

## CONCLUSION

Certainly there is a real need for basic improvement in law enforcement. To assert this is not to be unfairly critical of those who now devote themselves to a police career. Major responsibility for current inadequacies lies with the community as a whole which has made large and complex demands upon the police and has failed to furnish to police the resources necessary to adequately discharge their task.

However, some of the fault lies also with police leadership which has found it more convenient to leave major policies ambiguous and invisible rather than risking discussion and controversy; has mirrored the public's conception of the good police officer as an aggressive crime fighter despite the fact that police spend much of their time dealing with sensitive social problems which are aggravated rather than solved by aggressiveness; and, as a consequence, has been content with a process of drift

rather than with direct confrontation of major law enforcement problems in America today.

The need can be stated very briefly, though at the obvious risk of oversimplification:

(1) There is need to recognize the variety of functions which police perform today, particularly in the large urban community. The demands upon police are likely to increase in number and complexity rather than decrease.

(2) Important and complex social, behavioral, and political problems can adequately be dealt with by American government only if there is room for administrative variation, innovation, and experimentation of a kind presently lacking in the police field.

(3) To deal adequately with current law enforcement needs requires an explicit acknowledgment that police are one of the most important governmental administrative agencies in existence today. It requires also that major changes be made to equip police to develop appropriate administrative policies and a willingness and capacity to conform with these policies.

---

## ATTACHMENT A: POLICY STATEMENT

---

TO: All Law Enforcement Officers in New York State

FROM: New York State Combined Council of Law Enforcement Officials, June 1, 1964

Re: *The "Stop-and-Frisk" and "Knock, Knock" Laws*

Two new statutes, with major impact on police authority, become effective in New York State on July 1, 1964.

These laws, if properly utilized, can be of considerable aid in safeguarding our communities. Their passage resulted in part from the combined strenuous efforts expended by New York State's various law enforcement agencies. As is the case with all other law enforcement powers, whether or not these sorely needed enactments will withstand the attacks that will be made upon their constitutionality, and will stand as laws upon the books of this State, will depend in large measure upon the fashion in which they are carried out. They should be enforced with full recognition that their purposes are to protect the community, while simultaneously protecting and treating fairly all persons in it.

Every law enforcement officer in the State of New York has the responsibility of seeing to it that the powers conferred by these new statutes are used to further those purposes for which they were enacted. Some guidelines for law enforcement conduct pursuant to these statutes are set forth here.

### I. *The "Stop-and-Frisk" Law*

The new statute, which becomes section 180-a of the code of criminal procedure, provides as follows:

§ 180-a. Temporary questioning of persons in public places; search for weapons.

1. A police officer may stop any person abroad in a public place whom he reasonably suspects is committing, has committed or is about to commit a felony or any of the crimes specified in section five hundred fifty-two of this chapter, and may demand of him his name, address and an explanation of his actions.

2. When a police officer has stopped a person for questioning pursuant to this section and reasonably suspects that he is in danger of life or limb, he may search such person for a dangerous weapon. If the police officer finds such a weapon or any other thing the possession of which may constitute a crime, he may take and keep it until the completion of the questioning, at which time he shall either return it, if lawfully possessed, or arrest such person.

#### A. General principles:

1. The new law does not permit an officer to stop just any passer-by and search him, nor does it allow the search of any person merely because he has a criminal record.

2. The new law does not permit the stopping and searching of any person found in the vicinity of a crime scene, merely because he happens to be there.

3. The new law does not dispense with the need for adequate observation and investigation, depending upon all the circumstances, before a stop is made.

4. No officer should stop anyone, under the new law, unless he is prepared to explain with particularity his reasons for stopping such person.

5. No officer should stop anyone, under the new law, unless the crime he reasonably suspects is a felony or one of those misdemeanors listed in section 552 of the code of criminal procedure.

6. When a person is stopped under the new law, the officer—if not in uniform—must properly and promptly identify himself to the person stopped.

7. Not everyone stopped may be searched; searches are only permitted when the officer reasonably suspects he is in danger.

8. The right to stop provided in the new law in no way changes the previously existing authority of an officer to make an arrest without an arrest warrant, as provided by section 177 of the code of criminal procedure. The new rights to stop and to search, as defined in the new statute, are separate and distinct from the established right to arrest, as provided by existing law, and to make a complete search incident to such arrest.

9. Whether or not an arrest follows a stopping under the new law, whenever any force is used in stopping the suspect, or whenever any frisk or search is made, a written report shall be made to the officer's superior officer. A proposed form for such report will be provided.

#### B. The right to "stop."

##### 1. "stop":

The new statute gives the officer the right to stop a person under the indicated circumstances. If the suspect refuses to stop, the officer may use reasonable force, but only by use of his body, arms and legs. He may not make use of a weapon or nightstick in any fashion. (Of course, if there is an assault on the officer or other circumstances to justify an arrest, the officer may use necessary force to effect that arrest.)

##### 2. "abroad in a public place":

a. For the purposes of practical enforcement procedures, this phrase is viewed as being restricted to public highways and streets, beaches and parks (to include outdoor facilities open to the public although privately owned) depots, stations, and public transportation facilities.

b. For the purposes of practical enforcement procedures, this phrase is viewed as not including the public portion of private buildings such as hotel lobbies, moving picture theaters, licensed premises, etc.

c. Definitions of the words "public place" as found in other laws, such as those dealing with disorderly conduct, are not to be substituted for the strict definition of "abroad in a public place" as outlined above.

##### 3. "whom he reasonably suspects":

a. The words "reasonably suspects" are not to be lightly regarded; they are not just an incidental phrase; they have real meaning. "Reasonable suspicion" is clearly more than "mere suspicion." At the same time it is something less than "reasonable ground for believing" that a crime is being committed, as is necessary for an arrest.

b. No precise definition of "reasonably suspects" can be provided, other than that it is such a combination of factors as would merit the sound and objective suspicions of a properly alert law enforcement officer, performing his sworn duties. Among the factors to be considered in determining whether or not there is "reasonable suspicion" are

i. The demeanor of the suspect.

ii. The gait and manner of the suspect.

iii. Any knowledge the officer may have of the suspect's background or character.

iv. Whether the suspect is carrying anything, and what he is carrying.

v. The manner in which the suspect is dressed, including bulges in clothing—when when considered in light of all of the other factors.

vi. The time of the day or night the suspect is observed.

vii. Any overheard conversation of the suspect.

viii. The particular streets and areas involved.

ix. Any information received from third persons, whether they are known or unknown.

x. Whether the suspect is consorting with others whose conduct is "reasonably suspect."

xi. The suspect's proximity to known criminal conduct.

(This listing is not meant to be all inclusive)

c. "Reasonable suspicion" of any crime at all does not afford a basis for stopping under the new bill; there must be reasonable suspicion that the suspect is committing, has committed, or is about to commit either any felony or one of those misdemeanors enumerated in section 552 of the code of criminal procedure. (These misdemeanors are weapons crimes, burglar's tools, receiving stolen property, unlawful entry, escape, impairing, carnal abuse, indecent exposure, obscenity and other indecency provisions, sodomy, rape, narcotics, amphetamines, and hypodermic needles.) Suspicion of dis-

orderly conduct, an offense, is not for the purpose of practical enforcement procedures a basis for stopping.

C. The right to "question."

1. No questions are to be asked until the officer has, either by being in uniform or by showing his shield and stating he is a police officer, identified himself.

2. Promptly thereafter, the suspect should be questioned (and "frisked", when appropriate) in the immediate area in which he was stopped.

3. Should the suspect refuse to answer the officer's questions, the officer cannot compel an answer and should not attempt to do so. The suspect's refusal to answer shall not be considered as an element by the officer in determining whether or not there is a basis for an arrest.

4. In ascertaining "his name" from the suspect, the officer may request to see verification of his identity, but a person shall not be compelled to produce such verification.

5. If the suspect does answer, and his answers appear to be false or unsatisfactory, the officer may question further. Answers of this nature may serve as an element in determining whether a basis for arrest exists. (But if an officer determines that an answer is "unsatisfactory" and relies upon this in part to sustain his arrest, he should be able to explain with particularity the manner in which it is "unsatisfactory.")

D. The right to "search."

1. Clearly no right to search exists unless there is a right to stop.

2. Nor is a search lawful in every case in which a right to stop exists. A search is only justified under the new law when the officer reasonably suspects he is in danger. This claim is not to be used as a pretext for obtaining evidence. In instances in which evidence is produced as a result of search, the superior officers, the prosecutors, and—it is anticipated—the courts, will scrutinize particularly closely all the circumstances relied upon for justifying the stopping and searching.

3. No search is appropriate unless the officer "reasonably suspects that he is in danger." Among the factors that may be considered in determining whether to search are:

a. Nature of the suspected crime, and whether it involved the use of a weapon or violence.

b. The presence or absence of assistance to the officer, and the number of suspects being stopped.

c. The time of the day or night.

d. Prior knowledge of the suspect's record and reputation.

e. The sex of the suspect.

f. The demeanor and seeming agility of the suspect, and whether his clothes so bulge as to be indicative of concealed weapons.

(This listing is not meant to be all inclusive)

4. Initially, once the determination has been made that the officer may be in danger, all that is necessary is a frisk—an external feeling of clothing—such as would reveal a weapon of immediate danger to the officer.

5. A search of the suspect's clothing and pockets should not be made unless something is felt by this frisk—such as a hard object that feels as if it may be a weapon. In such event, the officer may search that portion of the suspect's clothing to uncover the article that was felt.

6. If the suspect is carrying an object such as a handbag, suitcase, sack, etc. which may conceal a weapon, the officer should not open that item, but should see that it is placed out of reach of the suspect so that its presence will not represent any immediate danger to the officer.

E. An example:

An example may help to illustrate. Assume that a mugging has just occurred. The officer questions the victim. She says that her pocket book was taken and she gives a description of the suspect stating, among other things, that he is about six feet tall and was wearing a brown leather windbreaker. While the victim is receiving medical treatment, the officer starts a search of the area. He sees a man hurrying down a dark street. The man's hand is clutching at a bulge under his brown windbreaker, and he glances back at the officer repeatedly. The suspect meets the description of the perpetrator except for one discrepancy—he is only five feet tall.

The officer does not have reasonable grounds to arrest the suspect for his description is clearly inconsistent with the victim's estimate of the perpetrator's height. However, from the officer's experience he realizes that victims of crime, in an excited condition, often give descriptions which are not correct in every detail. Although he lacks reasonable grounds to make an arrest, from all of the circumstances the officer "reasonably suspects" that the man he has spotted has committed the crime. Under the new law, the officer may stop this person, and may ask for his identification and an explanation of his actions. And because the crime involved violence and the suspect's windbreaker seems to conceal unnatural bulges, a frisk may be in order.

## II. THE "KNOCK, KNOCK" LAW

The new statute amends section 799 of the code of criminal procedure, which will read as follows:

§ 799. Officer may break open door or window to execute warrant. The officer may break open an

outer or inner door or window of a building, or any part of the building, or any thing therein, to execute the warrant, (a) if, after notice of his authority and purpose, he be refused admittance, or (b) without notice of his authority and purpose, if the judge, justice or magistrate issuing the warrant has inserted a direction therein that the officer executing it shall not be required to give such notice. The judge, justice and magistrate may so direct only upon proof under oath, to his satisfaction that the property sought may be easily and quickly destroyed or disposed of, or that danger to the life or limb of the officer or another may result, if such notice were to be given.

A. General principles:

1. Seeking to dispense with the usual notice requirements when executing search warrants should be the exception, not the rule. Stereotyped forms should not be prepared that might encourage too ready use of this extraordinary procedure. When it is to be used, it should be upon carefully drafted papers.
2. The facts relied upon as indicating that "the property sought may be easily and quickly destroyed or disposed of, or that danger to the life or limb of the officer or another may result if such notice were to be given" should be spelled out in detail in the affidavits.
3. Every application for this type of search warrant should have the endorsement or approval of a superior officer, who must be satisfied that the case is of sufficient significance to justify this procedure, and that the danger or risk of destruction is soundly anticipated.

4. When it is permitted, unannounced entry should be made with the least disruption possible. Often a passkey or the help of a superintendent may assist an officer to enter the premises with a minimum of disturbance. Every action possible should be taken to allay the fears of the occupants of the premises, or others, which may be occasioned by an unannounced entering.

5. Copies of all affidavits and court orders should be filed in the office or command of the executing officer. A proposed form will be provided for reporting the execution of all search warrants.

These instructions were prepared by the New York State Combined Council of Law Enforcement Officials, and unanimously recommended by that Council for adoption by all law enforcement agencies in the State of New York.

The Combined Council consists of:

- The New York State Association of Chiefs of Police
- The New York State District Attorneys' Association
- The New York State Sheriffs' Association
- The Police Conference of the State of New York
- The Temporary State Commission of Investigation
- The Waterfront Commission of New York Harbor
- The Grand Jury Association of New York County
- The Attorney General of the State of New York

This Training Bulletin is distributed by the New York State Municipal Police Training Council for the information of and use by law enforcement officers throughout the State. Additional copies may be obtained from:

Municipal Police Training Council  
Office for Local Government  
155 Washington Avenue  
Albany, New York 12210

# Police Organization, Management and Operations

## INTRODUCTION

Significant strides have been made during recent years in the organization of police departments, the management of personnel, and operational procedures. Excellent municipal police departments have been created in many urban centers. Each year, more forces abandon antiquated methods, reorganize internally, and initiate new techniques for general supervision and improved day-to-day operations. Progress has not been limited to urban forces. Several sheriffs' departments have succeeded in modernizing their departments, and now provide better protection in urban fringe areas and the nearby inhabited countryside.

Among the recommendations of the Wickersham Commission 36 years ago was one that State police forces be established to provide protection for rural areas. In 1931 there were but 21 such forces.<sup>1</sup> Today, 49 of the 50 States have organized State police or highway patrols, Hawaii being the exception.

In 1931, Wickersham noted that the fractionalization of law enforcement agencies and their lack of coordination were seriously affecting the fight against crime:<sup>2</sup>

The multitude of police forces in any State and the varying standards of organization and service have contributed immeasurably to the general low grade of police performance in this country. The independence which police forces display toward each other and the absence of any central force which requires either a uniform or a minimum standard of service leave the way open for the profitable operation of criminals in an area where protection is often ineffectual at the best, generally only partial, and too frequently wholly absent.

As described in detail in chapter 4, some jurisdictions have recognized these deficiencies and are taking steps to counter them by consolidating police forces or pooling common resources. For example, in Nashville, Davidson County, Tenn., the police service previously provided by numerous departments has been consolidated into one central law enforcement agency.

In Salt Lake County, Utah, and Pierce County, Wash., city and county police departments are housed in one facility, and pool several common resources. Other jurisdictions, such as Suffolk and Nassau Counties, N.Y.; Marion County, Oreg.; St. Louis County, Mo.; and DeKalb County, Ga., are devising practical plans designed to result in partial consolidation.

Some smaller communities, noting the limitations of maintaining their own police forces, have contracted with larger agencies to have them assume their policing needs. These include 62 California municipalities that have contracted for policing with 21 separate county sheriff departments; 46 Connecticut towns that by contract have a resident State police trooper; 7 cities and villages policed by the St. Louis County, Mo., police; and the unincorporated portions of Fulton County, Ga., which are policed by the Atlanta Police Department.

States are playing an increasing role in improving local police service. For example, State-level agencies in Illinois, California, and Kansas upon request provide local law enforcement forces with crime scene and laboratory analyses. The New York State intelligence and identification system spans that State, and the California Department of Justice operates the bureau of criminal identification and investigation which houses criminal records and modus operandi data on a statewide basis. Several States, including Connecticut, Rhode Island, Oregon, and Illinois provide police training for the personnel of small departments. Further, many States are now playing an active role in upgrading the preparedness of law enforcement personnel within their boundaries. To date, 23 States have programs to improve the quality of police training.

At the national level, the Federal Bureau of Investigation has since 1924 assisted local law enforcement in such important areas as fingerprint identification and training, and since 1935 in laboratory analysis of physical evidence. This assistance has had significant impact on local response to crime. Further, representatives of other Federal agencies such as the various investigative agencies within the Treasury Department and the Post Office Department work closely with State and local officials in facing common problems which have assumed area, regional, or interstate scope.

Improvement has been far from universal, however. America is still unrivaled in the number and range of quality of its police agencies; advances in technology have not as yet been widely adapted for police use, and many police departments are still plagued by poor organizational structures:<sup>3</sup>

[Considering the 40,000 separate departments in this Nation] \* \* \* the vast majority of American police agencies

<sup>1</sup> National Commission on Law Observance and Enforcement, "Report on the Police" (Washington: U.S. Government Printing Office, 1931), p. 125.

<sup>2</sup> *Ibid.*, at p. 124.

<sup>3</sup> Bruce Smith, "Police Systems in the United States" (2d rev. ed., New York: Harper & Bros., 1960), p. 209.

continue to function according to patterns laid down several generations ago.

Since traditional police practices have at best been only modestly successful in deterring criminal behavior and in apprehending offenders, it is obvious that blind adherence to tradition will not do. Also, traditional organizational structures and operational procedures have detracted from the attractiveness of police work. This is one reason for the rising resignation rates in our Nation's police departments, and for the increasing difficulty many departments have had in recruiting adequate numbers of personnel. Other than such factors as low pay and financial insecurity, these problems are caused by procedures which stifle initiative, and, in some departments, by poor direction and control, by confused responsibility, and by improper grouping of duties. Even though these conditions are apparent, there is only slight evidence that the departments most in need of reorganization are taking steps in that direction.

#### EXISTING ORGANIZATIONAL AND OPERATIONAL PATTERNS

To assist in evaluating the present state of American police organization, management, and operations, the Commission staff:

- Conferred with expert advisory panels;
- Sought guidance from 250 police leaders and representatives from professional bodies;
- Reviewed police literature and textbooks;
- Reviewed police consultant surveys of 75 police departments;
- Reviewed a comprehensive study of police organization and management which was prepared by California State College at Los Angeles for the U.S. Department of Justice; and
- Reviewed responses to a letter sent to 2,100 police agencies by the Attorney General requesting information on effective procedures.

*Advisory Panels.* Discussions of the advisory panels—four in number—were of a comprehensive nature. Participants included police chiefs, sheriffs, mayors, a county commissioner, city managers, political scientists, police consultants, and professors of police science. These panels met between December 1965 and March 1966 in San Francisco, Los Angeles, Chicago, and Washington, D.C. They discussed the present state of police organization and allied problems, and sought to identify the greatest needs of police administration.

*Review of Literature and Consultant Surveys.* Over the years an impressive body of knowledge about police organization, management, and operations has been assembled in police consultant reports. One of the most complete collections of such literature is housed in the International Association of Chiefs of Police library in Washington, D.C. The Commission staff took the opportunity to review in detail over 75 survey reports, some prepared as early as 1926 and others as recently as the

fall of 1966. Most of them were products of such organizations as the International Association of Chiefs of Police; the Public Administration Service of Chicago; Michigan State University's Institute for Community Development and Services; the Institute of Public Administration in New York City; the Harvard Law School; and the University of Iowa Institute of Public Affairs.

Others were products of such experts as August Vollmer; Bruce Smith, Sr. and Jr.; Esther and George Eastman; Donald S. Leonard; Mayor John Lindsay's Police Task Force; and Donal E. J. MacNamara. Departments that were surveyed ranged in numerical strength from one full-time officer as in Norton Township [Muskegon], Mich., to forces many hundreds strong as in Baltimore, Boston, Washington, D.C., Pittsburgh, Seattle, and New Orleans.

#### *The California State College at Los Angeles Study.*

The report prepared by the police science department faculty of the California State College at Los Angeles was based on a study conducted between May and August 1966 of American police organization and management. Underwritten by a research grant from the Office of Law Enforcement Assistance, it was completed in the fall of 1966. During this study, 6 researchers (all of whom at one time were police officers) consulted with 155 police chiefs and sheriffs and 259 personnel of midmanagement rank in 277 different law enforcement agencies at State, county, and local levels of government. The college staff also reviewed 41 different police consultant surveys, 195 different police texts and pamphlets, and 226 articles appearing in police journals.

*Survey of Effective Field Operations.* Also available to the Commission's staff were the responses received by then Attorney General Nicholas deB. Katzenbach, Chairman of the National Crime Commission, to an inquiry concerning the effectiveness of field operations, which he had directed to police forces serving cities of 10,000 or more inhabitants; to sheriffs with forces of 50 or more sworn members; to 49 State police and highway patrol forces; and to professors supervising the Nation's 125 police science college, university, and junior college police education programs.

The inquiry expressed the National Crime Commission's interest in " \* \* \* learning of specific police field procedures which effectively meet and reduce crime." It also asked that forces report their techniques for preventing and solving crime and for support data. Responses to the Attorney General's letter were received from 414 forces located in 47 States, and from 33 colleges, universities, and junior colleges. Some of the responses were further enlarged upon through personal staff contact with certain police officials and observation of some procedures.

#### FINDINGS AND RECOMMENDATIONS

The Commission's studies enabled it to identify a number of generally prevalent deficiencies in police

organization, management and operations, and suggested to it the means for correcting those deficiencies. This chapter will discuss these findings and recommendations in some detail. First, however, it is important to point out that putting the recommendations into effect will not be easy. It will require a fundamental change in attitude on the part of many police administrators and local officials. It will require spending considerable sums of money. In the police world, as anywhere, significant reform requires imagination, labor and sacrifice.

In summary, the Commission has found:

- Many departments lack qualified leadership. Police chiefs and personnel in middle management ranks should be required to have sufficient education and training to enable them to administer the complex affairs of a police force, and should receive salaries sufficient to attract and retain top administrators.
- Many departments are not organized in accordance with well-established principles of modern business management. They should be reorganized in accordance with such of those principles as best apply to the police, and those principles themselves should be periodically reexamined in the light of the changing nature of the police role.
- Many departments resist change, fail to determine shortcomings of existing practice and procedures through research and analysis, and are reluctant to experiment with alternative methods of solving problems. The police service must encourage, indeed put a premium on, innovation, research and analysis, self-criticism and experimentation.
- Many departments lack trained personnel in such fields as research and planning, law, business administration and computer analysis. Specialist units, staffed by sufficient personnel trained in a variety of disciplines, should be utilized to plan and project programs, evaluate and streamline procedures, improve management and administration, engage in special operations and establish methods for maximizing the use of personnel. In-house legal advice must be made available to medium-sized and large police forces on a full-time basis.
- Many departments fail to deploy and utilize personnel efficiently. Police administrators should study such matters as (a) the basis for deploying uniformed personnel; (b) the use of one- or two-man motor patrol; (c) whether or not, and for what purposes, men should be assigned to foot patrol, and whether men so assigned should serve alone or in pairs; (d) the feasibility of "team policing"; (e) the extent to which civilians can be used in staff and clerical work; and (f) the extent to which such police activities as jailing, communications, records, and laboratories can be "pooled" with other departments or assumed by other governmental units.
- Many departments have not adequately applied technological advances that would be beneficial to law enforcement. Regional information storage

and retrieval systems, communications and command-control systems, and radio-frequency-channel sharing concepts must be adapted to the police service.

