned by satisfactory achievement of training and educational standards, would lead to immediate improvement in the quality of men entering police work, increase the amount of continuing education pursued by inservice officers, and encourage policemen to improve their performance through continued training. The members of the Commission also felt adoption of such a program would enable local governments to attract and retain qualified officers. It was felt that higher salaries would reduce turnover, and that tying the salaries to certain minimum standards would have the added effect of improving the quality of personnel in law enforcement throughout the state.⁴⁵

Since participation in the Fund is voluntary, there have been no apparent attempts to have the legislation creating the Fund repealed. The Commission felt, when drafting the legislation, that voluntary compliance would minimize opposition to the Fund. Experience has proven this position to be correct. Most of the local governments in the state that are eligible for participation in the training

⁴⁵Rogers and Tucker.

incentive portion of the fund are participating, and more applications have been received for the next fiscal year. The number of local governments that participated in the educational incentive plan was relatively small the first year--11 communities. As of this writing, with over 30 days left to file application for inclusion, the number of local units that will participate next year will at least double. This last fact may be misleading, since the administrator of the Fund estimates the educational incentive outlay will more than quadruple at the same time. The two largest agencies in the state were unable to participate during the first year because of administrative problems with their budgets; however, they have budgeted for and will participate in the program beginning July 1, 1974.⁴⁶ One reason Mr. Tucker expressed for the growth rate is the results some departments have had with the program. In at least one instance, the fact that a small town has adopted the program has enabled it to fill all of its vacancies with people holding bachelor's degrees. This situation has compelled larger surrounding communities to announce that they will begin participating in the plan July 1, 1974. Less dramatic examples of this "ripple" effect have also been evident in other parts of the state.

⁴⁶Rogers and Tucker.

Certain portions of Kentucky Revised Statutes 15.410 through 15.510 and the rules and regulations of the Fund that apply to the educational incentive pay for local law enforcement officers have been included in Appendices D and E. In addition, portions of the statute and the rules are discussed and explained on the following pages.

For the purposes of eligibility for participation in the Fund, Kentucky has defined a police officer as

a full-time member of a lawfully organized police department of county or city government who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state, but does not include the Kentucky State Police, any elected officer, sheriff, deputy sheriff. . . .⁴⁷

The reasoning behind specifically excluding the state police from participating in the Fund was threefold. The state police have traditionally had higher minimum standards for entry, an effective training program to equip a man to operate as a police officer, and higher salaries than many if not most of the local officers in the state. The state police, because of these three factors, have not had difficulty recruiting and retaining qualified personnel.⁴⁸

One cannot help but wonder if an unstated reason for excluding the state police was the cost to the state. The state would have to shoulder the full financial burden and most

⁴⁷KRS 15.420 (2).

⁴⁸Rogers and Tucker.

of the members of the state police would become eligible for educational benefits.

Sheriffs and deputy sheriffs are excluded specifically by the definition above, and by virtue of the fact that their duties are not primarily law enforcement in nature. In Kentucky the sheriff is elected. The main duties of the sheriff and his department are tax collecting, process serving, and maintaining the county jail.

For any officer to draw the salary increase authorized by the Fund, his agency must be participating in the program and must have filed a salary incentive plan with the Fund. The Fund will pay up to 50 percent of any increase granted because of the number of credits earned beyond high school.⁴⁹ The funds are paid to the local department each month; they must then be paid to the officers. The funds may not be used for any other purposes, such as hiring additional personnel, or to take the place of normal salary increases.⁵⁰

The rules and regulations of the Fund call for two types of payments to be made to the police officer--a temporary payment and a permanent payment. Local units are not required to provide both types of payments; the levels at which the state will pay and the amounts given are simply

⁴⁹KRS 15.460.

⁵⁰KRS 15.470.

the maximums that the state will pay. An officer with 6 semester hours but less than 30 hours is eligible for a temporary payment of \$200 per year. An officer with 30 hours but less than 60 hours is eligible for a maximum temporary payment of \$350 or a maximum permanent payment of \$200 per year. Sixty semester hours but less than 90 hours qualify an officer for a \$450 temporary payment and a \$350 permanent annual payment. Once an officer achieves 90 hours he is eligible for a \$500 per year temporary payment. An officer who has 90 or more hours without a bachelor's degree is eligible for a \$450 per year permanent payment. Once a bachelor's degree is earned, the officer is eligible for a permanent incentive payment of \$500 a year, which is the maximum the state will pay. To be eligible for the temporary payments, an officer must be enrolled in college and must successfully complete 12 hours during the year.⁵¹ The current administrator of the Fund indicated that the apparent reason for two types of payments was to provide continuing incentive to personnel who were actively pursuing their education. He also indicated this provision of the program was extremely difficult to administer and that he would not recommend its inclusion in any other programs.⁵²

⁵¹Kentucky Law Enforcement Foundation Program Fund, Rules and Regulations, Part 302.006 (February, 1973).

⁵²Rogers and Tucker.

To participate in the educational incentive program, the local unit must file a plan with the Fund. The plan must include the following elements to be accepted: It must list by name the officers who will participate and the number of credits earned by each officer. A list of subject areas considered acceptable for payment by the local unit must be included. A copy of the budget showing allocated monies must be appended. The plan must provide that no one may earn money until he has six hours, that all police officers may participate, and that all may earn the maximum allowed by the local unit.⁵³ Before the Fund makes a payment to the local unit, the Fund must possess an official transcript for each officer; transcripts must be sent directly to the Fund. Deciding what hours are acceptable has sometimes created difficulty, particularly when an officer has credits from several institutions. Therefore, the Director has decided all hours must be transferred to a single institution and all hours must be reflected on one transcript for each officer.⁵⁴ Hours that are considered training rather than educational, i.e. credit for military service, are not accepted for payment until a degree is awarded.⁵⁵ Most courses of study listed by a local unit are

⁵³Kentucky Rules, 302.000.

⁵⁴Rogers and Tucker.

⁵⁵KRS 303.001.

accepted by the Fund. However, they may question some degrees' applicability to police work--i.e. a veterinarian on a department without animals--and request further justification of the degree. In such cases they would grant credit to the degree holder for those hours that could be considered common to most liberal education programs.⁵⁶

The administrators of the Kentucky program felt some additional monies should be paid to an associate degree holder above those paid to the individual who has 60 hours. It was also indicated the program was based on a set dollar amount to keep the cost from becoming prohibitive and to facilitate administration of the fund. The drafters of the program felt an educational incentive should be based on the officer's education, not his rank or length of service, as would be the case if the payment were based on the officer's base pay.

The interviewees discussed some problem areas with the program and its administration. The Fund is required by law to make payments to the local units on the first day of every month. The men interviewed indicated this requirement is an administrative nightmare. It would be much easier to administer the program if payments were made at the end of the pay period and not restricted to a particular

⁵⁶Rogers and Tucker.

date. Another problem is the temporary payments. It was suggested that if temporary payments were to be made it would be better to make the temporary portion of the payment in a lump sum at the end of the school year. This would eliminate any difficulty in recovering money already paid if an officer failed to enroll for and satisfactorily complete 12 hours in a year. A third area that creates administrative problems is the fact that incentive pay is figured on a yearly maximum. It was strongly stated that the program would be much easier to administer if the amounts to be paid to the officer were fixed at a monthly rather than an annual maximum. The interviewees indicated there has been some difficulty with a few small local governments enrolling in the plan and not realizing they must put up half of the money to be paid to the officer as an educational incentive. This problem has been solved by contacting the City Attorney and having him explain the situation to the town council. As a result, the council has budgeted for the program or withdrawn its application.⁵⁷

MASSACHUSETTS

The information about the educational incentive pay plan included in this section was largely gleaned from three

⁵⁷Rogers and Tucker.

interviews with Miss Helen Chin, Coordinator of Police Higher Education of the Board of Education, and some written material she furnished during the second interview. Brief telephonic interviews were conducted with Miss Chin on March 15 and 22, 1974. An extensive personal interview was conducted on March 21, 1974. Miss Chin was not involved in the drafting or passage of the legislation creating the program; therefore, the investigator made several attempts to interview people who were involved in drafting and gaining passage of the legislation. However, apparently because of the political situation described later, these attempts met with repeated polite refusals to provide such information.

Because of the current political situation in Massachusetts, it was difficult to obtain the same quality and quantity of information as was available in Kentucky and Florida. Apparently the program was conceived by the present Attorney General, Robert Quinn. Support for passage of the bill was gathered from the Massachusetts Police Chiefs' Association and various other police-affiliated groups. The legislation was passed on August 28, 1970, and became Section 835 of the Acts of 1970. The drafters of the legislation determined that rather than create a new agency to administer the provisions of the act, it would be administered by the Board of Higher Education. The bill was not

tied to a minimum salary or to minimum standards for education or training, as was similar legislation in Kentucky and Florida.

The program is voluntary in nature. No governmental unit is required to implement the plan, but any agency that uses it is required to comply specifically with all of the provisions of the bill. Specific percentage increases must be paid for those personnel attaining certain levels of education. These will be delineated later. Although the legislature created the program, they never funded the state's portion of it. One-half of the costs of providing these salary increases were to be borne by the state. A bill has been introduced in the 1974 session of the legislature to abolish the act, and its continued existence is very much in doubt.

The governor of Massachusetts is a Republican, and the legislature is currently dominated by Democrats. The salary incentive program is not the only law enforcement program that is in jeopardy. Several pieces of legislation that affect law enforcement, which are supported by the governor, are in danger of not being passed or of being repealed. It appeared to this observer that the politicians in Massachusetts are making political footballs out of legislation affecting the quality of law enforcement provided to the citizens of the commonwealth.

As previously indicated, another reason the program is under fire is that some apparent abuses have occurred in granting incentive pay to some officers. Miss Chin has been directed to straighten out the program and to eliminate such abuses. It is hoped the administrative reform will take some of the impetus out of the repeal move. The main problem is that the original administrator of the program gave incentive points for any courses for which a police officer sent in transcripts. Under this system, an officer could take the same course, i.e. Basic Criminal Law, under slightly different titles from more than one institution, submit transcripts from each institution, and be granted separate credit for each course. There were also cases in which the officer's file did not contain transcripts for all the hours claimed, yet he had been given incentive credit for every hour he listed. For the past four months, Miss Chin has been conducting an audit of the files to eliminate these abuses; she is very close to completing the task.⁵⁸

Although her predecessor had made a first-year cost estimate, Miss Chin indicated she did not know how the estimate had been made. She also indicated the first-year cost estimate had not even been close to the actual cost.

