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# **Issues Associated with Local/Regional Policing in Chautauqua County**

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## ISSUES ASSOCIATED WITH LOCAL/REGIONAL POLICING IN CHAUTAUQUA COUNTY

The purpose of the research summarized in this report is to discover and examine issues associated with the possible development of a regional police department in Chautauqua County. The concept of regionalization has taken on a renewed emphasis in recent years as political leaders and citizens alike search for ways to improve services and lower costs. Given the costs of providing police services to the various localities of the county, the prospect of realizing savings through a regional approach is attractive.

But costs alone must not be the only consideration. Policing provides essential public safety and welfare functions, which must be preserved and improved, not diminished. As importantly, many people have chosen to dedicate their adult lives to a police career. As such, they encounter unique risks and responsibilities in contrast to those in other occupations. Any change in the organizational status of these officers will necessitate adjustment to some degree in their work routine and environment. It would seem the consequences of this change for the police officer must be understood and, as appropriate, accommodated or mitigated.

The research reported here focuses upon these latter issues: issues that concern professional policing, organizational structure, police and their relationship to citizens, and the desirability of implementing a regional police department. To explore these issues, extensive interviews were conducted throughout Chautauqua County. Those interviewed included five chiefs of police, the county sheriff, two city and two village mayors, three town supervisors, two heads of Patrolmen's Benevolent Associations, and a retired police officer who was both a member of the state police and the assistant chief of

a village police force. In addition, relevant sections of New York State law, including chapters on county, municipal, village, civil service and criminal procedure were researched.

Interestingly, other communities and counties in New York State have had experiences with the merging of police departments or the creation of county police agencies. At least one merger, which merged police in Liverpool and Solway with the Syracuse police department, failed (BUFFALO NEWS 9/23/97). Others have been successful including the merger of three village police departments in the Town of Moriches in Onondaga County (Consolidation Case Studies, NYS Department of State, 1998). Of more central relevance to efforts to regionalize police in Chautauqua County are the examples of county police departments that were established in 1925 in Nassau and in 1960 in Suffolk County on Long Island. In order to learn about the history and content of any public debate concerning the formation of the Suffolk Police Department, relevant issues of the NEWSDAY and NEW YORK TIMES newspapers published during 1956 to 1960 were reviewed. Also, a week was spent in the county in order to understand the current operation of this police department and its relationship with other local departments. During this time interviews were conducted with various police officials including the commissioner, a precinct commander, officers in charge of the police academy, and those at the beat level who patrol neighborhoods and investigate crimes. In addition, other officers from neighboring local police departments were interviewed for their views on the larger county force and their relations with that force.

## RELEVANT POINTS

Before proceeding to review the data it is important to articulate a number of points that are relevant to policing in the U.S. and in New York in particular. These will help place what was learned in an appropriate context in order to enhance the interpretation of this information.

1. Among the world's nations, the United States is unique in the extent to which policing responsibilities are delegated to local communities. Currently there are over 18,000 separate police agencies in the United States. The legal jurisdiction of the vast majority of these departments is confined to the distinct communities that have assumed responsibility for establishing and funding these departments. This contrasts with most other nations where are found national police forces, with a centralized command structure and an organizational jurisdiction that extends throughout the country.  
  
What is especially important is that an essential reason for the extensive decentralization of policing in the United States is rooted in deeply held and widely shared norms and values concerning the locus of control of authorities. As one local police chief expressed it, "People want to feel they have an ownership of their police department" (c.f. Bayley, 1985 and Reichel, 1999) and with this ownership comes a sense that their police will pay attention to their needs.
2. Most people, most of the time, do not need police services or a police response. But when they are needed, when citizens call, they want a

response NOW!, not in a minute, not later, but now. Police are like those who work in other emergency services – fire protection, emergency medical personnel – in this regard. Moreover, the range of situations for which police are called is much more extensive than for those in these other services. The actual emergency nature of these calls varies as well from the silly to the critical. But regardless, when people call, they expect their needs to be attended to, now.

