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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)
POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT An Assessment of the Potential for
Law Enforcement Consolidation

REPORT NUMBER 76-222-108

FOR Summit County, Colorado

Population: 6,200 (estimate)
Police Strength (Sworn): 22 (all de-
partments)

Square Mile Area: 616

CONTRACTOR Public Administration Service
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CONTRACT NUMBER J-LEAA-002-76

DATE July 25, 1977

43416

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FOREWORD

This report was prepared in response to a request for technical assistance from local government and law enforcement officials in Summit County, Colorado (through the North West Colorado Council of Governments), in the form of a feasibility study of law enforcement consolidation in the county.

The consultant assigned was Mr. Charles M. Girard, and others involved in processing the request were:

Requesting Agency:	Mr. David Young Criminal Justice Coordinator North West Colorado Council of Governments (on behalf of Summit County jurisdictions)
State Planning Agency:	Ms. Nancy C. Maron Planning Director Colorado Division of Criminal Justice
Approving Agency:	Mr. James G. Vetter Law Enforcement Program Manager (Police) LEAA Region VIII (Denver)
	Mr. Robert O. Heck Police Specialist LEAA Central Office of Regional Operations

I. INTRODUCTION

The consolidation of police services in Summit County, Colorado, has been an active issue since 1970. A feasibility study was conducted in late 1972, and the report,^{1/} published in March, 1973, concluded that law enforcement problems in the county focused on fragmented services and limited resources; the solution was identified as development of a partnership relationship among the various jurisdictions and agencies and avoidance of competition and isolation. Determination, good will, and cooperation were described as being necessary to surmount the obstacles. However, when the issues of home rule and consolidation were put to a vote later that year, Summit County voters turned them down by a 3-to-1 margin.

Interest in police consolidation has nonetheless persisted, and on October 13, 1976, the mayors of the five localities involved, their chiefs of police, the sheriff, and the chairman of the county commissioners signed a petitioning letter to the state planning agency requesting another feasibility study to determine the pros and cons of consolidation of all police agencies in Summit County.

This study, which resulted from that request, was tasked with surveying existing resources, assessing existing problems, and providing alternative methods of delivering police services; supplementary to those tasks, it also outlines the legal basis for consolidation and attempts to provide insights into the likelihood of successful law enforcement consolidation in Summit County.

During the on-site phase of the project in the week of March 28, 1977, the consultant examined various state, county, and municipal documents and records as background to the situation and interviewed the following persons:

^{1/} Dr. George D. Eastman, Individual Technical Assistance Report in Response to a Request for Technical Assistance by the Summit County Sheriff's Department, Public Administration Service, Chicago, Illinois, March 9, 1973.

Mr. Ed Bibee
Chief of Police
Silverthorne, Colorado

Mr. Wayne Bristol
Mayor
Frisco, Colorado

Mr. T. Brunvand
Summit County Commissioner

Mr. Cecil Carsten
Town Manager
Silverthorne, Colorado

Mr. T. Eagye
Administrator
Summit County Sheriff's Department

Ms. Liz Etie
Summit County Commissioner

Mr. Robert Farris
Sheriff, Summit County

Mr. Scott Gould
Summit County Commissioner

Mr. William Koonce
Chief of Police
Frisco, Colorado

Mr. R. Levensgood
Town Manager
Breckenridge, Colorado

Mr. C. Lewis
Cooper Mountain Resort

Mr. R. Maynard
Keystone Resort

Mr. D. Mead
Communications Consultant

Mr. D. Mikulecky
Summit County Manager

Mr. Rowland D. Porter
Chief of Police
Dillon, Colorado

Mr. Lee R. Woolsey
Executive Director
North West Colorado Council of
Governments

Mr. David Young
Criminal Justice Coordinator
North West Colorado Council of
Governments

II. ANALYSIS OF THE PROBLEM

In analyzing the problems that affect a possible consolidation of law enforcement in Summit County, background material on the area will be summarized and law enforcement resources and practices discussed in detail. The assessment of consolidation potential will include a look at both the legal basis for such a move and the political climate for change in 1977.

