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RECENT DEVELOPMENTS IN METROPOLITAN LAW ENFORCEMENT

Part II*

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ALTERNATIVE APPROACHES TO METROPOLITAN SOLUTION

One hundred and twelve of the nation's metropolitan areas involve the territory of but a single county,³⁰ and this fact is suggestive of the role which "urban counties" may play in the solution of metropolitan problems.³¹ The urban counties have shown a persistent vitality, and in some states an adaptability to changing socio-political facts of life. There is no longer a clear delineation between "urban" and "rural" governmental functions. Victor Jones feels that the inclination of many urban counties to assume new responsibilities makes it unrealistic to view the county as simply an administrative unit of the state.³²

If the county is to become a central agency through which to integrate or co-ordinate local government in metropolitan areas, as Professor Jones suggests,³³ there are involved in this proposal considerations which are beyond the scope of this paper.

In the field of law enforcement, however, at least in California, and some counties of Maryland, Missouri, New York, and Virginia, there have developed strong, competent, and progressive county police agencies. Skillfully organized and administered, some of these county agencies provide a specialized and well-rounded police program. Furthermore, and perhaps more important, the leaders of some of these county agencies have consistently demonstrated their willingness and ability to exert an integrative influence upon the multifarious policing bodies of their counties.

Since the single-county metropolitan area is a

* Part I of this article appeared in this Journal, Vol. 50, No. 5, pp. 497-508, January-February 1960.

³⁰ Table II, MUNICIPAL YEARBOOK, 1954, pp. 31-6, and VICTOR JONES, "Urban Counties," *Ibid.*, pp. 133-8.

³¹ Cf. JONES, *Ibid.*, and VICTOR JONES, "Urban counties—suburban or metropolitan governments," *PUBLIC MANAGEMENT*, 36: 98 (May, 1954).

³² JONES, MUNICIPAL YEARBOOK, 1954, p. 135.

³³ JONES, *PUBLIC MANAGEMENT*, p. 101, 1954.

more common phenomena, the attention of this paper will be focused primarily upon recent law enforcement developments within these areas. The paper will attempt to abstract the significant recommendations made in surveys of sixteen metropolitan areas made since 1945, eleven of which involve the territory of a single county.³⁴ The writer will attempt to identify certain common denominators which might prove applicable to metropolitan areas generally. Some of these surveys were conducted with specific governmental authorization; others were conducted at the request of quasiofficial or unofficial citizen groups, both by the staffs of governmental agencies, by quasi-official and unofficial groups.

Examination of these surveys reveals several significant generalizations relative to organization of the police function.

1. Explicit in a majority of metropolitan surveys has been recognition of the need to integrate or co-ordinate the police function throughout the metropolitan area and to refashion enlarged police administrative areas.

2. The urban county's role in law enforcement has been increasingly recognized, as well as the necessity of reconciling this role with that of the central city.

3. While enlarged police administrative areas have been advocated, attention has also been given to the possibility of allowing local communities to control those portions of the police function which are primarily local in effect.

4. Where organic integration of the police resources has not been recommended, recognition has at least been made of the need to integrate certain central staff services of the police function.

5. Where organic integration of the total police function has been recommended, the largest and most powerful agency in the metropolitan area

³⁴ The Metropolitan Areas are listed below in alphabetical order by the name of the central city;

has not been universally advocated as the nucleus for metropolitan law enforcement.

6. The inadequacy of the sheriff system in the scheme of metropolitan law enforcement has been recognized.

7. The rights of displaced governmental employees are important and failure to protect these rights may endanger the success of any proposal for metropolitan reorganization.

8. Police agencies are not always included in metropolitan reorganization schemes, and this omission may imply that the police function occupies an especially peculiar position in democratic local government.

9. The need for a body of well-trained, career, and non-partisan law enforcement officers is no longer glossed over, and this need is implicit in each proposal regarding metropolitan law enforcement.

