

Police

INDIVIDUAL TECHNICAL ASSISTANCE REPORT

in Response to Request for Technical Assistance by the

Governor's Commission on Law Enforcement

and the Administration of Justice

of the State of Maryland

*- Development of
Minimum State Police Training Requirements*

June 9, 1972

32965

Prepared by:

Public Administration Service
1313 East 60th Street
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(Per Contract J-LEAA-015-72)

DEPARTMENT OF JUSTICE

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I. PRELIMINARY INFORMATION

A. Consultants Assigned:

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B. Date Assignment Received:

May 19, 1972

C. Date of Contract with LEAA Regional Coordinator:

May 19, 1972

D. Dates of On-Site Consultation:

May 31, 1972

E. Individuals Interviewed:

Richard C. Wertz, Executive Director
Governor's Commission on Law Enforcement
and Administration of Justice

Robert Bendler, Director of Planning
Governor's Commission

Lawrence Leigh, National Commission on
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Robert Macy, National Commission on
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Dr. Victor Strecher
School of Criminal Justice
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Mr. Lee Brown
Chairman of Law Enforcement Program
Portland State College, and
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National Commission on Standards and Goals
Police Task Force

Mr. Wilson Gibson
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Mr. Harold Handlin
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II. STATEMENT OF THE PROBLEM

A. Problem as Per Technical Instruction

The Governor's Commission on Law Enforcement and Administration of Justice, State of Maryland, requested technical assistance to develop minimum standards for local police agencies. The Technical Instruction indicated that some preliminary work had been completed by the Commission and that the major purpose of technical assistance would be to further develop that work. A target date of June 15 was established for completion of the technical assistance assignment.

B. Problem Actually Observed

After on-site discussion and interviews, and a review of work completed, it was concluded that the problem was accurately stated, but broadly phrased—a need to sharpen the focus of the assignment was apparent. The initial task of the technical assistance team was to formulate a program which would best contribute to the Commission's definition effort within the time allocated for assistance. In collaboration with the Executive Director of the Commission, it was decided that the most valuable technical assistance program would be one which dedicated itself to the following considerations:

1. A brief review of the current "state-of-the-art" in police standards.
2. A brief examination of "philosophy" of standards.
3. Identification of the functional and operational categories in which minimum police standards are needed.
4. Development of as many specific suggested standards as time would permit.

Major emphasis was to be directed toward the last two considerations. The first two areas must be addressed early in the research phase of a standards development program and the findings and conclusions combined to establish guidelines for the subsequent steps in the standards development program. The last two considerations represent the products of the standards definition project.

III. FACTS BEARING ON THE PROBLEM

- A. The Governor's Commission established a Police Standards Committee to set "across-the-board" minimum police standards and begin development of a list of some of the items that might be included in a revised set of standards.
- B. The standards which are to be "revised" are 12 and are included in the Commission's 1972 Comprehensive Plan. The standards must be met before local police agencies qualify as recipients of funds distributed by the Governor's Commission.
- C. The Technical Assistance product is intended to be used by the Commission's staff.

IV. POSSIBLE COURSES OF ACTION

Not applicable.

V. RECOMMENDED COURSE OF ACTION

The technical assistance team addressed the considerations specified above. The results of the effort are summarized in the appended material. None of the products is the result of exhaustive research—time was too limited. The products are, however, the result of professional thinking and research by both the consulting team and others who have concerned themselves with the subject. The material on the "state-of-the-art" and philosophy contains summary statements on the subject matter addressed, and the specific standards suggested are professionally sound. It is recommended that those responsible for formulating Maryland's standards incorporate the research products in their work.

I.
MINIMUM STANDARDS FOR POLICE:
SUMMARY COMMENTS UPON THE
STATE-OF-THE-ART

Current State

"The standards are in fact 'standards' in the loosest sense of the term. Some are merely descriptive of an aspect of the police function. Some urge acceptance of a viewpoint or urge that increased attention be given to a specific problem. Some call for the development of new statutory or policy guidelines for the police, or for administrative rules and regulations. Some call for experimentation and further exploration in testing basic changes in personnel and organizational structure and in the reallocation of priorities to better fulfill the nature of the police responsibility. Some call for further research and the development of model legislation or regulations and policies. Others point out that in many cases improvements in police service are directly related to improvements in systems of which the police are an integral part, such as the criminal justice system and the public and mental health systems. Very few are set forth in such terms as to constitute model procedures that can be implemented immediately on a national basis. Rather, for the most part, these standards represent an approach for dealing with the critical problems and needs confronting urban police agencies."¹

The preceding statement is from a published draft of *Standards Relating to The Urban Police Function*, prepared by a committee convened by the American Bar Association. The statement suggests that police standards are, at the present, imprecise and imperfectly developed.

