

MINUTES
LINCOLN-LANCASTER COUNTY CONSOLIDATION TASK FORCE
COUNTY-CITY BUILDING
555 SOUTH 10TH STREET, ROOM 303
FRIDAY, AUGUST 16, 2013
8:30 A.M.

Committee Members Present: Ann Post, Chair; Russ Bayer; Dick Campbell; Mike DeKalb; Jan Gauger; Dale Gruntorad; James Jeffers; Larry Lewis; Darl Naumann; W. Don Nelson; Kerry Eagan (Ex-Officio); and Trish Owen (Ex-Officio)

Committee Members Absent: Jean Lovell; Amanda McGill; and Larry Melichar

Others Present: Karen Amen, Facilitator; Laurie Holman, Legal Counsel for the Legislature's Urban Affairs Committee representing Senator Amanda McGill; Tom Casady, City Public Safety Director; Jim Peschong, Chief of Police, Lincoln Police Department (LPD); John Huff, Fire Chief, Lincoln Fire & Rescue (LFR); Terry Wagner, Lancaster County Sheriff; Jeff Bliemeister, Chief Deputy Sheriff; Doug McDaniel, Lincoln-Lancaster County Personnel Director; Jane Raybould and Deb Schorr, County Commissioners; Teresa Meier, City Clerk; and Ann Taylor, Lancaster County Clerk's Office

The Chair called the meeting to order at 8:32 a.m.

NOTE: The following documents were provided to members of the Lincoln-Lancaster County Consolidation Task Force prior to the meeting (Exhibits A-C):

- Public Safety Decision Matrix, Public Safety Umbrella Model, Public Safety County-Metro Model, and Mutual Aide Information
- Report on the Riley County, Kansas Law Enforcement Agency
- Legal Opinion Regarding Consolidation Issues

1 APPROVAL OF MINUTES OF JULY 26, 2013 MEETING

MOTION: Nelson moved and DeKalb seconded approval of the minutes. Bayer, Campbell, DeKalb, Gauger, Gruntorad, Jeffers, Lewis, Naumann, Nelson and Post voted aye. Lovell, McGill and Melichar were absent from voting. Motion carried 10-0.

2 PRESENTATION OF CONSOLIDATION/COOPERATION MODELS FOR THE LINCOLN POLICE DEPARTMENT (LPD) AND LANCASTER COUNTY SHERIFF: A) EXISTING COOPERATION AGREEMENTS; B) ORGANIZATIONAL CHART FOR CONSOLIDATION POLICE/SHERIFF DEPARTMENT (LANCASTER COUNTY METROPOLITAN POLICE); AND C) RILEY COUNTY, KANSAS CONSOLIDATED LAW ENFORCEMENT AGENCY - Tom Casady, City Public Safety Director; Terry Wagner, Lancaster County Sheriff

Tom Casady, City Public Safety Director, discussed the following models for consolidation of law enforcement agencies (see Exhibit A): 1) Public Safety County-Metro Model, which is patterned after Las Vegas/Clark County, Nevada - Consolidated the law enforcement operation of the Clark County Sheriff's Office and Las Vegas Police Department into the Las Vegas Metropolitan Police Department. The elected Sheriff is the Chief Law Enforcement Officer; and 2) Public Safety Umbrella Model, which is patterned after Indianapolis/Marion County, Indiana - Consolidated the Police Department, Sheriff's Department, Fire Department, Emergency Medical and Emergency Management. The departments are now under the direction of a Director of Public Safety. The Sheriff runs the jail and handles civil process and court security.

Casady also presented a decision-making matrix, based on criteria the departments felt were important in terms of evaluating the pros and cons of consolidation (responsiveness, political practicality, efficient operations, cost savings, funding sources and adaptability) (see Exhibit A). He noted it isn't clear whether merged law enforcement or public safety functions would result in any cost savings, although there would be a reduction in management level, salaried staff (4 to 5 full-time equivalents), which could include Police or Sheriff's Captains or Fire Department Battalion Chiefs. Casady said merger could have other impacts such as the retirement programs and comparability for labor negotiations. **NOTE:** The County has a defined contribution pension plan and the City has a defined benefit pension plan. He said there are questions as to whether existing employees could be "grandfathered" and a new system implemented for new hires, would it have to be negotiated with the unions and could it stand up to a challenge before the Commission of Industrial Relations (CIR).

Gruntorad inquired about health benefits. Casady said the plans are reasonably similar.

Terry Wagner, Lancaster County Sheriff, added the salary structure is similar for entry level deputies and police officers. He said management level salaries are lower on the County side. Casady said they do not know what a merger would do to the array of cities and counties that are used for salary comparisons in labor negotiations.

Campbell asked how salaries might compare to other communities that have merged departments. Wagner and Casady both felt we would be much lower. Casady said there could be significant increases in labor costs if that were the rule imposed by the CIR. He said the Nebraska Legislature "tweaked" the statutes two years ago, changing the definition of what cities could be considered for comparability, but said there hasn't been a significant case before the CIR since that time. Casady said retirement benefits are also considered in comparability and said he believes Lincoln and Lancaster County would be considered quite low in that regard.

Campbell asked whether the Legislature could create a definition of how a merged department would be interpreted for the CIR. Casady said they could. He added there was an assumption when the Legislature made those changes that it would reduce the level of compensation that might be awarded to public employees and said in some cases it has done the reverse. Owen said one reason there hasn't been a test case is that one of the new stipulations to get before the CIR is an actuarial analysis, which is very expensive. Casady said it could move Lincoln and Lancaster County into a completely different array with much higher salaries and benefits. Campbell asked if there is any way to test that. Casady said the City and County could seek advice from an attorney with expertise in this area or an actuarial firm.

Campbell said it appears the two departments are already close to a merger. Casady said there are still a couple of areas where they might achieve some economies of scale but "most of the low hanging fruit was plucked long ago."

Campbell asked whether the Mayor's system with Casady as the Public Safety Director would fit with either of the models that were presented. Casady said he doesn't believe so. He felt the most logical method would be to have a public safety director, who would manage the entire public safety operation, appointed by an oversight board, similar to the Indianapolis/Marion County, Indiana model. The Mayor and County Board would either have membership on the board or appoint the members.

Raybould arrived at the meeting at 8:53 a.m.

Casady said merged law enforcement would be less directly responsive to the elected officials and the general public because it removes management one or two steps.

Campbell asked how the Metropolitan Police Department model would work if the Legislature were to remove the Sheriff as an elected official. Casady said the merged law enforcement agency would be headed by an appointed official. Wagner noted that the City also has the option to contract with the County for law enforcement.

Casady said there are political implications with either of the models and said it is highly unlikely that the Mayor would give up direct control of one of the most critical functions of municipal government. Wagner added there would be less of a law enforcement presence in the rural areas under either plan.

Campbell asked Casady and Wagner whether they would recommend either of the models for the community or is there is a different model they believe would be more appropriate. Casady said if Lincoln were a new community, he would recommend the model used by Sunnyvale, California and Kalamazoo, Michigan in which there is a public safety department and the public safety officers are cross-trained to perform fire, rescue and law enforcement services.

Bayer felt sustainability should be also be included in the criteria on the decision-making matrix, noting the Task Force has discussed how to sustain the current working relationship if Casady and Wagner were to leave office. Casady said "the bar has already been set" and said anyone assuming their positions would realize that abrogating any of the significant interlocal agreements would be "political suicide."

Bayer said status quo should be the third model and asked Casady and Wagner which of the three is their preference. Wagner said his preference is to leave things status quo, due to the rural/urban nature of Lancaster County. He felt merger would make more sense in a more metropolitan county. Casady said he believes merger makes sense in a county in which 90% of the population resides within the city and felt the problems of responsiveness are managerial issues. He said that would be the direction he would go were it not for questions regarding long-term personnel costs.

Campbell asked if there are further areas for cooperative efforts. Wagner said a law enforcement maintenance facility is one possibility. Training and a combined firing range were also suggested.

Nelson said he believes a revised structure better positions the local governance for the future.

DeKalb asked how to address LFR and the rural fire districts. Casady said more information is needed on their legal status, taxing authority and how they could be merged.

Gauger said it appears legislative change will be needed to accomplish much of anything and said her preference is to take a bold idea to the Legislature, such as cross-training public safety officers to perform fire, rescue and law enforcement services.

Doug McDaniel, Lincoln-Lancaster County Personnel Director, said there are also Internal Revenue Service (IRS) requirements that would have to be met for the retirement plans. He explained that funding of a defined benefit plan is based upon new enrollees and said if the plan is frozen or employees are taken out of the plan, the City and current incumbents would have to increase their contributions to meet its obligated debt. In terms of consolidation, the CIR would look at other cities/counties that have merged and costs could very well increase with a new array.

Eagan presented information regarding the Riley County, Kansas Law Enforcement Agency (see Exhibit B).

Campbell requested additional information regarding the Sunnyvale, California model.

3 PUBLIC SAFETY UMBRELLA ORGANIZATION

See Item 2.

4 COUNTY ATTORNEY LEGAL OPINIONS: A) CITY OF LINCOLN IS A POLITICAL SUBDIVISION FOR PURPOSES OF CIVIL SERVICE STATUTES; AND B) AUTHORITY OF COUNTY ATTORNEY TO PROSECUTE CITY DRIVING UNDER THE INFLUENCE (DUI) OFFENSES WITHOUT A JURY

(See Exhibit C).

5 FUTURE MEETINGS: A) AUGUST 23, 2013 (PRELIMINARY RECOMMENDATIONS ON POLICE/SHERIFF CONSOLIDATION, ADDITIONAL COOPERATION, PUBLIC SAFETY UMBRELLA ORGANIZATION); AND B) SEPTEMBER 13, 2013 (CONSOLIDATION/COOPERATION OPPORTUNITIES FOR CITY CLERK AND COUNTY CLERK)

Karen Amen, Facilitator, outlined the process for the next meeting.

There was general consensus to continue the discussion of preliminary recommendations on Police/Sheriff consolidation, additional cooperation and a public safety umbrella organization to the August 23rd meeting and to delay discussion of consolidation/cooperation opportunities for the City Clerk and County Clerk until the September 27th meeting.

Naumann exited the meeting at 10:00 a.m.

6 ADJOURNMENT

There being no further business, the meeting was adjourned at 10:10 a.m.

Submitted by Ann Taylor, Lancaster County Clerk's Office.

NOTE: The following documents were provided to members of the Task Force following the meeting (Exhibits D-F): 1) Article titled Cross-training of Public Safety Workers Attracting More Interest (By Lee Romney, Los Angeles Times; 2) Report titled Public Safety Consolidation: What Is It? How Does It Work? (Prepared for the Office of Community Oriented Policing Services, Michigan State University); and 3) Manual titled Police and Fire Consolidation, An Ineffective Use of Resources (Developed for the International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC)).

Public Safety Decision Matrix

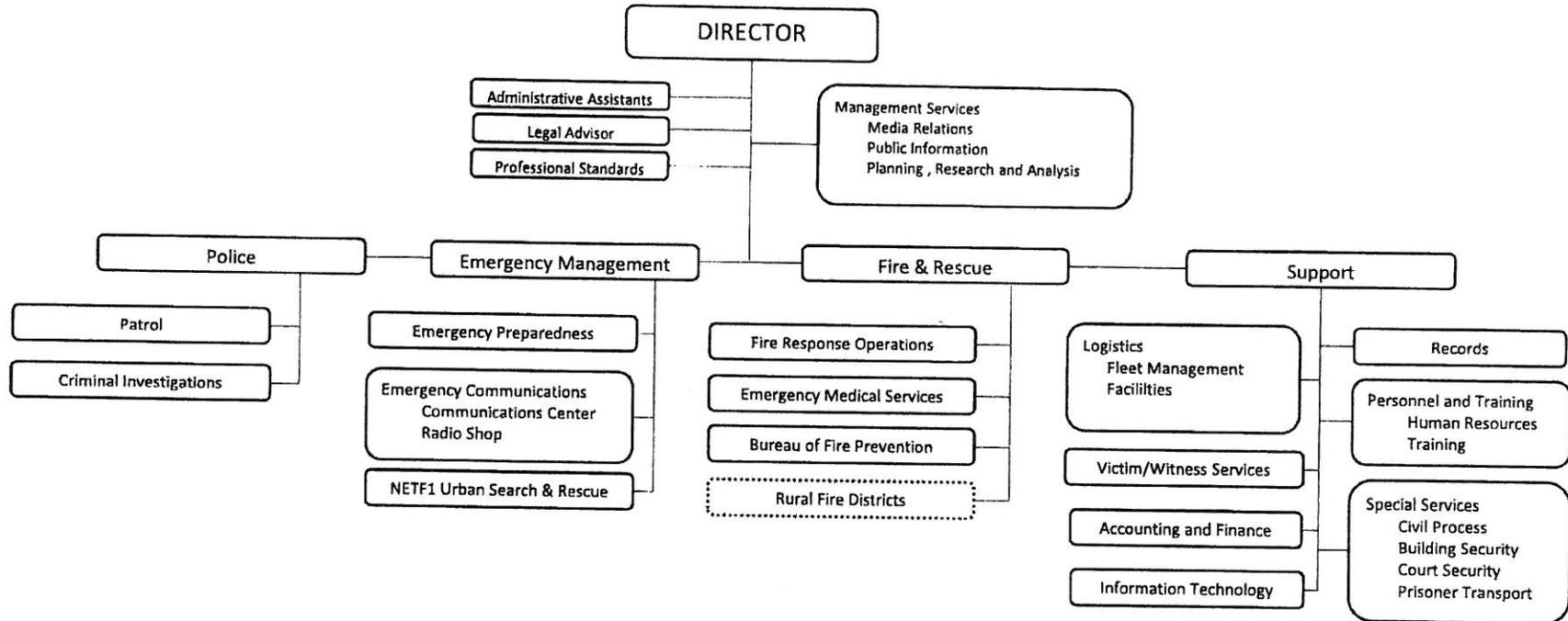
Considerations for Public Safety or Law Enforcement Merger

1. **Responsiveness:** would the organizational arrangement be responsive to the public and to local elected officials?
2. **Political practicality:** would the organizational arrangement be easily adopted?
3. **Efficient operations:** would the organizational arrangement improve operational efficiency?
4. **Cost savings:** to what extent would the organizational arrangement reduce operations costs
5. **Funding sources:** would the organizational arrangement provide alternative funding sources or options?
6. **Adaptability:** would the organizational arrangement be adaptable to changing conditions in the future, such as growth?

| Criterion | Status quo | Merged Law Enforcement | Merged Public Safety | Notes |
|------------------------|------------|------------------------|----------------------|--|
| Responsiveness | + | 0 | - | Merged law enforcement under an elected sheriff (Las Vegas Model) would reduce control by the Lincoln Mayor. A public safety agency (Indianapolis model) would reduce control by voters and elected officials. |
| Political Practicality | + | - | - | Merger would require statutory and ordinance changes, some of which could be controversial. Several unions are impacted. Elected officials ability to control resources would be affected. |
| Efficient Operations | 0 | + | + | Some efficiency in support services could result, but many of the major functional areas have already been merged, such as facilities, communications, information technology, and evidence processing. |
| Cost Savings | 0 | ? | ? | 4-5 FTE savings, but unknown impact of retirement changes and comparability for labor negotiations. |
| Funding Sources | 0 | + | + | Merger would provide opportunities for new funding arrangements, such as a JPA with a dedicated levy. |
| Adaptability | 0 | 0 | 0 | No clear advantage. |

Public Safety Umbrella Model

LANCASTER COUNTY DEPARTMENT OF PUBLIC SAFETY



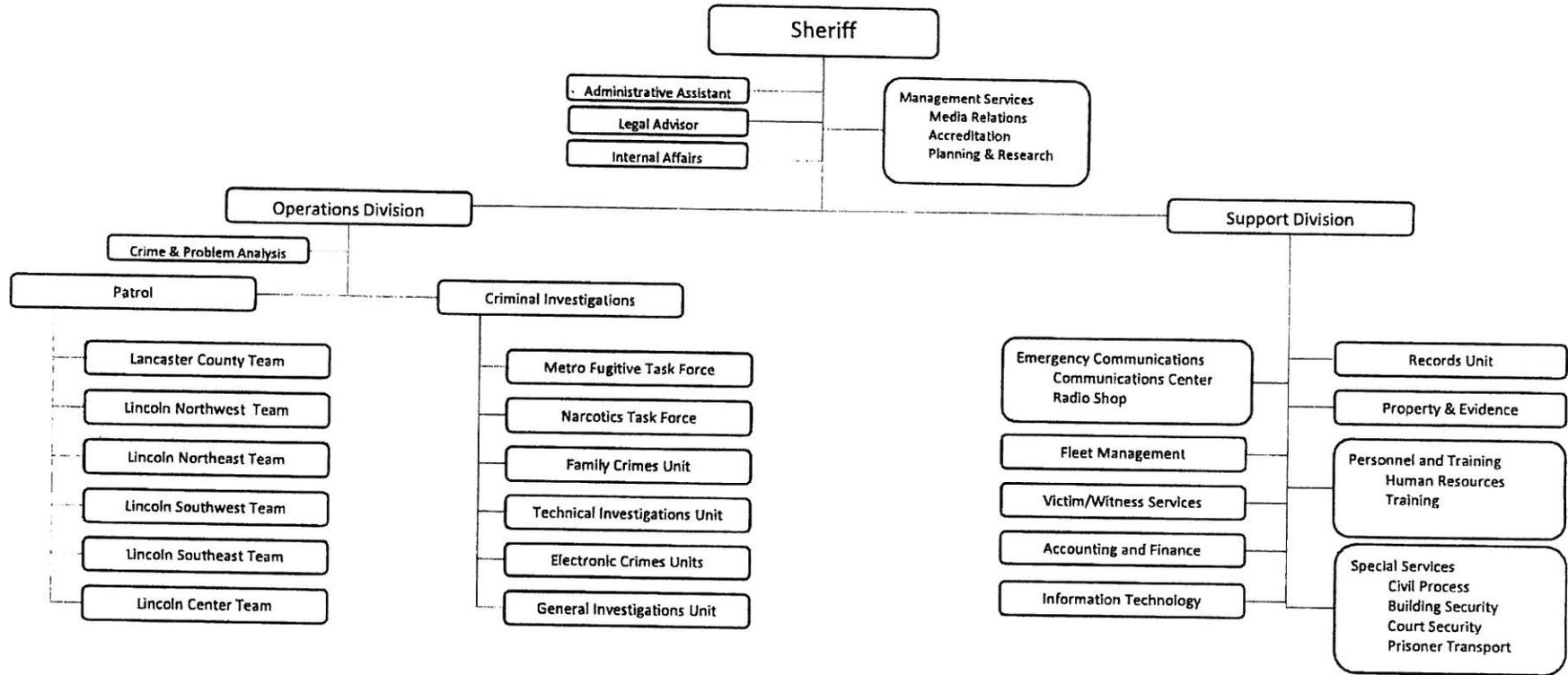
Public

Safety

County-Metro

Model

LANCASTER COUNTY METROPOLITAN POLICE



Public

Safety

Mutual

Aide

Information

Effective 11-13-07 

MUTUAL AID AGREEMENT/JOINT-USE FACILITY
LINCOLN POLICE DEPARTMENT/LANCASTER COUNTY SHERIFF'S OFFICE

It is the intent of the Lincoln Police Department and Lancaster County Sheriff's Office to provide each other with emergency aid in the form of manpower and equipment on a situational basis. The Lincoln Police Department and Lancaster County Sheriff's Office have concurrent law enforcement jurisdiction within the City of Lincoln and Lancaster County. It is also the intent of this agreement to clearly delineate primary law enforcement responsibilities for each agency within the City.

