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Study Commission.

Aspects of Law Enforcement in New Jersey

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ASPECTS OF LAW ENFORCEMENT IN NEW JERSEY

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State of New Jersey

COUNTY & MUNICIPAL GOVERNMENT

STUDY COMMISSION.

**ASPECTS OF LAW ENFORCEMENT
IN NEW JERSEY.**

TWELFTH REPORT

JUNE 1976

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State of New Jersey

COUNTY AND MUNICIPAL GOVERNMENT STUDY COMMISSION

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TO HIS EXCELLENCY GOVERNOR BRENDAN T. BYRNE, AND HONORABLE MEMBERS OF THE SENATE AND GENERAL ASSEMBLY:

The County and Municipal Government Study Commission is pleased to submit its report ASPECTS OF LAW ENFORCEMENT IN NEW JERSEY. In this study, the Commission concentrated on those features of the State's law enforcement structure which relate to the functions, roles, and responsibilities of police agencies at the State and local level. Particular emphasis was placed on the interaction among the hundreds of units which provide direct and supportive police services. The study's findings, conclusions, and recommendations are summarized below. We wish to note, in addition, that:

Law enforcement is a dynamic function undergoing constant change in response to changing conditions and problems. As such, it requires continuing assessment and examination and this report should be viewed as a step in such process.

A systematic approach for evaluating local police services is needed. Efforts in this direction have been initiated by the State Law Enforcement Planning Agency but require a formal commitment and a legislative mandate.

In a number of areas the primary cause of current problems was traced to the absence of operational standards (or legislative criteria) for the provision of police services, especially where interaction among agencies is necessary. However, we believe that the development of such standards, criteria, and guidelines, should be undertaken by appropriate bodies constituted specifically for such purpose. The Commission is prepared to participate in such efforts.

As in other functions, effective law enforcement is dependent on the availability of adequate funds. However, unlike other service areas, many law enforcement expenditures cannot be deferred and certain basic service levels must be maintained in order to assure community and individual safety. While recognizing that the allocation of resources and their efficient utiliza-

tion are critical in light of continuing fiscal problems, the Commission views with concern the potential effects of current and proposed personnel lay-offs and cutbacks in police services. These and the proposed reduction in State aid and incentive programs, could adversely affect the quality of police services at the local and state levels. The Commission urges the maintenance of present funding levels and the concurrent assessment of fiscal policies in relation to the level and quality of police services throughout the State.

Respectfully submitted by the members of the County and Municipal Government Study Commission:

/s/ William V. Musto, Chairman
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ASPECTS OF LAW ENFORCEMENT: A SUMMARY OF FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

The law enforcement function is perhaps the most visible activity of local government in New Jersey; no other area has both grown so rapidly and been the focus of so much public concern and awareness in recent years. Despite public familiarity with the more dramatic aspects of law enforcement, however, few people are aware of the day-to-day operations of police departments, or the organizational, fiscal and technical dimension of the law enforcement function or of its place in the State's broader criminal justice system.

In its examination of the State's law enforcement structure and function, the Commission directed its attention in particular to this question: **Are the organizational, fiscal, and technical bases of police services in New Jersey adequate to meet the present and future demands on the law enforcement function?**

The Commission, after extensive research, has concluded that although most present law enforcement functions are adequately performed as measured by responses from community members, **a series of forces and factors is steadily increasing the gap between the capacity of New Jersey's law enforcement system and the scope of the functions it must perform:**

- increasing levels of crime, and increasing 'spillover' of law enforcement problems across municipal lines;
- increasing demand for specialized law enforcement functions, ranging from narcotics, communications systems, juvenile units, and many others;
- increasing pressure on municipal fiscal resources, and increasing competition between services for those same limited funds.

At a time when law enforcement is becoming more and more a regional problem, with a need for greater interaction between police departments (and their state and county counterparts), we found that law enforcement has lagged behind many other functions in the degree to which inter-local cooperation and joint service agreements have come into being. At the same time, some departments are becoming more sophisticated, while others are avoiding change, and thus, **the disparity between the level and quality of police work from one community to the next is steadily increasing.** Although elements of a potential law enforcement system exist at the state and county levels, as well as locally, there is presently no structure or machinery to encourage or bring about cooperation or interaction between the different levels of government or among agencies providing police services.

The capacity of local police departments varies widely—many communities provide for only limited police services, if any:

- 36 municipalities still have no police departments, and rely on others (generally State Police) for all services;

- 70 municipalities have no full-time regular police, and rely entirely on part-time, often untrained and unqualified special police officers;
- 188 municipalities are served by departments with fewer than fifteen full-time police officers, considered the minimum needed for 24-hour coverage and minimum back-up services.

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Only a handful of the small police departments utilize specialists in police work — investigation, narcotics, delinquency — despite the growing need and demand for such personnel. Contrary to the wide-spread feelings that communities are 'covered' or have access to a wide range of specialized services, our findings indicate that in many areas local response capacities were, at best, erratic and limited, and often nonexistent. As a matter of fact, many departments rely heavily on long-term use of special police, who receive as a rule little training and less supervision. Disparities were noted particularly in the capacity of local police departments to provide for training, communications and planning.

In these and in other areas, the need for inter-local cooperation or regional reorganization has been recognized and in some areas joint programs have been initiated, but extensive changes in the basic format for law enforcement services are required to meet the high standards of police services.

The question of standards is crucial: although standards exist for such areas as qualifications of police officers, no operational standards exist for performance of the police function in New Jersey's communities. Neither the resources and capabilities essential to provide as consistently and efficiently as possible for the protection of life and property, nor the level of performance which citizens are entitled to receive from their police agencies, are specified anywhere.

Standards for minimum performance of police functions must be developed, and means must be made available for these standards to be achieved in rural, suburban, and urban areas alike. Such standards should address: the existence of rapid communications capability, convenient access to a crime laboratory, necessary levels of patrol coverage, availability of trained specialists, and formal arrangements for efficient back-up and standby services in emergencies.

Not all communities, however, can afford to provide a full range of police services, given their limited resources and many competing service demands. It is an indication of the weakness of the present system that, under current realities, a community that seeks a department capable of providing a wide range of special services has few alternatives but to provide for such itself. The Commission holds that **communities should not be forced to develop and maintain their own police departments as the only means of assuring themselves of adequate police services. Toward this end the Commission recommends, rather than a specific regional structure for law enforcement services, a series of alternative approaches for service delivery.** By evaluating the alternatives, and selecting the most appropriate one, each

part of the State can develop the law enforcement system most suitable to its needs and conditions. These 'models' would range from areawide full-service departments, suitable for rural areas, presently with few if any police departments, to areawide agencies limited to supportive services to existing police departments, in more developed or urbanized areas.

The development of **minimum standards** for law enforcement services and the establishment of a **two-tier system**, integrating local and areawide agencies, for the delivery of law enforcement services across the State form the core of the Commission's recommendations. In order to bring about these two objectives, which lead to the goal of better law enforcement for all New Jersey residents, a series of specific steps must be taken. The Commission, therefore, specifically recommends:

1. **The formulation of minimum standards for law enforcement agencies in New Jersey, through the means of a body broadly representative of law enforcement as well as State legislative and executive concern. Such standards, once formulated, should be submitted to the Legislature for formal adoption where warranted.**

These standards must include a number of crucial areas. They must:

- define a logical scale of organization for law enforcement services in various jurisdictions;
- define law enforcement capacities which should be available within each jurisdiction; and
- set guidelines for attaining such capacities.

2. **The enactment of legislation clearly permitting and supporting the establishment of areawide law enforcement agencies with general police powers.**

Legislation is needed to provide the flexibility and incentives that will lead to the development of more effective and responsive areawide law enforcement systems; furthermore, the obstacles that today stand in the way of interlocal or county-local arrangements must be removed.

3. **The establishment of a legislative body to review, codify, and update laws pertaining to law enforcement activities and the police function.**

At least one underlying reason for the lack of coherence in the structure of law enforcement services today is the disorganized state of the laws governing their provision. There is a need to clarify the laws pertaining to law enforcement, and in many cases to evaluate them in line with present realities.

4. **The establishment of criminal justice planning agencies in each of the State's 21 counties, to develop the plans for county and municipal level departments, which in turn will provide a basis for distributing State as well as Federal funds for assistance to local law enforcement.**
5. **The establishment of a firm state policy to channel State and Federal**

funds in a manner that supports efforts directed at achieving maximum effectiveness in use of law enforcement resources at the county and local levels.

6. The formation of a State-level unit, to provide direct and efficient access for local law enforcement personnel to state level agencies, and to represent local police interests at the State level.

These three recommendations, dealing with planning, funding, and State-level administrative coordination, represent the necessary underpinnings of a more effective and responsive law enforcement system.

Finally, as an outgrowth of its detailed study of recruitment and training, communications, and planning, the Commission has made a series of specific recommendations dealing with (a) the establishment of overall communications planning and implementation, for both emergency and nonemergency needs; (b) the strengthening of police recruitment and training, in particular the in-service training provided police officers; and (c) establishment of strict standards regarding the qualifications, training, and use of special police officers.

In conclusion, the Commission firmly believes that implementation of these recommendations is a crucial first step toward the creation of a genuine law enforcement system—not a collection of isolated and separate units, varying widely in scope and capacity, but a system capable of providing a high level of service to all New Jersey's citizens, wherever they live or work. Much work remains to be done in the crucial and complex area of law enforcement. Hopefully, the Commission's recommendations will provide directions for action in various central and ancillary areas, through both the legislative process and a spectrum of administrative actions.

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INTRODUCTION

The public role in assuring the individual's safety and security has expanded rapidly in recent years. Accompanying the increase in scope and intensity of government's involvement, has been a change in the concept of how to discharge the public role. Originally viewed as a series of separate concerns, today the concept is evolving into a broad recognition of the need to maintain a criminal justice system encompassing judicial, preventive, penal, rehabilitative, and probationary functions in addition to the police (or law enforcement) function. This report deals with the adequacy of the intergovernmental framework to deal with current and prospective needs and problems of the law enforcement component of the criminal justice system. Interaction with the other components of the system is a subject for future examination by the Commission.

While public safety, as a governmental responsibility, is perhaps the most significant concern in New Jersey's 567 municipalities, the law enforcement *function*, i.e. providing for individual and community safety, is among the least understood. Among other factors, the complexity of this function, including the multiplicity of jurisdictions, the fragmentation of responsibilities, the existence of technical and political constraints, and the increasing demand for public resources has contributed to this lack of understanding. Periodically, public awareness of the broad issue of public safety is heightened by dramatic disruptions in normal everyday life. When violent crimes, natural disasters, fires, major traffic accidents, or civil offenses take place, the citizen becomes aware of the presence and the role of law enforcement personnel. By and large, however, the public is unaware of their normal range of activities or of the organizational framework through which public safety services are delivered. Yet, these are the basis for assuring the public of timely and effective responses to the more visible, critical, and dramatic situations which receive the greater attention.

In New Jersey, the determination of public safety needs, as well as the provision of public safety services, has traditionally been the responsibility of local government. Residents were, and generally still are, satisfied with the delivery of police services in their communities and support local control of the police function. Evidence of this attitude has been found in a number of research efforts undertaken by the Commission. However, as in the case of virtually every other area of public service, the nature and scope of public safety problems and concerns, have changed considerably in recent years and have placed increasing pressures on municipal service capabilities. Growth and development in suburban areas, increasing population densities in urban areas, and increased mobility were accompanied by internal changes in community composition, resources, and priorities. In addition, many of the problems confronting police departments — ranging from 4-mile traffic jams to hot pursuit of fugitives across several municipal boundaries — have assumed areawide dimensions.

The scope of the law enforcement function expanded, as well, to include new activities and concerns, as did the perceptions of law enforcement personnel. Combined, these factors have a significant bearing on the extent and quality of law enforcement services in the State.

A full discussion of the changing conditions is beyond the scope of this report, but several of the major components are worth noting:

- From 1960 to 1975, the State's population increased by 23%, at an average annual rate of 1.5%.
- From 1968, the first year that uniform crime reports were compiled, to 1974, serious crimes more than doubled in the State, increasing from 172,000 to 2,392 per 100,000 of population to 350,134 or 4,723 victims for 100,000 population. All areas were affected by the increase in the incidence of serious crime, ranging from 189% in the Northwest Region, to 142% in the Southeast, 141% in the Southwest, and 84% in the Northeast Region.
- In the ten-year period from 1962 to 1972, traffic accidents increased by 59% while fatal accidents increased by 57%. During the same period, vehicle registrations increased by more than 50%.
- Police employment in 1974 amounted to nearly 17,000 sworn officers, an increase of 31% over the 1968 figure.
- From 1968 to 1973, law enforcement expenditures by all levels of government increased by 89%. Per capita increase amounted to 95%.
- Sixty-four percent of all revenue sharing funds received by local government were directed to public safety (police and fire).
- Nearly 80% of the respondents of a recent survey indicated a need for additional federal assistance to support law enforcement costs.

Areawide Aspects

Increasing awareness of these trends is reflected in both public attitude and professional responses to law enforcement problems. However, the adaptation of the law enforcement community to contemporary conditions and requirements has been a slow, gradual process. Public services, in some problem areas—transportation, air and water pollution control, and health services, for example—have increasingly been organized on an areawide basis. But, while many public safety *problems* have also become area-wide in scope, public safety *responsibility* has remained essentially localized and the jurisdiction of existing area-wide law enforcement agencies is extremely limited.

While the municipality retains the predominant role for providing police services, broader area-wide and cooperative approaches by law enforcement officials on the day-to-day operating level are apparent. Many local agencies coordinate their activities and share their problems and resources on a regular formal or informal basis. The trend is even more evident with respect to arrangements for the sharing and inter-change of *specialized*

services in such areas as communications and information systems technology. Thus, while responsibility and control remain localized, arrangements for many of the common activities and functions in police service delivery are becoming broader.

Although there is a growing recognition of the area-wide scope of law enforcement problems in the law enforcement community, public attitudes toward area-wide arrangements are less certain. While the public expects the combination of independent local agencies to perform at a level and quality that can only be expected of a well-organized and well-integrated system, more typical of areawide structures, residents of most municipalities continue to insist on "local control" of the police function. These and other seemingly contradictory attitudes, in light of the current nature of law enforcement problems and practices, have resulted in inconsistencies, or gaps, in the law enforcement response:

- The "spillover" of law enforcement problems has created a jurisdictional gap in that local law enforcement agencies lack the authority to deal with problems of a larger-than-municipal scope.
- A local agency funded from a narrow, fiscal base often lacks the resources to confront large-scale problems.
- Small agencies with limited personnel or specialized skill are not always able to interact with larger departments having more sophisticated systems, in an effective area-wide framework.

These conditions underlie the Commission's study of the capacity of New Jersey's network of loosely associated local law enforcement agencies, as presently structured, to meet current and future needs. One of the more significant conclusions to emerge from the Commission's study concerns the characterization of the law enforcement community as a "system", with attendant expectation of performance, to which uniform policies and programs can be applied. The very number of independent and diverse units in the State has thus far contradicted this description. Law enforcement agencies have, by and large, acted as separate units, independent of a systems concept. The framework for inter-dependency is just beginning to emerge.

General Issues and Scope of Report

The State's law enforcement network consists of several hundred departments, agencies and specialized functions at the state, county, and municipal levels. Obviously the performance of the individual units will vary considerably, based on many different factors — among which are differences in the setting in which services are provided and differences in perception of need. Our concern, however, is not with the performance or efficiency of the *individual* department, but rather with the adequacy of the intergovernmental framework to function as a uniform structure dealing with both the increasing scale and complexity of the problems besetting law enforcement.

This intergovernmental framework, within which law enforcement

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services are organized and delivered, is shaped by the same general conditions affecting *all* governmental functions in the State: fragmentation; the increasing metropolitan character of the State, coupled with persisting localization of fiscal responsibility; the lack of adequate machinery for creative local responses to area-wide and regional needs; the increasing significance of the fiscal crunch being faced at all levels of government. Added to these general conditions, are the changing scope and scale of the problems confronting the law enforcement function specifically.

The study addressed itself to four aspects of the State's present law enforcement structure—statutory base of municipal, county, and state agencies; the variations in department size and service delivery dimensions; the patterns of expenditures and resources in support of law enforcement services; and the areas of recruitment and training, communications, and planning in which interlocal or area-wide activities are emerging.

Each of these areas of inquiry raised a series of questions, summarized below, which further focused the study:

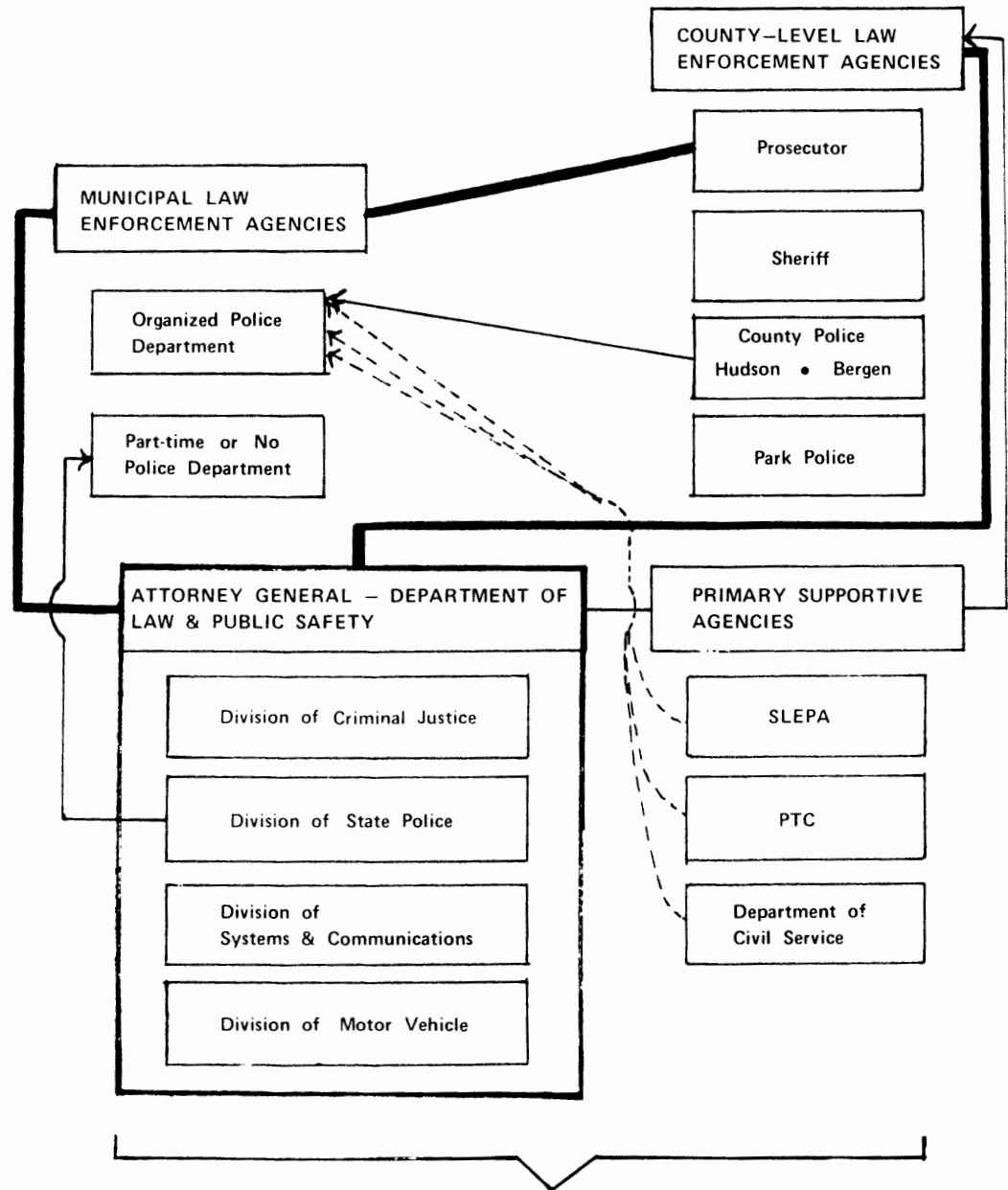
- In view of the incremental development of legislation, do the laws reflect clear legislative intent, delegation of authority and well defined objectives and standards for current local law enforcement functions? Has the body of laws governing the police mission kept up with rapid growth and change in the law enforcement function?
- Is the existence of hundreds of law enforcement agencies in the State, with widely varying resources, capabilities, area and population coverage and problems, in and of itself detrimental to effective law enforcement in the State? What are the interrelationships among the various levels of law enforcement and among the units in each level, not only overall but in specific functional areas—communications, training, planning, etc.?
- Are there adequate resources available throughout the law enforcement "system" to meet mandated responsibilities and identified needs? Are resources equitably generated and distributed according to recognized plans and understanding of priorities and capabilities?
- How do political attitudes shape the response of local police departments? Do they act as a deterrent to a systematic approach to law enforcement on an area-wide basis?

The answers to some of these questions were not always apparent, primarily because there is no consensus as to either the quality or level of law enforcement services which are required to meet the needs of various communities throughout the State, and secondarily, because sources and quality of the data available for analysis are uneven. Overall, however, the examination of the key aspects detailed in the following chapters provided the basis for the Commission's findings, conclusions and recommendations. Broadly stated these indicate that based on local perceptions the intergovernmental framework for providing law enforcement services throughout the State has been, and in many instances may still be, adequate to deal with the

normal range of current law enforcement problems. The ability of the law enforcement community to continue to provide services at a high level, in light of mounting and rapidly changing law enforcement problems, increased stresses and strains, and the need to confront *extraordinary* situations is cause for concern in the future.

Chart 1

STATE-LOCAL LAW ENFORCEMENT PATTERNS



State-Level Law Enforcement Agencies*

*This chart does not depict all relationships among agencies involved in law enforcement. Several other department, commissions and agencies are involved in *specific* law enforcement related activities.

- general interaction all agencies
- general services to some agencies
- - - special services

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SECTION I: THE FRAMEWORK FOR LAW ENFORCEMENT IN NEW JERSEY

CHAPTER I

LAW ENFORCEMENT SERVICES: THE STATUTORY BASE

Overview

As in most other areas of changing governmental responsibility, legislation defining the local police function was enacted piecemeal, over long periods of time. Although occasional codification has taken place (the latest in Title 40A, 1971), no substantive statutory recasting of the basic intergovernmental relationships has occurred since the Division of State Police was formed in 1921, primarily for the purpose of providing police protection to rural areas.

Generally, legislation is enacted in response to identified needs and recognized problems. The statutes relating to police services reflect the basic municipal orientation of New Jersey's governmental structure, since such needs and problems most often originated and could be managed within the municipal jurisdiction. The spread of urban development and increased mobility resulted in a spillover of law enforcement problems, leading eventually to the emergence of statutory provisions for regional responses, such as the establishment of prosecutors' offices in each of the State's 21 counties, with powers to take jurisdiction over any criminal investigation. The scope of regional responses did not match the scope of law enforcement problems, however, either in terms of further statutory enactments or in provisions for replacement of outdated units with more appropriate structures. Thus, the intermittent addition of various types of law enforcement agencies and units, without the concomitant elimination or incorporation of existing units, only compounded the complexity and lack of cohesion of the law enforcement *framework*.

In examining selected elements of the legal framework within which law enforcement services are provided, three key attributes were held to be minimally necessary:

First, clear legislative intent in providing for law enforcement services, encompassing clearly defined objectives, priorities, and standards for the system as a whole and for its component parts.

Second, definitive fixing of authority and responsibility and the delegation of powers to individual units to exercise them.

Third, an administrative structure which fosters interaction among the

units of the law enforcement framework and with other agencies within the criminal justice system.

The structures which emerged over the years, for current provision of law enforcement services, are described in the following pages. These organizational patterns in general suggest that the legal underpinnings of the law enforcement system have not kept pace with changing needs and demands reflected in the criteria mentioned above.

Law Enforcement Agencies at the Local Level

The basic unit of police service is the municipal police department. Communities are permitted, but not required, to provide, by ordinance, for the establishment and operation of a municipal police department. The statute containing the legislative base for local police departments empowers the governing body of the municipality to provide for the maintenance, regulation and control of the department; and, except as otherwise provided by law, to appoint officers and personnel, determine their terms of office, fix their compensation, prescribe their powers and duties, and promulgate rules and regulations for the government of the department and for the discipline of its members.¹ In general, the local governing body has complete control over the conduct of its police department, subject only to certain statutory limitations and, of course, the State and Federal Constitutions.

The major statutory limitations contained in the enabling legislation establish minimum qualifications for police officers, which include: a prescribed minimum level of training; minimum salary; maximum hours of duty; retirement and pension benefits; procedures for the suspension and removal of officers, including hearing procedures; and minimum requirements for promotion. Also, in municipalities where Civil Service is in effect, local police officers are subject to regulations promulgated by the State Civil Service Commission.² Currently, some 10,400 (roughly 65%) of more than 16,000 local police officers are under Civil Service.

