

There's Never a Cop When You Need One: The Problems of Providing Law
Enforcement to Rural Vermont Communities

by

Richard B. Gauthier

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Presentation Approval: _____
Professor Stanley Shernock, Norwich University

Director Approval: _____
Chris Ormsby, Director, Norwich School of Graduate Studies

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ABSTRACT

Rural communities in Vermont face significant issues when trying to solve the problem of providing increased levels of law enforcement coverage and other services to their communities. The issues include lack of funding, quality of enforcement, local control, and competing interests among available law enforcement agencies. Affected communities have adopted a number of techniques to provide more services, most commonly, contracting for increased coverage and services with another agency, or using a constable.

This paper concerns itself with not only with reviewing previous examination of this issue, but also surveying law enforcement officers as well as community leaders to get their opinions. To the best of this researcher's knowledge, no survey of law enforcement officers throughout the agency ranks has been conducted in an attempt to get their opinions of the issues.

Hypothesis #1 is that law enforcement officers and community leaders see a need for increased coverage and services to rural communities in Vermont. Hypothesis #2 is that, of the respondents who expressed dissatisfaction with the status quo, a majority of them would view regionalization as the preferred method of increasing coverage and services. Both hypotheses were supported, as the results of the surveys indicated that a majority of law enforcement officers and community leaders believed the current level of coverage and services was unsatisfactory and regionalization would be the best way to improve them. Interviews clarified what respondents had in mind when they specified regionalization as the best option: one respondent believed that regionalization through contracting with sheriffs' departments would work best, while another believed that intermunicipal police agreements would be most desirable. Another respondent believed that circumstances would dictate how best to regionalization—for example, contiguous communities at points where county lines merged might find intermunicipal police agreements more effective than contracting through a county-based agency.

Introduction

Law enforcement agencies in Vermont have both complementary and competing duties. Most officers have statewide jurisdiction and may, in theory, cover virtually every corner of the state (which leads to the occasional disagreement about just whose responsibility a particular call is). But small communities remain under-served, either because the neighboring jurisdiction with law enforcement doesn't want those officers providing services in another jurisdiction, or the agency statutorily charged with providing law enforcement services to a small community, i.e., the Vermont State Police (VSP), doesn't have the necessary personnel to provide adequate coverage. Several studies on this topic have been done, with negligible action taken on any of them. Some have blamed politicians; others have questioned community resolve, while still others cite the cost of maintaining a law enforcement presence as being prohibitive. Regardless of the cause, rural communities are becoming increasingly vocal concerning their desire for more law enforcement, which, in turn, has generated political and logistical concerns regarding the best way to supply the best enforcement.

This research paper will center on the problems of providing acceptable law enforcement services, including coverage, to rural Vermont communities, and comparing the reality and perception of police response to "quality of life" offenses and major crimes. This will include a brief history of the development of law enforcement in Vermont and a summary of previous examinations of this issue in Vermont. There will be an exploration of some of the possible reasons why communities don't have law enforcement agencies, and why the status quo of law enforcement in Vermont has stayed unchanged despite acknowledgements of disparities in coverage and services. It will also

include the results of a survey distributed to law enforcement officers. This will become especially important as this examination is conducted in the context of rural communities desiring to enhance police coverage and services and retain as much local control as possible while keeping costs to a minimum.

Brief History of Law Enforcement in Vermont

As the Report of the Nineteenth Grafton Conference, *Public Safety: Adapting to Changing Times*, stated, “Public safety services in Vermont have grown pretty much ‘like Topsy’, with little concern for organization, priorities, efficiency, cost-effectiveness, or possible duplication of services to citizens and taxpayers.” (p. 6) In order to understand how law enforcement in Vermont formed and took on responsibilities and jurisdictions, it’s necessary to take a brief look at its history in this state.

According to the Vermont State Police “History of the Department Prior to 1947” there were a growing number of voices seeking the construction of a department of public safety, to provide statewide police coverage (it’s impossible to determine from historical records if this was due to citizen dissatisfaction with the performance of the sheriffs’ departments and/or other factors); this bill was defeated in the legislature as late as 1937. There is some speculation that this was “attributed to lobbying by the sheriffs who perceived a loss of power and a conservative legislature with a tight hold on the purse strings.” (2005). It would take a traumatic outside event to force the legislative hand, and the DPS was created in 1947.

From 1949 on, when the first class of VSP troopers graduated from the VPA, the four categories of first responder law enforcement available to residents in Vermont were the VSP, county sheriff’s departments, local constables, and municipal police

departments. Since that time, every law enforcement officer in the State of Vermont has to meet the same minimum criteria for full time certification and go through the same basic training, a situation that is true to this day. This becomes important in the context of this paper because it leaves jurisdictions with more options as they seek to increase police coverage and services.

In addition to the history detailed above, there is also a history of Vermont examining the disparities in coverage and services for communities throughout the state.

Delivery of Police Services in Vermont

In 1974, The Vermont Governor's Commission on the Administration of Justice conducted a study entitled "Delivery of Police Services in Vermont" (Commission Report). The purpose, according to the study foreword, was to explore "...the development of funding guidelines for effective and equitable delivery of police services to the people off Vermont." (p. iii). From this, a ten-year plan was developed that included, among other provisions, "Adoption of a two-tiered, complementary state-local system; strengthened local police, regionalized where necessary to achieve effective levels of manpower and resources..." (pp. iii – iv). Though obviously dated with regards to some statistical information, the study does state that essential police services should consist of coverage around the clock, the entire year.

The study also foreshadows the current status of law enforcement services in Vermont. Windham County Sheriff William Graham, then-President of the Vermont Sheriff's Association (VSA), wrote to the Commission: "...the sheriffs of Vermont see their role as being involved in rural communities by supplying 'local' enforcement...many local communities that cannot afford a police department have a

sincere desire to have some local patrol [that the VSP cannot provide].” (p. 39) In 1974, county sheriffs’ departments had patrol contracts with 14 towns (Commission Report, 1974, 83); in 2003, county sheriffs’ departments had contract with a little over 100 towns (Report of the Law Enforcement Working Group, 2003).

The Commission Report ultimately came to the conclusion that the most acceptable method of ensuring every Vermonter had access to an on-duty officer all the time was to regionalize municipal departments, and changing the role of the VSP to that of investigative specialists, supports services such as a crime lab, and traffic operations on the Interstate. Of likely explosive political issue, the Commission also recommended that the role of sheriffs’ departments be restricted to court duty, prisoner transport, and process services; the Commissioner went so far as to state that sheriffs and deputies have their law enforcement authority removed except for handling prisoners (Commission Report, 1974).

No action was taken on the Commission recommendations noted here. There appears to have been no further consideration on the viability of providing law enforcement coverage and services to rural communities until 1990.

*Public Safety: Adapting to Changing Times:
Report of the Nineteenth Grafton Conference*

The 1990 Grafton Conference was comprised of 24 individuals intended to be representative of stakeholders in public safety in Vermont. Individuals from enforcement, prosecution, the judiciary, corrections, legislators, private business, and the media were invited to the conference to discuss changes in public safety. Though by no means intended to be a scientific approach to examining the issues of providing law enforcement to communities in Vermont, the conference was nevertheless useful in

bringing facts, perceptions, potential solutions, and likely objections to the forefront for discussion.

Plenary sessions at Grafton produced three plans:

- Plan A: "...strengthen the role of the municipal police department...this plan would restructure local police departments into regional authorities, coordinated by a central statewide council."
- Plan B: "...strengthen the State Police while leaving the municipal departments much as they now are...regional dispatching would be initiated...municipal police would be the general practitioners and State Police would be the specialists." (Grafton, 1990, pp 15-16)

Neither plan proved satisfactory:

"...critics claimed that one or the other plan was not readily understandable by the public; did not deal with the problem of fragmentation; was a 'cop-out' in terms of duplication of services; would cost more money and bring no solution to the problems; and involved drawing up 'a bureaucracy for a large city and (trying) to impose it on small Vermont towns.'"
(Grafton, 1990, p. 16)

According to Grafton (1990), a Plan C developed that proposed to combine the best aspects of Plans A and B. A state Agency of Public Safety would be formed that would assist other agencies in reaching a newly-established level of certification and training (yet to be determined). Municipal and sheriffs' department could be combined into regional departments operating under the authority of a school union-type of governance. However, participation in this unification would be voluntary for both the agencies and the communities—those who opted to participate would be eligible for assistance both monetarily and technically by the new Agency of Public Safety. The VSP would continue to grow and specialize, and assume dispatching responsibilities.
(Grafton, 1990, pp. 18-19)

There appears to have been little to no significant movement to evaluate these proposals further. In 1993, yet another study was conducted.

Report of the Public Safety 2000 Summer Study to the General Assembly

The Vermont Center for Justice Research formed the Public Safety 2000 Summer Study Commission (Summer Study 2000) and prepared this report in 1992 for the 1992 Session of the General Assembly. Among the charges to the Commission were “...examine the organization, priorities, efficiency and cost-effectiveness of law enforcement services to the citizens of Vermont...identify methods for enhancing the goals of crime prevention, protection of citizens, response to crimes, and solution of crimes...” (p. 1). Though the Commission went on to spend most of its time analyzing dispatch and communications issues around the state, it did recognize that it ran out of time to finish looking at law enforcement services in general. It did request more time, but there doesn't appear to be any record of the Commission doing any more work.

