



Less is more: North American case studies on the amalgamation of policing

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NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**LESS IS MORE: NORTH AMERICAN CASE STUDIES
ON THE AMALGAMATION OF POLICING**

by

George Stephen Johnstone

September 2017

Thesis Co-Advisors:

Nadav Morag
Paul J. Smith

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**LESS IS MORE: NORTH AMERICAN CASE STUDIES ON THE
AMALGAMATION OF POLICING**

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Submitted in partial fulfillment of the
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ABSTRACT

American policing is mired in a stratified model of inefficiency involving nearly 12,500 standalone municipal police agencies. The future of policing requires increased attention to cybercrime, transnational crime, terrorism, and infrastructure protection that cannot be accommodated by small standalone police agencies. Canada shares similar experiences in the origins, maturation, social conditions, and opportunities in policing with success in amalgamating police services. This thesis uses comparative case-study research of successful and failed attempts at amalgamating police services in Canada and America. Analysis and recommendations show that amalgamation can best be achieved through large agency contracting, sheriff services, and state policing. Amalgamation of state policing is recommended based on Canadian case studies and American case studies.

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LIST OF ACRONYMS AND ABBREVIATIONS

C ³	City-County-Consolidation
CALEA	Commission on Law Enforcement Accreditation
COPS	Community Oriented Policing Services
CRD	Capitol Regional District
DHS	Department of Homeland Security
DOJ	Department of Justice
DPS	Department of Public Safety
DTO	Drug Trafficking Organization
FBI	Federal Bureau of Investigation
GVRD	Greater Victoria Regional District
IC3	Internet Crime Complaint Center
JTTF	Joint Terrorism Task Force
LASD	Los Angeles Sheriff's Department
LEMAS	Law Enforcement Management and Administrative Statistics
MS-13	Mara Salvatrucha
NYSP	New York State Police
OPP	Ontario Provincial Police
PERF	Police Executive Research Forum
PPD	Presidential Policy Directive
PSP	Pennsylvania State Police
RCFL	Regional Computer Forensic Lab
RCMP	Royal Canadian Mounted Police
RNWMP	Royal North West Mounted Police
STL	Saint Louis
S.W.A.T.	Special Weapons and Tactics
UCR	Uniform Crime Reporting
U.S.C.	United States Code

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EXECUTIVE SUMMARY

American policing is considered an anomaly when compared to policing agencies around the world. There are approximately 18,000 federal, state, tribal, and local law enforcement agencies policing America, of which nearly 12,500 represent standalone municipal agencies.¹ The sheer number of organizations, overlapping jurisdictions, and confusion about local, state, tribal, and federal roles can lead to a morass of conflicting law enforcement purposes.² A census of American policing in the year 2000 revealed that the median-size police department was only seven sworn officers.³ Exploring foreign case studies that have successfully amalgamated policing can provide a path forward for American policing.

A historical understanding of the development of American policing explains the stratification and redundancy found in modern policing. The development of policing in America can be broken down into four eras. The Political Era (from origin of policing to 1890) is characterized by rampant corruption and political patronage. Local control of policing was established with each major city creating its own police force. The perception of rising crime and corrupt police led to the Professional Era (1890–1910) and the Reform Era (1930–1980). The progressive leaders of the time sought to eliminate corruption and professionalize policing. The first state police agency, the Pennsylvania State Police, was formed to end local police corruption during this era. The stratification of policing increased, and small municipalities continued to form police departments as urban populations moved from large cities to suburbs. The Community Policing Era (1980s–present)

¹ Bureau of Justice Statistics, Office of Justice Programs, “Home, Law Enforcement, Local Police,” accessed April 29, 2014, <http://www.bjs.gov/index.cfm?ty=tp&tid=71>.

² Jonathan R. White, *Defending the Homeland: Domestic Intelligence, Law Enforcement, and Security* (Toronto, Ontario: Thomson/Wadsworth, 2004), 53.

³ Elaine B. Sharp, “Policing Urban America: A New Look at the Politics of Agency Size,” *Social Science Quarterly* 87, no. 2 (2006): 291–307.

³ Canadian Centre for Justice Statistics, *Police Resources in Canada 2012* (Ottawa: Ministry of Industry, 2013), <http://www.statcan.gc.ca/pub/85-225-x/85-225-x2012000-eng.pdf>.

promoted increased interaction between police and the citizenry. Local government implemented increased civilian oversight and regional reforms to address biased policing. In response to the war on drugs, task force policing became significant.

Selected case studies throughout the maturation of American policing provide insight to the challenges and successes of amalgamating police services. The case studies selected are significant in the organization's ability to amalgamate at a macro (state or national) level rather than a micro (local) level. All policing can be considered local, but the case studies presented reflect amalgamation efforts that are significant in size and replicable regionally throughout the nation. The studies explored in this thesis are Lakewood model case study, the Pennsylvania State Police case study, the Charlotte-Mecklenburg case study, and the St. Louis County case study. Additionally, this thesis presents the future challenges of policing to identify the limits in the status quo policing model and the benefits of amalgamation.

The Lakewood model case study provides the history and effectiveness of regional policing by a sheriff agency. This model was begun in 1956 by the Los Angeles Sheriff's Department in California. The sheriff provided contract services to small communities that found providing standalone municipal policing too expensive. The sheriff contracted deputies to serve those communities, often at below operational cost and changing policy to accommodate contract cities' requests. This model has been replicated throughout the county, state, and western region of America. Applicable in many regions in America, state constitutions can limit the police powers of sheriffs. Perhaps the most significant limitation of amalgamating law enforcement services to sheriffs is capacity. Of the 3,012 sheriffs' offices in the United States, only 352 employ 100 or more sworn deputies/officers.⁴

⁴ Andrea M. Burch, "Sheriff's Offices, 2007—Statistical Tables," Bureau of Justice Statistics, December 6, 2012, <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4555>.

The Pennsylvania State Police (PSP) model case study examines the ability for state police agencies to provide services to small and medium sized communities. The PSP was formed in 1905 during the Progressive Era movement to reduce corruption and increase efficiency. The PSP provide policing to supplant and supplement police services throughout the state without reimbursement. PSP provides police services, in full or part, to over 3,000,000 residents in 1,719 municipalities.⁵ Although there are challenges with response times, community policing, and political will, the PSP model demonstrates that state policing is efficient and effective. Amalgamating policing to state agencies is viable as 49 of 50 states have state police. State police agencies have a capacity to provide this service as most already have in excess of 500 officers.

The Charlotte-Mecklenburg case study and St. Louis County case study both illustrate the challenges found in most of America to amalgamating police services. Charlotte-Mecklenburg showed the interest in a city-county-consolidation in 1927 and again in 1971. Police services between the county and city were finally amalgamated in 1993. The increased efficiency of police services through amalgamation was realized during the economic boon to the area. Increased effectiveness has been demonstrated through violent crime reduction.

The St. Louis County case study identifies the challenges of small standalone municipal policing through examination of a nationally televised response to protests and alleged biased policing in Ferguson, Missouri. No less than four reports emerged examining the practices of the Ferguson Police Department and surrounding agencies. The reports by Police Executive Research Forum, the Ferguson Commission, and U.S. Department of Justice have identified the practices of biased policing and the disparate enforcement of traffic and municipal codes to generate income for the small standalone municipal police

⁵ Ibid., 8.

agency. A consensus among the reports was that small standalone municipal policing is not affordable or a best practice.⁶

The significant future challenges facing American policing can be identified as cybercrime, transnational crime, terrorism, and critical infrastructure protection. Exemplary state policing models addressing these challenges are identified in case studies. The Utah Department of Public Safety provides an excellent model for response to cybercrime and warrants review. This model is only replicable at a state level or through a large metropolitan police agency. The New York State Police response to the Mara Salvatrucha (MS-13) criminal street gang is an example of the ability of state police agencies to respond to transnational crime effectively. Small standalone municipal police agencies are limited in personnel and resources to contribute significantly to task force environments. Finally, terrorism and infrastructure protection rests squarely on state police agencies. Amalgamating policing to state policing would increase the capability to prepare for, prevent, and respond to these known challenges.

Case studies through Canadian policing are examples successes in the amalgamation of policing. Canadian policing is accomplished through a tripartite policing system: federal, provincial, and local. Federal policing is accomplished through the Royal Canadian Mounted Police (RCMP). The RCMP provides a map for provincial police to supply services outside of standalone municipalities. Seven of the nine provinces enacted provincial police services between 1870 and 1930. Municipal populations below 5,000 can often opt for either RCMP or provincial policing rather than establish a more expensive standalone municipal police

⁶ Police Executive Research Forum, *Overcoming the Challenges and Creating a Regional Approach to Policing in St. Louis City and County* (Washington, DC: Police Executive Research Forum, 2015), <http://www.policeforum.org/assets/stlouis.pdf>; U.S. Department of Justice Civil Rights Division, *Investigation of the Ferguson Police Department* (Washington, DC: U.S. Department of Justice, 2015), https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf; Ferguson Commission, *STL Positive Change, Forward through Ferguson: A Path toward Racial Equity* (St. Louis, MO: Ferguson Commission, 2015), http://3680or2khmk3bzkp33juiea1.wpengine.netdna-cdn.com/wp-content/uploads/2015/09/101415_FergusonCommissionReport.pdf.

agency. The RCMP and provincial police decrease the number of police agencies by accommodating the greater majority of small municipalities.

A case study of the Ontario Provincial Police (OPP) illustrates the effectiveness of provincial policing in amalgamating police services. The province of Ontario had a population of 13,538,000 in 2013, the largest provincial population in Canada by more than five million people.⁷ By comparison, the province of Ontario is very similar to that of the state of Pennsylvania in America. The province has metropolitan areas, suburban areas, and rural areas. The OPP does not provide police services to any municipality with 100,000 or more residents but is significant in contracts to cities with populations between 5,000 and 49,999. The OPP supplies service to over 50 percent of the population. OPP can provide the same services to these communities with fewer officers per resident that can standalone municipal agencies.

Although a successful as provincial policing and amalgamation of standalone municipal policing is found in Ontario, British Columbia has not amalgamated policing. No less than 10 reports specifically related to the amalgamation of police services have been completed within the last three decades. Amalgamation advances in other provinces, primarily Ontario and Quebec, have been the subject of the early studies. These early reports are considered to be consistent with organizational appreciative inquiry, asking questions of how to build capacity and not simply looking to fix a problem. The latter reports are the result investigating problems of communication, cooperation, and capability in the investigation of missing and murdered women from British Columbia. Most reports supported the amalgamation of policing while a few dissented. Quite simply, the political will lacked where it had been present in the province of Ontario.

⁷ Government of Canada, "Population by Year, by Province and Territory (Numbers)," Novmeber 25, 2013, <http://www.statcan.gc.ca/tables-tableaux/wum-som/101/cst101/demo02a-eng.htm>.

Organizational change in U.S. policing has been a challenge through each era. The most recent reports and recommendations stemming from the Ferguson incident provide significant motivation for federal, state, and local governments to work together to provide efficient and effective policing. This thesis researches and cites numerous U.S. and Canadian studies. Overwhelmingly, the studies strongly recommend the amalgamation of policing in both countries. It would be convenient to provide a single policing platform for the amalgamation of U.S. policing; however, one is not possible. This thesis presents regional models that can amalgamate small standalone municipal police departments into larger more efficient police agencies. The models of sheriff-contract, city-county-consolidation, and state police contract are equally effective in different regions of the United States.

Federal government controls significant funding mechanisms that could supplement and support the amalgamation of policing in America. State governments have the responsibility for providing quality policing and oversight of police. Local governments have the responsibility to provide legitimate policing at affordable cost. Working in collaboration, the federal government can provide grant aid to states promoting best practices in the amalgamation of policing. Focusing on the elimination of policing by small standalone municipal police departments can significantly reduce the stratification of policing and increase efficiency and effectiveness.

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I. INTRODUCTION

The Commission has found and discussed throughout this Report many needs of law enforcement and the administration of criminal justice. But what it has found the greatest need is the need to know.¹

A. PROBLEM STATEMENT—BACKGROUND

Domestic law enforcement lacks a national standardized model of police services. Police services are delivered to the nation through state police, county sheriff, municipal police, contract services, regional police, and combined police agencies. Agency size can range from in excess of ten thousand to less than ten officers. In the year 2000, a census of American law enforcement identified that the median size of police departments was only seven sworn officers.² It is not then surprising that the United States of America has more than 12,500 stand-alone municipal police departments. When compared to the approximate 200 police departments in Canada,³ America's policing effectiveness and efficiency should be called into question.⁴

Although there are varying definitions of amalgamation and consolidation with regard to policing, for the purposes of this thesis, amalgamation will be used. The amalgamation of police services in respect to consolidation of services is generally accepted as a way of "reducing inefficiency within established agencies

¹ President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society: A Report by the President's Commission on Law Enforcement and Administration of Justice* (Washington, DC: U.S. Government Printing Office, 1967), 273–273.

² Elaine B. Sharp, "Policing Urban America: A New Look at the Politics of Agency Size," *Social Science Quarterly* 87, no. 2 (2006): 291–307.

³ Canadian Centre for Justice Statistics, *Police Resources in Canada 2012* (Ottawa: Ministry of Industry, 2013), <http://www.statcan.gc.ca/pub/85-225-x/85-225-x2012000-eng.pdf>.

⁴ Leonard Matarese, "Is the Current Model for Public Safety Service Delivery Sustainable? Fiscal Realities May Require Operational Changes," *PM Magazine* 95, no. 8 (2013): 1–6, <http://webapps.icma.org/pm/9508/public/cover.cfm?title=Is%20the%20Current%20Model%20for%20Public%20Safety%20Service%20Delivery%20Sustainable%3F%20&subtitle=Fiscal%20realities%20may%20require%20operational%20changes&author=Leonard%20Matarese>.

by identifying cost-effective operations and either restructuring the service area or eliminating the service area by contracting with another agency.”⁵ Amalgamation through regionalization, at the local level, is generally accepted as “...two or more agencies working together for mutual benefit in providing a service to a larger population or community, typically across a larger geographical area.”⁶ For the purpose of this thesis proposal, amalgamation will be considered interchangeable with consolidation and regionalization: defined as the cooperation of two or more law enforcement agencies for the delivery of full or partial police services.

The amalgamation of American law enforcement services has been a recognized necessity since 1952 when the *Journal of Criminal Law and Criminology* identified the inefficiency and ineffectiveness of law enforcement services in Cook County, Illinois. Gordon Linkon opined in his report, “The ninety police forces in Cook County operate for the most part without coordination of efforts and equipment, and many times without knowledge of what other forces in the county are doing or attempting to do.”⁷ The problem of 1952 was identified as the emphasis of local autonomy outweighing effective countywide policing.⁸

The issues of stratified policing and the inefficiencies and ineffectiveness associated with policing rose to the level of a presidential investigation. In 1967, the President’s Crime Commission concluded that a “fundamental problem confronting law enforcement today is that of fragmented crime repression efforts

⁵ G. Ross Trindle, III, “Regionalization and Consolidation of Law Enforcement Services: Cooperative Solutions to Relieving Budget Pressure While Maintaining Community Safety,” Public CEO, May 22, 2012, <http://www.publicceo.com/2012/05/regionalization-and-consolidation-of-law-enforcement-services-cooperative-solutions-to-relieving-budget-pressure-while-maintaining-community-safety/>.

⁶ Ibid.

⁷ Gordon Linkon, “Disorganization of Metropolitan Law Enforcement and Some Proposed Solutions (The Illinois Cook County Situation),” *Journal of Criminal Law and Criminology* 43, no 1 (1952): 64, <http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=3987&context=jclc>.

⁸ Ibid., 69.

resulting from the large number of uncoordinated local governments and law enforcement agencies.”⁹

However, the difference between 1967 and today is the perception of a crime crisis, exemplified by the Kitty Genovese murder on March 13, 1964, in New York. Over a half hour period, Kitty Genovese was murdered as a consequence of three different assaults from Winston Mosely. Although 38 persons were awakened to witness the murder, only one called out to the attacker. The event drove the perception that crime was rampant and society needed to affect a change.

The perception of rampant crime was a political vulnerability for President Lyndon Johnson during a reelection year. With national attention focused not only on the Genovese murder, but also on riots resulting from police raids and arrests occurring in Detroit, Newark, and Minneapolis, President Johnson sought to provide recommendations on crime and crime control through convening a Presidential Commission. President Johnson’s legacy of a Great Society was at risk.

The Presidential Commission was purportedly intended to address the causes of crime and societal responses needed, but instead focused on the procedural practices of law enforcement. The Commission proved to be primarily a political platform through which Senator Barry Goldwater seized on the fears of crime crisis in order to attack President Lyndon Johnson.¹⁰ The importance of the context of the discourse involving the Commission is significant. The Commission was a political platform that was to promote the idea of federal responsibility for local law enforcement. The notion was developed by chance and embraced in desperation by Barry Goldwater. It had been ridiculed but a few months before by

⁹ Malcolm Anderson et al., *Policing the European Union* (Oxford: Clarendon Press, 1995), 129.

¹⁰ Warren Lehman, “Crime, the Public, and the Crime Commission: A Critical Review of ‘The Challenge of Crime in a Free Society,’” *Michigan Law Review* 66, no. 7 (1968): 1496.

Johnson, but had now become a major theme of the Great Society.¹¹ The crime-crisis was unproven and, in retrospect, hardly the crime crises that later evolved in the 1990s.

The Commission is a seminal study cited by many who advocate for the amalgamation of law enforcement services independent of political underpinnings. The amalgamation of police services should not be viewed as a cure to crime; rather, it is an attempt to increase efficiency and effectiveness. The metrics of efficiency and effectiveness should not include the crime rate. There number of variables, and influences on the crime rate that are greater than that of the police. These variables and influences will be identified later in Section B. The Commission recognized that policing can be improved through amalgamation by decreasing redundancies, increasing economies of scale, efficiencies, and effectiveness.

Policing America requires approximately 18,000 federal, state, and local law enforcement agencies (12,500 stand-alone municipal alone) employing over 461,000 local sworn police officers.¹² The stratified police model at present significantly hinders a unified response to crime, terrorism and natural disasters. The archaic system that is still implemented today, which relies on agreements and good will of neighboring police agencies to augment capacity, significantly diminishes the ability to surge resources to an event. For example, having to rely on external networks such as the joint terrorism task forces, fusion centers, and similar disaster response networks decreases the effectiveness of local police sharing intelligence.¹³ Small, local police departments are seldom a contributor to the staffing of these task forces, fusion centers and response networks. Often, the staffing is provided by state police or large agency police departments. As a result,

¹¹ Ibid., 1498.

¹² Bureau of Justice Statistics, Office of Justice Programs, "Home, Law Enforcement, Local Police," accessed April 29, 2014, <http://www.bjs.gov/index.cfm?ty=tp&tid=71>.

¹³ Brian M. Jenkins, "Intelligence and Homeland Security." In *Transatlantic Homeland Security: Protecting Society in the Age of Catastrophic Terrorism*, ed. Anja Dalgaard-Nielsen and Daniel S. Hamilton (London: Routledge, 2006), 134.

the burden is unfairly carried by the large departments within the region to provide resources in times of urgency or emergency. The sheer number of organizations, overlapping jurisdictions, and confusion about local, state, tribal, and federal roles lead to a morass of conflicting law enforcement purposes.¹⁴

This thesis will examine the current models for policing in two countries that share a similar democratic process and responsibility for policing, Canada and America. The Canadian case studies are applicable to the American legal and political processes. The American studies provide differing options of amalgamation policing. This thesis addresses the delivery of law enforcement services on a macro level (national level) involving state-wide amalgamation rather than the micro level (local level) limited voluntary amalgamation that has been frequently examined. The case study of policing as it occurs on a national level, rather than a local level, is the focus of this thesis. The amalgamation of small police agencies is important and will serve as a model of domestic success later in this thesis. However, the need to address the cause of stratification lies at the federal and state level, not at the local level. The examination of how a bordering nation has achieved amalgamation at a state or national level and the application to America is central to this thesis. This thesis will provide historical framework that lead to the challenges of the current structure of policing, recommendations to address changing the stratified model of American policing, the necessary political will, and benefits to be achieved.

B. CHALLENGES

The need for the amalgamation of police services at the present can be challenged. America has experienced a significant decrease in serious crimes. The Federal Bureau of Investigation (FBI) measures violent crime through the reporting of Uniform Crime Reports (UCR) identifying the Part I Crime Index. Part I Crimes are defined as murder and non-negligent homicide, forcible rape, robbery,

¹⁴ Jonathan R. White, *Defending the Homeland: Domestic Intelligence, Law Enforcement, and Security* (Toronto, Ontario: Thomson/Wadsworth, 2004), 53.

aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson.¹⁵ Although scholars have challenged the accuracy of the UCR data,¹⁶ the challenged data is the most consistent resource to gauge the level of crime. The lower occurrence of reported violent crime has defied previously held beliefs that crime is related to economic prosperity or failure.¹⁷ If violent crime and economic prosperity were directly linked, the Great Recession of 2008 (2006-2008) should have resulted in increased Part I Violent Crimes, which did not occur. As the graph below identifies, Part I Violent Crimes decreased during this period. Competing studies cite the following as reasons for the decrease in crime: the legalization of abortion,¹⁸ banning of lead based products,¹⁹ community policing,²⁰ and increased sentencing.²¹ Regardless of the cause, crime is down. Advocating changing the model of policing at a time when police appear to be the most effective at combating crime is tenuous. Although the cause of the decline is elusive, police are ultimately held accountable for crime trends. See Figure 1.

¹⁵ Uniform Crime Reporting Statistics, "UCR Offenses Definition," accessed April 29, 2014, <http://www.ucrdatatool.gov/offenses.cfm>.

¹⁶ John J. Dilulio, "Help Wanted: Economists, Crime and Public Policy," *The Journal of Economic Perspectives* 10, no. 1 (1996): 5.

¹⁷ Don Sherman Grant II and Ramiro Martínez Jr., "Crime and the Restructuring of the U.S. Economy: A Reconsideration of the Class Linkages," *Social Forces* 75, no. 3 (1997): 770, <https://doi.org/10.1093/sf/75.3.769>.

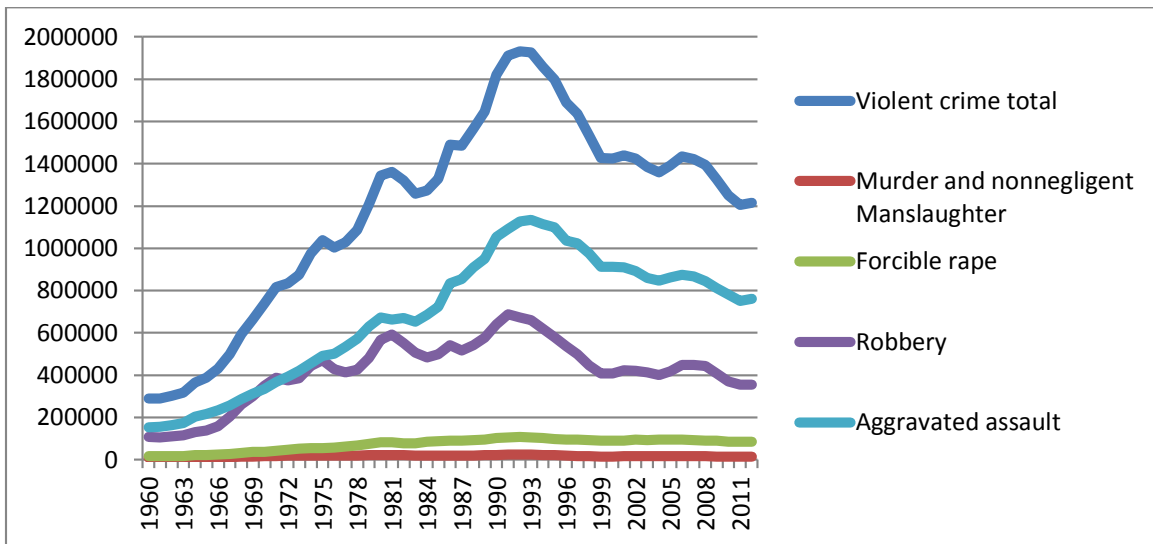
¹⁸ John J. Donohue, III and Steven Levitt, "The Impact of Legalized Abortion on Crime," *The Quarterly Journal of Economics* 116, no. 2 (2001): 379.

¹⁹ Jessica Wolpaw Reyes, "Environmental Policy as Social Policy? The Impact of Childhood Lead Exposure on Crime," *The BE Journal of Economic Analysis & Policy* 7, no. 1 (2007): 1.

²⁰ Josh Bowers, "Legal Guilt, Normative Innocence, and the Equitable Decision Not to Prosecute." *Columbia Law Review* 110, no. 7 (2010): 1693.

²¹ Luke Perry, "Police Privatization," in *Police and Law Enforcement: Key Issues in Crime and Punishment*, ed. William J. Chambliss (Los Angeles: Sage Publications, 2011), 148.

Figure 1. American Violent Crime Rates²²



The Kansas City Preventive Patrol Experiment identified that increasing or decreasing random patrols had no effect on preventing crime, citizen opinion of likelihood they would become a crime victim, and on attitudes toward police.²³ Simply increasing randomized patrols to influence public perception was proven ineffective.

The findings do not prove per se that a highly visible police presence has no impact on crime in selected circumstances. What they do suggest, however, is that routine preventive patrol in marked police cars has little value in preventing crime or making citizens feel safe.²⁴

This experiment counters long-held beliefs that local policing providing random patrol is an effective policing tool. The effectiveness of policing may in fact be greater in the intelligence collection, analysis and dissemination than in low

²² Adapted from: Uniform Crime Reporting Statistics, "Crime—National or State Level, State-by-state and National Crime Estimates by Year(s)," accessed July 16, 2014, <https://www.ucrdatatool.gov/Search/Crime/State/RunCrimeStatebyState.cfm>.

²³ Dennis Bulen, "Police Strikes and Blue Flu," in *Police and Law Enforcement: Key Issues in Crime and Punishment*, by William J. Chambliss (Los Angeles: Sage Publications, Inc., 2011), 163.

²⁴ "The Kansas City Preventative Patrol Experiment," Police Foundation, accessed October 15, 2016, <https://www.policefoundation.org/projects/the-kansas-city-preventive-patrol-experiment/>.

policing. Intelligence led policing is difficult to accomplish in small agency policing that provide limited personnel, resources and technology. Advocating for drastic change will need public and political support. Using appreciative inquiry as a framework for change rather than problem solving for high crime rates will increase the legitimacy for advocating change.

