

JOINT POLICE SERVICE

FOR

BACK MOUNTAIN



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JOINT POLICE SERVICE

FOR

BACK MOUNTAIN

DALLAS TOWNSHIP KINGSTON TOWNSHIP

DALLAS BOROUGH

1969

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FOREWORD

The actual and potential advantages of sound intergovernmental programs and arrangements have long been recognized in relation to a number of traditional local government services. This Study for three Back Mountain municipalities extends this recognition to the field of local law enforcement, a traditional local government service which has received only scant attention in Northeastern Pennsylvania.

The Back Mountain is primarily an area of small police forces, each of which operates in its own independent sphere, and attempts independently to sustain its own operations. Coordination of police activity in the area has tended to be sporadic and informal. The all-purpose small police force is difficult to attain now, and will be more so in the future. Cooperation must, therefore, be achieved through other means, not simply by the traditional mutual, and often informal, agreement to render assistance on an emergency basis.

It was with the thought of providing police service on a coordinated basis that the local governing officials of Dallas Borough, Dallas Township, and Kingston Township met with a representative of the IRA. Out of this meeting came the request by the governing bodies of all three municipalities for a Study and recommendations as to just how such coordination could be effectuated under Pennsylvania law.

During this period of the Study, the IRA staff members enjoyed unusually fine cooperation from Dallas Borough Police Chief Thomas Honeywell, Dallas Township Police Chief Frank Lange, and Kingston Township Police Chief Herbert H. Updyke, as well as from the three secretaries of the municipalities, and others to whom the IRA staff applied for information and assistance.

The findings and recommendations set forth in this Study are strictly the responsibility of the IRA.

Any community receives the level of police protection it desires and deserves. The local governing officials, by the very fact that they requested the study, are not negatively disposed toward better police service. Rather, they have exhibited genuine interest in police activities. If this study contributes even in a small way toward making the three municipalities a better and safer community in which to live and work, the IRA will feel a real measure of accomplishment.

Hugo V. Mailey
Director

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I. INTRODUCTION

Rapid urban development, especially since World War II, has aggravated old municipal problems and created new ones. Despite clear early warnings of the potential impact of the approaching surge of urbanization, local governments generally failed to take significant and timely action to meet the new challenges. Municipalities continued to rely on traditional organization and methods to cope with new problems which required new solutions. Delayed action has left a cumulative dilemma, commonly recognized as the "Big Squeeze" between accumulated needs for new or improved services and limited financial resources.

Urbanization does not refer only to large cities but to many small communities as well, such as Pennsylvania's boroughs and townships. Some of these communities are quite sizeable in area and population, while others are rural in character with significant clusters of industry and residences.

Inertia to change, especially in matters relating to local government, is generally more persistent in smaller communities than in larger cities. Fortunately, indeed, is the small growing community whose residents and officials recognize and face up to the evolving problems, which tend to creep up almost imperceptibly. Although the hour may be late, decisive early action through implementation of known, tried, and new tools and techniques of modern local government may release much of the pressure of the "Big Squeeze" and revitalize the small community.

Police services in small and medium size communities are among the first public functions to feel the pressures of urban growth. Locked within existing illogical and meaningless municipal boundaries, and immunized against change by obsolete parochialisms, small local police departments fall victims to the "Big Squeeze" unaware that intermunicipal cooperation can temper or remove the obstructions to better service.

A. Components of Good Police Service

In order to properly evaluate the need for cooperative police service in Dallas Borough, and Dallas and Kingston Townships, it is essential to understand the kinds and quality of police activities generally recognized as good police service.

Stated in terms of people rather than things which policemen do, one needs to know what services the inhabitants of the area have a right to expect of their police departments. Although the extent and quality of such services may vary according to the place of residence, it is both fair and valid to apply recognized criteria to judge the relative adequacy of police services in any jurisdiction, large or small. People are entitled to every kind of protection no matter where they reside. Protection is no protection at all unless it is comprehensive and effective protection.

Textbooks summarize general purposes of a police department as (1) prevention of crime by eradication of the base sources, (2) repression of crime by adequate patrols to eliminate or reduce hazards, (3) apprehension of offenders, (4) recovery of property, and (5) regulation of noncriminal conduct, including education in the dangers of violations, traffic control, and enforcement of minor regulations, such as sanitation and street use.

These general components may be more meaningful when expressed in terms of specific services to which the citizen has a right:

1. Secure feeling of safety through frequent preventative patrols by radio-equipped police units, so that in the event of an emergency, well-trained policemen can be mobilized quickly.
2. Confidence in an adequately staffed and equipped police unit so that children, as well as adult members of the family, are secure against criminally inclined individuals on the public thoroughfares, and against the hazards of automobile traffic.
3. Knowledge that because of the personal character and professional training of the police officers, all health, safety, and other municipal ordinances and regulations will promptly and fairly be enforced against all violators without political incentive or pressure.
4. Assurance that when a physical crime is committed, or property stolen, the police will be adequately trained for effective investigation in new police techniques and instrumentation.
5. Reassurance that a qualified police officer can be promptly reached by phone at a single central station at any time of the day or night.
6. Attitude of courtesy and understanding developed out of a positive educational and community relations program.

Needless to say, these expectations are high standards to reach by even the best police departments. To accomplish them effectively, efficiently, and economically requires the soundest organization and administration. The difficulty of approaching these standards in any municipality is aggravated by the fact that in our mobile society, crimes are not confined to the legal municipal boundaries within which police departments are organized. Furthermore, in small communities, like those covered in this report, financial resources in any community are utterly inadequate to pay for the manpower and physical equipment needed to attain satisfactory accomplishment of the standards on a separate basis.

That communities get the level of police protection they desire and deserve is a truism demonstrated repeatedly in all sections of the country. It goes without

saying that a smart-appearing, well-disciplined, courteous but efficient and firm police department, technically skilled and professionally interested in providing the citizenry with a high level of police protection, will in the long run be proof of a safe and progressive community.

B. The Back Mountain

Recent years have seen a steady, but largely unplanned, development in the Back Mountain area of Luzerne County. General economic resurgence in the Wyoming Valley has spilled over into the area from Kingston to Dallas Township and even beyond. The area's natural beauty, the availability of desirable land, and the extensive recreation opportunities have combined to encourage new residents to be attracted to the area. A growing population, permanent and seasonal, and the accompanying building of homes, and business, commercial, and industrial facilities, have placed a strain on local municipal facilities and services. Already apparent, the demands for improved and increased municipal services are just beginning to be heard. The "Big Squeeze" is on between services and resources.