Statutorily defined employment requirements for local police officers are minimal. At present, they include the provisions that the officers be U.S. citizens, be of sufficient physical fitness to satisfy the requirements of the Board of Trustees of the Police and Firemen's Retirement System for admission to the system, be able to write and speak English, and be of "good moral character."³ With the exception of newly released military personnel, officers must also be residents of New Jersey at the time of their appointment.⁴ Under another provision, police officers must be between the ages of 21 and 35 when appointed.⁵ However, the State Attorney General has held that the passage of the Age of Majority Act in effect reduces the minimum age to 18.⁶

The Police Training Act empowers the Police Training Commission to set minimum training standards for officers appointed after July, 1965.⁷ This act requires that the newly appointed officer pass a basic training course approved by the New Jersey Police Training Commission within 18 months after initial (probationary) appointment to the department, and before being

permanently appointed. At present, the required minimum training is 280 hours of instruction at an approved academy.

As of 1974, there were 461 organized full-time municipal police departments, defined as having one or more full-time officers. Additionally, 70 municipalities had "special or nonorganized departments" consisting solely of part-time officers or special police. The remaining 36 municipalities had no police department of any kind, relying entirely upon the service of the State Police or the police of another local jurisdiction.⁶

Law Enforcement at the County Level

The statutes permit the creation of four law enforcement agencies at the county level. Two of these agencies, the county prosecutor, appointed by the Governor, and the elected sheriff, are mandated in the State Constitution. County police departments and county park police units are permitted but not required by statute.

County Prosecutor: The New Jersey Constitution provides that "County prosecutors shall be nominated and appointed by the Governor with the advice and consent of the Senate. Their term of office shall be five years . . ."⁹ In New Jersey's nine most populous counties, prosecutors are required to devote full time to their duties.* In the remaining counties, prosecutors are free to engage in private law practice, but cannot accept criminal cases as private attorneys. In many ways, the county prosecutor performs duties similar to those of a district attorney in other states, but unlike the district attorney who, in most other states, is elected, the New Jersey County Prosecutor is an appointed official. In each county, the prosecutor may appoint a number of qualified persons as county detectives and investigators.

According to the New Jersey Supreme Court's decision in the case **State v. Winne**,¹⁰ the county prosecutor is the foremost representative of the executive branch of the State government in each county, having powers analogous to those of the attorney general, and is therefore considered the chief law enforcement officer, having overall responsibility for law enforcement within the county.¹¹ Of course, in practice much of this responsibility is discharged by the municipal police, who conduct investigations, make arrests, and provide general police services. Although the prosecutor will take jurisdiction over major cases, there is virtually no involvement by the prosecutor in routine police matters. Generally, the prosecutors concentrate on the control of organized crime, often through the use of special task forces or "strike forces" in conjunction with other state, county, and federal law enforcement agencies. Because there are fewer organized municipal police departments in the less densely populated areas of the State, the prosecutor is frequently involved in the investigation of lesser crimes, generally in conjunction with the State Police.

*NJSA 2A:158-1.1: All 1st class counties; all 2nd and 5th class counties with populations (according to the 1960 Census) greater than 265,000.

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The county prosecutor often works closely with local police departments, and has the authority to "direct" the mayor and police department of the municipalities in his county in matters concerning law enforcement. Further, the prosecutor has the power to conduct investigations and make arrest anywhere within the county without obtaining permission from the municipality involved. The prosecutor is also the legally established conduit for requests to the attorney general and to the State for assistance in emergency situations.

By and large, most of the prosecutor's time is spent on court-related tasks such as case preparation, presentation, the operation of grand juries, representing the State at the appellate level, and other prosecutorial functions. The involvement of the prosecutor in investigation and arrest proceedings varies greatly from county to county, depending upon the adequacy of the local police departments and the "style" of the prosecutor.

County Sheriff: The sheriff, elected by the people of the county for a three year term, is the other constitutional law enforcement officer at the county level.¹¹ The sheriff's duties in relation to law enforcement are not specified in the Constitution. In the absence of legislation, the powers of the sheriff's office are presumed to have been implied by the framers of the Constitution. The opinion in the *Virtue* case¹² was that the implied powers (that is, the traditionally held powers of the sheriff at the time the Constitution was framed) were immune from alteration or subtraction by the legislature. This interpretation of the immutability of the sheriff's powers was overruled by the holding in *State v. De Lorenzo*.¹³

The powers and duties of the sheriff are enumerated entirely by statute and have evolved in a haphazard pattern over several decades. A partial listing of statutes and court rules applying to the criminal and civil powers and duties of the sheriff, compiled by the New Jersey Sheriff's Association, comprises 51 statutes and rules. The major function of the sheriff include: serving of writs and orders of the court within the county; administering of the county jail; maintaining order and decorum in the county courtroom; incarcerating and otherwise caring for prisoners awaiting trial; assembling and sequestering juries; transporting prisoners; seizing different types of property, including fraudulently mislabeled goods, bad eggs, certain agricultural chemicals, and illegal fishing equipment; and conducting sheriff's sales.

In criminal matters, the statutes provide that "All court attendants, sheriffs' officers and county correction officers in the competitive class of civil service . . . appointed by the sheriff or Board of Chosen Freeholders . . . shall, by virtue of such appointment and in addition to any other power or authority, be empowered to act as officers for the detection, apprehension, arrest and conviction of offenders against the law."¹⁴ However, in practice, the degree of involvement of the individual sheriffs' offices in law enforcement matters varies widely. Some sheriff's offices take a direct part in the detection and investigation of crimes and the apprehension of offenders.

Other offices limit themselves to the statutorily defined civil and quasi-judicial functions.

The respective positions of the sheriff and the county prosecutor have been the subject of much controversy. Historically, the popularly elected sheriff had been viewed as the primary law enforcement officer at the county level. However, in **State v. Winne**, it was held that the county prosecutor was the chief law enforcement officer in the county.¹⁶ This principle is further enforced by the ability of the prosecutor, through court direction, to obtain any funds necessary for the conduct of investigations. The law enforcement role of the sheriff has been further undermined by the decision of the State Law Enforcement Planning Agency (SLEPA), which administers most of the federal and state law enforcement grant programs, not to fund any law enforcement related programs or purchases by the sheriff. One result of these limitations is that the sheriffs' staffs have been growing considerably more slowly than the prosecutors' staffs (Table 1). It should be noted that the sheriff's office does perform a law enforcement function in many cases, and sheriff's officers must complete the 280-hour basic training course required of other law enforcement personnel in the State. Within their counties, a number of sheriffs' offices augment the municipal police departments by the operation of countywide communications, identification, and record-keeping facilities; the transportation of prisoners between municipalities and the county jail; public educational programs relating to drug abuse; and hardening of crime targets. Overall, however, the law enforcement role of the sheriff, as distinguished from the judicial and custodial role, is a subject of continuing controversy both within and outside the criminal justice community.

County Police: Pursuant to enabling legislation, counties may provide for the establishment and operation of a county police department in much the same manner and subject to the same limitations as a municipality.¹⁷ A county police department organized under these statutes has the power to enforce resolutions and ordinances regarding the supervision and regulation of traffic on county highways and roads. Further, the county police department is empowered to enforce all provisions related to Sunday observances¹⁸ and Motor Vehicles and Traffic Regulations.¹⁹ The statutes also empower officers of the county police department to make arrests "for the commission of any crime anywhere in the county of their appointment."²⁰ What the statutes do not spell out is the relationship of the county police department to the existing municipal police departments in the county, especially with regard to the question of whether county police may enforce municipal resolutions and ordinances.

Only two counties, Bergen and Hudson, have formed county police departments. The activities of these departments are concentrated in the patrol of county roads and highways, and in Bergen, patrolling the county's parks and county facilities and enforcing weight limitations. In some cases, the county police department will investigate crimes or render assistance to local police departments. The Bergen County Police Department has the

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TABLE 1
CHANGES IN COUNTY LAW ENFORCEMENT PERSONNEL
1968 to 1973

	1973			1968			Percent Change 1968-1973		
	Unif.	Civ.	Total	Unif.	Civ.	Total	Unif.	Civ.	Total
Total	2839	916	3755	1810	542	2352	54.6%	69.0%	57.7%
Prosecutor	732	460	1192	387	243	630	89.1	89.3	89.2
Sheriff	1659	402	2061	1042	253	1295	59.2	58.9	59.1
Co. Police	189	42	231	160	36	196	18.1	16.7	17.8
Co. Park Police	259	12	271	221	10	231	17.2	20	17.3

SOURCE: Compiled from Uniform Crime Reports (UCR) and other sources.

capacity to deliver certain specialized services to municipalities upon request. The department interprets its role as a backup to local law enforcement; the provision of services which communities cannot afford to provide individually (e.g. "Breath-o-lizer" testing); local coverage in one of the county's 70 municipalities; and a coordinated approach with the prosecutor's and sheriff's offices based on amiable personal, rather than institutional, relations.

County Park Police: Under statutory provisions, a county park commission may appoint policemen to patrol county parks, playgrounds, and recreation areas.²¹ To date, nine counties have established such county park police departments, including Bergen, Camden, Essex, Middlesex, Morris, Ocean, Passaic, Somerset, and Union Counties.

The chief and officers of the county park police, who are appointed by the Board of Chosen Freeholders, may exercise the same powers as those conferred by statute on municipal police officers in the enforcement of New Jersey criminal laws and the apprehension of violators.²² However, except under special circumstances, the territory in which the county park police have jurisdiction is limited to the boundaries of the county park system.

Law Enforcement at the State Level

As indicated, the New Jersey State Police functions as the primary law enforcement agency at the state level. By the turn of the century, it had become apparent that New Jersey required another law enforcement agency in addition to the existing municipal police departments and county law enforcement personnel, primarily the sheriff and now defunct constable. The main reason for the establishment of the State Police was the recognition of criminal mobility and the lack of effective police protection in the rural areas.

In response to these needs, the State Police was established in 1921 as an independent agency. However, in 1948, the State Police Agency was placed within the Department of Law and Public Safety under a Superintendent appointed by the Governor. Starting with only 81 troopers in 1921, the State Police have grown steadily over the years, with the most rapid growth in their role and personnel taking place in the mid 1950's, reflecting the State's rapidly growing population and the even more rapidly growing crime problem.

At present, the strength of the State Police is 1,632 uniformed personnel and 641 civilians, organized into five troops or commands, with 45 operational stations strategically located throughout the State.

Statutorily the State Police are to be employed primarily to furnish adequate police protection to inhabitants in rural areas.²³ In general, the State Police were given the same powers and authority as conferred by law upon police officers and constables. Yet, unlike other police in the State, the State Police were authorized to enforce laws and municipal ordinances and to make arrests anywhere in the state.²⁴ The State Police duties, more

specifically, entail the enforcement of traffic laws and the provision of emergency services. In addition to their routine police duties, the State Police undertake investigations when ordered by the Governor or Attorney General, and conduct narcotics and gambling raids in cooperation with federal and local authorities.

The State Police perform a number of technical services, both for their own law enforcement activities and for the benefit of local agencies:

- In 1930, the State Police inaugurated a police teletype communications network which provides an around-the-clock service for law enforcement agencies in the State. Through this network alarms are broadcast and information shared.
- In 1967, State Police headquarters was linked to the National Crime Information Center (NCIC) in Washington, D.C. The Center's computerized operation stores a vast range of data on wanted persons and stolen or missing items reported by police departments throughout the nation. This system allows participating New Jersey agencies, by means of the "hook-up", to obtain all available information on record to aid in tracking down suspected criminals.
- The Uniform Crime Reporting System²⁵ involves the compilation classification and analysis of crime statistics reported by all police agencies of the State. The State Police administer the System report for municipalities without local police services and weed out duplication. The information, thus provided, aids in the examination of the nature and scope of serious crimes and becomes intelligence upon which effective enforcement action can be based.
- The State Bureau of Identification is a central clearinghouse for criminal information, identification, and photographs, and its three laboratories provide technical information on firearms, chemicals, and other evidence.

As of 1973, the total expenditure for State Police service amounted to \$33,115,000 or 10.1% of the total amount of monies allocated to police agencies. In 1965, the figures were \$9,245,970 and 7.6%.²⁶

Related State Level Law Enforcement Agencies

The Police Training Commission (PTC) is responsible for prescribing training requirements for law enforcement officers in New Jersey. While the PTC does not provide training itself, it plays an important role in developing curriculum and ensuring that the basic training program, provided for newly appointed police officers at the fourteen police training academies, meets existing standards. The PTC's training role will be discussed more fully in Chapter V.

The State Law Enforcement Planning Agency (SLEPA) is an independent agency created to channel federal Law Enforcement Assistance Administration (LEAA) funds to state, county, municipal, and other law enforce-

ment agencies. SLEPA has funded a number of projects including: strike forces against organized crime, regional communications systems, juvenile services programs and police-community relations projects. The agency has been instrumental in the initiation of criminal justice planning in most of the State's counties.

State Division of Systems and Communications in the Department of Law and Public Safety, is responsible for the Statewide Communication Information System (SCIS). SCIS has full access to information and data held by the National Crime Information Center, the Statewide Crime Information Center, and the State Division of Motor Vehicles. SCIS terminals, operated by the State Police and several local police departments, are capable of receiving information requests and transmitting criminal information back to law enforcement agencies. The role of the SCIS will be more fully developed in Chapter V of this report.

The Division of Criminal Justice, also in the Department of Law and Public Safety, holds the statutory jurisdiction over all law enforcement activities in the state. The Attorney General's authority to 'supervise' the county prosecutors, is discharged throughout this division and since the prosecutor is, in turn, the chief law enforcement officer in each county and may 'direct' all municipal police activities, the control over the entire system is nominally vested in this division. In addition to providing policy direction to the prosecutors, the division responds to various requests for special assistance originating at the local department level.

Other State Law Enforcement Agencies: Several other state agencies including the Marine Police, within the New Jersey Department of Environmental Protection, and the Division of Motor Vehicles, have law enforcement responsibilities. However, since their direct participation in local law enforcement is limited, their roles will not be included in this report.

Cooperative Agreements among Law Enforcement Agencies

As the legal framework governing the activity of law enforcement agencies evolved over the years, few attempts were made to stimulate the organization of law enforcement services on a larger-than-municipal basis. References within the statutes were limited to special laws, such as that which permitted certain communities to consolidate their beach patrol activities.²⁷ More recently, however, incentives for inter-municipal arrangements to provide law enforcement services were included in the Inter-local Services Act of 1973.²⁸ To date there has been only limited utilization of inter-local arrangements within law enforcement, and the incidence of formal cooperative agreements is relatively low. Where such agreements exist, moreover, few examples of cooperation are found in the patrol function, which remained highly localized. Better results are indicated in the more specialized areas of training and dispatching. (See Table 2)

In an earlier study by the Commission, mayors of New Jersey communi-

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ties were asked to indicate their willingness to provide eight selected services on a cooperative or joint basis. While 86% of those responding indicated willingness to cooperate in the provision of solid waste services, which ranked first in positive responses, only 32% indicated a willingness to provide law enforcement services (ranked seventh) on a joint cooperative basis. When compared with responses to a similar question asked three years earlier, joint provision of law enforcement services did not change its position among the eight functions. Nor did the joint provision of law enforcement services enjoy the significant increase in the willingness to provide services jointly, as indicated, for example, in the areas of solid waste or health services.²⁹

Among police personnel contacted in the course of the study, there was, not surprisingly, a strong resistance to departmental consolidation paralleled by an increasing willingness to cooperate in the provision of supportive services. In some cases, however, the latter approach was viewed as the first step towards the elimination of local control.

TABLE 2
COOPERATIVE AGREEMENTS IN POLICE SERVICES

Function/Service	No. of Mun. Providing Services (a)	Percent Utilizing Cooperative Agreements	
		All Types (b)	Inter-local
Recruiting & Training	293	36.5	14.7 (c)
Purchasing of Police Vehicles & Equipment	355	26.2	18.8
Patrol	382	8.0	3.0
Dispatching	287	35.2	27.2

SOURCE: Department of Community Affairs Questionnaire, 1974.

- (a) 473 of the State's 567 municipalities responded to the survey questionnaire
- (b) includes: inter-local agreements; informal agreements; contracts or agreements with State Police or County Training Academy
- (c) 22% cited State Police Training Academy at Sea Girt and/or County Academies.

Summary

The preceding survey of the State's statutory framework for law enforcement offers a basis for several general conclusions concerning the intergovernmental structure:

- First, law enforcement services are stratified and fragmented. The incremental development pattern of the statutes has historically promoted the proliferation of agencies at all levels;
- Second, the permissive character of most legislation impedes interaction, not only among agencies at the same level but also between levels and with other components of the criminal justice system;
- Third, the statutes do not contain *clear* definitions of the roles and jurisdiction of law enforcement agencies, let alone operational or structural standards.

- 1 NJSA 40A:14-118
- 2 Title 11
- 3 NJSA 40A: 14-122
- 4 NJSA 40A: 14-122.8
- 5 NJSA 40A: 14-127
- 6 NJRA 9:17B-1, c. 81, P.L. 1972
- 7 NJRA 52:17B-66 et. seq.
- 8 SLEPA, Criminal Justice Plan, 1975, p. 1
- 9 New Jersey Constitution, Article VII, Section II
- 10 12 NJ 152, 91A, 2d 65 (1953)
- 11 NJSA 2A: 158-5
- 12 New Jersey Constitution, Article VII, Section II, Paragraph 2
- 13 *Virtue V. Board of Chosen Freeholders*, 38 Vroom 139 (1901)
- 14 81 NJL 613, 79 atl. 839 (1911)
- 15 NJSA 2A: 154-3
- 16 12 NJ 152
- 17 NJSA 40A:14-106 to 117
- 18 New Jersey Statutes, Chapter 171, Title 2A
- 19 Title 39
- 20 Section 107
- 21 NJSA 40:37-95.13
- 22 NJSA 40:37-95.41, 155, 203, and 262
- 23 NJSA 53:2-1
- 24 NJSA 53:2-2
- 25 NJSA 52:17B-1 et. seq.
- 26 Computed from N.J. State Budget and Annual Reports of the N.J. Division of Local Government Services
- 27 NJSA 40A: 14-158
- 28 NJSA 40:8B
- 29 County & Municipal Government Study Commission, Joint Services, p. 33

CHAPTER II

LOCAL LAW ENFORCEMENT AGENCIES, INDIVIDUAL AND COLLECTIVE CAPACITIES

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Primary responsibility for the provision of law enforcement services to New Jersey's residents rests with units of local, particularly municipal, government. Faced with the continuing need to adjust to internal changes and external pressures, many communities responded by increasing the number of law enforcement personnel. An increase, amounting to nearly 31%, occurred in the period from 1968 to 1974, when almost 17,000 officers were employed at the local level, and projections by the Police Training Commission suggest that the increase in law enforcement personnel at the local level would result in the employment of more than 20,000 officers by 1979. In some communities, new departments were formed; a rise of 31 organized departments (defined as employing one or more full-time officers) was recorded in the period 1967-74, bringing the total number of organized departments in the State to 461. An increasing number of communities have instituted or expanded the use of specialized personnel, techniques, and equipment, while still others are beginning to move toward cooperative or interlocal approaches.

In reviewing the structures for providing law enforcement services, we selected two of many possible areas of examination as a means of assessing the capacity of law enforcement agencies within the State to continue adapting to changing needs. First, the variation in capacities found within individual agencies as identified by such factors as department size, range of functions and the use of specialized techniques; and, second, an examination of cost factors related to arrangements for providing services on a larger-than-local basis.

Department Size

The size of municipal level law enforcement agencies varies greatly throughout the State. Departments in large urbanized areas employ several hundred full-time officers, while many communities employ no law enforcement personnel. In 1975, 461 of New Jersey's municipalities employed one or more full-time officers, 70 communities employed only part-time law enforcement personnel, while the remaining 36 municipalities relied totally upon the services of law enforcement personnel from other jurisdictions. A substantial number of communities (37%) are served by organized departments with 15 or fewer full-time officers.*

*Fifteen is by no means a magic number for describing an "adequate" department. A staff of fifteen full-time officers represents an arrangement for providing 24-hour coverage while maintaining trained personnel in place for telephone coverage and back-up assistance and allowing for time off, vacations, etc.

TABLE 3
VARIATIONS IN SIZE OF NEW JERSEY
MUNICIPAL POLICE DEPARTMENTS

Number of Full-Time Officers Employed	Number of Municipalities	Percent of All N.J. Municipalities
Part- time police services only	70	12.3
15 or Fewer	198	34.9
16 to 25	111	19.6
26 to 50	83	14.6
51 to 100	36	6.3
100 or more	30	5.3
Municipalities with some form of police services	531	93.7
Municipalities with no local police services	36	6.3
TOTAL	567	100.0

SOURCE: Uniform Crime Reports: Crime In New Jersey, 1974. Feb. 1975.
SLEPA Criminal Justice Plan, 1975.

The training survey conducted by the Police Training Commission indicates an increasing movement to larger departments throughout the State. This trend can be seen in Table 4, which compares the number of departments by various levels of strength for 1967 and 1974. The number of departments with fewer than ten officers decreased by nearly one-third, while the number of departments in the 10-25 and 25-50 categories increased by about one-third.

TABLE 4
MUNICIPAL POLICE DEPARTMENTS IN N.J. BY SIZE

Full-time Personnel	Number of Departments		Change
	1967	1974	
1-9	168	126	-42
10-25	154	183	+29
26-50	55	80	+33
51-100	28	35	+7
100 +	18	29	+11
TOTAL	423	461	+38

SOURCE: Uniform Crime Reports 1967 & 1974.

As indicated in Table 5, one-sixth of the State's residents are served by local departments with fewer than 15 full-time employees. While every county has some departments of this small size, in the more rural areas of Hunterdon, Sussex, and Warren Counties, for example, nine out of ten residents of communities providing police services, fall into this category.

Statewide, about one of every 8 communities have no full-time local police services, and only one of ten communities had established departments with more than 50 full-time employees.*

TABLE 5
MUNICIPAL POLICE DEPARTMENTS WITH FEWER THAN
15 FULL-TIME OFFICERS, BY REGION*

	Number of Municipalities	Population (000)	Percent of Total Pop. of Region
Northeast (Bergen, Essex, Hudson, Union, Lower Passaic)	27	138	4.0
Northeast Suburban (Upper Passaic, Morris, Somerset, Middlesex)	37	184	18.8
Northwest (Hunterdon, Sussex, Warren)	56	215	93.5
Central Delaware Valley (Burlington, Camden, Mercer)	60	273	25.0
Shore (Monmouth, Ocean, Atlantic, Cape May)	84	323	33.7
South Delaware Valley (Cumberland, Gloucester, Salem)	44	145	39.4
NEW JERSEY	308	1278	17.4

*Includes municipalities with no police, part-time police and those with 1-15 full-time officers.

SOURCE: Commission computations based on UCR, 1973.

*The 50-person department is suggested by some authorities as optimal in terms of cost factors, as well as utilization patterns. It is offered here simply as an aid to categorizing departments by size.

Another aspect of departmental size is its relationship to cost. Often larger organizations show "economies of scale"; as an organization grows in size and adds persons with specialized skills, it is able to handle workload increases proportionately greater than the increased costs of running the larger organization. Thus, either the per-unit cost of doing the work drops, or increased efficiencies realized through economies of scale are applied to produce goods or services of higher quality.

To find out whether economies of scale were present in municipal police departments, the Commission examined the ratio of nonpersonnel to personnel costs in departments of different-sized New Jersey communities. (A relatively low proportion of nonpersonnel costs should indicate more intensive use of equipment such as the police station, police cars, training facilities, etc.) Municipalities under 25,000 population spent on the average 16½% of their public safety budgets for nonpersonnel costs, while those over 25,000 averaged 11%, apparently supporting the presence of scale economies and potential saving of tax dollars in larger departments.

Using annual municipal cost data, the Commission staff developed a statistical model indicating expenditure requirements for police departments of various sizes. The model — designed to predict what it would cost to run a consolidated department for nine contiguous communities — projected an estimated annual savings to these municipalities of \$600,000 or more. *Such findings suggest that larger-sized departments can save money as well as deliver specialized services, and that municipalities too small to support such departments individually might still obtain their advantages by joining with other towns to create regional police departments.*

The Range of Skills Available at the Local Level: Functional Capacity

Departmental size also provides an indication of availability of personnel with specialized training to perform specialized functions. Modern law enforcement problems and concerns have grown at an ever increasing pace, consistent with the changing fabric and complexity of our society. Law enforcement capabilities, too, have grown and are constantly expanding. Law enforcement agencies must deal with such specialized problems as drug abuse control, organized crime, and juvenile crime situations, to name but a few. Agencies must invest significant time and energy in the promotion of community relations and in crime prevention activities.