C. BENEFITS

The Great Recession of 2008 (2006-2008) caused sustained budget cuts to American policing. As a result of fewer resources to maintain or expand staff, more responsibilities have been assigned to fewer officers. Community policing does not come cheaply because the costs of foot patrols, community interaction at meetings and arrests of low-level crimes are significant.²⁵ Even though budgets have decreased and crimes targeted have changed, American policing is expected to continue to affect the decrease in crime, regardless of the type.²⁶ Whether from natural disaster, foreign or domestic threat, there have been no changes to the archaic and stratified American policing model even though the responsibilities of policing have changed.

Larger police organizations offer many potential benefits, including more efficient use of personnel, greater functional specialization, improved economies of scale, and greater promotional opportunities for personnel.²⁷ Enhancing regional preparedness has significant advantages, including increased coordination of assets and resources across geographic boundaries, developing cooperation across many specialties, improving information sharing, as well as

²⁵ Matthew J. Parlow, "The Great Recession and Its Implications for Community Policing," *Georgia State University Law Review* 28, no. 4 (2012): 1202.

²⁶ U.S. Department of State, Bureau for International Narcotics and Law Enforcement Affairs, "Money Laundering and Terrorist Financing—A Global Threat," in *International Narcotics Control Strategy Report, Volume II: Money Laundering and Financial Crimes* (Washington, DC: U.S. Department of State, 2005), quoted in Lois M. Davis et al., *Long-Term Effects of Law Enforcement's Post-9/11 Focus on Counterterrorism and Homeland Security* (Santa Monica, CA: RAND, 2017), xv.

²⁷ Edward R. Maguire, "Police Organizations and the Iron Cage of Rationality," in *The Oxford Handbook of Police and Policing*, ed. Michael D. Reisig and Robert J. Kane (New York: Oxford University Press, 2014), 78.

addressing crime in general.²⁸ Reducing duplication of infrastructure such as dispatch centers, records management systems, and jail services would provide significant savings.

The topic of regionalization is not only a nationally intriguing topic, but also one that is equally intriguing on a local level. Law enforcement has traditionally sought individual recognition for accomplishments and reluctantly or totally ignored regional collaboration. The numbers of small and medium law enforcement agencies operating throughout the nation far outweigh the examples of regional law enforcement agencies. Case studies of successful amalgamation of police services in Canada will provide insight to the benefits and challenges. The Canadian case studies will show economy of scale, the ability to provide localized service, and lessening of redundant infrastructure.

Advocating or opposing regionalization of law enforcement services warrants further scholarly research. Currently, research on local police is conducted by the private industry, which is interested in providing research to benefit the police agencies sponsoring it. In general, this research focuses on the micro level of providing services and does not advocate for a national model. The private industry promotes business models that are primarily focused on joint powers agreements or contracts and not a true amalgamation of services. Research on the topic of amalgamation of law enforcement services would serve as a significant resource for future managers and academia in the field of law enforcement. It is possible, even probable, there is no definitive answer to the effectiveness of amalgamation of police services in the United States. The answer may not be unequivocal, but less obvious and dependent on other factors (culture, organizational need, and politics).

The thesis of regionalization does present a challenge in the area of review by law enforcement professionals. A thesis that heavily favors opposition to

²⁸ Lois M. Davis , Michael Pollard, Kevin Ward,Jeremy M. Wilson, Danielle M. Varda, Lydia Hansell and Paul Steinberg., *Long-Term Effects of Law Enforcement's Post-9/11 Focus on Counterterrorism and Homeland Security* (Santa Monica: RAND Corporation, 2010), 101.

regionalization could be viewed as subversive toward city management and city council who currently support further investigation of regionalization or disloyal toward union and fraternal organizations who have historically supported the tradition of individual agencies. The greater hope is that this research presents objective findings and analysis that can be used by future managers and academia to make sound decisions on police amalgamation.

D. RESEARCH QUESTION

The amalgamation of police agencies has contributed to the efficiency and effectiveness of law enforcement services in America and Canada. Limited and localized amalgamation of domestic policing has shown improvements on efficiency and effectiveness of policing. How can the United States replicate the amalgamation of law enforcement services, as seen in Canada and select parts of the United States, on a larger and more comprehensive scale?

This thesis will provide answers to the following questions:

- Does America share historical similarities with Canada, which has amalgamated its police services?
- Does the amalgamation of police services provide an economy of scale that warrants change?
- Can amalgamated police services provide localized services?
- Are there additional benefits to amalgamated police services?

E. LITERATURE REVIEW

A review of literary works identified a significant number of articles published in periodicals and theses from other colleges. The U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office) has supported research into the amalgamation of police services and has worked with the Michigan State University School of Criminal Justice to house reports on amalgamation, consolidation and regionalization of police services. Included in this housing of resource information is a 2005 study by Lawrence Southwick Jr. on the “Economies of Scale and Market Power in Policing.” Southwick examines the

economies of scale in small agency policing and the competition among agencies within the same county. As the extent of this collection shows, regionalization of law enforcement has been discussed for decades, but there is lack of analytical consensus.

There exists significant research and material regarding the regionalization, consolidation, and amalgamation of law enforcement services. A lesser amount of work focuses on the effects regionalization would have on homeland security and the prevention of terrorist acts. Amalgamation of law enforcement services has produced widely varying results in different countries, regions and cities. This thesis research has identified two separate areas of inquiry relating to amalgamation of law enforcement: (1) amalgamation of law enforcement and the effects on policing efficiency and (2) amalgamation of law enforcement and the effects on policing effectiveness. Within these two areas there exist distinct categories for consideration: foreign and domestic examples of regionalization, consolidation, and amalgamation of law enforcement and the successes and failures.

1. Domestic Examples

Research of the regionalization, consolidation and amalgamation of domestic law enforcement has been significant. In *A Historical Perspective of Police Development in America*, Edward Toporek and Gilbert H. Bruns reviewed modern policing in America.²⁹ The article provides historical reference to the creation of law enforcement in America and an explanation to the fragmentation, lack of coordination, and identification of local control of policing services in America. Toporek and Bruns provide significant considerations regarding the culture of policing in the U.S. and the historical relationship to expansion of the country and the belief in local control. These observations resonate in today's

²⁹ Edward Toporek and Gilbert H. Bruns, *A Historical Perspective of Police Development in America* (Tempe, AZ: Arizona State University, 1974), <https://www.ncjrs.gov/pdffiles1/Digitization/27267NCJRS.pdf>.

society and are important to consider in analyzing regionalization and consolidation.

The first significant review of regionalization and consolidation occurred in 1940 in the published article, “Los Angeles Attacks Metropolitan Problem,” by John McDiarmid of the University of Southern California.³⁰ McDiarmid subtitled the work, “Finds in functional consolidation a compromise between advantages of unified administration and local self-government, which can be put in operation gradually with no political upheaval.”³¹ The article lightly touches on the consolidation of police services, which had begun in 1913 but remained incomplete.

Additional early works of review and recommendations provide valuable insight to law enforcement’s inability to change its strategy. “Disorganization of Metropolitan Law Enforcement and Some Proposed Solutions,” edited by Gordon Linkon, evaluates how metropolitan police agencies work together or avoid collaboration, at their choice.³² The review is specific to the Chicago and Cook County, Illinois area. The report identifies issues with overlapping efforts, lack of command and control, inadequate communication and recommends a single agency for police services. Significant parallels can be drawn with modern policing, as seen in the Boston bombing incident wherein Boston Police Commissioner Ed Davis identified a lack of pre-incident cooperation and collaboration with the Federal Bureau of Investigation.³³ Davis’s comments highlight the importance of communication in homeland security issues.

A report published by the Public Administration Service in 1966 states that the present day realities of local self-rule have prevented the amalgamation of

³⁰ John McDiarmid. “Los Angeles Attacks Metropolitan Problem,” *National Municipal Review*, 29, no. 7 (1940): 459–508.

³¹ Ibid.

³² Linkon, “Disorganization of Metropolitan Law Enforcement.”

³³ Hillary Chabot and Matt Stout, “FBI Knocks down Davis Testimony on Bomber intelligence,” *Boston Herald*, May 9, 2013, http://bostonherald.com/news_opinion/local_coverage/2013/05/fbi_knocks_down_davis_testimony_on_bomber_intelligence.

police services.³⁴ The interest in self-rule has been strong enough to prevent the benefit of the economy of scale from causing change. It is important to note that little has changed in the local agency delivery of law enforcement since this report. Significant in this report are three basic assumptions that should be noted: (1) local government will not be eliminated; (2) functions desired by local residents should not be removed; and (3) there is a desire to preserve as much local control as reasonable.³⁵

These basic assumptions are an important foundation to build a necessary trust in the delivery of police services. This foundation can support the overarching goal of contributing to a secure community. Further analysis will provide the opening to identify the efficiency of law enforcement in larger delivery systems creating the opportunity to provide additional services.

The Michigan State University's Program on Police Consolidation and Shared Services and COPS collection reveals a voluminous amount of material recommending or documenting the amalgamation of law enforcement service with fire service. The missions of police and fire have become specialized and would further polarize the issue of amalgamation. In addition the models available of police and fire amalgamation are very limited. For these reasons, this thesis excludes the reports advocating the amalgamation of police and fire services.

Cost is one concern related to the amalgamation of police services. For example, the 1970 article "Law Enforcement Consolidation for Greater Efficiency," by Dale Carson and Donald Brown, identifies the key issue of amalgamation start-up costs. The initial costs of consolidation would not be cheap, but the savings in individual budgets, over the long-term, would result in savings.³⁶ In his 1972 report

³⁴ Public Administration Service, *Coordination and Consolidation of Police Service: Problems and Potentials* (Chicago, IL: Public Administration Service, 1966), <https://www.ncjrs.gov/pdffiles1/Digitization/284NCJRS.pdf>, 6.

³⁵ Ibid.

³⁶ Dale G. Carson and Donald K. Brown, "Law Enforcement Consolidation for Greater Efficiency," *FBI Law Enforcement Bulletin* 39, no 10 (1970): 11–15. <https://www.ncjrs.gov/pdffiles1/Digitization/6091NCJRS.pdf>.

for Public Administration Service, George Eastman documents successes of rural consolidation.³⁷ He states that while some recommendations of consolidation may seem ludicrous to large agencies, they may have merit in smaller agencies. Also, Eastman recognizes the importance of local autonomy but warns that taken to the extreme, it can be harmful to the community.³⁸ This recognition that certain agencies are outliers, such as the New York Police Department or Los Angeles Police Department, and would not benefit nor add benefit to amalgamation of police services is significant. The focus of amalgamation should be on the smaller standalone police agencies.

The most contemporary compelling reports in the literature are those reviewing the practices of the City of Ferguson, Missouri Police Department. The *Investigation of the Ferguson Police Department* by the United States Department of Justice Civil Rights Division provides significant insight to the practices of a medium sized police department. The department's focus on generating revenue at the cost of constitutional rights reveals the true and significant cost of operating a medium sized police department. The Ferguson Police Department, even though a medium-size police department, had trouble generating revenue. Unfortunately, the city sought to generate the revenue through deliberate efforts to fine citizens and seize assets. The report also recognized the closely related court practices that contributed to the financial support to operate the police department.

The Police Executive Research Forum (PERF) report *Overcoming the Challenges and Creating a Regional Approach to Policing in St. Louis City and County* identified key components to the cause of the loss of legitimacy in Ferguson. The most notable identified in the report are "policing is extremely

³⁷ Public Administration Service, *Individual Technical Assistance Report in Response to a Request for Technical Assistance by Colorado Comprehensive Justice Planning Regions 9 and 10* (Chicago, IL: Public Administration Service, 1972), <https://www.ncjrs.gov/pdffiles1/Digitization/34152NCJRS.pdf>.

³⁸ Ibid.

fragmented,” and “fragmentation undermines effective policing.”³⁹ The recommendations of the report include creating regional training centers and reducing public safety answering points as well as strategic consolidations of police agencies, all of which are significantly drawn upon in this thesis.

Lastly, regarding Ferguson, is the *STL Positive Change* report citing the failures in citizen law enforcement relations, municipal court and governance lapses, and the impact of economic inequality and opportunity.⁴⁰ Policing plays a significant role in each of these areas and can influence the public perception of police legitimacy.

2. Foreign Examples

Foreign examples of the regionalization, consolidation, and amalgamation of law enforcement are predominantly in Canada. Although other foreign states have experienced with this policing strategy, Canadian examples appear to be the best documented and mostly closely associated to the law enforcement philosophy in the United States.

Two significant examples of Canadian provincial (state) amalgamation of police services are available for review. The province of Ontario and the province of Quebec have extensive documentation of the amalgamation of police services. The province of Ontario is the most populous province in Canada and most closely replicates population found within individual states of America. Additionally, the ongoing debate of regionalizing police services in the province of British Columbia provides evidence of more recent debates of the benefits and costs of regionalization.

³⁹ Police Executive Research Forum, *Overcoming the Challenges and Creating a Regional Approach to Policing in St. Louis City and County* (Washington, DC: Police Executive Research Forum, 2015), <http://www.policeforum.org/assets/stlouis.pdf>, 41.

⁴⁰ Ferguson Commission, *STL Positive Change, Forward through Ferguson: A Path toward Racial Equity* (St. Louis, MO: Ferguson Commission, 2015), http://3680or2khmk3bzkp33juiea1.wpengine.netdna-cdn.com/wp-content/uploads/2015/09/101415_FergusonCommissionReport.pdf.

Adam Found's academic study, *Economies of Scale in Fire and Police Services in Ontario*, analyzes the per-household costs for the 455 communities within the province of Ontario and shows how costs are minimized through amalgamation costs are minimized in amalgamation.⁴¹ *Understanding Ontario Provincial Policing Costs: 2013 Cost-Recovery Formula Update* is a 2013 report produced by the Ontario Provincial Police and provides a detailed description of services and police costs. Recent increases in the costs of police services have also generated new reports regarding the value and costs of amalgamation. The title of an article in a 2014 edition of the *Ottawa Citizen* is telling: "Era of Small Town Police Departments near End, Outgoing OPP Commissioner Says."⁴²

The sudden and devastating police strike in 1969 is discussed in literature as the cause of regionalization of police services.⁴³ McDougall provides insight to the causes and expected returns of efficiency of the delivery of policing services in his 1969 article "A New Balance in Policing for Ontario."⁴⁴ The continued amalgamation of municipalities, not just police services, has made this a vitriolic political debate over efficiency in policing versus "home rule" of policing. The amalgamation of police services in the province of Quebec has most recently been debated and cited as a political maneuver rather than an economic improvement.⁴⁵

⁴¹ Adam Found, *Economies of Scale in Police and Fire Services in Ontario*, IMFG Papers on Municipal Finance and Government, No. 12 (Toronto: University of Toronto, 2012), http://munkschool.utoronto.ca/imfg/uploads/215/imfg_no_12adamfoundonline_final_%282%29.pdf.

⁴² Blair Crawford, "Era of Small Town Police Departments near End, Outgoing OPP Commissioner Says," *Ottawa Citizen*, March 24, 2014, <http://www.ottawacitizen.com/news/small+town+police+forces+near+outgoing+commissioner+says/9655931/story.html>.

⁴³ Raphaël Fischler and Jeanne M. Wolfe, "Regional Restructuring in Montreal: An Historical Analysis," *Canadian Journal of Regional Science* XXIII, no. 1 (2000): 89–114.

⁴⁴ Allan K. McDougall, "A New Balance in Policing for Ontario," *Canadian Public Administration* 12, no. 2 (1969): 239–260.

⁴⁵ Peter F. Trent, *The Merger Disillusion: How Swallowing its Suburbs Made Montreal an Even Bigger Mess* (Montreal: McGill-Queens University Press, 2012).

The more recent debate over the regionalization of the province of British Columbia has provided additional research material.⁴⁶ In *Policing in Canada: Issues for the 21st Century*, R. J. Marin presents the concerns for the local control of law enforcement. He concludes that regionalized police services weakens community involvement in policing and further distances the setting of police goals from the local level.⁴⁷ Additional critical analysis of the efficiency and effectiveness of regional law enforcement service by Savvas Lithopoulos and George S. Rigakos in 2005 concluded that regional service was no more efficient than local service.⁴⁸ An analysis of Canadian law enforcement from 2013 in *Austerity Policing: Responding to Crime during Economic Downturns* found that in Canada the per capita staffing of law enforcement was lower than that of America, England, and seven other comparison countries.⁴⁹ The Canadian ability to provide a police service at a lower level of per capita staffing warrants further investigation. Further research will determine if this is a result of greater efficiency or if outside factors influence this trend (i.e., cultural issues or different policing responsibilities). Rural Canadian policing may provide a model to that of the rural American policing.

F. GAPS IN LITERATURE

Literature on the topic of amalgamation in the United States is primarily focused on the need for change in the policing model America employs. The reports are sponsored by government agencies such as U.S. DOJ COPS and state and local entities. The literature provides limited examples of success and even

⁴⁶ Dominic A. Wood, "To Regionalize or Not to Regionalize? A Study in the Politics of Policing in the Greater Vancouver Regional District," *Police Practice & Research* 8, no. 3 (2007): 283–297.

⁴⁷ R. J. Marin, *Policing in Canada: Issues for the 21st Century* (Aurora, Ontario: Canada Law Book, Inc. 1997).

⁴⁸ Savvas Lithopoulos and George S. Rigakos, "Neo-liberalism, Community, and Police Regionalization in Canada: A Critical Empirical Analysis," *Policing: An International Journal of Police Strategies & Management* 28, no. 2 (2005): 337–352.

⁴⁹ Rick Ruddell and Nicholas A. Jones, *Austerity Policing: Responding to Crime during Economic Downturns* (Regina, Saskatchewan: Collaborative Centre for Justice and Safety, 2013), http://www.academia.edu/4500157/Austerity_Policing_Responding_to_Crime_During_Economic_Downturns.

fewer examples of failure. Very little is documented regarding how America can replicate successes of other nations. Not focused on in this research, but worthy of mention, are the benefits that the amalgamation of police can lend to homeland security. The future of policing will inevitably increase the responsibility of police to assist in task force environments and transnational crime. These issues are addressed in the Chapter II.

The recent push for regionalization in Canada provides limited material in the form of reports and articles. Reports can be found with educational institutions and professional publications not easily accessible in America. Research contained within this thesis attempts to fill the gap of information regarding amalgamation of police services in the Canada.

G. RESEARCH DESIGN

The research method selected for this thesis is case studies. The study examines the models of delivering police services in the country of Canada and select domestic models. The models examined provide comparisons of a tripartite system, regionalization, and a stratified model of policing. Each case study provides an insight to the efficiencies and effectiveness of the policing model provided in the case study. These examples are most comparable to an acceptable change of the domestic policing model under legal and cultural norms.

1. Domestic Models of Regionalization

The successful regionalization of police forces within America is limited (63 by multiple local governments) when compared to the vast number (12,575) of standalone municipal police forces. The existence of only 63 regional police forces of the 15,636⁵⁰ total law enforcement agencies speaks volumes to aversion to regionalization among U.S. law enforcement agencies. Successful regionalization is found in all sizes of police forces and throughout all regions within America.

⁵⁰ Brian Reaves, *Local Police Departments, 2007* (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2011), <https://www.bjs.gov/content/pub/pdf/lpd07.pdf>.

Although the successful models would lead one to believe that the trend of regionalization is imminent, that is hardly the case. The review of successful collaboration, regionalization, and amalgamation is warranted to provide insight to the conditions that caused this change.

A study of the Charlotte-Mecklenburg amalgamation of police services demonstrates that medium sized police agencies can successfully merge policing services. The case study provides a domestic example of the importance of cost saving through economy of scale, sharing of information, and increased efficiency. The Charlotte-Mecklenburg Police Department represents a successful example of joining resources of both a city police department and a county police department in the southern region of America.

A study of the Pennsylvania area reveals that 33 cities scattered throughout the state have ceased to exist and now rely on state police for law enforcement operations.⁵¹ In this example, cities felt compelled to dissolve the small standalone police force rather than collaborate or regionalize, which is what occurred in Midvale, Utah. The Midvale, Utah police department was dissolved in favor of merging with four other local police departments and the county sheriff's department. This example differs to that of Pennsylvania significantly in that a council of elected officials from the participating communities sought to amalgamate services rather than abdicate policing services to the state.⁵² The Pennsylvania communities do not have the same oversight of the state police.

Additional models of regionalization, such as collaboration, rationalization, task-force creation, and the contract services from sheriff's departments, are examples of how police services can be achieve increased efficiency and effectiveness. Further examination of the cost savings is warranted and available through the Bureau of Justice Statistics and police executive associations. These

⁵¹ Kevin Johnson, "Cities Merge Police Agencies in Light of Budget Realities," *USA Today, News*, February 24, 2012, <http://usatoday30.usatoday.com/news/nation/story/2012-02-06/police-merger-services/53228874/1>.

⁵² *Ibid.*

case studies of domestic regionalization efforts and the effectiveness and efficiency is warranted to support further efforts of regionalization of law enforcement services.

The inefficiency of the stratified police system of America is one that is well documented. The historical development of policing in America is important to lend perspective as to why this model exists. The literature review and following cases studies show that police development in America is not unique. America is unique in that it has resisted the change in police structure that has proven successful in Canada.

2. Canada Police Model

The study of the Canadian policing model incorporating a federal police force (the RCMP), provincial (state) police, municipal police, and regional police is relevant to the American police model. The use of a federal police force to conduct law enforcement services for national, provincial, and municipal government is unique to Canada. However, the study of how the RCMP contracts its services is of significant interest. The contracted services of the RCMP can easily be compared and contrasted to America's large municipal police agencies that contract services to smaller municipalities. The use of provincial, municipal, and regional police agencies is not common to the American policing model. The Canadian model of policing provides services at the least number of officers per capita. This efficiency warrants further examination.

Canadian policing has experimented with regionalization of law enforcement services. Canada developed the interest in regionalization of the Ontario and Quebec areas in the 1960s because of its close relationship with the United Kingdom. According to Seagrave, "Between 1962 and 1977, 150 police forces in Ontario were amalgamated into ten regional forces, which today provide policing for over 50% of Ontario's population."⁵³ Additional regional police forces

⁵³ Jayne Seagrave, *Introduction to Policing in Canada* (New Market, Ontario: Pearson Education Canada, 1997), 32.

were developed through the amalgamation of existing police forces in the areas of Montreal and Winnipeg.

The benefit of operating one large police force over multiple smaller agencies is economy of scale. Additional advantages include increased ability to provide specialized services (including cyber, transnational crime, and homeland security), increased cooperation over larger geographic areas, increased communication within the police force, and consistent training and delivery of services. Each advantage has significant examples and explanations that further develop the argument for regionalization of police services.

Not all Canadians view regionalization in the same positive light. The opponents of the model of amalgamation are generally found in the smaller communities and within the non-amalgamated police forces. Citizen concerns regarding regionalization include loss of local control of police service, loss of community identity, detrimental to community policing, and costly to establish. The most recent debates regarding the regionalization of police forces have occurred in British Columbia and Nova Scotia.

The Canadian model of police services shares the similar responsibilities for response to national disasters and domestic terrorism. The cultural similarities between Canada and America make this case study significant. Canada's federal, provincial, and municipal police forces are the most similar in deployment to police forces in America, but they widely differ in the acceptance of regionalization. This warrants detailed examination of Canadian policing.

H. THESIS CHAPTER OUTLINE

Chapter II examines domestic models of amalgamation and regionalization, including mid- to large-sized amalgamations and small agency amalgamations. The chapter also examines economies of scale of American police amalgamation as well as the future of American policing and standalone small agency policing challenges. The chapter concludes with an examination on how the amalgamation

of American policing can respond to cybercrime, transnational crime, terrorism, and infrastructure protection.

Chapter III explores the Canadian policing model. A historical review of Canadian policing reveals its similarities and differences with American policing. This chapter also looks at the tripartite system and Canada's move toward regionalization. Reviewing of the economies of scale provides insight to the efficiency of the system and public support of the effectiveness of amalgamation. Lastly, this chapter includes an analysis of the application of this system to American policing.

Finally, Chapter IV provides options and conclusions for the support of amalgamation of American policing. It also presents recommendations to address concerns and challenges of amalgamation.

II. CASE STUDY—THE AMERICAN POLICING MODEL

A. INTRODUCTION

The historical understanding of the development of American law enforcement helps to explain the current stratification of police services. Early American cities led the development and deployment of police services. Local politicians (e.g., aldermen, councils, and mayors) have considered crime and policing a “local matter” and maintained control of law enforcement. In America, policing has been more closely aligned to local control than federal control from its origin. Local policing had been established as early as the 1850s while federal police forces were not established until the 1930s.⁵⁴ Federal and state law enforcement agencies soon followed with specific missions or identified policing missions, e.g., alcohol enforcement, bank robbery, etc. The historical review of policing eras in America lends an understanding to how we have arrived at this problem, and more importantly, what steps we can take to unify the policing of America.

The stratified policing of America can be attributed to legal cause, cultural identity, and political influence. With the signing of the Constitution in 1787, most social control duties were left to the military or local watchmen.⁵⁵ The sheriff, constable, and watchman were familiar to Americans because of British rule and culture. After Independence, the use of the sheriff continued and was appointed at the discretion of the governor.⁵⁶ The most important law enforcement figure was the sheriff, who was responsible for apprehending criminals, serving subpoenas,

⁵⁴ Jack R. Greene, and Sergio Herzog, “The Implications of Terrorism on the Formal and Social Organization of Policing in the U.S. and Israel: Some Concerns and Opportunities,” in *To Protect and to Serve Policing in an Age of Terrorism*, ed. David Weisburd, Thomas E. Feucht, Idit Hakimi, Lois Felson Mock, and Simon Perry (London: Springer Science+Business, 2009), 150.

⁵⁵ Martha L. Shockey-Eckles, “Accountability,” in *Police and Law Enforcement: Key Issues in Crime and Punishment*, ed. William J. Chambliss (Los Angeles: Sage Publications, 2011), 3.