The Commission did, however, prepare a document, “Overview of the Issues”, that referenced previous commissions, focusing on Grafton and expanding on some of the issues arising from Grafton sessions. The Commission noted that law enforcement in general was becoming more turf-oriented with regards to covering communities and hostile towards each other because of competition for shrinking resources. The overview started, quite bluntly, “Old paradigms do not work.” It went on to sum up: “A repackaging of old ideas, concerns, complaints and wish-lists will not suffice. We are challenged and charged to step off into new territory. Solutions exist within the group. The question is whether or not we have the foresight to present them.” (Summer Study 2000 Overview).

Though there was indeed a great deal of work done on Enhanced 911 and records accessibility since that report, no further action was taken with regards to law enforcement availability for Vermont citizens. In 1999, yet another study group was commissioned.

Report of the Rural Law Enforcement Committee to the Senate and House Committees on Judiciary and Government Operations

The Rural Law Enforcement Committee (RLEC) was tasked with, among other things, performing "...an evaluation of the current system of delivering law enforcement services to rural communities and the adequacy of such services..." and developing "...a plan for improving law enforcement services in rural communities..." (p. 1). Unlike the other studies and reports, the RLEC conducted a survey of municipal officials and Vermont citizens in an effort to determine level of satisfaction with law enforcement services in their jurisdictions.

The RLEC concluded that there was "...no crisis in rural law enforcement services in Vermont." (p. 12), but coverage and response times were still unsatisfactory to residents of rural communities. Though the RLEC did not make distinctions between agency functions or make a specific recommendation, it did note that "...in order to improve law enforcement services in rural communities there needs to be greater inter-agency cooperation between law enforcement agencies." (p. 12). The RLEC viewed this as agencies planning which agency would respond to which calls during what times. Unlike the Summer Study 2000 overview, the RLEC did not appear to be concerned with changing paradigms, but rather, finding new ways to work with existing organizational structures. It did make reference to a Resident Trooper Program as one potential

solution, though such a program does not currently exist in Vermont and would have to be created, presumably based on the Connecticut State Police model.

The RLEC contained a study conducted by the Vermont Center for Justice Research titled Rural Law Enforcement Services Study (RLESS). This study consisted of an opinion survey of municipal officials and the general public as a sort of needs assessment in an attempt to give “community members the opportunity to suggest solutions for problems they believed to exist with their local law enforcement service providers.” (p. 1). Among municipal officials, the highest level of satisfaction, approximately 85%, with law enforcement service providers were those who had municipal police departments. Interestingly, the second highest level of satisfaction was with constables, at approximately 78%. This may reflect the importance of local control to municipal officials.

Conversely, when asked about the most significant problems with existing law enforcement services in their communities, 55% of the municipal officials saw the lack of 24-hour coverage as a “serious problem” (RLESS, 4), while 56% of them viewed lengthy response times as a serious problem as well. (RLESS).

RLESS also conducted a statewide poll of community residents regarding satisfaction with law enforcement services and what they may see as significant problems, if any, with the levels in their communities. The community members did not share the municipal officials’ opinions concerning the level of seriousness of such problems as lack of 24-hour coverage and lengthy response times, though 46% of the poll respondents thought 24-hour coverage was “pressing” and, “when asked to consider various solutions to service-related problems, 24-hour police coverage was the solution

most often given.” (RLESS, 11). Additionally, “most respondents did not think that contracting with another agency was the best solution to providing services in their community.” (RLESS, 11). At the same time, most respondents thought it was the state’s responsibility to pay for additional law enforcement services in the form of an increased VSP presence, but they wouldn’t support additional taxation for increased services.

Report of the Law Enforcement Working Group

Also colloquially referred to as “The Summer Study”, this document was prepared in 2003 in response to disparities in benefits between the different types of law enforcement agencies in Vermont. In the process, many of the same issues examined by previous commissions surfaced. Though there does not appear to have been any more of an effort made to conduct a scientific inquiry than there was at Grafton (though the Summer Study references the RLEC survey in its findings), the same issues were expanded and explored in much more depth. There also appears to have been more of an effort to quantify some facets of the issue:

“There are 50 towns with municipal police departments that are supported on the local property tax base. Approximately 100 communities pay for additional law enforcement services through contracts with the sheriff’s office of the state police. In the case of some police departments and most contractual arrangements, law enforcement coverage is part time. In many cases, the contracts are for very small amounts of time, less than 20 hours a week. Roughly 100 towns believe the need for local law enforcement services does not warrant the additional expense and rely solely on the basic level of service the county sheriff and state police provide.” (LEWG, p. 3)

While not specifically stating that regionalization was the best way for communities to increase a local presence of police, LEWG recommendations included the following:

- “Primary local law enforcement may be provided by any one, or combination of, town constable, municipal police, intermunicipal agreement, or contract with the county sheriff or Vermont state police.”
- “Contiguous rural towns may consider cooperating to provide primary criminal and traffic law enforcement within a police district (e.g. Hardwick) or multiple-town sheriffs’ contract (e.g. Hyde Park, Johnson, and Wolcott)”
- “Such an approach will enable the state police to continue to concentrate on major crime, drug interdiction, and interstate highway safety, while providing backup as needed to local and regional officers for emergencies and criminal offenses.”
(LEWG, p. 7)

Police Coverage and Services

What is Rural?

Any discussion concerning rural communities will, of necessity, be concerned with how one distinguishes a rural community from an urban one. The U.S. Census Bureau (2005) makes a distinction between “urban” and “rural”: “An urban area generally consists of a large central place and adjacent densely settled census blocks that together have a total population of at least 2,500 for urban clusters, or at least 50,000 for urbanized areas. Urban classification cuts across other hierarchies and can be in metropolitan or non-metropolitan areas,” as differentiated from “rural”: “Rural - Territory, population and housing units not classified as urban. Rural classification cuts across other hierarchies and can be in metropolitan or non-metropolitan areas.” In one study, researchers noted that “rural police officials...were themselves usually vague about the term.” and suggested that “[perhaps] a single definition is not only impossible but undesirable.” (Falcone, Weisheit, & Wells, 1995). A National Institute of Justice (NIJ) study, “Rural Crime and Rural Policing” (2004) notes the following: “Precisely what is meant by a ‘small’ department? The truth is that there are no classifications of police departments by size, and there is no common definition of small town and rural

police.” (p. 8). There have been suggestions that ‘rural’ could refer to the predominant economic activity of a community (i.e., the members engage primarily in farming), or distance from an urban center. With regards to this paper, this author believes that while these factors may affect a rural community’s ability to afford a police department, they don’t really suffice as delineations.

Weisheit, *et al*, (1995), in examining rural crime, also attempt to define and quantify “rural” as conceptual issues:

Demographic: Sparse populations or low density

Economic: “...a lack of variety in the ways people make a living and a low degree of functional differentiation in the community’s social structure.” (p. 7)

Social Structural: “...the defining attributes of rural life are intimacy, informality, and homogeneity.” (p. 7)

Cultural: “...distinctive sets of attitudes, beliefs, values, knowledge systems, and behaviors that characterize the people living in rural areas.” (p. 8)

Weisheit, *et al*, (1995) note that these concepts would prove difficult to operationalize and quantify, in large part because attempting to define and measure such variables as beliefs and values would perhaps require too much subjectivity on the part of the researcher. In the end, Weisheit, *et al*, (1995) decide that “The most reasonable strategy [for defining ‘rural’] is for studies to select a definition that (1) makes intuitive sense, (2) is relatively easy to use, and (3) allows for comparisons with other research.” (p. 17) In compliance with this common sense observation, for the purposes of this paper and the context in which this examination is taking place, the description ‘rural’ will apply to any jurisdiction that has to contract for law enforcement coverage and services beyond what the VSP normally provide.

Lack of Coverage and Services: Perception versus Reality

In 2003, the Law Enforcement Working Group, a legislatively-created entity tasked with generating a report to the Governor regarding the state of law enforcement in Vermont, finished its investigation. In the report, among the findings:

...some communities are concerned they are receiving fewer law enforcement services than they would like. These concerns relate to long response times for complaints of less serious crimes and quality-of-life issues. For example, in rural areas, drug offenses, liquor violations, and vandalism are commonplace and often occur without detection, investigation, or prosecution. Furthermore, when a local law enforcement presence is non-existent, a deputy sheriff or state trooper called for back-up may not be readily available. (pp. 2-3)

Compare the above language to that contained in the Windham Foundations' Report of the Nineteenth Grafton Conference "Public Safety: Adapting to Changing Times" (1990) written about the state of law enforcement in Vermont: "One discussion group identified as a major problem the apparent different quality of law enforcement services between one community and another due to disparate staffing and funding levels." (p. 8)

If indeed individuals commit drug offenses with apparent impunity—and there is no reason to doubt the veracity of this claim—this goes towards supporting the argument that small communities need more enforcement because of activities taking place in their jurisdictions, rather than a flawed perception of need. In further support of the stance that rural communities need more coverage is a 2001 study conducted by Ralph Weisheit and L. Edward Wells, "Gangs in Rural America" that noted an increasing presence of gangs and/or gang members in small communities. Weisheit and Wells (2001) did not use the

same definition of 'rural' used in this paper, but they reference communities that had only three police officers or less, thereby unable to provide a full time presence, and cited a National Youth Gang (NYG) survey that indicated a lack of police was one factor prompting gangs to move to rural areas.