3. When doing police work, the police are expected by the public and themselves to function in relation to other activities besides those typical of law enforcement such as preventing and solving crimes and making arrests. Other responsibilities that are central to their work include dispute management, maintaining order, providing assistance and performing services in a variety of contexts.
4. New York State's criminal procedure law (1995) makes a legal distinction between a "police" officer and a "peace" officer. The former is granted enhanced authority and responsibility in regards to their crime control functions compared to those officials legally defined as "peace officers". Among those officials recognized in law as "police" are sworn deputy sheriffs and police officers. Consequently a perception that some police officers and deputy sheriffs are not "real" police officers because they do not patrol urban areas where "real" problems exist, is not true.

What is true is that different communities and neighborhoods have different problems to which police must respond. When they do, each officer responds with the same legally defined authority and expectations.

5. New York law authorizes the county sheriff to perform additional non-police duties and functions that municipal police departments do not do. Significant among these are organizing and staffing the county jail, transporting prisoners, serving civil process, and collecting delinquent taxes (New York Consolidated Laws, Chapter 11, Article 17).
6. New York State law and the evolution of municipal police agencies and sheriffs' departments have resulted in important economic benefits for municipal police labor associations and their municipal authorities. The right to binding arbitration is not similarly stated in law for deputy sheriffs. Also, deputy sheriffs in Chautauqua County receive full retirement benefits after 25 years of service, while municipal police officers may typically retire with full retirement benefits after 20 years of service. And, depending upon the municipal police agency, the retirement benefits for municipal officers, e.g., medical benefits may be more extensive than those provided to deputy sheriffs.
7. In Chautauqua County, at the day-to-day operational level, regardless of the department, when officers request assistance, police from other agencies respond swiftly, and without reservation. Each is highly conscious that policing is very risky, that assisting others can result in reducing the risk to individual officers and the public.

## SUFFOLK COUNTY

Suffolk County is in the eastern half of Long Island. It borders Nassau County on the west and the Atlantic Ocean. Suffolk is composed of ten towns that contain a number of villages and cities. Its current population is about 1.5 million people most of whom live in the county's more densely populated five western townships. The five eastern townships still retain more rural characteristics including open spaces and farmland. In addition, a number of very wealthy people reside in those townships. They also are the destination for many summer vacationers.

The formal process that led to the creation of the Suffolk County Police Department began in January 1956 when a bill supported by the County Board of Supervisors was submitted to the New York State legislature. The bill sought authorization for the county to hold a referendum to make two significant changes in county government. The first was to substitute a county executive system for the Board of Supervisor system. The second was to establish a county police department by merging the separate municipal agencies into a single, regional department.

In the middle years of the 1950's, policing responsibilities were carried out by twenty-seven different local departments and by a contingent of the New York State Police. There was (and is) a county sheriff, but the responsibilities of this office were confined primarily to the jail, to transporting prisoners, and to

serving legal process. Deputy sheriffs at that time did not patrol or investigate crimes. These activities were the responsibilities of the local police departments.

At the time of this movement to change county government and policing, the population was doubling in size to over 500,000 people, most of whom lived in the western townships. Support for these changes was strongest among the political and police leaders from these communities. The editors of the dominant Long Island newspaper, *NEWSDAY*, were consistent and strong advocates for a county police force as well.

The substance of their arguments in favor of a single police force focused upon professional and not financial issues. Their goal was to create a more effective and efficient police presence by merging resources and creating a single agency. In January 1956, *NEWSDAY* ran a series of stories documenting badly done and unresolved murder investigations. In every case, the reporters emphasized the inability or unwillingness of small local agencies to work together to solve the crimes. In its concluding pages, the 27 police chiefs were surveyed as to their support for a single agency. Sixteen indicated they favored the change, five were opposed and six would not comment. Those who were opposed generally led departments in the rural townships and cited “expenses,” “obstacles” and the fact they already received “satisfactory” cooperation from other departments (*NEWSDAY*, Feb. 3, 1956; 7c).

Interestingly, the possibility merged departments would save money was not articulated as a justification, at least in news accounts in those years. Because of disputes with the Governor over the specific model of county government, the

referendum to create a new government and new police department did not occur until November 1958. During this two plus year period, public comments by officials that were reported in the press, were universally in favor of a county department for professional reasons. Only once, in December 1957 (NY TIMES, Dec. 25, 1957: 50), was a cost saving issue raised. It was reported the County District Attorney appointed a person to analyze relative costs of separate and merged police departments. Press accounts contained no follow-up on this study and no further discussion of the possibility that better policing could be provided at less cost. Voters went to the polls in November 1958 informed only about police professionalism issues.