⁵⁶ Craig D. Uchida, “The Development of the American Police,” in *Critical Issues in Policing: Contemporary Readings*, ed. Roger G. Dunham and Geoffrey P. Alpert, 20–40 (Long Grove, IL: Waveland Press, Inc., 2005), 23.

testifying in court, and tax collection.⁵⁷ Law enforcement was a lower priority to the sheriff as it competed with the collection of taxes, the duty for which the sheriff received proportional wages to the amount of taxes collected.⁵⁸ The constables and night watchman were reactive in nature; they arrived for criminal calls or fires and had little or no crime prevention duties.⁵⁹

1. The Political Era

American police forces had begun to emerge on the East Coast a few years prior to Sir Robert Peel's reform movement occurring in England in 1829. Exponential growth in London led to the creation of the London Metropolitan Police Act.⁶⁰ American cities were experiencing similar growth. For example, New York had grown from 33,000 in 1790 to 150,000 in 1830.⁶¹ With the large influx of immigrants, particularly the Irish and Germans, American workers perceived the new immigrants as a threat to their culture and economy. This perception led to increased demand of police services. The years preceding the Civil War also included racial tensions and hostilities toward African-Americans—as prevalent in northern cities as in the South.⁶² Some cities were further troubled by significant riots in mid-1800s: New York in 1834, Philadelphia in 1837, and St. Louis in 1850.⁶³

The cultural identity with England continued to be resilient in America through the 1800s. The London Police Department, formed by Sir Robert Peel following legislative approval from British Parliament, served as the model for American big city policing. The London Metropolitan Police was a highly centralized organization that was an extension of the centralized British

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ White, *Defending the Homeland*, 52.

⁶¹ Uchida, "The Development of the American Police," 25.

⁶² Ibid.

⁶³ Ibid.

government. However, the American police departments did not have the same centralized organization. Instead, American police departments were more of a municipal government structure, wherein the true power lay not with the mayor of a city but was decentralized and in the hands of councilmen and aldermen, who represented competing wards and districts.⁶⁴ Council members or aldermen selected police officers as a form of patronage.⁶⁵ The corruption within police departments occurred from the beginning as a result of this process. This era, from the origins of policing through the Progressive period of the early 1900s, is known as the Political Era.⁶⁶

The creation of the Boston Police Department in 1838 was the first police agency in America. Following Boston, New York (1845) and Philadelphia (1850) formed police departments. Although loosely modeled on the Metropolitan Police Act, early American policing differentiated significantly in structure from British policing. The centralized structure and institutional legal restraints of British policing were not present in American policing. American police lacked hiring standards, professional training, policies, and job security, most of which were present in the British policing model. The American police officer owed his allegiance to the captain who selected him and the local councilman or alderman.⁶⁷

During this period, Americans also perceived that violent crime was increasing while quality of life was decreasing. The constable/watchman system was showing its ineffectiveness. American policing lacked the centralized structure and command of its British counterparts. More importantly, American policing had no command and centrality, even within a single city department. Local control

⁶⁴ Ibid., 26.

⁶⁵ Ibid.

⁶⁶ George L. Kelling, and Mark H. Moore, *The Evolving Strategy of Policing* (Washington, DC: National Institute of Justice, Washington DC: U.S. Government Printing Office, 1988), <https://pdfs.semanticscholar.org/a614/21a27a6c4fa0e25962ef30e95a22371c1b9c.pdf>, 2.

⁶⁷ Uchida, "The Development of the American Police."

filtered down to wards, precincts and neighborhoods.⁶⁸ It is the image of the Keystone Cops—clumsy ineffective police—that portrays the Political Era.⁶⁹

As cities formed police departments to combat the localized crime, police responsibilities shifted after the Civil War from recovering property to peacekeepers.⁷⁰ The growth of industrialization in the antebellum period (1812-1861) brought conflict between the business leaders and unskilled labor.⁷¹ Local police were reluctant to break the union strikes. Institutionalized corruption and political patronage provided unions with leverage against business. Unions possessed more influence through corruption with politicians than did business. This influence directly transferred to police action or inaction during strikes. Business resorted to using private security, which often increased the violence and proved unsuccessful.

2. The Professional Era

American historians refer to the period between 1890 and 1910 as the Professional Era of reform and efficiency. Some historians have grouped the Professional Era and the Reform Era together due to their proximity in time and relatively short periods of existence. Progressives attacked public corruption, government inefficiency, and social ills. The Progressives formed alliances with moral reformers, business people, and government reformers to end corruption in police departments.⁷² Additionally, the Progressives recommended three significant changes to American policing: “(1) the departments should be centralized; (2) personnel should be upgraded; and (3) the police function should be narrowed.”⁷³ Progressives made small changes, including “the establishment

⁶⁸ White, *Defending the Homeland*, 52.

⁶⁹ Kelling and Moore, *The Evolving Strategy of Policing*, 4.

⁷⁰ Perry, “Police Privatization,” 144.

⁷¹ *Ibid.*

⁷² White, *Defending the Homeland*, 34.

⁷³ Uchida, “The Development of the American Police,” 29.

of police commissions, civil service testing, and legislative reform.”⁷⁴ However, even over the course of 20 years of reform, political patronage, and corruption remained. Separating policing from politics could not be achieved. One change that did happen was the creation of the first state police agency.

The first American state police agency was initiated in Pennsylvania as a result of a union strike and the disruption of production and profits within the American steel industry. Strikes by coal workers proved to be a problem for the president of U.S. Steel, Elbert Gary. Local police were more closely aligned with the union members than the entrepreneurs. By 1905, Gary reconciled himself to the presence of labor unions, but he wanted to put an end to illegal strikes that deprived his steel mills of coal.⁷⁵ Gary capitalized on President Theodore Roosevelt’s admiration of the Rough Riders and gained support for the creation of the Pennsylvania State Police. The Pennsylvania State Police was born in 1905.⁷⁶

Industrialists and reformers applauded the state police movement and pointed to Pennsylvania as the model for the rest of the nation. Organized along strict military lines, the police were efficient and effective. Avoiding overt corruption, they responded to crimes throughout the entire state. More importantly for the industrialists, the state police could respond to strikes without being influenced by local ties.⁷⁷ The creation of the state police also increased the inefficiency of policing in America. Now, three recognized police services had authority in the same jurisdiction: local, sheriff, and state.

The Progressive movement’s solution to depoliticizing policing and creating a more efficient and centralized policing system also caused unintended consequences. The result complicated and sometimes confused policing responsibilities by having multiple police agencies within the same jurisdiction:

⁷⁴ Ibid.

⁷⁵ White, *Defending the Homeland*, 35.

⁷⁶ Ibid.

⁷⁷ Ibid.

standalone municipal, sheriff, and state police. Each agency developed its own structure, operations, maintenance, support, and staff. The most efficient agency rarely replaced the inefficient agencies; rather, the inefficient agencies were supplemented by the larger more efficient agencies⁷⁸

3. The Reform Era

Two significant developments occurred in the 1930s: (1) the common use of the automobile for policing, and (2) the advent of the Uniform Crime Reporting (UCR) system to measure effectiveness of policing.⁷⁹ Orlando W. Wilson recognized that both developments could be used to increase the use of police management to increase efficiency of policing.⁸⁰ Political influences were limited during this time, and it is considered the beginning of the Reform Era.⁸¹

Wilson's 1950 book, *Police Administration*, was widely considered the police manager's "bible" of law enforcement.⁸² Wilson proposed the use of the automobile and a single officer, which increased the efficiency from two officers to a vehicle and dramatically increased the beat area that could be covered. This practice eliminated the predictability of the previous foot patrols, to which officers only dedicated two to four hours to in a shift. Wilson further advocated organizing beats according to a formula that would evenly distribute workloads among all officers deployed on patrol. Wilson's deployment proposal hoped to enable rapid deployment to crimes in progress, increasing the chance of apprehension of criminals. Wilson's recommendation changed the face of law enforcement causing

⁷⁸ Ibid., 37.

⁷⁹ Samuel Walker, "'Broken Windows' and Fractured History: The Use and Misuse of History in Recent Police Patrol Analysis," in *Critical Issues in Policing: Contemporary Readings*, ed. Roger G. Dunham and Geoffrey P. Alpert (Long Grove, IL: Waveland Press, Inc., 2005), 389.

⁸⁰ Ibid., 389.

⁸¹ Kelling and Moore, *The Evolving Strategy of Policing*, 2.

⁸² Walker, "'Broken Windows,'" 390.

departments to convert to vehicle based response, to increase investments in communications, and to avail themselves to the public.⁸³

The measure of effectiveness of policing based on the UCR system measuring the Crime Index through primarily seven felonies began in 1930. The UCR system created the measurement of effectiveness that promoted the perception among police that police services were crime control focused. The Crime Index and UCR focused police on the crimes relative to measurement and less so on crimes not contributing to the report. They largely ignored quality of life crimes, vagrancy, alcohol, and minor drug crimes.

The amalgamation of police services in Los Angeles County, California was largely unnoticed by the rest of the nation in 1956. Later known as the “Lakewood Plan,” the Los Angeles Sheriff’s Department provided contract services to a significant number of cities within its county. Numerous sheriffs’ offices throughout the country would later replicate this model. The innovation and use of providing services at reduced marginal costs is worthy of case study and addressed later in this chapter.

America’s police involvement in the 1960s Civil Rights movement negatively impacted the public perception of law enforcement’s legitimacy. Police Executive Research Forum defines police legitimacy as,

measurements of the extent to which members of the public trust and have confidence in the police, believe that the police are honest and competent, think that the police treat people fairly and with respect, and are willing to defer to the law and to police authority.⁸⁴

The national news photos and television images of police using dogs and fire hoses on Civil Rights marchers cemented perceptions that police held biases against persons of color. These perceptions would be resurrected through individual and systemic occurrences of bias and abuse throughout the following

⁸³ Ibid.

⁸⁴ Tom Tyler, “Legitimacy and Procedural Justice: A New Element of Police Leadership,” *Subject to Debate* 28, no. 1 (2014): 2.

decades. Although still part of the Reform Era, American policing was not perceived as reformed in many communities.

The 1960s saw an increase in the crime rate and a more significant increase in the fear of crime. By July 23, 1965, public fear of crime reached a level that it caused President Johnson to enact Executive Order 11236, which established the Commission on Law Enforcement and Administration of Justice.⁸⁵ The commission's investigation and subsequent report, *The Challenge of Crime in a Free Society*, was the most in-depth look at crime in America and to contain recommendations. The commission made over 200 recommendations for reform in courts, social services, and policing. One of the specific areas the report identified the need for "coordination and pooling of police services."⁸⁶ The report also argued, "The machinery of law enforcement in this country is fragmented, complicated, and frequently overlapping. America is essentially a nation of small police forces, each operating independently within the limits of its jurisdiction."⁸⁷ The report highlighted the "strength and distribution of police agencies in Detroit metropolitan region" as an example of the stratified system of policing.⁸⁸ The commission further suggested, "The ultimate form of jurisdictional consolidation is metropolitan government, a complete political merger of a city and its suburbs."⁸⁹ The report noted that 91 percent (77 out of 85) of the departments in the Detroit region had a staff of 100 officers or less (see Table 1).

⁸⁵ President's Commission, *The Challenge of Crime*, foreword.

⁸⁶ *Ibid.*, 119.

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*, 122.

Table 1. Strength and Distribution of Police Agencies in Detroit Metropolitan Region⁹⁰

Number of Men [sic]	Departments
0–20	40
21–50	27
51–100	10
101–150	5
151–200	2
201–5,000	1

The commission also made recommendations for consideration of the following types of consolidation: contract law enforcement; an arrangement where a city receives law enforcement from a sheriff or other police agency; and, subordinate service districts, an arrangement in which a town, borough, or village votes to cede law enforcement services to a county police department. The commission recognized that special consideration was needed to state constitutional laws regarding “home rule” and allowing police powers beyond jurisdictional boundaries.⁹¹ Amending state constitutions requires voter approval. This is unlikely to occur due to local pride, fear of increasing taxes, or unwillingness of citizens to take on problems that their community does not have but neighboring communities do.⁹²

Nearly all the commission’s recommendations of change rested on states and local governments, and the recommendations regarding regionalization of police services went largely unheeded. The commission has proposed support of federal resources to assist in the initiation of action.⁹³ Overall, the commission’s

⁹⁰ Adapted from President’s Commission, *The Challenge of Crime*, 121.

⁹¹ President’s Commission, *The Challenge of Crime*, 121.

⁹² *Ibid.*, 123.

⁹³ *Ibid.*, 280.

recommendations were widely panned as a political response to Goldwater's use of crime to unseat Johnson's presidency. That 19 members of the commission were able to agree on 200 recommendations in only 18 months significantly concerned critics.⁹⁴ The baby went out with the bathwater.

4. Community Policing Era

Significant changes did occur within the profession during the 1960s and 1970s, paving the way for the Community Policing Era. As more departments hired minority officers and women police officers, Community policing replaced professional policing, and civilian oversight became acceptable.⁹⁵ The Community Policing Era sought to increase the interaction of police with community members. Technology innovations had previously confined the police officer into a vehicle responding to calls via police radio. The interaction of officers with residents and business members also decreased as foot patrols had moved to vehicle patrols.

Of the few implemented recommendations from the 1965 commission, the formation of task forces was significant. Task forces came about in the United States in the 1970s and 1980s, largely as a result of the war on drugs. The task force concept to attack a defined singular policing issue was promoted by all government agencies as contributing to social order. The concept partnered large agencies with small agencies; those that had significant resources and personnel partnered with those that had little resources and few personnel. The task force concept allowed police agencies to blur jurisdictional lines and seek prosecution in the most advantageous court. Communication and effectiveness were identified as successful results to the task force concept.⁹⁶ The task force application of policing was strengthened after September 11, 2001, which increased participation

⁹⁴ Ibid., 291.

⁹⁵ David Alan Sklansky, "Not Your Father's Police Department: Making Sense of the New Demographics of Law Enforcement," *The Journal of Criminal Law and Criminology* 96, no. 3 (2005): 1210.

⁹⁶ Greene, and Herzog, "The Implications of Terrorism," 167.

in pre-existing joint terrorism task forces headed by the Federal Bureau of Investigation.

The historical framework of policing in the past 175 years is far more complex than presented in this summary. This summary in this thesis has identified the most significant developments in an attempt to provide perspective on how the fragmentation, stratification, and overlapping policing of America have developed. This perspective gives a clearer understanding of where we are today, what changes are required, and how change can occur. The following case studies examine policing in America by sheriffs, state police, and regional forces.

B. THE LAKEWOOD MODEL CASE STUDY

The Los Angeles Sheriff's Department first pioneered the concept of contractual policing in 1956. Looking to reduce the single highest government cost, policing, the small city of Lakewood, California sought a contract with the largest sheriff's department in the nation. This contractual policing agreement was then replicated throughout Los Angeles County and later throughout the western United States. The Lakewood model is cited as a model policing plan that can be scaled from cities as small as 1,000 citizens to as large as 177,000 citizens or more. It is important to understand the conditions that must be present for this policing model to occur and the challenges presented in the United States with regard to employing this model. Significant investigation is dedicated to this policing model. The Los Angeles Sheriff's department identified four key elements to successfully contracting services to cities within the county in what was known in 1956 as the Contract Services Plan:

- (1) Every effort was made to keep the contract services as low as is possible to make the alternative of providing self-policing services as unattractive as possible;
- (2) The internal structure of the sheriff's department was changed to better accommodate its relations with contract cities;
- (3) Certain policies were modified to meet desires of contract cities; and

- (4) Efforts were made to provide the “best” service possible, even at the cost of providing lesser services to unincorporated areas that were the department’s primary responsibility.⁹⁷

The cost of the policing services was the single most significant issue of contract services. The contracting municipality sought to keep the cost at the lowest possible price point to save money, and the sheriff’s department sought to keep the contract by providing the service that would not invite the municipality to create their own policing service.⁹⁸ Cost was often driven by outside non-contract cities. The unincorporated areas and cities not participating in contract services complained that they were subsidizing the bargain services provided to the contract cities. This contention caused a highly publicized debate in 1971. The 1956 Lakewood contract for one, two-man, car patrolling 24-hours-a-day, seven-days-a-week, was approximately \$54,000.⁹⁹ By 1971, the cost increased to \$230,043 a year, still a bargain when studied by an independent firm that established the real cost for service to be \$280,514.¹⁰⁰ The reduced cost of \$50,000 in 1971 is equivalent to \$294,000 in 2014.¹⁰¹

The sheriff’s department incorporated changes to policy and policing practices to continue to provide services that would attract contract cities. One significant change was the use of “one-man” patrols. The sheriff’s department had previously provided all patrols with two deputies. In an effort to decrease costs to contract cities, single-deputy patrols were provided. The sheriff’s department also

⁹⁷ John J. Kirlin, “The Impact of Contract Service Arrangements on the Los Angeles Sheriff’s Department and Law Enforcement Services in Los Angeles County,” *Public Policy* 21, no. 4 (1973): 557.

⁹⁸ *Ibid.*

⁹⁹ John J. Kirlin, “The Impact of Contract Service Arrangements on the Los Angeles Sheriff’s Department and Law Enforcement Services in Los Angeles County.” *Public Policy* 21, no. 4 (1973): 557.

¹⁰⁰ *Ibid.*

¹⁰¹ U.S. Department of Labor, “CPI Inflation Calculator,” October 15, 2014. http://www.bls.gov/data/inflation_calculator.htm.

started a traffic enforcement unit. Prior to contracting services, the California Highway Patrol handled all traffic related incidents in county areas.¹⁰²

The most significant efforts were seen in what was described as a “mini-regionalization” of contract services.¹⁰³ The sheriff’s department did not identify vehicles with names of contract cities. The department contracted services to adjoining jurisdictions of Lakewood and Norwalk allowing for shared costs of patrols, lessening the number of personnel and thus the cost for service.¹⁰⁴ This shared service did not last long as one city found it was unable to fund its share of the service and the other sought to test a “team” policing project.¹⁰⁵

The sheriff’s department sought to continue contract services by remaining passive at the bargaining table. Additionally, the sheriff’s department provided services requested by contract cities even when the department thought the request of services to be grossly underestimated. A 1971 example was a contract city requesting a single patrol vehicle to cover 24 hours for a population of 35,000.¹⁰⁶ The department never refused service at any level requested by a contract city. The levels of service were largely left to the discretion and budget of the contract cities.

Finally, the stability of the elected sheriff played a significant role in providing services for less than market value. A county of Los Angeles Sheriff incumbent has never lost an election.¹⁰⁷ Additionally, the sheriff is provided a lump-sum budget and is not required to match funds received from contract cities. The responsibility for budgeting falls on the shoulders of the county supervisors, who largely remove themselves from the negotiations of the contract cities for political benefit.

¹⁰² Kirlin, “The Impact of Contract Service,” 558.

¹⁰³ *Ibid.*, 559.

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*, 560.

¹⁰⁷ *Ibid.*

The modification of internal policies and practices of the Los Angeles Sheriff's Department is largely attributable to the Lakewood plan and the 30 contract cities the sheriff provided service to by 1971.¹⁰⁸ The sheriff found himself not only responsible for reporting to the county board of supervisors but to an additional 30 city councils and city managers. A significant change among the policy revisions was the assignment of lieutenants to command stations in contract cities. The lieutenant, at the captain's authority, acted as the police chief of the contract city.¹⁰⁹ The sheriff was also required to assign detectives to specific contract cities to be overseen by the contract city lieutenant. The most significant change of policy was the use of "one-man" patrols as previously mentioned. Until this time, the Los Angeles Sheriff's Department had used two-man patrols. In an effort to reduce the costs to a contract city, the department changed this operational policy and began one-man patrols.¹¹⁰

The Lakewood plan was not without flaws. In 1971, a significant concern of the contract cities was the duration of assignment to the city. Contract cities complained that the rotation of deputies in the contract cities did not allow deputies to "get to know the city."¹¹¹ The sheriff responded by extending the rotation period. The average deputy would be assigned to the contract city for approximately one year. The sheriff's department also responded by instituting an experimental neighborhood patrol to increase interaction of deputies with members of the contract cities.

The role of the city manager of contract cities was the most important part of in the relationship of contract cities with the Los Angeles Sheriff's Department. A survey of city managers contracting police services with the Los Angeles Sheriff's Department (LASD) in 1971 found the following results (survey rated on a scale of 0 to 10 from strong disagreement to strong agreement):

¹⁰⁸ Ibid., 561.

¹⁰⁹ Ibid.

¹¹⁰ Ibid., 562.

¹¹¹ Ibid., 563.

- “Overall I evaluate our cities relationship with the LASD as very good.” Mean score 9.1 with a standard deviation of 1.3.¹¹²
- “The LASD is very responsive to our needs.” Average score 8.2 (std. dev. 1.7).¹¹³
- “Contracting with LASD is more efficient than having a city police department.” Average score 7.3 (std. dev. 2.5).¹¹⁴

The results of the survey are hardly surprising. It is a common belief among city managers that the greatest threat to job security is opposing a chief of police on policy decisions. The removal of a potential political foe through the use of contract services has a built in bias. Additionally, city managers have a common perception that police personnel generate more frequent and more difficult complaints such as uses of force and allegations of illegal arrests.¹¹⁵ In 1971, the use of contract services for policing was as much to reduce potential problems with a city police service as it was to improve police service. Second, a lack of community concern expressed to the city manager regarding service provided by the sheriff left the city manager as the most significant role in developing the contract relationship and opinion of service.

The use of contract services was important to the sheriff’s department. Without the use of contract services, the sheriff’s department would have been challenged to defend its size.¹¹⁶ A study conducted in 1971 by Booz, Allen, and Hamilton found that the mutual benefit to the sheriff and contract service cities is the favorable pricing for police services. The Booz, Allen, and Hamilton report noted the importance of subsidizing of contract services by other municipalities within the county. The report explained “Because the sheriff’s charges for contract law enforcement are based on such a restricted concept of marginal cost of

¹¹² Ibid., 568.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Ibid., 569.

¹¹⁶ Ibid., 573.

providing the service, the contract cities pay, on a per capita basis, much less for police protection than do the independent cities of Los Angeles County.”¹¹⁷

The Los Angeles County Sheriff’s Department has continued to expand the delivery model of contract law enforcement services. Today, the sheriff’s department provides law enforcement services to municipalities, transit services, school policing, public entities, private entities, state funded trial courts in the county, state custody operations, and federal custody operations.¹¹⁸ In addition, the sheriff’s department currently provides law enforcement services for more than 2.9 million residents, and of those, more than 1.9 million residents receive the service through contract services.¹¹⁹ The department provides services to 40 of the 88 cities within the county.¹²⁰ The cities range in population from 700 to 175,000, and in geographic size from 1 to 100 square miles.¹²¹ The services can be provided to a single city or shared among cities to provide a regional service at levels reflecting the needs of the individual cities.¹²²

In 35 of the 50 states, the position of sheriff is constitutional.¹²³ This differs significantly from municipal policing in that this form of policing is administrative or statutory.¹²⁴ This is an important distinction as policy cannot be changed by administrative direction; rather, it requires constitutional amendment. There are exceptions, although nominal, where “home rule” governs sheriff’s offices. In the majority of states, the office cannot be abolished nor have its powers or responsibilities reduced by county or state executives as they lack the

¹¹⁷ Ibid., 573.

¹¹⁸ Contract Law Enforcement Bureau, *Contract Law Enforcement Services* Monterey Park, CA: Los Angeles County Sheriff’s Department, 2009), 5.

¹¹⁹ Ibid., 7.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Ibid.

¹²³ David N. Falcone and L. Edward Wells. “The County Sheriff as a Distinctive Policing Modality,” *American Journal of Police* 14, no. 3/4 (1995): 126.

¹²⁴ Ibid.

constitutional authority.¹²⁵ Indirectly, through funding mechanisms controlled by county or state executives, these executives can have influence over the sheriff's office. A county board could exert its influence through reduction of funding available for a sheriff not in favor and jeopardize the delivery of services, negatively reflecting on the sheriff. The distinction of the sheriff holding "office" rather than heading a "department" has further legal implications. As an "office" in most states, the sheriff is an independent entity within the county government.¹²⁶ As a department, the agency would be subject to administrative control.

The independence of the sheriff's office through election has both positive and negative effects on the office. The fact that the sheriff must have the popular support of those served provides the electorate with greater control over law enforcement services than that of a municipal service, wherein the chief of police serves at the direction of the city administrator.¹²⁷ The electoral process also allows anyone to seek the office without requiring professional service in law enforcement. Although the lack of professional experience is possible, it is unlikely for that to occur.

The sheriff's office also has significant responsibilities outside of law enforcement. The sheriff is tasked with the managing of county jails, protection for county courts, enforcing civil statutes, and, at times, collecting taxes and fines.¹²⁸ Additional responsibilities include providing law enforcement services throughout the unincorporated areas of the county and when contracted, for some municipal policing.¹²⁹ The competition for resources across this broad spectrum makes a sheriff's position very different from that of a local police chief position. The sheriff cannot afford to singularly focus on law enforcement but must consider the importance of each of the various responsibilities. This broad spectrum of duties is

¹²⁵ Ibid.

¹²⁶ Ibid., 127.

¹²⁷ Ibid.

¹²⁸ Ibid., 128.

¹²⁹ Ibid.

illustrated through the organizational structure of sheriff's offices, which are not common in municipal police departments.

The selection of personnel also differs between sheriff's offices and municipal police departments. The sheriff is elected from the local populous and often required to live within the jurisdiction. Chiefs are nationally recruited and greater emphasis is placed on the professional credentials and experience than residency. The Law Enforcement Management and Administrative Statistics (LEMAS) of 1990 showed that 87 percent of sheriff's departments require their deputies to live within the jurisdictional boundaries as compared to just under 50 percent of municipal police departments having the same requirements.¹³⁰ The 1990 LEMAS also showed that approximately 46 percent of sheriffs have a collective bargaining for their deputies as compared to 72 percent of municipal police agencies having a collective bargaining arrangement.¹³¹ Although limiting in recruiting experienced law enforcement officers, the residency requirement prevents the community from feeling policed by an outside occupying force.

The organizational model of sheriff's offices can vary greatly and is often a regionally accepted model. The models differ primarily on the size of the organization, similar to that of municipal police agencies. Both small sheriff's offices and small municipal agencies have a similar operation model, providing general services with limited resources.¹³² The small police agencies are very "sheriff-like," providing personalized services with a localized flavor.¹³³ The larger sheriff offices are very different and considered more "police-like," having multiple bureaus of specialization and even separating police services to a "county police" operation headed by and appointed official.¹³⁴

¹³⁰ Ibid., 139.

¹³¹ Ibid., 140.

¹³² Ibid., 142.

¹³³ Ibid.

