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INCENTIVE PAY FOR PEACE OFFICERS

For nearly two decades, Georgia law enforcement leaders have mounted intensive and successful efforts to improve the law enforcement profession. One of the few efforts that has remained unsuccessful is the establishment of an incentive pay plan for Georgia's peace officers, which was first recommended in 1976. Since that time, the requirements for and demands of law enforcement professionals have escalated amply. The cost for the state to provide the necessary training for these individuals increases likewise. Accordingly, it remains important that only the most qualified and competent personnel are attracted to law enforcement and, even more important, that once recruited and trained, experienced professionals be retained for a career. It is hoped that this Issue Brief on incentive pay will simply contribute to the knowledge of all who are interested in the betterment of the law enforcement profession and the criminal justice system, and their ability fully to protect our citizens. The Issue Brief has been produced by the Governor's Criminal Justice Coordinating Council with the assistance and cooperation of the Georgia Peace Officer Standards and Training Council (POST), the Georgia Department of Community Affairs, and the Georgia Department of Revenue.

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Introduction

Recruitment and retention of qualified career personnel has long been a major concern of the police profession in this country. The studies of the President's Commission on Law Enforcement and the Administration of Justice, in the mid-1960's, as well as the studies of the National Advisory Commission on Standards and Goals, in the early 1970's, both highlighted this challenge. The Federal Omnibus Crime Control and Safe Streets Act of 1968 (and its successors), through the Law Enforcement Assistance Administration (LEAA), have contributed much toward meeting this challenge. Today, jurisdictions throughout the United States find that the police profession has improved significantly due to heavy emphasis placed on developing the profession through a combination of enhancements in recruitment and selection, classification, pay and benefits, education, training, professional standards, and career development.

Despite these positive strides, it remains that law enforcement agencies in many jurisdictions still cannot attract the officers they need because of unreasonably low salaries. Accordingly, far from the majority of police officers are college educated. Yet, law enforcement has changed in recent years, from an occupation to a profession, requiring those who serve to possess a great range and depth of knowledge regarding human behavior, the law, the use of sophisticated technology and the employment of modern police practices. Officers serving small communities must possess the same degree of knowledge and abilities as those serving urban areas.

Over 15 years ago, in 1972, it was noted that nearly 88% of police employed in cities of over 100,000 were employed by agencies with starting salaries below \$10,000. A 1984 survey by the Georgia Department of Community Affairs found that the median entry level salaries for deputy sheriffs ranged from \$10,296 to \$13,510, depending on the size of the county. 1985 Georgia Department of Labor statistics found that for 352 city and county law enforcement agencies surveyed, 2.7% had an entry level salary that would qualify as poverty level for a family of two, 17.5% for a family of three, and 46.3% for a family of four. Surveys in the late 1960's indicated that fewer than one-fourth of the nation's police officers had even attended college. Comprehensive current figures regarding educational levels for Georgia police officers are not readily available, but salary figures would seem to bear out that educational improvements have not been remarkable. Salaries and educational levels, high or low, feed off of one another in any profession. That is, they may be mutually beneficial or mutually detrimental. They ultimately may damage or enhance efforts to recruit and retain qualified personnel in law enforcement.

The interdependency among salaries and qualifications and the professionalization of law enforcement has long been recognized. A popular standard antidote to the negative factors of this interdependency has been found in incentive plans for pay and/or education. As early as 1969 a survey of American law enforcement agencies indicated that 58% of a sample of 467 agencies provided some form of education incentives for their officers. And, in 1972, the State of Florida, through the Florida Revenue Sharing Act, established a statewide incentive pay plan. Programs in major police departments have been fairly significant and well documented. However, smaller jurisdictions seem unable to counter successfully the combination of low pay and low qualifications. In

Georgia, the prospect of minimum salaries for peace officers as a solution to this problem has not met with favorable acceptance by local units of government, or the state government. The possibility of incentive pay that would be funded with some state assistance, therefore, has been raised as a partial solution.

Incentive Pay Plans in Georgia

Widespread recognition and formal documentation of discussion and plans for incentive pay for peace officers in Georgia began in the mid-1970's. The Criminal Justice Standards and Goals project for Georgia recommended in 1976 that legislation be enacted to begin such a program in Georgia. Similarly positive recommendations were produced by the Governor's Conferences on Criminal Justice in 1979 and 1982. The 1982 Conference stated that, "Inadequate salary and career development paths prevent law enforcement agencies from attracting and retaining qualified career personnel." This Conference recommended "establishment of a state funded supplement with incentives based on standards." It further recommended the provision of "increased resources through the passage of enabling legislation for the Constitutional Amendment which allows for a percentage of fines and bond forfeitures to be used to finance law enforcement and prosecutorial training."