The singular issue of gangs aside, there is further evidence to support the contention that the need for an ongoing law enforcement presence in small communities in Vermont is a reality rather than a perceptual issue. The crime rate in Vermont is rising, however slightly, and the absolute number of crimes has risen as well. According to Vermont Crime On Line (VCON), which gathers its statistics using the Vermont Incident Based Reporting System (VIBRS) the crime rate per 1,000 rose from 45.45 in 2004 to 47.14 in 2005. The absolute number of crimes rose from 28,243 in 2004 to 29,294 in 2005, an increase of 1051 crimes, or, 3.72% (VCON, 2005). An increase in the absolute number of crimes could reasonably be presumed to include an increase in crime in rural communities. With regards to a population increase, the total population in Vermont rose 2.3% from April 1, 2000, to July 1, 2005. (U.S. Census Bureau Quick Facts, Vermont, 2006). The crime rate in one year increased more than the population rate in five years. While, as noted above, the rise is not dramatic nor cause for alarm, it does suggest that the population increase alone would not account for the rise in the crime rate.

The reality is that crime is increasing in Vermont and rural communities without police departments of their own and that do not contract for coverage and services with other agencies do not have law enforcement officers in their jurisdictions on anything approaching a regular basis. This will have the obvious effect of increasing response

times and decreasing availability. The U.S. Census Bureau (Census 2000) states that Vermont has approximately 623,000 full time residents and Elrick estimates there are 1200 full time law enforcement officers, for a ratio of 1.92 full time officers per 1,000 residents. According to the Federal Bureau of Investigation (FBI), this is well below the Northeast average of 2.7 full time officers per 1,000. (2002) But not all full time sworn personnel are available to respond to calls, so that number should be considered as well: New Hampshire has 116 full time sworn officers per 100,000 residents to respond to calls while Vermont has 76, giving New Hampshire about 35% more officers per 100,000 than Vermont. Even Maine, with its huge areas of undeveloped territory and scattered population, has 89 officers per 100,000 to respond to calls. (BJS, 2000).

According to the FBI, in 2004 the violent crime rate (murder, forcible rape, robbery, and aggravated assault) in New Hampshire was 167 per 100,000 residents; in Vermont, it was 112 per 100,000 residents, a difference of approximately 33%. The fear of violent crime in New Hampshire may have helped generate an impetus to put more officers in place. However, property crimes (burglary, larceny, and motor vehicle theft) are the reverse, though not to the same degree; in New Hampshire the 2004 rate was 2040 per 100,000 residents while the Vermont 2004 rate was 2308 per 100,000 residents, a difference of approximately 9%.¹

Certainly the economies of each state should be taken into consideration with regards to ability to pay for law enforcement officers, but it should be noted that Maine

¹ It should be noted here that for comparison purposes between the two states, National Incident Based Reporting System (NIBRS) data was overlooked in favor of UCR reports because, according to a 2003 BJS report (the latest available), New Hampshire was only 69% compliant with NIBRS while Vermont was 92% compliant. The National Crime Victimization Survey (NCVS), which attempts to measure crimes not reported to the police and is normally useful in providing statistical information the UCR cannot, does not appear to break down crimes by state.

has consistently had one of the lower-performing economies in the country, not just the Northeast (Jeff Bogue, Wolfe Newswire, June 13, 2005). One has to leave the Northeast to find states with lower numbers than Vermont. Only six states—California (66), Idaho (66), Montana (64), Oregon (65), South Carolina (69), and West Virginia (61)--have fewer officers available to respond to calls than Vermont. Only two states—Montana (85) and West Virginia (78)--have fewer full time sworn personnel per 100,000 than Vermont. (BJS, 2000). Interestingly enough, Maine and New Hampshire are two of four states with lower crime rates than Vermont—the other two are North Dakota and South Dakota (BJS, 2000). Thompson (1996) adds that “urban-rural crime differences are smaller in victimization surveys than in the Uniform Crime Report (UCR). This could be due to the underreporting of criminal events to law enforcement officials that stems from rural residents greater distrust of government officials.” (p. 15). It may be equally valid to speculate that in Vermont, an unknown percentage of rural crime may go unreported to the police because the residents have become frustrated with the lengthy response times.

But responding to and investigating complaints of criminal activity are only a portion of the duties of a law enforcement agency. Providing services is a significant function of any such agency. The Report of the Law Enforcement Working Group (2003) noted that a 2000 survey distributed by the Rural Law Enforcement Committee

“In the last few years, Vermont has seen a number of rural communities that wish to increase their existing law enforcement presence with enhanced ‘quality-of-life’ services, either through funding a local department or constable, or contracting with the state police or sheriff.” (p. 4)

Given the number of rural communities seeking an increased law enforcement presence, it would be reasonable to assume that quality-of-life offenses concern these

communities. Sviridoff (1982) noted that studies of the nature of calls to police departments indicated that only about 15% of calls involved actual criminal acts; the remainder of the calls was for service or information, or for nuisance-type calls that simply required police intervention without arrest. Though Sviridoff's study is almost 25 years old, this ratio appears to be consistent as late as 2005 in Vermont. As mentioned earlier, VCON recorded over 29,000 offenses in 2005--in 2006, according to records of law enforcement agencies belonging to the Spillman system in Vermont, there were over 220,000 calls of varying natures handled by those agencies (Spillman, 2007). This ratio could demonstrate how studies on coverage in Vermont could conclude that residents were satisfied with the police response to major incidents but still feel a need for an enhanced police presence.

The Status Quo

Response

According to VSP Col. James Baker, the VSP have a statutory obligation to provide law enforcement coverage and services to communities that do not have departments of their own; this obligation holds true even if the community contracts with another agency for coverage and services above and beyond what the VSP provides. It would also hold true in the event a jurisdiction wanted to disband its police department and return to the VSP for coverage. However, there is no statutory designation concerning the level of coverage and services involved. Accordingly, because of the low number of troopers available to cover a large geographic area, the VSP has to triage the calls and has minimized or cut out some services altogether. Baker flatly states, "There are just some things we [VSP] can't do well." He refers to quality-of-life offenses,

services that are not necessarily enforcement-oriented, and response times as fast as those of municipal agencies.

The same factors of low staffing and large patrol area translate into longer response times and less availability—Weisheit, et al (1995) notes that “The effects of geography alone pose serious problems for rural justice, having an impact on such things as response time and the speed with which support services can be provided.” (p. 18). It also means that all too often a single trooper is available to respond to a potentially hazardous call. Troopers responding to such calls in jurisdictions abutting those with full time agencies very often receive an assist from officer(s) in that agency—the only other alternative is to wait for a constable or for another trooper to assist, both of which can significantly delay response time.

Of course, there may be perceptual differences between how law enforcement agencies view response times and how the general public views the same. Geller and Stephens (2003) claimed that “...citizen satisfaction with response time was dependent on whether citizens perceived response time to be faster or slower than the dispatcher had led them to believe.” (p. 96). However, it should be noted here that Geller and Stevens were referencing studies that talked about response times varying from 15 minutes to a half hour. There doesn't appear to be any sort of consensus in policing literature with regards to what a standard patrol response time to calls should be, other than to note that faster is better. The foregoing assumes that the caller initiates contact with the police during or immediately after an event. A three minute response time is useless if the call to the police is made three hours after the event. This raises an interesting point with regard to the issue under examination here: If residents in rural communities realize that a police

response will likely be significantly delayed, or there is the perception of such, how many calls never get made because of this?

Vermont law enforcement officers and leaders share citizen concerns over response time, but perhaps for divergent reasons. Response times measured in hours or days—or not at all—affect citizen satisfaction differently; an extremely delayed response generates citizen complaints, regardless of certainty of response (VSP Col. James Baker, private communication). Col. Baker emphasized that the delayed response is as unsatisfactory from a law enforcement agency's view as it is from the public's, though it is the current reality; lengthy response times account for the majority of citizen complaints he receives. However, there is also another aspect of response time that law enforcement considers when trying to determine how best to improve it. Bennett and Hess (2004) write that:

A response as rapidly yet as safely as possible builds confidence in law enforcement capabilities and competence. It also places officers at the scene to protect evidence before people or the elements destroy it. It increases the chances of locating witnesses and making arrests. further, it increases the chances of providing lifesaving emergency first aid to crime victims. (p. 443)

Good response times, then, have a direct positive bearing on evidence protection, witness identification, perpetrator identification, ability to render first aid, and, to a lesser degree, the ability to apprehend the offender. Conversely, lengthier response times will have a negative effect on these. If one were to assume that response times were concerned solely with offender apprehension, then some studies would suggest police resources would be better applied elsewhere—the Kansas City Preventive Patrol Experiment that took place in the early 1970's and concluded that routine patrol was of

little value in crime prevention is considered by some to be a classic study (Wikipedia, 2007). It should be noted that the Kansas City Experiment and similar studies concerned themselves primarily with crime prevention and offender apprehension. If that were the only variable under consideration when looking at this issue in Vermont, then these studies would be more applicable. But it's when the other abovementioned considerations and services are factored in that speedier response times become more of an influence on an officer's ability to do his/her job, and, by extension, provide a higher level of service to the public.