I. EMERGENCY AID

A. Complimentary (backup) resources

1. Upon receiving a request for emergency assistance, both agencies agree to provide officers and other resources as available in order to bring the emergency situation to resolution. Emergency aid may be requested by radio, or by contacting the dispatch facilities of either agency.
2. The amount of emergency aid available from either agency will only be limited by manpower and equipment needs of the provider agency. Any other existing resources will be made available.
3. When needed, emergency aid will be requested by the highest ranking field supervisor of either agency. Agency members responding to an emergency aid request will report to the supervisor making the request.
4. Radio contact will be maintained between agencies during emergency situations by way of normally shared radio frequencies.
5. As a general rule, both agencies agree to deal with their own costs for emergency aid responses, including the cost of all health and liability insurance.
6. Either agency may request the use of the other agency's Tactical Team or Tactical personnel, in which case each agency's policies concerning the activation and use of their Tactical Units will be followed. In the event that this occurs, the agency having primary jurisdiction for the problem situation will remain in command of the incident and will include the Tactical Team Commander from the lending agency in decisions that are made.
7. By virtue of their commissions, Lancaster County Sheriff's deputies have law enforcement authority within the City of Lincoln and may exercise that without any other provisions regarding the same.

Jim Peschong

From: Joseph Wright/Lincoln Police Dept. [lpd713@CJIS.LINCOLN.NE.GOV]
nt: Thursday, June 14, 2012 8:35 AM
To: lpd744@CJIS.LINCOLN.NE.GOV; lpd332@CJIS.LINCOLN.NE.GOV; lpd742@CJIS.LINCOLN.NE.GOV
Subject: Shoemaker's marsh

The Communications Center wants direction from us re: which agency should take CFS at Shoemaker's Marsh which is located north of the City on N. 27th Street. I contacted Parks, they indicate that this is City-owned land (as is just about everything north of Arbor Road for several miles).

The calls at this location are mostly related to fireworks and turning cookies in the parking lot which are called in by the owner of adjacent property.

The manager of this property works for the City out of the NRD office: Tom Malmstrom, 402.441.2729.

It looks to me that I should advise Dispatch that we should take the calls, I will wait for your direction before I give them an answer. Thanks, Joe 713

LSO will

handle

Jim Peschong
6-14-12

Discussed with
Bill Garrett he
said they would
handle

8. By virtue of Neb.Rev.Stat. Section 15-326 (amended by LB390, March 31, 1993) and this agreement, the Lincoln Police Department will be able to assist the Lancaster County Sheriff's Office within Lancaster County.

II. CONCURRENT JURISDICTION

A. County facilities

1. County-City Building--The Lincoln Police Department shall be responsible for all police functions and exercise primary law enforcement responsibility for the County-City Building. On view incidents observed or reported to LSO will be handled by the Lancaster County Sheriff's Office, with follow-up investigations being the responsibility of the Lincoln Police Department. Any law enforcement emergency situation occurring at the County-City Building shall be directed by a command post jointly staffed by the Lancaster County Sheriff's Office and the Lincoln Police Department.
2. Immediate response to all alarms at the County-City Building will be the responsibility of the Lancaster County Sheriff's Office. The Lincoln Police Department will provide necessary backup when requested and will serve as a first responder when a Sheriff's Deputy is unavailable for emergency calls.
3. Justice and Law Enforcement Center--Calls for service shall be the responsibility of the Lancaster County Sheriff's Office. The Lincoln Police Department will provide necessary backup when requested and will serve as a first responder when a Sheriff's Deputy is unavailable for emergency calls. On view incidents observed or reported to LPD will be handled by the Lincoln Police Department. Follow-up investigations occurring at the Center will be the responsibility of the Lincoln Police Department.
4. Lancaster County Correctional Facilities--Calls for service and investigations at any County-City Correctional Facility shall be the responsibility of the Lincoln Police Department. The Lancaster County Sheriff's Office will provide necessary backup when requested and will serve as first responder in emergencies as necessary.
5. Juvenile Detention Center/Youth Assessment Center--Calls for service and investigations at the Juvenile Detention Center/Youth Assessment Center shall be the responsibility of the Lincoln Police Department.
6. State Fairgrounds--The Lincoln Police Department will have primary law enforcement responsibility for the State Fairgrounds.
7. All Other County Properties Within the City Limits of Lincoln--The Lincoln Police Department shall be responsible for all police functions and exercise primary law enforcement responsibility for all other Lancaster County

properties located within the city limits of Lincoln that have not been previously mentioned in this section.

B. Transports

1. Lincoln Regional Center and Community Mental Health's Crisis Center--Prior to a mental health warrant being filed, the committing agency will be responsible for any transport. After the mental health warrant has been filed, the Lancaster County Sheriff's Office will be responsible for transports.

III. SPECIAL SITUATIONS

A. Joint Homicide Investigations

1. The Sheriff or Chief of Police or their designated representative shall have the authority and responsibility for all activities, assignments and duties regarding investigation of homicides which occur within their respective jurisdictions. Designated representatives may make all decisions enumerated herein.

2. When a homicide occurs in their respective jurisdictions, the Chief of Police or Sheriff shall notify the other agency head where and to whom the other agency's investigators should report for assignment and may also request a certain number of investigators from the other agency, thereby creating a joint homicide investigation unit.

3. It will be up to the agency head receiving the request to determine which investigators and the number of investigators to be assigned to the joint homicide investigation unit after receiving a request.

4. Investigators assigned to the unit for a particular homicide will be under the direction of the commanding officer from the agency having jurisdiction at the location where the crime was committed. However, such investigators shall abide by the rules and regulations of their own department and shall be paid according to the labor contract in force for their own department. In case of any conflicts, the investigator shall immediately advise the immediate supervisor of his or her own agency so appropriate arrangements can be made by the agreement of the Chief of Police and the Sheriff.

5. The requesting agency agrees to ensure that investigators from the other agency assigned to the unit for the duration of the investigation will be given duties to afford them the most experience and the full spectrum of the investigatory tasks associated with a homicide investigation.

6. Investigators so assigned by the department head shall remain part of the joint homicide investigation unit until the homicide investigation is completed or until reassignment by their own agency head.

7. The Lancaster County Sheriff's Office or the Lincoln Police Department may withdraw from this understanding pertaining to joint homicide investigations by giving written notice to the other participant at any time.

B. Narcotics and Drug Law Enforcement

1. The Lincoln Police Department and the Lancaster County Sheriff's Office will continue to support the joint Narcotics Investigation Unit for the investigation of offenses which violate Sections 28-401 through 28-439, Revised Reissued Statutes of Nebraska, 1943, which sections regulate drugs and narcotics, and Federal laws as they relate to narcotics enforcement.

2. The Lincoln-Lancaster County Narcotics Investigation Unit will investigate drug and narcotics law violations within Lancaster County Nebraska and the City of Lincoln, Nebraska, based upon the seriousness of the offense, as determined by the Officer in Charge of the Narcotics Investigations Unit.

3. LPD will provide at least one captain (officer in charge), three sergeants and five officers to the Unit. LSO will provide two deputies full-time to the Unit. Additional personnel may be assigned to the Unit by either LPD or LSO.

4. The officer in charge of the Lincoln-Lancaster County Narcotics Investigation Unit will exercise administrative command over the deputies from LSO. The Lincoln Police Captain will be the officer in charge.

5. The LSO deputies assigned to the Narcotics Investigation Unit will be assigned to work forty (40) hours per week and submit time sheets to their agency in a timely fashion. The officer in charge of the Narcotics Investigation Unit will verify the time sheets of the LPD and LSO officers prior to their submission to the proper agency.

6. The LSO deputies assigned to the Lincoln-Lancaster County Narcotics Investigation unit will be expected to abide by the general orders of the LPD while assigned to the Unit unless they conflict with the general orders of their own department. In the event of conflict with these policies and procedures, no investigatory activity shall be performed by the Narcotics Investigation Unit involving LSO personnel until the conflict is resolved. When resolution cannot be reached at the unit level, the Chief of Police and Lancaster County Sheriff shall be the final level of arbitration and resolution. Failure to resolve such conflict will be cause to terminate this agreement.

7. The command officer of the Narcotics Unit will provide information regarding the activities of the unit to a designated person at LSO.

8. LPD will continue to provide the vehicles currently in use by the Narcotics Investigation Unit. LSO will supply other vehicles when needed by the unit, with

access to other LSO equipment when available. Members of the Lincoln-Lancaster County Narcotics Investigation Unit and officers of other agencies assigned thereto will be authorized to drive any vehicle provided for use of the unit.

9. The Lancaster County Sheriff's Office or the Lincoln Police Department may withdraw from this understanding pertaining to joint narcotics and drug law enforcement investigations by giving written notice to the other participant at any time.

C. Mass Arrest

1. Lancaster County Sheriff's personnel may be called into the city on an emergency basis to assist Lincoln Police in situations involving mass processing of arrestees, transporting prisoners, and operation of temporary detention areas. Likewise, Lincoln Police may be called from the city to assist LSO in such a situation. Both agencies have current policies which address processing mass arrests, (LSO-S.O.P. 1655, LPD-G.O. 1520) and the agencies will adhere to their policies should such a set of circumstances arise.

IV. JOINT-USE FACILITY

A. Objective

Co-location of the Lancaster County Sheriff's Office and the Lincoln Police Department, with the combining of certain support services functions, will create a unique work place that will require clearly defined responsibilities and duties. The better those responsibilities and duties are defined reduces the opportunity for conflict and misunderstanding to occur. While creating those definitions, we must always balance the administrations' need for flexibility to manage their day to day operations and tasks. Change occurs rapidly in law enforcement. We must recognize change will create the need for redefining responsibilities and duties at the Justice and Law Enforcement Center. It becomes evident a document is needed to define responsibilities, but, at the same time, must be flexible and allow discretion.

A contract between LSO and LPD to enter into the Co-located Center is not the proper document for defining all of the responsibilities and duties of the agencies. By its very nature, a contract is not meant to be flexible or allow change. The responsibilities and duties not covered in a contract are to be addressed in this separate, more flexible document titled the Memorandum of Understanding. It is with the concerns and constraints addressed above that this Memorandum is drafted.

B. Definitions

BOARD = Lancaster County Board of Commissioners

| | | |
|---------------|---|--------------------------------------|
| CENTER | = | The Justice & Law Enforcement Center |
| CHIEF | = | City of Lincoln Police Chief |
| CITY COUNCIL | = | Lincoln City Council |
| COMMITTEE | = | Joint-Use Committee |
| AGENCY HEAD | = | Police Chief/Sheriff |
| EMPLOYEES | = | Employees of LSO/LPD |
| AGENCY | = | Either LPD or LSO |
| PROPERTY UNIT | = | LPD Property Unit |

C. Committee Organization

1. Authority: The Joint-Use Committee is created by the ratification of this Memorandum of Understanding by LSO and LPD.
2. Number of Members: A Joint-Use Committee will be formed to govern the use of the common or shared facilities at the Center. The Committee shall be comprised of two members from each department. LSO shall be represented by the Chief Deputy of that department and one other member selected by the Sheriff; LPD shall be represented by the Assistant Chief of the Support Division and one other member selected by the Chief of Police. The selected members shall serve at the pleasure of the Sheriff and the Chief accordingly.
3. Committee Chairperson: The Committee shall elect a Chairperson at the first meeting. The Chairperson shall be elected for a one (1) year term. The Chairperson may be re-elected to a second term.
4. Committee Quorum and Voting: Three (3) members shall constitute a quorum for the transaction of business. Each member shall have the authority to cast one vote. A majority vote is required to approve any motion. The Sheriff shall provide a person to serve as Secretary to record Committee meetings and prepare minutes.
5. Removal of Members: Members may be removed by Agency Head.

D. Meetings

1. Regular Meetings: The Committee shall hold regular meetings on a quarterly basis. Quarterly meetings shall be in the months of November, February, May and August. Dates and times of the regular meetings shall be set

by the Chairperson. In the absence of a quorum, the Chairperson may adjourn the meeting to another hour or date and hour.

2. Special Meetings: Special meetings may be called by the Chairperson or by two (2) members of the Committee. The notice of such a meeting shall specify the purpose of such a meeting. The Chairperson shall notify all members of the Committee not less than two days in advance of such a special meeting.
3. Open Meetings: All meetings at which official action is taken shall be open to the general public.
4. Roll Call: A record of the roll call shall be kept as part of the minutes.
5. Concerning Laws for Meetings: All meetings shall be governed by this Memorandum of Understanding.
6. Procedure Rules for Meeting: The Chairperson shall preserve order during meetings of the Committee and shall decide all questions of order, subject to appeal of the entire Committee. In all cases in which provisions are not otherwise stipulated in this Memorandum, Roberts' Rules of Order is the authority by which the Committee shall decide all procedural disputes that may arise.

E. Notice of Meetings

1. Committee Public Notice: Each agency shall post notice of each meeting of the Committee at least two (2) days prior to the date of scheduled meeting.
2. Delivery of Notice to Committee Members: Simultaneously, with publication, the Chairperson shall cause a copy of the notice to be delivered to each member of the Committee in person, by United States Mail, inter-departmental mail, or e-mail.
3. Special or Regular Meeting Notice: The notice shall state whether the meeting is a regular or special meeting and include the agenda along with the date, hour, and place of the meeting.

F. Ratification of the Memorandum

1. Ratification: The Memorandum shall be presented to the Chief and Sheriff for their approval of this document after ratification by the Committee.
2. Duration: The term of this Memorandum of Understanding shall be perpetual, unless the Center is terminated.
3. Changes in the Memorandum: Changes may be made in the Memorandum by a majority vote of members of the Committee with the approval of the Sheriff and Chief.

4. Emergency Changes: The Sheriff and/or Chief may implement an emergency change(s) from this document if it is necessary for efficient operation of the Center. Any emergency change requires that both the Sheriff and Chief agree to the change and notify the Chairperson of the change. Any such emergency change shall be placed on the Committee's next regular meeting agenda to be acted upon by the Committee.

G. Law Enforcement Property and Evidence

1. The Sheriff and Police Departments shall adopt and use a common property and evidence reporting and processing system.
2. All property and evidence brought to and maintained at the Center shall be processed and reported by use of the common reporting and processing system.
3. All evidence and property seized and processed by an agency shall remain the property of that agency.
4. Individual employees from each agency shall be responsible for the processing, packaging, and placing in temporary storage of all evidence and property.
5. LPD shall be responsible for the transfer of property and evidence from temporary storage to long-term storage.
6. The LPD Property Unit shall be responsible for the removal of all evidence and property from long term storage.
7. Individual officers and deputies shall be responsible for completion of evidence examination and analysis forms for government or private laboratories. Forms must be completed and forwarded to the Property Unit. The Property Unit employees shall be responsible for packaging the evidence to be examined or analyzed. The evidence shall be mailed by certified mail or hand delivered to the proper laboratory. Mailing costs of evidence will be the responsibility of that agency. Special arrangements for hand delivery of evidence shall be the responsibility of the initiating agency.
8. Each agency shall be responsible for the authorization to dispose of evidence and property in their possession.
 - a. Each agency shall provide written authorization to dispose of property and evidence.
 - b. The sale or auction of property and evidence items is the responsibility of the LPD Property Unit. The revenues from such sales and auctions shall belong to the individual agency.

9. The Sheriff and Police Departments shall identify employees authorized access to the long term storage areas of the Property Unit. Only authorized employees shall be allowed in long term storage areas.

10. LPD shall provide, at a minimum, an annual audit of the property and evidence held at the Center; a copy of the annual audit shall be given to LSO.

11. LSO shall be allowed to conduct an audit of the property and evidence in their possession at anytime with at least three (3) days prior notice to LPD. The cost of such an audit shall be the Sheriff's responsibility.

12. The Sheriff, or his designated representative, shall have the authority to examine any property or evidence in the Sheriff Department's possession. The Sheriff, or his representative, shall complete the proper documentation to establish a chain of custody when conducting such an examination.

H. Facility Use

1. General Terms:

a. The Agencies shall designate a person as Facility Manager for their area. The Facility Manager shall:

(1) assure the rules governing the use of the facility are followed.

(2) arrange for repairs and maintenance at the Center.

(3) oversee housekeeping services at the Center.

(4) work with Police/Sheriff Foundations on vending requirements. Net vending profit from Center shall be shared on a pro-rata basis (Agency size comparison).

(5) make the Chief and Sheriff aware of needs and concerns regarding use of the Center.

b. Employees of each agency shall be conscientious and courteous in addressing and working with other employees at the Center.

c. Employees must properly store equipment and clean up common use areas and individual work spaces. The overall cleanliness and efficiency of the Center will rely on everyone's cooperation.

d. Violation of Center's use rules or discourteous employee behavior will be referred to the appropriate agency administrator.

2. Space Use and Definitions:

a. Public Use Areas - Those areas of the Center that members of the public would have access to without employee supervision.

(1) The main lobby and adjacent facilities.

(2) The Classrooms and Commons Area when properly scheduled.

b. Common Use Areas - Those areas of the Center that are accessible to employees and are not personal or controlled in nature.

(1) Hallways, stairways, elevators, restrooms.

(2) Briefing room, reception areas, interview rooms, unassigned areas of the workroom, sally port.

(3) Physical Fitness Room, Commons Area, Tactical Storage Room, Media Room, Service Desk, quiet room and display areas.

(4) Joint Conference Room and classrooms when properly scheduled.

(5) Locker rooms for the assigned gender.

c. Individual Work Areas - Offices or work stations assigned to an individual or group of persons as work space. Employees shall always attempt to seek permission prior to entering individual work areas. Employees shall respect the privacy of individual work areas and avoid bothering equipment, papers and personal articles.

d. Restricted Access Areas - Those areas that employees enter only on a need to basis. Permission must always be obtained prior to entering a restricted access area.

(1) Photo Lab, Video Editing Room, Wire Room.

(2) Records Room, Service Desk, Evidence and Property Rooms, Equipment Rooms and Tactical Storage Room.

e. Interview Rooms - Interview rooms shall not be used for detention. Subjects shall be left in interview rooms only for a short term and only while the officer in charge of the subject is in the immediate area.

