U.S. DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES OFFICE

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

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U.S. DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES OFFICE

WEDNESDAY, FEBRUARY 29, 2012

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME, TERRORISM,
AND HOMELAND SECURITY,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:06 a.m., in room 2141, Rayburn Office Building, the Honorable Trey Gowdy presiding.

Present: Representatives Gowdy, Adams, Conyers, Scott, Jackson Lee, Pierluisi, Chu, and Polis.

Staff present: (Majority) Caroline Lynch, Subcommittee Chief Counsel; Sheila Schreiber, Counsel; Harold Damelin, Counsel; Sarah Allen, Counsel, Arthur Radford Baker, Counsel; Lindsay Hamilton, Clerk; (Minority) Aaron Hiller, Counsel, Joe Graupenberger, Counsel; and Veronica Eligan, Professional Staff Member.

Mr. GOWDY. Good Morning. This is the Subcommittee on Crime, Terrorism, and Homeland Security. Welcome to an oversight hearing on the United States Department of Justice Community Oriented Policing Services Office. The Subcommittee will come to order.

Welcome to today's oversight hearing. I would like to especially thank and welcome Director Melekian. Have I pronounced your name correctly? And thank you for joining us today.

I am also joined by my distinguished colleague from Virginia, the Ranking Member of the Subcommittee, Mr. Bobby Scott.

I am also joined by the Ranking Member of the full Committee, former Chairman of the full Committee, Mr. Conyers, from Michigan.

Mr. CONYERS. Top of the morning.

Mr. GOWDY. Mr. Pierluisi from Puerto Rico. Welcome to all.

I am going to enter into the record, hopefully without objection, the opening statement of Chairman Sensenbrenner.

[The prepared statement of Mr. Sensenbrenner follows:]

Prepared Statement of the Honorable F. James Sensenbrenner, Jr., a Representative in Congress from the State of Wisconsin, and Chairman, Subcommittee on Crime, Terrorism, and Homeland Security

Today's hearing examines the grant programs administered by the Community Oriented Policing Services Office, known as the COPS Office, at the U.S. Department of Justice. Throughout the early 1990s, national violent crime rates skyrocketed. In response to this problem, Congress established the COPS Program in 1994 and initially funded it with nearly $9 billion dollars between 1995 and 2000. DOJ also created the COPS Office to distribute and monitor these federal funds.

The goal of the COPS hiring program was to place 100,000 additional police officers engaged in so-called "community policing" on the streets by the end of 2000. Whether this goal of an additional 100,000 officers was ever met is a matter of dispute. And, even more importantly, there is strong disagreement over whether the COPS hiring program has been effective in reducing violent crime.

Despite spending billions of dollars on the program since its inception, the Government Accountability Office has estimated that the COPS hiring program is only responsible for a 1.3 percent decline in overall crime rates between 1993 and 2000. This is simply not a good return on our investment.

During the mid-2000s, as national crime rates continued to plummet, Congress stopped funding the COPS hiring program entirely in 2006 and 2007 and appropriated just $20 million for the program in 2008. And the crime rates continued their decline.

However, in 2009, as part of the Administration's economic stimulus plan, Congress appropriated $1 billion for COPS hiring grants in the Recovery Act with virtually no strings attached. Congress waived any matching requirement and the COPS Office allowed the funds to be used to pay the salaries of existing officers rather than hire new ones. This wasn't a crime fighting program—it was a jobs program.

The bloated funding continues. For Fiscal Years 2010 to 2012, Congress appropriated an additional $700 million for COPS hiring grants. And now President Obama has requested a staggering $4.25 BILLION in COPS funds for Fiscal Year 2013. This, despite the fact that crime rates are at their lowest in 30 years, despite concerns raised by GAO and the Inspector General about the administration of these grants, and despite the fact that some recipients are exploiting this program to supplant rather than support the hiring of new officers.

It is clear to me that the purpose of the program has shifted from addressing violent crime nationwide to subsidizing state and local law enforcement agencies with budget problems. The responsibility to fund and manage routine state and local law enforcement efforts has been and should remain with the state and local governments.

This program was intended to address an acute crime problem that no longer exists and has now become a program to bail out state and local governments that made fiscally irresponsible decisions.

The City of San Francisco began a program in 2008 that allowed police officers to retire at age 55 and then be rehired by the police department. Once rehired, these officers were then entitled to receive—at the same time—both a full salary, which could be upwards of six figures, and retirement payments, which were deposited in a tax-deferred account that guaranteed a 4% return. Upon leaving the department for the second time, the officers received the so-called retirement payments that had accrued as a lump sum.

In many cases, police officers left their second tours of duty with lump sums in the mid-six figures. A comptroller's report found that this outrageous program is expected to cost the city an additional $52 million to re-hire retired officers rather than new recruits. And yet, the COPS Office awarded San Francisco hiring grants worth over $16 million in 2009 alone.

In these difficult economic times, when the federal government must drastically reduce its spending, we simply cannot continue to spend money without verifying that funds are being used as effectively and efficiently as possible, and only for the purpose Congress intends.

I welcome the Director of the COPS Office, Bernard Melekian and look forward to your testimony today.

Mr. GOWDY. And with that, we will recognize the gentleman from Virginia for his opening statement.

Mr. SCOTT. Thank you, Mr. Chair, and I apologize for my voice, but it is actually getting better.

I would like to welcome Director Melekian in here today to discuss the important role of the COPS Office in making us safer in this country. The COPS program awards grants to state, local, and tribal law enforcement agencies throughout the United States, so they can hire and train law enforcement officers to participate in community policing, purchase and deploy new crime fighting technologies, and develop and test new and innovative policing strategies.

The COPS Office was instituted not only with the goal of hiring an additional 100,000 police officers, but also to promote community policing. Community policing is a model of police work involving a partnership between the police and the local residents, which expands the focus of the police from arrests, to intervention and prevention problem-solving.

This is a shift from deploying police officers and patrol cars to randomly cruise the streets and to answer calls for assistance to deploying them on the street and encouraging them to establish ongoing relationships with residents.

This is often described as returning to a model of cops on the beat, which is when officers get to know the residents on their beat and thereby better understand the community's crime problems and broader needs.

Of course, the better relationships that police officers have with the community, the more likely it is that residents will share important information with police, and obviously assist in investigations. In this model of policing, officers have more discretion and can go beyond making arrests, to analyzing problems and responding to them with community cooperation. In this way, local law enforcement officers are more effective in protecting citizens because they prevent crimes from occurring in the first place, save taxpayers money, because of all of the associated savings related to investigation, prosecution, and incarceration for crimes not committed.

I believe that the COPS program has been a success and a model on how smarter, proactive strategies for fighting crime are superior to strategies that simply react to crime and cost more in terms of victimization and taxpayers' money.

So, I look forward to the discussion today about how the COPS Office is implementing this important program, and ways in which we may be able to better strengthen it, and make it even more capable of carrying out its important role.

Thank you, Mr. Chairman. I yield back.

Mr. GOWDY. Thank you, Mr. Scott. I would now recognize the gentleman from Michigan, if he would like to take the opportunity for an opening statement.

Mr. CONYERS. Thank you, Chairman Gowdy, and Members of the Committee. We all join in welcoming Bernard Melekian, the Director of Community Oriented Police Services.

Just two things to add to what Ranking Member Scott has already said. The first is that from my point of view, the COPS program is one of the most successful ever produced by the Judiciary Committee. And I would like to try to show why this program is

money well spent and what we need to do to reaffirm our commitment to providing assistance to local law enforcement in this country.

First of all, the COPS program creates jobs. It started off under Clinton. It has funded more than 123,000 state and local officers in communities across the country. Now, some jurisdictions are actually laying off police officers, but the COPS program makes us safer, and I fully support it. And I think the case will be made very clearly here this morning.

In fact, former Attorney General John Ashcroft said, and I quote, "The COPS program has been one of the most successful programs that we have ever worked with."

Now in addition, yesterday I have introduced H.R. 4098, of which the director has been made aware, and called the Shield Our Streets Act, to provide specific funding for places that have particularly high crime areas, like, for example, Highland Park, Michigan, whose lighting systems have been cut off because of their financial distress, and the safety issues become paramount there.

And so I welcome you to the Committee again, and we look forward to your testimony.

Thank you, Chairman Gowdy.

Mr. GOWDY. Thank you, Mr. Conyers.

It is now my pleasure to introduce today's witness. Mr. Bernard Melekian was selected as the Director of the Office of Community Oriented Policing Services in October 2009. He has 36 years of local law enforcement experience, including serving as the chief of police for the City of Pasadena for 13 years. He also served with the Santa Monica Police Department for 23 years, where he was awarded the Medal of Valor in 1978 and the Medal of Courage in 1980.