Local governments in the area have not responded to the increasing pressures. Structurally and procedurally, they remain quite the same as they were several decades ago.

The governing bodies of Dallas Borough, and Dallas and Kingston Townships have become aware of the need for the improvement and addition of municipal services. Through mutual discussions, they have concluded that these needs are beyond the capabilities of any single community acting alone, but that in cooperation with each other these services can be offered to the citizenry. Realizing that they must pool their resources, they are prepared to act jointly in one area of municipal service to provide service efficiently and economically while at the same time preserving the separate identity and character of each community.

The police departments of the three communities have cooperated informally for a number of years. The officials of the governing bodies of the three municipalities have become increasingly aware that limited informal mutual assistance in police work falls far short of a satisfactory solution of the basic problem. They have, therefore, determined to investigate the feasibility of intermunicipal cooperation under a formal comprehensive agreement.

This report is a presentation of the current police services in the area, the various aspects and problems of police protection, and the legally available options for joint effort under Pennsylvania Law.



II. INVENTORY

Currently, Dallas Borough, Dallas Township, and Kingston Township each operates a separate police department under jurisdiction of the respective governing bodies. In order to identify problem areas in police operations and determine justification for some form of joint service, a summary of each department is here presented.

A. The Back Mountain Communities

Dallas Borough consists of a compact area of approximately 2.5 square miles with a 1960 population of 2,586, or a density of 103 persons per square mile. It has 14.5 miles of improved and unimproved roads and is traversed by Pennsylvania Route 415, close to which the larger part of the population, as well as business and industry, is located.

Dallas Township, a second class township, comprises an area of approximately 27 square miles, extending northward from Kingston Township to the Luzerne County line. Its 1960 population was 4,053, and its population density about 105 persons per square mile. There are approximately 50 square miles of improved and unimproved roads, with U. S. Route 309 and Pennsylvania Route 415 carrying the heaviest traffic. Since a portion of the township is located south of Dallas Borough, its police travel through the borough on Route 415 and 309 to reach the southern area.

Kingston Township is contiguous with the southeastern boundary of Dallas Township and has an area of approximately 36 square miles. The 1960 population was 5,450 and its population density is approximately 150 persons per square mile. The more heavily built-up area on the western portion is traversed by heavily traveled U. S. Route 309. There are some 87 miles of improved and unimproved roads in the township.

Table I
Demographic Features

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Population 1960	2,586	4,053	5,450
Area Square Miles	2.5	27.0	36.0
Miles of Roads	14.5	50.0	87.0

B. Police Organization

The Dallas Borough department, which is under the supervision of the mayor, consists of three full-time regular officers, including a chief and two

patrolmen. There are, in addition, five special patrolmen, serving only on call by the chief.

The Dallas Township police department, which is under the direction of the three township supervisors, currently consists of four regular officers, including a chief and three patrolmen. The township police is also augmented at varying times, and on call only, by 12 special policemen.

The Kingston Township police department, which is also under direction of the three township supervisors, currently consists of three regular officers, including a chief and two newly employed patrolmen. Kingston Township has 15 special patrolmen available on call.

Table II
Number of Police Personnel

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Chief	1	1	1
Patrolmen	2	3	2
Special	5	12	15

C. Budgets

1. Expenditures

Expenditures for police services budgeted for 1969 by Dallas Borough amount to \$19,600, or 22% of total general fund expenditures of \$80,710. Of the police total, \$15,800 is budgeted for regular police salaries, \$600 for special police, \$600 for material and supplies, and \$1,800 for equipment and maintenance. Capital outlay is allotted \$1,800.

The total police budget for 1969 in Dallas Township is \$31,120, including approximately \$4,000 received from the State Casualty Insurance for police pensions. Only \$27,120 of the police budget will be financed by local revenues. Thus, 22% of the \$121,850 total local general fund budget is expended for police purposes, and of the amount spent, \$24,120 is allotted to operation and maintenance. The appropriation for regular police salaries is \$21,320, and for special police \$500, totaling \$21,820 for salaries. Supplies are budgeted at \$800, and equipment and maintenance at \$1,500. Capital outlay for a police car amounts to \$3,000.

A total of \$24,692 has been budgeted for the Kingston Township police department in 1969. Regular police salaries are allotted \$15,600 and special police \$3,028, for a total salary outlay of \$18,628. With appropriations for material

and supplies fixed at \$2,252, and equipment and maintenance at \$812, the township expects to expend \$21,692 for operations. An additional capital outlay of \$3,000 is provided for police car replacement. Total general fund expenditures for 1969 are budgeted at \$110,751.00, indicating that 22% of local funds are spent on police service.

Table III
Police Budgets 1969

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Salaries:			
Regular	\$ 15,800.00	\$ 21,320.00	\$ 15,600.00
Special	600.00	500.00	3,028.00
Total	16,400.00	21,820.00	18,628.00
Operation & Maintenance:			
Material & Supplies	600.00	800.00	2,252.00
Equipment	1,800.00	1,500.00	812.00
Total	2,400.00	2,300.00	3,064.00
Capital Outlay	800.00	3,000.00	3,000.00
Total Police (Local Funds only)	19,600.00	27,120.00	24,692.00
Total General Fund Exp.	\$ 80,710.00	\$121,850.00	\$110,751.00
% Local Expense for Police	22%	22%	22%

2. Revenue

The principal sources of revenue for Dallas Borough are the real estate and earned income taxes. Nine mills are levied on a total assessed valuation of \$3,273,750. The earned income tax levy is 1/2%, while a per capita tax of \$5.00 is levied on approximately 1,200 taxables, and a 1% tax on realty transfers.

Because of larger land area and population, the tax base of Dallas Township exceeds that of Dallas Borough. Total real estate and occupational assessed valuation for 1969 is \$7,402,070. The real estate tax rate is only 2.0 mills. In addition, the township levies 1/2% on earned incomes, 1% on realty transfers, and \$3.00 per capita on approximately 2,600 taxables.

Kingston Township's principal revenue sources are 2.65 mills levied on a

total assessed real estate and occupation valuation of \$6,485,295, and an earned income tax of 1/2%. Also levied are \$2.00 per capita tax on approximately 3,000 taxables, and 1% on realty transfers.

Table IV
Budgeted Tax Rates - 1969

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Assessed Value	\$3,273,750.00	\$7,402,070.00	\$6,485,295.00
Real Estate Tax	9.0 mills	2.0 mills	3.0 mills
Occupation Tax	---	---	---
Income Tax	1/2%	1/2%	1/2%
Per Capita Tax	\$5.00	\$3.00	\$2.00
Real Estate Transfer Tax	1%	1%	1%

D. Salary Schedules

The Dallas Borough Council has provided an annual salary of \$5,400 for its police chief, and each regular patrolman receives the state minimum of \$5,200. Special police are paid at the rate of \$1.75 per hour when called.