Following these Conferences, a significant number of Georgia's law enforcement leaders envisioned that an incentive plan could be established, once enabling legislation for this Amendment was passed to increase the availability of funds. Such legislation, the Peace Officer and Prosecutor Training Fund Act, was passed by the Georgia General Assembly in 1983 as part of Governor Harris' initial criminal justice legislative package. These events and actions, coupled with long-standing research and development work by the Georgia Peace Officer Standards and Training (POST) Council, yielded an incentive pay proposal by the POST Council in 1985. This, in turn, led to passage of Senate Resolution 201 by the 1985 Georgia General Assembly. S. R. 201 created the Georgia Senate Law Enforcement Officer Salary Incentive Study Committee to conduct a comprehensive study to determine if the salary incentive program would enhance the training, education and professionalism of Georgia law enforcement officers. The Senate Committee ultimately focused much attention on the plan proposed by the Georgia POST Council, as well as the incentive pay plan which was already operative in the State of Florida.

Florida Salary Incentive Program

A statewide incentive pay plan was established by law in Florida in 1972. This plan relieves local governments of the financial burden of incentive pay plans. The state government reimburses each local jurisdiction participating in the state supervised program. A local government in Florida may participate in the program if it certifies that its police officers meet all state qualifications and if its salary schedule conforms to state law. The program is funded through

a portion of the sales tax on certain products and additional fines. This funding base allows the program to operate without annual appropriations of general revenue. During its existence, over 37,000 officers have participated in the program. Prior to the salary incentive program, less than 3% of law enforcement personnel in Florida had obtained any education beyond completion of high school. Today, more than 48% of Florida's officers have achieved at least a college degree, and very positive reductions in the attrition rate for officers have been noted. The annual cost for this program to the State of Florida approximates \$23,000,000 for both state and local officers.

Georgia POST Council Incentive Pay Proposal

The salary incentive program for peace officers proposed by the Georgia POST Council in 1985, was intended to fill some of the void caused by salary differences between agencies and to provide monetary relief to those officers whose salaries were most inadequate. It anticipated that incentive pay would be tied to three criteria: experience, education and training. The proposal envisioned POST's present Advanced Certification Program as a conduit to establish and maintain a salary incentive program for Georgia's peace officers.

The POST Advanced Certification Program includes five levels of training beyond the basic certificate. Several options were presented in the POST incentive pay proposal. Different options addressed different needs. Some were directed more at achieving retention of qualified personnel, while others were focused more toward recruitment and development of qualified personnel. One option tied incentive pay to the successful completion of each of the five levels of the POST Advanced Certification Program. It contemplated annual awards of incentive pay based on individual officers' certification completions. A variation of this option was to limit incentive pay awards to officers completing the first two levels of the Advanced Certification Program. This option was offered in order to exclude supervisory personnel from the Program and lessen its financial impact. Another, more comprehensive option foresaw incentive pay related to a point system; points would be assigned to specific levels of education, specific levels of training and specific levels of experience, and as officers earned points, they would become eligible for corresponding salary supplements.

Costs and Status of Incentive Pay Proposals in Georgia

The considerable variety of options by which incentive pay for Georgia peace officers could be pursued, has prevented sound estimates of the financial impact which the implementation and operation of such a proposal would have upon the state. The ranks of Georgia's peace officers, consistent with legal interpretations of the POST Act, now include a broad range of individuals involved in protecting the public and the number of active Georgia peace officers is rapidly approaching 22,000. Some officers would not be immediately eligible for incentive pay, and still other officers would choose not

to participate in any career development program. Therefore, it is difficult to predict what portion of Georgia's peace officers would be rewarded by an incentive pay plan. However, most incentive pay plans which are operational do offer a minimum enhancement of \$500 to \$1,000 for each "status, level or point(s)" achieved, making the potential fiscal impact of such a plan considerable if it is to be effective. The Peace Officer and Prosecutor Training Fund Act of 1983, which has been viewed by some law enforcement leaders as the source to fund an incentive pay plan, generated over \$9,000,000 in revenue in Fiscal Year 1987. However, there is considerable opinion that these funds already have been, and will continue to be used to finance a broad range of existing enhancements to peace officer training. This contention is difficult to fully assess, since these funds are paid directly into the general treasury of the state, and are not earmarked for any specific purpose, regardless of opinions to the contrary.

The final report of the Georgia Senate Law Enforcement Officer Salary Incentive Study Committee recommended that a salary incentive program be established for peace officers, based on the factors of education, experience and training, and that any such program be coordinated through the Georgia POST Council and the Georgia Public Safety Training Center. The Study Committee's efforts yielded legislative proposals for establishment of an incentive pay plan during the 1986 Georgia General Assembly. However, no such proposals were passed at that time, nor have any been passed as of this writing. Substantial obstacles to further progress toward implementation of an incentive pay program for Georgia peace officers appear primarily to include: lack of comprehensive financial estimates regarding the cost of such a program; a fear that all existing fund sources will continue to be fully utilized by existing programs and projects; and an absence of any new, adequate fund sources that would be embraced by a significant majority of those involved in promulgating an incentive pay plan for peace officers.

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