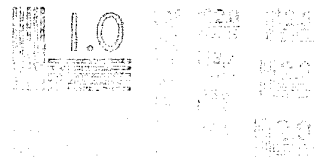


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**RESEARCH IN BRIEF:
THE VIOLENT FELONY
WARRANT SQUAD**

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December 20, 1984

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EVALUATION OF THE NEW YORK STATE POLICE
VIOLENT FELONY WARRANT SQUAD - EXECUTIVE SUMMARY

BACKGROUND

This document presents the results of an evaluation of the New York State Police Violent Felony Warrant Squad (VFW Squad). The VFW Squad is designed to apprehend persons wanted on violent felony warrants who have left the jurisdiction in which the warrant was issued. The program was created by the New York State Legislature in 1978 as one component of a larger criminal justice system effort to improve warrant enforcement.

Nature of the Problem

The New York State Legislature initiated this program based on the recognition that a great number of serious felons have outstanding, unserved warrants for their arrest. No clear, quantitative measure of the number of serious outstanding warrants existed in 1978 and no definitive measure is currently available. The New York State warrant record system is incomplete and inaccurate. Local jurisdictions fail to enter, in a timely fashion, all new warrants that are issued, and they do not always remove warrants that have been served. Based upon interviews and observations, it is clear that there were, and still are, a large number of unserved warrants, but an accurate measure of that number cannot be ascertained.*

Telephone interviews with warrant service personnel in other states established that this situation is not unique to New York. Respondents with access to local warrant system figures reported large numbers of outstanding warrants. However, at the state level (and in some localities), no accurate estimates of the scope of the problem could be reported.

*One respondent estimated that in New York City alone, there are more than 100,000 persons with outstanding warrants for their arrest.

An additional problem addressed by the VFW Program is specific to New York State. New York State Penal Code Statute 30.30 specifies that an apprehended individual may be released by the courts if the police cannot demonstrate "due diligence" in attempting to serve the warrant. Again, no records are kept to quantify the frequency with which 30.30 motions are filed, but prosecutors reported that it was a significant problem.

One reason for the large number of unserved warrants results from the organization and structure of the law enforcement system--felons can move freely across jurisdictions, while law enforcement personnel are restricted. Local warrant service agencies lack jurisdiction to conduct investigations across city or county boundaries. Respondents in local jurisdictions reported that limited resources were available to pursue warrant investigations, as well as to transport felons once they were found. The result is that the most serious offenders are vigorously pursued, while warrants for less serious offenses may be served only if the individuals are apprehended for another criminal offense or for a traffic violation.

OPERATION OF THE PROGRAM

The New York State Police VFW Squad is composed of ten operational units located throughout the state. The units are typically housed in regional state police barracks, although some units have made individual arrangements whereby the local prosecutor or sheriff's office provides some office facilities for their use. The total complement of 38 investigators is divided such that each unit is usually composed of four investigators, one of whom is a senior investigator. The senior investigator, while exercising supervisory responsibilities, serves as a full and active participant in investigative activities. The program is headed by a Captain based in New York City.

Each unit of the VFW program has the flexibility to establish its own form of working relationship with local law enforcement agencies. Consequently, the form of case intake, patterns of interagency cooperation, and investigative practices vary across the state. All respondents, interviewed on-site, noted that this flexibility is a key to the program's success. The ability to adapt

to local circumstances has served to increase the level of cooperation between the state program and the local agencies.

VFW Squad Warrant Service Procedures

The VFW program accepts referrals for eligible cases from a variety of sources. Eligible cases are those set forth by statute; additionally, offenses committed against persons over sixty, under twelve, or involving victims with physical infirmities are included. The Squad allows some flexibility in eligibility requirements in order to improve rapport with local agencies. For example, the VFW program will, upon a request from local law enforcement, pursue a defendant wanted for non-violent offenses if he or she has a violent offense history. Referrals are received directly from sheriffs' offices and police departments. In addition, warrants that are entered into the New York State record system will be selected by the Squad for investigation. Occasionally, other agencies, e.g., parole officers or the FBI, will make referrals.

Reporting Requirements. The VFW Squad submits regular State Police arrest and investigation reports. Except in the rare instance where a new offense occurs in the course of a warrant investigation, no incident reports are prepared. Similarly, the record-keeping and note-taking necessary to support testimony in court are usually not needed. The Squad does document its efforts to locate the wanted person in order to rebut potential appeals under Section 30.30 of the New York State Penal Code. Once the subject has been apprehended, very little additional paperwork is required. The suspect is not formally arrested, fingerprinted, or photographed by the State Police; these "booking" procedures are performed by the wanting agency. When the warrant investigation is not closed by arrest, an investigation report is completed in sufficient detail to satisfy the Section 30.30 requirements.

Arrest Procedures. When the VFW Squad apprehends a wanted person, no formal arrest procedure is invoked. The wanting agency is immediately notified, and arrangements are made to transport the prisoner as rapidly as possible. As

noted above, no photographing, fingerprinting, or interrogation take place. All credit for the arrest is retained by the wanting agency; however, the VFW Squad does clear the case by arrest on internal State Police management reports.

This feature (i.e., awarding arrest credit to the wanting agency) was particularly important in the development of the VFW program. In New York State, the "collar" is an extremely important statistic that has impact on police promotion and pay increases. When initially informed about the VFW program, local agencies expressed concern that they would have cases taken from them by the VFW Squad, and thus, lose the opportunity for credit on any subsequent arrest. The VFW Squad eliminated a major source of concern, and increased the likelihood of cooperation with local agencies, by carefully structuring their program so that the wanting agency gets full credit for all "collars."

VFW Squad Transport Functions

When a wanted person has been apprehended in a jurisdiction that is distant from the wanting agency, the costs associated with transporting the prisoner may pose a problem for the agencies involved. The wanting agency is normally held responsible for all transportation costs incurred in sending one or two officers to the apprehending agency, securing custody of the prisoner, and returning. This procedure typically involves several man-days, transportation, and per diem costs and related expenses. Respondents on-site noted that some agencies decline to transport persons wanted for lesser offenses, resulting in the release of those individuals.

The VFW Squad provides transportation services, upon request, to return prisoners to wanting agencies within the state. They use a relay system, whereby the VFW Squad assigned to the State Police barrack closest to the apprehending jurisdiction will transport the prisoner to its regional boundary where the prisoner is transferred to the next Squad. The relay process continues until the prisoner arrives at the wanting agency. The only paperwork involved in this process is the teletype messages necessary to organize the

relay. The Squad devotes between 5 to 10 percent of its manpower time to these transport functions.

PROGRAM EFFECTIVENESS

Program Goals

The VFW program's single goal--"to arrest individuals wanted for violent crimes who might not otherwise be arrested due to the wanted person fleeing the local jurisdiction or the inability of the local agency to devote the manpower to warrant enforcement"-- does not provide hard criteria for evaluation. No process goals (e.g., number of arrests to be made) or impact goals (e.g., a specific target level of reduction in outstanding violent felony warrants) are specified. The program's absence of measurable goals and objectives is due to: (1) lack of data on violent felony warrant service prior to the program's start-up, and (2) lack of comparable programs in other states.

In order to evaluate the VFW program, we established indicators of program performance. For activity (process) indicators, we looked at the proportion of VFW Squad cases closed by arrest, the frequency of use of the Squad's prisoner transport service, and whether prosecutors reported changes in the rate at which defendants filed "30.30" (lack of due diligence in warrant service) motions. To assess the program's impact, we examined changes in the proportion of violent felony warrants served and the time required for warrant service, both before and after the program's start-up. The evaluation tested two hypotheses: (1) the VFW Squad improves warrant service as measured by the two indicators noted above, and (2) the VFW Squad allows local agencies to devote their resources toward improving the service of non-violent felony warrants.

Findings

Activity Indicators. During 1982, the VFW Squad received 1,166 felony warrants, of which 910 were for violent felonies and 256 were for major offenders. The VFW Squad closed 80.5 percent of these cases by arrest and the remainder through investigation. At the beginning of 1983, the unit had 191 pending violent felony warrant cases, down from 208 at the beginning of 1982. The reduction in the number of pending cases is particularly meaningful given the increase in the number of new cases received, from 883 in 1981 to 1,166 in 1982.

A total of 312 prisoners were transported by the VFW Squad during 1982, an increase of 57 percent over the 178 prisoners transported in 1981. Interview data indicate that the VFW Squad's relay transport system is more efficient and cost-effective than transport by local agencies. The VFW transportation service consumes less investigative time (per officer) and incurs no overtime or per diem expenses, such as would likely be incurred by local agencies. Further, interview respondents, on-site, indicated that the VFW Squad may be transporting prisoners who would otherwise be released because local agencies are unable or unwilling to "foot the bill" for transportation. All respondents agreed that their local jurisdictions would willingly pay transportation costs for the most serious offenders. However, these respondents noted that their jurisdictions periodically decline to transport a prisoner who is wanted on a less serious offense. No jurisdiction maintained records of the frequency with which requests to transport prisoners were declined; however, respondents defined this practice as "not infrequent," prior to the VFW Squad's transportation service.

Prosecutors reported that fewer defendants are appealing convictions on "30.30" grounds (lack of due diligence in warrant service). Neither the courts nor the prosecutors' offices maintain records that enumerate the specific motions filed or the disposition of such motions. However, prosecutors attributed their observations of a decline in "30.30" motions to both the VFW Squad's documentation of efforts to serve warrants and the growing awareness, among defense attorneys, of the Squad's procedures.

Program Impact. Usable quantitative data addressing program impact were collected in two of the three study jurisdictions. In the first jurisdiction (A), sample data, reflecting both 1977 (pre-VFW) and 1982 (post-VFW) warrant service, were collected. In the second jurisdiction (B), total population data comprising all warrants processed during 1977 (pre-VFW) and 1982 (post-VFW) were collected. In the third jurisdiction (C), comparable samples were selected; however, the jurisdiction was unable to provide dispositions for the set of sampled warrants.

Data from Jurisdiction A (sample data) revealed improvements in both impact indicators. That is, in 1982, approximately nine percent fewer warrants remained unserved as compared to 1977, a 19.5 percent improvement. Similarly, slightly more than twelve fewer days were required to serve warrants in 1982 than in 1977, a 19 percent improvement. In Jurisdiction B (total population data), no improvement was found in the proportion of unserved warrants. However, slightly less than 50 fewer days were required to serve warrants in 1982 than in 1977, a 30 percent improvement. Because Jurisdiction B provided data on every warrant issued or served in the target years, the effects of the VFW Squad on the service of non-violent felony warrants were also examined, using the same indicators. The data reflected no improvements. No quantifiable conclusions can be drawn in the case of Jurisdiction C.

Interpretation of Findings. The evaluation tested two hypotheses: (1) the VFW Squad improves warrant service, as measured by a reduction in the proportion of violent felony warrants unserved and a reduction in the time required for warrant service; and (2) the VFW Squad allows local agencies to devote their resources to improving service of non-violent felony warrants. The data support the first hypothesis, but do not support the second. In one of the two jurisdictions providing data, the proportion of unserved violent felony warrants was reduced. In both jurisdictions, the time required to serve violent felony warrants was reduced. However, no improvement in the service of non-violent felony warrants was discovered. The data indicate that the increasing backlogs of unserved non-violent felony warrants are explained by large, steady

increases in the total number of warrants received each year by local agencies. These increases in total warrants assigned to local warrant squads dilute any impact that the VFW Squad may have on non-violent felony warrant service.

COST ISSUES

Three cost issues of concern in the replication of this program in other states, and in evaluating the New York Program, are considered in this evaluation: start-up costs, operating costs, and cost-effectiveness measurements in comparison to local warrant squad service.

Start-up Costs

Start-up costs for the New York State Police VFW Squad program were limited to the purchase of 29 vehicles and related equipment at fleet rates. Personnel were transferred from existing Bureau of Criminal Investigation (BCI) units. No additional equipment or training were required. Because New York had an existing State Police system with its own cadre of investigators and the necessary support equipment (e.g., computers, teletype, radios, office space, and related equipment), little additional expense was required to initiate the VFW program. States that lack statewide investigative agencies would need to bear the expenses associated with the development of an entire support system.

Operating Costs

Annual operating costs for Fiscal 1981 and 1982 were \$907,000 and \$920,000, respectively. Operating costs for Fiscal 1983 were just under \$1.3 million. The increase in operating costs for Fiscal '83 is attributed to the increase in staffing, from 29 to 35 investigators. More than 99 percent of all operating costs are attributable to salaries and vehicle-operating costs.

Cost-Effectiveness

The evaluation randomly selected 25 cases processed by the VFW Squad in 1983 for detailed study. Full data were collected on 23 cases. (Two related cases were treated as one, and one case arrived too late to be included in the sample.) Logs were maintained on these cases, detailing actual activities performed during case-processing together with associated time and place information. The logs were used to compare the actual VFW program cost for warrant service with estimated costs of local agencies performing the same activities.

Findings. A key finding is that many of the cases processed by the VFW Squad would not have been handled by local agencies. This reflects the fact that the investigation process often requires crossing jurisdictional boundaries. Sheriffs' offices would have worked 18 of the 23 cases with full data (78%) to completion. City police warrant squads would have worked only nine cases (39%) to completion.

New York State Police VFW Squad case-processing costs are comparable to those that would have been incurred had local agencies conducted the investigation. One sheriff's warrant squad would have cost approximately 13 percent more, per average case, than did the VFW Squad, while a second sheriff's warrant squad would have expended approximately 20 percent less. The determining factors are salary levels and overtime pay rates.

REPLICATION ISSUES

Interviews and observations on-site (in New York State), and telephone interviews with warrant system participants in ten states revealed three factors that are critical to replication of the New York State Police VFW Squad: (1) recognition that there is a problem with felony warrant service; (2) existence of a statewide law enforcement agency with investigative functions; and (3) a structure that permits flexibility in Squad operations.

Need for a Statewide Warrant Enforcement Agency

When wanted felons move outside of the jurisdiction issuing a warrant for their arrest, local law enforcement cannot readily cross jurisdiction boundaries to pursue them through warrant investigation. Typically, the wanting agency will contact (by telephone, mail, and/or teletype) the agency in which the wanted person is thought to reside, in order to request warrant service assistance. This assistance may, or may not, be forthcoming, contingent upon resource availability, prior cooperation between the two agencies, the seriousness of the offense, and other factors. If the felon is found to have moved to yet another jurisdiction, the process of requesting assistance must be repeated. A statewide law enforcement agency, by virtue of having jurisdiction throughout the state, eliminates these problems.

A state police, with investigative functions, provides an ideal vehicle to house a statewide warrant squad. A state police agency will already have trained staff and appropriate equipment. Most state police have access to, or maintain, a computerized information system. Further, most state police have a regional network of police barracks to facilitate service throughout the state. As one moves away from such a system, replication becomes problematic. Thus, states with non-investigatory highway patrols or, alternatively, those with statewide investigative agencies, but lacking a statewide barracks or state police support system (e.g., with only a state-level Bureau of Criminal Investigation), would need to replicate one or more of the support elements (e.g., computer system, office space in regional state police barracks, statewide teletype) provided to the VFW program by the New York State Police.