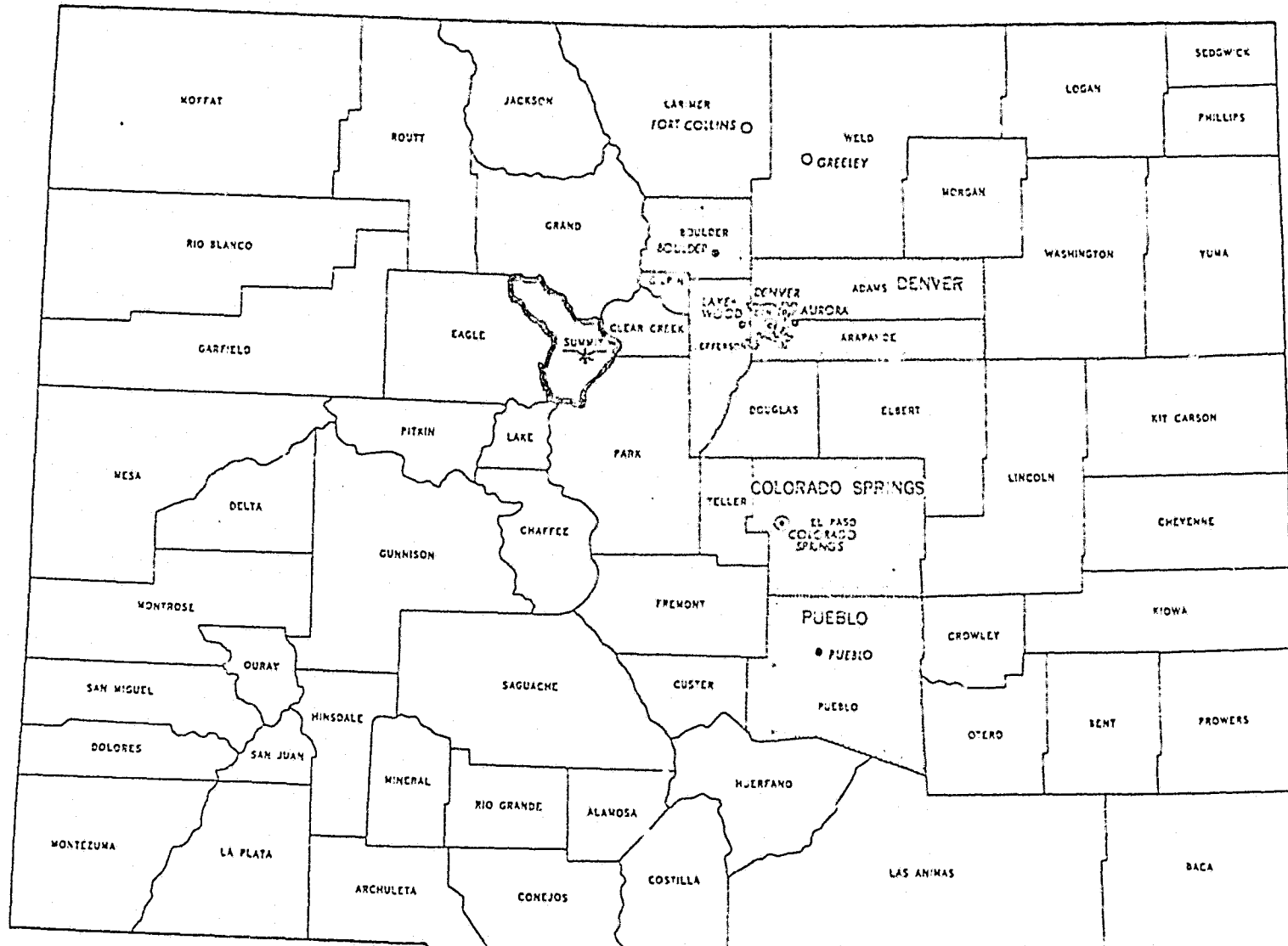
Background

Summit County, situated in the Blue River Valley of Colorado (see Figure I, a map), is bordered by the Williams Fork Mountains on the east, the Continental Divide on the south, and the Gore Range on the west. Nearly 70 percent of its 616 square miles is composed of national forest, and the county's main source of income is tourism.

The county's population at the time of the 1970 census was 2,665, but the Bureau of the Census estimated its 1974 population at 5,200. The Colorado Division of Planning's 1975 estimate gave a high of 6,237 and a low of 6,117, but whatever figure is accepted, it is clear that the county has grown markedly and that the long-term trend is for an ever-increasing number of residents. The county's planning department reported in November, 1976, that between 1970 and 1976, some 5,347 housing units were added, with the September, 1976, total being 7,545. A large percentage of these are owned and inhabited--on a part-time basis--by nonresidents.

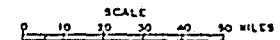
The county's extensive recreational facilities are the primary reason for the building of so many vacation homes, including the Dillon Reservoir, the A-Basin Ski Area, the Breckenridge Ski Area, the Cooper Mountain Ski Area, and the Keystone Resort. Dillon Reservoir recorded over 450,000 visitor-days in 1975, and there were over one million skier visits to Summit County during the 1974-75 season. When this tourist data is included, the total population jumps to an average of nearly 13,000 residents, a 142 percent increase over the 1974 estimate by the Census Bureau.

Figure I
 LOCATION OF SUMMIT COUNTY, COLORADO



LEGEND

- ⊙ Places of 100,000 or more inhabitants
- Places of 50,000 to 100,000 inhabitants
- Places of 25,000 to 50,000 inhabitants outside SMSA's



As a result of completing the first bore of the Eisenhower Tunnel in 1973, the county became more accessible to urban areas, and between 1972 and 1974, total traffic volume increased by 59 percent. The second bore of the tunnel, due for completion in the 1980's, is expected to further increase the amount of traffic on Summit County roads.

Law Enforcement in Summit County

Manpower

Summit County has a complement of 22 full-time, sworn local law enforcement officers, including the sheriff and various chiefs available for street duty. These officers are employed by the county's five local departments as shown in Table 1. If national data are used, it would appear that the manpower picture in the county is well above average; the sheriff's department alone averages 1.7 men per 1,000 inhabitants versus a national average of 1.3 men per 1,000.^{2/} This comparison is faulty in that the county's permanent population does not provide a sound basis for determining law enforcement manpower needs. Rather, the number of permanent residents must be considered in conjunction with the area's large tourist population. Such a calculation indicates that, in fact, the sheriff's department is seriously undermanned at .7 men per 1,000 people.^{3/} To further complicate this issue, when each department is considered separately, only the sheriff's department has a staff sufficient to provide 24-hour, one-man patrol, 7 days per week.^{4/}

^{2/} Federal Bureau of Investigation, Crime in the United States: 1975 (Washington, D.C.: U.S. Government Printing Office, August, 1975), p. 223.

^{3/} Annual average population utilized 12,799 based on information provided in Land Use and Population Analysis: Summit County, Colorado, prepared by Summit County Planning Department, p. 120.

