

DELIVERY  
OF  
POLICE  
SERVICES  
IN  
VERMONT

DECEMBER  
1974



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## FOREWORD

Through Executive Order No. 10 of April 27, 1973, Governor Thomas P. Salmon reconstituted Vermont's criminal justice planning agency, renaming it the Governor's Commission on the Administration of Justice, and directing that it undertake a long-range planning effort for the state-wide criminal justice system.

At its May 1973 meeting, the Commission's Supervisory Board chose to concentrate its first major planning effort in the area of law enforcement, setting as its objective the development of funding guidelines for effective and equitable delivery of police services to the people of Vermont.

During the ensuing five months the Justice Commission staff researched the history of law enforcement in Vermont and the patterns of fiscal support. It conducted an extensive survey of the state's law enforcement personnel to determine how manpower is deployed, and exactly what Vermont's police officers spend their time doing.

An analysis of the costs and benefits at all levels of police services was conducted. Studies in other states were reviewed. The findings of these efforts were analyzed, and in October 1973, a ten-year plan for Vermont law enforcement was submitted to the Supervisory Board.

Important provisions of the ten-year plan included:

- 1) Adoption of a two-tier, complementary, state-local system;

- 2) strengthened local police, regionalized where necessary to achieve effective levels of manpower and resources;
- 3) development of strong support and specialized services by the state police; and
- 4) restriction of the sheriff's role to service of process, acting as court officer, and transportation of prisoners.

There were also recommendations having to do with police training, recruiting, personnel standards, management, research, police communications and records.

Underlying all these recommendations was the premise that Vermont is developing a police structure that is not cost effective, is overelaborate in organizational terms, and will become increasingly inefficient and expensive if present trends toward duplication, overlap and fragmentation are followed.

In November 1973, the Supervisory Board, under the direction of its Chairman, John Downs, Esquire, voted to accept the plan and its resulting guidelines for funding. At the same time, it set aside Law Enforcement Assistance Administration (LEAA) block grant funds to be used for the development of one or more prototype, regional police departments, and to develop the specialized support capability of the state police.

It remains to be seen if Vermont can upgrade its law enforcement within the ten year period as proposed. It is clear, however, that this blueprint for the future has raised the issue to the level of public debate, and that from the forum of the legislature and town meetings, decisions will be made respecting its proposals.

The staff team which developed this plan, headed by Deputy Director Robert J. Gray, also included Clifford W. Bowman, Police Planner, and Barbara A. Scott, Chief of Research and Statistics. Support services from the entire staff contributed to the final document. The thoughtful and intense consideration given by the Supervisory Board members was rewarding to the staff as debate and finally, acceptance of the plan occurred.

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Executive Director

## GLOSSARY

AMALGAMATION. Used interchangeably with "consolidation", refers to the joining together of two or more governmental units for the provision of one or more services.

ANCILLARY SERVICES. Services which support and extend the basic patrol function of police departments, e.g. specialized investigation, record keeping, dispatching, crime laboratory work, etc.

BASE STATION. Transmitter-receiver unit, permanently installed in a fixed location. The base station control circuitry is connected to a remote control console located at the dispatcher operating position. The transmitter and receiver circuitry is connected to the base station antenna. The base station is normally used to communicate with mobile and portable units as well as other base stations within the range of coverage and capable of receiving signal data on the frequencies assigned. Most base stations are equipped with tone encoding devices permitting them to actuate various mountain top repeaters to provide long range communication with stations beyond their range of normal contact.

BASIC PATROL. The range of police services performed by uniformed field officers. In urban areas patrol may be on foot or motorized, and may be confined to a beat, or designated patrol area. In thinly settled areas (as in most of Vermont) patrol must be understood more in terms of physical presence of police officers within a specified jurisdiction, and ability to make quick response to requests for police assistance. In a small police department the patrolman is a



generalist who must perform virtually all police functions. In larger departments specialization becomes possible, e.g. investigation, traffic control, juvenile services, narcotics, etc. Even in larger departments, however, the patrolman is involved to some degree in specialized functions since he is the first representative of the police to respond to an incident, whatever its nature. The National Advisory Commission on Criminal Justice Standards and Goals, in its report POLICE, p. 195, states "...the patrol function is the most important element of the police agency..."

COMMUNICATIONS. A police communications system serves one basic function: to disseminate information to its participants. Such information may be disseminated or "communicated" via face-to-face verbal contact; telephone conversation; radio contact; local mail service or teletype link. It is used primarily for urgent or emergency transmissions and official agency administrative message routing.

CONSOLIDATION. (See "Amalgamation")

CONTRACTUAL AGREEMENTS. A governmental unit which lacks police service enters into a contract with another unit, with the latter providing police services for the former, for a given fee. Arrangements of this type in Vermont are generally between one or more towns and a sheriff's department.

DISPATCHING. The means of conveying information to police officers in the field, usually by radio; the link between the citizen seeking police assistance and the responding

officer; the means of exchanging information between headquarters and field officers.

EFFECTIVE TAX RATE (ETR). Total taxes raised divided by one percent of Equalized Fair Market Value (EFMV). It shows the amount of taxes raised per unit of tax base, gives relative indication of "tax effort", the willingness of a unit to tax itself.

EQUALIZED FAIR MARKET VALUE (EFMV). Standardized property valuation performed by the state, designed to eliminate the effect on valuation caused by differences in local assessing procedures.

EXPENDITURE FOR POLICE SERVICES. Actual dollar amounts spent for police services. These figures exclude non-law enforcement work which is performed by law enforcement agencies.

GENERAL LAW ENFORCEMENT DUTIES. (See "Basic Patrol")

GOVERNOR'S COMMISSION ON THE ADMINISTRATION OF JUSTICE (GCAJ - also called "Governor's Justice Commission"). Agency charged with performing comprehensive planning for the criminal justice system in Vermont, and with administering United States Department of Justice Law Enforcement Assistance Administration funds in the State of Vermont, under provision of the Safe Streets Act of 1968.

IDENTIFICATION. The use of photography, fingerprinting and other means for identifying persons or property involved in crimes, and related record keeping.

INVESTIGATION. The collection and analysis of criminal evidence for the purpose of detecting and apprehending criminal offenders.

JUVENILE SERVICES. Specialized police work with juveniles intended to deter youthful, and later, adult crime, usually involving coordination with schools, parents, social agencies and other community resources.

LAW ENFORCEMENT OFFICER. State police officer, sheriff, deputy sheriff, constable or municipal police officer. There are other enforcement officers having specialized authority and responsibility, e.g. fish and game wardens, liquor inspectors.

LOCAL DEPARTMENT. A municipal police department, i.e. a department operated by a city, town or village.

MEDIAN FAMILY INCOME. The theoretical mid-point of a distribution of family incomes; half of all families have incomes below the median, and half have incomes above the median.

MOBILE UNITS. A radio transmitter-receiver unit with associated control circuitry mounted and contained within a vehicle. The mobile unit is specifically licensed by the Federal Communications Commission to operate as such and is not confined by regulations to a fixed operating location. A typical mobile radio unit will be provided with mobile-to-base station, mobile-to-mobile, mobile-to-portable capabilities as well as dialing and encoding facilities to allow it to communicate via mountain top repeaters with other fixed or mobile units beyond its normal range.

OUTPOST AREA OF INFLUENCE. The administratively recognized geographical area for which a state police outpost trooper(s) has the principal responsibility of providing police services.

OUTPOST SYSTEM. System for local deployment of state police manpower: one trooper (occasionally two or three) is assigned to function in a semi-autonomous fashion (with full access to required back-up services) in a specified geographical area. See "outpost area of influence."

PER-CAPITA. A statement that the figure under discussion applies to each individual in the population. Per-capita figures are derived by dividing a total sum, such as taxes raised by Town X, by population. For example, if Town X raised \$500,000 in taxes and had a population of 5,000 persons, then the per-capita tax would be \$100.

PORTABLE RADIO. Battery powered, hand-held transceiving unit, totally self contained including antenna and microphone. Portable radio units are primarily used for tactical field operations. Depending on terrain and frequency, the range will vary from a few hundred yards to several miles.

PRELIMINARY INVESTIGATION. Usually undertaken by the patrol officer for the purpose of securing the crime scene, protecting evidence, and identifying victims, offenders, complainants and witnesses. In serious crimes where lengthy investigations are required, detectives or investigation specialists usually take over following preliminary investigation.

RECORD KEEPING. The creation, maintenance and organization of all records which are required by statute and necessary for the operation of a police department.

REGION. Two or more governmental units, which, when taken as a geographical whole, could logically support a single police department, from the point of view of economic, topographical, and transportation-related factors.

SPECIAL OFFICERS OR "SPECIALS." Sworn police officers who temporarily replace regular officers absent from duty; or augment the police force during emergencies and large public gatherings; or perform special details such as parking control, construction traffic control, highway escort, etc.

TWENTY-FOUR HOUR COVERAGE. The deployment of police officers 24 hours a day, 365 days per year, with appropriate communications and other facilities to enable timely response to requests for police services from anywhere within the jurisdiction.

TWENTY-FOUR HOUR DISPATCHING CAPABILITY. An important element of 24-hour coverage, i.e. the capability of receiving requests for police services, and quickly communicating such requests to field units for appropriate and timely response.

VALUE FOR POLICE SERVICES. A figure derived by cost accounting methods, which attempts to describe in dollar terms, the value of police services received.

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## Section I

### INTRODUCTION

An investigation of the deployment and utilization of police resources in Vermont showed an inefficient and inequitable distribution of law enforcement in the state. This report is an analysis of those findings, and contains recommendations for a future law enforcement structure that will rationally address Vermont needs.

The proposals made herein could be implemented within a decade. The Governor's Commission on the Administration of Justice has determined that the State of Vermont has sufficient time to adjust its delivery of police services in a carefully scheduled manner, so as to insure that the needs of all the state's citizens are adequately met in the interim. To make these proposals work, that is, to implement an effective and efficient police system over the next ten years, there must be a concerted effort to reorganize and redirect fiscal and manpower resources.

Police services are critically examined in this report, but in no way should that be interpreted to mean a crisis is at hand. Decisions and carefully programmed action are required in order to improve the present police services and to protect against a crisis in the delivery of these services in the future. Police services are unique in the criminal justice system because the need or demand for them is felt most acutely at the citizen level. Furthermore, the nature of police services requires almost instant response to calls for assistance, thereby making the service more visible and direct than other components of the criminal justice system.

The need for police service at the local level is not always defined by clear community expectations. The presence of a police officer appears to abate anxieties and fulfill a community's perception of adequate police coverage. Rarely does a community, when setting up its first police force (usually a one-man department) worry about 24-hour coverage or efficient dispatch. This public attitude appears to operate where communities have seriously considered setting up local police departments, but after having a state police outpost assigned to their area have ceased their efforts to establish their own departments.

The Governor's Commission on the Administration of Justice has the responsibility,<sup>1</sup> of long term planning for law enforcement and for the disbursement of approximately a half million dollars annually for the improvement of police and police-related services. Given this responsibility, the Governor's Commission on the Administration of Justice, therefore, has developed the proposals contained herein as a sensible way of delivering police services to the people of Vermont in an equitable and efficient manner.

Most of the literature at the national level focuses on police departments of metropolitan areas. Few studies have dealt with the unique policing needs of rural areas. In many instances the standards and goals set by the National Advisory Commission on Criminal Justice do not apply to rural, sparsely settled areas, or to communities as small as most Vermont towns. Solutions sought for Vermont must respond to Vermont's own characteristics.

A basic premise is that there must be provision of professional, efficient police services, delivered in a timely

manner, on an equitable basis, to every citizen in this state. A precise definition of the standards such professional services must meet is not yet available for Vermont.<sup>2</sup> Components of these standards are, however, implicit in the recommendations to follow. A corollary to the basic premise is that the delivery of services must be provided at the lowest feasible cost to the taxpayer, and that the taxpayer may expect to receive his money's worth in services delivered. Areas which make substantial tax efforts but nevertheless cannot afford to support basic minimal services should be somehow subsidized either from federal or state funds, so that these basic rights to police services are insured.

Since the 1970 completion of Interstates 91 and 89 from Massachusetts to Canada, Vermont has become easily accessible to the large urban areas of the Northeast. The draft copy of the state's Land Use Plan states that "over seventy million people now live within a day's automobile drive of our state and half of these people live within 300 miles of Vermont."<sup>3</sup> This new accessibility explains two phenomena: (1) a rapid increase of second homes in the rural areas, and (2) a continuing influx of tourists, skiers and other recreation seekers. These developments have, for the most part, occurred in the rural towns and villages where local law enforcement services are absent. The police service survey found there were significant increases in traffic congestion, petty larceny and burglaries in these areas.

Growth patterns within the state have had a profound effect on law enforcement. In the past five years, one and

two man police departments have been organized in many rural towns. This development is the response of citizens in these communities to problems thrust on them by increased population and property development. Vermont increased 14.1 percent in population between 1960 and 1970, while many individual towns experienced greater rates of increase. Within the past year several towns have come to the Governor's Commission on the Administration of Justice to explore funding support for the development of one man police departments.<sup>4</sup>

Topography plays an important role in determining how effectively police services can be delivered. Twenty-nine percent of Vermont's land area lies between 1,500 and 2,500 feet elevation while another 3.3 percent is above 2,500 feet. In many instances adjoining towns are effectively separated by mountain ranges. East and west travel is particularly difficult because of limited routes across the Green Mountains. The ratio of highway mileage to population is high. There are presently 251 miles of Interstate highways, 4,887 miles of primary highways and 9,108 miles of town roads, many of them unimproved and difficult to travel.<sup>5</sup> Seasonal dwellings are often constructed in remote areas, becoming easy targets for burglaries since discovery is often delayed for weeks. Many of these seasonal units will eventually be converted to permanent dwellings as out-of-state residents either find employment or retire in Vermont. Meanwhile they pose severe protection problems.

The state has begun to respond to the land boom of the sixties and the effect it has had on many communities, particularly in the southern part of the state. The passage of Act 250<sup>6</sup> was an attempt to control and direct development.

The proposed Land Use Plan recommends that growth be channeled to those areas which can provide necessary community services. If adopted, this policy will affect police services, for development would be directed toward the more populous areas, permitting more efficient use of police manpower. If the present growth rate is slowed in the smaller communities, and the tax base contracts, it may become necessary for them to provide growing law enforcement needs from limited resources.



## Section II

### LEGAL FRAMEWORK<sup>1</sup>

#### Police Power

The Tenth Amendment to the United States Constitution<sup>2</sup> reserves two categories of powers to the states: (1) those which have not been delegated to the Federal government by the Constitution; and (2) those which have not been constitutionally prohibited to the states. These powers may be classified in three ways: (1) the power to tax; (2) the power of eminent domain; and (3) the police power. The first and second powers share the distinction of being both federal and state powers; only the third falls within the states' exclusive province. Police power, therefore, refers to a state's power to legislate upon and enforce specific standards of behavior in the areas of the "health, safety, morals and welfare of its citizens". This discussion focuses on the legal mechanisms through which Vermont exercises that power.

The legislative authority of the State of Vermont is vested in its General Assembly.<sup>3</sup> This body is empowered to enact laws, grant charters of incorporation, redress grievances, constitute towns, boroughs, cities and counties, and is given "all other powers necessary for the legislature of a free and sovereign State".<sup>4</sup> The General Assembly has utilized this grant of authority to enact into law nine volumes of statutes which have been divided into thirty-three Titles, each covering a separate subject. These statutes regulate almost every aspect of society, from the permissible behavior of citizens to the operation of government. It is of particular importance to this study that the General

Assembly is capable of delegating, either by statute or municipal charter, limited legislative authority to state agencies and municipal corporations. The Supreme Court of Vermont has upheld such delegations authorizing state agencies to promulgate rules and regulations<sup>5</sup> and municipal corporations to enact by-laws and ordinances.<sup>6</sup> While the power to legislate originates in the General Assembly, this power may be delegated to lower units of government. Legislative acts, whether passed by the General Assembly or by a governmental unit to which legislative authority has been delegated, have the force of state law.<sup>7</sup> They fulfill the first function of the police power.

#### Power of Enforcement

Laws only govern the day to day operation of society when they are effectively enforced. Thus, the power to enforce is a critical element of the police power and entails establishing duly authorized and regulated police operations.

As is the case with the legislative power, the power of enforcement originates in the General Assembly. Article V of the Vermont Constitution provides: "That the people of this state by their legal representatives, have the sole, inherent, and exclusive right of governing and regulating the internal police of the same."<sup>8</sup> This is a clear and exclusive mandate to the Vermont General Assembly to prescribe the powers and duties of the state's law enforcement officials. Over the years the General Assembly has fulfilled this mandate by defining the role and jurisdiction of the various law enforcement officials, establishing limits upon their authority and prescribing the functions which they are to



perform. In 1947, the General Assembly created the Department of Public Safety.<sup>9</sup> Though the county offices of State's Attorney, Sheriff and High Bailiff are provided in the Vermont Constitution,<sup>10</sup> the common law office of Town Constable secured its position in the Vermont law enforcement structure through a multitude of statutes enacted by the General Assembly. Local law enforcement agencies owe their legal existence to this legislative body which has authorized their creation.<sup>11</sup>

#### Delegation of Police Power

The General Assembly has the authority to delegate the police power to other units of government by enacting statutes or issuing charters of incorporation. State agencies and municipal corporations which have received police power delegations fulfill their mandates by passing rules and regulations or bylaws and ordinances.

#### The County Sheriffs

The office of sheriff was established in the original State Constitution of 1777. The Vermont Constitution provides that the sheriff shall be popularly elected every fourth year<sup>12</sup> and that the term of office shall commence on the first day of February following such election.<sup>13</sup> The manner of election is established by the Legislature.<sup>14</sup>

Statutes governing the office of sheriff can be divided into three categories: (1) those which pertain to the general administration of the office; (2) those which outline the civil duties of this office; and (3) those which establish the powers and responsibilities of the sheriff as a law enforcement officer.

### General Administration

Statutes have been enacted which carefully detail the sheriff's administrative responsibilities from the time shortly before he assumes office to the time when his successor has become qualified to act. The Constitution dictates that the sheriff give security to the county treasurer before entering upon his duties. The General Assembly has directed that such security be in the amount of \$10,000.<sup>15</sup> The General Assembly has also directed that the sheriff be sworn before a supreme court justice or one of the two assistant county court judges before assuming office.<sup>16</sup>

The sheriff has received significant appointment powers from the General Assembly. He may appoint full-time and special deputies.<sup>17</sup> The statutes require that one or more of such appointees be a woman.<sup>18</sup> They state that no person shall receive an appointment as a full-time deputy unless he has been awarded a certificate by the executive director of the Vermont Law Enforcement Training Council (VLETC) attesting to his satisfactory completion of an approved basic training program.<sup>19</sup> An appointment on a temporary full-time basis for a period of up to thirteen months is allowed, during which time, however, a full-time certificate must be obtained. A temporary appointment may not be renewed. Part-time deputy positions may be filled only by persons who have been awarded a basic training certificate.<sup>20</sup> The sheriff must obtain the approval of the Attorney General in making appointments to special deputy positions.<sup>21</sup> Though full-time deputies must be legal residents of the state, this requirement is waived for special deputies.<sup>22</sup>

The appointment of a deputy or special deputy is effective when his deputation and oath are filed for record in the office of the county clerk.<sup>23</sup> The duties of such special duty sheriffs are the same as those imposed by law on sheriffs.<sup>24</sup> The sheriff is held responsible for actions of official misfeasance or neglect of a deputy,<sup>25</sup> but the General Assembly has provided that the sheriff shall not be held criminally liable for the conduct of his deputy.<sup>26</sup> The sheriff is further protected by his statutory right to take bonds of indemnity from his deputies.<sup>27</sup> Duties of such special deputy sheriffs are the same as those imposed by law on sheriffs in the enforcement of the criminal law.<sup>28</sup> He may not perform the civil functions assigned to the sheriff's office. In addition, no action for official misfeasance or neglect of duty on the part of a special deputy, or for a cause affecting his administration of the office, is sustainable against the sheriff.

The General Assembly has also given the sheriff power to dismiss. His authority here is absolute. He may dismiss a deputy or special deputy by simply recording a revocation in the office of county clerk.<sup>30</sup>

As with all other Vermont law enforcement agencies, the sheriff has a statutory obligation to contribute information to the Vermont Criminal Information Center.<sup>31</sup>

The statutes also impose restrictions on the action of the sheriff and his deputies. They are prevented from appearing in court as counsel and from making writs or complaints except in their own cause.<sup>32</sup> Thus, sheriffs and deputy

sheriffs are not capable of initiating civil or criminal process, but are limited to the serving of such process. The statutes also provide that a deputy sheriff may wear only a uniform which has been approved by the Attorney General and is standard for all deputy sheriffs in the state.<sup>33</sup> In addition, deputies are restricted from wearing such a uniform while not engaged in their official duties.<sup>34</sup>

If a sheriff is confined in prison by legal process, his functions as sheriff are suspended.<sup>35</sup> He cannot resume his office until he has filed a certificate of discharge from imprisonment.<sup>36</sup>

#### Civil Duties

One of the primary civil duties performed by the sheriff's office is the service of legal instruments. By statute, the sheriff must serve and execute all writs, warrants and processes properly directed to him.<sup>37</sup> To assist him in the performance of this function, the sheriff is authorized to serve both criminal and civil process anywhere within the state and returnable to any court.<sup>38</sup> In the realm of civil process, deputy sheriffs have the same powers and are subject to the same liabilities as the sheriff, whether the process is directed to the sheriff or the deputy.<sup>39</sup>

The sheriff's office has also been assigned a number of other civil duties. A sheriff is authorized to be court officer in a district court.<sup>40</sup> In fact, at his discretion, the district court judge may require the sheriff to so serve.<sup>41</sup> He may open and adjourn county court from day to day in the absence of a justice or a judge.<sup>42</sup> At the request

of the state probation officer, he may be required to investigate any person placed on probation, pardon or parole.<sup>43</sup> Sheriffs and their deputies are assigned the major responsibility for transporting prisoners.<sup>44</sup> The sheriff has authority to collect delinquent taxes upon the request of a town's tax collector.<sup>45</sup> He has the powers of the tax collector in the performance of this duty.<sup>46</sup> This includes the power to collect delinquent taxes by seizing and selling property by legal process.<sup>47</sup>

#### Law Enforcement Duties.

The third category of statutes pertaining to the sheriff's office are those statutes which guide and instruct the sheriff in the performance of his function as a law enforcement officer. He is responsible for preserving the peace and suppressing unlawful disorder.<sup>48</sup> He is authorized to use "force and strong hand, if necessary".<sup>49</sup> As a law enforcement officer as defined by the Rule 54(6) of the Vermont Rules of Criminal Procedure, sheriffs are granted powers of arrest, search and seizure.<sup>50</sup>

The sheriff is also charged with the duty to enforce the statutes concerning alcoholic beverages and the rules and regulations made by the Liquor Control Board.<sup>51</sup> He is directed to enforce Vermont's cruelty to animal statutes.<sup>52</sup> He is also authorized to control and direct all vehicles in places of traffic congestion and enforces the state's motor vehicle laws.<sup>53</sup> In addition, the sheriff may be employed by the Governor, at the expense of the state, for the preservation of the public peace when it is judged that the public good requires it.<sup>54</sup>

The statutes also provide that, "A Sheriff or other officer in the discharge of the duties of his office, for the preservation of the peace, or the suppression or prevention of any criminal matter or cause, may require suitable assistance."<sup>55</sup> Thus, the sheriff can demand of any citizen his assistance and a person who neglects or refuses such assistance is subject to a fine of \$500.00 or less, unless the circumstances under which his assistance is called for amount to a riot, in which case he shall be imprisoned not more than six months, or fined more than \$100.00 or both."<sup>56</sup>

In carrying out the duties of his office, the sheriff is required to interrelate with other sectors of the law enforcement structure. This is particularly true of the procedures he must follow to secure arrest, search and seizure warrants and the steps he is required to take after exercising his authority to take warrantless action. To personally secure an arrest warrant, the sheriff must approach the state's attorney, who then determines that probable cause exists upon which the warrant may be obtained.<sup>57</sup> The warrant itself must be issued by a judicial officer of the Vermont court system.<sup>58</sup> To obtain a search warrant, the sheriff may make application himself if he is unable to contact the state's attorney.<sup>59</sup>

#### Town Constable

"The Constitution of Vermont mentions the office of constable and gives the incumbent in each town certain duties in connection with the election of state senators and representatives.