Statement by Helen Chin, personal interview,
March 21, 1974.

Currently, projected cost estimates are not made until all applications for participation in the program for the next year are received by the Board of Higher Education. The applications by local governments are required to include the names of the officers who will participate in the program and the number of hours they will have received by September first--the beginning date of the year for the program. Currently, approximately 90 agencies participate in the program. If funded, the cost to the state in 1973 would have been roughly \$757,000. The projected cost for 1974 is \$775,000; 2,345 officers are participating in the program (in 1974).⁵⁹

To date, the state has not met its financial obligation to the municipalities that have adopted the provisions of the bill. Even so, the cities are continuing to participate and a few more cities join each year in hopes that the state will meet its obligations.⁶⁰

Section 108L of Chapter 835 of the Acts of 1970 and the Guidelines for Police Higher Education Program published by the Massachusetts Board of Higher Education are reproduced in Appendices F. and G. Portions of the act and the guidelines are discussed on subsequent pages.

⁵⁹Chin.

⁶⁰Chin.

Although neither Chapter 835 nor the guidelines contains a definition of full-time employees, the incentive pay is, in fact, available only to full-time employees of recognized police departments, whose primary function is law enforcement.⁶¹ The act specifically includes members of the state police, the capitol police, and the metropolitan district commission police.⁶² Sheriffs and their deputies serve as jailers and court officials in Massachusetts and are not eligible to participate in the program.

Credits from any accredited institution are accepted.⁶³ The Board does not question credits granted for training-type subjects--i.e. police academy classes--if those credits are granted by an accredited institution.⁶⁴

Massachusetts law calls for each officer to be awarded one point for each semester hour earned, with 60 points to be awarded for obtaining an associate degree, 120 points for obtaining a bachelor's degree, and 150 points for a master's degree. The salary incentive is to be paid on the basis of the points earned. A 3 percent increase is paid for 10 points, a 6 percent increase for 25 points, and

⁶¹Chin.

⁶²Massachusetts General Laws, Chapter 835, Section 108L (August 28, 1970).

⁶³Section 108L.

⁶⁴Chin.

a 10 percent raise for 40 points; for 60 points a 15 percent raise is earned, for 120 points a 20 percent increase, and for earning 150 points the officer gets a 30 percent raise.⁶⁵

The Board of Higher Education is required by the statute to certify all credits earned by the officer for the purpose of earning the incentive pay. The Board has chosen to do this by requiring all officers to obtain copies of their transcripts and turn them over to their departments. Each department will then transmit all transcripts from its members to the Board at one time. Miss Chin feels she would be able to spot any abuses, such as altering transcripts, that might occur using this system.⁶⁶ Although the officer may submit his transcripts for certification if he completes a degree or becomes eligible for a higher payment during the year, the higher pay will not be given until September first of each year.

The Board does not view the particular course of study an officer is following as grounds to refuse certification, nor does it determine what specific subject areas of study should qualify an officer to receive incentive pay. The Board does not determine the composition of a major in, for instance, Criminal Justice, at either the associate or

⁶⁵Section 108L.

⁶⁶Chin.

baccalaureate level. When an officer has received a degree in a field that is obviously of questionable value to his department, the Board questions the department about whether they actually wish to pay that officer for that degree. The example used to illustrate such a situation was one in which an officer had an associate degree in arborology. The Board queried the department, which replied they did not wish to pay the officer incentive pay for that particular associate degree. The officer would, however, be given credit for those courses applicable toward a degree that would be useful to the department.⁶⁷ The Board's attitude is that if the local department will certify in writing they wish an officer to be paid for a certain type of degree, and if the officer's transcripts are in order, the Board will authorize payment to the officer.

The only reason that could be discerned for the incentive pay plan in Massachusetts being based on a percentage of the officer's base pay rather than on a flat monthly rate is that the drafters of the legislation felt such a plan would mean larger payments to the officer, thus providing more incentive. The state views the incentive plan as a pay raise rather than a supplemental payment. In an opinion handed down by Attorney General Robert Quinn in 1971, it was ruled that the payment to police officers

⁶⁷Chin.

was viewed as a raise and must be figured in when computing an officer's retirement pay and other payments and benefits linked to base pay. The incentive pay is also considered applicable to the rate for overtime compensation. However, Quinn further ruled in the same decision that the state would pay 50 percent of the incentive due to the officer on his base pay rate.⁶⁸ To this investigator, it seems rather inconsistent to require the incentive to be applied to all payments related to base pay and to require the state to pay only its share as applied to the basic wage.

If an officer is dissatisfied with the number of credits certified by the Board, a formal appeals procedure has been established. The officer must submit a written appeal to the Board, asking for the reasons his credits have not been certified. If he is still not satisfied with the decision, he may request a hearing by a board established for the purpose. There is no provision for a further appeal.⁶⁹

The state has not told the local governments when or how often they must pay their officers the salary incentive. The local governments may pay the officers annually, each pay period, or by any other method they choose.

⁶⁸Chin.

⁶⁹Massachusetts Board of Higher Education, "Guidelines for Police Higher Education Program," Part IV (1970).

Currently, the local governments pay their officers the full amount of the incentive. The state is then supposed to reimburse them. Since the legislature has never appropriated money for the payments, it is not known how the local governments will be reimbursed.⁷⁰

The Massachusetts program is not automated. Every officer of every department who is eligible for incentive pay has a file that is kept at the Board. Each file must contain current transcripts on which the level of incentive pay is based, a history of certifications made each year, and, in the case of payment for a degree, the degree must be in the file. The folders are filed alphabetically by department.⁷¹ This investigator felt operations would have been much more efficient if the information had been computerized. Miss Chin explained that with the current uncertain status of the program the Board did not want to go to the expense of developing an automated system.

Although the rules of the Board state that new applicants and increased payments are made only beginning September first each year, the administrator indicated if a local government wanted to enter the program during the year and begin paying its officers at that time the Board would allow that government to do so. Such midyear acceptance

⁷⁰Chin.

⁷¹Chin.

would be for departments, not individuals, and would require that all the appropriate paperwork be completed. Some resistance to the plan still exists, other than that described previously. Most of it seems to center on other state employees who do not have educational incentive programs. These employees point out that police officers and nurses are the only employees who are paid a night differential, even though others are required to work at night. It is not really known at this time if these disgruntled employees will be able to affect the outcome of the pending repeal legislation.⁷²

SUMMARY

The major aspects of the programs in the three states are briefly reviewed below, to summarize the findings of the current investigation. In all three states an educational incentive program was conceived and designed by people who wanted to improve the quality of local law enforcement. Once the programs were designed, a broad range of political support was gathered from the state. Included in the groups from which support was sought were police chiefs; police officers and their organizations, notably the Fraternal Order of Police; and mayors and city managers. Only in Kentucky were the proponents of the measure successful in

⁷²Chin.

enlisting the support of local administrators; this was accomplished by conducting intensive education programs, whenever possible, about the benefits of such legislation. After considerable support was gathered for the legislation, legislative sponsors were enlisted to introduce and manage the bills; concerned groups conducted intensive lobbying efforts.

Once passage of the legislation was secured, the administration of the programs was turned over to nonpartisan agencies. In Florida and Kentucky, special agencies were formed to handle the administration of the educational incentive and related programs. In Massachusetts, administration of the program was given, by law, to the Board of Higher Education. Massachusetts has experienced some abuses of its program, apparently due to ill-advised management practices in the past. Its program is handled manually by one person because the Board of Higher Education is unwilling to expend funds to automate a program whose future is, at least, uncertain. In contrast, both Florida and Kentucky have efficiently run, automated programs.

The Florida and Kentucky programs delineate a specific dollar amount maximum that each participating officer is eligible to receive, regardless of his base pay, rank, or tenure. The Massachusetts plan pays the officer a percentage of his base pay for the various levels of achievement.

Kentucky's maximum figure is a yearly amount, while Florida's is a monthly amount. All three states pay for associate and bachelor's degrees. Florida provides payment for a master's degree when the baccalaureate degree is in a noneligible field such as horticulture, while Massachusetts will pay extra money to a master's degree holder in any applicable field. Florida pays only at the specific degree level. Massachusetts provides for three additional levels of payment below the associate degree. Kentucky will pay an officer who enrolls in and completes 12 hours per year a temporary payment that falls between the payment he has already earned--i.e. 30 hours--and the next permanent payment level--60 hours completed--as long as he continues to go to school.

The plans in Kentucky and Florida are optional to the local government and provide for state matching funds of up to 50 percent of the incentive pay. Kentucky allows the local government to develop its own pay plan up to the maximum yearly amount, while Massachusetts requires participating units to comply exactly with the state plan. Florida provides no state funding for the incentive program, but requires all local governments to participate at the specified levels.

All three states require transcripts of the officer's credits before certifying them for payment. Only Massachusetts does not require that the education be related in some

way to law enforcement, but all three take a liberal view as to what courses of study may be valuable to local departments. All three retain, however, some measure of control over what areas will be accepted. All three states have some type of appeal procedure for the officers to follow if their credits have not been accepted.

The administrators of all three programs compiled first-year cost estimates. In the two cases where the programs are actually in operation, the estimates were inaccurate. Subsequent data have been more accurate because estimates are not drawn until all applications for participation have been received. This procedure is also being used in Florida to derive an updated first-year cost estimate for fiscal 1975.

In the next chapter the method used in gathering data to derive a first-year cost estimate for Michigan is explored. The methodology used to gather data to gauge the probable amount of support in local governments, police departments, and police employee organizations is also explained.

Chapter III

METHODOLOGY

SAMPLE

The population selected for this study was comprised of local government executives, police chiefs, and presidents of employee organizations connected with each of the 38 largest police agencies in the state. This convenience or cut-off method⁷³ of sampling was selected for economic reasons.

The cut-off point of 38 departments was selected because those departments employ 70 percent of the sworn police officers in the state. Since the purposes of the survey were to determine the existence of educational incentive pay plans at the local level, gauge the likelihood of political support for the program, and assemble demographic data for the preparation of a cost estimate, it was decided that the larger departments would be able to provide the most useful information at the least cost.

⁷³Morris James Slonim, Sampling (New York: Simon and Schuster, 1960), p. 64.

Even though the State Police are not an agency of local government, the director and the president of the State Police Officer's Association were queried because they represent the second largest police agency in the state. However, the governor of Michigan was not questioned since the thrust of the study was to gauge support for the program at the local level.