^{4/} A police force of approximately 5 men will provide 24-hour patrol of one man; a force of 11 men will provide minimal back-up services for the 1-man, 24-hour patrol; and, a force of 18 men will provide investigative services and an additional second patrol. Three 24-hour patrols and minimal support personnel would result in a force of some 23 men. Thus, it would appear that a force of about 20 men would provide for continuous patrol with more than one patrol per shift, together with preliminary investigative and administrative services. From John L. Callahan, "Viability of the Small Police Force," The Police Chief, March, 1973, pp. 56-59.

Table 1
 AUTHORIZED POLICE POSITIONS
 SUMMIT COUNTY, COLORADO

<u>Agency/Unit of Government</u>	<u>Chief- Administrator</u>	<u>Under- Sheriff</u>	<u>Investigator</u>	<u>Deputy- Patrolman</u>	<u>Totals</u>
Summit County Sheriff's Department	1	1	2	5	9 ^{a/}
Frisco	1			2	3 ^{b/}
Silverthorne	1			1	2 ^{c/}
Dillon	1			2	3 ^{d/}
Breckenridge	<u>1</u>	-	-	<u>4</u>	<u>5^{e/}</u>
Totals	<u>5</u>	<u>1</u>	<u>2</u>	<u>14</u>	<u>22</u>

^{a/} Total does not include dispatch/commissions personnel because they will function under the county "communications department" per information provided by T. Mikulecky, County Administrator, March 29, 1977. In addition, the four personnel assigned to the jail, one civil officer, and two administrative employees are not included.

^{b/} A reserve officer also averages 70 hours per month.

^{c/} Town plans to hire an additional officer during 1977 per discussion with C. Carstens, Town Administrator, March 30, 1977.

^{d/} Town plans to hire an additional officer during 1977 per discussion with R. Porter, Chief of Police, March 30, 1977.

^{e/} Notably, a temporary employee also works on a 35-hour-per-week basis. Additionally, one additional full-time position is projected for 1977. Further, a seventh officer may be added during the ski season. Information drawn from a personal letter from Jim Wanek, Chief, dated April 22, 1977.

However, if the total number of sworn patrol officers employed by all the county's local agencies is used, this rate jumps to 1.7 per 1,000, even when tourists are considered. This rate exceeds that available to countywide operations throughout the United States (1.7 versus 1.3^{5/}), and if this manpower complement were administered under a single organization, the county would have law enforcement services available around the clock throughout the year.

Police Education and Training

Another aspect of the manpower picture concerns the education and training of the various officers. While all agencies, with the exception of the Breckenridge Department, require basic Colorado Law Enforcement Training Academy (CLETA) certification of new officers, the issue of education and training is moot. More specifically, although all agencies seek high school graduates as patrol officers, strict written policies to this effect do not consistently support this objective. Further, due to the small size of the various agencies and the need to field manpower on an ongoing basis, the departments have found it extremely difficult to participate in any type of in-service training.

As indicated, the Breckenridge Police Department is an exception to the education and training profile projected by the majority of the county's local departments. In fact, the department's chief has pointed out:^{6/}

. . . all officers have college backgrounds; two officers have more than one degree; three officers have B.A.'s, and one officer is in the final year of the B.A. The average police experience is 3.5 years (and) . . . since August, 1976, the officers have participated in 41 internal or external training seminars for a total of 234.5 hours of in-service training.

^{5/} Federal Bureau of Investigation, Crime in the United States: 1975, p. 223.

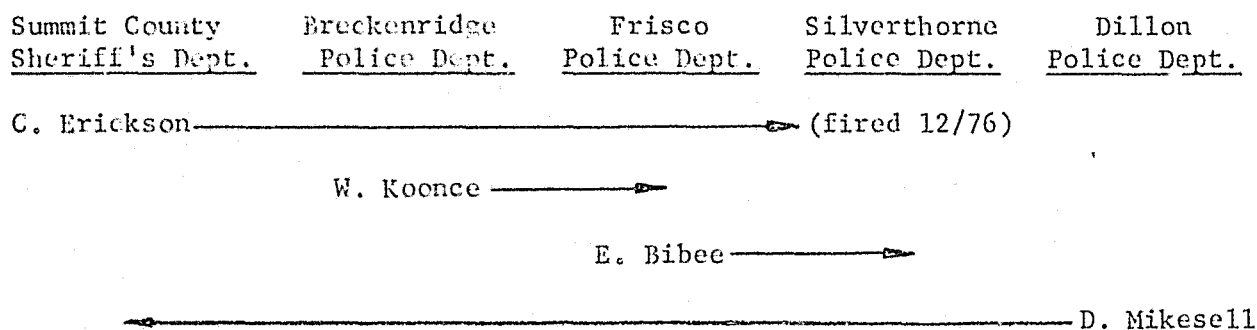
^{6/} Personal letter to Dave Young from Jim Wanek, Chief, Breckenridge Police Department, April 22, 1977.

Prior Experience of Law Enforcement Officials

In reviewing the experiences of a number of the local law enforcement officials, an interesting phenomenon becomes apparent. There is a revolving population of officers among the area's departments, as depicted in the following table. When local officials were queried about this condition, their responses suggested that due to the difficulty in recruiting law enforcement "types," when an officer "gets in trouble" with a local elected official and/or his chief, he simply travels a few miles down the road and can normally find a job as long as he hasn't done something "illegal."

Table 2

CAREER PATHS OF KEY LOCAL OFFICERS



The reasons for these career switches should not be solely attributed to problems or disagreements. Yet, it is interesting to note that many of these changes occurred in conjunction with wholesale re-staffings of a number of the agencies; e.g., W. Koonce, Frisco's current chief, left Breckenridge in 1976 to take a position in Frisco when that town's leaders decided to change the community's law enforcement image to one of "soft sell/public service." Similarly, E. Bibee moved from Frisco to Silverthorne when the former community's leaders decided they wanted ". . . less hard-line law enforcement and more of a citizen's home guard force."