(Vermont Constitution, Chapter II, Sections 37 and 39, see also Laws of 1779, pp. 44-46). Outside of this, there is no definition of his office or his other duties. An explanation for this must lie in the fact that when these statements were added to the Constitution in 1836, the duties were so well understood that it was considered unnecessary to say anything about them. This lack of definition is found in the statutes today where specific responsibilities are prescribed for the constable, and where references infer full knowledge of the office."<sup>60</sup>

#### General Administration

At its annual meeting, each town is required to select from among its legally qualified voters a first constable, and, if one is needed, a second constable.<sup>61</sup> The first constable is ineligible to hold the office of auditor, selectman or town treasurer while he holds his office.<sup>62</sup> Also, in towns with populations exceeding fifteen hundred persons, the first constable may not serve as town clerk while in office.<sup>63</sup> For towns with fewer than twenty-five legal voters, these restrictions are inapplicable.<sup>64</sup>

#### Civil Duties

The constable shares with the sheriff the same responsibilities in the service of civil and criminal process.

Hence, he may serve warrants and other legal instruments issued by the courts, anywhere within the state and returnable to any court.<sup>65</sup> He may be appointed court officer in a district court.<sup>66</sup> He has a statutory responsibility to assist the Criminal Information Center in the establishment of a complete and uniform system of criminal records,<sup>67</sup> and furthermore, he must comply with the regulations issued by the center's director concerning the use, completion and filing of uniform forms.<sup>68</sup> He is also authorized to collect delinquent taxes upon the request of the town's tax collector by seizing and selling property by legal process.<sup>69</sup>

The constable also has statutory responsibility for a variety of tasks which he does not share with the sheriff. The constable is required to serve a person who is not present at a town meeting at which he has been elected to town office, with written notice, signed by the town clerk, of such election within ten days. Should he neglect this duty, he may be fined not more than \$5.00.<sup>70</sup> He may be called upon by the moderator of the town meeting to remove, and to confine for the duration of such meeting, persons who are persistently disorderly.<sup>71</sup> The constable is required to post notices for general elections in a manner prescribed by law,<sup>72</sup> is charged with the responsibility of presiding over general elections,<sup>73</sup> and finally, must see to it that adequate preparations are made for general elections. It is his responsibility to make sure that there are a sufficient number of voting booths and to provide suitable ballot boxes.<sup>74</sup>

#### Law Enforcement Duties

The statutes which have been cited in the discussion of sheriffs as peace officers also govern the constables.



Finally, there are two statutory provisions governing the office of constable. First, the town is held liable for the actions of its constable and any pecuniary damages which may accrue to a person by the neglect or default of the constable must be made good by the towns.<sup>75</sup> Secondly, the constable is not required by law to attend any law enforcement training school. The statutes simply read, "A Constable may attend any law enforcement training school at his own expense or at the expense of his municipality, if its legislative body approve."<sup>76</sup> This latter statute was added in 1969 when the General Assembly also deleted provisions which formerly excused "supervisory" police personnel from required training.<sup>77</sup>

### The State Police

In 1947, the Vermont Legislature created the Department of Public Safety (the state police) "for the purpose of consolidating certain existing police and investigating agencies, to promote detection and prevention of crime generally, and to participate in searches for lost or missing persons, and to assist in case of statewide or local disasters or emergencies."<sup>78</sup> The General Assembly has also enacted a body of statutes which pertain to the administration of this department.<sup>79</sup> These outline the department's organization, establish the administrative powers and responsibilities of its commissioner, provide personnel rules and regulations which apply to its employees and prescribe the functions and powers of its enforcement officers.

### General Administration

The Department of Public Safety is headed by a commissioner who is appointed by the Governor with the advice

and consent of the Senate to a six-year term of office.<sup>80</sup> The General Assembly has delegated significant discretionary powers to the commissioner in matters relating to the administration of the department. He is required to organize and arrange the department, with the approval of the Governor, in a manner which will best and most efficiently promote its work and carry out its purposes. To this end, the commissioner has been empowered, with such approval, to "create, rearrange and abolish divisions, establish grades, ranks and positions to be held by members, and formulate, put into effect, alter and repeal rules and regulations of the administration of the department."<sup>81</sup> Thus, the deployment of state police forces, including the location of headquarters and stations, and the numbers and rank of officers assigned to such locations, is left to the discretion of the commissioner, subject only to the Governor's approval.<sup>82</sup> The commissioner is further empowered to lease, or otherwise acquire, in the name of the state, the right to use and maintain lands and buildings and to acquire or procure equipment, supplies and services which he deems essential to the effective operation of the department and its personnel.<sup>83</sup> In the exercise of this power, he is limited only by the level of appropriations provided to the department by the General Assembly with approval by the Governor not being necessary.<sup>84</sup>

#### Law Enforcement Duties

State police officers are required by statute to give bond and take an oath of office before they enter upon their duties.<sup>85</sup> Also, they are only allowed to enter upon active

duty after they have received twelve weeks training under the Law Enforcement Training Council, and have successfully passed the course for probationers prescribed by the commissioner.<sup>86</sup>

The General Assembly has designated the state police as law enforcement officers and has provided them with "the same powers with respect to criminal matters and enforcement of the law relating thereto as sheriffs, constables and local police have in their respective jurisdictions".<sup>87</sup> Further, the statutes provide that the state police "shall have the immunities and matters of defense now available or hereafter made available to sheriffs, constables and local police in a suit brought against them in consequence of acts done in the course of their employment".<sup>88</sup> It is important to note that these grants of power are restricted to "criminal matters and the enforcement of the law relating thereto".<sup>89</sup> Thus, the powers and responsibilities possessed by the sheriffs and constables as law enforcement officers are shared with the state police. The state police, however, have no statutory authorization to serve civil process or to perform any of the other civil functions of the sheriffs' or constables' offices. They are, however, not precluded from so doing by the new Vermont Rules of Criminal Procedure.<sup>90</sup>

The state police have statutory authorization to enforce the statutes, rules and regulations pertaining to the law of the road.<sup>91</sup>

State police are required to take fingerprints and such other identification data as is prescribed by the commissioner of all persons whom they take into custody on felony

charges.<sup>92</sup> If the commissioner directs, they may do so of persons arrested for misdemeanors as well.<sup>93</sup>

As with all other law enforcement officers, the state police are required to cooperate with and assist the Criminal Information Center, which is also part of the Department of Public Safety, in the establishment of a complete and uniform system of criminal records.<sup>94</sup> They must also comply with rules and regulations adopted by the center's director with respect to the use, completion and filing of uniform forms.<sup>95</sup> In addition, the state police, as members of the Department of Public Safety, are required to "cooperate and exchange information with any other department or authority of the state or with other police forces, including federal authorities, for the purpose of preventing, and detecting crime and apprehending criminals"<sup>96</sup> Finally, state police officers are required to cooperate with the state's game wardens in the enforcement of Vermont's fish and game laws and other laws enacted for the protection and conservation of forests, woodland and other natural resources.<sup>97</sup> To assist the state police in accomplishing this duty, the General Assembly has conferred upon such officers all the powers possessed and exercised by the game wardens.<sup>98</sup>

The state police are strictly law enforcement officers, Unlike the sheriff and town constable, they have not been encumbered with a variety of civil duties. Their total mission rests in the enforcement of the state's laws, and for this the statutes have equipped them well.

#### The Municipal Police

Two methods have been adopted by the General Assembly to authorize a municipality to create and operate a local

police department. The first is through specific authority in municipal charters of incorporation, and the second is by legislative authority. Title 24 of the Vermont Statutes Annotated, paragraph 1931 reads in part that, "The legislative body and in its stead the town manager...of a municipality...may establish a police department and appoint police officers and a chief of police who shall be a police officer." Thus, action taken by the General Assembly has made it relatively easy for a community to create its own police force.

Whether created by a municipality in accordance with the enabling legislation outlined above or through the authority contained in a charter of incorporation, local police departments are subject to statutes enacted by the General Assembly which govern and regulate their daily operation.<sup>99</sup> In addition, a municipal charter may contain provisions which are addressed to the powers and responsibilities to be exercised by local police officers.<sup>100</sup> Charters of incorporation, like statutes, are legislative acts passed by the General Assembly. Thus, both have the same force of law. When a provision of a charter is more specific than a statute, it is a general rule that the charter provision is controlling since it represents specific legislation directed to a specific situation whereas statutes are general legislation directed to general conditions.<sup>101</sup> For this reason, the General Assembly includes a clause such as "notwithstanding any contrary provisions in any municipal charter..." in statutes which are aimed at overriding charter provisions.<sup>102</sup>

Of the many general enactments concerning municipal police departments, the following are the most representative.

All police officers must be sworn.<sup>103</sup> The appointment, oath and removal of officers must be recorded in the office of the municipal clerk.<sup>104</sup> Police officers must be certified by the executive director of the Vermont Law Enforcement Training Council prior to permanent appointment.<sup>105</sup> The control of a municipal police department must be vested in an appointed chief.<sup>106</sup> Officers who have served continuously for one year must be retained during good behavior.<sup>107</sup> Officers whom the municipality seeks to dismiss for cause must be given specific notice and hearing.<sup>108</sup> The municipality may appoint special officers on a temporary basis.<sup>109</sup> Municipal police departments must comply with regulations and informational requirements of the Vermont Criminal Information Center.<sup>110</sup>

Since the police power may be delegated to the municipality by charter, the municipality may impose a variety of local police responsibilities beyond and differing from statutory mandates. These may and often do include regulations concerning traffic, parking, signs, licenses, permits, discharge of firearms, bicycles, taxis, parades, animals, in fact, almost any public or civic concern.

### Conclusions

The foregoing review of the legal framework of law enforcement in Vermont reflects statutory authority and precise duties assigned to the various law enforcement agencies.

Frequently, however, the public image and expectation of duties to be performed by "its" law enforcement officers differs from that which is statutorily required. Section III

of this report focuses on what is happening at three levels of law enforcement in Vermont as of the summer of 1973. A striking difference emerges, for instance, between the role of the municipal law enforcement officer as described by statute, and of this same officer in terms of how he actually spends his time.

From the statewide view, the question of law enforcement is further complicated by the disparate environment of structures, roles, jurisdictions, authorities, and sources of funding in which it must function.

This section attempts to present a total perspective of what seems to be less a system than an accumulation of two centuries of state and local enactments.





### Section III

#### ANALYSIS OF THE PRESENT SYSTEM

##### General Police Services

Section II set forth a brief legal history of law enforcement in Vermont, concluding with the observation that "enforcement today is less a system than an accumulation of two centuries of state and local enactments".

The elements of this accumulation originate variously in the British common law (constables), the 1777 Vermont Constitution (sheriffs), the Vermont statutes (state police and regulation of local police), and charters of incorporation by the General Assembly (delegation of the police power in the form of local ordinances).

The statutes abound with laws concerning the operation of police agencies. The General Assembly has steadily added to this body of laws, while tending to leave the former laws in place. The result is an elaborate system burdened by many abandoned or little used powers.

Vermont has never relied on its counties as units of general government. The historic role of the county centered around the enforcement activities of the sheriff, maintenance of the county jail, and administration of the county court. Originally, justice was dispensed locally by the justice of the peace, while more serious cases went to the county court, presided over by a circuit superior judge. Municipal courts were established at the beginning of this century and reorganized into the district court system in 1966. The county has further declined in importance

as the law enforcement activities of the sheriff were replaced by municipal and state police, as detention of prisoners was taken over by the State Department of Corrections (in 1967), and as the county courts assumed most of the civil cases, yielding jurisdiction of criminal cases largely to the district courts. Today the sheriff, although elected by the voters of the county, is virtually a creature of the state, being salaried (as are some of his deputies) and given major support by state funds, although the county usually supplies office space and sometimes clerical help. While still charged with general law enforcement, the sheriff is provided no explicit funds for this purpose, other than his salary.

Establishment of the state police in 1947 was an important development. Clearly, the General Assembly was responding to the development of modern highways and the impact of the automobile on Vermont. It may be doubted, however, that the legislators -- or other Vermonters for that matter -- fully understood the depth of change underway. Since settlement, Vermont had been characterized by small-scale farming and a high degree of self-sufficiency. Although the economy was bolstered by a boom in the raising of sheep in the mid-1800's, and later by dairying, Vermont farms could not match the rich plains of the developing states to the West. Vermonters continued to think of themselves as an agrarian people, even though industry and tourism gradually assumed primary importance in the economy.

Population statistics reflected economic problems. Vermont's population remained virtually stationary from 1870 until 1940, birth rates barely keeping pace with out-migration of young people seeking jobs.<sup>1</sup>

World War II was the turning point. Defense related industries expanded dramatically, developing a skilled worker population for postwar industrial development. It came as a surprise to many in the 1950's that the percentage of Vermonters employed in industry was greater than the national average. Industrial employment, and service employment as well, have continued to rank above the national average. There were striking social implications in these economic changes. Social mobility had been minimal in the traditional community, but the towns began to be "opened up", their stability eroded by the automobile and changing employment patterns. Small Vermont communities lost some of their social cohesiveness. Children began to travel appreciable distances to schools, and frequently both parents commuted to jobs. The old community had policed itself most adequately with its constable, justice of the peace, sheriff and his deputies. Now, with new economic opportunities, there occurred parallel opportunities for wrongdoing.

The General Assembly recognized new law enforcement needs in 1947, but left unclear the division of labor among the new state police, the sheriffs and local police. The municipal police understood their own jurisdictions, but the role of the sheriff vis-a-vis the state police was ambiguous. Both were charged with the same general responsibilities. If trends may be read into the long term actions of a legislative body, then the General Assembly has given a strong indication of how Vermont discerns its law enforcement needs. By failure to fund or otherwise substantially support the constable, justice of the peace, sheriff, or deputy, the General Assembly has effectively diminished the power of these enforcement personnel. And, by funding a state police system, the General Assembly

has recognized the need to supply uniform police protection to all citizens of the state wherever they reside, whatever local provisions for enforcement may or may not exist.

The decisions faced by the General Assembly in 1947 were not dissimilar to those the British faced as early as 1829 when the Metropolitan Police Act established Scotland Yard. Previously, enforcement had been fragmented among private police, town police and vigilante groups. This first step in police reform eventually led to the Municipal Corporation Act of 1882 which provided a coherent law enforcement system throughout Great Britain. The British have continued to follow a policy of police consolidation, until today there are about 150 departments, almost all having at least 100 personnel.<sup>3</sup>

If Vermont's establishment of the state police in 1947 was a benchmark, 1974 may be equally important. In March, 1974, Vermont voters gave final approval to four amendments to the State Constitution, one of which provides for a "unified" court system.<sup>4</sup> This amendment eliminates the county as a basis for sheriffs and courts, substituting in its place a district to be defined by the General Assembly. The state judges, sheriff and state's attorney will be elected from the district rather than the county. The General Assembly may define the districts according to present county lines if it chooses, or designate completely new jurisdictions.

It may be that the court districting will be influenced eventually by the kind of administrative considerations

which led to the Administrative Districts Act of 1971,<sup>5</sup> which divided the state into seven administrative regions (now amended to eight) for coordinated delivery of state services. While this legislation has had minor effect since its enactment, there is continuing impetus for its implementation within state government.

#### The Smaller Police Department

The process by which agencies of local law enforcement have expanded in the past ten years conforms to no consistent pattern in either planning or funding. Local police departments have emerged in towns having as few as 200 permanent residents (the town of Jay had 160 people in 1972). On the other hand, there are eight towns above 2,000 population which have not provided their own police protection.

Of 53 local departments employing one or more full-time officers, 75 percent or 39 are fewer than ten men in size. It is difficult if not impossible for these small departments to provide adequate, even minimal service to their communities. The National Advisory Commission on Criminal Justice Standards and Goals in its report on police recommends: "At a minimum, police agencies that employ fewer than ten sworn employees should consolidate for improved efficiency and effectiveness."<sup>6</sup> The 39 Vermont police departments which fall into this category cannot deliver the full range of services essential to modern police operations. Such essentials and services should include: (1) 24-hour, seven-day-a-week coverage (it requires at least ten patrol officers to provide three eight-hour shifts with two men available on each shift); (2) specialized

services such as investigative or juvenile officers; (3) in-service training; (4) reasonable response time to emergency situations; and (5) basic patrol.<sup>7</sup>

Adequate police service, properly supervised and with clerical support, becomes possible at about the level of 12 full-time personnel. Such a force includes the previously designated ten men, allowing two on duty around the clock, 365 days per year, plus a chief and one clerical assistant.

The smaller police departments, that is those with less than ten employees, place unrealistic burdens on their personnel. Often the chief's wife and other family members may have to take telephone calls and do the dispatching. The officer is usually on call 24 hours daily. His work load is unlimited. He is not free for training since there is no one to replace him. Facilities and equipment are often poor. He has little or no clerical assistance. Rates of pay are inadequate. Generally there is inadequate provision for retirement. Other benefits such as false arrest insurance are frequently missing.

Despite its inability to adequately deliver even the basic police service of 24-hour coverage, the small department usually attempts also to provide the support functions of dispatching, clerical and administrative services, or investigation and prevention. Most authorities hold that such services cannot be provided adequately in departments of less than 20-30 men. Others state that the figure is considerably higher.<sup>8</sup>

Adequate office space, basic police equipment, desks, file cabinets, or simple investigative aids may be beyond the financial reach of most small departments. The interviewers in the Governor's Commission on the Administration of Justice's police survey were told of instances of bald tires on cruisers, curtailment of telephone service, patched and shabby uniforms, lack of ammunition, and other budgetary strictures. The chief may have his office in his own home, and provide a substantial part of his own equipment.

Record keeping is another area of difficulty for small police departments. Records are essential to effective police operations, yet typically the small Vermont department deals with paperwork as a necessary evil rather than an essential tool. There is a lack of uniformity among police agencies in reporting forms, techniques and subjects about which records are kept. The police survey showed that only six of the 39 departments under ten men report regularly to Vermont Criminal Information Center (VCIC). The inadequacy of crime statistics inhibits orderly, comprehensive law enforcement planning.

There are simple inexpensive methods of relieving police officers of much of the burden of reporting and record keeping, but they are not attainable by small departments working autonomously. For example, properly designed complaint or incident forms may be filled out by the dispatcher, computerized, and retrieved as a print-out at appropriate intervals for police planning and management purposes at relatively low cost. This system is appropriate for departments of approximately 20 men at an annual cost in the order of \$2,000.<sup>9</sup>

Another promising method is the pooling of stenographic services by small departments. The Governor's Commission on the Administration of Justice is presently funding three such pilot programs.

Information regarding salaries and benefits of all local law enforcement agencies was gathered by the Vermont League of Cities and Towns under a grant from the Governor's Commission on the Administration of Justice in the summer of 1973. The League found that salary ranges and employment standards vary considerably throughout the state. As previously stated, the League study found that most of the small departments in the state provide no retirement benefits for their officers nor do they provide false arrest and other liability insurance.

In addition to his formal duties as patrolman and investigator, popular demand requires the local police officer to be "a clerk, an administrator, a supervisor, a bouncer, a planner, a technician, a psychologist, a lawyer, a marriage counselor, a juvenile agent, a community relations agent and (sometimes) a jailer."<sup>11</sup> He is expected to perform all of these duties when called upon, often working well over 40 hours a week.

In-service training is limited in small departments, for the town in most cases is unable or unwilling to pay for the officer's salary and the salary of a replacement in his absence. The underfunding of small police departments is reflected throughout their operations. In almost every respect they suffer from comparison with larger municipal



departments and the state police. Although a few towns have appropriated adequate funds to provide good salaries and equipment, small departments, however well managed or equipped, cannot overcome inherent problems of scale.

#### The Larger Local Departments

The 14 larger Vermont police departments, those with ten officers or more, may be described as those having the capability or near capability of providing 24-hour coverage. Actually, the ten man force can provide 24-hour service only by working in excess of 40 hours per week or dropping to one patrol officer on certain shifts. At the level of 13 to 15 officers the police department can begin to achieve specialization. The largest single Vermont department, Burlington, with 71 sworn officers, is of sufficient size to have specialized divisions such as investigation, juvenile services, identification and training.<sup>12</sup>

All 14 larger agencies provide 24-hour coverage, in some cases at the risk of having only a single officer on duty at times. All support their own dispatching units, utilizing various mixes of sworn and civilian personnel. These fourteen police departments serve 36 percent of Vermont's total population.

Resistance to increasing local property taxes has imposed severe fiscal constraints on all local police departments. There is prima facie evidence that local demands for enforcement have induced municipal officials to increase manpower disproportionately to appropriations

for salaries, equipment and facilities. There are wide variations in the operating budgets of departments of similar size, indicating differences among the communities in perceptions of law enforcement needs and in willingness or ability to impose the taxes to pay for such services.<sup>13</sup>

Salaries and benefits also vary considerably from department to department.<sup>14</sup> In-service training is not uniformly available inasmuch as manpower shortages and costs appear to determine its priority. Some agencies have formed unions to bargain with municipal officials for higher wages and benefits. Turnover rates vary widely, and appear to have little relationship to the existence or lack of formal bargaining arrangements.

Nationally, police management appears to be an area of weakness.<sup>15</sup> Management studies have been undertaken in a number of Vermont communities in recent years in response to perceptions of inefficient police operations by local officials and managers. Several communities have expressed interest to the Governor's Commission on the Administration of Justice in seeking grants for management studies. When examining these communities' problems, it again appears that the smallness of the departments coupled with budgetary restrictions work against development of modern management practices. Simple management supports such as clerical help and adequate record keeping systems are often lacking.

Even the smallest departments can profit from analysis of scheduling and work loads, crime and accident patterns

and cost effectiveness of equipment or police techniques. Replies to the Governor's Justice Commission's police survey indicate that many departments have historically paid only lip service to such considerations.

A police management study conducted in Brattleboro is one major effort by the Governor's Justice Commission to provide Vermont police departments with better management tools. Brattleboro was selected as a prototype for the development of a visible and transferable technique for analyzing the management of the larger Vermont departments. The consultant has been required to produce checklists, guidelines, formulae, or other formats which could be used by a small outside assessment team to develop improved techniques of police management in any Vermont police department. Inquiries to the International Association of Chiefs of Police and the Law Enforcement Assistance Administration, as well as a search of the appropriate literature, disclosed no similar previous research.

As expected, the degree of specialization varies among the 14 larger departments according to their size. Burlington achieves a degree of sophistication with an eight-man detective bureau, four juvenile specialists, a full-time training program and identification officer. All of the larger departments make use of special part-time officers and part-time or full-time civilians for duties such as school crossing guards, peak traffic control, replacements for ill or absent regulars, meter enforcement, clerical and dispatching duties, and emergencies or unusual events. In only a few instances such as the consolidation of dispatching in Chittenden County (South Burlington

dispatches much of the time for Colchester, Winooski, and Milton) have the larger departments moved toward sharing of support services. None of these departments has yet contracted with a neighboring municipality to supply basic police services.

### Summary

In summary, the 14 larger departments, although better able to deliver the necessary range of services than those departments with less than ten men, are handicapped to varying degrees by pains of recent rapid growth, tight funding, equipment and facility needs, minimal in-service training, turnover, sometimes inadequate compensation and benefits, and the need for better management techniques. Some of these problems could be overcome by consolidation of support and auxiliary services. Departments ranging in size from between ten and approximately 20 men could reach more appropriate levels of specialization by cooperating with contiguous municipalities either by amalgamation or through contractual arrangements.

### The Role of the Sheriff

The office of the sheriff has undergone many changes. The first break with its historic role came in 1947 with establishment of the state police. In 1967 when the county jail system was abandoned and the State Department of Corrections took over detention duties and established regional correction centers, the sheriffs' responsibilities were further reduced. Four sheriffs have recently made

contractual arrangements with local governments for the provision of patrol functions. Plainly, the office of sheriff, as seen in the Vermont Constitution and as practiced well into this century, is in the process of historic change.