3. Use of Specific Spaces:

- a. The Physical Fitness Room shall be restricted to use by members of the Sheriff's and Police Departments. Guests or other family members are not allowed.
- b. Dress code for the Physical Fitness Room shall be minimally; shoes, shorts and a shirt. Appropriate attire is expected.
- c. Use of the Classrooms must be scheduled through the VAX according to the scheduling rules for the rooms.
 - (1) Classrooms must be scheduled through the designated Training personnel in each agency.
 - (2) Classrooms will be scheduled as follows:
 - (a) Public use is allowed on Mondays, Tuesdays and Fridays.
 - (b) Scheduling may occur up to three months in advance for public use.
 - (c) Classroom "C" (Room 1405)--will not be scheduled for public use.
 - (3) Criteria for use of the classrooms by outside agencies/organizations will be as follows:
 - (a) Can be used by any governmental agency (Federal, State or Local).
 - (b) Non profit organizations which have an educational purpose.
 - (c) The scheduling agency will be the determining authority on "educational purpose" and each request will be reviewed on a case by case basis.
- d. Use of the Agency Conference Rooms should be governed by the appropriate agency. The Joint Conference Room will be scheduled through the agency head's secretary. No outside agency can schedule this room. The Joint Conference Room shall not be used as a lunch or break room.
- e. Polygraph Room

(1) The Polygraph Room located on the ground floor of the Justice and Law Enforcement Building will be jointly used by both the Police Department and the Lancaster County Sheriff's Office to conduct polygraph examinations.

(2) The Lincoln Police Department will be responsible for the rent and maintenance of this room to the Building Commission. The Lancaster County Sheriff's Office will supply a computer, computerized polygraph, printer and camera for the use of both agencies' licensed polygraph examiners.

(3) The use of this room and its equipment will be limited exclusively to licensed examiners of both agencies.

f. Forensic Computer Lab

(1) The Forensic Computer Lab located on the ground floor of the Justice and Law Enforcement Building will be used jointly by both the Lincoln Police Department and the Lancaster County Sheriff's Office to conduct forensic computer examinations.

(2) The Lancaster County Sheriff will be responsible to the Building Commission for rent and maintenance, while the Lincoln Police Department will be responsible for supplying the furnishings for this room.

(3) Each agency will be responsible for its own equipment, and its upkeep.

(4) Access to this room will be closely controlled and only authorized personnel from both agencies will be allowed use of the room.

(5) This Agreement may be terminated by either party to the Agreement with a ninety (90) day notification in writing of such intention to terminate said agreement. In the event of termination of this Agreement by either party, all equipment, materials and supplies provided by the County shall be retained by the County and all equipment, materials and supplies provided by the City shall be retained by the City.

4. The Use of Beverages, Food and Tobacco:

a. Beverages

(1) The consumption of alcoholic beverages at the Center is prohibited.

(2) Beverages may be consumed in individual work areas, Conference Rooms and Commons Area.

(3) The Agency's Training Coordinators may grant permission for the consumption of beverages in their respective classrooms. Beverages in covered unbreakable containers will be allowed in the Physical Fitness Room. All other beverages are prohibited.

b. Food

(1) Snack items may be consumed in individual work areas, however meals are to be eaten in the Commons Area and break rooms. A Command Officer or Shift Commander may authorize food in the Briefing Room.

(2) Food may be eaten in the Classrooms and Joint Conference Room for special events with the approval of the Agency Head or his designee.

(3) Food shall not be eaten in other areas of the facility.

c. Tobacco

(1) The use of tobacco/chewing tobacco products is prohibited within the facility.

d. Beverages may be used in interview rooms during interviews and interrogations only when needed to aid in the interview/interrogation. This practice should be kept to a minimum.

e. It shall be the responsibility of each employee to clean up after consuming beverages, food and tobacco. Excessive litter, especially in approved use areas can result in the restriction of privileges.

5. Parking

a. Sally port shall be used for:

(1) short term parking (not more than 10 minutes).

(2) temporary housing of law enforcement K-9's.

(3) the loading and unloading of large amounts of evidence and property.

(4) the transportation of persons in custody or confidential informants to and from the Center.

(5) police bicycles (short-term only).

b. Law enforcement parking stalls shall be for law enforcement vehicles only.

(1) The south lot beneath the jail is for parking of marked law enforcement vehicles and corrections vehicles only.

(2) The west line is for short-term parking of law enforcement vehicles only.

(a) Five stalls in front of LSO will be designated stalls for LSO only to be used how they see fit.

(b) Five stalls will be designated for prisoner transport. Three will be specifically assigned to LSO-Juvenile Detention Center and other prisoner transport agencies. Two stalls will be available for LSO/LPD on-duty units to drop off arrestees.

Two of these stalls will be the last two parallel parking stalls along the west curb on the west side of the building.

(c) LPD will have the remaining fourteen stalls along the west side of the building to designate how they see fit.

(3) Parking on H Street is for law enforcement vehicles (marked and unmarked) only.

(4) All violators will be towed at owner's expense.

(5) LPD will regularly patrol and enforce parking violations, however enforcement is not limited to LPD.

(6) All unmarked vehicles will be required to have a parking tag hanging from the rearview mirror so as to assist in the designation that the vehicle is a law enforcement vehicle.

6. Control of Information:

a. The Sheriff's and Police Departments shall respect the confidentiality of all law enforcement investigations and operations.

b. Employees of each agency shall refrain from making any statements to the public or the media regarding the other agency's investigations and operations.

c. Employees of each agency shall refrain from making any statements either public or to the media regarding ongoing or past inter-agency investigations or operations unless authorized to do so.

d. Employees shall refer members of the media to contact an authorized employee of the appropriate agency to request information on an investigation or operation other than that which is provided as public record at the Center.

e. The Sheriff and Chief, or their representatives, shall designate a spokesperson to provide information on any inter-agency investigation or operation. No other person shall provide media releases or statements unless authorized to do so.

f. All employees of the Center shall be responsible to maintain possession of and properly dispose of any copies of papers related to case investigations and operations.

I. Walls and Glass Use

1. No holes drilled or shelves attached without Agency Head or designee permission.

2. No permanent alterations may be made to the existing walls without permission of Agency Head or designee.

3. All wall hangings should be framed, excluding plaques. The appropriate Agency Head or designee will be the final authority regarding such approval. Charts, maps and flow charts need not be framed.

4. Wall painting must be consistent with the decor of the facility and approved by the Agency Head or designee.

5. Glass is not to be used as bulletin board.

6. Glass may only be covered with approved glass coverings approved by the Agency Head or designee.

J. Physical Fitness Room/Physical Fitness Room Sub-Committee

1. Sub-Committee: The Committee shall appoint an Advisory Sub-Committee comprised of two (2) members from each agency interested in the Physical Fitness Room. The Sub-Committee shall develop guidelines for use of

the Physical Fitness Room. The Sub-Committee shall serve in an advisory capacity only and shall make recommendations to the Committee for its approval.

2. General Rules For Usage of Physical Fitness and Locker Room

a. Users of the Physical Fitness Room shall use the facility in a conscientious fashion so as to avoid distraction or interference with other users.

b. TV volume shall be kept at a reasonable level to avoid unnecessary distractions.

c. Stereo users may be required to use ear sets if the use of stereos causes interference with other users.

d. No food will be allowed in the Physical Fitness Room; beverages will be allowed when contained in unbreakable spill-proof containers.

e. Swearing and/or loud or boisterous behavior is prohibited.

f. All equipment must be returned to its proper place after use; equipment should be wiped down if necessary.

g. Equipment use (including stereo and/or TV use) shall be on a first come, first serve basis.

h. Use of cardio vascular equipment is limited to 30 minutes.

i. Equipment problems should be reported to the facility's managers for repair.

j. Any unattended personal effects should be turned into LPD Property's Lost and Found immediately.

3. Locker Room

a. All personal effects and belongings will be kept out of sight and secured in a locker when unattended.

b. Any unattended personal effects will be removed and disposed of.

c. Pictures, posters, stickers, etc. will be prohibited. No items shall be attached to the lockers. Nothing shall be placed on top of the lockers.

d. Violations of any of the rules could result in suspended privileges in the Physical Fitness Room.

K. Other Combined Space Usage and Agreements

1. Records

a. LPD Records Counter will accept all Handgun Certificate applications and will take the fees for such. LPD will be responsible for making a copy of the applicant's driver's license at the time of application so it can be submitted with the paperwork when it is processed. The receipt information will be entered into the CJIS computer and LSO will be credited on a regular basis for the fees. LSO will process all Handgun Certificates for both agencies. LPD will assist with any investigations when necessary.

b. LPD/LSO will make every effort to assist the public in resolving customer service issues for the public convenience.

c. Each agency will process their own Criminal History requests with the associated audit form and fees.

d. LPD has agreed to handle all Accident Reports (including LSO's reports). LSO Accident Reports will be scanned after LSO supervisory review has been made. LSO Accident Reports are not to be posted on the website. LPD will keep the associated fee for selling the LSO accident report.

e. LPD will sell LSO's online Incident Reports and keep the associated fee.

2. Service Desk

a. LSO will occupy the far South window area for walk-in traffic at the Service Desk. LPD will staff the North, Center and ADA windows.

3. Forensic Lab

a. LPD Forensic Unit will handle all fingerprinting requests for both agencies during regular posted fingerprinting hours. LPD will keep the associated fees and will facilitate LSO photo training and set the schedules for public accommodations.

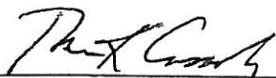
b. LPD will continue to receive, process and examine latent fingerprints and question document requests by LSO.

4. Sex Offenders

a. LSO will handle all of the registration of Sex Offenders. LSO can use LPD fingerprinting equipment and mugshot workstation in order to get

the photos into the digital mugshot system. If fingerprinting is needed during regular posted fingerprinting hours, LPD will do the printing.

This Agreement is executed by the Lincoln Police Department and Lancaster County Sheriff's Department this 13 day of November, 2007.



THOMAS K. CASADY, CHIEF OF POLICE
LINCOLN POLICE DEPARTMENT



TERRY WAGNER
LANCASTER COUNTY SHERIFF

MEMORANDUM OF UNDERSTANDING

The relocation of the Lincoln Police Department (LPD) and the Lancaster County Sheriffs Office (LSO) at the Justice and Law Enforcement Center (Center) will increase the day to day communications and require each agency to develop new levels of cooperation due to the sharing of certain common facilities. This Memorandum, while not so rigid as to lack the flexibility of a contract, is designed to outline the joint use of the common facilities. Those facilities are: the Classrooms, Interview rooms, Physical Fitness room, locker rooms, tactical storage room, and other common areas including the Commons, vending room, lobbies and corridors, the Media room, the Sally port, the service desk, the main conference room, the quiet room, and the display areas.

A Joint- Use Committee (Committee) will be formed to govern the use of the common or shared facilities at the Center. The Committee shall be comprised of two members from each department. LSO shall be represented by the Chief Deputy of that department and one other member selected by the Sheriff; LPD shall be represented by the Assistant Chief of the Support Division and one other member selected by the Chief of Police (Chief). The selected members shall serve at the pleasure of the Sheriff and the Chief accordingly.

The committee shall select a Chairperson at its first meeting; the Chairperson shall be elected for a term of one (1) year. The Chairperson may be elected to successive terms.

Three members shall constitute a quorum for the transaction of business. Each member shall have the authority to cast one vote. A majority vote shall be required to approve a motion. In the event of a tie vote or a deadlock on a matter, the matter will be referred to the Sheriff and the Chief for their decision. The Committee will decide how its meetings are to be recorded and minutes prepared.

The Committee shall develop all necessary rules for its existence and also the appropriate rules for the common use of the shared facilities. None of the facility rules shall conflict with existing building rules.

The Committee shall meet at regular intervals as determined by the Committee and as necessary to fulfill its purpose. Either the Chief Deputy or the Assistant Chief may, with appropriate notice, call special meetings.

The Committee shall ratify this Memorandum at its first meeting. The Memorandum shall be presented to the Sheriff and the Chief for their approval. The term of the Memorandum shall be perpetual unless one of the departments relocates and negates the need for the agreement. Changes in the Memorandum may be made by a majority of its members.

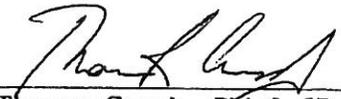
The Committee shall appoint an advisory sub-committee comprised of two (2) members of each department interested in Physical Fitness room to develop guidelines for the

joint-use of the Physical Fitness room. This sub-committee will serve in an advisory capacity only and shall make recommendations to the Committee for its approval.

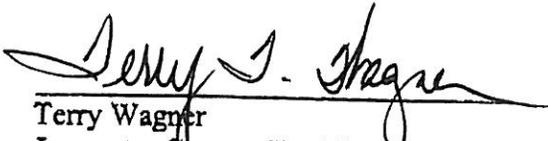
The committee shall develop guidelines for the use of the Classrooms recognizing that scheduling conflicts need to be resolved and the competing interests that need to be accommodated. The Committee will develop a system of scheduling regarding the use of the Classrooms that acknowledges the public's use of these facilities.

This MEMORANDUM OF UNDERSTANDING ratified on this the 19th day of ~~September~~, 1999 by a vote of the COMMITTEE.
October

APPROVED:



Thomas Casady, Chief of Police
Lincoln Police Department



Terry Wagner
Lancaster County Sheriff

From: Jeffrey J. Bliemeister
Sent: Monday, August 05, 2013 2:40 PM
To: Trish A. Owen; Tom K. Casady; James W Peschong; Kerry P. Eagan;
Terry T. Wagner
Subject: Efficeincy additions/deletions/changes

Trish:

The Mutual Aid Agreement/Joint-Use Facility inter-local agreement could have the following:

Section K 1 a (page 17)- update to reflect the current process for Handgun Certificate Acceptance.

Addition of the Metro Fugitive Task Force (MFTF) to address the current operating practices.

Addition of the Clandestine Lab Team

Addition to specifically cover the Crime Scene Investigations personnel under section III A.

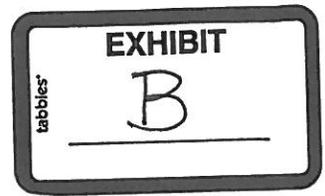
Addition of language to show the transport of all LPD warrants from the HOJ to jail by LSO and IF PSD Casady and Chief Peschong want to continue the practice of transport of LPD warrants from within Nebraska by LSO.

Addition of language to show the current working agreement for Intoxillyzer maintenance/court room testimony

*This agreement DOES cover the Forensic Lab and Sex Offenders already.

Jeff

Chief Deputy Jeff Bliemeister
Lancaster County Sheriff's Office
575 South 10th
Lincoln, NE 68508
(402) 441 6500
jbliemeister@lancaster.ne.gov



RILEY COUNTY LAW ENFORCEMENT AGENCY

I. ENABLING STATUTORY AUTHORITY

In 1970 the Kansas Legislature passed the Consolidated Law Enforcement Act, Kansas Statutes Annotated, §§ 19-4401 to 4486 (Act), providing for consolidated law enforcement agencies in certain counties. §§19-4424 to 4445 apply specifically to Riley County. A consolidated law enforcement agency for a county is created after the question of adoption of the Act has been submitted to and approved by the qualified voters of the county. The proposition may be placed on the ballot by the adoption of a resolution by the board of county commissioners. The proposition must be placed on the ballot by the county board when: a) requested by the governing body of a city with at least 25% of the population of the county (applies only in Riley county); or b) the county election officer receives a certifiable petition signed by at least 10% of the qualified electors who voted for the office of secretary of state in the last preceding election. The Riley County Consolidated Law Enforcement Agency (Agency) was established in 1974.

II. GOVERNING BOARD

After the provisions of the Act are adopted by the voters, seven members are appointed as the governing body for the consolidated agency in the following manner (for Riley County Only):

- a. one member shall be a member of the board of commissioners of the County, selected by the County Board;
- b. one member shall be a resident of the County, selected by the County Board;
- c. two members shall be residents of the City of Manhattan, selected by the governing body of the City;
- d. one member shall be the Riley County Attorney; and
- e. one member shall be appointed, on alternating terms, by the either the governing body of the City of Manhattan or the Riley County Board, and such appointee shall be a member of the governing body of the appointing authority.

The appointed Agency governing board may converted into an elected governing board if approved by the voters of the county. See K.S.A., §19-4427(b).

III. POWERS

The Agency is responsible for the enforcement of law and the providing of police protection throughout the entire County. Some of the key Agency powers include:

- a. appoint the law enforcement director for the County and establish the salary and other compensation for the position;
- b. appoint such law enforcement officers and other personnel deemed necessary to carry out the intent of the Act;
- c. establish a job classification and merit system for law enforcement officers and

- other personnel of the Agency;
- d. establish a schedule of salaries for officers and other personnel;
- e. hear appeals from officers suspended or dismissed by the director;
- f. perform various administrative duties such as the acquisition and disposal of equipment and supplies, keeping the official records of the Agency, preparing the Agency budget for approval by the County Board, etc.;
- g. enter into contracts with cities located in the County to enforce specified ordinances of the cities;
- h. adopt rules and regulations for the organization and operation of the Agency and police department: and
- i. Perform such other duties as may be provided by law.

IV. COUNTY LAW ENFORCEMENT DEPARTMENT

A county law enforcement department is established in a county which adopts the Act. The department is under the exclusive supervision of the director, and members of the agency governing body are prohibited by statute from interfering in the operation of the department. The director shall appoint an assistant director who serves at the pleasure of the director.

- a. Enforcement of City Ordinances - Responsibility for enforcement of city ordinances which are declared to be crimes by state statute is automatically transferred from city police to the department. Enforcement of other city ordinances can be transferred to the department by contract. Upon application, all qualified city police officers shall be appointed as county law enforcement officers in the department.
- b. Transfer of Sheriff Duties and Elimination of the Elected Office of Sheriff - All powers, duties and responsibilities previously exercised by the sheriff are transferred to the department. On the date fixed for the transfer the office of sheriff is abolished. At the time of the transfer all full-time sheriff deputies may become members of the department.

V. LEVY TO SUPPORT AGENCY AND DEPARTMENT

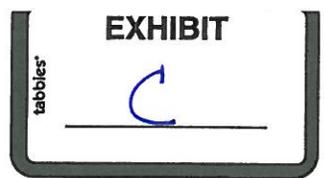
The adopted budget for the Riley County Law Enforcement Agency is funded 80% from a property tax levied by the City of Manhattan and 20% from a property tax levied by the County.

VI. ABOLISHMENT OF AGENCY AND DEPARTMENT

The statutory procedure for abolishing the consolidated law enforcement agency and department is the same as the procedure for adoption, except the word "abolish" is used in the petition or resolution and on the ballot.