Explicit in each of the metropolitan surveys has been recognition of the inadequacy of the present pattern of police organization in metropolitan areas. Of course no single formula has been yet devised which will fit the situations of all metropolitan areas. In a majority of the cases, reorganization of the police resources would follow as a consequence of altering the general features of local government. In this respect, approaches to metropolitan law enforcement can scarcely be separated from the general approaches to a metropolitan solution. The standard approaches to effecting a metropolitan solution are, as follows:

1. annexation;
2. city-county consolidation or separation;
3. federation or borough government;
4. transfer of functions, functional consolidation, or joint handling of functions;
5. formation of special purpose metropolitan districts.

In considering specific approaches to metropolitan law enforcement, strict categorization is difficult, but the following examination of these proposals will conform more or less to the above approaches.

Annexation: Under the Atlanta "Plan for Improvement," which went into effect January 1, 1952, the city of Atlanta, Georgia annexed much of its urban fringe which lay in Fulton County. The annexation almost trebled the territory of the central city (from 35 to 118 square miles) and brought under city jurisdiction an additional

population of 96,985.³⁵ The plan provided for the allocation of functions between Atlanta and Fulton County. The county, under terms of the reorganization, was limited to the performance of "traditional county functions." The city was given responsibility for the performance of the following services: 1. police; 2. fire; 3. refuse collection and disposal; 4. inspection; 5. parks and recreation; and 6. airport development and operation.³⁶

Relative to the police function, the plan provided for the consolidation of the county police force into the Atlanta Police Department.³⁷ All personnel were to retain their ranks at the time of the merger, as well as seniority, retirement benefits, etc. The county government was to retain the responsibility of deciding which portions of the unincorporated area was to receive an urban level of police service from the city of Atlanta. Atlanta now contracts to provide police service to several unincorporated areas.³⁸ The Atlanta plan left undisturbed the nine smaller municipalities in Fulton County. In addition, the Atlanta metropolitan area includes the territory of other counties. Consequently, the Atlanta plan provides only for a partial integration of the police resources of the area.

In addition to Atlanta, annexation has been recommended as an approach to solving the metropolitan problems of Birmingham, Lexington,³⁹ and Nashville.⁴⁰ In 1949, Weldon R. Cooper surveyed the Birmingham area and recommended, among other things, the strengthening of the Jefferson County government, the extension of municipal boundaries, and the increased use of contractual arrangements.⁴¹ Regarding law enforcement, Cooper suggested that the Birmingham Police Department, the largest and most extensive in the area, was the logical unit around which to

ton; 5. Chicago (Cook)*; 6. Cincinnati (Hamilton)*; 7. Houston (Harris); 8. Lexington (Fayette); 9. Los Angeles; 10. Miami (Dade); 11. Milwaukee; 12. Nashville (Davidson); 13. Pittsburgh (Allegheny)*; 14. Sacramento; 15. St. Louis*; and 16. Salt Lake City.
³⁵ LYNWOOD HOLLAND, "Atlanta pioneers in merger," NATIONAL MUNICIPAL REVIEW, 41: 182 (April, 1952).

³⁶ *Ibid.*, p. 185.

³⁷ Virgil W. Peterson, "Issues and problems of metropolitan area police services," JOURNAL OF CRIMINAL LAW, CRIMINOLOGY, AND POLICE SCIENCE, 48: 130-2 (July-Aug, 1957).

³⁸ *Ibid.*, p. 131.

³⁹ Greater Lexington Committee, GREATER LEXINGTON—WHAT WILL YOU MAKE OF IT?, 1955.

⁴⁰ Community Service Commission, A FUTURE FOR NASHVILLE, 1952.