The annual salary of the Dallas Township chief is \$5,700 and each regular patrolman is paid the state mandated minimum of \$5,200. Special officers are paid \$1.75 per hour when called.

The police chief for Kingston Township is paid an annual salary of \$5,750, and the patrolmen \$5,200 each. Special police receive \$1.60 per hour when called to active duty.

Table V
Police Salaries

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Chief	\$5,400.00	\$5,700.00	\$5,750.00
Patrolmen	5,200.00	5,200.00	5,200.00
Special	1.75 per hr.	1.75 per hr.	1.60 per hr.

E. Uniforms and Other Fringe Benefits

Dallas Borough provides no social security coverage or any insurance on the lives of police officers or dependents. The Borough provides Workmen's Compensation coverage, but no medical or hospital insurance.

Since the Borough's three-man force falls under a state mandated pension provision, pensions are based on municipal and individual contributions. The Borough contribution consists solely of receipts from the state's annual casualty insurance grants and none from local revenue sources. The fund is administered by a Pension Fund Commission, which includes the chief and two representatives designated by council.

Paid vacations for the Borough police are fixed at one week after one year of service and two weeks after five years. While there are no specific regulations governing the amount of paid sick leave, the normal policy is full compensation during an officer's illness.

Dallas Borough Council provides no allowance for uniforms, each officer being responsible for his own.

Dallas Township provides no social security coverage and no life insurance on officers or dependents. The Township provides Workmen's Compensation coverage, but no medical or hospitalization insurance.

The Dallas Township police pension plan, financed wholly from state casualty insurance grants, does not appear to be managed in accordance with state requirements for the current four-man force. There is no special fund controlled by the supervisors or a pension fund commission. Rather, on receipt of the state grant, the total is divided equally between the regular officers, each of whom is free to purchase annuities, invest in mutual funds, or otherwise create his own fund in a "suitable" manner.

Paid vacations are fixed at one week for the first four years, and two weeks after five years. The Township has no specific regulations governing sick leave, but in the past officers have received full pay for periods of illness. This practice is possible because the remaining officers voluntarily fill in without extra compensation.

Each regular police officer of Dallas Township receives an annual uniform allowance of \$200.00 to be expended at his discretion.

Kingston Township provides Workmen's Compensation, but no social security, life insurance, or medical and hospital coverage for the police.

The police pension program consists of individual annuities purchased with state casualty insurance grants.

Paid vacations of one week are allowed for the first year of employment, and two weeks thereafter. Sick leave with pay is allowed to a maximum of 90 days, but is not cumulative.

There is no allowance for uniforms, and much of the office and protective equipment is the property of the patrolmen.

Table VI
Uniforms and Fringe Benefits

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Uniforms	No allow. ,self pur.	\$200 allowance	As needed
Social Security	None	None	None
Life Insurance	None	None	None
Workmen's Comp.	Yes	Yes	Yes
Med. & Hosp. Ins.	Self-paid	Self-paid	Self-paid
Pensions	State pension fund	Indiv. Invest. of State grants	Indiv. Annuities
Vacations	1 wk. after 1st yr. 2 wks. after 5 yrs.	1 wk. after 4 yrs. 2 wks. after 5 yrs.	1 wk. 1st yr. 2 wks. after 1st yr.
Sick Leave	Yes - No specific policy	Yes - No specific policy	Up to 90 days

F. Promotion Policies

Since each of the three police departments are small and have only the ranks of Chief of Police and Patrolman, promotions to the single higher rank have been rare. Consequently, the governing bodies of none of the three municipalities have a formal fixed policy on promotions. It was the concensus of those interviewed that should a vacancy occur in the office of Chief of Police in any of the three municipalities, the governing body of the municipality would in all likelihood promote a member of the force on the basis of seniority and performance, as is the case in most small communities.

G. Training

The officers in all three departments engage in in-service training programs in varying degrees. In each case, the patrolmen attend the elementary State Police field courses. The three Chiefs of Police have attended the F. B. I. courses which have been conducted in the Luzerne County area. The police of the three departments have attended the lectures, seminars, and the in-service short courses sponsored by the Institute of Regional Affairs at Wilkes College. However, no accurate and up-to-date personnel training folder is maintained by any of the departments.

Marksmanship training has been minimal. No member of any of the three police departments has received advanced or specialized training in any phase of field work. No formal program of in-service training is conducted by any of the

Chiefs of Police.

There is no indication that any attempts have been made for cooperative instruction of the personnel of the three departments in preparation for potential joint use of police officers in emergency. The attendance by police officers of the three municipalities at short courses and police workshops is many times contingent on informal arrangements so that the Back Mountain area does not remain unprotected.

H. Equipment, Communications, and Maintenance

The Dallas Borough police department is radio-equipped, with a base unit in the Chief's home and a mobile unit in the 1969 police special vehicle. There is no radio at police headquarters. Telephone communication consists of a phone at headquarters, and one in the home of each of the three officers, paid by each individual. An answering service in Wilkes-Barre receives and relays calls when no Dallas Borough officer is present at police headquarters.

The Dallas Township is radio-equipped, with a base unit at police headquarters and one mobile unit in the 1969 model standard vehicle. Telephone communication consists of a telephone at headquarters, and one in the home of each regular patrolman, paid by the individual. An answering service in Wilkes-Barre receives and relays calls when no officer is present at headquarters.

The Kingston Township police department is radio-equipped, with a base unit at the chief's home and one mobile unit in the 1969 police special vehicle. There is no radio at headquarters. Telephone communications include a phone at headquarters, one in each officer's residence, paid by the individual, and a Wilkes-Barre answering service to receive calls when no police officer can be reached directly.

Table VII
Police Equipment

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Police Car	Police Special	Stock model	Police Special
Base Radio	Chief's home	Headquarters	Chief's home
Car Radio	Yes	Yes	Yes
Telephone	Headquarters; each police officer's home; answering service	Headquarters; each police officer's home; answering service	Headquarters; each police officer's home; answering service

I. Morale and Discipline

The three Chiefs of Police indicated to the staff of the Institute of Regional Affairs that there have been very few morale problems, and that when minor infractions in discipline do occur, the matter is handled on a personal basis by the respective Chief of Police. There have been no occasions in recent years for the governing bodies to intervene in disciplinary cases.