Need for Cooperation Among State and Local Law Enforcement Agencies

The experience of the New State Police VFW Squad supports the need for cooperation with local law enforcement agencies. These agencies are important for case referral, as well as for support during warrant investigation. Local agencies have information in their files concerning the offense and the

offender, and they can provide assistance in the field during surveillance and arrest activities.

The VFW Squad encourages cooperation with local agencies via several procedures. The State Police take no arrest credit for any apprehended felon. The Squad will take the initiative in identifying appropriate cases when the local agency is amenable to this procedure. Squad members maintain daily contact with the local agencies and deliberately work together with local warrant squads when possible. In addition, where practicable, the VFW Squad will serve as a liaison between local law enforcement and the State Police, in order to promote interagency cooperation. Respondents cited the importance of the individual personalities of the VFW Squad personnel as factors in fostering interagency cooperation; however, high levels of cooperation were found in all three sites despite the different personalities represented. This indicates that a positive orientation and the motivation to promote such cooperation, rather than simply personality attributes, are factors in its development.

Need For Flexible Local Operations

In order to cooperate with a large number of local warrant service agencies within a state, a statewide warrant squad must have the ability to be flexible in its operating procedures. Units of the New York State VFW Squad encounter a variety of different operating procedures, policies, personalities, and physical conditions within each of the local agencies with whom they work. The ability to adjust the VFW Squad's operating procedures to match those found at the local level was cited by all respondents as a key to the success of the New York State program. At the same time, the VFW Squad's policy of keeping paperwork to a minimum was cited as a technique that maximizes the use of investigators for warrant service. Supervision is maintained by supporting a professional attitude among VFW Squad investigators, frequent personal contact with the VFW Squad commander, and administrative attention to production (case closure) and activity statistics.

NEED FOR FURTHER RESEARCH

Our limited (10-state) telephone survey found indications that huge warrant backlogs exist. This problem varies in magnitude from jurisdiction to jurisdiction. Perhaps, most distressingly, no state or local site contacted was able to provide hard, quantitative data on the size or composition of the warrant backlog.

These indicators lead us to believe that this research effort has touched upon a significant, unrecognized problem in the U.S. criminal justice system. Basic research is needed to assess quantitatively the nature and extent of the warrant service problem. Minimally, research should be undertaken to determine whether any state warrant record systems are accurate and/or whether an accurate warrant record system is feasible. Finally, research should focus on variations in warrant service problems across jurisdictions and the factors associated with those variations.

EVALUATION OF THE NEW YORK STATE POLICE
VIOLENT FELONY WARRANT SQUAD--FINAL REPORT

1.0 BACKGROUND

1.1 The Problem

The Violent Felony Warrant (VFW) Squad was established primarily as a vehicle for transcending the jurisdictional barriers to apprehending fugitive defendants. By law and custom, sheriffs and municipal police departments in New York are limited in their pursuit capabilities by geographical boundaries unless they are in "hot pursuit." Consequently, once a defendant crosses a city or county line, the wanting agency usually cannot continue its investigation. In addition, limitations on manpower and resources tend to discourage local agencies from placing personnel outside the agency's primary jurisdiction for any length of time. If the defendant's whereabouts are known, the wanting agency can request the voluntary cooperation of the appropriate law enforcement agency, but if there is no positive information on the defendant's location, the warrant may be entered on teletype for statewide, regional, or even national dissemination.

Unfortunately, most enforcement agencies in New York are sufficiently busy with their own crime problems and lack resources to search intensively for a defendant wanted by another agency. As a result, it becomes far too easy for the defendant to elude justice unless and until he is apprehended for a new offense or traffic violation, at which time the outstanding warrant is executed as well. Normally, only persons wanted for the most heinous crimes become the subjects of intensive searches. Otherwise, once they leave the jurisdiction where the crime occurred, there may be only minimal attempts to find them, or there may be no attempt at all. Further, if the fugitives move frequently, the cumbersome procedures associated with the traditional inter-agency request and response process make multijurisdictional pursuits unlikely.

The magnitude of the problem of unserved felony warrants in New York is unknown. All local enforcement agencies maintain their own warrant files and there is no central record. Even NYSPIN (the New York State Police Information System) is an inadequate source because local agencies are inconsistent in their use of the system. Some warrants are never entered; others may be executed but never cleared from the information system.

However, it was generally agreed among the Violent Felony Warrant Squad, local law enforcement agencies, and state criminal justice officials that New York does, indeed, have a large number of wanted felons.

A second, related problem confronting local law enforcement agencies attempting to bring fugitives to justice is returning them once they are arrested. Typically, transportation is the responsibility of the wanting agency, but many local agencies simply cannot spare the manpower and vehicles for what may be a fairly lengthy trip (depending, of course, on the physical distance, which can be considerable in New York). Prisoners who are not picked up by the wanting agency will be released (once they have answered charges in the holding jurisdiction). Again, there are no data to substantiate the claim that some number of wanted persons are apprehended but released for want of funds to return them. Interview data suggest, however, that this practice would not apply to more serious offenders.

The state of New York also experienced problems in prosecuting certain felony defendants. Many defendants who were arrested after a long period as fugitives were successfully appealing their convictions on the grounds that law enforcement agencies failed to show "due diligence" in serving warrants as required by Section 30.30 of the state penal code (the so-called "30-30 rule"). Court records do not indicate the frequency with which 30.30 motions are filed or the ultimate dispositions of these motions. Still, several prosecutors throughout the state agreed that the practice had become a "thorn in their sides" when attempting to uphold the convictions of serious criminals.

The Violent Felony Warrant Squad addresses each of these problems. First, because it is a unit of the State Police, the only geographical boundary restricting its movements is the state line. Second, the Squad has assumed responsibility for intrastate transport of arrested fugitives, thereby lifting this burden from financially-strapped local agencies. Finally, detailed investigation reports prepared by Squad members can be used to rebut appeals based on a lack of due diligence in serving warrants.

1.2 Historical Context

Although this report focuses only on the activities of the Violent Felony Warrant Squad, it is important to recognize its place in the larger

context of an explicit intent on the part of the New York State legislature to "get tough" on violent felony offenders. In the fall of 1978, the legislature enacted several measures targeted specifically at violent felony offenders. These measures represent three facets of a fairly comprehensive approach to the problem of violent crime: (1) strengthening the available sanctions for violent felony offenders, (2) equipping criminal justice agencies to handle the increased caseload that was expected to result, and (3) attempting to ensure that these offenders cannot escape justice. Briefly, these measures were:

- Legislation that enhanced sentencing options and restricted plea bargaining for violent felony offenders. This same Act created two new categories of offenders: "juvenile offenders" and "armed felony offenders";
- A Major Violent Offense Trial Program to supplement the resources of the various components of the criminal justice system in anticipation of an increased violent felony trial caseload; and
- A statewide Violent Felony Warrant Enforcement Program to assist criminal justice agencies in executing violent felony bench, arrest, or parole warrants.

The stated goal of the Violent Felony Warrant Enforcement Program (VFWEP) is to identify and apprehend violent felony offenders who flee from justice or fail to appear in court as required. In pursuit of this goal, the Program supports five component parts:²

(1) Expansion of the statewide warrant notification system. Several agencies, including the New York City Police Department and the Warren County and Syracuse Probation Offices, were provided computer terminals for direct entry of warrant data into the statewide warrant data system maintained by the Division of Criminal Justice Services (DCJS). The system itself was improved to enhance its search capabilities and other services to user agencies.

(2) Establishment of a parole registrant system. On-line computer terminals were installed in the Division of Parole Central Office in Albany and in the New York City Area Office to facilitate registration of the 17,000 individuals on parole in the state of New York at that time.

¹New York State, Division of Criminal Justice Services, Semi-Annual Report: Violent Felony and Juvenile Offenses in New York State, January 1, 1981 - June 30, 1981 (New York: Division of Criminal Justice Services, August 1981), p. i.

²Ibid., pp. 181-185.

(3) Improvement of the state's capabilities to transmit fingerprint facsimiles;

(4) Expansion of DCJS staff to monitor and evaluate the overall Program; and

(5) Increased staffing of police, probation, and parole agencies, dedicated to the apprehension of violent felony offenders. Specifically, four agencies were targeted to receive funding through the Violent Felony Warrant Enforcement Program. The New York City Police Department supplemented its manpower by 150 sworn officers and seven supervisors assigned to the Warrant Division and selected patrol precincts throughout the City; also, as many as 27 civilian aides were hired to review all warrants issued within the City to identify cases meriting special attention under the VFWEF. Within the State Division of Parole, an absconder search unit was created, composed of one senior parole officer and up to 15 parole officers distributed throughout the state. The State Division of Probation supported a five-man Warrant Enforcement Program within the New York City Probation Department to serve as a liaison with the Police Department's Warrant Division; this program was terminated on March 31, 1981. Finally, the New York State Police assigned up to 29 investigators to Violent Felony Warrant Squads across the state to assist various state and local law enforcement agencies in executing violent felony warrants.

This report is concerned solely with the efforts, achievements, and replicability of the Violent Felony Warrant Squad, created within the New York State Police in March 1979.

1.3 Guide to the Report

The Violent Felony Warrant Squad was brought to the attention of the National Institute of Justice (NIJ) through a national field survey conducted by Abt Associates Inc. in 1982, with the purpose of identifying criminal justice programs designed to combat violent crime. Under contract to the NIJ, Abt Associates was instructed to undertake a formal evaluation of the program. Specifically, the purpose of this research was to determine (1) whether the VFW Squad has indeed been effective in achieving its stated goals, and (2) whether the concept can be replicated in other states.

As will be further elaborated below, the information contained in this report was obtained from four sources: (1) documents published by the New York State Division of Criminal Justice Services under its mandate to monitor and evaluate the Violent Felony Warrant Enforcement Program; (2) extensive personal interviews with state and local law enforcement officials and VFW Squad personnel; (3) primary data collected on site in three upstate New York locations; and (4) telephone interviews with state and local law enforcement personnel.

Details of the Squad's organization and operations appear in Chapter 2. The methodology employed to evaluate the program's success is described briefly in Chapter 3, and Chapter 4 analyzes the data collected in support of this evaluation. The costs incurred in implementing the VFW Squad and maintaining its operations are reviewed and analyzed in Chapter 5. Finally, Chapter 6 assesses the program's potential for replication in other states. Details on the evaluation design and methodology are contained in the Appendix.

2.0 OPERATION OF THE PROGRAM

The single stated goal of the VFW Squad is "to arrest individuals wanted for violent crimes who might not otherwise be arrested due to the wanted person fleeing the local jurisdiction or the inability of the local agency to devote the manpower to warrant enforcement." No explicit objectives were delineated, so that the program's designers in the State Police had little guidance from its creators in the Legislature to assist in shaping the program's structure and operations. Perhaps (but not assuredly), as a result, the Violent Felony Warrant Squad took shape in a form that departs dramatically from traditional police work in certain ways.

Most importantly, a State Police agency "shares" the jurisdiction of every local enforcement agency in the state. In New York, as in many states, law enforcement agencies are fiercely protective of their "turf," and there may be intense competition among them. The number of arrests credited to an agency is particularly critical: it is not only a standard of accomplishment, but also a measure of workload that is used in governmental funding decisions. Recognizing that the notion of a state agency making arrests on local turf might raise conflicts and impede the VFW Squad's performance, the program's planners decided to award the credit for arrests made by the VFW Squad to the wanting agency. This was a major selling point when the VFW Squad was first introduced to local law enforcement agencies; it was the only administrative tool incorporated in the program's design to facilitate interagency cooperation. Since program inception, VFW Squad investigators have been enterprising and resourceful in building rapport with agencies in their respective regions, and individual personalities clearly play an important role in the program's continuing success.

A second major point of departure for the VFW Squad is its mandate to specialize in a very narrow category of police work. The program's planners wanted to assure that the VFW Squad investigators would retain a high degree of autonomy to pursue their cases as they see fit. They addressed this need for independence by placing the VFW Squad in a unique, separate position within the State Police hierarchy. Although Squad members are physically located in regional barracks of the State Police, they report to a centrally-located Captain and not to the barracks commanders.

These two prerequisites for the program's success--cooperation with local law enforcement agencies, and the freedom to specialize and work independently--have important ramifications for the VFW Squad's organization and operations. In general, the VFW Squad is a flexible organization. This is unusual, given its placement within the para-military structure of a State Police. Investigators assigned to the VFW Squad are treated as professionals, and most day-to-day activities and decisions are left to their discretion. Invariably, the investigators described their daily routines as "doing whatever it takes to get the job done." Consequently, the following discussion of the program's organization and operation may appear to lack specificity. This flexibility has, however, enabled the Squad to adapt its operations to varying conditions in jurisdictions throughout the state. Indeed, this characteristic was inherent in the program's design and is evidently critical to its success.

2.1 Organization and Staffing of the VFW Squad

2.1.1 Organization

The Violent Felony Warrant Squad is composed of ten units, each covering a region of approximately seven counties. Although the barracks are generally quite close to the major city within each region, the unit serving the Syracuse/Utica area is situated in Oneida, a 40-minute drive from Syracuse. In contrast, the VFW Squad unit in Rochester has been given office space within the county prosecutor's office. Of course, the physical location of the Squad's offices is relatively unimportant since investigators spend most of their time on the street, working cases.

Each unit is staffed by two or three investigators and a senior investigator. In some of the larger State Police regions, one or two VFW investigators are located in small barracks rather distant from the VFW's regional headquarters, and are responsible for large rural areas. There is a total of 38 VFW Squad investigators across the state. The planners of the VFW Squad used no "formula" for determining the optimal number of investigators to assign to each unit. Ideally, this decision would be tied to the local workload, but planners felt they could not estimate the workload because it depended so heavily on the nature of the Squad's relationships with local enforcement agencies.

The ten regional units are centrally supervised by a Captain¹ (Capt. John Wallace) based in New York City. Because the Squad commander is remotely located, the degree of supervision over day-to-day activities is limited, especially by usual police standards. The senior investigators are very much a part of the team, sharing the responsibilities of their subordinates plus maintaining a liaison role with the Captain. Although the Captain visits each troop occasionally, the units are expected to function autonomously. There is very little paperwork, as will be discussed below; the investigators are not required to submit timesheets or detailed accountings of their movements. The general attitude is that they are professionals, and ultimately, that "the numbers (of arrests) tell the story." The emphasis is clearly on performance.

2.1.2 Staffing

Although there are no formal qualifications for the position of VFW Squad investigator, VFW Squad members prefer their colleagues to be "street savvy" and, above all, unquestionably trustworthy. Because they deal solely with violent felons attempting to elude arrest, VFW investigators are more likely than most law enforcement officers to find themselves in dangerous situations, and they must be able to rely entirely on their partners.

Recruitment and selection for the VFW Squad are conducted no differently than for any other assignment within the State Police Bureau of Criminal Investigation (BCI), e.g., narcotics. The BCI Captain in each troop maintains a list of troopers due for promotion and investigators seeking transfers; when a vacancy occurs within the VFW Squad, the top names on the list are recommended for the job. The final selection is made by the BCI captain, subject to the approval of Capt. Wallace. Senior investigators are chosen directly by Capt. Wallace.

This system of recruitment and selection is largely an accommodation to the State Police troop commanders, who, despite their superior rank and the physical location of VFW Squads in their barracks, wield no supervisory authority over VFW Squad investigators. This scheme was intentional, to

¹Capt. Wallace was promoted to this rank during preparation of this report.

prevent the Squad investigators from being pulled off their own cases to support routine BCI activities. Although this arrangement appears to have succeeded in achieving this objective, it has also led to some misunderstandings. The advantages and disadvantages are further discussed in Section 6.3.1 below.

