PRIVATIZATION OF LAW ENFORCEMENT:

ARE WE PREPARED

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EXECUTIVE SUMMARY

PRIVATIZATION OF LAW ENFORCEMENT: ARE WE PREPARED?

This project was designed to examine the issue of Privatization in Law Enforcement. During the analysis and data gathering portion, it became apparent there was more of an issue on the readiness of law enforcement to deal with this topic. As a result, my study began examining more the lack of concern, interest, and awareness of the trend toward Privatization.

The report begins by giving a background on the topic of Privatization and its relationship to the public sector. In this portion there are many governmental tasks, especially out of California, being taken over by the private sector. I identify the events that have occurred indicating the movement toward Privatization and its acceptance by the general public. The report attempts to create an atmosphere of the impact on law enforcement and the lack of interest in the government sector toward concern for this issue.

In an attempt to keep the theme of the Command College in focus, I present a scenario of a Planned and Unplanned City in the year 2000, including how law enforcement will function in this new environment. This Section is the basis for demonstrating where we will be if we plan or fail to plan for the future.

The next section identifies the trend that has evolved with Privatization and expands upon some of the information supplied in the previous sections. I demonstrate the information acquired in the fifteen (15)

interviews conducted in preparation for this paper. This section talks about some of the issues of concern in private security as it relates to privatization.

The next section addresses the question of concern for this issue to law enforcement. I discuss the areas that law enforcement should be concerned with and may look toward transitioning to the private sector. The report discusses what course of action should law enforcement take with regards to this issue; conflict, confusion or cooperation.

The future direction section discusses the public/private partnerships that could develop as a result of the future trend. One of the primary reports, the Hallcrest Report, which is referred to frequently in this report, goes into this issue in this section. I then present what the Planned City is doing to prepare itself for the scenario created in the earlier sections regarding "A view to the Future-Year 2000."

In conclusion, this report points out the shortcomings of the law enforcement community in not preparing for this emerging issue. Several areas of concern which could have a direct bearing on our future profession are identified. Recommendations as to what footsteps we should take in preparing ourselves for the evolutionary process toward privatization is made in this section.

This study is only the beginning of what should be a major issue of concern for the law enforcement community. We should begin developing a strategic plan at the local, regional and statewide levels for addressing this issue. The topic is so broad and far reaching, with numerous integral parts, that it cannot be readily addressed in this limited vehicle. This issue will require far more study and time than that allocated in the Command College if it is to be fully examined.

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SECTION I

THE IMPORTANCE OF THIS STUDY

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THE IMPORTANCE OF THIS STUDY

This report was prepared to discuss a future issue of concern to all of law enforcement, Privatization. Why it is of concern to law enforcement will be discussed in this report.

There is continued pressure on local government to find alternative funding sources and improved methods for delivering government services. It is our responsibility to examine these issues in order to be better prepared to deal with the future. This study is aimed at raising the level of concern and stimulating interest in this highly volatile area.

BACKGROUND ON PRIVATIZATION

The concept of the private sector and public agencies working together is not new. The role the private sector has assumed over the past 20 years is well known in our society. There is strong support from the public for this trend towards privatization of some government services.

The role of private enterprise, providing services to people for a fee, is not new as our society is based on the free enterprise system. The increased trend towards privatization is the product of desire for reduced taxes and a more efficiently run Government operation. The basis then for this trend is founded on the premise of economizing and improving the efficiency of government.

In support of this concept, many expert futurists have supported a premise toward privatization. John NISBITT, author of the best-seller "Megatrends" and an authority on national trends, says that "privatization is sweeping the country and that public support is evidence of profound change."[1] NISBITT explains "Privatization is part of the process of rethinking the welfare state. Society is searching for new ways of delivering services because of our collective sense of efficiency. The entrepreneur, not the bureaucrat, is the hero of society. While we can't be sure how it will all turn out, privatization will be part of the emerging post-welfare state."[2] There are other renowned experts in the field who support this philosophy; Stuart Butler of the Heritage Foundation, Frank Sellers of United States Chamber of Commerce, and others.[3]

In Cities and States all over the country we continue to see signs of this trend. In over 70 cities in the eastern United States, parking enforcement is provided by a private company; Datacon Systems Corporation.[4] Boston University has offered to conduct the school systems in the City of Boston.[5] The competition in the mail, telephone, and medical service areas are more indications of this trend.

In a poll of people, the Roper Organization found that nearly 20% felt it would be a good idea to contract with private industry to manage the armed services.[6] Also 22% said it would be a good idea to let private business manage local law enforcement.[7] While these are only small scale opinions it is apparent the privatization movement is growing. In California there are many examples of privatization. In Fairfield, a City between San Francisco and Sacramento, a unique partnership with the

private sector was developed. As a result they have a long range plan to ensure income and development through their agreements.[8] In Walnut Creek, we have two examples where private security is involved. In Rossmore, a suburb of Walnut Creek, they employ private patrols to supply certain government services. They have developed a private patrol in the Sun Valley Regional Shopping Complex to relieve this primary task from the local police.[9] In Imperial Beach the City found, as a result of Proposition 13, a need to reduce cost and to continue providing service; therefore, they contracted out 47 different City tasks.[10] There are numerous other examples of this trend such as:

Trash Collection	Solid Waste Disposal
Sewage Disposal	Emergency Medical/Ambulance
Animal Control	Sanitary Inspection
Water Supply	Fire Prevention

In California one of the major organizations in support of this concept is the California Taxpayer's Association. Mr. Larry McCarthy, Research Director, for California Taxpayer's Association, indicated the support of his organization for this trend.[11] In a study they prepared in 1981, "Contracting out Local Government Services," this issue is discussed in detail.