Larger local agencies in the state can and do employ a range of specialists in the discharge of their responsibilities. Such agencies may have specialized investigative staff, police community relations specialists, juvenile bureaus, crime prevention units, psychologists, and communications specialists among others. In smaller agencies, these functions may be carried out as part of the routine activities of agency staff or may be carried out by the staff of agencies from other jurisdictions. The response to the study questionnaire concerning the availability of specially trained personnel to perform some of the more specialized law enforcement functions is summarized below.

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Narcotics and drug abuse: Specialists in this critical area were more frequently used as department size increased. Although only 12% of the smallest departments used such personnel, 40% of the departments in the 5-10 officer range, 80% in the 51-100 range, and 92% in the over-100 range used them.

Delinquency control: The pattern was similar to that for narcotics and drug abuse specialists — a steady increase in use paralleling increase in departmental size.

Fingerprinting: For the smallest departments, the percent using the service was 6%; for 5-10 officers 34%; 11-20 officers 43%; 21-35 officers 59%; and departments with 36 or more officers 75%.

Special investigation: Only half the departments with fewer than 10 officers used this service, compared with two-thirds of those with 11 to 35 officers.

Training: The use of special training personnel was almost universal in departments of over 100 officers, while less than one-third of the smallest departments used such personnel.

Planning: While 29% of the largest departments had planning officers to forecast needs and develop resources, 27% of the departments in the 50-100 officer range used such personnel, and only 13% of the departments with 36-50 officers. Fewer than 10% of the smaller departments have planning officers.

Psychological: No department with fewer than five officers used a psychologist regularly, even on a contract basis. On the other hand, more than one-third of the departments with 50 or more officers used them.

Generally, the larger departments have a greater range of specialized skills, and greater opportunity for law enforcement officers to develop and utilize special skills. Access to regional, interstate, and national crime information centers, and the availability of technical consultation, evidence collection and record-keeping facilities, juvenile specialists, and psychologists were dependent to a great degree on the size of the department. The larger departments were also more likely to have greater depth and experience among employees and were more able to retain capable officers as a result of greater opportunities and incentives for advancement. Finally, the Commission's survey indicated that educational attainment of personnel in larger departments was generally higher. (See Table 6)

The relative capabilities of larger and smaller departments can be seen more clearly by comparing Charts 2, 3, and 4, which are organizational charts of three New Jersey police departments of varying size. These charts demonstrate the increases in specialization and in availability of technical and supportive services that occur in larger departments. Note that the smallest department with 21 officers, shown in Chart 2, lacks basic supportive services such as training, records, or planning. These services must be performed, if performed at all, by regular line personnel to the detriment of both line services and specialized services. Lack of specialization also adds

TABLE 6

**EDUCATIONAL ATTAINMENT OF LOCAL POLICE IN NEW JERSEY:
Percentage of Departments Having Officers with Training
Beyond High School Level, by Size of Department**

Size of Department (number of full-time officers)

Percent of departments in each size cate- gory having:	Fewer than 5	5-10	11-20*	21-35	36-50	51-100	More than 100*
Some officers with post-high school education #	6%	39%	36%	54%	71%	73%	83%
No officers with post-high school education #	94%	61%	60%	46%	29%	27%	8%
Total	100%	100%	96%*	100%	100%	100%	91%**
*4% no response			**9% no response				
#Exclusive of the Basic Police Training Program.							

SOURCE: County & Municipal Government Questionnaire Survey, 1973.

costs, for example, when trained officers must be used for clerical tasks. Larger departments hire civilian office staff to perform these tasks, thus freeing officers for duties commensurate with their training. In smaller departments even the chief of police may spend much time doing routine patrol work or office work, rather than administer the department.

All communities in New Jersey do not require development and utilization of a full range of capabilities and specialized services. In fact, communities requiring services beyond the capacity of their existing departments can receive assistance from agencies at other levels of government. The fact that many small municipal departments have less than full-service capacities does not in itself lessen the ability of the law enforcement system as a whole to respond to problems and to supply special skills or personnel to a particular location, *provided that arrangements and/or mechanisms have been created to assure the availability of such specialized skills or additional manpower as they are needed*. The arrangements through which aid and assistance are made available become extremely important, especially in light of more complex law enforcement problems.

While voluntary informal working agreements to provide mutual aid and assistance in emergency situations and to provide for the sharing of some

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Chart 2

POLICE DEPARTMENT "A"

10,000 Population

21 Police Officers

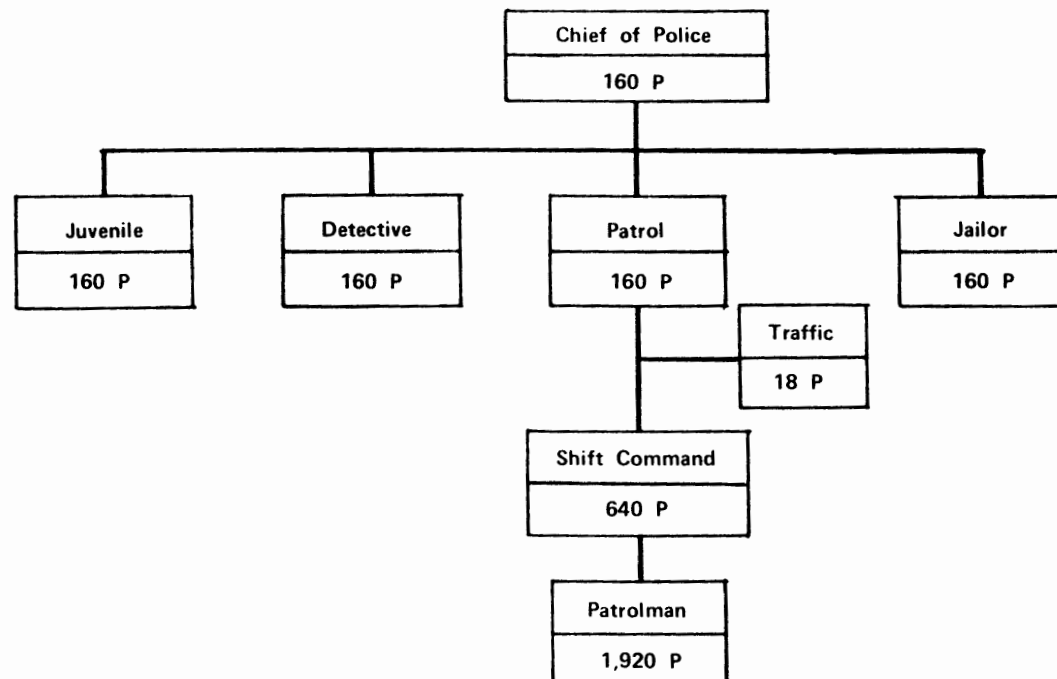
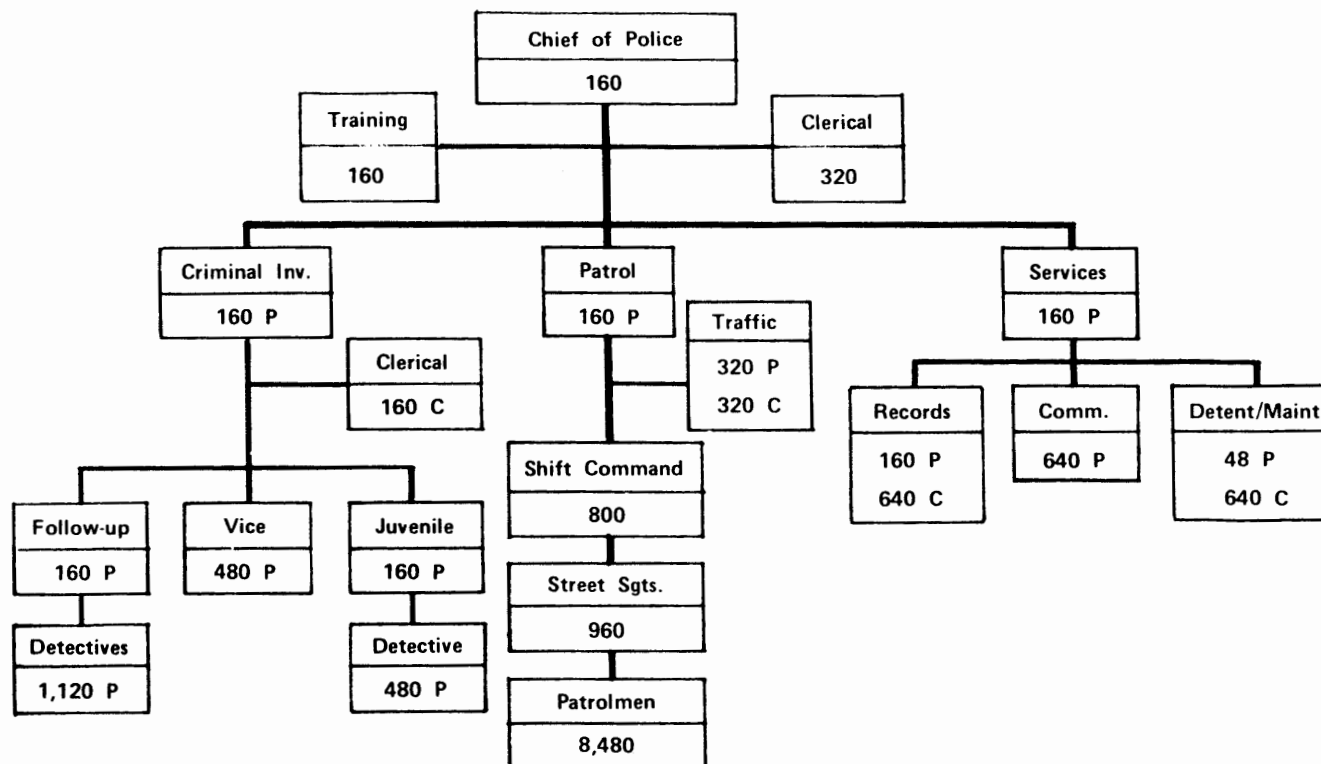


Chart 3

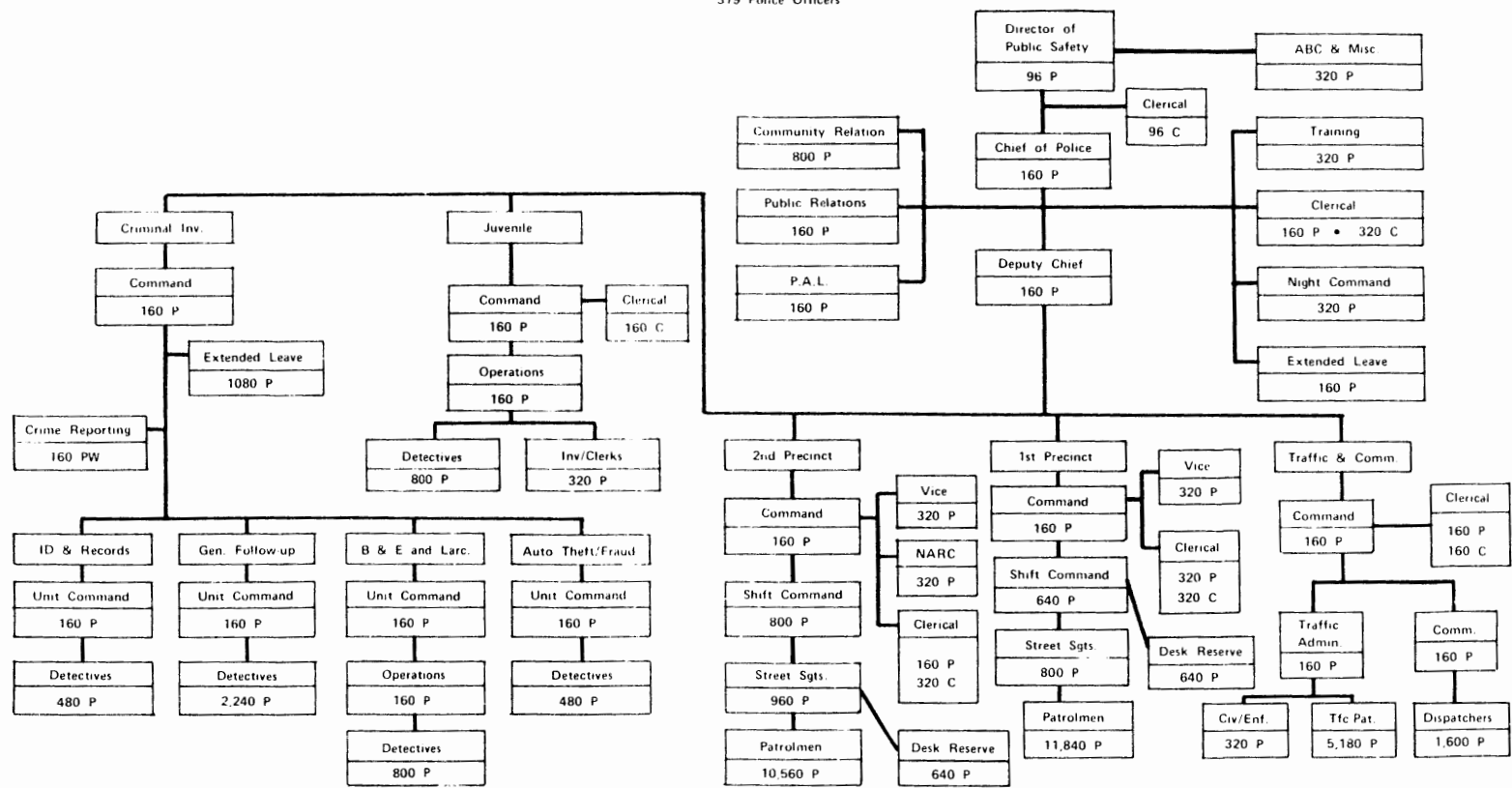
POLICE DEPARTMENT "B"
50,000 Population 111 Police Officers



NOTE: The numbers designate man-hours per month and the letter P denotes sworn police officers.
The letter C denotes civilian employee.

974
P76
197

Chart 4
POLICE DEPARTMENT C
100,000 Population
319 Police Officers



technical resources have been established, there are only a few examples of formal inter-local arrangements to deal with law enforcement problems spilling over from one community to the next or with problems having an areawide scope or focus. At the county level, ultimate responsibility for law enforcement services rests in the office of the prosecutor; in practice, however, most basic law enforcement services are delivered at the municipal level. By and large, county level agencies, while enjoying a wider jurisdiction than their municipal counterparts, do not have the technical or political capacity either to coordinate or to direct the provision of most law enforcement services within the county. While working arrangements have been developed and some specialized services have been organized within the county level, the kind of *formal* interrelationships necessary to assure a systematic response to law enforcement problems is generally absent or negligible. Nor have formal relationships between the law enforcement agencies at all three levels of government been established. In many instances, law enforcement agencies of different levels of government cannot even communicate on the same equipment.

The Use of Special Police

More than 100 New Jersey municipalities have only part-time police services or none whatever, and nearly 200 more have full-time forces smaller than 15 officers. To provide adequate service, these municipalities frequently depend upon the State Police, county law enforcement agencies, the police departments of adjoining municipalities, and often untrained, part-time or special police officers. The degree of this dependence may range from total reliance upon the State Police for all police services, even basic patrol, to inter-municipal agreements to render aid under emergency conditions, to self-reliance on special and part-time personnel either as the municipality's only police force (usually supervised by a full-time chief) or to provide supplementary service at peak periods of need in the evenings, on weekends, and on holidays.

Special police officers are widely used in sparsely populated localities. New Jersey statutes¹ provide that the governing body of a municipality may appoint special police officers for terms not exceeding one year, although the number of special consecutive appointments an officer may receive is not limited. The local governing body retains the power to revoke the appointment without showing cause or holding a hearing. The only qualifications required of a special police officer are that he be a United States citizen, understand English, be in good health, be of "good moral character", and never have been convicted of any criminal offense involving moral turpitude. The chief of police of the appointing municipality is responsible for ascertaining whether a prospective appointee meets these qualifications. The power to appoint special policemen has been extended to county park commissions; special police officers employed there exercise "the same powers . . . as may be exercised by a municipal policeman pursuant to law. . . ."²

As yet, no training requirements for special police officers are mandated on a statewide basis. Some municipalities require special officers to demon-

strate proficiency with a service revolver and other weapons, or require courses on firearm safety. The Monmouth, Bergen, and Burlington County Police Training Academies are working to develop and offer courses for special police officers, to be given on a voluntary basis.

The special officer frequently performs a role indistinguishable from that of a regular police officer. A considerable number of special officers work full time as members of the force; even more work for the local department on a part-time basis while holding down other jobs, frequently as night watchmen and security guards, jobs requiring the carrying of weapons and the wearing of uniforms.

Municipalities use special police officers to perform the role of regular police officers for financial reasons. It costs more money to hire, train, and maintain a person full time than part time. Another reason, far less supportable, is evasion of State training requirements.

An example of this use of special officers is illustrative. A particular municipality was found to have employed 12 police officers — a full-time chief and 11 part-time special police officers, including a captain, a lieutenant, and two sergeants. Of these, only the chief had completed the required minimum training course, although a number of the department personnel had been employed as special officers well beyond the one-year limit for completing training. In essence, the municipality, by appointing special officers for consecutive one-year periods, was circumventing the training requirements set by the Police Training Commission pursuant to New Jersey Statutes.³ A consultant who performed a study of this police department found that seven of the part-time members of the department were serving in violation of the law. Evidence available indicates that this situation is far from unique in New Jersey.

The prevalence of this reliance on special officers was studied by the Police Training Commission (PTC). A questionnaire was sent to municipalities in the State requesting information on use of special police officers.* The 542 municipalities that responded employed, at that time, a total of 4,445 special police officers, compared with 16,489 regular officers, or over one fifth of the local police personnel in the State. This figure probably understates slightly the actual number of special police officers, since the 25 municipalities that did not respond to the questionnaire either had no departments or had small departments which relied on special officers.

Further analysis of the questionnaire survey results showed that of the 542 municipalities responding:

- 338 (62.4%) employ a total of 8,150 regular police officers, while also using 4,111 special police officers, which is a ratio of approximately one special officer for every two regular police officers. These municipalities are a large group and include all population categories.

*The questionnaire instructions specifically excluded from the category of special police officer such auxiliary personnel as traffic guards, civil defense auxiliary police, and bank guards.

- 29 (5.4%) employ no regular police officers, but use 225 special police officers. These municipalities tend to be very small in population.
- 158 (29.1%) do not employ special police officers. These tend to be the largest cities or rural municipalities with no police departments.

Special police are used effectively for special functions or at certain times of the year (such as in shore communities during the summer months) to augment the regular police services. Responses from the questionnaire survey, however, show that only 579 or 13% of the special officers are used three months of the year or less. In contrast, the survey showed that 3,401 special officers, or more than 75% were employed from 9 to 12 months of the year. The survey showed that special police, while generally working year-round, tend to work on a part-time basis. (See Table 7) Although most special officers work fewer than 20 hours per week, nearly one-quarter of the total work more than half-time.

TABLE 7
HOURS PER WEEK WORKED BY NEW JERSEY
SPECIAL POLICE OFFICERS, 1975

Average Hours Per Week Worked	Total Number of Specials	% in Mun. Responding
0-9	1,899	54.4
10-19	781	22.3
20-29	257	7.4
30-39	107	3.1
40 and over	446	12.8
	3,490*	100.0

SOURCE: Questionnaire Survey N.J. Police Training Commission, 1975.

The high proportion of part-time, year-round use of special police, the frequency of their second jobs, the concentration of special police in relatively small communities, and the generally extensive reliance on such personnel throughout the State, suggests that municipalities may be overly dependent on special police officers to perform work that should be entrusted exclusively to full-time police officers who meet predetermined State standards of

*955 special police were employed in municipalities not responding to the question, or reporting varied numbers of hours worked per week.

qualification, and who have successfully completed the State-prescribed program of training.

The PTC questionnaire asked how much training was being provided to special officers. When the questionnaire was distributed, there was no training requirement for special officers, nor is there one now. Of the total returns, 354 municipalities responded to the question about training as indicated in Table 8.

TABLE 8

TRAINING PROVIDED TO NEW JERSEY
SPECIAL POLICE OFFICERS, 1975

Average Training Hours	Special Police Receiving Training		Municipalities Providing Training	
	#	%	#	%
No training	219	5.2	25	7.1
1-20	636	15.2	57	16.3
21-40	1,192	28.4	87	24.9
41-60	930	22.2	67	19.1
61-80	331	7.9	25	7.1
81-100	259	6.2	20	5.7
101 and over	627	14.9	69	19.7
TOTAL	4,194	100.0	350	100.0
no responses				
or other responses	251		34	

SOURCE: Questionnaire Survey, N.J. Police Training Commission, 1975.

Over half of the special officers in the State received less than 40 hours of training; only 15% received more than 100 hours, a figure considered minimal to achieve competence in only the least technical and least responsible of police duties. An even lower percentage of the special police officers in the State met the 280 hours minimum training standards set for regular police officers, although most performed substantially the same duties as their regular counterparts. The percent of special police receiving no training, however, was reduced substantially (from 10.3% to 5.2%) in the six year period following the 1969 PTC questionnaire. All other changes were negligible.

It seems reasonable to assume that the special officers employed by the 34 agencies not responding to the question on training, received little or no training.

TABLE 9
USE OF REGULAR AND SPECIAL POLICE OFFICERS, BY COUNTY

County	Number of Regular Police Officers	Number of Special Police Officers	Over 20 hours/wk.	Less Than 20 hrs./wk.
Atlantic	525	131	26	66
Bergen	1,885	560	29	334
Burlington	449	236	28	134
Camden	922	213	1	144
Cape May	245	201	8	14
Cumberland	198	151	38	34
Essex	2,737	152	23	100
Gloucester	295	161	8	111
Hudson	1,938	68	23	24
Hunterdon	75	75	15	27
Mercer	711	78	57	16
Middlesex	1,217	281	3	283
Monmouth	921	294	59	105
Morris	768	550	50	297
Ocean	605	221	7	48
Passaic	1,026	280	10	181
Salem	66	53	6	17
Somerset	360	226	35	164
Sussex	118	144	48	37
Union	1,345	289	40	165
Warren	83	81	29	50
	16,489	4,445	543	2,351
of Reporting (3186 Special Police)			17.0	73.8

SOURCE: N.J. Police Training Commission memorandum "Special Police Officers", dated October 27, 1969.

292 (6.6%) special police (of whom all but 36 were employed in the 4 shore counties) indicated full-time employment but on a seasonal basis (up to 6 months). 342 (7.7%) special police were employed on a part-time basis (generally less than 10 hours/week and for less than 3 months of the year. 917 (20.6%) special police did not indicate hours employed or number of months employed or both.

The questionnaire also asked who runs the training programs that exist for special police. Of the 384 municipalities that employed special police officers, 271 responded to the question. Of these,

- 108 agencies (39.9%) train their own special officers;
- 22 agencies (8.1%) train their special officers in conjunction with an adjacent larger department;
- 100 agencies (36.9%) have their special police officers trained by county police academies;
- 41 agencies (15.1%) use miscellaneous other training programs.

Table 9 demonstrates that the dependence on special police officers varies widely from county to county. In the urban counties of Hudson, Essex, and Union, special police have a proportionally small (though a numerically not insignificant) role; in the rural counties of Hunterdon, Salem, and Sussex, their role is much more extensive. It is fair to say that special police are employed State-wide, and are currently used to deliver a substantial amount of day-in, day-out routine police work.

The majority (73.8%) of special police are employed virtually on a year round basis (9 to 12 months) but for less than 20 hours per week. However, at least 543 special police or 17% of those reporting were fulltime employees of their respective departments. Moreover, the notion that special police are a seasonal feature of the shore communities is not supported by the survey. In these counties the ratio of special police officers does not differ substantially from other suburban counties.

Indications are, moreover, that there is relatively little turnover among special police. Turnover rates of 10% or less were reported by 84.2% of the municipalities responding to the question in the PTC survey, a rate comparable with those of regular police officers.

Over 90 per cent of the communities responding to the questions indicated that their special police were permitted to carry firearms on duty. While most such communities require training in the use of weapons, the number of training hours reported varied widely as did the requirements for firearms qualification. Moreover, the PTC found no adequate way for evaluating the quality of firearms training. This issue, too, relates to the need for standards addressed later in this report.

To conclude, special police are being used extensively to perform tasks more properly left to full-time trained sworn officers. Such tasks are now being performed by individuals lacking adequate training. Special police can be effectively utilized for certain functions to augment the sworn force, provided such tasks are clearly defined, that qualifications for appointment are carefully drawn, and that adequate training is provided.

