

INDIVIDUAL TECHNICAL ASSISTANCE REPORT

In Response to a Request for Technical Assistance

by the

Martin County, Texas, Sheriff's Department
and
Stanton, Texas, Police Department

June 29, 1973

NCJRS

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ACQUISITIONS

Prepared by:

Public Administration Service
1313 East 60th Street
Chicago, Illinois 60637

(Per Contract J-LEAA-015-72)

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I. PRELIMINARY INFORMATION

A. **Consultant Assigned:**

G. Stephen Lloyd
Senior Associate
Public Administration Service

B. **Date Assignment Received:**

April 9, 1973

C. **Date of Contact with LEAA Regional Coordinator:**

April 10, 1973

D. **Dates of On-Site Consultation:**

May 8-10, 1973

E. **Individuals Interviewed:**

Dan Saunders
Sheriff
Martin County
Stanton, Texas

C. L. Rogers
Police Chief
Stanton, Texas

Tim Hudson
Deputy Sheriff
Martin County
Stanton, Texas

Roy Pickett
County Attorney
Martin County
Stanton, Texas

William R. Corbett
Criminal Justice Coordinator
Permian Basin Regional Planning Commission
Midland, Texas

II. STATEMENT OF THE PROBLEM

A. Problem as per Request for Technical Assistance:

The Technical Instruction requested that a study be performed of the duties and responsibilities, organization, staffing, and procedures of the Martin County Sheriff's Department. The Instruction also directed that a similar study of the Stanton Police Department be performed. Stanton is the county seat of Martin County. Finally, the Instruction requested that the feasibility of consolidating the two Departments be considered in the study.

B. Problem Actually Observed:

The problem observed on-site differed in no respect from the problem defined in the Technical Instruction. The feasibility of consolidating the two Departments was discussed with the key participants, and it was concluded that, if the matter is considered at all, it should be done slowly and step by step.

III. FACTS BEARING ON THE PROBLEM

- A. Martin County is a rural Texas county with a 1970 population of 4,725. Population is predominantly white with only 186 Negroes residing in the entire County. The principal income comes from oil production. The main secondary source is agriculture of which approximately 75 percent is derived from crops and the balance from livestock. The County contains 935 square miles of territory.

Stanton, the county seat, had a 1970 population of 2,117. Although located in the southeastern corner of the County, it is the trade center for the entire county area. Its economy is based on the oil and agriculture industries. In addition, Stanton has a sizable automobile retail operation. Interstate 20 cuts through the area immediately north of Stanton. The highway has both benefited and hurt Stanton's economy. Several businesses located along old U.S. 80 have closed. Nevertheless, increased oil and agricultural development in the area is reflected in the attractiveness of Stanton's small business district.

The only other community in Martin County approaching the size of Stanton is Ackerly, located in the northeast corner of Martin County.

- B. Law enforcement services in the County are offered by the Martin County Sheriff's Department and in the City by the Stanton Police Department. Ackerly has a town watchman.

The Sheriff is one of five elected county administrative and judicial officials. His office is also one of the dwindling number in Texas where the duties of the county tax assessor-collector are combined with those of the county sheriff. His duties in this regard include the assessment and collection of county, state, lateral road, and hospital district taxes; registration of vehicles; voter registration; acceptance and processing of vehicle titles; issuance and processing of applications for homestead exemptions among others.

His duties as sheriff include enforcing laws; maintaining order, investigating complaints; serving civil and criminal papers; acting as the county probation officer; and supervising and maintaining the county jail.

- C. The Sheriff's Department consists of the Sheriff, one Deputy, and two clerical employees who work mainly in the tax office. Annual expenditures of the Department for 1971, according to the 1972 auditor's report, amounted to approximately \$38,000. A comparison of expenditures between 1961 and 1971 appears below.

<i>Expenditure Category</i>	<i>1961</i>	<i>1971</i>	<i>Percent Increase</i>
Salary of Sheriff	\$ 5,340	\$ 7,193	
Salaries of Deputy and Clerks	10,608	16,677	
Prisoner Care	2,070	1,312	
Office Supplies	3,531	2,976	
Car and Travel Expense	6,386	9,902	
Total	\$27,935	\$38,060	27.2

- D. In the past few years, the activities of the Sheriff have increased with the growth of functions under his jurisdiction. Although no comparative statistics were available on his law enforcement and jail responsibilities, a fair indication of this growth is contained in the following statistics on tax collections, assessed valuation, and vehicle registrations. In 1955, the assessed valuation of all properties in the County was \$6,795,705. By 1972, this assessed valuation had increased to \$18,764,869. Taxes collected in these two years amounted to \$122,323 and \$262,423, respectively. Between 1961 and 1971, income from the sale of vehicle licenses increased from \$65,580 to \$98,356. The Sheriff reported that the number of registered vehicles doubled between 1952 and 1972. The current number of vehicles registered in Martin County is approximately 5,000.