⁴¹ WELDON R. COOPER, METROPOLITAN COUNTY: A SURVEY OF GOVERNMENT IN THE BIRMINGHAM AREA, University of Alabama, Bureau of Public Administration, 1949, pp. 134-8.

the county name is given in parenthesis if it differs from the name of the central city. Those metropolitan areas which contain the territory of more than one county are denoted by an asterisk: 1. Atlanta (Fulton)*; 2. Baton Rouge; 3. Birmingham (Jefferson); 4. Charles-

build a larger service unit.⁴² Parenthetically, it should be mentioned that Alabama law already gives to cities over 6,000 population the power to provide police service—and to tax for it—in the territory of their “police jurisdiction,” i.e. for a distance of three miles outside their boundaries.⁴³ The police jurisdiction of cities with less than 6,000 population is one and one-half miles outside their boundaries.

City-county consolidation: City-county consolidation has been recommended as an instrument of metropolitan integration in Baton Rouge, Birmingham,⁴⁴ Charleston,⁴⁵ and Houston.⁴⁶ In 1949, the City of Baton Rouge and Baton Rouge Parish were consolidated. In order to extend urban services uniformly throughout the urban area, the parish was divided into three service areas *viz:* 1. the urban area; 2. the industrial area outside the city, in which no residences were permitted; and 3. the rural area.⁴⁷ Under the plan, each of these service areas was to be provided with a different level of police service. An urban level of police protection was to be provided throughout the entire urban area. The industrial area was to receive no regular urban police service; instead, police and fire protection was to be provided by the industrial firms in the area, supplemented by mutual aid agreements with the urban area. An urban level of police protection was to be provided to the rural area only through the media of special taxing districts.

Federation: In 1957, the voters of Dade County, Florida approved the establishment of Metropolitan Dade County as a solution to the pressing problems of the Miami area. The development has been hailed as the “first metropolitan” government in the United States. In its first year of operation the metropolitan government weathered 150 lawsuits challenging its area-wide authority. In addition, the government was subject to a referendum on September 30, 1958 which sought to

⁴² *Ibid.*, p. 137.

⁴³ CODE OF ALABAMA, (1940) Title 37, Sect. 9. Cf. L. K. ANDREWS, “Municipal powers in police jurisdiction,” ALABAMA MUNICIPAL JOURNAL, 12: 25 (March, 1955) and N. C. FLOYD, “Importance of police jurisdiction,” ALABAMA LOCAL GOVERNMENT JOURNAL, 10: 25 (May, 1953).

⁴⁴ Cited by COOPER, *Op. Cit.*, p. 103.

⁴⁵ W. C. DUTTON, JR., “Charleston area problems studied,” NATIONAL MUNICIPAL REVIEW, 46: 204-7 (April, 1957) and CHRISTIAN L. LARSON & ROBERT H. STOUDEMIRE, METROPOLITAN CHARLESTON, University of South Carolina, 1949, pp. 42-4.

⁴⁶ Harris County Home Rule Commission, METROPOLITAN HARRIS COUNTY, 1957.

⁴⁷ THOMAS H. REED, “Progress in metropolitan integration,” PUBLIC ADMINISTRATION REVIEW, 9: 8 (Winter, 1949).

limit its power to the unincorporated area. Its area-wide authority was reaffirmed by the voters, 73,958 to 49,469.⁴⁸

A federated metropolitan government has also been recommended for Cincinnati⁴⁹ and Sacramento. Public Administration Service conducted metropolitan surveys of both Miami and Sacramento. Their specific recommendations relative to the police function deserve particular attention. In Miami, PAS recommended the creation of a metropolitan government and the distribution of governmental functions between this government and the 26 cities of Dade County. The metropolitan government was to be responsible for governmental functions which were essentially metropolitan in scope. The cities were to retain responsibility for purely local functions.

The survey of Miami did not recommend the consolidation of the county's police resources. Instead, responsibility for law enforcement was to be divided between Metropolitan Dade County and the cities. This distribution of function and responsibility in law enforcement may be illustrated graphically, as follows:⁵⁰

Metropolitan Government

Minimum patrol and traffic control throughout the metropolitan area; provision of full patrol services, at cost, in municipalities which choose to abdicate their basic authority.

Development and administration of central training, communications, records, crime investigation, jail and stockade facilities and services.

Municipal Governments

Basic authority to provide full patrol and traffic control service within the municipalities.