Unfortunately, comparisons of disparities in response times among agencies in Vermont are virtually impossible to easily determine in an empirical manner, according to VCIC Director Max Schlueter. Schlueter advised that the accuracy of all times entered is a function of the dispatcher, and therefore is subject to a potentially significant degree of human error. A harried dispatcher may not get around to entering an officer's arrival at a scene until well after that officer has arrived. Since the computer-aided dispatch (CAD) software automatically records date and time of arrival based on the dispatcher's entry, that entry would be inaccurate. Too, there is the problem of compiling the information. There are hundreds of thousands of entries each year, and trying to gather and organize them would require an effort far beyond Schlueter's current abilities to perform². Schlueter did note that, anecdotally, an observation that officers not located in the community to be served would have longer response times could be supported, perhaps as much due to distance as to availability. (Schlueter, private conversation).

² Schlueter ran the response times for Bennington PD alone, for one month, and the project took hours to finish.

Lack of Grant Funding/Program Implementation

As mentioned elsewhere in this paper, communities using constables as their secondary law enforcement option and seeking to take advantage of grant opportunities will find that they are unable to do so, since the federal government requires law enforcement officers to manage the grants and constables are not considered law enforcement officers for that purpose. This would have the effect of closing off several sources of grant money unless an agency with a law enforcement officer as recognized by the federal government is willing to apply for and administer the grant. The second hurdle, assuming the community was able to obtain grant funds in the first place, would be finding officers able to carry out some of the programs. For instance, both the DARE and School Resource Officer (SRO) programs require that a police officer implement these programs in the schools. The community can, for example, sponsor a deputy sheriff to implement the program, but the law enforcement face on the program belongs to the sheriff's department rather than the town.

Duplication of Resources

All law enforcement officers in Vermont, with the exception of constables, have statewide jurisdiction and can, in theory, operate anywhere in the state (the reality is that no jurisdiction will pay for its officers to operate in another without some form of reimbursement or other consideration). Multiple agencies operating independently of each other can mean duplication of services and resources. By way of example, consider Bennington County: there are three municipal agencies—Bennington Police (BPD), Manchester Police (MPD), and Winhall Police (WPD)--the Bennington County Sheriff's Department (BCSD), and a VSP barracks in Shaftsbury. With the exception of WPD,

each municipal agency has its own full time dispatch services (WPD uses the VSP on a part time basis). The VSP split dispatch out of the Shaftsbury barracks and the Rutland dispatch center. This means that each municipal agency and BCSD has its own dispatch radio equipment and its own dispatchers; the BPD station and the BCSD building are less than two miles apart.³

Radio equipment can be expensive. When the BPD obtained a new system in 2002, the total cost came to just over \$125,000; MPD upgraded its own system about a year later, for approximately \$25,000 more. Both projects were grant-funded, but that points to yet another factor draining the impetus from any attempts to consolidate resources, because individual communities can receive significant grant monies to upgrade equipment and do so without burdening the taxpayer. Any compelling financial reason to consolidate is lost.

Why the Status Quo Persists

Cost and Revenues

A police department is an expensive arm of local government, one that often depends on the size of the community for the extent of its funding. The Bureau of Justice Statistics (BJS) noted a direct correlation between the size of the community and its funding of its police department on a per officer basis:

³ The Bennington Police Department and the Bennington County Sheriff's Department are currently engaged in a dispatch consolidation project, the outcome of which won't be available as of the due date of this paper.

| Population | Per Officer | Per Employee | Cost Per Resident |
|------------------|-------------|--------------|-------------------|
| 25,000 to 49,999 | \$83,500 | \$63,800 | \$152 |
| 10,000 to 24,999 | \$72,100 | \$55,300 | \$146 |
| 2,500 to 9,999 | \$58,800 | \$47,100 | \$142 |
| Less than 2,500 | \$42,300 | \$35,800 | \$156 |

Note: Figures reflect fiscal year 2000.

As can be seen in the above graph, though there is a significant increase in the amount of spending on a per officer/per employee basis as the population rises, there is virtually no difference in the cost per taxpayer. Residents of small communities simply aren't able to benefit from the economy of scale that residents of larger jurisdictions enjoy. In addition, larger jurisdictions have a greater commercial and industrial tax base from which to draw, which keeps the individual taxpayer's cost down. By way of example in Vermont, in Bennington, the police department is the largest and the most expensive department in Bennington municipal government. Fully 85% of a \$2.9 million police budget is dedicated to wages, benefits, and insurances. Benefits constitute 42% of wages—in other words, for every \$1 spent on salaries, the Town must spend an additional .42 for benefits. Patrol officers in Bennington—not the highest paying municipal department—at the upper end of the wage step scale will cost the Town about \$65,000 a year in regular salary, overtime, and benefits. This excludes the costs of uniforms and cleaning, equipment, training, and other incidentals.

A small community generally can't afford this. Even the larger of the smaller communities, ones that have departments with 2-5 officers, typically pay 70% to 80% of

what the larger agencies offer, and don't normally provide the same level of benefits.

The Vermont League of Cities and Towns (VLCT) publishes an annual document entitled *Vermont Municipal Salaries and Benefits*. In the 2005 report, using the Wilmington, VT, Police Department with three full time officers as an example (by no means atypical), the average annual salary for patrol officers is \$27,109; the average for Bennington PD with 25 full time officers is \$35,452. (VLCT, 2005)

To aggravate the problem, new hires for smaller agencies get their training and experience there, and then often move to a larger agency at the first opportunity. For the larger agency, this saves quite a bit in training expenses as they can hire an officer who is a known entity with regards to ability to do the job; for the smaller agency, this is yet another blow to the budget to pay to train another officer and pay overtime to fill in for the one who left. It can take anywhere from six months to a full year—depending on candidate availability and suitability, and the academy's scheduling--from the time the selection process begins until the recruit graduates from the 16-week academy and completes a 10-week field training program, to have another officer ready to work alone.

Geographic location and demographics may also play a significant role in ability to pay for a police department. Vermont's Northeast Kingdom, which is comprised of Caledonia, Orleans, and Essex Counties, is the least densely populated and poorest region of the state, according to the Vermont Center for Rural Studies (VCRS, 2007). Using data obtained from VCRS, one can compare, for example, Orleans County to Chittenden County, the most densely populated and wealthiest county in the state:

| | Orleans County | Chittenden County |
|--|----------------|-------------------|
| Persons per Square Mile, 2000 | 37.66 | 271.91 |
| Average Adjusted Gross Income Per Person, 2004 | \$16,427.63 | \$25,654.52 |
| Unemployment Rate, 2005 | 5% | 3.10% |

(Vermont Center for Rural Studies, 2007)

As can be seen above, not only is the population significantly higher in Chittenden County, but the average adjusted gross income is over 50% higher per person and the unemployment rate is only 60% that of Orleans County.

Yet another factor related to cost that bears consideration may be taxpayer reluctance to pay for what he or she perceives as duplication of services. A number of years ago, citizens in Shaftsbury, Vermont--which is not only covered by the VSP but has a VSP barracks in town—stopped contracting for extra services from both the Shaftsbury VSP barracks and the Bennington County Sheriff’s Department. Many residents stated they didn’t want to pay for extra services when they were already paying for troopers. (Col. Baker, personal communication). Cost in a different form may also be acting as an inhibiting factor in providing more coverage and services for rural communities:

Legislators in Vermont have proven reluctant to significantly increase the size of the VSP force due to the personnel costs.

Currently, a percentage of traffic ticket fines are returned to the communities in which they were written. The exact ratio/amount depends on the offenses, whether they were written under municipal ordinances or state statutes, and how much, if at all, the fine is reduced in traffic court. As a result, rural communities contracting with either the

VSP or the sheriff's department, or using constables, have a strong financial incentive to have these officers focus on traffic enforcement, primarily speeding (traffic enforcement is also mentioned in the studies as one significant area where rural community residents feel they are not getting adequate coverage from the VSP). The fees are used to offset the cost of contracting the officers or paying the constable. (McLaughlin, personal communication)

The questionable practice of encouraging law enforcement officers to write enough tickets to offset their own cost aside, the contracting system may leave something to be desired with regards to providing a higher level of law enforcement to rural communities or advancing the cause of police professionalism. In Vermont, part time officers and constables with only part time certification still have the authority to write traffic tickets, and the percentage of fines returned to the community do not depend on the certification level of the officer who wrote the ticket. From a fiscal perspective, there is no incentive to utilize officers who are full-time certified if part time certified officers, sometimes paid significantly less and not receiving benefits, are equally authorized to enforce traffic laws.