Mr. Melekian served in the United States Army from 1967 to 1970. As a member of the United States Coast Guard Reserve, he was called to active duty in 1991, during Operation Desert Storm, and served in Saudi Arabia. Director Melekian served a second tour of active duty in 2003, when he served for 8 months in the Pacific. He retired from the Coast Guard Reserves in 2009, after 26 years of service.

Director Melekian holds a bachelor's degree in American history and a master's degree in public administration, both from California State University North Ridge. He is a graduate of the 150th session of the FBI National Academy, and the 20th class of the California Command College.

Director Melekian's written statement will be entered into the record in its entirety.

I would ask that you summarize your testimony, to the extent you can, in 5 minutes or less. To help you stay within the time parameters there is a lighting system, which you are probably familiar with. The colors mean the same thing they mean in everyday life. Green means go, yellow means speed up, and hope there is not a police officer around, and red means stop.

I now recognize Director Melekian. And welcome.

TESTIMONY OF THE HONORABLE BERNARD K. MELEKIAN, DIRECTOR, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, U.S. DEPARTMENT OF JUSTICE

Mr. MELEKIAN. Good Morning, Mr. Chairman, and Ranking Member Scott, and distinguished Members of the Committee.

Thank you for the opportunity today to discuss the Office of Community Oriented Policing Services, or COPS. I would like to discuss with you our fiscal year 2013 budget request, our management and oversight of valuable Federal resources, the impact of the current economy on local law enforcement, and why the COPS Office is just as important today as when it was founded.

The mission of the COPS Office is to advance public safety through community policing. Community policing is best defined as building partnerships to solve community problems. The community policing philosophy has served as the foundation for successful law enforcement practices from Houston, Texas, where police officers mentor at-risk youth, to Allentown, Pennsylvania, where community policing officers will be hired to focus on campus rape reduction, to Racine, Wisconsin, where officers buy homes in high crime neighborhoods, use those homes as substations to reduce crime, and ultimately resell the homes to needy families.

Community policing in both practice and philosophy is an effective solution to addressing public safety. Findings from the 2005 GAO report demonstrated that COPS funds increase community policing capacity, and were a contributing factor to the reduction of crime in the 1990's.

I would like briefly to discuss the President's budget request for the COPS Office, and our oversight and accountability measures regarding taxpayer dollars appropriated to us.

The budget requests approximately $290 million for the COPS Office, including $257 million for hiring programs. These funds will be focused on hiring military veterans as law enforcement officers, providing an opportunity to support those who are returning home from their tours of active duty.

We are committed to operating our office in the most efficient way possible, while continuing to advance public safety. We have made it a top priority to minimize our operational costs. In 2011, we transferred our IT infrastructure to a consolidated DOJ system, saving approximately $5 million over the next 5 years. We have also curbed expenditures on supplies, materials, travel, training, awards, and overtime.

In light of the recent OIG findings on conferences, we issued new instructions to grantees, and have trained our staff on the new guidelines. As always, we seek to minimize conference costs, and avoid either the fact or the appearance of extravagant spending.

We also collaborate closely with the Office of Audit, Assessment and Management to improve operating efficiency and effectiveness. Since fiscal year 2007, we have recovered nearly $4.7 million through the resolution of audits.

The COPS Office also closely monitors trends occurring in law enforcement, and we have found that the loss of capacity due to the economy is shocking. As shown in a report published by our office, approximately 10,000 law enforcement positions have been lost

through layoffs, and local hiring freezes will leave an additional 30,000 positions unfilled.

It is highly likely that the numbers that I am quoting to you are low. In Camden, New Jersey, the city with one of the highest crime rates in the country, nearly 50 percent of its police department was laid off.

There are scores of other examples highlighted in this report. I would ask your consent to include a copy in the record of my testimony.

American law enforcement is changing, and I believe the next few years will be a period of significant innovation. Moving forward, the challenge will be to balance the public's expectations and demands on police with the department's fiscal capacity to perform its core mission.

Changes are likely to occur in four areas: Greater use of civilians as both employees and volunteers, greater use of technology, alternative delivery of non-emergency services, and consolidation and regionalization.

Because of the history of our office, we have come to be seen in some circles as only providing funds for hiring. That is not and never has been our sole objective. We also provide a broad range of robust technical assistance resources. We have disseminated over 6 million training products and publications, and have trained nearly 700,000 policing professionals and community leaders.

We are partnering with the Bureau of Justice Assistance on the Officer Safety and Wellness Group, which brings together law enforcement leaders and criminal justice practitioners to share their broad perspectives in this area.

COPS is making an impact at the local level. For example, in Las Vegas, we are coordinating with the Civil Rights Division to help develop a response to address community concerns.

I want this office to become known as supporting innovation as much as it is for hiring police officers.

Thank you for this opportunity to testify, and I look forward to answering your questions.

[The prepared statement of Mr. Melekian follows:]

Department of Justice

STATEMENT FOR THE RECORD OF

BERNARD K. MELEKIAN
DIRECTOR
OFFICE OF COMMUNITY ORIENTED POLICING SERVICES

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES

REGARDING

OVERSIGHT OF THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES

FEBRUARY 29, 2012

Statement of
Bernard K. Melekian
Director
Office of Community Oriented Policing Services

Before the
Subcommittee on Crime, Terrorism, and Homeland Security
Committee on the Judiciary
United States House of Representatives

Regarding
Oversight of the Office of Community Oriented Policing Services

February 29, 2012

Introduction

Good morning, Chairman Sensenbrenner, Ranking Member Scott, and distinguished Members of the Subcommittee, and thank you for this opportunity to discuss the Office of Community Oriented Policing Services, or COPS Office as we're commonly called, and our work with partners in state, local and tribal law enforcement. The programs and resources offered by the COPS Office provide law enforcement agencies with a variety of community policing strategies for enhancing public safety and assisting in meeting existing and changing priorities within their communities. Today, I would like to discuss our work at the COPS Office in greater detail, including our Fiscal Year 2013 budget request and management and oversight of valuable federal resources, how the COPS Office is helping law enforcement navigate changes brought upon by the current economy, and how the COPS Office is just as important now, if not more so, than it was in the mid- and late-1990s.

Attorney General Eric Holder asked me to lead the COPS Office in October of 2009. Since then, I am continually impressed by the dedicated professionals within the COPS Office that make us the national leader in community policing. I came to Washington from Pasadena, California, where I served in local law enforcement for 36 years, including 13 years as the Police Chief in Pasadena. I also have 28 years of military service, 25 of it in the Coast Guard. While in Pasadena, I also served as the Acting Fire Chief and spent a year as the Acting City Manager. After more than three decades of service in law enforcement, all of these opportunities have provided me with a unique perspective and prepared me to serve as the Director of the COPS Office. The honor of serving as the Director of the COPS Office has afforded me an ongoing learning opportunity and the ability to work with colleagues and friends in the law enforcement field.

The mission of the COPS Office is to advance public safety through community policing. Community policing is defined as building partnerships to solve community problems. As you know, the office was created in 1994 in a bipartisan effort to invest in the safety of our nation's neighborhoods, and we're currently operating under a law that was sponsored by Chairman Sensenbrenner and signed on January 5, 2006. Since our creation in 1994, the COPS Office has provided more than $8 billion in hiring dollars to add more than 123,000 community policing officers to the nation's streets.

It has never been enough to simply count the officers funded. It is far more critical to measure what those officers have contributed to the safety of the neighborhoods and communities that employ them. In Pasadena, we averaged over 20 gang-related homicides a year for a number of years. Most of our victims were young men of color. We addressed that issue in a very meaningful fashion, and as a result, we had thirty consecutive months of zero homicides. This was due in large measure to the extra personnel provided to us by the COPS Office.

Too often, we talk about violent crime in the abstract. We talk about things like frequency of occurrence and trend lines. We use phrases like hot-spot policing or patterns of disorder. But what we don't talk about enough, and what community policing strives to focus on, is individuals and shattered lives. As a police chief, I've sat in too many living rooms telling a parent that his or her child isn't coming home. It was the principles of community policing that helped me to reduce the number of such visits I had to make.

At the root of effective community policing is the intent to develop and implement strategies and processes that are fair, inspire public confidence, contribute to mutual trust and respect between police and citizens, and solve community problems. We are fortunate, because I believe that in the coming years, the investment that we've made in community policing will pay dividends as we deal with the challenges facing our communities.