Variables such as age and educational level of the respondents were not controlled. Another uncontrolled factor was whether the presidents of the local patrolmen's associations answered for themselves or consulted the membership of the organization before answering the questionnaire.

METHOD OF RESEARCH

Since the thesis is a descriptive study,⁷⁴ a separate but similar questionnaire (Appendices H, J, and L) was designed for each of the three categories of positions surveyed. Development of the tool was dictated by the absence of a previously designed tool to study the specific areas of this study.

The questionnaires contained four main components:

(1) verification of the existence or nonexistence of an

⁷⁴Dennis P. Forcese and Stephen Richer, Social Research Methods (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1973), p. 79; see also David J. Fox, Fundamentals of Research in Nursing (2nd ed.; New York: Appleton-Century Crofts, 1970), p. 33.

educational incentive pay plan within each jurisdiction; (2) the probable position of the governmental unit, the command structure of the police department and the patrolmen's association, as viewed by the respondent, with regard to a state-shared educational incentive pay plan for policemen; (3) description of any educational incentive pay plan that exists in or is being considered by any jurisdiction; and (4) any features the respondent thought should be included in such a plan or reasons for opposition to this type of incentive pay program.

The first page of the two-page questionnaire contained instructions for completing the questionnaire and requested some demographic data about the police department in each location (Appendices H, J, and L). The demographic data requested included the number of sworn officers employed by each department, the starting salary in each department, and the educational levels of the officers in each department. This information was utilized in deriving the first-year cost estimate of the program. The second page contained the questionnaire itself. Two of the questions were structured,⁷⁵ requiring "yes" or "no" answers. The first concerned the current existence of an educational incentive

⁷⁵Sanford Labovitz and Robert Hagedorn, Introduction to Social Research (New York: McGraw-Hill Book Company, 1971), p. 112.

pay program for police within each jurisdiction and the second asked the respondent's estimation of his organization's position with respect to such a program if one were introduced in the state legislature. The remaining three questions were unstructured.⁷⁶ They requested the respondent to describe any existing plan his jurisdiction had, to describe features that should be included in such a program, and, if applicable, to state reasons for opposition to the program.

A letter of transmittal (Appendices G, I, and K) was sent with each questionnaire, as was a stamped, self-addressed return envelope. The letters contained a brief description of the proposed plan, the purpose and scope of the survey, and a request that the questionnaires be returned within two weeks. At the end of the two-week period the original packet, with the addition of a follow-up letter explaining that a reply had not been received, was sent to those people from whom no reply had been received. At the end of a second two-week period, 50 percent or more responses had been received from each of the three surveyed categories; no further attempt was made to obtain additional responses.

⁷⁶Labovitz; p. 112.

DATA ANALYSIS

Analysis of the first two parts of the questionnaire consisted in tabulating the responses to those questions. In tabulating the responses to the first question, regarding the current existence of an educational incentive pay plan, the response to question three, which required a description of any such plan, was helpful. Some jurisdictions or agencies had viewed a tuition assistance program as being an educational incentive plan as described in this study. The tabulation of the responses to question two was done for each category surveyed. The tabulations were totalled and discussed in relation to the likelihood of support for such a program from the various affected elements across the state. Each category was analyzed separately, to provide a more accurate picture of the probability of support or opposition to the plan by the surveyed populations. The answers to questions three, four, and five were analyzed with a view toward developing the best possible educational incentive pay program for Michigan. The plans described in the answers to question three were examined for common features that could be included in the program to be developed in Chapter V. Answers to question four were also analyzed with a view toward incorporating any feasible suggestions in the state program. Specific reasons for opposition to a statewide educational incentive

Chapter IV

ANALYSIS OF DATA

The purpose of this study was to design and recommend adoption by the state of Michigan of specific legislation that will provide a state-shared educational incentive pay program for police officers in the state. The second purpose was to gauge the probability of support by local governmental executive officers, police chiefs, and the executive officers of organizations representing the policemen in each jurisdiction, for such a proposal when it is introduced in the legislature. The third aim of the study was to provide a first-year cost estimate for the state if such a plan were adopted. The first purpose is addressed in Chapter V. The results of the data gathered to achieve the other two purposes are addressed in this chapter.

A questionnaire designed by the researcher was the data-collection tool. It contained two structured questions requiring "yes" or "no" answers and three unstructured questions, and also requested certain demographic data to be used in deriving the cost estimate. Separate but very similar questionnaires were designed for the three categories of respondents surveyed. The questionnaire contained four

main components: (1) verification of the existence or nonexistence of an educational incentive pay plan within each jurisdiction; (2) the probable position of the governmental unit, the command structure of the police department, and the patrolmen's association, as viewed by the respondent, with regard to a state-shared educational incentive pay plan for policemen; (3) description of any educational incentive pay plan that exists or is being considered in any surveyed jurisdiction; and (4) any features the respondent thought should be included in such a plan or reasons for opposition to such an incentive pay program.

Table 1 contains the list of those governmental units, police departments, and employee organizations surveyed. A plus in a square indicates that the respondent from the unit (i.e. Mayor's office) designated by the columnar heading of that particular city (i.e. Detroit) shown in the left column answered that he was in favor of a state-shared educational incentive pay plan. A minus indicates the respondent was opposed to such a plan. A zero indicates no response was received from that particular agency.

ANALYSIS OF ITEM 1: CURRENT EXISTENCE OF AN EDUCATIONAL INCENTIVE PAY PLAN

The first question asked on all three questionnaires concerned the existence of a salary incentive pay plan in the surveyed jurisdiction. Because of the nature of the

Table 1
Responses From Surveyed Jurisdictions

Jurisdiction	Governmental Unit	Police Department	Employee Organization
Ann Arbor	0	0	+
Battle Creek	+	+	0
Bay City	+	+	+
Berrien County	-	+	+
Dearborn	-	+	-
Dearborn Heights	-	-	+
Detroit	+	+	+ + - 0 ^a
Flint	+	+	+
Genessee County	0	+	0
Grand Rapids	+	+	0
Highland Park	+	0	+
Ingham County	+	+	0
Jackson	0	0	0
Kalamazoo	0	+	0
Kent County	0	0	+
Lansing	+	+	+
Lincoln Park	0	+	+
Livonia	0	-	+
Macomb County	-	0	+
Michigan State Police	b	+	0
Muskegon	+	+	+

Table 1 (continued)

Jurisdiction	Governmental Unit	Police Department	Employee Organization
Oakland County	+	0	0
Oak Park	+	-	0
Pontiac	-	-	0
Redford Township	+	+	0
Roseville	0	+	0
Royal Oak	0	+	+
Saginaw	+	0	0
Saginaw County	0	+	+
Southfield	+	+	+
St. Claire Shores	0	+	0
Sterling Heights	0	0	+
Taylor	0	0	+
Warren	+	+	+
Washtenaw County	0	+	+
Wayne County	+	0	+
Westland	+	+	+
Wyoming	+	+	+

^aFour organizations representing Detroit police officers were surveyed.

^bThe state government was not surveyed.

question, a returned questionnaire from any of the three surveyed categories in a given jurisdiction provided adequate information to tabulate the existence of such a plan for that department.

Twelve of the 38 surveyed jurisdictions currently have some educational incentive pay plan for their police officers. A list of those agencies is contained in Appendix O. These 12 plans roughly equate to the definition of an educational incentive pay plan included in Chapter I. A decision on whether or not a plan qualified as an educational incentive pay plan under the definitions provided in Chapter I was made by comparing the features of the plan as described by the respondent in answer to question three to the definitions in Chapter I. At least one of the respondents from Saginaw, Washtenaw, and Wayne Counties indicated that the county had an educational incentive pay program. However, examination of the plans as described in question three revealed all three to be tuition reimbursement programs for the officers. The City of Lansing purports to have an educational incentive program also. But its plan does not fall within the strict parameters described previously. Lansing's plan provides for merit pay increases for officers achieving an associate or baccalaureate degree. This type of plan is not independent, therefore, of other pay. The results of the tabulation indicate that

only 32 percent of the agencies surveyed had such plans. This result supports the first hypothesis.

ANALYSIS OF ITEM 2: PROBABILITY OF SUPPORT
FOR AN EDUCATIONAL INCENTIVE PAY PLAN

The second question on the questionnaire asked for the respondents' view of their agency's position with regard to a state-shared incentive pay plan. The three separate categories--local government executive, police executive, and executive officer of the representative employee organization--were surveyed to get a more accurate picture of what groups would be likely to support or oppose adoption of such a plan by the state legislature. Table 2 contains the tabulation of the responses for or against the proposed program. The responses are given by category of respondent.

Table 2

Response to Question 2: Will Your Agency Support
A Statewide Educational Incentive Pay Plan?

Category	Yes	No	Total Response
Governmental unit	18	5	23
Police department	24	4	28
Employee organization	24	2	26
Totals	66	11	77

The responses indicate that a substantive majority of those in each category who returned the questionnaire felt their agencies would favor adoption of a state-shared educational incentive pay plan for police officers. The results of the answers to question two indicate that the second and third hypotheses were correct. These two hypotheses stated that a majority of the administrators of police departments and a majority of the presidents of employee organizations surveyed would support a plan such as the one proposed in this study. In fact, 86 percent of the responding police departments and 92 percent of the responding employee organizations expressed support for such a program.

The fourth hypothesis, which stated that a majority of local government chief executives surveyed would oppose an educational incentive plan, was disproved. Of those responding, 78 percent supported the adoption of a plan of this nature. Table 1, page 65, indicates which specific organizations, governments, or departments were either for or against adoption of a program like that recommended by the National Advisory Commission on Criminal Justice Standards and Goals.

ANALYSIS OF ITEM 3: COMMON FEATURES OF CURRENTLY OPERATING EDUCATIONAL INCENTIVE PAY PLANS

Three of the departments that have an educational incentive pay plan pay the officers a percentage of their

base salary. Saginaw pays an officer 5 percent of his base if he holds an associate degree, 10 percent for a bachelor's degree, and 12 percent for a master's degree. Ann Arbor and Royal Oak pay 3 and 2½ percent, respectively, for a bachelor's degree. The remaining nine departments with programs pay specified dollar amounts for specific educational achievement. Grand Rapids, Southfield, St. Claire Shores, and Roseville pay the officer for accumulating a specified number of hours. These payments range from \$150 per year for 30 hours in St. Claire Shores, to \$200 for the same number of hours in Grand Rapids and Southfield, to a high of \$360 for 30 hours in Roseville. Roseville's payments are limited to hours related to police science. With the exception of Roseville, all of the departments that pay a specified dollar amount (Appendix O) pay a set amount for associate degrees. The payment for an associate degree ranges from \$200 in Ingham County to \$500 in Grand Rapids. Of the eight departments that pay for an associate degree, all but Warren also pay for a bachelor's degree. The range for a bachelor's degree is from \$400 paid annually by Sterling Heights to \$1,000 annually paid by Grand Rapids for a degree in police administration. Battle Creek will pay a person holding a master's degree in a police-related subject area \$800 per year and Southfield will pay \$900 a year for the same type of degree. Grand Rapids, Warren,

Southfield, Battle Creek, and Roseville pay a higher incentive to those holding degrees in such fields as police science or police administration.