To be successful, a county police department had to be approved by voters in at least three bordering townships. Seventy-six percent of the electorate in the five western (and most populous) townships voted in favor of the county police. In the five eastern townships, sixty-seven percent voted against it (NEWSDAY, November 5, 1958: 2). Because people in the required number of townships voted for it, a county police department was created to serve only those towns. Interestingly, in spite of the overwhelming approval in these five towns; in spite of three years of consistent public support by political and law enforcement leaders; and in spite of strong advocacy for a county police agency by the dominant media, voters in nine villages within these western towns voted to keep their own police and not join the district (NEWSDAY, November 6, 1958: 17). This suggests sentiment for local control over police is deeply rooted and difficult to overcome.

The Suffolk county police department began in 1960 from the merger of police in twelve local departments. As a regional department, it was and is incomplete, because nineteen local departments remain outside the county agency. At its inception, the county police was comprised of 619 sworn officers. Today, as the population of the police district has grown over 1 million, the authorized strength of the department is 2,600 officers (Annual Report, 2000, p. 6-7).

It is a full service police agency with extensive crime investigation and evidence evaluation capabilities. It maintains specialized operations, including a helicopter and a marine patrol. It also staffs its own police academy in addition to performing patrol and response functions. Their patrol jurisdiction is only within the borders of the police district. However, the county police department provides the other services throughout the county. They are the lead agency to investigate major crimes throughout the county. They provide training for officers from all local departments, and patrol the coastal waters among other things.

The county agency receives funding from two sources. District residents are assessed for full police services on a separate line item on their county tax bill. Funds also are allocated from the county's general fund to pay for the services the county department provides to towns and villages outside the police district (Annual Report, 2000: 8).

From personal observations and interviews, it appears that this is a professional department with officers who are trained well and who offer a complete range of police services. They are also well compensated. Their

bargaining agency has used their right to binding arbitration and their proximity to Nassau county and New York City as leverage to put their salaries in line with that earned in these other police departments.

Again from personal conversation with officers in local police departments in Suffolk County, there appears to be a general consensus the county police department has a number of attractive advantages that their own departments do not. Among these are higher salaries and greater opportunities for promotion. Also the larger department, with its extensive division of labor across a variety of police functions is seen as providing its officers a greater variety of work experiences over the course of their careers.

#### CHAUTAUQUA COUNTY

Chautauqua County, in contrast to Suffolk County, has experienced a loss of population in recent decades to a level of 138,000 people. They live scattered across the county in twenty-seven townships, a number of villages and two small cities. Police services are provided by departments located in the cities, three villages, two of the towns, and by the county sheriff's office. In addition, the county houses a contingent of New York State police and the University Police department on the Fredonia campus. Also, at least one town provides for a part-time constable and Chautauqua Institution employs its own small force of peace officers. In addition, over the years there has been a significant attrition in local policing as local authorities in 19 communities have eliminated their police departments or town peace officers. The most recent was the ending of the Town of Hanover police department and the merging of its officers into the sheriff's

department. Departments were eliminated to save money. In these localities policing responsibilities were shifted to the sheriff's department and/or the state police. In addition, Brocton, Ripley, and Hanover fund for additional police protection through separate contracts with the sheriff's department.

The professional relationships between the current police agencies, including the sheriff's department, are as effective as they are cordial. The chiefs of police meet routinely to share ideas and discuss issues. Based on conversations with police and elected officials, there is consensus that officers from every department will respond enthusiastically and without hesitation to requests for assistance by an officer in a different agency. Other examples of collaboration include participation by a number of departments in the county's drug task force. The sheriff's department investigators routinely assist with evidence collection and the investigation of major crimes that occur in the jurisdiction of the smaller police departments.

The separate departments do not collectively work together to generate savings from the purchase of uniforms, cars or other equipment. However, each is able to purchase from the state contracts and thus realize savings in this way. The police chiefs did mention their radio replacement and maintenance costs could be lowered if this service could be provided through the county in the same way as it is provided for the sheriff's department.