The community policing philosophy continues to serve as the foundation for successful law enforcement practices and services. From the T.A.P.S. program in Houston, Texas, where police officers mentor at-risk youth; to Allentown, Pennsylvania, where 10 community policing officers will be hired to focus solely on the reduction of rape; to the Community Policing Housing Program in Racine, Wisconsin, where police officers buy homes in high crimes areas, work to reduce crime, and then resell the homes to families in need; community policing has longevity and sustainability and has been proven as an effective solution to addressing public safety needs. These are just three of many examples of how the federal government, through grant funding, training and technical assistance, and other resources, can accelerate the work at the local level and advance public safety through community policing.

Fiscal Year 2013 Budget Request

I'd like to briefly discuss the President's budget request for the COPS Office, which was released on February 13, but more thoroughly review the oversight and accountability measures of our office regarding the taxpayer dollars appropriated to COPS. The President's budget requests approximately $290 million for the COPS Office, including $257 million for the hiring

program, which will be used to fund officers to support the efforts of state, local and tribal law enforcement agencies in meeting the ever-growing challenge of keeping their communities safe. For the current fiscal year and the 2013 budget request, our hiring dollars will be focused on hiring military veterans as law enforcement officers, which I'll discuss in more detail later in my testimony.

Last year and continuing this year, the COPS Office implemented sweeping changes to our COPS Hiring Program that I believe will change misperceptions that the COPS Office only funds officers but doesn't make an impact on crime. I've often said that the COPS Office is not going to solve the budgeting problems of local law enforcement, but we can help police departments and sheriffs' offices solve specific crime and public safety problems. For the first time in our history, COPS Hiring Program applicants were asked to identify a public safety problem and describe in detail how they will use proven community policing strategies to address this problem.

As a former police chief, I have been practicing community policing for many years, but upon coming to the COPS Office I realized that capturing and measuring community policing implementation has long been a challenge, in spite of the benefits to supporting strategic planning, training, and other initiatives. To date, there has been no easy way of assessing the extent to which law enforcement agencies are successfully practicing community policing. However, the COPS Office has worked with practitioners and others to develop the Community Policing Self-Assessment Tool (CP-SAT), which will help agencies perform a self-assessment of their implementation of community policing. Grantees that receive a COPS Hiring grant will be required to take the assessment tool at the beginning and the end of the grant, which allows for a comprehensive and objective picture of partnership, problem solving, and organizational change successes, as well as areas that agencies may consider improving upon.

The results will not be used to influence or impact future funding decisions, but rather the CP-SAT is being provided as a resource to benefit our grantees, and allow us to better tailor our training and technical assistance opportunities, publications, and other resources. This data will build on the Government Accountability Office (GAO) evaluation of the impact of COPS grants from January 2004 to August 2005. The findings from the GAO study demonstrate that COPS grants resulted in increased community policing capacity of law enforcement agencies and were a contributing factor to the reduction in the crime rate from 1993 to 2000.

The Administration has placed a strong emphasis on meeting the public safety needs of the nation's tribal law enforcement community. The COPS Indian Country Program was created in Fiscal Year 1999 to provide funding for law enforcement expenses, including hiring and training new community policing officers, training existing forces, and purchasing new equipment, technology and vehicles. Because state and local funding is not available to many tribes for officers and technology, the COPS Office has become one of the primary resources available to tribal law enforcement agencies seeking to develop and maintain a basic community policing infrastructure, as well as improve and upgrade their antiquated equipment.

More than $300 million has been invested in the COPS Indian Country Program since funding was first received in Fiscal Year 1999, and the COPS Office has requested $35 million

in Fiscal Year 2013, including $15 million from the COPS Hiring Program, to continue providing the necessary resources to tribal communities to enhance their law enforcement efforts and to improve the crime fighting and criminal justice capabilities of tribal governments.

It is evident that advancing community policing through knowledge resources increases the capacity of law enforcement agencies to implement community policing strategies. This is one of the primary objectives of the COPS Office. The COPS Office has historically provided outreach to law enforcement agencies and communities through training, technical assistance, conferences, publications, and best practices to expand the adoption of community policing nationwide. COPS Community Policing Development (CPD) funds are used to advance the practice of community policing in law enforcement agencies through training and technical assistance that enhance the problem-solving skills of law enforcement professionals and the development of innovative community policing strategies, applied research, guidebooks, and best practices that emphasize crime prevention. To date, the COPS Office has disseminated over six million knowledge products and trained nearly 700,000 policing professionals and community leaders in topics such as violent crime reduction strategies, ethics and integrity, terrorism prevention and preparedness, school safety, partnership building, problem-solving, and crime analysis.

In Fiscal Year 2013, the COPS Office is requesting $15 million for the CPD program. With this funding, COPS plans to further solidify its role as the national voice for community policing and fund projects that continue to educate new recruits, line supervisors, executive managers, community groups, and other stakeholders on the principles of community policing and the importance of partnering with law enforcement agencies to solve problems.

Management and Oversight of Taxpayer Dollars

The COPS Office is committed to delivering grants and operating our office in the most efficient way to leverage taxpayer dollars and to advance public safety through community policing.

We are under no illusion that we can operate in a "business as usual" manner in the current economic climate. As state and local governments, police departments, and households are becoming more frugal and attentive to cost saving measures, the COPS Office as well is looking at its operations to better utilize the appropriations made available to our office.

We have made it a top priority to seek out efficiencies and cost savings, and we have taken a number of steps to minimize our operational costs. In 2011, the COPS Office transferred our IT infrastructure to a consolidated Department of Justice (DOJ) system that will save us approximately $5 million over the next five years. Last year we also curbed expenditures on supplies, materials, travel, training, awards, and overtime. These areas will be further reduced or held flat in 2012. We issued new instructions to grantees about minimizing conference costs and limited the number of COPS employees that are permitted to attend conferences.

The COPS Office sent a memo to grantees providing new guidance on conference planning, minimization of costs, and conference cost reporting. We asked that they work with

COPS to strictly minimize costs, ensure we are prudent in our investments, and avoid the fact or appearance of extravagant spending. This includes such measures as identifying alternative ways to provide training, such as webinars, acquiring the lowest cost locations and venues, minimizing travel costs, and ensuring all conference costs are necessary business expenses.

In addition to tightening our own budget, we closely monitor the funding that is awarded to our grantees. The COPS Office Grant Monitoring Division was established in 1998 to assess grantee progress in meeting the terms and conditions of COPS grants, assist grantees in their grant implementation, and document and disseminate law enforcement best practices. Routine monitoring activities also assist in tracking the progress and success of COPS funding programs and the advancement of community policing. As well as compliance assessment, the Grant Monitoring Division seeks to acquire and share knowledge of effective community policing programs, strategies, and practices which may merit replication in other communities.

The most common methods of monitoring by the COPS Office are site visits, office-based grant reviews, complaints/allegations, and progress reports. The Grant Monitoring Division utilizes a Grant Assessment Tool (GAT), which is a decision support system designed to perform an annual analysis of the risk associated with each COPS grantee to help establish a monitoring plan for the fiscal year. Risk ratings for each grantee are calculated based on data pulled from COPS award management and financial databases. This risk assessment relies on 19 separate criteria, which are summed and averaged to generate a risk score that is used to determine which grants will be selected for on-site monitoring during the fiscal year.

On-site monitoring is generally conducted through a one-day or two-day site visit, including an entrance interview with law enforcement and government executives, a thorough programmatic and financial review of the grants awarded, and community visits to businesses, neighborhood associations, and/or sub-stations where COPS staff can observe a department's community policing efforts firsthand. Agencies are notified in writing of the results and any actions necessary to remedy identified grant violations.

Also based on the risk assessment criteria previously described, certain grantees are selected for reviews conducted at the COPS Office. These office-based grant reviews (OBGR) serve as a supplemental activity in support of our overall grant monitoring strategy, and are intended to provide grant monitoring oversight to a population of grantees that may not qualify for on-site visits due to their location and/or amount of grant funding. Similar to an on-site grant review, an OBGR begins with an internal examination of grant documentation, followed by contact with the grantee to collect any additional and/or supporting documentation demonstrating compliance with grant conditions and requirements. COPS Office staff work with grantees to correct any identified problems or deficiencies through telephone contact or written correspondence.

We also respond to complaints from citizens, labor associations, media, and other sources. Any written complaints or allegations of non-compliance are resolved via direct contact with the grantee in question, in a manner similar to that used for issues identified through either site visits or office-based grant reviews.