J. Memo Book, Blotter, and Records

Daily duty reports provide the information for permanent records which include accident reports, incident reports, case records, juvenile control activities, vice control, identification service, traffic and crime spot maps, and personnel criminal identification. The basis for these daily reports are the police officers' own small notebooks, which are not the property of the Police Departments. There is no uniform policy on note-taking.

One of the shortcomings of all three departments results from one-man shifts, in which the partolman on duty is also responsible for desk duty as dispatcher and also serves as a police clerk.

Each of the three departments maintains a desk blotter on which are recorded all of the daily activities. These are not detailed reports of particular incidents, but provide the basic facts from which it is possible at a later time to cross-index with other records to obtain a complete report of an incident. Other types of files and records, though similar but not identical and normally maintained by small departments, are maintained by all three departments.

K. Traffic and Juvenile Control

The passage of main artery of traffic, Route 309, through the business district of Dallas Borough creates a severe traffic condition requiring first priority at certain times of the day. In fact, except for special events attracting large numbers of cars to other points in the Borough, traffic on Routes 415 and 309 consumes a significant amount of duty time.

The same routes present traffic problems for Dallas Township, while Route 309 is the major problem in Kingston Township.

None of the three police departments has a juvenile police officer.

L. Police Patrol Operation

Police car patrols are made to various parts of the Dallas Township on an irregular basis. Patrols into the southern end of the Township require the police car to travel through the Borough of Dallas. The job of car patrols by the single

police car and one officer is difficult, not only because of the 50 miles of roads, but especially because a number of significant clusters of homes are scattered throughout the Township. A few of the most important are Haddonfield Hills, Misericordia College, public junior and senior high schools, Maplewood Heights, and Old Goss and New Goss Manor, as well as the Irem Temple Country Club area. Most of these contain high-value properties.

The duty schedule for the Dallas Township police calls for three eight-hour shifts, each officer working six days followed by two days off. The shifts run from 6 AM to 2 PM, 2 PM to 10 PM, and 10 PM to 6 AM, assigned on a swing basis.

Car patrols of the Dallas Borough police are random and at irregular intervals, and are normally restricted, according to the chief, to the 8 AM to 12 PM shift. Patrols are relatively short because of the small area to be covered. This would imply emphasis on traffic enforcement, rather than prevention and protection.

Each regular Borough officer works eight hours daily, six days per week, with the day divided into three shifts from 8 AM to 4 PM, 4 PM to 12 PM, and 12 PM to 8 AM. The chief is on duty regularly during the first shift, while the other two officers alternate on the later shifts. However, the third man is used mostly as relief on other officers' days off, and consequently, there is generally police service from midnight to 8 AM on a call basis only.

Kingston Township police service is provided on a one-man shift basis as in Dallas Borough and Dallas Township. Patrols are conducted regularly on two shifts with officers on active duty. There are no patrols from 12 PM to 8 AM.

A Kingston Township officer is on active duty only during the shifts from 8 AM to 4 PM and 4 PM to 12 PM. Since each officer works five days of eight hours each, the third man serves as relief on the days off. Consequently, police service during the 12 PM to 8 AM period is "on call" to the chief's residence.

Table VIII
Work Shifts and Patrols

	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
Work Week	6 days	6 days (2 off)	5 days
Daily Active Shifts	8 AM to 4 PM (Chief) 4 PM to 12 PM 12 PM to 8 AM (on call)	6 AM to 2 PM 2 PM to 10 PM 10 PM to 6 AM (swing shifts)	8 AM to 4 PM 4 PM to 12 PM 12 PM to 8 AM (on call)
Special Officers	On call	On call	On call
Patrols	Random 8 AM to 12 PM	Irregular	Regular 8 AM to 4 PM 4 PM to 12 PM

M. Police Office and Detention

Police offices in each municipality are located at the municipal buildings, or, in the case of Dallas Township at the new building near the senior high school.

None of the police departments has local detention facilities. In the event that detention is required, the police officer must first obtain a commitment by a local justice of the peace, after which the individual arrested is placed in the Luzerne County prison.

N. Community Relations

None of the three police departments has any formal community relations program. Each of the Chiefs of Police indicated that they and their patrolmen constantly strive to maintain friendly and responsive relations with the public by friendly and courteous personal contacts with residents and by providing the best possible services. The three Chiefs of Police do make a special effort to cooperate with the newspapers, appear on school programs, and frequent teen-age functions, as well as cooperate with church and local service organizations.

O. Summary of Inventory

The objectives of this Report do not include in-depth analysis of specific police activities, nor performance records of the three police departments. The data, in each case, are restricted to those essentials which confirm the tentative conclusions of the three governing bodies to the effect that separate police operations no longer are capable of providing that quality of service so necessary in the developing Back Mountain area. Interviews with the three police chiefs revealed complete agreement with this conclusion. Moreover, the data received from them confirm it.

The data indicate that in each municipality the number of regular police officers is insufficient to provide prompt and effective services at all times. One-man shifts result in unattended police headquarters and deprivation of immediate response to calls from residents at such times. When two officers are on duty simultaneously, the manpower shortage is "solved" by eliminating active service during the crucial hours from midnight to morning. Demands of heavy traffic control, and other activities, such as investigation of crimes, prevent a regular program of car patrols, which is an essential function of police service, especially throughout the night hours.

The one-man shift also reduces the value of the radio communications system. The communications "black-out" between residents and the patrolmen out on duty is not satisfactorily eliminated by the use of a telephone answering service.

Opinions of members of the respective governing bodies and of their police chiefs, supported by the data assembled by the staff of the Institute of Regional Affairs, suggest that the police service problems of the three municipalities can be alleviated or eliminated only by an effective type of joint police service.

The most apparent deficiency in the Dallas Borough's police service is the fact that only one man is on duty on a given shift. One man cannot respond to several simultaneous calls, nor can he be equipped or physically capable of performing all of the duties required by stated standards of good police service. One obvious example of the handicaps of one man on duty was revealed when three widely spaced test calls to the police headquarters by an Institute staff member were answered by the answering service which offered to relay the calls to the absent officer "when available." Prompt response to emergency calls from citizens is, therefore, uncertain and indefinite.

Like Dallas Borough, the basic problems of police service in Dallas Township stem from the employment of only one officer on each shift. Here, too, no single officer can be proficient in all aspects of good police service, nor can a single officer handle simultaneous calls for assistance on any given shift. While the officer is responding to one call, another citizen requiring service must await the outcome of the answering service's contact with the police officer.