Supplemental police training; maintenance of local police records; discretionary authority to investigate crimes committed within municipalities; operation of detention cells.

The Miami plan provided for a Metropolitan Council as the legislative body of the new government, while “direction of the administrative activities of the [metropolitan] government should be entrusted to a chief executive or administrative officer.”⁵¹ Under the direction and supervision of

⁴⁸ “Dade County referendum upholds Miami Metro,” METROPOLITAN AREA PROBLEMS, 1: 1 (Sep-Oct, 1958)

⁴⁹ DORIS AND THOMAS H. REED, THE CINCINNATI AREA MUST SOLVE ITS METROPOLITAN PROBLEM, Stephen H. Wilder Foundation, 1953.

⁵⁰ Public Administration Service, THE GOVERNMENT OF METROPOLITAN MIAMI, 1954, p. 88.

⁵¹ *Ibid.*, p. 98.

the metropolitan chief administrative office, the plan provided for a Department of Public Safety which:

provides police services and operates central communications, training, laboratory, records, jail and stockade facilities. Develops and enforces uniform fire code and executes fire prevention program; provides fire protection on a cost basis. Organizes and coordinates civil defense activities.⁵²

In addition to the Department of Public Safety, the organization chart of the metropolitan government provided for an elective sheriff "who serves as agent of the metropolitan government in serving criminal and civil processes."⁵³

Relative to the distribution of governmental functions, PAS recommended that decisions regarding the allocation:

should be made largely on the basis of their regional versus their local importance, but in some instances economy and efficiency of administration will determine where a function should be performed locally or on a metropolitan basis.⁵⁴

PAS concluded that *minimum* levels of police patrol and central communications, training and jail services were properly the responsibility of the metropolitan government. In addition:

Authority should be vested in the metropolitan government to develop and prescribe police records and reporting systems for the entire metropolitan area and it should operate a central records system. Additionally, it should provide central laboratory facilities and it should be responsible for the development of a criminal investigation program for Metropolitan Miami. Municipal police should be required to execute and submit records and reports in accordance with requirements of the metropolitan government. Although municipalities should retain discretionary authority to investigate crimes committed within their corporate limits, basic authority for criminal investigation should vest with the metropolitan government.⁵⁵

This separation of the criminal investigation phase from the remainder of the police process has

interesting implications for the field of police administration. Improper or inadequate action in the field of criminal investigation by officers of a municipality could conceivably reduce the police forces of that municipality to the status of night watchmen. Since a chief of police should properly be held responsible for crime conditions within his city, the responsibility for criminal investigation is one of his most valuable assets. If he loses the authority to investigate, or if it is necessary for outside agents to intervene within his jurisdiction, his effectiveness as a police executive is in question. If he loses this authority he has been denied the benefit of his principal source of intelligence information. Consequently, the normal police executive protects jealously his authority to investigate crimes. The threat of outside intervention may encourage a chief of police to exercise close supervision over his own detectives.

The Miami plan included one final provision that is novel and contains interesting implications for law enforcement. This is the provision by which the metropolitan government may prescribe minimum standards of performance and also seek to co-ordinate phases of the police function. The metropolitan government is vested with the authority to:

Set reasonable minimum standards for all governmental units in the county for the performance of any service or function. The standards shall not be discriminatory as between similar areas. If a governmental unit fails to comply with such standards, and does not correct such failure after a reasonable notice by the Board, then the Board [of County Commissioners] may take over and perform, regulate, or grant franchises to operate any such service.⁵⁶

The same section of the *Metropolitan Charter* also granted to the metropolitan government the authority to take over, operate, or grant franchises to operate any municipal service if requested to do so by a majority of the electors or by action of the municipality's governing body.

In many respects, PAS recommendations for the Sacramento, California area were similar to their recommendations for Miami.⁵⁷ There were, however, some important dissimilarities. Essentially, it was recommended that the governments of Sacramento county and of the central city be consolidated. In order to provide uniform service

⁵⁶ Dade County Metropolitan Charter, Sect. 1.01A (18).