Lastly, COPS Office Progress Reports are annual and quarterly reports that document the programmatic and financial progress of grant implementation. Grantees are required to submit progress reports for each grant they receive. Progress reports cover all grant activity and expenditures over the reporting period, including but not limited to officers and civilians hired, equipment or technology purchased, and community policing activities.

In 2007, the COPS Office began working with the then newly-established Office of Audit, Assessment, and Management (OAAM), which was created through the Department of Justice Reauthorization Act of 2005 and subsequently housed within the Office of Justice Programs (OJP). The COPS Office has collaborated closely with OAAM since its inception to improve operating efficiency and effectiveness and enhance programmatic oversight for all DOJ grant-making agencies. As its primary achievement to date, a grant assessment tool was developed by the OAAM inter-agency working group to provide a common, organized framework and methodology for systematically and objectively assessing risk associated with grants and/or grantees through a standard set of criteria. By using this tool, COPS and OJP can work to ensure that grantees most in need of assistance are aided through on-site and desk-based monitoring efforts, and that monitoring activities are prioritized based on potential vulnerabilities while simultaneously fostering consistency across all DOJ grant-making components.

In addition, the COPS Office Audit Liaison Division is responsible for the resolution and closure of both individual grantee audits and large-scale programmatic and/or procedural audits performed by the DOJ Office of the Inspector General (OIG). The primary objective of OIG audits is to assess compliance with grant conditions and to promote economy, efficiency, and effectiveness in the administration of grant awards and grant programs. Audit recommendations most commonly fall into the areas of unallowable or unsupported costs, failure to submit all required programmatic or financial status reports in a timely manner, unsupported local match contributions, and supplanting issues.

Grantees are responsible for remedying any grant noncompliance that is identified through any monitoring or auditing activities. Remedies for noncompliance may include, but are not limited to, suspending grant funding, repaying misused grant funds, voluntary withdrawal from or involuntary termination of remaining grant funds, and restrictions from receiving future COPS grants. Between Fiscal Year 2007 and Fiscal Year 2011, the COPS Office recovered nearly $4.7 million through the resolution of grantee audits.

The COPS Office is an active member of, and currently chairing, the DOJ Grants Challenges Working Group, which is made up of senior representatives from COPS, OJP, and the Office on Violence Against Women (OVW). This group meets regularly to address both specific grant management issues identified by the OIG and other Department-wide grants challenges in a collaborative way. Last fiscal year, this group finalized the first Department-wide High Risk Grantee Policy, which means that for the first time all three grant-making agencies are sharing one high risk grantee list and working collectively to address the specific issues that can make a grantee "high risk." DOJ high risk grantees can still receive new DOJ grant awards, but they include special conditions that are designed to help remedy the high risk factors.

In addition, last year the Grants Challenges Working Group also developed and launched a comprehensive on-line Financial Management Training program that is now available to all Department of Justice grantees, whether from COPS, OJP, or OVW. This program is free of charge to all DOJ grantees and covers all important financial management requirements for DOJ grants.

In light of the recent OIG audit findings on conferences, the COPS Office has met with the service provider for our upcoming small-scale conference to discuss the findings and recommendations outlined in the OIG audit report. The COPS Office has fully documented how those recommendations will be incorporated into the planning and implementation of this year's conference and followed the recommendations outlined in the audit report when developing last year's post-conference reports. Additionally, all COPS staff members working on other external meetings have been trained on how the OIG recommendations and new COPS guidelines must be incorporated into the planning, implementation, and reporting processes.

These were just a few examples of how the COPS Office, and the entire Department of Justice, works to ensure that scarce federal resources are being properly spent by grantees and that we're making wise investments of taxpayer dollars.

Policing in the New Economy

While all levels of government are trying to find efficiencies and properly spend public dollars, the entire country was recently introduced to the largest fiscal crisis since the Great Depression. Historically, these recessions come and go and then police departments go back to normal. Like many in the law enforcement profession, I believe that the changes we are currently enduring as a result of the economic downturn will fundamentally change policing over the next several years. These changes are permanent, or will at least be long-term.

The economy will recover, but it is unlikely that law enforcement budgets will ever return to pre-2008 levels where law enforcement consumed 25-40% of general fund budgets. Law enforcement is coming to grips with the fact that their business has changed.

In a report published by the COPS Office last October based on data and surveys from a number of law enforcement trade associations and research groups, approximately 10,000 law enforcement positions have been lost through layoffs, and hiring freezes in departments nationwide will leave approximately 30,000 positions unfilled. It is likely that the numbers I am quoting to you are low. Never before have we seen layoffs and furloughs on this scale. In every corner of this country, state, local and tribal police departments are laying off officers and civilian staff, or modifying their operations as a result of budget cuts.

While the estimates are staggering, specific examples are even more shocking. The city of Camden, New Jersey, the city with the highest crime rate in the state, laid off nearly 50% of its police department. And in the city of Pontiac, Michigan, they turned public safety duties over to the county as a result of local budget shortfalls.

Indeed, American law enforcement is changing, and I believe the next few years will be a period of significant innovation. Moving forward, the challenge will be balancing the public's expectations and demands on police with a department's fiscal capacity to perform its core mission.

We can no longer disguise the budget cuts by reducing training, keeping fleets in service for another year, by not backfilling retirements, or any of the common approaches. This challenge will need to be overcome with fewer officers, with less experienced officers, with far less overtime, and without many of the options that have previously existed. In many cities, law enforcement is already down to the essentials, and I believe the ultimate result will be a fundamental shift in how American cities and towns are policed. No viable enhancements should be taken off of the table.

Today, I would like to highlight a few of the ways in which we see local law enforcement adapting and how the COPS Office can help. Those include the use of technology, public and private partnerships, regionalization and consolidation, and an increase in civilians and volunteers.

Over the last decade we have seen dramatic increases in the use of technology that helps citizens communicate with law enforcement. From on-line reporting forms to the use of direct cell phone access to officers, it is now possible to completely bypass traditional communications centers, and in many ways it has never been easier for citizens to communicate incident information to law enforcement.

But technology is not just about how citizens connect to law enforcement; it also has the power to change how law enforcement shares information with the community at large, as well as with other agencies. The COPS Office has been significantly involved in the ongoing discussions of the latter, in particular as it relates to issues of interoperability and broadband communications. And many other entities have begun to focus their attention on the former, in particular the role that social media and smart phones can play in law enforcement and community interaction. For example, the International Association of Chiefs of Police has developed a Center for Social Media, with news, fact sheets, and even model policies on the use of social media in law enforcement.

Another tool that I believe is emerging in the discussion of service delivery models concerns the role that private security plays in policing. More than two million people are believed to be employed in the private security sector in this country – some three times the number of state and local law enforcement officers that are currently on our streets. To not work to build collaborative relationships with private security is to miss a key opportunity to partner with an industry that can potentially serve as a force multiplier. The COPS Office has a publication that discusses this very relationship, capturing the range, mission, and purposes of these partnerships, all of which can vary greatly. It also offers guidance on establishing new – and enhancing existing – partnerships between public safety and private security.

A major shift is the consolidation and regionalization around core functions or entire departments. Regionalization is often confused with a loss of agency identity. Sometimes this is

the case, but often agencies can consolidate their core services such as SWAT, Air Operations, or Major Crimes into a regional service. This saves funds without losing the sense of local control.

The National Sheriffs' Association has expressed concerns that in some locales, cities are simply closing their departments and turning their operations over to local sheriffs without any financial compensation. It is clear that many of the smaller departments in this country are facing significant challenges in maintaining a sustainable operation.

Another change we have seen is the increased use and better utilization of civilian employees and a greater reliance on citizen volunteers, handling duties such as scheduling report calls. There are pros and cons to this strategy, but many departments are moving in that direction to ensure that sworn officers are able to maintain a presence in communities and not be tied to a desk writing reports.

Importance of the COPS Office

Like the rest of my colleagues at the COPS Office, I am honored to be working in support of American law enforcement during this era of change. I believe the work of the COPS Office, particularly now, is more important than ever.

The COPS Office is viewed by many as primarily a source of funds to add officers to a department. That is not, and never has been, the sole objective. Our mission is to advance public safety through community policing, which is simply building relationships and solving problems.

Because of the history of our office – adding 123,000 officers to the streets of America – we have come to be seen as only a hiring office. We also provide a broad range of robust technical assistance resources, which equip law enforcement with the tools to deal with their local crime issues.

The federal role is often that of a gatherer and disseminator of best practices and as a convener on issues of critical importance like officer deaths, controlled electronic device usage, and reentry.