There are numerous other studies and reports addressing this trend. In California this movement is occurring very quietly on the local level; therefore, it is important that we of the Command College recognize this future trend and develop some concepts on how to address the issue. We cannot ignore it, nor say it will not happen to law enforcement because it will, and is occurring today.

IMPORTANCE TO LAW ENFORCEMENT

The issue of privatization and its relationship to law enforcement is important. Why then has it been ignored so much, especially in California? There is no simple answer to this question. The law enforcement community may feel that our service will never be threatened or that the public would not allow such a travesty. It is time we realized this issue is not going to pass us by, and begin preparing for the future.

In researching the issue of privatization of law enforcement, I found very little public or private interest. However, Mr. John Dever, President of the International City Manager's Association and City Manager of Long Beach, stated "This trend will become reality through natural evolution. The Cities and Police will best be served if they prepare for this transition by planning for the future."(12)

When contacting several organizations in an effort to determine the extent of information or concern, I found they are doing little or nothing in this area. I contacted:

1. The Rand Corporation
2. Stanford Research Institute
3. League of California Cities
4. County Supervisors Association
5. California Taxpayer's Association
6. State of California, Department of Justice
7. California Department of Consumer Affairs
8. Private Security

Except for a study into Jail/Corrections by the Rand Corporation, and some studies or information on joint government contracting, there was no interest or efforts being made to explore the issue of law enforcement privatization. In conducting a literature search, the information found

was limited and redundant. I contacted the following libraries to determine the extent of information available:

1. Long Beach City
2. California State University at Long Beach
3. University of California at Los Angeles
4. National Institute of Justice
5. University of Southern California
6. University of California at Irvine

The Privatization of law enforcement is discussed in many of the studies on privatization only in passing. The major current topic is in the field of corrections and privatization.

In a study on Intergovernmental Services prepared for the Advisory Commission on Intergovernmental Relations, one of the items raised was a movement to contract out certain police services. As indicated earlier in this report, a public survey showed 22% of people feel we need to look at the private sector to run local law enforcement.(13)

The growth of private security has been nothing less than astonishing. In 1969 there were 289,900 private security officers and by 1980 there was 1.1 million, a growth of 279%. Law enforcement had 515,000 in 1969 and 600,000 in 1980, or a growth of 16.5%. The dollar figures are even more significant for private security; $3,500,000,000 in 1960 to $21,700,000,000 in 1980, a growth of 520%. Law enforcement grew from $5,400,000,000 in 1969 to $13,800,000,000 in 1980, or 156%; a difference of 364%.(14)

Recently in Moreno Valley (Riverside County), a private security firm, Higgens Security Company, offered to provide the basic police services on a contract basis.(15) The most significant issue here is that a local government was willing to explore privatization for the most basic government service. The private sector had offered a level of equal

service for less money and the public was interested.

The only reason it did not occur was because the Attorney General ruled certain police functions could not be contracted out. However, don't be surprised if as a result of this incident the legislature will be brought into this picture. According to Mr. Mike Arnold, a professional lobbyist in Sacramento,"It is just this kind of issue that stimulates changes in the law."(16)

It is apparent privatization is here, therefore, we must ask:

1. Where is law enforcement headed with the privatization issue?
2. Should law enforcement ever be concerned with this issue?
3. How do we prepare to compete with this evolutionary process?

The issue is how the law enforcement community can best prepare and influence the future.

SECTION II

A VIEW TO THE FUTURE - YEAR 2000

SECTION II

A VIEW TO THE FUTURE YEAR 2000

The city of the future and its impact on Law Enforcement can be viewed in any number of ways. This section presents four scenarios; two on the future city, and two on Law Enforcement. This Section will attempt to demonstrate how a unplanned verus a planned city should appear in the year 2000.

After giving scenarios on the total city, this section will examine how law enforcement might visualize their function in each city. Here again demonstrating how planning for the future can present a more positive image. The intent is to utilize these scenarios as a reference base for further portions of this report.

VISUALIZING THE UNPLANNED CITY:

Welcome to the unplanned city of the year 2000. This is a city of chaos, confusion, congestion, overcrowding, and dependency upon others for survival. The city has grown by 47% since the 1980 census to 530,000 multi-national people. Because of the proximity to the major metropolitan area of over 8 million people, it is a city used by many nationalities as their base of operation. The population has become more transient in order to avoid responsibilities.

The city borders the Pacific Ocean with a major harbor which has become a borderline operation. There is a major university in the city

with several parks predominately located in the more affluent east side. There is a local airport which is used heavily by out of town aircraft operators. The hazardous situations that have developed from the airport's consumes a major amount of local government energy to deal with the public concerns.