⁵⁷ Sacramento Metropolitan Area Advisory Committee, *THE GOVERNMENT OF METROPOLITAN SACRAMENTO*, Public Administration Service, 1957.

⁵² *Ibid.*, p. 100.

⁵³ *Ibid.* The Sheriff's Department has now been consolidated with the Public Safety Department. Section 1.01A (19) of the Dade County Metropolitan Charter granted authority to the Board of County Commissioners to, "By ordinance, abolish or consolidate the offices of Sheriff, Constable, or any county office created by the Legislature. . ." [except the office of Superintendent of Public Instruction].

⁵⁴ *Ibid.*, p. 88.

⁵⁵ *Ibid.*, p. 97.

areas, the Sacramento plan designated two service areas: one for urban services; the other for "regular area-wide services." A minimum level of police services would be provided for the county as a whole. An additional level of urban police service would be rendered to the Urban Service Area.⁵⁸ For taxing purposes, the report recommended that the Urban Service Area constitute a special assessment district.⁵⁹

Functional consolidation: Functional consolidation is the most commonly applied solution to metropolitan police problems. This approach has been more commonly used than others because it normally has less intense political opposition. It can also be applied to only a portion of the police function, leaving intact the basic organizational pattern of authority. Functional consolidation has been suggested as a possible solution to the police problems of Houston,⁶⁰ Milwaukee,⁶¹ and Pittsburgh.⁶²

The specific approaches to functional consolidation are varied. They may take simply the form of cooperative arrangements between two or more agencies jointly to perform a portion of the police function. Such arrangements have been most common in the fields of prisoner custody and care, police communications, identification and records, training, etc. As of May, 1956, there were reported 423 instances of such agreements between police agencies in California, alone.⁶³ Functional consolidation may also provide for the formal transfer of police authority and responsibility from one agency of local government to another, normally through the means of a police service contract.⁶⁴ Cooperative arrangements between agencies—both formal and informal—have generally had a healthy influence upon law enforcement.

While informal arrangements to handle jointly a portion of the police function have become relatively common, police service contracts have been slower to develop. The effects of such contracts are varied. Normally, however, they have resulted in a reduction in the number of agencies administering the police function within an area, and they

⁵⁸ *Ibid.*, p. 143.

⁵⁹ *Ibid.*

⁶⁰ Harris County Home Rule Commission, METROPOLITAN HARRIS COUNTY, 1957, p. 78.

⁶¹ Public Administration Service, ADMINISTRATION OF PUBLIC SAFETY AND CORRECTIONAL SERVICES OF MILWAUKEE COUNTY, 1955, pp. 73-4.

⁶² Allegheny County Metropolitan Study Committee, AN URBAN HOME RULE CHARTER FOR ALLEGHENY COUNTY, 1955.

⁶³ Address by WILLIAM R. MACDOUGALL, q. in CALIFORNIA PEACE OFFICER, (July-Aug., 1956) p. C-27.

⁶⁴ The present author is preparing a paper dealing with police service contracts.

have also resulted in some administrative economies through the pooling of resources. It is believed that the first police service contracts were developed in Nassau County, New York in about 1929. The system was subsequently abandoned in New York, however. In 1952, Atlanta, Georgia began providing contract police services in areas of Fulton County. In 1954, the "Lakewood Plan" was initiated in Los Angeles County, and that county government now has contracts to perform police service for fourteen cities. The largest city receiving such services has a population of more than 80,000. Police service contracts are also being presently used in the following California counties: Fresno, Orange, San Bernardino, San Diego, San Mateo, and Santa Clara. St. Louis County, Missouri began to provide contract police services in 1956 and now has an extensive system.