The COPS Office, in partnership with our sister agency within DOJ, the Bureau of Justice Assistance (BJA), recently announced the national Officer Safety and Wellness (OSW) Group. The OSW Group will bring together law enforcement leaders and criminal justice practitioners to share their broad perspectives on improving officer safety and wellness. Participants in this group will contribute information and ideas that may enhance officer safety and wellness products, tools, resources, and services available to the field. The group is comprised of representatives from law enforcement agencies and associations, federal agencies, and the research community who can impact public safety, officer health, and wellness.

According to the National Law Enforcement Officers Memorial Fund, 173 officers were killed last year and for the first time in 14 years, more officers died from firearms-related incidents than traffic-related incidents. Sixty-eight officers were shot and killed in 2011, up 15

percent from 2010 when 59 officers died from gunfire. The number of officers killed by firearms has now risen during each of the past three years. You may ask why the COPS Office is serving in this capacity since we're commonly known as a hiring agency, but when one hears statistics such as this, I am proud that we are on the forefront in addressing officer deaths and leading the way on how local departments can implement strategies to reverse this troubling trend.

A new project where COPS is making an impact at the local level is in Las Vegas, Nevada. The Las Vegas Metropolitan Police Department has experienced several high-profile shootings, about which many observers have contended that the circumstances surrounding them were questionable. This project has been developed in partnership with the Civil Rights Division and its Special Litigation Section to enable the Department of Justice to provide non-punitive support to local agencies.

The COPS Office will use the COPS Critical Incident Technical Assistance Program to develop a specific response plan to address the concerns of the community regarding excessive use of force. This is a unique opportunity that provides access to a range of subject matter experts who can provide guidance on short notice, develop a tailored approach, and implement technical assistance in real time.

The COPS Office has a long history of fostering these collaborative efforts, which help establish best practices and long-term partnerships between the police and the community. We have an extensive collection of research and issue management resources available, plus a network of subject matter experts that includes law enforcement professionals, crime and justice analysts, federal representatives and community leaders. This approach will ensure community engagement which promotes cooperation and eases tension between the police and the community. This is a valuable opportunity that could benefit not just Las Vegas, but the entire law enforcement field and communities everywhere.

We're also making a difference for military veterans returning from Iraq and Afghanistan. I'm proud that the Administration has chosen the COPS Hiring Program to hire approximately 1,500 police officers, with a focus on recruiting and employing military veterans. Law enforcement agencies that applied under the 2011 COPS Hiring Program but were not selected for a grant award will be eligible to apply for funds to either hire new officers, hire back recently laid-off officers, or maintain officers scheduled to be laid off. Before receiving an award to hire new officers, law enforcement agencies must commit to hire a military veteran. This new opportunity for veterans is a commitment to support those who are coming home from their tour of duty, and we sincerely hope this effort encourages our veterans to continue to protect and serve the United States through new law enforcement careers.

Conclusion

In all that will change in the coming years and during the inevitable push and pull that will come from the shifting of public expectations regarding police service, law enforcement must never lose sight of the fact that they have more capacity to lead change than any other operational institutions in their communities.

Law enforcement must see its role in the context of solving community problems, which is the logical next step. I am committed to further developing the COPS Office into an organization that supports the type of changes that will be experienced nationwide over the next 5 to 10 years, and want COPS to become relied upon as heavily for supporting visionary practices as it is for funding the hiring of officers.

On behalf of the COPS Office, I would like to thank you for this opportunity to testify before you today and I look forward to answering any questions that you may have.

Mr. GOWDY. Thank you, Dr. Melekian.

I would now like to recognize the gentleman from Virginia for his questioning.

Mr. SCOTT. Thank you. Mr. Melekian, how do you guarantee that the localities that need it most are more likely to get funds? How

do you guarantee that the localities that need the money the most get the funds?

Mr. MELEKIAN. The challenge for the office this year, and actually for the last several years, has been, as I mentioned previously, the impact of the economy has had devastating results on local economy.

We use an evaluative system in our application process, focusing on the fiscal health of the agencies, the crime rate of the agencies, as well as the community policing plans, both in terms of history and in terms of what they propose to do. The harsh reality is that our funding, since 2009, has funded roughly 14 percent, 8 percent, and 10 percent of the applicants. In other words, 90 percent of those people who apply simply don't get funded. My guess is that the need on the next block of applicants, if we went straight down the list, would be every bit as significant as those who got funded.

But we really focus on fiscal health and crime rate in an effort to see that we can provide the greatest assistance possible. One of the goals is to make sure that we maximize the impact of those Federal dollars, given their limited availability.

Mr. SCOTT. Thank you. Could you say a word about what you are doing for veterans?

Mr. MELEKIAN. Yes. In the 2012 hiring program, we are placing great emphasis on those men and women who have served at least 180 days of active duty since 9/11 of 2001.

The first priority for any agency that is hiring new officers, that is, not re-hiring someone who has lost their job, will be focused on those returning veterans, with an idea particularly toward catching those folks from Afghanistan and Iraq.

Mr. SCOTT. Can you say a word about how community policing helps solve crimes?

Mr. MELEKIAN. Absolutely. I think, you know, sort of the image of community policing in some cases is that it is simply a feel-good program to build a relationship between the police and the community.

I came to a community that was experiencing 20 to 25 homicides a year, and had done so for a long period of time. Through a lot of community policing efforts, through support from the COPS Office, through support from other Federal agencies, we actually had 30 months of zero homicides. And we never went back to double digits for, I think, 7 or 8 years.

The very definition of community policing, of building relationships and solving problems, suggests that if the officers on the beat know the people who live there, they are much more likely to be able to obtain information and solve crimes.

I think one of the best indicators, for example, of a successful community policing program is any agency that has a high rate of homicide clearances, where those clearances are the result of investigation. It suggests that both the patrol officers and the detectives have solid relationships in the community to help them solve that crime.

Mr. SCOTT. And finally, do you coordinate grants with other DOJ programs?

Mr. MELEKIAN. We absolutely do. We work very closely both with the Office of Justice Programs, particularly the Bureau of Justice Assistance and the Office on Violence Against Women.

We are focused on making sure that we are not making awards to the same grantees, that we are coordinating the purposes of our grants. We recently began participating in the Coordinated Tribal Assistance effort that is designed to streamline the grant-making process for tribal police agencies.

We participate in and currently chair the High-Risk Grantee Working Group, with an idea toward ensuring maximum efficiency of all of DOJ's grant funds.

Mr. GOWDY. I thank the gentleman from Virginia.

The Chair will now recognize the gentlelady from Florida, who had a very distinguished career in law enforcement herself. Mrs. Adams?

Mrs. ADAMS. Thank you, Mr. Chair.

You know, in the past, you have commented about how hard it was to measure the effectiveness of the COPS program, you know, the hiring program and all of that. What have done since being in charge of the COPS programs to be able to measure the outcomes and how it is working, the hiring programs?

Mr. MELEKIAN. One of the most fundamental changes that we have made in the COPS hiring process is to really sort of shift the focus from the output measure, that is how many officers did we hire, and begin to measure what did those officers actually accomplish in the neighborhoods and communities where they went.

To that end, in 2011, was the first time that grantees were required to identify specific community problems that they intended to address. And as part of our oversight and monitoring efforts, we will be reviewing: (a) what they said they were going to do to address the problem; and (b) what they have actually done to make sure that those two are in alignment.

In 2011, we allowed them to identify three community problems. In 2012, we have actually focused that down to one community problem with an eye, again, that we are not going to solve their local budget problem, but what we can do is help to solve a local policing problem.

Mrs. ADAMS. The COPS Office was established as separate from DOJ's two other major grant-making components, the OVW and OJP. And the DOJ IG has reported areas where the distinctions have kind of caused some overlap and duplication in the grant and administration. So, in what ways might consolidation of these offices, particularly with regard to sharing systems, procedures, and other administrative processes, yield greater grant oversight and coordination to reduce cost?

Mr. MELEKIAN. We are very conscious of making sure that we are proper stewards of the Federal dollar, of the taxpayer dollar. We view that as one of our core missions. We look very closely, and I mentioned earlier some of the joint grant working groups that we have to make sure that we are not sort of blurring the line on that. That same report mentions that we share a number of administrative systems with OJP. We have done that for a number of years, again, in the pursuit of greater efficiency, rather than standing alone.

Our greatest strength, I think, comes from the fact that we are focused directly with the local law enforcement agency, we deal directly with the local law enforcement agency, and our mission to that end is unique within the Justice grant-making components.