One set of questions that was asked of the police and public officials concerned the type and amount of problems, criminal or not, that police respond to in their communities. Their responses indicated important differences and

similarities. More rural areas and smaller villages emphasize traffic control, speeding and parking as significant issues. Those in cities and larger villages identify serious crime problems: drug sales, assaults, burglary, sex offenses, as more prevalent problems to which police must respond. Other types of problems were identified as prevalent in all the communities regardless of size or location. These include domestic violence, noise, neighbor disputes, criminal mischief, under age drinking, and a variety of other quality of life issues. While a number of these may not be penal or vehicle code violations, they are still issues that police are expected and expect themselves to respond to. Incidences of the most serious crimes such as homicide, violent rape and robbery are rare occurrences for any area in Chautauqua County. Other issues on which there was consensus is the importance of response time. When the public calls, they do not want to wait. But the police themselves do not want to either. They know slow response has a negative impact on the public's views of police effectiveness and professionalism. They also know that distance to a call and the number of officers available to respond impacts their response time. Not surprisingly, those in villages and cities with local police departments indicated the greatest sensitivity to this issue.

Both political and police leaders located in villages and cities also emphasized the importance of police being connected to their communities. This anticipates community policing as an operational strategy, but transcends this concept as well. "Community policing" is a formal organizational response that attempts to enlist neighborhoods in crime prevention and crime detection activities. As such, the program places officers in close proximity to the residents

of the neighborhoods. For the police, being connected to their community means much more. Police who are connected have a detailed knowledge of and acquaintance with the people and the places they live and work. Officers know who is friendly and who is not; who to pay attention to and who to ignore; and places that are dangerous and those that are not. Likewise, citizens know their police. They are not strangers but individuals in whom, according to public opinion polls, larger majorities of citizens have much confidence (Sourcebook, 2000: 102, 109).

### A REGIONAL POLICE FORCE?

The depth and centrality of these sentiments suggests police and elected officials would voice significant opposition to a change from local to regional policing. In fact, the opposite is the case. Five of the six chiefs, two of three police officers, and four of the six elected officials strongly supported some form of regional policing. While some of them suggested a regional police agency could save money, most of their support was for professional reasons. In their view a larger central agency can provide more effective and professional policing because it will have more human and material resources to provide needed service. Police managers would be able to assign more comprehensive patrol coverage over a larger territory. Response times, especially in more rural areas, would be improved. A larger force can develop a more task specific division of labor and provide more detailed training for officers in all the positions in the organization. Individual officers, themselves, will benefit in two ways. They will be better trained and thus prepared to provide better service. They also will have

the possibility of working, over their careers, in a variety of roles and at different command levels. For many, the possibility of changes and advancement can enhance their satisfaction on the job. Even those who oppose a regional concept agree with the supporters on these points.

Opponents, however, voice concerns over the loss of local control and cutting of connections to a specific community and its residents. They argue regional police will be isolated and separated from citizens; that they will be strangers among them. As a consequence, service will be less effective because a “stranger” police officer will not know of or pay attention to the special needs of particular communities. Those in favor of regional policing recognize these possibilities but contend they can be resolved through effective management and deployment and by assigning officers particular localities for significant periods of time.

Although police and political leaders largely agreed with the concept, they did not agree on the particular organizational model or the extent of its geographical jurisdiction. Two different formats, each with their own variations, surfaced in the interviews. One plan suggests creating separate departments for the town and municipalities in the northern rim of the county and for those in the south. Existing police (including sheriff’s deputies) in each area would be merged together to staff the two new police agencies. Also, their geographical jurisdiction would expand to cover all the territory in their respective sectors of the county. In this case the sheriff’s department would largely cease its law enforcement functions (or dramatically scale them back). Instead this office

would concentrate on its unique functions of organizing the county jail, transporting prisoners, handling civil process and collecting judgements.

A variation on this theme would be to merge only those departments in the communities in the north and south regions that border one another. In this situation, the sheriff's department would retain its law enforcement and patrol functions in those areas that lie outside the two, newly created police districts.

An alternative model that was discussed was the creation of a single police department that is separate from the sheriff's department and that would have law enforcement responsibilities throughout the county. All of the officers of the separate police departments and the road patrol sheriff's deputies would be merged into this new police department. As in the above, the sheriff's department would end its law enforcement responsibilities. However, a variation on this single police department model would be to transfer all of the law enforcement functions and personnel of the community police departments to the sheriff's department.