The same publication goes on to note that:

¹ American Bar Association, *Standards Relating to the Urban Police Function*, Tentative Draft (Chicago, Illinois: American Bar Association, 1972), p. 4.

"This varied use of 'standards' is to a great extent a reflection of the underdeveloped character of the police field. It is far more important, today, that there be more widespread acceptance of the realities and complexities of police work (e.g., that the police constitute an important administrative agency charged with the exercise of broad discretion) than it is that there be agreement with regard to the mechanics of running a police agency (e.g., that police officers should be 5'6" tall and be of a weight proportionate to their height). But the fact that so little attention has been given to the broad underlying problems makes it impossible to speak to them with anything approaching the specificity with which one can address the more traditional concerns in the operation of a police department."²

These statements expose an additional and perhaps more fundamental problem associated with police standards. There is a lack of consensus, if not an implied dispute, concerning the question of the conceptual level to which standards ought to be directed. Is it preferable to develop *general policy standards*, as are found in the ABA study, or is it preferable to establish *specific standards dictating mechanical operational or procedural needs*, an approach apparently looked down upon by the ABA study committee? The National Commission on Criminal Justice Standards and Goals has not yet published its work, but has publicly stated that it is formulating "practical," "implementable" standards—the kind the ABA deems to be of second priority. It seems that to frame the choice in an adversary context is to unnecessarily constrain development. Nevertheless, for the present it need only be noted that no consensus exists concerning what kinds of standards are needed and that with respect to both conceptual approach and content the current state of the police standards art is characterized by very modest tangible achievement. Technical assistance research has verified that the Director of the Governor's Commission was accurate in his suspicion that the Commission is entering into "virgin territory."

Potentials

A cursory research effort revealed that probably not one criminal justice planning agency in the nation has a complete and comprehensive system of minimum police standards. A major effort to formulate comprehensive standards for police is now being carried out by the National Commission on Criminal Justice Standards and Goals—its work should be completed some time in 1972. The National Commission's effort will probably become a landmark and its system of standards will serve as both a model which many agencies will adopt, in whole or in part, and one which will serve as the starting point for future research.

² *Ibid.*, pp. 4 and 5.

II.
MINIMUM STANDARDS FOR POLICE:
A RECOMMENDED PHILOSOPHY

Standards should be formulated with reference to at least the following criteria:

1. *Applicability to Objectives.* Standards are not neutral. They are always developed to serve a purpose and to contribute to achievement of an expressed objective. One of the Governor's Commission's objectives is to assure that all citizens receive quality police service. This can best be provided through police agencies which meet or exceed minimum organizational, functional, and personnel standards.
2. *Comprehensiveness.* Standards should be developed which, if possible, cover all essential aspects of the police function.
3. *Consistency.* Standards must reinforce and not conflict with each other.
4. *Precision.* Standards must be as precise in definition as is possible so as to avoid misuse and misinterpretation.
5. *Measurability.* Standards should be defined in a manner which facilitates measurement of achievement, or at least defined so that progress is observable

Comparison of these criteria and the standards thus far developed by the Governor's Commission suggest that the Commission has already made an appropriate start toward standards definition. The standards included in the 1972 Comprehensive Plan are consistent with the criteria 3, 4, and 5. Further, it is apparent that the Commission has thought through the purposes or objectives of standards (criteria 1). Criteria 2 cannot, of course, be met until the research effort is completed.

III.
MINIMUM STANDARDS FOR POLICE:
AN ARRAY OF SUGGESTED STANDARDS

Methodological Considerations

Among the objectives of the technical assistance assignment were (1) the identification of those categories of police operations for which minimum standards can be established and using the categories identified as a framework for (2) the development of as many specific standards as time permitted. The technical assistance research effort yielded 22 categories for which minimum police standards are needed and 72 specific standards. Prior to presentation of these categories and standards, a number of methodological considerations should be discussed.