The city has evolved into two camps; eastside verus westside. The dividing line is the State highway which transcends the eastside, to the border of another city, with the exception of a small area near the beach. The highrise multiple unit apartment houses in the westside, downtown, and north end have created an overcrowded congested environment. Many of the buildings have fallen into disrepair with little community interest to upgrade the environment.

The Hispanic and Asian populations dominate this area, along with small areas of Blacks, and elderly persons. This has created real social problems as a large segment of the community is dependent upon government for support. This creates a severe strain upon local resources with constant conflict between local government and the community.

The trend started in the 80's toward redevelopment of the downtown area which was stopped as the planning process was discontinued. This resulted in many vacant buildings and lots which were never developed. Those areas which were redeveloped have become fortresses for the employees against the outside environment. The hotels have deteriorated to second-rate facilities with many social and criminal problems.

The environment has become unbearable, at times, with the heavy traffic congestion as the streets remain the same as they were in the 80's. The infrastructure has deteriorated due to lack of upkeep and replacement.

There are times when the streets flood, sewage backs up, and the water supply is turned off to avoid contamination. All of these contribute to an environment choking on bad air, water and congestion.

The Unplanned City allowed houses and neighborhoods to deteriorate. The result is a divided community between the "Haves" of the eastside and the "Have-Nots" of the remainder of the city. There are barriers built to control access to some eastside neighborhoods, use of private security to protect the "Haves," and a real two class society. All of these conditions contribute to a city dependent upon state and federal support. The City is no longer able to cope with the problems of its citizens and only reacts to crisis situations. The tax base and public support deteriorated to a degree of distrust, which may never be changed. The ideas of the 80's were lost by the lack of planning and implementation for the future.

VISUALIZING THE PLANNED CITY

Welcome to the International Planned City, one of the major cities of the world. The Planned City is a larger, more dynamic, and more cosmopolitan city than in 1985. Population has grown 13 percent to 429,000. This increase has been accommodated through increased density in and around downtown, and along major corridors leading from downtown and from the coastline; most of the City retains the low density, semi-suburban character that it possessed a decade and a half earlier.

The population mix mirrors the new cosmopolitan nature of the City. Groups of different ethnic origin are no longer referred to as "minorities." There is a healthy mix in all walks of life of Whites, Blacks, Hispanics and Asians; nations of the Pacific Rim are strongly represented. Community leadership reflects the community's multi-ethnicity. The overall quality and variety of lifestyle is strengthened by the mix of many cultures.

Neighborhoods share the character and diversity of the community's population. Housing stock is generally balanced by age, size, density, cost and tenure. There are 192,000 dwelling units; an increase of 19 percent over 1985. Generally, the quality of housing is excellent, exceeding the average of the region, due to continuing emphasis by City government and by neighborhood groups upon a high level of maintenance and reinvestment.

Learning is a life-long activity. Formal education is among the best in the region, supported by commitment to excellence by the

educational institutions, the business community, and the citizenry. The home video/computer center is the source of a wide selection of learning, training, information, home services, and amusement. Cultural opportunities range from the symphony and theater to more simple ethnic celebrations.

The Southern California tradition of outdoor living continues with well maintained and heavily used parks, playgrounds, beaches, public plazas and promenades. Downtown is alive with pedestrian activity 16 hours a day, in contrast to 1985.

The high quality of life and public services is supported by a strong local economy. Employment in the City has increased 30 percent since 1985, led by dramatic growth in the Port and in the downtown area. The City's economic base is strongly tied to Pacific Rim trade. The City has become known as America's Window to the Pacific Rim. The completed World Trade Center handles not only the transportation needs of world trade (freight handling, customs brokerage, etc.), but also the financial and marketing needs. The latter have spilled over to other parts of downtown and the tourist area, where product display and marketing have become integrated with the City's expanded convention and tourism business. Besides the direct economic benefits of increased visitors to the City, residents enjoy the side benefits of quality restaurants and entertainment facilities built primarily to serve the tourist trade.

Conservation of natural resources, particularly with regard to energy and water, is an on-going community, as well as national objective. The use of reclaimed water for industrial, commercial and

irrigation purposes has expanded dramatically, preserving what was traditionally known as "fresh water" for domestic and institutional use. The conversion of waste to energy through the Southeast Resource Recovery Facility has reduced the need for landfills and helps support the reduction in electrical energy costs.

The growth in population, jobs and visitor attractions has brought with it increased pressure upon the transportation systems of the City. Significant improvements to the local Freeway, to the Alameda rail and truck corridor serving the Port, and to the City's major arterials have eased the burden. Residents have learned to accept prohibited on-street parking during peak hours, higher parking fees, car pooling and staggered work hours. Working at home for part of the day or workweek has become a common practice, supported dramatically by advanced communications systems. Use of public transit has increased substantially.

Opportunities abound for citizen involvement in community affairs. Participatory democracy has blossomed, and decision making has been decentralized on matters of exclusive local concern. Services which previously had been performed by government are increasingly being delivered by volunteers and private corporations.

The planning process which began in the early 80's has paid off the city. The process of using citizen task forces to establish the future direction of the city has proven to be effective. The seven task forces were:

Economic Development
Serving a Changing Population
Education
Housing and Neighborhoods
Infrastructure
Access
Quality of Life

They helped to develop and participate in the implementation of plans in the 80's to create this beautiful vibrant city of 2000.