The present role of the Vermont sheriff is summed up in a single statement of fact: he is charged with the responsibility for general law enforcement, but is provided little or no explicit funds to carry on a law enforcement program. The word explicit is used, since the statutes permit the sheriff or his deputies to perform enforcement duties without regard to personal compensation. The sheriff's salary, ranging from \$7,200 to approximately \$12,250, depending on the county, is paid by the state. The salary of one or two full-time deputies is likewise state maintained.<sup>16</sup> These officers, as well as the unpaid deputies, are all authorized to perform general law enforcement functions. In some instances the sheriff and his full-time deputy(ies) are fully occupied with other duties, such as transporting prisoners and mental patients, acting as court officer, or supervising part-time deputies engaged in specific functions such as performing traffic controls on highway projects, keeping order at public gatherings or engaging in similar private contractual services.

If the sheriff is to continue to assume an active enforcement role, he must be permanently funded by the state, the county, or through stable contractual arrangements with towns.

Because he is an elected constitutional officer, the sheriff is essentially not responsible to any authority other than the general electorate. The office thus reflects the incumbent. The ambivalence of the voters about the sheriff is shown in the equanimity with which they elect sheriffs who either do or do not take an active part in law enforcement.

According to statistics published by the Vermont Criminal Information Center, there are Vermont counties where the sheriff's arrest and conviction records compare favorably with the state police. The same data show that there are other counties where the sheriff is virtually inactive in law enforcement.

In terms of facilities, equipment, training, personnel and standards, the sheriffs are more acutely hurt by lack of financial support than the local police departments.

Some Vermont sheriffs foresee their increased involvement in rural enforcement on a contractual basis. William Graham, Sheriff of Windham County and President of the Vermont Sheriffs' Association, wrote on behalf of the Sheriffs' Association:

"For the future, the sheriffs of Vermont see their role as being involved in rural communities by supplying "local" enforcement. Sheriffs have no desire and do not have the capabilities or the least interest in supplanting, duplicating, or competing with any municipality or State Law Enforcement Agency. It

has been my experience and some of the sheriffs contend that many local communities that cannot afford a police department have a sincere desire to have some local patrol or enforcement which present manpower, on a state level, is not able to furnish. The writer would be the first to admit that not each sheriff is willing, prepared, or equipped to take on a great deal of law enforcement through contracts with towns; however, many of the sheriffs' departments have entered into contracts with towns. At last count, some 15 towns have some type of either full or partial contracts with sheriffs' offices throughout the state for local policing. Again, not to reiterate, there are still many sheriffs that do not have adequate office space or clerical help to take care of the increasing amount of paper work required to operate a police operation. Many sheriffs still do not have radio systems other than the limited statewide system. Almost without exception, the radio systems which some sheriffs have were obtained by the sheriffs' departments themselves and have little or no tax money involved with their equipment. I feel that the sheriffs need assistance in the communication field as they are the primary transporters of prisoners. Only a check of records throughout the country and in Vermont, as recently as July 1973, shows that convicted felons and

murderers have escaped from custody and substantiates that desperate men are transported by deputy sheriffs. Complete communications systems should be available for the sheriffs to coordinate transportation of dangerous felons.

"It is our belief that sheriffs can produce effectively in areas of snowmobile enforcement and motorboat enforcement which are seasonable and usually occur on weekends, holidays, and evenings in their respective seasons. We also see a function of the sheriff's department as a backup force with personnel in situations of civil disturbances, searches and intensified Motor Vehicle Law Enforcement programs, such as the pilot program of F.A.R.E.<sup>17</sup> in the summer of 1973. We also feel that the day and age of the strictly volunteer is passe and ineffective. A great many deputy sheriffs have an extreme amount of capability and could serve the State of Vermont ably; however, some compensation for their equipment and time is necessary.

"It would appear that in lieu of any regional police forces that the sheriff could and I might add should be able to furnish law enforcement to small communities either collectively or singularly; however, I firmly believe they need both financial and administrative help in accomplishing this mission.



It is our contention, although we sometimes hate to admit it, that there seems to be already enough competition between local, state and county organizations at this point. Sometimes I feel that it is quite unfair competition and that the forming of a regional force as a separate entity would complicate and further make more animosity between a fourth organization. I personally feel that contracts with various towns with assistance from either county, state or federal revenue is not only a practical but economical method of dealing with our state law enforcement needs.

"I would like to reiterate that the sheriffs have no desire to compete with state agencies and see their role as a local law enforcement agency, giving police protection to local communities whether it be for traffic violations, prevention (camp checking), or taking care of miscellaneous complaints. I personally believe that we need a strong, efficient, and capable State Police agency and whole-heartedly agree that this agency should take the leadership and give direction to both local and county agencies in the fields of records and identification, communication, and crime laboratory facilities, as well as, assistance for the major crimes that require extensive, time-consuming and geographic coordination throughout the state."

## The Department of Public Safety - The State Police

The Vermont General Assembly was following a national trend when it created the state police. The need for a multi-jurisdiction police service had already prompted many states to establish statewide agencies. In some cases, including Vermont, these were true police agencies with full law enforcement duties. In others, the state police agency was essentially for highway patrol, leaving general law enforcement to local or county police. There are also states where almost all law enforcement, including highway patrol, was made the responsibility of the county. In still others a three-tier system -- local, county and state -- was adopted. Vermont chose to adopt a statewide police system with both highway and general law enforcement duties, leaving the local and county tiers intact. In other words, a new statewide force was superimposed on the existing structure.

The legislative mandate was stated in broad terms:

There is hereby created a Department of Public Safety for the purpose of consolidating certain existing police and investigating agencies, to promote the detection and prevention of crime generally, and to participate in searches for lost or missing persons, and to assist in case of statewide or local disasters or emergencies.<sup>18</sup>

The key words are "promote the detection and prevention of crime generally." Additional statutes specify that the department patrol highways, establish an identification and

records division, administer the office of fire marshal, cooperate with other police agencies, provide accident reports and photographs for a fee, establish a radio communication system, operate a Criminal Information Center, maintain a forensic laboratory and perform various similar functions. With the exception of highway patrol, these duties as spelled out in the statutes, are heavily weighted toward auxiliary and supportive functions. It can only be concluded that the General Assembly saw the state police as the coordinator across town and county boundaries, and as the supplier of auxiliary and support services to the existing localized police structure.

The Department of Public Safety appears to have this same view of itself. In its report of November, 1972, The Status of Law Enforcement in the State of Vermont, the department proposed several program goals which are summarized below:

- 1) Continued implementation of the state-wide law enforcement communications system serving 57 local agencies, 14 county sheriffs and state's attorneys' organizations, three state agencies and other officials;
- 2) continued emphasis on the Vermont Criminal Information Center;
- 3) further development of the forensic laboratory;

- 4) further development of standardized basic and in-service training programs commensurate with current needs of all law enforcement agencies;
- 5) a computerized criminal justice information system with direct access through computer terminals located in each troop and sub-troop of the Vermont state police, and access by other agencies via direct voice radio;
- 6) development and implementation of a comprehensive regional state-wide law enforcement program designed to fully utilize existing state, county and local manpower;
- 7) development of a para-professional police program utilizing state, county and local manpower;
- 8) an expanded departmental drug abuse control program; and
- 9) placement of departmental criminal investigators to provide investigative assistance to state's attorneys.<sup>19</sup>

#### The Outpost System

The outpost program is an important exception to the generally supportive role of the state police. Outpost troopers

were deployed in rural areas to carry out the statutory mandate to "promote the detection and prevention of crime generally."<sup>20</sup> The outposts increased over the years to 22 men in 17 stations in the mid-1960's, slipped back to seven stations in 1969, and then expanded to the present 38 men in 32 stations in 1973. (The locations of the present outposts are shown in Section IV on Table 12 on pp. 87-90 and Map 3 on p. 91.)<sup>21</sup> The present annual cost of an outpost trooper is approximately \$18,000<sup>22</sup> as compared to a typical annual cost of \$10,000 for a local police officer. This represents an annual outlay of approximately \$684,000 to keep 38 outpost troopers in the field.

The outpost may actually be considered a one-man regional police force.<sup>23</sup> Although the outpost officer is supported by the state police troop or sub-troop, this form of support could just as well be supplied to any one-man local department, and is in fact available to such a local department. The 38 outpost officers are assigned to cover 119 towns, a system representing a greater dilution of manpower than any encountered in the previous discussion of small local police departments.

The towns benefiting from the outposts do not contribute proportionately to their cost, in effect shifting a large part of their local police burden to taxpayers statewide, many of whom also support their own police through local revenue funds.

The assignment of outposts seems to have retarded the development of local police departments. Several

municipalities have approached the Governor's Commission on the Administration of Justice concerning the possible formation of a police department only to drop the discussions when the Department of Public Safety assigned an outpost to the general vicinity. Outposts have not been assigned according to the ability or inability of towns to support their own police operations.

The outpost system incurs the problems of scale of operations and ineffective dispersal of effort addressed earlier in this Section in relation to small local police departments. The 38 officers presently assigned to the outposts would be more effectively utilized if reintegrated into the regular operations of the Department of Public Safety.

The approximate \$684,000 annual cost of the outposts is, in effect, a subsidy to certain towns from the funds of the Department of Public Safety. This is further dramatized when it is recognized that certain programs of the Department, notably dispatching, the Criminal Information Center and the forensic laboratory, are in need of additional funding.

### Communications

Police communications as presently structured in Vermont demonstrate more than any other component of law enforcement the dearth of planning and coordination that exists throughout the system. Duplication fostered by this absence of planning is proving costly in terms of efficiency as well as

money. There are 107 full-time clerk/dispatchers in Vermont law enforcement agencies and many additional part-time employees, regular patrolmen and deputies, who at times perform the dispatching function. The groundwork was set for this structure when the General Assembly passed Act 290 in 1970,<sup>24</sup> and equipment was allocated to the various law enforcement agencies. An interagency coordinating committee was created to establish criteria and make recommendations for acquisition of communications equipment by police agencies eligible under the statute.

Base stations (transmitters) were funded indiscriminately to even the smallest police departments, with little or no regard for the ability or need to provide effective dispatching. A policy of fragmented communications contributed to fragmented police operations.

The state now has 32 separate stations (11 state *L. E. enforce.* police, 19 locals and two sheriffs) dispatching on a 24-hour basis. According to Stefan J. Kapsch,<sup>25</sup> it takes five full-time individuals to adequately maintain a dispatching center 24-hours a day, seven days a week. *if they are doing dispatch only.*

The thirty-two 24-hour dispatch units employ some 150 personnel,<sup>26</sup> and dispatch approximately 200 vehicles but there are never more than 110 vehicles on the road at a time and frequently a fraction of this number on late shifts.

In addition to the thirty-two 24-hour dispatch units, there are twenty-nine local departments which receive

dispatching assistance either from the state police or from another local department. Five local departments have a "limited" dispatching system and the remaining sheriffs and local departments use a mix of radio and telephone communications.

A report titled, Regional Law Enforcement, produced by the Public Administration Service, states: "the number of available radio frequencies is rapidly diminishing. One reason for this is that one small police agency with, for example, less than five radio equipped cars, requires one frequency while that same frequency could easily serve 50 or more radio equipped patrol units."<sup>27</sup> In terms of the number of dispatching units, the number of dispatchers and number of cruisers being dispatched, it is obvious that this level of efficiency is not being approached in Vermont.

The Department of Public Safety recently proposed to assume responsibility for dispatching 14 of the local police departments as well as a number of towns served by constables or deputy sheriffs.<sup>28</sup> This is an important first step toward statewide consolidation of police and other emergency service dispatching facilities. There is no technical or operational justification for Vermont to maintain thirty-two 24-hour dispatch units. Theoretically the entire state could be dispatched from one station. Certainly there is no need for more than the eleven units now maintained by the state police. For example, in York County, Pennsylvania, the York County Communications Department dispatches from one unit for 44 police departments, 78 fire companies and 36 ambulance services.



If it is assumed that the new communications system is potentially adequate to its task and that existing technical problems can be overcome, it is clearly desirable to decrease the number of dispatching units for the following reasons:

- 1) Better communications efficiency is achieved as fewer frequencies are utilized;
- 2) coordination between agencies is improved as jurisdictions and levels of law enforcement share frequencies;
- 3) it takes five dispatchers to maintain a 24-hour communications center seven days a week;
- 4) few of Vermont's municipal police departments can justify this level of staffing;
- 5) one Vermont police department has more dispatchers than full-time officers;
- 6) it has been estimated that the total cost for maintaining the present dispatching centers of Vermont's local police departments exceeds \$400,000 per year;
- 7) the larger local law enforcement agencies presently dispatching on a 24-hour basis have expressed a need to have their agencies


accessible to the public (walk-in) on a 24-hour basis although there is no demonstrated necessity for such a service; and

- 8) from a cost benefit standpoint much of the funds presently being used for dispatching could be better utilized in police equipment, facilities and salary expenditures.

While radio communications are vital to police operations, the telephone is the vital link between police and citizens who need help. Here again, Vermont police efficiency is thwarted by fragmentation. There are eleven separate telephone companies with 167 exchanges. The United States Congress has recognized this to be a problem in all the states, and has urged adoption of a nationwide common emergency telephone number, nine-one-one or "911". But installation of the "911" system is costly and cannot be expected in Vermont until 1980 at the earliest. The Vermont Department of Public Safety is presently implementing an "Enterprise" number to accomplish the same purpose. The "Enterprise" system will enable a person to call from any telephone in Vermont and be connected to the nearest state police dispatch unit which will respond by dispatching the nearest or most appropriate personnel or equipment, whether state, county, regional or local.<sup>30</sup>

#### Record Keeping

The various record keeping systems employed by Vermont law enforcement agencies can best be described as uncoordinated



and inadequate. The 1973 policy survey yielded information on the lack of consistency and uniformity within Vermont's police agencies both in the kinds of records kept and in the forms used in maintaining them.

It was learned that the Vermont Criminal Information Center (VCIC) regularly receives reports from only twenty-one of the municipal departments and five of the sheriffs' departments. Some other departments report irregularly. There appear to be approximately fifty-eight Vermont police agencies in violation of Title 20, Section 2054, Vermont Statutes Annotated, which requires that all Vermont enforcement agencies report to the Vermont Criminal Information Center, and provides for fines for those which do not. The net effect of this incomplete reporting system is that there is no way in which VCIC can analyze the data it does receive in any sort of valid way. In fact, every time a new department reports, the crime index for that particular reporting period goes up. Irregular reporting yields the same inconsistencies. The lack of uniform reporting insures that the data received is not comparable, and, therefore, not subject to valid analysis. A net result of this situation is that at the present time in Vermont there is no way in which crime trends can be plotted, and, therefore, no way in which solidly based crime prevention planning can proceed.

#### Funding

Excluding federal monies, \$9,007,149 was expended for police in Vermont in Fiscal Year 1972. State funding contributed \$4,891,816 (54 percent); the remaining \$4,115,333 (46 percent) was derived from local revenues. (See Table 1 on page 53.)

The state law enforcement monies come from two primary sources. The Highway Fund provided \$3,482,505 (76 percent) of the Department of Public Safety budget. This revenue source is an automobile user tax. Most of the balance of the state monies come from the State General Fund, revenue derived from a multitude of sources including personal income and sales taxes.

All local funds are derived from local revenues, most of which come from the property tax. County monies are local in origin, coming from town and city revenues, and are based on a percentage of local taxes raised. (See Table 1.)

*Communications*

The United States Department of Justice Law Enforcement Assistance Administration has provided Vermont with \$1,772,291 from Fiscal Years 1969 to October 1973 to be used for police purposes. (See Table 2.) Of this, the Department of Public Safety received \$1,315,931, while local governments (including both sheriffs and local police departments) received \$456,360 or 26 percent of the total. When the value of in-kind match and cash-match sums are added into these totals, there were \$2,451,806 worth of law enforcement programs supported by federal monies. It should be noted that the Department of Public Safety received all the money for communications equipment, or \$886,896. Approximately \$400,000 of this money, however, went for purchase of equipment for local police departments, and part of the remainder was used for purchase of commonly shared equipment by both the state and local police.

Table 1

## STATE AND LOCAL FUNDING SOURCES FOR LAW ENFORCEMENT IN VERMONT, FISCAL YEAR 1972

Law Enforcement Agency	State Funds		Local Funds*		Total
	Highway Fund	General Fund Other State Fund	County	Municipal	
Department of Public Safety	\$3,482,505**	\$1,110,617*	--	--	\$4,593,122
Sheriffs' Departments	--	298,694	\$52,493	\$38,554	389,741
Local Police Departments	--	--	--	4,024,286	4,024,286
TOTAL	\$3,482,505 (\$4,891,816)	\$1,409,311	52,493 (\$4,115,333)	\$4,062,840	\$9,007,149

\* Local Funds -- all raised by Property Tax

\*\* Estimates based on proportions of Highway Funds in total Department of Public Safety budget.

Table 2

## FEDERAL FUNDS FOR LAW ENFORCEMENT IN VERMONT, 1969-1973

Law Enforcement Agency	Federal Funds	Local Cash Match	In-Kind Match*	Total Project Value
Department of Public Safety	\$1,315,931	\$105,177	\$352,779	\$1,773,887
Sheriffs' and Local Departments	456,360	62,962	158,597	677,919
TOTAL	\$1,772,291	\$168,139	\$511,376	\$2,451,806

\* In-Kind Match consists of non-cash local contribution (e.g., personnel, rental space, equipment).

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### Expenditures and Value Received for Police Services

All Vermonters contribute to the costs of the state police. That is, the monies in the General Fund and the Highway Fund come from statewide sources. When the total costs of the state police are divided by the state's population, a state police expenditure of \$9.9443 per person, i.e. a "per capita expenditure" is derived.

The state police serve all of Vermont. However, their structure is such that (their arm of general law enforcement, the outpost system, serves only specific parts of the population. (See Table 5 and Map 3.) The remaining parts of the state benefit only from non-outpost Public Safety activities, resulting in an uneven distribution of state police services.

The cost of the outpost system was \$417,252 in Fiscal Year 1972. Removing that cost from the Department of Public Safety's budget reduces the statewide per capita rate from \$9.9443 to \$9.0409 for non-outpost state police services. Per capita values for the outpost system depend on the populations of communities where outposts are located, varying from \$.91 to \$21.14. These outpost per capita values are added to the statewide rate to yield state police values for each town, ranging from \$9.95 to \$30.18.

The net result is that towns within a state police outpost's "area of influence" receive a greater value of



state police services than those towns which do not have an outpost. Expenditures for state police services are considered to be equally sustained throughout the state, and the basic value received is also considered to be equally distributed. The difference between the two per capita figures is \$.9034, which when multiplied by the population of any municipality represents sizable dollar amounts of services not provided to that place. This difference totals the \$417,252 of outpost costs. The towns in the outpost "areas of influence" benefit from the same amount of extra services provided.

Representatives from the Department of Public Safety and several chiefs of police have stated to the Governor's Commission on the Administration of Justice staff that those towns which provide their own police services (local police departments) receive fewer services from the state police than do towns which have not established local police departments, in spite of the fact that the towns and cities which financially support local police departments also pay for state police services.

The larger the local police department, the fewer supplemental services received from the state police. The larger towns and cities tend to be the areas within the state with the least amount of per capita local wealth from which to draw the revenues necessary to pay for local police services. (See discussion of relative wealth indicators following.)

### Ability to Pay for Needed Police Services

The analysis thus far has concentrated on the amount of monies paid for police services by the municipalities in Vermont and on the value these municipalities receive in police services delivered. It has not yet focused on the relationship between need for police services and the municipalities' abilities to pay for these needed services, or on the relative revenue raising efforts by municipal governments to pay for their services.

### Relationship Between Need for Police Services and Ability to Pay

A town's need for police services depends on, and varies with town population size. Other variables such as density (number of people per square mile), natural barriers and roadway networks relate to accessibility. Still other factors such as certain population concentrations (e.g. a large number of college students), economic considerations (e.g. high unemployment), or land development characteristics (e.g. vacant/seasonal homes in a recreational area) affect level of need. For purposes of this general analysis, however, need is defined by the number of people in a given municipal area.

A town's ability to pay depends on the revenue it can raise by taxing property. Ability to pay is thus reflected in the municipal tax base, and is expressed as the value of taxable property (VTP). Property tax remains, despite its challenged shortcomings, the principal method employed by local governments to raise revenues for public services. More sensitive indicators of ability to pay would include other factors, such as median family income, reflecting liquid assets.

The relationship between need and ability to pay for police services can be expressed as a town's value of taxable property divided by its population, yielding a per capita value of taxable property:

$$\begin{array}{lcl} \text{town ability to} & \text{value of taxable property} & \text{per capita value} \\ \text{pay for needed} & = & \text{of taxable} \\ \text{police services} & \frac{\text{population}}{\text{population}} & \text{property} \end{array}$$

### Relative Effort to Pay for Services

Just as the per capita value of taxable property demonstrates the relationship between a municipality's need and its ability to pay for police services, the effective tax rate (ETR) demonstrates the relationship between a municipality's ability to pay and its willingness to pay for these services.

$$\text{ETR} = \text{relative tax effort} = \frac{\text{willingness to pay}}{\text{ability to pay} \times .01}$$

Ability to pay ( $\times .01$ ) is one percent of the equalized fair market value or VTP and willingness to pay is total taxes actually raised.

A low ETR means that there is a small portion of taxes raised in relation to the value of taxable property, whereas a high ETR means that a higher portion of taxes are raised in relation to the value of taxable property. Towns with a high ETR may be said to be making a greater taxing effort.

The following tables are developed to demonstrate the funding experience of Vermont's municipalities which maintain local police departments. All the figures are for Fiscal Year 1972 except the median family income which comes from the 1970 Census. The towns are grouped by size of police departments. Data for towns without police departments is not included here, but is available from the Governor's Commission on the Administration of Justice.

Table 3

## GROUPINGS OF TOWNS BY SIZE OF LOCAL POLICE DEPARTMENTS

<u>Category</u>	<u>Size of Police Department</u>	<u>Number of Towns</u>	<u>Total Population</u>
A	Towns with no department	188	171,878
B	One officer or less	26	36,029
C	Two to five officers	22	63,681
D	Six to nine officers	5	24,145
E	Ten or more officers	14	166,085

Table 4 includes data on all the grouped towns except Category A or towns with no police departments.

Some of those 188 towns with no local police department are towns served by the state police outposts. Table 5 lists the towns served by outposts.

The complex nature of this assortment of data makes it difficult to generalize in interpretation. Were a state equalizing formula to be developed, it would be possible to assign statistical weights to each of the data items and thereby derive a single indicator showing relative tax efforts (willingness and ability to pay) to sustain local police services in relation to the need for such services. Since such a formula does not exist, examples are presented below showing how to interpret these numbers.

First a note on the meaning of the "ranking" numbers. A state ranking accompanies the effective tax rates (ETR).

This number shows where that particular town is located among all the towns in the state. All the towns in the state have been ranked from low (Stratton with an ETR of .50) to high (Middlesex with an ETR of 4.28). Median family income (MFI) is shown with a percentage figure which express a town's median family income in relation to the statewide median family income. For instance, a town's median family income of \$8,352 is 94 percent of the state MFI of \$8,929, whereas a town's MFI of \$12,430 is 139 percent of the state MFI. Finally, in Table 4, the 67 towns which have local police departments from low (Williston with a \$.45 per capita expenditure) to high (Winhall with a \$61.85 per capita expenditure). The ranking number next to the per capita expenditure figure represents a particular town's position in that scale. Two examples are presented below:

Hardwick Village: (Under "C" towns with police departments with two to five officers.) The per capita expenditure in Hardwick for Fiscal Year 1972, was \$7.77, and Hardwick ranked 27th out of the 67 towns with local departments. The ranking shows that Hardwick was paying an amount per person for police services that was somewhat below the midpoint among the towns in the state with local departments, but that it was still above the lowest third in the ranking. The effective tax rate was 3.37 which places Hardwick 226th in the rank of all the towns in the state. An ETR of 3.37 is a high ETR, showing that the amount of taxes raised is high in relation to the total value of taxable property. But the per capita value of

taxable property was \$7,555 which, although not assigned a rank, appears to be relatively low in comparison with many of the towns listed in the category of towns with two to five officers. Given the per capita value of taxable property it is possible to interpret the ETR even further and to deduce that the Village of Hardwick is taxing itself at a high rate in relation to its relatively low tax base. The value of taxable property does not reflect the liquid cash assets available to the taxpayers. The median family income was \$7,000 according to the 1970 Census. This figure is 78 percent of the state's median family income, the lowest of any of the towns which have similar size police departments. A conclusion which could be drawn would be that Hardwick is straining its resources to pay for its public services including police.