St. Louis County offers an interesting example of functional consolidation in the field of law enforcement.⁶⁵ On July 1, 1955, the St. Louis County Department of Police was established, replacing the sheriff and constables whose police powers had been rescinded. The new department was vested with county-wide police powers. The county police did not replace, however, the police of the more than 90 incorporated areas. Within these areas, there now exists essentially a dual jurisdiction. The county-wide power of the Superintendent of the county police gives him a check, however, upon the energy and efficiency of the municipal departments. The county police provide a minimum level of police service not only in the unincorporated areas of the county, but also within those incorporated areas which do not provide 24-hour police service. Incorporated areas desiring a higher level of service may receive it from the county police on a contract basis.

Recommendations of the Metropolitan St. Louis Survey in 1957 may further improve the level of law enforcement in St. Louis County. St. Louis City is independent of St. Louis County, and the Survey recommended continued cooperation between the two jurisdictions. Interestingly enough, the Survey did not recommend that law enforcement be made a part of the proposed Metropolitan Government. Nor was it recommended that the many and diverse forces of the county be consolidated.

Treating the county separately, the Survey recommended that the county police department be responsible for co-ordinating police effort throughout the county. In order to make this

⁶⁵ MISNER, Loc. Cit.

recommendation meaningful, it was recommended that the county police provide the following services to the incorporated areas: (1) central records, (2) central radio dispatching, (3) training, (4) laboratory facilities, and (5) special criminal investigations.⁶⁶ Recognizing the vital role of the county in law enforcement, as well as the inadequacies of law enforcement in many of the smaller jurisdictions, the Survey further recommended:

that the county police department should be responsible for furnishing full police protection to all municipalities which have a population of less than 4,000 and to those larger cities which fail to maintain police protection at a minimum level of adequacy.⁶⁷

The Survey further proposed that the police function throughout the county should be financed out of the county general fund. Municipalities which maintained a minimum level of adequacy of police service would be reimbursed the expenses of providing this level of service. Municipalities which desired a higher level of law enforcement would be responsible for financing the difference in cost between the two levels. By this method, each portion of the county would be assured of a minimum level of law enforcement, and the cost for such service would be spread over a county-wide tax base. In addition to this minimum level of police service, the incorporated areas could supplement the amount of service according to their desires.

Quite a different approach to metropolitan law enforcement has been advocated in Los Angeles. In 1952, researchers suggested that the most critical need in that area was to designate some official with the responsibility of co-ordinating the police function throughout that vast county.⁶⁸ The report suggested that the office of district attorney was best suited for this responsibility. The legal status of the office gives the district attorney not only powers as a legal officer, but also additional police powers which are quite independent of the normal police agencies. The prosecutor's control

⁶⁶ Metropolitan St. Louis Survey, *PATH OF PROGRESS FOR METROPOLITAN ST. LOUIS*, 1957, p. 88. Functions which it was advocated that the proposed Metropolitan Government should assume were, as follows: 1. roads, traffic and parking; 2. public transit; 3. master planning; 4. commercial zoning; 5. sewage; 6. civil defense; and 7. property assessment. *Ibid.*, p. 3.

⁶⁷ Factors to be used in determining this level of adequacy would include the following: "(1) minimum number of police officers required, (2) minimum qualifications of police officers, and (3) requirements for in-service training." *Ibid.*, p. 89.

⁶⁸ ROBERT F. WILCOX, *METROPOLITAN LOS ANGELES*:

over the prosecution phase gives him a preeminent position in the field of law enforcement. His power to initiate prosecutions, even in defiance of the police, and his "inquisitorial" powers as agent for the Grand Jury place the district attorney in a vantage point from which to observe the administration of criminal justice.

The recommendations of the Haynes report did not, however, envisage making the district attorney chief of an operating agency. In this respect, the report anticipated that the operational base of police administration would remain relatively unchanged until such time as a metropolitan police force was established.⁶⁹ The highly specialized nature of police work, the report observed, would dictate that its management should be left to functional specialists. The report did recognize, however, that the new role of the district attorney should carry with it:

authority to develop plans and policies relating to law enforcement, and to issue directives to other law enforcement agencies for the purpose of assigning them their respective duties in carrying these plans and policies into effect.⁷⁰

In some respects, therefore, the plan visualized the new role of the district attorney to approximate the role of the supradepartmental co-ordinator in wartime Washington D. C.