2.1.3 Training

When the program began in 1979, personnel assigned to the overall Violent Felony Warrant Enforcement Program from the various component state and local agencies (see Section 1.2) attended an orientation session. This three-day meeting allowed participants to meet each other and learn about the origins, expectations, and configuration of the comprehensive program as envisioned by the state legislature. Since then, the VFW Squad investigators have met annually in Albany for "refresher" seminars in which they receive training in specific investigative techniques, obtain updates on pertinent statutes or case law, and reaffirm the camaraderie among the men. The only other source of training is informal, as investigators learn from each other, working together day to day.

2.2 VFW Squad Procedures

The VFW Squad's primary function is to handle violent felony warrants, by request, where the investigation is outside the jurisdiction of the requesting agency. When the program started up, investigators in each unit took the initiative to meet with local law enforcement officials in their respective regions to introduce themselves, explain their mandate, invite referrals, and enlist the local agencies' cooperation. Since then, Squad members have tailored their working relationships with local agencies to fit each jurisdiction's unique circumstances. As a result, there is considerable variability in case referral procedures. There are four ways in which the Violent Felony Warrant Squad can become involved in a case:

- by request from the wanting agency;
- by request from an enforcement agency that has been contacted to assist another agency in locating a wanted person;
- by selecting appropriate cases from the teletype listing of outstanding warrants; and
- by reviewing warrant logs at the local enforcement agencies.

Despite differences in the means of case generation, however, the actual investigative activities undertaken by Squad members are fairly standard.

The procedures involved in fulfilling the VFW Squad's principal mandate are described in the first four subsections which follow. The final subsection describes the VFW Squad's secondary function, which is to transport wanted persons among jurisdictions across the state.

2.2.1 Case Referrals

Eligibility Requirements

Under its mandate, the VFW Squad accepts all cases defined as violent felony offenses under the state's crime classification system. Such offenses include homicide, sexual assault, felony narcotics and the more serious degrees of assault, robbery, burglary, arson, and kidnapping. In addition, the Commissioner of the state's Division of Criminal Justice Services has added to the eligibility list all felony offenses against persons over age 60, under age 12, or with physical infirmities increasing their vulnerability to criminal victimization. The VFW Squad also pursues prison escapees and parole violators (where the underlying offense qualifies as a violent felony); indeed, investigators remarked that the latter category represents the most desperate and dangerous class of people. A final category of offenders eligible for referral to the VFW Squad is "major offenders," the so-called "career criminals" whose offenses may not be violent but whose records are serious enough to warrant special attention.

In 1982, a separate unit was created within the Violent Felony Warrant Squad with a mission to identify individuals and/or organizations suspected of involvement in the Illegal Sale of Firearms. By the end of the year, the unit had identified approximately 500 such targets, but only four arrests were made because the Squad's regular workload allowed only limited time for these special investigations. The Firearms Unit is still an operating arm of the VFW Squad.

It should be noted, too, that in order to build and cement rapport with local agencies, investigators occasionally assist them in apprehending offenders who may not fit strictly within the eligibility criteria. For example, they may help police in apprehending someone wanted for a nonviolent crime where the individual has a history of violent interactions with police. Table 4.1 (in Chapter 4) displays the classification of offenses investigated by the VFW Squad in 1982.

Another flexible aspect of the eligibility criteria is the defendant's believed location outside the jurisdiction of the wanting agency. The VFW Squad investigators are willing to pursue any violent felony warrant unless the local enforcement agency has positive information on the defendant's whereabouts within its own jurisdiction and thus does not want the Squad's assistance. Such a situation comes to the investigators' attention when they contact the wanting agency to obtain preliminary information on the case.

Referral Agencies

The preponderance of the warrants pursued by the VFW Squad are generated by the larger sheriffs' offices and police departments in the state. Some police and sheriffs' departments make referrals more frequently than others, depending on the size of their warrant units, the size of their caseloads, and their proclivity for working with other agencies. As was noted above, when the program started up, the VFW Squad investigators visited local law enforcement agencies to offer their assistance in apprehending fugitive defendants. These visits did not, in themselves, generate an immediate flow of case referrals; rather, the Squad's caseload has grown over time with the effects of individual personalities and increasing trust. Also, the importance of the "collar" (i.e., arrest credit) should not be overlooked or underestimated: as warrant officers and detectives in local enforcement agencies gained experience with the application of arrest credit in VFW Squad cases, they came to realize they would not lose arrest credit and began to welcome the VFW Squad's assistance.

In some locations, VFW Squads have developed cooperative relationships with enforcement agencies other than sheriffs' and police departments. In Syracuse, for example, the VFW Squad receives frequent requests for assistance from the parole officer assigned to the Search Unit (Parole's counterpart to the VFW Squad) in that region. In contrast, the parole officer assigned to the Rochester area Search Unit preferred to work his cases alone or with other parole officers and never called on the VFW Squad. The Squad in Rochester does, however, receive referrals occasionally from the local FBI office. In turn, the VFW Squad assists the FBI when appropriate. In some cases where the defendant has crossed state lines, the Rochester VFW Squad applies for unlawful flight warrants from the U.S. Attorney's Office in order

to bring FBI resources to bear on the case. Neither the Syracuse nor the Albany Squad reported working with the FBI in this way; it is another example of the VFW Squad's idiosyncratic operation in different environments.

In sum, interagency relationships are an aspect of the VFW Squad's operation that cannot be implemented by legislation or administrative directive. Although the arrest credit is an attractive incentive for a local agency to utilize the VFW Squad's resources, it will not generate case referrals without an element of trust, which, in turn, evolves over time with experience and demonstrated success.

Referral Procedures

As it was originally conceived, the VFW Squad would receive its cases solely by request from the wanting agency. Briefly, the local law enforcement agency or district attorney's office would receive a warrant from the court and conduct an initial investigation into the wanted persons' whereabouts. If that investigation revealed that the individual had fled to another area of the state, or if the wanting agency lacked the manpower to locate the individual, the agency would contact the VFW Squad to request assistance.

As the program has developed, however, each VFW unit has adapted the case referral procedures to fit the conditions that exist within each region. In Albany, the Squad reviews the teletype warrant listings daily, and the senior investigator visits the Albany Police Department every 3-4 weeks to scan the warrant logs for additional cases that appear to merit VFW Squad attention. Only infrequently did the Albany Police Department take the initiative to call the VFW Squad for help on a case. In Syracuse, VFW Squad investigators enjoy a highly cooperative relationship with the Onondaga County Sheriff's Warrant Unit. They have personal contact virtually every day and sometimes the VFW Squad will learn of a case before it is entered onto teletype. Most cases, however, are picked up from the teletype by the VFW Squad investigators. In Rochester, the VFW Squad relies almost totally on direct referrals from the Sheriff's warrant unit. This unit most closely resembles the referral process as originally envisioned, although even there, investigators initiate cases from the teletype and from other agencies as well.

Regardless of the means by which they generate their caseloads, though, all investigators believe they are working to capacity. From January

1, 1983 until the time of our site visits in August, the Syracuse VFW unit had handled 116 cases, of which six or seven were still active; and the Albany unit had handled 124 cases, of which 10-12 remained open. The Rochester Unit also handles more than 100 cases per year. In 1982, the Rochester Unit received 144 new cases. Furthermore, all respondents to the site visit interviews concurred on one point: the VFW Squad has never turned down a request (although the Rochester investigators say they have turned down inappropriate referrals).

There are no national standards that define optimum caseloads for warrant investigators. In 1982, VFW Squad investigators spent an average of 45.5 hours per case, or 53,053 man-hours on case investigation activities. (The time required varies by type of case; for example, robbery cases required an average of 64 hours per case for investigation.) In addition to investigative time, the VFW Squad expended 7,391 hours (12.2% of total available work-time) on non-investigation activities, including 1,800 hours conducting trooper applicant investigations, 1,100 hours at in-service schools and 4,100 hours assisting troop BCI units with criminal investigations (mainly murder cases). When another 10 percent of available work-time is added for transport functions, approximately 33 man-years are accounted for. As the VFW Squad has 33 investigators, it is reasonable to accept the notion that they are operating at capacity. The Squad's authorized strength is 39 investigators. Thus, it is operating at a 16 percent vacancy rate. If the additional investigators are brought on line, the Squad's capacity could be increased. This decision is, however, a policy and budget decision to be made at the level of State Police headquarters.

2.2.2 Staff Assignment

Incoming cases are assigned to Squad members according to a simple rotation; the investigators prefer not to specialize either by offense or offender type. Exceptions may be made if caseloads become unbalanced, but this is rare. Investigators almost always work in pairs, especially when they are on the street doing interviews or surveillance. The units vary, however, in the extent to which they rely on other agencies to provide back-up support for surveillance and making arrests. While in the city of Syracuse, the VFW Squad investigators are frequently accompanied by two

officers from the Sheriff's Warrant Unit. Investigators in Albany are sometimes assisted by the Albany Police Department, but are more likely to call on their fellow state troopers. The Rochester VFW Squad members almost always work their cases alone.

2.2.3 Investigative Activities

Whether a case is initiated by teletype, telephone request, or direct referral, the investigators assigned to the case first contact the wanting agency to obtain a copy of the warrant itself, the defendant's rap sheet, prints, and photograph (if available), and whatever information the agency may have on the defendant's whereabouts. Cases are not prioritized except under circumstances of unusual danger to the community. Thus, the investigators tackle each case thoroughly, performing essentially three types of activities: background checks, interviews, and surveillance.

Background Checks

After gleaning everything they can from the records and knowledge of the wanting agency, the VFW Squad investigators first attempt to compile lists of current and past addresses, employers and personal contacts. Sources commonly tapped for such information include welfare and other social service agencies, the post office, and the Department of Motor Vehicles. If the defendant has a prior criminal record, parole and probation officers will be queried. Much of this work can be accomplished by telephone. The goal, of course, is to turn up as many leads as possible to the defendant's present or likely location. If the defendant is not found at his current address of record, investigators check other potential addresses and begin the interview process.

Interviews

Investigators try to talk to anyone who knows the defendant and may have a clue to his whereabouts. Typically, they start with parents and other members of the immediate family (siblings, cousins, etc.); other promising respondents are boy- and girlfriends, employers, and peers. The VFW Squad rarely uses paid informants; there is only a small budget for this purpose, and investigators do not pay more than \$50 under normal circumstances.

Of course, in conducting these interviews, VFW Squad investigators prefer to keep their identity secret. One impediment to the undercover nature of the work, unfortunately, is their vehicles: to date, the VFW Squad has been issued standard state government sedans, which in some neighborhoods are beacons of "trouble" even to school children. State authorities are aware of this problem and are considering steps to procure "funny cars" (undercover vehicles) for the VFW Squad investigators. Another impediment is the type of gun the Squad has been issued--a standard trooper-issue revolver, which is large and unwieldy for undercover work. Again, state authorities are aware of the problem and are considering replacing these guns with more concealable weapons.

Surveillance

Once investigators have identified a location where the defendant is likely to be found, they may establish a surveillance. It is not unusual for a VFW team to stake out a location for 8-10 hours per day, three or more days in succession, if they have reason to believe the defendant is hiding there or is likely to return. Ultimately, the VFW investigators may stake out several locations before they apprehend the defendant. As noted above, the Squad may act alone or with assistance from the local law enforcement agency or other state police.

Interviews and surveillance continue on an active basis until the defendant is arrested or the investigators are convinced they have exhausted their leads. In the latter instance, the case is "closed by investigation."¹ This is clearly a judgment call and the investigators treat it as a professional decision. If new information should surface, the case can be reactivated. In 1982, the VFW Squad collectively received 1166 warrants; 939 were closed by arrest and 244 by investigation. Two hundred eight cases had been carried over from 1981, and 191 were pending as of January 1, 1983.

Occasionally, the VFW Squad will learn that a defendant has fled the state. In most such cases, investigators will contact the appropriate local

¹Cases may also be closed by other means, such as death of the defendant or the District Attorney's refusal to extradite.

law enforcement agency in the other state by telephone to request assistance in apprehending the defendant. This is generally a "hit or miss" proposition, as some agencies are more cooperative than others in complying with out-of-state requests. The Rochester Squad's referrals to the FBI on interstate cases, described above, were unique among the three sites visited. VFW Squad investigators never travel out of state to investigate a case; sometimes they travel to return a prisoner, but more commonly out-of-state travel is left to the wanting agency because the counties pay for extradition travel.

It is important to recall that the investigative activities described thus far would be undertaken by any police detective pursuing a case. The major difference is one of emphasis: few detectives have the luxury of continuing surveillances or interviews without frequent interruptions for newly breaking cases. The second difference is one of jurisdiction and mobility, the motive for launching the program in the first place. The VFW Squad can pursue defendants across city and county boundaries. Moreover, Squad members have ready access to the VFW units in other regions of the state, if a defendant should travel that far. The means of transporting such defendants, once arrested, are described in Section 2.2.5.

2.2.4 Reporting Requirements

Readers who are familiar with the paperwork typically required in law enforcement agencies would be surprised at the minimal amount required of VFW investigators.

When a referral is received, the case is entered in the Squad's casebook, where it is assigned a number and an investigator. Teletypes are sent to Capt. Wallace upon receipt of the referral and upon case closure. For the duration of the investigation, Squad members are required only (1) to record major steps in their investigation efforts (in order to document that the Squad has exercised due diligence in locating the fugitive; see section 4.2 below); and (2) to complete a standard State Police arrest report upon apprehending a defendant. Monthly tallies of cases received and closed (by arrest or investigation) are submitted to Capt. Wallace at VFW Squad headquarters. Investigators also record their mileage and expenses.

There were two reasons offered for the relative absence of reporting requirements imposed on the VFW Squad. First, the more time investigators spend on paperwork, the less time they have for street work. Respondents

spend on paperwork, the less time they have for street work. Respondents were unanimous in the opinion that the latter function carried far more import than the former in allocating the investigators' available time. The second reason is tied largely to the VFW Squad's narrowly defined responsibilities of apprehending persons for whom the courts have issued warrants. VFW Squad members do not read rights, take photos or fingerprints, gather evidence, or interrogate defendants; consequently, all the paperwork normally associated with primary investigations is unnecessary. Moreover, the VFW Squad investigators do not take official credit for their arrests; rather, the credit goes to the wanting agency. Their arrest reports are for internal records only. The investigators rarely testify in court (unless there are new charges stemming from the arrest itself), so that extensive notes are not required. Finally, because VFW Squad investigators do not work shifts or "punch a clock," but are salaried and essentially "on call" 24 hours, there is no need for detailed time records.¹

Again, as noted above, the prevailing view, among State Police officials and the crime control authorities in the Governor's Office, is that these men are professionals and are treated accordingly. As long as they are making arrests (or otherwise clearing their cases), VFW Squad investigators are felt to be achieving their goal. None of the respondents interviewed doubted the investigators' diligence and success in tracking their prey.

2.2.5 Transport Function

The secondary function of the VFW Squad is to provide a transport service for local law enforcement agencies that lack the resources to retrieve fugitives who are apprehended in other parts of the state. The VFW Squad performs this function regardless of whether the arrest was theirs or that of another agency. In 1982, 312 prisoners were transported by the Violent Felony Warrant Squad.