¹³⁴ Ibid.

Models of sheriff's services have regional differences. Offices located in the south, southwest, and midwest generally provide full service policing, custodial, and civil services.¹³⁵ Some sheriff's in the northwestern region have limited civil-judicial models. The provision of police services by state police agencies appears to have influence over this model.¹³⁶ The northeast states have begun a transition of limiting the full-service duties of the sheriff.¹³⁷ Examples of Rhode Island and Connecticut employ "limited functions inherent in the civil-judicial model."¹³⁸ Pennsylvania sheriffs were recently challenged in state supreme court regarding the criminal powers of arrest. Although the ruling was in favor of the sheriffs, the challenge is indicative of regional differences of a sheriff's duties.

The 2007 LEMAS survey found approximately 3,012 sheriff's offices operating within America had a variety of job characteristics, including performing law enforcement functions. The sheriff's offices employed a combined sworn and civilian staff of 369,084.¹³⁹ Of the 3,012 sheriff's offices, only 352 offices employed 100 or more sworn deputies or officers. Furthermore, 82 percent of the sheriff's offices employed less than 100 sworn personnel, see Figure 2.¹⁴⁰

¹³⁵ Ibid., 143.

¹³⁶ Ibid.

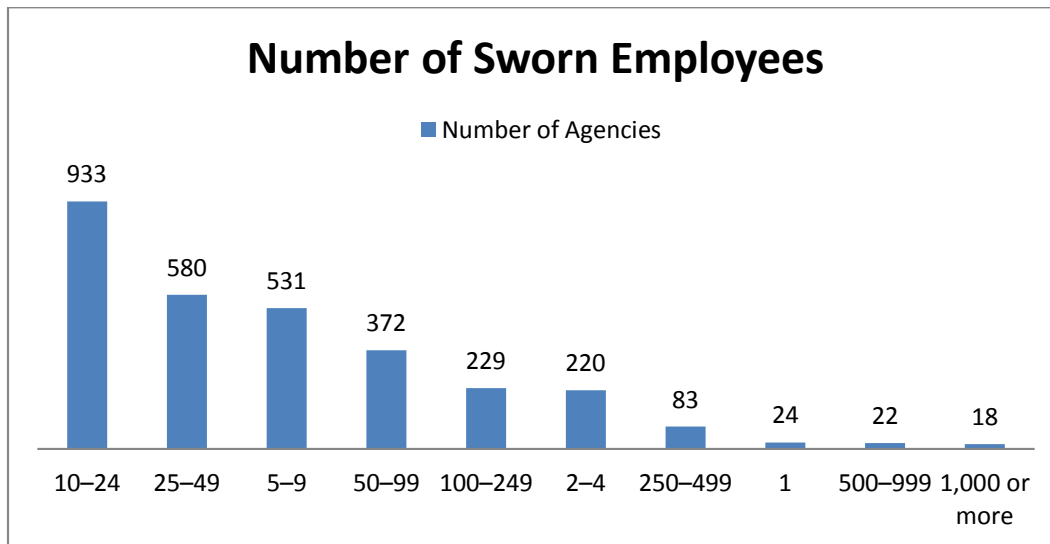
¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Andrea M. Burch, "Sheriff's Offices, 2007—Statistical Tables," Bureau of Justice Statistics, December 6, 2012, <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4555>.

¹⁴⁰ Ibid.

Figure 2. 2007 LEMAS Sheriff's Office Sworn Staffing¹⁴¹

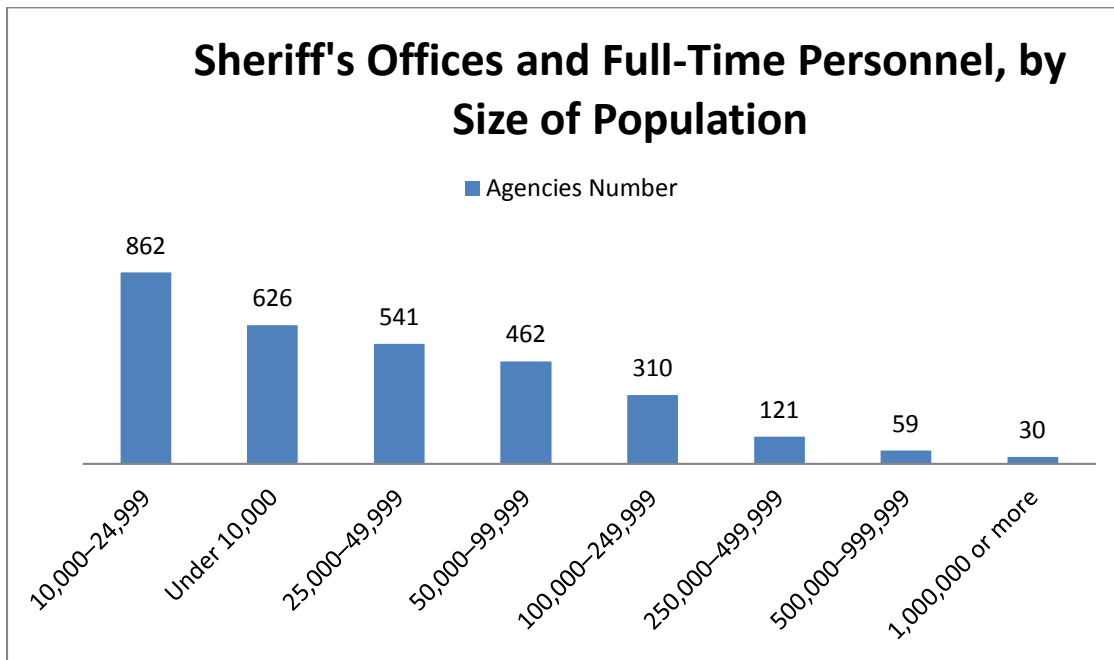


Additionally, few sheriffs' offices serve a population of 100,000 or greater. Nearly 83 percent of sheriff's offices serve populations of less than 100,000, with more than the majority (68 percent) of offices serving populations of less than 50,000 (see Figure 3).¹⁴²

¹⁴¹ Adapted from: Burch, "Sheriff's Offices, 2007."

¹⁴² Burch, "Sheriff's Offices, 2007."

Figure 3. 2007 LEMAS Populations Served by Sheriff's Offices¹⁴³



The sheriff model for delivery of law enforcement services is a necessary element in south, southwest and midwest. The model provides law enforcement services and necessary civil services for a vast majority of areas outside of the urban setting. However, the Lakewood model for contract service delivery of policing is not the panacea to reduce redundancy and improve efficiency. The Lakewood model is an anomaly that is reserved for sheriff's offices that are capable and legally established to deliver general law enforcement duties. It is unlikely that county governments would voluntarily dissolve or relinquish control of sheriff's offices to replace this model with a competitive state police provided service. Regionally, policing by sheriff's offices can be very competitive with state policing.

C. THE STATE POLICE MODEL CASE STUDY

The delivery of police services to rural areas and state highways is achieved through state police agencies across America. The limited criminal authority of

¹⁴³ Adapted from: Burch, "Sheriff's Offices, 2007."

sheriff's offices in the northeast eliminates the Lakewood model as an option for service. State police agencies provide police services for this gap in all New England and Middle Atlantic states, without cost, to municipalities that do not provide their own police services.¹⁴⁴ State police agencies are in 49 states, only absent in the state of Hawaii. The policing duties in Hawaii would normally be carried out by a state police are handled by the State of Hawaii Department of Public Safety Sheriff.¹⁴⁵ There are small differences in the policing mission among the state police agencies.

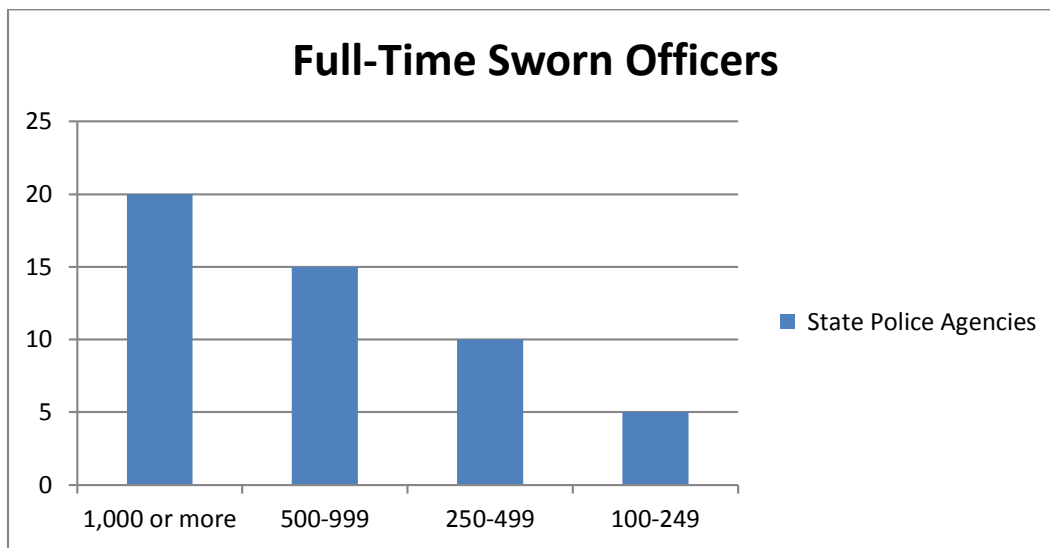
The sworn staffing of the state police agencies and limited number of agencies is a significant benefit. Unlike municipal police and sheriff's offices, no agency employs less than 100 sworn officers, with 70 percent of the 50 agencies employing 500 or more sworn officers.¹⁴⁶ The state police agencies already have policies and procedures in place to handle a significant pool of employees, serve a large population, and respond in a large geographic area (see Figure 4).

¹⁴⁴ Zajac and Kowalski, *An Examination of Pennsylvania State*, 5.

¹⁴⁵ Department of Public Safety Sheriff Division, "State of Hawaii Department of Public Safety-Home-Divisions-Law Enforcement Division-Sheriff Division," September 1, 2014, <http://dps.hawaii.gov/about/divisions/law-enforcement-division/sheriff-division/>.

¹⁴⁶ Brian Reaves, *Census of State and Local Law Enforcement Agencies, 2008 NCJ 233982* (Washington, DC: Bureau of Justice Statistics, 2008).

Figure 4. 2007 LEMAS State Police Sworn Officers¹⁴⁷



The Pennsylvania State Police (PSP) model of service to suburban and rural areas warrants a case study. As previously explained, the PSP was formed in 1905 to provide a professional and impartial response to strikes affecting the production of steel. It was the first state police agency formed and continues to serve highly urbanized areas and rural areas.

The PSP provides a unique service model to the state. PSP troopers provide both standalone service to rural communities, serve municipalities without a police force, and supplement services to municipalities with their own police departments. PSP troopers are not generally assigned to a specific municipality; rather, troopers are assigned to a patrol zone. Troopers are given significant latitude in conducting patrols and not required to maintain data on time spent in specific municipalities. The patrol zones for troopers can cover multiple cities, rural and urban areas, and highways. The exception to this is Troop T, a group of troopers assigned to patrolling the turnpike. These troopers do not provide services outside of the turnpike duties.

¹⁴⁷ Adapted from: Reaves, *Census of State*.

Pennsylvania has 2,562 municipalities.¹⁴⁸ Sheriff agencies in Pennsylvania are unable to provide general policing services as they have limited police powers and serve as officers of the court. The PSP is required to provide policing services to municipalities that do not have their own police forces and to supplement municipalities with municipal police forces as requested.¹⁴⁹ PSP can be requested to provide traffic supervision, violent crime suppression, case investigations, and other services.¹⁵⁰ The largest PSP only serviced community is Hempfield Township, 76-square miles with a population of 46,000.¹⁵¹ PSP is not reimbursed for any services delivered to municipalities with or without their own police force.

The PSP requirement to provide services throughout the state, without direct reimbursement and even at the request of a municipality to supplement service, leaves the PSP filling gaps of disbanded police departments or supplementing understaffed departments. When communities decide to eliminate police service, such as Bratton Township did, or reduce staffing, such as Penn Township did, the PSP must respond to provide service.¹⁵² Between 2006 and 2010, 90 cities within Pennsylvania changed their police services at least once (full-time local police, part-time PSP, or full-time/primary PSP), 12 cities changed their coverage at least twice, and two cities changed their service three times.¹⁵³

The PSP provide part-time and full-time coverage to over 3,000,000 residents of the state in 1,719 municipalities. Additionally, PSP provide either part-time or full-time coverage to 92 percent (1,521) of Pennsylvania's rural municipalities and 22 percent (198) of Pennsylvania's 910 urban municipalities.¹⁵⁴

¹⁴⁸ Zajac and Kowalski, *An Examination of Pennsylvania State*, 5.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Colin Deppen, "Should You Be Paying for Their Police? Wolf's State Police 'User Fee' Renews Decades-old Debate," *Pennsylvania Real Time News*, February 16, 2017, http://www.pennlive.com/news/2017/02/should_you_be_paying_for_their.html.

¹⁵² Zajac and Kowalski, *An Examination of Pennsylvania State*, 5.

¹⁵³ Ibid., 8.

¹⁵⁴ Ibid.

In total, PSP provides service to 67 percent (1,719) of the 2,562 municipalities in Pennsylvania.¹⁵⁵ PSP service covers 76 percent of the rural population and 24 percent of the urban population.¹⁵⁶ See Table 2 for PSP coverage levels for municipalities.

Table 2. PSP Coverage Level for Municipalities¹⁵⁷

Municipality Type	Coverage Level		
	Part-time PSP	Full-time PSP	Average Total Served
Rural	572,327 (17%)	1,988,939 (59%)	2,561,266 (76%)
Urban	281,115 (8%)	546,278 (16%)	827,393 (24%)
Average Total Served	853,442 (25%)	2,535,217 (75%)	3,388,659

As comprehensive as the PSP policing appears, Pennsylvania has the highest number of standalone municipal police agencies with 965 of the nation’s 12,501 local police agencies.¹⁵⁸ Nearly eight percent of the nation’s standalone municipal police forces are located in Pennsylvania. The state accounts for 19,122 local police officers of the 461,063 found nationwide;¹⁵⁹ however, the number of local police officers per 100,000 population is a modest 152.¹⁶⁰ These statistics, coupled with the PSP policing coverage, confirm Pennsylvania as a state having a high number of standalone municipal police departments with few officers. The solution to the stratified Pennsylvania policing system is present with the PSP but largely ignored by scholars studying consolidation. See Figure 5 for a map of PSP coverage of Pennsylvania municipalities.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

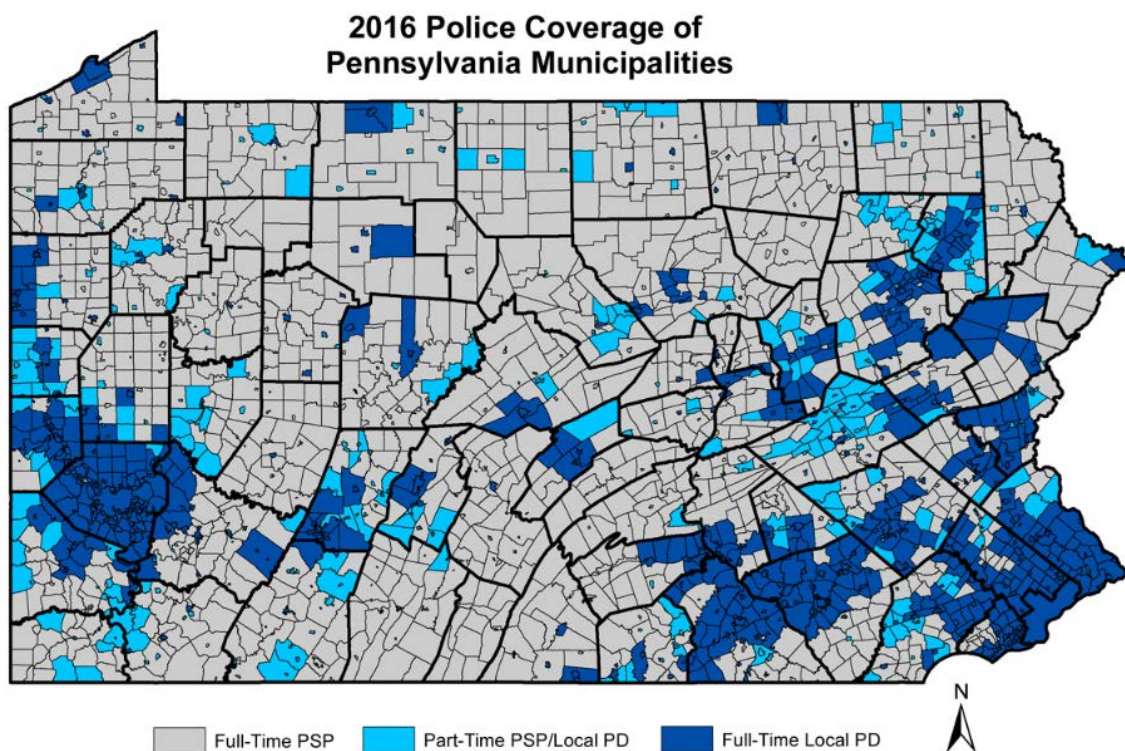
¹⁵⁷ Adapted from: Zajac and Kowalski, *An Examination of Pennsylvania State*.

¹⁵⁸ Reaves, *Census of State*.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

Figure 5. 2016 PSP Coverage Map¹⁶¹



Studies have recommended considering the creation of regional and county police departments in Pennsylvania.¹⁶² In June of 2011, 32 regional departments located in 22 counties were serving 112 municipalities of Pennsylvania.¹⁶³ The agencies employed 529 full-time sworn officers, who combined serve a total population of 514,000.¹⁶⁴ The average regional department served three to four municipalities. Although an increase in efficiency of deployed personnel, the agencies are still reliant on the PSP for services such as crime lab, education and training, air support, and special emergency response team.

¹⁶¹Source: Deppen, "Should You Be Paying."

¹⁶² Zajac and Kowalski, *An Examination of Pennsylvania State*, 14.

¹⁶³ Ibid.

¹⁶⁴ Ibid.,

Even when county police agencies are formed to provide policing services, the PSP continues to provide some coverage. For instance, the Allegheny County Police Department provides county level specialized police services, much like a sheriff's office in the western region of the United States, to municipalities within the county.¹⁶⁵ The Allegheny County Police Department responds to non-patrol related requests, including S.W.A.T., explosive ordinance disposal and investigations.¹⁶⁶ There are no formal contracts for these specialized responses. Even though county police services were available, PSP did continue to provide service to six Allegheny County municipalities.

The decades-long debate concerning the use, and sometimes abuse, of PSP services resurfaced in February 2017. Governor Tom Wolf proposed that municipalities reliant on PSP services should be charged \$25 per resident.¹⁶⁷ Even this modest fee proposal drew significant opposition. In comparison, the city of Jeannette, population 9,245, funds a standalone municipal police department of 12 full-time officers¹⁶⁸ at a cost of \$220 a resident while also paying the baseline state tax for the PSP.¹⁶⁹ Critics of the PSP charge contend that baseline tax dollars of \$97 a year already cover the costs of PSP.¹⁷⁰ With the PSP providing policing services without a cost recovery plan, the stratification and continued expansion of standalone small municipal police departments will go unchallenged. State policing provides an optimal policing model given the lack of sheriff's legal authority to conduct policing in the region and supports regional policing models in the state. A further examination of the regional policing model is warranted in comparison of sheriff contract policing and state policing.

¹⁶⁵ Ibid., 14.

¹⁶⁶ Ibid.

¹⁶⁷ Deppen, "Should You Be Paying."

¹⁶⁸ City of Jeannette, "Police Department," June 6, 2016, <http://www.cityofjeannette.com/police-department.html>.

¹⁶⁹ Deppen, "Should You Be Paying."

¹⁷⁰ Ibid.

D. THE REGIONAL POLICE MODEL

Since the 1970s, thousands of municipalities have explored the regional or consolidated policing model.¹⁷¹ This model has often been identified as the optimum solution to maintaining local controls while achieving economies of scale. As often as this model has been explored, however, there are few successful examples of regionalized services in American policing. The review of successful collaboration, regionalization, and amalgamation is warranted as it provides insight to the conditions that led this change. The following case study of Charlotte-Mecklenburg focuses on the amalgamation of a two large police forces providing insight to time and effort to successfully amalgamate services.

A study of the Charlotte-Mecklenburg amalgamation of police services demonstrates that large sized police agencies can successfully merge policing services. Additionally, the case study provides a domestic example of the importance of cost saving through economy of scale, sharing of information, and increased efficiency. The Charlotte-Mecklenburg police department showcases the joined resources of a city police department and a county police department, representing a successful amalgamation in the southern region of America.

The Charlotte-Mecklenburg consolidation efforts were long and fraught with political compromises and pragmatism. The goal of the city-county-consolidation (C³) was to bring seven different governments (municipal governments of Charlotte, Cornelius, Davidson, Huntersville, Matthews, and Pineville and the county of Mecklenburg) under one government. The governments shared local structure with either council-manager or mayor-council local government. The C³ efforts focused on the nearly two-thirds of Mecklenburg County residents residing

¹⁷¹ Terry W. Koepsell and Charles M. Girard, *Small Police Agency Consolidation: Suggested Approaches* (Washington, DC: National Institute of Law Enforcement and Criminal Justice, 1979), v.

within the city of Charlotte.¹⁷² Those two-thirds of residents financially supported both the Mecklenburg County government and the city of Charlotte government. The inefficiency was readily apparent. The recognition of the inefficiency was prominently documented in the 1971 report proposing that all city-county services, including law enforcement, be merged.¹⁷³

The 1971 report recognized that no government exists merely for its own needs; rather, government exists for the people and should be organized or reorganized when warranted. The report found that seven different police forces operating under seven different local government agencies provided the common goal of public safety.¹⁷⁴ Specifically noted in the report was that under the recommended approach, Charlotte citizens would no longer have to pay two-thirds of the cost of a county police force that served the area outside of the city.¹⁷⁵ The report further identified that municipal governments are tasked with providing *higher* levels of law enforcement and services needed in urbanized settings.

According to the 1971 report, consolidation efforts had been attempted nearly 44 years earlier, in 1927. Miss Carrie McLean, a member of the General Assembly to Mecklenburg at the time, recommended to simply expand the boundaries of Charlotte to meet that of Mecklenburg County.¹⁷⁶ The new government would have both the powers of a county and cities absorbed by the expansion. The new government would appoint a commissioner of public safety. The plan was never taken to public vote and newspaper accounts of the day indicate that the plan was not even anticipated to be voted on ever. The idea that

¹⁷² Charlotte-Mecklenburg Charter Commission, *Responsible Responsive Government: The Report of the Charlotte-Mecklenburg Charter Commission on the Plan for The Consolidated Government of Charlotte and Mecklenburg County* (Charlotte, NC: Charlotte-Mecklenburg Charter Commission, 1971), 3.

¹⁷³ *Ibid.*, 3–5.

¹⁷⁴ *Ibid.*, 3.

¹⁷⁵ *Ibid.*, 6.

¹⁷⁶ *Ibid.*, 22.

one government could provide more efficient services than many was not new to 1971, but the result was the same—a merger did not occur.

In 1980, Charlotte Police Department consisted of 594 sworn officers and 152 civilian staff. The merger of the Charlotte Police Department and the Mecklenburg County Sheriff's Department was finally achieved in 1993 as the result of years of negotiation. In 1995, the amalgamated police force of Charlotte-Mecklenburg Police Department deployed 1,208 sworn officers and 326 civilian staff.¹⁷⁷ The department grew by a total of 105 percent during the 25-year period. In 2002, the department had grown to 1,501 sworn officers and 501 civilians.¹⁷⁸ Efficiency could be called into question with such a rapid expansion of personnel if consideration was not given to the rate of growth in population for the city and county. During the same time, 1980 to 2002, the population of Charlotte grew by 84 percent while the population of Mecklenburg County grew by 85 percent.¹⁷⁹ Consideration should also be given to the economic conditions driving interest in the area. For instance, the city of Charlotte was the second largest banking area in America at the time.¹⁸⁰

The Charlotte-Mecklenburg Police Department has demonstrated effective policing through the reduction of violent crimes. In 1980, the Charlotte Police Department recorded 9,579 violent crimes, including 60 homicides. That same year, Mecklenburg County documented 2,874 violent crimes, including eight homicides. The amalgamated department of Charlotte-Mecklenburg Police Department documented a total of 9,228 violent crimes, including 89 homicides in 1995. By 2002, the department documented only 7,583 violent crimes, including

¹⁷⁷ Charisse T. M. Coston and Joseph B. Kuhns, "Lives Interrupted!: A Case Study of Henry Louis Wallace: An African American Serial Murderer in a Rapidly Expanding Southern City," *Free Inquiry In Creative Sociology* 32, no. 2 (2004): 142.

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*, 143.

¹⁸⁰ *Ibid.*, 142.

67 homicides. This represented a 21 percent decrease in violent crimes from 1980 to 2002.¹⁸¹

The case study of Charlotte-Mecklenburg demonstrates the unlikelihood of C³ law enforcement services. As this case shows, even when inefficiency persists through generations, the political will to change the law enforcement service is lacking. Although two-thirds of the population of the county was residing within the city limits one would have had immediate benefit of reduced cost, change did not occur. This case study does show that the amalgamation of law enforcement services between two large agencies can produce a highly effective single police agency. Additionally, Charlotte-Mecklenburg policing merger is not likely replicable in other city-county areas as few cities have a county footprint similar to that of Charlotte.

The inherent risk of having a small, standalone police agency is often never realized. When local control trumps the efficiency and effectiveness of operations, a crisis can result. The mid-western police model is one of a small police agency lacking training, professional standards, and resources to combat violent crime often isolated to those living in poverty. The case example for upheaval of traditional standalone municipal policing is Ferguson, Missouri.

E. ST. LOUIS COUNTY, MISSOURI

St. Louis County, Missouri was thrust into the national spotlight immediately following the shooting of Michael Brown by Officer Darren Wilson in the city of Ferguson on August 9, 2014. The city of Ferguson is one of 89 municipalities located within the St. Louis County.¹⁸² St. Louis city, within the county of St. Louis, and St. Louis County are home to just over 1.3 million residents.¹⁸³ The residents live among 90 different communities, mostly small in size. St. Louis city is the

¹⁸¹ Ibid., 144.