The lack of on-duty service after midnight in Kingston Township compounds an already serious deficiency in police service by a lack of car patrols during this same crucial period. The problem is still further aggravated, even during the active working shifts, because one man cannot give adequate patrol service to 87 miles of roads. Like Dallas Township, the patrol problem is complicated because of the set-back housing, landscaping, inadequate lighting, large wooded areas, rolling topography and the winding maze of circles and roads in Shavertown, Trucksville Gardens, Westmoreland Hills, Meadow Crest, Midway Manor, Carverton Heights, and most recently in the Slocum Dam area.

This 65.5 square miles traversed by more than 150 miles of improved and unimproved roads, containing more than 12,000 inhabitants living for the most part in widely separated clusters, with, in many instances, high values in residential and commercial properties, deserves more than under-manned, inadequate, and uncoordinated police protection.

III. THE KEY TO ADEQUATE PROTECTION

Small police departments are equally responsible for effective protection as are the departments of larger communities. At the same time, their very smallness creates or intensifies a number of problems like the following which are evident in the Borough and the two townships:

1. Limited financial resources restrict ability to provide necessary or desirable services, including a full-time juvenile officer, and specially trained personnel for criminal investigation using modern techniques.
2. Crucial night shifts are given second priority to the more numerous daytime activities.
3. Duplication of equipment, used infrequently by either of the three departments, encumbers funds which could otherwise be used for needed equipment now lacking.
4. Lower salaries and limited opportunities for advancement make it difficult to employ and retain qualified and dedicated personnel.
5. Minimum number of police officers reduce the likelihood of continuing training because personnel cannot be released for this purpose without further sacrifice of services.

Each of the three municipalities, of course, could upgrade police services to the level required under pressing current conditions by extending themselves financially. However, each of the departments already requires additional funds merely to maintain the minimal services at the current level. It does not appear feasible, given existing tax rates, to provide sufficient funds to operate satisfactorily as separate departments.

The most promising remedy in the foreseeable future for the total police problem in the Back Mountain area is some form of cooperative arrangement established on a fixed, formal, and continuing basis, by resolution or ordinance, as provided by laws of the Commonwealth.

Such joint effort would offer significant advantages as the following:

1. Improved service at lower unit cost.
2. More efficient, effective, and economical service to the public.
3. Centralization of protection with accompanying improvement in administration and economy.

4. Opportunities for police specialization.

5. Professionally trained personnel.

6. Less likelihood of political influence.

IV. LEGAL BASIS FOR INTER-MUNICIPAL POLICE SERVICE

Before describing and commenting on a variety of available arrangements for formalized joint police services, it should be noted that there has been a continuing, but limited, cooperation and mutual use of police personnel between the separate departments in the three jurisdictions. The police chiefs discuss mutual problems on an unscheduled basis, and exchange information relating to a variety of police cases and activity. Occasionally, this cooperation has included assistance by the officers of one jurisdiction to officers of another on request.

Although such cooperation is admirable, its contribution to effective police service under current arrangements is very limited and it entails certain legal implications which cannot be ignored. The shortcomings arise from the fact that the mutual assistance is not formalized in any form of ordinance, resolution, or written agreement, but solely on an informal oral "understanding" involving the governing bodies and the police chiefs. This not only makes response to mutual needs for service uncertain, but poses a number of serious legal questions. Does an undeputized officer of one jurisdiction have the legal authority of a police officer while assisting an officer in another jurisdiction on a request not formalized by a legal agreement? Under current law, which jurisdiction is responsible for disabilities or liabilities incurred as a result of duty outside the officer's own municipality? How will the public's image of the officer and his department be affected by the inability or failure of an officer to assist in a given situation in another jurisdiction?

Although this informal cooperation augurs well for the success of a more formalized effort to improve the area's police organization and activities, it should be completely rejected in view of the practical and legal questions it poses.

Current Pennsylvania general and code law provides the necessary legal authority for a variety of inter-municipal police service arrangements, ranging from occasional mutual cooperation in special circumstances to complete integration of several departments into a single merged organization.

A. Auxiliary Police

The governing bodies of boroughs and townships are authorized to appoint auxiliary police officers. This general authority permits the three municipalities to appoint each other's regular, and/or auxiliary, police as auxiliary police in their respective jurisdiction, who would be subject to duty call at any time by the appropriate chief.

B. Contract for Mutual Aid or Complete Service

Act No. 581 (1966) authorizes municipalities to enter contracts with "near

or adjacent cities, boroughs, or townships, either for mutual aid or assistance in police and fire protection, or for the furnishing, or receiving from such cities, boroughs, or townships aid and assistance in police and fire protection, and to make appropriations therefor." Thus, two arrangements are possible:

1. Each municipality could retain its existing police department and contract for assistance from the others on an as-needed basis; or,
2. All but one of the departments could be eliminated and contracts made with the remaining department to provide all police service.

Under such a contract, the police of the employing borough or township would have all the powers and authority conferred by law on the borough or township police in the territory which has contracted to receive the services.

Under such a cooperative agreement or contract, the policemen, individually, must be appointed and accepted as policemen of the borough or township receiving the service by ordinance or resolution, respectively.

However, insofar as civil service and pensions are concerned, such policemen are deemed appointees and employees only of the municipality furnishing the service and making the original appointment.

C. Joint Action Contracts Under Codes

Under their respective Codes, boroughs and townships have a general power to engage in contracts for joint action "with other political subdivisions...in performing governmental powers, duties and functions in carrying into effect provisions of law relating to said subjects which are common to such political subdivisions."

D. Joint Municipal Activities Act

The Joint Municipal Activities Act, commonly called the General Cooperation Law, as amended to 1965, provides to subdivisions a comprehensive plan of cooperation with each other through joint agreements in the exercise of their governmental powers, duties and functions.

The act applies to any powers, duties, or functions which each may under law exercise and perform separately.

Such joint agreements take effect when adopted by ordinance of borough Council and by resolution of township supervisors, and are binding and enforceable.

Although the terms of joint agreements may vary according to the nature of the project or program, the act specifies a number of mandatory items:

1. The means by which the cooperation shall be effectuated.
2. Employment of personnel.
3. Employment of consultants.
4. Purchase of personnel property and materials for joint use.
5. Allocation of costs and expenses for administration of the agreement.
6. Term of agreement.
7. Manner of renewal.
8. Manner of disposing of joint property or sharing joint property on termination.

The agreement may be amended by the same procedure used for adoption.

In view of the fact that the borough and township officials appear favorably inclined to some form of cooperative police arrangement, the Joint Municipal Activities Act provides the most logical legal basis for affecting the police plan.