In order to make the co-ordinating role of the district attorney more effective, the plan recommended that the following responsibilities be added to the statutes defining the powers and duties of the office:

1. Designated as the chief law enforcement officer of the county;
2. Required to see that the laws of the state are uniformly and adequately enforced within the county;
3. Vested with power to direct the Sheriff and the municipal police in the enforcement of state law, and empowered to issue orders and directives which shall be executed by these officers;
4. Authorized to require the submission of oral and written reports by the Sheriff and each municipal chief of police in the county;
5. Directed to establish machinery for the co-ordination of law enforcement activities, and to take such steps as are authorized by law to eliminate duplication of police services.⁷¹

A STUDY IN INTEGRATION—LAW ENFORCEMENT, Haynes Foundation, 1952

⁶⁹ *Ibid.*, p. 159.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*, pp. 160-1.

Responsibility without sanctions is often an empty gesture, and the plan recommended that in addition to the persuasive position of his office, the district attorney should be provided with the following sanctions:

1. authority to assume the office of Sheriff or of municipal chief of police whenever he felt that state laws were not being adequately enforced;
2. authority to remove the Sheriff or municipal chief of police whenever he felt that they were not competently enforcing state laws;
3. authority to designate a temporary successor for the removed executive.⁷²

As safeguards, the Haynes report recommended that concurrent with providing the district attorney with these added responsibilities, the state supervisory control over the district attorney should be strengthened. In addition, it was recommended that the elective status of the district attorney should be abolished, and that the office should be filled by appointment by the County Board of Supervisors. It was reasoned that the Board in Los Angeles has shown unusual stability, and that the entire membership of the Board does not stand for re-election at the same time.

Relative to the actual integration of the county's police resources, the Haynes report observed that staff and technical services represented a valid starting point.⁷³ Recognizing that, for the most part, these services are region-wide rather than local in importance, the report recommended that the county or the state accept principal financial responsibility for such services.

The ramifications of the Haynes Foundation recommendations are, as yet unclear. If they should be put into effect—which seems unlikely—they would cast metropolitan law enforcement in a new mold. Police officials in that area would certainly oppose efforts to divide further their responsibilities, to lessen their influence upon the administration of criminal justice. They certainly could be expected to oppose vigorously any effort to give the district attorney—or any other officer—power to supervise their activities. The police officials of smaller jurisdictions could, with some justification, question the propriety of separating the investigative phase from the remainder of the police function. In addition, the Haynes Foundation proposals leave unanswered the question of reducing the total number of police jurisdictions. The lodging of such tremendous police powers in

the hands of a non-elective official also poses serious questions relative to police control in a democratic society. The proposals outlined above, however, were made as an interim program, a first phase solution to the more pressing problems of metropolitan law enforcement. Final solution, the researchers felt, rested with the formation of a metropolitan police force.

Metropolitan district: Proposals to create area-wide metropolitan police districts have received only sporadic support. This approach has occasionally been suggested as a solution to the police problems of the Chicago metropolitan area. In 1933, for example, the Illinois Commission on Taxation and Expenditures recommended the creation of two metropolitan districts for Chicago and Cook County: a Metropolitan Public Works District and a Metropolitan Police District. Neither has been formed. A recent survey of the Chicago metropolitan area suggested that solution of the police problems was inseparable from the need for a general reorganization of local government. A spokesman before this recent survey group, however, advocated the formation of a separate metropolitan police district, preceded by the consolidation of the two police departments within the corporate limits of Chicago, itself.⁷⁴ The concept of a metropolitan police district was proposed in 1955 by Cook County Sheriff Joseph D. Lohman. His plan provided for an elective nine-member Police Commission to be chosen from Chicago and the suburbs on the basis of population. For administrative purposes, Sheriff Lohman suggested that the county should be divided into fifteen police districts, each commanded by a Superintendent.⁷⁵