The transport service is conducted as a relay system. Upon notification that a defendant must be transported from one part of the state to another, the VFW Squad in the originating region sends a car and two investi-

¹This lack of recordkeeping, while supportive of ongoing operations, impedes formal evaluation. For the cost-effectiveness analysis described in Chapter 5, the evaluators constructed special logs to record VFW Squad activity and time records.

gators to drive the prisoner to the boundary of the next regional VFW unit, which likewise sends a car and two men to carry the defendant to the next border. This process is continued until the defendant is delivered to the wanting agency. There is no provision for temporary or overnight lodging. The only paperwork associated with this function is a teletype to notify the various units of the timing of the transport.

VFW Squad investigators estimated that this transport function occupies perhaps ten percent of their time. Interviews with sheriff and police officials suggested that this service is in fact underutilized. Some local agency respondents were simply unaware of its availability, whereas others remarked that this type of travel, even intrastate, was one of the few "plums" they could offer their officers. Moreover, if the District Attorney is extraditing the prisoner, the travel costs come from his budget, not that of the law enforcement agency. At the same time, the VFW Squad investigators consider the transport service the least enjoyable aspect of their job, since it detracts from their investigative activities.

The new Director of Criminal Justice in New York, Larry Kirlander, was, at the time of the site visit to Albany, exploring the possibility of purchasing a small plane for the purpose of inter- and intrastate prisoner transport, to be a new responsibility of the VFW Squad. Kirlander noted that commercial airlines are becoming both more expensive and increasingly reluctant to carry prisoners, problems that could be avoided if the state assigned a plane to the VFW Squad expressly for the purpose of returning extradited prisoners. Further, an airplane would reduce the time expended on intrastate transport under the current shuttle system. None of the local agency respondents in the three sites noted any difficulties with interstate transport, but remarked that such travel was limited to only the most serious cases.

Summary

The VFW Squad is a cadre of experienced investigators with a singular purpose: to locate and apprehend a category of offenders defined as the most serious dangers to society. The techniques and equipment used are neither extraordinary nor unfamiliar to most police detectives. The primary distinctions are (1) its specialization in fugitive work and freedom to devote the degree of attention necessary to accomplish its goals, and (2) its ability

to cross jurisdictional boundaries within the state. From the perspective of many local enforcement officials, the VFW Squad is a source of much needed additional manpower. The degree to which it has succeeded in achieving the goals of increasing the number of violent felony warrants served and decreasing the time required to serve them will be addressed in Chapter 4.

3.0 EVALUATION METHODOLOGY

In response to the Reagan Administration's initiatives to combat violent crime, the National Institute of Justice in 1982 undertook to seek out operating programs in the criminal justice community that exemplify successful approaches to the problem. Programs that could demonstrate success in combatting violent crime or violent offenders would be documented and the resulting reports disseminated among criminal justice agencies nationwide. The goal was to encourage widespread replication of effective strategies.

Abt Associates Inc. was commissioned to carry out the effort, which began with telephone calls to experts in law enforcement and criminal justice, and later "snowballed" to administrators and practitioners at all levels of government. Candidate programs were requested to submit documentation of their effectiveness. They would then be rated against five criteria: measurability, goal achievement, efficiency, accessibility, and replicability.

The Violent Felony Warrant Squad was one of 12 programs identified through this survey as promising approaches to violent crime. It survived initial screenings by Abt and NIJ staff but was found to lack quantitative evidence of positive impact. Consequently, NIJ requested Abt Associates to determine whether the program could be formally evaluated. On the strength of the resulting "evaluability assessment,"¹ AAI was instructed to go forward with a complete evaluation. The purpose of the evaluation would be twofold: (1) to ascertain whether the program "works" as intended, and (2) to assess the extent to which the program can be reproduced elsewhere.

Briefly, the evaluation addressed four questions:

- (1) Has the VFW Squad increased the proportion of eligible warrants executed?
- (2) Has the VFW Squad accelerated the speed with which eligible warrants are served?
- (3) Has the VFW Squad reduced the cost of warrant service for eligible cases?
- (4) Can the program be replicated in other states?

¹Henry Rossman, "Evaluability Assessment of the New York State Police Violent Felony Warrant Squad," Cambridge, Mass., Abt Associates Inc., September 1982.

The answers to questions (1) and (2) were found by searching warrant files in three selected jurisdictions. Random samples of eligible cases were to have been drawn from 1977 (before program start-up) and 1982 (three years after program start-up) and appropriate statistical analyses were applied to determine the level of program impact on the proportion of violent felony warrants executed and the time it takes to serve them. Circumstances on site required some changes in the data collection plan; details may be found in Chapter 4 and in Appendix A.

Question (3) was answered by developing capsule summaries of activities undertaken by VFW Squad investigators in completing 25 actual cases. Local enforcement officers in the three visited jurisdictions were asked to read these summaries and describe how they would handle these same cases. Using appropriate salary scales and mileage costs, differences in costs between VFW Squad and local operations were computed.

Question (4) was answered by conducting telephone interviews with officials from both local and state law enforcement agencies in each of ten states. Respondents were asked to describe their current procedures for apprehending fugitive defendants and to assess the feasibility of instituting a program like the VFW Squad in their states.

The findings of the evaluation are presented in subsequent sections of this report. Details of the evaluation design and methodology can be found in Appendix A.

4.0 PROGRAM EFFECTIVENESS

An evaluation of a program of this type would normally consider the degree to which the program has accomplished a series of clearly defined process and impact goals. Process goals are target levels of "activities" that the program is expected to conduct, and impact goals are targets for changes in the larger environment that the program is expected to effect. However, the VFW program has defined neither any process goals relating to staff performance, nor any impact goals relating to the effect that the program may have on warrant service in the State of New York.

According to Mr. Pat Reagan, New York Division of Criminal Justice Services, the absence of explicit goals was not an oversight. The project founders had no solid data describing the situation prior to the inception of the State Police programs, and thus were unable to quantify any expected improvements over the old system. At the same time, since this is a unique program with nothing directly comparable in other states, there was no empirical base from which to develop realistic expectations for quantifiable goal achievements.

The program's single goal, "to arrest individuals wanted for violent crimes who might not otherwise be arrested due to the wanted person fleeing the local jurisdiction or the inability of the local agency to devote the manpower to warrant enforcement," does not provide hard criteria for evaluation. No process objectives are identified (e.g., number of arrests to be made or speed of operations), and no quantified impact objectives are specified (e.g., a given percent reduction in outstanding violent felony warrants, or specific reductions in the amount of time required to execute warrants). With a literal interpretation of the program's goal statement, and without reference to any baseline data or process objectives, virtually any arrests made by the VFW Squad can be interpreted as indicators of successful goal achievement. In the absence of clear-cut process and impact objectives developed by the program, this evaluation describes current levels of activity and presents a series of comparisons with alternatives to the VFW program.

In lieu of process objectives, which cannot be generated without some internal or external criteria, yearly activity measures for 1982 are presented. Impact of the program is assessed by comparing VFW Squad opera-

tions with those under the previous system of warrant service. That is, we consider changes in certain key indicators comparing 1977 data (pre-VFW program) with 1982 data. The two key indicators that are used to assess the VFW Squad's performance are (1) the proportion of eligible warrants not served, and (2) the length of time required to execute warrants. In addition, we examine the impact that this program may have had on the service of non-violent felony warrants.

Two research hypotheses are tested by these data: (1) that the VFW Squad will improve both the proportion of violent felony warrants served and the length of time required to serve these warrants; and (2) that local warrant squads, being partially relieved of violent felony warrant pressures by the State Police unit, would be better able to service the remaining non-violent felony warrants. As will be shown below, the data support the first of these hypotheses, but not the second.

4.1 Activity Indicators

4.1.1 Arrest Rates

Between January 1, 1982 and December 31, 1982, the Violent Felony Warrant Squad received 1166 felony warrants, of which 910 were for violent felonies and 256 were for major offenders. During this period, 939 warrant cases were closed by arrest and 244 cases were closed by investigation.¹ As of January 1, 1983, the unit had 191 pending violent felony warrant cases, down from 208 at the beginning of 1982. This reduction in pending cases is particularly meaningful in view of the concomitant increase in the number of new cases received, from 883 in 1981 to 1166 in 1982. After several years of operation, the Squad is pleased with its current record of 80.5% cases closed by arrest.²

Table 4.1 presents these data by offense categories. Although there are variations in the offense types closed by arrest vs. those closed by investigation, there is no discernible pattern.

¹As noted in Chapter 2, the VFW Squad closes a case by investigation when it has exhausted its leads without locating and/or arresting the suspect. In these cases, the warrant is returned to the warranting agency along with the results of the investigation. The warrant remains active and only the State Police case is closed.

²DCJS Semi-Annual Report, February 1983. The arrest rate is computed on the basis of new cases received.

TABLE 4.1
 NEW YORK STATE POLICE
 VIOLENT FELONY WARRANT SQUAD
 YEARLY ACTIVITIES - 1982

CLASSIFICATION OF OFFENSES	CASES PENDING ON 1/1/82	CASES RECEIVED DURING 1982	CASES CLOSED: ARREST	CASES CLOSED: INVEST.	CASES PENDING ON 1/1/83
MURDER	9	40	20	20	9
KIDNAPPING	1	4	3	2	0
ARSON	2	7	6	2	1
RAPE	7	13	23	4	3
ROBBERY	35	177	143	35	34
SODOMY	1	9	7	2	1
BURGLARY	15	150	105	32	28
WEAPONS OFFENSES	8	57	53	8	4
ASSAULT	21	103	88	24	12
SEXUAL ABUSE	0	5	4	1	0
PAROLE/PROBATION	18	136	107	18	29
ESCAPE/ABSCONDING	49	105	91	36	27
FUGITIVES	22	104	88	27	11
MAJOR OFFENDER	20	256	211	33	32
TOTALS	208	1166	939	244	191

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4.1.2 Transport Service

A total of 312 prisoners were transported by the Violent Felony Warrant Squad during 1982, up from 178 in 1981.¹ Transport requests were received from all over the state, and all were granted. However, the meaning of the number of transports, in terms of evaluating the VFW program, is hard to assess. Clearly, it represents a transfer of cost from the local law enforcement agency (the wanting agency is almost always responsible for transport costs) to the state government. Interview data indicate that the State Police VFW transport program is more efficient, and thus, less costly than transport by local law enforcement agencies, but quantitative data to assess these two assertions do not exist and were impossible to develop because of great variations in salaries, fringe rates, per diems, and overtime policies among the many local enforcement agencies in New York.

As described earlier in Section 2.2.5, the VFW Squad's transport procedure involves a shuttle system whereby prisoners are transferred from one regional VFW Squad to another as they move across regional boundaries, until they reach their ultimate destination at the wanting agency. With this procedure, VFW Squad members lose no more than a few hours of investigatory time for transport purposes, and no overnight, overtime, per diem lodging, food or other expenses are incurred. In contrast, when a local police agency transports a wanted person, two warrant officers typically travel to the apprehending jurisdiction, take custody of the prisoner, and transport him or her to the wanting jurisdiction. This procedure frequently removes local warrant personnel from investigative functions for at least one, and more often two working days. Further, the local jurisdiction must support per diem travel expenses, lodging, and in some jurisdictions, overtime expenses. Thus, respondents on site argued that while prisoner transport costs are transferred to the state, the actual cost of this function is reduced. If the State Police proceed with their plans to acquire an airplane for transport purposes, further efficiencies in time might be realized.

Respondents in each visited jurisdiction also indicated that funds and investigator time for prisoner transport are limited, so that some wanted

¹Ibid., and DCJS Semi-Annual Report, February 1982.

persons are apprehended and released because the wanting agency was unwilling or unable to commit the resources necessary for prisoner transport. No jurisdiction maintained data about the frequency of this occurrence, nor could any jurisdiction supply budget data that would specify the amount of funds available for prisoner transport. However, interview respondents reported flexibility in this area. Thus, a person wanted for a particularly serious and well-publicized offense would be transported despite cost considerations. The likelihood of a wanted person being released for lack of transport is inversely related to the severity of the offense. That is, persons wanted for more serious offenses are normally transported back to the wanting jurisdiction. As the seriousness of the offense decreases, it becomes less likely that the wanted person will be transported. Because the VFW Squad's transport service is available for any wanted person, both VFW Squad and local law enforcement respondents observed that the VFW Squad transports some persons who would otherwise have been released because the wanting agency was unwilling or unable to pay for transportation.

4.1.3 Use of the "30.30" Rule

As noted in Section 1.1 above, prior to the onset of VFW Squad operations, defendants in New York had been successfully appealing their convictions when significant lapses of time had occurred between the issuance and service of a warrant because police were unable to demonstrate "due diligence" in attempting to serve it. The VFW program addresses this problem by completing a detailed investigative report on its efforts to locate and arrest each wanted person. This report can later be used by the local jurisdiction to demonstrate due diligence if the so-called 30.30 Rule is invoked. Unfortunately, court systems do not record the number of different types of motions filed, nor do they record the disposition of each type of motion filed. Consequently, we cannot assess the number of 30.30 motions filed nor the proportion that have been successful since the advent of the VFW Squad. However, prosecutors in each of the visited jurisdictions indicated that the due diligence motions had been a problem prior to the inception of the VFW program. Now, in contrast, they are rarely encountered. The interviewed prosecutors attributed this change to the existence of the VFW Squad, noting that defense attorneys are aware that VFW Squad procedures present a strong challenge to motions of this type.

4.2 Program Impact

To assess any impact that the VFW Squad program may have had on warrant service in the state of New York, data were collected to quantify the proportion of eligible violent felony warrants not served and the mean number of days required to serve violent felony warrants. Similar data were collected for some non-violent felony warrants. These data were collected for the year 1977, before the VFW program began, and for 1982, after it had been in operation for approximately three years.

As is discussed in detail in the appendix, circumstances in the three visited jurisdictions necessitated some changes in the evaluation plan and produced a somewhat different data set. One jurisdiction (referred to as Jurisdiction A to preserve confidentiality) had a record system that permitted Abt staff to collect the proposed random sample of 100 violent felony warrants, fifty from 1977 and fifty from 1982. A second jurisdiction (Jurisdiction B) provided a complete listing of every warrant filed and closed in the years 1977 and 1982. Thus, in Jurisdiction B, we were able to look at the entire population of violent felony warrants as well as at other categories of warrants. The third jurisdiction's record system allowed Abt staff to select the requisite samples of violent felony warrants, but that jurisdiction's warrant squad would have had to collect disposition/outcome data in order to make the information useful. Because the warrant squad officers failed to produce this outcome information, we have no useful data from the third jurisdiction. Nonetheless, the quality and quantity of the data collected in the other sites, particularly the non-sample, population data from Jurisdiction B, are sufficient to address impact measures.

The data presented in Table 4.2 represent the proportion of violent felony warrants not served and the mean number of days required to serve warrants in Jurisdictions A and B for the two years under consideration.¹ The data for Jurisdiction A indicate a notable improvement in warrant service performance since the inception of the VFW program. Approximately nine

¹The nature of the warrant files in Jurisdiction A were such that not all sampled warrants provided complete data. For example, after the initial sampling procedure, it was found that the records on some warrants were sealed by the courts. Thus, 44 and 41 usable data points were collected for the years 1977 and 1982, respectively.