Jurisdictional and Political Issues

As Welsh and Harris (2004) note, "Any change to existing procedures and existing conditions carries a certain amount of risk. The proposed change is likely to be resisted by someone, perhaps even its intended beneficiaries..." (p. 10). A change to an existing procedure for a rural community seeking additional coverage and services would, most commonly in Vermont, mean contracting with a sheriff's department. However, this can and sometimes does lead to jurisdictional disputes between deputies on

contracted duty and VSP troopers with the responsibility of answering calls in that same community. Part of this is because deputies are generally working a specific detail such as traffic enforcement and are not paid to answer calls for service, and part is because there is the likelihood that the agency tasked with primary enforcement duties—in this case the VSP—may have a dim view of what they consider encroachment on their territory. Additionally, there may be a distinct difference in experience and training levels between deputies whose primary duty is providing contracted traffic enforcement to rural communities and troopers who are tasked with responding to wherever they are called to answer a wide variety of complaints. (Report of the Law Enforcement Working Group, 2003)

But despite ‘turf’ disputes and quarrels over responsibility for answering calls, the current systems perpetuates itself because there is little in the way of alternatives.

Benefits of Consistent Police Presence

A discussion of some of the disadvantages of a lack of a law enforcement presence would be remiss without making some reference to the advantages of consistent law enforcement proximity. In addition to enhancing coverage and response times, quelling turf battles and jurisdiction disputes, and becoming eligible for grant fund, there are other positive aspects of a consistent police presence.

Presence

Much more so than their urban counterparts, rural police officers live in the communities they police. (Sims,1996). This has significant advantages for the community: “Rural police identify with individual community members...they share a genuine interest in the welfare of the community because it is their home.” (Sims, 1996,

p. 45). The officer, too, can benefit. A rural setting can offer a more relaxed atmosphere for both officers and members of the public. McDonald (1996) citing Clinard and Meier (1989: 22) noted that “social control in a rural setting is more reliant on informal means instead of the official, bureaucratic machinery of the urban criminal justice system.” (p. 20). This was attributed to the fact that people living in rural areas were more likely to know one another and interact on a regular basis. For officers, this may give them more informal options and methods of controlling behavior, particularly among juveniles. This may not indicate less of a need for a law enforcement presence, but rather, gives support to the concept that an officer who is part of the community may have more ‘tools’ available to him/her than an officer who only goes to the community in response to calls. The officer in the latter instance may not know enough about the individuals involved to handle an incident in any other but a formal manner.

Enforcement Expectations

Residents of rural communities expect a different style of enforcement from officers serving them. Karen Baird-Olson, in her study “Doing What We’ve Always Done: A Case Study of Rural Policing” (2000) notes that ...”a police officer is not only a law enforcement official but also a family member, a friend, or a hunting buddy. These primary relationships lend themselves more readily to informal social control measures rather than formal institutionalized legal action.” (p. 12) Though Baird-Olson conducted her study using the Village of Council Grove, IL, population 2210, this phenomenon can be observed in any small community.⁴

⁴ A community may also attempt selective enforcement in its jurisdiction. This author is familiar with at least one instance in which members of a community contracted for services with the county sheriff’s department and suggested that community residents not be ticketed. The sheriff refused.

Generalist versus Specialist

There may be those officers who enjoy the variety of tasks that police work can offer. Policing a rural community virtually demands that officers be generalists. Sims (1996) writes:

“In a rural setting, it’s not unusual to see the police chief taking a vehicle accident report, investigating a felony, talking with children, working routine patrol on the street or giving directions on the interstate to a lost motorist. Similarly, the rural patrol officer, with no rank, would not feel out of place having lunch in the only café in town with the banker, mayor, or greasy-shirted auto mechanic.” (p. 46)

Certainly a reasonable argument could be made that it’s precisely this form of generalism that contributes to and enhances the abovementioned town presence. Of course, the flip side to this can be a stressor as identified by Bartol (1996), in that other community members always see ‘their’ officer as being on duty and being a resource for them.

The argument has been advanced (Weisheit, et al, 1995) that policing in rural town is, simply, community policing in the original sense. Frank and Liederback (2003) found this to be the common belief among rural officers, so they examined and compared work routines to see if it was accurate. They determined that the anecdotal evidence was supported by their findings with regards to rural officers having more citizen contact, and having personal knowledge of those citizens with whom they came into contact.

Enforcement Options

Those communities unable to afford a municipal police department of their own currently have three options and one that may be available in the future: contracting with another agency, increasing the role of the constable, regionalization either through an

interrmunicipal police services agreement or with a county sheriff's department, or, under consideration as another alternative, taking part in a resident trooper program. It bears repeating here that all full time certified municipal officers, deputy sheriffs, and troopers in Vermont have the same authority statewide, and can enforce any state laws anywhere in the state. Constables, on the other hand, have authority limited to the jurisdiction that employs them, and can be either elected or appointed.

Contracting for Additional Coverage and Services

Currently, most small jurisdictions that contract for additional services do so through the sheriff's department located in their county. The VSP and municipal police departments are able to contract services as well, but don't do so to the extent sheriffs' departments do: neither agency can easily hire individuals specifically for contracted patrols, and using existing officers will either cause shift shortages or the contracting jurisdictions will have to pay a higher per-hour cost because the officer will be working at an overtime rate. Sheriffs' departments, on the other hand, can tailor at least part of their operations specifically to accommodate jurisdictions seeking to contract officers, keeping per-hour costs down and not causing shortages in other operations.

Contracting for additional law enforcement coverage is a fairly straightforward process. According to now-retired VSP Col. Tom Powlovich, who was the highest-ranking officer in the Vermont State Police, jurisdictions desiring to contract with the VSP enter into a contract with that agency for a predetermined number of hours per month, the number to be determined by the jurisdiction's governing body after consultation with the commander of the closest barracks. The jurisdiction is charged for the trooper's time on a per hour basis. The advantage to a jurisdiction of this

arrangement is that the VSP is responsible for equipping and supervising the contracted trooper. The disadvantages are that trooper availability may be sporadic, the trooper may be called away to assist somewhere else, and local control can be limited. (Powlovich, personal communication)

Contracting with a sheriff's department is very similar. Each of Vermont's fourteen counties has an elected Sheriff. In Vermont, sheriff's departments provide courtroom security, transport prisoners and other detainees to and from their respective institutions, and serve civil summonses. They do not provide first responder law enforcement services in communities with municipal police departments, nor in any other community that did not specifically contract for their services. According to Chittenden County Sheriff Kevin McLaughlin, the jurisdiction specifies what it's seeking for law enforcement coverage and a contract is drafted specifying services and payment. Sheriff's departments around the state currently have contracts with over 100 jurisdictions to provide auxiliary coverage in communities covered by the VSP. (LEWG, 2003) Clearly, this not only demonstrates that there is a significant desire among rural communities in Vermont for coverage beyond what the VSP can provide, but that perhaps contracting for additional coverage with sheriffs' departments is viewed as the most easily-implemented and cost-effective option.

As is the case with the VSP, the advantage for a municipality is that sheriffs are responsible for equipping and training their deputies. The disadvantage is that the jurisdiction has no control over the quality and certification of the deputy assigned to them—there is no one set of policies or standards that apply to all sheriffs' departments.

Using the Constable

Vermont law requires that every municipality have a constable, either elected or appointed. The constable's role in larger jurisdictions is usually limited to providing a law enforcement presence at town meetings and voting polls, though they have powers of arrest and search and seizure within their towns. However, a town may vote to prohibit the constable from exercising any law enforcement authority, or prohibit them from exercising it until they've been certified as part time officers in Vermont. (Elrick, LEAB Report, 2006)

Either elected or appointed, the constable serves his/her community in the capacity the community desires. In Vermont, at this point in time, that most often means the constable is responsible for speed and other traffic enforcement, and addressing minor quality-of-life offenses. Wages for the constable are determined by the jurisdiction's governing body. The advantage of the constable is that the arrangement is the quickest and easiest of the four options to put into place while retaining almost complete local control. The disadvantage is that the quality of enforcement can vary dramatically, and none of the constables currently holding positions in Vermont have full time law enforcement certification. Additionally, constables are not recognized as full time law enforcement officers by the federal government for the purposes of applying for grants, which puts a community relying on constables for its law enforcement at a distinct disadvantage with regards to obtaining grants to fund equipment and training.

Constables have the least well-regulated role among law enforcement officers in Vermont. Though the position is referenced in the Vermont State Constitution, there is no description of duties and no statutory language granting them law enforcement

powers. This, along with the manner in which communities may appoint, elect, and train/certify them, can give rise to situations where an untrained and uncertified constable may have supervisory authority over trained and certified part time officers. (Report of the Law Enforcement Working Group, 2003)

Regionalization

Regionalization (which is a term that, for the purposes of this paper, will be used interchangeably with ‘consolidation’) poses a number of challenges with issues ranging from political ‘turf’ battles to wages and benefits for officers in the affected communities. Johnson (2000) examined regionalization efforts in Illinois and determined that a number of efforts failed due to political tensions, skepticism, and “...local police departments, no matter how small, provide a sense of identity to small communities that makes partnering difficult, especially with a town where there may exist a rivalry in athletics.” (p. 30).