¹⁸² U.S. Census Bureau, "2012 Census of Governments," September 2013, <http://factfinder.census.gov/bkrmk/table/1.0/en/COG/2012/ORG13.ST05P?slice=GEO~0400000U29>.

¹⁸³ Police Executive Research Forum, *Overcoming the Challenges*, 16.

largest of cities within the county at 319,000 residents. The remaining populations of these communities range in size from dozens of residents to more than 52,000.¹⁸⁴ Of the 90 municipalities within the county, 23 have fewer than 1,000 residents, 48 have fewer than 5,000 people,¹⁸⁵ and 43 communities are less than a square mile in size.¹⁸⁶

Even given the small size in population and square miles of the majority of cities within the county, approximately 60 police agencies and 20 dispatch centers, of which nearly two-thirds serve a single municipality, are located within St. Louis County. Of the 90 communities, approximately one-third contract for regional police services. Eighteen cities contract with the St. Louis County Police and 14 cities with neighboring police agencies, leaving nearly two-thirds of the county operating standalone police services, including the city of Ferguson.

Ferguson is populated by approximately 21,000 residents, approximately 6.19 square miles, and governed by an elected mayor and a six-member city council. The city council appoints a city manager to indefinite term at the approval of the council. The city manager is the chief executive officer and oversees all department heads, including the chief of police.

The Ferguson Police Department is comprised of 55 sworn officers and lead, at the time of the 2014 shooting, by Chief Thomas Jackson. The patrol division is comprised of 28 officers, including four canine handlers, supervised by four sergeants, two lieutenants, and a captain. The department also has two school resource officers assigned to schools, one community relations officer, and a traffic officer. Four of the sworn officers are of African American descent.¹⁸⁷

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ U.S. Department of Justice Civil Rights Division, *Investigation of the Ferguson Police Department* (Washington, DC: U.S. Department of Justice, 2015), https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf, 7.

The shooting incident, coupled with other high profile police uses of force, focused national attention on policing in Ferguson, St. Louis County, and throughout America. The primary focus was on the inquiry to see if biased policing was institutionalized throughout the region and the nation. In an effort to respond to the national call for review of this incident, multiple investigations and reports were generated. Four reports stand apart from the multitude: *The Interim Report of the President's Task Force on 21st Century Policing*, *Investigation on the Ferguson Police Department by the U.S. Department of Justice Civil Rights Division*, *Overcoming the Challenges and Creating a Regional Approach to Policing in St. Louis City and County by the Police Executive Research Forum*, and *Forward Through Ferguson A Path Toward Racial Equity by the STL Positive Change*. These reports separate themselves from the others through the comprehensiveness of investigation, subject matter expertise, and legitimacy of the sponsoring organizations. This case study of the Ferguson Police Department is predominantly drawn from these reports.

With 857 sworn officers, the St. Louis County Police Department is the second largest police agency in the county, and it is second to St. Louis Metropolitan Police Department, which is authorized 1250 sworn officers.¹⁸⁸ The St. Louis County Police Department provides contract services in multiple forms to many of the municipalities located in the county. The department was the second county agency in the nation to provide contract services, beginning in 1955.¹⁸⁹ Moreover, the department provides full-service and limited service to 71 municipalities within the county.¹⁹⁰ Many of the services provided are limited to records management or communications services. Additionally, the county police

¹⁸⁸ Christine Beyers, "St. Louis County Police Losing Officers at Increasing Rate," *St. Louis Post-Dispatch*, April 20, 2015, http://www.stltoday.com/news/local/crime-and-courts/st-louis-county-police-losing-officers-at-increasing-rate/article_cc4dd3ef-0aaa-512d-8c34-1824b1676cf0.html.

¹⁸⁹ St. Louis County, Missouri, Law and Public Services, "Municipal Services and Contracting," accessed May 15, 2015, <http://www.stlouisco.com/LawandPublicSafety/PoliceDepartment/MunicipalContractingandServices>.

¹⁹⁰ *Ibid.*

department supplies patrol services to 23 contracted municipal, state, housing, and transportation agencies within the county.¹⁹¹ The St. Louis County Police Department furnishes contracting police services to 18 communities within St. Louis County.¹⁹² The police department's services cover 319,000 residents in the county.

Aside from St. Louis city and St. Louis County police departments, the average size of police agencies within the county is small. Of the remaining 58 police agencies, 17 municipalities have fewer than 20 officers, and at least seven agencies have fewer than 10 officers.¹⁹³ Three police agencies (Bella Vista, Bel-Noir, and Flordell Hills) have only five police officers.

St. Louis County does have examples of regional policing. The county provides examples of both contract services and regional police departments. The previously described county policing of 18 communities by the St. Louis County Police Department is not the lone example. Two of the larger cities (Fenton and Jennings) also contract to the county police services. An additional example of amalgamated policing is the city of Normandy. Normandy Police Department serves its municipality of 5,000 residents while also providing police contract services to Bellerive, Cool Valley, Glen Echo Park, Greendale, and Pasadena Park. The geographic size of police services provided to Normandy and contracting cities is only 2.99 square miles.¹⁹⁴ Seven additional police agencies provide contract services to one or more adjoining municipalities. However, no police service, other than the St. Louis County Police, provides service to a significant geographic area or population.

¹⁹¹ St. Louis County Police Department, "Police Service Agreements and Assignments," accessed May 15, 2015, <http://www.stlouisco.com/Portals/8/docs/Document%20Library/police/Contracts.pdf>.

¹⁹² Police Executive Research Forum, *Overcoming the Challenges*, 21.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

Additionally, St. Louis County receives policing services from the Missouri State Highway Patrol. The highway patrol provides traffic and criminal enforcement throughout the state but is focused on traffic related functions. The highway patrol is one of seven state law enforcement agencies within Missouri (Missouri State Highway Patrol, Missouri Capitol Police, Division of Fire Safety, Division of Alcohol and Tobacco Control, Missouri State Park Rangers, Missouri Conservation Agents, and Missouri State Technical Assistance Team).¹⁹⁵ In 1992, the highway patrol became only the tenth state law enforcement agency to attain accreditation from the Commission on Law Enforcement Accreditation (CALEA).¹⁹⁶ The CALEA accreditation provides legitimacy to the community by having an independent organization review policy and audit practices to ensure that both are congruent. The accreditation is one that can take up to 36 months to complete. Additionally, compliance and reaccreditation are required every three years. The Highway Patrol has maintained its CALEA accreditation. The Highway Patrol Troop C provides services to St. Louis County along with 10 other contiguous counties.¹⁹⁷ Troop C is the largest of the nine troops assigned throughout the state with 147 uniformed officers, 136 uniformed civilians, and 21 civilian employees.¹⁹⁸

Immediately following the shooting of Michael Brown, the city of Ferguson and St. Louis County became a flashpoint for public demonstrations and criminal rioting. The Ferguson Police Department was quickly overwhelmed and responded aggressively to disrupt the growing protests. Ferguson police officers were deployed in S.W.A.T. gear and armored S.W.A.T. vehicles were stationed on the

¹⁹⁵ Missouri Department of Public Safety, "Department of Public Safety-Law Enforcement Agencies," accessed September 14, 2015, <http://dps.mo.gov/leagencies.php>.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Missouri Department of Public Safety, Missouri State Highway Patrol Troop C," accessed September 14, 2015, <http://mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/TroopHeadquarters/TroopC/>.

streets with officers pointing scoped rifles at the crowds.¹⁹⁹ Ferguson police arrested reporters who were slow to move from areas and deployed tear gas at unruly crowds when they failed to disperse after warnings. These events were broadcast nationally and internationally and drew immediate attention and criticism.

The aggressive tactics by the Ferguson Police Department caused the protests to grow in size and exceed the police department's capabilities. Ferguson police called for mutual aid assistance from the St. Louis County Police Department and additional police departments within the county. The protests continued to grow more violent and damaging to the community.

On August 14, 2014, Governor Jay Nixon intervened and assigned the Missouri State Highway Patrol to take command and control of the response to civil disturbance in Ferguson. Immediately, tactics changed. Captain Ronald Johnson of the highway patrol walked through the crowd and talked with protestors. Johnson, who lived in the area, personalized the approach to deescalate police response to the civil disobedience and protests. Captain Johnson's command provided legitimacy through the removal of armored vehicles, S.W.A.T. responses to protests, and use of tear gas to disband protestors.²⁰⁰ In addition, the highway patrol removed officers who acted inappropriately, used excessive force, or agitated the crowd. One example is the action of St. Ann's Lieutenant Ray Albers. Albers pointed a rifle at protestors and yelled that he would kill them, and a St. Louis County Police sergeant intervened. Albers was removed from the assignment and placed on administrative leave by his department.²⁰¹ The

¹⁹⁹ "Why Ferguson, Mo., Looked Like a War Zone This Week," *CBS News*, August 15, 2014, <https://www.cbsnews.com/news/ferguson-missouri-response-shows-police-use-of-military-equipment/>.

²⁰⁰ "Missouri State Troopers to Take over Security in Ferguson, Missouri," *CBS News*, August 14, 2014, <https://www.cbsnews.com/news/missouri-state-troopers-to-take-over-security-in-ferguson-missouri/>.

²⁰¹ Robert Patrick, "St. Ann Officer Removed after Pointing Gun, Threatening Ferguson Protestors," *St. Louis Post-Dispatch*, August 20, 2014, http://www.stltoday.com/news/local/metro/st-ann-officer-removed-after-pointing-gun-threatening-ferguson-protesters/article_3854ed72-a14c-5b8e-b32f-ddb35de94803.html.

Alber's incident further illustrates the lack of training and police legitimacy across the county of St. Louis. Although incidents of violence and criminal acts continued, the previous justification of responding to overly aggressive police was no longer valid.

The response to the protests and criminal rioting showed that the municipal departments and the county police lacked the personnel, training, and legitimacy to effectively police the community, especially in a time of crisis. Only when the highway patrol assumed command did the path of restoring order become possible. The police shooting of Michael Brown and the following protests and rioting initiated a number of reviews and reports ranging from the federal government, community based groups, and professional organizations. All reviews were highly critical of the Ferguson Police Department, its personnel, practices, and community interaction.

The four prominent reviews of the Ferguson Police Department and the regions' response to the protests and riot all identify serious flaws in the delivery of police services. One report, *The Investigation of the Ferguson Police Department* by the U.S. Justice Department, focused on the unconstitutional practices employed by the Ferguson Police Department that led to the Michael Brown shooting. Revenue generation to offset the city cost of operating a municipal police department was one of the significant questionable practices the report identified.²⁰² The practice was also identified in the Police Executive Research Forum (PERF) report. The police focus of revenue generation over more substantial policing duties, including community policing, was central to loss of legitimacy of the Ferguson Police Department. A more serious issue is the push to generate revenue created unlawful policing and disparate treatment toward African-Americans.

Officers of the Ferguson Police Department were encouraged to write tickets and effect arrests for municipal code violations to gain revenue. The

²⁰² Civil Rights Division, *Investigation of the Ferguson Police*, 2.

Department of Justice investigation identified emails from the city manager and finance manager praising the increase in revenues by the department. Many of the municipal code violations lacked legal standing and, upon review, were questionable in constitutionality. Ferguson police officers frequently used municipal code law to stop, detain, and arrest persons.²⁰³ Often, these arrests or citations resulted in license suspensions or increased fines when defendants missed court appearances. Community members were being taxed through police enforcement to support the same police services they were not receiving.

Even given the Macks Creek Law of Missouri, which limited municipalities to collecting no more than 30 percent of their annual general operating revenue from traffic tickets and court fees, Ferguson and a significant number of cities within St. Louis County sought to maximize this revenue to or even exceed the limit.²⁰⁴ The 90 municipalities in St. Louis County account for only 11 percent of the state's population but generated 34 percent of the municipal fines and fees in 2013.²⁰⁵ Furthermore, 13 municipalities within the county were filed against by the state attorney general for having exceeded the 30 percent cap in 2014.²⁰⁶ Several charges against municipalities were dropped when they re-filed financial reports. Significant evidence is presented in the PERF report, DOJ report, and Better Together community report that the practice of generating revenue to support the municipal policing was institutionalized throughout the county.²⁰⁷

The PERF report states that the PERF committee members are unaware of this practice occurring elsewhere in the country. According to the report, "This intense, widespread focus of the police on generating revenue is an anomaly that

²⁰³ Ibid.

²⁰⁴ Police Executive Research Forum, *Overcoming the Challenges*, 60.

²⁰⁵ Ibid., 72.

²⁰⁶ Ibid., 38.

²⁰⁷ Police Executive Research Forum, *Overcoming the Challenges*; Civil Rights Division, *Investigation of the Ferguson Police*; Ferguson Commission, *STL Positive Change*.

PERF has not seen elsewhere in the United States.”²⁰⁸ PERF appears to be the ostrich with its head buried in the sand. There is no question whether this practice is occurring rampantly in St. Louis County and throughout the nation; the issue has been widely published in professional journals, magazines, and newspapers. Paul LaCommare wrote in the *Police Chief* magazine of multiple ways to increase revenue sources in 2009 as a response to the recession and its effect on the delivery of law enforcement services.²⁰⁹ LaCommare included municipal administrative fees and response fees to citizens calling for police services. To LaCommare’s credit, all recommendations were vetted to ensure they met with the standards of the department and the community. *Car and Driver* magazine published an article in February 2009 titled, “More Tickets in Hard Times; Cities Searching for Revenue Look to Their Police Departments as a Way to Cash In.”²¹⁰ The article focuses on the metropolitan Detroit area and the significant increases in citations. Astonishingly, the article quotes Police Chief Michael Reaves of Utica, Michigan, who stated that police work is now about revenue enhancement. “When I first started in this job 30 years ago, police work was never about revenue enhancement, but if you’re a chief now, you have to look at whether your department produces revenues,” he says. “That’s just the reality nowadays.”²¹¹ Local municipal police departments are costly and funding them can be difficult whether they are located in St. Louis County or any county in America.

The findings and recommendations of the reports are significant and warrant further examination. The PERF report identifies the following findings, see Table 3:

²⁰⁸ Police Executive Research Forum, *Overcoming the Challenges*, 33.

²⁰⁹ Paul LaCommare, “Generating New Revenue Streams,” *The Police Chief*, June 2010, 22–30.

²¹⁰ George Hunter, “More Tickets in Hard Times-Feature-Car and Driver,” *Car and Driver*, February 1, 2009, <http://caranddriver.com/features/more-tickets-in-hard-times>.

²¹¹ *Ibid.*

Table 3. PERF “Overcoming Challenges and Creating a Regional Approach to Policing in St. Louis City and County” Findings²¹²

Finding 1: The City of St. Louis and many municipalities in St. Louis County are experiencing high rates of violent and property crimes.
Finding 2: Crime has financial costs that are borne by the residents and governments of the St. Louis region.
Finding 3: In many municipalities in St. Louis County, policing is driven by the need to generate revenue, and not by the public safety needs or priorities of the community.
Finding 4: The inappropriate, revenue-driven mission of the police is often directed by local officials to fund municipal government.
Finding 5: Most residents want their police departments to engage in serious and meaningful community-based policing, but because of the emphasis placed on generating revenue, community policing is de-emphasized or non-existent in many jurisdictions.
Finding 6: Policing is fragmented, which undermines efficiency and hurts operations.
Finding 7: Police standards, training, pay, and professionalism vary dramatically from agency to agency.
Finding 8: Through a process known as the “muni shuffle,” police officers with disciplinary or performance issues slip through the cracks and move from department to department. Part of the blame lies with a severely underfunded state oversight system.
Finding 9: The issue of race—and perceived racial bias against African-Americans in particular—looms over the entire justice system. Racial tensions between the police and large segments of the community are holding back progress.
Finding 10: Police interactions with young people are often strained, and the lack of trust threatens to undermine policing efforts now and in the future.

Finding 6, policing is fragmented, which undermines efficiency and hurts operations, is understated. The inefficiency of policing and the high costs passed on to the community through traffic enforcement revenue collection is the cause of strained relationships cited in multiple findings. Additionally, high crime rates can also be attributed to inefficient and ineffective policing through the fragmentation of American law enforcement. Although efficiency and effectiveness are separate measurements, a police agency that must focus on the revenue collection practices due to inefficiency rather than that of community oriented policing and associated crime reduction strategies also becomes ineffective. In the case of Ferguson, the inefficient and high cost of policing directly contributed to the

²¹² Adapted from: Police Executive Research Forum, *Overcoming the Challenges*, 2–3.

ineffectiveness of the department. The PERF report addressed the findings with the following recommendations, shown in Table 4.

Table 4. PERF Overcoming the Challenges and Creating a Regional Approach to Policing in St. Louis City and County Recommendations²¹³

Recommendation 1: Create a regional police training center and conduct joint City-County training exercises.
Recommendation 2: Establish a set of regional standards covering critical policies, practices, and operations that enhance quality and professionalism.
Recommendation 3: Create a multi-agency Compstat program to identify and analyze cross-border crime problems, and a regional Major Case Squad to combat these problems.
Recommendation 4: Provide for cross-deputizing St. Louis City and County police officers, to enhance flexibility and effectiveness in fighting crime.
Recommendation 5: Reduce the number of dispatch centers in the county to reduce confusion among residents and promote efficiency.
Recommendation 6: Provide additional resources to support the Peace officers Standards and Training (POST) program in its monitoring and oversight roles.
Recommendation 7: The Macks Creek law should be strengthened and enforced more vigorously.
Recommendation 8: Create a Central Data Warehouse about policing in St. Louis City and County that is accessible to police officials and members of the public.
Recommendation 9: Survey the community on an ongoing basis to measure citizen satisfaction with policing services and to assess progress over time.
Recommendation 10: Create a consolidation cluster encompassing nine contiguous jurisdictions in the vicinity of University City: Beverly Hills, Hillside, Northwoods, Pagedale, Pine Lawn, Uplands Park, Velda City, Velda Village Hills, and Wellston.
Recommendation 11: Create a consolidation cluster encompassing four contiguous jurisdictions—Berkeley, Calverton Park, Ferguson, and Kinloch—that would be consolidated into a single police district and merged via contract with the St. Louis County Police Department.
Recommendation 12: Merge five contiguous municipalities—Bellefonte Neighbors, Country Club Hills, Flordell Hills, Moline Acres, Riverview—via contracts into the Jennings Precinct of the St. Louis County Police Department.
Recommendation 13: Non-cluster agencies should implement the recommendations in this report and consider changes to meet community expectations, the Macks Creek Law, and national best practices in policing.
Recommendation 14: Focus on breaking down walls and building bridges between the police and communities in the St. Louis region.

²¹³ Source: Police Executive Research Forum, *Overcoming the Challenges*, 3–6.

The PERF report findings are consistent with the DOJ report, *STL Positive Change*, and the Ferguson Commission report. All three identify the harmful and unconstitutional practices of aggressive traffic and municipal code enforcement the police disparately directed toward African-Americans to create revenue. The recommended changes of regionalization are a necessary step toward the reformation of policing in St. Louis County and can be a guide for the nation. The reports have generated legislative action, forcing small police agencies to seek alternate funding mechanisms or to disband and seek regional or county cost sharing. The common thread through the reports is the significant cost of a running a small police department is not just financial but also diminishes the ability of the department to respond appropriately in crisis.

F. LOOKING AHEAD

This chapter has examines the history of American policing and presented significant case studies of amalgamation and opportunities for amalgamation. Lessons can be learned from historical examination; however, equally important is the forward vision of where American policing is headed in the future.

The policing of America in the future faces significant challenges. Unforeseen challenges leave limited time for police to prepare for them; however, there are challenges police can forecast and prepare for. The challenges that police can forecast are cybercrime, transnational crime, and response to terrorism related events and natural disasters. These challenges have often been assumed by federal agencies, primarily the FBI, Department of Homeland Security (DHS), and U.S. Secret Service. The law enforcement responsibilities of the federal agencies are changing, and they will require a greater participation by state and local police agencies. This chapter addresses challenges law enforcement can forecast, the ability for state and local police agencies to respond, and identify how the amalgamation of American policing would enhance the capability of national preparation.

1. Cyber Crime

Perhaps the greatest emerging challenge facing American policing is that of response to cybercrime. Bureau of Justice Assistant Director Denise O'Donnell emphasized the impact of cybercrime in the future, "Cybercrime isn't just a 'new thing;' it is the future of law enforcement."²¹⁴ Cybercrime not only poses a threat to national security, commerce, and private industry, but it is also a threat to privacy and can result in the personal loss of finances and blackmail.²¹⁵ The traditional local law enforcement response has been to defer cybercrime investigations, whether it involves large or small losses, to the FBI and U.S. Secret Service. The Internet Crime Complaint Center (IC3) was formed in 2000 by the FBI and the National White Collar Crime Center. The FBI initiated IC3 as an effort to consolidate smaller case investigations and reduce redundancy in investigations. In 2012, the IC3 was staffed with 30 people who analyze and distribute cases to federal, state, and local law enforcement agencies. The IC3 received over 280,000 complaints in 2012.²¹⁶ The vast majority of complaints the IC3 received did not concern a loss; however, those who did report losses averaged a loss of \$4,500.²¹⁷ Since its inception in 2012, the IC3 has received 1,408,849 complaints.²¹⁸ The FBI estimates that only 15 percent of victims report a cybercrime when it occurs. The threshold to initiate investigations is \$25,000 and can involve multiple cases linked together. If a reported crime does not rise to the federal investigation threshold, it

²¹⁴ Police Executive Research Forum, *The Role of Local Law Enforcement Agencies in Preventing and Investigating Cybercrime*, Critical Issues in Policing Series (Washington, DC: Police Executive Research Forum, 2014), 5.

²¹⁵ U.S. Department of Justice, Bureau of Justice Assistance, and Police Executive Research Forum, *The Utah Model: A Path Forward for Investigating and Building Resilience to Cyber Crime* (Washington, DC: U.S. Department of Justice, 2015), <http://www.iacpcybercenter.org/wp-content/uploads/2015/04/The-Utah-Model-A-Path-Forward-for-Investigating-and-Building-Resilience-to-Cyber-Crime.pdf>, 1.

²¹⁶ *Ibid.*

²¹⁷ Police Executive Research Forum, *The Role of Local Law Enforcement*,

²¹⁸ Federal Bureau of Investigation, Internet Crime Complaint Center, *2016 Internet Crime Report* (Washington, DC: Federal Bureau of Investigation, 2017), https://pdf.ic3.gov/2016_IC3Report.pdf.

is referred back to a local agency. Cybercrime is a significant factor in policing, and the indications are it will continue to grow.

A 2016 IC3 report reveals only two separate San Diego cases as examples of successful prosecution of cybercrimes, resulting in no more than one-year of time served by the defendant in each case. The report further notes the success of Operation Wellspring, which partnered multiple law enforcement agencies together as cyber task forces. With the collaboration of the cyber task forces, the IC3 was able to open 37 new investigations and referred 174 complaints to cyber taskforces in 2016. The report points out the impact of cybercrime—a reported \$1.33 billion in losses and over 800 complaints received per day.²¹⁹ The report's lack of identified successful prosecution and limited identification of regional task force successes demonstrates that the vast majority of cases are either left uninvestigated or referred back to local agencies. The report is significantly lacks mention of the success of the current police strategy regarding cybercrime.

Presidential Policy Directive 41 (PPD41), *United States Cyber Incident Coordination* called for a national cyber incident response plan to identify the roles of federal and non-federal authorities. The preparation, response, and recovery for cyber incidents are articulated in this directive. The directive sought to answer the most significant question, "Who do I call for help?" Unfortunately, PPD41 identifies multiple federal agencies as having diverse response roles: asset response, threat response, and intelligence support. The DHS is identified as the responsible agency for asset response. The DHS National Cybersecurity and Communications Integration Center identifies the cyber threat (malware), seeks to remove it, identifies access, assesses the damage, and provides resources on system security. The Department of Justice, FBI, and National Cyber Investigative Joint Task Force is identified as the lead agency for conducting the law enforcement and national security investigation. They are tasked with the identification, apprehension, and disruption of cyber criminals. However, DHS also has limited

²¹⁹ Ibid.

involvement as the United States Secret Service (under DHS) conducts financial criminal investigations and Immigration and Customs Enforcement (also under DHS) Homeland Security Investigations provides response for cybercrimes. Lastly, PPD41 identifies the Office of the Director of National Intelligence as the lead federal agency for support of intelligence on cyber threats.

PPD 41 is designed as a response guide to significant cyber related threats involving national security or broad economic threats relating to commerce. Examples of cyber threats intended to be addressed by PPD 41 are the compromise of Target stores' 40 million customer accounts,²²⁰ Port of Los Angeles/Long Beach closure due to cyber attack,²²¹ and the Russian cyber attack on the Democratic National Committee.²²² The vast majorities of cyber incidents do not rise to this level and are dependent on state and local responses. However, the state and local law enforcement are not prepared for the increasing number and sophistication of cyber threats.

Local law enforcement agencies, especially small ones, are not prepared to handle the technical issues associated with cybercrimes nor the volume of cybercrime reports with which they are tasked. The creation of IC3 and the direction found in PPD 41 provide little direction to local agencies and offer them insignificant resources. In 2014, Los Angeles County Sheriff's Department Chief William McSweeney gave a blunt assessment of a large county agency's response,

Unfortunately, we haven't properly prepared our officers to handle cybercrime calls. Our agency receives a hundred cybercrime calls a day for cybercrime complaints, and too often the responding officers

²²⁰ Gregory Wallace, "Target Credit Card Hack: What You Need to Know," *CNN Money*, December 23, 2013, <http://money.cnn.com/2013/12/22/news/companies/target-credit-card-hack/index.html>.

²²¹ Alexa D'Angelo and Jill Leovy, "Maersk' L.A. Port Terminal Remains Closed after Global Cyberattack," June 29, 2017, <http://www.latimes.com/business/technology/la-fi-maersk-cyber-attack-20170629-story.html>.