- Finally, States, through their commissions on police standards or other appropriate agencies, should provide financial and technical assistance to departments to conduct surveys and make recommendations to improve police organization, management, and operations.

## DEVELOPING POLICE LEADERSHIP

As long ago as 1921, there was recognition that the uneven development of American police organization appeared to be caused, more than by any other factor, by the lack of trained and intelligent leadership.<sup>4</sup> Ten years later the Wickersham Commission concurred, noting that uninformed and unimaginative leadership was a major contributing cause to existing weaknesses in police organization and management. The Wickersham Commission report said:<sup>5</sup>

Not infrequently the chief is wholly incompetent to discharge the onerous duties of his position. He may lack experience, executive ability, character, integrity, or the confidence of his force, or all of them put together.

In the years following the Wickersham report, some progress has been made in upgrading the level of police leadership. Even so, the overall need for infusing police departments throughout the nation with well-trained, educated, and able administrators is still clear. For example, a 1964 study disclosed that only 33.6 percent of America's police administrators had attended college, and of these only 9.2 percent possessed one or more college degrees.<sup>6</sup> Unfortunately, as a rule, procedures for selecting police administrators have changed little during the past 25 years. One police executive in 1966 describes the traditional road to the top:<sup>7</sup>

The time-honored, uninspired path of promotion sees an administrator fish-laddering his way up through the ranks without being prepared in anything more than a "by chance" manner for the new and difficult responsibilities of successive commands. The consequence is that many of today's police commanding officers are simply promoted policemen, not professional administrators carefully prepared for demanding roles in the complex enterprise that is the hallmark of contemporary police work.

The reason this condition is so prevalent is not hard to find. With few exceptions, police departments have not set minimum standards of education and achievement for administrators and middle managers, and do not offer training in administration, management and supervision to candidates for, or appointees to, such jobs. The Committee for Economic Development has pointed out:<sup>8</sup>

\* \* \* young employees contemplating careers as professional administrators should receive additional training in basic administrative techniques such as those used in budget preparation and administration, organizational techniques, space and

<sup>4</sup> Raymond B. Fosdick, "American Police Systems" (New York: The Century Co., 1921), p. 215.

<sup>5</sup> *Supra*, note 1 at p. 3.

<sup>6</sup> George W. O'Connor and Nelson A. Watson, "Juvenile Delinquency and Youth Crime: The Police Role" (Washington: International Association of Chiefs of Police, 1964), p. 79.

<sup>7</sup> Samuel G. Chapman, "Developing Personnel Leadership," "The Police Chief," March 1966, 33: 24.

<sup>8</sup> Committee for Economic Development, "Modernizing Local Government" (New York: Committee for Economic Development, July 1966), p. 52.

manpower studies, and procedural analysis. Local units without enough recruits each year to conduct their own on-the-job programs should use contract systems with universities, professional associations, or other governments.

Beyond training for new employees, there is pressing need for continuous development of persons in responsible positions. A program of continuing education and midcareer development—with universities and professional associations—is crucial to effective administration in all local governments. Universities should accept responsibility for provision of such programs, and federal grants-in-aid for them would yield large returns at small cost compared with potential benefits. Universities should also develop or strengthen schools of public administration to play positive roles in training students for technical and managerial responsibility in governments.

The subject of standards and training is discussed in further detail in chapter 5. Lateral mobility among police forces, without loss of such fringe benefits as retirement credits, is another means for increasing the numbers of qualified police middle and executive managers as well as permitting competent civilians a career opportunity in police staff work. And there will never be more than token lateral police mobility without a system of transferable retirement credits. These concepts also are discussed in chapter 5. The issue of lateral mobility was posed by prominent police authority Frank Kreml at the 1965 International Association of Chiefs of Police meeting:<sup>9</sup>

Why should a department be denied access to fresh outside executive talent of proven ability? What is there about the management of police resources that causes it to be different, in this respect, from all other professions? Why, only in the police field, are the managerial skills not regarded as transferable?

Other means of developing personnel, once they achieve mid-management and executive levels, is to rotate them among the various command positions within a force or temporarily exchange key personnel with other law enforcement agencies or even with nonpolice governmental agencies. Command-level personnel should be exposed to new, diverse experiences as a practical means of instilling broader executive vision, and removing narrow, parochial thinking.

Exchange and rotation programs are not without precedent in the police world. A few forces have as a matter of practice rotated their command level personnel internally for several years. And one department, the Multnomah County Police, exchanged a police lieutenant for a Lancashire, England, Constabulary police inspector (a rank equivalent with lieutenant) for a 6-month period in 1966.<sup>10</sup> And in the summer, 1966, a police science college professor served the sheriff as visiting chief-in-residence. Programs such as these should be experimented with by other law enforcement agencies.

Finally, to insure that individual departments establish appropriate qualifications for executive positions, each State should assume responsibility for establishing minimum educational and training standards for such positions. The concept of minimum statewide standards is fully discussed in chapter 8 of this volume.

<sup>9</sup> Franklin M. Kreml, "The Role of Colleges and Universities in Police Management," "The Police Yearbook, 1966" (Washington: International Association of Chiefs of Police, 1966), p. 36.

## IMPROVING ORGANIZATION

Although some forces have long been recognized as being well-organized and progressively managed, far too many of America's city and county forces have serious organizational deficiencies. In fact, many police forces appear to have evolved over the years without conscious plan. These forces are characterized by diffusion of authority, confused responsibility, lack of strong lines of direction and control, and improper grouping of functions. An example of one such department is seen in figure 1. This force of over 300 men was reported by a consultant as having:

\* \* \* serious deficiencies of internal communications, coordination, supervision, and direction of effort and control.

This general dissipation of personnel resources—the scattering of specialized work units about the Department without the essential bond of control and direction to hold each such unit to the main objectives of the organization—has reduced the ability of the Department to function as an organized group. The ultimate result is a reduction in the efficiency of the total effort.

With virtually no exception, other consultant reports found serious weaknesses in forces that were surveyed. For example, one consultant noted the following organizational and management defects in a force having more than 450 personnel:

Sound management practices apparently are not understood nor used by administrative and command personnel \* \* \* Planning and research are not utilized \* \* \* to resolve present problems of organization, personnel deployment, performance inadequacies \* \* \* nor to prepare programs, procedures, and policies for strengthening the [department]. Career development programs have not been formulated. Staff inspection as a control device is not known \* \* \* and therefore not used.

Another consultant body reported these findings in a force of about 3,000 persons:

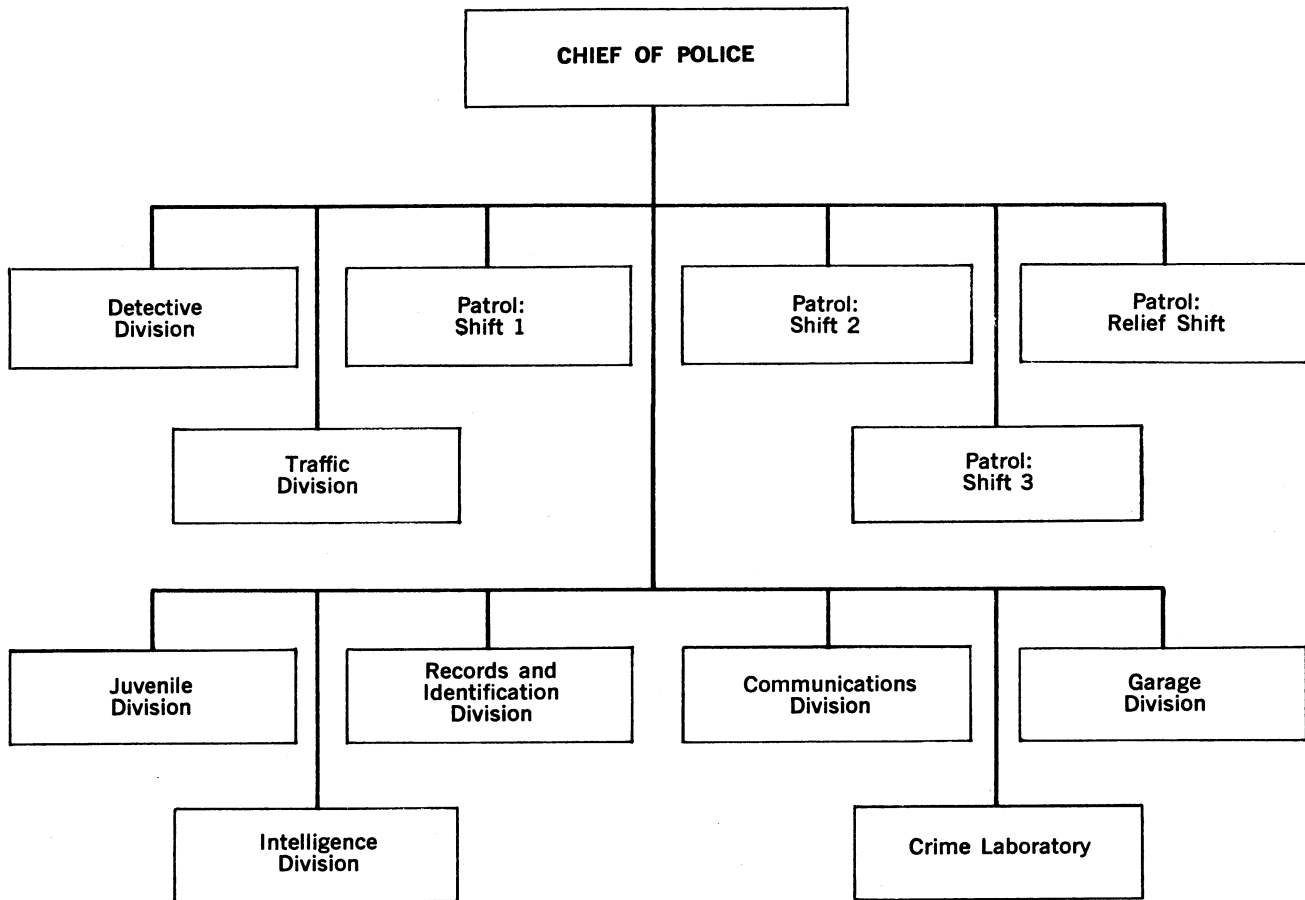
The Department suffers from a deficient organizational structure which contributes to poor management. These weaknesses make it difficult for the Department leadership to exercise full control over the entire police operation; the chain of command is confused and supervision is erratic. The excessive decentralization of the Department's operations into 14 precincts adds to these problems. One of the important consequences of poor organization and management is the diversion of police personnel to specialized or administrative assignments, thus unduly curtailing the number of men available for the street operations of the Patrol Division.

That the Nation's small police forces are also not free of organizational and management problems is confirmed in a consultant report which noted the following conditions in a 10-man force:

It may be said unequivocally that the department has no organization pattern \* \* \* The chief \* \* \* has had [no] training in police administration, command, or supervision \* \* \* [T]he chief's desk duties have created an unfavorable situation in which proper administrative and command precepts are not followed and in which field supervision and training is nonexistent.

<sup>10</sup> For a detailed description of the exchange program see: John P. deB. Kennard, "An Account of an Exchange Visit to the United States and Canada" (Lancashire, England: The Lancashire County Police, December 1966), 27 pp.

Figure 1.—An Example of a Poorly Organized Municipal Police Department



There is little justification for American police forces not to be well organized. Available for the asking since the turn of the century has been a large and authoritative general body of guidance in public administration. And for some 30 years there have been adaptations of this to police management prepared by such knowledgeable police authorities as O. W. Wilson and V. A. Leonard, and the International City Managers' Association.<sup>11</sup>

The crux of the problem seems to be that relatively few police forces have taken advantage of this valuable compilation of organization and management principles. This is the more regrettable in view of successes achieved by the departments that have utilized them.

Almost all highly regarded police practitioners, public officials, management consultants and university faculty members agree that an essential need in police organization and management is for all police departments, preferably with the assistance of recognized consultants, to examine their internal organizations in order to determine whether:

- The force's work is apportioned among the various individuals and units according to a logical plan.
- Lines of authority and responsibility are made as definite and direct as possible.
- The number of subordinates who can be effectively supervised by one officer is not exceeded.
- There is "unity of command" throughout the organization.
- Responsibility, once placed, is accompanied by commensurate authority, and that once delegated, the user is held to account for the use he makes of it.
- The efforts of the organizational units and of their component members are coordinated so that all will be directed harmoniously toward the accomplishment of the police purpose. The components thus coordinated will enable the organization to function as a well-integrated unit.<sup>12</sup>

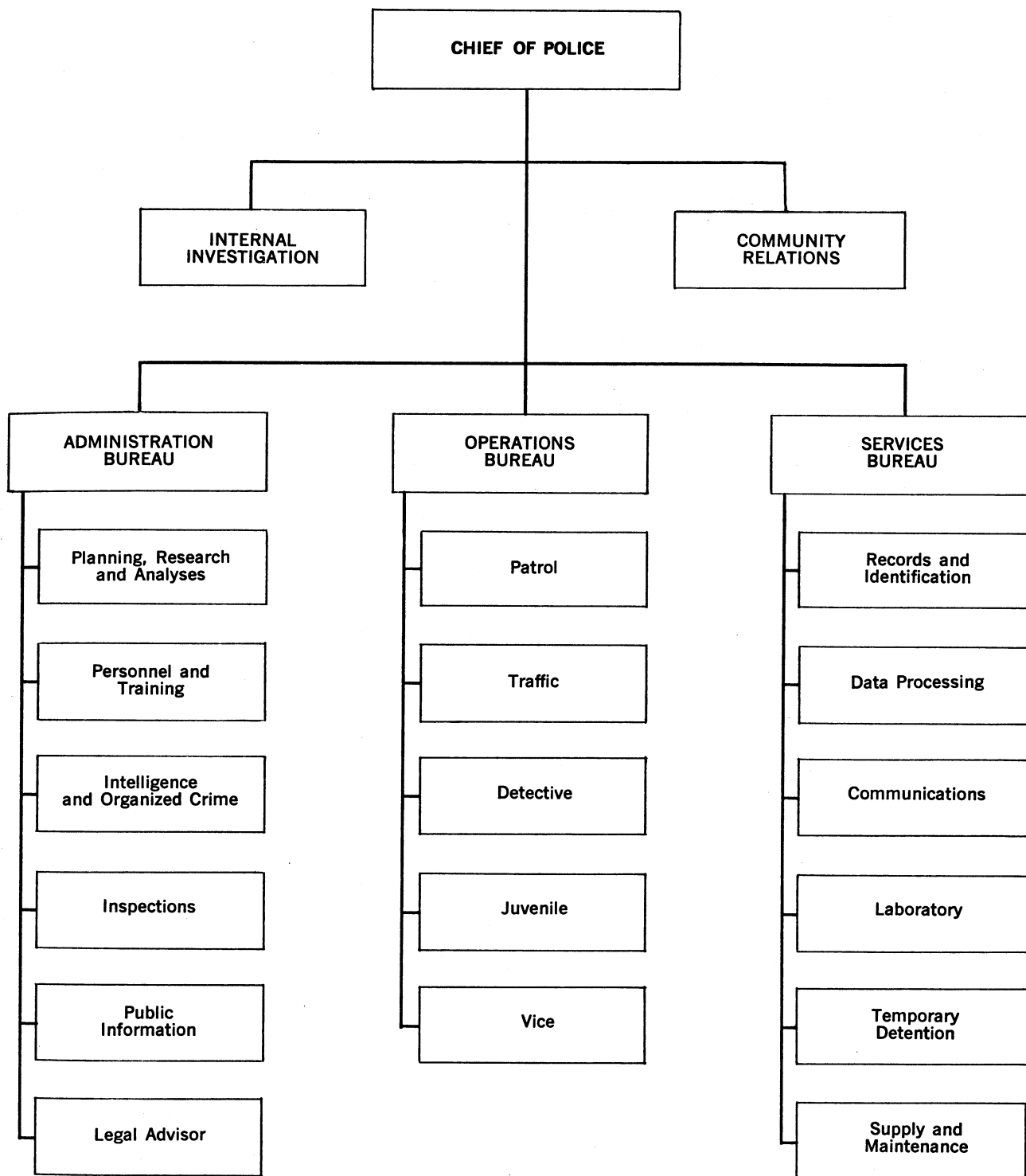
Police department objectives can be achieved more easily, efficiently, and satisfactorily when these principles

<sup>11</sup> See O. W. Wilson, "Police Administration" (2d ed., New York: McGraw-Hill, 1963), 528 pp.; V. A. Leonard, "Police Organization and Management" (2d ed., Brooklyn: The Foundation Press, Inc., 1964), 459 pp.; "Municipal Police Administration" (5th ed., Chicago: International City Managers' Association, 1961), 545 pp.; and R. Dean Smith, "Organization," "The Police Chief," June 1962, 29: 10-34, 44. Forerunners to the above include: Leonhard Felix Fuld, "Police Administration: A Critical Study of Police Organizations in the United States and Abroad" (New York: G. O. Putnam & Son, 1909), 551 pp.; Elmer D. Graper, "American Police Administration" (New York: The MacMillan Co., 1921),

357 pp.; Raymond B. Fosdick, "American Police Systems" (New York: The Century Co., 1921), 408 pp.; and "Municipal Police Administration" (1st ed., Chicago: International City Managers' Association, 1938), 441 pp.

<sup>12</sup> For a more comprehensive treatment of these six principles see: O. W. Wilson, "Police Administration" (2d ed., New York: McGraw-Hill Co., 1963), pp. 34-36; and the International City Managers' Association, "Municipal Police Administration" (5th ed., Chicago: International City Managers' Association, 1961), pp. 44-45. Sixth ed., in preparation for publication by 1968.

Figure 2.—One Form of a Well Organized Municipal Police Department



have been applied. Figure 2 shows one form of a well organized police force. Its structure coincides with the requirements noted above.

Even though there is considerable knowledge about police organization, insufficient experimentation and re-assessment of traditional principles is taking place in the police service today. In general, too many police departments appear unwilling to abandon outmoded concepts, to work in close collaboration with community agencies (especially social service agencies), or to encourage personnel to show initiative or offer suggestions. This prevailing attitude must change if the police are to meet the changing conditions of police service:<sup>13</sup>

Every activity of police administration will require new ideas effectively put into practice to meet new conditions. This is particularly true within the area of police management. \* \* \*

Unfortunately, the police and academic worlds have not yet collaborated to induce necessary change. There seems to be a schism between the two, which includes mutual suspicion and lack of confidence:<sup>14</sup>

Large police departments \* \* \* are for the most part secretive about the internal life of the force. Almost anyone who undertakes research on police administration in a big city quickly discovers the extent to which he is held in suspicion and treated circumspectly \* \* \* But the commitment to secrecy far exceeds what normal prudence would seem to dictate. Secrecy in fact is \* \* \* one of the most important ways by which policemen defend themselves against the presumed hostility of civilians. An outsider is considered \* \* \* to be antipolice until he is proved otherwise.

Many police departments do not have the expertise to recognize their shortcomings or to correct them when they are recognized. Most do not have the financial resources to pay the costs of organization surveys, and some cities are not interested in reform even when it is desperately needed. These are some of the reasons for the wide disparity in the effectiveness and efficiency of law enforcement agencies. Citizens within the same State, or even within the same county, do not always receive the same quality of police service because of differences in agency management and in operational policies.

Some departments and local governments have recognized their own limitations in assessing their police service, and have engaged outside consultant assistance to perform this task. But the costs of surveys by qualified consultants are often considered by public officials to be simply another financial burden on already over-extended city budgets. Such an attitude seems shortsighted since a comprehensive survey, if implemented, is likely to lead to a wiser allocation of funds and personnel. As Mayor John Lindsay's New York Police Task Force stated in its report:<sup>15</sup>

\* \* \* Police departments must be subjected to an unrestricted and unstinting review of long-standing traditions, attitudes, and practices \* \* \* the experience of revitalized police departments in other cities as well as of other governmental and private or-

ganizations will be highly instructive to this inquiry. An effective means of tapping this expertise is through the temporary employment of individuals from outside the department. These outside experts could provide the commissioner with fresh insights and also act as a training mechanism for those in the department.

To encourage research, development, and experimentation, it seems timely for Federal and State funds to be made available to stimulate such activity, and partially offset the costs which must otherwise be borne by law enforcement agencies, universities, and private research organizations. For example, certain agencies external to the police may help improve organization, management and operations through research and analyses in collaboration with the police. These include colleges and universities, research institutes, privately funded foundations, and research arms of State criminal justice agencies and the Federal Government.

#### ADMINISTRATIVE AND STAFF SUPPORT PERSONNEL AND UNITS

In addition to improving the competence of top and middle management and applying known principles of organization, police departments must establish special units whose function is the continual planning, administration and assessment of police practices and procedures. A chief of police, particularly as his force grows larger, cannot alone effectively administer a department, devise policy, or evaluate performance. He needs supporting staff, administrative personnel and management specialists who can supervise and train personnel, assist in policymaking, fulfill administrative functions, and assess the soundness of existing practices and procedures.

These personnel must be sufficient in numbers and they need not all be sworn members. For example, before a police budget can be utilized as a management device, personnel skilled in fiscal matters must be assigned to budgetary responsibility. In medium- and large-sized police forces, lawyers should be available to provide legal advice to the chief and his staff. Training should be handled by persons who have backgrounds and skills in education. Planning and research should be conducted by men or women trained in social science and research methodology.

In many forces today these functions either are not performed at all or are performed by persons who do not possess the necessary qualifications to perform them well. Support services historically have been weak primarily because many police chiefs feel compelled to give greater priority to staffing operational rather than specialized service and administrative positions.

Often, city managers or city councils discourage increasing staff support by asserting that crime is fought in the streets, not in the office, and therefore, staff support units should be cut to a minimum. For example, in 1964 the 283-man Fresno, Calif., police force had to discontinue its personnel, planning, and training division

<sup>13</sup> International City Managers' Association, "Municipal Police Administration" (5th ed., Chicago: International City Managers' Association, 1961), p. 515.

<sup>14</sup> James Q. Wilson, "The Police and Their Problems: A Theory," "Public Policy," 12: 207-8, 1963.

<sup>15</sup> Law Enforcement Task Force, "Report to Mayor-Elect John V. Lindsay" (New York: 1965), pp. 3-4.

because of a major budget cutback.<sup>16</sup> The 250-man Multnomah County, Oreg., police department has but 1 man each assigned to such key special units as training, staff inspections, and planning and research. This circumstance has existed since the units were created in 1963 despite annual requests for additional qualified staff to make the units truly productive.<sup>17</sup>

The fields in which staff experts are most badly needed by most departments are training and education, as discussed in chapter 5; police-community relations, as discussed in chapter 6; planning, research and analysis; staff inspection; internal investigation; the law; and the search of crime scenes and the analysis of the evidence thereby obtained. To the extent that this last activity involves the setting up of crime laboratories, which are beyond the resources of all but the largest departments, it is discussed in chapter 4.