Various records were searched in an effort to determine the law enforcement work load of the Sheriff. Two factors which inhibited this determination were: (1) the fact that no statistical reports were available and (2) the fact that a record is not made on every call received by the Sheriff. Minor calls are not recorded. Nevertheless, available records indicated that the following types of calls were received by the Sheriff in 1972:

Vandalism and Criminal Damage to Property	15
Theft	54
Burglary	11
Lost Property	1
Fraud	1
Disturbance	2
Accidental Death	1
Accidental Shooting	1
Stray Cattle	3
Marijuana	1
Panhandling	1
Peeping Tom	1
Total	92

In a small department of this type it is abundantly clear that service is rendered on an informal basis. Juveniles are turned over to their parents, drunks are driven home, property apparently stolen is found in the neighborhood, and numerous other incidents are disposed of without official reports of service. Incidents which in a larger jurisdiction would enter the criminal justice system are disposed of in an informal and unofficial manner. This method of operation thrusts the Sheriff into a role of counselor, friend, advisor, and social worker. Complaints regarding the service of his Department are understandably few. The Sheriff needs no police-community relations program. His whole law enforcement program is one. Larger departments would envy the nature in which law enforcement is provided in Martin County.

- E. In addition to the nature in which records are kept, the total operation of the Sheriff's Department reflects an informal approach to law enforcement. This comment should not be taken as a criticism because the nature of problems in the area are particularly suited to this approach. Only as it affects the ability of the Sheriff to perform his duties should changes be considered. The Sheriff recognizes his problems and is more than willing to effect changes. More will be mentioned on this later in the report.

Some of the more apparent problems are the following:

1. No one is available in the Sheriff's Office to answer the telephone, monitor the radio, dispatch calls, and monitor the jail after 5:00 p.m. The Sheriff, of course, puts in many extra hours and is often available in his office late into the evening. The Sheriff's phone as well as a radio console are in his home so that he can be reached and can maintain radio contact at other times. However, this arrangement is not an adequate substitute for constant monitoring. The only way by which radio contact between the Field Deputy and the Sheriff can be ensured, is through radio monitoring by the neighboring departments at Midland or Big Spring.
2. Both the Sheriff and his Deputy average a 70-hour workweek. Such long hours are necessary in order to provide coverage during most hours, but this work schedule allows little time for training, thorough investigations, and other duties required of a law enforcement operation in any jurisdiction.
3. Facilities housing the Sheriff's operation are not adequate. Although comments are in order on the jail, this facility has been the subject of other studies and needs no explanation of its deficiencies. The

general office area of the Sheriff contains no provision for interviewing witnesses or suspects, and there is no area where the Sheriff can conduct in-service training. Prisoner booking is conducted in the Sheriff's office area at some distance from the entrance to the jail.

4. Equipment is generally adequate. However, a teletype terminal provided through a grant was removed because no one was available in the office to attend it during the nighttime hours. The Sheriff's two vehicles are well equipped and in good order.

- F. The overall financial picture of Martin County is good. In the past ten years, the general fund—the fund which partly supports the Sheriff's operations—has gone from a deficit situation to one reflecting a steady and growing surplus. The following table compares general fund operations between 1961 and 1971.

	1961	1971
Balance on January 1	(\$72,831)	\$ 72,397
Receipts	50,021	160,421
Disbursements	35,911	118,021
Transfers	250	30,000
Balance on December 31	(58,973)	84,797

- G. The Stanton Police Department operates in a similar fashion and has many of the same problems as the Sheriff's Department. The Chief and his one Officer work an average of 80 hours per week, communication is maintained with the Chief after hours at his place of residence, and statistics and records on work load and incidents are practically nonexistent. In addition to his law enforcement responsibilities, the Chief serves as the City's fire marshal and civil defense director.

Although the Sheriff's and the Chief's responsibilities are similar and often overlap, the Chief is more concerned with traffic enforcement and enforcement of ordinance violations, responsibilities normally outside the purview of the Sheriff. In addition, the Chief personally inspects the City's business establishments and advises businessmen on matters of building security practices.