This analysis is not meant as criticism of the abilities or sincerity of the various officers; rather it is offered to provide a perspective as to the nature of the local law enforcement community. Further, it is presented

to provide additional fodder for consumption by those considering law enforcement consolidation alternatives for the county. Clearly, as the analysis indicates, when law enforcement "purges" took place in various local agencies, a number of the officers involved simply changed the color of their uniforms and continued as keepers of the peace elsewhere in Summit County.

Internal Operating Systems

The following table compares conditions in the county's local law enforcement agencies vis-a-vis various control and operating systems traditionally found in such organizations. As the table indicates, the extent and nature of the support systems vary among the local agencies. Brief comments regarding each system follow:

- o Policies and Procedures: The written policies and procedures that are the basis of the operations of the majority of the departments are skeletal at best. Thus, as shown in the table, they were considered as nonexistent for purposes of this analysis. Albeit the departments are small, it would be to the benefit of the communities in consideration of potential legal liability issues to formulate basic policies and procedures for their departments.

Policies and procedures used in the Sheriff's Department serve as a good foundation for operations; yet they should be reviewed and updated on an ongoing basis with regard to contemporary changes in local, state, and federal laws.
- o Offense/Crime Reporting: Not all agencies participate in the Uniform Crime Report (UCR) processes in Summit County. Thus it is difficult to track actual crime experiences in the county. Further, the various towns' elected officials have no established "yardstick" by which to judge their departments' effectiveness. Moreover, efforts should be made to promote the coordinated reporting of crime through the UCR process in Summit County.
- o Forms Utilized: Currently, each agency employs a wide variety of forms designed by their personnel. Further, a number utilize certain state records/forms (e.g., tickets). In terms of records comparability and interfacing between and among the various agencies, it would be preferable if some of the forms were standardized. In addition, the towns could then purchase such items at less cost on a bulk basis.

INTERNAL OPERATING SYSTEMS

Control and Operations Systems	Status of System in Department				
	Summit County Sheriff's Dept.	Breckenridge Police Dept. ^{a/}	Frisco Police Dept.	Silverthorne Police Dept.	Dillon Police Dept.
<u>Policies and Procedures</u>					
• General Orders/Departmental Procedures Manual	Existent	Not available	Nonexistent	Nonexistent	Nonexistent
<u>Records Systems</u>					
• Offense/Crime Reporting (UCR)	Participates in UCR system	Participates in UCR	Does not participate in UCR	Does not participate in UCR	Plans to participate in UCR, April, 1977
• Activity Reporting	Yes	Yes	Yes	Yes	Yes
• Forms Utilized	Combination of state and departmental designed	Not available	Combination of state and departmental designed	Combination of state and departmental designed	Combination of state and departmental designed
<u>Evidence and Property Control System</u>					
• Written Procedures	Existent ^{b/}	Not available	Nonexistent	Nonexistent	Nonexistent
• Nature of Facilities for Storage of Property	Locker and Storage Barn ^{b/}	Not available	File Cabinet/Desk	Built-in Lockers	File Cabinet/Desk

^{a/} Because the Breckenridge Chief of Police was sick the week of March 28, only limited information was available to the consultant on these aspects of department's operations. Such data was provided by the Town Manager during a March 29 interview.

^{b/} During the on-site visit, the Sheriff's Department evidence system was under review by departmental personnel and an audit was being conducted at the request of the County Board of Commissioners.

Radio Communications

Radio communications are currently provided to all law enforcement agencies by the Sheriff's Department. To improve this capability, the county in cooperation with the various town departments and the North West Colorado Council of Governments has tendered an application with LEAA. Further, a Summit County Communications Board has been structured to provide policy direction to the implementation of the updated system, and the county administrator has organized a new Communications Department to administer the system in an efficient and effective manner.

Unfortunately, while efforts to improve coordinated law enforcement communications could be expected to meet with little opposition, this has not been the case in Summit County. One of the underlying reasons for this situation was summarized by a local chief in the following manner:^{7/}

. . . The area of communications development and improvement appears to be a continuing problem area from a standpoint of politics. Every governmental group seems to want to control the communications and its development, and the one body, the communications board, which was formed for this expressed purpose, seems to be incapable in this area due to limitations imposed.

With this situation in mind, those interviewed were asked a variety of questions regarding a consolidated communications operation. In every case, those interviewed offered the following opinions regarding the proposed system:

Question: Do you think the system will benefit law enforcement and the participating communities?

Responses: Yes.

Question: Do you have confidence in the technical capabilities and organizational prowess of the "consultant" (D. Mead) who has been retained to set up the system?

Responses: Yes.

^{7/} Letter to W. Bristol, Mayor of Frisco, from W. Koonce, Chief of Police, January 6, 1977.

Question: Will you use the system once it becomes operational?

Responses: Yes.

Question: Do you think the system will serve as a first step toward the development of more cooperative working relationships between the county's local law enforcement agencies?

Responses: Yes, if politics is kept out of the operation and if Summit County keeps the towns informed as to the number of activities/calls that are dispatched through the system for each jurisdiction.

As summarized by one town administrator, the upgraded communications system offers a unique opportunity to local law enforcement. However, ". . . if those at the top expect to disenfranchise the towns in the process as they did in the countywide building inspector programs, they are in for a rude awakening. In fact, if that occurs, my town will purchase its own radio communications equipment."^{8/} In short, although law enforcement personnel are ready to rely on cooperative communications, they should be handled carefully and all issues dealt with above-board if the program is to be a success.