#### PLANNING, RESEARCH AND ANALYSIS

A police force cannot be effective if it is administered on a day-to-day or crisis-to-crisis basis. It needs plans: contingency plans about, for example, how to handle a visit by the President or how to capture an armed desperado holed up in an apartment; operational plans about how to deploy men in various neighborhoods at various times of day or how to deal with the problem of apartment burglaries; long-range plans about improving the quality of personnel, installing new equipment or controlling widespread vice activities; budgetary plans, community-relations plans, technological plans, plans of many other kinds. It needs not only to develop new plans but to review continually the operation of plans already in effect and to amend them or discard them when necessary. To do this kind of planning to best advantage, a department must first engage in research and analysis. Crime trends, long range and short range, must be studied, as well as the social conditions associated with them. Experimental projects must be devised to test novel police techniques on a limited scale and under controlled conditions. Such departments as Chicago, St. Louis, and Los Angeles already have good, expertly staffed research, analysis and planning units, but even in those places, it can be said, the enormous possibilities of this kind of police staff work are still largely unexplored.

A department's planning and research unit should:

- Review and analyze periodically all department plans and suggest, either directly to the heads of operating divisions or to the police chief, the modernization and improvement of their plans.
- Develop plans having departmentwide application.
- Analyze the operations of plans to ascertain their suitability; when a new plan is placed in operation, discuss its weaknesses with operating and clerical personnel to effect needed improvements in it.
- Prepare statistical and other reports of police department activities, needs, and objectives.

- Prepare the annual budget and extend project fiscal and manpower requirements for up to 5 years.
- Engage in crime and traffic analyses and supply data and patterns to operating divisions.

#### STAFF INSPECTION

Only a few American police forces use staff inspection as a management control process. Yet staff inspection is an essential component of modern police organization and management.

Staff inspection is a process outside the normal lines of authority and responsibility. It is detailed observation and analysis of a line or service unit designed to inform the chief of police of the performance of the unit. Staff inspection is a standard military practice and is used in one way or another by several Federal agencies. It is also a cornerstone of good police practice in many progressive police forces.

Consultants recognize the concept as important to the police. For example, in its comprehensive survey of the Baltimore police in 1965, the International Association of Chiefs of Police said:<sup>18</sup>

In all organizations there is need for a system of quality control. This is usually accomplished by line supervisors, by direct observation and supervision, and by report-review. When the organization is large and decentralized there is a need for a further examination of procedures to insure that the policies of the top administrator are being followed with precision and uniformity. This can most effectively be accomplished by the creation of a staff inspection unit.

It must be clearly understood that the staff inspection concept differs substantially from the casual daily examination of process and personnel reasonably expected of all supervisors. The staff inspection unit should look at a broader picture and seek to insure, among other things:

- That accurate records are maintained without inefficient and unnecessary duplication.
- That sworn personnel are properly deployed and not wasted on menial, clerical tasks.
- That manpower is deployed on the basis of analysis of need.
- That supervisory and command personnel operate within the framework of announced policy declarations, and adhere to objectives.
- That line and service units are coordinated.
- That policies, procedures, and regulations are carried out in the spirit for which they were designed.
- That policies, procedures, and regulations are adequate to attain the desired results.
- That resources at the force's disposal, both personnel and material, are utilized to the fullest extent and that resources are adequate to carry out the mission of the department.

Findings and recommendations should be forwarded through channels to the chief. After staff discussion, they may be sent to the planning and research unit for further study and the preparation of appropriate policy

<sup>16</sup> International Association of Chiefs of Police, "A Survey of the Police Department of Fresno, California" (Washington: International Association of Chiefs of Police, May 1965), p. 71.

<sup>17</sup> Interview with Donald E. Clark, sheriff of Multnomah County, Portland, Ore., Dec. 21, 1966.

<sup>18</sup> International Association of Chiefs of Police, "A Survey of the Police Department of Baltimore, Maryland" (Washington: International Association of Chiefs of Police, 1965), p. 52.

or procedures; forwarded to the internal investigations unit for action; or assigned to the training unit for additional in-service and recruit instruction. In any event, staff inspection should have a salutary effect on personnel since it seeks to counteract the inherent weaknesses of a self-inspection process.

#### INTERNAL INVESTIGATION

All large police departments should maintain an internal investigation unit whose purpose is to investigate all alleged breaches of police integrity and complaints, official or anonymous, made against members of a department.<sup>19</sup> The function of an internal investigation unit has been described by the International Association of Chiefs of Police as follows:<sup>20</sup>

\* \* \* all complaints and breaches of discipline must be thoroughly investigated and reported to administrators through channels. Responsibility and authority for investigations is placed with the internal investigation division. Other subunits of the department are required to cooperate with these investigations. The order insures that penalties imposed for breaches of discipline are fair and equitable.

Over and above its role in the investigation of complaints and the supervision of discipline by line units, the internal investigation division should constantly and critically examine all areas of police action which represent hazards to the integrity of the department. Misconduct must be discovered at its earliest stages and prompt action taken to correct unsatisfactory conditions.

The key to an effective internal investigation unit is an impartial and fairminded staff. Properly staffed and supervised, an internal investigation unit affords protection both to the public and to the department. By exposing complaints made maliciously, it can in appropriate cases vindicate an unjustly accused officer. By investigating all complaints fully and objectively, it will serve to assure the public that harassment, undue use of force, or other police misconduct will not be tolerated.

Most of the existing internal investigation units operate by the case method—tracking down and bringing to book individual officers who misbehave. However, they should also serve in a deterrent or preventive capacity. This means identifying the problems that cause police misconduct and the neighborhoods or situations in which such misconduct is most likely to occur; devising procedures that will help solve the problems; patrolling and scrutinizing the neighborhoods; and keeping track of situations. Ways must be found to rid police mores of the pervasive feeling that an allegation of misconduct against one officer is an attack upon the entire police force, and that to report a corrupt fellow officer is a detriment, rather than a benefit, to the department. Finally, an internal investigation unit should be responsible to a department's chief and to him alone. By these means it should be possible to bring police misconduct to a minimum. The role of internal investigation in preventing corruption is discussed in chapter 7.

#### THE POLICE LEGAL ADVISOR

An addition to the police management team that seems well suited to forces of about 250 men or more is the

police legal advisor. He should be a part of the department's administrative bureau staff so that he will be near the chief as well as near those engaged in training, discipline, internal investigation, crime analyses, and similar activities.

The need for continuing legal advice within a department has long been recognized by authorities on police operations, and should now be evident to everyone in view of the great interest in police practices the courts are now evincing. For example, even though Superintendent O. W. Wilson of Chicago wrote in 1962 of a need for a "legal unit" to furnish "advice to staff and field personnel" and to survey "departmental orders and practices in the light of actual or proposed changes" in the law, a 1965 nationwide survey of police departments conducted by the National League of Cities revealed that only 14 of the 276 departments responding employed lawyers, and of these, 6 were only part-time advisors.<sup>21</sup>

Many municipal governments do not appear to realize the importance of legally trained personnel in law enforcement. Given the wide range of duties to which a legal advisor can apply his special training, this omission is a serious one. A legal advisor could perform many services with his special skills. He could help with training and continuing education, police planning, community relations, legislative drafting and lobbying and departmental legal problems, and could advise on problems arising out of specific cases. And legal skills are especially relevant to police policy planning and liaison with prosecutors.

The legal advisor's role in policy planning is linked to the fact that total enforcement of the law is neither practical nor desirable; discretion in the enforcement of the law must be exercised. Generally, the police have been hesitant to articulate or record for either internal use or public information the criteria upon which enforcement decisions are made. The difficulty is that although wide areas of flexibility are now left to police agencies without general legislative or judicial policy guidance, police have not assumed it to be their responsibility to develop and articulate their own policies. As a result, important policy decisions affecting such problem areas as undercover investigations, informants, and drunkenness offenders are seldom brought to light. It is here, in the development of policies—particularly those arising from the necessity for selective enforcement—that the legal advisor can provide substantial assistance to troubled police executives.

Very few prosecutor's offices endeavor systematically to provide legal counsel to the police.<sup>22</sup> Save for those few departments which employ legal advisors, most police forces receive only sporadic counsel from the prosecutor's office or from individual prosecutors who have developed a special relationship with certain squads or officers. As the American Bar Foundation researchers noted:<sup>23</sup>

\* \* \* While private counsel representing a business client would believe it to be of the utmost importance to consult fully with his client, prosecutors commonly proceed on the assumption that the police need not be consulted. A prosecutor who understood the problems of the police \* \* \* could better decide what

<sup>19</sup> This unit's importance in assuring that police field practices are executed in line with policy and in countering police corruption is described in chapters 6 and 7.

<sup>20</sup> *Supra*, note 18 at p. 136.

<sup>21</sup> O. W. Wilson, "Police Planning" (2d ed., Springfield, Ill.: Charles C. Thomas, 1962), p. 11; O. W. Wilson, "Police Administration" (2d ed., New York: McGraw-Hill, 1963), p. 60; and Raymond L. Bancroft, "Municipal Law Enforcement, 1966," "Nation's Cities," 4: 24. February 1966.

<sup>22</sup> Conversation with California Attorney General Thomas C. Lynch and Chief of Police Thomas J. Cahill, Jan. 11, 1966, in Washington. These men note a few model cities, such as San Francisco, where each of the police department's specialized investigative squads has an assigned prosecutor, and where the police also have two lawyers on the force.

<sup>23</sup> Wayne R. LaFave, "Arrest: The Decision to Take a Suspect Into Custody" (New York: Little, Brown & Co., 1965), p. 516.

Issues are in greatest need of clarification \* \* \*. [Commonly] communications between the prosecutor and the police chief [are virtually] nonexistent.

A legal advisor could be a civilian employee, or a policeman, or a prosecutor. If he is a member of the city attorney's or district attorney's staff, he could be assigned to the force either on a rotating or permanent basis. It does seem, however, that a civilian advisor (rather than a police officer-lawyer) would be preferable in most cases; a civilian is likely to be more sensitive to the nuances and needs of other agencies, particularly governmental agencies such as welfare, education, and housing, which should coordinate their efforts more closely with law enforcement. The legal adviser would also be essential to review pending legislative proposals for the force as well as proposals drafted by nonpolice agencies whose provisions, if passed, would bear on the police.

It is impossible to calculate the number of legal advisors now needed by police agencies. An estimate of manpower needs will depend upon the duties the legal adviser will perform, which will of course, vary from department to department. For the very large departments, a legal advisory unit consisting of from 5 to 10 lawyers may be needed to meet minimum needs. For other departments one individual may be able to service the entire agency. In smaller communities, particularly suburban ones whose police force is far below 250 personnel, it may be necessary to obtain a part-time lawyer, or to share the services of one lawyer among several departments. Viewing the needs of departments for police legal advisors nationwide, approximately 250-400 attorneys knowledgeable in criminal law, administrative law, and police science seem needed on a full-time basis to meet minimum requirements.

The law schools of Northwestern University and the University of Wisconsin now have programs to train people in law enforcement legal processes. These programs alone cannot train enough people, but they do provide models for other schools to study and emulate. Private foundation and government grants to support programs for providing departments with police legal advisors would be an important step toward more just and more effective law enforcement. A more detailed discussion of the need for police legal advisors is given in a staff report, attached as appendix A to this chapter.

#### SEARCHING THE CRIME SCENE

The comments of Justice Goldberg, speaking for the majority of the Supreme Court in *Escobedo v. Illinois*, should have alerted public officials and the police throughout the country to the necessity of more adequate police crime scene searching and painstaking laboratory review:<sup>24</sup>

We have learned the lesson of history, ancient and modern, that a system of criminal law enforcement which comes to depend on the "confession" will, in the long run, be less reliable than a system which depends on extrinsic evidence independently secured through skillful investigation.

More and more, the solution of major crimes will hinge upon the discovery at crime scenes and subsequent scientific laboratory analysis of latent fingerprints, weapons, footprints, hairs, fibers, blood, and similar traces. As a result, departments must train and devote greater numbers of men to searching crime scenes for physical evidence.

While forces are aware of the need to search crime scenes for physical evidence, few seem prepared to do so on a broad scale for want of adequate manpower. For example, the following summary shows by shift the small number of personnel assigned as evidence technicians in 1965 in four cities:<sup>25</sup>

City	Number of sworn members	Evidence technicians by shift			Total serious crimes, 1965
		Day	Evening	Night	
Buffalo.....	1,349	2	1	1	9,833
Cleveland.....	2,014	2	2	2	16,697
Omaha.....	403	1	1	1	5,752
Honolulu.....	818	1	2	0	9,281

In addition to limited manpower, forces lack equipment and training for evidence technicians. Every force, regardless of size, should devise an adequate system suited to local needs so that crime scenes are fully searched. Furthermore, the staff and facilities of the crime laboratory should be bolstered to accommodate what may be a dramatic increase in workload. This is so whether the laboratory is State, regionally, or locally administered.

Each department should keep a statistical check on the assignments of evidence technicians so that an index of need for their services may be established. With such an index, a force may be able to distribute them better according to the demonstrated demand for their services both by location and hours of the day.

#### UTILIZING FIELD PERSONNEL MORE EFFECTIVELY

Many American police forces do not utilize their available field personnel effectively. The most significant weakness appears to be the failure of departments to distribute patrol officers in accordance with the actual need for their presence. Other weaknesses, present to varying degrees in various forces, include too great reliance on foot patrol without providing officers with either modern communications or mobility; the extensive use of two-man motor patrol; detectives deployed in pairs; loose and insufficient patrol and detective supervision, and a lack of unity at the field level among investigators; outmoded report preparation systems; and the assignment of too many diverse tasks to police field officers. These weaknesses are outward signs of the failure of many police departments to develop field assignments on the basis of systematic evaluation of street needs.

<sup>24</sup> *Escobedo v. Illinois*, 378 U.S. 478, 488 (1964).

<sup>25</sup> Police Department of Kansas City, Mo., "1966 Survey of Municipal Police Departments (Cities of 300,000 to 1,000,000 Population, 1960 Census)" (Kansas

City, Mo., Police Department, 1966), p. 22. Data on serious crime is sourced in U.S. Department of Justice, Federal Bureau of Investigation, "Uniform Crime Reports, 1965" (Washington: U.S. Government Printing Office, 1966), p. 176.

At least seven steps must be taken to assure that police departments derive maximum utilization from field personnel:

- Distributing available field officers according to need for their services.
- Improving supervision of the field force.
- Improving coordination of effort among field personnel.
- Improving patrol techniques by critically analyzing the need for foot patrol and two-man motor patrols. Unless there is found extraordinary personnel hazards of more than an occasional nature, uniformed personnel should be deployed singly.
- Deploying investigators singly unless there is an unusual series of cases which demands that two or more men be assigned jointly.
- Modernizing report preparation and duplicating techniques.
- Relieving police officers of certain routine menial tasks.

#### PROPORTIONAL DISTRIBUTION OF PATROLS AND SATURATION TECHNIQUES

Efforts must be made to schedule police patrol at the times when, and places where, crimes are most likely to occur. This concept is known as proportional distribution of the patrol force. It involves measuring the relative need for police patrol services, and distributing personnel to beats on the basis of a crime variation index derived from data collected over an extended period.

Proportional distribution was conceived as early as 1909, when Chief August Vollmer assigned the Berkeley, Calif., patrol force (which then was bicycle-mounted and in 1911 became autoborne) to two 12-hour shifts and to beats which were laid out in accordance with the number of calls anticipated in each part of the city. Some men worked very large beats and some patrolled areas far smaller, where "action" was more localized. Following Vollmer's move, Elmer Graper and Raymond Fosdick elaborated on the distribution concept. This in turn led to further sophistications of it by Bruce Smith and O. W. Wilson, and to its implementation by several police forces. Today in dozens of cities patrols are distributed according to the best available need-for-patrol formulas.<sup>26</sup> The success inherent in distributing uniformed personnel in accordance with the need for their services was noted in the "Missouri Crime Survey" in 1926 in language that seems valid today although infrequently heeded:<sup>27</sup>

\* \* \* several forces are faced with the fact that under their present scheme of distribution, uniformed patrols are inadequate in number. Rising police costs render personnel increases both inexpedient and undesirable. But this survey shows that the effect of a substantial increase can be secured if outworn schemes of distribution are abandoned, and the patrol force distributed and administered not according to conditions which existed a generation ago, but in line with conditions existing today.

The concept of proportional distribution of manpower is essentially sound although not necessarily fully developed, and every force of more than a few men could advantageously be allocated on a need-for-service basis.

Several departments with computer capacity have commenced a continuous statistical assessment of patrol workloads and deployment. The St. Louis police are actively engaged in implementing a program that not only will predict the police field problems for the forthcoming tour of duty but will also monitor the crime picture as it emerges, and adjust the predictions as changes develop. Although this is a highly sophisticated application and is practical for only a few departments, any agency can engage in continuing manual reassessment of patrol areas through record analysis.

Saturation is another method which makes fullest use of available operational personnel. This is accomplished by assigning additional men to patrol areas that, according to available statistics, require greater-than-usual patrol coverage. Given the manpower, a chief may assign some men to a fourth shift, which overlaps two of the present shifts (i.e., serves from 7 p.m. to 3 a.m. as has been done in Toledo, Phoenix, San Diego, and Birmingham); form a tactical patrol unit as Savannah, Ga., and Berkeley have done; or pay off-duty personnel overtime to work a regular day off as is done in Washington, D.C. The purpose of each of these operations is to saturate high crime areas with officers when there is need for greater coverage and when the use of more men would not aggravate, but would help resolve, the conditions.<sup>28</sup>

#### IMPROVING SUPERVISION

The fact that uniformed personnel operate throughout a city at all hours of the day and night sometimes prevents the desired level of supervisory control. Accordingly, opportunities for personnel to engage in minor delinquencies, and to bestow or receive special favors, are always present. The whole scheme of patrol is such that supervisors are challenged to stimulate initiative and individual judgment. The relationship between organization, management, and full utilization of personnel and supervision is well stated in the District of Columbia Crime Commission's report to the President:<sup>29</sup>

Closely related to organizational and management deficiencies is the poor quality of supervision which is pervasive through the Department. The inadequacies in supervision can be attributed to the following factors: Too few supervisors at some levels, a failure to use a supervisory probation period, a lack of in-service supervisory training, inadequate transportation available to supervisors, unclear Department policies and procedures, and a failure to define supervisory responsibilities or to perform adequate line inspection. As a consequence, there is "excessive familiarity with subordinates and lack of bearing" and a "frequent loss of respect for the supervisor and administrator." These conclusions have been confirmed by the comments of many police officers to Commission representatives. Officers have repeatedly complained of the inadequacy of supervision and the

<sup>26</sup> A comprehensive discussion of distribution of police strength, applicable to the interests of both small and large forces, may be found in Samuel C. Chapman, "Police Patrol Readings" (Springfield, Ill.: Charles C. Thomas, 1964), pp. 171-233. Pages 234-276 describe the team policing concept which has had some limited application in Great Britain.

<sup>27</sup> "The Missouri Crime Survey" (New York: The MacMillan Co., 1926), pp. 46-47.

<sup>28</sup> See chapter 6 for a discussion of the kinds of problems in which the use of saturation patrol may be subject to question.

<sup>29</sup> The President's Commission on Crime in the District of Columbia, "A Report on the President's Commission on Crime in the District of Columbia" (Washington: U.S. Government Printing Office, 1966), p. 9.

lack of encouragement and support by high-ranking officers. Such attitudes reflect a low state of morale which cannot help detracting from police efficiency.

Viewed from any aspect, supervising a widely dispersed field team constitutes a difficult problem. In Denver, newspaperman Mort Stern vividly described the events that led to the burglary indictments in 1960. He showed that when field personnel are free-lance operators and lack sufficient supervision, they are susceptible to special temptations:<sup>30</sup>

The rule book forbids [delinquent acts]. But it isn't enforced. It's winked at, at all levels.

A force must provide a sufficient number of supervisors at the first command level—that of sergeant—to control adequately and direct all police activities and assure the maximum utilization of personnel. These supervisors should spend most of their time in the field, providing personnel supervision, leadership, training, and incentives, and checking on conditions throughout the city to insure that proper and immediate police action is taken. Supervisors should be charged with inducing men to apply themselves, and should also be notified of and dispatched to all incidents that might reflect discredit on the police department or on an individual officer. The additional supervisory role of police agents will be described in the next section of this chapter.

#### IMPROVING PATROL-DETECTIVE DIVISION COORDINATION

In almost all large police departments there is a considerable amount of organizational fragmentation. Traditionally and almost universally, patrol and investigative forces have separate lines of command and tend to be isolated from one another; often they keep separate sets of records; frequently they work different shifts or are based in different places so that there is a minimum of contact between patrolmen and detectives. In addition, investigators are more often than not divided at both headquarters and precinct levels into squads—vice, robbery, burglary, fraud, homicide, and so forth—that may themselves keep separate records, use separate informants and remain more or less isolated from each other in other ways.

At both the staff and the field levels, this overseparation of functions, or overspecialization, can have undesirable results. When intelligence is not centralized and coordinated, staff planning for the purpose of either apprehending specific criminals, or solving crime problems such as, for example, an outbreak of burglaries in some neighborhood, is almost impossible. When lines of command are kept rigidly separate, it is difficult to bring the full resources of a department to bear on crime solution. Also considerable conflict exists in many forces between uniformed branch officers and the detective division. An early report of the problem is found in the 1926 "Missouri Crime Survey":<sup>31</sup>

The ancient rivalry between the uniformed and plainclothes forces has a substantial basis. It arises from the fact that in a

given case the patrolman is often the first to risk life and limb. With the arrival of detectives, however, he is automatically displaced. The plainclothes operative takes command of the situation, and the patrolman returns to his beat. This condition inspires a natural resentment, which sometimes leads to a series of retaliatory acts by the two branches. In the maneuvers which follow, the public functions of these officers are lost sight of. Their energies are directed at causing each other confusion, discomfort, and discouragement.

A 1962 consultant report shows that this issue is still current:<sup>32</sup>

The lack of coordination between detective and uniformed divisions leads to duplication of effort, unarticulated field work, and the loss of some cases, and the missing of arrests which might otherwise be made.

The most promising means of overcoming this problem is to combine the patrol and detective field forces under a common supervisor.

The agent-officer-community service officer recommendation made in chapter 4 of the "General Report" and discussed further in chapter 5 of this volume has not only the improvement of the quality of police personnel as its objective, but also a change in the way the police work in the field. The concept, which might be called "team policing," is that police work, including patrol and criminal investigation, in a given number of city blocks should be under unified command. A "field supervisor" would have under his command a team of agents, officers, and community service officers. The team would meet at the beginning of a tour of duty and receive a briefing on the current situation in the neighborhood—what crimes were unsolved, what suspects were wanted for questioning, what kinds of stolen goods to look out for, what situations were potentially troublesome and so forth. On this basis the members would be assigned to specific areas or duties. If conditions warranted it, agents might be assigned to patrol, and wear uniforms or plainclothes. Officers might be assigned to investigation. Community service officers might be delegated to help either. In specific investigations or incidents, agents would be given authority over the actions of CSO's and officers. If the conditions in the area changed during the tour, if a major crime was committed or a major disorder erupted, the assignments would be promptly changed by the field supervisor.