In the first place, it provides machinery for formulating the initial police agreement. Each of the taxing bodies may appoint by resolution a committee of one to three members to meet with similar committees from the interested jurisdictions to discuss the possibilities of joint cooperation. Each committee "shall have the power to enter into joint agreements which shall be valid only when adopted by ordinance or resolution of the respective governing bodies."

Secondly, the act lays the groundwork for extending inter-municipal cooperation by providing for joint advisory boards to aid and advise the governing bodies in ways and means of implementing cooperative action. The advisory board would consist of one member of each governing body chosen by majority vote. No compensation may be paid, but payment of travelling and other necessary expenses incurred in performance of board duties is permissible.

The agreement creating such an optional advisory board must contain, but not be limited to:

1. The nature and scope of activities with respect to which the board shall make studies, recommend programs and policies, and give advice to cooperating municipalities.
2. The manner in which the board shall make reports.

3. Furnishing office space, facilities, equipment and supplies, and such professional, technical, or clerical personnel necessary to perform the board's work.
4. The method of sharing board expenses.
5. Any other provisions deemed appropriate and desirable to govern the establishment, function, and termination of the board.

A third desirable feature of this Act is the assurance that no matter what form of cooperative police, or other, agreement is adopted, the legal prerogatives of each municipality are preserved. The Act specifically provides that "no municipality may delegate any of its powers, duties, and functions to another municipality, nor to authorize one municipality to exercise such powers, duties, and functions on behalf of another municipality." Control of the cooperative project thus remains with each participating municipality, acting within the framework of the agreement terms.

V. OPTIONAL JOINT POLICE AGREEMENTS

On the basis of the current police program in the three jurisdictions as described in this Report, and the provisions of Pennsylvania statutes relating to joint activities, several forms of cooperative approach may be considered.

Available options may be classified into three general types according to the nature of organization and the degree of integration of police services:

Agreements for mutual use of police personnel on a call basis only.

Contracts under which one municipality provides complete police service to others.

Merging police departments.

Any arrangements considered by the governing bodies should be restricted to the three general types herein described.

A. Formal Agreement for Mutual Use of Police On Call Basis Only

Current legislation authorizes a wide variety of binding formal agreements for mutual use of police limited to specified situations. Such agreements are generally referred to as "on call" or "on request" service.

Agreements of this type are adopted by ordinance in boroughs and by resolutions in townships. They may provide for assistance in general terms, such as "in an emergency," or "when a request is made," or the terms may carefully detail the specific conditions under which calls shall be honored.

Authority to make and accept or reject requests for aid is sometimes placed on the respective mayors of boroughs and a designated member of a township board of supervisors, or on the respective police chiefs, or both. Some agreements make response to a request mandatory, while others leave the decision to the chief to whom the request is made.

Police officers who may be called into another jurisdiction are vested with appropriate authority in that jurisdiction in several ways, at the same time remaining an employee of the municipality which hired him:

1. Each municipality, in the ordinance or resolution establishing mutual assistance, in general language, may confer on each other's police personnel all the powers and authority conferred on their own officers.
2. The mayors of boroughs and the supervisors in townships may be

directed in the agreement to swear in each other's police personnel as auxiliary policemen with appropriate authority.

Terms of compensation for services rendered include payments on an hourly basis, a flat monthly or annual fee, or, in some instances, no compensation except reciprocal services. Provision is also made for fixing liability in cases of injury or damage to individuals or property during extra-jurisdictional service, as well as medical and hospital coverage for police personnel so employed.

In all cases, police officers remain responsible to their employing jurisdiction, although when on "on call" service they are under command of the requesting chief or his designated subordinate.

This type of limited agreement serves a useful purpose in subdivisions which are small in area and population, and where the character of the community or communities requires a minimum of police activity.

Under conditions in the Back Mountain area, as described in this Report, agreements for "on call" service, though better than none, fall short of the service requirements, namely, a sufficient number of well-trained, expertly directed and supervised police officers to provide promptly at all times the types and quality of protection and services to which the residents are entitled.

B. Contracts for Police Services

It is permissible under Pennsylvania statutes for boroughs and townships which have no police personnel to purchase, by contract, police service from an adjacent or nearby municipality equipped to provide it.

Such arrangements have the merit of simplicity, for a contract, properly negotiated by the respective governing bodies, need merely establish the types and quality of service to be rendered, the scheduled hours for protection, amount and method of compensation, and responsibility for workmen's compensation, insurance coverage of various types, and other related matters.

Although such contractual arrangement for complete police service could be legally adopted to provide a single police department for the three communities, certain obvious facts make this method unrealistic and unacceptable:

1. It would require the elimination by ordinance or resolution of two of the existing departments.
2. It would remove all controls, except the restrictive terms of the contract, from the hands of two of the governing bodies.

3. It would require the expansion and reorganization of the department contracting to provide the service, which, under existing circumstances, appears unworkable and unlikely.

The contract method has merit only when the municipality which is to provide the service has an established police department sufficiently large, highly trained, and adequately equipped to fill the needs of the receiving communities immediately.

C. Merged Police Department

The growing dilemma of increasing cost of police service and the rising public demand for more effective protection confronting the Back Mountain communities cannot be solved by intermunicipal agreements, formal or informal, providing mutual use of police on a part-time or emergency basis. Such agreements in developing areas are merely stop-gap measures which give the public a false sense of security and postpone a permanent resolution of the problem until it gets out of hand. At best, part-time formal agreements may provide a period of experimentation and trial as a first step in intermunicipal cooperation. Such experimentation is not necessary in the three municipalities, since the police departments have been cooperating in certain instances, if only on the basis of informal understanding.

The ultimate solution lies in some form of merged police departments. This has been done in many parts of the nation, especially in urban areas and neighboring suburban communities. To be successful, merger must be tailored to the geographic conditions in the given area, equipment and personnel currently in use, the variety of services deemed necessary, the state of present relations between governing bodies, and the degree of readiness to accept mutual service by officials and the public.

On the basis of the available data on current and anticipated needs for police service in the Back Mountain municipalities, a merged police department offers the most effective and economically feasible approach. Such a merger can be effected under the code provisions for inter-municipal agreements or under the Joint Services Act. The Joint Services, or "intergovernmental cooperation" act provides the soundest and most promising basis on which to proceed with merger precisely because: (a) its terms permit the three municipalities to set the level of mutual service at whatever point the aforementioned conditions dictate, and (b) it opens the door to other types of cooperative activity in the future.