Current Costs

The figures presented in Table 4 speak for themselves. Since 1975, the average costs to support the existing systems have increased by 40 percent. Further, the price tag has risen more than 50 percent in three towns--Frisco, Silverthorne, and Dillon. The residents of the various towns are paying higher prices to support their police departments as well as subsidize the sheriff's operation.

Even though conditions such as this are being faced throughout the United States, Summit County residents might wish to reassess continuing in the same direction when they realize that: (1) on a per capita basis, permanent

^{8/} Ibid. This opinion was expressed by more than one agency representative.

Table 4
 LOCAL GOVERNMENT EXPENDITURES FOR LAW ENFORCEMENT
 IN SUMMIT COUNTY^{a/}
 1975 - 1977

Agency	1975	1976	1977	Amount of Increase 1975-1977	Percent Increase 1975-1977
Summit County Sheriff's Department ^{b/}	\$166,386	\$161,256	\$232,599	\$ 66,213	40
Frisco	41,073	30,086	64,150	23,077	56
Silverthorne	35,829	30,335	64,546	28,717	81
Dillon	39,667	61,528	66,682	27,015	68
Breckenridge	<u>106,509</u>	<u>111,000</u>	<u>118,472</u>	<u>11,963</u>	<u>11</u>
Total	<u>\$389,464</u>	<u>\$394,205</u>	<u>\$546,449</u>	<u>\$156,985</u>	40

^{a/}This information was drawn from local budget documents. The 1977 figures are budgeted totals.

^{b/}Figures do not include costs for jail staff and operations which were approved at \$102,896 for fiscal 1977. Further, the 1977 figures do not include costs for operating the dispatch communications function. Permanent staff costs for this function during 1977 are estimated at more than \$32,000.

taxpayers are currently paying over \$100 each per year to support the existing police systems; and (2) costs for law enforcement operations range from 13 to 25 percent of local budgets.

While the scope of this assignment and the unique nature of Summit County's needs do not permit a detailed financial analysis or comparison of these totals with other jurisdictions, county residents may wish to undertake such a study. In any case, the populace of Summit County should be advised that the price of supporting existing systems is considerable and is unlikely to decrease in the future.

Assessing the Possibility of Consolidation

The Legal Basis

A review of existing constitutional, statutory, and other appropriate sources^{9/} of the legal basis for law enforcement and police services reorganization within the State of Colorado follows. In addition, the legal basis for intergovernmental cooperation in Colorado is discussed.

The Colorado Constitution

The present constitution of the State was adopted on March 14, 1876, and has been amended to keep it a viable document. The constitution includes few specifics concerning the enforcement of laws or the provision of police services. Article IV, Section 2, defines the Governor as the supreme executive of the State and directs that he is responsible for seeing that the "laws be faithfully executed." The Office of Sheriff is briefly mentioned under Article XIV, Section 6, which sets forth the offices and length of term of elected county officials. The duties and responsibilities of this office are set forth by statute.

^{9/} Sources include the State Constitution, various sections of Colorado Revised Statutes and Police Services in Delta County, Colorado, a report prepared by the Bureau of Criminal Justice, 1974, pp. 35-41 and passim.

The constitution is also vague regarding intergovernmental cooperation with one major exception: Article XX, Section 6, Home Rule, Facilities and Town. Amendment Number 3, Local Government Reform, however, does provide an alternative to existing fragmentation. The amendment,^{10/} although not specifically relating to law enforcement, provides for the organization, structure, function, services, facilities, and powers of "service authorities" to meet governmental needs on a regional basis. The amendment also provides for counties to abolish nonfunctional offices or consolidate duplicative ones. This home rule, in effect, would ensure that counties continue to provide those services required by law, not in the manner that was provided for in 1876, but within a framework for intergovernmental relations which would benefit society in both delivery of services and their cost.

Statutory Provisions: Intergovernmental Relations

Until the 1972 session of the State Legislature, political entities within the State were greatly restricted in seeking alternatives to the provision of police services on a unified or amalgamated basis. Article 2, Contracts for Governmental Services Sections CRS 88-2-1, 88-2-3, as repealed and re-enacted by Senate Bill 175, sets forth the authority for governmental units (meaning a "county, city and county, city, town, service authority, school district, local improvement districts, law enforcement authority, . . . or any kind of municipal, quasi-municipal, or public corporation organized pursuant to law") to "cooperate or contract with one another to provide any function, service or facility lawfully authorized to each of the cooperating or contracting units, including the sharing of costs, the imposition of taxes or the incurring of debt," upon authorization by the concerned parties' legislative body or other authority. In short, it provides that any one or more governmental units can provide a variety of services or activities. Notably, ". . . a recent opinion of the repealed statute by the State Attorney General, March 1, 1971, precluded the county sheriff from entering directly into contract with a city, town, or home rule city

^{10/} Two acts were signed that specifically relate to this amendment (CRS 1963 88-2-1 through 88-2-3 and 36-28-11).

(also see Attorney General Opinion 69-4306). However, a recent amendment (1971) to the Law Enforcement Authority Statute (36-27-10) provides legal authority for contractual relationship between municipality and board of county commissioners for the provision of "law enforcement, including the enforcement of municipal ordinances by the sheriff within the boundaries of the municipality."^{11/}

Article 3, Metropolitan Districts, 1947 Act, Sections 89-3-1 through 89-3-33 provides for the establishment of a variety of special districts including protective districts. The police protection district subsection of the act was repealed in the 1965 legislative session; however, under subsection (6) safety protection districts are authorized which are limited to those activities of a traffic nature (highway and railway).