1. The material presented is only an initial approach to a task to which five more months of effort and attention will be devoted by staff of the Governor's Commission and the members of the Police Standards Committee.
2. Despite the qualification just noted it is felt that both the categories and standards presented are substantively sound and are recommended for inclusion in the final product—presuming, of course, that the system of standards ultimately adopted is broad enough to permit full incorporation.
3. The categories and standards have been developed with reference to the following considerations:
 - a. The number of categories identified represent all activities that are absolutely essential to police service.
 - b. Each of the Governor's Commission's current standards was incorporated in the array of suggested standards.
 - c. With as few exceptions as possible, recommended standards are stated with precision. Manpower standards, for example, include numbers.
 - d. Standards are restricted to those which would be "measurable." Thus to determine whether the planning standard is being met one would need only to observe whether a department has or has not a full-time planner.
 - e. The intended effect of the standards is to assure that the following will be achieved:³

³ Time did not permit development of standards for each theme in every category. This must be left for those who are responsible for the refined and final product.

- (1) All major police functions will be performed—both those required to achieve organizational missions and to maintain the organization.
- (2) Specialized functions will be performed by qualified personnel.
- (3) All personnel will be adequately trained.
- (4) All personnel will be adequately supervised and controlled.
- (5) Management and planning information needs will be recognized.
- (6) Professionally sanctioned operating policies and procedures will be recognized.

Presented below are 22 categories and 72 standards. Most are complete as presented and require no further definition. Some of the standards, however, require additional definition and achievement of a consensus concerning content and detail before the standard may be formally established. These standards are distinguished by presence of the letter (D) at the end of the standard. Some standards should be thought of as long-range standards—these are distinguished by presence of the letter (L) at the end of the standard. Long-range needs are essential needs but are ones which should most properly take second priority to those needs more directly concerned with fundamental missions.

Many standards include reference to a State Council on Police Standards which would be responsible for establishing with greater precision the nature and content of a standard. This Council is a hypothetical one; the purpose of the term is to suggest that some authoritative agency will carry out the tasks specified in the previous sentence. The Maryland Police Training Commission, it has been presumed, is a currently functioning agency responsible for personnel and training standards.

Minimum Standards for Local Police

Every police agency in the State of Maryland should be able to meet the standards which follow in *either* of two ways (or by a combination of them).

1. A department may secure sufficient resources to meet the standard independently, *or*
2. A department may meet a standard as a result of some form of cooperative arrangement with another department or agency.

I. GENERAL

1. General Operations

Each police agency must:

- Provide seven days per week, 24-hour police services, with qualified full-time salaried officers who are responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the State of Maryland.
- Have a centrally located police facility available to the public 24 hours per day, seven days per week, which houses those operational facilities necessary to provide support and services to the public: records, complaint desk, communications, chief's office.

II. MANAGEMENT

2. General Administration and Management

Each police agency must:

- Be administered by a full-time police executive who works a minimum of 35½ hours per week.
- Be administered by a police executive who has received at least 100 hours of training in administration and management from an accredited educational institution and who receives at least one week of in-service training each year (various subjects).
- Adopt and provide each officer with the standard police training and operational manual of the Maryland Police Training Commission when available. (L)
- Maintain a Management Information System which includes at least work load data of every operating unit, program expenditures, personnel statistics (hirings, separations, attendance patterns), operational information (court attendance, individual crime trends, average length of follow-up investigations, etc.). (D & L)
- Assure that a Staff Inspections officer who devotes a minimum of 20 hours per week to inspections is appointed and an inspections program continuously carried out.

3. Planning, Analysis, and Evaluation

Each police agency must:

- Have at least one full-time professionally trained or experienced planner who has expertise in police operations, research, administration, and management.
- Have written contingency tactical plans to cover riots, mutual aid arrangements (if any), and natural disasters.
- Periodically complete manpower level and deployment studies (beat studies) for patrol, and evaluate the adequacy of manpower allocations to other police functions.

III. PERSONNEL MANAGEMENT AND DEVELOPMENT

4. Recruitment and Selection

Each police agency must:

- Select personnel in accordance with standards set by the Maryland Police Training Commission.
- Assure that personnel are recruited statewide.
- Assure that formal pre- and post-appointment residence requirements are not established.
- Permit lateral entry at any level or rank.

5. Promotion

Each police agency must:

- Assure that promotions to the ranks of sergeant, lieutenant, and captain result from competitive examination. Eligibility requirements for examination as well as administration of examinations shall be a function of a legally constituted civil service or merit commission.