In summary, the people of the Planned City in the year 2000 feel good about their City and themselves. They are proud to live, work and play in a City which is widely recognized as one of the finest living and business environments in the world.[17]

VISUALIZING THE UNPLANNED POLICE AGENCY

The police in the Unplanned City have a very difficult problem. The multi-national population has created a police organization in constant change. All of the environmental problems help create an unstable community resulting in a high crime rate. The amount of unreported crime is difficult to determine because of the transient nature of many of the citizens.

The police find themselves dealing largely with the "Have Nots" of the city because the "Haves" utilize private security. The eastside of town has created their own small police forces to meet their needs through the use of private security. With the change in the laws allowing private security operations to enforce many laws, the need for the local police has diminished in the eastside. However, the need for police in other portions of the city has increased because of their lack of ability to hire the private police.

Taxpayers of the City resent the support they give to local police because of the cost for private security. Although, some feel it is money well spent to control the other segments of our society.

The local police are constantly battling to survive in the funding of their operations.

The local police operate with equipment which is at least 4 to 5 years behind technology. Other law enforcement agencies throughout the State find it difficult working with this department because they are so far behind in equipment and technology. The local police have become very dependent upon the County and State to supply them with new technology computer equipment in order to meet their obligations in supplying arrest and crime information to the state. Without this support they could not keep up with crime statewide.

The local police find themselves dependent upon other agencies to support their specialized operations as their staffing level is geared almost entirely to Patrol functions. They have a small investigative bureau handling only major cases. All accidents, forgery, fraud, burglary, and most theft cases are handled by private security firms. These firms will conduct investigations on cases for a price. All property crimes reported that are not covered in this procedure, have no followup. The in-custody cases are the only cases receiving followup investigations by the local police.

The police officer of the Unplanned City is under constant pressure, which has created many other administrative problems. The risk factor to this officer is higher than any other in the metropolitan area. The result is a low level of response to the citizen request for service. Because the demand is so high in the westside area, other segments of the community do not receive the preventive services necessary.
The local police have been investigated twice in the past five years for corruption. This has created a cloud over the credibility of the

officers. This has resulted in a high turnover of officers. The result is, the highly professional officer just hired leaves for a better working environment.

The police union is very strong with the rank-and-file members. There is a major division between the management level and working level officer. The managers are mostly from outside the agency as the rank-and-file choose to not promote. The prevailing attitude is this is only a job instead of a career. This results in constant conflict and disputes between management and the union.

The local police also find that certain private security agencies pay employees more than the City. This results in constant conflict between the local police and the private security officer. Some private security guards are among the lowest paid, which results in poor quality personnel. This creates another conflict because the local police find themselves frequently responding to calls to support this lesser level security officer.

The lack of leadership, strong management and public support has created a weak, poorly structured and non responsive police department. The citizens are divided into two camps; those with a need for local law enforcement and those without a need. The lack of planning over the past 20 years shows in the constant crisis management style. The lack of concern and preparing for the future in the 80's has created the high level of depending upon various private security firms for protection. The lack of responsiveness to a portion of the city has resulted in a lack of support for police needs. All in all, the Unplanned City has created a unplanned and unprepared police department for the city in the new Century.

VISUALIZING THE PLANNED POLICE AGENCY

With the background of a Planned City, the local police department has progressed with the change. The new City has presented new policing problems and resolved many old ones. The police are still intimately involved in change to go along with this new environment.

The one prevalent issue back in the 1985 strategic plan was concern for security of the populace. This concern is still in existence but on a much smaller scale and in different areas of the city. The downtown area uses a combination of public and private security forces coupled with technology to provide a safe environment.

The Police Department performs many functions through a decentralized substation system. With the new technology and communications systems the department has a paper-free operation. It is responsible for coordinating security forces of the Marina, Harbor, Airport, Parks, and private organizations.

The role of the police officer is to support and coordinate the activities of security operations within their beat area. With the substations spread throughout the City, officers are more a part of the community they work in than back in 1985 when everything was operated from one building. There are more joint efforts between specialized units (Narcotics, Vice, Homicide, Juvenile) and other Law Enforcement jurisdictions.

The department has several new operations, but the most significant is the Contract Compliance Division. It is this Division's responsibility

to supervise and monitor the various contracts the City has with private security firms. In 1987 the City decided in all future development of major size buildings and multi-unit family living facilities there would be a requirement to provide certain levels of security. In this requirement, the police department would be responsible to oversee contract compliance and cooperation between security operations. The result today is a strong awareness and cooperation between the local police officers and private security forces toward common goals of protecting the citizens.

The constant input from citizens through their local officers, elected officials, and automated public attitude surveys helps keep the police aware of concerns. Likewise, the police are able to enlist the public into more crime prevention programs with the new technology and feedback through their decentralized system.

The police use a variety of new and old styles of equipment to deal with crime problems.