CB/G T/KPE

JOE KELLY
LANCASTER COUNTY ATTORNEY
575 South 10th Street
Lincoln, NE 68508-2810
402.441.7321/FAX 402.441.7336



RECEIVED

AUG 08 2013

LANCASTER COUNTY
BOARD

August 6, 2013

Kerry P. Eagan
Chief Administrative Officer
Lancaster County Board of Commissioners
555 South 10th Street
Lincoln, NE 68508

RE: Consolidation Issues

Dear Kerry,

You have requested the opinion of our office regarding two issues that have arisen in connection with the various options being discussed by the Lincoln Lancaster County Consolidation Task Force.

Your first question is whether the City of Lincoln is a political subdivision for purposes of **Neb. Rev. Stat. 23-2518.01 - 23-2518.04**. Those sections are part of the County Civil Service Act. **Neb. Rev. Stat. 23-2518** provides, in pertinent part, that:

For purposes of the County Civil Service Act:

. . . .

(9) Political subdivision means a . . . city of the primary class

Thus, because the City of Lincoln is a city of the primary class, it would be a political subdivision for purposes of **Neb. Rev. Stat. 23-2518.01 - 23-2518.04**.

Your second question is whether the function of prosecuting DUI cases could be consolidated in the County Attorneys Office, without an attendant increase in the number of jury trials, by having a deputy county attorney deputized as an assistant city attorney to prosecute cases arising under the city ordinance.

Inherent in your question is the understanding that a county attorney has no authority to prosecute city ordinance violations. See, **State v. Lynn, 192 Neb. 798, 224 N.W.2d 539 (1974)**, citing **Neb. Rev. Stat. 23-1201**. As you are no doubt aware, however, the city and county have, for years, cross-designated members of their respective legal staffs for the purpose of handling cases in which conflicts have arisen, or in which the legal basis for a prosecution has changed during the course of a case, or in which the conduct involved would constitute violations of both

state statutes and city ordinances. The statute pursuant to which that practice has been carried on is **Neb. Rev. Stat. 15-751**, which states:

(1) Any county and any city of the primary class, which is the county seat thereof, shall have the power to join each other . . . by contract or otherwise in the joint . . . operation, or performance of any . . . power or function, or in agreements containing the provisions that one . . . operate or perform for the other. . . .

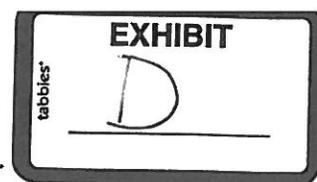
(2) Any officer or employee, whether elected or appointed, of any county, may also simultaneously be and serve as an officer or employee of any such city of the primary class , referred to in subsection (1) of this section, which is the county seat of the county where such duties are not incompatible. . . .

It is our opinion that a court would likely find that the functions of prosecuting DUI cases under state statute and city ordinance are not incompatible, and thus may be consolidated pursuant to the provisions of **Neb. Rev. Stat. 15-751**.

We are hopeful that the foregoing analysis adequately addresses your inquiries. However, if you have any further questions, or if we can be of any further assistance, please contact our us.

Joe Kelly
Lancaster County Attorney

By: 
Michael E. Thew
Deputy County Attorney



Cross-training of public safety workers attracting more interest

1. In an era of deep municipal budget cuts, more cities are eyeing consolidation of police and fire departments. Sunnyvale, Calif., is a model.

January 01, 2013 | By Lee Romney, Los Angeles Times

Email

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SUNNYVALE, Calif. — A disgruntled employee had sprayed his workplace with gunfire — killing three and wounding six — before heading into this Silicon Valley community, shooting another innocent and then melting into a residential neighborhood.

There weren't enough patrol officers available to secure the search area. But commanders in Sunnyvale's Department of Public Safety were able to do what few across the country can: They called on a fire crew that was coming off duty to switch hats. The two dozen men and women stripped out of their turnouts and reached for their tactical vests, police uniforms and weapons to join the manhunt.

At a time of municipal budget crises, more cities are eyeing Sunnyvale's model of cross-training all sworn personnel in police, fire and emergency medical services. At least 130 now employ some form of public safety consolidation. Just in the last six months, Sunnyvale has been contacted by half a dozen entities that are looking into the idea, including Fairbanks, Alaska, two Southern California communities and a UC campus.

1. Since 1950, patrol officers here have been carrying fire gear and first aid kits in their black-and-whites, often arriving first at medical emergencies. Because assignments rotate, it's not unusual for fire crews to include a former homicide detective or crime scene specialist who can detect suspicious circumstances or begin processing evidence.

There is one headquarters, one administration and one dispatch center, so "everyone speaks the same language," said Public Safety Chief Frank Grgurina.

Although training costs are steep and constant, the blended functions allow Sunnyvale to spend less on public safety than surrounding communities do — \$519 per capita compared with \$683 in Mountain View and \$950 in Palo Alto, according to the most recent data available.

"We do more with less people because we do it all," said Grgurina, who spent years at a conventional police department before taking the public safety helm last year. "I drank the Kool-Aid."

::

When Sunnyvale first decided to cross-train its personnel, this was a town of 10,000 with a volunteer Fire Department. Now home to 140,000, it is the largest city known to have a fully integrated public safety department, said Jeremy M. Wilson of the University of Michigan, who has launched the first comprehensive study of the practice.

FOR THE RECORD:

This article incorrectly identifies Jeremy M. Wilson as being affiliated with the University of Michigan. He is associate director for research and an associate professor in the School of Criminal Justice at Michigan State University.

Along with budgetary stresses, the shifting role of firefighters has been driving the trend. In 2010, departments nationwide responded to 43% fewer fires than in 1983, while medical aid calls increased 260% over roughly the same period, according to Wilson's research. Meanwhile, the number of career firefighters increased by 48%.

That has meant more "ready stand-down time," as well as sending costly fire rigs out on medical calls.

In Sunnyvale, trucks and engines are staffed with two firefighters — compared with three at most traditional departments, said James Bouziane, deputy chief of fire services. On a one-alarm blaze, a dozen firefighters are dispatched, joined at the scene by six patrol officers who pull on fire gear. A two-alarm fire ups the count.

The benefits of the system are undeniable.

On medical calls, patrol officers often arrive first. Last year, records show, they saved seven lives through defibrillation.

In an instance in August, suspects pistol-whipped a robbery victim and then set their getaway vehicle on fire in an underground garage in an attempt to divert officers. Normal protocol would have firefighters stand down until officers secured the scene. But here, they fought the blaze while their patrol counterparts in fire masks stood guard with AR-15s.

1. "We trust each other," said Dayton Pang, deputy chief of patrol services.

Most of the public safety department's 195 sworn officers submit a preference annually for their next assignment, although detectives remain on the job for five years before they're asked to switch to fire. There is little turnover, Lt. James Anton said.

"You go from robbery/homicide and the next day, you're in the firehouse cleaning toilets," said Anton, who will move to fire duty in February.

On a recent day, he loaded fire gear into the back of his patrol car to begin his shift. On a laptop,

he tracked personnel by toggling between police and fire screens. Also at his fingertips are maps of the interior of every structure, completed for fire suppression planning but invaluable in policing.

An accident call sent him speeding to Sunnyvale's downtown post office, where a driver had put her SUV into reverse while mistakenly gunning the gas, injuring a woman in a parked car. Firefighters had not yet arrived when Anton got there, but another patrol officer had.

Cross-training of public safety workers attracting more interest

1. In an era of deep municipal budget cuts, more cities are eyeing consolidation of police and fire departments. Sunnyvale, Calif., is a model.

January 01, 2013 | By Lee Romney, Los Angeles Times

Email

Share

Lt. Mike Lecy donned latex gloves and stabilized the victim's cervical spine. Firefighters who showed up soon afterward took over so Lecy could proceed with his investigation.

::

With the economic downturn, Wilson said, "we've started to see a lot more experimentation" with consolidation. But the challenges — not the least of which are cultural — are steep.

Police officers, for one thing, tend to make many of their decisions solo.

1. Firefighters are team-oriented. They also tend to fear that consolidation will supplant them with officers whose skills are inferior. In 2009, the International Assn. of Firefighters published a manual that said the trend "challenges and undermines the career firefighter's role as a guardian of public safety."

One place where that warning seemed to play out was the Monterey County town of Marina, which for nearly three decades had a consolidated department. Its staffing plan left one person at the firehouse to bring a truck to the scene of a blaze, said Fire Chief Harald G. Kelley. Patrol officers then showed up to help.

"You've got to have professionals in both fields," said Kelley, who persuaded city officials to revert to distinct departments five years ago. "You think that you're a jack-of-all-trades, and it just doesn't work."

Although police chiefs are generally open to the practice, it can be a tough sell for some rank-and-file officers.

"You have the hard-core firefighters and the hard-core cops, and they just think the two can't mix," Pang said.

But consolidation does not have to be an all-or-nothing proposition. Some cities have blended just the administrative functions or focused on specific units, while others cross-train only new hires — something Fairbanks is exploring.

"You're going to have people who don't want to do it," said Mayor Jerry Cleworth. "But in our department, if you added just one [cross-trained employee] per shift, it would make a huge difference."

August 2012

Public Safety Consolidation: What Is It? How Does It Work?

Jeremy M. Wilson

Alexander Weiss

Clifford Grammich

Prepared for the Office of Community Oriented Policing Services

Preface

The provision of public safety services is among the most challenging tasks a community faces. Among the reasons for this is that expenditures for public safety are among the largest outlay local communities make. Since the economic recession of 2008 and 2009, communities have found it increasingly difficult to maintain proper staffing levels, provide basic police service, and deliver certain functions. Decision-makers in state and local governments have sought to respond to these challenges in several ways, including the consolidation of police and fire services into single, public service agencies. Communities pursuing this option quickly discover that what is known about public safety consolidation is largely anecdotal and based upon scattered and dated case studies. Many questions remain about the options for and feasibility of public safety consolidation and what may contribute to its success or failure.

Researchers at Michigan State University are working with the Office of Community Oriented Policing Services (COPS Office) to develop the needed evidence-based lessons. In this report, we present some preliminary results of our work. It features data the research team has been gathering as well as insight derived from practitioners who participated in two focus groups hosted by the team in Dallas, Texas, and Grand Rapids, Michigan.

About this BOLO

The U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office) present the BOLO series, supporting the publication and dissemination of experiences and implications discovered during ongoing research in the field, with the goal of regularly communicating these resources to the law enforcement community at large. "Be on the lookout" for these field-driven, evidence-based resources that will help illuminate the nature, function, context, costs, and benefits of community policing innovations. For questions about this specific report and consolidation research activities underway, contact Dr. Jeremy Wilson, Associate Director for Research and Associate Professor, at jwilson@msu.edu or 517.353.9474.

This project was supported by Grant Number 2011-CK-WX-K011 awarded by the Office of Community Oriented Policing Services, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues. The Internet references cited in this publication were valid as of the date of this publication. Given that URLs and websites are in constant flux, neither the author(s) nor the COPS Office can vouch for their current validity.

The Increasing Challenge of Providing Public Safety Services

The provision of public safety services is among the most challenging tasks a community faces. Among the reasons for this is that expenditures for public safety are among the largest outlay local communities make. In 2009, local governments spent more than \$80 billion on police services and more than \$40 billion on fire services (U.S. Census Bureau 2009).

Further adding to this difficulty is that personnel costs are typically about 80 percent of a police or fire budget (Wilson, Rostker, and Fan 2010; Shaitberger 2003). Collective-bargaining agreements can reduce flexibility in managing these workforces, especially if they require minimum staffing levels. Public safety employees have also garnered public support for maintaining current levels of staffing and services.

Yet recent economic changes have greatly affected the ability of communities to maintain public safety services. For many, standard budget-reducing responses, such as marginal cuts, have not been enough to balance local budgets. Traditional reluctance to cut public safety services has given way to dramatic and unprecedented decisions. These have included hiring freezes, layoffs, furloughs, or even disbanding of departments (COPS 2011; Melekian 2012; PERF 2010; Wilson et al. 2011). Many communities have also experimented with alternative modes of public safety service delivery.

One such experiment has been to consolidate police and fire services. This type of consolidation has long existed. Grosse Point Shores, Michigan, created perhaps the first public-safety department in the

early 20th century (Matarese et al. 2007). Sunnyvale, California, created a public-safety department from a small professional police force and a volunteer fire force in 1950. It has grown the department to match its rapid population growth, from less than 10,000 to more than 140,000, since then. Yet such consolidation has been receiving greater attention in recent years as municipalities struggle with fiscal constraints. Public safety service consolidation may be:

- Nominal, with executive functions consolidated under a single chief executive but no integration of police and fire services
- Partial, with partial integration of police and fire services, cross-trained public safety officers working alongside separate functional personnel, and consolidation within administrative ranks
- Full, with full integration of police and fire services, cross-trained public safety officers, and consolidated management and command

Despite the need for creative solutions to the problem of providing public safety services in times of fiscal constraint, practitioners and decision-makers have few systematic, data-driven lessons to which they can turn. What is known about public safety consolidation in particular is largely anecdotal and based upon scattered and dated case studies. Many questions remain about the options for and feasibility of public safety consolidation and what may contribute to its success or failure.

To develop evidence-based lessons, researchers at Michigan State University are working with the Office of Community Oriented

Policing Services (COPS Office). Our assessment includes a literature review, focus group summits, a census and survey of consolidated bodies, multiple case studies, and an opinion survey of residents in Michigan, where public safety consolidation appears to be most prevalent. The goal of this work is to develop concrete, research-based lessons about the nature, structure, function, and implementation of public safety consolidation as well as an understanding of its costs and benefits, including when it will or will not work.

In this report, we present some preliminary results of our work. It features data the research team has been gathering as well as insight derived from practitioners who participated in two focus groups hosted by the team in Dallas, Texas, and Grand Rapids, Michigan. Below, we review some of the perceived benefits and costs of such public safety consolidation, its prevalence, and the state of research on such models. We present three brief case studies from Sunnyvale, California, Highland Park, Texas, and East Grand Rapids, Michigan. These help us illustrate the variation in implementation of the model. The variation of these communities helps us show how consolidation may differ by community attributes, timing, nature, reasons, staffing levels, workloads, and other challenges. We supplement the case studies with insights from two focus-group summits of public safety directors and others involved in the consolidation process and a summary of key issues. We conclude with an overview of pending research on public safety consolidation.

Benefits of Public Safety Models

Among the perceived benefits consolidation may offer is increased efficiency in provision of public safety services. Public safety consolidation can reduce the total need for line staff. It can also reduce duplication in administration, communication services, and physical infrastructure. Those participating in Michigan State University's focus groups also pointed out the key advantage of having a broadly trained officer who can arrive on the scene of an incident and immediately assess the equipment and resources required, along with their most effective positioning. This can frequently prevent the needless dispatch of large equipment (and certain personnel) that is not only expensive to operate, but can place the community at risk (when driving quickly from location to location).

Public safety consolidation can also help communities meet evolving needs. Changes in the fire industry help illustrate this. The fire industry has evolved from fire suppression to greater provision of emergency medical services. From 1983 to 2010, the number of fires to which fire departments responded decreased by 43 percent (this number is 59 percent down from 1977) (NFPA 2011a). At the same time, the number of career firefighters increased 48 percent, and the number of fire departments increased 7 percent (NFPA 2011b). While there are more firefighters to fight fewer fires, medical-aid calls increased 260 percent from 1980 to 2010 (NFPA 2011c). Providing more broadly trained personnel can help public safety agencies address such evolving needs. It can also make more staff continuously available to respond to a broader range of calls.

More broadly trained personnel can also help communities reduce the total number of personnel they require. For example, Traverse City, Michigan, employs 56 fire and police personnel in its police and fire departments. This is 43 percent more than the number employed by the average public safety department in similar Michigan communities.

Public safety consolidation may also promote community policing. Cross-training officers can increase access to staff for any given assignment and flexibility in their deployment. This, in turn, can free time for officers to work in the community. Consolidation can also expand the role of police officers to include activities more favored by the public. (Public satisfaction with fire services is often greater than that for police services. The firefighting profession is also one of the most respected professions.) The expanded role that officers fulfill in a public safety department may attract officers with broader skills useful for community policing. Finally, by making public safety services more efficient, consolidation may prevent the elimination or reduction of community policing activities.

Public safety consolidation may also increase comprehensive community safety and homeland security. It can do so by enhancing communication between police and fire personnel, including through a unified command structure. It can also provide all-inclusive emergency response and planning, including through comprehensive training. Given their new and evolving roles as first responders to terrorist attacks and similar emergencies, as well as responsibilities to prevent such attacks from occurring, local police and fire agencies have a heavier workload than years past—a workload that consolidation may help lighten (Matarese et al. 2007).

Costs to Consolidation

While public safety consolidation may promote long-term efficiency, its upfront costs can be prohibitive. Among such costs are those for increased training and backfilling of staff during training. Agencies may also struggle with issues of branding, uniforms, and proper equipment and vehicles. As a result, assumptions that consolidation will bring immediate cost savings are often incorrect. Upfront costs can steer some away from considering public safety consolidation.

There may be still further obstacles to consolidation in labor or facilities contracts preventing differing uses of workforce, buildings, or equipment. Planning for structure, positions, and personnel can also result in reorganization costs. Reorganization may, in some cases, exacerbate existing management problems.

Because of these and other costs and obstacles, citizens, workers, or administrators may oppose public safety consolidation. Citizens may perceive or see an actual decline

in the quality of public safety services following consolidation. In select areas, organized labor has succeeded in blocking public safety consolidation by seeking changes in local or state statutes, charters, or pension regulations. Finally, administrators may oppose consolidation because of the cultural and organizational changes it may require, as well as confusion and ambiguity about administrative roles.

Current Extent of Public Safety Models

To document the prevalence of public safety consolidation, researchers at the School of Criminal Justice at Michigan State University have been gathering data on consolidated public safety agencies. As of May 2012, they had confirmed 130 agencies with at least nominal consolidation of public safety services.

The 130 agencies for which the researchers had documented or were documenting consolidation are spread across at least 25 States, but Michigan, with at least 54, has more such agencies than any other state. The model is most prevalent among small- and medium-size agencies. It is used in both rural and urban communities. Its form of implementation varies, as noted earlier. It is also expanding into new regions, including New Jersey, New York, and Nevada.

Some agencies have actually abandoned consolidation. The researchers have learned about many agencies that adopted but later abandoned consolidation, and they

are working to verify these. Reasons for consolidation failure include the value citizen's place on local control, the personal stake administrators and staff have in separate police and fire services, the emphasis organizations—even small ones—place on unique identity, opposition from employee groups, failure to realize expected cost savings, and decline in perceived or actual quality of service delivery.

Yet new consolidations continue to occur as well. Researchers have identified more than two dozen communities throughout the United States that are considering the model, and there are still likely more that may adopt it. Understanding the context of both success and failure is critical to understanding how consolidations may, or may not, help improve delivery of public safety services.