6. Separation

Each police agency must:

- Assure that separation after probationary periods is not made until charges have been placed formally, a hearing held, and an opportunity for appeal have been granted. Procedures for these actions will be developed by legally constituted civil service or merit commission. (D)

7. Classification and Pay

Each police agency must assure:

- That all personnel be subject to the Uniform Police Classification and Pay System to be established by the State Council on Police Standards. (D & L)

8. Personnel Care and Protection

Each police agency must:

- Assure that each of the following is made available to each officer:
 - a. Liability insurance (cost absorbed by employing jurisdiction).
 - b. False arrest insurance (cost absorbed by employing jurisdiction).
 - c. Life insurance (cost either absorbed by municipality or shared).
 - d. Hospitalization (cost either absorbed by municipality or shared).
 - e. Retirement benefits (cost either absorbed by municipality or shared). (D & L)

9. Internal Discipline

Each police agency must:

- Assure that an internal investigations program is developed to assure that every citizen complaint is objectively evaluated.

10. Training and Education

Each police agency must:

- Have all personnel comply with the minimum recruit, command, specialist, and in-service training requirements established by the Maryland Police Training Commission.
- Formally, in writing and as part of a professionally designed program, evaluate the performance of every employee. Evaluation should be used to identify strengths and weaknesses of every employee, and be used to assist in making appointments and promotions, and to identify individual training needs. Copies of the evaluation must be provided to persons evaluated. (L)
- Establish an Educational Incentive Program.
- Have at least one full-time professionally trained and/or experienced personnel and training specialist.

IV. OPERATIONS: LINE AND SUPPORT

11. Patrol

Each police agency must:

- Provide 24-hour services, seven days a week, with manpower levels sufficient enough to enable each patrol officer to engage in a moderate level of preventive patrol (at least one-third of his tour of duty), to complete his administrative tasks (report writing, auto inspection, etc.), and of course to be available to respond to called-for services.
- Be able to provide adequate levels of field command. (A ratio of *no greater* than one field commander to eight 1-man cars; preferably a ratio of 1-5.)
- Assure that officers are assigned to patrol areas (beats or zones) which have been designed through systematic analysis of work load. Beats should be regularly (once or twice per year) reevaluated.
- Assure that every patrol officer receives minimum recruit training (hours established by the Maryland Police Training Commission) and continually receives in-service and refresher training (no less than one week per year—beyond roll call training and distribution of training materials and bulletins).

- Assure that written policies and procedures governing patrol operations are made available to and are learned by every patrol officer. The adequacy of policies and procedures would be reviewed by the State Council on Police Standards.

12. Use of Auxiliary (or Reserve) Officers⁴

Each police agency must:

- Assure that all auxiliary officers be selected in accordance with standards established by the Maryland Police Training Commission.
- Assure that all auxiliary officers comply with minimal training standards established by the Maryland Police Training Commission.
- Assure that auxiliary officers are supervised by full-time command officers.
- Assure that manuals of departmental policies and procedures are made available to and learned by auxiliary officers.

13. Traffic

Each police agency must:

- Assure that adequate emphasis (by either or both specialized or general patrol personnel) is dedicated to traffic enforcement. Adequate emphasis may be defined by selecting a Traffic Enforcement Index rate acceptable to local jurisdictions. (D & L)
- Assure that traffic enforcement priorities (selective enforcement priorities) are predicated upon reliably collected and analyzed violations and accident information.
- Assure that traffic engineering studies are completed when accident and violation trends dictate these are needed.

14. Investigations

Each police agency must:

- Assure that full-time investigative specialists are available for follow-up investigations. (Specific standards as to number of investigators needed have never been established, but it is held that the total number should not exceed 10 percent of the sworn manpower total of a department.)

⁴ Presumption is that although a previous standard called for use of full-time officers, some auxiliary officers will and should be used. Standards for use of auxiliary reflects and includes standards for "part-time" officers also.

- Assure that sufficient numbers of investigative supervisors are available. The classical span-of-control principle (one man can effectively supervise five—eight subordinates) is applicable.
- Assure that investigations management control information is compiled. Minimum information needed to properly evaluate and direct the activities of *each* investigator includes:

Number of cases assigned.

Average time spent on investigations.

Clearance rates.

Property recoveries.

Conviction ratios.

15. Juvenile Services

Each police agency must:

- Assure that a specialized full-time youth services unit is established.
- Assure that trained youth specialists are available 24 hours per day, seven days per week. (O—consensus needed to determine minimum number of training hours required.)
- Assure that a written policy is established which requires that every alleged or actual crime involving a juvenile be processed by a youth officer.
- Assure that arrangements are made with social service agencies for referral of juveniles.

16. Police-Community Relations and Public Information

Each police agency must:

- Assure that at least one full-time employee is available to administer and/or engage in community relations and public information activities.
- Assure that every other officer who has contact with the public receives not only the mandatory number of hours of community relations training included in recruit training but receives at least two days per year of in-service training in community relations.