Wilmington: The Town of Wilmington paid a per capita expenditure of \$29.05 in 1972. This placed Wilmington almost at the top of the list in the ranking of towns which support local police departments, or 64th of 67 towns. The ETR for Wilmington is relatively low, however, at 1.96 or 69th out of the state total of 246 towns. This reflects a low amount of taxes raised in relation to the value of taxable property in the town, but it does not reflect the

actual value of taxable property in Wilmington. Since the per capita value of taxable property is \$27,485, it can be seen that Wilmington has a high tax base, in relation to the other towns with comparably sized police departments, from which to draw its local revenues. But again, this does not reflect liquid cash assets so the MFI of \$7,222 must be examined. This is only 81 percent of the state MFI, which means that the year round resident taxpayers in Wilmington are not as able to produce cash revenues as are some other townspeople in towns within this category. It might be surmised that Wilmington is land rich, and it is possible that the absentee land owners would have greater cash assets (i.e., MFI) than do the year round residents (i.e., those who were in residence at the time of the 1970 Census or April 1, 1970). A firm conclusion cannot be drawn concerning the ease by which the Town of Wilmington raises revenue to support its police services.

A similar interpretation may be made in Table 5, which lists towns within state police outpost "areas of influence". However, instead of showing per capita expenditures for local police services, there is a figure showing the per capita value of services received from the outpost. The per capita value represents the amount of service received in those towns above and beyond the value of state police services provided to every citizen of the state, as measured on a per capita basis. In other words, the value figure represents a benefit while the expenditure, as listed in Table 5, represents a cost.

Table 4

TOWNS, VILLAGES AND CITIES IN VERMONT WITH LOCAL POLICE DEPARTMENTS, GROUPED BY SIZE OF DEPARTMENT: PER CAPITA EXPENDITURES FOR LOCAL POLICE SERVICES; EFFECTIVE TAX RATES; PER CAPITA VALUE OF TAXABLE PROPERTY; MEDIAN FAMILY INCOME, FISCAL YEAR 1972.

"B" -- Towns and Villages With One Man Police Departments, or Part-Time Departments.

	Per Capita Expenditure		Effective Tax Rate	State Rank	Per Capita Value of Taxable Property	Median Family Income		Percent of State Family Income
	Amount	State Rank				Family Income	State Median Family Income	
Dorset	\$ 5.31	18	\$ .951	9	\$30,806 <sup>1</sup>	\$ 8,352 <sup>1</sup>	94%	
Manchester Village	44.76	67	2.452	133	15,219 <sup>2</sup>	8,579 <sup>2</sup>	96	
Old Bennington	36.14	65	2.97	187	652	9,538	107	
Readsboro	10.58	38	2.83	177	12,705	8,672	97	
Stamford	1.27	4	2.22	103	11,538	8,638	97	
Lyndonville	4.97	17	2.36	117	13,486	8,354	94	
Charlotte	.73	2	2.60	153	10,463	11,132	125	
Williston	.45	1	3.20	211	8,833	12,430	139	
Richford Village	.96	3	2.40	123	7,310	7,429	83	
Johnson	4.19	13	2.76	170	3,587	9,470	106	
Bradford	6.59	23	3.10	200	5,878	7,825	88	
Fairlee	2.73	7	1.90	63	12,977	8,038	90	
Jay	41.77	66	1.17	15	48,088	7,500	84	
Orleans Village	3.33	9	2.33	113	9,544	7,173	80	
Poultney	6.69	24	1.85	51	7,742	8,241	92	
Proctor	3.73	11	3.53	234	7,754	8,542	96	
Middlesex	5.44	19	4.28	246	7,199	8,455	95	
Dummerston	1.47	5	2.54	147	11,558	8,600	96	
Marlboro	9.39	33	1.32	21	18,902	9,325	104	
Vernon	--	--	1.40	28	36,376	10,588	119	
Cavendish	7.40	26	3.43	228	7,811	7,864	88	
Chester	7.26	25	3.16	204	8,775	10,009	112	



<sup>1</sup>Included within Manchester Town. Figures are not available for Effective Tax Rate, Per Capita Value of Taxable Property, or Median Family Income in Manchester Village.

<sup>2</sup>Same for Bennington Town.

<sup>3</sup>paid by a private company.

"C" -- Towns and Villages With Police Departments With Two to Five Officers.

	Per Capita Expenditure		State Rank	Effective Tax Rate	State Rank	Per Capita Value of Taxable Property		Median Family Income	Percent of State Median Family Income
	Amount					Value Of	Property		
Bristol Village	\$ 9.22	31		\$3.35	225	\$ 8,245		\$ 8,734	98%
Vergennes	14.30	45		2.97	172	7,418		8,788	98
Winhall	61.85	68		.82	6	85,595		7,500	84
Hardwick Village	7.77	27		3.37	226	7,555		7,000	78
Milton	9.50	34		2.96	186	6,027		9,584	107
Richmond	6.36	22		3.28	219	5,409		10,114	113
Shelburne	20.55	56		3.09	199	12,529		13,875	155
Swanton Village	7.82	28		2.39	122	12,047		8,259	92
Morristown	7.99	29		3.06	197	6,496		7,815	88
Stowe	24.90	58		2.27	107	23,474		11,305	127
Randolph Village	13.98	43		3.17	205	15,906		7,860	90
Brandon	6.59	23		3.10	200	8,514		7,825	88
Castleton	4.11	12		3.09	198	7,683		8,190	92
Fair Haven	3.66	10		2.83	176	4,617		7,463	84
Barre Town	4.83	16		2.77	171	6,856		9,274	104
Northfield	5.78	20		2.45	131	4,316		8,846	99
Waterbury Village	12.74	40		3.37	227	8,928		8,768	98
Dover	28.79	63		1.32	20	57,391		8,692	97
Wilmington	29.05	64		1.96	69	27,485		7,222	81
Ludlow	15.97	46		2.92	181	9,952		9,245	104
Weathersfield	9.26	32		2.52	144	8,938		8,764	98
Woodstock	10.41	37		1.80	47	17,513		10,327	116

Table 4, Continued

"D" -- Cities, Towns and Villages With Police Departments With Six to Nine Officers

	Per Capita Expenditure		State Rank	Effective Tax Rate	State Rank	Per Capita Value of Taxable Property		Median Family Income	Percent of State Family Income
	Amount	Rank				State	Property		
Middlebury	\$ 9.58	35		\$3.19	208		\$ 7,290	\$10,333	116%
Manchester Town	17.78	49		2.45	133		15,219	8,579	96
Winooski	13.42	41		2.90	178		5,464	9,270	104
Bellows Falls	19.40	54		3.21	212		12,776	8,427	94
Windsor	17.95	52		2.93	184		7,453	9,531	107

"E" -- Cities, Towns and Villages With Police Departments With Ten or More Officers

Bennington	14.11	44		2.97	187		652	9,538	107
St. Johnsbury	16.37	48		3.32	224		8,300	8,189	92
Burlington	17.87	51		3.21	213		746	9,908	111
Colchester	8.17	30		2.98	188		8,844	10,116	113
Essex Junction	24.99	59		3.61	238		13,887	11,888	133
South Burlington	27.42	60		3.20	220		1,126	13,639	153
St. Albans City	12.11	39		3.18	208		8,125	8,808	99
Newport City	16.57	49		2.56	151		7,103	8,022	90
Rutland City	18.36	53		3.98	243		606	8,707	98
Barre City	16.07	47		3.05	195		6,012	8,773	98
Montpelier	19.52	55		3.95	242		7,915	9,798	110
Hartford	27.79	61		3.48	232		8,985	9,534	107
Brattleboro	21.06	57		3.51	233		848	9,938	111
Springfield	13.69	42		2.98	189		9,323	9,938	111

Table 4, Concluded

Table 5

TOWNS AND VILLAGES IN VERMONT SERVED BY STATE POLICE OUTPOSTS:  
EFFECTIVE TAX RATES; PER CAPITA VALUE OF TAXABLE PROPERTY;  
MEDIAN FAMILY INCOME; PER CAPITA VALUE OF OUTPOST SERVICES

Name and Location of Outpost	Towns Included	Effective Tax Rate	State Rank	Per Capita Value of Taxable Property	Median Family Income (MFI)	MFI As Percentage of State MFI	Per Capita Value of Outpost Services
1. Plainfield/ Marshfield/ Cabot	Marshfield Plainfield Cabot	\$3.48 2.98 3.62	231 190 239	\$ 6,141 3,318 10,798	\$ 9,104 8,200 7,667	102% 92 86	\$3.51
2. Ryegate/ Wells River	Peacham Groton Barnet Ryegate Topsham Newbury Corinth Bradford	3.01 3.05 3.56 2.99 2.33 2.03 1.81 3.10	193 194 235 191 112 76 48 200	15,259 9,263 10,182 10,075 9,127 11,352 13,505 8,514	6,104 6,613 8,000 7,305 6,357 6,845 6,583 7,825	68 74 90 82 71 77 74 88	New <sup>1</sup>
3. Fairlee	Fairlee West Fairlee Vershire Strafford Thetford	1.90 1.52 2.11 1.99 1.88	63 146 83 70 58	12,977 11,743 13,847 14,957 11,002	8,038 6,977 8,167 8,167 9,100	90 78 91 91 102	4.83
4. Waitsfield	Waitsfield Fayston Warren	1.80 1.07 1.51	46 11 31	15,751 55,820 34,083	9,024 6,818 9,083	101 76 102	18.47
5. Ferrisburg	Ferrisburg Monkton Starksboro	2.45 3.19 1.82	134 209 149	12,341 7,960 9,325	8,377 9,121 10,190	94 102 114	3.86
6. Orwell	Bridport Shoreham Orwell	2.04 2.71 2.48	78 159 139	10,355 12,333 11,679	9,088 7,033 6,415	102 79 72	6.67

Table 5, Continued

Name and Location of Outpost	Towns Included	Effective Tax Rate	State Rank	Per Capita Value of Taxable Property	Median Family Income (MFI)	MFI As Percentage of State MFI	Per Capita Value of Outpost Services
7. Fair Haven	Poultney Fair Haven	\$1.85 2.83	51 176	\$ 7,861 4,617	\$ 8,241 7,463	92% 84	\$ 2.81
8. Grand Isle	Grand Isle South Hero North Hero Isle LaMotte Alburg	2.34 1.46 1.44 2.19 2.13	114 27 25 96 89	13,075 14,987 24,113 15,610 9,733	8,500 10,316 7,732 4,400 8,839	95 116 87 49 99	4.40
9. Montgomery	Richford Montgomery	2.40 1.69	123 41	5,284 14,152	7,429 5,295	83 59	6.04
10. Canaan/ Island Pond	Canaan Norton Averill Avery's Gore Warner's Grant Warner's Gore Lemington Bloomfield Brunswick Lewis Maidstone Brighton	2.29 2.00 -- -- -- -- 2.52 2.12 1.12 -- .67 3.65	108 71 -- -- -- -- 143 86 14 -- 4 240	9,433 14,164 -- -- -- -- 11,671 9,105 22,280 -- 33,267 4,243	8,194 6,667 -- -- -- -- 20,000 5,125 6,250 -- 8,100 6,630	92 75 -- -- -- -- 224 57 70 -- 91 74	21.14
11. Barton	Albany Barton Glover Westmore	2.52 2.33 2.35 1.03	145 113 115 10	7,933 7,940 9,776 34,327	5,444 7,173 6,455 7,531	61 80 72 84	New <sup>1</sup>
12. Calais	Calais East Montpelier Woodbury	3.31 3.60 2.29	222 237 109	8,558 6,697 12,998	6,735 9,791 5,200	75 110 58	New <sup>1</sup>
13. Chelsea	Chelsea Tunbridge Washington	2.42 1.88 2.48	126 57 137	8,022 12,111 8,415	6,583 6,477 6,500	74 73 73	New <sup>1</sup>

14. Rochester	Hancock Granville Rochester	1.79 1.95 2.72	45 68 162	11,850 12,420 9,736	7,000	80	New <sup>1</sup>
15. Sherburne	Sherburne Mendon Pittsfield	1.33 1.86 2.12	22 52 87	44,898 14,315 18,860	10,848 9,200 4,444	121 103 50	New <sup>1</sup>
16. Plymouth	Plymouth Bridgewater Reading	.66 2.27 2.09	61 106 81	49,956 12,841 11,776	7,409 9,853 8,633	83 110 97	New <sup>1</sup>
17. Jay/ North Troy	Jay Troy	1.17 2.18	15 95	48,088 8,409	7,500 6,125	84 69	11.13
18. Hartland	Hartland Pomfret Woodstock	2.54 1.89 1.80	148 61 47	9,208 18,074 17,513	8,952 8,662 10,327	100 97 116	4.49
19. Dorset/ Danby	Danby Dorset	2.26 .95	105 9	12,246 30,806	6,600 8,352	74 94	7.61
20. Jamaica	Jamaica Landgrove Wardsboro Stratton Somerset	1.86 2.97 1.32 .50 --	53 187 21 1 --	24,537 54,756 24,160 121,841 --	9,000 9,538 9,325 8,071 --	101 107 104 90 --	14.88
21. Newfane	Townshend Brookline Newfane	2.80 2.20 2.40	174 100 124	14,446 13,763 15,615	7,854 6,571 8,500	88 74 95	6.89
22. Wilmington	Wilmington Dover Whitingham Halifax	1.96 1.32 2.01 1.54	69 20 72 34	27,486 57,391 24,511 25,257	7,222 8,692 9,458 7,682	81 97 106 86	10.14
23. Gilman	Lunenburg Granby Guildhall Concord Kirby	1.78 3.32 1.48 2.30 2.60	44 223 30 110 152	11,618 16,913 17,462 7,043 10,494	7,946 11,000 7,400 7,667 9,062	89 123 83 86 101	17.18

Table 5, Continued

Name and Location of Outpost	Towns Included	Effective Tax Rate	State Rank	Per Capita Value of Taxable Property	Median Family Income (MFI)	MFI As Percentage of State MFI	Per Capita Value of Outpost Services
24. Hardwick	Hardwick	\$3.37	226	\$ 4,604	\$ 7,000	78%	\$ 3.76
	Craftsbury	2.43	128	9,502	8,464	95	
	Greensboro	1.29	17	24,498	8,823	99	
	Stannard	4.19	244	9,998	5,571	62	
	Walden	2.13	88	10,351	8,611	96	
25. Cambridge/Jeffersonville	Cambridge	2.15	94	12,058	8,183	92	.91
	Johnson	2.76	170	3,587	9,470	106	
26. Morrisville	Belvidere	2.12	85	8,025	7,417	83	4.27
	Waterville	3.06	196	4,908	6,722	75	
	Eden	2.44	130	10,732	10,574	118	
	Hyde Park	2.73	163	5,841	8,167	91	
	Wolcott	2.44	129	6,888	7,500	84	
	Elmore	1.86	55	16,017	7,579	85	
	Morristown	3.06	196	6,496	7,815	88	
	Stowe	2.27	107	23,474	11,305	127	
27. Enosburg	Berkshire	2.04	77	9,636	7,778	87	New <sup>1</sup>
	Bakersfield	2.19	97	8,477	6,177	69	
	Enosburg	2.19	98	6,544	7,171	80	
28. Mt. Holly	Mt. Holly	1.56	38	19,833	9,750	109	4.49
	Wallingford	2.20	101	10,025	9,240	103	
	Weston	1.75	43	22,050	9,033	101	
29. Londonderry	Landgrove	.93	8	54,756	--	--	New <sup>1</sup>
	Londonderry	1.43	24	23,539	8,115	91	
	Peru	.87	7	59,478	10,615	119	
	Winhall	.82	6	85,595	7,500	84	
	Grafton	1.52	33	24,444	8,912	100	
30. Readsboro	Readsboro	2.83	177	12,705	8,672	97	New <sup>1</sup>
	Searsburg	.81	5	59,636	--	--	
	Woodford	1.54	35	14,446	8,222	92	
	Stamford	2.22	103	11,538	8,638	97	

<sup>1</sup>Some of these towns are presently in different outposts than they were at the time of the fiscal analysis, Fiscal Year 1972. Therefore, per capita data does not pertain.

## Section IV

### OPERATIONAL ASPECTS OF THE PRESENT SYSTEM

#### Introduction

In order to understand the operations of Vermont's three major police agencies, the state police, sheriffs and local police, the Governor's Justice Commission conducted a field survey during the summer of 1973. The survey focused on deployment of manpower, availability and utilization of equipment, geographical coverage, communications and record keeping. Two interview-survey instruments were developed, one for chiefs, sheriffs and troop commanders and the other for patrolmen, full-time deputy sheriffs and troopers. Only local police agencies with one or more full-time officers were included, thereby excluding several part-time departments. Similarly, only full-time sheriffs' deputies were included. Within the state police, the sample was drawn from the field officers. State police officers working out of central headquarters were not included. The "chiefs" questionnaire was administered to all chiefs, sheriffs and troop commanders. The "officers" questionnaire was administered to a one in five sample. A total of 84 chiefs (sheriffs, troop commanders) and 100 officers were interviewed. Every effort was made to insure impartial but thorough acquisition and recording of information. The data gathered in the interview process was then transcribed to the storage facilities to assure confidentiality and anonymity. Because the questionnaires were designed so that both facts and opinions could be obtained from the interviewees, coding was done with greatest care so that it would not be possible to identify the specific

source of opinions expressed. The information presented in this section comes from the "fact based" sections of the survey.

Supplemental information was obtained from several agencies of state government including the State Planning Office, the planning division of the Department of Public Safety, the Department of Personnel and the Highway Department. The expenditure figures were taken from the police profile developed by the Vermont League of Cities and Towns in 1973.

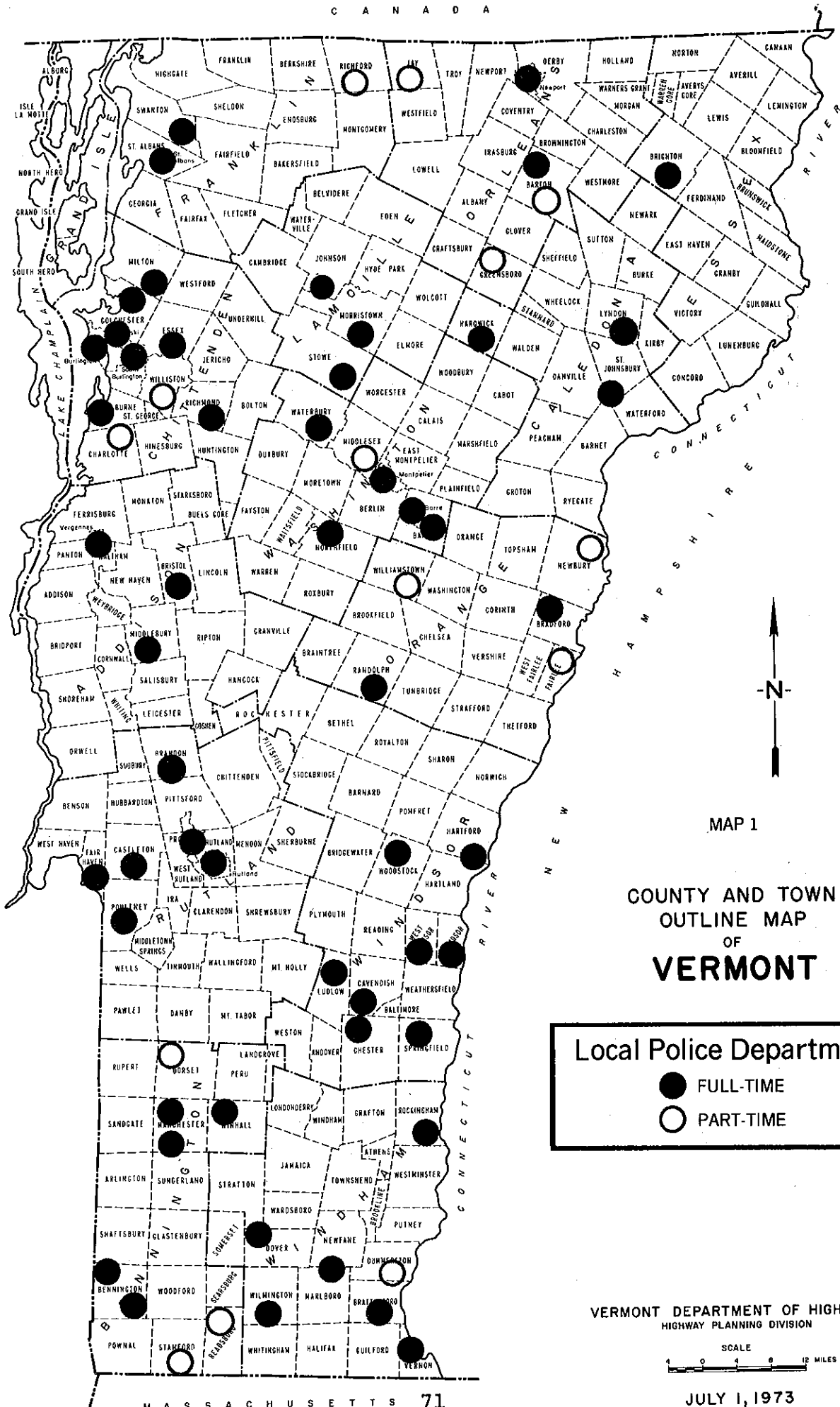
#### The Local Police

In the summer of 1973, Vermont had 70 local police departments of which 53 had at least one full-time officer. The information presented in this section was derived from those 53 departments. It must be noted that several of the 17 part-time departments have police coverage for more than 40 hours per week, but it is provided by two or more part-time police officers and, therefore, does not fit the definition of a full-time department used for this survey. (See Map 1.)

#### Number of Personnel

The 53 full-time local police departments employ 410 full-time sworn officers, 171 part-time sworn personnel, and 69 full-time and 22 part-time civilian employees. The total manpower is 672 persons, of which 581 are sworn police officers.





MAP 1

COUNTY AND TOWN  
OUTLINE MAP  
OF  
**VERMONT**

**Local Police Departments**

- FULL-TIME
- PART-TIME

VERMONT DEPARTMENT OF HIGHWAYS  
HIGHWAY PLANNING DIVISION

SCALE  
0 4 8 12 MILES

JULY 1, 1973

### Specialists

Local police departments have a full assortment of specialists, including 13 juvenile officers, 15 detective/investigators, 28 full-time dispatchers, and 29 clerk dispatchers. Twelve of the departments are one man departments (defined as having only one sworn officer on a full-time basis).

Table 6

#### NUMBER OF LOCAL POLICE DEPARTMENTS BY SIZE OF DEPARTMENTS

<u>Size of Departments</u>	<u>Number of Departments</u>
One Man	12
Two Men	12
Three Men	4
Four Men	4
Five to Nine Men	7
Ten or More Men	14

### Shifts

Of the 53 full-time departments, five have one shift, 15 have two shifts, 15 have three shifts, four have four shifts (where two shifts overlap), nine have no shifts but work set hours, four have no shifts but are always on call, and one has more than four separate shifts. Twenty-seven departments state that they provide twenty-four hour coverage.

### Special Officers

When asked about when and how special officers or "specials" (officers who are called in for duty only when needed) are used, some 31 departments responded. Twenty-two departments stated that specials are used only on assignment, one

only at the special's discretion, and eight at both the special's discretion and on assignment.

In response to the question of whether the local department would replace specials with full-time men if possible, 26 said they definitely would, three said they definitely would not, and 10 stated that they would rather hire more full-time personnel and still retain the use of specials. The most frequently cited reasons for using specials were their availability, the reasonable costs, the manpower support, and for emergency use. Three departments said there were no advantages in the use of specials, but eighteen departments said there were no disadvantages in their use. Lack of training and unreliability were two negative points made about the use of specials. Twelve departments said they would recruit among their specials in filling departmental vacancies while seven said they would not do so.

#### Larger Police Departments

Fourteen communities have police departments with ten or more full-time employees. These 14 departments account for almost 45 percent of all the local police department employees in the state, or 301 personnel. Some 166,085 people reside in these fourteen communities, representing 36 percent of the state's population. (See Table 7 following.)