Mrs. ADAMS. How many people, including both DOJ employees and contractors, currently work in the COPS Office? Like, how many grant managers are responsible for COPS getting the grants?

Mr. MELEKIAN. If I understood the question, we currently have 129 employees, Federal employees in the office. The hiring freeze that has been in place since, for about——

Mrs. ADAMS. And they work in both?

Mr. MELEKIAN. Pardon me?

Mrs. ADAMS. They are both DOJ and contractors that work in——

Mr. MELEKIAN. And I was going to say, and 70 contractors, so a total of 209 persons.

Mrs. ADAMS. How many active grants does the COPS Office currently manage?

Mr. MELEKIAN. A little over 4,000.

Mrs. ADAMS. What is the average number of active grants assigned to a grant manager?

Mr. MELEKIAN. Roughly, 400.

Mrs. ADAMS. In 2009, DOJ Inspector General advised your office of the potential overlap in purposes between the Byrne JAG grants and the COPS hiring grants. Isn't it correct that a Byrne JAG grant can be used for essentially any purpose allowed by a COPS hiring grant?

Mr. MELEKIAN. In theory, that is true. We have very little evidence to indicate that that has happened. One of the things that is distinctive about Byrne JAG is that it is generally a block grant, whereas, again, the COPS grant goes directly to the agency in question for a very specific purpose. Additionally, our grants are for 3 years, and the grantee is required to maintain that grant, at local expense, for an additional 12 months. Byrne JAG doesn't carry that requirement.

Mrs. ADAMS. Have you gone back to look at, over the years, these COPS hiring programs, how many police officers are still there that were hired under these programs, and how long of a tenure have they had?

Mr. MELEKIAN. We have tried to look into that, and I can try to get back to you on that. I don't have that number off the top of my head. I can tell you, from a lot of years as a police chief, that those positions were absorbed into the local budget after the grant expired.

Mrs. ADAMS. And wouldn't it be fair to say that, although, I agree that having more police officers is better than not having enough, because I was one of them that called for help from time to time, but also, I believe, it is the laws on the books that keep the bad people behind the bars for the duration of the time they should be behind the bars. That is a big help for law enforcement, wouldn't you agree?

Mr. MELEKIAN. I certainly agree that that is a significant factor. One of the focuses that we made when we were dealing with the violence reduction program I talked about was to identify the worst

offenders, and make sure that our enforcement efforts were focused at them, rather than sort of at the community as a whole.

Mr. GOWDY. I thank the gentlelady from Florida.

The Chair will now recognize the gentleman from Michigan, Mr. Conyers.

Mr. CONYERS. Thank you, Chairman Gowdy. I appreciate your testimony, Director Melekian.

Let's turn to the Detroit police situation with me, would you? They have had to restructure, and there is a struggle to preserve maybe as much as 100 jobs in the police department. Because of, I think, your program's existing grants, we were able to preserve about 75 of those jobs, and I was wondering if you happen to have enough information to discuss this particular situation with me this morning?

Mr. MELEKIAN. I do, and at least to some degree, and if it exceeds my capacity sitting here in front of you this morning, I will make sure that we get whatever information you require. The challenge that Detroit is facing is playing out all over this country. There are agencies, large and small, that are laying off, losing positions, and struggling to figure out how do they deliver police services in this economically challenged environment.

Mr. CONYERS. Have you or any of your people had any contact with Police Chief of Detroit Ralph Godbee?

Mr. MELEKIAN. Yes. I have spoken personally with Godbee on several occasions, and he is a very active participant in the national planning efforts that take place here in Washington under the COPS umbrella.

Mr. CONYERS. Is there any description you can give me of what the state of affairs and your organization's relationship to the Detroit police department are currently?

Mr. MELEKIAN. I would describe the relationship with Chief Godbee and with the members of his staff as extremely positive. I know that he is struggling in a very creative fashion. He has obviously got significant criminal justice issues to face. The department is stretched in a number of ways, and the COPS Office is striving to help the Detroit police department in the ways that we are striving to help agencies all over the country.

Mr. CONYERS. Well, it is my understanding that you have already helped us preserve roughly 75 Detroit police officers' positions.

Mr. MELEKIAN. Correct.

Mr. CONYERS. Is that correct?

Mr. MELEKIAN. It is, sir.

Mr. CONYERS. Can we stay in touch, if not with you, with somebody on your staff about this as we go along, because there is no better way I can be of help to them than by working with your organization to see that this gets balanced out. I am going to be talking with him either today or tomorrow.

Mr. MELEKIAN. Absolutely.

Mr. CONYERS. Now, finally, since this is the authorizing Subcommittee, and a part of the full Committee that deals with this COPS program, what friendly advice would you give us as to something you would like to see done differently, added, or deleted, as we move forward with the legislative end of this program?

Mr. MELEKIAN. Probably is a longer answer than the clock may permit, but I would hope that the Committee does review the report that I made reference to, and really grasp what is happening to local agencies, large and small, across the country. I have never seen this loss of capacity. The things that I can describe, you know, from my tenure as a police chief, was, quite frankly, in an environment where the economy, at worst, in bad years, meant holding static.

The devastation across the country, there's an NIJ report that was issued recently that talked about the need to change police business practices. I think we want to work much more closely with this Committee on how we can maximize the use of Federal dollars in the face of that reality.

Mr. CONYERS. Well, thank you very much.

Could I get one additional minute, Mr. Chairman?

Mr. GOWDY. Without objection.

Mr. CONYERS. Thank you.

Now, without being combative, do you have as good a relationship with the Senate side as you do with the House side in this program that you lead?

Mr. MELEKIAN. I believe so.

Mr. CONYERS. Wait a minute. You believe so? Well, that is a pretty political response. So, I will see you after the hearing.

Mr. MELEKIAN. Yes, sir.

Mr. CONYERS. Thank you.

Mr. GOWDY. I thank the gentleman from Michigan.

Director Melekian, you mentioned, I am going to go off script here, which is something I have been advised repeatedly not to do, but you mentioned homicide clearance rates as some indicator of success. Do you consider a homicide cleared at the time a warrant is signed, at the time the true bill is handed down, or at the time you go to court and there is actually a resolution of the case?

Mr. MELEKIAN. Generally, it is when a suspect has been affirmatively identified and enough evidence developed to take that person into custody.

Mr. GOWDY. Even if there is a dismissal or a not guilty?

Mr. MELEKIAN. If the dismissal is around an issue of, sort of, technical deficiencies, either in the warrant or in the arrest process, then I think you may have a training problem or you may just have an evidentiary reality problem.

If, on the other hand, it is clear that somehow that warrant was issued in error, and that that person was not responsible, I would have a different response to that.

Mr. GOWDY. So, there is a difference between whether you have got the right person, and you can't prove it, or you have got the wrong person.

Mr. MELEKIAN. Yes, sir.

Mr. GOWDY. All right. We had a pretty robust discussion yesterday about the over-criminalization, in general, and then what some would argue is an over-federalization of crime, in general. And I am not going to ask you about that, but I think, if I heard you correctly, and I tried to write it down, you said, "I can't solve budgets, but I can solve law enforcement issues."

Mr. MELEKIAN. Yes, sir.

Mr. GOWDY. And, first of all, I should have started by saying, thank you for your service in law enforcement and to our country. I think you are uniquely well positioned to answer this question.

There are localities and states that have had to make some pretty dramatic changes in the way that they fund other programs, so they can meet what they consider to be the core functions of state and local government, which in my judgment would be public safety and education. So, are we postponing the day of reckoning for those municipalities who are relying on Federal funding?

Mr. MELEKIAN. I don't believe so, and I say that because most agencies, especially in this day and age, for example, the COPS legislation, the agencies are not permitted to supplant their local budgets. And we pay very close attention to that, to make sure that that doesn't occur.

Mr. GOWDY. Have there been instances where you found that it did occur?

Mr. MELEKIAN. Very rarely. Over the last 16 years, I can think of a handful of occasions, and those were dealt with. But, the fact of the matter is that the agencies are reaching out to the Federal Government. And when I first got here, in 2009, it was very clear that chiefs and sheriffs were struggling to figure out what this new economic reality meant. I think people have come to terms with that. They recognize that neither the COPS Office nor any other Federal agency is going to fix the challenges that they have.

But what they can do, if they are addressing a particular problem, whether it is a school security issue, or traffic management, or a specific type of crime problem, or whatever their local problem is, we have tried to position ourselves to where we can help them solve that problem, not necessarily solve the totality of what they are doing. And I think in that spirit it is unlikely that they are going to become dependent on Federal dollars.