Obviously, this proposal does not envision the abandonment of special duties or special squads. An agent serving as a narcotics, juvenile, or community-relations specialist, for example, would almost always cover a territory policed by several teams, and would be moved into other work only in emergencies. There would still be a need for squads of officers with special knowledge of certain kinds of crime.

#### IMPROVING PATROL TECHNIQUES

Patrol may be executed in a host of ways. The time-honored fashion is on foot, but the mass-produced motor vehicle has brought auto and motorcycle patrol into

<sup>30</sup>"The Denver Post," Oct. 8, 1961, as reprinted in Samuel G. Chapman, "Police and Fire Readings" (Springfield, Ill.: Charles C. Thomas, 1964), p. 49. *Supra*, note 27 at p. 49.

<sup>32</sup>Public Administration Service of Chicago, "Police and Fire Services in Meriden, Connecticut" (Chicago: Public Administration Service, 1962), p. 36.

prominence. More recently, some forces, including the Michigan State Police, Los Angeles County Sheriff's Police, and the California Highway Patrol, have integrated fixed wing aircraft and helicopters into their field forces. Of course, where large bodies of water or rivers must be patrolled, appropriate marine equipment must be used. Other forces, including many park police agencies, continue to use horses, solo motorcycles, four-wheel-drive vehicles, and bicycles for patrol as needs dictate.

Selecting the patrol method best suited to protect a city and derive at the same time maximum usefulness from personnel challenges administrators. There has been little research in this area, consequently hard facts are lacking about the practices that really are most effective. Decisions governing a force's patrol methods are, unfortunately, usually linked solely to tradition.

*Foot Patrol.* Many of the Nation's forces have some uniformed personnel assigned to patrol on foot. Without question, there are certain areas in some cities that require the kind of intimate, personal, police-citizen contact and police presence which only patrol on foot affords. However, in many cities, especially small ones, there is less and less justification for full-time foot patrolmen.

That there is no "standard" for foot patrol duty is clear when one studies the 1966 foot patrol deployment pattern in 37 American cities of between 300,000 and 1 million population. Of these, all but Forth Worth, Memphis, St. Paul, and San Diego had some personnel assigned to walking beats. But among cities having foot patrol beats, the total beats on each shift varied greatly, ranging from 2 in Birmingham and Phoenix, and 3 in Dallas, Kansas City, Oklahoma City, and Omaha, to 185 in Boston, 212 in Pittsburgh, and 434 in Baltimore.<sup>33</sup>

A decision to use foot patrols should be made only after careful analysis, since it is a highly expensive form of coverage, geographically restrictive in nature, and can be wasteful of manpower. Without transportation at hand, it provides extremely inflexible and rigid close patrol for specifically limited geographical areas and does not permit the ready reassignment of the personnel to surrounding locations when and where police services may be specifically requested.<sup>34</sup> Moreover, close supervision of foot patrolmen has proven very difficult.

The essence of the problem was well stated in the District of Columbia Crime Commission report:<sup>35</sup>

The Department's continued reliance on foot patrol is an inefficient and outdated utilization of manpower resources \* \* \* Leading police authorities are in general agreement that, with few exceptions, foot patrol is not the most efficient method of patrol \* \* \* Of course, officers should be assigned walking beats in particular commercial and high-crime areas where the need can be demonstrated. As long as the Department uses foot patrol as the primary method of patrol, however, available economies will not be realized and the city will not be provided the best possible police service.

*Putting the Officer "Back on the Beat."* The most significant weakness in American motor patrol operations today is the general lack of contact with citizens except

when an officer has responded to a call. Forced to stay near the car's radio, waiting an assignment, most patrol officers have few opportunities to develop closer relationships with persons living in the district.

There is considerable merit in "getting the policeman back on the beat" in high crime rate areas. But this can be accomplished without depriving an officer of the many advantages of radio-equipped vehicles. For example, motor patrol officers should be equipped with very small transistorized portable police radio transmitting-receiving equipment. Small, compact portable radio devices would greatly expand the operational radii of motorized personnel by permitting them to engage in extensive foot patrol and to range well away from their vehicles at any hour of the day or night without sacrificing contact with headquarters. Police forces serving Oakland; Berkeley; Meriden, Conn.; and Kalamazoo, Mich., reported they had patrolmen so equipped. As discussed below, chapter 11 of Commission's General Report recommends Federal support to develop such equipment to be available at reasonable prices.

Chiefs may also wish to equip their footmen with motor scooters, which can be parked unobtrusively and with ease almost anywhere. New York City; Washington, D.C.; New Rochelle; North Bergen, N.J.; and Newport, R.I., have so equipped some of their footmen and report the system to be working satisfactorily. Smaller forces, which feel they must assign some men to foot patrol, should carefully consider the motor scooter-radio equipment concept to insure full availability of these men and their mobility.

Whether equipped with portable radios, motor scooters or standard police vehicles, patrolmen should be considered as foot officers who possess vehicles available nearby for quick, nonfatiguing transportation from one point to another. It is while out of their cars on foot that motorized patrol officers can serve very effectively as the "eyes and ears" of the police department and yet be subject to immediate recall and assignment. Consequently, by distributing the patrol force on a basis of need, and providing close supervision to its operation, the Nation's policemen will, in fact, be "on the beat" providing protection and accessibility for America's citizens.

*One- and Two-Man Motor Patrol.* There has been a discernible pattern away from the exclusive use of two-man cars in American cities, and a distinct movement toward the far greater use of one-man patrols as is shown in table 1. This trend lends support to those police authorities who believe that local police problems can be most immediately met by covering a city with motorized one-man patrol units, rather than by a system of less intensive patrolling caused by an exclusive pattern of two-man units. The District of Columbia Crime Commission presents this concept in its report:<sup>36</sup>

Conspicuous patrol, conveying a sense of police omnipresence is best effected by a highly mobilized force, with considerable emphasis on one-man cars. The Commission endorses the Department's recent experimental efforts in this direction and recommends an accelerated program to increase the number of one-man cars.

<sup>33</sup> Supra, note 25; col. 61, table 5, p. 22.

<sup>34</sup> Police chiefs will find a Chicago Police Department staff report on foot patrol utilization very helpful in assessments of their cities' needs for footmen.

This appears in Samuel G. Chapman, "Police Patrol Readings" (Springfield, Ill., Charles C. Thomas, 1964), pp. 105-110.

<sup>35</sup> Supra, note 29 at p. 53.

<sup>36</sup> Ibid.

Table 1.—Manning of Police Patrol Cars in Cities Over 10,000 Population

Population group	Number cities reporting motorized patrol			Cities using 2-man patrol cars only					
	1946	1954	1964	1946		1954		1964	
				Number	Percent	Number	Percent	Number	Percent
Over 500,000.....	13	18	20	8	61.5	9	50.0	4	20.0
250,000-500,000.....	21	21	31	10	47.6	5	23.8	2	6.0
100,000-250,000.....	52	63	75	30	57.7	24	38.1	3	4.0
50,000-100,000.....	90	120	160	48	53.3	43	35.8	14	9.0
25,000-50,000.....	171	260	320	69	40.4	63	24.2	13	4.0
10,000-25,000.....	493	518	728	140	28.4	89	17.2	32	4.0
All over 10,000.....	840	1,000	1,334	305	36.3	233	23.3	68	5.0

Population group	Cities using 1- and 2-man patrol cars						Cities using 1-man patrol cars only					
	1946		1954		1964		1946		1954		1964	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Over 500,000.....	5	38.5	9	50.0	15	75.0	0	0	0	0	1	5.0
250,000-500,000.....	10	47.6	14	66.7	25	81.0	1	4.8	2	9.5	4	13.0
100,000-250,000.....	19	36.5	33	52.4	59	79.0	3	5.8	6	9.5	13	17.0
50,000-100,000.....	35	38.9	66	55.0	102	64.0	7	7.8	11	9.2	44	27.0
25,000-50,000.....	77	45.0	147	56.5	171	53.0	25	14.6	50	19.3	136	43.0
10,000-25,000.....	238	48.3	300	57.9	342	47.0	115	23.3	129	24.9	354	49.0
All over 10,000.....	384	45.7	569	56.9	714	54.0	151	18.0	198	19.8	552	41.0

Source: "The Municipal Yearbook, 1947," p. 385; 1955, p. 411; and 1965, p. 426 (Chicago: International City Managers' Association).

Another consultant supports the view that one-man units should be the rule wherever possible:<sup>37</sup>

The more men and more cars that are visible on the streets, the greater is the potential for preventing crime. A heavy blanket of conspicuous patrol at all times and in all parts of the city tends to suppress violations of the law. The most economical manner of providing this heavy blanket of patrol is by using one-man cars when and where they are feasible.

Almost all cities have long forsaken the practice of having two patrolmen walk a beat together. For the same reasons it seems generally undesirable and unnecessary to have two men in a car. One-man operations permit more intensive patrol of a city with a like number of officers, prevent partners from spending much of their time aimlessly conversing with each other, and contribute to the safety of the individual officers by compelling each officer to give his undivided attention to his duties. One-man cars allow rapid assignment of more vehicles from more directions as another means of combatting crime. Conditions which justify the use of two-man patrol cars are similar to those which dictate the assignment of two-man teams to patrol duty on foot. Such conditions include those of too many incidents for one man to handle in a physically limited, densely populated area; a high frequency of circumstances in which officers are likely to be assaulted; and the high prospect of raucous misbehavior that can only be prevented by the concerted action of two or more officers. Such decisions must be made locally and, whatever the deployment practice, forces should periodically reevaluate their one- and two-

man districts to be sure of the wisdom of their decisions. For example, in its 1965 survey of the Baltimore police, the International Association of Chiefs of Police recommended a broad pattern of one-man motor patrol with some two-man units. In addition, the consultant very properly urged:<sup>38</sup>

After some experience (6 months to a year) with the new distribution, workload and the incidents that seem to justify two-man cars may be reevaluated with changes made in staffing as appropriate. Workload varies in many ways, and annual study is needed. Of course, a particular event such as an assault against an officer cannot be predicted to the day, hour, and location, but the likelihood of such events can be predicted reasonably well, provided the data base is current and is a valid sample, if not the total, of all events.

#### IMPROVING INVESTIGATOR DEPLOYMENT

The same deployment principles should apply to headquarters-based plainclothes investigative personnel. Several cities, both large and small, routinely deploy detectives in twos and sometimes threes! Since the bulk of a department's investigative work is routine, the widespread use of investigative teams is an unnecessary waste of manpower. In many departments today, including such Federal agencies as the FBI and Secret Service, investigative personnel primarily work alone. This should be the practice in all departments. A basic pattern of one-man plainclothes investigations, with exceptions as conditions indicate, would have the effect of increasing the effective manpower of those detective divisions in which two-man teams are presently the rule.

<sup>37</sup> International Association of Chiefs of Police, "A Survey of the Police Department of Youngstown, Ohio" (Washington: International Association of Chiefs of Police, June 1964), p. 89.

<sup>38</sup> *Supra*, note 18, at p. 93.

Some American forces have a formally established detective rank whose incumbents have tenure and, other than for gross misconduct, cannot be removed from plainclothes status. Such a practice is basically unsound and overprotective. Plainclothes investigative positions should be filled by appointments of worthy police officers who would serve for indefinite duration. Such appointment latitude is significant for several reasons, the most important being the urgency of maintaining the vitality of a force by having some especially challenging assignments open to men who seem ready to assume greater responsibility.

Chiefs of police should take full advantage of their power to make occasional changes of personnel assignments at the patrol and investigative levels of execution. In some cities, the chief is free to do so, uninhibited by civil service restriction as to classification of detectives in a special rank complete with special pay and tenure. But where civil service precludes the chief from assigning men to plainclothes status at his discretion, he is unduly hindered and the system should be changed. The lateral transfer of men from any unit of a department to another should be the sole prerogative of the chief.

#### REPORT PREPARATION AND DUPLICATION

There are two other means by which the police may maximize the field time of personnel. One is to give uniformed police officers the means to prepare reports while in the field so that they need not go to headquarters or to the precinct for this purpose.

The extent of street contact hours lost to report writing at headquarters in some forces is notable. For example, in one large city, departmental procedure requires a police car team to return to the district station and prepare a report after handling almost any type of incident. Then the team returns to its prescribed patrol area. In another large city an average of 14 percent of a police officer's time is spent writing reports.

If patrol officers, investigators, and other field personnel are to be fully utilized, a force should consider implementing a system whereby reports may be dictated without requiring personnel to leave their patrol area. The same is necessary to free detectives from countless hours they are required to spend at their typewriters. One way to accomplish this is to install dictation equipment either in each vehicle or at headquarters so that an officer or detective may "call" his report onto a tape. Clerical employees could then transcribe reports and the officer could quickly resume his field duties. Many forces, including Wichita Falls, Tex.; Tulsa, Okla.; Stockton, Calif.; New Bedford, Mass.; and the Adams County, Colo., Sheriff's Police are so equipped.

Some forces report that they require their uniformed personnel to handwrite reports in the field on pre-prepared master forms suitable for subsequent offset duplication at headquarters. These include Los Angeles, Oakland, Chattanooga, and Moline, Ill.

Whether officers dictate reports while in the field or handwrite them, the means by which adequate copies of such reports are prepared and distributed at headquarters affects the optimum utilization of clerical personnel. Many small forces still find that typewritten carbon copies satisfy their distribution requirements. Larger forces, however, often require more copies than can be prepared on a typewriter, and hence have integrated various dry copy processes into their records procedures.

#### ROUTINE TASKS

Another means for making better use of police officers is to relieve them of many less important tasks so that they may attend to matters criminal and preventive in nature. The real issue here centers around the role of the police and the problem of overextending available personnel. August Vollmer noted the problem in 1929:<sup>39</sup>

\* \* \* Protecting lives and property and preserving the peace of a community is a huge task. Apparently it is believed to be an unimportant and small responsibility, and the legislative bodies continue to heap innumerable duties upon the police, until they are loaded to the breaking point.

The problem was noted long before Chief Vollmer's lament. For example, in 1866, the president of the Board of Commissioners of the Detroit Police Department reported to the Common Council:<sup>40</sup>

\* \* \* for the last year the force has been compelled to perform an excessive amount of service, the present police establishment is not deemed sufficiently large. The force should be large enough, without being overworked, to afford protection to life and property equally throughout the city.

Related problems arise when towns and cities grow in population; the police are assigned to a broader range of tasks, and become especially involved in a host of non-criminal functions.

The police workload increases each year. Discussions with police officials and a review of several forces' annual reports over the 11-year span of 1955-65 confirm the trend. The gross workload for three cities reflected in Table 2 provides an example of this trend:<sup>41</sup>

Table 2.—Number of Cases

City	1955	1960	1965	Percent increase 1965 over 1955
Atlanta.....	383,171	514,599	778,353	103.1
Denver.....	332,352	381,797	466,581	40.4
Philadelphia.....	1,123,477	1,319,611	1,567,088	39.5

Increasing caseloads compel that sworn officers be relieved of responsibility for minor tasks. Methods for accomplishing this end are described in chapter 5.

<sup>39</sup> August Vollmer, "The Police in Chicago" as published in the "Illinois Crime Survey" (Chicago: Association of Criminal Justice, 1929), p. 366.

<sup>40</sup> "First Annual Report to the Board of Commissioners of Metropolitan Police of the City of Detroit" (Detroit: Daily Post Printing House, April 1866), p. 6.

<sup>41</sup> Telephone conversations with Superintendent Beerman, Services Division, Atlanta Police Department; Captain Smith, Records, Identification, and Communications, Denver Police Department; and Lieutenant Powers, Director of Research and Planning, Philadelphia Police Department, Dec. 5-16, 1966.

## PLYING TECHNOLOGY TO POLICE SERVICE

Only token progress has been made in introducing technology into the police world. Some police departments, mainly the largest ones, have taken solid steps one or in collaboration with nearby forces toward applying advances in science and technology to law enforcement. They have done so in spite of the costliness of equipment. Laudably, those large forces that have installed information storage and retrieval and communications systems have invited smaller forces to draw on larger departments' facilities once the systems become operative.

Nevertheless, a majority of our Nation's police departments are constrained by limited funds and a few by lack of appreciation of the role of technology in law enforcement. Los Angeles Police Chief Thomas Reddin reported at the National Symposium on Science and Criminal Justice that: <sup>42</sup>

Research should be a program of discovery and design, not merely patching the dike. \* \* \* This nation's "knowledge position" has so far left law enforcement untouched. \* \* \*

The Commission's Science and Technology Task Force completed preliminary investigations of four specific areas in which there is promise of a major scientific contribution to law enforcement.

First, the task force determined that modern information systems can greatly assist the police in identifying persons as currently wanted; provide the basis of studies whose goal is to better deploy police personnel and analyze community crime patterns; and provide the basis for both short and long range research. This includes the outline of a national information system, but not the detailed design of the system.

Second, the task force has outlined a new command and control system with which to improve a police agency's field operations by enabling men to be more readily dispatched to those calls which by their nature escalate into grave disorder or where suspects are present on the crime scene or in the vicinity. The system is based on the premise that too much time elapses between the time a call for service comes in from the public and the moment cars are dispatched under present dispatch-command-control techniques. Valuable minutes can be saved.

Third, the task force has attacked the problems of excessive radio-frequency usage and has shown how a dramatic reduction in radio frequency congestion may be achieved.

Fourth, the task force has proposed a research and development program for law enforcement.

### NEED FOR INFORMATION

It is readily evident that many criminal justice problems result from the lack of complete and timely information. For example, a police officer does not know whether an arrested suspect is wanted for a more serious

crime elsewhere. There are other such information problems, characterized by the inaccessibility of stored information. Government and industry have made extensive use of computer technology to solve related problems in such diverse fields as continental air defense, production scheduling, airline reservations, and corporate management. Some police agencies already use or have ordered computers.

The technical development potentially most profoundly affecting criminal justice operations is the advent of computer-based information systems. Some pioneering installations have been or in the immediate future will be established at the city, county, State, and National levels. These include the St. Louis, Chicago, and New York Police Departments, the inter-county "Police Information Network" (PIN) of Alameda County (Calif.), the State police systems of California, Pennsylvania, and New York and statewide criminal justice information systems of California and New York. The FBI is now operating a National Crime Information Center (NCIC) providing 15 police terminals around the Nation with on-line computer-based information on wanted persons, stolen vehicles, and stolen property.

A greatly expanded development of computer-based information systems is one concrete step that would make a dramatic impact on the police service. Such systems can aid the police in the following functions:

- Police patrol.*—Enabling a police officer to check the identification of people and property against a central "wanted" file in a few minutes.
- Crime investigation.*—Providing a police officer or investigative agent with supporting information files such as crime patterns, modus operandi, criminal associates and personal appearance and, hopefully in the future, matching latent fingerprints from a crime scene against a central fingerprint file. The latter process, when it is developed, would constitute a major breakthrough in the war on crime.
- Manpower deployment.*—Altering police deployment in response to changing patterns of crime on an hourly or daily basis.
- Individual protection.*—Completing arrest records to include court disposition, presenting a fairer picture to the police and judges.
- Federal, State, and local budgeting.*—Collecting uniform statistics on agency operations and workloads, providing a basis for estimating personnel needs and for optimum allocation of men and dollars.

The Science and Technology Task Force volume contains a full discussion of the need for integrated information systems to which all criminal justice agencies can contribute.

### COMMUNICATIONS, COMMAND, AND CONTROL

The scientific community has more to offer the modern police organization than the prospect of information

<sup>42</sup> Thomas Reddin, "Police Weapons for the Space Age," "The Police Chief," October 1966, 33: 10-17. Chief Reddin's article suggests several police enterprises which may be broadly influenced through science, technology, and research.

storage and retrieval networks and data for research. It holds promise for improving a department's ability to operate more efficiently in the field as well by modernizing the traditional radio dispatching system in large departments. The main purpose of modernizing the dispatching function is to reduce the total time it takes an officer to reach an incident from the time a call for assistance is received.

The question of what deters people from criminal acts is very complex, and one about which little is known. Basic to deterrence is the assumption that to increase the threat of apprehension raises the risk in committing the crime, and so reduces the likelihood of the crime being committed. Projecting that threat of apprehension is a primary objective of police field operations. Improving the apprehension capability itself is one approach to raising the threat thereof.

The apprehension process can be viewed as a sequence of actions taken in response to the commission of crime. These are shown schematically in Figure 3 and listed below:

- The crime is detected—
  - (a) By police on patrol.
  - (b) By an alarm device.
  - (c) By a victim or another citizen.
- In the latter two cases, information about the crime is communicated to the police, usually by telephone.
- An appropriate police response (e.g., choosing a patrol car to send to the scene) is selected; this is part of the "command and control" function.
- The assignment, or "dispatch order," is communicated to the patrol force, usually by voice radio.
- The appropriate patrol cars travel to the crime scene.
- A search is conducted for the perpetrator of the crime:
  - (a) A "hot" search at the crime scene.
  - (b) A "warm" search in the general vicinity of the crime.
  - (c) A "cold" investigative search by officers or plainclothes investigators.
- Throughout the search, suspects appear and have to be checked out.
- If the search is successful, a suspect is captured and evidence to support a charge is assembled.

Throughout this process, there are many opportunities for technological contributions: Better alarms, more accessible telephones to help the public reach the police, up-to-date police personnel status boards, more reliable radios, faster vehicles, nonlethal weapons, and modern crime laboratories.

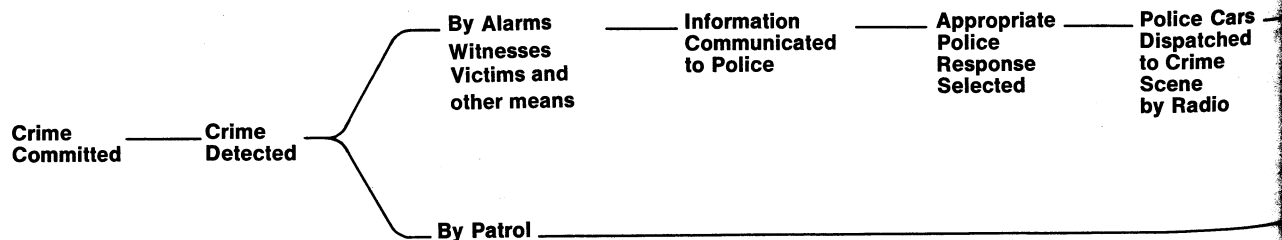
Selecting the best of these technological aids from among the many possibilities requires information on the conditions that make apprehension likely.