Johnson (2000) went on to look at successful consolidation efforts, and noted that obstacles to regionalization “can be overcome through communication, compromise, and cooperation. Financial and demographic trends are combining to make consolidation and merger of services an idea that will be considered more seriously in the future.” (p. 30). Among some of the issues resolved through compromise and cooperation, according to Johnson (2000), was the shape of the new badge for the consolidated police department. One agency had a shield while the other had the star, and it proved to be a major obstacle in that neither agency wanted to completely suborn its identity to the other—the fix was to create a new badge entirely from scratch that combined both the shield and the star.

Regionalization in Vermont can be accomplished either through intermunicipal police services agreements or through use of an existing county-based law enforcement

structure, i.e., the sheriff's departments. There are two scenarios under which two or more jurisdictions can enter into an intermunicipal police services agreement: none of the jurisdictions involved have police departments and wish to start a regional one from scratch, or, the jurisdictions involved already have police departments and wish to share resources. (VLCT, 2005).

In the former scenario, the jurisdictions would form a governing body similar to that used for school districts, i.e., each participating jurisdiction has a representative on a union board. These individuals would act as the authority for making decisions regarding budgets, hiring and firing, policies, etc. The police chief would report to this body or its designee. In the latter scenario, two or more jurisdictions that have existing police departments form an agreement to pool their resources. For example, two small agencies may link up with a larger one in their area, and form one law enforcement agency that covers each of their respective towns. The agreement would contain stipulations regarding the management of the agency, which jurisdiction was responsible for what activity, and so forth. At the present time, there is only one such agency in Vermont.⁵

The advantage of this option is that it gives the participating jurisdictions control over almost every aspect of the department, which can ensure very high levels of training and professionalism, and greater levels of coverage. It also avoids duplication of resources and operations, and spreads the tax burden among a larger pool of taxpayers.

However, among the options presented here, this one removes local control almost entirely, if 'local control' is defined as having complete discretion on how the

⁵ The Hardwick-Greensboro Police Department.

agency functions in a given single community. There are also concerns on the nature of the regionalization, as to whether it consists of municipalities cooperating to form one intermunicipal agency that serves them or if the county sheriff's department will absorb and assume those duties. From a political perspective, there is the consideration that intermunicipal police services agreement, while spreading out the tax burden evenly, will still not result in balanced coverage and provision of services. And, if a county-based authority is used, then Vermont side judges, who have administrative authority over county functions, may have too much sway in the operations of the agency. (Report of the Nineteenth Grafton Conference, 1990)

Resident Trooper Program

A resident trooper program, as envisioned by the Rural Law Enforcement Committee (RLEC) (2000) and the LEAB, involves placing a VSP trooper in a community and having that trooper act as a surrogate police chief supervising the local officers. This arrangement would ostensibly stay in effect until and unless the community grew large enough to establish the position of police chief on its own. The Connecticut State Police (CSP) is among the agencies engaged in this program.

Creating this option would require either that the state legislature fund the program or that the rural communities involved pay for all or part of the trooper's position. The former may raise the issue among taxpayers outside the involved community of why they're paying for a state service that they're not receiving (especially if the VSP supply cannot meet demand and equity concerns arise); the latter may end up being more expensive for a community than simply contracting with the county sheriff's department and ultimately defeats the purpose. There may also be a question of how long

a program is maintained in a given community and who determines when and how it ends.

Research Plan

This research plan will involve a literature review, a survey distributed to members of the Vermont law enforcement and municipal government communities, and personal interviews. All research will be conducted while looking at the four viable options for extending law enforcement coverage in Vermont: the use of a “resident trooper” program, enhancing the role of the constable, contracting with a larger agency such as the county sheriff’s department, and regionalization. Each of these options will be considered. For the purposes of this paper, the operational definitions of “coverage” and “services” are included in this section; the operational definition of “rural” has already been addressed elsewhere in this paper.

Methodology

The primary research instruments used here will be two surveys disseminated electronically to law enforcement leaders and officers and municipal leaders using various e-mail groups; one survey is designed for law enforcement officers and the other for municipal leaders. For municipal officers, the survey will be distributed to chiefs on the VACOP e-mail list, and those chiefs will be asked to encourage their officers to fill it out as well. This same procedure will be followed for county sheriffs. VSP Col. Baker will pass the survey along to barracks commanders. Karen Horn, from the VLCT, will send the survey out to VLCT members using their group e-mail. When the results of the survey have been gathered and examined, respondents who have indicated a willingness to participate in follow-up interviews will be contacted and interviewed over the phone.

Surveys

The surveys are designed to measure respondents' opinions regarding the need for greater law enforcement coverage and services in rural communities without full time police departments, which of the four given options would be most desirable and why, and what obstacles a given option may face⁶. The entire population of municipal, county, and state law enforcement officers constitutes the sampling frame for the proposed law enforcement officer survey. Though chosen in a non-random manner, the total population of approximately 1200 officers is small enough and contacted easily enough that there does not appear to be a need to take random sampling measures. The survey will be presented to all groups via e-mail, with a follow-up e-mail request a week later to encourage non-respondents. To the best of this researcher's knowledge, no attempt has been made at surveying the law enforcement officers along every rank themselves to get their opinion. Municipal officials will also be selected in a non-random manner, using the group e-mail list provided by the VLCT. As with the law enforcement survey, this group will be provided with an e-mail link to the community survey with a follow-up e-mail request a week later.

Hypothesis #1

Law enforcement officers and community leaders perceive a need for increased levels of police coverage and services in rural Vermont communities.

⁶ *Statement of Compliance:* To the best of my knowledge, the plan of conduct for this research conforms to the policies and procedures for the use of human subjects at Norwich University

Hypothesis #2

Of those law enforcement officers and community leaders who expressed dissatisfaction with the status quo, a majority of respondents will express a preference for regionalization as being the best method to increase police coverage and services.

Variables

The variables can apply to both hypotheses. The dependent variable will be the perceived need to change the status quo. The independent variable will be level of satisfaction with current law enforcement status in the community. Dissatisfaction in the independent variable will result in the perceived need to change the law enforcement status quo; satisfaction will result in no perceived need to change the status quo.

Operational Definitions

“Coverage” as used in this paper will be defined by two variables: response time, which is the length of time between the citizen calls for assistance and the time the officer arrives, and officer availability, which is the presence of a police officer in the jurisdiction itself to answer calls. There is often a dependent/independent variable relationship between response time and officer availability, but in the context of the topic of this paper, an officer could very well be free to answer calls but still be thirty miles away from where his/her assistance is required, whereas an officer working in a given jurisdiction may be engaged in handling a barking dog complaint but could easily leave that to handle a serious motor vehicle crash a mile away. In rural jurisdictions with no police department of their own, coverage can be affected by these variables working together or separately.

“Services” as used in this paper is actually the larger spectrum of activities and functions (under which ‘coverage’ falls) that a police department can offer to a jurisdiction. Examples would include residential and business security checks, bank and parade escorts, security at special events, assisting special needs populations such as the elderly, arriving at calls for medical assistance in advance of the ambulances, and other tasks that are more service-oriented than enforcement-oriented.

Theoretical or Substantive Implications

The outcome of this research should contribute to the ongoing discussion in Vermont regarding the best practices for providing police coverage and services to residents of rural communities. It is also, as far as this researcher can determine, the first time an effort has been made to survey law enforcement officers up and down the ranks on this topic.

Survey Results

The survey for law enforcement officers gathered 122 responses and the survey for community officials obtained 62 respondents. Not all of the responses were of value, since some respondents either didn’t complete the survey past the questions asking their role in their community, they failed to follow instructions on how to assign a rank or value to their responses, or the respondent was answering the wrong survey (two police chiefs answered the community survey). These were very much in the minority and did not prove to significantly harm the results of the survey, but they will account for why responses don’t total 100% in those instances where that occurs. In other instances, respondents, even though directed to answer only a given set of questions depending on which option they chose, went on to answer questions concerning all the options.

Other respondents may have answered most of the questions but either failed to answer all of them or gave a response that fell outside the provided options, choosing to elaborate in the “Other” section. These responses can be gathered and considered, but the survey tool used to conduct this survey doesn’t count these responses when tabulating percentages in replies. This will also explain why some percentages don’t total 100%.

Both hypotheses were supported by the results of the surveys. The majority of respondents to both surveys reported dissatisfaction with the current levels of police coverage and services and went on to choose regionalization as the option they felt would best increase/improve those levels.