- Establish a policy which requires that every citizen or group complaint or inquiry is answered promptly and in writing.
- Assure that professionally planned public information programs are established in at least the following areas:
 - a. The nature and role of the police department.
 - b. Traffic and bicycle safety.
 - c. Crime prevention.
 - d. Procedures by which the public may direct complaints or inquiries concerning the police to proper public officials.

17. Evidence Collection and Preservation and Analysis

Each police agency must:

- Assure that every patrol officer is fully competent to identify and preserve crime scene evidence. This can be assured only generally by requiring that each patrol officer receives basic training, receives in-service and refresher training, and is subject to adequate field supervision. (D)
- Assure that an evidence expert (technician or investigator) may be obtained at the crime scene within one hour.
- Assure that procedures to secure and properly handle evidence are implemented. Security and proper handling requires evidence be locked away, properly tagged, access to the storage restricted, and movements of evidence "logged." The adequacy of procedures will be reviewed by the State Council on Police Standards. (D)
- Assure that the services of a police laboratory are available when needed.

18. Communications

Each police agency must:

- Have a telephone for exclusive use whereupon police services can be summoned seven days each week, 24 hours each day.

- Assure that police vehicles are equipped with two-way radio equipment.
- Assure that incoming citizen calls and dispatcher-field communications are electronically recorded. (L)
- Assure that the following information pertaining to complaint calls is logged:
 - a. Time citizen requests service.
 - b. Time officer is dispatched.
 - c. Time officer arrives at scene.
 - d. Time officer completes assignment.
 - e. Establishes a written report as required from officer.
- Assure that dispatchers have a written systems and procedures manual, which has been approved by the State Council on Police Standards. (D & L)
- Assure that all field patrol officers have portable radios. (L)

19. Records and Reporting

Each police agency must:

- Assure that requirements of the MILES system are complied with, based on departmental manpower and volume of services.
- Assure that reporting requirements of the UCR system are complied with under supervision of the Maryland State Police.
- Assure that centralized records are available 24 hours per day, seven days per week. (L)
- Assure that a consolidated master index is established. The index must include names of arrestees, complainants, victims, witnesses, wanted persons, licensees. (L)
- Assure that a report control system and a report review system are established. Guidelines for these control systems will be established by the State Council on Police Standards. (D & L)

- Assure that the records dissemination policies established by the State Council on Police Standards are complied with. (D & L)
- Assure that the uniform standard field reporting forms prescribed by the State Council on Police Standards are utilized. (D & L)

20. Detention⁵

Each police agency must:

- Assure that full-time jailers are available whenever persons are incarcerated (full time refers to an employee who performs no other function such as dispatching, desk duty, etc.).
- A sufficient number of cells is available to separate or isolate:
 - a. Men from women.
 - b. Adults from juveniles.
 - c. Convicted from accused.
 - d. Addicts.
 - e. Homosexuals.
 - f. Sick and lame.
- Inspection of cell areas is made at least every hour.
- Cells and cell areas are sanitized daily.
- A manual of detention procedures and policies is available. Contents are to be approved by the State Council on Police Standards. (D & L)

21. Legal Advice

Each police agency must:

- Assure that a legal advisor is available at any time to respond to questions of procedure which arise during the conduct of police operations.

⁵ Presumption is that police agencies will retain detention responsibilities for some length of time even if the corrections system ultimately assumes full operational responsibility.

- Assure that a legal advisor is available to carry out, on a routine or continuing basis, such functions as reviewing legality of arrests and appropriateness of charges, reviewing training materials, assisting in or preparing cases for prosecution. (L)

22. Personal and Departmental Equipment and Buildings

Each police agency must:

- Assure that police automobiles meet the standards prescribed by the State Council on Police Standards. (D & L)
- Assure that police officers are equipped with at least:
 - a. Service revolver.
 - b. Ammunition.
 - c. Club or stick.
 - d. Portable radio.
- Assure that personnel operating marked police vehicles (with the exception of maintenance, crime laboratory, tow truck, and special assignment personnel) for patrol and traffic purposes are uniformed and identified as official police officers.
- Adopt and adhere to acceptable standards for the use of firearms and pursuit operations of police vehicles which are deemed acceptable. Standards will be developed by the State Council on Police Standards. (D & L)

V. ADDITIONAL CATEGORIES FOR CONSIDERATION

(No standards could be developed for these categories within the time available for technical assistance.)

1. Budget and Fiscal Management
2. Employee Relations
3. Organization

END

7. 11. 1951