In 1969, a bill (Statutes, Article 27, Section 36-27-1 through 36-27-9 as amended in 1971, Article 27, Sections 36-27-1 through 36-27-11) was enacted, authorizing a county to provide "additional law enforcement by the county sheriff, to the residents of the developed or developing unincorporated areas of the county." This unincorporated area is known as a Law Enforcement Authority (LEA). The authority is basically a taxing unit, created by county commission resolution and approved by a majority of voters. The authority can only be established upon the approval of tax-paying electors during a special election. A special tax levy not exceeding three mils on taxable property may be collected for payment of the operating expenses of the authority.

The Designation of Services (CRS 89-25-12) in the legislation which created the Regional Service Authorities (CRS-25-1) provides for, in accordance to local authorization, the initiation of certain areas directly relevant to the delivery of criminal justice services on a regional basis. These include: (1) "central purchasing, computer services, equipment pools and any other management services for local government, including: a procurement of supplies, acquisition, management, maintenance, and disposal of property and equipment, legal services, special communications systems, or

^{11/} Police Services in Delta County, Colorado, p. 37.

any other similar service to local governments which are directly related to improving the efficiency or cooperation of local governments"; and (2) "jail and rehabilitation."

Moreover, while this legislation offers no alternatives for the delivery of field services, numerous avenues are available in the provision of ancillary type services (staff and auxiliary services).

Statutory Provisions: Police Services

At the state level, two agencies have law enforcement responsibilities: the Colorado Bureau of Investigation (CRS 3-24-1 through 3-24-14) and the Colorado State Patrol (CRS 120-10-1 through 120-10-31). The Colorado Bureau of Investigation (CBI) agents have peace officer authority of the State, thus the power and authority of sheriffs, police, and other peace officers. The agency, however, may only investigate at the request of local officials (nonpolice and police) or upon the direction of the Governor. The Colorado State Patrol's responsibilities are highly restricted by statute to that of traffic enforcement and accident investigation. They do possess peace officer authority for traffic enforcement and may assist local agencies upon their request and with the approval of the Governor (CRS 120-10-31). They are also authorized to provide communications (radio and teletype) services to sheriff's offices and municipal police departments upon application by same (CRS 120-10-26).

The definition of peace officers is set forth under statutes CRS 124-23-3(5) and 99-2-1.

Minimum standards for peace officers are provided for under statutes CRS 124-23-1. The statutes fall short in several aspects: addressing initial entry level personnel only, "grandfathering clause," and the limited representation of the board members are just a few problems.

The duties and responsibilities of the county sheriff, a constitutional office, are set forth in statutes--the primary one relative to law enforcement, peace officers, and jails (CRS 35-5-1, 99-2-1, and 105-7-1, respectively). The sheriff is the responsible peace officer (CRS 34-5-16) for preserving the peace, quieting and suppressing all affrays, riots, and unlawful assemblies,

serving in the process of civil or criminal cases, and apprehending or securing any person for a breach of the peace in his respective county. The sheriff is also responsible for maintaining a county jail (CRS 35-5-11), which may be utilized by municipal governments for the confinement or punishment of offenders (CRS 139-32-130).

Although the sheriff is the "keeper of the county jail," provisions are made (CRS 105-7-19 and 105-7-24) for the utilization of jail facilities of counties nearest that county with insufficient jail facilities.

Cities and towns are authorized a variety of powers under the General Power Statutes (CRS 139-32-1). Included therein is the authority to enact ordinances which are to regulate the police, ordinances that prescribe the duties and powers of all police personnel, and ordinances which the police enforce. No distinction is made by city class regarding police powers. In towns, the office of marshal (CRS 139-6-5) is provided for; it is essentially that of a peace officer.

Moreover, Colorado State law provides for various forms of law enforcement reorganization. The key issue thus becomes the tenor of the political and organizational environment among those units of government contemplating such changes. This issue is addressed below.

The Outlook for Change

Inhibiting Factors

Although police reorganization is legally possible in Summit County, politics, organizational jealousies, and the distinctly different law enforcement philosophies of the various jurisdictions involved appears to preclude its occurrence in the near future. Brief examples of these "inhibiting" factors are:

1. The Omnipresence of the Sheriff. As noted above the sheriff is ". . . the responsible peace officer . . . in his respective county." As such, sheriffs' offices often serve as the facilitator, motivator, and provider for reorganized police services. While this is legally permissible in Summit County, it is pragmatically improbable. Rather than belabor the issue by repeating the various "attempts" at character assassination and

charges of organizational incompetency levied by interviewees against the Summit County Sheriff and his agency, two newspaper headlines are offered as indicators of the attitude of many of the county's police regarding the sheriff and his operation:^{12/}

"Dillon Chief Says: Farris May Face Auto Charge."

"Farris Charged for Speeding."

Moreover, while local law enforcement personnel are ready to work closely with line officers representing the Sheriff's Department, little confidence or respect was expressed for the agency's elected leader. As set out during field interviews, local law enforcement officers would strongly resist suggestions from the sheriff that they reorganize under his control. Further, the current sheriff as an elected official will, no doubt, be cautious in terms of efforts proposed to stimulate more cooperation and/or suggestions that law enforcement be reorganized during the remainder of his term. In short, his omnipresence as a constitutionally mandated law officer will continue as long as Summit County voters permit.^{13/}

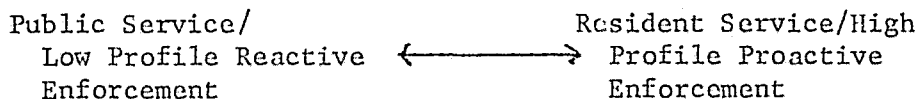
2. A Dichotomy in Law Enforcement Philosophy. Another key factor which bears on the potential for law enforcement reorganization in Summit County concerns the attitudes of the various "communities" in terms of "what they want" from their police agencies. However intangible, these attitudes provide a good indicator of the chances for "political" survival of the subject among an area's leaders and electorate.