TABLE 4.2

LOCAL VIOLENT FELONY WARRANT SERVICE: JURISDICTIONS A AND B

Jurisdiction	Year	WARRANTS NOT SERVED				NUMBER OF DAYS REQUIRED TO SERVE WARRANTS		
		Number Not Served	Percent Unserved*	Percentage Difference	Percent Improvement over 1977	Mean Number of Days	Days Difference	Percent Improvement Over 1977
A**	1977	20	45.46%			63.83		
	1982	15	36.59%	8.8%	19.51%	51.65	12.18	19.08%
B	1977	1	2.00%			165.92		
	1982	9	12.86%	-10.86%		116.01	49.91	30.08%

*Percent unserved based on: Jurisdiction A: 1977 = 44 Violent Felony Warrants
1982 = 41 Violent Felony Warrants

Jurisdiction B: 1977 = 50 Violent Felony Warrants
1982 = 70 Violent Felony Warrants

**Due to the relatively small sample size, observed differences were not statistically significant.

(Source: Data Collected by Abt Staff)

percent fewer violent felony warrants were not served in 1982, as compared to 1977, representing almost a 20 percent improvement in performance. Similarly, in 1982, warrant service required approximately twelve fewer days to accomplish than it did in 1977. This represents approximately a 19 percent improvement over the base year.

The data for Jurisdiction B¹ reveal no improvement in the proportion of warrants not served. In fact, this proportion increased from two percent in 1977 to almost 13 percent in 1982, a negative change of almost 11 percent. In contrast, those violent felony warrants that were served required far fewer days to process. The average violent felony warrant in Jurisdiction B required almost 50 fewer days to serve in 1982 than it did in 1977. This represents approximately a 30 percent improvement over the base year. Law enforcement officers in both jurisdictions believed that 1977 and 1982 were "typical" years in terms of the types of warrants received and their agencies' procedures for serving them.

The data describing non-violent felony warrant service for Jurisdiction B² are presented in Table 4.3. The proportion of unserved non-violent felony warrants rose from approximately 5.5 percent in 1977 to 15.6 percent in 1982, an increase of just over 10 percent. Similarly, it required just over 28 additional days to serve these in 1982 than it did in 1977.

4.3 Interpretation of Findings

In both jurisdictions, the data demonstrate a reduction in the amount of time required to serve violent felony warrants. In Jurisdiction A, there was also a reduction in the proportion of violent felony warrants not served. However, there was no improvement in the proportion of unserved non-violent felony warrants and the length of time required to serve them. Table 4.4 presents a breakdown of offense-specific warrant service in Jurisdiction B.³

¹Because Jurisdiction B provided total warrant population data, three numerically large offense categories were evaluated: assault, burglary, and robbery. Within each of these offenses, the first two levels of the offenses (e.g., Burglary I and II) are classed as violent felonies, while the third level offenses (e.g., Burglary III) are not violent felonies.

²Assault III, Burglary III, and Robbery III.

³1977 data for Robbery III comprised eight data points. Two of these warrants required approximately 2000 days each to serve. Without these two data points, the mean for Robbery III in 1977 would have been approximately 78.5 days.

TABLE 4.3
LOCAL NON-VIOLENT FELONY WARRANT SERVICE
JURISDICTION B

<u>Warrants Not Served</u>		
<u>Year</u>	<u>Number Not Served</u>	<u>% Unserved*</u>
1977	6	5.51%
1982	15	15.63%
Percentage Difference		-10.12%
<u>Number of Days Required to Serve Warrants</u>		
<u>Year</u>	<u>Mean Number of Days</u>	
1977	143.75	
1982	172.20	
Days Difference		-28.45
Percent Decline From 1977		19.79%

(Source: Data Collected by Abt Staff)

*Based on:

1977 = 109 Non Violent Felony Warrants
1982 = 96 Non Violent Felony Warrants

These data demonstrate a general pattern of improvement in violent felony warrant service and a decline in non-violent felony warrant service.

One explanation of the pattern demonstrated by a warrant unit in the data can be found in the increase in caseload experienced by most local warrant units. Table 4.5 presents the number of warrants received by a warrant unit in one of the visited jurisdictions and the number of outstanding warrants for the years 1977 through 1982. During this time period there has been a clear trend toward increasing demands for warrant service. Similarly, there has been a concomitant increase in the number of felony warrants outstanding at the end of each year. The correlation (r) between the number of new and outstanding warrants is .976. This means that 95.3 percent (R squared) of the variation in the number of outstanding felony warrants is explained by the increase in total number of warrants. Thus, while the VFW Squad serves violent felony warrants that would otherwise not be served by the local warrant unit and demonstrably reduces the average time needed to serve these warrants, the increase in the total number of warrants entering the system diluted any program impact on non-violent felony warrants.

TABLE 4.4
OFFENSE SPECIFIC WARRANT SERVICE
JURISDICTION B

	<u>Mean Days to Service Warrant*</u>		
	<u>1977</u>	<u>1982</u>	<u>Days Difference</u>
Assault 3 (Misdemeanor)	36.48	75.93	-39.45
Assault 1 & 2 (Violent Felony)	235.41	209.21	26.20
Burglary 3 (Felony)	136.41	223.73	-87.32
Burglary 1 & 2 (Violent Felony)	134.00	78.92	55.08
Robbery 3 (Felony)	548.63	41.73	506.90
Robbery 1 & 2 (Violent Felony)	128.18	103.84	24.34

(Source: Data collected by Abt Staff)

*Based on:

1977 = 159 warrants
1982 = 166 warrants

TABLE 4.5
 NUMBER OF WARRANTS RECEIVED AND FELONY WARRANTS
 OUTSTANDING IN ONE SHERIFF'S WARRANT UNIT

<u>Year</u>	<u>Warrants Received</u>	<u>Felony Warrants Outstanding At End Of Year</u>
1977	861	117
1978	797	133
1979	1,115	171
1980	1,215	207
1981	1,383	255
1982	1,377	243

(Source: Data collected by Abt Staff)

$r_2 = .976$
 $R^2 = .953$
 $P < .001$

5.0 COST ISSUES

Three cost issues of concern in replicating the program in other states and in evaluating the New York program are considered in this section: start-up costs, operating costs, and a measure of cost effectiveness. While start-up costs and operating costs are treated as a straightforward presentation of actual New York State Police Violent Felony Warrant Squad data, the assessment of cost-effectiveness compares the State Police warrant service cost with an estimate of costs for local warrant service.

5.1 Start-up Costs

The VFW Squad was created by assigning 28 BCI investigators to the new program. Start-up costs were, therefore, limited to the purchase of 29 new vehicles at a bulk rate of \$158,030. Personnel required no special training for VFW Squad duty. No additional supplies (beyond vehicles) were purchased. Office space was provided, at no additional cost, in existing State Police barracks or by local police or prosecutor agencies.

With regard to replication, New York State Police administrators believed that comparably low start-up costs would be experienced by other states that already have an operating state police agency with investigative functions, as did New York. States lacking any statewide investigative agencies would likely incur the costs associated with the development of a support system for a VFW program. Such a support system would comprise the computers, teletype, radios, office space, and trained investigators requisite for a quality investigative program.

5.2 Operating Costs

Table 5.1 presents the State Police VFW Squad operating costs from April 1, 1979 (the program's inception) through March 31, 1983 (the end of the most recent fiscal year). In each year of operation, the principal program costs were personnel salaries and vehicle operating costs. These two categories comprise in excess of 99 percent of total program costs. The next largest category, travel, has decreased steadily as the need to visit local jurisdictions and State Police barracks to promote and explain the program (and to resolve conflicts and/or misinformation) has decreased over time. The increase in personnel costs during fiscal 1983 reflects an increase in VFW Squad staff from 28 to 38 members.

TABLE 5.1

VIOLENT FELONY WARRANT SQUAD
PROGRAM COST

APRIL 1, 1979 THROUGH MARCH 31, 1983

4/1/79 - 3/31/80

Personal Service*	\$ 642,569	
Supplies	1,509	
Travel	4,143	
Contractual Service	105	
Equipment	714	
Vehicle Operating Cost		
572,650 Mi. @ 20¢**	<u>114,530</u>	\$ 763,570

4/1/80 - 3/31/81

Personal Service*	\$ 792,176	
Supplies	307	
Travel	3,729	
Contractual Service	12	
Vehicle Operating Cost		
259,138 Mi. @ 21¢	54,419	
259,138 Mi. @ 22¢	<u>57,010</u>	907,653

4/1/81 - 3/31/82

Personal Service*	\$ 783,807	
Supplies	1,147	
Travel	2,684	
Contractual Service	150	
Vehicle Operating Cost		
577,781 Mi. @ 23¢	<u>132,890</u>	920,678

4/1/82 - 3/31/83

Personal Service*	\$1,111,984	
Supplies	2,981	
Travel	1,410	
Contractual Service	850	
Equipment	114	
Vehicle Operating Cost		
697,081 Mi. @ 23¢	<u>160,329</u>	<u>1,277,668</u>

*Including Fringe Benefits

**Operating Costs include vehicle depreciation.

5.3 Cost Effectiveness

The cost effectiveness of the State Police VFW Squad Program was evaluated by comparing the actual costs associated with serving a sample of 25 violent felony warrants with an estimate of the costs that would have been incurred had a local sheriff's warrant squad processed these warrants. Twenty-five VFW Squad cases were selected at random from 1983 cases and a log was maintained detailing actual activities, times, and costs incurred.¹ Detailed summaries of these cases were presented to local sheriffs' warrant units for their review. Local warrant officers were asked whether they would have proceeded differently in each case. Where there were differences between local and State Police Warrant Squad procedures, details were elicited.

Interview data indicated one principal difference between local sheriffs' warrant squad procedures and those of the State Police. Local warrant squad officers would not leave their jurisdictions for investigative purposes. Thus, local sheriffs' offices would not have handled just over 17 percent of these cases (four of the 23 cases for which we have full data), using their own investigators. Rather, they would have relied on the old system of asking other jurisdictions for assistance. Likewise, local police agencies, also constrained by jurisdictional boundary restrictions, would not have handled almost 61 percent of the cases (14 of 23) that had been handled by the VFW Squad. For this reason, local police were excluded from the comparative analysis.

A second difference that emerged was that many local enforcement agencies could not support surveillances of the duration and intensity sometimes encountered by the VFW Squad. Few agencies can spare two investigators for prolonged periods without interrupting their surveillance for breaking cases or other enforcement duties. However, because this difference in procedure could not easily be tied to specific cases used in estimating local agency costs, it does not affect our analyses.

Table 5.2 presents the results of a cost comparison of warrant service between the VFW Squad and two sheriffs' warrant squads. Looking only at salary and vehicle operating expenses (which in fiscal 1983 accounted for 99.58 percent of VFW Squad operating expenses) the average cost of VFW Squad

¹ Twenty-three usable cases were analyzed for this portion of the evaluation.

TABLE 5.2
 COST COMPARISON OF WARRANT SERVICE BETWEEN
 THE VFW SQUAD AND TWO SHERIFF'S SQUADS*

	<u>Mean Cost Per Case Closed</u>		
	<u>VFW Squad</u>	<u>Jurisdiction A</u>	<u>Jurisdiction C</u>
Mean Cost	\$661.84	\$749.48	\$526.30
Percentage of VFW Squad Costs	100%	113%	80%
Basic Salary	\$31,483 - Investigator** \$32,623 - Sr. Investigator	\$30,000 - Detective Sgt. \$32,000 - Supervisor	\$21,500 - Investigator
Overtime	No	Yes = 1.5	Yes = 1.5

(Source: Data Collected by Abt Staff)

*Based on 23 cases closed by the VFW Squad. The sheriff's costs are based on the 18 cases that they would have worked to completion. City police are not included as they would have worked only 9 cases to completion. Auto mileage is at 23/mile.

**VFW Squad salaries are an average of two pay grades with 14 years employment as the transition point.

case processing was just under \$662 per case closed. In comparison, one sheriff's office exceeded this cost (\$749), while the second sheriff's office would have cost an average of 20 percent less per case (\$526).¹

The principal source of cost differences between these three agencies is found in salary costs. VFW Squad members are the highest paid of the three agencies. This salary difference is, to some extent, offset by the local law enforcement agency's requirement to pay 1.5 times salary for overtime. The overtime factor was sufficient to raise one sheriff's office's costs above that of the VFW Squad, notwithstanding the lower salaries. While the second sheriff's office paid salaries approximately 68 percent of the State Police salaries, the overtime factor decreased the cost per case advantage to 80 percent of state police costs.

5.4 Summary

The start-up costs for the New York program were almost entirely tied to the acquisition of automobiles. States with existing state police investigative agencies can expect a similar experience.

More than 99 percent of the New York program's operating expenses are associated with salary and vehicle operating expenses. Clearly, this varies directly with the number of personnel and vehicles utilized, and with salary levels. There is no reason to assume that a state interested in replicating this program would incur substantially different costs.

Comparative cost data are generally favorable to the State Police program. Because of restrictions on working outside jurisdictional boundaries, local police could not have handled approximately 61 percent of the cases studied. Similarly, local sheriffs' warrant units could not have handled just over 17 percent of these cases. For those warrants that would have been investigated by local agencies, the procedures used by the State Police were defined as proper and appropriate, although some local respondents observed that they could not have maintained lengthy surveillances. Considering those cases that would have been processed by local sheriff warrant

¹The range of costs for case processing were: VFW Squad, \$2164-\$131; Jurisdiction A, \$2120-\$179; Jurisdiction C, \$1539-\$88. The standard deviations were: VFW Squad, \$417; Jurisdiction A, \$571; Jurisdiction C, \$362.

officers, one jurisdiction would have exceeded the State Police average cost, while the second sheriff's office would have cost less per average case. From the local law enforcement agency administrator's perspective, the VFW Squad simply transfers certain warrant service costs from the local agency to the state. From the perspective of the taxpayer, the actual cost of VFW Squad services is less than the cost of some local warrant squad services.

6.0 REPLICATION ISSUES

This chapter is based on in-person and telephone interviews with state and local law enforcement personnel in New York and ten other states. Targeted respondents in each state included warrant unit officers in at least two local enforcement agencies and representatives of the state's police agency, planning agency, and criminal justice information center, if these latter agencies were operational. All were asked to: (1) estimate the size of their average warrant caseload and outstanding backlog, (2) describe the procedures used for apprehending and transporting fugitive defendants, and (3) give an opinion as to the feasibility of implementing a program like the Violent Felony Warrant Squad in their states. Each of these areas will be addressed, in turn.

Most respondents could not, or would not, provide accurate estimates of the warrant caseload. At the local level, some respondents provided answers "out of the clouds," and many declined even to guess. Responses were similar when asked about warrant backlog. Some of the larger jurisdictions did have statistics: one sheriff's office in Texas reported receiving 6,000-8,000 warrants per month, of which approximately 2,500 per month were executed. His backlog of unserved warrants stood at 54,695, of which an estimated five percent were for serious or violent felonies. Another sheriff's office, this time in Florida, received 28,209 warrants in 1982 and served 10,224. The backlog was nearly 38,500, of which 20 percent were thought to be felonies. The state of California reported more than 280,000 outstanding warrants currently in its data base.