Sophisticated Patrol Vehicles	Non-Lethal Weapons
Hover Craft	Electronical Advances
Closed Circuit TV	Telecommunications Technology

They still have management problems as you would have with any people oriented function. However, the problems are less than in the 80's and 90's as they have learned to work with the unions to deal with problems. There are only 1200 employees, of which 550 are police officers. This represents a smaller level than in 1985, even with the growth of the City. They have learned to utilize all levels of the work force through the participative process to meet the organizational goals.

The new technology has allowed for more free time and better use of work hours by the police. For example, many officers go directly into the field from their home by using the computer mobile radios, thus relieving them of the extra time that used to be spent at a station. The non-lethal weapons help to reduce injuries involved with the job. Public attitude towards the police has changed as they understand the role of police more effectively than in 1985.

This combination of technology, training, privatization, and community support has given us a much better officer. He is better equipped to deal with problems and has assumed a role of being customer conscious in delivering his service to the citizens of Long Beach.

SECTION III

PRIVATIZATION: A TREND

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PRIVATIZATION: A TREND

In the first chapter, the level of change occurring in the public/private sector toward government responsibilities was discussed. The issue is whether this concept is evolving as a permanent supplement to law enforcement or just a passing trend. This section will discuss what is occurring in the private sector and its relationship to law enforcement.

WHAT HAS EVOLVED

The trend towards privatization in law enforcement is not a new concept. In the late 50's and early 60's many police agencies started the transition by turning over the alarm hookups to private companies. The increase in the use of guards in private business firms has aided in this transition. The types of crimes that were occurring, the mobility of the criminal, and the cost of government all helped this process along.

In a 1970 Rand study, they indicated "private security services fill a perceived need and provide a clear social benefit to their consumers and to some extent to the general public."[18] The concerns of the Rand researchers echoed in their 1970 study regarding crime was stressed further as a result of the increase of crime in the 70's and early 80's. Ironically, instead of controlling crime in the past 15 years our society existed in a reign of terror. The U.S. Supreme Court Justice, Warren Burger, stated, "Americans are hostages within our own self styled, enlightened, civilized country."[19] Another indication of the severity

of the crime problem was the fact that between 1948 and 1978 one fifth of all front page stories concerned crime. By 1974 law and order had emerged as the number one issue in local politics.[20] The law and order issue has continued to be one of the top concerns of the public in the annual reports on public attitudes in most national publications.

During this time period law enforcement has increased in size, although not in proportion to private security. In 1978 the general public in California passed Proposition 13 to control the cost of government. Even with the passage of Proposition 13, the populace told government not to reduce law enforcement. Therefore, the concerns of the public about crime and public safety continued to be a major one.

As a result of this problem, law enforcement was forced to re-examine its crime fighting techniques. It learned that we could no longer do it alone but needed the support and involvement of the general public in preventing and combating crime.

The use of private security to supplement or even replace local law enforcement has aided in helping deal with crime. Many crimes within private business go unreported. These are commonly referred to as "White collar crimes." Mr. Keefe, Security Manager for Systems Support Division, Hughes Corporation, has stated,"We rarely take a crime to the local police. We deal with them administratively which often results in restitution to the company and the person losing his job. We have found this is often more severe punishment than the violator would receive in the court system."[21] The security programs in private business exist

to reduce loss, thus increasing the profit margin. "Industry has come to depend on a new breed of highly trained professionals who have helped to develop new concepts for security. Industrial security is no longer a matter of simply locking up company property. Now, it means a systematic approach to protecting all forms of corporate assets, including those intangible but precious assets, a company's reputation and ethics."[22]

There are different types of private security operations. The proprietary operations are those security structures existing within an organization. Contractural operations are those security structures that supply service for a fixed amount of money to an organization. These private security firms will generally provide three levels of personnel:

1. The basic Guard
2. Investigator
3. Supervisor/Manager

Mr. Robert Bell, President of Bell Security Systems, a contractual operation, indicates that he has another level of security officer, the roving patrol guard.[23] This officer has evolved in response to the demands on private security to provide a patrol function security force. With the advent of alarm systems, private neighborhoods, business districts, etc., mobile response needs have increased. In some areas of the country this type of private security operation has, in fact, replaced the use of police patrols.

The relationship between private security and local police has been one of the major problems which exists. Some private security firms monitor police channels for calls to their client's establishments.

When a call has been received, the security firm will dispatch their unit unbeknown to the police, which helps create conflict. However, there are some cities taking a different approach to this problem. In Dallas, Texas, they meet with the private security patrols at squad meetings and supply them with crime information.[24] This brings a portion of the 10,000 private security officers into supplementing the local agency.

In San Francisco, California, there is a more unique system described by Police Officer Gale Harp, Coordinator for the San Francisco Police Department, Special Security Officers. The City Charter allows for private security officers to have special peace officer powers and yet not be peace officers. These officers own a beat in certain areas of the City. When they leave they sell their beat, with approval of the Police Commission, for between $5,000 to $75,000. The police department has no hire/fire control and limited discipline over these private enterprises; however, they do review for approval all ownership transfers. There are currently 39 regular and 90 assistant officers in San Francisco.[25] This is an example of how things could be if we do not begin preparing for the future.