The Chief's one Officer recently completed a 480-hour recruit training course at the Permian Basin Law Enforcement Academy in Midland. This extensive training program is mandatory, but in sending the man to school

the Chief's meager resources were stretched to the limit. The Chief occasionally hires extra men to work ball games. However, these men do not possess full law enforcement powers and cannot be considered a part of the Chief's resources.

- H. Cooperation between the Sheriff's Department and the Police Department is excellent. Although each has its responsibilities, duties often overlap. There is no deliberate attempt to cooperate. It just happens. The Sheriff may receive calls from Stanton residents and either handle them or refer them to the Chief. When the Chief's Patrolman was going to school, the others—Chief, Sheriff, and Deputy Sheriff—took turns covering his shift.
- I. The City of Stanton is committed to the principles of effective and efficient government as evidenced by the recent appointment of a full-time City Manager. It was not clear at the time of the survey what the reporting relationship will be between the City Manager and the Police Chief. Obviously, the relationship must be spelled out so that both parties know their respective roles. The City Manager can be an effective leader in police matters if he: (1) helps define departmental goals; (2) requires the Chief to evaluate the Department; (3) encourages the Chief to be a community leader; and (4) demands good police performance.

IV. POSSIBLE COURSES OF ACTION

- A. There are several possible courses of action which the two Departments could take to improve law enforcement services in Martin County. They range from merging resources at one end to individual improvements at the other.
- B. A total consolidation of the two Departments is one possibility, but as noted at the beginning of this report it is an alternative which would be difficult to implement. Therefore, this report will not present a plan based upon this alternative.
- C. The main problems of the Sheriff's Department and the Stanton Police Department stem from the lack of manpower to provide adequate coverage around-the-clock to the residents of Martin County. The following are possible courses of action to rectify this situation:
 - 1. *City-County Law Enforcement Building.* The Stanton Police Department would vacate its quarters in the City Hall and move in with the Sheriff's Department in a wing to be built off the current jail.
 - 2. *Records and Communications Center.* Although location in the same building would not ensure joint provision of services in other areas, it would be unfortunate if the City and the County did not take advantage of this unique opportunity to serve residents of the area more effectively and economically through a centralized records and communications center.
 - 3. *Sharing of Personnel.* Additional manpower is required to staff both the full operations and office operations of the two Departments. Although there is no way to avoid investing more resources than are currently being invested in law enforcement, sharing of personnel would minimize the additional expenditures.
 - 4. *Devest the Sheriff of His Tax Assessor-Collector Duties.* State law provides the legal basis for accomplishing this objective. The Sheriff currently spends considerable time on tax assessing and collecting duties, particularly during the months of January, February, and March when vehicles are registered and during September and October when property is assessed, the roll spread, and collections start to arrive. These duties detract from the Sheriff's law enforcement responsibilities and are not considered a wise use of a professional law enforcement officer's time. A separate, full-time tax assessor-collector would more than likely improve property assessing in Martin County.

V. RECOMMENDED COURSE OF ACTION

- A. The Sheriff and the Chief should share office space. Action required is to add a wing on the current county jail sufficient to house the Sheriff and his personnel, the Chief and his personnel, a joint training-roll call room, an interview room, a central office area for records and communications operations, storage room for property and supplies, a small locker-shower room, and a small kitchen.

Not only will the implementation of this recommendation provide adequate space for the two Departments, it will facilitate the provision of police services to Stanton and Martin County residents. Office space is also needed by the new Stanton City Manager. Apparently he will be required to share space with the Chief unless other arrangements are made.

The new wing should be constructed by Martin County. The County should charge the City an amount sufficient to assist in paying the principal and interest on any bonds issued to finance the project and for necessary maintenance and operation expenses. The charge should be based on the amount of space used by the Police Department plus a share of the space used jointly with the Sheriff.

- B. Although location in the same building will not ensure cooperation in other services, it would be unfortunate if the City and the County did not take advantage of this unique opportunity to serve residents of the area more effectively and efficiently through a centralized records and communications operation.

A joint police records and communications center should be established. It would have the capability of providing routine and emergency communications services; the receipt, processing, and safekeeping of all police records; and the coordination of interagency data. A central police service telephone number should be established. The communications center should also contain a teletype unit.