Although this is by no means a statistically valid study of warrant service practices in the selected states, the data--both quantitative and impressionistic--strongly suggest that local law enforcement agencies actually execute fewer than half of the warrants they receive each year, thereby accumulating backlogs which, despite periodic purges, continually grow even larger.

How does the typical police or sheriff's department go about executing its warrants, especially those for defendants who are no longer within the department's jurisdiction? If the wanting agency knows where the defendant is (within the state), the investigation may be continued by a telephone call or teletype message to the appropriate law enforcement agency in the other jurisdiction, requesting assistance in the search. Whether, and to what extent, such cooperation is obtained, depends largely on (1) the nature

of relationships between the two law enforcement agencies, (2) any personal relationship between the officers involved, and more importantly, (3) the severity of the crimes for which the defendant is wanted. The telephone interviews indicated that a targeted search is launched only for the most heinous offenders; otherwise, it is generally assumed that the "average" burglary or robbery defendant will eventually be picked up on a new offense or a traffic violation, and the warrant will be served after the arresting officer does a routine check with the state or national criminal information system. Transporting an arrested fugitive back to the wanting agency is almost invariably the wanting agency's responsibility.

Does this system work? Yes, according to survey respondents. Most were quite satisfied with the current system. In fact, one respondent from a state planning agency remarked, "I wish I could tell you that we have problems, but we don't." This respondent was from Texas, where one sheriff's department reported a backlog of more than 50,000 unserved warrants. Evidently, there is indeed a problem, although some officials are not aware of it.

Could a VFW Squad be implemented in other states? In general, survey respondents either believed such a program to be unnecessary (because their current system "works") or gave a qualified "yes." The reasons for such guarded responses can be categorized as follows:

- General conservatism among law enforcement agencies, reliance upon the status quo, and fear of change in any respect.
- Use of intrastate travel opportunities as one of the few non-monetary "rewards" that can be given for police work, especially where departments are civil service and unionized. This rationale was also advanced by local agencies in New York, where the transport service of the VFW Squad could be used more extensively.
- A perception of assignment to the warrant unit as "semi-retirement" for veteran officers no longer capable of rigorous streetwork. If the warrant units responding to the survey could indeed be characterized in this manner, their reluctance to accept the services of another agency is not surprising: it reflects a certain defensiveness about their work and accomplishments.

- The potential for turf problems, which appear to exist almost universally. In nearly every state, there was at least one respondent who raised the issue of turf. Some remarked that a VFW Squad might work in the state, but certainly not in their counties. A respondent from Montana said that counties do not favor state control of anything. Another Montana respondent said, "The locals take care of their own problems...The state legislature would never go for it." One respondent from California thought the VFW Squad sounded like a good idea--for New York. A state-level respondent in Florida put it rather succinctly:

"A statewide VFW? Ask the sheriffs. Sheriffs are jealous of their turf down here and don't want anybody else coming in to do their jobs. I wouldn't even want to comment on the likelihood of something like that getting passed."

As was indicated in preceding chapters, the VFW Squad has faced similar turf conflicts in New York. Techniques used by the Squad to transcend the jealousies and fear of encroachment on local turf have been noted throughout the report; they are summarized below in Section 6.2.

This chapter focuses on those aspects that emerged from the site visits and telephone interviews as critical to the successful operations of the Violent Felony Warrant Squad, and thus to its successful replication in other states. Five important features were identified:

- (1) Need for a statewide enforcement agency;
- (2) Need for cooperation among state and local enforcement agencies;
- (3) Need to address certain internal management issues;
- (4) Need for flexible local operations; and
- (5) Need for appropriate resources.

The remainder of this chapter addresses each aspect in turn.

6.1 Need for a Statewide Enforcement Agency

A Violent Felony Warrant Squad with statewide jurisdiction is most easily implemented where there already exists a state agency having investigative capabilities. To a large extent, the reasons are obvious: such an organization already has a regional network in place, staff with the requisite training, the necessary equipment, and access to the statewide computerized crime information system. In New York, implementing the VFW Squad meant designating a number of investigators to join these units; assigning them to the regional state police barracks; and ensuring that office space, vehicles, and telephones were made available to them. There was no structural upheaval,

nor were there large purchases of equipment (beyond automobiles) or installation of new computer facilities. Program start-up thus was neither complicated nor expensive.

Some states have a state highway patrol whose functions are limited to patrolling the highways. To implement a VFW Squad within a highway patrol, these states would need to supplement their current structures by either hiring seasoned investigators or providing sufficient training for the designated troopers, at a minimum. Another alternative is to incorporate a VFW Squad within a state division of parole. Again, major expenses would be incurred, primarily for equipment. In New York, for example, many regional parole offices do not have direct access to a teletype: they must go through their headquarters in Albany. Moreover, in some states, parole officers may have enforcement powers, but lack authority to carry weapons. Without immediate access to computerized information and communication, without weapons and specific training, parole officers are clearly at a disadvantage when tracking fugitive defendants.

For most respondents to the ten-state telephone survey, the relevant question was not whether a VFW Squad could be implemented in a state lacking a state-level enforcement agency, but whether a state-level warrant squad is necessary at all. These respondents believed that relationships among the sheriffs in their states were such that fugitive defendants could be apprehended and returned, almost as a gesture of cooperation and good will. It may be true that this system "works" in cases where the crime was unusually serious and the wanting agency is fairly certain that the defendant has fled to a particular jurisdiction. But what if the defendant's location is unknown? All enforcement agencies in the state would be notified via the statewide teletype, but there would be no targeted effort. Further, what happens when a wanted person frequently moves among jurisdictions? The defendant would most likely elude justice unless apprehended on a new offense or traffic violation. Only an enforcement agency with statewide jurisdiction can mount the necessary effort to locate such defendants.

6.2 Need for Cooperation Among State and Local Enforcement Agencies

The potential for turf conflicts with local law enforcement agencies is perhaps the most formidable obstacle facing a state-level Violent Felony Warrant Squad. Traditionally, any attempts to intervene in the operations of

a police or sheriff's department are greeted with trepidation or outright hostility. But do the VFW Squad investigators really need the cooperation of local law enforcement agencies? Could they do their jobs just as well if they were entirely autonomous?

These questions were asked of the Squad investigators in each site, and the answer was resoundingly "no." Aside from their role as referral sources for the VFW Squad investigators, local agencies provide material assistance in two critical ways. First, by allowing access to their information files on defendants being pursued, they save VFW Squad investigators considerable time that would be wasted backtracking over ground that had already been covered by local detectives. Time is always of the essence when a defendant is "on the run." Second, the VFW Squad occasionally relies on local agencies to supply additional manpower when making arrests. It is difficult, if not impossible, to surround a house with only two investigators, but with four or more, the defendant can be flushed out with a lesser chance of escape or injury. The three VFW units visited reported good cooperation from local agencies in these two regards. A third support mechanism that was not uniformly provided was direct radio communications between VFW Squad investigators and local enforcement officers. The flexibility of VFW Squad operations has allowed each unit to exploit whatever advantages are available to it in its unique environment.

The level of cooperation now existing between VFW Squad investigators and local law enforcement officers in New York reflects a combination of forethought on the part of the program's planners and careful nurturing on the part of the VFW Squad investigators. Program planners were well aware of the power of "the collar" among New York law enforcement officers, and they made it clear from the start that the wanting agency would always get the credit for arrests made by VFW Squad investigators. The VFW Squad takes no fingerprints or photographs, nor does it interrogate defendants.

The other component of building a strong relationship relates to actions taken by VFW Squad investigators, themselves. For example, although most VFW Squad investigators reported developing their own cases by identifying eligible warrants on the daily teletype, they always checked with the local enforcement agency before getting involved. This measure not only serves to obtain useful information on the defendant and the offense, it also

demonstrates the VFW Squad's sensitivity to "stealing" cases from the local detectives. The attitude taken by the VFW Squad is always one of helpfulness.

Squad members also reported building rapport by providing additional assistance to local enforcement agencies. Examples ranged from tackling warrant cases that were not quite eligible for VFW Squad intervention, but were of great importance to the local agency, to acting as a liaison to facilitate obtaining helicopters and bomb-sniffing dogs from State Police resources in special circumstances. Again, these actions are taken in a spirit of helpfulness, and are duly appreciated by the local agencies.

Finally, the importance of personalities and personal relationships should not be discounted. In each of the three sites visited, at least one of the VFW Squad investigators had been known to local enforcement agencies prior to his assignment to the Squad. Even so, most police and sheriff's officers initially reacted to the news of a State Police VFW Squad with distrust and skepticism. Only after years of experience working with the investigators and seeing how the arrest credit actually operates do they accept the assistance of the VFW Squad on a routine basis. Still, some of the officers interviewed were reluctant to make direct referrals to the VFW Squad.

6.3 Internal Management Issues

The VFW Squad is unique in the way it is structured within the para-military organization of the New York State Police. As was noted above, the unusual structure was intended to give individual Squads the latitude they need to work their cases most effectively. There are three aspects of the VFW Squad's organizational placement that deserve attention from those considering replication: the locus of command, the rank of the commanding officer, and the potential for creating an "elite" unit. Each is discussed below.

6.3.1 State- vs. Troop-Level Command

It was important to the planners of the VFW Squad that this new unit focus its attention solely on those cases meeting the legislative definition of serious, violent felonies. Because the units were to be dispersed throughout the state and located within the regional state police

barracks, however, it was feared that individual troop commanders would tend to deploy these men for their own purposes, thereby diluting their time and detracting from their attention to violent felony warrant investigations. To prevent such a situation, direct supervisory authority over the VFW Squad was not given to troop commanders, but to a central commander based in New York City. From all reports, this decision has succeeded in achieving the goal of insulating VFW Squad investigators from personnel demands of troop commanders (although in 1982, the VFW Squad collectively expended 4,100 hours assisting troop BCI investigations, mainly of murder cases).

However, this decision has had some negative consequences for the Squad's relationship with the troop commanders. The individual units are essentially separate groups that operate independent of local control, a rather anomalous situation in a para-military hierarchy. To give troop commanders some input into the Squad's activities, recruitment and selection of VFW Squad investigators remained within the troop commander's domain, with review by the head of the VFW Squad. Still, relationships between VFW Squads and the troop commanders (particularly with the Bureau of Criminal Investigation) appear to be somewhat strained, although no open hostilities were evident and all parties appear to be trying to make it work. VFW Squad investigators reported some reluctance to ask for additional resources or support from the local State Police Troop in order to avoid potential conflicts.

6.3.2 Rank of the Commanding Officer

The man in direct control of the VFW Squad is a Captain, but had been a Lieutenant at the time of the site visits. The Troop and BCI Commanders are generally Majors and Captains. Virtually every interview respondent at the three sites agreed that the VFW Squad should be headed by at least a Captain or a Major. That is, the VFW Squad's commanding officer should be of at least equal rank to those he negotiates with on a routine basis. Further, a higher ranking commander would have stronger bargaining power in state-level negotiations. The resource problems noted earlier in the report and again in Section 6.5 could perhaps have been resolved if the commanding officer had been a Captain or a Major at the time.

6.3.3 Creating an "Elite" Unit

The VFW Squad may be considered a maverick group among state police; in some ways, it is also an elite group. Squad members schedule

their own hours, but are paid no overtime. They have minimal reporting requirements. They work "exciting" cases, go after "bad guys," and have assignments that sound like "cops and robbers" stories. It is not surprising, then, that some of the local agency detectives expressed some envy of the VFW Squad investigator's job. Within the State Police organization, however, assignment to the VFW Squad is no different than to any other unit of the BCI, such as narcotics. VFW Squad investigators earn the same salary as other BCI investigators. These devices help to stave off jealousies within the state police barracks. The elite status of the VFW Squad is conveyed by the attitude of the men and their very high morale. When one considers that warrant units often have very low status in local law enforcement agencies, the New York State Police's accomplishment is remarkable.

In some regions, however, the VFW Squad investigators (as do all BCI Officers) earn far more than their counterparts in the local sheriffs' warrant units. This can create some discomfort or uneasiness when all are working the street together in anticipation of an arrest. Who takes the lead when making tactical decisions? More importantly, who goes through the door first? These are tough decisions even when the officers involved come from the same agency. But, it was generally agreed among the investigators interviewed that the respect and trust that underlie the responses to these questions are firmly grounded in experience and, to some extent, the personalities involved. The key concept, again, is sensitivity.

6.4 Need for Flexible Local Operations

Closely tied to the necessity for the VFW Squad to operate independently is the need to allow a certain degree of flexibility in the way each Squad handles its day-to-day operations. This concept may seem very unusual to most law enforcement agencies, but when the unique role of the VFW Squad is considered, there appears to be little alternative. Once it is accepted that local troop commanders should not have supervisory authority over the Squads, then oversight and supervision can be provided only from a state headquarters. Such an arrangement simply cannot provide a close level of monitoring without imposing a heavy paperwork burden. In light of the tremendous variations in the environment surrounding each VFW unit, and in terms of the relationships with local enforcement agencies, the need for

flexibility and individual discretion becomes paramount. As one interview respondent put it, "Interagency relationships cannot be legislated or implemented by agency directive."

Another reason advanced in support of flexible local operations related to the burden of reporting requirements: the more time investigators spend on paperwork, the less time they have for investigations. The reports that are required of VFW Squad investigators--investigation and arrest reports--are sufficient to discern whether the Squad is performing to expectations. In other words, "The numbers (of arrests) tell the story." Since the Squads do not perform primary investigations, and are unlikely to provide evidence or testify in court, little paperwork is actually needed.

6.5 Need for Appropriate Resources

The one concern noted by several VFW Squad investigators, as well as Abt staff, was that some of the equipment issued was inappropriate for the nature of the work. The most obvious examples were cars and weapons. Standard-issue, four door, unmarked police cars are not much different than marked patrol cars in high-crime neighborhoods. They are easily identifiable. For undercover work, the VFW Squad investigators need undercover, or "funny" cars that are not obtrusive on the street. Similarly, the investigators need small, easily concealed handguns for streetwork, not the relatively large standard weapons carried by state troopers in New York. Other useful resources not always available to the VFW Squad investigators are hand-held radios and additional "buy" money for investigations involving narcotics or to pay informants.

6.6 Summary

The telephone survey and interview results clearly indicate that there is, in many jurisdictions, a need for a statewide warrant service agency. This data collection effort was not intended to provide definitive quantitative data on the magnitude of the problem. Nonetheless, the large numbers of unserved felony warrants reported by some respondents coupled with a lack of awareness on the part of many respondents that a problem exists, are, in themselves, indicative of a problem. That is,

- There are large numbers of unserved violent felony warrants in many jurisdictions;
- The traditional patterns of interagency cooperation do not adequately address the problem of violent felons who flee intra-state;
- This problem is largely unrecognized by practitioners in the criminal justice system.

The concept of a violent felony warrant squad associated with a statewide law enforcement agency is capable of replication in many states. The principal requirements are: (1) that state and local enforcement authorities recognize that a problem exists; (2) that a statewide law enforcement agency exist that has investigative functions; and (3) that the structure of the violent felony warrant squad be sufficiently flexible to permit high levels of cooperation with local law enforcement agencies.