To better understand the context of public safety consolidation, we turn next to case studies of its implementation in three communities: Sunnyvale, California; Highland Park, Texas; and East Grand Rapids, Michigan.

Sunnyvale, California: One of the Oldest, and Largest, Public Safety Departments

Sunnyvale, California, is a city of approximately 140,000 residents in Santa Clara County, California, comprising 24 square miles at the south end of San Francisco Bay. It is one of the major cities that comprise the Silicon Valley area, the second-largest city in Santa Clara County, and the fifth-largest city in the San Francisco Bay area. Its daytime population is 230,000, including employees of Advanced Micro Devices, Inc. (AMD), NetApp, Inc. (formerly Network Appliance), and Yahoo! Inc., all with headquarters in Sunnyvale (City of Sunnyvale 2012).

The first major settlement of the area occurred in the 1860s, as canneries to process fruit from surrounding orchards were built near newly open rail lines (City of Sunnyvale 2012). The area grew further with the movement of an iron works from San Francisco to what is now Sunnyvale in 1906.

Sunnyvale incorporated as a city in 1912 and soon organized a volunteer fire department (City of Sunnyvale 2005). In 1914, Sunnyvale voters established five city departments, including a Department of Public

Health and Safety with both police and fire services.

Sunnyvale continued its combination of paid police officers and volunteer firefighters through the 1940s (City of Sunnyvale 2005). In the 1940s, Sunnyvale had a paid police force of about a dozen employees in addition to a volunteer police auxiliary and nearly 30 volunteer firefighters.

Adoption of a new city charter in 1949 and the subsequent hiring of a city manager led to discussion of how to improve public safety in the city, particularly its fire safety (City of Sunnyvale 2005). The city council considered creating a separate fire department or combining police and fire functions in a unified Department of Public Safety. For fiscal reasons, the city manager favored a Department of Public Safety. The volunteer firefighters strongly resisted this because of their opposition to both the new public-safety concept and to paying firefighters rather than investing in equipment. Nevertheless, the city council created a unified Department of Public Safety in June 1950.

The newly created Department of Public Safety had leadership from

the police and the fire departments as well as several police officers who became public-safety officers (PSOs) and several newly hired PSOs (City of Sunnyvale 2005). Altogether, a public safety department of about two dozen employees served a city that had grown to a population of nearly 10,000 in six square miles.

Though airing controversy over the department for years, by 1956 the *Sunnyvale Examiner* was praising the department for having achieved “a 20 to 25 percent cost saving in personnel and equipment cost [including] shorter hours and better pay for trained men; a saving in having one headquarters building instead of two; greater efficiency through single administration; elimination of wasteful competition and jealousy between two departments and a greater pool of trained man power for any emergency” (City of Sunnyvale 2005). The city maintained low crime rates and improved its fire ratings.

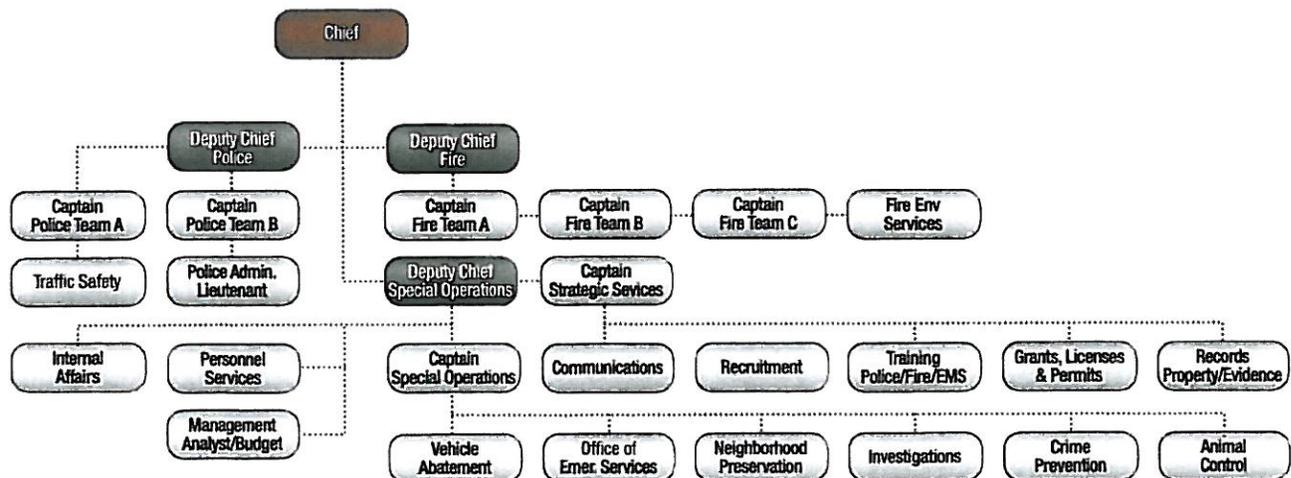
The department grew as the city did. By 1965, a staff of 171, including 143 sworn officers, was serving a city of 85,000 residents in more than 20 square miles. The department continued to require both police and

fire training of its recruits. A new PSO had to attend basic training on his own time. This included 4 hours of police training per week for 18 months, or a total of 240 hours, to get the mandatory Peace Officer Standards and Training certificate. It also included 12 days, or 96 hours, of fire training during the first year.

In subsequent decades, Sunnyvale adopted many innovations in police and fire services evolving elsewhere (City of Sunnyvale 2005). It created a Special Tactics and Rescue team, later renamed a Special Weapons and Tactics team, in 1974. It developed a Crisis Negotiation Team in 1975. Its Mobile Field Force has managed events ranging from riots in the 1960s to environmental and anti-abortion protests in the 1980s to anti-war demonstrations in the 2000s. It developed a Hazardous Materials (or HazMat) response team in 1985. Its canine and emergency medical dispatch units have won statewide recognition. It also has a Type II HazMat Team and its SWAT Operators are trained and operationally ready to be deployed in level A PPE.

Figure 1 presents the current organizational chart for the

Figure 1: Sunnyvale Department of Public Safety Organization Chart



department. The department currently has 195 sworn personnel, 80 support personnel, and more than 50 volunteers donating more than 4,000 hours annually. Its budget of \$73 million includes \$25 million for police field operations, \$27 million for fire field operations, and \$21 million for special operations.

Recently, Frank Grgurina, the chief of the department, told a focus-group summit convened by Michigan State University researchers that the department remains fully integrated. A new hire gets police, fire, and medical training. PSOs annually bid on shifts they want to work in the police or fire bureaus. The police-based personnel work a 4/11 shift schedule with rotating days off based on an 8-day calendar, whereas fire-

based personnel work a traditional 24-hour shift schedule. Those working firefighting duties need not wear firearms, but they must have police equipment with them.

The cross-training has enabled PSOs to work together “seamlessly,” including in crisis situations, Grgurina said. In October 2011, Grgurina said, the department was able to deploy 24 fire-team personnel coming off a shift to the police bureau in response to a workplace shooting, with an off-shift patrol team deployed to cover calls for service. Police and firefighting PSOs also worked together to resolve a situation in which a woman had killed her infant child and was threatening to kill herself. All PSOs are trained as EMT-Basics

and equipped with AED’s and first aid kits. The combination of EMT training and provided equipment allow for immediate response by patrol-based personnel to incidents with a high probability of cardiac arrest, which in the past has resulted in a significant number of life saving events.

Grgurina says initial and ongoing training remains an enormous challenge. In addition, PSOs are compensated above police officer and firefighters from nearby agencies. Nevertheless, he contends, Sunnyvale residents pay several hundred dollars less per capita for total public safety services in comparison with the same nearby cities.

Highland Park, Texas: Using the Public Safety Model to Provide More Services

Highland Park, Texas, is a town of nearly 9,000 residents in Dallas County, Texas (Town of Highland Park 2009). The town is approximately 3 miles north of the center of the city of Dallas, and is surrounded by the cities of Dallas and University Park. The town is a little more than 2 square miles in size and is one of the wealthiest in the nation. Its per capita income is more than \$130,000—nearly five times the national level (U.S. Census Bureau 2012).

Incorporated in 1913, the town initially sought to implement a public safety model combining police and fire services, Chris Vinson, the chief of the town’s Department of Public Safety, told a focus-group summit convened by Michigan State University researchers. The town placed its marshal in charge of fire services as well, but when it hired a police chief from Dallas in the 1920s

the town developed separate fire and police departments.

The police and fire departments remained separate until 1977 when the town council voted to consolidate police, fire, and emergency medical services in a Department of Public Safety (Fant 1990). Before the consolidation, a single director administered the department, but the department maintained separate functions for responding to police and fire emergencies, each with its own personnel and rank structure. The department contracted for emergency ambulance services from funeral homes until 1972, when it trained fire personnel as Emergency Medical Technicians and acquired its own patient transport vehicle. It also equipped a squad car with first-aid supplies, and, in 1976, trained paramedics.

Although the town created a public safety department in 1977, and had a manager advocating the model, the transition, Vinson said, took 15 years to fully implement, until the last “single-discipline” person

retired. One particular challenge the department has faced, Vinson said, was integrating police and fire policies.

From its inception, the department provided incentive pay for cross-trained personnel (Fant 1990). Since 1979, it has assigned personnel to 24-hour shifts followed by 48 hours off duty, regardless of whether working police or fire duties. Personnel working police duties rotate among three subshifts, spending 8 hours on patrol and 16 hours at a station.

In 1983, the two assistant director positions over the segregated rank structures were deleted, replaced with one assistant who had some consolidated oversight. It reformatted its Fire Marshal position to make it third in command of its department, and further increased incentive pay for cross-trained personnel (Fant 1990). Today its pay scale is set at 20 percent above that for four target communities, Vinson said.

In the mid-1980s, the department moved to consolidate rank structures (Fant 1990). In 1984, it placed Shift Commanders (Captain rank) over consolidated services, having one work each shift. In 1985, it placed Assistant Shift Commanders (Lieutenant rank) over consolidated services, having one work each shift, and in 1986 added one Public Safety Supervisor (Sergeant) per shift. Supervisory personnel were also fully trained in both police and fire duties.

Today, Vinson told a focus-group summit convened by Michigan State University researchers, the town has 54 total sworn personnel and 69 total personnel. Of the 54 sworn personnel, 38 are paramedics. The town also maintains two mobile intensive-care units, and had been “very aggressive” in maintaining its emergency medical services.

For each shift, Vinson said, the town has a minimum of 11 public-safety personnel on duty, including four on patrol (one of whom is a supervisor), and, among the seven in station, two on an engine, two on a truck, and two on a mobile intensive-care unit. In other words, all personnel have police, fire, and emergency medical services duties daily. The department participates in mutual aid agreements with other Dallas County agencies, including those in the cities of Dallas and University Park.

A continuing challenge for the department, Vinson said, is training, particularly maintaining certification and having personnel participate in regional SWAT team training. The department has a sergeant whose only duties are to manage training. Vinson said new personnel have a 2-year training curve before they are fully qualified for police, fire, and emergency medical services duties. The department also integrates training into each shift.

Nevertheless, the department has not pursued full accreditation for both fire and police services. In particular, Vinson said, the department offers few opportunities for specialization. “At what we do, we’re as proficient as anybody,” he said, “but we don’t do as many things. That breadth of specialty is too difficult to maintain.”

Public safety officers in Highland Park, Vinson said, must display both individual and team skills. Noting a “cultural difference” between police and fire work, Vinson said that traditional firefighters can step right into a situation requiring team work because they have lived together in the station, while traditional police officers may not know how to handle such situations well. Vinson said his department has had particular difficulties in taking officers from large urban or small rural agencies.

As a result, finding qualified well-rounded candidates for public-safety duties remains a challenge, Vinson said. The department requires a four-year degree for applicants because previous applicants without such a degree had difficulty completing training. In addition to administering other standard fitness tests, the department has worked with a consultant to identify 18 different characteristics candidates should have and to rank them by these, including how well a candidate will fit in the department and assist with both police and fire duties.

One reason the department has been able to meet its challenges and maintain its levels of service, Vinson said, is its affluence. The population remains stable and very affluent. As a result, Vinson said, Highland Park has not faced budget crises that other communities have.

Overall, Vinson said, the model works for Highland Park because citizens are willing to pay for it in a small jurisdiction with about 12,000 calls for service per year. The model gives Highland Park a higher number of police, fire, and emergency medical services personnel per shift than other communities, but also at an annual per capita cost of about \$1,000. “What sells it,” Vinson said, “is that somebody who arrives at [a resident’s] door within two minutes knows what to do regardless of the situation.”

East Grand Rapids, Michigan: Using the Public Safety Model to Realize Efficiencies and Economies

East Grand Rapids, Michigan, is a city of nearly 11,000 residents covering about 4.5 square miles in Kent County, Michigan (City of East Grand Rapids 2012a). A suburb of

Grand Rapids, the city developed around Reeds Lake and the parks surrounding it, was established as a village in 1891 and incorporated as a home-rule city in 1926. Its per capita income of nearly \$45,000 is about \$20,000 higher than that elsewhere in Michigan and the United States. (U.S. Census Bureau 2012).

East Grand Rapids established its public safety department in 1985 by combining its police and fire departments into one organization (City of East Grand Rapids 2012b). Each of the 29 sworn personnel in the Department of Public Safety is trained in law enforcement, firefighting, and medical first response. At the same time, Mark

Table 1: East Grand Rapids Public Service Officer by Training in 2010

| Police | Fire | Medical |
|---------------------------|----------------------------------|-----------------------|
| Weapons Qualification | Fires: Strategies and Tactics | CPR/AED Certification |
| Rapid Deployment Training | Airboat Ops | Medical First Aid |
| Precision Driving | Haz-Mat | Blood Borne Pathogens |
| Defensive Tactics | Ice Rescue | Patient Assessment |
| Simunitions | Aerial Operations | Pediatric Treatment |
| Legal Updates | Confined Spaces | Airway/Ventilation |
| Cultural Diversity | Extrication | |
| Felony Car Stops | Apparatus Driving | |

Herald, the director of public safety for the city, told a focus-group summit convened by Michigan State University researchers, the city does not qualify all its public safety officers as emergency medical technicians, because the vast majority of medical service calls the department receives do not require such expertise.

The result, Herald said, is a department of “generalist specialists.” Table 1 shows some examples of police, fire, and medical training provided in 2010 (City of East Grand Rapids 2011).

Figure 2 shows the organizational structure for the department (City of East Grand Rapids 2011). Its two main divisions are police services and support services, with fire and medical services being among support services. Each division has a captain in charge; these captains also handle internal affairs for the department.

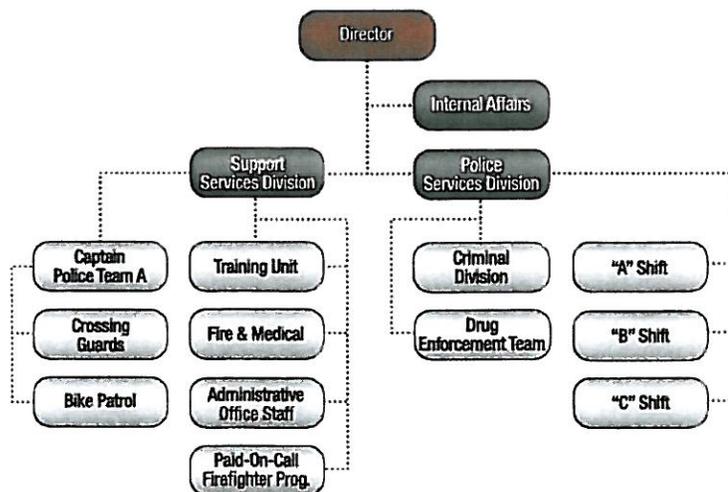
Like the similarly sized jurisdiction of Highland Park, Texas, East Grand Rapids has its public safety officers work 24-hour shifts, albeit with about half as many personnel (City of East Grand Rapids 2011). Each shift has one staff sergeant, one sergeant, and five public safety officers.

The fire division also provides services through inter-department agreements and a paid on-call firefighter program (City of East Grand Rapids 2011). The city has relatively few calls for fire service in a given year. It averaged fewer than 175 such calls per year between 2006 and 2010, with only about 10 percent of these being for fires, and fewer than three per year being for fires in residential dwellings or other buildings. Most fire service runs are for activities such as false or unfounded alarms, downed utility

wires, carbon monoxide alarms, or smoke investigation. The lack of fire calls, and ability to prove firefighting skills, can lead to lesser acceptance of East Grand Rapids personnel by local fire departments, Herald said. At the same time, Herald said, the argument for separate professional fire departments “hasn’t changed in 200 years. I love fighting fires, but we need to look at initial aid agreements” to manage a diminishing number of structure fires across communities.

East Grand Rapids initially began considering consolidation in the 1950s, Herald said. Part of the reason for consolidation, he said, was to improve public safety services. As in Highland Park, the ultimate transition took time, even after the council approved it in the 1980s. Yet once older personnel had retired, Herald said, the department, and its employees, succeeded in developing a “public safety culture.” Each day, he said, public safety officers realize they are “going to get a police assignment, a fire assignment, and a medic assignment.”

Figure 2: East Grand Rapids Department of Public Safety Organization Chart



The consolidation also realized some efficiencies. Where once 40 police and fire personnel provided services, 29 public-safety officers now suffice. Herald also contends the public safety consolidation realized both improved services and lower costs, with about 40 percent of the city's general fund now supporting public safety services, rather than the 60 percent he contends is common elsewhere. Herald also speaks of how this model enhances efficiency by having a single organization respond to complex incidents. He illustrates with an incident to which his agency responded where a person was pinned under a vehicle. He explained this would typically require three agencies to respond (police to maintain traffic, fire to remove the

vehicle, and emergency medical services to provide medical response to the victim) whereas his public safety officers arrived on scene and each immediately assumed the necessary positions and saved the victim.

The economies and the efficiencies of the model have appealed to other Michigan jurisdictions. Doreen Olko, the director of emergency services for the city of Auburn Hills, Michigan, told a focus-group summit convened by Michigan State University researchers that a decline in the property tax base led the city to seek consolidated administration of public safety departments. Public perception, she said, is that savings will be realized because of

better management, and that fire department expenses could "break us all." At the same time, Olko said, the city would not launch a "public safety" department because of the negative image such departments have in the city.

Similarly, Jeff Lewis, the director of public safety for the city of Muskegon, Michigan, said fire departments require capital investments that are likely to drive some consolidation of services across jurisdictions. "We need [to go] regional for some equipment," he noted. "We can't have five departments have five ladder trucks that get only 20 calls per year."

Other Issues in Public Safety Consolidation

Sunnyvale, Highland Park, and East Grand Rapids provide several perspectives on differing issues regarding public safety consolidation and use of public safety officers. Sunnyvale has grown its public safety department as its population has grown, realizing economies and efficiencies in the process. Highland Park has used its public safety officers to provide full services to its residents at a higher cost. East Grand Rapids developed a public safety department to improve its public safety services, realizing some economies and efficiencies in the process.