The general features of such a merger, which should be incorporated into specific provisions of an agreement duly executed by the officials of all three municipalities, are suggested below:

1. Single Police District. Municipal boundaries which currently restrict

the jurisdiction of the three existing police departments should be erased insofar as future police activities are concerned, so that a single police district comprising the total geographic area of the borough and two townships is established. The single police district should be divided into two police zones for administrative and operational purposes. The zones should be as nearly equal as possible as determined by the current police chiefs and the governing bodies based on a composite of such factors as population, land area, distribution of residential, commercial, and industrial property, public facilities, and known incidence of criminal activities.

2. Joint Police Commission. The merged police department should be under the general supervision of a Joint Police Commission, responsible to the governing bodies of the participating municipalities. The Joint Police Commission should consist of the Mayor of the Borough and the Chairmen of the Board of Supervisors in each township. Any vote taken on the Joint Police Commission should be according to Roberts Rules of Order.
3. Functions of Joint Police Commission:
 - a. The Commission should prepare annually a budget for the merged police department, which shall be submitted to each of the participating governing bodies not later than October 1 for consideration and adoption. (See Appendix A for combined 1969 budgets.)
 - b. The Commission should apportion the annual budget appropriations for the merged police department among the three municipalities on the basis of the official Luzerne County assessed valuation of real property used for establishing the real estate tax rate, or population as determined by 1960 U. S. Census (See Appendix C).
 - c. The Commission should establish, direct, and control a uniform police record system by first assembling all existing police files and records of the three separate municipal departments.
 - d. The Commission should supervise and direct the police activities of the single merged police department.
 - e. The Commission should recommend for approval to the three respective governing bodies uniform policies on salary and wage scales, hours, pensions, fringe benefits, and other matters relating to effective police service.
4. Police District Personnel. The number of police and/or civilian personnel allotted to each municipality as set forth in the agreement should

be appointed and/or removed by the respective governing body, subject to the Civil Service Regulations applicable to the municipality and after consideration of a recommendation by the Joint Police Commission. The single police district personnel should be under the direct supervision of a Chief of Police, designated by a majority vote of the respective governing bodies on recommendation of the Joint Police Commission, each body casting one vote as determined by a majority in each separate body. The Chief of Police should be assisted by two operating zone captains designated by the Joint Police Commission.

The initial single police district personnel complement, upon the adoption of the merger agreement, should be comprised of the 12 regular officers of the three municipalities, one of the 3 chiefs to be designated, as hereinbefore provided, to be the Chief of Police and the two remaining police chiefs as captains.

The Joint Police Commission should from time to time recommend for approval by the participating governing bodies the number of regular and special police and/or civilian personnel to service the merged police department using as the basis for apportionment of personnel to each of the municipalities formulas specifically spelled out in the agreement; either of two formulas could be used to determine the apportionment: (a) The official Luzerne County assessed valuation of real property used for establishing the real estate tax rate in each municipality, or (b) population as determined by U. S. Census Bureau (See Appendix D).

5. Police Headquarters. A single central police department headquarters should be established from which all police activity should originate. It should be located either in the new maintenance building in Dallas Township or in the municipal building in Dallas Borough. Expenses for such joint police quarters should be a part of the shared costs of the single police district.
6. Equipment and Supplies. All existing police equipment, materials and supplies, should continue to be the property of the purchasing municipality until replaced; but its use should be pooled when and as directed by the Chief of Police and the Joint Police Commission.

Future replacements and/or additions to police equipment, and materials and supplies for the merged police department should be purchased as common property by the Joint Police Commission in accordance with procedures established by law.

7. Deputization of Personnel. Each governing body should formally deputize all officers of the merged department to perform police duties in order to legalize the performance of such duties of police personnel in any part of the single police district outside of the officers' appointing municipality.

8. Merger Agreement. The merger agreement, which should be adopted by ordinance of the Borough and by resolution of the Boards of Supervisors, should be automatically renewed from year to year, unless terminated by the governing body of any community upon not less than six months written notice. In the event of termination of the agreement, the participating departments shall revert to separate operations as heretofore, and all common property of the merged department shall be shared or disposed of on the basis of the formula established for apportioning appropriations. Termination of the agreement should be by ordinance and resolution respectively.

Any differences or disputes between the governing bodies of the participating municipalities arising out of the joint police agreement shall be resolved by majority vote of the Joint Police Commission, or upon written request of the governing bodies of at least two municipalities, by a committee-of-the-whole consisting of all the members of the participating governing bodies, each member having one vote and a majority vote of the combined membership required.

Amendments or revisions of the original agreement should be effective when approved by the governing bodies of all participating municipalities, in the same manner as provided for the original agreement.

VI. CONCLUSION

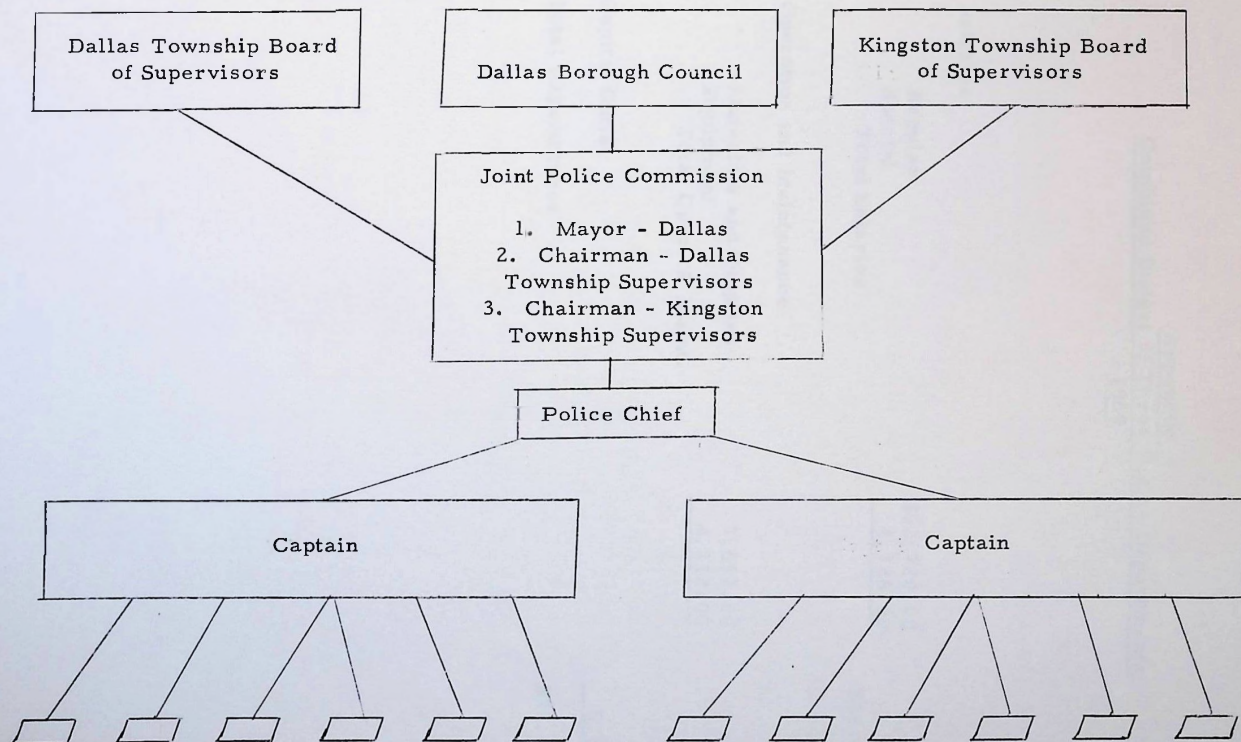
A coordination of some functions of local government can never occur without comprehensive reorganization of local government. Local governments providing services at a level desired by local residents will continue to do so provided that service performance meets acceptable public standards. It is desirable to preserve as much local control of governmental services as is practical without sacrificing reasonable quality and quantity of service.