The number and percentage of respondents broke down as follows:

| | Municipal Police | Sheriff’s Departments | Vermont State Police | Vermont Police Academy |
|--|------------------|-----------------------|----------------------|------------------------|
| Number/Percentage of Total Respondents | 74 / 61.7 | 5 / 4.2 | 34 / 28.3 | 6 / 5 |

Table 1.1 Law Enforcement Respondents

| | Town Manager/Administrator | Elected Official |
|--|----------------------------|------------------|
| Number/Percentage of Total Respondents | 20 / 32.3 | 38 / 61.3 |

Table 2.1 Community Respondents

Satisfaction with the Status Quo

Though the respondents were broken into two categories—law enforcement officers and community representatives—most of the questions pertaining to perceived lack of coverage and services and what was viewed as the best option to correcting that need were the same. The questions below used a Likert scaling format in which respondents were asked to choose from among six responses ranging from strongly agree

to strongly disagree. Any level of agreement/disagreement was counted simply as agreement or disagreement. All numbers are expressed as percentages unless otherwise stated.

Question: Police availability in small communities is satisfactory.

| Availability is Satisfactory | Municipal Police | Sheriff's Departments | Vermont State Police | Vermont Police Academy |
|-------------------------------------|------------------|-----------------------|----------------------|------------------------|
| Disagree | 52 | 100 | 58.8 | 83.4 |
| Agree | 48 | 0 | 41.2 | 16.7 |

Table 2.1 Law Enforcement Survey

| Availability is Satisfactory | Town Manager/Administrator | Elected Official |
|-------------------------------------|----------------------------|------------------|
| Disagree | 70.6 | 68.6 |
| Agree | 29.4 | 31.4 |

Table 2.2 Community Survey

Question: Police response times to calls in small communities is satisfactory.

| Response Times Are Satisfactory | Municipal Police | Sheriff's Departments | Vermont State Police | Vermont Police Academy |
|--|------------------|-----------------------|----------------------|------------------------|
| Disagree | 56 | 100 | 58.8 | 83.4 |
| Agree | 44 | 0 | 41.2 | 16.7 |

Table 3.1 Law Enforcement Survey

| Response Times Are Satisfactory | Town Manager/Administrator | Elected Official |
|--|----------------------------|------------------|
| Disagree | 64.7 | 71.4 |
| Agree | 35.3 | 28.6 |

Table 3.2 Community Survey

Question: The level of police services provided to small communities is satisfactory.

| Level of Service is Satisfactory | Municipal Police | Sheriff's Departments | Vermont State Police | Vermont Police Academy |
|---|------------------|-----------------------|----------------------|------------------------|
| Disagree | 56 | 100 | 52.9 | 83.3 |
| Agree | 44 | 0 | 47.1 | 16.7 |

Table 4.1 Law Enforcement Survey

| Level of Service is Satisfactory | Town Manager/Administrator | Elected Official |
|---|----------------------------|------------------|
| Disagree | 70.6 | 68.5 |
| Agree | 29.4 | 31.5 |

Table 4.2 Community Survey

As can be seen by the results, with the exception of respondents from sheriffs’ departments, members of town governments see the levels of police availability, service, and response times as less satisfactory than law enforcement officers. Responses from sheriffs’ departments were filtered according to position in the agency and it was determined that all responses in this category came from sheriffs themselves; they unanimously believed the levels were unsatisfactory. Strong majorities of all law enforcement respondents believed that the cost of providing increased law enforcement coverage (81.1%) and services (87.4%) would be the biggest obstacles to improvement. Community respondents were consistent with law enforcement respondents, with 70.2% believing the cost of providing more coverage and 80.4 believing the cost of providing more services would prove to be the biggest obstacle.

Option Choices

Regionalization, as can be seen in Table 5.1 and Table 5.2, was viewed by law enforcement and community leaders as the best option for improvements in coverage and services:

| | Regionalization | Contracting | Constable | Resident Trooper |
|------------------|-----------------|-------------|-----------|------------------|
| Option Selection | 43.6 | 19.1 | 2.1 | 20.2 |

Table 5.1 Law Enforcement Choices

| | Regionalization | Contracting | Constable | Resident Trooper |
|------------------|-----------------|-------------|-----------|------------------|
| Option Selection | 43.2 | 22.7 | 4.5 | 15.9 |

Table 5.2 Community Leader Choices

A little over 14% of the law enforcement respondents answered the “Other” category with narrative that couldn’t be included in the above percentages. Among some of these responses were “Increase the size of the VSP ” and “Legislature requiring community with minimum population to start a Police Dept. They would have to help with funding/no unfunded mandate.” A little over 13% of community respondents also chose “Other”; one indicated he/she didn’t know what solution would work for them, and another believed an expansion of the existing territory would be the best solution (without indicating why).

Interesting results were found when respondents, broken out by agency affiliation, picked which solution they believed best improves coverage and services:

| Option Selection | Regionalization | Contracting | Constable | Resident Trooper |
|------------------------|-----------------|-------------|-----------|------------------|
| Municipal Police | 53.7 | 24.1 | 1.9 | 7.4 |
| Sheriff’s Department | 0 | 100 | 0 | 0 |
| Vermont State Police | 27.6 | 0 | 3.4 | 51.7 |
| Vermont Police Academy | 80 | 0 | 0 | 0 |

Table 6.1 Law Enforcement Option Choices

Clearly, agency fealty was evident in the law enforcement choices [Table 6.1] for which option presented the best solution. The sheriffs were once again unanimous in choosing contracting as the best option, while the majority of VSP respondents believed the resident trooper program would best suit community needs. Municipal police

respondents believed that regionalization would be the best choice, as did members of the VPA. The constable option was a distant fourth among the four options, and was not even considered by sheriffs and VPA respondents. Community leader choices [Table 5.2] with, presumably, no personal law enforcement agency affiliation, indicated that regionalization was the favored option by an almost 2:1 margin over contracting, the second most favored option. Interestingly, their option preferences were very close to those chosen by law enforcement respondents as a group (before being broken out by agency affiliation).

Regionalization Advantages and Disadvantages

Regionalization was chosen as the favored solution by both law enforcement and community respondents in both surveys. The reasons, however, varied:

- The preferred reason among the law enforcement officers for going to regionalization was that it offered the highest level of coverage and services. Avoiding redundancy of support services and communities receiving similar levels of coverage were the second and third ranked choices, with no statistically significant difference between these two choices.
- The primary disadvantage of regionalization, in the officers' opinion, was that it required local communities to give up autonomy and control (it's not clear if the officers were expressing their own opinion or were anticipating how communities would react). The second ranked disadvantage was that regionalization was the most complex choice in terms of implementation and governance.

- The majority of the community respondents chose avoiding redundancy of services as the best reason to go to regionalization. Communities receiving similar levels of coverage was the second highest choice.
- The primary disadvantages, according to community respondents, were that it was the most complex option to implement and that it required communities to give up local control (the difference between these options was statistically insignificant).

Given that there are several different options for communities considering regionalization, respondents were asked which option would, in their opinion, best accomplish the regionalization goal. 47.1% of the community respondents who favored regionalization saw creating new county-based agencies as the preferred method. Law enforcement respondents didn't agree. They did not take a county-based approach, but rather, appeared to have taken the view that regionalization is best implemented by jurisdictions with no police departments joining with those that do, or jurisdictions with no police departments creating a new agency.

Contracting Advantages and Disadvantages

Contracting for services, at 22.7%, was ranked second among community respondents and third among law enforcement respondents at 19.1%.

- Law enforcement saw the biggest advantage of contracting to be the ability of a community to tailor law enforcement coverage and services to its needs. The second and third ranked reason, with a statistically insignificant difference between them, was that costs could be anticipated

and contained, and communities didn't have to worry about hiring, equipping, and training officers.

- The primary disadvantage, in the opinion of the law enforcement respondents, was that the officers ultimately answer to the contracting agency, not the community. The other disadvantages noted were that the contracting agency may pull its officers at any time, and/or unilaterally decided to terminate the arrangement.
- Like law enforcement respondents, community respondents saw the ability to tailor coverage and services to be the biggest advantage. Ease of implementation and cost control were cited as the second and third ranked advantages.
- Lack of control over placement of officers was cited as the primary disadvantage. Lack of control over the skill levels of the officers assigned to their communities was the second ranked disadvantage.

Resident Trooper Advantages and Disadvantages

Law enforcement respondents who selected the resident trooper option as being the best one to address the issue felt that the VSP being responsible for all personnel issues was the primary advantage. The second most important advantage was that a trooper would be assigned to a community. The disadvantages, according to these same respondents, were that the program was not currently in existence, and even if it were, there may not be enough troopers to meet the demand.

Community respondents cited the same advantages and disadvantages, but felt more strongly than the law enforcement respondents that cost of the program would be an issue.

Constable Advantages and Disadvantages

Community respondents saw the advantages of the constable position as being the one that offered an effective way to control costs while offering the highest degree of local control. The disadvantages, in their opinion, were that there was no real selection process for constables and there was a higher chance of getting an unsuitable person; an elected constable, once in office, may prove difficult to remove.

Law enforcement respondents agreed with community respondents, perhaps feeling even more strongly that there was a significant chance that the wrong person would assume that position.