²²² Kevin Johnson, "DNC Cyber Attack by Russia Highlighted Delayed Response, FBI Chief Says," March 21, 2017, <https://www.usatoday.com/story/news/politics/2017/03/21/dnc-cyber-attack-russia-highlighted-delayed-response-fbi-chief-says/99455634/>.

basically just gave the victim a blank stare or gave them a minimal answer to finish the interaction as quickly as possible.²²³

This statement confirms that "...most of the 18,000 local and state law enforcement agencies have not yet developed plans and jurisdictional authority to enter this arena."²²⁴ Major City Chiefs Association Executive Director Darrel Stephens acknowledged, "Most local police departments do not have the capacity to investigate these crimes even if they have jurisdiction."²²⁵

A 2013 survey by the Police Executive Research Forum (PERF) found that of the 213 responding police departments, only 42 percent had a computer crimes unit.²²⁶ Regional computer forensic labs (RCFLs) can offer solutions to small departments in close proximity, but there are not labs for rural, Middle America police agencies. In 2013, there were only 16 RCFLs across America. Springfield, Missouri Police Chief Paul Williams stated that the nearest RCFL was 180 miles away from his agency, causing his department to have to create its own. The Springfield Police Department then provided services to the smaller surrounding jurisdictions as no agency wanted to deliver evidence to an entity 180 miles away. The Springfield Police Department found that it was dedicating half of the lab's staff time to other jurisdictional investigations.²²⁷ Even more troubling is that police departments themselves have been the victim of cyber attacks and cyber blackmail. In 2015, five New Hampshire agencies were attacked with ransomware.²²⁸ Smaller police agencies are most susceptible to malware and ransomware due to limited information technology funding. One police agency that

²²³ Police Executive Research Forum, *The Role of Local Law Enforcement*, 12.

²²⁴ *Ibid.*, 2.

²²⁵ Associated Press, "Local Police Grapple with Response to Cybercrimes," *USA Today*, April 13, 2013, <https://www.usatoday.com/story/news/nation/2013/04/13/local-police-response-cybercrimes/2079693/>.

²²⁶ Police Executive Research Forum, *The Role of Local Law Enforcement*, 6.

²²⁷ *Ibid.*, 19.

²²⁸ Chris Francescani, "Ransomware Hackers Blackmail U.S. Police Departments," *NBC News*, April 26, 2016, <http://www.nbcnews.com/news/us-news/ransomware-hackers-blackmail-u-s-police-departments-n561746>.

was victim to a cyber attack acknowledged the agency was running an outdated disc-operating system dating back to the 1980s.²²⁹ State police departments are better able to prepare for, respond to and mitigate attacks because they have more resources; however, small agencies can be left with the decision to pay the requested ransom or abandon the compromised data altogether.

A model example of a state's response to cyber security is found in Utah. Utah's answer to cyber security was not by accident. The state had been victimized by significant cyber attacks and recognized that the issue of cybercrime would continue to grow. In 2012, Utah State Senator Karen Mayne's personal information was exploited by an *Anonymous* affiliate.²³⁰ It is believed the same actors conducted a denial-of-service (DDoS) against the Salt Lake City Police Department. Also, in 2012, the Utah Department of Health's Medicaid server was hacked by international cyber criminals.²³¹ Utah's state government recognized these breaches and attacks were an underrepresentation of what was occurring in the private sector. Utah also identified itself as a continued future target due to the location of the National Security Agency facility within the state.

The Utah Department of Public Safety (DPS) State Bureau of Investigation created the Cyber Crimes Unit in 2012. The unit consisted of one sergeant and two detectives and was housed in the FBI Salt Lake City Field Office. Additionally, the unit had two civilian members; a cyber intelligence analyst and a digital forensic analyst. The State of Utah funded the positions without federal assistance. It is important to note the funding of resources was the full responsibility of the state. Additional partnerships with other federal, state, and private industry were keys to the success of this unit.

Although the first year of the program provided limited examples of success, the unit provided the foundation for the creation of a state-level cybercrime

²²⁹ Ibid.

²³⁰ U.S. Department of Justice, Bureau of Justice Assistance, and Police Executive Research Forum, *The Utah Model*, 1.

²³¹ Ibid.

program. The state cybercrime unit partnered with the FBI and DHS to establish Operation Wellspring. This effort was to create a task force investigating computer related crimes, mostly referred from IC3. The partnership was declared a success by the FBI and replicated throughout the United States in the cities of San Diego, Phoenix, Oklahoma City, Kansas City (Missouri), New Orleans, Knoxville, New York, and Buffalo. The Utah DPS cyber response has continued to grow to incorporate private sector as well as educational and financial institutions. Recognizing that critical infrastructure and continuity of operations can be significantly impacted by cyber related incidents, the state has also incorporated the cyber element into homeland security.

Recognition of the growing threat of cybercrime is not sufficient. Current practices have proven that cybercrime investigations are too significant in the amount and importance to continue to relinquish to federal law enforcement in the hopes that cases can be associated and eventually investigated. It is impossible for nearly 18,000 law enforcement agencies to identify, train, and retain cyber investigators to give these cases the necessary investigation. The funding of modern systems resistant to hacking and ransomware is also problematic for small standalone municipal police agencies. The reliance on task force and major departments to investigate the cases has also proven unreliable, as shown in Springfield, Missouri. Cyber policing at the state level, as shown in the Utah model, provides the greatest resource for the future.

2. Transnational Crime

Although often times linked to cybercrimes, transnational crime is often separate and perpetrated by criminal street gangs, drug trafficking organizations (DTOs), and human trafficking. Whereas cybercrime is not usually associated with violence, transnational gangs and DTOs create fear through violence. The prominent example of a transnational criminal concern is Mara Salvatrucha (MS-13) criminal street gang.

MS-13 was born in Los Angeles in the 1980s from the need of Salvadorian immigrants seeking to protect themselves from established criminal gangs.²³² The gang is active across the United States and believed to be as large as 10,000 members within the United States and have as many as 50,000 members worldwide.²³³ MS-13 is notorious for its brutality, which is now considered an identifying method of operation for the gang. Members of MS-13 have been associated with both local and transnational crimes. In 2012, the U.S. Treasury Department declared MS-13 a transnational criminal organization, identifying criminal acts of kidnapping, sex trafficking, assassinations, racketeering, blackmail, and extortion as crimes committed by MS-13.

Houston Police Chief Art Acevedo described MS-13 as “the worst of the worst,” and “a transnational terrorist organization because of the nature and viciousness of their activities.”²³⁴ When asked if there has been a noticeable difference in deportations in 2017 as compared to earlier years, Acevedo answered, “Not yet...”²³⁵ Law enforcement agencies have made multiple attempts to cripple MS-13. In 1992, the FBI announced the Safe Streets Violent Crime Initiative as a proactive task force for field offices partner with state and local police agencies to address gangs and violent fugitives.²³⁶ There are 185 violent Safe Streets task forces nationwide. In fact, 54 of the 56 FBI field offices participate in these with 2,200 state and local law enforcement personnel, and 58 other federal

²³² Jennifer J. Adams and Jesenia M. Pizarro, “MS-13: A Gang Profile,” *Journal of Gang Research* 16, no 4 (2009): 2.

²³³ *Ibid.*, 1.

²³⁴ Robert Siegel, “Houston MS-13 Gang Crimes Disproportionately Brutal, Police Chief Says,” *All Things Considered*, July 26, 2017, <http://www.npr.org/2017/07/26/539576156/houston-ms-13-gang-crimes-disproportionately-brutal-police-chief-says>.

²³⁵ *Ibid.*

²³⁶ *Combating Gang Violence on Long Island: Shutting Down the MS-13 Pipeline, Statement before the House Homeland Security Committee, Subcommittee on Counterterrorism and Intelligence Central Islip, New York* (William F. Sweeney Jr.) (2017), <https://www.fbi.gov/news/testimony/combating-gang-violence-on-long-island-shutting-down-the-ms-13-pipeline>.

agents in the task forces.²³⁷ The FBI created the MS-13 National Gang Task Force in 2004 as a specific response to the growing threat of MS-13. The task force was effective in arresting of over 100 members and the deportation of numerous other members.²³⁸ However, the deportation of MS-13 members has appeared to exacerbate the criminal enterprise of the gang by strengthening its international ties. Research shows that MS-13 continues to grow at a rapid rate and effective policing policies are still needed to stop its proliferation.²³⁹ There simply are not enough police resources to combat the growing threat of MS-13.

A 2007 survey on large agency police departments (defined as 100 or more officers) using gang units revealed that of the 629 local police departments and 339 sheriff's offices responding to the survey, only 365 had gang units. Table 5 illustrates that the ability of a police department to field a gang unit proportionally increases with the size of the agency and operating budget.

²³⁷ National Drug Intelligence Center, "Attorney General's Report to Congress on the Growth of Violent Street Gangs in Suburban Areas," U.S. Department of Justice, April 2008. <https://www.justice.gov/archive/ndic/pubs27/27612/dept.htm>.

²³⁸ Adams and Pizarro, "MS-13: A Gang Profile," 8.

²³⁹ Ibid.

Table 5. 2007 Census of Law Enforcement Gang Units²⁴⁰

Characteristics	Number of Law Enforcement Agencies	Percent of Agencies with a Gang Unit
Type of Agency		
Local police department	629	40
Sheriff's office	339	25
Full-time Sworn Officers		
100–124	254	21
125–149	148	20
150–249	242	34
250–499	188	48
500 or more	135	62
Operating Budget		
Less than \$20 million	413	21
\$20 million–49,999,999	317	39
\$50 million–99,999,999	124	41
\$100 million or more	104	67

Combating criminal street gangs is of significant importance to American police. The FBI found that criminal street gang membership increased in 49 percent of local jurisdictions between 2013 and 2015, and there are no signs of decreasing membership or criminal activity.²⁴¹ Even as gang membership has risen across America, police departments have found it increasingly harder to maintain specialized police units. The Las Vegas Metro Police Department, an example of regionalized policing, scaled back its gang units in 2016 in response to increasing violent crimes.²⁴² Las Vegas has more than 15,000 documented gang members; however, the specialized units were needed to combat other increasing

²⁴⁰Adapted from: Lynn Langston, *Census of Law Enforcement Gang Units, 2007: Gang Units in Large Local Law Enforcement Agencies, 2007* (Washington, DC: U.S. Department of Justice, 2010), <https://www.bjs.gov/content/pub/pdf/gulllea07.pdf>.

²⁴¹ *Combating Gang Violence on Long Island*.

²⁴² Wesley Juhl, "Expert Blames Las Vegas Crime Increase on Breakup of Metro's Gang Unit," *Las Vegas Review-Journal*, April 19, 2016, <https://www.reviewjournal.com/crime/expert-blames-las-vegas-crime-increase-on-breakup-of-metros-gang-unit/>.

violent crimes.²⁴³ Specialized units are also susceptible to cuts when staffing or budget cuts occur. For instance, the Miami-Dade Police Department reduced specialized units, including gang units, to absorb projected deficits in 2014.²⁴⁴

Task force operations, especially in the policing areas of gangs and narcotics are seen as a panacea for police agencies that cannot field the specialized units on their own. However, there can be challenges for small agencies working with task forces. The task-force approach often focuses on one particular gang. Moreover, gang task forces have inherent problems of identifying centralized command, intelligence gathering, subject matter expertise, jurisdictional deployment, and long-term, qualitative work.²⁴⁵ Additionally, local task forces can lose their identity if guided by federal agencies, as local gang issues can be overlooked to focus on national gang issues, not those present in the local jurisdiction. These issues concerning small agencies are roadblocks to commitments to task force operations. In contrast, larger agencies, specifically state police agencies, are more likely to commit available resources to task force operations.

Even in a federal task force environment, state police agencies are better staffed and can provide more resources than local police agencies. The New York State Police (NYSP) provides an example of this ability through its response to the MS-13 crime wave. The NYSP was able to surge personnel to a task force already in place with federal and local police. The Long Island Gang Task Force is comprised of 30 agents, detectives and officers from federal, state, and local

²⁴³ Ibid.

²⁴⁴ Patricia Mazzei and Douglas Hanks, "Miami-Dade Mayor's Proposed Budget Cuts Police, Parks, Libraries," *Miami Herald*, July 8, 2014, <http://www.miamiherald.com/news/local/community/miami-dade/article1974576.html>.

²⁴⁵ Nick Perna, "5 Requirements for a Successful Gang task Force," *Police One*, November 24, 2015, <https://www.policeone.com/chiefs-sheriffs/articles/46521006-5-requirements-for-a-successful-gang-task-force/>.

agencies.²⁴⁶ NYSP added 25 officers to the task force and increased the NYSP presence in the area.²⁴⁷ The efforts nearly doubled the task force resources. This demonstrates the state police ability to surge personnel and resources to areas in need of additional policing, an ability local forces usually don't have.

3. Terrorism and Critical Infrastructure Protection

The FBI is tasked with conducting terrorism related investigations in America. Although this responsibility has always been present for the FBI, prior to September 11, 2001, the FBI was primarily identified as responsible for bank robbery investigations and white-collar crime. The pivot of the FBI to terrorism and counterterrorism responsibilities increased the need for state and local police to share responsibility in traditional investigations once handled by the FBI as well as to contribute to the national security in terrorism and counterterrorism investigations. The roles of state police and large police agencies (i.e., those greater than 300) are more in terrorism-related intelligence and homeland security than that of smaller police agencies.²⁴⁸ Although state police personnel represent only 10 percent of the police in America, they are tasked with the lead responsibility in terrorism-related intelligence gathering in 75 percent of the states.²⁴⁹ As illustrated in Table 6, state agencies are responsible for prevention, protection, and response to terrorism related issues in more than half of the states.

²⁴⁶ Sean Piccoli and Eli Rosenberg, "State Police Will Help Battle MS-13, Cuomo Says," *New York Times*, April 26, 2017, <https://www.nytimes.com/2017/04/26/nyregion/state-police-will-help-battle-ms-13-cuomo-says.html>.

²⁴⁷ Ibid.

²⁴⁸ Council of State Governments and Eastern Kentucky University, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions* (Lexington, KY: Council of State Governments and Eastern Kentucky University, 2005), <http://www.csg.org/knowledgecenter/docs/Misc0504Terrorism.pdf>.

²⁴⁹ Ibid., 15.

Table 6. 2005 Homeland Security State Agency Responsibility²⁵⁰

Homeland Security Initiative	State Agency is the Leader or Great Amount (Percent)
Terrorism-related intelligence gathering, analysis and dissemination	75.4
Homeland security planning for the state	61.3
Protection of dignitaries	58.1
Conducting critical infrastructure, key asset and vulnerability assessments	56.5
Emergency response to terrorism-related incidents	55.7
Protection of critical infrastructure	53.2
Coordinates homeland security activities in the state	53.2

In contrast to state police, only 28 percent of small standalone municipal police agencies reported interacting with the FBI at a higher rate since September 11, 2001.²⁵¹ Countering the lack of small agency interaction with federal partners, more than 75 percent of state police agencies increased or significantly increased the assignment of personnel to federal task forces, including joint terrorism task forces, since 9/11.²⁵² State police efforts in homeland security also alleviate competitive paradigms for federal funding and resource sharing. States with one or more metropolitan areas encounter competition for resources from the federal government. States with primarily rural areas encounter a paradigm of “it can’t happen here” with small standalone municipal law enforcement. Moreover, states with robust county governments experience friction among county sheriff’s or county police departments, local police agencies, and state government.²⁵³ State police agencies are already considered the key player for local police and federal

²⁵⁰Adapted from: Council of State Governments and Eastern Kentucky University, *The Impact of Terrorism*, 8.

²⁵¹ *Ibid.*, 12.

²⁵² *Ibid.*

²⁵³ *Ibid.*, 23.

partners. The role of state police is equally important in states with metropolitan cities and in states that are primarily rural. The state police act as the conduit for local agencies with regard to federal grants, provide surge of personnel and resources, and provide specialized services. As the FBI relinquishes traditional investigative duties to handle terrorism and counterterrorism investigations, state police are equipped and prepared to assume the traditional duties. With terrorism preparedness and homeland security responsibilities falling on state policing and state police increasingly handling investigations previously assumed by the FBI, the enhancement of state police responsibilities through amalgamating local police is more sensible than promoting county or standalone municipal policing.

4. Future of Policing Conclusion

The stratified American policing model is not conducive to successfully provide service regarding future criminal and terrorism related events. The 9/11 Commission found the “inability to connect the dots” and aversion to “sharing” information key contributors to failure.²⁵⁴ The continued stratified policing model of small police agencies will inevitably fail to connect the dots again in the future, whether it is in response to cybercrime, transnational crime, or terrorism. The Utah model of state police response to cybercrime is one that is currently being replicated across the nation. The state police are uniquely positioned to fulfill staffing and technical resources necessary to combat cybercrime. Local police, especially small agencies, have not adapted to the cybercrime future. State police are equally well-positioned to address national criminal street gangs and drug trafficking organizations. NYSP’s response to the MS-13 gang demonstrates the ability to surge resources and provide necessary personnel to respond to violent crime. Furthermore, it has been demonstrated that small agencies with limited funding do not have the ability to provide this police response. State police

²⁵⁴ National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report* (New York: W.W. Norton & Company, 2003), 408; U.S. House of Representatives, Permanent Select Committee on Intelligence and Senate Select Committee on Intelligence, *Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001*, 107th Cong. (2002), https://fas.org/irp/congress/2002_rpt/911rept.pdf, xvi, 88, 91,267,271, 400, 408. 416, 425, 538.

responsibilities have been successful in the staffing and function of fusion centers and have been recognized as the lynchpin of local and federal policing efforts. State police are already responsible for between 50 and 75 percent of terrorism related response and homeland security responsibilities.

The areas examined in this chapter for the future of American policing warrant a more in depth analysis. The future of policing will hold many more challenges than the three highlighted in this chapter. The inclusion of these areas identifies the current inadequacies of local policing and recognizes the contributions and abilities of state policing to answer future policing challenges. A change in the paradigm and strategy of American policing is necessary, and amalgamating policing to state police responsibilities is a sensible answer.

G. ANALYSIS AND CONCLUSIONS

The case studies examined in this chapter identify there are several methods to deliver police services in America. The historical review shows that policing in America has experienced maturation. America identified closely with British rule and early policing of the growing cities and expanding territory contributed to stratification. The lawlessness and riots found in New York, Philadelphia, and St. Louis during the Political Era of American policing influenced change in policing. America's early policing was firmly founded on a constitutional interpretation of the Tenth Amendment; those duties not identified as federal responsibilities were left to the states. The Political Era was deeply founded on corrupt politics of local cities with police departments beholden to mayors, councils, and aldermen.

During the Progressive Era, American policing flirted with the concept of amalgamation. Centralized policing narrowing the police responsibilities and separating policing from politics were key concepts of the era. The creation of the first state police agency in 1905 offered an example of progressive policing. American policing had visionaries, such as Carrie McLean, during the Progressive Era who advocated for amalgamation but could not overcome the entrenched

“home rule” belief and political cronyism. In this period, state policing was never truly able to supplant local policing and became a supplemental service that provided support rather than an alternative.

The Reform Era of American policing attempted to build on the principles identified in the Progressive Era. O.W. Wilson championed professional police management and efficiency of service through technology and the use of automobiles. Incremental advancements were made toward the amalgamation of police services. American policing showed an interest in increasing efficiency and effectiveness of policing during this era. On the west coast, the Los Angeles Sheriff’s Department in 1956 began providing contract services for a significant number of cities within the county and while St. Louis County Police began providing contract services in Middle America in 1955. What lacked in America was the political will to follow through with this experiment. Even when America was presented with a report from the Commission on Law Enforcement and Administration of Justice (1965) recommending amalgamation and additional reforms, it went largely unheeded.

American policing largely conceals the true costs of services by undercharging services as demonstrated in the Los Angeles Sheriff’s Department example where in the department provided services for less than cost and subsidized the discount at the cost of county residents. Even more astonishing, the PSP provides services at no cost to cities that changed their policing services as many as three times. The PSP allows cities to have inefficient and ineffective police departments with no consequence. These examples identify the lack of accountability demonstrated by political figures in the decisions affecting public safety. Nationally, the competition for American policing services among standalone small agency municipal departments, local sheriffs’ departments, and state policing should result in efficient policing. In practice, the choice is most often for the less efficient policing.

American policing seems to have come full circle. The same issues identified in the report Cook County, Illinois in 1952 and 1954 report *The Challenge*

of Crime in a Free Society are described in the reports on Ferguson, Missouri in 2015. Inefficient policing has led to small police departments becoming reliant on revenue collection from traffic enforcement and minor municipal crimes. The focus on revenue collection has further harmed the legitimacy of standalone municipal police departments. In times of crisis, standalone municipal police departments are reliant on the larger surrounding agencies to come to their aid and restore order.

The future of policing includes complex policing issues that will challenge small police agencies with limited personnel and resources. Small agencies that rely on the task force model or mutual aid response from surrounding small police agencies will be challenged. The task-force model will not likely succeed in crisis where regional resources are focused on local issues and unable to provide the requested aid. The Ferguson case study highlights the challenges of small police departments and the reliance on state police to provide a professional response with sufficient personnel and appropriate resources. The recommendations of inquiry are consistent in nearly all reports for the last 60 years—the amalgamation of policing services is needed.

Chapter III provides case studies of the Canadian policing model. The chapter examines historical maturation of Canadian policing and presents select case studies to consider for American efforts to amalgamate police services. This chapter emphasizes provincial policing in Ontario as its similarity to Pennsylvania policing, covered earlier, is significant.

III. CASE STUDY: THE CANADIAN POLICING MODEL

A. INTRODUCTION

The organization and administration of policing in Canada is unique. Canadian systems include three distinct policing systems: (1) federal, (2) provincial, and (3) municipal.²⁵⁵ Canadian policing consists of federal, Royal Canadian Mounted Police (RCMP), provincial police departments, and municipal police departments. In comparison, America has a greater number of smaller municipal police forces.²⁵⁶ Canada has been going through significant demographic changes that have encouraged debate over the structure, role, and process of its policing.²⁵⁷ This chapter's discussion challenges historic Canadian policing policies, differentiation issues between federal, provincial, and municipal, and the direction of Canadian policing policy as related to American policing policy.

The history of Canadian policing is strikingly similar to that of America. A comparison of the history of Canadian policing and American policing reveals a common evolution, and, most importantly, where a divergence of ideology regarding effective and efficient deployment of policing resources occurs. It is important to identify the commonalities of the two countries to understand a significant difference, the tripartite system that has worked to reduce small agency policing in Canada.

This case study explores the evolution of Canadian policing to provide the understanding of the development of the tripartite policing system, the current Canadian policing structure to study the efficiency, and specific provincial case studies of Ontario and British Columbia as contrasting strategies in policing.

²⁵⁵ Seagrave, *Introduction to Policing in Canada*, 1.)

²⁵⁶ *Ibid.*, 9.

²⁵⁷ *Ibid.*, 1.

B. THE HISTORY OF LAW ENFORCEMENT AGENCIES IN CANADA

The Canadian policing model was developed from the policing systems in England and France. The historical review of policing in England has considerable bearing on the development and ideologies of Canadian policing.²⁵⁸ As in Britain and America, the early policing systems employed were the watch systems, but they were required to develop as populations increased in cities and towns. Canada's western and northern expansion resulted in the creation of the North West Mounted Police, which had a wider range of duties than those performed by their British counterparts.²⁵⁹

Similar to early immigration to and settlement of America, Canadian frontiers were explored and expanded from the east to the west. Although Canada has a tripartite system, it is distinguishable from that of Britain. In Canada, the development of police and policing responsibilities were diverse and geographically influenced. For instance, Quebec and Montreal based policing on the French model, while the area now known as Ontario based its policing system on the English model. At the time, the English model was still the night watch system, which guarded against both crime and fires. The Quebec and Montreal systems were sponsored and supported by the most affluent landholding class. As early as 1673, police responsibilities were established in New France, although they still more closely related to the night watchman duties. This system lasted until 1759 when the British conquered New France, which resulted in the adoption of the British approach.²⁶⁰

As in America, there is some debate when the first police officer appeared in Canada. Different researchers have asserted that the first Canadian police officer appeared in Quebec City in 1651 while others state that the first officer

²⁵⁸ Ibid., 19.

²⁵⁹ Ibid.

²⁶⁰ Ibid.

appeared in St. John's Newfoundland.²⁶¹ In 1793, the Parish and Town Officers Act was passed, allowing for the creation of high constables for each provincial district in Upper Canada.²⁶² The high constables possessed authority to appoint citizens to the unpaid position of constable. Constables did not receive pay, were not full-time, and did not perform what would constitute modern police duties. However, the position of constable was the predecessor to the police officer position.

Toronto shared similar problems with crime and clashes among citizenry occurring in both Britain and America, prompting the creation of the first full-time, paid constable in 1835.²⁶³ The force grew exponentially over the next 50 years to a staff of 32 in 1859, and a staff of almost 900 officers in 1890.²⁶⁴ The use of paid constables quickly spread throughout Canada to Quebec City in 1838, Hamilton in 1840, Montreal in 1843, and Ottawa in 1855. Enacted in 1859, the Municipal Institutions of Upper Canada Act required each incorporated town to have a paid chief constable and at least one paid constable.

Western Canada land was predominately controlled by Hudson's Bay Company, and the company policed the land until Confederation in 1867. With the purchase of the land, the government was now responsible for all policing services for Canada. The duties for police varied widely, encompassing that of jailer, fireman, tax collector, truancy officer, and bailiff. However, police were primarily responsible for preventing conflict between ethnic groups, labor groups and industry, maintaining order through enforcement of puritanical laws, and apprehending those involved in criminal activity.²⁶⁵

²⁶¹ Ibid.

²⁶² Ibid.

²⁶³ Ibid., 20.

²⁶⁴ Ibid.

²⁶⁵ Ibid., 22.

The RCMP, Canada's federal police, can be traced back to the 1845 Act for the Better Preservation of the Peace and the Prevention of Riots and Violent Outrages at the Near Public Works while in Progress and Constructions. The RCMP force was created primarily to maintain order among the laborers constructing the Welland and Saint Lawrence canals.²⁶⁶ In 1868, the Act Respecting Police of Canada formed the Dominion Police Force, a federal police force tasked with enforcement of federal statutes and the protection of federal buildings, and later its duties came to include the investigation of counterfeiting.²⁶⁷ The force was the first to have jurisdiction beyond the municipal level. The Dominion Police Force was limited to eastern Canada even though, in theory, it had jurisdiction over all of Canada. Six years later, policing was introduced in the developing areas of western Canada.

The first federal police force, the North West Mounted Police was created in 1873 with the Act Respecting the Administration of Justice and for the Establishment of a Police Force in the Northwest Territories. The force consisted primarily of men with military background and was modeled after the Royal Irish Constabulary. The force established command and control over the newly acquired territory and negotiated land settlement with the indigenous peoples and white settlers. The force also acted as a border patrol between America and Canada. The North West Mounted Police tasks were limited to three priorities: preventing crime, protecting indigenous peoples from violence and whiskey traders, and the supervision of treaties between the indigenous people and the government.²⁶⁸

The North West Mounted Police was renamed the Royal North West Mounted Police (RNWMP) in 1904 and continued to grow in size, contracting its services to provincial governments of Saskatchewan and Alberta. In 1920, the

²⁶⁶ Ibid., 23.