When the various interviewees were queried on this point, the dichotomy depicted below became apparent.

^{12/} Summit County Journal, Volume 97, No. 38 and No. 39, September 16 and 23, 1976.

^{13/} On July 21, while this report was in final typing, Sheriff Farris and his chief deputy were arrested and charged with eight counts of felony theft. This development could have considerable bearing on the question of consolidation.

Law Enforcement Philosophies



In short, the various "communities"^{14/} within Summit County are supporting divergent styles of law enforcement. Patently, that is their privilege; however, to expect that proposals for reorganization/consolidation in such an environment would be viable is unrealistic at this point in Summit County's history.

3. The Impact of the Prior Experience. As described earlier, a number of the area's key law enforcement officers (e.g., chiefs in Frisco and Silverthorne) have gained experience in sister agencies in Summit County. It was further pointed out that the "best conditions and positive feelings" may not have existed between these officers and community representatives when they changed jobs. Nonetheless, they have continued to function as important cogs in the local law enforcement system and in a number of instances are now developing organizations of their own.

When this situation is considered in the light of its effect on the potential for countywide law enforcement reorganization, several conclusions may be drawn: (1) due to past experiences in particular organizational positions, various law enforcement officers and/or community members may strongly oppose the development of a new agency staffed by existing personnel and responsible to a broader clientele group than is currently the case; and (2) due to the development of their own "careers" and "departments," the law enforcement professionals now serving Summit County may resist efforts to reorganize and/or consolidate local law enforcement delivery systems.

^{14/} For purposes of this statement, "communities" includes private recreational providers as well as independent taxpayers.

III. FINDINGS AND CONCLUSIONS

The key findings of this technical assistance report, which has as its objective an analysis of Summit County's existing law enforcement delivery systems from the viewpoint of the potential for reorganizing or consolidating operations are summarized below. In addition, specific conclusions based on these findings are presented.

Background

Summary of Findings

Key findings on Summit County's socioeconomic background which are related to police services are:

- The county's major source of income is tourism.
- Nearly 70 percent of the county's 616 square miles are comprised of undeveloped natural forest.
- The area has experienced unprecedented growth in the first half of the decade of the 1970's.
- Population increases are projected for the future.
- When tourist data are considered, the area's population jumps to an average of nearly 13,000 residents, or 142 percent over the permanent count calculated by the U.S. Bureau of the Census.
- Due to the second home boom in the county, many of the area's housing units are occupied only on a part-time basis.
- The county's natural geography draws tourists interested in active and passive recreation.
- The "first bore" of the Eisenhower Tunnel made the county an attractive and accessible area to urban Colorado residents. The completion of the "second bore" is expected to further increase the flow of traffic through Summit County.

Conclusions

- While population figures alone do not portend increased strain on the county's law enforcement delivery systems, when considered along with the number of vacant second homes which provide prime targets for crimes against property, it is reasonable to assume that the need for law enforcement will continue to grow.

The Manpower Picture

Summary of Findings

- Summit County has a complement of 22 full-time local law enforcement officers, including the sheriff and the various chiefs available for street duty.
- If the area's average permanent population, including tourists, is compared with the total number of local officers available, Summit County's manpower complement exceeds national averages.
- Only the Sheriff's Department currently has enough men to staff a 24-hour, 7-day-per-week patrol operation.
- All agencies require new officers to complete CLETA basic training.
- With the exception of the Breckenridge Police Department, the various agencies have found it difficult to participate in in-service training. One major reason has been that the small size of the departments has not permitted officers to spend time away from their normal street duties.
- Many of the personnel switches that have occurred between the area departments have accompanied wholesale re-staffings of one or more of the organizations involved.

Conclusions

- When national averages are employed, it would appear that Summit County overall has an adequate number of local officers, but care should be taken in accepting this comparison considering the tourist "peaks" and "valleys" that occur throughout the year and the limited ability of the various forces to field manpower daily on a 24-hour basis.

- Due to the size of the various departments and the need to field all available manpower, it is unlikely that the level of in-service training activities will increase in the foreseeable future unless an outside agency intervenes in the process.

Internal Operating Systems

Summary of Findings

- Written policies and procedures undergirding the operations of the majority of departments are skeletal, at best.
- Written policies and procedures in the Sheriff's Department serve as a good foundation for operations.
- Not all agencies participate in the Uniform Crime Reports process.
- Currently the various agencies employ a variety of forms designed by their personnel. Further, a number utilize certain state records and forms (e.g., tickets).

Conclusions

- The lack of well-codified policies and procedures in a number of the departments could expose the agencies to legal liability problems.
- Without all departments participating in the standard Uniform Crime Reports process, it is difficult for local officials to evaluate the crime situation in Summit County. Further, without this "yardstick" for comparison, it is difficult to determine the effectiveness of the various agencies.
- The variety of forms being used makes data comparisons and sharing among the departments difficult. Further, if some standardization were implemented, each jurisdiction could appreciate savings through bulk purchase procedures.

Radio Communications

Summary of Findings

- Radio communications are currently provided to all law enforcement agencies by the Sheriff's Department.

- An application to upgrade the current system has been tendered with LEAA.
- A representative county communications board has been structured to provide policy direction to those that administer the upgraded system.
- Summit County has organized a new "communications department" to administer the proposed system.
- The area of communications development and improvement appears to be a continuing problem area from a standpoint of politics.
- Local law enforcement officials have confidence in the technical capabilities and organizational prowess of the consultant who has been retained to set up the system.
- Local law enforcement officials will use the system once it becomes operational.
- The system is perceived as a first step toward the development of more cooperative working relationships among the county's local law enforcement agencies.
- The towns feel a need to be kept informed as to the number of activities/calls that are dispatched through the system concerning each jurisdiction.
- If care is not taken in implementing the system, some agencies will develop their own communications capabilities.