To examine the question of what factors give rise to apprehension, Commission consultants conducted a preliminary survey of over 4,700 calls for service to a very large city police department. Over the period of the survey for 2 police divisions, all calls to the police communications center, all actions reported by the police patrol, all crimes reported, and all eventual arrests were studied. In the survey, there were 1,905 crimes examined, of which 482 (25 percent) resulted in arrests and other clearances. Of these, 70 percent involved arrests, 90 percent of which were made by the patrol force. More than half the arrests were made within eight hours of the crime, many at or near the crime scene, and almost two thirds of the arrests were made within the first week after the crime. If a suspect is neither known to the victim nor arrested at the scene of the crime, the chances of eventually arresting him are very slim. Of the 482 cleared cases, 60 percent involved "named suspects." In the 1,556 cases without named suspects, only 181 (or 12 percent) were solved later by arrest.<sup>43</sup>

Common sense suggests, and the data from the survey seem to confirm, that response time—the speed with which police can arrive at a crime scene—is important to apprehension. But to establish firmly the relationship between response time and apprehension rate, further studies are necessary. The limited research already conducted, however, supports the conclusion that a great expenditure of funds is warranted to mount a concerted effort to reduce the total response time in the apprehension process.

The technology of communications and police command and control have developed markedly in recent years, and they can help provide better information faster both to reduce the field response time and to improve the quality of the response. The vital links in the apprehension process are the information-transfer functions indicated in figure 3.

**Apprehension Process** Figure 3



<sup>43</sup> For a detailed description of this study see chapter 2 and Appendix B of the Science and Technology Task Force volume.

**Police Communications Center.** The police communications center is the link that connects the citizen trouble to the police officers who will respond. Its use has increased as the telephone has become the more common access means to police, and as more and more police officers are equipped with radios.

Considering that the communications center is the nerve center controlling the minute-by-minute deployment of the police force, it has received surprisingly little attention. It is often squeezed into a spare corner of police headquarters, frequently under the command of a sergeant or a patrolman, and usually operated with obsolete and poorly designed equipment, and in accordance with procedures that have tended to evolve by chance rather than through careful design.

An important question is what constitutes the optimum organization of functions within a communications center. Now, if any, communications centers are organized in the best fashion. In some, mostly those of small forces, the same person serves as the complaint clerk and dispatcher; in larger forces the functions are separated. Some centers in turn have a dispatcher handling only part of a city. Other centers have a more desirable arrangement wherein dispatchers handle calls for the whole city. The advantages and disadvantages of the various possible patterns should be experimentally assessed, both by measurements in operating centers and under laboratory control in a simulation laboratory. In this manner, standard and emergency plans and procedures can be tested, doctrine and decision rules evaluated, and training and experience can be provided police personnel under simulated extreme conditions.

**Computer-Assisted Command and Control.** The modifications could surely lead to some immediate improvement. However, needed even more urgently than short-range improvements is a basic reexamination of the entire police command and control function taking full account of the promising new technological opportunities offered by computers and communications systems. The review should not begin with the new technology, however. It should begin by considering questions of when, where, and how to use the police patrol force, and how to respond to various types of routine and emergency situations. It should examine on paper and by experiment the extent to which preventive patrol actually deters crime, the manner in which forces should be allocated by time and by geography, optimum patrol

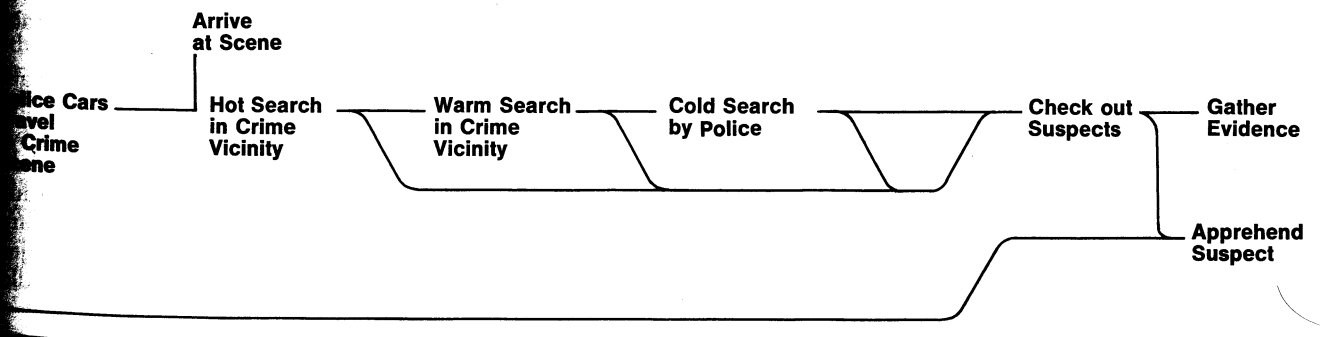
tactics, appropriate conditions for conspicuousness and for covertness, how to respond to riots, and many other related questions. The patrol operation will then be able to benefit markedly from computer assistance—much more than if the current procedures were merely automated.

It is possible at this stage to describe only the general outlines of a computer-assisted command and control system. In such a system, a properly applied computer could reduce control-center response time significantly—from about 90 seconds under optimum conditions to about 30 seconds. For example, in a computer-aided command and control system, telephone calls to the police would still be answered by a complaint clerk, or “controller.” He would enter the type of incident, the address, and a priority code into a keyboard connected to a computer. The controller can specify any additional requirements, whether a one- or two-man car should be sent, whether two, three, or more vehicles should respond, or any other requirement posed by the situation. The rest is then automatic.

The computer maintains records of street-address locations and the location and availability of each patrol car. From these it finds the closest car to respond to the call. It prepares a dispatching order which is automatically sent to the selected car as a computer-generated voice message, or by a digital data link such as teletype. If the patrol officer does not acknowledge the message within, say, 10 seconds, a second car can be sent on the call. The control orders the status of the patrol cars, events in progress, and other basic control information can also be generated by the computer and displayed to dispatching command officers who can always countermand the computer-originated orders if required. Having “override” capability, they can concentrate on the unusual while the computer deals with the routine.

Since the field response time depends strongly on the car’s distance from the call, automatic electronic car location devices could be tied directly to the computer so that it could dispatch the closest car. Analysis shows that extreme precision is not essential, and that knowing position within a radius of about one-quarter mile would ordinarily be adequate.

With such a computer-assisted command and control system, many new possibilities are presented for the deployment of the patrol force. As the crime pattern in the city changes hour-by-hour, the patrol force could be re-deployed to respond to it. As parts of the city are



stripped of patrolmen by called-for-services, other units could be assigned as back-up. Under a riot or other emergency situation, contingency plans could be programmed so that the appropriate units are deployed to the emergency, and adequate backup maintained.

An advantage of the modern command-control system is its option that all the information stored in the computer on the locations of various kinds of calls is available when needed for complete analysis of the operations of the department. This study could be conducted daily or every few hours.

*Mobile Radio Equipment.* Communications must be maintained with police officers, even when they leave their cars, as well as with foot patrolmen. It is noted above that police officials are interested in securing small portable radios so that patrolmen can call for assistance in any emergency and so that more effective use can be made of the entire police force.

Miniaturized transceivers for the officer away from his car and for the foot patrolman would have similar features. Both will require base stations—the car for one and probably the precinct structure or other public buildings such as a firehouse for the other. Large-scale production economies can produce a miniaturized unit at a low cost (perhaps under \$150). To assure a market warranting such production, the Commission has recommended in chapter 11 of its General Report that the Federal Government should assume leadership in initiating these two programs and should assume responsibility for guaranteeing the sale of the first production lot of perhaps 20,000 units.

A modest standardization program of car radios is possible and would add flexibility to a police department's choice of radio suppliers. Gross standardization of size, mounting brackets, receptacles and control heads can be accomplished immediately, and should go far toward making it possible to use the products of different manufacturers interchangeably. More detailed standardization of electronic equipment is less obviously useful for it may serve to inhibit the manufacturers from improving their product. Certain obvious electronic features which involve system compatibility—such as selective codes—should be standardized as early as practicable.

Digital data links to and from the police car can remove a large part of the normal voice traffic and also provide a paper copy of the message to the car. The link can be a minimal system for routine messages or a more complete teletype system. While digital links may save band-width, the need for redundant transmissions to eliminate teletype errors may substantially reduce much of that saving. Further investigation of the error characteristics of mobile digital links in a city environment is required.

*Standardized Computer Code and Formats.* Finally, it is essential to develop a standardized computer code and formats, fingerprint classifications, and other such uniform systems and "language" to assure national consistency of procedure when mutual support is required.

Once developed, these uniform systems must be implemented, and media for dissemination must be developed. Without a standard computer code and formats, computers and systems will be unable to "talk" with each other and systems will be correspondingly weakened by lack of direct, immediate communication ability.

#### OVERCOMING RADIO SPECTRUM LIMITATIONS

Radio-spectrum congestion and frequency compatibility seriously hamper police radio communications. For example, although 50 police cars are considered normal radio-channel capacity, New York City until recently had to control over 100 cars with 1 radio channel, and relied on the telephone to relieve its radio congestion. In the Chicago area, 38 separate cities with 350 patrol cars must all share one frequency. This congestion results in excessive delays and underutilization of the police force while patrol officers or dispatchers try to gain the air. In emergency situations, such as riots, storms, major confrontations, aircraft disasters, and so forth where mutual support is required, neighboring police departments are unable to maintain communications because their radios operate on different frequencies.

To overcome the problems of radio-spectrum congestion and frequency incompatibility, the implementation of frequency-sharing concepts through the development of larger, more efficient police mobile radio networks should be encouraged. The larger number of small, independent, overlapping, and inefficient systems should be reduced through voluntary sharing. In this way, each user, when its demand peaks, can utilize the others' slack capacity, a basic concept common in telephone and electric-power networks. For instance, if two police departments each use their private channels 50 percent of the time, then each finds a busy signal half the time. If they were to share their channels, a user would find both channels busy about 35 percent of the time. If four such users were to group together, then all channels would be busy less than 20 percent of the time. Any peak-sharing advantages are in addition to these.

Two distinct trends must be set in motion to encourage such sharing. First, the relationship between the Federal Communications Commission and the police and other public safety band users must be restructured so that the Federal Communications Commission no longer receives piecemeal individual requests from the ultimate public safety user. Rather, coordinated requests must come through governmental entities which represent reasonably large areas and populations.

The core cities themselves are large enough to be able to develop efficient mobile radio networks for their own use, sharing their own public safety frequencies to balance the peak loads as school buses, highway maintenance police, etc., peak at different times. With the gradual creation of coordinated networks, the Federal Communications Commission will be in a position to require projection of future needs so that radio spectrum can be allocated more rationally.

The second trend to be set in motion for more efficient use of the mobile radio spectrum requires greater use of switchable radio channels and of multichannel trunks. Generally, addressing will have to be accomplished by selective address coding rather than, as at present, by frequency. Selective coding minimizes the present system's inflexible dependence on frequency, but enables the individual user agency to retain its independence while using the system. It is evident that usage of these techniques will increase the cost of the mobile radio network. Basically, the networks will be less wasteful of radio spectrum, more flexible in use, but more costly to implement than the many small individual networks now existing. Federal Government encouragement in the form of financial support appears essential.

Finally, frequency space is available within the VHF-band between TV stations and within the underused UHF-TV band. One TV channel can provide 100 radio channels. The Federal Communications Commission should consider allocating portions of the spectrum to land-mobile use from which the police could receive a significant share. This would represent a small loss (2 percent for 1 channel in UHF) to the TV community.

#### OPERATIONS RESEARCH

It might seem that the most important contribution science and technology could make to public safety would be to develop equipment for law enforcement with the same degree of ingenuity that it has demonstrated in a great variety of human needs. But advanced "hardware" is only one aspect of the promise science and technology hold for the police. One of the most promising contributions, yet one most obscure present standards of adoption, is that which involves operations research.

As an important mechanism for innovation within law enforcement agencies, it is urged that police departments of 1,000 or more employees establish an operations research group consisting of professionally trained scientists, mathematicians, and engineers, including at least one person with a statistics background, and at least one with electrical engineering competence. There are today about 37 State, Federal, and local forces of 1,000 or more personnel.

Such an operations research group once formed would study the organization of the department, provide technical assistance to the department management, analyze department problems, and assess the effects of all experimentation within the department. Such groups, which have proven to be highly effective in industry, the Federal Government, and the military, should prove to be a significant force for experimentation and innovation. The group need not be large; depending upon the size of the force, it could include up to about seven professionals. The dollar investment for thus significantly improving the effectiveness of a force of over 1,000 men is small compared to that of most other operations of this sort and size.

#### STATE ROLE IN PROVIDING CONSULTANT ASSISTANCE

Legislative bodies, city managers, mayors, and chiefs should seek consultant assistance in reviewing the organization of forces. This will lead toward police force modernization across the nation. Individual States have a key role to play in inducing improvements. Most of the organization, management, and operational suggestions presented in this chapter could be implemented locally if States were to create commissions on police standards to upgrade county and local police effectiveness through surveys and inspections. In order to overcome management and operational weaknesses, these commissions should be given certain powers and responsibilities:

- Authority to increase police effectiveness through surveys and inspections;
- Authority to see that physical resources common to a given area are jointly pooled;
- Authority to provide financial assistance to jurisdictions which comply with established standards;
- Responsibility for encouraging research in police organization, management, and operations and the publication and dissemination of such research.

The formation of commissions with power to survey the organization and management practices of police agencies, which is more fully described in chapter 8 of this volume, focuses attention on the State government as the catalyst for improving local law enforcement. Periodic surveys of the organization, management, personnel standards, and operations of all law enforcement agencies by recognized consulting experts are of such importance that each department should be so surveyed at least once every 5 years. Moreover, other State funds should not be made available to local departments unless they show good faith in their intent to implement survey recommendations which are clearly necessary and feasible.

#### CONCLUSION

Law enforcement cannot remain static and still serve the public adequately. Progress will require change in many of the time-honored ways in which numerous police officials have habitually functioned. Progress will also require an infusion of more promising police recruits, an openmindedness and daring previously unknown on the part of many police administrators, and financial and public support of higher order than that heretofore afforded the police. And progress will require time and personal commitment by public and police officials alike. The present state of police organization in the United

States remains essentially similar to the way it was when summarized in 1962: <sup>44</sup>

\* \* \* about 40,000 police jurisdictions and approximately 300,000 police officers conform to no fixed or definable standard of organization, structure, public responsibility, or general efficiency. Among them are some of the best law enforcement agencies that have been developed anywhere in the world, at any level of government. Others are in the process of changing over from antiquated methods and are now embracing new techniques for popular control, general supervision, and improved day-to-day functioning. Included also are a considerable number of agencies that have failed to show any sign of renaissance and seem bypassed by constructive impulses that have brought development and progress to the first two groups. These last police forces constitute a burden on the entire machinery of justice and are detrimental to the process of achieving a professional police service held in esteem by the citizens of the nation.

The task of police executives is becoming more difficult each year, particularly as forces become numerically larger. For example, police management in the 28,671-man New York City Police Department is as demanding as supervising a vast industrial or manufacturing corporation, managing an airline or railroad, or commanding a military division. In fact, it seems that police administration is essentially similar in principle to managing any complex nonpolice enterprise. One writer asserted: <sup>45</sup>

\* \* \* Study of scores of police reorganization surveys makes abundantly clear that there are few if any principles of police administration which are not at the same time principles of business, military, and general public administration.

Inducing America's police chiefs to implement proven organizational principles intended to streamline their forces and accommodate innovations is an important step forward in the war on crime. Without internal reorganization, police forces can only become larger, more inefficient likenesses of their present structure, and offer

scant hope of furnishing better police service. All that such forces can promise is a steady commitment to mediocrity, drastically rising expenses over an indefinite period of time, and growing frustration among personnel. Excepting some departments from his statement, one writer thus capsulized the state of police organization and the feeling within the ranks in 1960: <sup>46</sup>

\* \* \* Typical police organization in 1960 cannot or will not utilize top brain power. Young policemen who are "too intelligent" do not remain with the police force. If they do, they all too frequently get into trouble. They become frustrated sowers of seeds of discontent. These men obviously do not fit into the general pattern of police organization in 1960.

Legislative and nonpolice administrative officials including mayors and city managers must take at least some responsibility for the current organizational condition of many police forces. These officials may induce change and modernization by demanding it, supporting modernization programs fiscally, and defending change designed to result in streamlining government citywide.

And the public must shoulder some responsibility, too. They can cause elected officials to initiate police as well as citywide governmental reforms.

Any city may have an outstanding police department—but only if it really wants one and is willing to pay for it. The public, through sustained demand for improved law enforcement, may also influence the quantitative and qualitative levels of police service. The late Chief William H. Parker wrote: <sup>47</sup>

Despite the most aggressive and enlightened leadership, law enforcement cannot rise above the level set by the electorate. *A condition precedent to the establishment of efficient, professional law enforcement in a community is a desire and a demand on the part of the residents for that type of service.*

<sup>44</sup> Samuel G. Chapman, "The Police Heritage in England and America: A Developmental Survey" (East Lansing, Mich.: Michigan State University Institute for Community Development and Services, 1962), p. 30.

<sup>45</sup> Donal E. J. MacNamara, "American Police Administration at Mid-Century," "Public Administration Review," summer 1950, p. 188.

<sup>46</sup> Richard A. Myren, "A Crisis in Police Management," "The Journal of Criminal Law, Criminology and Police Science," March-April 1960, p. 600.

<sup>47</sup> William H. Parker, "The Police Challenge in Our Great Cities," "The Annals," January 1954, p. 6.

## THE POLICE LEGAL ADVISOR

In recent years the criminal law has become increasingly complex. The appellate courts have dramatically enlarged their supervision over law enforcement agencies in opinions that reflect a heightened concern with the detail and routine of policing.<sup>1</sup> These opinions have narrowed the range of police behavior and demanded more refined judgments at the earliest stages of an investigation. More and more, these initial judgments—especially regarding admissions, confessions, and searches—serve to determine the ultimate disposition of the case. A mistaken conclusion by a patrolman, usually the first officer on the scene, is often irremediable, dooming an entire investigation, particularly if the error invokes one of the exclusionary rules. The short story is that today cases are “harder to make.”

A necessary response, now more than ever before, is police departments and policemen that are better trained in the law and more sensitive to current judicial pronouncements. Such sensitivity will mean that the enormous power and responsibility entrusted to the police will be exercised more discriminately and effectively. Cases will be more expertly screened, and those cases which ultimately go forward will have a sounder evidentiary foundation.

A major instrument for insuring this increased effectiveness is the introduction of lawyers into the law enforcement process, particularly in the areas of planning and investigation. Even the best policeman and the best police administrator will, at times, need the advice of a lawyer who is knowledgeable in administrative and criminal law. In fact, the better the officer and the department, the more sensitive they will be to the complexity of the law, and the more likely to test their judgments against those of the legal advisor.

Many police executives and police studies have recognized the value of a legal advisor unit. As long ago as 1934, a study of police administration in Boston recommended that “a staff of lawyers be included in the police organization.”<sup>2</sup> Nearly 30 years later, Chicago Police

Superintendent O. W. Wilson reemphasized the need for a legal unit to furnish advice to staff and field personnel and to survey departmental orders and practices in the light of actual or proposed changes in the law.<sup>3</sup> Most recently, the Report of the President’s Commission on Crime in the District of Columbia called for a permanent legal advisor for the Metropolitan Police Department.<sup>4</sup>

Despite these repeated expressions of need, few departments today employ legal advisors. A recent, nationwide survey of police departments conducted by the National League of Cities revealed that only 14 of 276 respondents employed lawyers, and of these, six were part-time employees.<sup>5</sup> The Commission’s own research, particularly in the study of municipal court systems in Baltimore, Detroit, Denver, and the District of Columbia, supports the view that police legal services today are inadequate at best and often nonexistent. The fact is that with few exceptions State and municipal governments have not recognized the importance of staffing law enforcement agencies with law-trained personnel.

### DUTIES OF THE LEGAL ADVISOR

It is neither possible nor desirable to blueprint here the precise functions a legal advisor or legal unit should perform. These will necessarily vary from department to department. It is useful, however, to provide a catalog of the types of duties that a lawyer is especially capable of performing. These include: training and continuing education; policy planning; liaison with the legislature and the community; liaison with prosecution and courts; civil suits against individual officers; and problems arising out of specific investigations. From this catalog, individual police agencies can provide for assignments that best reflect their own special needs.

### TRAINING AND CONTINUING EDUCATION

The legal advisor could assume a large, perhaps a primary, role in recruit and inservice training; or he could

police \*\*\* need competent advice as to how best to proceed to protect the rights of all” and “this professional assistance is not usually available.”

<sup>3</sup> Full-time attorneys: Boston, New York, Syracuse, Memphis, San Antonio, Kansas City, Missouri, and Portland, Oreg. Part-time assistance: New Haven, Ann Arbor, Tampa, Scotts Bluff, Nebr., and Odina, Minn. Oklahoma City employs both a full-time and a part-time legal advisor.

Chief Hilton Geer of the Oklahoma City Police comments that “the value of policemen-lawyers has been so amply demonstrated that this department waives the usual rules to permit officers to attend law school by preferred shift assignments.” (Letter to the author, Mar. 17, 1966.)

Since the survey was taken, several other departments have retained legal advisors.

<sup>1</sup> One appellate court even made findings on the permissible length of an undercover narcotics investigation, concluding that the officer remained “undercover” too long. *Ross v. United States*, 349 F. 2d 210 (D.C. Cir. 1965). The dissent criticized the majority for undertaking to “supervise the police in their conduct of an investigation.” *Id.* at 126.

<sup>2</sup> Harrison, “Police Administration in Boston” (Survey Crime and Criminal Justice in Boston, vol. III, Cambridge: Harvard University Press, 1934).

<sup>3</sup> O. W. Wilson, “Police Planning,” 11 (2 ed. 1962); cf. Wilson, “Police Administration,” 60 (2 ed. 1963).

<sup>4</sup> Report of the President’s Commission on Crime in the District of Columbia 173-174 (1966). See also the remarks of former New York Police Commissioner Michael J. Murphy, “Courts Must Be Told What Laws Needed To Halt Crime Trend,” *American Trial Lawyers* 17 (December-January 1965-1966): “The

limit himself to preparing specific aids such as an annotated manual on the criminal code or rollcall training bulletins on recent judicial decisions and legislative enactments. In addition, he could prepare materials on courtroom procedures, including brief explanations of the most frequently encountered rules of evidence, and courtroom manners and decorum.

More generally, a need exists to anticipate trends in the law and develop operating procedures to cope with them. By alerting officers to current trends, it may be possible to initiate innovative administrative procedures that will ward off overly restrictive court decisions.

In performing these various training tasks, the legal advisor can help line officers achieve a better understanding of their complex role in society. For example, in attempting to understand judicial decisions, most officers have little to draw upon except a thorough awareness of the day-to-day problems of battling crime. When explanations of complex legal procedures are cast only against this narrow backdrop, it becomes difficult for the individual officer to develop more than a superficial understanding of the case law. A legal advisor has the background to construct broader gauged training programs, programs that will heighten sensitivity to the competing goals underlying judicial decisions and provide a better foundation for assessing them.