²⁶⁷ Ibid.

²⁶⁸ Ibid., 24.

RNWMP was amalgamated with the Dominion Police and given its current name as the Royal Canadian Mounted Police (RCMP). The RCMP gained responsibility for the provinces of Manitoba, New Brunswick, Nova Scotia, and Prince Edward Island the same year.²⁶⁹ This expansion into provincial policing was unopposed.

The Canadian provincial police are responsible for providing police services outside of municipalities. The RCMP was integral in the development of provincial policing services and served as a model for provincial forces.²⁷⁰ The Constitutional Act of 1867 granted local government the right to provide local policing services. The law provided Canada's federal government with the authority to enact criminal law with the enforcement responsibility bestowed onto the provinces. The provinces were mandated to enact provincial police services on entry to the confederation. The provincial police services legislation was enacted by the following provinces:

- Manitoba and Quebec (1870),
- British Columbia (1871),
- Ontario (1901),
- New Brunswick (1927),
- Nova Scotia (1928), and
- Prince Edward Island (1930).

In 1872, Newfoundland had established the Royal Newfoundland Constabulary and later in 1935, a second provincial police—the Newfoundland Company of Rangers.²⁷¹ During the depression years of the 1930s, the RCMP assumed policing of most provinces when provinces were unable to maintain the services.

The early policing model for Canada was very similar to that of the American policing model. The watch system could not support the increasing crime occurring

²⁶⁹ *Ibid.*, 25.

²⁷⁰ *Ibid.*

²⁷¹ *Ibid.*

during the early formation of Canadian society; thus, it transitioned from an “observe and report” to a law enforcement model. As population increased and moved westward, the policing model adapted primarily through provincial policing. Where provinces were under populated or unable to support a robust police force, federal policing through the RCMP occurred. Although the early policing model had every potential to become significantly stratified, the support of federal and provincial police forces limited the occurrences. The early policing of Canada provided a model that allowed continued development of a tripartite system, encouraging efficiency of service and limited stratification in the future.

C. THE CURRENT POLICING STRUCTURE IN CANADA

The structure of Canadian policing is guided by the Canadian Constitution that identifies the responsibilities of policing as a tripartite system. This system divides responsibilities among three branches: (1) federal; (2) provincial/territorial; and (3) municipal.²⁷² The solicitor general has oversight of federal policing while the provincial or territorial policing is overseen by the minister of justice, attorney generals, and solicitor generals. The policing model in Canada has been described as fragmented and diversified, yet not at the level seen in America. The three policing systems have developed independent of each other and are unique.²⁷³

Most Canadian provinces require municipalities to provide their own police force or contract for those services, depending on the city population. Once a population reaches a benchmark established by the province, which can vary between 500 to 5,000 depending on the province, the municipality can create their own police force or seek to contract for those services. The tripartite system offers easy access to contracting for police services. The federal level of policing, RCMP, provides one resource while the provincial level of policing offers an additional option for contract services. Newfoundland and Labrador, Quebec, and Ontario provide provincial policing supplanting most RCMP policing and provide contract

²⁷² Ibid., 31.

²⁷³ Ibid.

policing options to municipalities. These options contribute to the lower number of police forces when compared to America, even though Canadian municipal police forces are still significant in numbers (see Table 7).

Table 7. Canadian Policing Responsibility 2008 and 2015²⁷⁴

Population Served by:	2008	2015
Standalone Municipal	77%	64%
Provincial Police	6.5%	14%
RCMP	15%	22%

Table 7 depicts the increasing populations served by provincial policing and RCMP. The seven-year period in the table shows an increase in populations served by provincial and RCMP policing by a combined total of approximately 14 percent. A similar decrease of approximately 13 percent in populations served by standalone municipal policing is identified. The 2008 population percentage accounted for First-Nation policing as the remaining percentage.

Most significantly, the efficiency of provincial and federal policing is demonstrated in the cost of policing. In 2015, the total operating expense of standalone municipal policing in Canada was approximately 7.3 billion dollars, an increase of one percent from the previous year.²⁷⁵ Only the expenditures of the provinces of Prince Edward Island and Quebec declined. The costs of provincial policing in Newfoundland and Labrador, Quebec, and Ontario increased only 0.7 percent from the previous year to 2.1 billion dollars in 2015.²⁷⁶ This increase was

²⁷⁴ Adapted from: Federation of Canadian Municipalities, *Towards Equity and Efficiency in Policing: A Report on Policing Roles, Responsibilities and Resources in Canada* (Ottawa: Federation of Canadian Municipalities, 2008), 14; Benjamin Mazowita and Jacob Greenland, *Police Resources in Canada 2015* (Ottawa: Ministry of Industry, 2016), <http://www.statcan.gc.ca/pub/85-002-x/2016001/article/14323-eng.pdf>.

²⁷⁵ Mazowita and Greenland, *Police Resources in Canada 2015*.

²⁷⁶ Ibid.

a result of the 5.3 percent increase in operating expenditures to the Ontario Provincial Police due to salary increase after a two-year freeze. The RCMP expenditures amounted to 4.5 billion dollars in 2015, a decrease of 1.4 percent in expenditures.²⁷⁷

Municipal forces in Canada vary greatly in size, ranging from 5,574 officers in the Toronto Police to only a few officers contracted from federal, provincial, or regional forces. Regional, provincial, and federal forces account for a significant number of the larger municipal police forces through contractual services to municipalities. Although most provinces are responsible for the enforcement of laws, the options of federal, provincial, or regional policing models offer both competition for service and cost.

Regionalization of police services has significantly decreased the number of police services in Canada. The efforts to regionalize police services first began during the post-World War II by agencies identifying that larger departments were intrinsically better to serve the public demands. It is no coincidence that the Toronto Police Service is one of the larger departments. In 1957, 13 Toronto area police departments were amalgamated into one department, the Metropolitan Toronto Police Force (later changed to Toronto Police Services). The city of Toronto, townships of East York, Etobicoke, North York, Scarborough, and York, towns of Leaside, Mimico, New Toronto, and Weston, and villages of Forest Hill, Long Beach, and Swansea combined forces to provide a more effective and efficient policing services.²⁷⁸

D. PROVINCE OF ONTARIO CASE STUDY

The province of Ontario followed the example of metropolitan Toronto by amalgamating 150 police departments into 10 regional services between 1962 and 1977. Today, the Ontario regional forces provide service to over 50 percent of the

²⁷⁷ Ibid.

²⁷⁸ "A History of Policing in Toronto," Toronto Police, accessed August 10, 2014, <http://www.torontopolice.on.ca/publications/files/misc/history/6t.html>.

province's population. Ontario is the largest Canadian province in terms of population and contains metropolitan areas, suburban areas, and rural areas. It has standalone municipal police services, regional police services, and a provincial police force. This province is unique in that RCMP forces are not deployed on a contract basis as done in other provinces. Although there are significant differences in governance as compared to governance found in America, this province is best suited for comparison.

Ontario had a population of 13,538,000 in 2013 and is the largest population of all Canadian provinces by more than five million persons as compared to the next most populous province, the province of Quebec with a population of 8,155,300.²⁷⁹ Also, Ontario accounted for nearly 39 percent of the total Canadian population (35,158,300 people).²⁸⁰ Ontario's population is roughly equivalent to that of the U.S. state of Pennsylvania (12,773,801 people).²⁸¹

Each municipality in Ontario is required to provide police services that adequately and effectively include crime prevention, law enforcement, assistance to victims of crime, public order maintenance, and emergency response.²⁸² Individual municipalities have the options of providing their own standalone police service, contracting to a regional police service, contracting to the Ontario Provincial Police (OPP) for individual service, contracting to OPP under a regional contract with other municipalities, or depending on the population, receive services without a contract to OPP.

It is important to recognize that the OPP does not provide contract services to any city with a population of 100,000 or greater. Police services to communities greater than 100,000 in the province of Ontario are delivered by either standalone

²⁷⁹ Government of Canada, "Population by Year."

²⁸⁰ Ibid.

²⁸¹ U.S. Census Bureau, "State and County Quick Facts," accessed August 11, 2014, <http://quickfacts.census.gov/qfd/index.html#>.

²⁸² "Police Services Act, RSO 1990, c 214," CanLii, accessed April 29, 2014, <https://www.canlii.org/en/on/laws/stat/rso-1990-c-p15/latest/rso-1990-c-p15.html>.

municipal agencies or by regional police agencies. The prevalence of regional services is much greater than that of the standalone agencies. Examples of regional service, and the populations served, are as follows: Toronto Police Services (2,743,738), Peel Regional Police (1,298,905), York Regional Police (1,069,409), Durham Regional Police (631,270), Hamilton Regional Police (540,234), Waterloo Regional Police (530,248), Halton Regional Police (518,660), and Niagara Regional Police (445,363).²⁸³

The municipality of Chatham-Kent is now considered a single municipality after it merged all of the municipalities within Kent County in 1998 under a single municipal government of Chatham-Kent to increase government efficiency. Initially, negotiations with 21 local municipalities were conducted, but when they failed, the commissioner unilaterally imposed the amalgamation. All 21 towns, townships, and villages as well as police services were amalgamated into the municipality of Chatham-Kent.²⁸⁴ Though now considered a standalone municipal police service, it is the result of the amalgamation of all cities within the county. The Chatham-Kent Police serve a population of 108,162.²⁸⁵

This example is not the only amalgamation in Ontario. The municipality of Kingston voluntarily amalgamated government of the central city and two neighboring townships.²⁸⁶ The population of Kingston, 126,000, is served by an amalgamated police service.²⁸⁷ Although these municipalities amalgamated all government services, they should be considered regional services as the result caused police services to be amalgamated with all other government services. Only seven standalone municipal police agencies, excluding previously amalgamated governments, serve populations over 100,000 in the Ontario

²⁸³ Canadian Centre for Justice Statistics, *Police Resources*, 37.

²⁸⁴ Joseph Kushner and David Siegel, "Citizens' Attitudes toward Municipal Amalgamation in Three Ontario Municipalities," *Canadian Journal of Regional Science* XXVI, no. 1 (2003): 49–59.

²⁸⁵ Chatham-Kent Police Service, "History of CKPS," accessed September 11, 2017, <http://ckpolice.com/history-of-ckps/>

²⁸⁶ Kushner and Siegel, "Citizens' Attitudes," 50.

²⁸⁷ Canadian Centre for Justice Statistics, *Police Resources*, 37.

province, as reported in the Police Resources in Canada 2012 survey.²⁸⁸ For reference, the largest police agency, Toronto, provides 203 officers per 100,000 residents.²⁸⁹ The next largest police agency, Peel Regional Police, provides 147.1 officers per 100,000 residents.²⁹⁰ Although there appears to be a greater economy of scale with regional service, the Toronto population should be considered an aberration and not used for measurement. See Table 8 for police agencies and population of people served.

²⁸⁸ *Ibid.*

²⁸⁹ *Ibid.*

²⁹⁰ *Ibid.*

Table 8. Ontario Province Cities, >100,000 Population and Authorized Police Staffing²⁹¹

Population of >100,000	2011 Population	Authorized Officers
Barrie	141,031	232
Chatham-Kent	108,162	165
Durham Regional Police	631,270	923
Greater Sudbury Police	162,892	262
Guelph	126,106	194
Halton Regional Police	518,660	643
Hamilton Regional Police	540,234	820
Kingston	126,284	199
London	383,781	589
Niagara Regional Police	445,363	702
Ottawa	909,862	1,312
Peel Regional Police	1,298,905	1,911
Thunder Bay	117,029	224
Toronto	2,743,738	5,568
Waterloo Regional Police	530,248	771
Windsor	222,170	457
York Regional Police	1,069,409	1,454

The regional policing model is most prevalent in the province of Ontario at the large metropolitan level and in cities exceeding a population of 100,000. The OPP has an increased presence, albeit not policing the majority of cities, in cities with populations between 50,000 and 99,000. An examination of the number of officers staffed for similar populations reveals an immediate efficiency of service. Standalone municipal police services account for 800 officers providing service to a total population of 499,329, compared to OPP serving a population of 399,425

²⁹¹Adapted from: Canadian Centre for Justice Statistics, *Police Resources*, 37.

with 487 officers.²⁹² The standalone municipal agencies, on average, provide 160.2 police officers per 100,000 residents as opposed to the municipalities contracting for OPP service providing, on average, 121.9 officers per 100,000 residents.²⁹³ This observation is made with the caveat that calls for service, increased contract services, and additional policing duties are not accounted for in Table 9.

Table 9. Ontario Province Cities, 50,000 to 99,999 Populations and Authorized Police Staffing²⁹⁴

Population 50,000 to 99,999	2011 Population	Authorized Officers
Belleville	50,504	88
Brantford	96,568	165
North Bay	59,520	91
Peterborough Lakefield Community	82,019	128
Sarnia	74,051	111
Sault Ste. Marie	77,096	136
South Simcoe Police	59,571	81
Caledone OPP	66,944	76
Centre Wellington OPP	93,470	110
St. Clair OPP	52,389	68
Nottawasaga OPP	56,314	67
Norfolk OPP	64,592	89
Stormont/Dundas/Glengarry OPP	65,716	77

²⁹² Canadian Centre for Justice Statistics, *Police Resources*, 37.

²⁹³ Ibid.

²⁹⁴ Adapted from: Canadian Centre for Justice Statistics, *Police Resources*, 37.

The OPP has a greater presence in communities with populations of 5,000 through 49,999. The OPP provides services for 21 communities and counties with populations between 15,000 and 49,999 compared to 15 communities that have standalone municipal police services.²⁹⁵ Standalone municipal agencies provide services for a population of 424,633 with 818 officers as compared to OPP providing services for a population of 577,492 with only 769 officers.²⁹⁶ The standalone municipal agencies, on average, provide 192.6 officers per 100,000 residents as compared to the OPP that, on average, provides 133.2 officers per 100,000 residents.²⁹⁷ The economy of scale using the OPP is still present. Additionally, a second economy of scale becomes apparent—the smaller population agencies require a greater number of officers per 100,000 residents than larger agencies. See Table 10 for comparison of police staffing between OPP and municipal police for populations between 15,000 and 49,999.

Table 10. Ontario Province Cities, 15,000 to 49,999 Populations and Police Staffing²⁹⁸

Police Services (Population 15,000 to 49,999)	Number of Communities	Population 2011 Total	Authorized Officers
Municipal Police	15	424,633	818
Ontario Provincial Police	21	577,492	769

The OPP provides service for 50 communities with populations between 5,000 and 14,999 compared to 17 communities that have standalone municipal police departments.²⁹⁹ Table 11 does not include the municipalities of Anishinabek

²⁹⁵ Ibid.

²⁹⁶ Canadian Centre for Justice Statistics, *Police Resources*, 38

²⁹⁷ Ibid.

²⁹⁸ Adapted from: Canadian Centre for Justice Statistics, *Police Resources*, 37.

²⁹⁹ Canadian Centre for Justice Statistics, *Police Resources*, 38.

(population 8,039) and Six Nations Police (population 6,942), who provide their own police services, as the number of officers was not reported.³⁰⁰ Standalone municipalities provide service for a population of 133,788 with 313 officers compared to OPP providing service to a population of 457,187 with 580 officers.³⁰¹ The standalone municipal agencies provide service with, on average for this population size, 234 officers per 100,000 residents compared with OPP providing service, on average for this population size, 133.2 officers per 100,000 residents.³⁰² The economy of scale still favors the use of OPP. The secondary observation of smaller municipalities having less of an economy of scale is further exacerbated in the standalone municipalities while it remained constant with the OPP. See Table 11 for police services provided by municipal police and OPP for populations between 5,000 and 14,999.

Table 11. Ontario Province Cities, 5,000 to 14,999 Populations and Police Staffing³⁰³

Police Services (Population 5,000 to 14,999)	Number of Communities	Population 2011 Total	Authorized Officers
Municipal Police	17	133,788	313
Ontario Provincial Police	50	457,187	580

As shown in Table 12, nearly all policing of communities with less than 5,000 population is provided by the OPP; 45 communities with only seven communities providing standalone police services at this population level.³⁰⁴ The

³⁰⁰ Ibid., 38.

³⁰¹ Ibid.

³⁰² Ibid.

³⁰³ Adapted from; Canadian Centre for Justice Statistics, *Police Resources*, 38.

³⁰⁴ Ibid., 39.

seven standalone municipalities provide service for 17,557 with 112 officers.³⁰⁵ The OPP provides service for 110,691 residents with 228 officers.³⁰⁶ The standalone police agencies use, on average, 638 officers per 100,000 residents as compared to the OPP using 206 officers per 100,000.³⁰⁷ The economy of scale still favors the OPP. The secondary economy of scale measuring police services of small communities is significantly less favorable for both standalone municipalities and those contracting services (see Table 12).

Table 12. Ontario Province Cities, <5,000 Populations and Police Staffing³⁰⁸

Police Services (Population <5,000)	Number of Communities	Population 2011 Total	Authorized Officers
Municipal Police	7	17,557	112
Ontario Provincial Police	45	110,691	228

The economy of scale involving officers per 100,000 residents is shown in the Table 13 and Figure 6. They illustrate that the greater economy of scale relating to officer deployment is achieved at the 50,000 to 100,000 with both standalone municipal policing and contract policing to the OPP. The OPP provides a more economical deployment of officers across all populations of 50,000 and less. Moreover, the overall economy of scale as it relates to officers per 100,000 residents shows that the most efficient deployment is found in communities between 50,000 and 99,999 residents. Consideration must be given to the fact that the OPP do not serve any communities of 100,000 or greater. The Peel Regional Police deployment of 147.1 officers per 100,000 residents does not match the OPP

³⁰⁵ Ibid.

³⁰⁶ Ibid.

³⁰⁷ Ibid.

³⁰⁸ Adapted from: Canadian Centre for Justice Statistics, *Police Resources*, 39.

average officers deployed between 5,000 to 99,999 residents.³⁰⁹ There is a significant drop off in economy of scale as it relates to officers deployed per 100,000 residents in municipalities with less than 5,000 residents, whether by a standalone police service or by contract (see Table 13).

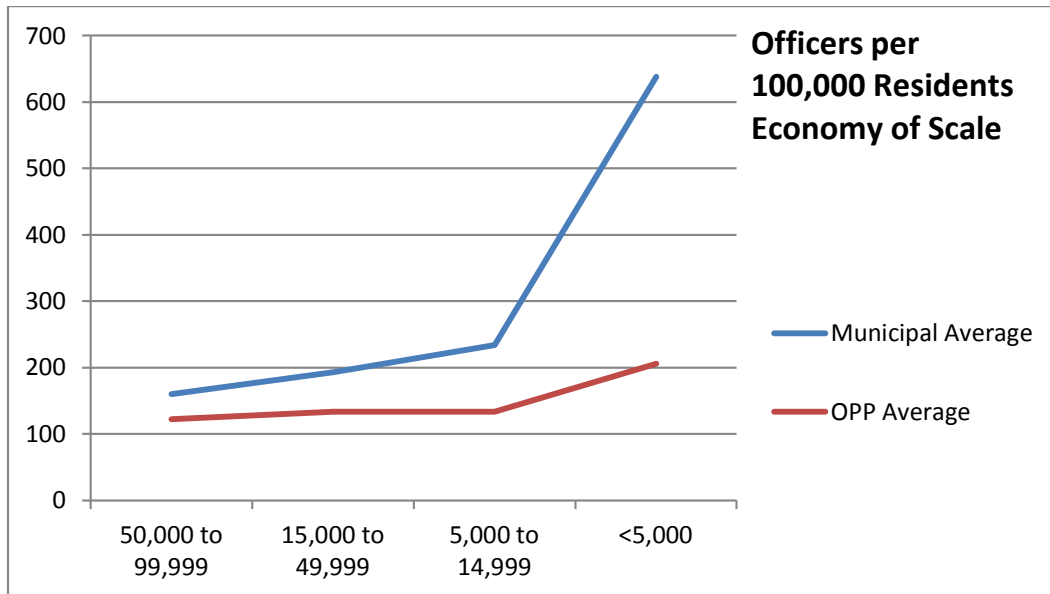
Table 13. Ontario Province Population Municipal versus OPP Average Police Staffing³¹⁰

Population	Municipal Average	OPP Average
50,000 to 99,999	160.2	121.9
15,000 to 49,999	192.6	133.2
5,000 to 14,999	234	133.2
<5,000	638	206

³⁰⁹ Canadian Centre for Justice Statistics, *Police Resources*, 37–39.

³¹⁰ Adapted from: Canadian Centre for Justice Statistics, *Police Resources*, 37–39.

Figure 6. Ontario Province Policing Economy of Scale
Municipal Police versus OPP³¹¹



The OPP provides efficient service to 324 municipalities, of which 171 are by non-contract service and 153 are on a contract basis.³¹² The services provided to non-contact municipalities are recovered on a cost-recovery basis.³¹³ Communities using provincial contractual service receive policing services at a cost less than those municipalities with standalone police agencies. The efficiencies are recognized in recruiting, training, and staffing. Additionally, the economies of scale are realized in the purchasing, centralized dispatching service, specialization, and access to technology.³¹⁴ A comparison of the average per capita costs of OPP against municipal police services is seen in the Table 14. OPP provides service at a lower per capita cost than municipal services can.

³¹¹ Adapted from: Ibid.

³¹² Ontario Provincial Police, *Understanding Ontario Provincial Police Municipal Policing Costs: 2013 Cost-Recovery Formula Update* (Ontario: Ontario Provincial Police, 2013), 63.

³¹³ Ibid.

³¹⁴ Ibid., 19.

Table 14. Ontario Province Per Capita Cost Comparison
Municipal versus OPP³¹⁵

2011 Statistics Canada	Population 100,000+	Population 50,000 to 99,999	Population 15,000 to 49,999	Population 5,000 to 14,999	Population < 5,000	Provincial Averages
Municipal	\$282.00	\$264.00	\$284.00	\$329.00	\$371.00	\$282
OPP	N/A	\$153.00	\$150.00	\$156.00	\$238.00	\$160.00

The efficiency of amalgamated policing is well documented in the Ontario province. The amalgamation efforts have not stopped at policing. As mentioned earlier, entire city governments have been amalgamated in efforts to increase efficiency and economy of scale for all services. The decades-long amalgamation efforts in the Ontario province have created an environment conducive to increasing efficiency of government and police services. The OPP has demonstrated an efficiency that is measured by fewer officers per capita and at a cost significantly lower than standalone municipal police departments are able to provide. This environment is not found in all provinces of Canada. For instance, recent amalgamation efforts of police services in the province of British Columbia have met with significant debate.

E. PROVINCE OF BRITISH COLUMBIA CASE STUDY

It is important to recognize that there is no organization in a static environment. Police services have significant influences involving high-profile cases, police unions, professional organizations, and political figures and parties. The structure of delivering police services is highly influenced by both inside and outside pressures.³¹⁶ The efforts to regionalize police services in the British Columbia province have shown the divisiveness of amalgamation of police services.

³¹⁵ Adapted from: Ontario Provincial Police, *Understanding Ontario*.

³¹⁶ Seagrave, *Introduction to Policing in Canada*, 124.

Multiple studies have been conducted on the regionalization of police services in the province of British Columbia. The studies began in the late 1970s and have continued to the present, and they vary in opinion of the effectiveness and efficiency of regionalization. The most recent reports were in response to the inquiry of missing vulnerable women from the British Columbia area. The investigations of the missing women and subsequent homicide investigations occurred between January 23, 1997 and February 5, 2002. The *Missing Women Commission of Inquiry* was completed on August 1, 2013.³¹⁷ See Table 15 for Canadian reports on regionalization of policing and report recommendations.

Table 15. Canadian Reports on Regionalization of Policing³¹⁸

Report Year	Author	Title	Recommendations
1978	British Columbia Police Commission	<i>Task Force on Municipal Police Costs in B.C.</i>	Favored regionalization but noted specific personnel problems in study Referred to as the Lister report
1980	British Columbia Police Commission	<i>Regionalization of the Capital Regional District</i>	Formal regionalization of RCMP contract jurisdictions would not improve service or cost as RCMP was already regionalized.
1985	'E' Division of RCMP	<i>Summary Reports</i>	Focused on specific area. Found regionalization was occurring and benefits realized.
1985	Capitol Regional District Area Chiefs	<i>CRD Regionalization Plan</i>	Plan recommended regionalization of Capitol Regional District (CRD) departments but found to be too costly.
1988	Greater Victoria	<i>Regionalization Study of GVRD</i>	Recommendation for regionalization if RCMP withdrew from the area. Need for

³¹⁷ Missing Women Commission of Inquiry, "About This Commission," September 12, 2017, <http://www.missingwomeninquiry.ca/>.

³¹⁸ Adapted from: British Columbia Police Commission, *Task Force on Municipal Policing Costs in British Columbia* (Vancouver, BC: Police Commission, 1978); Police Services Branch, *Policing British Columbia in the Year 2001: Report of the Regionalization Study Team* (Victoria, British Columbia: Police Services Branch, 1990); Missing Women Commission of Inquiry, *Revisiting the Regionalization Debate: A Dialogue on the Structure and Organization of Policing in British Columbia* (Victoria, British Columbia: Missing Women Commission of Inquiry, 2012); Lithopoulos and Rigakos, "Neo-liberalism;" Wood, "To Regionalize or Not."

Report Year	Author	Title	Recommendations
	Regional District (GVRD)		local voice.
1990	Police Services Branch	<i>Policing British Columbia in the Year 2001</i>	Implementation of a regionalization strategy with options.
1997	Savvas Lithopoulos and George S. Rigakos	<i>Neo-liberalism, Community, and Police Regionalization in Canada: A Critical Empirical Analysis</i>	Regional police services are not demonstrably any more effective or efficient than non-regional services.
2008	Planning, Research and Audit Section for The Vancouver Police Board and Chief Constable Jim Chu	<i>A Discussion Paper of the Issues Surrounding the Regionalization of Police Services</i>	The region is the last in Canada to not have regionalized policing services. The status quo of policing is an unlikely option. Local and large communities need to compromise. There are competing interests and stakeholders in provincial and local government.
2012	Dr. Melina Buckley	<i>Revisiting the Regionalization Debate: A Dialogue on the Structure and Organization of Policing in British Columbia</i>	Greater integration of policing, regional police plan and leadership needed, recognition of political divisions, lack of analysis, accountability, and potential police service models were identified.
2012	Dr. Melina Buckley	<i>Issues Related to the Structure and Organization of Policing Arising from the Missing Women Investigations</i>	Increased efficiency and effectiveness needs to be balanced by start-up costs, loss of community control, possible reduction in service levels, and increased costs to some participants.