Mr. GOWDY. I am going to read you a quote from someone who had a very distinguished career in local law enforcement. Tell me if you recognize it. "The COPS Office and the Federal Government have poured billions of dollars into the advancement of community policing. I believe as a practitioner that it has made a difference," ellipsis, "in quality of life, but if you ask me to prove it, I am not sure I could."

Do you know who said that?

Mr. MELEKIAN. I don't, but I don't disagree with it.

Mr. GOWDY. It is a quote attributed to you.

Mr. MELEKIAN. Okay. It sounds like something I would say. [Laughter.]

Mr. GOWDY. I am going to allow you to use the lowest standard of proof that we have, preponderance. Can you prove it now?

Mr. MELEKIAN. I can prove it in the city that I worked in. I can prove it in the sense of talking to individual chiefs and sheriffs, as they tell me their stories about what they did. And I can sort of prove it in a parable form, when I look back at where this profession was 36 years ago when I came into it, and where it is today.

In terms of proving it, when I said that, it was in terms of proving it in an academic sense. And it was in the context of a program that the COPS Office implemented, called CP-SAT, with our 2011 budget, which was our first attempt, as far as I know, the first at-

tempt, to really try to measure the impact of community policing on grantees. And they are required to do an assessment, a self-assessment, that is a community self-assessment, at the beginning of the grant period, and then again at the end of the grant period, which in most cases is going to be around 2013, 2014.

And our hope is that for the first time we will actually have an academically rigorous measure. The GAO report in 2005 suggested that the COPS Office was making a difference, and was, in fact, advancing community policing.

I don't know if I have answered your question.

Mr. GOWDY. I am out of time, but if Mr. Scott would allow me one more question.

Mr. SCOTT. Without objection.

Mr. GOWDY. If you and I were working together and somebody were described as high risk, that would send off certain signals in our mind. Help me explain to the folks I work for back home how high-risk grantees can continue in the program, or can apply for additional grants. What does high risk mean to you, and do they have a higher burden to overcome when it comes to seeking new grants?

Mr. MELEKIAN. The second part of your question is much easier to answer. They do have a higher burden to overcome. It means that in some process, and I think the term, the way you started out, if you and I are working a radio car together, and we say a person is high risk or a neighborhood is high risk, that sort of is one context. The idea of a high-risk grantee means that through any 1 of 19 identified factors, they have demonstrated that they may be challenged with regards to how they have implemented the grant.

And so, the result that I mentioned in my remarks about the high-risk grant challenges group, it is a joint DOJ team effort between all the DOJ grant-making efforts that look at each component's listing of people that are on that list, why they are on that list, and we make decisions about who gets evaluated, who is going to get a site visit. But, in any event, we are paying much closer attention to them than we would a grantee who is not on that list.

Mr. GOWDY. Thank you.

The Chair will now recognize the gentleman from Puerto Rico, Mr. Pierluisi.

Mr. PIERLUISI. Thank you, Chairman. And thank you, Director Melekian, for your service and your testimony this morning.

I will use the bulk of my time to defend the program that you administer, and then I will have a couple of specific comments and questions.

As you know, the COPS Office was created as a result of the Violent Crime Control and Law Enforcement Act of 1994. I was attorney general of Puerto Rico at the time, and I lobbied hard for this law. From where I stood, the need for this legislation could not have been more evident. In the early 1990's, Puerto Rico, like so many other U.S. jurisdictions, was suffering from a wave of violent crime. In the 5-year period between 1989 and 1993, the number of homicides on the island more than doubled, from about 460, to over 950. In 1994, there were nearly 1,000 homicides in Puerto Rico. Indeed, my own family was touched by this violence.

Director, in your testimony you noted that as police chief in Pasadena, you had to tell many parents that their child was not coming home. For me, as for you, violent crime is not an abstract problem. To the contrary, it is profoundly, intensely, and undeniably personal. I believe that the most solemn duty of our government, whether it be Federal, state or local, is to safeguard its citizens. The COPS program is rooted in that simple but powerful premise.

Thus, while this Subcommittee should ensure that the COPS Office is effectively performing its mission to advance public safety, it should not question the overriding importance of the mission itself.

After the Crime Act was enacted, violent crime in Puerto Rico began to fall. Between 1994 and 1999, the number of homicides on the island was cut almost in half, to well under 600. Of course, the programs created by the Crime Act were not the only factor behind this reduction in violence, but I do believe that they were a major contributing factor. Since the program's inception, over $160 million in COPS grants have been awarded to law enforcement agencies in Puerto Rico. These grants have put more than 3,500 new police officers on Puerto Rico streets.

Nearly every one of our municipalities has benefited from the grants. These statistics are heartening, but they do not tell the whole story. The number of lives saved, the number of crimes prevented, and the number of families spared the pain of losing a loved one are beyond calculation.

However, as you, Director, and the Members of this Subcommittee are well aware, violent crime in Puerto Rico, as well as in the neighboring U.S. Virgin Islands, has been on the rise again since year 2000, even as violent crime nationwide has decreased substantially. In fact, the murder rate in both Puerto Rico and the USVI is approximately six times the national average, and nearly three times higher than any State.

There are a number of factors that have contributed to this spike in violence, but perhaps the most important is geopolitics. As the U.S. Government has increased resources along the southwest border and provided substantial funding to Mexico and Central American nations with the M?rida Initiative, drug trafficking organizations have returned to familiar routes through the Caribbean to get their products to market. And according to some estimates, three-quarters of the murders in Puerto Rico and the USVI are linked to the drug trade.

So, this leads me to a couple of comments and questions. First, I appreciate that in determining the grants you are providing, that you are taking into account crime rate in the jurisdictions involved. That is very important. It has got to be need-based. At the same time that you are also taking into account the fiscal effort by the proponents or the grantees. That is important.

Now, you mentioned that you not only hire cops, but also you provide technical support. So in the little time remaining, could you please expand on the kind of technical support you could be giving to local jurisdictions, and then also the kind of resources you have, how many people you have trained to give this technical support, and how you go about it?

Mr. MELEKIAN. In the life of the COPS Office, we have been focused very significantly on the Island of Puerto Rico. Nearly $170 million in COPS funding has gone directly to the Island. We also participated in the Department of Justice working group, which is a subcommittee of a White House working group.

Mr. PIERLUISI. Mr. Chairman, would you give the witness two additional minutes just to finish explaining what I asked him to do?

Mr. GOWDY. The witness may finish answering Mr. Pierluisi's question.

Mr. MELEKIAN. Thank you, sir.

Mr. PIERLUISI. Thank you so much.

Mr. MELEKIAN. We work with the DOJ working group in Puerto Rico, which is a subset of the White House working group on the Island, and we are working with a number of Federal agencies on dealing with the issues that you pointed out.

We also, through our community policing development, fund a number of projects that may well be relevant to the issues that you raise, not the least of which is the National Network of Safe Communities, out of John Jay College, which right now is about 51 jurisdictions that are attempting to sort of share information on how they have addressed specific crime problems, and what are best practices in policing.

We also have a separate project that is outsourced, in effect, that evaluates the impact of significant policing events. And I would be happy to work with your office and your staff to see what other programs we have from the COPS Office that is directly related to the issues you have raised.

Mr. PIERLUISI. Thank you.

Mr. GOWDY. I thank the gentleman from Puerto Rico.

The Chair will now recognize the gentlelady from California, Ms. Chu.

Ms. CHU. Thank you.

Director Melekian, it is such a pleasure to have you here today. I represent the San Gabriel Valley, which is east of Los Angeles, in California. Of course, it has Pasadena in it. Your dedicated service to the City of Pasadena as the police chief, acting fire chief, and acting city manager is well noted. But more specifically, your 36 years serving in local law enforcement makes you so well suited to your current role. And I so, again, appreciate your being here today.

You are also well known for the No More Dead Children initiative. At one point, Pasadena had multiple years of 20 to 25 homicides per year, however, through the No More Dead Children initiative, you reduced this dramatically, and you had 30 consecutive months of zero homicides.

Can you take a moment to tell the Committee about that initiative, and what help, if any, the COPS Office provided you to ensure that the program was a success?

Mr. MELEKIAN. Yes, I am privileged to do that. That problem was one of those seemingly intractable problems that we were assured by everyone that knew anything that there was nothing that you could do about it. But we sat down and with some assistance from the COPS Office, with a commitment from the community, with a

commitment to community policing in a way that ensured that individual officers had relationships with individual people in the community, we embarked on a three-track program of prevention, intervention and enforcement. And because of the resources that we had, both locally and with the assistance from the Federal Government, we didn't have to do what a lot of jurisdictions end up doing. They know that prevention is important. They know that intervention is important. They know that enforcement is important. But a lot of times they end up feeling like they have to make a choice.