Summary

New Jersey communities are served by law enforcement agencies of widely varying size and capabilities, directly attributable to the exclusively

local option of establishing police departments and determining their level and quality of services. The absence of uniform standards or policy direction contributes to unevenness of response, occasionally of significant proportions, and directly affects the State's aggregate ability to confront intensifying and spreading law enforcement problems.

The machinery for combining and coordinating general and specific law enforcement resources in given areas and functions does not exist at present in the State; nor is there a capacity to provide consistently high levels of services evenly throughout the State for both routine and extraordinary circumstances. In the face of growing problems and inelastic resources, continuing reliance on local departments lacking the capacity to provide needed services may not only be detrimental to the communities, but may also undermine the achievement of broader public safety objectives.

¹ NJSA 40A:14-146
² NJSA 40:37-95.13
³ NJSA 52:17B-66

CHAPTER III

THE FISCAL DIMENSIONS OF LAW ENFORCEMENT SERVICES

Overview

Law enforcement services are not isolated from the current and continuing fiscal crunch confronting all levels of government. The growing gaps between service delivery demands and available resources subject all governmental functions, including law enforcement, to severe limitations and there is little evidence to suggest that the severity of the problems will diminish. To the contrary, it may well be that as a result of the increasing regional scale of law enforcement problems additional strains will be placed on local agencies. The problem is further heightened by the inability to transfer fiscal responsibility for portions of the law enforcement function to higher levels of government as has been the case, for example in the area of pollution control.

The examination of the fiscal patterns in the law enforcement area shows that:

- expenditures are high and increasing;
- this function continues to command a large portion of total operating expenses;
- expenditures remain highly localized with minimal inter-governmental transfers;
- wide disparities are found among communities, notably among older urban core communities on the one hand, and growing suburban communities on the other;
- wide variation exists in the ability of communities to support law enforcement services;
- direct impact from state and federal aid programs is limited; and,
- fiscal planning at all levels of government is minimal.

Law Enforcement Expenditures: General Trends

The provision of law enforcement services requires a substantial and increasing expenditure of funds at all three levels of government, particularly at the local level. Before focusing on these fiscal patterns, however, the following general trends should be noted:

- In the ten-year period, ending in 1973, combined state, county and municipal expenditures for law enforcement nearly tripled—a rate consistent with that of other governmental functions. At the county and municipal levels, however, the growth rates for the law enforce-

ment function were substantially higher than those of other governmental functions. (94% and 35%, respectively) (See Table 10)

TABLE 10
EXPENDITURE PATTERNS 1963-1973
(000)

	Municipal	County	State
Law Enforcement			
1963	\$ 94,989	\$ 7,747	\$ 7,966
1973	265,391	29,576	33,115
% change	179.4	281.8	315.7
All other functions			
1963	349,510	211,442	220,352
1973	853,772	608,779	1,006,028
% change	144.2	187.9	356.5

- Law enforcement services commanded a relatively stable share of total operating expenditures at all three levels of government, during this ten-year period. Allocations for law enforcement ranged from an increase of slightly over 2% at the municipal level, to a decrease of less than 1% at the state level. (See Table 11)

TABLE 11
CHANGE IN PERCENT OF BUDGET ALLOCATED TO LAW
ENFORCEMENT, BY LEVEL, 1963-1973

	Municipal	County	State	Total
1963	21.36%	3.53%	3.48%	12.4%
1973	23.71	4.63	3.18	11.7
% change	+2.35	+1.10	-0.3	-0.7

- Law enforcement expenditures remain highly localized. During the period 1963-1973, the share of municipal governments in all expenditures for law enforcement declined by a relatively modest 5%. In 1973, municipal governments still accounted for more than 80% of the total law enforcement expenditures in the State. (See Table 12)

TABLE 12
PERCENT DISTRIBUTION OF LAW ENFORCEMENT EXPENDITURES
BY LEVEL, 1963-1973

	Municipal	County	State	Total
1963	85.8%	7.0%	7.2%	100%
1973	80.9	9.0	10.1	100
% change	- 4.9	+ 2	+ 2.9	

SOURCE: N.J. Division of Local Government Services
Annual Reports 1963 & 1973
State Budgets 1963 & 1973

Law Enforcement Expenditures and supporting resources at the Local Level

Expenditures In 1973, municipal governments spent, on the average, more than twenty-three percent of their operating budgets in support of the law enforcement function. Law enforcement ranked second only to education in the command of municipal fiscal allocations, receiving nearly thirty-six dollars per-capita. The range of expenditures for law enforcement varies considerably throughout the State, ranging from a high of nearly sixty dollars on the average for communities in Cape May County, to a low of less than fifteen dollars per capital in rural Hunterdon County. As might be expected, law enforcement expenditures in urban centers, for the most part, were higher than those of the communities surrounding urban centers. As indicated in Chart 5, comparing per capita expenditures for law enforcement expenditures in seven counties in the State with large urban centers, the rate of expenditure in Atlantic City was nearly four times that for the other communities in Atlantic County. Yet, even among urban centers there are notable variations—per capita outlay in Elizabeth, for example, was not significantly different from that of the balance of the communities in Union County.

The degree of urbanization and the character of surrounding communities contribute to the variations in expenditures for law enforcement services, as does a community's rate of development. Law enforcement expenditures for communities in all stages of development, other than those experiencing rapid growth, increased significantly over time. In comparison, per capita expenditures for other governmental functions for communities of all types were found to decline with increases in population during the decade, 1960-1970.

A representative sample of seventy communities was drawn to determine how factors such as size, degree of urbanization, rate of growth, and location affect law enforcement expenditures. In this and in a second survey of communities in Mercer County, per capita expenditures and the per-

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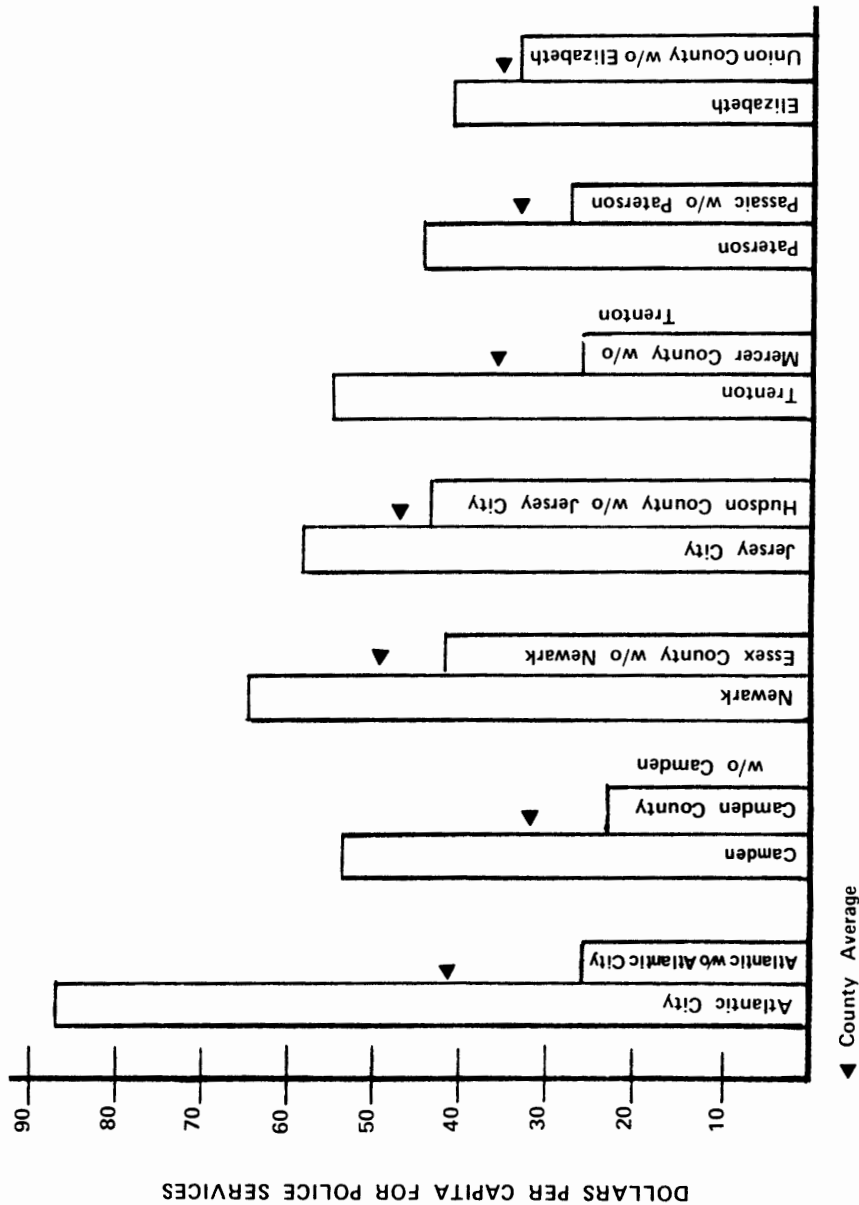
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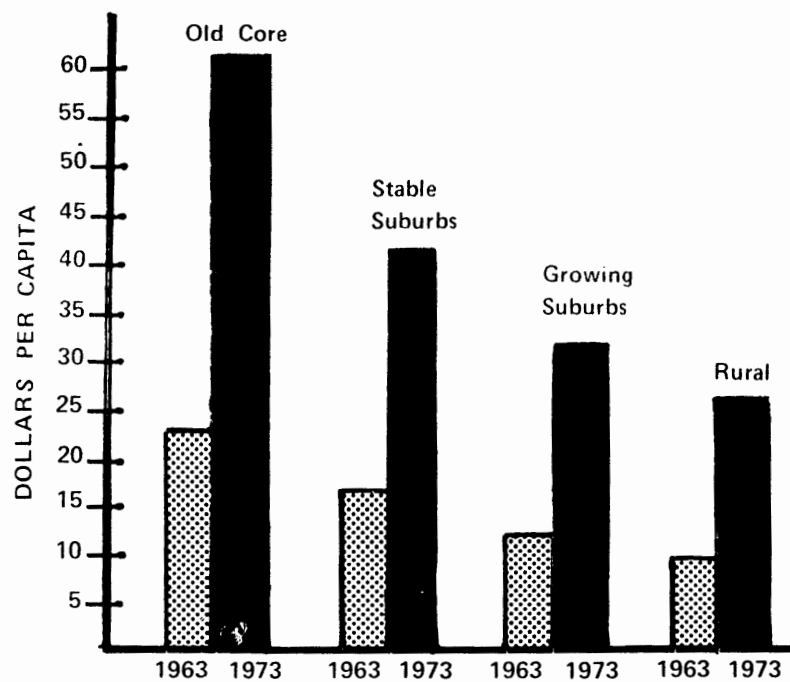
Chart 5
1973 PER CAPITA LAW ENFORCEMENT EXPENDITURES COUNTIES WITH URBAN CENTERS



centages of expenditures devoted to law enforcement services were examined. These, too, demonstrate that while per capita expenditures in all types of communities increased substantially, the greatest increases occurred in old core communities, and the smallest occurred in rural areas (See Chart 6). In core cities and growing suburbs these general patterns held, as well, in both relative and absolute terms for the budgetary allocations to law enforcement during the ten year period. In stable suburbs and rural communities the percent of the budget allocated to law enforcement actually declined, although the actual expenditures increased considerably. (See Chart 7.)

Chart 6

PER CAPITA LAW ENFORCEMENT EXPENDITURE
1963 and 1973, MUNICIPAL SAMPLE SURVEY

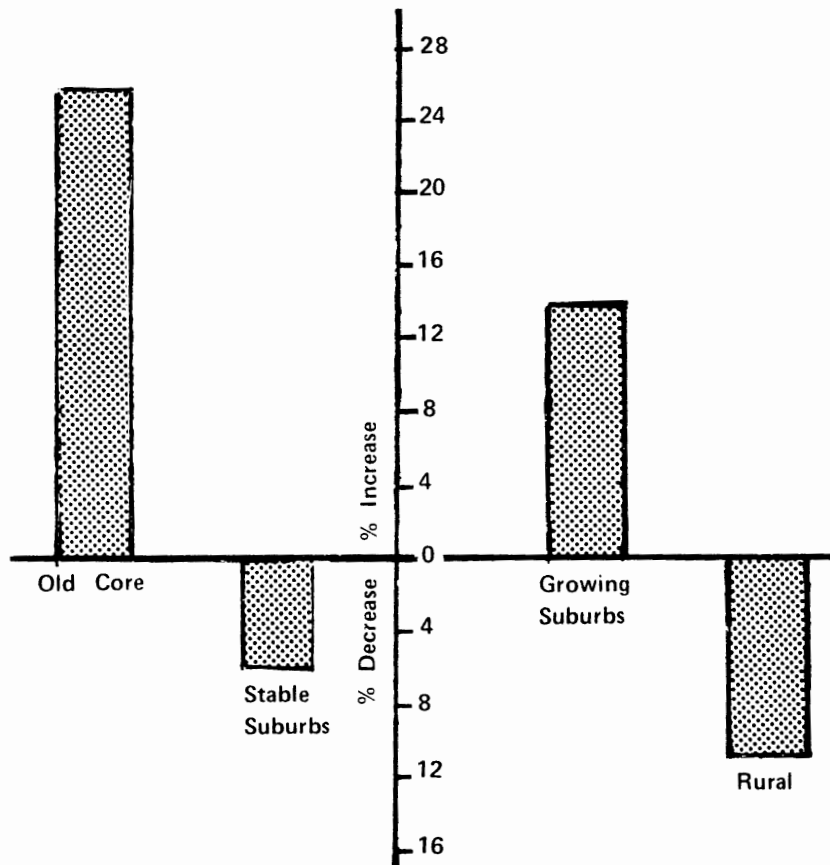


The provision of law enforcement services depends heavily on the costs for personnel. Increases in personnel costs result from the increase in the number of individuals performing the function and the amount of money needed to support each employee in direct wages and fringe benefits. From 1967 to 1973, total law enforcement employment increased nearly 40%, and was manifested in most types of communities throughout the State. Increases in salaries for New Jersey's law enforcement personnel, as reflected by the increase in median top salaries for the position of patrolman,

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Chart 7

CHANGES IN PERCENT OF BUDGET 1963-1973 ALLOCATED TO
LAW ENFORCEMENT, MUNICIPAL SAMPLE SURVEY



indicate a rise of nearly 64% from 1967 to 1973. It is interesting to note, however, that the increase for urban communities is somewhat less — 50% during the same period of time.¹

Increases in top salaries, however, represent only a portion of real manpower costs. Many New Jersey communities provide higher annual salaries for fewer hours worked per week, resulting in substantial expenditures in overtime pay. In one community, a starting salary of \$14,000 per year for a 32-hour week, resulted in a gross income in excess of \$25,000 per year with overtime pay. Moreover, in several cases, officers were performing duties which did not require uniformed, trained personnel.

In the absence of clear standards of service delivery, standards of productivity, and a rational determination of appropriate roles for sworn and civilian personnel, the likelihood of continued escalation of law enforcement costs is clear.

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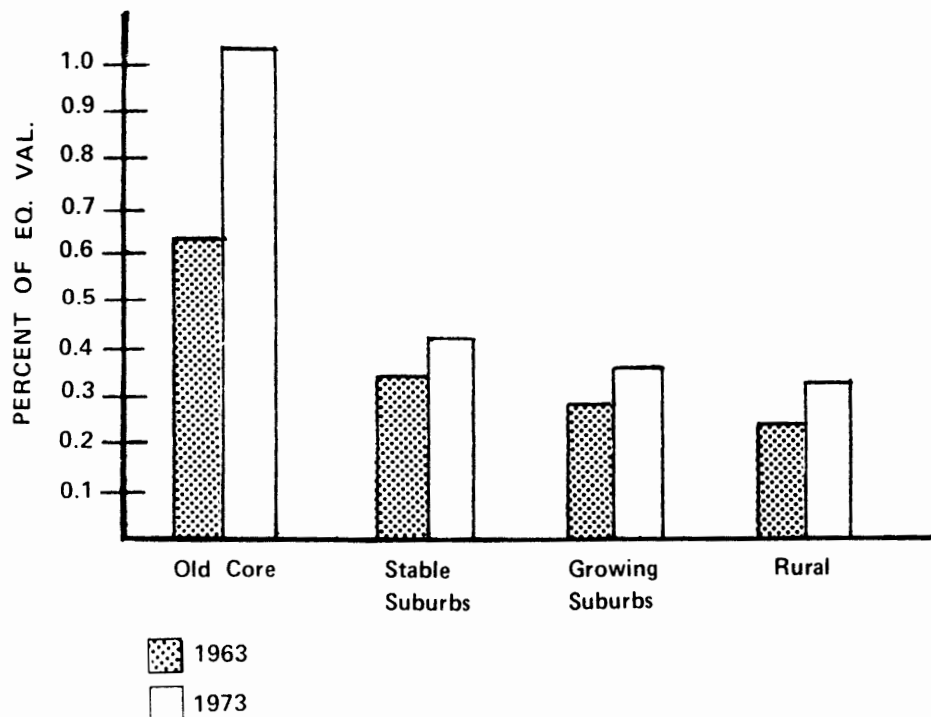
Supporting Resources The changing expenditure rates and patterns, while often dramatic, are only a part of the complex fiscal dimensions of law enforcement. A second important component is the availability of resources to support this function, which is, in turn, related to the *total* resources available for governmental purposes, and the demand for public funds to meet competing needs within communities.

In the sample of seventy communities surveyed by Commission staff, the average burden for all groups of communities (i.e. their law enforcement budget as a proportion of their equalized valuations), increased over the ten-year period, 1963-1973. Old core cities, as might be expected, showed both the highest base figure and the greatest increase in burden, while rural and suburban communities started at a lower base and experienced slower increases in burden. (See Chart 8)

When related to changes in the tax base supporting governmental services, these growing suburban communities demonstrated the greatest increase in their tax base and the smallest increase in expenditures for law

Chart 8

EXPENDITURES FOR POLICE SERVICES AS
PERCENT OF EQUALIZED VALUATIONS, 1963 and 1973



enforcement services. Conversely, the tax base of older core communities expanded very slowly at a time when expenditures for law enforcement services were increasing substantially. Finally, a comparison of changes in the burden and tax base per capita indicates a widening gap between resources and expenditures for all groups of communities within this sample.

In addition to supporting direct local law enforcement expenditures, municipalities also bear a substantial share of law enforcement services at the county level. Thus, residents of many of the State's urban centers and older suburban communities which typically have large full-service law enforcement agencies are in effect also contributing towards the support of services available, from county government, but not necessarily utilized. On the other hand, many smaller communities benefit from services provided by county and especially state level agencies while contributing only minimally for these services.*

In summary, then, most older and slow growing communities and those communities with slow growth in their revenue base, are likely to face increasing difficulties in financing acceptable levels of law enforcement services from local sources alone.

The Impact of Aid Programs

Unlike other major governmental functions, such as education and community development for example, law enforcement services do not have a large number of grant-in-aid programs specifically earmarked to provide local fiscal assistance. Four major funding sources, however, exist at the state and federal levels which have been used for direct support of law enforcement. These in turn fall into two categories: those which support specific functions and those which provide general support to communities. In the first category are programs of the State Law Enforcement Planning Agency and the Law Enforcement Assistance Administration, which provide funds to local law enforcement agencies for specified purposes in compliance with federal program objectives; and the Safe and Clean Streets Program, administered by the New Jersey Department of Community Affairs, which provides matching funds for additional police presence in selected neighborhoods of 28 urban communities. In the second category is the aid to general government programs, notably the State's Urban Aid Program, and the Federal Revenue Sharing Program, both of which provide significant amounts of discretionary funds to communities throughout the State with few restrictions as to use.

In the past several years, significant proportions of both Urban Aid (50%) and Revenue Sharing Funds (64%) were, on the surface, earmarked for law enforcement services. (See Tables 13 & 14) However, close examination of the use of these funds suggest that by and large Revenue Sharing and

The New Jersey State Police is moving to provide at least a partial remedy to this situation by charging communities for the provision of basic law enforcement services.

Urban Aid monies, rather than providing for an increase in the level of law enforcement services, are primarily used to reduce or maintain a lower tax rate. For example, Urban Aid funding, most of which was earmarked for law enforcement service, amounted to about 8% of Newark's total budget. While there is little doubt that without such aid programs, governmental services would either be reduced or tax rates would increase, there is little evidence to suggest that the availability of such funds increased the *level* of law enforcement services to residents of the State. With few exceptions, the funding made available in 1975 through Revenue Sharing and Urban Aid resulted in few additional law enforcement personnel. In contrast, the more modest Safe and Clean Streets Program did increase the number of local officers as specified in the program requirements.

A number of conclusions can be drawn from experience with aid programs in New Jersey as related to their effects on the fiscal dimensions of law enforcement services. Categorical programs, for example, tend for the most part to deal with limited aspects of law enforcement efforts. That is, while they may provide funds to add a specialized service or a piece of equipment, they do not significantly reduce the high cost of law enforcement services. Nor is the effect of providing a community with additional officers on a walking patrol through the Safe and Clean Streets Program of great significance if a department is lacking in resources to provide basic and support services in other parts of the community.

The effect of general revenue assistance — the Revenue Sharing and Urban Aid programs on law enforcement services — is not clearly understood. On the one hand, the local budget process lumps together all sources of

TABLE 13
UTILIZATION OF GENERAL REVENUE SHARING FUNDS
FOR PUBLIC SAFETY

	1973 (000)			1974 (000)		
	Munic.	Cty.	Total	Munic.	Cty.	Total
Total Funds*	108,138	58,096	166,234	92,669	55,562	148,231
Public Safety	54,826	12,049	66,875	51,335	4,236	55,571
Public Safety as of percent of ALL Expenditures	50.7%	20.7%	40.2%	55.4%	7.6%	37.5%
Public Safety as a percent of Operating Expendi- tures	64.2%	33.4%	55%	64.4%	10.2%	45.8%

* Budget Receipts

* Includes Interest

revenue to achieve a balanced budget. Thus, although ostensibly earmarked for public safety purposes, Revenue Sharing and Urban Aid monies may be no more than a replacement for local funds utilized in other functional areas. There is ample evidence of such transfer nationwide and in New Jersey; on the other hand there is little to suggest that the public safety services have fared worse than other local governmental functions. The fact that over half the total funds and nearly two-thirds of the operating expenditures were reported as being channeled to public safety, indicates that the law enforcement function may have done well, especially in maintaining or improving existing services and personnel benefits.

TABLE 14
UTILIZATION OF STATE AID FOR
LAW ENFORCEMENT SERVICES — FISCAL YEAR 1975

URBAN AID		
Total Appropriations (000)		\$36.964
Dedicated to Law Enforcement Services: \$18,124 (49.4%)		
Salaries & Wages for		
Existing Personnel	\$14.642	
New Personnel	194	
Equipment	995	
Match for Safe &		
Clean Program	2.293	
Safe & Clean Neighborhoods Program		
Appropriation — FY 75 (000)		12,000
For "Safe" Portion	6,162	
Total for Police-Related Activities	\$24,286	

SOURCE: N.J. Division of Local Government Services

Summary

It is difficult to separate the specific problems of the law enforcement functions from those of the state and its local subdivisions, in general. Certain directions are becoming apparent, however:

- Much of the fiscal debate in recent years focused on financing education and most of the tax reform proposals address this issue. The cost problems of other municipal services, including police, which for the time being were kept in the background, are likely to assume a greater importance in the future.
- Although all municipalities will be affected by the slowdown in ratable growth, the impact on police services will be felt more sharply in core cities and stable suburbs. The shrinking local property tax base combines with growing demand for police services and general inflationary pressures to constrict the law enforcement capabilities of these communities. Even growing communities, where ratable growth underwrites the cost of new municipal services, may find it in-

creasingly difficult to pay for such costs in light of the tightening economic and fiscal conditions.

- These realities point to the need for State (and Federal) assistance, which is likely to be provided both as general, or revenue sharing, measures (possibly related to local fiscal capabilities) and in the form of aid to certain functional categories — which will liberate some local funds to be applied to basic police services.

1. NJ League of Municipalities, New Jersey Salary Report
2. Dennis Rondinelli: Revenue Sharing and American Cities: Analysis of the Federal Experiment in Local Assistance. AIP Journal, Sept. 1975.

CHAPTER IV

PERCEPTIONS AND ATTITUDES

The State's current law enforcement system reflects its strong home rule tradition. Historically, community services and functions were instituted as problems and needs were recognized. Responses were almost always local in focus and scope and were locally financed. The physical separation of communities made it possible to isolate and deal with problems locally, thus shaping both the pattern of, and attitudes regarding, local service provision. These continue long after the vast growth of population and economic activity engulfed communities into larger metropolitan regions, confronting problems of a different type and magnitude.