ANALYSIS OF ITEM 4: FEATURES RESPONDENTS
THOUGHT SHOULD BE INCLUDED IN THE PROGRAM

Thirty-two of the returned questionnaires contained one or more features the respondent would like to have included in the proposed plan. Some of the features mentioned are included in the plans of one or more of the states reviewed. One such recommendation was that an officer not be eligible for incentive pay for one year after he is hired. Eighteen of the questionnaires specifically suggested basing the incentive on either the number of hours earned or on the degrees earned. Nine respondents were in favor of the former method of deriving the incentive payment, and nine were in favor of the latter method. Seven respondents felt the payment amount should be based on a percentage of the officer's base salary, while only three specifically mentioned that the payment should be a set amount. One of those suggesting the latter method was from Roseville, which currently has an incentive program. The respondent indicated administration of the program would be easier if it were based on a set dollar amount for each level of education to be rewarded. Three questionnaires called for payments only for satisfactory grades, and four

would pay only for credits earned at an accredited institution of higher learning. Three of the respondents would require degrees in law enforcement, while five would allow study in any reasonably related fields.

The Bay City Fraternal Order of Police Lodge felt the city should not be allowed to take the incentive payment from any other portion of the wage package. The Lincoln Park Police Department was concerned lest the incentive be turned into a requirement that an officer have a higher education to be eligible for promotion. Comments made by respondents generally indicated some thought on the issue and a genuine interest in the program. Some of the features recommended in the answers to question four were included in the proposed plan.

ANALYSIS OF ITEM 5: SPECIFIC REASONS FOR OPPOSITION TO THE PROPOSAL

Very few analytical reasons were given for opposition to the proposal. The president of the Police Officer's Association of Dearborn was opposed because he felt such a plan would result in requiring higher education for promotion. The chief of the Dearborn Heights Police Department indicated he was satisfied with officers with a high school or GED education, and that implementation of the program would require setting higher educational standards, which would be impractical. The director of the Oak Park Department

of Public Safety reported his department had a requirement of two years of college for employment, and that further incentive was not needed. He also pointed out that a college education does not guarantee success.

The final opposing statement came from the personnel director for the city of Dearborn. Mr. Sherman indicated he felt the starting salary for a police officer in Dearborn (\$12,875 including fringe benefits) is comparable to that paid to bachelor's degree holders in other professions. Therefore, incentive pay is unnecessary.

With the exception of the opposition by Mr. Sherman, most of the opposition seemed to be based on a fear of what might result from the adoption of the plan rather than rejection of the plan itself. None of the specific statements of opposition presented any specific areas that needed to be addressed in drafting the legislation.

ANALYSIS OF DEMOGRAPHIC DATA

The demographic data provided by the respondents about the specific police departments with which they were associated were analyzed and tabulated to prepare an estimate of the first-year cost to the state of such a plan. Table 3 indicates the total number of officers employed by responding agencies. The table also indicates both the number of officers from the responding agencies at each

educational level and the percentage of the total number of employed officers from those agencies at each level.

Table 3

Officers Employed by Responding Agencies
at Each Educational Level

Level	Number	Percent
12 years or less	8,067	74.2
13 years	747	6.9
14 years	830	7.6
15 years	475	4.4
16 years	707	6.5
17 years or more	40	.4
Total ^a	10,381	100.0

^aBased on 27 responding agencies.

According to the 1974 Comprehensive Plan for Criminal Justice and Law Enforcement published by the Michigan Office of Criminal Justice Programs, 15,533 full-time police officers are currently employed in the state of Michigan.⁷⁸ The percentages derived in Table 3 will be applied to this figure to derive the first-year cost estimate presented in Chapter V.

⁷⁸Michigan Office of Criminal Justice Programs, "1974 Comprehensive Plan for Criminal Justice and Law Enforcement," p. I-61.

The results of Hoover's study indicated higher percentages of recruit educational levels at the 16-year and 13-year levels, but a lower percentage at the 14- and 15-year levels.⁷⁹ Therefore, these differences should not make any appreciable difference in the cost estimate.

In the next chapter, the conclusions and recommendations of the study are presented. Conclusions are drawn about the probability of political support for an educational incentive program, a proposed legislative act is presented, and a first-year cost estimate is displayed.

⁷⁹Hoover, p. 100.

Chapter V

CONCLUSIONS AND RECOMMENDATIONS

SUMMARY

There is a paucity of literature about educational incentive pay plans for police. Therefore, the statewide educational incentive pay programs adopted by Florida, Kentucky, and Massachusetts were reviewed in detail. Interviews with the administrators in each of those states revealed some of the strategy used for steering such programs through the legislature and for avoiding opposition by local governments. The review disclosed common features of the three programs and problem areas encountered by one or more of the administrators. In addition to disclosing problem areas, the review revealed suggested methods of avoiding the same difficulties or of dealing efficiently with them when designing an educational incentive pay program. Examination of the programs in these states provided invaluable information in developing the proposed legislation presented later in this chapter.

The purpose of the study was to examine the attitudes of local governmental executive officers, police chiefs, and the executive officials of such organizations as the

Fraternal Order of Police, representing policemen in each surveyed jurisdiction, toward adoption of an educational incentive pay plan in Michigan. A secondary purpose of the study was to examine existing plans from local governments and to ask the surveyed people to provide input concerning features they would like to have included in or excluded from an educational incentive pay program. Another goal was to provide an estimate of the first-year cost to the state if such a plan were adopted. To achieve the goals stated above, three similar questionnaires were developed as data collection devices.

The questionnaires were mailed to the local governmental executive officers, police chiefs, and presidents of local police employee organizations of the jurisdictions having the 38 largest police departments in the state. These agencies employ 70 percent of the sworn officers in the state. Over 60 percent response was realized from each category surveyed (see Table 1, page 65). None of the questionnaires had to be eliminated.

Data analysis consisted in tabulating the number of responses to the questionnaire in each category and the answers to the first two questions. The tabulation of responses to question one indicated the number of educational incentive pay programs operational at the local level among those agencies surveyed. The tabulation of the

responses to question two indicated the probable level of support, by each of the three surveyed populations, for a statewide educational incentive pay program. A narrative analysis of the last three questions was conducted. These three questions concerned the description of any operational local plan and a description of features the respondent felt should be included in the program. Finally, the demographic data provided by the respondents were analyzed to derive the average educational levels of police officers in the state, in order to calculate a first-year cost estimate.

CONCLUSIONS

The major findings from the review of the three state plans and from the survey conducted within the state of Michigan are listed below:

1. A voluntary educational incentive pay plan will meet less opposition when introduced in the state legislature than would a mandatory program.
2. A state-shared educational incentive pay plan will generate less opposition than one in which the local governments are required to bear the total financial burden.
3. All credits claimed for incentive pay should be certified, by the state agency designed to administer the plan, to have been earned at an accredited institution.
4. A law creating an incentive pay program must be written in such a manner as to include police-related study

areas--e.g. sociology, business administration and political science, as well as police course work--in eligibility for payment.

5. Payment should be based on a fixed monthly dollar amount rather than a percentage of an officer's base salary. This places the premium on education, not rank or experience.

6. Such a plan should not allow an officer to become eligible for incentive payment until one year after beginning employment.

7. Local governments must be specifically enjoined from using the funds paid them by the state for any purpose other than making the specified incentive payments.

8. Based on the surveyed sample, most local police departments in Michigan do not have educational incentive pay plans.

9. Based on the results of the survey, the majority of the local governmental executives would support adoption of a state-shared educational incentive pay program for police officers.

10. A majority of the police chiefs surveyed would support enactment of a law creating a state-shared educational incentive pay program for police officers.

11. Most of the executive officers of police employee organizations in Michigan would favor adoption of a state-shared educational incentive pay plan for police officers.

12. If such a plan were introduced in the legislature, an informational program would have to be developed to explain the plan, in detail, to local governments, police chiefs, and employee organizations to generate increased levels of support for the plan.

RECOMMENDATIONS

Based on the conclusions drawn in the previous section of this chapter, it is recommended that the model statute presented below be adopted by the state of Michigan and its provisions be implemented as soon as practical.

MODEL EDUCATIONAL INCENTIVE PAY PLAN FOR POLICE OFFICERS

Section 1: Intention of the Legislature.

It is the intention of the legislature to strengthen and upgrade law enforcement in Michigan by attracting and retaining competent, highly qualified young people in law enforcement for the purpose of ensuring that the laws of the state are fairly and uniformly enforced and providing maximum safety and protection to the citizens of and visitors to this state. It is further the intention of the legislature to provide a state monetary supplement to law enforcement officers in order to upgrade the educational standards of such officers.

Section 2: Definitions. As used in this act:

(1) "Incentive Pay" means a payment made to a police officer each pay period, independent of and in addition to his base pay and any other incentive or additional payments due him.

(2) "Local Government" means any county, city, township, or combination thereof.

(3) "Police Officer" means a full-time employee of the state or a local government whose primary responsibility is the prevention and detection of crime and the enforcement of the general criminal statutes of the state and the local government by which he is employed.

(4) "Specific Educational Achievement" means successful completion--with at least a grade of "C"--of 30, 60, 90, or 120 semester hours, or the equivalent in quarter hours, at an accredited institution of higher education; possession of an associate degree from a junior or community college, matriculation as a junior in a four-year college, or possession of a baccalaureate or master's degree from an accredited institution of higher education.

(5) "State Shared" means the state will match, on a dollar-for-dollar basis, local funds paid to a police officer by local governments that are enrolled in the educational incentive pay program, up to the maximum dollar amount allowed per officer per month.

(6) "Board" means Police Educational Incentive Pay Board created to administer the program.

Section 3: Police Educational Incentive Pay Board.

(1) There is hereby established a Police Educational Incentive Pay Board to administer the state portion of the program created by this act. Such Board will be located within the Office of the State Attorney General and shall consist of a director and such other professional and clerical staff as are necessary for the proper administration of the program.