#### Summary of Personnel Levels and Costs

Table 8 summarizes personnel level and local costs by county for municipal police departments including part time. The number of full-time personnel was obtained from the police

services survey; the local departments' 1972 expenditures came from the Vermont League of Cities and Towns Local Law Enforcement Profile; and the 1972 estimated population from the Vermont Census Coordinator in the Department of Health.

Table 7

LOCAL POLICE DEPARTMENTS WITH  
TEN OR MORE PERSONNEL, 1973

<u>Town</u>	<u>Population</u>	<u>Number of Personnel</u>
Bennington	15,651	20
St. Johnsbury	7,115	10
Burlington	36,489	71
Colchester	9,497	10
Essex Junction	6,273	11
So. Burlington	10,021	22
St. Albans City	8,106	14
Newport City	4,675	13
Rutland City	19,826	32
Barre City	10,340	17
Montpelier	8,783	16
Brattleboro	12,420	25
Hartford	6,246	18
Springfield	10,643	22
<u>14</u>	<u>166,085</u>	<u>301</u>
	Totals	

Table 8

**SUMMARY OF PERSONNEL LEVELS, LOCAL EXPENDITURES, PER/CAPITA COSTS, AND  
1972 ESTIMATED POPULATION FOR VERMONT TOWNS WITH LOCAL POLICE DEPARTMENTS.**

Number Of Personnel 1973	Municipality By County	Local Police Departments Total Expenditure 1972	Per/Capita Costs, 1972	1972 Estimated Population
<u>ADDISON</u>				
2	Bristol Village	\$ 16,659.77	\$ 9.22	1,806
6	Middlebury	64,315.00	9.58	6,710
2	Vergennes	29,867.79	14.30	2,088
<u>BENNINGTON</u>				
20	Bennington	220,832.00	14.11	15,651
-	Dorset	7,189.00	5.31	1,354
7	Manchester Town	50,547.00	17.78	2,843
1	Manchester Village	22,200.00	44.76	496
1	Old Bennington	10,936.00	36.14	288
-	Readsboro *	7,340.00	10.58	694
-	Stanford *	1,000.00	1.27	787
2	Winhall	20,780.00	61.85	336
<u>CALEDONIA</u>				
2	Hardwick Village	13,102.58	7.77	1,686
1	Lyndonville	7,988.88	4.97	1,607
10	St. Johnsbury	116,477.26	16.37	7,115
<u>CHITTENDEN</u>				
71	Burlington	652,068.00	17.87	36,489
-	Charlotte *	1,500.00	.73	2,062
10	Colchester	77,610.00	8.17	9,497
11	Essex Junction	156,743.86	24.99	6,273
3	Milton	49,888.65	9.50	5,249

\* Denotes towns with part-time departments.

(cont.)

SUMMARY OF PERSONNEL LEVELS, LOCAL EXPENDITURES, PER/CAPITA COSTS, AND  
1972 ESTIMATED POPULATION FOR VERMONT TOWNS WITH LOCAL POLICE DEPARTMENTS.

Number Of Personnel 1973	Municipality By County	Local Police Departments Total Expenditure 1972	Per/Capita Costs, 1972	1972 Estimated Population
<u>CHITTENDEN (cont.)</u>				
2	Richmond	\$ 16,285.07	\$ 6.36	2,562
5	Shelburne	82,138.04	20.55	3,997
22	So. Burlington	274,750.00	27.42	10,021
-	Williston *	1,500.00	.45	3,358
9	Winooski	87,912.85	13.42	6,552
<u>ESSEX</u>				
0 **	Island Pond	7,000.00	5.79	1,210
<u>FRANKLIN</u>				
-	Richford Village *	1,500.00	.96	1,557
14	St. Albans City	98,202.81	12.11	8,106
2	Swanton Village	20,164.00	7.82	2,577
<u>LAMOILLE</u>				
1	Johnson	10,385.84	4.19	2,481
4	Morrisstown	34,502.08	7.99	4,317
5	Stowe	63,415.89	24.90	2,547

\* Denotes towns with part-time departments.

\*\* Island Pond had a one-man department, which was disbanded the day the survey interview was scheduled.

(cont.)

SUMMARY OF PERSONNEL LEVELS, LOCAL EXPENDITURES, PER/CAPITA COSTS, AND  
1972 ESTIMATED POPULATION FOR VERMONT TOWNS WITH LOCAL POLICE DEPARTMENTS.

Number Of Personnel 1973	Municipality By County	Local Police Departments Total Expenditure 1972	Per/Capita Costs, 1972	1972 Estimated Population
<u>ORANGE</u>				
1	Bradford	\$ 11,537.04	\$ 6.59	1,752
-	Fairlee *	2,336.95	2.73	856
3	Randolph Village	26,025.00	13.98	1,861
-	Wells River Village*	1,800.00	4.38	411
-	Williamstown*	5,000.00	2.71	1,996
<u>ORLEANS</u>				
1	Barton Village	28,711.27	27.96	1,027
-	Greensboro*	6,373.33	10.40	613
1	Jay	6,682.40	41.77	160
-	Orleans Village*	3,700.00	3.33	1,112
13	Newport City	77,473.00	62.68	4,675
<u>RUTLAND</u>				
4	Brandon	17,251.50	3.24	3,786
2	Castleton	13,453.14	4.11	3,271
2	Fair Haven	10,783.70	3.66	2,943
1	Poultney	22,050.00	6.69	3,298
1	Proctor	8,308.55	3.73	2,225
32	Rutland City	364,010.73	18.36	19,826

\* Denotes towns with part-time departments.

(cont.)

**SUMMARY OF PERSONNEL LEVELS, LOCAL EXPENDITURES, PER/CAPITA COSTS, AND  
1972 ESTIMATED POPULATION FOR VERMONT TOWNS WITH LOCAL POLICE DEPARTMENTS.**

Number of Personnel 1973	Municipality By County	Local Police Departments Total Expenditure 1972	Per/Capita Costs, 1972	1972 Estimated Population
<u>WASHINGTON</u>				
17	Barre City	\$166,155.41	\$16.07	10,340
3	Barre Town	33,891.35	4.83	7,021
-	Middlesex*	5,720.00	5.44	969
16	Montpelier	171,415.21	19.52	8,783
2	Northfield	29,097.09	5.78	5,034
3	Waterbury Village	35,723.36	12.74	2,804
<u>WINDHAM</u>				
7	Bellows Falls	71,977.39	19.40	3,711
25	Brattleboro	261,587.00	21.06	12,420
2	Dover	17,736.73	28.79	616
-	Dummerston*	1,800.00	1.47	1,223
1	Marlboro	6,369.42	9.30	685
-	Vernon*	6,766.24	(pd by Pvt. co.)	1,218
4	Wilmington	43,456.00	29.05	1,496
<u>WINDSOR</u>				
1	Cavendish	9,725.00	7.40	1,314
1	Chester	18,055.00	7.26	2,486
18	Hartford	173,583.00	27.79	6,246
2	Ludlow	40,500.00	15.97	2,536
22	Springfield	145,665.84	13.69	10,643

\* Denotes towns with part-time departments.

(cont.)



SUMMARY OF PERSONNEL LEVELS, LOCAL EXPENDITURES, PER/CAPITA COSTS, AND  
1972 ESTIMATED POPULATION FOR VERMONT TOWNS WITH LOCAL POLICE DEPARTMENTS.

Number Of Personnel 1973	Municipality By County	Local Police Departments Total Expenditure 1972	Per/Capita Costs, 1972	1972 Estimated Population
<u>WINDSOR (cont.)</u>				
2	Weatherfield	\$ 20,585.00	\$ 9.26	2,222
7	Windsor	77,695.34	17.95	4,329
4	Woodstock	<u>30,450.00</u>	10.41	<u>2,926</u>
410	TOTALS	\$4,024,286.44		291,150

### The Sheriffs

Every county has an elected sheriff who has full law enforcement powers as well as the specific responsibilities of transporting prisoners and mental patients and performing the functions of court officer. The use of those law enforcement powers, however, is largely up to the discretion of each individual sheriff. Within the fourteen offices of sheriff in Vermont, one can see a wide range of utilization of powers. Several sheriffs stated in the survey that they are not interested in, nor do they intend to perform law enforcement duties. Several others have developed a well organized structure and have considered law enforcement their main responsibility.

### Personnel

Within the fourteen county sheriffs' departments, there are 33 full-time sworn officers (fourteen sheriffs and nineteen full-time deputies) plus 617 part-time deputies. The survey was not able to determine how many of these part-time deputies were regularly used, nor how much training (above the required thirty hours) and supervision they receive. Their powers, however, are legally identical to those of the sheriff himself. There are also six full-time and twenty-two part-time civilians working in the sheriffs' departments. In addition, included in that number are a total of one full-time dispatcher and four clerk/dispatchers, plus three secretaries in various sheriffs' departments.

The following chart depicts the level of personnel in each county sheriff's department:

Table 9

PERSONNEL IN SHERIFFS'  
DEPARTMENTS, 1973

<u>County</u>	<u>Sheriff</u>	<u>Deputies Full-Time</u>	<u>Deputies Part-Time</u>	<u>Civilians</u>
Addison	1	1	20	7
Bennington	1	0	29	0
Caledonia	1	1	40	0
Chittenden	1	1	185	1
Essex	1	0	10	0
Franklin	1	2	54	1
Grand Isle	1	0	10	1
Lamoille	1	1	22	0
Orange	1	1	46	3
Orleans	1	1	49	0
Rutland	1	2	59	10
Washington	1	2	35	3
Windham	1	6	40	1
Windsor	<u>1</u>	<u>1</u>	<u>18</u>	<u>1</u>
Totals	14	19	617	28

Shifts

Five sheriff's departments have regular shifts; three have one shift and two maintain three shifts. Eight other departments do not work shifts per se, but three of these have their personnel working set numbers of hours and five others are always on call. (One sheriff did not provide the answers to these questions.) Four departments describe their operations as having 24-hour coverage while seven others always have someone on call after regular hours.

Part-Time Deputy Sheriffs

In response to questions on use of part-time deputies, seven sheriffs reported that their deputies work only on

assignment, one said his deputies work at their own discretion, one cited both of the above conditions. Five others gave a general response indicating the deputies worked under one or the other of these conditions.

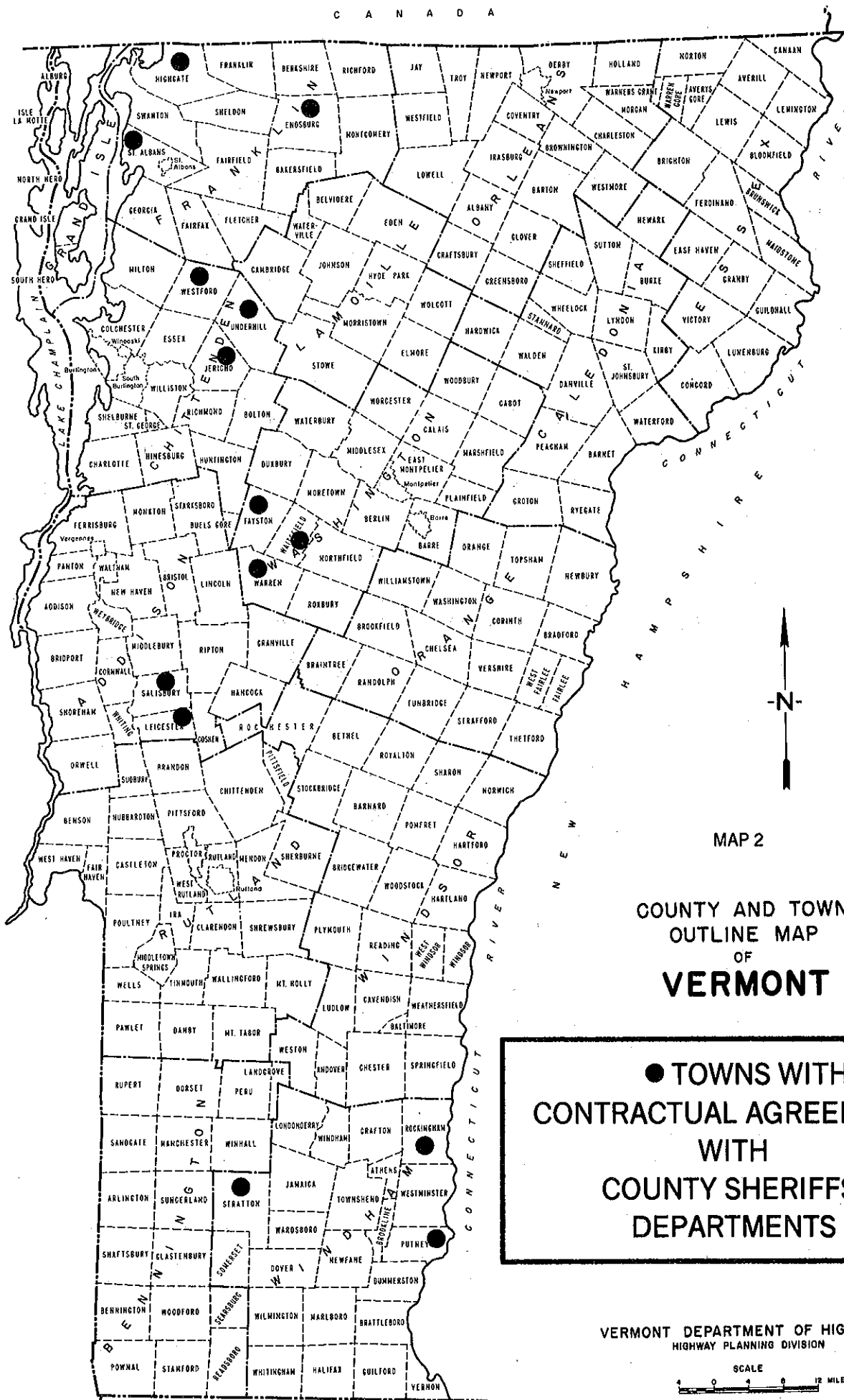
Ten sheriffs said they would definitely replace part-time deputies with full-time deputies if possible, while three others said they would retain their part-time deputies and would prefer to hire other full-time personnel. Extra manpower support plus availability were the only reasons cited more than once in describing the advantages of part-time deputies. Only one sheriff cited a disadvantage in their use, and his reason was the unreliability of part-time personnel. Nine sheriffs reported that they would consider the part-time personnel in filling full-time vacancies. Three others said they would not.

#### Contractual Services

Map 2 locates those towns which have contractual agreements with the county sheriffs' departments. Such agreements allow the town to receive police protection from the sheriff's office on a regular basis for an agreed upon rate. The volume of coverage provided varies extensively from town to town.

#### The State Police

The Vermont state police are structured to provide both general law enforcement and ancillary services (such as the crime laboratory, drug unit, etc.). For purposes of the police services survey, attention was given only to the general law



MAP 2

COUNTY AND TOWN  
OUTLINE MAP  
OF  
**VERMONT**

VERMONT DEPARTMENT OF HIGHWAYS  
HIGHWAY PLANNING DIVISION

SCALE  
0 1 2 3 4 5 6 7 8 9 10 11 12 MILES

JULY 1, 1973

enforcement section as defined by the troops, subtroops, and outposts. All five troop commanders were interviewed as were the sergeants heading up the six subtroops. In addition to these eleven locations, there are 33 outposts manned by 37 troopers.

### Personnel

There are 191 full-time sworn officers in troops plus 56 civilians. In addition, 48 sworn officers work out of the Department of Public Safety headquarters (Redstone) in Montpelier.

Table 10

#### STATE POLICE FIELD PERSONNEL, 1973, AS REPORTED BY TROOP AND SUBTROOP COMMANDERS

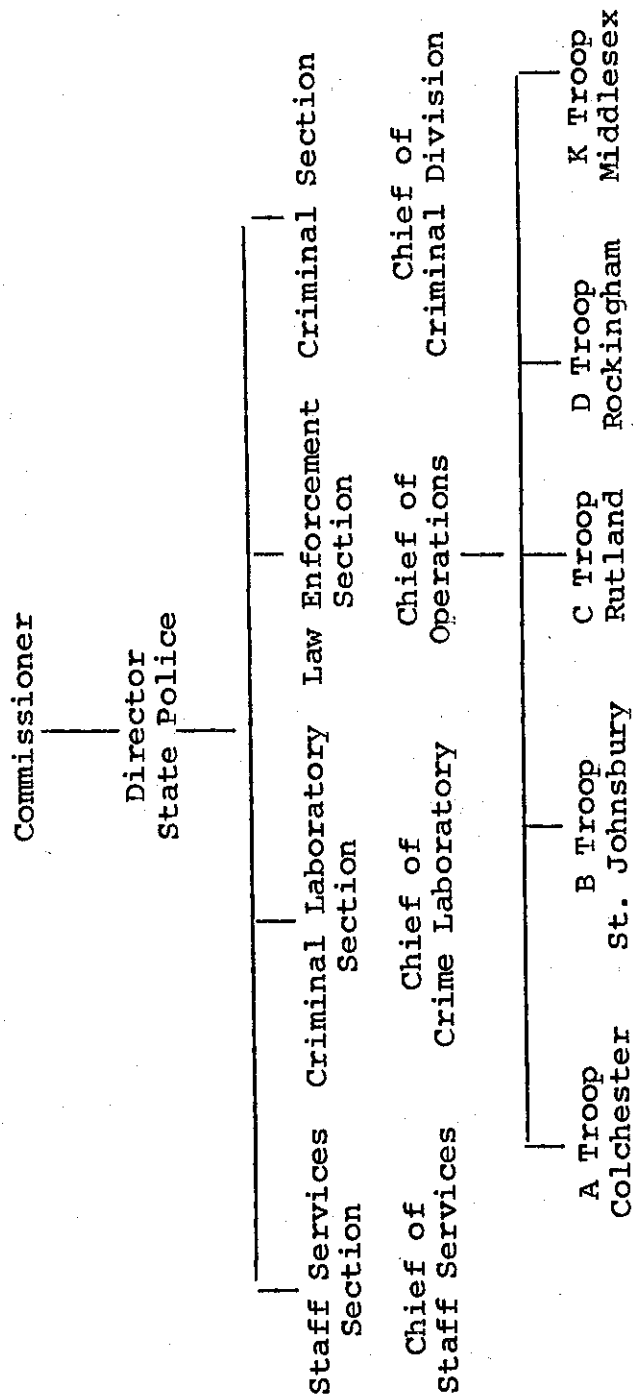
<u>Troop</u>	<u>Subtroop</u>	<u>Full-Time Uniformed</u>	<u>Full-Time Civilian</u>
"A" Troop		55	15
	St. Albans	15	5
	Colchester	24	5
	Middlebury	12	5
"B" Troop		34	11
	Derby	13	5
	St. Johnsbury	19	5
"C" Troop		29	10
	Rutland	17	5
	So. Shaftsbury	8	5
"D" Troop		50	15
	Bethel	12	5
	Brattleboro	13	5
	Rockingham	25	5
"K" Troop		27	5
	Middlesex	27	5

### Structural Organization

The state police division of the Department of Public Safety contains the five troop headquarters, and the specialized services which are conducted from the headquarters in Montpelier. (See Table 11.)

Table 11

DEPARTMENT OF PUBLIC SAFETY  
STATE POLICE DIVISION  
JULY 15, 1974



### Outposts

The outposts were structually established from the very beginning of the Vermont State Police, and have been variously expanded or decreased according to local demand and legislative decree. At present there are 33 outposts with a total of 37 troopers. Five of the outposts have two men, and in several instances two outposts work together in terms of shared coverage. In the single man outposts, the troopers function semi-autonomously, although they have the back-up resources provided by the troops and subtroops. Although the outposts have no formal boundaries, there are recognized territorial "areas of influence." (See footnote on Table 12.) Table 12 presents a list of the outposts, noting location by county, towns included within the areas of influence, the 1972 estimated population and the number of troopers per outpost. Map 3 shows the locations of the outposts, while Map 4 shows the boundaries and locations of the five troops and six subtroops.

### Police Coverage

Eighty-one percent of the state's population is served by a direct police service, either from a state police outpost, a sheriff's contractual service or full or part-time local police departments. This high figure, however, should be broken out to show the levels of service provided. Full-time local police departments serve 60 percent of the state's population, whereas part-time departments serve another three percent. The sheriffs' contractual areas include four percent of the total population. The state police outposts serve another 14 percent of the state's population, which are not in some way served by other police services. Two percent of the population is served simultaneously by both outposts and local police services. (See Table 13.)



Table 12  
STATE POLICE OUTPOSTS

NAME AND LOCATION OF OUTPOST	"AREAS OF INFLUENCE" TOWNS INCLUDED	1972 ESTIMATED POPULATION	NUMBER OF TROOPERS IN OUTPOST
1. Plainfield/ Marshfield/ Cabot (Washington Co.)	Marshfield Plainfield Cabot	1,106 1,891 802	1
2. Ryegate/ Wells River (Caledonia & Orange Co.)	Peacham Groton Barnet Ryegate Topsham Newbury Corinth Bradford	470 704 1,366 846 699 1,416 725 1,752	3
3. Fairlee (Orange Co.)	Fairlee West Fairlee Vershire Strafford Thetford	856 365 327 548 1,535	1
4. Waitsfield (Washington Co.)	Waitsfield Fayston Warren	961 307 631	2
5. Ferrisburg (Addison Co.)	Ferrisburg Monkton Starksboro	1,810 816 823	1
6. Orwell (Addison Co.)	Bridport Shoreham Orwell	903 829 895	1
7. Fair Haven (Rutland Co.)	Poultney Fair Haven	3,248 2,943	1
8. Grand Isle (Grand Isle Co.)	Grand Isle South Hero North Hero Isle LaMotte Alburg	925 1,030 431 300 1,298	1
9. Montgomery (Franklin Co.)	Richford Montgomery	2,154 749	1

(con't)

# STATE POLICE OUTPOSTS

NAME AND LOCATION OF OUTPOST	"AREAS OF INFLUENCE" TOWNS INCLUDED	1972 ESTIMATED POPULATION	NUMBER OF TROOPERS IN OUTPOST
10. Canaan/ Island Pond (Essex Co.)	Canaan Norton Averill Avery's Gore Warner's Grant Warner's Gore Lemington Bloomfield Brunswick Lewis Maidstone Brighton	1,051 178 4 1 0 0 108 191 50 6 73 1,471	3
11. Barton (Orleans Co.)	Albany Barton Glover Westmore	564 2,807 724 210	
12. Calais (Washington Co.)	Calais East Montpelier Woodbury	936 1,722 428	1
13. Chelsea (Orange Co.)	Chelsea Tunbridge Washington	965 794 674	1
14. Rochester (Addison & Windsor Co.)	Hancock Granville Rochester	355 250 997	1
15. Sherburne (Rutland Co.)	Sherburne Mendon Pittsfield	566 766 296	1
16. Plymouth (Windsor Co.)	Plymouth Bridgewater Reading	261 821 592	
17. Jay/ North Troy (Orleans Co.)	Jay Troy	160 1,415	1
18. Hartland (Windsor Co.)	Hartland Pomfret Woodstock	1,999 697 2,926	1

(con't)