Conclusions

- The upgraded communications system offers a unique opportunity to improve the cooperative relationships between the agencies as well as their service delivery capabilities.
- Extreme care will have to be taken in implementing the proposed system, and the various participants will need to be kept informed concerning the various aspects of the process.

Current Costs

Summary of Findings

- Since 1975, the average costs to support the existing systems have increased by 40 percent.

- Since 1975, the local law enforcement price tag has risen more than 50 percent in three area towns--Frisco, Silverthorne, and Dillon.
- On a per capita basis, permanent taxpayers are currently paying over \$100 each per year to support existing police systems.
- Costs for local law enforcement operations range from 13 to 25 percent of local budgets.

Conclusions

- Local law enforcement is a costly item in Summit County.
- Each year, residents of the various towns are paying higher prices to support their police departments as well as the countywide sheriff's operations.
- Summit County taxpayers should be advised of the magnitude of the costs for supporting all local law enforcement operations.

Legal Basis for Reorganization

Summary of Findings

- Colorado state law provides for various forms of law enforcement reorganization.

Conclusions

- Legally, steps could be taken in Summit County to reorganize the law enforcement delivery systems.

Probability for Law Enforcement Reorganization

Summary of Findings

- While local law enforcement officers are ready to work closely with line personnel representing the Sheriff's Department, they have expressed little confidence in or respect for the sheriff.

- The current sheriff will probably proceed cautiously in terms of efforts to stimulate more cooperation and/or suggestions that law enforcement be reorganized during the remainder of his term.
- Pursuant to state law, the sheriff is the responsible peace officer in his respective county.
- The various "communities" within Summit County are supporting divergent styles of law enforcement.
- A number of the area's key law enforcement officers have gained experience in sister agencies in Summit County. The best conditions and most positive feelings may not have existed between these officers and community representatives when they changed jobs. These law enforcement professionals are now developing police organizations for their new employers in Summit County.

Conclusions

- As an elected official, the sheriff will have to continue as a major participant in reorganization discussions.
- Due to dislike for or lack of confidence in the sheriff, local officers will be likely to resist steps to reorganize their operations under his auspices.
- Due to past experiences in particular organizational positions, various law enforcement officers and/or community members may strongly oppose the development of a new agency staffed by existing personnel and responsible to a broader clientele group.
- Due to the development of their own "careers" and "departments," the law enforcement professionals now serving Summit County may resist efforts to reorganize and/or consolidate local law enforcement delivery systems.
- Organizational jealousies, politics, and the divergent law enforcement philosophies held by the various communities of interest preclude the reorganization/consolidation of law enforcement in Summit County at the present time.

IV. RECOMMENDATIONS

Summit County is faced with a uniquely exacerbating situation. In the aggregate, the area has over 20 local law enforcement professionals available to keep the peace. However, these officers are divided among agencies and communities which expect different types of enforcement from "their" departments. Further, while the costs for law enforcement continue to rise, the ability of the populace to determine how the area stands in terms of crime is limited due to the fact that all agencies do not participate in the Uniform Crime Reports process. Lastly, based on a variety of indicators it appears highly unlikely that efforts to reorganize the existing systems under a new agency would be successful. To assist local decision-makers in formulating a strategy to deal with these conditions and to insure continued delivery of existing services in the most efficient and effective manner, the following recommendations are presented.

Internal Operating Systems

With regard to upgrading the standards of law enforcement support systems, the following should be considered.

- Development of Departmental General Orders and Policies and Procedures. The skeletal nature of policies and procedures utilized by the various departments should be improved. As appropriate, an LEAA National Technical Assistance contractor might be requested to provide input to this process.
- Standardize the Various Forms Utilized by Law Enforcement Agencies. The variety of forms being used by the local agencies makes data comparisons and sharing difficult. Consideration should be given to standardizing some of these law enforcement tools, e.g., tickets, offense reports, etc. As appropriate, an LEAA National Technical Assistance contractor might be requested to provide input to this process.

- Implementation of the Consolidated Communications System. Extreme care should be taken in implementing the proposed system. Further, information as to the value of the system to various jurisdictions should be provided on an ongoing basis after the system is established, by keeping records of the number of calls dispatched for each town department through the system. Otherwise, town officials and county commissioners will have no way of determining the impact of the system on each jurisdiction and/or the viability and cost-effectiveness to the county of supporting the entire system.

The Consolidation Issue

With regard to the issue of law enforcement consolidation, the following is offered:

- Action to Force Consolidation. Care should be taken in attempting to force police consolidation at this time. Such factors as varying law enforcement philosophies, the background of a number of participants in the current system, and the political climate suggests such efforts would be fruitless, despite the interest previously expressed (e.g., in the request for assistance) by the localities and their officials.
- The Development of a Local Study Committee. The Summit County representative to the North West Colorado Council of Governments, in conjunction with the elected officials in Summit County, should convene a specialized law enforcement study committee with assistance provided by the staff of the North West Colorado Council of Governments to further analyze the conditions noted in this report. In particular, the committee should look carefully at the relationships between the increasing costs for law enforcement services, the relative levels of professionalism extant, and the county's need to field law enforcement personnel 24 hours a day, 7 days a week, throughout the year. Publication of these facts and opportunities for objective discussion of them could result in important changes in public attitudes that would in turn affect those of law enforcement officials.