With no less than 10 reports specifically related to the regionalization of police services published within the last three decades, efforts to regionalize continue to be debated. The early studies on police regionalization were the result of provincial advancements in the amalgamation of police services occurring elsewhere, primarily in Ontario and Quebec. These early reports (up to 1990) could

be considered to be consistent with organizational appreciative inquiry, asking questions of how to build capacity and not simply looking to fix a problem. The latter reports (published after 1990) are the result of fixing a problem of communication, cooperation, and capability in the investigation of missing and murdered women from British Columbia. The policy analysis by Dr. Buckley of the problems associated with a multijurisdictional missing persons and multiple murders investigations advocates change while giving significant consideration to the political and jurisdictional pressures to keep the status quo.

Using the Ontario province as a significant model for amalgamation of police services, a report was conducted by the Police Services Branch in 1990 regarding the regionalization of police services and the future of policing in British Columbia.³¹⁹ The report provides insight to the influences on policing service, various models of amalgamation, equity of service, expense, and the need for long range planning.

Facing an increased population projection and a decrease of available funding for government services, the Police Services Branch of the Ministry of Solicitor General had sought to investigate regionalization of policing within the province. The Police Services Branch conducted case studies of regionalization occurring in the United Kingdom, America, and Canada and include arguments both for and against the case for regionalization. The report by the Police Services Branch recognized effectiveness, equity, and cost as benefits should amalgamation occur.

The 1990 Police Service Branch report summarized the previous reports and provided candid insight to opportunities missed.³²⁰ The report also highlighted the 1985 Capitol Region District (CRD) area chiefs report.³²¹ The 1985 report presented a plan to regionalize police service for Victoria, Saanich, Oak Bay, and

³¹⁹ Lithopoulos and Rigakos, "Neo-liberalism," 341.

³²⁰ Police Services Branch, *Policing British Columbia*, 9–12.

³²¹ Ibid.

Central Saanich. Although the report identified initial start-up costs, the long-term projection identified cost savings and resolution to the fragmented police services. Support for this regionalization was not achieved, as the plan was deemed too costly.³²² The 1990 report also notes that by the year 1990, the four agencies involved in the 1985 study had already exceeded the projected cost of the amalgamation in budget costs and sworn strength.³²³ One significant observation provided within this report is that the most political figures, mayors and police board members, opposed regionalization based on the perception that quality of service would decline and there would be no savings.³²⁴ The primary political motivation of the opposition was to maintain the current levels of service and avert suburban officers being called to serve the metropolitan areas.

The article, “Neo-liberalism, Community, and Police Regionalization in Canada: A Critical Empirical Analysis,” is a response to the call for amalgamation of government services.³²⁵ The title clearly indicates the political influence on the study. Lithopoulos and Rigakos substantially cite previous reports from Loveday’s United Kingdom study on amalgamation³²⁶ and Ostrom’s 1978 report concluding that smaller agencies are more efficient.³²⁷ Using seven criteria to measure efficiency and effectiveness, the article’s authors sought to prove the hypothesis that regional police services were neither more efficient nor more effective than standalone police services.³²⁸ The authors measured efficiency of service by per capita cost, cost per criminal offense, and number of officers per 100,000 population. In addition, they measured effectiveness by violent crime clearance rate, property crime clearance rate, and total criminal code clearance rate.³²⁹

³²² Ibid., 10.

³²³ Ibid.

³²⁴ Ibid.

³²⁵ Lithopoulos and Rigakos, “Neo-liberalism.”

³²⁶ Ibid., 3.

³²⁷ Ibid., 341–342.

³²⁸ Ibid., 346-348.

³²⁹ Ibid., 343.

In their 2005 article, Lithopoulos and Rigakos concluded that regional policing was neither more efficiency nor more effective than small and medium size agency policing.³³⁰ The authors concluded that as agency size increased, the number of officers assigned to patrol functions decreased, thus decreasing both efficiency and effectiveness. The authors further stipulated that all crime is local, and local control is essential for legitimacy in policing. Finally, the authors rationalize that “real-world” operations have already built relationships between smaller agencies and large agencies to receive specialized services in time of need.³³¹

The *Missing Women Commission of Inquiry* countered many of claims of Lithopoulos and Rigakos in terms of effectiveness.³³² The authoring commission wrote, “One of this Commission’s stark conclusions is that the fragmentation of policing in the Lower Mainland materially contributed to the failures of the missing women investigations.”³³³ The report bluntly asserts a lack of communication and collaboration among agencies is present in the province. This policy analysis report directly counters the statistical hypothesis presented in the Lithopoulos and Rigakos article with factual examples of the failure of a fragmented policing service. The commission disproves “real-world” collaboration that Lithopoulos and Rigakos cite as already in existence and shows that stratified policing results in “silos” of information that is unshared.³³⁴

Local control and identity trumped efficiency and effectiveness of amalgamation of policing. The province of British Columbia sought to preserve the identity of the local communities and flatly rejected an amalgamated model of policing demonstrated as both efficient and effect in the province of Ontario. The

³³⁰ Ibid.

³³¹ Ibid.

³³² Missing Women Commission of Inquiry, *Forsaken: The Report of the Missing Women Commission of Inquiry*, Vol IIB (Vicotria, British Columbia: Missing Women Commission of Inquiry, 2012), 258–266.

³³³ Ibid., 258.

³³⁴ Ibid., 258–266.

belief that local control is necessary is one that is more prevalent in America, but it is also evident in Canada through this case study.

F. CONCLUSIONS

The system of policing in Canada shares similarities of development and maturation with America. The tripartite system of federal, provincial, and municipal policing provides competitive options. While this system could be viewed as increasing the likelihood for redundant and fragmented policing, some provinces have decreased the number of police services though increasing contractual service to provincial police. The province of Ontario case study illustrates how provincial policing can provide a more efficient and economical policing of small communities.

The Ontario Provincial Police have provided effective policing to small and medium size communities, while cities with populations over 100,000 have standalone or regional police agencies. The regionalization of municipal services has been significant in the province. Even when communities opposed amalgamation, amalgamation occurred anyway at the direction of those with the political power. The efficiency of municipal police forces at the population of 100,000 or greater is not equal to that of efficiency shown by provincial police at lower population levels. Nevertheless, it cannot be said that provincial contract policing at that population level could be done more efficiently. The regionalization of the policing at this level makes sense.

The effectiveness and efficiency of provincial policing at the population levels of less than 5,000 through 99,000 in Ontario can be substantiated. The case study of the province of Ontario clearly demonstrates that contract services have a greater efficiency in officers per 100,000 population than standalone municipal policing services. Local control is still achieved through the ability to contract for enhanced services.

Quantifying efficiency and effectiveness of police services remains a debated topic within Canada. Selected data can identify efficiencies for both

regionalization and standalone policing. The 30-year research regarding regionalization of policing in the province of British Columbia is testimony to the complexity of this debate. The identification of economies of scale becoming diseconomies of scale and at what population is an unanswered question. This question centers on the recognition that larger agencies deploy a smaller percentage to officers to patrol duties as the agency size increases. This argument fails to recognize the additional important services provided other than patrol (e.g., investigations, traffic, cybercrime, terrorism).

There appears to be very little debate about the efficiency of very small standalone municipal policing in Canada. In fact, these small standalone agencies, less than 10 sworn officers, are recognized as more likely to be amalgamated into provincial or regional policing. Additionally, very limited services can be provided by small agency policing and many police responsibilities will be assumed by the federal or provincial policing services.

The identity and control of municipalities can center on standalone policing. The loss of local control is a real fear that is metastasized in the community through denial of recognizing increased service benefits. In Canada, contracting to federal or provincial police comes with the possibility of having rotating personnel, lack of community knowledge, and competition for service with other contract municipalities.

The inquiry report caused by the missing women and murders in British Columbia identified quantifiable inefficiencies and ineffective policing.³³⁵ The recommendations of the inquiry remain consistent with nearly all reports for the last 30 years: the regionalization and amalgamation of police services across Canada is needed. Police services beyond basic patrol are greatly enhanced by large agency policing, whether by federal, provincial or large regional police agencies.

³³⁵ Ibid.

The final chapter, Chapter IV, provides options and analysis for the challenges of amalgamating police services in America. Examination of policing's historical framework, the need for change, the opportunity for change, and where change can occur will be made. Finally, an analysis of the needed political will is provided.

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IV. OPTIONS AND ANALYSIS

Numbers numb our feelings for what is being counted and lead to adoration of the economies of scale. Passion is in feeling the quality of experience, not in trying to measure it.

Frederick Herzberg

A. HISTORICAL FRAMEWORK

This thesis has found that American policing does share historical similarities with Canada, which has successfully amalgamated some of its police services. The historical framework of change in the organization of American policing can be divided into the Political Era, the Progressive Era, the Reform Era, and the Community Policing Era. These eras are significant to policing. For example, early police were beholden to political figures. This was followed by policing's attempt to remove itself from politics with the first state police agency and then by policing evolving through the Commission on Law Enforcement and Administration of Justice. The Reform Era saw a change in professionalism but not organization. Government organizations studied the lack of efficiency and cost effectiveness in policing, but police municipalities did not implement any changes to improve these. The presidential investigation report, *The Challenge of Crime in a Free Society*, identified the need for organizational change but never provided the means by which to accomplish this change.³³⁶ The opportunity was missed and recognizably so with historical hindsight. The case studies of North American policing have found similarities in the historical evolution of policing in different locations but also found significant differences in achieving efficiency of service through amalgamation.

Organizational change in policing has been a challenge in the United States in each era. The future of policing has shown to be the most promising for

³³⁶ President's Commission, *The Challenge of Crime in a Free Society*, 119.

organizational change. Policing in the New Millennium has significant challenges. For example, the most recent reports and recommendations stemming from the 2014 Ferguson incident provide significant motivation for federal, state, and local governments to work together to provide efficient and effective policing. The federal government controls significant funding mechanisms that could supplement and support the amalgamation of policing in America. The state governments have the responsibility for providing quality policing and oversight of police, and local governments have the responsibility to provide legitimate policing at affordable cost.

Equally important, since September 11, 2001, American policing has been confronted with the challenge of preventing and responding to terrorist events. Although terrorism had been part of the American fabric since the origins of policing, never has there been a greater emphasis or expectation from the American public. American policing has responded by relying heavily on task-force operations. The stratified network of small agency policing in America places too great a burden on the larger agencies (1,000 officers or greater). America has continued to ignore the importance of amalgamation of policing even given this critical responsibility.

Canadian case studies, especially the study of the OPP, demonstrate that amalgamated policing services can provide greater economy of scale. These economies of scale are demonstrated through the fewer sworn officers per population and lower cost of policing services. Although economy of scale continues to be debated, the future of policing is that increased services (cyber, transnational crime, and terrorism) cannot be achieved through standalone municipal policing. The Great Recession of 2008 provided opportunity for individual communities to measure the cost effectiveness of providing standalone policing. Canadian policing has the advantage of limited standalone municipal police agencies, which have less than 10 officers, and a robust federal, provincial, and regional policing approach. Although Canadian policing was already ahead of the curve, the Great Recession of 2008 should have convinced local governments

that further amalgamation was both needed and inevitable. Very similar to the blind eye given to national security and advantages of amalgamated policing, local governments in both Canada and America have found ways to continue standalone municipal policing even when it is not affordable.

Even given the opportunity for large-scale change due to the Great Recession of 2008, the majority of American policing is at the local level with municipal police departments employing 10 or fewer officers. The increase of joint terrorism task forces (JTTFs) is an example of the increase of participation between federal, state, and local police. It has been clearly identified the significant participation is through large agency or state police participation. The vast majority of small and medium municipal police departments cannot or do not participate in JTTFs as they must prioritize the daily policing responsibilities. State police agencies are predominantly the policing agency that maintains the staffing and responsibilities for task forces involving terrorism and critical infrastructure protection.

The accomplishments of organizational change in Canadian policing as compared to the limited organizational change in American policing are noteworthy. The contrast between these contiguous countries is significant. The political influence and will of liberal leaders has caused the amalgamation of policing on a large scale in certain Canadian provinces but not others. Those opposed to the amalgamation of policing still have been forced to take action, often through the regionalization of police forces to maintain some local control rather than relinquish it to the province. In Canada, local policing is carried out through federal, provincial, and regional policing. Those provinces, such as British Columbia, that did not seize the opportunity are still employing a fragmented and stratified policing strategy, which hinders large case solutions.

B. NEED FOR CHANGE

The need for change in policing is evidenced in the fragmented and costly law enforcement system. The examples of law enforcement agencies not able to

meet training needs, provide specialized services, participate in terrorism prevention and response, or respond to the basic needs of the citizen are numerous. Of the nearly 18,000 police agencies in America, 8,796 have less than 10 sworn law enforcement officers.³³⁷ The post-9-11 era of policing was supposed to be an era of increased communication and collaboration. Although strides have been made, the fragmentation has never truly been recognized as the primary contributor to communication and collaboration failures. The tragedy of the terrorist attacks also presented an opportunity for American policing to reevaluate how policing could prevent and respond to terrorism. Also in this millennium, policing have to respond to preventing an increasing number of home grown violent extremism through a fragmented system.

The 2014 Ferguson, Missouri incident and subsequent reviews have provided additional material advocating for change in American policing. Standalone municipal policing is costly. When small cities place the burden of financing police services on the community, police legitimacy is challenged. The Ferguson case study further revealed that these issues were not isolated to Ferguson. With the majority of police officers working for agencies with 100 or less officers, these issues are present across the nation. Yet, Ferguson continues to operate a local police department in spite of the critical review and recommendations for change.

C. OPPORTUNITY FOR CHANGE

American policing has been afforded ample opportunities for change. The creation of a fragmented policing system is history and must be viewed as such. There is little reason to continue on the road of inefficiency and ineffectiveness. The opportunities for change have included; Ferguson, 9/11 terrorist attacks, findings of the Commission on Law Enforcement and Administration of Justice, the Progressive Era, and the reformation period. However, all of these opportunities have found only limited successes. Each opportunity provided recommendation to

³³⁷ Bureau of Justice Statistics, "Home, Law Enforcement."

consolidate, yet politics and local identity trumped recommendations from within the policing profession.

There is another opportunity for change post-Ferguson. The extensive research and reporting on the cost of policing and inefficiency is consistent through PERF, STL Positive Change, and the 2015 DOJ report.³³⁸ The consistency of recommendations made by the Professional Executive Research Foundation, a community based organization, and the Department of Justice is too much to ignore. The reports are not just an indictment of the operation of a single department, region, or state. They are an indictment of how policing throughout America, and the reports can easily be applied to thousands of police agencies across America.

D. WHERE CHANGE CAN OCCUR

It is unlikely that there will be a national police force in that the United States. The Tenth Amendment of the U.S. Constitution delegates all authorities not reserved for the federal government to the states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”³³⁹ The Tenth Amendment provides general legislative powers to the states and empowers the states to provide police services. James Madison further described the intent of the framers of the Constitution to limit federal involvement in daily lives in *The Federalist 45*,

The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State Governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace negotiation, and foreign commerce...The powers reserved to the several states will extend to all objects, which, in the ordinary course of affairs,

³³⁸ Police Executive Research Forum, *Overcoming the Challenges*, 21; Ferguson Commission, *STL Positive Change*; Civil Rights Division, *Investigation of the Ferguson Police*, 7.

³³⁹ U.S. Constitution Amendment X.

concern the lives, liberties and properties of the people, and the internal order, improvement, and prosperity of the state.³⁴⁰

Thus, libraries, motor vehicle licenses, water services, schools, and a multitude of other services are reserved for the states, as is policing.

As identified in Chapter II, Teddy Roosevelt, who was responsible for supporting the first state police department, Pennsylvania, was also responsible for commissioning the Federal Bureau of Investigation (known in 1908 only as the Bureau of Investigation). Roosevelt, a progressive, sought to combat the growing domestic terrorism of the anarchists, who were responsible for the death of President McKinley. The Bureau of Investigation was not tasked with providing general police services across the nation; rather, it was tasked with performing specific investigations that were outside the expertise of employees of the Department of Justice. The Bureau of Investigation was never intended to supplant state and local police forces.³⁴¹ That is also the case with the U.S. Secret Service, Department of Homeland Security, Immigration and Customs Enforcement, Customs and Border Protection, and additional federal law enforcement entities tasked with specific missions involving national security or commerce. The Tenth Amendment limits federal law enforcement to the specific tasks and does not allow for the general policing of its citizens.

Federal policing is not an acceptable standard to the American public. Surrendering local control of policing is viewed with suspicion and much more so if surrendered to federal control. The far-right conservative publication *The New American* has argued that citizens should view consolidation, mergers, and public-

³⁴⁰ Charles Cooper, "Reserved Powers of the States," Heritage, accessed August 8, 2016, <http://www.heritage.org/constitution#!/amendments/10/essays/163/reserved-powers-of-the-states>.

³⁴¹ Federal Bureau of Investigation, "A Brief History: The Nation Calls 1908–1923," accessed August 8, 2016, <https://www.fbi.gov/history/brief-history>.

private partnerships with extreme caution because large law enforcement agencies divorce themselves from the local community.³⁴²

The plan for change in American policing should seek to first amalgamate police and sheriff agencies providing law enforcement services with less than 10 officers. This first step should be to seek to eliminate 8,796 local, small law enforcement agencies. It is understandable that some agencies may continue to have some legal function, such as a sheriff's department responsible for civil service issues; however, relieving these agencies of daily law enforcement responsibilities would be significant. At a state level, the amalgamation of policing is achievable.

Amalgamation efforts would then continue. Agencies having less than 100 officers would be provided sufficient time to regionalize or amalgamate to larger municipal or regional departments providing contract services, larger sheriff's offices, or state policing services. This would decrease the number of police agencies by an additional 8,002 agencies. Again, not all agencies would cease to exist; some agencies would amalgamate. These amalgamation efforts could result in the lessening the number of law enforcement agencies by nearly 16,798 agencies. The transitional approach would allow municipalities the opportunity to seek the best policing service for their community. Inevitably, there would be cities that object, protest, and litigate. The communities that move forward would be eligible for federal and state grant awards or assistance during the transition. See Table 16.

³⁴² Joe Wolverton II, "Police Consolidation: The End of Local Law Enforcement? Will the Consolidation of Local Police Departments and Sheriffs' Offices Mean Taking Control Away from Local Citizens, Chiefs of Police, and Sheriffs?" *The New America*, September 25, 2012, <https://www.thenewamerican.com/usnews/crime/item/12931-police-consolidation-the-end-of-local-law-enforcement>.

Table 16. Numbers of American Police Agencies Size and Employees³⁴³

Size of Agency	Number of Agencies	Total Number of Full Time Employees
All agencies	17,985	1,133,915
1,000 or more officers	83	326,197
500–999	89	94,168
250–499	237	133,024
100–249	778	174,505
50–99	1,300	136,390
25–29	2,402	124,492
10–24	4,300	98,563
5–9	3,446	32,493
2–4	3,225	11,498
0–1	2,125	2,585

Although a state policing model would be the optimal goal, each state possesses the flexibility of identifying the most advantageous solution: state policing, policing by large sheriff's department, regional policing, or large agency policing. The OPP provides an example of provincial policing delivering services to both urban and rural areas. OPP provides mandates municipalities that are less than 5,000 in population must be served by the OPP; thus, OPP services over 320 municipalities. The OPP bills municipalities a fair and transparent fee that is consistent among municipalities. This case study is replicable in America.

American policing case examples of PSP and the Lakewood model demonstrate how contract policing can be misapplied. PSP provides supplemental service to Pennsylvania agencies without cost. This encouraged municipalities to maintain police agencies that were inefficient and ineffective as the PSP could be counted on to respond or assume policing duties without consequence. The

³⁴³ Adapted from: Reaves, *Census of State*.

Lakewood model of large sheriff agency contracting police services demonstrates the inequitable cost sharing of county and contract municipalities. When municipalities lack confidence in a fair budget cost, they are less likely to seek contract policing. Municipalities that have received discounted services at the cost of the county or other contract cities will continue to insist on underpaying for police services.

E. POLITICAL WILL IS NEEDED

This thesis has explored the stratified and overlapping policing of America. Case studies in Canada and America have shown that the amalgamation of police services is possible but often prevented by local control. The limited number of successes at amalgamating policing versus the titan number of small police agencies speaks volumes. That policing has resisted change in the organization structure for over 175 years is no accident. Change requires strong political will. Additional research is warranted to identify how to effect change in culture to allow the amalgamation of policing.

This thesis researches and cites numerous studies. Overwhelmingly, the studies strongly recommend the amalgamation of policing in America. This is consistent with the strong majority of studies supporting the amalgamation of Canadian policing. Canada's success in the amalgamation of policing rests primarily on the early establishment of national and provincial police forces. Subsequent to that, the province of Quebec had the political will to amalgamate police forces in the Toronto area. The province of Ontario increased amalgamation of policing through the provision of itemized costs and providing communities the opportunity to purchase enhanced policing services. This formula is not present in America. Neither the political will nor the interest in state policing is present as demonstrated in the PSP case study.

The federal government does have significant tools in the shaping of American policing. The Department of Justice has the ability to seek criminal prosecution under 18 U.S.C. §241 and §242 against a person or persons acting

“under the color of law” that willfully deprives the rights protected under the Constitution of the United States. Criminal prosecution of an officer or officers has proven difficult. Defendants can attribute acts to inadequate training, poor policy, or conforming to department culture. In addition, overwhelmingly officers are often hesitant to testify against charged officers, and juries are usually unlikely to convict officers.³⁴⁴ Moreover, the conviction of a few officers does little to change a department’s training, practices, or culture. Even if criminal prosecution is successful, it is unknown what effect will be on the overall policing of the community.

The DOJ does have a more effective tool in seeking a civil case against a police department rather than an individual officer. In 1994, following the Los Angeles riots over the beating of Rodney King, President Clinton signed into law the Violent Crime Control and Law Enforcement Act of 1994. The act’s 42 U.S.C. §14141 made it

unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers...that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.³⁴⁵

Additionally, the act allows for the attorney general to bring civil action to eliminate the pattern or practice.³⁴⁶ This act has been applied to multiple jurisdictions but most recently, as cited earlier, against the Ferguson Police Department.

The Department of Justice can leverage funding to police departments to influence change. In addition, 42 U.S.C. § 2000 and U.S.C. §3789 disqualifies state and local police agencies from receiving federal funding if found to

³⁴⁴ Ivana Dukanovic, “Reforming High-Stakes Police Departments: How Federal Civil Rights Will Rebuild Constitutional Policing in America,” *Hastings Constitutional Law Quarterly* 43, no. 4 (2016): 914.

³⁴⁵ “H.R. 3355—103rd Congress: Violent Crime Control and Law Enforcement Act of 1994,” GovTrack, September 12, 2017 <https://www.govtrack.us/congress/bills/103/hr3355>.

³⁴⁶ U.S. Department of Justice, “Law Enforcement Misconduct Statute 42 U.S.C. §14141,” last updated August 6, 2015, <https://www.justice.gov/crt/law-enforcement-misconduct-statute-42-usc-14141>.

discriminate on the basis of race, color, national origin, sex, or religion.³⁴⁷ However, the influence is proportional to the federal funding that a specific department is receiving. If a department receives little to no funding, then very little influence can be exerted. The DOJ can identify state police agencies and state agencies certifying policing standards as the primary benefactors of federal grant funding.

State police agencies receiving grant funding to provide policing services to small to medium sized cities have incentive to provide efficient and effective services. The initial offset of costs to communities seeking to amalgamate their police services will decrease the prohibitive startup cost. State regulatory agencies tasked with certifying police standards and training are often understaffed and underfunded, resulting in inefficient and ineffective policing. Increasing funding to these agencies will assist in identifying police agencies that are operating unlawfully. Greater oversight at the state level will act as a preventative measure of allowing police agencies to go unmonitored or without regulation. Small and medium sized agencies held to task of maintaining standards and training may seek to amalgamate to larger agencies or release policing to county or state agencies.

The path forward for improving the efficiency and effectiveness is through the elimination of small standalone municipal police agencies. The DOJ can increased funding for municipalities that seek to eliminate small police agencies through amalgamation or contract services. Federal investigation and recommendation to states on the achieving responsible policing is needed. Local mayors, council members, and aldermen will not likely relinquish control of policing unless there are incentives and/or penalties associated with the decision. Incentivizing amalgamation through grant funding and penalizing poor policing through consent decrees provides options that will spur politicians to act. Consent

³⁴⁷ Department of Justice, Civil Rights Division, "Addressing Police Misconduct Laws Enforced by the Department of Justice," last updated August 6, 2015, <http://www.justice.gov/crt/about/spl/documents/polmis.php>.

decrees are used by the Justice Department in lieu of continued litigation as a tool to gain compliance in recommended reforms. The consent decree is an agreement between the Justice Department and the police department to stop specific identified unlawful practices.

The DOJ has demonstrated the ability to change political will through the use of consent decrees. At least 23 policing agencies have entered into consent decrees with the DOJ.³⁴⁸ A study cited by the *Washington Post* found that police departments under consent decrees were sued for civil rights violations fewer times than they were prior to the consent decree.³⁴⁹ The consent decree changed policy and/or practice that has previously remained unchanged. This shows how federal intervention to change local practice or policy can be effective.

Without changes, America will no doubt continue to experience problems with policing. These problems will not be isolated to standalone municipal agencies. The continued maturation of the professionalism of policing will eventually mandate that the policing platform be moved to large agencies. State police departments are already equipped to provide this service. Whether the next challenge is related to terrorism, training, legitimacy, or the ability to respond to a disaster, large police agencies will continue to bear the burden of this response.

³⁴⁸ Tom Jackman, "Do Federal Consent Decrees Improve Local Police Departments? This Study Says They Might," *Washington Post*, May 24, 2017, https://www.washingtonpost.com/news/true-crime/wp/2017/05/24/___trashed/?utm_term=.df618925188b.

³⁴⁹ Ibid.

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