STATE POLICE OUTPOSTS

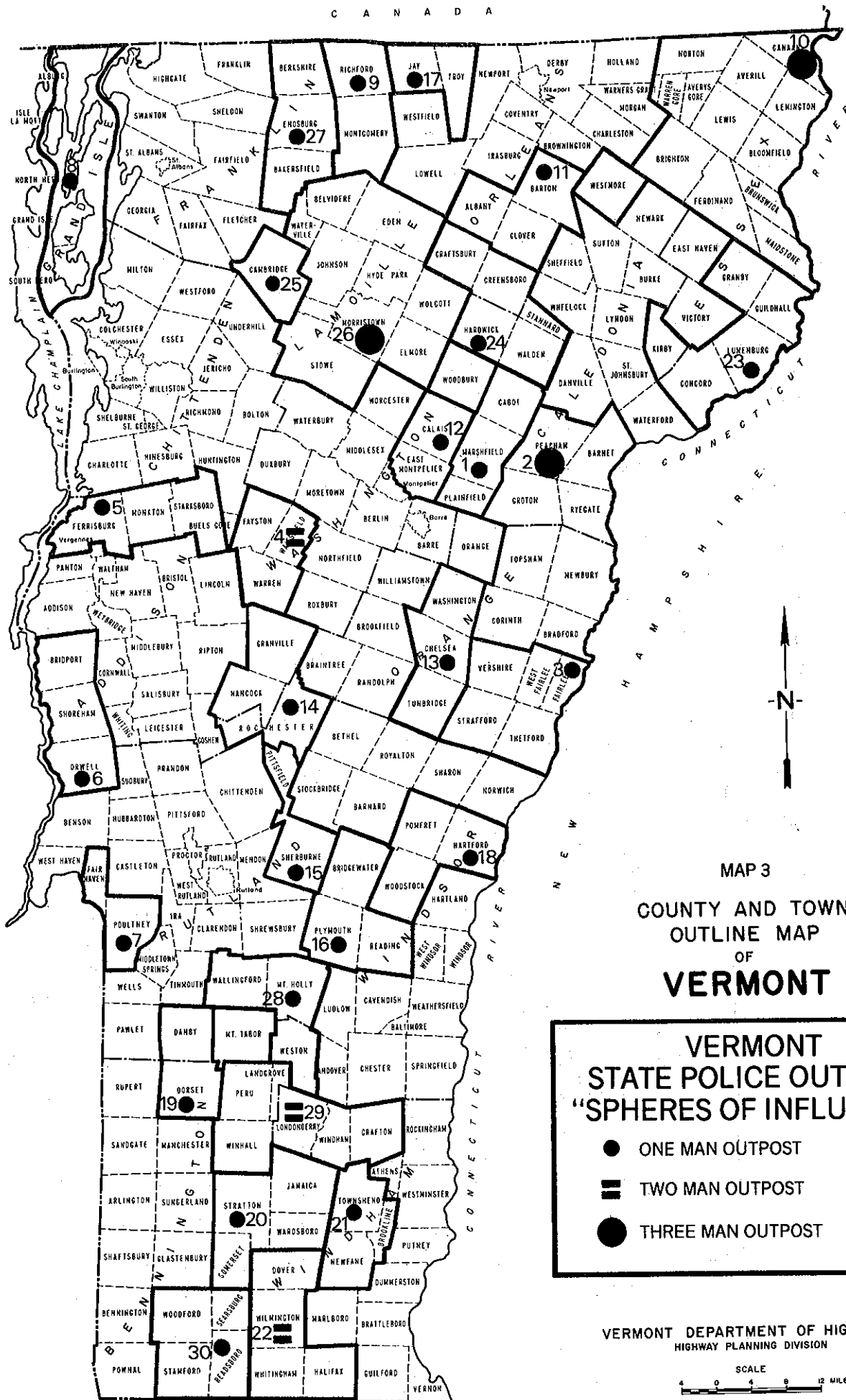
NAME AND LOCATION OF OUTPOST	"AREAS OF INFLUENCE" TOWNS INCLUDED	1972 ESTIMATED POPULATION	NUMBER OF TROOPERS IN OUTPOST
19. Dorset/ Danby (Rutland & Bennington Cos.)	Danby Dorset	949 1,354	1
20. Jamaica (Bennington & Windham Cos.)	Jamaica Landgrove Wardsboro Stratton Somerset	632 88 341 117 0	1
21. Newfane (Windham Co.)	Townshend Brookline Newfane	720 227 987	1
22. Wilmington (Windham Co.)	Wilmington Dover Whitingham Halifax	1,496 616 1,014 332	2
23. Gilman (Essex & Caledonia Cos.)	Lunenburg Granby Guildhall Concord Kirby	1,025 52 187 950 222	1
24. Hardwick (Orleans & Caledonia Cos.)	Hardwick Craftsbury Greensboro Stannard Walden	2,767 718 613 111 452	1
25. Cambridge/ Jeffersonville (Lamoille Co.)	Cambridge	1,644	1
26. Morrisville (Lamoille Co.)	Belvidere Waterville Eden Hyde Park Wolcott Elmore Morristown Stowe	211 384 491 1,477 732 281 4,317 2,547	3

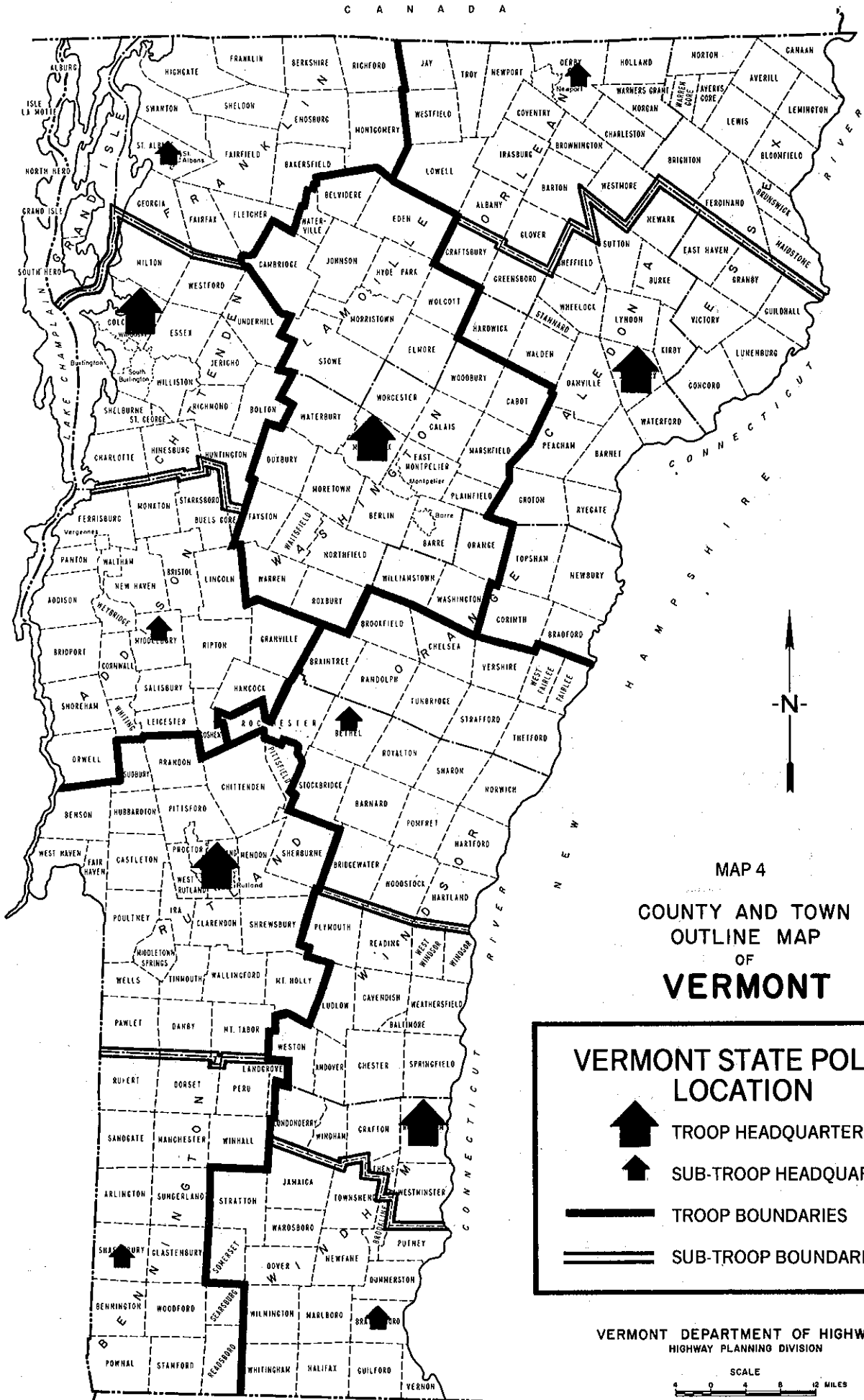
(con't)

# STATE POLICE OUTPOSTS

NAME AND LOCATION OF OUTPOST	"AREAS OF INFLUENCE" TOWNS INCLUDED	1972 ESTIMATED POPULATION	NUMBER OF TROOPERS IN OUTPOST
26. Morrisville (Lamoille Co.) (cont.)	Johnson	2,481	
27. Enosburg (Franklin Co.)	Berkshire Bakersfield Enosburg	914 688 2,008	1
28. Mt. Holly (Rutland Co.)	Mt. Holly Wallingford Weston	785 1,651 532	1
29. Londonderry (Windham, Windsor & Benning- ton Cos.)	Landgrove Londonderry Peru Winhall Grafton	88 1,229 215 336 470	2
30. Readsboro (Bennington Co.)	Readsboro Searsburg Woodford Stamford	694 82 296 787	1

NOTE: This information is as accurate as possible in terms of level of personnel, names of outposts, and "areas of influence". It was derived from the Department of Public Safety's Planning Division, cross-checked against the Departmental Organization and Program Memoranda, submitted to the Department of Budget and Management in August, 1973.





MAP 4  
COUNTY AND TOWN  
OUTLINE MAP  
OF  
**VERMONT**

**VERMONT STATE POLICE  
LOCATION**



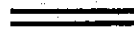
TROOP HEADQUARTERS



SUB-TROOP HEADQUARTERS



TROOP BOUNDARIES



SUB-TROOP BOUNDARIES

VERMONT DEPARTMENT OF HIGHWAYS  
HIGHWAY PLANNING DIVISION

SCALE  
0 4 8 12 MILES

Table 13

## POLICE COVERAGE BY PERCENT OF STATE POPULATION\*

	<u>Population</u>	<u>Percent of State Total</u>
Full-time Local Police Departments	276,154	60%
Part-time Local Police Departments	14,996	3%
All Local Police Departments	291,150	63%
State Police Outpost Areas, Total Towns Covered	103,257	22%
State Police Outpost Areas Less Areas Covered by all Local Police Departments	75,552	16%
Towns Contracting for Part-time Sheriffs' Services	19,151	4%
Areas with Sheriffs' Contractual Services but not Covered by Other Police Services	17,135	4%
All Areas of State Covered by Some Kind of Localized Police Service (LPDS, Sheriffs' Contracts, State Police Outposts)	374,609	81%
Local Police Departments Reporting that they Provide 24-Hour Coverage	195,339	42%
Local Police Departments with 10 or more Personnel, Reporting Provision of 24-Hour Coverage	166,085	36%

\*Note: These categories are not mutually exclusive.

The part-time police departments, the small local departments, the sheriffs, and the outposts all represent limited service in terms of coverage. That is, none of these agencies is able to maintain 24-hour coverage with reasonable backup services such as dispatching capability. The local departments with ten men or more are able to provide at least that

minimal level of service and, in fact, some 36 percent of Vermont's population is served by those 14 larger local police departments. (See Table 14 on page 95.)

Although the outpost trooper has the advantage of the full range of support services provided by the state police, he functions in fact as a one-man department in geographical areas larger than any served by one-man local departments. Therefore, the outpost cannot be considered a service providing 24-hour coverage. Another seven local departments reported that they provide 24-hour coverage, although they range in size from a two-man to a nine-man department. Despite the report from the local chief that 24-hour coverage is provided, it should be noted that it is impossible to provide true 24-hour coverage with less than five full-time police personnel.

#### Officer to Population Ratios

Because it is not known to the Governor's Commission on the Administration of Justice what percent of time is worked by part-time local police departments or by the sheriffs, it is not possible to accurately measure the relationship between all police officers in the local areas and the populations served. However, it is possible to perform these measures on full-time local departments and on outposts. The ratio of police officer to population for full-time local departments is one officer to 637 people, (See Table 15 on page 96.) while for persons served by the outposts the ratio is one officer to 2,042 people. For those departments with 10 or more personnel, the ratio is one officer to 552 people. The overall state ratio, measured



by totaling all full-time local police officers, sheriffs and full-time deputies, and all the sworn personnel in the Department of Public Safety, and then dividing the total state population by that sum, is one officer to 591 persons.

Table 14

TOWNS WITH LOCAL POLICE DEPARTMENTS REPORTING  
THAT THEY PROVIDE 24-HOUR COVERAGE, 1973

<u>County</u>	<u>Town</u>	<u>Population</u>
Addison	Middlebury	6,710
Bennington	Bennington	15,651
Caledonia	St. Johnsbury	7,115
Chittenden	Burlington	36,489
	Colchester	9,497
	Essex Junction	6,273
	South Burlington	10,021
	Winooski	6,552
Franklin	St. Albans	8,106
Orleans	Newport City	4,675
Rutland	Rutland City	19,826
Washington	Barre City	10,340
	Montpelier	8,783
	Waterbury Village	2,804
Windham	Bellows Falls	3,711
	Brattleboro	12,420
Windsor	Hartford	6,246
	Springfield	10,643
	Weathersfield	2,222
	Windsor	4,329
	Woodstock	2,926
Total		195,339

Table 15

POLICE OFFICER TO POPULATION RATIO

Full-Time Local Departments	1:637
State Police Outposts	1:2,042
Local Departments with 10 or More Personnel	1:552
All Full-Time Sworn Law Enforcement Officers	1:591

Activities Performed by Police Officers

In the officers' interviews in the police services survey, extensive questions were asked concerning the use of the police officers' time. Some 54 separate activities were itemized, separated into four broad categories including Traffic Related, Law Enforcement Related, Administrative, and Other activities. Each police officer was asked to respond to each activity on the list in terms of (1) percent of time spent, (2) how often the task is performed (frequency), (3) time taken each time the task is performed (time per job), and (4) the significance of the activity in the officer's opinion. The latter type of response was intended to be subjective in nature, whereas the first three responses were expected to be as factual as possible.

Percent of Time

The pie charts (Charts 16 & 17) designate the percent of time (averaged for all police officers) spent for each broad category of activity. Table 18 shows the percent of time spent on the individual activities within each broad category. Note the similarity in the percent of time spent in each set of activities by both the local and the state police. There is no significant difference in terms of "what they do" when examined in this manner.

Chart 16  
PERCENT OF TIME SPENT BY POLICE OFFICERS,  
BY CATEGORY OF ACTIVITY, 1973

Local Police

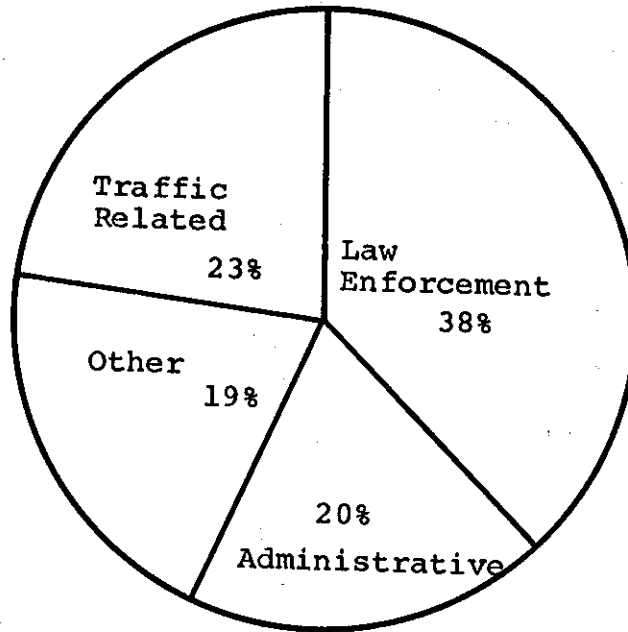


Chart 17  
PERCENT OF TIME SPENT BY POLICE OFFICERS,  
BY CATEGORY OF ACTIVITY, 1973

State Police

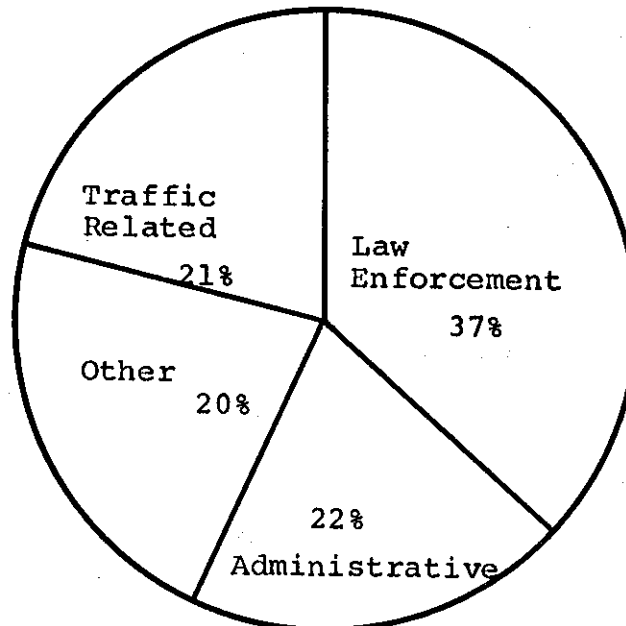


Table 18: PERCENT OF TIME SPENT IN INDIVIDUAL ACTIVITIES, BY  
GENERAL CATEGORY, FOR LOCAL AND STATE POLICE  
OFFICERS, 1973.

TRAFFIC RELATED

	<u>Local Police</u>	<u>State Police</u>
Parking Meter Enforcement	1%	0%
Other Stationary Veh. Violations	2	1
Parking Meter Collection -		
Other Fines	1	0
Moving Violations	3	5
Traffic Accidents	2	3
Traffic Control	2	1
Crossing Guard	1	1
Other Traffic	1	1
Cruising in Cars	10	9
TOTAL	<u>23%</u>	<u>21%</u>

LAW ENFORCEMENT RELATED

Walking Beat	3	0
Routine Door Checks	5	2
House Monitoring	2	2
Checking Bars	2	1
Answering Criminal Complaints	3	7
All Other Complaints	7	3
Stake-Outs	1	3
Raids	1	1
Getting Search Warrants	1	1
Processing Prisoners	2	1
Transporting Prisoners	1	1
Court Appearances	1	1
Court Preparation Time	2	3
Other Court Duties	1	2
Investigative Activities	6	9
TOTAL	<u>38%</u>	<u>37%</u>

ADMINISTRATION/STATION DUTIES

Dispatching	3	2
Record Keeping	1	1
Report-Writing	6	6
Typing	2	2
Talking to People in Stationhouse	2	1
Lock-Up Duties	1	2
Janitorial	1	1
Equipment Maintenance	1	1
Car Maintenance-Incl. Washing	1	1
Other Stationhouse Duties	2	5
TOTAL	<u>20%</u>	<u>22%</u>

Table 18 (concluded)

<u>OTHER</u>	<u>Local Police</u>	<u>State Police</u>
Ambulance Escort	1	1
Ambulance Driving	1	1
Fire Escort	1	1
Dog Catching	2	1
Money Escort	2	1
Funeral Escort	1	2
Other Kinds of Escort	1	1
Public & Private Function Security	1	1
Attending Meetings & Other		
Public Functions	1	1
Other Public Relations Activities	1	1
Search & Rescue	1	1
Process Serving	1	2
Assisting in Evictions	1	1
Work with Juveniles	2	2
Civil Commitments	1	1
Other Activities	1	2
TOTAL	<u>19</u>	<u>20</u>
	100%	100%

### Dispatching and Communications

The 1969 Adjourned Session of the Vermont General Assembly established the authority for the "construction and purchase of a statewide communications system for state and local governments" with the enactment of Act 290 (20 V.S.A. 1875). That act stipulated that the major items of equipment would be allocated to state and local law enforcement agencies as specified below.

Table 19

#### DISTRIBUTION OF STATEWIDE COMMUNICATIONS EQUIPMENT

<u>Type of Equipment</u>	<u>Recipient</u>	<u>Number of Units</u>
Mobile Radio Units	Governor	1
	Lieutenant Governor	1
	Attorney General	1
	Department of Corrections	16
	Sheriffs' Departments	29
	State's Attorneys	20
	State Police	162
	Local Police	105
Base Stations	Department of Corrections	7
	Vermont State Police	11
	Municipal Police	44
Portable Radio Units	State Police	30
	Municipal Police	102
	Department of Corrections	16
Repeaters	Common Use	13

Since the implementation of the statewide communications system in 1970, additional radio equipment has been purchased by both state and local police agencies. To date, approximately \$1.5 million of state and Governor's Commission on the Administration of Justice awarded funds have been allocated to communications equipment. This figure does not include equipment purchased privately or with local funds.

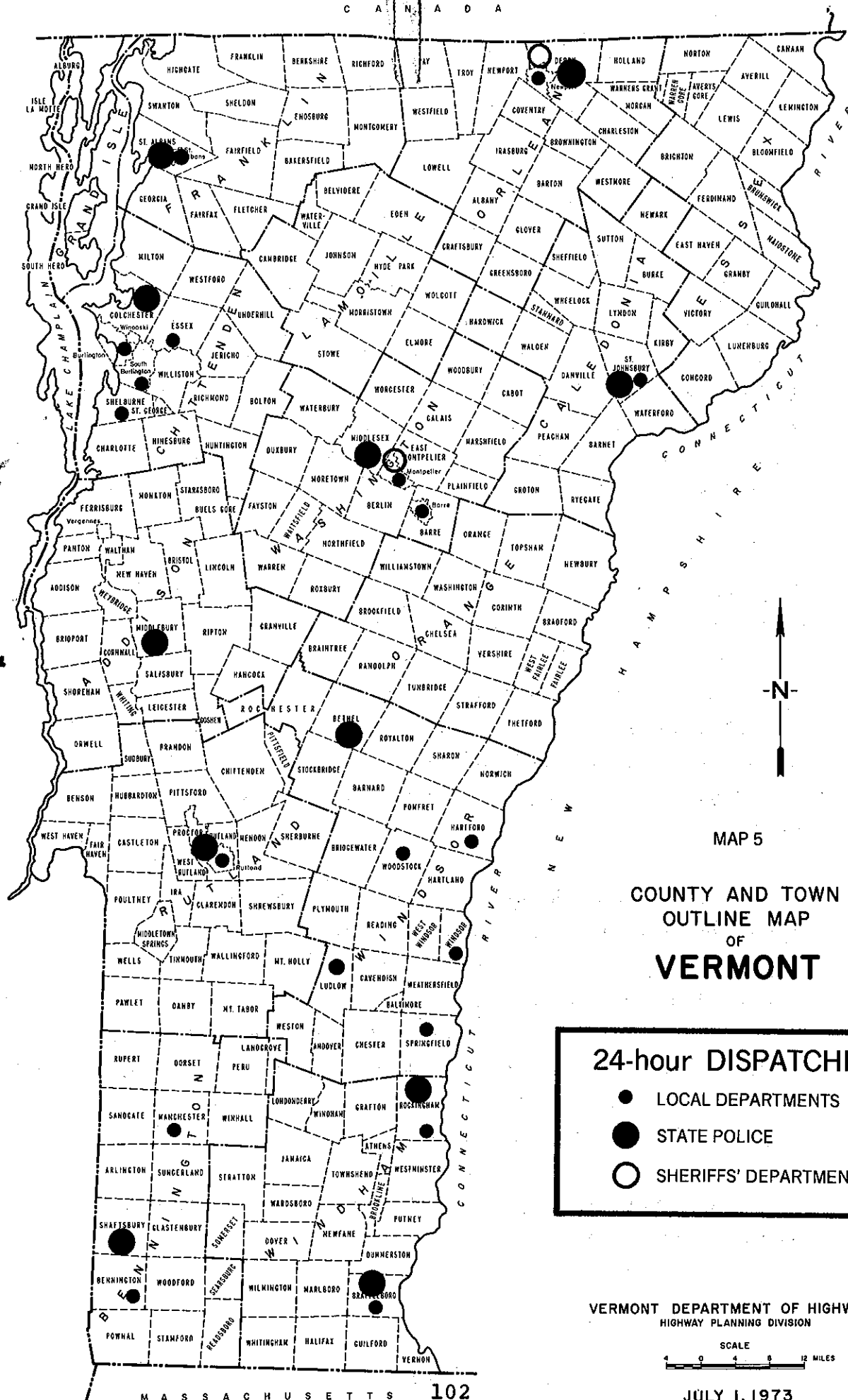
### The Present System

Currently there are 19 local police departments, 11 state police troop and sub-troop units, and two sheriff's departments with the capability of providing 24-hour dispatching. The location of these departments and troops is shown on Map 5. Larger local departments and the state police hire civilians to dispatch. In the smaller local departments as well as in the sheriffs' offices the dispatch duties are often assumed by police officers and sheriffs' deputies.

Twenty-six of the local departments receive dispatching and telephone support from the state police. This assistance most often involves using a telephone call diverter which transmits all incoming calls to the nearest troop or sub-troop headquarters. The local departments normally utilize this assistance between 5:00 p.m. and 8:00 a.m., but occasionally the service is requested during the day. The location of these departments is illustrated on Map 6.