#### POLICY PLANNING

Because total enforcement of the criminal laws is—for reasons given earlier in this report—neither practical nor desirable, discretion in the enforcement of the laws has to be exercised. Generally, the police have been hesitant to articulate or record for either internal use or public information the criteria upon which enforcement decisions are made. The difficulty is that although wide areas of flexibility are now left to police agencies without even general policy guidance from the legislature or the courts, police agencies have not considered it their task to develop and articulate their own policies. As a result, important policy decisions affecting such problem areas as undercover investigations, informants, and alcoholic offenders tend to vary from precinct to precinct and often from officer to officer. Uniformity is lacking and decisions are seldom clear cut within the department itself.

Here, in the development of policies, and particularly those arising from the necessity for selective enforcement, the legal advisor can aid uncertain police executives. According to one former police executive, Herman Goldstein, "the greatest potential and need is in the use of the law-trained man to assist the police administrator in the formulation of policies relating to enforcement and to the processing of the offender."<sup>6</sup>

Another series of tasks concerns the review of cases under investigation, particularly in organized crime. These would include unsolved cases as well as those cleared by arrest, and cases "lost" in court or "dumped" by the prosecutor or grand jury.<sup>7</sup> The goal would be to identify and evaluate current department, squad, and precinct practices in a critical manner, and then to sug-

gest remedies. Some department or squad practices have survived over time only because of insufficient familiarity with the case law. For example, one prosecutor who became familiar with police practices identified several standard procedures that unnecessarily weakened enforcement. One related to enforcement of the laws prohibiting the sale of whisky after hours. In Washington cases against liquor establishments are made by sending an undercover man inside the premises to make a purchase. The undercover man then swears to a search warrant and a raid is made on the warrant. Under current law, however, it is not necessary to have the undercover man himself sign the warrant, and thereby reveal his identity when a motion to suppress is made in court. The detective in charge of the raid could swear to the warrant on the basis of the information given to him by a reliable informant, the undercover agent.<sup>8</sup> Another example, far more serious in its consequences, "concerns the practice of the homicide squad of rounding up all witnesses to a case and taking them to headquarters to sort out the case. That procedure is potentially defective if one of the witnesses turns out to be the defendant and then confesses or incriminates himself while at headquarters."

#### LIAISON WITH THE LEGISLATURE AND THE COMMUNITY

Typically, police agencies are remote from the legislative process. When law enforcement officials do register grievances, they commonly do so without consideration of possible governmental remedies. Consequently, areas which are subject to legislative solutions often remain ignored. A legal advisor could draft needed statutes and evaluate the legislation proposed by others. He could establish communications with the various legislative committees concerned with enforcement and utilize them as a routine forum for the airing of police problems. In addition, the legal advisor could help prepare the testimony of the chief and other officials before legislative committees and, on occasion, could himself represent the department. Unlike the city attorney who presents a package of legislation, some of which may have to be sacrificed, the legal advisor's only task is to make police needs known to the legislature.

Associated with these functions would be various community relations efforts aimed at winning support for law enforcement positions. These could be directed not only to the general public, but also to special governmental agencies, such as the public school and housing authorities, or the local poverty program, with whom information and ideas could usefully be exchanged.

In particular, a need exists for cooperation between the police and the antipoverty programs. There is a common untapped interest in the elimination of crime and poverty. Police agencies could be incorporated in efforts to improve housing, recreation, and mental health facilities, among others. Too often, however, no communication exists between the police and antipoverty workers. A legal unit within the police department could be the means for the identification of common problems

<sup>6</sup> Letter to the Commission, Feb. 23, 1966.

<sup>7</sup> A legal advisor is suited for this continuing review function, in part because "in many cases the officer will not discuss the problem with the prosecutor because he feels the arrest was good but the prosecutor 'lost' the case in court."

Letter from Walter H. Guibini, chief trial attorney, San Francisco district attorney's office (Mar. 8, 1966).

<sup>8</sup> Memorandum from Theodore Wieseeman, assistant United States attorney, District of Columbia (Mar. 14, 1966).

<sup>9</sup> *Ibid.*

## LIAISON WITH PROSECUTION AND COURTS

Excepting those few departments which employ legal advisors, most police forces receive only sporadic counsel from the prosecutor's office or from individual prosecutors who have developed a special relationship with certain squads or officers.<sup>10</sup> The American Bar Foundation researchers paint a black picture: "While private counsel representing a business client would believe it to be of the utmost importance to consult fully with his client, prosecutors commonly proceed on the assumption that the police need not be consulted. A prosecutor who understood the problems of the police \* \* \* could better decide what issues are in greatest need of clarification." Commonly, "communications between the prosecutor and the police chief are virtually nonexistent."<sup>11</sup>

Perhaps the primary explanation for this lack of coordination is that most prosecutor's offices are understaffed, sometimes severely so, and cannot spare additional manpower for needed consultations with the police. Here the legal advisor could act as liaison officer translating, articulating, and implementing the policies of each agency. He could channel the complaints of the prosecutor and propose remedies for legitimate grievances. He could also maintain communications with sections such as the appellate division, which rarely consult the police, even when issues vital to law enforcement are being litigated. In this way conflict would be minimized and understanding and cooperation increased, not only among local agencies but with Federal investigators and prosecutors as well. In addition, appellate courts would be better informed, since more enforcement data would filter up to them.

Equally important is the need to translate judicial decisions into standard operating procedures. The recent *Miranda* decision,<sup>12</sup> for example, requires that substantial time and skill be devoted to the preparation of orders detailing interrogation policy. Since most prosecutors' offices do not consider it their responsibility to translate appellate decisions into operating procedures, the task falls to police agencies themselves who typically perform this considerable task without legal assistance, or abandon the effort entirely.

The legal advisor could also serve as an informal liaison with the trial courts, discussing with them police practices that concern or trouble them. In New York City, for example, police executives routinely visit certain courts.

## NONCRIMINAL ADVERSARY PROCEEDINGS

Typically, the responsibility for defending civil suits against policemen arising out of official action belongs to the city attorney's office. Sometimes, however, these offices are so overloaded with other cases that they are unable to perform well. And sometimes the lawyers are unfamiliar with the legal issues involved. A legal advisor could assist—or even assume primary responsibility—for defending police officers in false arrest and other suits.

Policemen should not live in fear of civil suit; they should know that they will be supported by able counsel if

they are accused of wrongdoing. Otherwise, an officer may become unsure, excessively timid, or lack the incentive to initiate imaginative and vigorous investigations.<sup>13</sup>

## PROBLEMS ARISING OUT OF SPECIFIC CASES

Much police work consists of making legal decisions in complicated fact situations with minimal time for deliberation or discussion. An erroneous decision may produce an illegal search or an inadmissible confession that will condemn the investigation to failure and result in the guilty escaping prosecution and remaining free in the community. In these situations where there are few minutes to spare, a phone call to the legal advisor could prove invaluable. If the legal advisor were at headquarters, the precinct, in the cruiser, or otherwise readily available on an around-the-clock basis for visits to the scene, he would be even more effective. Even a telephone conversation, however, would permit key questions to be posed and answered. The routine use of a legal advisor in this capacity would also aid in the identification of practices which are contrary to law or inefficient, or both.

The legal advisor could also, in conjunction with the district attorney, prepare warrants and supporting affidavits, especially those which, due to the danger of destruction or disappearance of the evidence, are needed at once. His routine availability could increase compliance with the judicial preference for arrests and searches on a warrant. In those jurisdictions where the police themselves draw up the information, he could draft the forms and aid in filling them out.

## DEPARTMENTAL LEGAL PROBLEMS

The multitude of legal problems affecting the police department as an entity is omitted from discussion here. Many of these legal problems are not unique to the police, but affect governmental agencies generally. Moreover, they are not directly related to crime-combatting activity and are presently handled—on at least a semi-systematic basis—by the corporation counsel or city attorney.

## A CIVILIAN LEGAL ADVISOR

As indicated earlier, most police departments, including those in large metropolitan centers, have no legal counsel, and only a few police agencies in the entire country have adequate legal assistance programs. Consequently, opportunities for empirical evaluation of the performance of the legal advisor are minimal, and conclusions about the status of the advisor within the department and the qualifications of the advisor must be drawn cautiously.

Three distinct ways of providing counsel exist, each of which offers special benefits and drawbacks: a civilian employee; a policeman-lawyer; a prosecutor, assigned either on a rotation or permanent basis.

A civilian advisor holds the greatest promise. Unlike the prosecutor, who must to some degree serve two

<sup>10</sup> There may be a few model cities, such as San Francisco, where each of the specialized squads has a prosecutor assigned to it, and where the police also have lawyers on the force. Interviews with Attorney General Thomas C. Lynch and Chief of Police Thomas J. Cahill (January 1966).

<sup>11</sup> LaFave, "Arrest: The Decision To Take a Suspect Into Custody," 515-516 (1965).

<sup>12</sup> *Miranda v. Arizona*, 384 U.S. 436 (1966).

<sup>13</sup> In this connection, Superintendent O. W. Wilson, in a departmentwide memorandum, wrote: "I will always support the police officer who, in the performance of his assigned tasks, exercises what he believes to be his legal authority in a reasonable manner. Such an officer need not fear complaints filed against him. He need not fear the threat of a lawsuit. The department and the city will defend the officer against any legal action brought against him and, by statute, will assume liability for any damages which might be assessed," p. 501 (Feb. 5, 1963).

masters—the district attorney and the chief of police—or the policeman-lawyer, who may reflect narrow agency perspectives, the civilian employee is most likely to represent the fullest range of police needs while at the same time reducing police isolation from other municipal agencies and the public. Free from any particular institutional ties, the civilian advisor is likely to be more responsive both to civilians outside of law enforcement and to agencies, such as welfare, education, and housing, which communicate routinely with police agencies. A prosecutor-advisor may be insensitive to policing not geared exclusively to prosecution as, for example, in the handling of the prostitute, the drunk, and the intrafamily assault.

Of course, a legal advisor who is responsible to the police commissioner and not to an outside agency, such as the prosecutor, might lead the department down a legal path different from that charted by the district attorney. Such divergence could produce uncoordinated activity. It could also reflect legitimate police interests, and thus serve to preserve organizational integrity by surfacing important differences in approach. In any event, the relationship between prosecution and police should be no different—and no more difficult—than that existing between trial counsel and house counsel.

If the legal advisor is detailed from the prosecutor's office, there is more likelihood that police and prosecution will travel similar tracks, and that investigations will be prosecution oriented rather than directed to clearance by arrest or to peacekeeping functions. But there is also a greater possibility that the prosecutor-advisor will be overly sensitive to the policies of the district attorney, and comparatively insensitive to possible areas of difference. In some areas, the prosecutor will belong to a different political party than that of the mayor who appoints the police chief. If political rivalry exists, the effectiveness of the prosecutor-advisor will be impaired.

Of course, in a very small department where it is not feasible, financially or otherwise, to employ a civilian, a prosecutor-advisor may be preferable. If the legal advisor is on the staff of the prosecutor, he should have substantial experience in that office, since senior police officers often know more law than junior trial attorneys and so may avoid the errors and omissions which inexperienced prosecutors often make.

Regarding the prior experience of the legal advisor, it is difficult to list specifically any special set of background skills. Presumably there are many career tracks that would adequately prepare one to be an advisor. These include: experience as a prosecutor; private practice, particularly in the criminal field; law enforcement experience, such as with the Federal Bureau of Investigation or the Treasury Department; a police intern program (discussed infra).

#### MANPOWER NEEDS

It is impossible to calculate with confidence the number of advisors needed now by police agencies across the country. An estimate of the outer limits of manpower

needs is dependent upon knowledge of what functions the legal advisor will perform, and these will necessarily vary, often substantially, from department to department. In some places, the advisor will be responsible for training, or legislative relations, or policy planning; in others, he will perform none or all of these duties. A reasonable estimate of minimum needs, however, may be made, even though it is difficult to specify underlying criteria. The following estimates represent the best guess of those most experienced.

There are five police departments servicing cities in excess of 1 million population. At least five legal advisors may be needed to meet minimum needs of these departments and even this figure is probably very conservative. Based on his experience as deputy commissioner for legal matters of the New York Police Department, Franklin Thomas feels that "twice the number recommended would be the absolute minimum to fulfill properly the functions required of such advisors."<sup>14</sup>

Approximately 17 cities range in population between 500,000 and 1 million. At least three advisors should be available. There are about 33 cities within the 250,000 to 500,000 population range. At least two advisors should be budgeted. There are nearly 80 cities under 250,000 and over 100,000 population. At least one advisor would fulfill minimum standards.

In smaller cities, such as those below 100,000 or 50,000 which may not need or be able to afford a full-time legal advisor, pooling arrangements—by which several police agencies in a given area would share a legal advisor—should be made. Fragmentation of police services is notorious and the common use of a legal advisor could be a device not only for acquiring counsel, but of achieving greater coordination among separate police departments.

All of the States, except Hawaii, maintain police or highway patrol organizations. These departments range in sworn membership from 50 men in Nevada to 2,795 men in California. Total personnel as of December 31, 1964, was 26,784 men. At least one advisor should be budgeted for each State, and the largest States, such as New York (2,464 men) and Pennsylvania (2,015 men), should employ several law-trained men. In addition, there are 773 counties which operate road patrols, about 100 of which have uniformed forces of over 100 men. Each of these should employ a full- or part-time advisor.

Totaling these figures, the manpower needed to supply minimum needs ranges from 250 to 400 men skilled in criminal law, administrative law, and police science.

#### RECRUITING LEGAL ADVISORS

Two innovative programs, one of which is specifically aimed at producing legal advisors, have recently been initiated pursuant to Ford Foundation grants. The program at the Northwestern University Law School is "directed primarily toward the development of police legal advisors."<sup>15</sup> It provides for a 2-year training program for graduate students, the first year being spent in residence at the law school and the second actually working in a police department. The police department receive

<sup>14</sup> Letter to the Commission, Nov. 16, 1966.

<sup>15</sup> Revised Proposal to the Ford Foundation (April 1964), p. 2.

the services of the intern free of charge under the terms of the fellowship.<sup>16</sup> At the end of the second year—by which time a thesis must be completed—the trainee receives a master of law degree.

Unlike the Northwestern University program, the "police internship program" at the University of Wisconsin Law School is not "committed to the training of lawyers specifically for assignment in a police agency," but rather to expanding the opportunities for "interested students to become familiar with the major issues confronting the police and other agencies in the criminal justice system."<sup>17</sup> Under the terms of a \$260,000 grant, a program for law students to intern with police agencies has been developed. During the summer of 1966, five specially selected students were placed with the Chicago Police Department, and a sixth with a Wisconsin police agency.<sup>18</sup>

Both the Northwestern and Wisconsin programs are imaginative and promising. In particular, the structuring of the Northwestern internship, which gives a lawyer to the police department for a full year, acts as an inducement to the city authorities to retain an advisor on a permanent basis.

Both programs, however, represent only small steps forward in meeting manpower needs. If the necessary pool of talent is to be created within the next 5 years, it is essential now to finance both new training programs, expand existing ones, develop plans for the involvement of more lawyers generally in the police process,<sup>19</sup> and, most important of all, recruit skilled lawyers from the outside.

#### RESISTANCE TO EMPLOYING LAWYERS IN LAW ENFORCEMENT

Despite the long recognized need for law-trained personnel in police work, there has been over the years only a handful of lawyers working in local law enforcement. While the need has been great, the demand has been low, and the obstacles to employment often overwhelming.

One major source of resistance to the hiring of legal advisors is the city attorney or corporation counsel. Police departments which have retained a legal advisor, as well as those who have unsuccessfully attempted to do so, re-

port strong resistance from the city attorney who commonly claims that servicing the police is his exclusive province. Such a position reflects too narrow a view of what it is the legal advisor does; most of the duties of the legal advisor—outlined earlier in this paper—do not fall within the scope of responsibility of the city attorney's office, nor are they matters that he is especially equipped to handle. In areas where there is overlapping responsibility, as, for example, defending suits for false arrest, a record of vigorous performance by the city attorney could relieve the legal advisor of all responsibility. Too often, however, the city attorney, although unwilling or unable to do the job himself, is also unwilling to permit others to do it.

As a result of opposition from the city attorney, several departments have camouflaged their legal advisor with such titles as "research analyst" or "research director," and generally kept his status unofficial.

Another source of resistance has been paradoxically the police executive himself. The reasons for this resistance are harder to identify since they are rarely made explicit. No doubt they emerge from a general reluctance to hire civilians or change the status quo. To some extent, they derive from ignorance about what it is a legal advisor can do. In addition, in many departments, particularly the more professionalized ones, civil service restrictions combine to prevent the retaining of a lawyer.

A final factor inhibiting recruitment is that attorneys who would be best qualified to serve as legal advisors have access to more attractive career opportunities. Both in terms of prestige and salary the talented prosecutor or private practitioner is unlikely to leave to serve as a police legal advisor. But the gains to the community and the police—measured in more effective and fair law enforcement—are so essential that efforts to establish the position of police legal advisor and to make it an attractive one for skilled attorneys must begin immediately. If salary and career opportunities were at least competitive with other legal positions within the criminal justice system, competent lawyers could be hired. Without question, the position of police legal advisor for a busy department could become one of the most challenging positions in government.

<sup>16</sup> Young lawyers, who have 1 or more years' experience, are given annual stipends ranging between \$6,500 and \$8,500, from which is deducted approximately \$2,000 in tuition over the 2-year period. Recent law graduates without experience receive \$4,600 for the first year and \$7,000 the second. All stipends are tax exempt. The grant to Northwestern, made in 1964, was for \$300,000 extending over 5 years. To date, five fellowships have been granted.

<sup>17</sup> Letter from Prof. Herman Goldstein to the Commission, Feb. 23, 1966.  
<sup>18</sup> Prior to the summer internship, the students were given a special seminar to orient them toward police work. Seminar topics included: the police patrol function, aggressive preventive patrol, ferreting out vice activities, policing at the operating level, role of the lawyers in the police agency, and investigating crime.

<sup>19</sup> One set of plans demands greater involvement of the bar associations. Typically, the local bar association has one committee, often several, dealing with the important problems of defendants' rights and the defense of a criminal case. Few have a single committee aiding law enforcement in a comparable manner. Recently, former New York Police Commissioner Michael J. Murphy wrote that

"each Bar Association should consider a Legal Advisory Committee to Law Enforcement as part of its community responsibilities." Murphy, *supra*, note 5. Such committees may accomplish little that demonstrably aids law enforcement, but their mere existence could serve to boost morale, decrease isolation, and set the framework for continuing interchange. The Philadelphia Bar Association recently began a program aimed at training officers to make a pinch that sticks. "Bar To Teach Police New Arrest Wrinkles," *Philadelphia Inquirer*, April 18, 1966.

Another approach involves the establishment of courses in the law school curricula that focus on enforcement problems. These could include periods of field observation, and could be elective or required, as is the case at Willamette Law School in Salem, Ore. There, David Geary, then chief of police, permitted law students to ride in squad cars and observe the complaint desk, radio room, and jails. It may be that municipal governments could subsidize the legal education of students interested in law enforcement, students who would eventually serve as legal advisors.

# Coordination and Consolidation of Police Service

## INTRODUCTION

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

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

The 1966 "Municipal Yearbook" reported that there were 91,236 governmental units in the United States at the beginning of 1962: 56,507 local governments; 34,678 school districts; 50 State governments; and 1 Federal Government. A further breakdown shows 3,043 counties, 17,977 municipalities, 17,144 township governments, and 18,323 special districts. Of additional interest is that, although the total number of local governments has been reduced in recent years, the reduction has occurred only through the elimination of school districts. Nonschool special districts and municipalities have actually increased in number.

A fundamental problem confronting law enforcement today is that of fragmented crime repression efforts resulting from the large number of uncoordinated local governments and law enforcement agencies. It is not uncommon to find police units working at cross purposes in trying to solve the same or similar crimes. Although law enforcement officials speak of close cooperation among agencies, the reference often simply means a lack

of conflict. There is, in fact, little cooperation on other than an informal basis, not a very effective means of meeting current needs.

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

## DEFINITION OF TERMS

Briefly stated, the concern of this study is an analysis of the problems of local police administration and the potential of coordination or consolidation of services as an aid to the repression of crime. Since the concern of this study is with police functions normally associated with the repression of crime, attention will not focus on police activities related to traffic law enforcement. To be discussed are staff services<sup>2</sup> typical of law enforcement agencies, such as the recruitment, selection, and training of personnel, planning, purchasing, internal investigation, and the like; auxiliary services,<sup>3</sup> such as records and communications systems, detention facilities, laboratory services, and the like; and selected field services,<sup>4</sup> including criminal investigation, delinquency control, special task force operations, vice control, and related activities.

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

Cooperation or coordination presupposes a formal agreement between two or more governmental jurisdic-

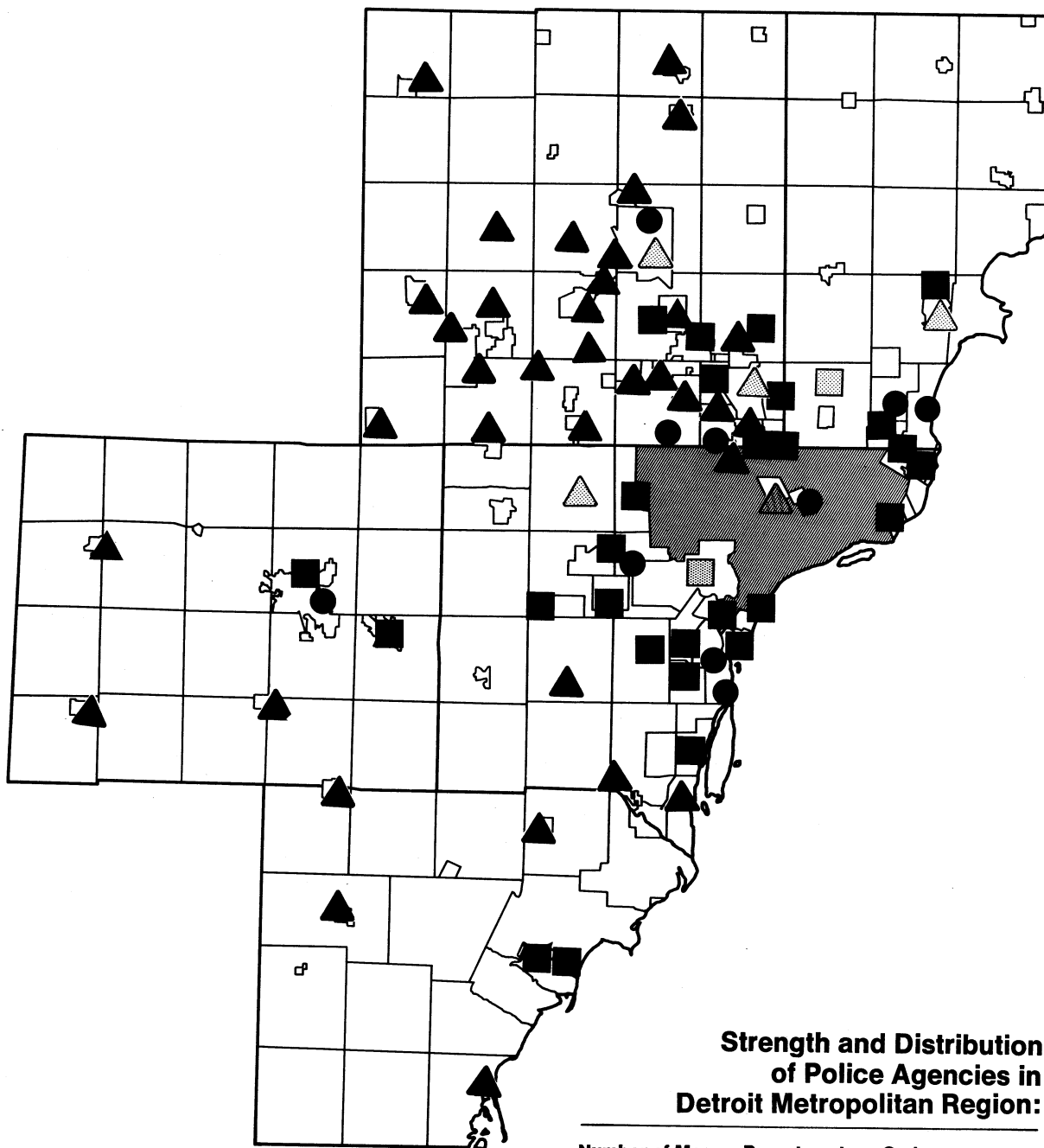
<sup>1</sup> Gordon E. Misner, "Recent Developments in Metropolitan Law Enforcement," *Journal of Criminal Law, Criminology, and Police Science*, 50: 497-508, 497, January-February 1960.