(2) The Board will promulgate rules and regulations for the administration of this act.

(3) The Board will certify all credits claimed by police officers for incentive pay. Certification will be granted only for those credits earned at an accredited institution of higher learning. Credits awarded for training courses will not be certified until such time as an accredited institution grants a degree including those credits. Courses in which a grade below "C" is earned by the officer will not be certified until such time as a degree is granted by an accredited institution. The employing agency will be notified of all certifications.

(4) The Board will compile a list of study areas for which a participating agency must pay an educational incentive, and will rule upon other subject areas requested by local agencies to be certified for payment.

(5) The Board will certify to the state treasurer the amount to be paid to participating agencies each month.

Section 4: Local Governmental Eligibility.

(1) For a local government to be eligible to participate, an ordinance must be passed by the governing body directing participation. The ordinance must specify the rate to be paid for each educational level. All ranks of police officers must be eligible to participate.

(2) Funds must be budgeted to pay the local government's portion of the program.

(3) Local governments may begin participation of July 1 of any year, provided their application for participation is received by the Board on or before January 1 of the same year. The application must include evidence that conditions (1) and (2) of this section have been complied with, a copy of the ordinance, and a projected list of officers who will participate and the amount to be paid each.

Section 5: Officer Eligibility.

(1) Any officer employed by a participating agency will become eligible for educational incentive pay the first full month of employment beyond his first anniversary with the agency.

(2) Any certifiable credits earned by an officer employed by a participating agency prior to the adoption of this act will make the officer eligible for incentive payments.

(3) Any certifiable credits earned by an officer prior to his employment by an agency will make him eligible for incentive pay after he has met the criteria set forth in part (1) of this section.

Section 6: Maximum Rates to Be Paid by the State to Local Governments.

(1) The state will pay up to the maximum dollar amount specified in the list below at each level of educational achievement for each dollar paid by the local government.

(2) The state will pay double the indicated amounts to police officers employed by the state.

(3) This list indicates the maximum dollar amounts the state will pay, on a matching basis, to local police officers. The hours indicated are semester hours.

30 hours	\$25.00 per month
60 hours	\$30.00 per month
Associate degree	\$35.00 per month
90 hours	\$40.00 per month
120 hours	\$45.00 per month
Baccalaureate degree	\$50.00 per month

(4) An officer enrolled with junior standing in a four-year institution shall be considered to have an associate degree.

Section 7: Payment by the State.

The state will pay the local governments the monies due them for the educational incentive pay program not later than the 15th of each month for the preceding month.

Section 8: Purposes for Which the Funds Paid by the State May Be Used.

(1) Funds shall only be used to compensate the police officers who are eligible to participate in the educational incentive pay program.

(2) Each officer shall receive the state supplement that his qualifications brought to the local unit.

(3) Funds shall not be used to supplement existing salaries or as a substitute for normal salary increases normally due police officers.

(4) Educational incentive payments need not be included when calculating pension, group insurance, or other fringe benefits due police officers.

Section 9: Reports.

(1) Each participating local unit shall submit reports to the Board on December 31, March 31, June 30, and September 30 of each year, containing information relative to compensation of law enforcement officers it employs.

(2) Each participating unit shall also submit any other reports reasonably required by the Board.

Section 10: Appeals.

(1) Any officer or local government dissatisfied with a decision of the Board may apply for a formal hearing in front of the Director.

(2) If such person or agency remains dissatisfied with the decision of the Director, he may apply for a hearing

CONTINUED

1 OF 2

before a special three-man panel to be appointed by the Attorney General for that specific purpose.

(3) Further relief may be sought through the courts.

Section 11: Penalties.

Any person who knowingly or willfully makes a false statement to the Michigan Police Educational Incentive Pay Board shall be subject to a fine of not less than \$100 and not more than \$500, or imprisonment for not less than 30 days nor more than 90 days, or both.

COST ESTIMATE

An estimate of the first-year cost to the state was obtained by applying the percentages shown in Table 3, page 74, to the total number of local police officers in the state.⁸⁰ The total number of officers in the state at each post-high school educational level was then multiplied by the maximum dollar amount to be paid by the state for each level of achievement. In deriving the estimate, each officer with 60 credits was counted as having an associate degree and each officer with 120 credits was counted as having a baccalaureate degree. The estimate was calculated assuming that all agencies in the state would enroll in the program the first year. The resulting estimate of the payments to local governments was \$1,653,240. The figure for

⁸⁰"1974 Comprehensive Plan," p. I-61.

the cost of providing the incentive to state police officers was derived by applying actual educational levels to double the dollar amounts specified in the same manner as described above. The dollar amounts were doubled, since there would be no local government to provide matching funds. The resultant figure was \$468,000. The maximum first-year cost of providing the proposed educational incentive package described in this chapter to both local and state police officers will be \$2,121,240.

Because the estimate was obtained by assuming all local agencies would join the program during its first year, the estimate is undoubtedly higher than the actual cost will be. Both Kentucky and Massachusetts have optional programs. In Kentucky, 11 of 400 eligible agencies participated the first year, and only 22 are expected to participate the second year.⁸¹ In Massachusetts, 53 of 354 eligible agencies participated the first year and 25 additional agencies participated the second year.⁸² It should also be remembered that both Florida and Kentucky exclude state police officers from participation in the program. Florida estimates that 21 percent of the local police officers in the state will receive educational incentive pay at a cost of

⁸¹Rogers and Tucker.

⁸²Chin.

\$1,504,440.⁸³ Since Florida's program is mandatory, the cost estimate for Michigan, given the assumptions previously made, is in line with the cost to Florida. The estimate for Michigan indicates payment of \$1,653,240 to 26 percent of the state's local police officers. Therefore, the actual cost to the state should be considerably lower than the figure given previously.

⁸³Headlough.

APPENDICES

APPENDIX A

EXCERPTS FROM FLORIDA STATUTES,
CHAPTER 23, PART IV

23.061 Definitions.--As used in this act:

(1) "Police officer" means any person employed full time by any municipality, this state or any political subdivision thereof, and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, traffic, of highway laws of this state.

(2) "Employing agency" means any municipality, this state, or any political subdivision thereof, employing police officers as defined above.

(3) "Council" means the police standards council.

23.062 Police Standards Council.

(1) There is created a police standards council within the department of community affairs. The council shall be composed of twelve members consisting of the attorney general or designated assistant, the superintendent of public instruction or designated assistant, the special agent of the federal bureau of investigation in charge of training in Florida. The director of the department of public safety and eight members to be appointed by the governor consisting of three sheriffs, three chiefs of police and two police officers who are neither sheriffs nor chiefs of police. Prior to the appointment, the sheriff, chief of police and police officer members shall have had at least eight years experience in law enforcement as police officers.

23.066 General powers of the Council.--The Council is authorized to:

(1) Promulgate rules and regulations for the administration of this act, pursuant to chapter 120.

(2) Employ a director and such other personnel as may be necessary in the performance of its functions.

(3) Provide rules of procedure for its internal management and control.

(4) Enter into contracts or do such things as may be necessary and incidental to the administration of its authority pursuant to this act.

23.0741 Intent.--

(1) It is the intent of the legislature to strengthen and upgrade law enforcement in Florida by attracting competent, highly qualified young people for professional careers in this field and to retain well qualified and experienced officers for the purpose of providing maximum protection and safety to the citizens of, and visitors to, this state.

23.078 Salary incentive program for local law enforcement officers.--

(1)(f) Community college degree or equivalent--Law enforcement officer holds a document from the police standards council certifying that council records indicate his graduation or completion of at least sixty (60) semester hours or ninety (90) quarter hours at a community college with a major study concentration relating to the criminal justice system. The police standards council may authorize the completion of sixty (60) semester hours or ninety (90) quarter hours at an accredited college or university as meeting the equivalent of a community college degree. For the purpose of this act, the police standards council shall establish what major study concentration areas relate to the criminal justice system.

(g) Accredited college or university--The college or university has been accredited by the southern association of colleges and universities or other accrediting agency which is recognized by the state of Florida for accreditation purposes.

(h) Bachelors degree--Law enforcement officer holds a document from the police standards council certifying that its records indicate his graduation from an accredited

college or university with a major study concentration relating to the criminal justice system. For the purpose of this act, the police standards council shall establish what major study concentration areas relate to the criminal justice system.

(2) (b) Each law enforcement officer who has a "community college degree or equivalent" shall, effective July 1, 1974, and thereafter, receive a sum not exceeding thirty dollars (\$30.00) per month in the manner provided for in paragraph (g) of this subsection.

(c) Any law enforcement officer who receives a "bachelor degree" shall, effective July 1, 1974, and thereafter, receive a sum not exceeding fifty dollars (\$50.00) per month in the manner provided for in paragraph (g) of this subsection.

(f) No local units shall use any state funds received, or any federal funds made available under section 23.073, Florida Statutes, for the purpose of circumventing payment of any currently planned or existing salary or compensation plans which provide normal pay increased periodically to its law enforcement officers.

(g) The bureau of police standards through its board shall establish rules and regulations in cooperation with the department of community affairs as necessary to effectively provide for the proper administration of this act. Such rules and regulations shall include, but not limited to:

2. Proper documentation and verification that the local unit has provided in its salary structure and salary plans incentive pay for law enforcement officers as required in this section.

(h) Each local unit shall submit reports to the police standards council on December 31, March 31, June 30, and September 30, of each year containing information relative to compensation of law enforcement officers employed by it.

APPENDIX B

EXCERPTS FROM FLORIDA POLICE STANDARDS

COUNCIL "ADMINISTRATIVE RULES"

9A-14.01 General Program Provisions.--

(3) The salary incentive payment under provisions of Section 23.078(2), Florida Statutes and Rule Chapter 9A-14.02, Florida Police Standards Council will be paid by each local unit to eligible law enforcement officers in addition to their required minimum gross salary of \$6,000 per annum as required in Sections 218.22 and 218.23, Florida Statutes or any currently planned or existing salary or compensation plans which provide normal pay increases periodically to its law enforcement officers.

(7) All completed and/or claimed education of eligible law enforcement officers will be certified to the Police Standards Council by official sealed transcripts from the educational institution from which the officer received or completed associate or bachelors degree work or the equivalent as applied to a community college degree under Section 23.078(1), Florida Statutes.