Three local departments, Milton, Winooski and Colchester (see Map 5), are dispatched by the South Burlington police department. The remaining 20 local departments, both full and part-time, and the 12 sheriffs' departments do not have what is considered a 24-hour dispatching capability. In five of these departments a limited capability exists inasmuch as the sheriff or chief responds to the telephone call at night, if he is available or awake.

The state police have 45 full-time clerk/dispatchers, local departments have 57 full-time clerk/dispatchers, and

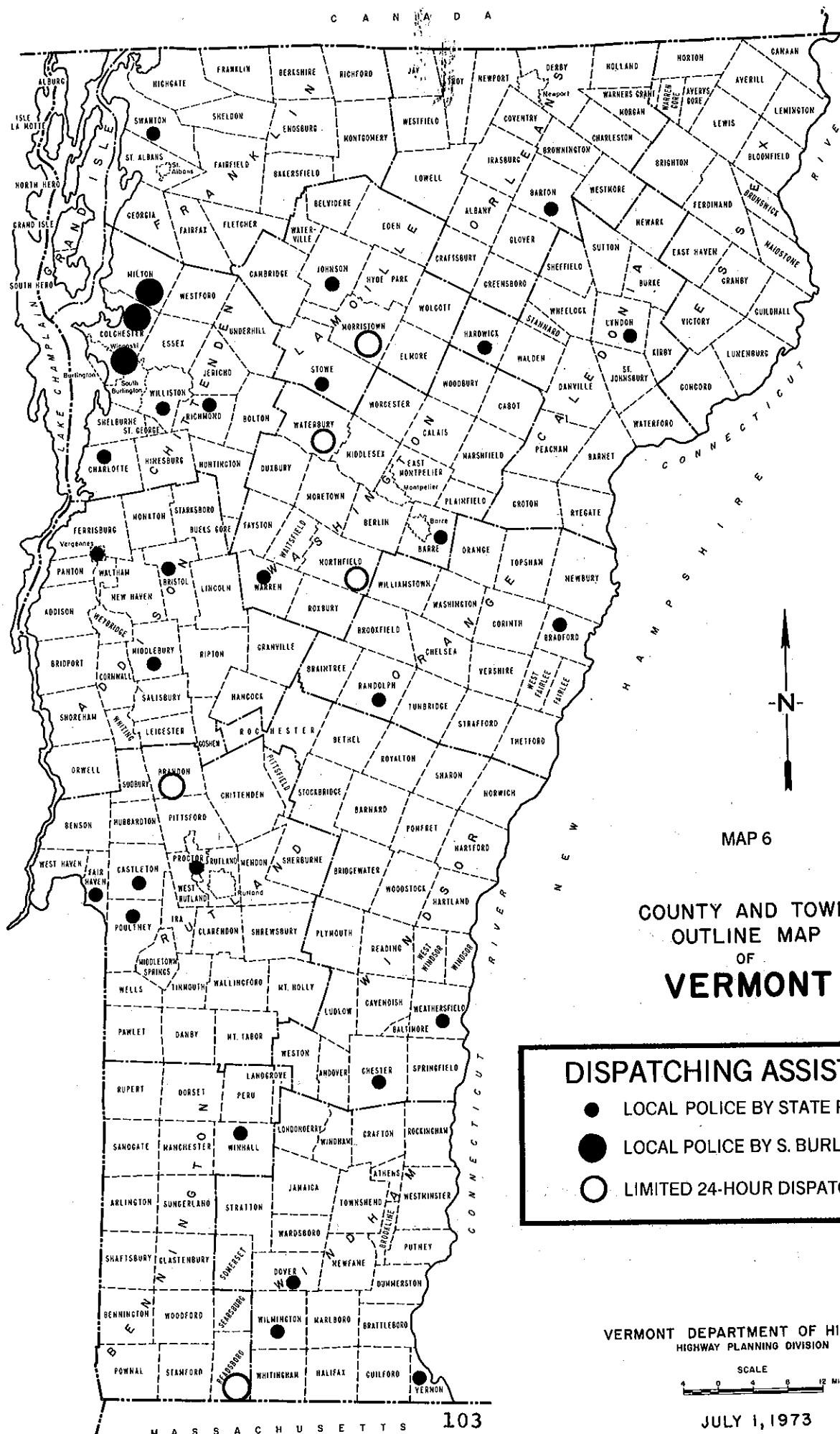


# COUNTY AND TOWN OUTLINE MAP OF VERMONT

- LOCAL DEPARTMENTS
- STATE POLICE
- SHERIFFS' DEPARTMENTS

SCALE  
4 8 12 MILES





sheriff's departments have five. Local departments report that on the average, 75 percent of calls received result in someone being dispatched whereas for sheriffs' departments the average is 45 percent of the time and for the state police 77 percent of all calls result in a trooper being dispatched.

#### Telephone Communications

Although the use of the telephone system has been discussed in connection with the dispatching capability, it should be pointed out that there are numerous telephone companies in Vermont and in most instances the area coverage of a single company is not similar to a law enforcement jurisdiction. Forty-one local law enforcement agencies reported they have only one telephone line available for incoming calls.

Neither the "911" or "Enterprise" system, both universal police call numbers, is available in the state. Plans are underway to implement a statewide "Enterprise" system which would provide a toll-free service from any telephone, public or private, within Vermont. The caller would merely dial "0" and the operator would immediately direct the call to the answering unit designated for that area. Such a plan would be implemented with substantial financial support from the Governor's Commission on the Administration of Justice.

#### Record Keeping

The 1969 Adjourned Session of the Vermont General Assembly also created the Vermont Criminal Information Center (20 V.S.A. 2051). The center was placed under the direction of the

Department of Public Safety to serve as the "official state repository for all criminal records, records of the commission of crimes, arrests, convictions, photographs, descriptions, fingerprints, and such other information as the commissioner deems pertinent to criminal activity." The Act also states that "the Center shall provide state departments and agencies, municipal police departments, sheriffs, and other law enforcement officers with uniform forms for the reporting of the commission of crimes, arrests, etc." It states further that "a department, agency, or law enforcement officer who fails to comply with the regulations adopted by the director with respect to the use and completion of filing of uniform forms, after notice of failure to comply, shall be fined not more than \$100. Each such failure shall constitute a separate offense."

As of October 1, 1973, 21 local departments (part- and full-time) and five sheriffs' departments, submitted regular quarterly reports to VCIC. (See Table 20.)

The Department of Public Safety reported that all troops and sub-troops submit regular quarterly reports. Some municipal police departments submit commission of crime and conviction data directly to the Federal Bureau of Investigation as well as, or, in some instances instead of, to the Vermont Criminal Information Center.

The record keeping systems of local departments vary considerably as to the types of information retained. The results of the police survey show that of 53 local department chiefs interviewed, there was wide disparity in kinds of records retained, as shown in Table 21 on page 107.

Table 20

LAW ENFORCEMENT AGENCIES REPORTING  
TO THE VERMONT CRIMINAL INFORMATION CENTER

<u>Local Police Department</u>	<u>Categories Reported</u>	
	<u>Arrests</u>	<u>Crime Complaints</u>
Barre Town	x	x
Bellows Falls	x	-
Bennington	x	-
Brattleboro	x	-
Burlington	-	x
Colchester	x	x
Hartford	x	-
Johnson	x	x
Manchester (Town)	x	-
Milton	x	x
Newport	x	-
Randolph	x	x
South Burlington	x	x
Springfield	x	x
Stowe	x	x
Swanton	x	-
Wilmington	x	-
Montpelier	x	x
Northfield	x	-
Readsboro	x	x
Waterbury	x	-
<u>Sheriffs' Departments</u>		
Grand Isle	-	x
Orange	x	-
Rutland	x	x
Washington	x	-
Windham	x	x

Note: "x" representing categories reporting  
 "-" representing categories not reporting

Table 21

INFORMATION RETAINED BY LOCAL POLICE  
AND SHERIFFS' DEPARTMENTS, 1973

<u>Type of Information Retained</u>	<u>Number of Departments</u>
<u>Local Departments - Total of 53 Interviewed</u>	
Complaints	47
Arrests: Misdemeanors; Felonies	43
Persons Jailed	41
Separate Juvenile Forms	37
Traffic Accidents	52
Traffic Citations	48
Fingerprints	23
Stolen Property	40
Wanted Persons	38
Mode of Operation	24
Charges and Dispositions	36
<u>Sheriffs' Departments - Total of 14 Interviewed</u>	
Complaints	11
Arrests: Misdemeanors; Felonies	12
Persons Jailed	8
Separate Juvenile Forms	7
Traffic Accidents	12
Traffic Citations	13
Fingerprints	4
Stolen Property	9
Wanted Persons	9
Mode of Operation	3
Charges and Dispositions	10



## Section V

### COSTS OF POLICE SERVICES: METHODS AND BASES OF FUNDING

#### Introduction

The intent of this section is to present a total picture of what the people of Vermont are paying, both on a per capita and on a jurisdictional (town) basis, for the police services provided.<sup>1</sup> Effective tax rates and median incomes are included to provide relevant indicators when considering relative ability to pay for such services. After developing measures for costs (expenditures) of police services the approximate value, in dollar terms, of the police services received is presented.

By calculating both expenditures (costs) and values on both per capita and total jurisdictional bases, it is possible to compare areas of the state where value exceeds expenditure, and vice versa. To facilitate this analysis, a value/expenditure indicator series was developed. The effective tax rates have been ranked on a statewide basis. Median incomes have been compared to the state median and expressed as a percentage of that median. This is to enable analysis of local police costs in terms of value received, and willingness and ability to pay.

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<sup>1</sup>Since the tables developed from these data run to several hundred pages, they are not included in this publication. Findings based on the data are discussed in Section III. Complete data are available from the Governor's Commission on the Administration of Justice, 149 State Street, Montpelier, Vermont.

## Methodology

The following is a description of the methodology utilized in determining the various figures developed. The analysis is based on 1972 figures, the most recent year in which audited expenditures are available at all levels of government -- state, county and town -- and because that is the most recent year for which there is certified data on equalized fair market values and town taxes raised.

In calculating per capita figures, 1972 population estimates developed by the Census Bureau's Vermont coordinator in the Department of Health<sup>2</sup> were used.

## Expenditures For Police Services

Expenditures, or the costs of police services to the citizens of Vermont, have been determined for each level of service: that is, the state police, the sheriffs and local police. Town constables, privately funded police, fish and game wardens, border patrols, federal police of any sort and other enforcement officers such as liquor inspectors, have been excluded.

STATE POLICE: For this, the major component of the Department of Public Safety, expenditures were determined by removing from the Public Safety record of actual expenditures those items which were not police related. Included were snowmobile and motorboat registration, civil defense, and fire prevention. The published figures itemized the costs for civil defense and fire prevention, but did not do so for

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<sup>2</sup>Chief, Division of Public Health Statistics.



snowmobile and motorboat registration. The figures used were determined by the planning division of the Department of Public Safety. The balance was then divided by the 1972 estimated state population to determine a per capita multiplier (\$9.9443). Because the state police are funded from several sources, particularly the general fund and the highway fund, it would be impossible to determine precise amounts provided by any particular population group, particularly by any town. Thus it was assumed that Vermont citizens contribute equally to these funds through sales and income taxes (among others), and various use taxes, and thus a statewide per capita figure is valid. Therefore, the per capita cost for state police services is considered uniform throughout the state. The town expenditures for state police services were determined by multiplying the per capita multiplier by the towns estimated population for 1972.

The expenditures for sheriffs are complicated to determine. They are derived from three separate sources -- from state revenues, from county funds, and from towns which contract for services.

The process used for state revenues was similar to that used for the state police. However, those revenues for non-law enforcement services were excluded in the calculation of the final expenditure figures. (Such civil

functions include process serving, transporting mental patients to and from the Waterbury State Hospital, and transporting children committed by the courts to the Department of Social Welfare.) The total state expenditure figure of \$298,693.53 was divided by the estimated 1972 statewide population to determine a per capita multiplier (\$.6767). Then this figure was used in the determination of the towns' expenditures by multiplying it by each town's estimated population.

The part of the sheriffs' revenues contributed by the counties is small both in dollar amounts and in relation to overall law enforcement expenditures. The town expenditure amount was calculated by first determining for each county the percent of the total county receipts that was spent for the sheriffs' offices. Then each town's taxes paid to the county were multiplied by that percentage to determine how many dollars from each town were used by the county for sheriffs' expenditures. Finally the per-capita amount was determined by dividing the total town expenditure by the town's estimated population.

The method of computation is as follows:

$$1. \quad \frac{\text{County Disbursements For Sheriffs}}{\text{Total County Receipts}} = \text{Law Enforcement Factor}$$

2. Law                      Total Amount      Town Expenditures  
     Enforcement x of Town Taxes = for  
     Factor              Paid to County      County Sheriff
  
3. Town Expenditure  
     for County Sheriff      = Per Capita Town Expenditures  
     1972 Estimated Town      for County Sheriff  
     Population

The third category of expenditures for sheriffs' services is that which is determined by separate town contracts with the various sheriffs departments. These are straight line figures and require no adjustment other than per capita determination.

LOCAL POLICE DEPARTMENTS: The figures used for the costs of local police services were acquired from the survey made by the Vermont League of Cities and Towns during the summer of 1973. The figures were provided to the League by either the top police executive officer or a town official. Per capitas were determined as above.

The total expenditures for each town were determined by summing those for each level and category of police service. Per capitas for the total costs were determined from these totals.

Every town had a minimum of \$10.59 as a per capita cost figure based on the sum

of the state police and the sheriffs' state costs. The county sheriffs' costs rarely exceeded \$.10 per capita. The great variations seen are attributable to the costs incurred by individual towns' contractual agreements with the sheriffs or by the local police departments themselves.

#### Effective Tax Rates

The effective tax rate (ETR) is an indicator of the relationship between a town's wealth and its willingness to pay for services. It is calculated by dividing a town's total taxes raised by one percent of the equalized fair market value (EFMV). The EFMV figure is determined by the Department of Taxes after applying equal valuation standards to the town appraisals as found on the town grant lists. The ETR is a ratio with a small range. In Vermont the range is .50 to 4.28.

When towns were ranked, the ranking was based on calculations carried to the sixth digit beyond the decimal, even though the ETR's are expressed only to the second digit. A low ETR may be interpreted to mean a small portion of taxes raised in relation to value of taxable property. The opposite holds, of course, as a high ETR reflects a greater portion of money raised in relation to the value of taxable property. The ETR has been described as a relation between a municipality's ability to pay and its willingness to pay. It is not possible to determine a town's absolute wealth or lack of it from its ETR.

### Value of Taxable Property

The value of taxable property (VTP) indicator is in fact the equalized fair market value as published by the Vermont Department of Taxes. Towns submit individual totals for value of taxable property as determined by the town assessor. The state standardizes these town assessments through a state assessment program. The VTP is, therefore, a measure of town wealth having a standard dollar value throughout the state. It is expressed in the analysis as a per capita value, thereby standardizing the expression of town wealth from one municipality to another.

### Value of Police Services Received

The value of police services received has been determined for the same levels of police service as for expenditures. Value is more difficult to calculate. While it is not necessarily comparable to dollars spent, there are no accepted methods of determining value of police services received except possibly by expert testimony. The importance of determining value-expenditure relationships is great, however, if informed decisions are to be made concerning return for public money invested. The methodology which follows is conservative, and does not adjust for such obvious items as percentage of state police services provided to towns which maintain their own full-time police departments. The value of outpost stations in the towns receiving such services is the only variable which can be measured accurately.

STATE POLICE: Using a cost accounting method, dollar figures were calculated

for the outposts. This total was subtracted from the total state police expenditure, yielding a general services figure and an outpost figure. The general service total was divided by the state population total, yielding a per capita multiplier (\$9.0409). Town totals were derived by multiplying the per capita figure by the town's population. Individual outpost costs were divided by the total population of the towns served by any single outpost, yielding a unique per capita figure for each outpost. This was then multiplied by each town's population to determine dollar amount of value received by town.

SHERIFFS: Values for sheriffs' services were determined by using the same multiplier used for expenditure calculations, yielding consequently the same town totals. County values were determined by dividing the dollar amount spent by the county for sheriffs' services by the county population, yielding a per capita figure which was then converted into a total dollar figure for each town by multiplying it by the town's population. Value of contractual services was considered to be identical to the amount expended for each town.

LOCAL POLICE: Value figures for local police departments were considered to be identical to annual department expenditure. This, of course, is because there is no precise method, nor is there sufficient knowledge of the local operations, to assign a dollar figure to the value of the services received.





Section VI  
PROPOSAL FOR CHANGE

Summary

This report has investigated the amount and utilization of police manpower in Vermont and has analyzed law enforcement funding patterns, taking into account distribution of police services in relation to the expenditures made for these services.

In both categories, the deployment of manpower and the relationship between expenditure and value received for police services, a single conclusion was drawn: that there is inefficient and inequitable distribution of law enforcement in Vermont at the present time. There are areas where overlap of police services occurs. Other areas receive but a minimum of such services. Some towns pay greater amounts of money for their police services than others. The amount of money expended is correlated with neither the ability of the town to pay nor with the value of police services received.

A basic set of premises is operative in the foregoing analysis and following proposals: (1) that any Vermont citizen should be able to receive assistance from an on-duty police officer capable of responding in a reasonable length of time; and (2) that this right should be assured without regard to a municipality's ability to pay for such services. Several corollary premises accompany the above: (a) no potential criminal should feel secure that he will not be caught in the criminal act, and (b) no municipality should pay more than others for receipt of minimum police services, taking into account all municipalities' relative wealth and consequent ability to pay for police services.

The Governor's Commission on the Administration of Justice examined studies conducted in other areas of the United States as well as those in England, and considered a range of proposals for the redesign of Vermont's law enforcement network. Only one proposal, a two tier system of police services, emerged which met the criteria necessary for Vermont's unique needs. This concept calls for the division of the state into districts wherein regional police forces would operate. The state police would provide supplemental specialized support services.

If the only measure were efficiency, then Vermont could be served by a single (state) police agency. If, on the other hand, Vermont's strong home rule tradition were to be followed to its logical conclusion, the state would continue to proliferate small police departments, conceivably reaching 150 or more separate local agencies at some future time. The single statewide agency would be most efficient and least expensive. The proliferation of little departments would be the opposite for obvious reasons. Neither would be an acceptable solution.

A two tier system would meet the state's basic enforcement needs, i.e. 24-hour coverage, reasonable response time and protection to all citizens without regard to ability to pay. The state police would provide only those services for which specialized training and skills would be necessary, and which would not be necessary for a continuous daily police operation at a local level. The daily policing, focusing on the patrol function, would be provided by regional police forces small enough to remain personalized and responsive to the particular needs of the municipalities they serve, yet large enough to provide continuous, 24-hour coverage with adequate manpower to permit

40-hour work weeks and other benefits, opportunities for recruit and in-service training, backup personnel for emergencies, and sound administration.

#### The Regional Police Department

It has been shown that it is necessary to have at least a ten-man police department to provide the type of operation described above. Assuming a three shift per day work week, and a five shift work week per man, a police department needs at least 4.20 men in order to have someone on duty 24 hours per day. Taking into account that the typical police officer utilizes 35 shifts per year for vacation, sick leave, and in-service training, a department needs 4.85 men. This still does not provide coverage while the single man on duty is on meal breaks, or performing some duty which causes him to be out of communication or unable to respond to a call. The only way to insure a reasonable expectation by the public that a police officer will be available when needed is to utilize two man shifts. This is still a minimum provision, and one that is necessary for the officer's safety. This level of service requires 9.70 men.

It is still necessary to provide a chief of police who devotes full-time to administration and supervision, bringing the number to 10.70 sworn officers. One civilian is also needed as a clerk-stenographer. There are only 14 municipalities in Vermont at present with ten men or more. Maintaining this size police force is financially difficult if not impossible for many Vermont municipalities. The regional concept is proposed as the most localized way to deliver police services without placing undue and unrealistic burdens on Vermont's municipalities.

a. Basic considerations for forming a Regional Police District:

A police region can be made up of two or more towns or cities. It should have other characteristics which allow efficient delivery of law enforcement including:

(1) a road network which permits reasonably fast access to all areas within its boundaries; and (2) a population large enough to financially sustain a police force of at least ten men, or approximately 8,000 persons.

b. Methods of forming Regional Police Districts:

A regional police force may be formed in several ways. Where there are existing police services in adjacent towns, these services can be combined, or towns that have police can combine with towns that do not. Groups of towns having no police can form altogether new departments. Chapter 95, Title 24, Vermont Statutes Annotated provides a statutory procedure for such consolidations.

c. Minimum size Regional Police Departments:

The minimum size police force to provide basic services at the local level is ten men. The National Advisory Commission on Criminal Justice Standards and Goals, in its report POLICE, Standard 5.2, states:

Every state and local government and every police agency should provide police services by the most effective and efficient organizational means available to it. In determining this means, each should acknowledge that the police organization (or any functional unit within it) should be large enough to be effective but small enough to be responsive to the people. If the most effective and efficient police service can be provided through mutual agreement or joint participation with other criminal justice agencies, the governmental entity or the police agency immediately should enter into the appropriate agreement or joint operation. At a minimum, police agencies that employ fewer than ten sworn employees should consolidate for improved efficiency and effectiveness.

A department with ten or eleven sworn employees is therefore, able to provide basic patrol, on a 24-hour basis. It has the capability of reasonable backup services and adequate administrative support.

d. Patrol in a Regional Police Force:

The patrol function in a regional police force requires extensive training and skill to be performed well. The police officer who carries out the basic patrol service represents the most versatile member of the law enforcement network. Not unlike the general practitioner in medicine, the patrolman must be able to respond quickly and professionally, often having to make the most immediate critical and varied decisions.

e. Specialization in a Regional Police Force:

As the police region grows, the regional police department will expand its scope of services. The state police will provide specialized and supportive services according to its size and degree of specialization. Investigation will be conducted by local patrol officers, supported by state police investigators. Juvenile investigations will be locally based, and cannot be part of the state police. Two or more police departments may elect to share a juvenile officer.

IT IS PROPOSED THAT THE GOVERNOR'S COMMISSION ON THE ADMINISTRATION OF JUSTICE FUND TWO PROTOTYPICAL REGIONAL POLICE DEPARTMENTS. THESE PROPOSALS MUST REFLECT THE LOCAL COMMUNITIES CHOOSING, THROUGH AGREEMENT

AMONG TWO OR MORE MUNICIPALITIES, TO SHARE COMMON BASIC POLICE SERVICES, AND THE PROPOSED REGIONS MUST MEET THE BASIC CONSIDERATIONS OF INTERNAL ACCESSIBILITY AND POPULATION SUFFICIENT TO SUPPORT THE PROPOSED SERVICES.

### The State Police

The role of the state police will continue to shift toward specialized and support services as a statewide network of regional police forces is developed. These services are described below:

- a. TRAINING. The Pittsford Training Academy has been funded since 1969 by the Governor's Commission on the Administration of Justice. The purpose is to provide both basic and in-service training to Vermont's law enforcement officers.

IT IS PROPOSED THAT THE ACADEMY CONTINUE TO BE FUNDED. IT IS FURTHER PROPOSED THAT RECRUIT TRAINING FOR LOCAL LAW ENFORCEMENT OFFICERS BE UPGRADED OVER A PERIOD OF YEARS TO EVENTUALLY EQUAL THAT OF THE STATE POLICE, AND THAT CONTINUING REGULARLY SCHEDULED IN-SERVICE TRAINING BE REQUIRED OF ALL POLICE OFFICERS, INCLUDING CHIEFS OF POLICE.

- b. COMMUNICATIONS. Whereas the state police have dispatch capabilities that could serve all police agencies, there are nevertheless

multiple dispatch facilities in local departments throughout the state. This is one of the major areas where duplication of services exists. Eventually all the state's dispatching facilities should be merged into a single communications network not only to save money, but to provide more effective police operations.

IT IS PROPOSED THAT THERE BE CREATED CENTRALIZED DISPATCH FACILITIES AND THAT THESE SERVICES BE OPERATED BY THE STATE POLICE. EVERY EFFORT SHOULD BE MADE TO CONSOLIDATE EXISTING DISPATCH SERVICES AND TO ESTABLISH NO NEW ONES.