Police services remain among the most zealously guarded functions of New Jersey's communities, even in the face of increased criminal mobility and the spillover of law enforcement problems. Local control is supported by the general public, community leaders and, of course, law enforcement personnel.* Its impact is felt in all three areas described previously—the statutes, structure, and fiscal base relating to law enforcement.

The preference for local control is reflected in the basically local foundations of the State's enabling legislation which provide that "The governing body of any municipality, by ordinance, may create and establish a police department and provide for the maintenance and control thereof . . ."¹ Moreover, prior to the 1971 codification (Title 40A), there were many police laws enacted at the request of local interests to address local circumstances or provide local exemption from personnel or procedural requirements. Undoubtedly public dissatisfaction with law enforcement services would have changed this orientation long ago. The absence of a clear expression of public *disapproval* has been interpreted as a continuing blanket endorsement of both the general and specific functions of local police departments, an interpretation enforced by lack of information, minimal public involvement, and the prevailing resistance in parts of the law enforcement community itself to a reevaluation of the current police mission as embodied in the statutes.

In addition to the general public perspective, there is also the professional view, which is dominant in the area of departmental structure and capacity. The specific features of an organization of police services are rarely determined by the public or even by its elective representatives. Although the latter under some forms of government do become involved in operational aspects, particularly at budget time, for the most part, the

*A conclusion derived from separate Commission research and miscellaneous interview and questionnaire data.

establishment of priorities and approaches is a professional and bureaucratic function. It is in this area that professional interpretation shapes political response. Interest in, or resistance to, changes in the delivery system often emanates from the police professional and is endorsed by the public and its representatives.

The paramount role of the professional is appropriate in technical and operational areas and, indeed, in many cases the police professional has assumed a leadership position in the community. However, all too often, as became evident in the course of this study, bureaucratic entrenchment and self-serving interest coincide to frustrate attempts to adapt to changing conditions. The results of such attitudes may affect not only the community itself, but the broader public interest as well. It is then that the professional role is questioned and the need for intervention by higher levels of government becomes apparent.

When or where the local professional community exhibits flexibility and responsiveness, it is clearly preferable, without losing sight of other local determinants, to rely upon local initiative based on knowledge of the local situation. This, however, should not preclude a State role in providing guidelines to assure uniformly high quality services throughout the State.

The local orientation of law enforcement services also imposes fiscal constraints on communities throughout the State. To the extent that municipalities have historically borne the primary fiscal responsibility for the provision of law enforcement services, there is an understandable basis for their continued insistence on determining the size and scope of the local department—an attitude which has become ingrained and is not likely to change quickly even with the introduction of a broader tax base. Local insular thinking is manifested in the reluctance to enter into any cooperative arrangements which require sharing of resources among communities, even when such cooperation is in the communities' self-interest. The results of this insularity is evidenced in duplication of effort and expenditures and have carried significant implications: a community's decision not to support a local department or to provide only limited services, often affects neighboring communities as, for example, by forcing its neighbors to increase their department size to handle spillover from an unpatrolled community. Conversely, the provision of intensive patrol in one neighborhood may simply displace criminal activity into another community. A second inequitable effect of the variation in local fiscal decisions, characteristic of New Jersey, penalizes communities that must establish and pay for a full service department while also contributing towards regional or state services, while others may decide to forego or minimize their local departments, and rely instead upon services provided and supported fiscally by higher levels of government.

It is difficult to predict the change in local perceptions and attitudes in the face of increasing fiscal problems. There is ample evidence in *other* areas of public service that insistence on exclusive control tends to dissipate with rising local costs and clear evidence of the benefits of regional cooperative intergovernmental approaches. Such joint ventures are likely to occur first in

the more complicated and technical areas of the law enforcement function, but may extend in time to basic patrol activities, or total departmental consolidation. The fiscal determinants may well override political preferences for local control.

1. NJSA 40A:14-118

SECTION II: SUPPORTIVE FUNCTIONS

As part of its overall concern with governmental organization and machinery for effective delivery of police services, the Commission study examined three functions which are central to the provision of law enforcement services and which, at the same time, are becoming increasingly areawide in scope. These functions are: personnel recruitment and training; communications; and planning. Following is a summary of findings and conclusions relating to these topics. The Commission's recommendations are aimed at the formulation of general policies and the establishment of a framework for dealing with these subjects; specific programs and administrative practices should be designed by professionals in the law enforcement field, working within an inter-agency structure.

CHAPTER V

PERSONNEL RECRUITMENT AND TRAINING

Recruitment:

The recruitment of law enforcement personnel is closely tied to the matter of standards, but there is a notable difference: While recruitment is presently a function of the hiring agency (usually a municipality is the governmental level employing the largest number of law enforcement personnel), the determination and promulgation of standards for such personnel is a function of state government, with municipalities free to adopt stricter standards. Thus, the related subjects of recruitment and standards are treated separately.

Although recruitment is now predominately a municipal function, there are opposing arguments for the participation of higher levels of government, particularly the state, in recruitment. The main argument against such involvement is the threatened loss of local control over part of the selection process, an objection which could be met if a maximum amount of local flexibility could be preserved in the recruitment system. Such flexibility would be assured if the decision to hire remained exclusively with the municipality, with the State assuming the responsibility for the screening process and for the publication of vacancies. The chief advantage of this approach is a reduction in cost. Recruitment, if performed conscientiously, is an expensive and time-consuming process. It requires that many sources of qualified applicants be contacted, that screening tests be developed, administered, and evaluated, and that constant checking of validity of the selection process be maintained through follow-up research to determine whether the employees actually hired perform well on the job. Assumption of all or most of these

tasks by a state-operated and state-funded agency would result in savings to the municipalities, an improved quality of recruitment, and the provision of services beyond the abilities of most municipalities. Such services could include:

- Advertisement of vacancies.
- Maintenance of a job bank.
- Administration of qualification tests to applicants and certification of those who pass the tests as qualified for hiring.
- Monitoring and evaluating the test instruments.
- Joint development, review, and periodic modification of criteria for qualification of applicants with municipal representatives through the means of a state-municipal review committee.
- Scheduling of visits by recruiting teams to colleges and other places where qualified applicants are likely to be found.
- Particular emphasis on recruitment of minority group members.

The Commission makes the following recommendation:

- Existing state agencies should develop capacities and programs to assist municipalities in the recruitment and screening of local police officers, with municipalities participating in such a service on a voluntary basis.

Standards:

The rationale for minimum standards for police officers rests on several propositions: That law enforcement is important work requiring discretion, fitness, and skill; that law enforcement is becoming increasingly technical in response to the increasing complexity of the nature of crime and law enforcement; that to maintain the quality of the law enforcement service, the individuals who perform the service should be expected to demonstrate their qualifications for the work.

It is further argued that police services cannot be effective anywhere in the State unless they are of a minimal uniform quality throughout the State; the argument is analogous to that of the chain being no stronger than its weakest link. Thus, minimum standards should be maintained state-wide, and by the State itself.

A growing understanding of the nature and problems of law enforcement has brought about an increasing acceptance of the need for state-mandated minimum standards. The present minimum standards for local police officers, which were formulated at a time when law enforcement was a far less demanding profession than it is now, are broad and general, and serve more to prevent the hiring of manifestly unfit officers than to enable municipalities to obtain demonstrably good ones.¹

Responsibility for developing standards for law enforcement officers

over and above those mandated by statute is presently shared among two state-level agencies — the Department of Civil Service and the Police Training Commission — and a large number of municipalities which chose not to come under the provisions of the State Civil Service System. In addition to establishing standards for various municipal law enforcement positions, the Department of Civil Service also performs recruiting functions for those municipalities that have adopted Civil Service. It develops and administers tests* to screen candidates applying for law enforcement positions, and certifies lists of eligible candidates to Civil Service municipalities. Other law enforcement agencies which have vacancies to fill may also have access to the "certified" lists. It is important to note, however, that only the 170 Civil Service municipalities are specifically governed by the Civil Service standards. The role of the Police Training Commission, the other state agency involved in maintaining standards for law enforcement personnel, is concerned with training and higher education. (By providing management consultant services, the Police Training Commission encourages voluntary standards for the operation of police agencies.)

The 287 police departments in municipalities not under Civil Service are free to establish their own standards, subject only to vague statutory restrictions.² A review of these standards reveals that most of these non-Civil Service municipalities require a passing grade on some form of written examination, one or more interviews, a physical examination, and some form of physical fitness test. In addition, most of these municipalities impose some height and weight limitations upon applicants. Almost all localities require the applicant to have a high school diploma or GED (high school equivalency) certificate. Only a very few municipalities (including eight Civil Service municipalities) require formal education beyond the high school level, such as 45 or 60 hours of college credit. Occasionally, tests are given to determine the psychological fitness of a police officer candidate.

How appropriate are these locally determined standards? Opinion varies widely, particularly on such subjects as psychological testing, educational levels, and even the minimum and maximum age limits for police officers, which are not matters of local option and are uniformly mandated by state law.

Standards used by non-Civil Service municipalities are not inappropriate, by and of themselves. State-wide, however, they are subject to too much variation. While one municipality may have a well-worked-out set of standards for its own police force, its neighbor may have virtually none — and there is no state agency that presently has the power, responsibility, and perhaps capacity to do anything about it.

A case can be made for the development and implementation of comprehensive state-wide minimum standards for law enforcement personnel, promulgated by a state agency familiar with the technical requirements of

* The abolition of residence requirements for municipal employees has enabled the Department of Civil Service to devise and implement a set of standard examinations for the various law enforcement job classifications.

today's police profession. Such standards should help to improve law enforcement everywhere in the State. With minimum standards, the task of recruiting new officers would be simplified. Moreover, if all recruits met the same minimum qualifications, the cost of training would be reduced and its effectiveness improved.

The development of standards is not an arbitrary process. Overly restrictive standards are as unwarranted as overly lax ones, resulting in the possible exclusion of persons from public service who might have served very capably. Therefore, standards should be developed by persons thoroughly familiar with the characteristics, tasks, and requirements of law enforcement. In addition, such standards should be flexible and adaptable to local law enforcement agencies to adopt standards higher than the minimum to meet local needs, or request substitute standards in exceptional cases.

The Commission makes the following recommendations:

- In order to obtain a consistently high quality of law enforcement talent at the local level in New Jersey, reasonable minimum standards for municipal and county police officers should be developed for state-wide use.
- The standards should be developed by an appropriate state-level agency, or preferably by an inter-agency task force or board. Appropriate legislation should be enacted, if necessary, to give such body rule-making powers.
- The standards should be developed in a close consultation with representatives of municipal police departments, as well as others professionally knowledgeable about police work.
- The standards should not be lower than those already governing Civil Service municipalities. Provisions should be made for the use of stricter standards at local option, as well as administrative procedures for obtaining exceptions and modifications.
- The standards should be applied to any person employed as a municipal or county police officer after the date of promulgation.

Training:

The training of law enforcement officers is essential for meeting the public needs for quality services. The level of both basic and advanced in-service training, offered to police officers in New Jersey, is being continually updated and expanded, and more officers are enrolling in law enforcement study programs available at the State's higher education institutions. The importance of training is accorded wide recognition by the profession itself.

A minimum core of "basic" training is now mandatory for every police officer (including sheriffs and State Police officers). The basic training requirement for police and sheriffs' officers is laid down by the Police Training Commission, a state agency whose powers to prescribe training requirements

are derived from its statutory authority over the schools that conduct the training. Although the Police Training Commission does not provide training itself, it plays an important role in curriculum development. The mandatory basic training, developed by the Police Training Commission, is the only police training that is uniformly required at present. Since the basic training program occupies a position of key importance in New Jersey's police training system, it merits careful evaluation.

The Basic Police Training Program. This program, currently consisting of 280 hours of instruction, is mandated by the State for every local police officer appointed since July, 1965. A recent amendment to the Police Training Act extended the original one-year limitation during which an officer must successfully complete training to 18 months for certain prescribed conditions. Successful completion of the basic program, as measured by examinations, is required before an officer can advance from probationary to permanent employment status.

The content and duration of the basic training program are determined by the Police Training Commission. After a thorough study of the program and its utility to the officers in their work, the agency revised the program substantially, and has apparently improved both its scale and quality. The minimum number of hours of basic instruction was increased and the course content was revised and reorganized to place a greater emphasis on an officer's skills in understanding human behavior; reducing reliance on armed force; increasing the ability to exercise sound discretion in difficult situations such as family disputes, unruly crowds, and confrontations with youths. The subject of ethics received additional emphasis, as did recent developments in constitutional law affecting the conduct of police officers. Elective courses are now offered to meet locally significant conditions such as Spanish language instruction for Newark's police trainees. All academies extend the basic training course for their particular recruits beyond the minimum requirements. Largely in response to the basic training needs perceived by local departments, the Police Training Commission is planning to increase the mandated minimum amount of training by stages to nearly 400 hours.* It should be noted that 400 hours of training is the equivalent of approximately one semester of college study, not an unreasonable requirement for this increasingly professional occupation.**

Although required by present police training regulations to complete

*Of the 15 training academies, 10 provide over 400 hours of basic training.

**Even this standard is high compared with the actual practice in most states today. Only one state, Massachusetts, mandates 400 hours of basic police training. The level now required by New Jersey of 280 hours is only equaled or exceeded in seven other states — Delaware, Florida, Michigan, Minnesota, New York, Utah, and Massachusetts. Three states — Kentucky, Washington, and West Virginia — offer 400-hour basic training courses, but on a voluntary rather than mandatory basis. New Jersey, therefore, compares favorably with other states, even at its present level of basic training.

basic training during the initial probationary appointment, which has been extended from one year to 18 months for prescribed circumstances, the newly appointed police officer is permitted concurrently to perform all duties of a permanent officer who has completed training. In a few cases, departmental policy prohibits using untrained officers for routine patrol, but there is no uniform statewide policy limiting the assignment options for untrained recruits. There is, therefore, some justifiable concern as to the powers of arrest and the use of firearms, both of which involve the exercise of discretion. Such discretion involves not only a high order of judgment, but extreme hazard to the public safety. The potential use of lethal force in routine police patrol work is a responsibility with which a new recruit should be entrusted only after receiving appropriate training. Disastrous consequences can result from unjustifiable use (or failure to make use) of lethal force, and such consequences can entail legal liability for the municipality employing the involved police personnel.⁴

Information obtained by the Police Training Commission shows that nearly 40% of all new police officers enter basic training within their first month of service; however, of the 60% who work without first having been trained, many officers are used in regular law enforcement work, despite their lack of training. The use of these untrained officers is greatest in small departments, where there are not enough officers to permit the assignment of recruits to desk duty until the completion of training, or if necessary to assign the recruit to patrol, to have him work with an experienced officer. Ironically, these small departments often experience the longest delays in finding openings for their one or two candidates in the basic training classes.

The legislative policy statement in the Police Training Act stressing that "police work . . . requires proper educational and clinical training," is overwhelmingly supported by professional opinion. Ninety-three percent of the chiefs of police responding to our questionnaire survey, concurred with the view that an officer should undergo basic training before being assigned to any duty. Those few chiefs who disagreed were either from small departments, which lack the manpower to cover for the officer during his absence, or very large departments, which have non-patrol jobs available for untrained recruits.

The Police Training Academies. Responsibility for providing the basic police training course rests with the police training academies in Atlantic, Bergen, Burlington, Camden, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, and Union Counties. In addition, basic police training is provided at the Newark Police Academy and at the State Police Academy at Sea Girt, all coming under the supervision and regulatory power of the Police Training Commission. The State Police receive basic training at the Sea Girt facility.

Any police officer, as defined in the Police Training Act, may receive basic training at the State Police Training Academy at Sea Girt and about 38% of the state's officers are trained there. A nominal fee is charged for the basic course to cover the cost of food and ammunition. The Sea Girt facility

is the only resident school of instruction; the remaining academies have either no facilities for housing personnel during the course, or only very limited "emergency" facilities.

The State Police Training Academy is financed largely by the State. The remaining training academies are locally operated and *locally financed* and receive no direct state financial aid, such as operating subsidies. They do, however, benefit substantially from Police Training Commission assistance in developing curriculum, obtaining training materials, and locating suitable instructors.

There are arguments favoring the use of local training facilities: they enable police recruits to be trained conveniently, close to home, and local instructors familiar with local needs are in charge. A disadvantage is that some local facilities operate on a part-time basis, conducting basic training courses as the need arises. Four local training facilities conduct basic training programs for less than 9 months of the year. In addition, many local training facilities have to grapple with the limited availability of instructors. For the most part, instructors are full-time law enforcement personnel on loan from their regular jobs which are not teaching jobs.

The question emerges whether the large number of local training academies have the capability to furnish highest quality training to prospective law enforcement officers, and whether the quality of local academy training measures up to that available at the State Police Training Academy at Sea Girt. The consensus among authorities on police training is that despite the existence of State standards, the quality of local training tends to be uneven and is not as high as that available at a resident, State-run academy. This is attributable to the lack of professional instructors cited previously, and to the failure to provide full-time training institutions where the most proficient instructors can employ their teaching skills full time.

The underutilization of costly physical plant is another disadvantage of having a large number of local training academies. Because most of the academies operate on a part-time basis, and must compete with other pressing local priorities for funding, few of the academies can afford adequate facilities. In the academies that do have adequate facilities, resources tend to be underutilized because of the end-to-end nature of the training cycle that runs only one group of students through the academy at a time.

To achieve greater efficiency, the number of training academies should be reduced. The required number would have to be determined by a detailed study taking into account such considerations as the projected number of recruits, the length of the training course, the need for specialized courses, the need for training facilities in close proximity to the departments, the need for courses tailored to regional needs, and the degree of local control desired. In addition, economies of scale would be an important consideration in any realignment of police training facilities in the State.

In the process of exploring the advantages of consolidating training

facilities throughout the State, the opportunity to foster greater understanding and cooperation between the various branches of law enforcement should also be considered. Possibly, consolidation of local police training facilities into larger, full-time training facilities could be accomplished as part of a more sweeping approach to training through the development of regional *criminal justice training centers*. Such centers would offer, in addition to basic training for police recruits, in-service courses for all types of criminal justice employees, including corrections officers, court attendants, detectives, and investigators. Such centers could encourage broad study of criminal justice as an interrelated system, which, by exposing the various criminal justice employees to one another's duties and problems, would improve the working relationships within criminal justice and thereby enable the system (of law enforcement, courts and corrections) to realize its overall goals.

In-Service Training. At present there is no State requirement for in-service training, as there is for basic police training. As a result, in-service training is not wide-spread—the questionnaire distributed by the Commission revealed that only 54% of the responding departments, mainly the larger ones, had some form of in-service training program. Moreover, those that did not respond tended to be the smaller departments, and, therefore, this percentage may be even lower as applied to all departments in the State.

The training that tends to be provided in-house by a local department is largely dependent on the expertise and innate teaching talents of the personnel conducting the classes. In larger departments, special training personnel are frequently assigned to full-time instructional duties and are generally current in their areas, even if they are not professionally trained educators. The situation in smaller departments is much less consistent. Due to personnel limitations, the smaller departments often lack full-time instructors, relying instead on their supervisory staff to conduct whatever training is offered. This restricts the number of subjects that can be covered adequately, and results in an uneven caliber of instruction. Also, as noted earlier, small departments have limited back-up strength, and thus find it hard to spare men to send to training courses conducted by outside agencies and specialized organizations and institutions.

Several states now require some form of advanced or in-service training for police, most frequently the training of supervisory personnel. Roughly half of the surveyed states have some form of in-service training operated by the state agency responsible for police training. New Jersey, however, is among those that have no state-run comprehensive in-service training program.

It seems incongruous that New Jersey should be among the least developed in-service training programs. This condition is traceable to the ambiguity in the Police Training Act, which gives the Police Training Commission responsibilities for research and development of police training, as well as regulatory and supervisory authority over the quality of the training provided to the police officers of the state, but gives no authority to the Police Training Commission to conduct training.

The Police Training Commission has authority now to prescribe standards for in-service training. It also has the staff expertise to develop a comprehensive program of in-service training to be provided to all law enforcement personnel in the State. **Such a program should be extensive enough to meet the needs of all levels of law enforcement personnel, and should be a mandatory prerequisite to promotion.**

The Commission supports the extension of authority to the Police Training Commission to conduct training for local police — both at the basic and the advanced levels. This would make it possible for all of the State's police departments to offer their personnel the benefit of regular instruction concerning up-to-date police methods and would enable police officers everywhere in the State to obtain the same high quality training, regardless of departmental size or limited training capacities. Financing such state-operated training should be a state responsibility, which would in turn encourage the widest possible participation in the training program and enhance its quality.

College-Level Education. The third component of educational opportunity, essential for the development and improvement of local police services in New Jersey (in addition to basic training and in-service training), is the program of instruction in criminal justice provided by the state's two- and four-year colleges. Through the efforts of the Police Training Commission and the Department of Higher Education, there has been a substantial increase in recent years in the number of institutions of higher learning in the state offering two- and four-year criminal justice degree programs.

Several factors underscore the importance of college-level education in criminal justice for police officers: the increasing complexity of law enforcement tasks; the need for improving the professional quality of law enforcement; interaction with a public whose level of education is constantly rising; competition for talent in an employment market with other functions seeking increasingly higher education levels; and the need to deal routinely with problems whose successful solution requires a broad understanding of human behavior in a complex social context.

As indicated in Table 15, enrollment in criminal justice programs in the state's two- and four-year colleges stood at over 4,500 in the 1972-73 school year. Of these, nearly 2,600 were career police officers, constituting about 12% of the State's total law enforcement personnel. The increasing availability of essential college-level programs for police officers in the State is a welcome development, as is the increasing number of officers enrolled in these programs. (See Table 16.) **The Commission feels, however, that in order to encourage maximum enrollment in such programs, additional incentives should be made available, not only for career personnel but also for others interested in preparation for law enforcement employment.** Such incentives for enrollment in higher education programs should be part of an explicit state policy aimed at improving the quality of law enforcement personnel throughout the State.

TABLE 15
AVAILABLE COLLEGE-LEVEL CRIMINAL JUSTICE PROGRAMS
IN NEW JERSEY AND ENROLLMENT, 1972-73

Institution of Higher Learning	Career Police	Pre- Service	Other*	Total
A. Four Year Programs:				
Glassboro State College	82	65	93	240
Stockton State College	74	49	2	125
Trenton State College	40	219	49	308
William Paterson State College	300	150	30	480
B. Two Year Programs:				
Atlantic Community College	125	42	18	185
Bergen Community College	165	125	14	304
Brookdale Community College	170	175	5	350
Camden County College	185	158	2	345
County College of Morris	323	48	9	380
Cumberland County College	49	24	5	78
Essex County College	210	30	90	330
Gloucester County College	34	76	—	110
Mercer County College	25	60	55	140
Ocean County College	135	80	14	229
Rider College	33	—	8	41
Rutgers University	330	17	27	374
Somerset County	—	—	—	—
Union College	126	58	5	189
C. Non-Degree Programs:				
Burlington County College	63	40	92	195
Jersey City State College	84	2	4	90
Montclair State College	41	3	14	58
Newark State College	—	—	—	—
Total:	2,594	1,421	536	4,551

Source: N.J. Police Training Commission, Student Enrollment Survey.

*Includes career corrections personnel.

TABLE 16
FIVE YEAR TREND IN CRIMINAL JUSTICE ENROLLMENT
(Including Career Police, Pre-Service, and Other Students)

Semester	Total Enrollment	Semester	Total Enrollment
Fall 1968	700	Spring 1971	1,869
Spring 1969	890	Fall 1971	2,602
Fall 1969	1,089	Spring 1972	2,928
Spring 1970	1,202	Fall 1972	3,903
Fall 1970	1,679	Spring 1973	4,551

RECOMMENDATIONS:

- The Police Training Commission should continue to define and update its training standards and programs consistent with changing law enforcement needs.
- The Police Training Commission plans to increase the mandated scale and scope of basic police training should be enacted.
- The Police Training Commission should prescribe requirements for regular in-service training of all law enforcement officers. Such training should be provided annually.
- Pending legislation to make appropriate training mandatory for any candidate for promotion should be enacted.
- State-mandated basic or advanced training should be financed by the State.
- The Police Training Commission should undertake a detailed study of the physical facilities necessary to establish a State-operated, State-financed system of full-time residential police training academies in New Jersey.
- The Police Training Act should be amended to authorize the Police Training Commission to conduct training, as well as prescribe standards and develop curriculum for police training in New Jersey.
- The Police Training Act should be amended to prohibit newly appointed, probationary police officers, in a department of any size, from performing routine police patrol duties until the successful completion of the entire prescribed minimum basic police training course. Carrying or using firearms and other lethal weapons by newly appointed police officers before the successful completion of basic police training should be prohibited.
- The Police Training Commission should expand their pilot programs and develop training programs commensurate with the required

training for varying job responsibilities and function of special officers, the completion of which should be mandatory within a reasonable time after appointment.