<sup>2</sup> Staff services are nonlinear functions and activities used to develop personnel and departments to effectively meet police responsibilities.

<sup>3</sup> Auxiliary services are nonlinear functions, separate from staff services, which provide technical, special, or supportive services to other nonlinear or line elements of a department.

<sup>4</sup> Field services are line functions and activities directly concerned with the fulfillment of primary police responsibilities.

### Fragmentation of Urban Police



**Strength and Distribution of Police Agencies in Detroit Metropolitan Region:**

Number of Men	Departments	Code
0-20	40	▲
21-50	27	■
51-100	10	●
101-150	5	▲
151-200	2	▣
201-5000	1	▨

tions each with defined responsibilities to jointly provide a common service. This definition is limited to formal agreements and does not extend to informal arrangements.<sup>5</sup> The phrase "defined responsibilities" is used to suggest that each participating unit has a particular responsibility in a cooperative venture, whether in terms of providing financial aid, equipment, personnel, or support by some other means.

A definition of region poses some problems. The word "region" immediately suggests some established boundaries, albeit artificial ones. The English common law concept of a region (or community) as an area having a commonality of interests is accepted as a definition of a region in this study; thus, it is not restricted to defined political boundaries. Rather, one is speaking of two or more governmental jurisdictions with political, economic, social, or other ties and with common problems. And a region may encompass jurisdictions in two or more States such as in the Washington, D.C.-Maryland-Virginia area.

#### SCOPE OF THE REPORT

Two basic assumptions regarding the status of local government in the United States underlie the ensuing discussion regarding coordination or consolidation of law enforcement services. First, local government will continue as a vital force when some governments are completely consolidated with others. Second, it is desirable to preserve as much local governmental control as is reasonable while increasing the quality and quantity of service.

The sections on coordination and consolidation of staff, auxiliary, and selected field services are concerned with analyzing the problems and potentials of coordination or consolidation of selected police functions. It will be assumed in these sections that proliferation of police jurisdictions is necessary, and that each jurisdiction is capable of providing at least a modicum of service to its citizens. The mission in these sections, then, is to suggest methods of improving selected police functions through coordination or consolidation, with the hope that each jurisdiction will be better able to cope with the problems of law enforcement.

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

Throughout this chapter it will be evident that quality

in police service is the desired goal. If quality can be achieved only through coordinating or consolidating selected police functions, or only through total consolidation of police jurisdictions, these are the routes that should be taken.

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

#### RESEARCH METHODS UTILIZED

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

The project staff also reviewed selected State constitutions, pertinent legislation, opinions of attorneys general, court decisions, and other sources to determine legal authorizations, prohibitions, or restrictions relating to the coordination or consolidation of law enforcement activities.

Members of the project staff made several field visits to a number of governmental jurisdictions and agencies to obtain firsthand impressions and factual data relating to the coordination and consolidation of law enforcement activities. Law enforcement and general government officials were interviewed in Phoenix, Ariz.; Los Angeles County and the cities of Lakewood, Norwalk, Downey, and Oakland, Calif.; the metropolitan government of Nashville, Davidson County, Tenn.; the municipality of Metropolitan Toronto, Canada; Metropolitan Dade County, Fla.; and Nassau and Suffolk Counties, N.Y. Visits also were made to the California Department of Justice; the California Disaster Office; the California Commission on Peace Officer Standards and Training; the Chicago Police Department; the Illinois State Police; the Illinois Division of Criminal Identification and Investigation; and the Sauk-Prairie Police Department, Sauk City, Wis. Discussions were also held with staff members of the League of California Cities and the Association of Bay Area Governments. Other Public Ad-

<sup>5</sup> Informal arrangements tend to be those of a mutual-aid nature in which one department agrees to come to the assistance of another as required, usually during emergencies. Such arrangements serve a valid purpose, but they do not materially

add to the quality of service provided by a specific department nor do they improve the quality of personnel.

ministration Service personnel provided information regarding law enforcement activities in other cities with which they were familiar, including, among others, Kansas City, Mo.; Baltimore, and Atlanta.

Two conferences were of special value. A 2-day conference, held in mid-June 1966, brought together a number of law enforcement and general government officials of States, counties, and cities; several members of university faculties; and members of the staff of Public Administration Service especially conversant with the problems of law enforcement. The possible areas of coordination or consolidation of law enforcement activities and potential alternative solutions to law enforcement problems were discussed. A second, smaller conference of similar authorities, held in August 1966, reviewed drafts of the project report and evaluated recommendations.

## GENERAL FINDINGS AND CONCLUSIONS

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

### COORDINATION AND CONSOLIDATION OF STAFF SERVICES

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

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

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

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

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

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

*Other Conclusions.* Organized crime intelligence should be shared between local, State, and Federal agencies to the extent possible. Public information services should be coordinated in metropolitan areas. A practical example would be a coordinated public information program between a central city and its suburbs.

Each State should consider the establishment of an independent unit which would have as its sole responsibility provision of internal investigation assistance as required and the initiation of investigations when necessary.

### COORDINATION AND CONSOLIDATION OF AUXILIARY SERVICES

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

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

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

Communications systems must be improved through interjurisdictional contractual arrangements, coordina-

tion among radio systems, and through an increased role for the State as a coordinating agency.

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

One auxiliary service, detention, is not concerned with the fulfillment of basic police responsibilities and should be handled by a correctional agency whenever possible. If it is necessary for the police in some States to continue to provide detention services, consideration should be given to coordination and consolidation among police departments.

#### COORDINATION AND CONSOLIDATION OF SELECTED FIELD SERVICES

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

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

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

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

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

*Other Conclusions.* Special tactical units should be organized on an areawide basis in order to be fully effective.

However, the continuing need for manpower, as distinguished from manpower needs for the policing of special events, precludes the use of mutual aid agreements for their establishment. A State or county police organization might provide such units.

#### POLICE SERVICE AND JURISDICTIONAL CONSOLIDATION

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

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

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

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

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

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

#### OBSTACLES TO COORDINATION AND CONSOLIDATION

*Findings.* Obstacles to the coordination or consolidation of the police services of different jurisdictions are

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

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

*Primary Conclusions.* Broad joint-exercise-of-powers legislation that permits many types of intergovernmental agreements appears to be the most convenient authority under which coordination and consolidation of police services can be accomplished. Action under such legislation involves no changes in existing governmental boundaries or political structures, nor does it negate principles of local self-government. Rather, it represents responsible exercise of the powers of local self-government. All aspects of police service—staff, auxiliary, and field services, and even total police service—can be coordinated and consolidated. Many States already have adopted some form of joint-exercise-of-powers legislation.

## COORDINATION AND CONSOLIDATION OF STAFF SERVICES

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

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

## RECRUITMENT AND SELECTION

The need for quality in police officers is one of the major needs in law enforcement today. Except in a few

jurisdictions, however, the supply of qualified applicants has not kept pace with demand, and police administrators generally have difficulty in filling vacancies.<sup>6</sup> Recruitment and selection are critical processes in maintaining and building police departments. Recruitment is the process by which potential employees are brought to the initial point in selection, and selection is the process by which qualified individuals are identified.

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

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

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

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

The desired level or degree of acceptability may vary from one community to another, and the cooperating agencies need not always agree upon the precise degree of qualification required. If emphasis is placed upon those factors which bear an identifiable relationship to quality in performance, the less significant but more common points of disagreement, such as those concerning residence, physical size, or vision, will become less important to the joint effort. However, the success of a combined recruitment and selection program will depend largely upon the careful working out of a basic core of mutually acceptable standards or qualifications.

<sup>6</sup> Raymond L. Bancroft, "Municipal Law Enforcement, 1966," "Nation's Cities," February 1966, pp. 15-17. For a more comprehensive report on personnel problems and requirements, see chapter 5, Police Personnel.

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

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

The experience of Bloomington and Burnsville, Minn., two fast-growing Minneapolis suburbs, indicates the practical value of a joint recruitment and selection undertaking.<sup>7</sup>

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

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

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

its merit system rules, Bloomington was required to maintain the list for 1 year.

*Other Considerations.* Some law enforcement agencies may be reluctant to participate in joint recruitment and selection programs because they do not have salary and fringe benefit schedules competitive with those of other agencies and jurisdictions with which they might join. However, several other factors, including promotional opportunities, community preference, and present residence, may be deciding factors for potential employees.

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

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

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

In the recruitment phase, POST proposes to utilize the resources of a regional advertising association to conduct a statewide publicity campaign. Promotional materials will be distributed at various locations throughout the State, particularly at colleges, universities, and State employment offices. Trained recruitment teams, which will include educators, interested citizens, and representatives of minority groups, will travel throughout the State, and speak at colleges, universities, junior colleges, and public and parochial schools. A concerted effort also will be made to encourage minority group members who possess requisite qualifications for police service to apply.

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

<sup>7</sup> Bloomington, Minn., Personnel Office. "Joint Recruitment of Policemen by Bloomington and Burnsville, Minnesota: A Case Study" (Bloomington: Personnel Office, 1965).

and may perform background investigations, and make such other checks as they deem necessary.

Agreement has already been reached on important prerequisites and basic qualifications for police officers. Although the requirements for applicants are not mandated by State law, to qualify for reimbursement of training costs from the State, a police department must hire only men who meet the standards set forth in the California Law Enforcement Standards and Training Act.<sup>8</sup> Since police departments representing 98 percent of the State's population have qualified for this aid, the effect is a State standard for applicants.

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

*Limited Programs.* Should two or more communities be unable to reach agreement on all phases of a recruitment and selection program, this need be no bar to a limited program, such as the use of common forms or of a central employment information center. There is ample precedent for this approach in other employment fields. For example, the League of California Cities administers a test for young men interested in employment as administrative assistants to city managers. After grading by the league, the test results are made available to managers, who may then call in a man for an interview or initiate additional selection processes. The Federal Service Entrance Examination is another example of a single selection device used by a number of individual agencies.

#### TRAINING

Police training is a recognized need that is receiving increased attention from educational institutions and police and other organizations, and at all levels of government. In its 1966 "National Municipal Policy," the National League of Cities pinpoints its significance.<sup>9</sup>

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

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

States have entered into the police training field with laws and assistance programs perhaps more extensively than into any other areas of support for local law enforcement. Twenty-three States now have some form of training legislation; a few provide for mandatory recruit training and some provide financial assistance to local jurisdictions for this purpose.<sup>10</sup>

Universities, colleges, and junior colleges are expanding existing vocational programs and establishing new

ones. In fact, hardly a month passes without some new junior or community college law enforcement program being started.<sup>11</sup>

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

Despite the current level of activity in police training, much remains to be accomplished and several factors tend to impede progress. Unfortunately, some police administrators insist that their personnel, particularly recruits, be trained only in their own facilities and by their own instructors. This insistence stems largely from a sense of insularity which presumes a nonexistent uniqueness and does not recognize that most departments need officers with the same basic core of knowledge. Although each department must supplement core courses with instruction in local organization, policies, procedures, and regulations, such local orientation is but a small part of total training needs.

A lack of understanding of training as a meaningful support to improved police service is an impediment to training in many departments. This is understandable, in view of the rather general lack of training and education among chiefs of police and their command and administrative staffs. As described in chapters 3 and 5 of this volume, few such personnel have college degrees, even fewer have advanced degrees, and most have had no significant training for their professional responsibilities.

Limited finances and shortages of manpower are complementary problems that may exist in fact or be offered simply as rationalizations for inaction. Financial limitations are real, however, when departments cannot budget for needed complements of personnel and when manpower cannot be provided to allow development of adequate training programs. Manpower shortages are increasingly a problem, even to departments with adequate financial resources. There is growing recognition, however, that manpower shortages can be substantially offset by recruiting top quality personnel and giving them superior training. It is being recognized, more and more, that mere numbers of personnel are not the answer to problems of police efficiency and effectiveness.

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

*Areawide Training Efforts.* Many areawide efforts are being made to satisfy the growing demand for better training. These efforts divide rather naturally into: (1) central city assistance to nearby smaller departments, (2) State and regional training programs, (3) institutes

<sup>8</sup> 51 Cal. Penal Code secs. 13500-13523 (1966 Cum. Supp.).

<sup>9</sup> National League of Cities, "National Municipal Policy" (Washington: National League of Cities, 1966), sec. 15-3.

<sup>10</sup> Norman C. Kassoff, "State Laws on Police Training Standards," "The Police Chief," August 1966, p. 10.

<sup>11</sup> Most junior college programs are in California with the remainder concentrated in New York, Florida, and Michigan. In 31 States, no junior college police administration or police science programs exist.

and academies for police training, and (4) university and college programs.

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

In 1965, the Chicago Police Training Academy trained 147 recruits from 35 suburban departments and 4 recruits from a department in a neighboring State. Realizing that the normal 14-week school designed for Chicago needs included studies which did not pertain to all local operations, it ran a special 10-week recruit school for these trainees. In addition, police officers from 77 municipal, county, and State police agencies took correspondence courses offered by the Chicago academy; numerous departments used its reference and film libraries; and the instructional staff of the academy conducted special courses for many outside agencies.<sup>12</sup>

*State and Regional Training Programs.* There are a number of programs in existence or planned which are based on the concept of areawide service to provide essential training to many departments. For example, the Metropolitan Fund of Detroit, a nonprofit research corporation concerned with intergovernmental relations in the six-county region of southeastern Michigan, has initiated a study of existing facilities and programs for training in the region with the intention of providing information necessary to implement a regional system of police training.<sup>13</sup> The Southeastern Michigan Chiefs of Police organization has established a 6-week recruit program, as has the Metropolitan Police Academy of Michigan, Inc., with headquarters in an armory.<sup>14</sup>

In Oregon, in 1965, an advanced program coordinated by the Oregon Association of City Police Officers trained 852 law enforcement officers at 15 regional schools. In addition, a 3-week basic recruit school was held at a National Guard camp near Portland. Both of these programs had modest beginnings, but in recognition of the need for more intensive training, they have been expanded in recent years.<sup>15</sup>

Through the efforts of the top commanders of six New England State police organizations, and with the aid of an Office of Law Enforcement Assistance grant, the New England State Police Staff College began a training program in 1966 with 36 administrative officers from the six State police organizations in attendance.<sup>16</sup> The objective of the school is to provide executive management training and thus improve the management skills of the police executive, with its goal that of training all men at the rank of sergeant and above. The course lasts 4 weeks and the curriculum is varied according to rank.

Areawide emphasis also appears in some of the recently enacted State training legislation affecting law enforcement agencies. The pertinent sections of the Michigan law provide that the Law Enforcement Officers Training Council shall provide advisory training standards and as-

sist in establishing area training centers in appropriate locations, and shall cooperate with other governmental jurisdictions in establishing and operating these centers.<sup>17</sup>

Following the passage of the New York Municipal Police Training Council Act, the State was divided into 13 areas or training zones, primarily for the purpose of assuring the availability of a training school for every new officer. Zones consist of from two to nine counties, and each zone has a coordinator and a subcoordinator who are responsible for carrying out the purposes of the act within their zones.<sup>18</sup> The council has received a Federal grant to assist it in establishing regional police training centers throughout the State, and it is planned to place them in strategic locations where there are junior and community colleges.<sup>19</sup>

Training facilities now blanket the State of California, and programs are within the reach of practically every department in the State. By January 1967, 46 facilities had been certified to teach the prescribed recruit course and 36 the 80-hour supervisory course. The California POST program also allows credit for preservice college training.

*Institutes and Academies.* Several institutes and academies, affiliated with a university or a Federal agency, have long provided valuable instruction to the American police. Some date from the mid-1930's. Among those university-affiliated are the Traffic Institute of Northwestern University, the Southern Police Institute of the University of Louisville, and the Delinquency Control Institute of the University of Southern California. Other less structured programs also exist—for example, the Annual Institutes on Police and Community Relations at Michigan State University. All such programs need to be maintained and expanded, and additional means need to be found to enroll students. Among the Federal agency programs are the National Academy of the Federal Bureau of Investigation and the training facilities of the Bureau of Narcotics. In October 1966 the 5,000th police official was graduated from the 78th session of the FBI's National Academy.

*Universities and Colleges.* Institutions of higher learning are sponsoring and supporting two kinds of efforts—recruit and inservice training—and both are increasing in importance. Four-year colleges and universities have long been active in police training, and now the junior and community colleges are undertaking an active role.

The Dade County (Fla.) police training program is a good example of a cooperative effort on the part of a county and a school board.<sup>20</sup> The school board has provided, without charge, State certified instructors and facilities at the Dade County Junior College for both recruit and inservice training. The Dade County Public Safety Department provides an officer to administer the program and maintain liaison with the junior college staff. The whole program is available without charge to all local jurisdictions within the county.

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

<sup>12</sup> Chicago Police Department, Training Division, "Annual Report," 1965.

<sup>13</sup> "Metropolitan Fund, Inc., Initiates Training Study," "The Police Chief," August 1965, p. 22.

<sup>14</sup> Claude E. Broom and Marvin G. Lane, "New Academy for Michigan," "The Police Chief," May 1962, p. 20.

<sup>15</sup> Karl A. Van Asselt, "Cooperative Training Program Assists Oregon Local Law Enforcement Officers," "Western City," June 1966, pp. 34-35.

<sup>16</sup> "New England State Police Staff College Holds First Session," "The Police Chief," June 1966, p. 12.

<sup>17</sup> 17 Mich. Stat. Ann. sec. 3.29 (157) (1966 Cum. Supp.).

<sup>18</sup> State of New York, Office for Local Government, Municipal Police Training Council, "Municipal Police Training in New York State" (no date), pp. 12, 52-56.

<sup>19</sup> "State Gets Training Grant," "Public Management," 48: 229, August 1966.

<sup>20</sup> Metropolitan Dade County, Office of County Manager, "Survey of Area-Wide Government Cooperation," mimeograph, Sept. 16, 1963, p. 41.

Failure to recognize the core concept of training is at the root of much of the resistance to areawide, coordinated training. The core concept is widely accepted in Canada. For example, in the Province of Ontario, only two departments, Toronto and Ottawa, have their own recruit training programs. All other departments, including some very large ones, send their recruits to the Ontario Police College; and Toronto, with nearly 3,000 sworn personnel, is considering amalgamating its training facility with the Ontario Police College.<sup>21</sup>

Truly areawide multijurisdictional training programs will probably require State support. This has already been accomplished in many States that have created State police councils which have authority to develop statewide curriculums of sufficient depth in all areas of training, to compel all police officers to take the required courses of study, and to give financial assistance to local departments to allow this to meet mandatory standards.

A State training agency can be in a most favorable position to act. The duties of a State agency, established by law, should include responsibility for determining the need for all phases of training in every department throughout the State, including recruit, inservice, supervisory, specialized, and command and administrative training. The State agency should make an inventory of the training programs of State, county, and local police departments; police associations, Federal agencies; junior and community colleges; and 4-year colleges and universities. Following this inventory, the agency should make recommendations on the location, size, and curriculum of each program and the area it should serve.

Those States that already have agencies are either following this approach or working toward it. The duties of the Michigan council, mentioned above, include this function. The California Commission on Peace Officer Standards and Training has the power "to contract with other such agencies, public and private, or persons as it deems necessary, for the rendition and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities." The New York Police Training Council has similar duties.

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

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

A major problem inherent in either a State or county

manpower pool is that of stand-in officers performing in accordance with local agency rules, regulations, and procedures. While not categorically rendering the stand-in concept worthless, the issue must be worked out locally. If a force were able to allocate sufficient funds to pay regular officers for overtime work while others were in training, the need for outside personnel to stand in would largely be obviated.

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

In our complex society, the training period for recruits should be a minimum of 10 weeks. With an adequate manpower reserve, this period of training should be within the reach of most departments, and each new recruit should be able to receive this training before he is placed on basic patrol duty. A manpower reserve should also encourage training of shorter duration for command and other inservice personnel.

*Countywide Manpower Reserve.* A manpower reserve established by the county sheriff or a county police agency may, in many circumstances, be a more likely alternative to a State program. Except for some outstanding exceptions, however, the level of sophistication in county organizations is less than in municipal departments. The alternative of a county reserve can be used only where there is a county law enforcement agency of sufficient professional competence to be able to assist local departments. Also, many counties do not have enough population to support such a program. In these circumstances the responsibility should go to the State.

#### PLANNING

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

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

<sup>21</sup> Interview with James Mackey, Chief, Metropolitan Toronto Police Department, June 17, 1966.

<sup>22</sup> O. W. Wilson, "Police Administration" (2d ed., New York: McGraw-Hill, Inc., 1963), p. 103.

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

Sound police organization and procedures depend upon good planning. Frequently, the emergency nature of police work and the constant attention that must be given to day-to-day operations do not leave enough time for effective planning. Much planning is done daily in all police operations, but, primarily, it is to serve an immediate need. Most police administrators seek to improve their organizations, but many do not know how or do not have enough time to correct deficiencies in organization and faulty procedures. Some large police departments have established planning units to assist the administrator, and, for the most part, these units are staffed by police officers and civilians who know how to analyze the procedures and organizational structures of police departments. It is principally the smaller departments which do not have the time, manpower, or financial ability to plan improvements in their organization and operations.