- c. CRIME LABORATORY. The state police have established the nucleus of a crime laboratory at the headquarters in Montpelier.

IT IS PROPOSED THAT THIS SERVICE BE EXPANDED SO THAT IT CAN ADEQUATELY SERVE ALL LOCAL POLICE AGENCIES.

- d. INVESTIGATION. The bureau of criminal investigation of the state police operates statewide from the Montpelier headquarters and from the state police districts. There are also 15 local police departments which have investigative units of their own.

IT IS PROPOSED THAT THE STATE POLICE PROVIDE CRIMINAL INVESTIGATIVE SERVICES AND THAT THESE SERVICES BE MADE AVAILABLE



ON REQUEST TO LOCAL DEPARTMENTS. SMALL LOCAL DEPARTMENTS SHOULD NOT ATTEMPT TO INVESTIGATE SERIOUS CRIMES. THIS STATE POLICE SUPPORT FUNCTION SHOULD BE EXPANDED.

- e. CRIME STRIKE FORCE. The state police have operated the Vermont Criminal Information Center (VCIC) and the Criminal Justice Information System Task Force will be recommending improvements in VCIC's operations.

IT IS PROPOSED THAT, AS SOON AS THE VERMONT CRIMINAL INFORMATION CENTER IS OPERATIONALLY ABLE TO PROVIDE CURRENT CRIME ACTIVITY MONITORING SERVICES, A CRIME STRIKE TEAM BE ESTABLISHED. THIS CRIME STRIKE TEAM SHOULD OPERATE IN CLOSE CONJUNCTION WITH MUNICIPAL POLICE DEPARTMENTS.

- f. TRAFFIC OPERATIONS. Interstate and primary highway traffic patrol is a specialized function which has been performed for the most part by the state police.

IT IS PROPOSED THAT THESE OPERATIONS BE CONTINUED.

#### Suggested Means of Implementation

- a. It is suggested that the union school districts, either singularly or in combination, be considered for use as regional police districts.

- b. It is suggested that existing police departments may be consolidated, through contractual agreements or amalgamation, to form regional police departments.
- c. It is suggested that legislation be enacted which would clearly define the role of the sheriff as court officer, transporter of prisoners and mental patients, and server of process. It is further suggested that such legislation remove law enforcement powers excepting as necessary for custody and transportation of prisoners.
- d. It is suggested that the state assume responsibility for financially supplementing local police efforts. It is further suggested that equalizing formulas be developed for the distribution of state monies to those local units of government which provide police services as recommended in this report, recognizing the relative wealth of municipal governments and their relative abilities to pay.

Specific Law Enforcement Program Objectives for the  
Governor's Commission on the Administration of Justice

a. That the Criminal Justice Information Task Force be immediately funded and staffed.

- 1) That policy be established on the type of information to be collected, and that policy be established on such issues as confidentiality, and purging of records;
- 2) That procedures be developed for the systematic and comprehensive collection of crime statistics, and that these procedures include a uniform reporting form and a monthly summation of data received;
- 3) That the Vermont Criminal Information Center (VCIC) become a service to all local and regional police forces, and be fully responsive to their needs;
- 4) That competent statistical analysis be performed on a continuing basis, and that procedures be developed for crime monitoring/strike-force capability;

- 5) That actions be taken to tighten the security of the Vermont Criminal Information Center;
  - 6) That a policy decision be made and recommendations given to the General Assembly concerning appropriate placement of the Vermont Criminal Information Center within the state government structure;
  - 7) That after steps (1) through (6) above are implemented the Attorney General require compliance by all law enforcement officers and agencies with Section 2054, Title 20 of the Vermont Statutes.
- b. That the development of municipal employee benefits legislation be encouraged.
- 1) That standards for salaries, insurance and retirement benefits for municipal police officers be formulated;
  - 2) That appropriate elements of these standards be adopted by statute;
  - 3) That minimum standards for law enforcement officers be developed;

- 4) That a career development program be undertaken for both municipal and state police, allowing for standardization of salaries and benefits, and for lateral entry for all professional law enforcement officers.

c. That technical assistance funding be provided immediately for thorough evaluation/analysis of the state's communications system.

- 1) That this technical review be directed toward the goal of consolidating dispatch services to that level where the most efficient service can be maintained;

- a) That the consolidated dispatch services be operated by the state police;
- b) That policies and procedures for dispatching be jointly developed by the state police and municipal police;
- c) That no new dispatch services be established;
- d) That this consolidation occur within three years.

- 2) That this technical review be directed also toward analysis of operation and technical defects in the statewide communications system;
- a) That any defects found in the system be corrected as soon as feasible;
  - b) That replacement parts be made available in order to maintain the system in good order.
- 3) That a universal police telephone number be installed statewide by 1975.
- d. That a crime strike team be established within the state police as soon as the Vermont Criminal Information Center is operationally able to provide current crime activity monitoring services.
- 1) That the crime strike team be another specialized component of the state police;
  - 2) That the crime strike team operate in close conjunction with local and regional police forces.

e. That the Police Management Study be completed as soon as possible and that its results be made publicly available.

- 1) That the methodology developed in the Police Management Study be made available for use by all interested and appropriate Vermont law enforcement agencies and municipalities;
- 2) That, on request, the staff of the Governor's Commission on the Administration of Justice assist municipalities to apply the above methodology to analysis of their police operations.

f. That the recommendations of the Criminal Justice Training Study be implemented in the 1975 and later programs of the Law Enforcement Training Council.

- 1) That legislation be recommended to place administration and policy-making functions of the Law Enforcement Training Council independently within state government;
- 2) That recommendations be made concerning greater utilization of the facilities at Pittsford Training Academy.

g. That existing local police departments be provided funds for the purchase of equipment necessary for preliminary investigation.

- 1) That each full-time local police department be provided with crime scene search kits, cameras, and other preliminary investigative equipment;
- 2) That such equipment be ordered in bulk inasmuch as possible, in order to insure costs savings.

The Following are the Details of "STANDARD 5.2 - COMBINED POLICE SERVICES" from THE NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, report on POLICE, (pp. 108-109).

a. Every state should enact legislation enabling local governments and police and criminal justice agencies, with the concurrence of their governing bodies, to enter into inter-agency agreements to permit total or partial police services. This legislation:

- 1) Should permit police service agreements and joint participation between agencies at all levels of government;
- 2) Should encourage interagency agreements for and joint participation in police services where beneficial to agencies involved;



- 3) Should permit reasonable local control or responsiveness to local needs.
- b. Every local government should take whatever other actions are necessary to provide police services through mutual agreement or joint participation where such services can be provided most effectively.
  - c. No state or local government or police agency should enter into any agreement for or participate in any police service that would not be responsive to the needs of its jurisdiction and that does not at least:
    - 1) Maintain the current level of a service at a reduced cost;
    - 2) Improve the current level of a service either at the same cost or at an increased cost if justified; or
    - 3) Provide an additional service at least as effectively and economically as it could be provided by the agency alone.
  - d. Every state, in cooperation with all police agencies within it, should develop a comprehensive, statewide mutual aid plan to provide

for mutual aid in civil disorders, natural disasters, and other contingencies where manpower or material requirements might exceed the response capability of single agencies.

- e. Every state should provide, at no cost to all police agencies within the state, those staff services such as laboratory services, information systems, and intelligence and communications systems, which fill a need common to all these agencies and which would not be economical or effective for a single agency to provide for itself.
- f. Every local government and every local police agency should study possibilities for combined and contract police services, and where appropriate, implement such services. Combined and contract service programs may include:
  - 1) Total consolidation of local government services: the merging of two city governments, or city-county governments;
  - 2) Total consolidation of police services: the merging of two or more police agencies or of all police agencies (i.e., regional consolidation) in a given geographic area;

- 3) Partial consolidation of police services: the merging of specific functional units of two or more agencies;
- 4) Regionalization of specific police services: the combination of personnel and material resources to provide specific police services on a geographic rather than jurisdictional basis;
- 5) Metropolitanization: the provision of public services (including police) through a single government to the communities within a metropolitan area;
- 6) Contracting for total police services: the provision of all police services by contract with another government (city with city, city with county, county with city, or city or county with state);
- 7) Contracting for specific police services: the provision of limited or special police services by contract with another police or criminal justice agency; and

- 8) Service sharing: the sharing of support services by two or more agencies.
- g. Every police agency should immediately, and annually thereafter, evaluate its staff services to determine if they are adequate and cost effective, whether these services would meet operational needs more effectively or efficiently if they were combined with those of other police or criminal justice agencies, or if agency staff services were secured from another agency by mutual agreement.
- h. Every police agency that maintains cost-effective staff service should offer the services to other agencies if by so doing it can increase the cost-effectiveness of the staff service.
- i. Every police chief executive should identify those line operations of his agency that might be more effective and efficient in preventing, deterring, or investigating multi-jurisdictional criminal activity if combined with like operations of other agencies. Having identified these operations, he should:
- 1) Confer regularly with all other chief executives within his area, exchange

information about regional criminal activity, and jointly develop and maintain the best organizational means for regional control of this activity; and

- 2) Cooperate in planning, organizing, and implementing regional law enforcement efforts where such efforts will directly or indirectly benefit the jurisdiction he serves.



Section VII  
GOVERNOR'S COMMISSION ON THE ADMINISTRATION OF JUSTICE  
CRITERIA FOR FUNDING POLICE SERVICES AS AMENDED BY  
SUPERVISORY BOARD NOVEMBER 19, 1973

Decisions concerning purposes for which Justice Commission funds may or may not be expended flow out of the recommendations in this report. The following guidelines, therefore, are established:

- 1) Equipment related to office facilities (desks, chairs, typewriters, etc.) will be funded only for area police forces,<sup>1</sup> either newly formed or as a result of amalgamation.
- 2) Police equipment related to the officers (weapons, uniforms, handcuffs, etc.) will be funded only for area police forces, either newly formed or as a result of amalgamation.
- 3) Specialized equipment (narcotic kits, fingerprint kits, cameras, etc.) will be funded only for area police forces, either newly formed or as a result of amalgamation. A small fund will be available to supply such equipment to existing small police departments where both need and acceptable ability to utilize the equipment is demonstrated.

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<sup>1</sup>An area police force shall not include a police force set up by a sheriff or state police.

4) Vehicles and vehicular equipment will be funded only for newly formed area police departments.

5) Communications equipment such as mobile and portable radio units will be funded for all municipal police agencies, each application to be evaluated in terms of proper coordination of police effort and communications by user agency with other police agencies. Base radio stations will not be funded. Radio towers, repeaters and antennas will be funded only to the Department of Public Safety.

6) Telephone communications such as land lines, diverters, etc., will be funded on the same basis as mobile and portable radio units (see 5 above).

7) Manpower:

a. One man police departments will not be funded. Police departments having more than one officer and less than ten will be assisted only when it is shown that the agency is moving systematically toward an area police force of ten men or more.

b. Additional patrol officers for existing police departments which are not moving toward criteria as set forth in 7(a) above will not be funded.



- c. Area police departments having ten men or more, and being newly formed, will be funded on a decreasing basis for at least three years. Two prototype projects of this kind may be funded. Subsequent similar applications will be funded at a higher local participation level to be determined in light of available Justice Commission funds. Area police departments formed as a result of amalgamation of existing departments having ten men or more will be funded to the extent of startup costs of new equipment, administrative and clerical support, but not officers' salaries. Funding of newly amalgamated area forces, having less than ten men in the original component departments, will be extended to provide additional manpower in order to bring the level to ten men, on an individually evaluated basis.
- d. Investigators will be funded only to the Department of Public Safety with the exception of using them in a prototype model if necessary for its success.
- e. Juvenile officers will be funded to any police department or combination of departments representing at least 10,000

population or 3,500 school enrollment, on a 75-60-30 basis over three years.

- f. Special tactical forces will be funded only to the Department of Public Safety.
  - g. Clerical manpower will be funded to groups of towns on a sharing basis, similar to Project SALE.
  - h. Dispatchers will be funded only to the Department of Public Safety.
  - i. Technicians will be funded only to the Department of Public Safety.
  - j. Administrative manpower will be funded on a prototype basis to one or more mid-sized police departments (15 to 35 sworn personnel) to demonstrate the effectiveness of improved police management and planning.
- 8) Training will be funded to the Department of Public Safety and to the Law Enforcement Training Council which is an administrative division of the Department of Public Safety. Personnel of area police forces will be funded for basic training only if training is received prior to the officer entering upon his duties.

9) Management Systems

- a. Management systems equipment and supplies (similar to project CAPRIS) will be funded to local and area police forces on the basis of individual grant evaluation.

- 10) Record keeping equipment and supplies may be funded to local police departments and to the Department of Public Safety. Record keeping personnel will be funded to the Department of Public Safety and to area programs similar to Project SALE. The intent of the program is to relate criminal information (VCIC), dispatching and record keeping systems.

Additional Conditions for Funding of Mobile Radio Units,  
As Adopted by the Supervisory Board, April 18, 1974.

- 1) Mobile units may be funded to municipal police departments when the following conditions are met:
- a. the vehicle is owned or leased by a political subdivision;
  - b. the vehicle is used only for police purposes;
  - c. the officers using the equipment have satisfactorily completed the six-week training course at Pittsford.

- d. the officers using the equipment have been appointed municipal police officers according to the law; and
- e. the municipality or political subdivision must agree to be covered by 24-hour, seven day a week "awake" dispatching.

## FOOTNOTES

### Section I

1. The United States Department of Justice Law Enforcement Assistance Administration designates the Governor's Commission on the Administration of Justice as the official State Planning Agency (SPA) and requires plan development for distribution of LEAA monies. This responsibility is granted at the state level through the authority of the Governor's Executive Order No. 10, issued April 27, 1973, wherein the Governor's Commission on the Administration of Justice was ordered to do long-range law enforcement planning for the State of Vermont and to deliver such a plan to the Governor and the State Legislature by January 1, 1975.
2. The Vermont Governor's Commission on the Administration of Justice has granted \$25,000 of Law Enforcement Administration funds to the Vermont State Planning Office to determine criteria for criminal justice training and education, appropriate responsibility for criminal justice training and education within State Government, and establishment of standards for Vermont criminal justice personnel.
3. State of Vermont, Draft: State Land Use Plan, Montpelier, Vermont, 1973, p. 1.
4. Sherburne, Jamaica, Grand Isle, Greensboro, and Richford, among others.
5. 1973 Report of the Vermont Department of Highways.
6. 10 V.S.A. 6001-6091.

## Section II

1. The major portion of this section, retitled Legal Framework, is taken from a paper, Law Enforcement in Chittenden County: A Survey of the Powers and Responsibilities of Enforcement Agencies by William G. Hayes, published in August, 1971, by the Chittenden County Regional Planning Commission and funded in part by Law Enforcement Assistance Administration funds under a grant from the Vermont Governor's Commission on Crime Control and Prevention.

The present writers consider Mr. Hayes' paper the definitive statement of the legal history of Vermont enforcement agencies. In this paper, Mr. Hayes' work has been condensed, updated to reflect statutory changes since 1971, and rewritten in places to apply to the state rather than a single county. Sections have also been added. Errors or omissions are the responsibility of the present writers, not Mr. Hayes. Copies of Mr. Hayes' complete work (51 pages) are available from the Governor's Commission on the Administration of Justice, 149 State Street, Montpelier, Vermont, 05602.

2. Tenth Amendment, United States Constitution.
3. Vermont Constitution, Chapter II, Section 2.
4. Ibid., Section 6.
5. In *Elliott v. Fish and Game Commission* 117 Vt. 61, 84 A.2d 588 (1951), the court held that the General Assembly may properly delegate the police power in matters concerning the protection or preservation of public morals, health, safety and welfare.
6. In *Carty's Adm'r v. Winooski*, 78 Vt. 104, 62 Atl. 45, (1905), the power of the General Assembly, in the absence of a constitutional restriction delegating the police power to

municipal corporations, to be exercised by them within their corporate limits, was upheld by the Court.

7. A municipal ordinance authorized by a legislative act and legally enacted has the force of state law. *Eno v. City of Burlington* 125 Vt. 8, 209 A.2d 499 (1965).
8. Vermont Constitution, Article V.
9. 20 V.S.A. 1811.
10. Vermont Constitution, Chapter II, Sections 25, 35, 45, 48, 49 and 50.
11. 24 V.S.A. 1931.
12. Vermont Constitution, Chapter II, Section 45.
13. Ibid.
14. Ibid., Section 49.
15. 24 V.S.A. 291
16. Ibid.
17. 24 V.S.A. 307.
18. Ibid.
19. 24 V.S.A. 311.
20. Ibid.
21. 24 V.S.A. 307.
22. Ibid.
23. Ibid.
24. 24 V.S.A. 307.
25. 24 V.S.A. 304.
26. Ibid.
27. 24 V.S.A. 309.
28. 24 V.S.A. 307.
29. Ibid.
30. Ibid.
31. 20 V.S.A. 2054.

32. 24 V.S.A. 305.
33. 24 V.S.A. 310.
34. Ibid.
35. 24 V.S.A. 294.
36. Ibid.
37. 24 V.S.A. 293.
38. 12 V.S.A. 691.
39. 12 V.S.A. 692.
40. 4 V.S.A. 446.
41. Ibid.
42. 4 V.S.A. 151.
43. 28 V.S.A. 1203.
44. 24 V.S.A. 296.
45. 32 V.S.A. 5139.
46. Ibid.
47. 32 V.S.A. 5061-5078.
48. 24 V.S.A. 299.
49. Ibid.
50. Vermont Rules of Criminal Procedure, Rule 54.
51. 7 V.S.A. 659.
52. 13 V.S.A. 419.
53. 23 V.S.A. 1602.
54. 20 V.S.A. 2221.
55. 24 V.S.A. 300.
56. 24 V.S.A. 301.
57. Vermont Rules of Criminal Procedure 4, Reporters notes effective October 1, 1973.
58. Vermont Rules of Criminal Procedure 54(c), October 1, 1973.
59. Vermont Rules of Criminal Procedure, Rule 41(a).



60. Nuquist, Andrew E., Town Government in Vermont, Government Research Center, University of Vermont, 1964, p. 102.
61. 24 V.S.A. 711.
62. 24 V.S.A. 737.
63. Ibid.
64. 24 V.S.A. 738.
65. 12 V.S.A. 691.
66. 4 V.S.A. 446.
67. 20 V.S.A. 2053(b).
68. 20 V.S.A. 2054(b).
69. 32 V.S.A. 5139.
70. 24 V.S.A. 721.
71. 24 V.S.A. 725.
72. 17 V.S.A. 861-863.
73. 17 V.S.A. 1002.
74. 17 V.S.A. 922-925.
75. 24 V.S.A. 834.
76. 20 V.S.A. 2359.
77. 20 V.S.A. 2358(c).
78. 20 V.S.A. 1811. See also 3 V.S.A. 212.
79. 20 V.S.A. 1871(a).
80. 20 V.S.A. 1871(b).
81. 20 V.S.A. 1874(a).
82. Ibid. See also 20 V.S.A. 1874(b) and 1876.
83. 20 V.S.A. 1876.
84. Ibid.
85. 20 V.S.A. 1912.
86. 20 V.S.A. 1879.
87. 20 V.S.A. 1914.
88. Ibid.

89. Ibid.
90. Vermont Rules of Criminal Procedure effective October 1, 1973.
91. 20 V.S.A. 1872. See also 20 V.S.A. 1813.
92. 20 V.S.A. 1877.
93. Ibid.
94. 20 V.S.A. 2053(b).
95. 20 V.S.A. 2054(b).
96. 20 V.S.A. 1814.
97. 20 V.S.A. 1915. But see 1962-64 Opinion Attorney General 283.
98. Ibid.
99. 24 V.S.A. 1931. See also Opinion Attorney General 146, 1964-66.
100. Carty's Adm'r v. Winooski, 78 Vt. 104, 62 A.45. See also Opinion Attorney General 146, 1964-44.
101. 24 V.S.A. 1934.
102. See for example 24 V.S.A. 1934 and 20 V.S.A. 2358.
103. 24 V.S.A. 1931.
104. Ibid.
105. 20 V.S.A. 2358.
106. 24 V.S.A. 1931 and 1933.
107. See 24 V.S.A. 1934. These statutory provisions are controlling unless a municipality has charter provisions providing for tenure of police officers during good behavior with removal only after hearing and cause.
108. 24 V.S.A. 1932.
109. 24 V.S.A. 1931.
110. 20 V.S.A. 2053(b) and 2054(b).

### Section III

1. U.S. Census, the Vermont population increased 8.7 percent between 1870 and 1940 (330,551 in 1870 to 359,231 in 1940).
2. Vermont Development Commission, Vermont Industrial Directory, Montpelier, Vermont, 1950.
3. Kapsch, Stefan J., Minnesota Police Organization and Community Resource Allocation, Governor's Commission on Crime Prevention and Control, St. Paul, Minnesota, 1972, pp. 9-12.
4. The voters approved a constitutional amendment in March, 1974, requiring the General Assembly to establish judicial districts and a unified court system.
5. No. 74, Public Acts of 1971. See also Executive Order No. 44, January 12, 1972.
6. National Advisory Commission on Criminal Justice Standards and Goals, Police, U.S. Government Printing Office, Washington, D.C., 1973, p. 108.
7. See glossary for definition.
8. Kapsch, op. cit., p. 23.
9. Based on costs of Project CAPRIS (Cape Area Police Records and Information System) initiated in Barnstable County, Massachusetts, in 1973, and funded in part by federal Law Enforcement Assistance Administration funds.
10. See glossary for definition.
11. Kapsch, op. cit., p. 24.
12. See glossary for definitions.
13. Budgetary and personnel level information derived from the Vermont League of Cities and Towns survey, 1973.
14. Ibid.
15. Command can scarcely be considered a problem in the small departments since the entire department is within the span of control of a single individual and accordingly management practices directly reflect the skills of the manager (chief).

16. In 1970 the General Assembly provided full-time deputies to twelve counties and two full-time deputies to three counties at a salary of \$6,500 each. Grand Isle and Essex Counties were not assigned paid deputies.
17. F.A.R.E. refers to Fatal Accident Reduction Enforcement sponsored by National Highway Traffic Safety Administration.
18. 20 V.S.A. 1811.
19. Department of Public Safety, The Status of Law Enforcement in the State of Vermont, Montpelier, Vermont, November, 1972.
20. 20 V.S.A. 1811.
21. See Table 12 and Map 3, Section III.
22. The \$18,000 figure represents only salary and operating costs of that trooper and his equipment. It does not include any of the support services or overhead costs.
23. In some instances there are two or three troopers assigned to an outpost area.
24. No. 290 Public Acts. 1969 Adjourned Session. H. 422.
25. Kapsch, op. cit., p. 23.
26. Dispatchers also perform duties such as typing reports, clerical work or receiving "walk-ins" while dispatching.
27. Norrgard, David, Regional Law Enforcement, p. 23.
28. Vermont Department of Public Safety. A Proposal for Central Telephone and Radio Dispatching Services, September, 1973.
29. No. 290. Public Acts, 1969 Adjourned Session, H., 422.
30. A nationwide common three-digit police emergency telephone number now is use in many areas of the United States; expected to be operational in all states by the mid-1980's.

## Section VI

1. The United States Department of Justice Law Enforcement Assistance Administration designates the Governor's Commission on the Administration of Justice as the official State Planning Agency (SPA) and requires plan development for distribution of LEAA monies. This responsibility is granted at the state level through the authority of the Governor's Executive Order No. 10, issued April 27, 1973, wherein the Governor's Commission on the Administration of Justice was ordered to do long-range criminal justice planning for the state of Vermont and to deliver such a plan to the Governor and the State Legislature by January 1, 1975.
2. The Vermont Governor's Commission on the Administration of Justice has granted \$25,000 of Law Enforcement Assistance Administration funds to the Vermont State Planning Office to determine criteria for criminal justice training and education, appropriate responsibility for criminal justice training and education within State Government, and establishment of standards for Vermont criminal justice personnel.
3. State of Vermont, Draft: State Land Use Plan, Montpelier, Vermont, 1973, p. 1.
4. Sherburne, Jamaica, Grand Isle, Greensboro, and Richford, among others.
5. 1973 Report of the Vermont Department of Highways.
6. 10 V.S.A. 6001-6091.
7. Kapsch, op. cit., pp. 21-23.
8. See the detailing for this standard at the end of Section VI.

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