1. NJSA 40A: 14-122
2. NJSA 40A: 14-122
3. NJSA 52:17B-66 et. seq., the Police Training Act, empowers the PTC to "prescribe standards for the approval and continuation of approval of schools at which police training courses authorized by this act and in-service police training courses shall be conducted . . ."
4. In 1960, a court decision in *New Jersey* held a municipality liable for injury resulting from unjustified negligent shooting by an officer lacking proper training experience in the use of a weapon. *McAndrew v. Mularchuk* 33 NJ 172 (1960)

CHAPTER VI

COMMUNICATIONS

Overview

Efforts at cooperation and coordination among the many law enforcement agencies in the State are hampered by the lack of a comprehensive, fully developed and technically sophisticated State-wide communication and data retrieval system. To deal effectively with problems created by criminal mobility, law enforcement agencies require sure means of obtaining information about suspects, vehicles, stolen property, and on-going investigations. Municipal departments, county agencies, the State Police, and Federal authorities must be readily accessible both on routine matters and in emergencies.

Tragic consequences can follow from deficient police communications in a major emergency, or when joint efforts are impeded because officers of one jurisdiction cannot contact those of other jurisdictions. Because of the differences in communication capacities and equipment found at the local, county and state levels, and the lack of inter-connection between them, it is not unusual for a criminal act or an emergency to take place in close proximity to a law enforcement official from another agency without that officer being in a position to know about the situation or take effective action.

A police communication system consists primarily of two inter-dependent components: first, the equipment for communications between the citizen and the police and among police officers or departments — primarily the telephone, the fixed or mobile FM transceiver, the teletype, and the computer terminal for retrieval of information — and, second, the personnel, primarily dispatchers, responsible for initiating or routing communications to assure a timely and effective response.

At present, there is no single agency in the State acting as overall coordinator for the communications function. The State Division of Systems and Communications operates the computerized Crime Information System, which provides data to local and state law enforcement agencies. The communication requirements of the State Police and those of other state agencies are addressed separately by two other agencies. Interaction with local police departments in the radio frequency area has only recently become a full-time function of the Office of the Frequency Coordinator in the Division of State Police.

A recent nationwide survey of Telecommunication, conducted under federal auspices, points out several other problems in the State, in addition to the fragmentation of jurisdiction:

- Absence of data on the scope and scale of various communication media;
- No agency in the State charged with maintenance of a complete inventory of telecommunication equipment and hence, the absence of such inventory;
- Absence of standards and/or guidelines for integrating state, regional and local communication capabilities;
- Absence of standards for the dispatching function and for training of dispatchers and other technicians;
- No direct responsibility for interface with the Federal Communications Commission (FCC);
- A shortage of frequencies which is hampering telecommunications planning; political and fiscal constraints on implementing such plans; and
- A hands-off attitude on purchase of telecommunication equipment at the local level; minimal direction on standardization of equipment.

It should be noted that these inadequacies are by no means unique to New Jersey and occur in more severe form in other states. The survey recommends a number of measures which are endorsed by the Commission and addressed in more detail in the course of describing the various communication media.

Telephone System

In many ways the telephone is the most important communications device used by law enforcement agencies since it is the direct link between the police and the public. Virtually all citizen complaints and calls for assistance are made via the telephone and, although superior devices are being developed, for the present this medium is also the most reliable means of inter-agency communication. There are a number of problems associated with local telephone use: local departments have different numbers and individuals away from their communities may be forced into time consuming delays in securing the local number from a directory or from an operator. Moreover, because of the utilization of a local department's number for both emergency and routine business, emergency callers may receive busy signals. Clearly improvements in telephone communication are necessary for the improvement of law enforcement, in general.

Perhaps the most important improvement that can be made on the existing telephone system is the initiation of the universal 911 emergency number. In many of the jurisdictions in the United States the number may be dialed from a pay phone without having to insert a coin. This increases the accessibility of the police to those in need of aid in street emergencies. The ease of memorizing the 911 emergency number, also contributes to faster response in emergency situations. Concomitantly, the use of conventional telephone dialing for routine, non-emergency communication is essential as

one of the problems encountered initially in setting up 911 systems was the overloading of this emergency system with routine calls.

At present only five locations in New Jersey, each serving a population of 100,000 to 500,000, utilize the 911 number for dispatch of police, fire and ambulance service.² Only one of the estimated 150 centralized cooperative and consolidated dispatch centers in the State has adopted the 911 system.³

A number of problems are likely to arise in shifting to a state-wide single universal emergency telephone number. First is the expense of installing automatic switching equipment to route calls to the proper police and fire jurisdictions. This undoubtedly will result in higher telephone rates. However, since every citizen in the State is a potential victim of crime and, therefore, a potential beneficiary of improved access to the police and reduced police response time, there is considerable justification for State participation in bearing some of the expense, either out of general revenues or by making low-interest rate loans available for the purchase of the necessary equipment.

Additional expenses may be incurred at the local level to establish suitable central dispatching centers, capable of handling the anticipated volume of incoming calls and of communicating with other emergency service units. However, it may be found practical and economical to have a single center serve more than one municipality, which would reduce both capital and operating costs, and, when the dispatching centers are built to serve several emergency service units, to distribute the operating costs among the participating services.

RECOMMENDATIONS:

- **Municipalities throughout the State should strive to place their police, fire and emergency squad services on the universal 911 emergency number.**
- **Technical assistance in planning such conversions is already available and should be offered by the State agency to all applying jurisdictions.**
- **State-aid funds should be made available to facilitate installation of equipment, including automatic switching equipment necessary to convert to the 911 number.**
- **Priority in granting State-aid funds should be given to municipalities desiring to conduct an emergency dispatching service jointly, where such joint operation can be justified as economically and technically feasible.**

Radio System

While the telephone is the most important communications link between the public and the police, the radio carries most communications within and among police agencies. But while a telephone network may be expanded

almost infinitely by adding new lines and equipment, a radio network is limited by a fixed number of available frequencies. This makes a systematic approach to radio communication essential in planning for its growth and development. New Jersey's approach has been far from systematic. Each police department runs its own radio as it chooses, limited only by the laws governing frequency allocation and use, and is free to apply for new frequencies as local needs dictate. In time, the incremental approach to frequency allocation resulted in increasing shortages of, and competition for, frequencies.* Moreover, Federal laws and policies regulating frequency allocation are not clear and the Federal Communication Commission (FCC) has not provided adequate guidelines for assignment of frequencies. The resulting pattern of frequency distribution in the State is "mixed-up". Not only is there competition among municipal police departments, but several intra-municipal agencies — the road and public work departments; school district; local authority; fire department; rescue squad; as well as the police department — may compete for the limited portion of the radio frequency spectrum allotted to local governments and emergency services. Further exacerbating the problem and lending it an interstate dimension is New Jersey's location between two large metropolitan areas, both of which generate heavy demands for radio frequencies and utilization.

In the absence of a state plan for use of frequencies, and in the absence of requirements for coordination of frequencies within and between local jurisdictions, the virtually indiscriminate allocation of frequencies is resulting in critical problems for emergency communications. Newly organized police departments are finding it increasingly difficult to obtain any frequencies at all; until they do, they are required to share frequencies with another police department or public agency, risking the overloading of existing radio channels. Moreover, forcing a police department to share a frequency with a non-emergency service agency poses the added risk of interruption of emergency communications by ordinary, non-emergency transmissions. Finally, local radio communication systems are hampered by the improper use of available frequencies, including inadequate training in the use of equipment and the absence of guidelines for utilization and conservation of available resources.

A satisfactory solution to the radio frequency problem will require a comprehensive plan based on a thorough study of present and future communications needs in New Jersey, as well as the metropolitan New York and Philadelphia regions. The primary objective of such plan should be the proper allocation and reallocation of radio frequencies among both emergency service agencies and other local government agencies, with emphasis also on interaction between law enforcement agencies at the local, regional or county, and state levels. In addition, the study should cover complementary communications media, including but not limited to the telephone, teletype and microwave, and the role to be carried by each in a governmental com-

*There were 310 single agency dispatch centers in the State according to the federal survey.

munications system. Of course, the phasing of changeover to minimize expense and disruption of service must also be considered.

A rational reallocation of frequencies would make possible the establishment of a number of county-wide, regional, and state-wide emergency communications frequencies.* At present the only regional frequencies available are the three State Police regional frequencies and those of some county-wide communications systems, such as that operated by the Bergen County Sheriff. Although State Police may use local frequencies, there is no system at present to enable municipal police to use the State Police frequencies, which makes the State Police accessible to them only by telephone or teletype. Few counties have county-wide systems and these are not used freely by the municipalities for reasons of equipment incompatibility or blockage of signals due to distance or terrain. Since hardware, such as repeaters, necessary to overcome these obstacles is expensive, few of the agencies operating county communications systems have used the equipment.

Optimally, the allocation of frequencies should provide for a number of special channels:

- First, a channel enabling local, county and regional police authorities to communicate freely with the State Police on routine matters without interfering with normal State Police communications. It should be noted that such a channel exists but no agency has been vested with the responsibility for running it.
- Second, a State-wide frequency, for emergency purposes only, for use by local agencies desiring such capability, and willing to participate in the development costs.
- Third, regional emergency frequencies to facilitate regular as well as emergency communications among departments in a region. In emergency situations, these frequencies could be used as supplementary channels to the State-wide frequency. In the interest of conserving frequencies, these regional frequencies would not be automatically assigned one to a county, but would be assigned as actual and predictable patterns of use warrant. Such factors as population, geography, and the likelihood of emergency would be taken into account.
- Fourth, an additional regional channel providing access to data systems. Such facility is presently operated on a pilot basis in Atlantic and Cape May Counties.

Implementation of the system identified above would be a major undertaking. It would require substantial upgrading of the present communications hardware, primarily to establish multi-channel capability. The Commission believes that at least part of this cost should be borne by the State and, in

* Hunterdon County and a group of municipalities in Northern Gloucester County have established such area-wide systems in the past year and several other counties are considering its potential.

addition, existing Federal and state aid funds for law enforcement assistance available through SLEPA should be directed to the improvement of the overall communications systems.

ALERT (Allied Law Enforcement Radio Tie) After the civil disorders in the summer of 1967, New Jersey implemented the so-called ALERT system. This system is designed to assure the availability of compatible communications equipment in major cities in the event of a civil disturbance or disaster and is intended to simplify the difficult task of directing and coordinating personnel and equipment from several agencies under the pressure of a sudden emergency. The system, developed in response to communications failures in Newark and financed in part by the State Police and in part by the State Law Enforcement Planning Agency, consists of 25 base stations (both fixed and portable) in 25 municipalities considered at that time to be prime civil disturbance areas. These stations, which have multiple frequency capabilities, are supplemented by 100 walkie talkie units. The system also has the capability of providing radio access to the State Police in non-emergency times.

The equipment did not function well for its intended use in civil disturbance situations and, with decreasing probabilities of such emergencies and the availability of regional terminals and of telephone access to the State Police, the utility of the ALERT system was reduced considerably. Potentially, however, the system does have an important alternate use as a 'hot line' alarm and a bridge between two or more systems.

At present, it is estimated that enough equipment exists to cover over 50% of the State and several additional municipalities have expressed an interest in establishing the ALERT capabilities. The possibility of financial assistance towards the purchase of the equipment is an additional incentive for pursuing this opportunity to enhance the overall communication network. The only costs of any significance in establishing an ALERT system throughout the State will be the funding of a unit to manage the system and updating existing equipment. The benefit offered by ALERT's supplementary linkage appear to justify such costs.

RECOMMENDATIONS

The need for a comprehensive study, leading to the development of a State-wide plan, for New Jersey's present and foreseeable radio communications, has been apparent for some time. Such effort is now expected to get underway in mid-1976 and be completed no sooner than early 1978. The resultant plan would then be adopted (optimally as a legislative act) and serve as a basis for license renewal, allocation of new frequencies, grant-in-aid policies, aid for various operational procedures, especially in metropolitan areas, and interjurisdictional communications.

The Commission endorses SLEPA's funding of the study and plan and urges its expedition. Since the work will be carried out by a consulting firm, the Commission urges the formation of a state-level task force, representa-

tive of various user groups to assist in the development of the plan, the formulation of policies, and the implementation of resulting recommendations.

The Commission urges consideration, in the context of the comprehensive study and plan, of the proposal to extend the ALERT coverage for application in non-emergency conditions and its integration into the regular communications network.

Teletype

The New Jersey police teletype system, established in the 1930's and run by the State Police at its West Trenton headquarters, serves the State Police and a number of the larger municipal departments. Connected to this central terminal are ASR ("automatic send-receive," a unit from which messages may be both sent and received) terminals at State Police stations throughout the State, municipal ASR terminals, and 160 municipal receiving-only terminals.

The system's main use is for transmitting administrative messages, however, it is also used for transmitting alarms, but the limited number of municipal sending terminals sharply restricts its effectiveness for this purpose. In the municipalities that have police services but no teletype sending terminals, alarms destined for teletype transmission must be first sent, usually by telephone, either to the State Police or to one of the 14 municipalities possessing ASR units. The extra step in transmission may cause delay and, because the transmission is made verbally and often in haste, inaccuracies may occur as well.

The introduction of new automatic message switching equipment late in 1972 eliminated a critical weakness in the West Trenton central terminal. Until the new equipment was installed, incoming teletype messages had to be hand carried from the receiving unit to a sending unit, where they were sent to their destination. This interruption added to the delay inherent in the broadcasting of most teletype alarms. Fortunately this problem has now been rectified; however, automatic message switching will not of itself remedy the most serious deficiency of the teletype system, which is its limited coverage, especially as to capability to send messages. What is needed is a communication medium that affords every user the capability of both sending and receiving written messages. In the absence of such a medium, local departments must rely on the telephone and other media that provide no written record. Delays and errors result from reliance on verbal communication.

Data Banks and Computer Communications

One of the biggest advances in law enforcement communications has been the increasing use of computerized systems which draw upon data banks containing detailed information on wanted persons, stolen property and criminal histories.

The most extensive criminal data bank is the National Crime Informa-

tion Center (NCIC) maintained by the Federal Bureau of Investigation. The NCIC contains active records such diverse matters as wanted persons, vehicles, license plates, articles, guns, securities, boats, and criminal history records. Connected to the NCIC are data banks maintained by 38 states and 17 metropolitan agencies. In addition to NCIC, many State motor vehicle agencies maintained computerized files which are used by law enforcement agencies to trace vehicles, verify ownership of vehicles through license numbers, and obtain records of motor vehicle violations.

New Jersey's computerized police information system, the Statewide Communication Information System (SCIS), went into operation in November, 1972, under the direction of the State Police and the State Division of Systems and Communications. The State system has full access to NCIC and to the State Division of Motor Vehicles. SCIS terminals are operated by several city police departments and more are contemplated for a number of municipalities and counties.

SCIS terminals are available to virtually any law enforcement agency that desires and can afford one, as long as the provision of such terminal is compatible with the master plan of the Division of Systems and Communications. While the change for leasing the equipment itself is low enough to permit even small departments to acquire this access, SCIS will not make terminals available unless they are operated on a full-time (24 hour, 7 days a week) basis by trained and trustworthy personnel. Thus, the major cost of a terminal is staffing, which can run between \$60,000 and \$80,000 per year for the salaries of the 6 to 7 people required to operate a terminal. Since this cost is beyond the reach of all but the largest departments, implementation of regional SCIS terminals appears more realistic. Nonetheless, there has been little movement towards regional or county wide terminals.

The range of data available to law enforcement agencies through computerized data banks is being expanded rapidly. SCIC is recording all new arrest data in a manner that will allow these records to be computerized in the near future. As part of a nationwide program, SEARCH (System for Electronic Analysis and Retrieval of Criminal Histories), computerized criminal histories, from arrest through conviction to parole, are being contemplated. Also, many local law enforcement agencies are contemplating putting their own files onto automatic data processing cards or tapes. For these and other reasons it is essential that the necessary safeguards of the citizens constitutional rights should be provided at all times. This would include procedures for effective monitoring by an appropriate agency of the use of information stored in data banks.

Considerations of scale are present in communications technology. SCIS terminal can be of major, even critical, importance to the effective functioning of a municipal police department, but in view of the annual cost of such a system, it must be concluded that as regards communications, only the larger departments will be able to afford such systems. It is apparent that only larger-than-local arrangements will make introduction of modern police communications technology economically feasible at the local level. On the

other hand, the use of scarce public funds for such expensive technology in departments of limited capacities is clearly unwarranted.

RECOMMENDATIONS:

The Statewide Communication Information System (SCIS), with its capability for retrieving data should be expanded. SCIS terminals should be put in use as widely as possible, with emphasis on the organization or regional SCIS service areas (in some cases the region may be a few municipalities, in other cases an entire county) that could achieve the most efficient and effective implementation and operation of the SCIS system. Counties should take the initiative in exploring the possibilities of obtaining SCIS terminals and encouraging municipal departments to use county facilities. Intermunicipal joint services is an acceptable alternative in many areas.

The establishment of communication capabilities should be supported only in cases where appropriate law enforcement organization has been achieved.

The Dispatch Function

The importance of the dispatch function in the current and prospective communications environment cannot be underestimated. In most cases, the dispatcher is the contact point among law enforcement officers, between agencies, and with the public. Competence in performing dispatching tasks is thus essential for effective communication and, in turn, for effective law enforcement response. At present, there are no specified qualifications for dispatching; no set standards for training dispatchers, and no funded programs to achieve this objective.

The Commission recommends the development and enactment of standards for the dispatch function and the initiation of training programs by the Police Training Commission to ensure proper preparation for the carrying out of this function by civilian or uniformed personnel.

Summary

Law enforcement communications include several components, each of which requires constant updating and adaptation to contemporary conditions. Moreover, the interdependence of the media is of growing significance in light of the continuing competition for shrinking resources (e.g. frequencies), and the trend towards the use of costly advanced technology by many law enforcement agencies. Under such circumstances, the integration of supplementary systems into an overall network and the development of mechanisms to coordinate the communication activities of State and local jurisdictions are clearly high priority areas. The Commission notes the current assessment of the need in these areas conducted under a SLEPA grant, and urges the formalization of telecommunication planning as an ongoing function of the agency.

1. A Review and Assessment of Telecommunications Planning in the 50 State Planning Agencies. Vol. II. APCO pp. 622-625, 1975.
2. IBID. p. 620-625
3. IBID. p. 619-625

CHAPTER VII

PLANNING

Planning, a relatively recent activity in the criminal justice system, originated in the Omnibus Crime and Safe Street Act of 1968. In recognition of the need to strengthen and coordinate criminal justice efforts, the act provided for grants to states and local governments aimed at:

- Encouraging the development and adoption of plans, based on the evaluation of law enforcement problems;
- Conducting research and developing new methods for improving law enforcement capabilities;
- Assisting in the implementation of plans and projects.¹

Most of the current law enforcement planning in New Jersey is a result of the fiscal incentive provided since 1968.

As originally worded the Federal legislation provided few directions or guidelines for implementing its broadly stated goals. However, the strong emphasis on the local role in dealing comprehensively with mounting crime problems resulted in channelling much of the funding in the early years to local (mostly municipal) agencies. Consequently, such funds were used to improve the discrete functional capabilities within individual communities with little or no consideration of the impact on related functions or on neighboring communities. Amendments to the Safe Streets Act and attendant guidelines increasingly stressed the interdependence of functions, jurisdictions, and components of the criminal justice system and; as a result, current funding policies are far more selective and reflect broader regional and state objectives. (See table 17)

The pivotal agency in the planning process is the State Law Enforcement Planning Agency (SLEPA). The agency carries out the provisions of the Federal legislation in New Jersey; reviews and approves applications for assistance to local governments; monitors and evaluates projects; coordinates state and local planning efforts; engages in the collection and dissemination of data; and has the responsibility for the preparation of a comprehensive plan.² Although normally the control of most Federal grant funds rests with SLEPA, the mandatory pass-through requirements of the legislation and the agency's status as a recent arrival in the criminal justice system reduced considerably its latitude and authority to shape the local planning effort. In addition to these factors other constraints cited frequently include: the agency's policy structure, representing various competing interests in the criminal justice system; local resistance to early attempts to impose conditions on the use of funds available in eligible grant categories;

TABLE 17
DISTRIBUTION OF FUNDING BY AGENCY 1969 — 1976

Year	1969	1970	1971	1972	1973	1974	1975	1976
Total Number of Planning Units	12*	14	21	21	21	21	21	22*
City Units	11	9	14	14	14	13	10	7
County Units	1	5	7	7	7	8	11	15
Total Dollars	\$116,755	\$192,239	\$381,731	\$637,685	\$775,734	\$644,706	\$704,061	\$880,770
to Cities	\$109,950	\$126,395	\$267,572	\$448,724	\$453,553	\$369,678	\$302,088	\$260,632
to Counties	\$ 6,805	\$ 65,844	\$114,159	\$188,961	\$322,181	\$275,028	\$401,973	\$620,138
Percentage of Dollars to Cities	94.2%	65.7%	70.1%	70.4%	58.5%	57.3%	42.9%	29.6%
Percentage of Dollars to Counties	5.8%	34.3%	29.9%	29.6%	41.5%	42.7%	57.1%	70.4%

NOTE: chart does not account for all Part B funds, (i.e. federal funds earmarked to provide support for state and local criminal justice planning), but only the portion used to fund local criminal justice planning units. Part B funds were also used during earlier years to fund specific planning tasks as opposed to comprehensive planning units.

*In 1969, 21% of New Jersey's population was represented by local criminal justice planning units. By 1976 this percentage has increased to 95%.

SOURCE: State Law Enforcement Planning Agency.

the necessary lead time required in establishing the credibility of the agency at both the State and local levels; and, not the least, the difficulty in defining the planning process as related to criminal justice.

The scope of SLEPA's activities since its establishment in 1968 has increased considerably and, through the use of fiscal incentives and inter-agency contacts, a framework for criminal justice planning has apparently emerged. However, the pattern of planning departed from traditional approaches and principles. Both planning and action projects were approved before a full understanding was gained of the dimension of the problems they were intended to confront. Such goals and priorities as were established were mostly intended to comply with Federal program requirements rather than serve as a basis for an ongoing planning process. Consideration of alternatives and the evaluation of the implications of actions was minimal. Instead the early pattern of criminal justice planning reflected recognition of the political constraints rooted in the State's fragmented governmental system. Thus the plan consisted of the aggregate activities of all funded agencies.

By contrast, the 1975 plan indicates an organized concept which inter-relates the various functional areas of the criminal justice system. While the grant programs still promote a 'shopping list' approach, the State Law Enforcement Planning Agency has exercised greater discretion and selectivity in its grant program. The agency has sponsored a number of regional and interlocal projects and has given priority status to consolidation and regionalization in such areas as: increasing apprehension and deterrence effectiveness through reduction of police response time³; prevention of crime through improvement of combined police community efforts⁴; and regionalized narcotics and organized crime investigation prosecution units.⁵

In 1975, SLEPA was supporting comprehensive planning in 11 counties and four more were to be added in 1976. These efforts are especially significant because the county offers a practical administrative base for various supportive functions and a mechanism for coordinating the area-wide activities of their constituent municipalities. Although county criminal justice planning has yet to gain wide-spread acceptance, potentially it represents the means for reducing the duplication and competitiveness which characterize the municipal scene.

Planning for law enforcement per se is not easily separable from related issues addressed in the broader concept of Criminal Justice Planning. Institutionally, the format for a comprehensive planning program should be unified; it would make little sense to establish separate planning units at the local or regional level for police, courts and corrections, and then to try to interrelate and reconcile their respective work. There is, however, a valid basis for departmental planning and for analysis and evaluation of individual functions and programs.

Fiscal Considerations

Fiscal conditions virtually dictate the application of planning to law

enforcement services. Although the need to allocate resources according to pre-established goals and priorities exists under any circumstances, recent trends in New Jersey add emphasis to the importance of fiscal planning and management. There is clearly a need to develop and improve the framework for evaluating and coping with the combined effects on the provision of law enforcement services of rising costs (especially in personnel salaries and benefits); a stabilizing or shrinking local property tax base; the likely decline in state aid to local government; and competition with other services for local revenues.

A planning framework is the appropriate method both for improving inter-agency productivity and for inter-agency sharing of costly services and equipment.