(8) A community college degree or its equivalent as defined in Section 23.078(1)(f), Florida Statutes, must consist of a major study concentration area related to the criminal justice system of a minimum of eighteen (18) semester or equivalent quarter hours from an accredited community college as defined in Section 230.761(1) Florida Statutes, or college or university as defined in Section 23.078(1)(g), Florida Statutes. The minimum semester or equivalent quarter hours set out herein must be readily identifiable and applicable to the criminal justice system as outlined in policy guidelines of the Police Standards Council.

(9) A bachelors degree granted from an accredited college or university as defined in Section 23.078(1)(g)(h), Florida Statutes, must consist of a major study concentration area related to the criminal justice system of semester or equivalent quarter hours as required by the accredited

college or university from which the degree was granted. The major study concentration of semester or equivalent quarter hours must be readily identifiable and applicable to the criminal justice system as outlined in police guidelines of the Police Standards Council.

(10). Each local unit will submit quarterly reports to the Police Standards Council as of December 31, March 31, June 30, and September 30, of each year containing information as required by the Police Standards Council relating to compensation of eligible full time law enforcement officers elected or employed. Such quarterly reports shall be prepared and submitted to the Police Standards Council within fifteen (15) working days of the dates stated.

9A-14.02 Eligibility and Payments.--

(1) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, who enter employment on or after July 1, 1972, with a local unit law enforcement agency must be employed as a law enforcement officer with that specific local unit for a period of one (1) year before he will be eligible to receive salary incentive payments under the provisions of Section 23.078(2), Florida Statutes.

(4) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, shall, effective July 1, 1974, and thereafter, receive a salary incentive payment in the amount of \$30.00 per month as provided for a community college degree or equivalent under provisions of Section 23.078(2)(b), Florida Statutes for having received an associate in science degree with the specific major field of study in criminal justice, law enforcement, courts, or corrections, providing such degree was conferred by an accredited educational institution within the United States or its possessions and is officially certified by the Florida Police Standards Board under provisions of Section 23.078(1)(f), Florida Statutes and Rule Chapter 9A-14.02(7), Florida Police Standards Board.

(5) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, shall, effective July 1, 1974, and thereafter, receive a salary incentive payment in the amount of \$30.00 per month as provided for a community college degree or equivalent under provisions of Section 23.078(2)(b), Florida Statutes for having received an associate in arts degree, providing such degree was conferred by an accredited educational institution within the United States or its possessions and is officially certified by the

Florida Police Standards Board under provisions of Section 23.078(1)(f) Florida Statutes, and rule chapter 9A-14.02(7), Florida Police Standards Board.

(6) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, shall, effective July 1, 1974, and thereafter, receive a salary incentive payment in the amount of \$30.00 per month as provided for a community college degree or equivalent under provisions of Section 23.078(2)(b), Florida Statutes, and a \$50.00 per month salary incentive payment as provided for a bachelor degree under provisions of Section 23.078(2)(c), Florida Statutes, for a sum of \$80.00 per month for having received a bachelor degree with the major field of study in criminal justice, law enforcement, courts, corrections, management, human resources management, management science, administrative systems, general business administration, public relations, public administration, social work, social welfare, communications, accounting, political science, government, home and family life, psychology, sociology, anthropology, education, or philosophy providing such degree was conferred by an accredited educational institution within the United States or its possessions and is officially certified by the Florida Police Standards Board under provisions of Section 23.078(1)(h), Florida Statutes, and rule chapter 9A-14.01(7), Florida Police Standards Board.

(7) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, having received a bachelor degree with the major field of study not identified in rule chapter 9A-04.02(6), Florida Police Standards Board, shall, effective July 1, 1974, and thereafter, receive a salary incentive payment in the amount of \$30.00 per month as provided for a community college degree or equivalent, under provisions of Section 23.078(1)(f), Florida Statutes, providing such degree was conferred by an accredited educational institution within the United States or its possessions and is officially certified by the Florida Police Standards Board under provisions of Section 23.078(1)(h), Florida Statutes, and rule chapter 9A-14.01(7), Florida Police Standards Board.

(8) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, having received a bachelor degree with the major field of study not identified in rule chapter 9A-14.02(6), Florida Police Standards Board but has received a graduate degree with the major field of study as identified in rule chapter 9A-14.02(6), shall, effective July 1, 1974, and thereafter, receive a salary incentive payment in the amount of \$80.00 per month as provided for a bachelors degree under provisions of rule chapter 9A-14.02(6),

providing such degree was conferred by an accredited educational institution within the United States or its possessions and is officially certified by the Florida Police Standards Board under provisions of section 23.078(1)(h), Florida Statutes and rule chapter 9A-14.01(7), Florida Police Standards Board.

(9) Law enforcement officers as defined in Section 23.078(1)(b), Florida Statutes, having received a bachelor degree with the major field of study not identified in rule chapter 9A-14.02(b), Florida Police Standards Board, and such degree was conferred by an accredited educational institution within the United States or its possessions will be afforded eligibility evaluation for salary incentive payment in amount of \$80.00 as provided for a bachelor degree under provisions of section 23.078(2)(c), Florida Statutes, and rule chapter 9A-14.02(6), Florida Police Standards Board, upon recommendation and justification by the individual's law enforcement agency administrator and the receipt, special review and approval of official degree transcripts by the Florida Police Standards Board.

APPENDIX C

TRANSCRIPT REQUEST
(Section 23.078, Florida Statutes)
(Salary Incentive Program)
(for Law Enforcement Officers)

Date _____

TO: Registrar, _____
Name of School

Respectfully request two (2) official transcripts of the following named individual be furnished for the period indicated below:

Send now _____ Send at end of term _____ Student Number _____

Social Security Number _____

Student Name _____
Last First MI

Maiden Name (if appropriate) _____

Student Address _____
Street City State Zip

Dates Attended _____

Send one official transcript to each of the following:

Name of Department or Agency Administrator

Florida Police Standards Board
Howard Building
Koger Executive Center
2571 Executive Circle, East
Tallahassee, Florida 32301

Name of Department or Agency

Mailing Address (Street or P.O. Box)

City State Zip

Authorization is granted for official transcripts to be furnished.
Attached is check/money order in the amount of _____ to cover cost of transcripts.

Student Signature

TRANSCRIPT REQUEST ACKNOWLEDGEMENT

(Signature of Agency Administrator
or authorized representative)

- White Copy - Attach to transcript sent to Florida Police Standards Board
- Blue Copy - Retained by School
- Green Copy - Retained by Officer
- Pink Copy - Retained by L.E. Agency

Department of Agency Title

NOTICE TO REGISTRAR: Please attach copy of this transcript request (WHITE) to official transcript sent to Florida Police Standards Board.

APPENDIX D

EXCERPTS FROM KENTUCKY REVISED STATUTES

15.410 Intention of legislature to assist local law enforcement.

It is the intention of the General Assembly to assure that the criminal laws of the Commonwealth are enforced fairly, uniformly and effectively throughout the state by strengthening and upgrading local law enforcement; to attract competent, highly qualified young people to the field of law enforcement and to retain qualified and experienced officers for the purpose of providing maximum protection and safety to the citizens of, and the visitors to, this Commonwealth; and to offer a state monetary supplement for local law enforcement officers while upgrading the educational and training standards of such officers.

15.420 Definitions.

As used in KRS 15.410 to 15.510, unless the context otherwise requires:

(1) "Local Unit of Government" means any city or county, or any combination of cities and counties, of the Commonwealth.

(2) "Police Officer" means a full-time member of a lawfully organized police department of county or city government who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state, but does not include Kentucky State Police, any elected officer, sheriff, deputy sheriff, constable, deputy constable, district detective, deputy district detective, special local peace officer, auxiliary police officer or any other peace officer not specifically authorized in KRS 15.410 to 15.510.

15.430 Law Enforcement Foundation Program Fund established.

(1) There is hereby established the Law Enforcement Foundation Program Fund consisting of appropriations and any other funds, gifts, or grants made available to the state for distribution to local units of government in accordance with the provisions of KRS 15.410 to 15.510.

(2) The resources of the Law Enforcement Foundation Program Fund shall be paid into the State Treasury and shall be drawn out or appropriated only as provided herinafter.

15.440 Requirements for participation in fund.

Each local unit of government which meets the following requirements shall be eligible to share in the distribution of funds from the Law Enforcement Foundation Program Fund:

(7) Requires compliance with all reasonable rules and regulations, appropriate to the size and location of the local police department, issued by the Kentucky Crime Commission to facilitate the administration of the Fund and further the purposes of KRS 15.410 to 15.510.

15.450 Fund administered by Kentucky Crime Commission; regulations.

(1) The Kentucky Crime Commission shall administer the Law Enforcement Foundation Program Fund pursuant to the provisions of KRS 15.410 to 15.510 and may issue such reasonable rules and regulations as, in its discretion, will facilitate the administration of the Fund and further the purposes of KRS 15.410 to 15.510.

(2) The Kentucky Crime Commission shall determine which local units of government are eligible to share in the Law Enforcement Foundation Program Fund and may withhold or terminate payments to any local unit that does not comply with the requirements of KRS 15.410 or 15.510 or the rules and regulations issued by the Kentucky Crime Commission under KRS 15.410 to 15.510.

15.460 Rate of assistance paid to local community by fund.

(2) An eligible local unit of government shall also be entitled to receive, from the Law Enforcement Foundation Program Fund, fifty percent of any salary increase paid to

police officers solely because of college credits attained; provided, however, that the local unit shall file an educational incentive plan consistent with the guidelines and standards set down by the Kentucky Crime Commission; provided further, that the contribution from the Law Enforcement Foundation Program Fund under this subsection shall not exceed \$500 per year for any one police officer.

15.470 Purposes for which assistance by fund may be used.

Law Enforcement Foundation Program funds made available to local units shall be received, held and expended in accordance with the provisions of KRS 15.410 to 15.510, including the rules and regulations issued by the Kentucky Crime Commission, and the following specific restrictions:

(1) Funds provided shall be used only as a cash salary supplement to police officers;

(3) Each police officer shall be entitled to receive the state supplement which his qualifications brought to the local unit;

(4) Funds provided shall not be used to supplant existing salaries or as a substitute for normal salary increases periodically due to police officers.

15.490 Reports.

(1) Each participating local unit of government shall submit reports to the Kentucky Crime Commission on March 31, June 30, September 30 and December 31 of each year containing information relative to number, rank, education, training and compensation of police officers employed by it and the disposition made of any state or other funds received pursuant to KRS 15.410 to 15.510. Nothing in this section shall prohibit the Kentucky Crime Commission from requiring additional information or reports from participating local units of government;

(2) Local units of government shall include the additional compensation paid to each police officer from the Law Enforcement Foundation Program Fund as a part of the officer's salary in determining all payroll deductions.