Regarding the first point, states having a state police with criminal investigation functions should have no implementation problems beyond those experienced by the State of New York. States, such as Florida, having a statewide bureau of criminal investigation that is not affiliated with a state police are, similarly, capable of implementing a statewide VFW program. These states may, however, encounter logistical and personnel problems associated with the need to station personnel throughout the state. States without any statewide investigative agency may experience difficulty in establishing a VFW program. In those states, it may be necessary to create a statewide investigative agency prior to the development of the warrant program.

A significant concern when replicating this program is the need for cooperation between state and local agencies. Virtually all respondents interviewed during site visits noted the critical nature of this issue. The give and take, exchanges of information, and camaraderie that have developed between the VFW Squad members and local law enforcement officers are key factors in the success of this program in New York State. Because each local jurisdiction comprises a different set of problems in establishing and maintaining cooperation, a statewide VFW agency must be highly flexible. To avoid "ruffling feathers" or "stepping on turf," a VFW squad must have several options available for case acceptance procedures, the collection of initial background information, warrant service procedures, arrest procedures, and the ability to perform additional services for local agencies on a "quid pro quo" basis.

The VFW Squad's transportation services are a way of transferring transportation costs from the local agency to the state. This feature also serves to foster cooperation with local agencies. Almost invariably, in New York State as well as elsewhere in the nation, it is the financial responsibility of the wanting agency to arrange transportation for the return of wanted persons. Thus, the New York State Police provide a service to the local agency. However, in police departments that are unionized and/or have civil service restrictions on promotions and compensation, travel to transport wanted persons may serve as one of the few bonuses that can be awarded by police managers. Thus, as telephone and on-site interview results indicate, police administrators tend to like the notion of receiving wanted persons without paying for transportation, while supervisors and warrant squad personnel expressed concerns about the possible loss of a perk.

APPENDIX A
EVALUATION DESIGN AND METHODOLOGY

APPENDIX A

EVALUATION DESIGN AND METHODOLOGY

The purposes of Abt Associates' evaluation of the Violent Felony Warrant Squad were: (1) to ascertain whether the program "works" as intended, and (2) to assess the extent to which the program can be reproduced elsewhere. These dual purposes dictated a similarly two-pronged evaluation effort. First, to determine whether the program succeeds in achieving its goals, an impact evaluation was necessary. Such an evaluation typically requires that a certain carefully defined set of data be available for collection and submission to statistical analyses. Second, to assess the program's replicability, a detailed process evaluation was conducted to reveal critical aspects of the program's organization, operations, and environment, and to ascertain their transferability to other areas. This appendix discusses the methodology employed in both components of the evaluation.

The Evaluation Design

The preliminary evaluability assessment involved a review of program documentation, telephone interviews with VFW Squad personnel, officials of New York's Division of Criminal Justice Services, and representatives of state and local law enforcement agencies in New York and five other states. From these sources sufficient information was gathered to develop a formal design for proceeding with the impact and process evaluations, a listing of the associated data needs, and several data collection instruments. Table A portrays the evaluation questions, the data needed to answer them, and the approach to obtaining these data.

Evaluating Program Effectiveness

To evaluate program effectiveness, Abt Associates performed a quantitative analysis of the proportion of successfully served eligible warrants before and after inception of the VFW Squad, and the time and costs associated with such warrant service. To ensure sufficient volume of violent felony warrants to support statistical tests, this component of the evaluation focused on three counties with populations exceeding 100,000 (excluding New York City). In each county, court warrant files were entered and a sample of 100 violent felony warrants was selected: 50 from the year 1977 (prior to

Table A
EVALUATION APPROACH

Evaluation Questions	Necessary Data	Data Sources
<p>Program Effectiveness: Has the VFW Squad increased the proportion of eligible warrants executed?</p>	<p>Total number of eligible warrants issued and proportion served, before and after program inception.</p>	<p>Warrant files of local law enforcement agencies or courts.</p>
<p>Has the VFW Squad accelerated the speed with which eligible warrants are served?</p>	<p>Time elapsed between dates of warrant issuance and execution.</p>	<p>Same.</p>
<p>Cost Effectiveness: Has the VFW Squad reduced the cost of warrant service for eligible cases?</p>	<p>Cost of warrant service by the VFW Squad and by local law enforcement agencies.</p>	<p>VFW Squad budget; law enforcement salary scales; estimates of time expended on comparable cases.</p>
<p>Replicability: Can the program be replicated in other states?</p>	<p>Elements of VFW Squad start-up, organization, procedures, and environment that are vital to successful operation; availability of these elements elsewhere.</p>	<p>Interviews with VFW Squad investigators and law enforcement officers in New York and other states.</p>

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initiation of the VFW Squad) and 50 from the post-VFW Squad period.¹ Two sets of data were derived from these files: the proportion of warrants resulting in arrests, and the time (in days) between filing and arrest. The forms used for extracting these data from the warrant files are contained in Appendix B; our findings are reported in Chapter 4.

Evaluating Cost Effectiveness

In the same three jurisdictions, Abt Associates collected data to assess the relative cost effectiveness of the VFW Squad as compared to the alternative of local warrant service. To do this, the VFW Squad units in the relevant regions were asked to maintain detailed logs on 25 cases referred to them after the onset of the evaluation. These logs recorded both the time expended by VFW staff and the direct costs incurred (primarily mileage and out-of-pocket expenses). From these 25 case logs, Abt Associates prepared brief summaries of each case and the VFW's activities (see Appendix B for samples). These summaries were then presented to local warrant officers, who were asked how they would have handled these same cases. Questions accompanying this exercise included:

- Would you have performed the warrant service in a different way?
- Who would have performed the work? How long would it have taken?
- Would it have involved overtime costs?
- What equipment would have been involved?

¹Data were to have been collected from three jurisdictions. To maintain confidentiality, the jurisdictions will be referred to as A, B, and C.

The circumstances on site required changes in the data collection effort. In Jurisdiction A, the original data collection plan was carried out: 50 violent felony warrants were collected from 1977, and 50 were collected from 1982. In Jurisdiction B, the sheriff's office supplied a complete listing of all warrants issued and executed in the years of interest. Thus, Jurisdiction B provided data that permitted not only an analysis of the program's impact on violent felony warrants, but also an analysis of any impact on non-violent felony warrants. Jurisdiction C was unwilling, or unable to provide disposition data for the warrants selected to be part of that jurisdiction's sample. Thus, in Jurisdiction C, no usable quantitative data set was collected. Jurisdiction C did, however, permit the collection of interview and observation data.

Cost per warrant was then calculated, both for the local agencies and for the VFW Squad, using appropriate salary and scales, overtime rates, and per diem costs. The results of this analysis are presented in Chapter 5.

Assessing Replicability

Finally, to assess the program's replicability, Abt Associates drew a sample of ten states and, within each, conducted a telephone interview with two or three local law enforcement agencies, the State Police (if any), State Criminal Justice Planning Agency (if any), and the State Warrant Information System (if any). The telephone survey instrument is contained in Appendix B. The findings are incorporated into the discussion in Chapter 6. More detail on the implementation of the site visits and telephone survey is presented below.

Site Visits

The site visits were conducted for the dual purposes of (1) interviewing VFW Squad investigators and local law enforcement officers to gather information on procedures and estimated costs of warrant service; and (2) collecting data from the warrant files. The three counties selected for site visits were Onondaga County (Syracuse), Albany County (Albany), and Monroe County (Rochester).

Two Abt Associates staff spent two to three days in each site. At a minimum, interviews were conducted with two VFW Squad investigators in each site, several line officers and ranking officials in the major enforcement agencies, and representative parole officers and prosecutors. In Rochester, an agent of the Federal Bureau of Investigation was interviewed, and in Albany, several authorities in the state's new Division of Criminal Justice and the State Police headquarters were interviewed as well. (Table B details the types of respondents interviewed in each jurisdiction.) Structured, open-ended instruments were used. They covered both objective and subjective perspectives of the VFW Squad, i.e., operational data as well as judgments as to the program's strengths and weaknesses and its potential for transfer to other states. Each interview required at least 30 minutes to complete. The instruments are reproduced in Appendix B. No problems were

Table B
INTERVIEW RESPONDENTS IN THREE SITES VISITED

Onondaga County

Two Investigators, VFW Squad

Capt. Dan R. Thies, NY State Police, Bureau of Criminal Investigation

The undersheriff and two Warrant Unit investigators, Onondaga County Sheriff's Department

A captain and two sergeants, Syracuse Police Department

Parole Officer, Search Unit, NY Division of Parole, and the Chief of Parole

The District Attorney and a senior assistant

Albany

Two investigators, VFW Squad

Director and General Counsel, NY Department of Criminal Justice

A detective and a lieutenant, Albany Police Department

Donald O. Chesworth, Superintendent, NY State Police

Major Raymond Rasmussen, Deputy Superintendent, NY State Police

Monroe County

Two investigators, VFW Squad

Capt. H. G. Willower, NY State Police, Bureau of Criminal Investigation

Sergeant, Warrant Unit, and Chief of Detectives, Monroe County Sheriff's Department

Parole Officer, Search Unit, NY Division of Parole

Lieutenant, Rochester Police Department

FBI Agent, Rochester Office

encountered securing appointments with the desired respondents.

There were, however, some difficulties obtaining the necessary data from warrant files. In one county, there is no central log of issued and executed warrants. Data collection there proceeded in two steps: first, retrieving the original warrants from the sheriff's archives in order to list the first 50 eligible warrants in each test year; and second, requesting the Sheriff's Warrant Unit to hand-search their active and inactive files to determine if and when the warrants were served. At this writing, the latter half of the data had not yet been received. In the second county, the local police department is the principal agency serving warrants, but its record-keeping system had changed in recent years, thereby necessitating a manual search through several sets of files to compile the requisite data. Only in the third county's sheriff's office were the warrant data entirely computerized, so that the Abt researchers were given a complete listing of all warrants issued in the years of interest together with the dates of issuance and closing and the type of warrant disposition. These data were sufficient to analyze the research questions of primary interest.

Telephone Survey

The purpose of the telephone survey was to determine the extent to which a program like the Violent Felony Warrant Squad could be implemented in other states. It became evident during the site visits that a critical factor in replication would be whether or not the state had a state police or similar agency with statewide investigative functions. Thus, to enable the evaluators to assess the degree of importance to attach to this factor, a sample was chosen to include seven states having such an agency and three states without one.¹ Several geographically large states were selected in order to assess the program's feasibility in states where transportation of prisoners over long distance might be an issue. Within each state, respondents were contacted in at least two local law enforcement agencies (usually sheriffs' offices), the state police, the state planning agency (if any), and the state criminal justice information agency. A list of agencies that responded to the survey is shown in Table C.

¹This does not constitute a statistically valid representative sample. Rather, within the context of funding limitations, this portion of the research was intended to provide a general overview of the issues pertaining to program replication.

Table C
VIOLENT FELONY WARRANT SQUAD

TELEPHONE SURVEY

<u>STATE</u>	<u>AGENCY</u>	<u>STATE</u>	<u>AGENCY</u>
Alabama	Madison Co. Sheriff Montgomery Co. Sheriff State Dept. of Public Safety, Bur. of Invest. Law Enforcement Planning Agency Criminal Justice Informa- tion System	Pennsyl- vania	Allegheny Co. Sheriff Erie Co. Sheriff Philadelphia Co. Sheriff Attorney General's Office Criminal Law Division, Bureau of Criminal In- vestigation State Police, Planning Div. Crime Commission Administrative Office of the Courts
Arizona	Maricopa Co. Sheriff Pima Co. Sheriff State Dept. of Public Safety, Fugitive Unit State Dept. of Public Safety, Warrants Section Criminal Justice Informa- tion System	Texas	Dallas Co. Sheriff El Paso Co. Sheriff Dept. of Safety, Texas Rangers Criminal Justice Planning Agency Texas Judicial Council
Florida	Duval Co. Sheriff Miami Dept. of Public Safety, Warrant Bureau Dept. of Law Enforcement Criminal Justice Informa- tion System	Washington	King Co. Sheriff Thurston Co. Sheriff Yakima Co. Sheriff State Police Assn. of Sheriffs and Police Officers, UCR Division
Illinois	Clinton Co. Sheriff Rock Island Co. Sheriff State Dept. of Criminal Investigation SPA and Criminal Justice Information System	California	Los Angeles Co. Sheriff San Diego Co. Sheriff Attorney General's Office Office of Criminal Justice Planning State Police Department of Justice
Kansas	Shawnee Co. Sheriff Sedgwick Co. Sheriff Bureau of Investigation Attorney General's Office, Criminal Judicial Ctr.		
Montana	Missoula Co. Sheriff Yellowstone Co. Sheriff Criminal Investigation Unit Board of Crime Control, Research & Planning Bureaus		

The telephone survey questionnaire was designed to capture (1) the magnitude of the agency's warrant problem, (2) the procedures currently in place for executing warrants on fugitive defendants and for transporting wanted prisoners within the state, and (3) the respondent's opinion of the potential for replicating a VFW Squad in his or her state.

It soon became evident that many law enforcement officers are reluctant to discuss details of their warrant operations over the phone. In some instances, this problem was resolved by having the respondent call NIJ for verification. However, some respondents would not answer questions about local warrant backlogs and warrant service procedures. Some reported that the existence of large backlogs could be viewed as a poor reflection on their agencies' performance, and in some instances, of personal performance.

The only other problem that surfaced with some frequency was an absence of hard data on state and local agencies' warrant caseloads. Most respondents could provide only "ballpark" estimates. Accurate state-level warrant information is generally unavailable. As a general observation, based on both site visits and telephone surveys, warrant record systems at state and local levels are neither complete nor accurate, nor can they easily provide summary data. However, our observations are limited to site visits in one state and telephone interviews in ten others. Research directed specifically to this point may uncover warrant record systems that are able to support the research function. Given the apparently pervasive nature of the problem and the lack of empirical verification of its magnitude, further research is strongly suggested.

APPENDIX B
SAMPLE INVESTIGATIVE ACTIVITY SUMMARY,
INVESTIGATIVE ACTIVITY LOG, AND
EVALUATION INSTRUMENTS

Case No.: 2

Crim. Sale Controlled
Offense: Substance - 3rd

Defendant: 24-year-old black male
5'9", 150 lbs.
Schenectady address, wanted by Colonie P.D.

Defendant had multiple addresses in Schenectady. Investigators learned through informants that defendant operated a business in Albany and maintained a post office box there. Investigators contacted Colonie P.D., State Police-Duanesburg, Arbor Hill (Albany) Neighborhood Unit, Postal Inspector (Albany), and Schenectady P.D. Surveillances were conducted at several locations in Albany and Schenectady. Defendant was arrested, with assistance from the Schenectady P.D., after a forcible entry and search.

TOTAL CALENDAR DAYS: 26

TOTAL VFW MANPOWER: 126 hours investigator time (inc. 7 hours overtime)
10 hours sr. investigator (inc. 1 hour overtime)

TOTAL MILEAGE: 396 miles

CASE DISPOSITION: Closed by arrest

Case No.: 2

Crim. Sale Controlled
Offense: Substance - 3rd

INVESTIGATIVE ACTIVITY	MAN-HOURS	MILEAGE	OTHER
1. Colonie: check police sources	2	5	
2. Schenectady: interview complainant; check out-of-state (CA) DMV license	8	57	
3. Schenectady: surveillance; interview informant	7	74	
4. Albany: interview police source	14	57	
5. Albany: interview informant; interview police source	12	30	
6. Albany: surveillance	17	12	
7. Albany, Schenectady: surveillance	11	20	
8. Schenectady: surveillance; interview police source	6.5	47	
9. Albany: surveillance; interview police source	4.5	12	
10. Albany: check police sources; interview informant	24*	22	*includes overtime
11. Schenectady: surveillance; forced entry; effect arrest; transport prisoner	30*	60	*includes overtime

Remarks:

ATTACH COPIES OF: WARRANT, CASE INFORMATION AND ALL REPORTS

THIS FORM IS TO REMAIN WITH THE CASE FILE. ANY TIME A VFW OFFICER WORKS ON THE CASE, HE/SHE SHOULD PROVIDE THE INFORMATION REQUESTED.