Productivity Another issue related to fiscal planning is that of productivity, i.e. the output of services in relation to allocated resources. The usual response to mounting law enforcement problems is an increase in spending, generally for additional personnel; and until recently, municipal budgets appeared capable of sustaining moderate rises in their police budgets. In some instances, state aid, provided through the Safe and Clean Streets Act, supported additional personnel, albeit with matching funds from the local agency. Throughout the period of economic expansion, little or no evaluation was made of the impact of such increments either on specific problem areas or on the performance of service agencies. However, the cumulative effect of successive outlays for personnel (along with benefits gained in the collective bargaining process) became significant with the current convergency of fiscally related problems in many communities of this fiscally troubled state. Outright layoff of police and fire personnel occurred in some communities and even where the budget crunch is less severe, questions are being raised by mayors, budget officials, city managers, and taxpayers regarding the output of law enforcement agencies, the validity of current and requested allocation and the available alternatives.

The issue of productivity in police services is complex. As yet, there is no standard definition of the term itself, nor of measurement indices as related to productivity in this area. Nor is police productivity independent of other components of the criminal justice system or from local factors and conditions. Nonetheless, it is possible to develop general indicators which would be useful: in gauging the quality of performance; in evaluating programs; in forecasting manpower and expenditure requirements; in developing budgets; and in the bargaining process. A better understanding of productivity, even if less than precise, is likely to contribute to an improvement in fiscal planning and resource allocation, especially as applied to law enforcement on a regional scale, or to county and city criminal justice systems.

The funding categories of the federal Law Enforcement Assistance Administration (LEAA), reflect two perspectives—those which can be defined as cutting across several functional areas; and those which are addressed to specific components of the system:

Program Areas^c

1. Legislation — Activities which relate primarily to the legislative process.
2. Planning and Evaluation — Activities related to the general process of program development and system "overhead".
3. Research and Information Systems — Activities which are basically of a research nature and those relating to general information systems and data collection.
4. Prevention — Efforts aimed at crime prevention used in its broad context, whether undertaken by criminal justice or non-criminal justice agencies.
5. Detection, Deterrence, Apprehension — Activities involving direct law enforcement functions.
6. Diversion — Activities primarily designed to divert persons from further processing within the criminal justice system following initial contact.
7. Adjudication — All efforts related to the adjudicative process.
8. Institutional Rehabilitation — Programs which operate within an institutional setting.
9. Non-Institutional Rehabilitation — Rehabilitative efforts which take place outside the conventional institutional setting.

The category most related to the needs of local police departments is the one dealing with detection, deterrence, and apprehension. The elements of this category are illustrative of the issues confronting local police departments and, in turn of the need to improve the intergovernmental structure for addressing them:

- Investigation of organized crime;
- Hardening of crime targets;
- Allocation of police resources;
- Police communications;
- Reduction in response time;
- Police lab services;
- Interjurisdictional services;
- Disposal of explosives;
- Police and Criminal Justice personnel recruitment;
- Education programs;
- Police training;
- Special problem areas (rape).

The citations of areas requiring consideration infer a recognition of the need to improve productivity of local departments, eliminate duplications of efforts in neighboring communities, and approach certain problem areas on an interjurisdictional basis. These citations are reflected in the action program grants.

The planning efforts of law enforcement agencies will vary according to their type, size, and setting. Given the diversity of departments in New Jersey, it would be difficult to establish a uniform pattern for planning at the local level. Nonetheless there are general criteria and basic principles of planning which would apply to most law enforcement agencies in the State. These relate to any agency's organizational arrangements; its internal management; fiscal allocation; training needs; internal communications patterns; and, of course, the agency's particular problem areas. The National Advisory Commission on Criminal Justice Standards and Goals and other bodies have made extensive recommendations on the organization, content, and methods for local police departments.⁸ The County and Municipal Government Study Commission endorses the development of departmental planning programs and capabilities in all municipalities having 20 or more officers and encourages even smaller departments to consider the value of at least short term planning to their departmental operations. Because of the prevalence of small (1 to 15 officers) and medium size departments in the urban and suburban counties of the State, the development of planning capacities on an areawide basis assumes a greater significance. Joint planning for law enforcement services by groups of neighboring municipalities, joint county-local projects, and the provision of county planning services to small departments afford excellent opportunities for dealing with emerging inter-jurisdictional and inter-agency problems and needs.

INTER-GOVERNMENTAL ASPECTS

The planning function assumes an even greater significance in an area-wide context. In a metropolitan setting containing hundreds of jurisdictions of different sizes and with varying resources and perceptions, there is obviously a need to develop a machinery for rationalizing the diversity of objectives and priorities; for bridging the gaps in service provision created by unevenness of resources and capacities; and for reconciling institutional differences. At the same time, there is a clear need to assure the citizen that larger-than-local considerations do not result in the subordination of the community's own service capacity. Multi-jurisdictional and interagency approaches (including consolidation of agencies and functions) are best addressed through a planning process which evaluates facts and alternatives and provides a forum for deliberating proposed changes.

Theoretically, at least, the requirements for organizing planning on an interlocal or regional scale should facilitate the development of common perceptions of needs and the establishment of goals and priorities. The required community participation and representative policy making body are designed to assure the public and law enforcement leadership of a voice in the direction of planning for services and programs. This is important

because the rapid expansion of criminal justice planning resulted not so much from a perceived need at the local level as from the stimulation of professionals backed by federal funds. This does not in the least diminish the value of a planning approach to law enforcement problems, but it does create a greater need to establish its credibility, especially with local officials and agency heads who might feel threatened by the shift of powers or jurisdiction implied in any areawide or interagency plan. At the same time it should be acknowledged that the structure for multi-jurisdictional planning, in striving for consensus, contains built-in impediments for rapid action. Thus, the possibility of a veto by any participating party perceiving a threat to its interests may negate or delay short range action.

As in every other function, the importance of criminal justice planning has been hampered by the lack of formal requirements to implement the results of planning efforts. The proponents of planning have often argued that its significance was tied to the data and insight it provided for understanding the nature of problems and for evaluating the success of various programs and projects. In the area of law enforcement, this argument has less merit; the problems confronting the police are more immediate and responses must therefore be less tentative than, for example, in the area of resource management.

It is essential therefore that:

- **Such planning structure as are established and funded by Federal and State agencies should be vested with the necessary authority to require compliance by constituent departments and agencies.**
- **Action plans, once adopted, should be binding on areas involved.**
- **Funding should be denied to agencies seeking exclusion from area-wide arrangements, especially when such actions adversely effect the success of an areawide approach (e.g. in radio communications).**

As in other areas discussed in this report, the development of standards and criteria for planning, and for its subsequent implementation, is essential. The Commission reiterates the need to establish standards for carrying out the function of law enforcement planning (where appropriate, in the context of broader criminal justice planning), as a prerequisite for funding and as a forerunner for progressive improvement of law enforcement operations and services. The Commission recommends the establishment of criminal justice planning in every county in the State, with more specific direction by SLEPA, to engage in the evaluation of county-wide law enforcement needs and to recommend subsequent rearrangement of functional responsibilities.

1. Omnibus Crime Control and Safe Street Act 1968
2. State Law Enforcement Planning Agency Publications
3. SLEPA — Criminal Justice Plan for New Jersey 1975. pp. 110-112
4. Ibid., pp. 114-115
5. Ibid., p. 117
6. Ibid., pp. 59ff
7. Ibid., pp. 65-68
8. Police, National Advisory Commission on Criminal Justice Standards and Goals, U.S. Dept. of Justice 1973.

SECTION III: CONCLUSIONS & RECOMMENDATIONS

The first section of this report presented several general aspects of the law enforcement structure in New Jersey: the statutory basis; size and capabilities of agencies; broad fiscal dimensions; and a note on related public perceptions. The second section reviewed three specific functional aspects of law enforcement agencies: recruitment and training practices; communications; and planning. It was noted that these aspects should optimally be performed on a larger-than-local basis and, in fact, are in some instances. The following section summarizes the study's conclusions and offers some recommendations, including a suggested framework for local-regional interaction.

CHAPTER VIII

CONCLUSIONS: THE EMERGING INTERGOVERNMENTAL FRAMEWORK

OVERVIEW: Defining Roles and Responsibilities

The development of law enforcement services in New Jersey was based, for the most part, on practical and incremental responses to local problems and felt needs. Although some recognition of the changing scale and scope of problems confronting law enforcement agencies is evident, the attitudes which foster and support the localization of police services are still prevalent in most of the State's communities and, more than any other factor, impede the rationalization of agencies, jurisdictions, and functions into a coordinated service delivery system.

If the inadequacies identified in the previous sections could be overcome by individual communities and a satisfactory level and quality of service could be provided independently by each community, alternative arrangements for the delivery of law enforcement services might not be necessary. The chief concerns in this hypothetical situation would then be: the elimination of duplication, overlap or inefficiency (which must still be considered as municipal prerogative); the correction of unevenness in resources (possibly a function of state and federal aid programs); and the development of a mechanism to deal with spillover of law enforcement problems from adjoining jurisdictions.

Not every community can afford to establish a police department which meets minimum requirements for police service on an around-the-clock basis,* let alone provide the necessary staff to meet special needs. However,

*Three officers per shift — two on patrol and one in an office-dispatch capacity — with sick leave and vacation time taken into account.

the fiscal, attitudinal, structural and legal constraints identified previously provide the community with few alternatives.

Citizens of New Jersey are entitled to uniformly effective responses to law enforcement problems, regardless of jurisdiction of residence. Moreover, such services must be based on the most efficient utilization of taxes and other fiscal resources. To guarantee these premises, the Commission urges action to develop an intergovernmental approach to law enforcement with flexibility, adaptability, and responsiveness to local as well as area-wide problems, opportunities and needs.

It is unrealistic to expect the present law enforcement structure of New Jersey to be changed drastically from its present form—in most cases, municipal departments will continue to be the basic units for providing law enforcement services. However, interlocal, county and regional arrangements could potentially play a greater role (as could state level agencies) in meeting some of the specialized needs; in performing supportive functions; and in providing a basis for sharing costs.

An intergovernmental aspect is essential for strengthening and improving law enforcement in New Jersey. Municipal, county, state, and even Federal agencies have been forced into *interdependence* by factors ranging from criminal mobility to the technical configurations of communication. But for effective *interaction* to take place, there must first be a clearer understanding of the respective roles and responsibilities of law enforcement agencies at each level of government and, second, basic standards for police presence and for operational capabilities need to be developed and adopted. In New Jersey, application of these broad principles must recognize the unique characteristics, needs and opportunities found in the various areas or settings in which law enforcement services are currently provided.

Few New Jersey municipalities have the population and tax base necessary to support departments of optimal size and capacities and offer comprehensive services. Moreover, in view of the fiscal squeeze which has forced cutbacks in existing service levels, personnel layoffs, and cancellation or deferral of planned projects, it is unlikely that many municipalities will be able to expand their separate law enforcement capacities in order to meet suggested levels of comprehensiveness. For such attributes to be attained, it will be necessary to develop jurisdictions which encompass more than single municipalities. Before examining such opportunities it should be stressed that improvements in the internal structure and management of individual departments is a prerequisite for any successful joint venture, and the extensive recommendations made by various commissions and task forces can serve as guidelines for local efforts in this direction.* Following is an examination of roles and potential approaches at the intermunicipal, county and state levels in providing law enforcement services.

*See Police National Advisory Commission on Criminal Justice Standards and Goals, 1973.

Options for Interlocal Services

As the basic guarantors of the citizen's right to safety and security, municipalities should provide round the clock access to a reasonable level of police services. Those municipalities which cannot accomplish this objective should consider several alternatives to the maintenance of a municipal police department. The options available in New Jersey include: merger (consolidation) of municipal departments, joint service provision, creation of special districts, and purchase-of-service contracts. Of these approaches, consolidation is by far the most controversial.

Departmental Consolidation: The National Advisory Commission on Criminal Justice Standards and Goals suggests the consolidation of departments having less than 10 sworn employees and similar suggestions were made in studies of New Jersey's local police. Earlier in this report, it was noted that a department requires a staff of 15 employees to provide 24 hour a day service. However, in and of itself, the institution of a minimum-sized department of 10 or 15 sworn employees, while meeting the municipal requirement for access, may conversely compound the problem of capacities and of effective intergovernmental sharing of responsibilities. The merger, for example, of two small departments into a larger entity with 15 officers would provide for a two-man patrol car and a headquarters employee per shift — clearly inadequate for performing any but patrol tasks and, depending on area and population size, probably inadequate for that task, as well.

While not discounting the merits of mergers, this action must be viewed as only one component of an overall strategy to develop an intergovernmental law enforcement system. In a scale of preferences, the merger of two departments takes second place to functional consolidation on a county or regional scale. Nonetheless there are locations and circumstances where the consolidation of municipal departments is warranted*:

1. A cluster or string of small communities which jointly could establish a single viable department;
2. A small community adjoining or surrounded by a larger neighbor;
3. The familiar 'hole in the doughnut' relationship, regardless of size;
4. Offshore island and seaside communities, especially where the continuity of circulation is important.

In light of long term commitments required of consolidating communities, it is not surprising that consolidation is a controversial policy. The fear of an insoluble relationship was expressed on several occasions, even where the potential participants were relatively compatible. Where homogeneity does not exist, the possibility of merger is not likely to be raised. By contrast, arrangements for obtaining all or some services contractually are considered less 'final' (by offering the opportunity for non-renewal in the event of dissatisfaction with the quality of services).

* Additional legislation may be required to permit such consolidation, however.

Special Districts. The special district has become a popular device for rendering public services on a multi-municipality basis. The Census of Governments recently indicated that there were over 20,000 special districts of all kinds in the United States. Of these, however, only nine special districts were created for the delivery of police services.

The relative unpopularity of the special district as a device for delivering area-wide police services can be ascribed to a number of reasons. First, the zeal with which the local police function is guarded by municipalities. Creation of a special district, as a separate government entity, requires the local government to transfer its power to regulate the function to the special district. Police services have historically been considered too fundamental a municipal prerogative to be given up. Second, special districts are criticized for removing public services from popular control.* Third, a special district for police services would require power to raise operating revenues from taxes. Unlike the much more prevalent water supply and sewerage special districts that are financed by user charges, the police function does not raise its own revenues.** Since the special district is an additional level of government with independent taxing powers, it competes with other units of government for tax dollars. The fact that it does so without being subject to the process of allocation of priorities occurring in budget making is another criticism leveled at it.

The major advantage of the special district is that the district boundaries can be drawn to represent logical service areas, rather than having to conform strictly to municipal boundaries which frequently have no relationship to service efficiency. In practice, however, it would seldom, if ever, be feasible to construct a district that would not encompass the entire municipality.

On balance, the Commission concludes that the special district is not an appropriate vehicle for the delivery of police services at the inter-municipal level. Too many needless political and ethical problems would be raised by putting the police function under the auspices of a board isolated from the processes of general government. Further, New Jersey with its problems of governmental fragmentation has no need for more units of government. More satisfactory approaches are available to accomplish the efficient delivery of inter-municipal police services; falling back on the special district device appears neither necessary nor desirable.

Joint Service Agreements. Yet another method of providing joint services is the "joint meeting". Under this approach, the service, instead of being performed by one of the contracting local governments, is provided jointly and managed by a joint management body created by all participating units for this purpose. The method of creating a joint meeting is by long-term (no more than 40 years) contract which "... may provide for joint services in any

*Should the controlling body of the special district be popularly elected, the police function would, of course, be responsive to the electorate. However, it would then also be right back in the political arena.

**A small amount of revenue is raised through fines, which are in no way analogous to user charges.

service which any contracting local unit on whose behalf such services are to be performed, is legally authorized to provide for itself."¹

The operational arm of the joint meeting is a management committee composed of an appointed representative from each "local unit" (municipality or county) participating in the joint venture. The representative, appointed for a one year term, may be, but need not be, an elected official.² The management committee is responsible for the operation of the function for which the joint meeting is created and each of its members, including the chairman, has one vote.

The management committee is required annually to certify to each member local unit of government the anticipated operating costs to be incurred by the joint meeting for the ensuing year, along with each local unit's apportioned share. The joint meeting may be dissolved after adoption of resolutions to that effect by the governing bodies of two-thirds of the participating local units.

The joint meeting mechanism has some clear advantages:

- Additional and autonomous governmental units are not required;
- No separate taxing body need be created; the management committee certifies its operating expenses to the participants;
- The joint police force is responsive to the management committee, which in turn is controlled (through the power of appointment) by the participating municipalities.

The principal shortcomings of this approach are:

- Uncertainty as to the civil service provisions applicable under various circumstances;
- Apparent inequity in voting power among municipalities of differing sizes, especially when applied to the apportionment of costs.

Overall, this method, although somewhat cumbersome, offers a way for obtaining the advantages of larger-sized departments for relatively longer periods, without sacrificing local prerogatives in the process. Some changes in the existing statutes should be made, however, to facilitate the use of this approach in the law enforcement area.

The Commission recommends that representation and voting procedures should not be specified in the Act and should be determined by negotiation among participating municipalities, as should be the procedures for dissolution.

Contractual Services. New Jersey governmental contract law is relatively comprehensive and flexible, having recently been broadened by enactment of the Interlocal Services Act of 1973³, and has been used by several smaller municipalities to enable one municipality to deliver police services to another. The main problem with most inter-municipal contracts for police services in New Jersey, is that small municipalities have generally contracted

with other small, rather than with larger, adjoining municipalities, creating a larger but still, from a service delivery viewpoint, inadequate department.

This situation presents two problems. First, it is ineffective to alleviate the inadequate service level found in smaller police departments. Second, contracts between relatively small municipalities, and particularly small municipalities of roughly equal size, are risky for the municipality selling the service. Presumably the selling municipality will incur some incremental costs, especially capital costs, in order to enable it to provide the added coverage required by the contract.*

Unless the contract period is of sufficient duration to allow this additional capital cost to be substantially amortized, the selling municipality runs the risk of bearing alone the additional capital investments in the event that the contract is not renewed. In the situation where a small municipality contracts with a large municipality, on the other hand, the need for additional capital investments would be much lower, and the risk to the selling municipality of having to absorb the costs resulting from non-renewal would be lessened, as would be the possibility that such investments could not be put to productive use. Of course, by contracting with a larger municipality, the small municipality should be able to avail itself of a greater range of higher quality services than would be available from a smaller department.

One of the key aspects of contractual arrangements is that less than the full range of departmental services may be covered by contract. On one hand, a partial contract may be extended progressively to cover all services, and in the process overcome any lingering reservations on joint services. Conversely in the context of an area-wide system, it may contribute to further fragmentation, as some municipalities contract for some services with one or more neighbors.

The Interlocal Services Act of 1973⁴ provides a broad statutory framework for contract services (although some contract services were in effect previously). In addition, the Interlocal Services Aid Act⁵ authorizes state aid for feasibility studies and for implementation of joint services. The statutes are flexible as to the range of service, permitting any service or aspect of a service to be performed by contract and be eligible for state aid. In the area of law enforcement, however, consideration was given only to entities wishing to contract for all services rather than to facilitating the provision of a single service.**

The Interlocal Services Aid Act assisted in 4 joint law enforcement projects and 17 others were awaiting approval when funding was discontinued in the 1976 fiscal year. It is too early to tell whether the absence of fiscal incentives will have a long term negative effect on interlocal ventures, but it

* This incremental cost should be lower than the cost that the buying municipality would have to incur to provide the same services on its own, or else there would be no cost advantage to contracting. Costs would be less for the seller if economies of scale were present.

** Countywide dispatching, eventually assisted by SLEPA, is the sole exception.

appears that the level of interest in utilizing the basic enabling act (authorizing interlocal services), has declined in the last two years.

The Commission reiterates its support for interlocal approaches as a positive step in the direction of improving local service provision. Existing incentives to accomplish these objectives should be retained and legislation to facilitate joint approaches should be enacted. All such actions, however, should be taken in the context of a plan to rationalize and streamline the intergovernmental approach to law enforcement, through interaction of agencies at the county and state, as well as municipal, level. Isolated inter-municipal action, welcome as it is, will not substantially affect the overall capabilities of law enforcement in the State.

Improving County Potential

As was indicated previously, counties already play an important role in the criminal justice system, and, to a lesser extent in law enforcement, per se. In addition, the emerging county role in supportive services has been noted although its potential in the provision of primary services is yet to be exploited.

The county may be the pivotal level for law enforcement services in New Jersey, embodying both accessibility and responsiveness characteristics and a reasonable regional scale for confronting problems and managing services. Recognition of these factors has led to the emergence of counties in the various functions related to law enforcement.

For all of its positive attributes, the county's potential utility as a law enforcement service agency is impeded by the fiscal, attitudinal, structural, and statutory problems described previously: reliance on the local property tax; competition with municipal fiscal needs; municipal resistance to the loss of local control; fragmentation of responsibility among county level agencies; and, possibly, the lack of clarity as to the application of statutory powers in general police services. Some of these constraints can only be addressed in the context of far-reaching, comprehensive fiscal tax reforms, but a number of actions can be undertaken independently to strengthen the county role in the provision of law enforcement services:

- The internal realignment of responsibilities for functions along more rational organizational principles;
- The development of an intergovernmental process to facilitate county and local interaction.

The achievement of these objectives requires, sequentially: the improvement of coordination among county-level law enforcement agencies (and within the criminal justice system, in general); the centralization of technical, supportive services; and the creation of an agency capable of providing comprehensive (basic and supportive) services to municipalities within the county boundaries.

Improved Coordination. The gradual development of criminal justice planning was based, for the most part, on the recognition of deficiencies in communication between the components of the criminal justice system and among county-level law enforcement agencies. Although informal working relationships have emerged, the need for formal institutional coordination has, if anything, intensified. This need exists especially in terms of:

- Centralizing records and developing uniform reporting procedures;
- Improving utilization and management of personnel resources;
- Exchange of information among county and local departments;
- Developing task-forces for special problem areas; and,
- Synthesizing short-range action programs of various participants into common strategies (as distinct from the more long range planning approaches).

To some extent, criminal justice planning can accommodate these coordinative goals, but to date it has not gained the broad-based support necessary for the role. In some cases, the office of the prosecutor has provided some coordination, but the success of such efforts has been limited to date. The absence of agreement on the scope and details of the coordinator function may partially explain its limited use.

Within the criminal justice system, as a whole, coordination is a passive function, facilitating more efficient contact between the three major components—law enforcement, judiciary and correction. As such, it can be performed by an existing agency, for example the office of the prosecutor, or, if it is primarily related to improving data flow, as an adjunct of the planning function. Meaningful coordination among law enforcement agencies, especially when municipal departments are included, calls for active participation on a regular daily basis, in the activities of many line agencies. The direct involvement in the police function defines a distinct role which should ideally be performed under a separate jurisdiction.

Given the number of units involved in each of the components of the criminal justice system, it is probably not unwarranted to develop coordination within each component as well as to interrelate all three. For law enforcement, per se, improved coordination is a necessary first step towards, and a means for gaining acceptance for, a more integrated areawide service pattern.

The Commission concludes that there is a need for improving coordination in law enforcement, and urges the formation of county coordinating units with appropriate locally—determined formats.

Technical Services Agency: Improved coordination assumes the acceptance of existing overlap and duplication in the law enforcement duties of county-level agencies and the continuation of the uneven service provision patterns described previously. To establish the capacity for effective, areawide law enforcement it would be necessary to go beyond procedural co-

ordination and to place clearly defined jurisdiction in a single agency having the authority to provide technical services on a regional scale and acting in support of local police departments, as the need arises.

A "county technical services agency" should be in a position to assume responsibility for the supportive function described in Section II of the report — recruitment and training, communication; and planning — and, in addition perform the coordinative tasks noted previously. Beyond these, such agency could operate a crime laboratory*; centralize purchasing for county and local equipment; and perform the public information and education task necessary for better police-community relations. The agency, however, would *not* be empowered to perform basic law enforcement functions — patrol, arrest and most investigative activities. It should be noted that the statutory basis for such an agency already exists, and, in fact, includes the full powers of enforcing the provision of Title 2A (criminal code) within any of a county's constituent municipalities.⁶ Therefore, the establishment of a unit having the more limited powers of a technical service agency should not require new enactments.

Because of resistance to the creation of new governmental units, the policy direction and administrative control of a technical services agency by the offices of the prosecutor or sheriff might offer an attractive alternative. However, the Commission finds this alternative conceptually undesirable and administratively impractical. Both the prosecutor's and the sheriff's offices perform certain police functions, in addition to their respective primary missions**, but neither agency has the full range of jurisdiction and resources required for meeting any reasonable definition of area-wide law enforcement services. The prosecutor's primary duties, while including investigation of certain major crimes, relegates day-to-day law enforcement, including prevention, deterrence, and apprehension to a secondary role. Moreover, there are varying opinions as to the conceptual desirability of vesting both powers in the same office. The sheriff's duties are primarily judicial and custodial; as an officer of the court, the performance of law enforcement — related duties must be regarded as secondary.