The prime police mission is to act as the enforcement arm of the criminal justice system by protecting persons and property. The means comprise authority, services and constructive influences.

Greater interest in the present activities, personnel, organization, and operations in the police departments of the three municipalities, which is the subject of this Study, combined with an understanding of requests for manpower and equipment by responsible residents and civic organizations can only result in greatly improved police protection for the whole Back Mountain area.

In recommending a single police district for the three municipalities, the objective has been the creation of a police force, with a complement of officers and organization having the qualities of intelligence and professional training, combined with expert organization and management. That would raise the level of police service. It should be clearly understood that economy of the police service in the three communities is the strongest argument in support of a functional joint police program. Moreover, the argument of improved police service is more than sufficient to offset the disadvantage stemming from the loss of freedom of individual action in police matters.

PROPOSED ORGANIZATION OF MERGED POLICE DEPARTMENT



Appendix A
Combined Budget of Three Police Departments
1969

Salaries		
Regular	\$52,720.00	
Special	<u>4,128.00</u>	
Total Salaries		\$56,848.00
 Operation and Maintenance		
Materials and Supplies	3,652.00	
Equipment	<u>4,112.00</u>	
Total Oper. & Maint.		7,764.00
 Capital Outlay		 <u>6,800.00</u>
Total Expenditures		\$71,412.00

Appendix B
Apportionment of Police Personnel and
Police Expenditures for Merged
Police Department

Either the population or assessed valuation in each of the three municipalities could be used to establish a formula for apportioning the personnel and expenditures for a merged police department:

1. Formula Based on Population. Each municipality would contribute to the total personnel and expenditures of the merged department on the basis of the percentage its population bears to the total combined population of the three municipalities:

<u>Municipality</u>	<u>Population (1960)</u>	<u>% of Combined Population</u>
Dallas Borough	2,586	21
Dallas Township	4,053	34
Kingston Township	<u>5,450</u>	<u>45</u>
Total	12,089	100

2. Formula Based on Assessed Valuation. Each municipality would contribute to the total personnel and expenditures of the merged police department on the basis of the percentage its assessed valuation bears to the total combined assessed valuation of the three municipalities.

<u>Municipality</u>	<u>Assessed Valuation 1969</u>	<u>% of Combined A. V.</u>
Dallas Borough	\$ 3,273,750	19
Dallas Township	7,402,070	43
Kingston Township	<u>6,485,295</u>	<u>38</u>
Total	\$17,161,115	100

Appendix C
Apportionment of the 1969 Combined Police Expenditures
of All Three Municipalities

Either the population or assessed valuation in each of the three municipalities could be used to establish a formula for apportioning the 1969 combined police expenditures for a merged police department:

1. Formula Based on Population. The 1969 combined police expenditures for the merged police department might be divided on the basis of the percentage its population bears to the total combined population of the three municipalities:

<u>Municipality</u>	<u>1969 Budget</u>	<u>%</u>	<u>Population</u>	<u>%</u>
Dallas Borough	\$19,600.00	27	\$14,996.52	21
Dallas Township	27,120.00	38	24,280.08	34
Kingston Township	<u>24,692.00</u>	<u>35</u>	<u>32,135.40</u>	<u>45</u>
Total	\$71,412.00	100	\$71,412.00	100

2. Formula Based on Assessed Valuation. The 1969 combined police expenditures for the merged police department might be divided on the basis of the percentage its assessed valuation bears to the total combined valuation of the three municipalities:

<u>Municipality</u>	<u>1969 Budget</u>	<u>%</u>	<u>Assessed Valuation</u>	<u>%</u>
Dallas Borough	\$19,600.00	27	\$13,568.29	19
Dallas Township	27,120.00	38	30,707.16	43
Kingston Township	<u>24,692.00</u>	<u>35</u>	<u>27,136.55</u>	<u>38</u>
Total	\$71,412.00	100	\$71,412.00	100

Appendix D
Apportionment of Personnel
for Merged Police District

In order to affect a merger of the three police departments, the Joint Police Commission and the governing bodies would determine the total police personnel required for the merged department. The traditional rule-of-thumb, prescribing a minimum of one officer per thousand population, would indicate the need for at least twelve officers. A complement of this size may be adequate in the initial transition stage of the merger, but only if all officers are released from desk duties by the employment of four civilian desk clerks, such as retired or handicapped persons, to man the headquarters and communication center on a round-the-clock basis.

Once the total police complement is established, the number which each municipality would appoint may be determined on the basis of either its relative population, or its relative real estate assessed valuation.

1. Apportionment by Population*

<u>Total Personnel</u>	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
12	3	3	6
13	3	4	6
14	3	5	6
15	3	5	7
16	4	5	7
17	4	6	7
18	4	6	8
19	4	6	9
20	4	7	9

* Using ratios from Appendix B

2. Apportionment by Assessed Valuation*

<u>Total Personnel</u>	<u>Dallas Borough</u>	<u>Dallas Township</u>	<u>Kingston Township</u>
12	2	5	5
13	3	5	5
14	3	6	5
15	3	6	6
16	3	7	6
17	3	7	7
18	3	8	7
19	4	8	7
20	4	9	8

* Using ratios from Appendix B

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