Interviews

Colonel James Baker, Vermont State Police: Col. Baker is involved in examining how to re-structure the VSP function and relationship with local law enforcement in order to provide complementary services and maximize the strengths of each organization. Baker identified 21 towns in Vermont that were draining VSP resources, and it was his opinion that towns that required police services at the level of these 21 towns may have to consider other options besides relying on the VSP. Baker thought that regionalization and contracting, in that order, were the best ways for rural communities to supply their own law enforcement services. Small communities have to have some sort of 'café plan' from which to choose, because no one option was going to prove sufficient for various needs.

In Baker's view, the state needed to provide incentives for communities to move away from relying on the VSP. An example of a positive incentive would be the state giving seed money to communities for 3-5 years to assist them in creating their own agencies or regionalized agencies. A negative incentive would involve levying a surcharge on communities for VSP service once the communities had reached a certain size, probably 3500 residents. Like Marcoux, he cited the New Hampshire requirement that every town above a certain size had to form its own law enforcement agency.

Baker also noted the number of studies since the 1970's that all said the same thing. He believed that the time had come to begin the implementation process.

Francis X. Aumand III, Director, Criminal Justice Services, Vermont Department of Public Safety: Aumand has also been involved in various studies on this topic. He has also served as the police chief in Bellows Falls, Vermont, and is a past executive director of the VPA. Until this year, he was the chair of the Vermont Law Enforcement Advisory Board. Regionalization is the approach is favored by Aumand. He envisions the future of law enforcement in Vermont as being county-based rather than consisting of pockets of municipal police departments with the VSP and sheriffs' departments providing the rest. He did not think sheriffs' departments were the best models and thought that intermunicipal police services agreements may be the most expeditious way to resolve the issue. But whatever the final outcome is, he believes that effective policing must be rooted in local control.

RJ Elrick, Executive Director, Vermont Police Academy: Elrick has been involved in three studies of this issue and may have perspective not readily apparent in those studies. In addition, prior to being named VPA director, he was the Rutland

County Sheriff and provided contracted law enforcement coverage and services to various communities.

Elrick shares Aumand's opinion (though he didn't exclude sheriffs' departments), and adds that constables will probably not be an option for too much longer. He points out that communities depending on constables for primary law enforcement may find themselves ineligible for federal grant awards, because a constable can't enter into a contractual agreement on the community's behalf, a requirement for most grant awards.

Elrick also agrees with Aumand's observation regarding local control. He recounted one instance when he was the sheriff in which his agency was providing 40 hours of law enforcement each to two different communities, for a total of 80 hours—the communities were the same size, and were separated only by a five-minute drive through a town between them. He suggested to each community that they share the resource and double the amount of time that a deputy was available, but each community declined for the reason that they wanted their deputy to be concerned only with their community while the deputy was on duty.

Chief Brett Van Oordt, President, Vermont Association of Chiefs of Police: Chief Van Oordt of Milton, Vermont, was part of the Summer Study 2003 project. Chief Van Oordt can share observations from that study, and from a municipal police department perspective.

As others had observed, he noted that previous studies supported the concept of regionalization for law enforcement services in Vermont, a position with which he himself agreed. Van Oordt, in fact, was part of the LEWG study that had been prompted by the push to standardize retirement for law enforcement officers throughout the state as

a recruiting and retention issues. He didn't like the idea of contracting, and he couldn't see a constable or resident trooper program being as effective as regionalization.

According to Van Oordt, regionalization, if done properly, had advantages not only for the participating communities but also for the officers in that agency; wages and benefits would be better, and the officers would receive equal training and equipment. But if regionalization involved communities with existing police departments, the issue of what to do with the extra police chiefs could become significant—he suggested one possibility would be to convert them to captains or deputy chiefs, depending on the overall size of the new agency. He also observed that there would be a loss of local control (that, conversely, could be an advantage for the chief of a regionalized agency in that it minimizes the micro-managing tendencies some board members can exhibit).

Sheriff Roger Marcoux, Lamoille County Sheriff's Department: Sheriff Marcoux is the current president of the Vermont Sheriff's Association. He has long been involved in providing law enforcement services and coverage and can offer a sheriff's perspective.

Marcoux saw regionalization through contracting as being the most cost-effective means of increasing coverage and services. He noted that there are ten towns in Lamoille County, two of which have police departments and three of which contract for full police services through his agency. Those three towns have initiated contact with other towns in the county to try and get them to join in contracting, in order to get the overall costs down.

Marcoux noted that Vermont is growing, and the VSP are not able to handle the larger communities and still provide a service to the smaller towns. Some off the larger communities and ski resort areas need to “take care of their own police needs”, given the

level of services and coverage they're demanding from the VSP. Marcoux, like Baker, referred to the system in New Hampshire.

Though Marcoux saw regionalization through contracting as being the most cost-effective, he observed that it wasn't necessarily the best for a given situation. Some areas may find that, because of geographic location, it might make the most sense to link contiguous towns regardless of county lines and form an intermunicipal agency, while other communities may find their situation more amenable to contracting with a county agency.

Chief James Dziobek, Hardwick-Greensboro Police Department: Chief Dziobek is the chief of the only regionalized police department in Vermont and can offer his experiences. Dziobek noted that Hardwick looked at a lot of models before settling on consolidating their department with Greensboro and becoming the Hardwick-Greensboro Police Department (HGPD) over 20 years ago. Hardwick, a community of 4500, pays 77.5% of the HGPD budget while Greensboro, a community of approximately 1,000, pays the remaining 22.5%. Both communities, by consolidating, receive 24/7 police coverage and services that neither community could afford on its own. Both communities share the agency as agreed upon in a contract for services. For example, Hardwick is guaranteed 54 hours of patrol a week (this is separate from the requirement that officers will respond to all calls in Hardwick), which Dziobek arranges by having each officer spend 2.5 hours of each 12-hour shift in Hardwick.

Dziobek recommends regionalization/consolidation as the best practice for small communities seeking to increase coverage and services while managing the cost of a police department. He observed that when the communities merged for law enforcement

purposes, he was able to increase the size of the police department and add a bit of room for occasional advancement (though not enough to satisfy a young, ambitious officer). The HGPD currently has seven full time officers, including him, a sergeant, and senior patrol officers.

But Dziobek notes that the idea of regionalization comes under questioning by elected officials on occasion. There may be disputes between community elected officials over costs and level of coverage, but part of that may be because there may not be a true understanding of how much law enforcement services can cost. Little factions, both pro and con, can develop around issues such as costs and services. One surprisingly strong voice in favor of maintaining the HGPD in its current form was that of the out-of-state property owners who wanted the coverage and didn't mind paying the taxes.

Dan Hill, Town Manager, Hardwick, Vermont. Mr. Hill is the town manager in one of only two communities in Vermont to have a consolidated police department. Hill agreed with Dziobek that the current arrangement was beneficial to both communities because neither would have 24/7 coverage without it. Last year, Greensboro's 22.7% contribution amounted to \$138,000, and this allowed them to treat the two communities as one as far as providing law enforcement went. Though members of both communities expressed concerns with costs, the bottom line was that because of the consolidation, they were able to add two more officers and provide full coverage.

Conclusion

Rural communities in Vermont receive lower levels of police coverage and services compared to their larger counterparts, and this has been a concern for a long time. Studies dating back to 1974 have looked at this issue and regionalization has been

the favored method of providing the highest level of police coverage and services⁷. But no action has been taken to implement the findings of any of these studies.

The growth and arrangement of different law enforcement agencies in this state did not follow any sort of organized plan, resulting in duplication of resources in some instances and disparate levels of services in others. Additionally, some communities that normally rely upon the VSP for their primary police coverage have grown to the point where they constitute a significant drain on VSP resources, yet have proven reluctant to assume responsibility for their own law enforcement services. Other communities attempt to increase police coverage in their communities using ways other than relying on the VSP, which can and has resulted in disputes among law enforcement agencies over enforcement duties and areas of responsibility. Currently there are three existing options for increasing police services and one potential future option; regionalization, contracting, using a constable, and the resident trooper program (though it should be noted that the constable option was not considered by a significant percentage of respondents in either survey, and in fact was not considered at all by some).

The results of the survey of community leaders in this paper were consistent with those obtained by the RLESS study done almost seven years earlier with members of the same group (not necessarily the same respondents). Of equal interest is the indication that members of the law enforcement community held the same opinion as community leaders, though to a lesser degree, and also held the same opinion that regionalization would best serve to improve the status quo. This was tempered with the observation that regionalization is also the most expensive to implement and the most complicated to

⁷ One respondent noted, only half-jokingly, that if one put the studies side-by-side on a table and swapped the covers around, no one would be able to tell the difference between them.

govern. Though contracting was not the preferred option, it still scored highly enough to indicate that many law enforcement officers and community leaders see it as a viable option; some respondents suggested that regionalization through contracting would be a way of blending the two options.

There are responses within the survey and interviews that may serve to indicate where political, jurisdictional, and financial disputes may arise if any effort is made to alter the status quo. This is especially true given the levels of agency loyalty that were evident when law enforcement respondents were asked which option would be best. This inclination among law enforcement respondents to choose the option that most directly involves their agency could be seen as a tendency to feel most comfortable with a system with which one is already familiar. There are also some responses contained both in the interviews and the surveys that indicate a sense of frustration and some urgency that significant changes take place.

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