CASE NO. EVFW 83-27 SUBJECT NAME DRAKE, ANTHONY LAMAR DOB 3/7/64

OFFICER'S NAME	TROOP	STATION	DATE	TIME ACTIVITY BEGUN HR:MIN AM/PM	TIME ACTIVITY ENDED HR:MIN AM/PM	DESCRIBE ACTIVITY	MILES TRAVELED	SPECIFY OTHER EXPENSES (e.g., tolls, lodging, food, postage, airfare, etc.)
4.5 INV. W. E. MONTAGUE INV. L. P. STEVERSON	E	VFW	4/6/83	12:15 pm	2:30 pm	PICKED UP WARRANT SP HENRIETTA RECEIVED VIA U.S. MAIL FROM TROOP G. VFW SQUAD FOR VIOLATION OF PROBATION - BURGLARY 2ND FROM ALBANY CO. PROBATION TO HALL OF JUSTICE FOR BACKGROUND CHECKS - MISO REC., RPD REC., DA'S OFFICE	13	
1.25 INV. W. E. MONTAGUE	E	VFW	4/7/83	10:45 am	12:00 pm	SP HENRIETTA TO MCSO RECORDS - MCSO REC. CK. - RECORDED UNDER THE NAME ANTHONY LAMAR INSTEAD OF ANTHONY LAMAR DRAKE	13	
.5 INV. R. R. PACEK	E	VFW	4/7/83	11:50 am	12:20 pm	ROCHESTER TELEPHONE CO. CHECK RES RPD ARREST BLOTTER ADDRESS - 807 AVE. D. C/ROCHESTER	-	
.5 INV. W. E. MONTAGUE	E	VFW	4/7/83	12:00 pm	12:30 pm	DMV CHECKS FROM DA'S OFFICE	-	
2 INV. W. E. MONTAGUE INV. L. P. STEVERSON	E	VFW	4/8/83	1:30 pm	2:35 pm	FROM SP HENRIETTA TO 807 AVE. D. C/ROCHESTER. SURVEILLANCE CONDUCTED. NO ACTIVITY OBSERVED. RETURN TO SP HENRIETTA	32	
5 INV. W. E. MONTAGUE INV. R. R. PACEK	E	VFW	4/11/83	8:30 am	11:05 am	SP HENRIETTA TO 807 AVE. D. C/ROCH. SURVEILLANCE CONDUCTED. SUBJECT ARRESTED OUTSIDE RESIDENCE W/O INCIDENT.	16	
9 INV. W. E. MONTAGUE INV. R. R. PACEK	E	VFW	4/11/83	11:15 am	3:45 pm	SUBJECT TRANSPORTED FROM 807 AVE. D. C/ROCH. TO EXIT 32 ON THRUWAY AND TO TROOP G-VFW SQUAD - RETURN TO SP HENRIETTA	260	
1 INV. W. E. MONTAGUE	E	VFW	4/18/83	11:00 am	12:00 pm	REPORT WRITING	-	

TELEPHONE INTERVIEWS

Hello. My name is Debra Whitcomb. I'm with Abt Associates, a research and consulting firm in Cambridge, Mass. We have a contract with the National Institute of Justice (U.S. Department of Justice), to identify and evaluate innovative practices within criminal justice agencies. If you have a few moments, I'd like to ask you some questions about your procedures for serving warrants on fugitive felony defendants. Are you the most appropriate person to talk to about warrant services? (If yes, continue; if no, find out who we should talk to, contact that person and start over.)

Respondent Name:

Title:

Agency:

1. Does your department have a warrant unit? If so,
 - a. How many men in the unit?
 - b. What are their duties?
2. a1. Approximately how many warrants are received per year?
 2. How many of these do you estimate are for serious/violent felony warrants? (e.g., rape, assault, homicide, robbery)
- b1. About how many total warrants are executed each year?
 2. Approximately what proportion of the executed warrants are for serious or violent felonies?
3. How large would you estimate your total unserved warrant backlog to be?
How far back does it date?

4. Approximately what proportion of those warrants represent violent felonies?
5. What does your department do when you have information that a wanted defendant has fled to another jurisdiction in the state? Do you send someone from your department to that jurisdiction, or do you request the local law enforcement agency to apprehend the defendant?
6. If a defendant wanted in your jurisdiction is apprehended elsewhere in the state, under what circumstances will he be returned to you? When will you not seek his return? How is he returned to you? Who pays for his transportation?
7. What are your procedures for apprehending fugitives from other jurisdictions who are thought to be in yours? How often do other jurisdictions ask you to attempt to serve a warrant?
8. If you do apprehend someone who is wanted elsewhere, how is that person returned to the wanting agency? Who pays for this?
9. Are you satisfied with this system? Why or why not?

In the state of New York, there is a unit of the State Police called the Violent Felony Warrant Squad. They are stationed in State Police Barracks throughout the state. Their role is to assist other state and local enforcement agencies by investigating and executing their violent felony and felony narcotics warrants, by request, where the investigation is outside the jurisdiction of the requesting agency.

In addition, these investigators transport arrested prisoners between local law enforcement agencies when the wanting agency lacks the resources to pick up the prisoner. The State Police do not take credit for warrant arrests. The originating agency is credited with the "collar". Do you have any questions about this program? (answer questions, if any.)

10. Based on this brief description, does a state-level warrant unit seem like a good idea? Why or not?
11. Do you think such a program would work in your state?
12. What would be the major drawbacks?
13. How could these drawbacks be overcome?

That's the end of my interview. Do you have any questions? Do you have any additional comments? Thank you for your time.

QUESTIONS FOR LOCAL ENFORCEMENT AGENCY WARRANT UNIT AND OTHER KEY PERSONNEL

Name: _____
Rank: _____
Years with Dept. _____
Years in current position: _____

1. How did you learn of the VFW Squad?
2. Was there any training in making referrals? If so, who provided it? Describe.
3. In what form do you make referrals (mail, telephone, etc.)?
 - 3A. How do you decide which cases to refer?
 - 3B. Are there eligible cases that you do not refer? Explain.
4. What information is provided to the VFW Squad?
5. Do they ever turn down a case? Under what circumstances? Do you have any recourse.
 - 5A. What happens to a case that is turned down? Do you pursue it through the local law enforcement agency in the jurisdiction where the suspect is believed to be?
6. How long does it take before the VFW Squad makes its decision whether to take the case? How is this decision communicated to you?
7. Once the VFW Squad accepts a case, do you receive any information regarding the progress of their investigation?
8. Are you ever involved in the VFW Squad's investigations (either of cases you've referred or of cases involving suspects thought to be in your jurisdiction)?
9. At what point does the VFW Squad close the case by investigation?
10. What happens to the case when the VFW Squad exhausts it leads and closes it? Do you continue the search through local agencies?

11. How many cases have you referred to the VFW Squad? How many were accepted/rejected?
12. How large is your current warrant backlog? What types of cases does this represent?
13. Once a suspect is apprehended, how long does it take for the VFW Squad to return him to your jurisdiction?
14. Who gets credit for the arrest?
15. Who attends court proceedings?
16. What do you do with the investigation reports returned to you by the VFW Squad?
17. Were you in the Warrant Unit before the VFW Squad was created (March 1979)? Do you remember the procedures you used to apprehend fugitives at that time? Are there different procedures in place now? Explain.
18. Under what circumstances would you pursue a defendant outside your jurisdiction? (Pre and Post VFW)
19. Would someone from your unit travel, or would you request assistance from a local enforcement agency? (Pre and Post VFW)
20. If a fugitive were thought to be in your jurisdiction, would you attempt to find him, would you leave it to the wanting agency, or would you assist the wanting agency in any way? (Pre and Post VFW)
21. If you apprehended a suspect wanted in another jurisdiction, how would you return him? Who would pay for this? (Pre and Post VFW)
22. If one of your suspects were apprehended in another jurisdiction, how would you return him? Who would pay for this? (Pre and Post VFW)
23. Who would get credit for the arrest in Q. 21, in Q. 22? Who would be obligated to go to court in Q. 21, in Q. 22? (Pre and Post VFW)
24. What are the benefits of the VFW Squad?
25. What are its weaknesses?
26. Does it seem to work better for certain types of crimes or offenders?
27. How would you do things differently?
28. Would you foresee any problems replicating this concept in other states?

QUESTIONS FOR PROSECUTORS

Name: _____

Title: _____

Years in this position: _____

1. How did you learn of the VFW Squad?
2. Have you referred cases to the Squad? How many?
3. How do you decide which cases to refer to the VFW Squad? Are there written guidelines?
4. When you refer a case to the VFW Squad, what information do you supply?
5. Has the VFW Squad ever turned down a referral? If so, what recourse do you have?
6. How long does it take to get a decision from the VFW Squad on a referral?
7. Once the VFW accepts a case, do you have any further contact with them?
8. How much time elapses before the VFW Squad closes a case by investigation?
9. Does the investigation report contain enough information?
10. How do you use the investigation reports?
11. What impact has the 30.30 rule had? Has the VFW program affected this? Explain.
12. How have the courts defined "due diligence"?
13. Were you in the prosecutor's office prior to the VFW Squad's creation? (March, 1979) If yes, are there different procedures in place now? Explain.
14. How did you handle arrest warrants for suspects outside your jurisdiction? (Pre and Post VFW)
15. To whom did you address your request for warrant service? (Pre and Post VFW)
16. In what form was your request made (phone, letter, telegram)? (Pre and Post VFW)
17. How long did the referral process take? (Pre and Post VFW)
18. How extensively were cases investigated, to your knowledge? (Pre and Post VFW)

20. Did you receive any progress reports from the investigating agency?
(Pre and Post VFW)
21. Approximately how long would the case remain open? (Pre and Post VFW)
22. What were the apprehension rates? (Pre and Post VFW)
23. Were some agencies/jurisdictions more or less cooperative than other?
In what way? (Pre and Post VFW)
24. How were apprehended suspects returned to your jurisdiction?
(Pre and Post VFW)
25. Who paid for this warrant service? (Pre and Post VFW)
26. How frequently were cases appealed on 30.30 grounds? (Pre and Post VFW)
27. How did you rebut these appeals? What information did you need? (Pre
and Post VFW)
28. How would you characterize your relationship with VFW Squad members?
29. What are the VFW Squad's greatest strengths?
30. What are its weaknesses?
31. What would you do differently?
32. Would you foresee any problems replicating this concept in other states?

QUESTIONS FOR VFW SQUAD OFFICERS

Name: _____

Rank: _____

Years with VFW Squad: _____

Prior position: _____

1. How are investigators recruited for the VFW Squad?
2. What are the official qualifications to be a VFW Squad member?
3. What would you say are the primary requirements for a VFW Squad investigator?
4. What has the turnover rate been? How would you account for such a (high/low) rate?
5. In what form do you receive requests for warrant service?
6. Do you keep records of agencies originating requests?
7. How are requests screened? How are they prioritized? Are there written guidelines? How long does this process take?
8. Are cases refused? How many? What happens to cases refused by the VFW Squad?
9. How are investigators assigned to cases? Do any of them specialize in certain types of cases or offenders?
10. How does the investigation proceed? Is there a fairly routine approach? Do you use paid informants, other paid staff of VFW or other enforcement agencies?
11. What sources of information do you use (e.g., MO data, probation/parole records)?
12. What are the reporting/supervision requirements? (e.g., daily/weekly telephone contacts, daily logs of activities, expense accounts)
13. Are you also required to report periodically to VFW Headquarters? What is the nature of these reports?
14. When and how is it decided to close a case by investigation? Are there written guidelines?

15. Can the VFW Squad reopen a case if new information is recieved? How frequently does this occur?
16. Did you receive any training upon joining the VFW Squad? Describe.
17. Have you received any training since then? Describe.
18. Do you make use of special technicians (forensics, ballistics, etc.)? Are they part of the State Police or are they employed on a contract basis?
19. Do you share information wiht other VFW Squads?
20. How is an arrest actually effected? Do you call in local police for back-up, or other state police?
21. Are local enforcement agencies involved in the investigation in any way?
22. What kinds of arrangemens are made for transporting prisoners back to the wanting jurisdiction?
23. How often are you asked to provide relay service for suspects the VFW Squad did not apprehend?
24. Is there any kind of paperwork that accompanies the transportation process?
25. Do VFW officers attend court proceedings? If so, under what circumstances? Are they paid extra for this?
26. Does anyone follow-up on case disposition after arrest?
27. What impact has the "30.30" rule had? How have the courts defined "due diligence"?
28. Do investigation reports prepared when a case is closed without an arrest follow any standard format?

29. What do you perceive as the VFW Squad's greatest strengths?
30. What are its weaknesses?
31. What are the most important elements that make it work?
32. Does it seem to work better for certain types of crimes or offenders?
33. How would you do things differently?
34. Could the concept be replicated in other states?

Obtain copies of:

- standard (or typical) referral request
- any reporting forms, paperwork (logs, status sheets, etc.)
- training materials
- data formats
- investigation report (either format sheet or copy of actual reports)

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DATA COLLECTION INSTRUMENT

SERVICE OF WARRANTS

VFW Squad

Jurisdiction: _____

<u>Offense Type</u>	<u>Date Filed</u>	<u>DISPOSITION</u>			
		<u>Arrest</u>	<u>Investigation</u>	<u>Open</u>	<u>Date Closed</u>

DATA COLLECTION INSTRUMENT

SERVICE OF WARRANTS

Eligible Cases, 1977

Jurisdiction: _____

<u>Offense Type</u>	<u>Date Filed</u>	<u>Arrest</u>	<u>DISPOSITION Investigation</u>	<u>Open</u>	<u>Date Closed</u>

DATA COLLECTION INSTRUMENT

SERVICE OF WARRANTS

Eligible Cases Not Referred to VFW Squad

Jurisdiction: _____

<u>Offense Type</u>	<u>Date Filed</u>	<u>Arrest</u>	<u>DISPOSITION Investigation</u>	<u>Open</u>	<u>Date Closed</u>

DATA COLLECTION INSTRUMENT
SERVICE OF WARRANTS
Non-Eligible Cases, 1977

Jurisdiction: _____

<u>Offense Type</u>	<u>Date Filed</u>	<u>Arrest</u>	<u>DISPOSITION Investigation</u>	<u>Open</u>	<u>Date Closed</u>

DATA COLLECTION INSTRUMENT
SERVICE OF WARRANTS
Non-Eligible Cases, Post-VFW

Jurisdiction: _____

<u>Offense Type</u>	<u>Date Filed</u>	<u>Arrest</u>	<u>DISPOSITION Investigation</u>	<u>Open</u>	<u>Date Closed</u>