The trend has been shown and the mental attitude of the public is clear. With the aid of private security operations, the crime rate could be held down. Few would disagree that if private security forces were not available or drastically reduced, the reported crime rate would raise. The drain on local law enforcement would be drastic and we could not

create a safe environment. The possible responsibilities created if we did not have private security are numerous. The number of police officers would have been increased by thousands in order to provide an equal level of service. The public would not have stood for this tremendous increase in cost and would have rebelled sooner than they did with the passage of Proposition 13. In fact, some people fear that a force this large would lead to a police state; something none of us desire.

EMERGING ISSUES

There are many emerging issues concerning the trend toward privatization. It is apparent that law enforcement has numerous concerns, the prominent one being quality of personnel. This has been expressed in the 1970 Rand Report and the 1982 Hallcrest Report. The interesting point is that many in the private sector agree with some of these concerns; including Mr. Keefe and Mr. Bell.

The private security industry is pushing for many changes in their profession to meet the challenge of the future. The management level personnel are generally highly educated and skilled individuals.

Mr. Keefe and Mr. Bell indicated the current structure of having the Department of Consumer Affairs administer the private security industry is inadequate.[26] Ms. Vicki Heibech, of the Department of Consumer Affairs, indicated the process is not very indepth. They handle most reviews via telephone and mail, with little or no direct contact. The license is valid for 2 years and must be renewed at that time. However, in talking to the private security people, the State is approximately one year behind in the renewal process. They do no screening, psychological testing, indepth background checks of personnel, nor do they require it of the private security firms themselves.[27]

The private security representatives would like to see this responsibility turned over to the Department of Justice. They feel the Department of Justice will put more control into the industry and have a better understanding of the problems. The need to address many of the concerns outlined in the Rand and Hallcrest Reports concurr with the

private security personnel interviewed. Just a few issues are:

1. Stronger State Control
2. Training Requirements
3. Public Input
4. Background/Screening Checks
5. Discipline
6. Better Relationships with Law Enforcement
7. Access to Criminal Records
8. Issuance of Firearms and Related Responsibility

There are changes occurring which is creating a higher skilled security officer. Mr. Keefe stated that the personnel working for Hughes Corporation are a sign of the changes that are occurring. He has forty (40) people working with him, twenty (20) having Associate Arts Degrees, ten (10) Bachelor Degrees, and two (2) Master Degrees. He indicated the image of the old retired security guard is changing, but it is difficult, and the quality of people seeking security work is very high in comparison to five (5) years ago.[28]

The public is also concerned with private security and the quality of personnel. On the December 1, 1985, the television show "60 Minutes" discussed the issue of private security personnel at airports. The background checks of security personnel were found to be virtually non-existent. The result was a breach of security at many airports because of a lack of quality personnel.

The movement in the private sector toward the use of more and more private security will continue. The private security people recognize their need to be concerned about the future. They have demonstrated this in their response to the Hallcrest Report and actions taken within the industry.

SECTION IV

IS PRIVATIZATION A CONCERN TO LAW ENFORCEMENT

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There are several questions that come up as we move in the direction of privatization such as:

1. Should law enforcement be concerned with privatization?
2. Is it a threat to the basic service responsibility of government?
3. How can we deal with this issue to meet law enforcement needs?
4. Are there legal problems with allowing privatization?
5. Will this trend continue? To what degree?

These are just a few of many questions being ask regarding privatization.

POLICE AND PRIVATIZATION

The police must recognize the need to address these issues of working with the private sector in the reduction of crime. It is apparent throughout my research that the public is constantly looking for more efficient and economical ways to obtain satisfactoy results. The private sector offers many such opportunities.

In the 1982 Hallcrest Report they found there is interest in planning for this issue. They researched 1,435 abstracts, sent out 821 questionnaires to law enforcement, 2,226 questionnaires to private security, and questionnaires to 37 State agencies to develop a better understanding of the problem.[29] When comparing some of the responses to similiar questions from the Rand Study in 1970 it was apparent there is a changing attitude.

The police need to identify their future direction. We should examine how privatization can support our efforts toward creating a safe community. Chief of Police, Charles B. Ussery of Long Beach, indicated some areas in which he feels the private sector can perform in the future. These areas include:

1. Accident Investigation
2. Traffic Control
3. Parking Control
4. Crime Laboratories
5. Custody of Prisoners
6. Limited Patrol Functions[30]

Mr. Dever concurred with several of these, however, he felt there would be more consolidation of specialized activities between government entities. He stated, "We must recognize the need to find alternative methods of supplying our service."[31]

The police currently have an internal problem with privatization; the "Moonlighting" of regular officers. Most police departments have rules and regulations regarding this activity. However, it presents a unique problem we must be concerned with. For example:

1. When does a police officer stop being a police officer and become a security officer?
2. What public liability exists?
3. Over extension of the person and its impact on the police job.
4. Loss of personnel due to injury.
5. Is the public being taken advantage of?

The private sector and local government must both be concerned with this issue as it affects their joint objectives.

Currently the courts do not look upon private security in the same perspective as they do the police. However, as the private security forces increase and assume more responsibility for some basic police functions, what will the courts response be? Mr. Keefe stated, "It will

only be a matter of time before we have to comply with the Miranda advisement or search and seizure laws."[32] Others stated the courts were the one factor that could slow down the transitional progress toward the future. They fear the courts will rule that private security must adhere to the same regulations as public law enforcement.