Both offices are mandated and are beyond the fiscal control of the electorate. The prosecutor is appointed by the governor, but the agency cost is borne by the county. The sheriff, although popularly elected, is independent of the county's budgetary process and enjoys the protection of the court in personnel and budget matters. The virtually autonomous status of the prosecutors and sheriffs contributes to operational fragmentation and impairs their ability to serve in the intended capacity of a support agency to both county and local departments.

Finally, the prosecutor and the sheriff are part of the judiciary branch which is, or should be, a state-directed and state-financed function. The

* In counties experiencing delays in the provision of routine information by any of the three regional labs operated by the State Police.

** In Hudson and Bergen Counties, some law enforcement tasks are performed by a county police department.

control by these offices of a technical service agency would constitute in reality a form of extended state services. Such action would exacerbate the inequity of counties having to pay for the function, but lacking the control over the level and quality of service.*

The Commission concludes that a technical service agency should be established as a separate entity within the overall administrative structure of county government (or as an executive department in charter counties). Policy direction could be provided by a board representing the concerned jurisdictions and functions.

A County Law Enforcement Agency: A third step in creating regional capacities is the establishment of a county police department.** In states where counties have jurisdiction over substantial unincorporated areas, the county police department is the primary agency providing police services, not only to the rural areas but to most of the smaller communities, as well. This occurs in some metropolitan counties, including Nassau and Suffolk Counties in New York, where "county subordinate service districts" co-exist with municipal departments, and to a lesser extent, even in counties containing a larger central city.

While in New Jersey there are no unincorporated areas directly under the county's jurisdiction, there is no technical or legal constraint on the county's ability to provide general law enforcement services. The main impediments are rooted in the county's historical role as an agent for performing state mandated services; its relatively recent emergence as a regional government; and the prevailing home rule attitudes of municipalities. Nonetheless, the mechanisms for county police functions do exist and are similar in concept to the interlocal arrangements discussed earlier in this chapter — purchase of service contracts; special (county) districts; and, additionally, a department fully financed from general taxes.

County-level law enforcement agencies should reflect the varying stage of development and the configuration of existing county and local departments. Moreover, in suggesting some adaptable general models, it was assumed that minimal levels of operational capacity will be developed for each, based on the combined resources of county and local agencies. Four general settings were used in developing these models:

Setting 1 — rural and rural resort; characterized by low population densities and overall population; a high percentage (over 50%) of municipalities with no organized departments, or with departments of less than 15 full-time police officers; and only 1 or 2 exceeding 50.

* The Commission has advocated in the past that state-mandated county judicial cost be assumed by state government.

** Because the Bergen and Hudson County Police Departments perform essentially residual functions and do not operate as general law enforcement agencies, they are not included in their present format among the alternative models presented herein.

Setting 2A—rural and suburban; moderate densities and an overall population of 200,000 to 300,000; few communities without organized departments but a substantial percentage (generally 25% to 40%) with less than 15 police officers; and less than 10% with more than 50 officers.

Setting 2B—varying somewhat from the previous pattern in that these counties contain one or two large older cities with police departments of 100 or more but in every other respect conforming to the rural-suburban characteristics.

Setting 3—suburban-urban; moderately high densities and overall populations of over 500,000; few departments with less than 15 full-time police officers and many in the 50+ category; a number of large older cities and suburbs are present, as well, but most are small-sized suburban communities.

Setting 4—urban; high densities and overall population; over 50% in the category of 50+ officers; major cities and large older suburbs predominate although a few small suburban communities exist.

A county level law enforcement agency can play a greater or lesser role in the provision of services to municipalities, depending on the setting and the acceptability of that role to local units; mandating county-local relationships is not a realistic possibility. Moreover, there is a question of equity. In a county with larger departments which stand to benefit less from a county agency, a disproportionate share would have to be borne by some municipalities, if the cost of such services were to be part of the county tax rate. However, county-local purchase arrangements, especially for basic services, would assure against such possibility.

Several general organizational forms emerge in examining the relationships of functions and settings:

1—A 'full service' county police department. Applicable in the rural counties, such departments would be capable of providing basic law enforcement services and supportive services to all or most communities in the county. The cost could be borne on a fair share assessment, based on the level of services received by a municipality as a percent of the cost of running the department. Larger municipalities receiving only supportive services would benefit from savings on overhead costs which otherwise would have to be borne by the municipality itself. Smaller municipalities would have the full resources of a large department at their disposal. External benefits would be realized as well, since the State Police role would be taken over by a county department and State Police resources would be redirected towards matters of statewide concern.

*As used in these forms, *Basic Services* includes routine patrol and traffic control, and supportive functions generally carried out by non-specialized uniformed personnel. *Supportive Services* included functions generally performed by specialists including: criminal investigations; communications and dispatch; record keeping; planning, research, and evaluation; recruitment and training; purchasing; laboratory and other technical services. A *Full Service Department* encompasses both basic and support services. Would provide at the county level capacities usually associated with larger-sized local departments.

2—County and Local 'Mix' of Police Departments. For a number of reasons, the formation of a single county police department may be neither feasible nor desirable. In some counties the presence of one or more large cities in an otherwise rural or suburban county may make it undesirable to have a single police department under the auspices of the Board of Chosen Freeholders, enforcing local ordinances in both the urban and suburban areas of the county. Although the primary opposition to a single county-wide police department is apt to be political, there is also the problem of equity to be considered. In a county with large cities, it is likely that a disproportionate share of the expenditures of the county police department will go into services for the urbanized areas of the county. In this instance, it may be more desirable to adopt some form that uses both the county and municipal levels.

Variation A: The first variation of the combination county and municipal law enforcement structure would entail the establishment of a county police department to serve all but the largest cities with adequate police departments, in the county. These cities would retain their own autonomous police departments, although various cooperative arrangements, both between the municipality and the county and among municipal departments, would be likely.

This variation would be recommended only when the portion of the county outside the cities—to be served by the county police department—has a population base sufficient to support an adequate police department. This type of arrangement would pose no serious equity problems since the county police department could be supported by taxes levied only in those areas of the county actually receiving county police protection.

Variation B: In this variation, already used in a number of metropolitan areas in the United States, there would exist a county police department with county-wide law enforcement responsibilities, as before. There would also exist municipal departments, most of which, however, would not offer a full range of police services, but would rely on the county police department for support services. In general, the functions of the local police department would be limited to basic police services such as routine patrol and the initial investigation of crimes.

This system has several advantages. First, it provides support services to municipalities, at reasonable cost, through the county police department. In areas where this approach is used, services performed by the county include the dispatching of all police vehicles in the county (including those of municipal police departments), the maintenance of records, data processing, research and planning, crime labs, and many other specialized services.

The second major advantage of this model is its political acceptability. Municipalities of moderate size could enjoy the higher quality of local police protection while retaining relatively small local departments, since support facilities, too expensive for individual departments to implement and maintain on their own, would be used and financially supported by all municipalities in

the county. Further, the municipalities which might choose to maintain their own patrol and investigation units would retain a high degree of local control over the police function.

Third, the joint county-local approach lends itself easily to the equitable allocation of costs. Those areas of the county which might choose to have the county supply all police services, basic as well as support, would be charged more than those municipalities which would choose to maintain their own police departments. The latter, however, would be required to pay their share of the cost of maintaining the support services at the county level, used by *all* municipalities in the county.

3—The Two-tier Approach. In a number of areas within New Jersey, certain factors combine to make the delivery of extensive police services at the county level either undesirable or impractical. In counties that are almost entirely urban or urban/suburban, but without large cities, the total population may be too large to permit the effective use of a single county police department.* Further, political sophistication may not be adequate to supervise the formation and operation of a large, complicated modern county police department. In such areas, it would be most desirable to limit the powers of a county-wide agency to the provision by contract of support services to some municipalities or to establish a technical services agency in the more limited capacity of assisting communities on an as-needed basis.

The county police departments envisioned in these models would require the enactment of new legislation, to expand, clarify and detail the provisions of the present statutes. Such legislative actions should be taken only in the context of the general codification discussed in the final chapter of this report.

The State Role

The significance of state government in law enforcement has been noted throughout this report. In addition to its discrete, statewide responsibilities and as a 'building block' in the federal criminal justice system, the state plays a major role in law enforcement at the local and regional level. State agencies are responsible for direct policing of rural areas; patrolling major highways; directing and defining training, telecommunications and planning; and augmenting local resources and technical capacities. In addition, the state represents local law enforcement interests at the national level, and provides a conduit for Federal assistance to local agencies.

In relative terms, the involvement of the State Police in local law enforcement is diminishing as more municipalities, both on their own volition and as a result of state prodding, are moving to establish local departments. Concurrently, the state role in the special functional areas impacting on local law enforcement is expanding rapidly.

The Commission views state government as the key to the development

*The Commission recognizes that there may well be an upper feasible limit on the size of a police department, beyond which departments become inefficiently large.

of an effective intergovernmental system for law enforcement. The State legislature has the responsibilities for defining and enabling local police activities and for appropriation of state aid funds; the Attorney General is the chief law enforcement officer with powers to regulate and supervise all law enforcement within the State; the State Law Enforcement Planning Agency (SLEPA) has exclusive discretion over the distribution of some (25%) Federal assistance and the direction of 'pass through' grant-in-aid; and various state agencies are responsible for directing miscellaneous technical functions. But although the authority and capacity to reform or streamline the local police structure is vested in the State, there are constraints, primarily political and administrative, on the application of these State powers. These are manifested in: resistance to legislative enactments that limit local prerogatives; the absence of a policy consensus at the state level as to the relationships that should exist among respective levels and functions; and the failure to orchestrate the activities of state agencies in dealing with local and regional problems.

The state is the ultimate guarantor of individual security and safety within its political subdivisions. As such it must facilitate the creation of an intergovernmental system for law enforcement. For neither the reliance on an independent or poorly related departmental structure, nor state assumption of the responsibility for local policing is a desirable or practical alternative.

The State's 'bottom line' obligations fall into several broad categories. First, as a facilitator in: strengthening regional and interlocal approaches; providing a wide range of technical assistance; improving intra and inter jurisdictional planning; and providing training, education and data dissemination. These actions, which are less difficult to accomplish, are already carried out to a greater or lesser extent by various state agencies.

A second role, that of back-up to local and regional law enforcement, is explicit and necessary in emergencies, but debatable where it is routinely substituted for the local responsibility to provide police services (in the 108 communities without organized departments and, on a part-time basis in 133 others with departments of less than 10 officers).⁸ Adoption of the Commission's recommendations on the appropriate responsibilities of police agencies at the local, county and state levels should eliminate this role except in limited cases.

The third state role is fiscal. To date, state actions in this area have been limited to the provision of 'Safe and Clean' and Urban Aid Funds and the channelling of federal 'pass through' funds to local agencies. Neither type was used as the means for developing an intergovernmental law enforcement system. The state should provide fiscal *incentives* and impose *conditions* on the use of available funds to achieve these objectives. It should be noted, however, that present fiscal conditions weaken the State's abilities to exploit this role.

The fourth and most difficult and complex state responsibility is in legislation and the formulation of standards. It was noted previously that the statutes dealing with the police function reflect historical local orientation.

Except in critical situations, attempts to depart from this pattern generally encountered resistance at both the local and legislative levels. The development of intergovernmental systems is a subject that lacks the short-term urgency and sense of crisis necessary for such departure. Nonetheless, without the clear understanding of the roles, capacities and responses of each component unit, the effectiveness of the entire structure may be severely hampered. Such understanding derives from the formulation and adoption of minimum standards, preferably as a legislative mandate. Thus, the Commission's recommendations, presented in the final chapter of this report, proceed from this premise.

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1. NJSA 40:48B-2
 2. NJSA 40:48B-5
 3. NJSA 40:8A-1 et. seq.
 4. Ibid
 5. NJSA 40:8B-1 et. seq.
 6. NJSA 40A:14-107

CHAPTER IX

RECOMMENDATIONS

A — Standards and Legislation

#1 The Commission recommends the formulation of minimum standards for law enforcement agencies in New Jersey. Such standards should:

- **define a logical scale of organization for law enforcement services in various jurisdictions;**
- **define law enforcement capacities which should be available within each jurisdiction; and**
- **set guidelines for attaining such capacities.**

Standards applicable to the local and areawide law enforcement function fall into three broad categories: 1) Human resources — i.e. personnel policies and practices; 2) physical resources — i.e. equipment and facilities; and, 3) management and operations — i.e. functions, roles and duties of agencies.¹ The general qualifications of law enforcement personnel are established by statute as are basic training requirements. There is no specification, however, as to the type of personnel required for various settings and/or jurisdictions in the state. This is even more applicable to the category of physical resources, which lacks even the standardization of existing equipment or facilities, let alone the introduction of basic requirements for capacity. But it is the third category that will require the greatest effort. The organization of the law enforcement function within a given area should not be circumscribed by jurisdictions, but presently municipal and county law enforcement resources are conterminous with their respective boundaries and their use (except in emergencies when stand-by agreements are involved) is restricted to their territory. Even were all jurisdictions to adopt personnel and equipment standards their application to the crime problem (especially in metropolitan areas) would be limited by the absence of effective operational guidelines for application of resources to problem areas and for interaction with other jurisdictions.*

The Commission recognizes that at present law enforcement standards cannot be easily related to measures of output (productivity). However, determinations can be made as to what kind of service delivery capacity is needed in areas of the State to respond to law enforcement problems and opportunities. Minimum capacity standards, for example, might require that: each community have 24 hour, 7 day a week patrol coverage with at least one officer in a back-up capacity; the existence of a certain kind of radio

* The Governor's Adult and Juvenile Justice Advisory Committee is formulating standards to guide the funding of criminal justice programs and projects (primarily with Federal funds). These do not overlap the operational standards suggested herein.

communication and dispatch capability; or access to a laboratory with certain capabilities. Such determinations should be based on the recognition of capacities of all agencies within a jurisdiction and suggest methods for meeting law enforcement needs.

The Commission suggests the need for a combination of mandatory, conditional and voluntary (optional) standards. Mandatory standards, for example, would require that: every unit of population be provided with basic police services, round-the-clock; that equipment should be standardized to facilitate communication within defined areas of service; and that formal arrangements and procedures should be adopted for interagency actions in both emergency and more routine matters.

A conditional standard, for example, would establish an overall level for specialized personnel but exempt a jurisdiction from requirements to employ such personnel as long as the services of another agency (presumably at the county or state level) would be available for regular use under formal arrangements. Voluntary or optional standards would include primarily those relating to the internal organization and management of agencies. The work of the National Advisory Commission on Criminal Justice Standards and Goals (as well as specific administrative studies of local departments) provide a basis for developing this type of guideline. The major criterion for applying mandatory, conditional or voluntary standards should be the degree to which their absence would adversely affect the achievement of an area-wide intergovernmental law enforcement system. The continuation of internal inefficiency, reprehensible as it may be, should be a local option; when local inadequacies affect a larger public interest, mandatory minimum standards should be applied.

Standard setting has been approached in various ways—legislative commissions, executive commissions, professional bodies, and of course, a mix of these types. Because of the technical nature of operational standards the Commission recommends that:

- a—The body developing such standards be representative of *operating* agencies of local, county and state government.
- b—That legislative representation of the three levels be included.
- c—That the standards, once formulated, be submitted to the legislature for formal adoption where warranted.

The application of mandatory standards may be viewed as onerous, especially in light of current fiscal conditions. The Commission, therefore, recommends that 'threshold' levels be established by the standard setting agency and that law enforcement jurisdictions falling below such levels be required to bear the cost of upgrading their services to meet minimum requirements. Where higher-than-minimum level standards are recommended, Federal and state aid should be made available, for a specified duration, to assist in meeting such higher requirements.

#2 The Commission recommends the enactment of legislation to expand

and facilitate the establishment of area-wide law enforcement agencies with general police powers.

Such legislation should:

- provide sufficient flexibility and incentives for developing area-wide capacities and sharing of costs and resources;
- be designed as a series of optional approaches to meet the special requirements of the State's varying conditions and problems;
- remove obstacles in interlocal or county-local arrangements for providing general law enforcement services;
- specify a two-tier approach which would enable county government to perform a wide array of supportive law enforcement tasks while retaining basic patrolling responsibilities at the municipal level;
- be related to other components of the criminal justice system; and,
- be adopted by popular vote of the area involved.

Although there is a clear need to reduce the number of small and under-capacitated police departments, the Commission does *not* endorse the mandatory consolidation of such departments unless:

- 1 — standards of service and performance are established;
- 2 — a statutory basis is developed for intergovernmental, areawide law enforcement, necessary for replacing the existing structure.

The Commission recognizes that approaches depending on exclusively local options may impede the implementation of areawide functional systems (when individual units choose not to join in regional arrangements which require full participation, for example). The suggested legislation could provide for mandatory participation when such systems are established in communities containing two-thirds of an area's population.

#3 The Commission recommends the codification, updating and substantive revision of statutes pertaining to law enforcement.

Concomitant with the need to develop law enforcement standards is the requirement for a clear statutory basis specifying the roles, responsibilities, and interrelations of local, county, and state law enforcement (and criminal justice) agencies. The present statutory base for law enforcement functions is physically and conceptually diffuse. There are ambiguities as to the intent of many existing provisions and a lack of specificity in others. Nor do the statutes provide a clear direction for interagency activities.

The continuing need to keep the statutes up-to-date with current developments in criminal justice (or acceptably in law enforcement per se) is a discrete objective which should be performed as an ongoing legislative function. Any substantive revision of the statutes, however, should be concurrent with the formulation of standards cited in the Commission's first recommendation and should be conducted as a single, unified undertaking.

B — Planning Coordination and Funding

Beyond the enactment of legislation and the adoption of standards are a number of administrative actions and policies which the Commission feels will contribute to the improvement of law enforcement in the State and its communities.

#4 The Commission recommends that: criminal justice planning agencies be established in each of the state's 21 counties; to develop the plans for county and municipal level departments to provide a basis for distributing state as well as Federal assistance funds; to coordinate the activities of local, county and state-level agencies and to monitor the application of standards once established. Such planning should replace the current approach which is largely advisory and lacks a formal standing necessary to serve as an effective policy base for law enforcement activities within component jurisdictions and agencies.

#5 State and Federal Aid: A system of priorities for law enforcement aid should be developed in the context of county-wide planning. A premium should be placed on programs and projects which promote a coordinated and systematic approach to law enforcement. Although the absolute amounts of state and federal aid to law enforcement are small, relative to locally-raised revenues, these funds do provide much of the flexibility and basis for innovation and expansion of the law enforcement apparatus in many communities. It is essential, therefore, that such Federal and state aid should be used to strengthen those interagency aspects described in this report.

The Commission notes the different circumstances of older cities, both in terms of the greater crime problems they face and the lesser local resources available for law enforcement. Older cities, however, should not be exempt from Federal and state aid applicable to adjoining suburban communities. On the contrary, the systematic, coordinated approaches to law enforcement require the effective utilization of resources by every component unit.

The Commission also notes proposed cutbacks in funds for the State's Safe and Clean Street Act, a reduction from \$12 to \$5.5 million in the next fiscal year. The Commission feels that the basic concept of the Safe and Clean Street Act—that of increased police presence (walking patrol) in urban neighborhoods—is sound and is currently valid. Although law enforcement officials differed on the degree of success to date, on balance this state program was viewed as productive and warranting continuation and limited expansion. The addition, statewide, of 250 walking patrol personnel (there are roughly 850 at present) would allow for the extension of this service to areas adjoining the highest priority neighborhoods and the addition of some municipalities to the 24 presently eligible.

The Commission suggests that the Safe and Clean Streets Act be amended to allow for application of its provisions across municipal boundaries. This action would enable the development of patrol patterns unimpeded by the peculiarities of municipal boundaries (often a street forming a bound-

ary between two municipalities may go unpatrolled on one side if the neighboring community has selected another priority area or is ineligible for the provisions of the Act).

The Commission also suggests that the Act and its administrative procedures be broadened to permit reimbursement for transportation to and from the 'walking patrol' neighborhoods and an increased amount for administering the Act. An impartial study of the Act's effect after 3 years of operation is desirable as well.

C — State Services to Local Government.

#6 The Commission recommends the formation of a state unit to provide direct and efficient access for local law enforcement officials to state level agencies; to represent the local police interest at the state administrative level; to correlate and coordinate technical assistance programs; to conduct planning and research related to local police services; provide management and administrative services to local government upon request; and, possibly recruit personnel.

The achievement of an effective law enforcement system is hampered by the absence of a consensus among key state agencies to the priorities, approaches, division of responsibilities, and required inputs. The prerequisite for state leadership in establishing a multi-level law enforcement system is greater uniformity and policy coordination among state level agencies. At the same time the Commission found that the interests of local law enforcement officials were not adequately focused at the state level. Although the Attorney General is the State official charged with 'supervision' of local law enforcement, there is no single unit in the Department of Law and Public Safety specifically concerned with the daily problems of local departments and individuals. In the areas of interaction between local and state level agencies — training, planning, communications administration of the Safe and Clean Street Act, Civil Service and highway safety — there exists a functional and physical separation.* This does not contribute to effective contacts among state agencies involved in common problem areas and does not facilitate the contact with local police officials seeking technical assistance.

The Commission recommends the formation of a local police services unit around the nucleus of an existing agency. Of the alternative agencies considered by the Commission, the most suitable to perform such a function appears to be the Police Training Commission operating in a modified format and scope. The other agencies are either too specialized or have responsibilities extending well beyond those of serving the local police community. The PTC has a governing board representing various interests relating to law enforcement; is chaired by the Attorney General and is already providing some services to local departments. Transfer of other responsibilities to a unit formed around the PTC would not be difficult. Such unit would be eligible for Federal grants to cover start-up costs and costs associated with new services

*Agencies responsible for these functions are located, respectively, in Newark, two suburban Mercer municipalities about 10 miles apart, and several separate downtown Trenton locations.

it offers. In short, this approach would present minimal fiscal and organizational problems. The second best alternative appears to be the formation of a new division-level unit in the Department of Law and Public Safety composed of functional elements of existing State agencies.

D — Personnel Utilization and Training

#7 The following recommendations reiterate positions stated in Chapter 5 of this report.

Recruitment: Existing state agencies should develop capacities and programs to assist municipalities in the recruitment and screening of local police officers, with municipalities participating in such services on a voluntary basis.

Personnel Standards: Minimum standards for county and municipal police officers should be developed by a broadly representative, state-level task force constituted under appropriate legislation. Such minimum standards should not be lower than those presently applying to Civil Service municipalities and should be applicable to any person employed as a municipal or county police officer after the date of promulgation.

Training: (a) Academies — the concept, organization, and number of county-level training academies should be examined with a view to increased efficiency and potential savings. Consideration should be given to the replacement of county-level police training academies with multi-county criminal justice training centers which would be fewer in number but would offer a broader scope of training and accommodate a broader user group.

(b) The PTC should be empowered to conduct training at both the basic and advanced levels.

(c) Legislation to require in-service training as a mandatory prerequisite for promotion should be enacted.

(d) The Police Training Act should be amended to prohibit newly appointed, probationary police officers, in a department any size, from performing routine police patrol duties until the successful completion of the entire prescribed minimum basic police training course. Carrying or using firearms and other lethal weapons by newly appointed police officers before the successful completion of the basic police training, should be prohibited.

(e) Special Police — Standards should be established to cover the use of special police officers. Such standards at a minimum should include: identification of appropriate tasks and duties for special police officers; establishment of qualifications consistent with defined tasks and duties; and establishment of minimum training standards and programs designed to provide candidates with the training and skills to perform their responsibilities. Special police officers should be prohibited from employment in a full-time year-round capacity in which they are authorized to perform the same duties as regular, fully trained professional police officers. Municipalities where the appointment of special police officers is necessary should be

required to provide for training of such individuals and the completion of a training program should be mandatory within a reasonable time after appointment.

(f) Incentive programs in higher education for careers in law enforcement should be maintained.

E — Communications

#8 The following recommendations reiterate the Commission's position stated in Chapter 6 of this report. In general, the Commission urges the establishment of a State-wide communications plan capable of accommodating present and prospective emergency and routine communication needs, and serve as a basis for renewal of licenses, allocation of frequencies and grants for communications.

Specifically the Commission recommends:

- (a) The adoption of a 911 universal emergency telephone number.
- (b) The development of additional capabilities in radio communications for: state-local routine contacts; a state-wide emergency frequency for local use; regional supplemental emergency frequencies; and, radio access to data systems.
- (c) Extension of ALERT coverage for application in non-emergency conditions and the integration of such system into the regular communications network.
- (d) Placement of the State Wide Communications Information System (SCIS) on a regional scale compatible with appropriate law enforcement structures.
- (e) Initiation of training programs for the dispatching function.

1. Criminal Justice System, National Advisory Commission on Criminal Justice Standards and Goals, 1973.