Other communities will confront still other issues. Participants at focus-group summits convened by Michigan State University researchers broached many of these, which we discuss below.

Reasons for Adopting a Public Safety Model

Though many public safety directors caution that the model cannot achieve immediate savings or efficiencies, such reasons are among the most commonly cited for the change.

"The city manager was the impetus behind it," said Brian Uridge, the assistant chief of the Kalamazoo (Michigan) Department of Public Safety. "He pushed the idea because we were in very extreme financial straits. We had seven or eight police officers on a shift, but more firefighters, even though crime was very high. Now we staff ten in the fire stations and, depending on the time of day, we'll have 18 public safety officers on the road. . . . The biggest benefit was getting more people on the streets. The first studies said we'd need 356 public safety officers, but it was never close to that level. The highest was perhaps 270, [or] 280."

Others cited improving services as a reason for change as well. "We sought

to increase the level of service," said Lee Vague, director of public safety for the city of Woodbury, Minnesota. "The city didn't want to contract services; it wanted to maintain control. The cross-training of police officers seems to have worked well. So when it came time to increase fire services, it seemed to make sense to cross-train more, given we have 30 times as many police calls as we have fire calls."

Support of local leaders can be vital. "The city manager must support the concept and buy into it 100 percent," said Pete Frommer, the former director of public safety for the city of Aiken, South Carolina. "When you first do this, there's going to be stuff on the news and in the newspaper. Everybody needs to know upfront this isn't going to be easy, but you need to stay with the plan, support the plan. It took us about 6 years to complete the switch. Staff knew what the program was; they could accept the change or seek employment elsewhere."

Enhancing Community Policing

Focus-group participants agreed that the public safety model can improve community policing. In Sunnyvale, Grgurina said, the public safety model “enhances [community policing]. All elements of the organization now look at community policing, and look at it together. They’re more aware when they see things. Everything is our responsibility in this model. There’s no passing the buck.”

Similarly, Vague said that in Woodbury, community policing is well “integrated” with public safety services. “Everybody’s involved. The public safety model enhances community building, trust building, and relationship building. Every time we go into your house we build support for everything we do, including community policing.”

Community policing is also “integral” to the “level of service” that Highland Park public safety officers provide to residents, Vinson said. “I have a person dedicated to community relationships and a very strong citizens’ crime-watch program. We’re driven by it. . . . If we didn’t have that, we would be missing a component with citizens. Even if we’re interacting with them in different roles, I still think you need to make a special effort to integrate with the community, to leverage the business community, to turn them into eyes and ears for the department. Somebody needs to be pushing that all the time.”

Scale and Specialization Issues

Focus-group participants were split on what levels of scale and specialization the public-safety model could support.

“If it’s staffed and managed appropriately, theoretically you can have a public-safety model anywhere,” said Uridge of the Kalamazoo department. “The problem I’ve seen in Michigan is they want to cut back on police and fire so much that they expose themselves to the point that they can’t do either well.”

Vague of the Woodbury department agreed, noting, “Logistically, absolutely you can do it if you staff it. But in the larger cities you have cultural issues.” Similarly, Herald of the East Grand Rapids department said, “Theoretically, it could work anywhere with appropriate political backing. But do I realistically think it would work in New York City? Absolutely not.” Beyond cultural issues, others pointed to the possible need for specialization (e.g., to handle aircraft fire, hazardous material situations) in larger communities.

Vinson of Highland Park also cautioned against expecting greater efficiencies from public safety models of larger scales. “It may have started with the idea of saving money, but with how it’s evolved and the services it’s delivered in my community, it isn’t more cost efficient than separate departments,” he said. “That’s not where the advantage is. The benefit is that we can have somebody there no matter what the situation is. But if you want efficiency, go to a more regional model rather than duplicating services from city to city. If efficiency is truly your goal, you’re not going to get it out of public safety.”

Where the Model Does Not Work: Returning to Separate Services

While the number of public safety departments combining police and fire services into one agency has grown over time, several communities have abandoned the model and returned to separate police and fire agencies. Some have done so in order to improve specialized services.

The city of Eugene, Oregon, is among those which have deconsolidated its public safety department. Ruth Obadal, former planning chief for the Eugene Fire and Emergency Medical Services Department, told focus-group participants that the original consolidation occurred as part of a streamlining process which consolidated several departments. This resulted in police services, fire services, and municipal courts being consolidated into one department, the public library and parks being consolidated into another, and human resources and finance into another.

While the intent of the 1985 consolidation was to streamline, the effect, Obadal said, was to add another layer of administration. There was no integration beyond the administrative consolidation, and police and fire personnel continued to refer to themselves as belonging to the “police department” or the “fire department,” even those entities no longer existed in name.

“My department didn’t have a fully integrated model,” Obadal said. “I don’t know if it didn’t work. I do know it didn’t work as well as it could. What wasn’t working about it is there were a lot of convoluted management lines. Many police and firefighters never saw it as a consolidated department at all. They had integrated administrative functions but no overlap in

training. The consolidation created more layers of bureaucracy. The budget process probably was more efficient, but the city was dealing with two different unions and sets of grievances, and the additional administrative layers were not more efficient."

In 1997, the city manager chose to deconsolidate the police and fire agencies into separate departments, citing both the need to have closer interaction with police and fire personnel as well as to better support community services. She wrote to city employees, "Creating separate departments will give me the chance to have closer interaction with staff on the policy and operational questions facing these two vital public services. As we move toward community-based government, it will be important to have both Police and

Fire as part of the City's management team. Another benefit of this move is that it will also increase the stature of these operations in the community" (Obadal 1998).

It was changing responsibilities and the need for specialization, especially as public safety came to encompass more homeland security duties, which prompted deconsolidation of what was a public safety department at Dallas/Fort Worth (DFW) International Airport, reported Tyler Bond, assistant police chief for the DFW Airport, to focus-group participants. From its opening in the early 1970s, the department had used a public safety department to provide police and fire services over the 30 square miles of property comprising the airport grounds. The model worked well for years, Bond said, successfully responding

to events ranging from presidential visits to aircraft crashes.

Yet as the department, like other local agencies, had to assume more homeland security duties in recent years, it felt the need for more specialization. "[Homeland security] was one drive for specialization. So was the desire for SWAT and other teams," Bond said. "The focus was more on security of the airport and the airlines. Resources were more focused on that and less on fire service. The firefighters felt like they were the stepchildren of the department." Though the police and fire services have deconsolidated, Bond said, and have only a modest degree of integration now, the departments do work well together under a single director.

Pending Issues Regarding Public Safety Consolidation

There are many questions about public safety consolidation. In the preliminary examples above we have attempted to illustrate how public safety consolidation originates and how consolidated departments function. Yet, several questions about the public-safety model require more systematic research. Among others, these include:

- How are public safety departments organized? Preliminary evidence, as noted, indicates their organization may range from nominal to full integration.
- What are the short- and long-term costs and benefits? Focus-group participants were divided on this issue, with many also noting difficulties in attaining short-term efficiencies.
- What contributes to success or failure of the model? Cultural and specialization issues appear to pose among some of the more significant obstacles.
- How does consolidation affect service delivery and personnel management? Some agencies report extended periods of time, particularly those related to retirement of old personnel and hiring of new personnel, before consolidation is achieved.
- In what ways does consolidation facilitate or impede community policing? Focus-group participants report it can enhance community policing, but caution against cutting public safety resources so deeply that neither police nor fire services function well.
- How do agencies begin the discussion and implementation process? Financial and service concerns appear to prompt it, but top-level support is necessary.
- How do employees respond when the nature of their job changes so radically? As noted, public safety departments may take years to fully complete their conversion because of such issues.
- What happens to law enforcement activities when large fires occur? Interdepartmental agreements can help, though cultural issues may arise here as well.
- Are community members satisfied with public safety services? In the case of Highland Park, Texas, residents apparently are willing to pay a premium for full public safety services, but more systematic research is needed on how well the model is accepted elsewhere.

To research and provide resources on these and related issues, Michigan State University researchers are developing several projects to create and disseminate evidence-

based resources about the nature, implementation, costs, and benefits of consolidation, contracting, regionalization, and shared services. Their current research on public safety consolidation will:

- Create a national census and administer a survey of public safety agencies
- Conduct in-depth case studies of agencies and communities that have consolidated public safety as well as those that have deconsolidated
- Survey residents to assess their perception and assessment of public safety consolidation.

Consolidation is likely to be a divisive issue in many communities, with residents and officials being supportive of its realities, unaware of the issues that may lead to it, or opposed for a variety of reasons or possible misunderstandings. The skeptics and champions are vocal, but there exists a tremendous need for objective resources to inform decisions on public safety consolidation.

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POLICE AND FIRE CONSOLIDATION

An Ineffective Use of Resources



Introduction

Combining roles of fire fighters and police officers is a concept that challenges and undermines the career fire fighter's role as a guardian of public safety. In the past, the term "consolidation" was used to describe the merger of fire and police departments and roles. Today, this form of public safety operation employs cross-trained personnel who perform both fire fighting and law enforcement functions known as Public Safety Officers (PSO). Due to the gradual transition of terminology and usage, "consolidation," "public safety officer" and "PSO" are used interchangeably throughout the text.

The International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC) developed this manual to provide their members with general information about this practice and insights for prevention.

Research and academic/municipal studies are limited on this issue, therefore, the content herein includes the opinions of IAFF and IAFC officers, staff experts and members of the IAFF and IAFC, as well as documented outside resources.

Consolidation as used in this document is generally defined as: Elimination of the fire chief as head of the fire service in favor of a public safety director serving over both fire and police and the replacement of career fire fighters with "public safety officers" who perform both police and fire functions.

There are four types of consolidation: full, partial, functional and nominal.

- **Full Consolidation** Police and fire fighting duties are combined under a single agency.
- **Partial Consolidation** Police and fire services remain separate, except for a designated cadre of PSOs who perform both fire fighting and law enforcement functions.
- **Functional Consolidation** Police and fire departments operate separately, with some of the duties typically performed by one department assigned to the other; e.g., fire fighting personnel may help in administering police work, or police officers may assist fire fighters at a scene by reading gauges or hooking up hoses.
- **Nominal Consolidation** Fire and police departments remain completely separate; however, they operate under the administration of a single director who maintains full authority over all police and fire services.

Academic and practical course requirements for cross-training personnel can vary by jurisdiction. For example, in some areas emergency medical technician (EMT) certification may be required for all participants, while other jurisdictions may base EMT requirements on ratios between EMT personnel and public safety officers, and evenly divided between primary fire fighter functions and primary law enforcement functions.

Consolidation and the Career Fire Fighter

One foreseeable outcome of partial or full consolidation is that reduction in fire fighter staffing can occur within these communities. Shortages in public safety personnel can impede job performances, deteriorate the identity of professions and create substantial costs and risks to the community.

Consolidation is generally considered by cities as a quick fix method to lower municipal budgets, while addressing the public's misperception of excess fire fighter downtime through the restructuring of two jobs into one. Municipalities will argue that consolidation of fire and police services is more efficient and, therefore, an improvement in the overall delivery of public safety. Frequently, however, the anticipated benefits are not realized. Consolidation can undermine effective fire suppression by disregarding proven fire fighting techniques and relying on PSOs with inferior skills and experience.

The IAFF and IAFC, along with many other groups in the fire and police fields, are opposed to consolidation because it can have a negative impact on municipal fire services. These groups are against consolidation of fire and police services because it could impair safety for both the public and the service providers.

When a city is considering consolidating its fire and police forces, it is vital for the public to understand and consider all the facts regarding consolidation before implementation. The IAFF and IAFC and other fire organizations do not believe that consolidation solves a city's budget problems; nor will it increase the fire department's efficiency. The local fire fighters union and fire department officials have a responsibility to assure that communities understand the facts before a city accepts a plan that its residents may regret.

Even if consolidation has not yet been mentioned in your city, it is important to recognize the early signs that the city may be contemplating a move in that direction. When a city begins to talk about cutting costs through possible consolidation, the fire fighters' union needs to take an active role to find solutions that are less dangerous.

This guide offers information about the issues that surround consolidation; addresses the arguments you can expect to hear for and against; an historical overview; warning signals that may indicate your city is considering consolidation; and guidelines to develop a preventive strategy.

Moreover, the IAFF and IAFC seek to provide technical assistance directly to affiliates and fire department officials confronted with consolidation. Affiliates and fire department officials are urged to keep the IAFF and IAFC fully informed about the status of consolidation attempts in their areas so the IAFF and IAFC can determine what technical services are most appropriate.

History of Consolidation

Historical Overview

Consolidation is an idea that has been around a long time, but it is mainly since the 1950s that the proponents of consolidation have made much headway. Some people claim the ancient Romans started it all by appointing “vigiles” whose responsibilities could include fighting fires as well as keeping law and order.

More relevant to our modern times were the “special constables” who kept the peace in Great Britain in the early 1800s. They were sworn citizens who performed both police and fire services. England’s Reform Act of 1832 cast the concept of a dual service into law, and the practice persisted in England until World War II. However, in 1941, faced with the terrible fire bombings of the war, Great Britain adopted a Fire Service Act that nationalized fire and police services and separated them into two independent departments. After the war, fire fighting was returned to local control.

Germany and Japan both had a type of consolidated police and fire service until the end of World War II. After the war, the allies considered it undesirable to maintain police involvement in the fire service in either country, and they reorganized the two activities into separate departments.

Consolidated fire and police services made its first appearance on this continent in 1857 at Trois Rivieres, Quebec. In Canada, consolidation grew slowly; outside the province of Quebec, its spread was limited. The first U.S. town to consolidate was Grosse Pointe Shores, Michigan, in 1911. Since then, the approach was adopted, with varying results, in a number of other cities in both countries.

In the United States, proponents of consolidation started actively promoting the concept during the 1950s and 1960s. In 1950, Sunnyvale, California, was among a succession of cities that implemented consolidation. It was often efficiency-oriented city managers, who had little or no direct knowledge of fire fighting, who led the effort. An example of this is Oak Park, Michigan, whose city manager aggressively promoted the idea in his own town in 1954, and later moved to promote it elsewhere. Articles in popular periodicals such as *Reader’s Digest* debate the merits of merged police and fire service.

Pressure on cities to respond to population growth and rising costs in the 1970s and 1980s fueled the consolidation debate. As a major expense, fire departments stand out as targets to the cost-cutters who claim consolidation a “solution” in a growing number of cities. Advocates of consolidation find a forum for their views in the International City Management Association (ICMA), which produces publications and conferences that extensively cover the subject from a city manager’s perspective. A study of the history of consolidation reveals changes that occur in the nature and purpose of this form of operation. When the ancient Romans combined law enforcement and fire protection, they were certainly not dealing with the complex social and environmental conditions facing police and fire personnel today. A dual service today would have to recognize and combine the complex and specialized skills of modern police and fire services into one operation.

Today’s city managers may be more easily tempted by the argument that consolidation can cut costs, even if that argument is unfounded, when faced with the pressure to decrease budgets.

Types of Consolidation

In different cities, consolidation can take many different forms. One city may only merge a few specific fire and police functions — such as arson inspections — and call that “consolidation.” More far-reaching changes occur when a city has operational consolidation, that is, it eliminates police and fire fighter positions altogether and replaces them with public safety officers (PSOs) who are trained in both fire and police work.

Most consolidation efforts today do not involve operational consolidation. Instead, a limited number of functions may be combined, or two departments may be nominally consolidated under a single administrator. Such cases do not normally alter the delivery of fire and police services.

A greater concern to career fire and police officers is the consolidation systems using PSOs, which profoundly change the way fire and police professionals work. There are several ways to classify consolidation, and for our purposes — to get a better understanding of how consolidation typically works — we will group them in four general categories.

- **Full consolidation** — *where the administration and operations of the fire and police departments merge into a single public safety department.* In most cases, a public safety director manages the department, public safety officers (PSOs) are cross-trained to provide both fire and police service, and there are no traditional fire fighters or police officers. However, PSOs may be assigned to work primarily as a fire fighter or police officer on a rotating basis.
- **Partial consolidation** — *where a portion of the administration and operations merge (as in full consolidation) and fire and police service are performed by traditional fire fighters and police.* In partial consolidation, PSOs usually play a major role in fire and law enforcement operations. In this case, each fire company is partly consolidated, and PSOs and traditional fire fighters work together as part of the same fire company. In other cases, consolidation is practiced in a limited area of the city with cross-trained PSOs serving low-risk areas and traditional fire and police officers serving the rest of the city.
- **Functional consolidation** — *where certain operations are performed jointly, but the separate police and fire fighter identities are retained.* With functional consolidation, fire fighters may be assigned to do record-keeping and paperwork at police stations; or police officers may prepare the hydrants for hoses at fire scenes. A joint fire and police communications and dispatch service can be considered an example of functional consolidation.

■ **Administrative consolidation** — *where the administrative functions are combined, but operations remain separate.* This type of consolidation employs a public safety director at the head of the department who oversees the operation of separate fire and police services. Administrative support functions, such as payroll and personnel, may be combined but the fire and police services maintain traditional operations. *Note: administrative consolidation is generally excluded from the discussions in this guide and the emphasis is on various forms of operational consolidation.*

Do Cities Ever Abandon PSO Programs?

Abandoning a merged system has its own costs, both politically and financially, which can make it difficult for a city's elected officials to admit that the PSO program was a mistake. In 1962, Peoria, Illinois, implemented a partial consolidation; however, under the new system, the city's per capita fire losses and its per capita fire department budget costs soared. It was not until a major turnover of the city's elected officials occurred, including a new mayor and a majority of new aldermen, that Peoria abandoned the unsuccessful system in 1970.

The mayor of Daytona Beach, Florida, addressed a memorandum to the city manager and other officials reversing his decision on PSOs. In 1979, he stated:

"It is sometimes difficult for a person to say 'the six most important words — I admit I made a mistake.' I honestly believed the city was providing a more efficient public safety service. However, our public safety costs more money, our turnover rate now exceeds 16 percent, our new recruits often wait six months before they are placed in productive positions. . . ."

The mayor pointed out that the PSO program cost \$908,000 more over a seven-year period than traditional fire and police service would have cost. He urged the city to return to separate police and fire organizations, which it did. (Kelly, 1979)

The city of Durham, North Carolina abandoned its PSO program in 1985 after a consulting firm hired by the city council recommended a return to traditional departments. The Durham program had been controversial from its start in 1971, as it quickly became evident that the competing demands of patrol duty and fire fighting were not compatible. Faced with public pressure to resolve the controversy, the city council brought in the Washington, DC-based firm of Cresap, McCormick & Paget. The consultants found that the PSO system lacked the flexibility needed to respond to changing demands for fire and police service. Among the reasons it cited in recommending a return to traditional departments were the difficulties experienced in assembling fire teams in the parts of the city with heavy patrol needs, as well as problems related to longer response time, inadequate in-service training, and insufficient pre-fire planning. The return to separate fire and police departments put an end to the 14-year public controversy over the effectiveness of the Durham PSO program (Cresap, McCormick & Paget, 1985).