With the number of arrests made by private security, it will only be a matter of time before the courts hold private security accountable. The concern is, what impact will this have on law enforcement? Could we have more restrictions placed upon us? Because of this potentiality the police must be concerned.

The police have more requirements to train and keep current on laws. As private security grows will the police officers and unions seize upon this discrepancy in an attempt to benefit from it? Will the courts seize upon this to make forced change as the courts view it and, if so, will it hinder law enforcement?

As you can see, the police and private security have some common concerns as well as some individual ones. We must continue to work toward a common goal and plan for some of these potentialities.

CONFLICT, CONFUSION OR COOPERATION

The police must begin the process of deciding what course of action we choose to take in coping with the privatization issue. The view of the future can be rosy as shown in the Planned City scenario, but only if you prepare and plan for the future. The trend is clear from the interviews, literature research, various studies, and the futurists indicating a move toward private/public partnerships. We can ignore the

issue and hope it will go away, resist with all our power, or work with it seizing the opportunity to have input into the decision making process leading to the future.

The private security agencies are moving ahead with efforts to increase their influence. Mr. Del Smith, professional lobbyist in Washington D.C., indicated there are major efforts being mounted by the contractual security organizations for more contracts. They are seeking change in federal laws and regulations to allow them to bid competitively with proprietary security forces for government security contracts.(33) They are succeeding in some areas. What this means is they are pushing for change.

The issue in California is clear. We must now decide which course of action we choose to take. We can resist any change, seek legislative controls, fight the movement showing that only law enforcement is trained and skilled enough to perform crime fighting tasks. However, I project if we take the "conflict" approach we will lose, as it is apparent the public is not willing to buy more police with increased tax dollars. This was demonstrated in the recent elections in Los Angeles where the "1000 Plan" was defeated. Therefore, conflict is not the proper course for law enforcement.

A second alternative is to create "confusion." This approach is designed to keep people off balance and uncertain as where we are going. This is the wrong approach because, as Mr. Dever stated, "It is going to evolve no matter what is done."(34) All we have to do is look at the trend of civilianization in law enforcement to see how things evolve. You cannot deal with the future by burying your head in the sand.

A third alternative would be to cooperate in developing the future. This means working with private security and other government agencies to develop the future direction of public and private law enforcement. This approach would seem to be the most beneficial, given all the factors involved. The public's desire for quality products at the lowest cost does not stop at the marketplace. They want quality service for the lowest price and will pressure government to accomplish this end.

The cooperative approach would allow law enforcement to have input toward the decisions affecting their future. We would work with the private sector, administrators, legislators, and the judicial system to help structure a workable relationship to serve the best interest of society. It is better to participate in the planning process than to be planned out of the process.

SECTION V

FUTURE DIRECTION

SECTION V

FUTURE DIRECTION

Recognizing the need to prepare and plan for the future, we in law enforcement should begin dealing with the issue of privatization. In the Scenario of Long Beach in the Year 2000, we describe how a major City is viewed. The purpose of that section is to develop a base upon which we should begin developing our plans towards coping with the issues of the future. As in Long Beach, if we in law enforcement do not begin developing strategic plans it will be too late to determine our future structure and role. We can no longer operate with an attitude that we will always need policemen. Citizens may decide this issue and determine it is more beneficial to "pay as you go" for law enforcement services.

PRIVATE/PUBLIC PARTNERSHIPS: ARE THEY POSSIBLE

The need for each agency to develop strategic plans is apparent. The ability to pull all the stakeholders in this process together to develop a master plan is not feasible nor practical at this time. There are numerous stakeholders with a major interest in this process and reviewing input from them all would result in no consensus. Therefore, each agency and region working independently, but cooperatively with other areas, need to develop their plans. We must remember that the people we serve are our most valued resources and respond to their input appropriately.

We have found in the past few years that by including the public in community based crime prevention programs we have had an impact on crime.

It is apparent that the local community wants to be involved in deciding their future fate. As an example, in Planned City the citizens helped create the image of their future and, therefore, will be more responsive to the decisions being made today in an effort to create that future. The law enforcement community, in general, should include the public in this planning process in order to gain their support for whatever course of action a local entity decides.

The Hallcrest report outlined many recommendations for developing a more cooperative future. The local agency should review these suggestions to see how they might benefit their organization and strategic planning. They may find ideas that are contradictory to the benefit of law enforcement. As a result, that agency can prepare alternative courses of action to counteract these concepts.

The partnerships between the public and private sector are not the real issue as they already exist, but whether we are going to work together toward common goals, or in opposition. The private sector recognizes the need for more regulations governing private security. They want to develop training programs, hiring procedures, and complaint systems. We, in law enforcement, should support these concepts where practical, and help develop the proper procedures. Privatization is going to occur. How we deal with the issue will determine the type of partnerships that are developed.

In the Thesis prepared by Dr. Roland Dart, he found that police are very protective of their job functions. On one hand they complain about non-police jobs, but when you discuss assigning them elsewhere they feel you are eliminating their job. He indicated a vast majority of our tasks do not require a highly trained or skilled police officer.