Doing this would formalize the "defacto" regional or countywide law enforcement agency, which the county sheriff's department has become over the last twenty-five years. This transformation began, not by design, but by attrition. As various communities in Chautauqua County eliminated local police agencies, the sheriff's department stepped in to fill the needs for police service. This was done because only the sheriff has jurisdiction throughout a county. Municipal police departments have jurisdiction only within the area of the political authority that created them. Therefore, none of them could fill the voids created by attrition

unless the municipality agreed to merge its department with another municipal police department.

Today the county sheriff's department is a multi-purpose law enforcement agency. Similar to the county police agency in Suffolk County, the local sheriff's department has many of the same capabilities and competencies, but on a smaller scale. In conjunction with Jamestown Community College, it runs the police training academy. It offers a full range of evidence collection and crime investigation capabilities. It has a marine patrol, a snowmobile patrol, and a mounted patrol in addition to traditional vehicle patrols. It organizes a variety of task forces, such as the drug task force, which bring members of different agencies together for a specific law enforcement activity.

However, while the form and functions of the county sheriff is similar to policing in Suffolk County, its funding stream is not. Recall that in the latter, residents of the police district receive a separate charge on their county tax bill, which is the bill for police services. Those properties that are outside the police district receive no similar tax bill. In contrast, in Chautauqua County, the sheriff receives funding from all properties alike regardless of whether they are located in a community with its own police agency or not. In other words, the costs of providing police services to those that live outside communities with their own police departments are subsidized by those who live within those communities. It could be argued, as some respondents in this study have, that they help to fund police services for others for which they receive no direct benefit.

Another issue that was raised during the interviews concerns the desirability of having an elected official be the head of a regional police department. The elected officials were split on this question. Half spoke on in favor and the other half opposed having an elected official be the chief law enforcement officer. Opposition was strongest and most pointed among the law enforcement officials in this study. Their concerns ranged across a number of issues. These included the possibility that political cronyism could affect decision-making. They did not like the prospect that a non-professional, that is one without law enforcement training and experience, could be elected “chief”. The disruption of organizational continuity was also cited if the existing chief failed to win re-election. Those in favor of an elected chief argue differently. They point out that the possibility of being defeated will make an elected chief even more attentive to the needs of the communities the police serve.

Representatives of police bargaining units are supportive of working in a regional organization. They see the possibility of different assignments, greater variety in their work, and promotion opportunities as substantial advantages. When questioned about what would increase their enthusiasm for a regional department, they responded in the following way. Such a department should maintain some form of “homebase”; have a professional police chief who is “there” for the department; provide ample opportunities for promotion according to regular rules; provide opportunities, following appropriate tests, for officers to become involved in special assignments; maintain and enhance economic benefits that are the same for all in the department; provide for continuity among shifts;

provide appropriate building spaces for zone or precinct headquarters; address the need for officers to work together in order to know and accommodate different work styles and to limit their isolation; and provide good shift leadership. These police officers did not want to become sheriff's deputies particularly in view of what they perceive as a loss of rights (binding arbitration) and benefits (current salary schedules and retirement).

## CONCLUSION

The goal of this study has been to surface a variety of different perspectives on the question of regional policing that are held by relevant public and police officials. Further these have been examined in the context of the experience in Suffolk County and its development of a county police force. If their goal was to create a single agency to police the entire county then the results to date have been incomplete. Saying this does not diminish the current quality and professionalism of the Suffolk County Police Department. In fact it is a highly competent and well-regarded police force. However, the history and results of its creation highlights the difficulties associated with the creation of a truly regional police agency. In spite of a massive amount of public and political support, it was clear voters in many communities did not want to relinquish local control and give up their police department. The fact none have joined the police district in the ensuing forty years indicates they still do not want to, today.

There is little question that merged resources provides an opportunity, but not a guarantee, for more professional police service and more satisfying work experiences for police officers. And on these grounds, this study has found a

surprising consensus, with some exceptions, on the desirability of a regional police department in some form. Respondents were asked to consider how they thought their constituents would respond to a regional force which promised the same or improved level of service at reduced cost. Generally it was thought the public would be supportive of this, provided both could occur. The question of costs was not examined in a systematic way in this study. This should be as part of a next stage in the examination of regional policing for Chautauqua County.

Can policing in Chautauqua County be transformed to a regional format? There is little question that to do so will be difficult. But given the type of support this concept has and the fact it already does exist for some residents of the county in a “defacto” form, it is not impossible. The information reported here indicates that success will require careful planning and model building that is sensitive to the issues and rights that have surfaced in this study.

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