Sometimes city administrators are not aware that their public safety chiefs are ignoring consolidation. For example, the U. S. Fire Administration (USFA), with the participation of the IAFF and other organizations, sponsored a comprehensive study of PSO programs. The study found that the PSOs no longer carried their fire fighting gear in their cars but revealed that the city's top officials mistakenly believed that safety services were still consolidated (Ryland, 1979).

Who is Against PSOs?

The International Association of Fire Fighters is one of many national organizations opposed to the PSO programs. Listed below are other groups and their members or affiliated organizations that have traditionally joined with the IAFF in campaigning against PSOs. They may be helpful in your efforts to maintain a separate fire department.

The International Association of Fire Chiefs (IAFC) has been on record against PSOs the longest of any group — since 1877! In the opinion of the IAFC, the most important concern of the fire chief is that the use of PSOs:

Replaces the functional unit of a fire department (company unit) that can rapidly assess and respond to many hazards with the limited response of an individual or two individuals in a single unit. These small numbers are unacceptable for the fireground, urgent medical care and other situations where citizen and public-safety personnel lives are dependant on rapid intervention.

The IAFC stresses the importance of teamwork in fire fighting, and contrasts this with the police emphasis on individual action.

Consolidation exchanges the team concept for individual action. Individual action on a fire or EMS scene leads to unsafe acts, inefficiency and chaos, which too often has fatal consequences.

The IAFC reports:

The IAFC has examined the issue as it relates to the 21st-Century fire/EMS department and continues to believe the consolidation of fire and emergency service departments and law-enforcement agencies creates a hazardous environment for the public and responders."

The National Fire Protection Association (NFPA) is on record against PSOs. After studying the issue for many years, the NFPA released commentary that reads:

We are convinced that there is no advantage, either from the point of view of economy or efficiency, in combining police and fire department functions. It is our considered opinion that a community needs both good police service and good fire service and that the combination of the two results in poorer police service and poorer fire service.

An NFPA representative further reported, "It is our observation that when fire and police departments are combined, the fire department suffers more than the police department and that the overall fire protection of the community is not at the proper level."

The International Union of Police Associations

(IUPA), an affiliate of the AFL-CIO, has opposed PSOs for a number of years. The group considers the consolidation of police and fire services “as a false economy that will impair the operation of both these essential services.” (Personal Interview with Dennis Slocumb, IUPA Vice President, 5/06)

The IUPA also endorses local efforts “to maintain the individuality of the police and fire services and ... produce and perfect the proficiency and effectiveness of both the police and fire services until each reaches the completely professional status the citizens of our country have a right to expect.” (Personal Interview with Dennis Slocumb, IUPA Vice President, 5/06)

It is important to note that although the IUPA is on record against PSOs, some police associations or unions take a more favorable view of it. Concerned IAFF locals may find that the police are their allies in this fight, but in other localities the police are on the other side.

Advocates of PSOs

The city manager usually takes the lead in promoting PSOs in a local area, and often calls in outside consultants to help make the case for merged fire and police services.

Many individual consultants, management organizations and professional associations specialize in promoting PSO programs. If your city is considering hiring a pro-PSO organization, it is unlikely to get a balanced and objective assessment of the issue. If you cannot prevent the city from hiring a pro-PSO consultant, you can insist on having other experts brought in to provide a balancing point of view.

Individuals with credentials as public safety directors or city managers often serve as consultants to other cities to promote PSO programs. This can be particularly misleading if the individuals purport to have expertise in ‘public safety’ as a whole and yet are actually deficient in either fire protection or law enforcement. Public officials and decision makers should carefully exam any outsider’s credentials prior to allowing influence in an area as critical to the well being of citizens as public safety.

Pros and Cons of PSOS

KNOWING THE ARGUMENTS ON BOTH SIDES

You can make your strongest arguments in support of a separate fire department when you know the facts that support your position — and are knowledgeable of the opposition's arguments. The following information will help you develop your position in favor of a separate fire department.

This section of the guide describes the arguments you will most likely hear from pro-PSO advocates. The material provides many reasons for maintaining separate fire and police services, and identifies objections to PSOs. Additionally, reviewing this section will help you anticipate the arguments of pro-PSO groups that may be at work in your area now or in the future.

Arguments in Favor of PSOs

Supporters commonly use an argument that stems from one basic idea: Getting more service for less money.

Advocates of PSO programs believe that fire fighters' time could be better used. In their view, fire fighters could assist police personnel with street patrols. According to these arguments, a PSO program would permit the city to reduce its fire and police budgets, each person would perform in dual roles, and fewer people would be required overall. The bottom line thinking is better service at less cost.

The simplistic reason for merging fire and police, as opposed to two other departments, is that fire and police are both concerned with public safety and both departments protect life and property. In the view of the pro-PSO groups, shared goals are an adequate basis for merging the two functions.

Pro-PSO groups also focus on the budget. Fire and police protection is a city's largest single expense. Fire and police costs can run to one quarter, one half, or even more of a municipality's general expenditures. The advocates of PSO programs claim that substantial savings can be achieved, both in the short term and over time, if the departments are consolidated.

The main reasons cited by cities in a 1977 survey conducted by the ICMA in favor of PSOs were:

- To achieve a higher standard of service at lower cost and long-range economy.
- To improve fire protection.
- To reduce fire response time.
- To create a greater number of trained career fire fighters.
- To reduce nonproductive time of fire fighters.
- To create a greater number of trained career police.

The most important motives for consolidating generally relate to:

- The belief that the fire service can be made more effective (that is, better protection or shorter response time), and
- The belief that fire fighting personnel can be better trained, motivated, and used.

The preceding reasons came from jurisdictions with full or partial consolidation. Cities with functional consolidation stated that their principal objectives were to increase coordination, eliminate duplication of effort, provide additional personnel at fires and provide additional personnel for police work. Separate surveys performed by other organizations reported similar reasons why cities have been persuaded to consolidate.

It is interesting to note that many of the cities in the ICMA survey reported that they had not actually achieved their goals with consolidation.

Main Problems of PSOs

PSOs alter the basic roles and functions of police and fire services and often seriously affect the manner in which services are provided, and reduces the quality of service.

A number of interrelated problems invariably arise under PSO programs. The most critical issues examined in more detail in the following sections include:

- Neglect of the total fire safety program
- Increased costs
- Low morale
- Inadequate training
- Insufficient on-the-job experience
- Loss of fire fighting team concept
- Role conflicts
- Lack of departmental planning and goal-setting
- Failure to meet the demand for fire and police services

Neglect of Total Fire Safety Program

Traditionally, modern fire fighting recognizes that an effective fire protection program involves much more than putting out fires. To give their communities comprehensive fire protection, today's fire departments focus on numerous preventive and protective services in addition to fire suppression. PSO systems allow no time or resources for these critical services:

- **Safety Inspections.** A significant part of the traditional fire fighter's job is routine visits to schools, commercial buildings, nursing homes and other facilities in their districts. These visits enable fire fighters to familiarize themselves with layout, emergency exits and potential hazards that would affect their method of operation in the event of fire.
- **Attack Pre-Planning.** Safety inspections also enable the fire fighters to prepare up-to-date attack plans for each major building in their jurisdiction for use in the event of fire. Building techniques have changed dramatically in recent years with the introduction of truss systems. It is essential that the fire service in a community be familiar with all structure types in order to pre-plan an effective attack.
- **Public Education.** When not fighting fires, the modern fire fighter spends a portion of his/her time meeting with community groups and making presentations on fire safety, emergency procedures, first aid techniques and other topics. The public must be made aware of the need for their help in a fire emergency and how they can

aid the fire department by calling in a suspected fire immediately and without delay.

- **In-Service Training.** The complex environmental problems of a modern city influence the performance of the fire fighter and necessitate continual updating of skills through in-service training. For instance, a fire fighter needs specialized training in hazardous materials to handle emergencies that can arise from these types of situations, and the only way to ensure their education is current is through a continuing program of in-service training. The need for refresher training cannot be overstressed or over used.
- **Emergency Medical Services.** Today's fire fighters also provide numerous other public services, including emergency medical services (EMS). In cities where the fire department is responsible for EMS, call volumes have soared. This alone is a successful argument against PSOs. What does a PSO do when he/she responds to the scene of a motor vehicle accident — do they provide EMS assistance or do they perform police duties? Information on the attributes of fire-based EMS are contained in the Second Edition of the *Emergency Medical Services: A Guide Book For Fire-Based Systems*, which can be found by visiting the Technical Assistance Division section of the IAFF website.

Cities that believe in PSOs may view these types of prevention, pre-planning, training and emergency medical activities as luxuries that must be sacrificed to a more efficient use of time. Public safety officers may not be allowed the time to make inspections or pre-planning visits, to undertake programs or participate in ongoing training. Reduced staffing at each fire station can stretch resources too thin to perform these activities.

The 1980 Ryland Research study revealed observations that confirmed this view. In the consolidation systems examined by that research team, all non-suppression activities necessary for a total fire protection program were reduced or eliminated. With fewer personnel permanently assigned to fire fighting duty, routine tasks consumed so much time that the fire services could not continue a high level of inspections, pre-planning work, public education and other prevention activities.

A Costly Approach

PSO programs can be costly to the community. These costs show up in the jurisdiction's financial reports in terms of higher wages, increased pension costs and costs associated with cross training.

Most cities offer pay incentives to fire and police personnel as an inducement to participate in PSO programs. The increased wage base not only puts a strain on future public safety budgets, but it also effects all costs associated with these wage-related benefits, such as overtime and pension contributions. Since the new compensation plan may not be truly equitable, it may contribute to dissatisfaction and higher turnover among departmental personnel, which in turn increases public safety costs related to the hiring and training of new personnel. Other costs may not show up in the jurisdiction's budget, but they are very real for the citizens of the community. Among these are higher fire losses and higher rates of fire injuries and deaths.

Researcher W. M. Cunningham reported in his 1971 doctoral dissertation that no jurisdiction was known to have actually reduced its total fire and police budget through PSO programs, and confirmed the cost pressures resulting from these programs. Citing the high costs of conversion to PSO programs, he found that some cities never recoup that initial cost, and noted that the larger the jurisdiction, the less its chance of achieving economy using PSOs.

The Ryland study examined the experiences of municipalities where fire and police services were consolidated, and compared them to other non-consolidated areas. The study revealed costs to the communities in terms of:

- Poorer suppression capabilities:
 - Higher fire loss per \$1,000 assessed value
 - More civilian injuries or deaths per fire
- Poorer prevention capabilities:
 - More fires per capita
- Poorer training capabilities:
 - More uniformed injuries or deaths per fire

Data on response time does not make a distinction between the arrival of the police car and the fire apparatus, and is uncertain if the effective response time is any shorter under a PSO program. Actual experience indicates it is not. Once a PSO arrives at the fire scene in his squad car, he/she still has to put on the fire fighting gear before taking action. Even then, the PSO generally cannot perform rescue or suppression tasks until he/she is joined by other members of the fire company who have the hoses, ladders, rescue nets, etc. It is unacceptable for a lone PSO to enter a burning building without the support and backup of other fire fighters.

The public should carefully examine all of these potential costs before consolidation is attempted.

Low Morale

Failure to overcome employee consolidation has led to serious morale problems in many PSO programs. Low morale in turn has contributed to increased turnover rates. For example, in El Dorado, Kansas, turnover rates of almost one third were documented, following the introduction of a "team concept" in its consolidated public safety department. In Winston-Salem, North Carolina, a 1975 survey revealed that more than 90 percent of the fire fighters, police and public safety officers blamed a drop in morale on the introduction of the PSO concept (Ryland, 1980). Even in Kalamazoo, Michigan, where fire fighters and police voluntarily accepted consolidation in 1982, the city discovered morale problems developing among PSOs, fire fighters, and police within the first year (Berg, 1983).

Morale problems are clearly costly for consolidated departments. Ryland found that turnover in consolidated cities averaged 8.9 percent each year in the five-year period examined. Attendant to that turnover are the costs of hiring and training new personnel. Unfortunately, few cities have attempted to address the root causes of the serious morale problems under a public safety system, so it is likely to remain a problem for jurisdictions with merged departments.

Inadequate Training and Personnel Development

To competently perform dual services, PSOs require special training, both to acquire the necessary skills in both fields and to keep those skills up-to-date. Yet cities with PSO programs tend to let their training efforts lapse. As a result, the skills of PSOs deteriorate and they lose their ability to fulfill their dual role as law enforcement officers and fire fighters.

Training, of course, is an expense. Its costs include the nonproductive time of the individuals in training, as well as any overtime pay required for others assigned to perform their duties while they are in training. Furthermore, it is an expense that the public seldom understands or appreciates. PSO departments often cut back or eliminate their training programs to make it easier to sell the public on the supposed low costs of consolidation. Management may resort to training cutbacks when there has been public pressure for more law enforcement staffing. Rather than hiring adequate personnel, the city will pull its PSOs out of training classes and send them out on street patrol.

Fire fighting skills, in particular, suffer from these training cutbacks. Most PSOs are assigned primarily to law enforcement functions, and rely on their practice sessions to develop and maintain fire fighting skills. Loss of training means that PSOs are ill prepared to function on the fire fighting team — increasing the risk of injury to the untrained PSO, fellow fire fighters, and the occupants of the buildings he/she is supposed to protect.

Police proficiency can also be hurt by training cutbacks. A 1983 analysis by the city of Kalamazoo, Michigan, found that the police training provided to PSOs was inferior to that formerly given to police officers before consolidation. The analysis also found that in-service training for the city's pure police officers (non-PSOs) had been reduced due to budget constraints and other restrictions that accompanied the switch to consolidation. Informal on-the-street training was found to lack consistency.

Inadequate On-The-Job Experience

Closely related to the training issue is the fact that cross-trained PSOs are deprived of adequate working experience in their secondary field, which is usually fire fighting. The lack of real on-the-job experience prevents them from carrying out their fire fighting duties effectively when they work in their secondary field. PSOs spend a majority of their time in law enforcement activities.

Loss of Team Concept in Fire Fighting

Fire fighting has traditionally been performed by people working as a team. The team approach is especially suited to emergency situations where lost time or poor judgment can cost lives. Teamwork enables individuals to perform specialized functions while cooperating closely in a coordinated attack on a fire. The lack of adequate working experience as a fire fighter reduces the PSO's efficiency in fire suppression and rescue tasks. It also deprives them of essential experience working as a team with other members of the fire company to which they are assigned.

For the team to operate as a unit, it is essential for members not only to know their own assignments, but also to know, trust and rely on one another. In fire fighting, the engine company or truck company functions as a team.

Its members usually serve together on the same shift. Working and training together, they develop a coordinated approach for executing rescue and suppression tasks.

However, when PSOs are given fire fighting responsibilities, the number of persons on the permanent fire fighting team is reduced. The smaller fire company is then joined by one or more PSOs at a fire scene, and those PSOs are considered part of the fire fighting team. The fire company may have different PSOs assigned to it each time there is a fire, so it is often impossible to establish a team relationship. Even though some cities have acknowledged this problem and tried to correct it, experience shows that the law enforcement duties of PSOs still prevent them from working and training consistently with the same fire team. This detracts from the effectiveness of the total team effort.

Staffing PSOs is not compatible with the team concept because the work shifts for PSOs and police differ from that of fire fighters. The PSOs assigned to patrol duty, who also respond to fires, usually work an eight-hour day and a 40-hour week. In a consolidated system, persons assigned full-time to fire suppression usually work a 24-hour day on a cycle of one day on, two days off. Therefore, a PSO has to work with three different fire companies on three consecutive days. Further, a fire company will have three different PSOs assigned to it during one 24-hour shift.

Another obstacle to teamwork is that PSOs may be unable to leave their law enforcement assignment when an alarm occurs, requiring substitutes to be sent to fires in their place. When temporarily assigned to another district to fill staffing shortages, substitutes need to fill in for the PSOs. The substitutes may be unfamiliar with the operations of the team if they have not previously worked with the particular fire company.

There are claims that the quick arrival of the PSO at a fire in his/her own patrol car before the rest of the team arrives is a major benefit of a PSO program. In fact, the PSO's arrival time does little to speed up the rescue and suppression operations, and undermines the proven teamwork strategy used in fire fighting. In reality, the PSO may not even arrive before the regular fire apparatus, and if the PSO does arrive first, he/she cannot fight the fire without the fire apparatus nor without the support and assistance of other fire fighters. Alternatively, if the PSO arrives after the rest of the fire suppression team, they must stall operations or work shorthanded until he/she arrives and changes into appropriate fire fighting gear. Consequently, the ability to establish team relationships under these circumstances is unlikely.

Role Conflicts

Dual service creates conflict in responsibilities for the public safety officers and their supervisors. An example is dual supervisors managing public safety officers: PSOs report to two different supervisors at different times, based on when they perform law enforcement or fire fighting functions. Generally, a PSO is assigned to a law enforcement supervisor the majority of his time, and is released to the supervision of a fire officer when a fire alarm occurs. The law enforcement supervisor generally has greater authority over the PSO than the fire supervisor, since the primary duties performed are in a law enforcement capacity and the law enforcement supervisor rates the PSO's performance.

The PSO's tendency to give priority to the orders of the law enforcement supervisor creates a variety of command problems at a fire scene where both are present. Until the fire supervisor arrives with the apparatus, the law enforcement supervisor is generally in charge of rescue and suppression efforts. However, once on the scene, the fire supervisor assumes the command. Experience shows that the PSO will continue responding to directions from the law enforcement supervisor even after the fire supervisor arrives and takes over. This type of situation creates conflicts that can undermine the effectiveness of the fire suppression effort and reduce morale among fire fighting personnel.

Due to the demand for a PSO to perform dual functions within a consolidated system, it is imperative that clearly defined policies dictate the response to emergency calls. For example, which event takes precedence: pursuit of a bank robber or response to a fire alarm? Conversely, engaged at a fire scene, at what point can he/she be released to return to law enforcement? Can he/she leave the fire scene as soon as the fire supervisor says the fire is under control? Does he/she have to stay and help the regular fire fighters in clean-up operations? What happens if the law enforcement supervisor wants to recall the PSO during the fire for a police emergency?

Most public safety departments do not have — or enforce — standard operating procedures to settle these kinds of role conflicts. As a result, the dual system frequently breaks down. Torn between their two roles, PSOs come to take their law enforcement responsibilities more seriously than their fire fighting work, and the quality of fire fighting work suffers.