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

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

Modus operandi analysis which requires the timely submission of case reports and other information and data to a central point is properly a large department or State responsibility. California and Michigan have established rather sophisticated modus operandi files which serve all jurisdictions in the State. The Michigan State Police Department maintains a file on sex offenders and fraudulent checkpassers. Michigan jurisdictions are required by law to submit reports to the sex offender file from which they, in turn, receive the names of suspects best fitting the description of persons wanted. In 1965, 45 percent of the items searched against the fraudulent check file were identified with known fraudulent checkpassers.<sup>23</sup>

The California modus operandi system is fairly complete since California law requires each jurisdiction to submit reports on all felonies daily to the California Bureau of Criminal Identification and Investigation

(CII). Crime reports are divided into five major categories: Questioned documents, sex, burglary (including receiving stolen property), fraud, and robbery. Modus operandi analysts are assigned to work on each of these categories. Much of the work performed could be considered crime analysis since it is related primarily to correlating crimes and providing investigative data to local jurisdictions. However, specific subject identification is a primary purpose of the operation.<sup>24</sup>

*Staff Assistance on Administrative and Operational Matters.* There appear to be few organizations providing staff planning assistance on administrative and operational matters to other agencies and, in fact, there is little recognition of this need. A few consulting organizations, such as the International Association of Chiefs of Police and Public Administration Service, have provided assistance to many jurisdictions on general police matters, and some universities and colleges have occasionally aided local departments on specific problems. There is, however, almost no pooling of governmental resources for planning.

It was precisely for this reason that the Division of Police Administration services was established in the New York State Office for Local Government on January 1, 1966, as a free service to local police departments. The legislature in establishing this division declared:<sup>25</sup>

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

The functions, powers, and duties of the division of police administration services are:<sup>26</sup>

- To collect, compile, and disseminate current information regarding general developments in the field of police administration.
- To serve as a clearinghouse, for the benefit of police agencies, of information relating to common problems and to assist in the solution of those problems.
- To conduct studies and analyses of the administration or operations of any police agency upon request by the head of the agency, and to make the results available to the agency.
- To refer police agencies to appropriate departments and agencies of the State and Federal Governments for advice, assistance, and available services in connection with particular administrative problems.
- To encourage the further professionalization of police administration.

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

Although in existence only a short time, the division has received many requests for service. One of its recommendations resulted in the consolidation of police communications in one county.<sup>27</sup> In addition to its consulting service, the division is collecting manuals and forms

<sup>23</sup> State of Michigan, Department of State Police, "Annual Report, 1965," p. 17.

<sup>24</sup> Interview with O. J. Hawkins, assistant director, California Department of Justice, May 16, 1966.

<sup>25</sup> N.Y. Executive Law, secs. 550-553 (1966 Cum. Supp.).

<sup>26</sup> Id. at sec. 552.

<sup>27</sup> Interview with Charles C. McCloskey, Jr., executive director, Division of Police Administration Services, New York State Office for Local Government, Aug. 5, 1966.

from leading police departments across the Nation, and establishing a reference library in the fields of police science, public administration, and political science.

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

#### ORGANIZED CRIME INTELLIGENCE <sup>28</sup>

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

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

In 1956, a voluntary organization of law enforcement agencies, the Law Enforcement Intelligence Unit (LEIU), was organized to work for increased sharing of criminal intelligence data. In addition to furthering personal contact between individual members, the LEIU has established a central clearinghouse for criminal intelligence information in the California Bureau of Criminal Identification and Investigation (CII) to which all members contribute and from which they receive information. Membership is divided into three categories: (1) Regular, (2) associate, and (3) affiliate. Regular membership is limited to 70 individuals representing a number of agencies; agencies as such are not members. Regular members are differentiated from the others in that they have voting rights and have access to the complete file maintained by the CII. The membership of LEIU is divided into four zones: (1) Northwestern, (2) Southwestern, (3) Eastern, and (4) Central. Each zone has a chairman, and members in each zone meet annually. The entire membership also meets annually. Discussions of the attributes of LEIU with a number of mem-

bers indicate that it serves as an excellent means for contact between law enforcement intelligence officials on matters of mutual concern.

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

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

The New York State Identification and Intelligence System (NYSIIS) is discussed in a subsequent section in connection with its function as a records exchange center for all types of criminal records. When fully operational, NYSIIS will include criminal intelligence information on the organized criminals of concern to New York and other police departments.

The Oyster Bay conferences, held in New York in 1965 and 1966, assembled representatives of agencies from throughout the United States for the purpose of furthering efforts against organized crime. The conferences have reached some interesting conclusions, among them the need to share information on individuals engaged in organized crime: <sup>29</sup>

The relationship of the conspiracy and the criminal act must be shared by the investigative agencies if an effective assault is to be mounted against organized crime \* \* \*. The optimum pooling of intelligence information should include both vertical and horizontal dissemination—vertical as between local, State, and Federal levels of government, and horizontal between separate jurisdictions at the same level of government.

The participants did recognize, however, that "a primary consideration for information sharing is security." <sup>30</sup>

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

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

<sup>28</sup> For a detailed discussion of organized crime intelligence, see chapter 7 of the "General Report" and the separate volume of the Task Force on Organized Crime.

<sup>29</sup> Oyster Bay, New York, 1965 Conference on Combatting Organized Crime, "Combatting Organized Crime." (Albany: Office of the Counsel to the Governor, April 1966), pp. 33-34.

<sup>30</sup> Id. at p. 34.

on developing cases unless it is working in concert with another agency. However, much of the information in intelligence unit files on individuals relates to organized crime's "legitimate" business enterprises, meeting places, personal data, and other information which may be widely disseminated.

Even the largest intelligence unit has difficulty obtaining the manpower necessary to perform continuous surveillance and investigative work to gather information on organized criminals. The members of the New England State Police Compact have recognized this fact and have taken steps to share personnel.

There is a need for agreement on the objectives and definitions of purpose of intelligence units. The effectiveness of many intelligence units is dissipated by activities not even remotely connected with the task of gathering data on organized criminals.

There is continuing need for coordination between the law enforcement agencies of the Federal Government on the one hand, and State and local intelligence units on the other.

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

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

It is impossible in this brief analysis to suggest a full program of organized crime intelligence. Such a program is suggested, however, in the "Organized Crime Task Force Volume."

#### PURCHASING

Purchasing is an activity undertaken by every public jurisdiction, large or small. Traditionally, purchasing was primarily conducted on a departmental basis with little or no centralized purchasing for the jurisdiction. More recently, however, governments, and especially the larger jurisdictions, are abandoning departmental in favor of centralized purchasing. The cities of Chicago, Cincinnati, and Milwaukee are in the forefront in this type of buying. Chicago reports that savings run as high as 15 percent on total expenses of up to 200 million a year!<sup>31</sup>

Purchasing is not a static concern—prices change frequently, the uses of products change, new products are developed, and the materials in products may change significantly. Consequently, purchasing requires a special knowledge of products and a firm grasp of specifications development and of negotiating and contracting techniques. It is a function which logically should be performed by a professional purchasing agent with re-

sponsibility for all procurement activities within a jurisdiction. Purchasing is a vital tool of management, and the purchasing function is most appropriately carried out under the general direction of the chief administrative office of a jurisdiction rather than at the departmental level.

There are several advantages to programmed centralized purchasing: (1) Lower prices may be obtained through volume buying, (2) the quality of goods purchased can be improved through the development of adequate specifications, (3) there is better opportunity to test and inspect products, (4) centralized records and storage facilities are available, (5) items used by many agencies throughout the jurisdiction will be recognized, and (6) a systematic program can be developed and operated for the salvage of obsolete supplies. It would be difficult for most individual departments to operate such programs with their own limited resources.

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

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

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

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

A comprehensive intergovernmental purchasing program was the focus of a detailed study prepared by the Metropolitan Fund, Inc., for the Detroit metropolitan area.<sup>32</sup> The study pointed out the various areas in which cooperative, centralized purchasing could be undertaken between governments, and a program to implement joint purchasing was developed. Certainly, purchases necessary for the operation of a police department could be included in such a joint purchasing program.

Studies of possibilities of joint purchasing have been made in several States, including California,<sup>33</sup> Idaho,<sup>34</sup>

<sup>31</sup> "The Christian Science Monitor," Dec. 8, 1966, 1c: 1.

<sup>32</sup> C. T. Hardwick, "Purchasing Study of Local Government in the Southeast Michigan Metropolitan Six-County Region" (Detroit: Metropolitan Fund, Inc., 1965).

<sup>33</sup> James D. Kitchen, "Cooperative Governmental Purchasing" (Los Angeles:

University of California, Los Angeles, Bureau of Governmental Research, 1953).

<sup>34</sup> Robert J. Huckshorn, Waino M. Peterson, and A. M. Rich, "Cooperative Centralization of Purchasing for Idaho Municipalities" (University of Idaho, Bureau of Public Affairs Research, 1962).

and Pennsylvania.<sup>35</sup> Los Angeles County now performs a number of purchasing functions for municipalities within the county, and Dade County, Fla., also provides some purchasing services for smaller municipalities within the county.

An example from Pennsylvania illustrates how joint purchasing activities could be beneficial to police departments.<sup>36</sup> It was suggested that a centralized specification agency be established to prepare detailed specifications for products to be purchased. Among the sample specifications are those for two products which every police department utilizes—gasoline and police cars. Pooling the resources of a number of governmental units, complete and detailed specifications were developed which could be of considerable value to all governments—even if actual purchases were not performed jointly. It is doubtful that individual police departments, acting on their own, could have had access to all the information available to the group that developed the specifications.

#### OTHER STAFF SERVICES

Three staff functions remain to be considered—public information, internal investigation, and intradepartmental staff inspections. Basically, these are responsibilities of the individual chief police administrator, and it is doubtful whether they can be divorced from his immediate control. Many police administrators, however, could profit from what other police departments are doing in these areas, and for this reason there are some limited possibilities for coordination in these functions.

*Public Information.* In a public information program, primary emphasis should be placed on planning and performing activities which will keep the public aware of what the police are planning and doing. One of the crucial problems, particularly in metropolitan areas, is that many people live and work in different jurisdictions. The life of the suburban resident may be regulated more, and his property protected as much, by the central city police department as by the police department of the community in which he lives. For example, in one Chicago suburban community, 65 percent of the working residents are employed outside the community, primarily in Chicago.<sup>37</sup>

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

urban departments, and to stimulate cooperation by the public in many needed ways.

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

Most large departments have internal investigation units, but small departments usually cannot afford such units and have no place to turn for this assistance. Here outside assistance might sometimes prove valuable. Commenting on this problem, the city manager of a community of 75,000 population mentioned that his department was conducting an internal investigation and needed assistance; but there was no person or agency to which it could turn.<sup>38</sup> This situation describes the condition in a majority of departments.

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

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

<sup>35</sup> Association of Pennsylvania Municipal Managers, 1962 Research Committee, "Inter-Governmental Purchasing Agreements" (University of Pittsburgh, Institute of Local Government, 1962).

<sup>36</sup> Association of Pennsylvania Municipal Managers, 1962 Research Committee, "The Establishment of a Centralized Specification Agency" (University of Pittsburgh, Institute of Local Government, 1962), pp. 9-13.

<sup>37</sup> Northeastern Illinois Metropolitan Area Planning Commission, "Suburban Factbook" (Chicago: NIMAPC, 1962), unpagged. See: Table 17, "Commuting Characteristics, Employed Residents of Suburban Northeastern Illinois Municipalities, 1960."

<sup>38</sup> Interview with Wayne F. Anderson, city manager, Evanston, Ill., June 28, 1966.

In Wisconsin, such conflicting objectives have resulted in the demise of a unit in the attorney general's office.<sup>39</sup> This unit was concerned with two things: (1) Organized crime and (2) problems of internal affairs. Its usefulness in organized crime investigation was hampered as a result of investigations of possible corruption in a large municipal police department. It was reported that Wisconsin law enforcement officials would not cooperate with this unit in crime investigation activities because of its role in the investigation of specific police departments. This is not to say that both activities ought not to be performed; it is only to say that they should be separated.

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

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

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

Unless two or more departments agree on following similar plans, it is unfeasible to establish coordinated staff inspections. Situations such as in California, requiring submission of crime reports to the State, necessitate some control over local reporting procedures. Staff inspectors from the California Department of Justice are responsible for assuring compliance with this mandatory requirement. All in all, it would seem that intradepartmental staff inspection has little susceptibility for coordination. However, staff inspection on a statewide basis in conjunction with certain State standards is a distinct possibility.

## COORDINATION AND CONSOLIDATION OF AUXILIARY SERVICES

Auxiliary services are nonlinear functions other than staff services which provide technical, special, or supportive services to line or other nonlinear elements of a law enforce-

ment agency. They include records and communications, detention, laboratory services, and buildings and equipment. After field services, auxiliary services are the most costly part of police management. Generally, auxiliary services as a group are susceptible to joint performance between or among law enforcement agencies.

### RECORDS SERVICES

The value of a complete criminal records system to the police effort is well-established. In the words of O. W. Wilson, "The effectiveness of a police department is directly related to the quality of its records."<sup>40</sup> Records are needed:

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

*Advantages of Areawide Central Records.* The advantages of an areawide central records operation are an extension of the advantages of a departmental central records system. A departmental central records operation involves the consolidation of all key aspects of criminal, traffic, and service-to-the-public records under a single command. The concept of a central records system is not new. Wilson concluded in 1942 that:<sup>41</sup>

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

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

When basic information collected by many jurisdictions is centralized in one place, an inquiring jurisdiction need check only one source for information rather than several. Centralization eliminates duplication of effort and facilitates and reduces the possibility of error, and increases the speed with which an inquiry or search can be handled. For example, when each department in Alameda County, Calif., maintained its own warrant files, the time required for one department to check all of these files was over 39 minutes. When the files were consolidated within the automated police information network (PIN), the total elapsed time from the moment a request was made until the information was received was reduced to less than 2 minutes.<sup>42</sup> The time would have been greater

<sup>39</sup> Interview with Prof. Herman Goldstein, University of Wisconsin Law School, June 29, 1966.

<sup>40</sup> *Supra*, note 22 at p. 384. A more comprehensive description of police records may be found in chapter 11 of the Commission's General Report and in the Task Force volume on Science and Technology.

<sup>41</sup> O. W. Wilson, "Police Records: Their Installation and Use" (Chicago: Public Administration Service, 1942), pp. 8-10.

<sup>42</sup> Bay Area Law Enforcement Information Control Study Committee, "Centralized Electronic Information System" (unpaged, no date).

if a computerized system were not employed, but it still would have been enough less to justify centralization.

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

A jurisdiction that turns certain records over to an areawide operation may eliminate related files. In the Dade County, Fla., area, for example, one department eliminated its accident report file when the Dade County Public Safety Department instituted centralized collection, processing, and filing of accident reports.<sup>43</sup>

Finally, areawide centralization may result in a reduction of personnel involved in records operations. When the Los Angeles Police Department turned over its stolen property files to the State bureau of criminal identification and investigation (CII), it was able to reduce its work force by 10 people and the CII needed to add only two. The only new cost to Los Angeles was a monthly charge for a telephone line to Sacramento.<sup>44</sup>

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

- Operational information services.
- Administrative information services.
- Reporting and statistical services.

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

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

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

The provision of operational information services appears to be most amenable to early implementation on an areawide basis, since there is at present some uniformity of demand, both in content and in volume. Incident reporting and other related data collection and distribution seem the next best suited. There is also sufficient experience with intradepartmental report recording and transcribing systems to warrant consideration of areawide systems.

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

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

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

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

<sup>43</sup> International Association of Chiefs of Police, "A Survey of Police Services in Metropolitan Dade County, Florida" (Washington: International Association of Chiefs of Police, 1963), p. 101.

<sup>44</sup> Interview with Dr. John P. Kenney, deputy director, State of California Department of Justice, June 28, 1966.

- The information services of police departments vary widely in form and content, and the potential for human or machine error would probably be greater with increased volume. Therefore, control of the quality of information put into an areawide system is especially critical. Control over the timely addition or cancellation of information also becomes increasingly a problem when many jurisdictions are involved.

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

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

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

The FBI is also embarking upon an operational information services program which will result in the National Crime Information Center (NCIC). The philosophy behind the establishment of the NCIC is stated as follows:<sup>45</sup>

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

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

Almost everyone in law enforcement is familiar with the FBI's uniform crime reporting program. From its inception in 1930, this voluntary nationwide program has become progressively valuable to the Nation in documenting the crime problem. Despite its voluntary nature, law enforcement agencies serving over 92 percent of the Nation's population submit data to the program.

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

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

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

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

<sup>45</sup> "A National Crime Information Center," FBI Law Enforcement Bulletin, May 1966, p. 3.

statistical purposes of the bureau of criminal statistics, files of the bureau of narcotic enforcement, and files of agencies outside the Department of Justice (e.g., Judicial, correctional, motor vehicle registration, and State highway patrol).

There is increasing interest in other States in providing total systems. The New York State identification and intelligence system is being planned to include not only police data, but also data from the files of courts, prosecutors, probation and parole agencies, and correctional institutions.

The proposed Michigan Law Enforcement Information Network (LEIN), to be operated by the Michigan State police, will start with a computer-based file of stolen and wanted vehicles and warrants and then be expanded to include much more data. Plans call for 35 terminals located throughout the State and for complete financing of the system, including terminals and lines, by the State.<sup>46</sup>

There are also some existing or proposed Statewide systems of more limited scope. The California Highway Patrol operates Autostatis (automated statewide auto theft inquiry system), a Statewide file of stolen and suspicious vehicles accessible "on-line" to over 200 police agencies via 150 teletype terminals. The use made of this system is indicated by the fact that approximately 9,000 inquiries per day are logged and, on the average, 1,200 daily file changes are made.<sup>47</sup> A similar system is being readied for implementation by the New York State Police.

*Metropolitan Systems.* At the local level, the best example of a records system of areawide importance is the Bay Area Police Information Network (PIN). PIN was conceived by the Bay Area Law Enforcement Information Control Study Committee, a group composed of representatives of police agencies in the San Francisco Bay area. The distinguishing features of PIN are its (1) limited scope, (2) areawide nature, (3) "real-time" emphasis, and (4) use of the existing county data processing facility.

It was decided early in the planning stage that PIN would be limited to warrants, both criminal and traffic, rather than become involved in a "total systems" approach. In its second progress report, the Bay Area Study Committee states:<sup>48</sup>

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

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

PIN is an areawide service. Each of the 13 police agencies in Alameda County has access to the computerized warrant file without charge; and police agencies outside Alameda County have access upon payment of the following charges:<sup>49</sup>

- Terminals, data sets, and lines: 100 percent of actual cost.
- Hardware costs: 3½ cents per warrant input per month.
- Personnel and other nonhardware costs: \$1 per 1,000 population per month.

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

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

*Conclusions.* In summary, the following conclusions can be drawn from an examination of existing and proposed large area systems:

- The scope of a coordinated or consolidated records operation must be based upon such factors as area, population size and concentration, quality and quantity of law enforcement services, and the relative needs of each type or kind of data services.
- The appropriations of a particular joint records system should be determined in part by an evaluation of the capabilities of the several agencies to contribute to and use the system.
- There are certain readily identifiable classes of data which lend themselves to joint or consolidated recording. They include especially data concerned with operational or field matters and administrative information regarding the analysis of crime and deployment of personnel.
- The State should assume major responsibility in the direction and coordination of law enforcement data systems, including the total provisions of certain information services, and support of qualified local or regional systems within the larger system.
- An area or statewide system encompassing several major operational information services (e.g., wanted persons, stolen property, stolen autos) should be implemented at the metropolitan level whenever

<sup>46</sup> Interview with Capt. John Brown, deputy director, Michigan State Police, Aug. 17, 1966.

<sup>47</sup> Letter from Bradford Crittenden, commissioner, California Highway Patrol, Aug. 15, 1966.

<sup>48</sup> Bay Area Law Enforcement Information Control Study Committee, "Second Regular Progress Report," May 19, 1964, p. 16.

<sup>49</sup> Letter from Gordon F. Milliman, chief, Data Processing Center, Alameda County, Calif., June 9, 1966.

circumstances warrant. However, the State can also perform these services, provided it receives adequate support at the local level.

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

#### COMMUNICATIONS <sup>50</sup>

Perhaps the most perplexing situation confronting police communications is the multiplicity of single department radio systems, sometimes sharing the same frequency, in most metropolitan centers. As Professor Misner points out, the availability of communications equipment may tend to aggravate the problems associated with the fragmentation of police resources. <sup>51</sup>

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

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

In a 1960 study of interjurisdictional agreements in the Philadelphia area, <sup>52</sup> it was found that agreements covering police radio communications were the most numerous and inclusive. There was a total of 107 agreements encompassing 112 of the 128 departments that had radio-equipped cars, and 13 stations provided this service for the 112 departments. Thus, each station served an average of more than 8 departments, with the range from 2 to 35 departments.

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

In suburban Lake County, Ill., to the north of Chi-

cago, the county communications department operates a radio net for some 20 police departments with base stations and mobile units on a contractual basis. Included in the contract charges are the cost of the equipment and complete maintenance. The county takes out the licenses and thus controls the use of the system, but each department handles its own dispatching. <sup>53</sup>

In the Cleveland suburban area, 26 police departments provide communications services for a total of 64 departments. Thus, communities which cannot afford, or do not wish to operate, their own base station can benefit from the facilities of established departments. The largest of these systems, operated by University Heights, services 13 departments with complete dispatching. The weakness in this system, however, occurs prior to dispatching. Each department answers its own telephones and then relays the information to the dispatcher, a practice that entails delay. Moreover, several departments do not have 24-hour answering service, and contract with private answering services or use other stopgap measures. <sup>54</sup> Ideally, all emergency phone calls should come directly to the dispatching facilities at all times.

Twenty-seven police departments in Dade County, Fla., are serviced by five separate radio systems operated by the Dade County Public Safety Department and the cities of Miami, Miami Beach, Coral Gables, and Hialeah. The Dade County and Miami systems are used by other jurisdictions; the others are used only at the base station city. The Dade County system provides complete radio service free of charge, including telephone answering and dispatching, but each using department must purchase its own mobile radio equipment. The Miami system provides complete service for a monthly charge which covers rental and maintenance of equipment and dispatching. Some departments favor contracting with the Miami system because they do not have to purchase their own equipment.

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

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

Much the same may be said of the intersystem networks found throughout the Nation. Commonly called point-to-point nets, these systems provide a "party line" that enables a dispatcher in one department to talk with a dispatcher in another. These point-to-point systems carry a considerable amount of administrative traffic,

<sup>50</sup> Police communications are discussed in some detail in chapter 11 of the General Report and in the Task Force volume on Science and Technology.

<sup>51</sup> *Supra*, note 1 at p. 502.

<sup>52</sup> George S. Blair, "Interjurisdictional Agreements in Southeastern Pennsylvania" (Philadelphia: University of Pennsylvania, Fels Institute of Local and State Government, 1961), pp. 38-45.

<sup>53</sup> Interview with Jay McClaskey, supervisor, Lake County Communications Department, June 4, 1966.

<sup>54</sup> Cleveland Metropolitan Services Commission, "Police Protection in Cuyahoga County" (Cleveland: Cleveland Metropolitan Services Commission, 1958), pp. 38-39.