Proposals for the establishment of metropolitan police districts have generally lacked the necessary political support, whenever they have been advocated independently of proposals for a general reorganization of local government. Experience with special purpose police districts in California has convinced many of their general ineffectiveness. A majority of those still in existence are now contracting with another agency of local government for provision of police service. Functional consolidation of police resources through the creation of special districts would in most metropolitan areas create complex administrative organizations. The superimposition of these large police forces

⁷⁴ Northeastern Illinois Metropolitan Area Local Government Services Commission, SUMMARY OF HEARINGS, 1957, p. 18.

⁷⁵ Cf. PETERSON, *Op. Cit.*, p. 141.

⁷² *Ibid.*, p. 161.

⁷³ *Ibid.*, p. 162.

upon the already existing units of local government would necessitate—more than ever—the careful design of effective means of popular control. There is no assurance that election of members of Police Commission would provide the optimum degree of popular control. Election on the basis of population would often be opposed by the suburbs. If the proposals for metropolitan police districts is acceptable at all, it would seem to be limited to the single-county metropolitan areas. Where a metropolitan area embraces the territory of more than one county, the existing organs of local government would find it difficult to accommodate the superimposition of multi-county authority. Such a proposal is likely to encounter overwhelming political opposition.

CONCLUSION

This analysis of selected metropolitan surveys has revealed several significant trends in metropolitan law enforcement. As might be expected of vastly dissimilar areas, a variety of approaches to metropolitan police problems have been tried or recommended. Except in one instance, reorganization of an area's police resources has been proposed as part of a general reorganization and realignment of local government generally. The police function, therefore, is not the only governmental function which has suffered debilitations from the growth of metropolitan complexes. Although of different intensity perhaps, the problems facing police officials in our metropolitan areas seem closely related and interwoven with the problems of local government, generally. A solution to many of the police problems may follow naturally, from a reorganization of the general units of local government. To be effective, legitimate proposals for metropolitan reorganization should find spokesmen both from within and without the police field.

In addition, this analysis yields the following general conclusions:

1. The territory of most urban counties represents legitimate police administrative areas. This territory is more likely to conform to the patterns of the metropolitan community than does the territory of any other unit of local government. Furthermore, the county would usually represent realistic police planning areas.

2. The urban county has a vital role in law enforcement, and this role must be reconciled with

that of the central city. In the Atlanta and Baton Rouge areas, the county (parish) has adapted a passive role in the exercise of the police function, transferring their functional responsibility to the city. In the Miami and St. Louis areas—and as proposed in Los Angeles and Sacramento—the role of the urban county has been more active. In each case, however, the urban counties have recognized their new roles, and a rapprochement between the urban counties and the central cities has taken place.

3. The inadequacy of many of the smaller police jurisdictions has been increasingly recognized. In the St. Louis area, it has been proposed to make the county responsible for providing police protection in incorporated areas with less than 4,000 population. In other areas, the integration of certain staff services has been advocated as a means of making the smaller jurisdictions more effective.

4. Organic integration of the police function has taken place in Atlanta and Baton Rouge and has been proposed in other metropolitan areas. In Miami and St. Louis, co-ordination of the police effort has been partially effected by the use of other devices.

5. Various procedures have been proposed or put into effect in order to provide urban areas with a relatively uniform level of police service.

6. The police service contract has become a more familiar device by which to achieve the integration of the police function.

7. In some areas, the integration of certain staff or technical services has been found to be a convenient and legitimate starting point for a more complete integration.

8. Some specific proposals may encounter legitimate resistance from police administrators. Proposals to separate the investigative phase from the total police function, for example, may be resisted actively by police executives. The designation of the prosecuting attorney as the officer responsible for co-ordinating police effort throughout an area may also face active resistance by the police agencies.

9. With only a single exception, the legitimacy of many of the smaller police jurisdictions has not been questioned. Resolution of this aspect of the police problem must, however, depend upon state action.