The records and communications center should be staffed by three dispatchers. One of these should be one of the current clerical employees of the Sheriff, while two must be hired. These three employees will provide coverage during 120 of the 168 hours in a week. During the remaining 48 hours, the Sheriff and the Chief should agree to share the on-call time with telephone calls terminating at either the Sheriff's residence or the Chief's residence depending on who is on-call. On-call hours should be arranged to coincide with the least busy periods of the week.

Financing of this joint service should be shared by the County and the City, and distribution of costs should be as simple as possible. It is suggested that the salary of one of the two additional dispatchers be paid by the City and the salary of the other by the County. Maintenance costs of the base station and the control console should be charged to the County. Maintenance costs of the console in the Sheriff's home should be charged to the County. Telephone costs as well as the cost of supplies should be shared by the County and City. The City should be charged for the cost of maintaining the console in the Chief's home and the Chief's mobile units.

- C. Two additional police officers should be hired, one by the Sheriff and one by the Chief. The two additional officers should enable the two Departments to reduce the hours of work, provide additional patrol services, perform more thorough investigations, and allow time for needed in-service training.
- D. Common report forms should be adopted by the two Departments. At a minimum these forms should include a standard offense report form, a standard accident report form, the uniform traffic citation, and a complaint/dispatch record which should be used to record all calls received by the Sheriff and the Chief regardless of whether a formal offense report is used. It should be used as the official report when an offense report is not required. A sample form is included as Attachment 1. It should be noted that the complaint/dispatch record contains spaces to record various times using a time stamp.
- E. The Martin County Commissioner's Court should hold an election on the question of adding a tax assessor-collector to the list of authorized elected county officials. This method of separating the duties of tax assessor-collector from those of the sheriff is authorized by Section 16a of Article VIII of the Texas Constitution, and should be accomplished as soon as possible.

If this election results in the separation of duties of these two officers, officials of the City of Stanton and the Stanton Independent School District should immediately consider transferring their tax assessing and collecting duties to the county tax assessor-collector. Section 1 of Article 1042b of *Vernon's Annotated* authorizes this transfer. Section 4 stipulates that the property of jurisdictions using the services of the county tax assessor-collector must be assessed at the same value as it is assessed for county and state purposes. Currently property is assessed at approximately 33 percent of cash value for county and state purposes, 40 percent for city purposes, and 50 percent for school purposes. It would be appropriate that the County and the City raise their assessments and lower their tax rates accordingly. Any negative effect on county and city taxpayers would thus be minimized.

Although a more professional approach to tax assessing and collecting cannot be assured by separating these duties from the Office of Sheriff, it would at least relieve the Sheriff from performing a duty which detracts from his law enforcement responsibilities. It can be predicted with some confidence that the Sheriff will use this opportunity to upgrade law enforcement. Although this study did not include a review of efforts to improve the administration of the property tax in Texas, this report would not be complete without listing a few of the advantages to the several Martin County jurisdictions of having a full-time tax assessor-collector. They can be listed as follows:

1. The tax assessor-collector, being a full-time officer, could attend training courses, become certified to perform this function, and participate in other endeavors for professional self-advancement.
2. By combining the assessment function of the City and the School District with the County, the salary of the tax assessor-collector could be increased sufficiently to attract enough qualified candidates for this office.
3. A full-time tax assessor-collector would have the time to inspect property to determine whether all property was being reported, to participate in assessment ratio studies, to determine inequalities in assessments, and to keep up-to-date tax maps and records.

Attachment 1

COMPLAINT/DISPATCH RECORD

Time Received	Complaint Number		Description of Complaint						Back in Service	
	Address						Unit(s) Assigned			
	Complainant Name			Address (if different)			Phone			
	How Received		Location		Action Taken					
	<input type="checkbox"/> Phone <input type="checkbox"/> In Person <input type="checkbox"/> On View		City _____ Out of Town _____		<input type="checkbox"/> Unfounded <input type="checkbox"/> Cleared By Unit <input type="checkbox"/> Offense Report <input type="checkbox"/> Traffic Report					
Time Dispatched	<input type="checkbox"/> Juvenile <input type="checkbox"/> M <input type="checkbox"/> F		Description of Suspect						Arrived on Scene	
			Race	Age	Height	Weight	Hair	Eyes		Complexion
	Description of Vehicle						<input type="checkbox"/> Stolen <input type="checkbox"/> Clean			
	Make	Model	Style	License Number and State						
Remarks:										
						Dispatcher:				
						Initials		Date		

- Notes:
1. Prepared on all police service actions.
 2. Used as final report where follow-up unnecessary.
 3. May be card stock, punch card size.