15.510 Appeals.

An appeal may be taken from any decision of the Kentucky Crime Commission to withhold or terminate payment from the Law Enforcement Foundation Program Fund to any local unit of government. Appeals shall be taken to the Circuit Court of the county where the controversy originates.

15.990 Penalties.

Any person who knowingly or willfully makes any false or fraudulent statement or representation in any record or report to the Kentucky Crime Commission under KRS 15.410 to 15.510, shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned for not less than thirty days nor more than ninety days, or both.

APPENDIX E

EXCERPTS FROM KENTUCKY LAW ENFORCEMENT FOUNDATION

PROGRAM FUND "RULES AND REGULATIONS"

PART 100 DEFINITIONS

- 103.000 STANDARD WORK YEAR is defined as 2,080 hours during 52 consecutive weeks. It includes all paid vacation hours, paid sick hours, paid holiday hours and paid training hours.
- 109.000 SUCCESSFULLY COMPLETED as used in Part 300 is defined as earning at least a C on a letter grade basis or a pass on a pass-fail basis. Once an officer has earned a degree, any grade accepted by the university or college toward that degree may be used to qualify the POLICE OFFICER for EDUCATIONAL INCENTIVE monies. Successfully completed as used in Part 200 shall be certified by the Kentucky Law Enforcement Council.

PART 300 EDUCATIONAL INCENTIVE REQUIREMENTS UNDER THE KLEFPF

- 301.000 Eligibility Requirements
- 301.001 The LOCAL UNIT must meet all requirements established in Part 200, in addition to all other regulations of the KLEFPF; and those requirements of KRS 15.410-.510 and 15.990 which are applicable to LOCAL UNITS, in order to participate in the EDUCATIONAL INCENTIVE.
- 302.000 Local Plan Requirements
- 302.001 The LOCAL UNIT must file an EDUCATIONAL INCENTIVE plan with the Kentucky Crime Commission.
- 302.002 This plan must include a list of all POLICE OFFICERS expected to participate and the number of college hours each POLICE OFFICER has successfully completed.

- 302.003 This plan must include a list of all acceptable areas of study and degrees.
- 302.004 This plan must include a budget for the allocation of local matching monies as well as KLEFPF monies. In accord with KRS 15.460, subsection 2, the maximum KLEFPF monies budgeted shall not exceed fifty per cent of any salary increase paid solely because of college credits attained and, further shall not exceed five hundred dollars (\$500) per year for any one POLICE OFFICER.
- 302.005 This plan must show in detail how POLICE OFFICERS can earn EDUCATIONAL INCENTIVE monies.
- 302.006 This plan shall provide that no POLICE OFFICER can earn EDUCATIONAL INCENTIVE monies until he has successfully completed at least 6 college semester hours.

Payments of KLEFPF EDUCATIONAL INCENTIVE monies cannot exceed the following schedule:

NUMBER OF HOURS ATTAINED	Max. Temp. Payment*	Max. Perm. Payment
6 or more hours but less than 30 . .	\$200	\$ 0
30 or more hours but less than 60 . .	350	200
60 or more hours but less than 90 . .	450	350
90 or more hours but less than 120 . .	500	450
120 or more hours but no degree . . .	500	450
Bachelor's Degree or more	500	500

*Temporary payments can only be made to POLICE OFFICERS who are presently attending college courses and who successfully complete at least 12 semester hours per year therein.

Permanent payments may be made whether or not the officer is presently attending college courses or successfully completing 12 semester hours per year.

- 302.007 This plan shall provide that all POLICE OFFICERS may obtain the maximum local incentive through continued education.

- 302.008 This plan shall guarantee all POLICE OFFICERS an equal opportunity to participate in the EDUCATIONAL INCENTIVE program.
- 302.009 Payments of KLEFPF EDUCATIONAL INCENTIVE monies shall not be made until an official transcript of all college hours earned and/or being taken by each POLICE OFFICER has been received by the Kentucky Crime Commission (an official transcript is one that is mailed directly by the university or college).
- 303.000 Subject Matter Requirements
- 303.001 No college credit earned as a result of participating in a training program under the requirements in Part 200 shall be allowable to qualify the POLICE OFFICER for EDUCATIONAL INCENTIVE monies until the POLICE OFFICER has earned a bachelor's degree.
- 303.002 Only successfully completed college hours which are accepted by the accredited university or college where the POLICE OFFICER is currently enrolled, or at which he earned his degree, or which are included in the LOCAL UNIT'S plan may be used to qualify the POLICE OFFICER for EDUCATIONAL INCENTIVE monies, except as limited by 303.001.

PART 500 ADMINISTRATIVE REQUIREMENTS

- 501.002 The LOCAL UNIT must apply for the EDUCATIONAL INCENTIVE part before April 30, 1973, on forms provided by the Kentucky Crime Commission (Form KLEFPF-2). Any unit of government that has not applied by this date cannot be considered for future eligibility until July 1, 1974. Should an application be rejected, the LOCAL UNIT will have ten days from the date of notification to make a formal appeal to the Executive Committee of the Kentucky Crime Commission.
- 504.001 By the 15th day after the close of each quarter (March 31, June 30, September 30 and December 31), the LOCAL UNIT must submit, for the approval of the Kentucky Crime Commission, a quarterly report which includes the following:
- (a) A list with the name, rank, Social Security Number, base salary and the amount of KLEFPF

monies received by each POLICE OFFICER. The TRAINING and EDUCATIONAL INCENTIVE monies must be listed separately.

- 507.005 Provided the required documentation has reached the Kentucky Crime Commission as required by these regulations, checks from the KLEFPF will be mailed by the first of each month.

PART 600 PENALTY REGULATIONS

- 601.000 Failure to Comply
- 601.001 Failure to comply with KRS 15.410 to 15.510 or the rules and regulations issued by the Kentucky Crime Commission may result in the suspension or termination of all KLEFPF payments to the LOCAL UNIT and/or the return of the funds involved.
- 602.000 False or Inaccurate Information
- 602.001 The furnishing of false or inaccurate information to the Kentucky Crime Commission by a LOCAL UNIT may result in the suspension or termination of all KLEFPF payments to the LOCAL UNIT.
- 602.002 The Kentucky Crime Commission may require any LOCAL UNIT, which has received funds from KLEFPF as a result of false, inaccurate or fraudulent [sic] reporting to return any funds so obtained.

APPENDIX F

MASSACHUSETTS GENERAL LAWS, CHAPTER 835,

SECTION 108L

Chap. 835. AN ACT ESTABLISHING A CAREER INCENTIVE PAY PROGRAM FOR REGULAR FULL-TIME POLICE OFFICERS AND PROVIDING FOR PARTIAL REIMBURSEMENTS BY THE COMMONWEALTH FOR CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 108K the following section:--

Section 108L. There is hereby established a career incentive pay program offering base salary increases to regular full-time members of the various city and town police departments, the division of state police in the department of public safety, the capitol police and the metropolitan district commission police, as a reward for furthering their education in the field of police work.

Police career incentive base salary increases shall be predicated on the accumulation of points earned in the following manner: one point for each semester hour credit earned toward a baccalaureate or an associate degree; sixty points for an associate degree; one hundred and twenty points for a baccalaureate degree; and one hundred and fifty points for a degree of master or for a degree in law. All semester credits and degrees shall be earned in an educational institution accredited by the New England Association of Colleges and Secondary Schools or by the Board of Higher Education.

Base salary increases authorized by this section shall be granted in the following manner: a three per cent increase for ten points so accumulated, a six per cent increase for twenty-five points, a ten per cent increase for forty points, a fifteen percent increase for sixty points, a twenty per cent increase for one hundred and twenty points, and a thirty per cent increase for one hundred and fifty points so accumulated.

Any city or town which accepts the provisions of this section and provides career incentive salary increases for

police officers shall be reimbursed by the commonwealth for one half the cost of such payments upon certification by the board of higher education. The board of higher education shall certify the amount of such reimbursement to be paid to such city or town from information filed on or before September the first of each year with said board, on a form furnished by it, by the chief of police, or one of similar rank, of the city or town police department. The board of higher education shall also certify the amount of the career incentive salary increases to be allocated to the state police, the capitol police and the metropolitan district commission police from information filed with said board on or before September the first of each year by the commissioner of public safety for the state police, by the commissioner of the metropolitan district commission for the metropolitan district commission police, and by the chief of the capitol police for the capitol police. Said information shall be filed on a form to be furnished by the board of higher education.

Approved August 28, 1970.

APPENDIX G

MASSACHUSETTS BOARD OF HIGHER EDUCATION, "GUIDELINES FOR POLICE HIGHER EDUCATION PROGRAM"

I. GENERAL

The basic purpose of Chapter 835 of the 1970 Acts, entitled "AN ACT ESTABLISHING A CAREER INCENTIVE PAY PROGRAM OF REGULAR FULL-TIME POLICE OFFICERS AND PROVIDING FOR PARTIAL REIMBURSEMENT BY THE COMMONWEALTH FOR CERTAIN CITIES AND TOWNS," is contained in the first paragraph in describing the pay raises available to ". . . regular full-time members of the various city and town police departments, the division of state police in the department of public safety, the capitol police and the metropolitan district commission police, as a reward for furthering their education in the field of police work." The law further stipulates that such increases shall be awarded, when appropriate legislative action has made funds available, to qualified police officers according to the following point schedule:

<u>CREDITS</u>	<u>POINTS</u>	<u>PERCENTAGE SALARY INCREASE</u>
1-9 Semester Hours	1 Point for each Semester Hour	No Increase
10 Semester Hours	10 Points	3% Increase
25 Semester Hours	25 Points	6% Increase
40 Semester Hours	40 Points	10% Increase
Associate Degree	60 Points	15% Increase
Baccalaureate Degree	120 Points	20% Increase
Masters <u>or</u> Law Degree	150 Points	30% Increase

II. ELIGIBILITY

The pay incentive program is open to regular full-time members of the various city and town police departments, when such cities and towns have exercised their acceptance

option under this statute, and to state agency police personnel as enumerated above (i.e., State Police, M.D.C. Police and Capitol Police). Points toward salary increases will be given only for courses taken and accredited in pursuit of ". . . a baccalaureate or an associate degree. . . ." Those police officers who are regular full-time members of eligible departments may receive points for courses taken toward degrees or for degrees earned and shall include the following:

- A) All courses taken after becoming such officers and after the effective date of the law;
- B) All courses taken after becoming such officers, but before the effective date of the law;
- C) All courses taken before becoming such officers, but after the effective date of the law;
- D) All courses taken before becoming such officers, and before the effective date of the law.