There is a mystique about what police really do. In reality the police tasks overlap and duplicate functions of other agencies. In fact, the police and private security duplicate many tasks according to Dr. Dart.[35]

The final decision on future direction, whether the police and private sector can enter into effective partnerships, rests with each agency individually. However, the direction is clear from the third member of this partnership, the public, that there needs to be some form of agreement.

STRATEGIC IMPLICATIONS

The local police department needs to begin preparing for the future today. Most law enforcement agencies do not plan much beyond the next fiscal year, which is caused by the continued turmoil over government cost. However, if we begin examining and preparing for the future, the local police will have an impact on their own existence. Part of this planning includes recognizing the role of private security.

If the local agencies do not begin preparing for the future they may find themselves dealing with an Unplanned City and police agency. The implications of not preparing are obvious with police tasks but not with private security.

The growth of private security has shown they are becoming a powerful base with which to deal. They are beginning to recognize their combined strength in getting the rules changed. As profit oriented organizations,

they will develop ideas on how to compete with local law enforcement to provide certain levels of service. With this progressive and competitive thinking they will develop strategies to overcome the legal restrictions that exist today.

The private security companies may develop standards and governing policies which do not meet local government's high caliber standards. Once these policies or standards are adopted it is difficult to get them changed. Local government and police agencies would be more successful if they begin today working with private security in creating these regulations.

The private security agency will begin to compete with local government for certain tasks. If there is no planning and coordinating done today, these tasks could become areas we do not want the private sector to develop. By developing plans today, we can participate in establishing the future direction of the private/public partnership.

SECTION VI

CONCLUSION

SECTION VI

CONCLUSION

This report has examined the issue of Privatization of Law Enforcement. The report presented the concept of transition from a society dependent upon local law enforcement to one dependent upon a combined effort of the public; law enforcement, and private enterprises to combat crime. Hopefully, this paper has stimulated the interest of the Command College to conduct further studies into privatization.

Law enforcement resources have stabilized and in some areas declined. The fear of crime is still the major issue in our society. The trend of a decrease in the crime rate over the past few years is an indication something is working other than large numbers of police. There are numerous sociological factors involved, but partly it is the result of more people working towards a common goal. When we combine the public and over a million security personnel, we have a substantial increase in crime fighters without a major infusion of police. Thus, it demonstrates how a cooperative effort can produce positive results.

In this report we examined the literature and found only a few substantial documents on the issue. The doctoral dissertation by Dr. Dart and the Hallcrest Report are the most meaningful and current study efforts into privatization. They both show the changing trend toward finding alternative methods of providing government services. Both of these studies were performed over an extended period of time. The Hallcrest Report, funded by National Institute of Justice, took 30 months

to complete. The results were significant and should be studied in more depth by local law enforcement.

The interviews with the various representatives of public and private agencies demonstrated two points of view. The public sector has not given it much thought, while the private sector is moving toward more influence over the issue. It is apparent there is no leadership being given from the public sector concerning the direction of privatization in law enforcement.

The scenarios presented an impression of the future. Through this process, we can begin developing ideas regarding the issue of privatization. This prospective allowed us to generate some interest in the future and show how effective the strategic planning process can be. The law enforcement community can look at both the City and Police scenarios to see how the future could impact their environment.

We need to begin dealing with the issue of privatization openly and recognizing the benefits to be gained. Although this author feels working in a cooperative spirit is the most beneficial, getting the issue discussed openly will be a major first step. Through this process our leaders can begin evaluating their decisions on the course of our professional futures.

Where we go from here is a decision that must be made both individually and collectively. Somewhere in the law enforcement community this issue will become a crisis, and we will respond accordingly. The alternative is to recognize the trend and assume a leadership role today

in preparing for the future. There are many areas needing further indepth study, for example:

1. Training Requirements
2. Quality of Personnel
3. Qualification Requirements
4. Ethic Codes
5. Identify Tasks That Can be Transferred to the Private Sector
6. Impact on Judicial System
7. Impact On Our Form of Government Service
8. Where Does Privatization Stop - Or Does It?
9. Cost Analysis
10. Type of Equipment, Uniforms, Standardization
11. Changes in the Law
12. Control Mechanism

We need to begin examining these issues and become an active influence over the evolutionary process.

In conclusion I would recommend that the following steps be taken:

1. Privatization be a major topic area for all future Command Colleges to conduct further detailed research.
2. The law enforcement and private security communities hold a series of workshop seminars to clearly define and prioritize issues.
3. The issues identified by the seminar be studied in greater detail to determine the potential impact.
4. Begin identifying those tasks which can be transferred to private security and develop an implementation plan.
5. Study the concept of moving the licensing and supervisory responsibility from the Department of Consumer Affairs to the Department of Justice.
6. Develop training programs to begin preparing the law enforcement community rank and file on this transition of the changing roles of law enforcement.

The law enforcement community must assume a leadership role with regard to the future direction of privatization. The fast pace of society, the ever changing technology, the public pressure of more for less, the strong desire for security within our communities, should all be telling us to begin preparing and planning for the future before it passes us by. The public is no longer passive, they will give us the guidance and direction required to lead us into the 21st Century.

Law enforcement needs to take this direction and move forward in its planning to cope with the transition to a triad partnership between the Private Sector, General Public, and Government.

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