Researchers documented another type of role conflict: Someone who is a good police officer is not necessarily a good fire fighter, and vice versa. Moreover, it is extremely difficult for personnel to switch back and forth from one role to another. Simply put, a police officer must be wary of other people; a fire fighter must be a helper. A police officer must deal with principles of law, right and wrong; a fire fighter must understand the properties of burning materials. A police officer must deal with problems caused by people violating the law; a fire fighter must deal with saving life and property from fire.

Due to the drastic differences in police and fire fighting roles, it is rare that a PSO is equally suited to both roles and able to perform one role as well as the other. Experience demonstrates that personnel in dual systems do not perform as well when they are working in their less favorite role. This results in diminished effectiveness of the PSO's individual performance, as well as that of his/her co-workers

A person who repeatedly switches roles will eventually experience increased levels of stress. Fire fighters and police officers are especially prone to stress-related problems such as heart attacks. A PSO program, with its dual roles, adds to these problems. Psychologists who have studied the behavior of personnel in consolidated departments believe the added stress of dual roles prevents PSOs from performing at full efficiency in either role. The stress can build up and cause the PSOs to work less efficiently, become confused about their work, and make errors in judgment.

It has been documented that the personality type best able to cope with the dual roles and tensions of consolidation are "complacent individuals who have a low reactive level to social stimuli, and as such would probably make dubiously effective police officers or fire fighters."

Inadequate Planning and Goals

A key step in the proper management of any program is a well-defined set of objectives and a plan for achievement. The plan should address wages, pension costs, training, response priorities, and so forth. Part of the planning process is the need for an assessment to determine if the program is accomplishing what it set out to do.

In most cases, planning is inadequate or nonexistent, and fire and police department officials may not even be involved in the limited planning that does occur. As a result, PSO programs have encountered numerous startup problems, and no one can accurately measure their accomplishments — or lack thereof.

Inability to Meet Demand for Services

The greater a jurisdiction's fire and police call volume, the more likely that a PSO system will prove inadequate. Larger cities, in particular, have had serious problems in this regard. Communities where PSO programs have been accepted are generally smaller, stable jurisdictions with lower fire and police call volume activity.

Based on observations in his research, W. M. Cunningham wrote that the efficiency of a PSO system "is a variable which is progressively negated by increase in [jurisdiction] size in relationship with intensity of demand for fire protection."

Warning Signals

EARLY WARNING SIGNALS

A jurisdiction's actions with respect to its fire and police departments may signal that it intends to move toward PSOs, even before that intention is publicly acknowledged. There are certain patterns that cities often follow to lay the groundwork for a PSO program. When alert local and fire department officials can recognize these warning signals well in advance, there is more time for them to launch an effective campaign to defeat the consolidation attempt.

- **Concern about public safety costs.** When a jurisdiction faces fiscal constraints, jurisdiction administrators may start pointing to the large public safety budget as an area where savings could be achieved. A jurisdiction administrator may also make unrealistic projections on crime control and cost savings in order to persuade elected officials and voters.
- **Pressure for increased police presence on the streets.** Another key factor in many small cities' decision to consolidate is the public's demand for increased police protection. Jurisdiction management may capitalize on citizen concern about rising crime and present a PSO program as a low-cost way to expand police service.
- **Feasibility studies.** When jurisdiction management wants to consolidate fire and police services, it usually commissions a study or task force to give the proposal some credibility. The stated goal of the study may not even mention consolidation; it may be to "study ways of reducing fire and police costs." Alternatively, it may be to recommend ways to "increase fire department productivity" or "increase the efficiency of public safety services," and so forth. IAFF affiliates and fire department officials should seek representation on any study or task force committee.

Fire department and union leadership should offer the fire department accreditation process, and the risk assessment that is a central part of the process, as alternatives to potentially subjective feasibility studies that only look at a singular proposed solution. Community risk assessments and the department accreditation process co-created by the IAFC and ICMA evaluates the strengths and weaknesses of a department and the specific needs of the community. This data-driven model can produce multiple solutions that are equally – if not more so – cost effective than consolidation and put public and responder safety first.

- **Erosion of the two departments' separate identities.** Some cities pursue a more gradual approach to consolidation. Instead of proposing an outright merger of the fire and police departments, cities will gradually break down the separation between the two departments by merging first one function and then another. Of course, not every shared function is a sign that the jurisdiction is moving toward a full merger. Numerous fire and police departments have successfully shared emergency 911 numbers, dispatch services or arson teams, for example, without surrendering the integrity of the two individual departments. Therefore, it is important to assess each situation carefully to determine when the sharing of certain functions will strengthen the two departments and when it may actually weaken them.

Developing Your Own Strategy

Resisting PSO Threats

Developing a strong counter offensive strategy that includes the tactical steps listed below can aid in the success of defeating the threat of consolidation.

- Assess the situation carefully
- Participate in studies and hearings
- Get all the facts
- Enlist your friends
- Keep your members informed
- Voter Initiatives

Each of these steps is critically important. Since the move to consolidate almost always originates with the jurisdiction government, the pro-PSO forces have plenty of resources to devote to the issue. In order to convince the public to abandon its traditional fire and police services, the jurisdiction will use special studies and consultants to strengthen their position, and may launch a publicity campaign to promote the concept of public safety officers. Those who oppose PSOs must be diligent to counter the jurisdiction's promotional efforts.

Additional details follow. Note that these are general suggestions only, and you will want to adapt them to the particular needs and opportunities in your locality. Consider that many of these steps will have to take place simultaneously even though the material reviews each individually.

Assess the Situation Carefully

It is important for the union and fire department officials to develop a comprehensive strategy and action plan to present to the public. Before you make any public statements, it is prudent to begin the research and planning.

- Find out exactly what is happening. Discard unfounded rumors and sort out the facts. Who is proposing to do what, when and how?

If your investigation indicates that a proposed PSO program is a real threat to your department,

- The IAFF and IAFC can help you decide how to proceed. To assist in an assessment, be prepared to share the information you have gathered — for example, who authored the proposal, details of scenarios contained in the proposal, the names of consultants the jurisdiction plans to retain, and so forth.

Buy Some Extra Time

Assert a public process of information gathering and review of the issues to prevent jurisdiction management from forcing its PSO plan to a vote before all the issues can be publicly examined. You will need adequate time to gather data, assess the strengths and weaknesses of the plan, study the local political tenor, formulate the arguments supporting your position and develop the support of other groups.

- Request a comprehensive study by a citizens committee. The study group, or task force, should include members across a broad spectrum of the community; people who will not simply “rubberstamp” management's views. If union officials are denied participation on the committee, secure a position for a rank-and-file union fire fighter.

- Ask for public hearings as part of the study process. The hearings should be open to the public, and views of all affected segments of the public should be encouraged to testify — including, of course, fire fighters, police and citizen representatives.

These two review processes will slow down the approval process, and provide you with valuable additional time to develop your own strategies. It will also give you and your allies a forum for presenting your views and concerns about consolidation.

Get All the Facts

Use your time effectively to gather substantiating data to support your arguments.

- Talk to others who have been through PSO battles. This includes other IAFF locals and fire department officials as well as your state or provincial association. Ask them to share their ideas with you about the types of arguments they found most effective, and seek their guidance to gather facts that support your arguments.

- Develop your arguments. Several sections of this guide will give you tips on key topics you will want to cover, such as arguments against PSOs and the policy positions of major fire service organizations.

- Be sure to collect, review and analyze data specific to your department and community.

Enlist Your Friends

- Make it a broad-based campaign. Concern from many segments of a community will have greater influence on jurisdiction managers and elected officials than the perception of the union simply protecting its own interests. Work with fire department officials to develop a plan of action. Develop the support of community organizations and take advantage of the wide range of community activities of fire departments through the group and individual activities.

Recommended groups to contact: senior citizen groups; homeowner associations; Little League; civic and charitable organizations; political organizations; PTAs; the Boys and Girls Club; and groups whose members are particularly dependent on fire and emergency medical services and who have a greater stake in maintaining good service. *The latter might include the elderly, the handicapped, operators of schools or childcare centers, and so forth.*

Learn about available assistance from your legislators, those in the state or provincial legislature, and those in Congress or Parliament. Additionally, make sure that your AFL-CIO central labor council or local/state Fire Chiefs Association is fully informed about the consolidation issue. Educate other union leaders on the issue, and seek their support in voicing concerns to elected officials and in bringing the message to the public.

Keep Your Members Informed

- Educate your members about the adverse affects of PSOs, and inform them of preventative actions. A key responsibility of the local union is to make members aware of the real threat consolidation poses to their jobs, their profession and their community.
- Let members know how they can help. Members of the fire service can be very effective advocates for maintaining their traditional professional roles and can reach deep into the community through their participation in wide-ranging civic and charitable activities. The inventory of your members' community involvements will help members identify the organizations they can go to with their message.

Voter Initiatives and Goffstown, New Hampshire

When Selectmen in Goffstown, New Hampshire, voted to combine the fire and police departments under a public safety director, and chose current Police Chief Michael French to act as interim public safety director, a political action team was assembled by the IAFF. The team educated the citizens on the pitfalls of consolidation and drafted "warrant language" to go before the voters prohibiting the consolidation of the fire and police departments.

On March 14, citizens voted for warrant articles to prevent consolidation, continue separate police and fire departments, affirm police and fire department separation and reinstate Fire Chief Frank Carpentino.

Some of the warrant language is as follows:

■ Article 1

To see if the Town will vote to continue the Police and Fire Departments as the separate entities they have been for many years, and restore to office any personnel who may have been removed from said office, if reorganization has begun before this vote.

■ Article 2

To see if the Town will vote to reaffirm the continuation of separate Fire and Police Departments, with each department run by a fire chief and police chief, with each being the distinct department head for their respective department.

Resources and Combating PSO Threats

Jurisdiction managers advocating the use of PSOs will have plenty of facts and figures to support their pro-PSO arguments. The IAFF can provide vital assistance in refuting these consolidation efforts. Services available to IAFF affiliates are outlined below:

- **Municipal Financial Analysis (MFA)**. An MFA is an analysis of the financial condition of the city. An MFA is vital in addressing the fiscal constraints that are often cited by management as justification for consolidation. A list of documents required for an MFA can be found by visiting the Technical Assistance Division section of the IAFF website.
- **Geographical Information System (GIS)**. A GIS is a staffing and station location analysis. A GIS will assess the impact PSOs would have on Fire/EMS delivery. Both an explanation of a GIS along with a GIS checklist can be found by visiting the Technical Assistance Division section of the IAFF website.
- **Comparative Data**. The IAFF maintains a database that contains both demographic and economic information for reporting IAFF affiliates. This information will be invaluable in determining your jurisdiction's standing among its peer group. The IAFF will also solicit information for comparable affiliates if necessary. Contact your IAFF District Vice President to take advantage of this service.
- **Public Relations Assistance**. The possibility of a PSO system is important news that will interest the local media. You will need to explain the issues and the potential impact on the community. In order to accomplish this goal you will need to start a public relations program. Information on getting a public relations program off the ground can be found by visiting the Media and Communications Division of the IAFF website. Appendix A also provides you with a generic press release and talking points on consolidation to assist in your efforts.
- **Politics**. You will need to apply pressure to city administrators and lawmakers who make decisions on the proposed PSO program. Information on how to elect, meet and lobby lawmakers can be obtained by contacting the IAFF Governmental Affairs Department.
- **Legal**. When faced with a proposal to consolidate the fire and police departments you may have to explore legal options. The IAFF Legal Department provides a full range of services to meet the legal needs of IAFF affiliates. Contact your IAFF District Vice President to take advantage of this service.

Some similar information may be obtained by going to the IAFC website at www.iafc.org.

Preventing Future Consolidation Attempts

The proverbial ounce of prevention is certainly the most effective medicine when it comes to PSO systems. If you make the right preventive moves you can ward off any efforts to consolidate the fire and police departments that might otherwise spring up and flourish.

As the basis for developing a good preventive strategy against PSOs, you will want to take a hard look at the way your department currently functions — even when there do not seem to be any problems — in order to determine what changes will strengthen the department and make it less vulnerable to attack. Naturally, every fire department presents its own unique needs and opportunities. However, a long-range preventive strategy is usually most likely to succeed when it includes these steps:

- Broaden the fire department's services to strengthen its base in the community.
- Amalgamation with other fire departments.
- Negotiate protections through the collective bargaining process.
- Demonstrate fiscal conservancy and engage with the budget process.

Broaden Fire Department Services

In most of the consolidation case studies examined by Ryland Research for its 1980 study of fire departments, researchers concluded that the merged fire departments “probably were not aggressively pursuing a full range” of services prior to consolidation, thereby leaving themselves vulnerable to PSO proposals. This means, in the researchers' view, that if these departments had been engaged more actively in varied services — fire prevention, emergency medical service and other community services and support — consolidation might never have happened.

The best way for a fire department to generate public support is through the services it provides community residents. In addition, the public's support for an independent fire department can be one of the best weapons against consolidation.

Fire fighters' contact with the public is most dramatic when putting out fires, but it should not begin and end there. Other types of services — such as medical or non-emergency — actually offer fire fighters a greater opportunity to interact with the public on a person-to-person basis. Citizens who rely on fire fighters for a broad array of critical services are unlikely to endorse PSO schemes that would reduce or eliminate the services they are accustomed to receiving.

Usually there are three major areas in which fire departments can broaden their services in order to gain a stronger foothold against consolidation:

■ Prevention and Inspection Program

Fire departments that pursue an aggressive prevention and inspection program are typically better positioned to resist consolidation.

This is true for two reasons.

1. The community benefits from the improved fire safety and reduced losses resulting from effective prevention programs.
2. Such programs give fire fighters a visible service role in the community when they are not responding to calls — thus depriving critics of the basis of their argument that fire fighters should fill their spare time with PSO duties.

■ Expanded Education Programs

Most fire departments can make more extensive use of education programs to broaden their contacts with all segments of the community and increase their responsiveness to community needs. This can be done by increasing the number of fire safety programs in public and private schools and by offering regular classes in cardiopulmonary resuscitation (CPR).

■ Integration of EMS into the Fire Service

Integration of emergency medical services with the fire service has proved both effective and popular. When the fire department operates the EMS, as it does in many cities, it gets an opportunity to assist large numbers of persons who might otherwise have no occasion to call on the fire department. A good emergency medical service will develop strong support in the community from those it has served. Few cities would think of altering an effective fire-EMS relationship by introducing consolidation with the police.

Amalgamation With Other Fire Departments

IAFF affiliates in small municipalities have sought to improve their efficiency and reduce costs by merging with surrounding departments. Under this scenario, there is one labor contract for an entire metropolitan area. A city government interested in PSOs would have to face the opposition not only of its own local but also those unions from adjacent towns covered by the same bargaining agreement.

Collective Bargaining — No PSO Protections

The best time to secure no-consolidation protections in your collective bargaining agreement is obviously before it is an issue. Therefore, it is never too early to work for language in your collective bargaining agreement to prevent consolidation. This language could be stated in terms of a specific and total prohibition against consolidation, e.g., “The police and fire departments shall not be consolidated.” Alternatively, it might be framed in terms of a prohibition against assigning fire fighters to unrelated work.

Such language will need to be renewed each time your collective bargaining agreement is renegotiated, so it does not provide permanent protection.

Fiscal Conservacy — Engage with Budget

Economic cycles come and go, and the fire department needs to position itself to proactively address financial issues, rather than be reacting to decisions made by others. When the economy is well, fire officials and union leaders need to work together to engage in conservative strategies to use their resources wisely, explore revenue generating strategies, and enhancing financial and operational data collection. Enhancing the labor-management relationship can contribute to both long-term and short-term success of these efforts. The Labor-Management Initiative can provide support to both chiefs and labor officials, as well as forge better communications with city managers. Seeking accreditation is an excellent way to demonstrate a long-term commitment to better service and lower costs and conservative use of grant funds is another way to demonstrate that a fire department is driven by adequate funding for real needs and realistic solutions.

Ensuring that fire and union officials have a long-term investment in community budget decisions provides an environment where you are less likely to be put on the defensive, and have a better advantage in preparing a data-driven defense if you are. It is critical to engage in larger budget discussions, and to understand not only the public safety budget, but critical financial intersections, for example, tax revenue, transportation expenditures, and services to the poor and elderly. As a result, fire service and union leaders will be already seated at the table and be more prepared to propose solutions that protect the quality of service while contributing to the community's overall success. ■

Public Safety Consolidation Stretches Us Too Thin



Fire Fighters have been proudly delivering a high level of service protection to the citizens of Anytown for xx years. Twenty-four hours a day, seven days a week, your fire fighters provide fire suppression, emergency medical care, XXXXX, XXXXX, XXXX and XXXX.

Now, your fire fighters need your support in opposing the City Council's proposal to merge fire and police under one public safety department. If implemented, this will not only lower the level of service, but leave many citizens unprotected.

What's wrong with the city's plan?

- There will be confusion on the scene of an emergency incident because of cross-training. What does a PSO do when they pull up to a motor vehicle accident involving a trapped drunk driver and multiple injuries? Do they secure the scene and begin investigating? Do they extricate the driver and treat other injured parties?
- Response times will be increased under a PSO system. A fire truck responding to a fire will have to wait for additional PSO's prior to commencing fire suppression efforts. PSO's in patrol cars will also have to secure weapons and other associated law enforcement equipment/gear. Precious time will be lost.
- Taxpayers will incur added expenses, personnel will need to be cross trained to provide both fire and law enforcement services.
- Fire fighters currently perform both fire and EMS duties. The call volume has skyrocketed over the last XXXX years, to ask a fire fighter to perform in a law enforcement capacity is not feasible.
- A combined department will most certainly lead to low morale and high department turnover, depriving Anytown from its most experienced police officers and fire fighters.

**Please attend this City Council Meeting
Tuesday, (month) (day)
(place)**

Or call your City Council Members

A message from the Anytown Professional Fire Fighters.

Anytown Fire Fighters Oppose Combining Fire and Police

Anytown (insert date)– Anytown fire fighters are opposing the City Council’s proposal to consolidate the fire and police into a single public safety department due to concerns a merger would put citizen safety at risk in the event of a fire or medical emergency.

Fire fighters are calling on Anytown citizens to attend Tuesday night’s City Council meeting to ensure that police and fire protection remain separate.

“There are many important safety factors to consider,” says XXXX XXXX, president of Anytown Professional Fire Fighters Local XXX. “Both are very specialized, dangerous professions that require very different tools and skills.”

Anytown fire fighters say that combining fire and police will reduce the number of fire fighters and police officers available to protect the citizens of Anytown and their property. Personnel remaining on duty would be responsible for responding to all emergencies – from crimes to house fires.

Anytown Professional Fire Fighters have proudly served and protected the Anytown citizens/community since 19XX, providing fire suppression, emergency medical care, hazardous materials response and XXXXX. In addition, Anytown fire fighters serve the community by raising money for {{{charity name}}}, providing fire protection education in schools, XXXX and XXXX.

A vote is expected on this issue on {{{{date}}}}.

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