In addition, and with respect to courses taken or degrees earned by regular full-time members of police departments of a municipality, points shall be awarded for:

- D) All courses taken after becoming such officers but before the acceptance by the municipality of Chapter 835;
- F) All courses taken before becoming such officers and before the acceptance by the municipality of Chapter 835.

III. ACCREDITATION AND CERTIFICATION PROCEDURE

The Board of Higher Education is required to develop regulations and procedures for the certification and accreditation of materials relating to the qualifications for awarding points. It has established the following guidelines:

A) Institutional Approval

All semester credits and degrees shall be earned in an educational institution accredited by the New England Association of Colleges and Secondary Schools or approved by the Board of Higher Education for purposes of this program.

B) Program Approval

The Board of Higher Education shall accept for point consideration from approved institutions courses in such degree programs as tend "to contribute to the field of police efforts and effectiveness of police departments. . . ." (See Opinion of the Attorney General, June 17, 1971.)

According to the above cited Opinion the range of acceptable programs includes not only criminal justice and law enforcement but also those in the fields of sociology, psychology, English, mathematics, chemistry, other liberal arts subjects, as well as business administration, which potentially contribute to better police effectiveness, and hence will be included for point consideration as a matter of law.

In considering other programs, the Board will consider higher education per se as of primary import in improving law enforcement, and will judge each other program separately on its merits.

C) Municipal Reimbursement

Any municipality which accepts the provisions of Chapter 835 and provides career incentive salary increases for police officers shall be eligible for reimbursement by the Commonwealth of Massachusetts, when appropriate legislative action has made funds available, for one half the cost of such base salary payments upon certification by the Board on or before September the first of each year, provided, that the municipality in question shall have, prior to the September deadline, actually approved and appropriated the funds for the said raises, and shall have actually authorized their payment. No municipality shall be eligible for the said reimbursement until such raises have been made.

D) State Agency Certification

The Board of Higher Education shall certify to the individual state agencies the amount of pay increases to be allocated to the State Police, the Metropolitan District Commission police, and the Capitol Police from information submitted to the Board on or before September the first annually by the three

agency heads. Proper forms for the purpose will be supplied to the various agency heads for reporting this information.

IV. APPEAL PROCEDURES

After determination has been made as to what credits will be accepted, any police officer who considers himself aggrieved and desires a review shall, in writing, request a statement from the Coordinator of Police Higher Education of the Board of Higher Education as to the reasons why individual courses or programs or institutions are not acceptable for certification. Such request shall be made within fifteen days after notification by the Board of its determination. Any answer shall be given to the aggrieved party within thirty days of receipt of any such requests by the said coordinator.

Failing to be satisfied with the ruling of the Coordinator of Police Higher Education, the aggrieved party may, in writing, request a review by the Board of Police Higher Education Appeals appointed by the Board of Higher Education for the purpose of ruling on such requests. This procedure will be followed until the Board of Higher Education promulgates other appeal procedures consistent with new procedures and regulations governing the progress.

APPENDIX I

QUESTIONNAIRE TO POLICE DEPARTMENT

Instructions: Please fill in the requested information below then turn to the next page and answer questions 1 and 2 by marking the appropriate space. Please answer question 3 if applicable. It will be quite satisfactory if you wish to send a copy of any such plan the department has rather than answering in the space provided for question 3. Please feel free to make any comments you wish in the space provided at questions 4 and 5.

Demographic Data

1. Your name. _____
2. Name of your agency. _____
3. How many total personnel does your department employ? _____
4. How many sworn personnel does your department employ? _____
5. What is the starting salary in your agency? _____
6. Please indicate the number of sworn personnel in each educational level listed below. This information will assist in computing first-year costs. If actual figures are not available please estimate the appropriate numbers and indicate estimates with an asterisk (*).
 - a. 12 years or less _____
 - b. 13 years _____
 - c. 14 years _____
 - d. 15 years _____
 - e. 16 years or more _____

APPENDIX J

LETTER TO LOCAL GOVERNMENTAL EXECUTIVE

February 27, 1974

Dear Sir:

The attached questionnaire concerning your perception of your governmental unit's attitude toward a statewide educational incentive pay plan is part of a survey of certain Michigan governmental jurisdictions being conducted by the School of Criminal Justice at Michigan State University. A shared educational incentive pay plan is being introduced in the Michigan legislature for which the state would provide half of necessary funding if local governmental units adopted the plan. At least three states already have such legislation.

It is anticipated that the bill to create such a program in Michigan will provide local units the option of adopting up to 2.5 percent of basic salary pay incentive for each 30 semester units earned by the affected employees. The state plan will cover both line and staff personnel, allowing study in the field of Criminal Justice and in related fields deemed necessary for the efficient operation of departments. Local governmental units would have the option of limiting the range of personnel or subjects of study to be covered in their individual jurisdictions.

We are surveying many of the larger governmental units in the state as well as the supporting police agencies and the police employee organizations in those areas surveyed. The survey is being conducted in order to obtain some basic information needed in the preparation of the legislation and to gauge the support which may exist at the local governmental level for such a proposal. Included is a very brief questionnaire aimed at those ends, and a stamped, self-addressed envelope for the return of the questionnaire. It would be most appreciated if you would take the few minutes necessary to complete the questionnaire and return it sometime within the next two weeks. A summary of statewide reaction will be returned to you within twelve weeks.

Sincerely,

Larry T. Hoover
Assistant Professor

APPENDIX K

QUESTIONNAIRE TO LOCAL GOVERNMENTAL EXECUTIVE

Instructions: Please fill in the requested information below then turn to the next page and answer questions 1 and 2 by marking the appropriate space. Please answer question 3 if applicable. It will be quite satisfactory if you wish to send a copy of any plan rather than answering in the space provided for question 3. Please feel free to make any comments you wish in the space provided by questions 4 and 5.

Demographic Data

1. Your name. _____
2. Name of city. _____
3. How many police officers does the city employ? _____
4. What is the amount of the personnel cost per year for the police department? _____

QUESTIONNAIRE

1. Does your city currently have an incentive pay plan for specific educational achievement beyond high school by its police officers? _____yes _____no
2. Do you feel your city would be interested in an incentive pay plan for specific educational achievement beyond high school by its police officers in which the state paid half the cost? _____yes _____no
3. Would you please describe any incentive pay plan for specific educational achievement beyond high school for police officers that your city has?
4. Please describe any features which you think should be incorporated into such an incentive pay plan.
5. If you oppose such a plan, please describe any specific objections you have.

APPENDIX L

LETTER TO EMPLOYEE ORGANIZATION EXECUTIVE

February 27, 1974

Dear Sir:

The attached questionnaire concerning your perception of your organization's attitude toward a statewide educational incentive pay plan is part of a survey of certain Michigan police employee organizations being conducted by the School of Criminal Justice at Michigan State University. A shared educational incentive pay plan is being introduced in the Michigan legislature for which the state would provide half of necessary funding if local governmental units adopted the plan. At least three states already have such legislation.

It is anticipated that the bill to create such a program in Michigan will provide local units the option of adopting up to 2.5 percent of basic salary pay incentive for each 30 semester units earned by the affected employees. The state plan will cover both line and staff personnel, allowing study in the field of Criminal Justice and in related fields deemed necessary for the efficient operation of departments. Local governmental units would have the option of limiting the range of personnel or subjects of study to be covered in their individual jurisdictions.

We are surveying the employee organizations representing the police of the larger departments of the state in order to find out how the policeman and the organizations would feel about such a plan. We are also surveying local governmental units and the police agencies for their positions on the issue. Included is a very brief questionnaire which will assist in judging the possibility of support from police organizations and will also provide statistical data needed for the preparation of the legislation. Also included is a stamped, self-addressed envelope for the return of the questionnaire. Please take the few minutes necessary to complete the questionnaire and return it sometime within the next two weeks. It would be most appreciated if you can provide any help. A summary of statewide reactions will be returned to you within twelve weeks.

Sincerely,

Larry T. Hoover
Assistant Professor

APPENDIX M

QUESTIONNAIRE TO EMPLOYEE ORGANIZATION

EXECUTIVE

Instructions: Please fill in the requested information below then turn to the next page and answer questions 1 and 2 by marking the appropriate space. Please answer question 3 if applicable. It will be quite satisfactory if you wish to send a copy of any plan rather than answering in the space provided for question 3. Please feel free to make any comments you wish in the space provided by questions 4 and 5.

Demographic Data

1. Your name. _____
2. Name of organization. _____
3. How many police officers does the organization represent?

4. How many police officers from the Department does the organization represent? _____

QUESTIONNAIRE

1. Does the _____ Department offer an incentive pay plan to police officers having specific levels of education beyond high school? _____yes _____no

2. Would your organization support an incentive pay plan in which officers would be given incentive pay for each year of college completed, half to be paid by the state and half to be paid by local government? _____yes _____no

3. Would you please describe any incentive pay plan that the city named in question 1 has for specific educational achievement?

4. Please describe any features which you think should be incorporated into an incentive pay plan for specific educational achievement.

5. If you oppose such a plan please describe any specific objections you have.

APPENDIX N

FOLLOW-UP LETTER

March 15, 1974

Dear Sir,

On February 27, 1974, we sent you a letter of introduction and explanation of a study being conducted by the School of Criminal Justice at Michigan State University. Enclosed was a brief questionnaire which we asked you to complete. Since the correspondence may have been lost in the mail or routed to the wrong department for completion, we have enclosed a copy of the original letter, another questionnaire, and another self-addressed, stamped envelope. We would certainly appreciate it if you would take the five minutes or so required to complete the questionnaire and return it.

Sincerely,

Larry T. Hoover
Assistant Professor

APPENDIX O

A PARTIAL LIST OF MICHIGAN POLICE
DEPARTMENTS HAVING EDUCATIONAL
INCENTIVE PAY PLANS

Ann Arbor Police Department
Battle Creek Police Department
Grand Rapids Police Department
Ingham County Sheriff's Department
*Lansing Police Department
Muskegon Police Department
Roseville Police Department
Royal Oak Police Department
Saginaw Police Department
Southfield Police Department
St. Claire Shores Police Department
Sterling Heights Police Department
Warren Police Department

*Lansing's plan does not fall within the definition of an incentive pay plan used in this study. The plan enables an officer to receive merit pay increases for educational achievement.

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