For a whole variety of reasons, we didn't have to make that choice. We focused on each of those aspects of dealing with that particular problem. The enforcement effort was not ever directed at a community as a whole. It was directed at specific individuals. The intervention program was highlighted by the creation of a first-offender program.

There is an enormous number of studies that point out that if you can deal with kids who get arrested for the first time, if you can deal with them in some positive and proactive way, you can significantly impact crime with a very quick turnaround.

And the prevention piece, quite frankly, was focused on after school programs and on relationships with individual officers. Because of the COPS Office funding, and some additional resources that we had, because of some assistance from other Federal law enforcement agencies, and because of partnering with the community and with the school district, we did in fact achieve the results that you described. I calculated that, you know, over the life of the 10 years after we implemented that program, that there was somewhere in the neighborhood of 60 to 70 young people, mostly young people of color, who had not been killed. You know, it is difficult to measure that. It is almost impossible to measure that, but the reality is that their lives count, and I think that that program and the COPS program helped us do that.

Ms. CHU. Well, I truly want to commend you on that.

Switching gears, I want to talk for a moment about officer safety, and the issue of gun violence and how it is affecting them. It is of particular concern, when, according to the National Law Enforcement Officers Memorial Fund, that last year for the first time in 14 years, more officers died from firearm-related incidents than traffic related incidents. And it was 173 officers that lost their lives last year. And the number of officers killed by firearms has now risen during each of the past 3 years.

So, how is your office addressing officer deaths, and working with local police departments in implementing strategies to reverse this?

Mr. MELEKIAN. The issue of officer safety and officer wellness is one of the attorney general's priorities, and to that end, the COPS Office and our sister agency, the Bureau of Justice Assistance, operate a working group, the Officer Safety and Wellness Working Group. We meet with practitioners from the field, with academics, and psychologists to really try to get a handle on: (a) what the nature of the problem is; and (b) how can we look at issues of training and technical assistance, how can we do better at teaching tactics to try to address this issue. It is a huge issue of concern obviously

to me, and certainly, it is a huge issue of concern to the attorney general.

Ms. CHU. Thank you. I yield back.

Mr. GOWDY. I thank the gentlelady from California.

The Chair will now recognize the gentleman from Colorado, Mr. Polis.

Mr. POLIS. Thank you. I assume, as part of your position, you track nationally community policing programs. Is that correct?

Mr. MELEKIAN. Yes, sir.

Mr. POLIS. And I wanted to ask specifically about, it is my understanding that building the trust of the community is an important part of community policing programs. Is that correct?

Mr. MELEKIAN. Yes.

Mr. POLIS. What impact have you seen from some of the state-based efforts that have reduced the trust among our immigrant community? Particularly, I would ask you about the impact on community policing in Arizona and Alabama.

Mr. MELEKIAN. One of the realities of community policing is that, like everything else to do with policing, it is very local. And so while very often the State issues, and particularly around some of the immigration issues, certainly impact that, the real challenge, the real test is the relationship between the individual department and the people in the individual community, as to whether or not that sort of a broader issue is going to have a negative impact.

There is no question that those kind of discussions sort of percolate right down to the local level, but a great many chiefs and sheriffs have spent a lot of energy trying to offset that.

I went to a lot of trouble, as the police chief, for example, to make it clear—the city that I was in was over one-third Hispanic. Concerns about immigration issues were significant to them. We made it very clear what the police department's policy was and that it wasn't going to change. There are a number of ways that this operationalizes itself. For example, drivers license checks, those kind of things. I think it is a matter, really, of what is local policy and what's being done on the local level.

Mr. POLIS. And what about the impact of 287(g) programs that empower the very same local officers and/or their colleagues, who are trying to establish relationships in the community, with the power to initiate deportation proceedings and communications with ICE?

Mr. MELEKIAN. Most of those, at least the ones I am familiar with, occur at the county level in custodial settings. I know that there are some agencies who have taken that on, you know, taken a more proactive role than that. That's not, certainly, part of a COPS Office program. It is not anything that we're involved with, in terms of our funding. You know, it is a hugely significant issue.

And one of the first trips that I made, when I became the COPS director, was to the Southwest border, to meet with the Southwest border sheriffs, and take a look at the issues that they are dealing with. And each of them is responding to it, really, kind of in response to what their local community wants. But the programs that you're talking about are not supported by the COPS Office.

Mr. POLIS. And again, given that building trust in the community is a critical part of community policing, would you say that it

might, in fact, cause a reason for distrust, if, in fact, members of the community who are undocumented feel that they might be deported by police officers?

Mr. MELEKIAN. I certainly think it can have that effect, if there's nothing going on to sort of offset it.

Mr. POLIS. Thank you. I yield back.

Mr. GOWDY. I thank the gentleman from Colorado.

The gentleman from Michigan asked to be recognized out of order, and is.

Mr. CONYERS. Thank you very much.

We have here a former attorney general, a former Federal prosecutor, a former sheriff, and yourself. This is a concentration of law enforcement experience that we don't always get at these hearings. And I wanted to ask you about a question that the Chairman mentioned in terms of his comments. And that is the question of over-incarceration. We in this country put more people in prisons for longer periods of time than any other country on earth. Are you prepared to give me your opinion about that now? Let me ask you to respond to that, because it is a subject matter that is drawing increasing attention on the Judiciary Committee.

Mr. MELEKIAN. I think it is important topic for a number of reasons. Not only the almost philosophical question of whether too many people are being incarcerated, but what you are seeing across the country now is an economic impact, requiring States to reduce their prison populations, and sending those released prisoners back to local communities, which may or may not be prepared to absorb them.

One of the jurisdictions, for example, that we funded with hiring funds last year was specifically one of the community problems that they took on, was this issue of reentry, and how to deal with those folks that are coming back and try to ensure their success. The recidivism rate in California, and I don't think California is unique from across the country, was roughly 70 percent, which means that whatever savings that were being generated by releasing people from prison are, in effect, negated, unless we can find some way to effectively deal with them. So I think it is an important issue, and it is one the COPS Office is very focused on.

Mr. GOWDY. Thank the gentleman from Michigan.

Just as a point of clarification, I think I asked about over-criminalization and over-federalization of crime. I don't want any of my former colleagues to think that I am being disingenuous in now being concerned with over-incarceration since I have dedicated part of my life to making sure that happens.

With that, on behalf of all of us we want to thank you for your service in law enforcement.

Yes. The gentlelady from Florida would like to be recognized out of order.

Mrs. ADAMS. Thank you, Mr. Chairman.

Just a couple of quick things. I know that you said local governments are struggling with their agencies, because of the cost of what has been happening in the economy. Has it been brought to your attention that some of the regulations that are being passed on by the Federal Government to these cities and counties, the

costs of those regulations are causing them to have to reduce in other areas, and that reduction is within the public safety arena?

Mr. MELEKIAN. I have not heard that directly, but I know that there are concerns sort of in the aggregate about various mandated costs of local government, which clearly spill over to funding public safety.

Mrs. ADAMS. Would it surprise you that I was told by one city that if they had to comply, the costs would cause them to have to basically shut down their whole law enforcement agency?

Mr. MELEKIAN. No, it wouldn't, because one of the phenomena we are seeing from around the country is this issue of agencies closing for a variety of reasons. In meetings with the National Sheriffs Association, for example, they are very concerned about the fact about the number of cities, particularly in the western United States, that are simply closing their doors and turning law enforcement responsibility back to the sheriff. In other places we're dealing with, we're dealing with contracting and other issues. So, that issue of police departments going out of business for a variety of reasons is significant.

Mrs. ADAMS. And the regulation cost is one of those that you have heard of, also.

Mr. MELEKIAN. Not directly, but I am aware that that is a concern.

Mrs. ADAMS. And the other thing you mentioned, real quickly, you mentioned reentry programs. And since I was sent to look at some reentry programs, because of my law enforcement background, are you monitoring these programs, and how they are conducted? Because one of the things that I saw at one of these programs was the fact that the person who was out and going through this reentry program had no job, but had a cell phone, a new car, and lots of gold around his neck, and was receiving lots of phone calls and text messages while he was being spoken to during this meeting with the people who were overseeing his reentry. Yet, he made one comment, which I thought was interesting, about the fight in line wasn't his fault and because he smacked that woman, really it was her fault. And yet, they let him walk back out the door instead of maybe having him reevaluated. Who has responsibility to oversee these programs and ensure that the public is safe?

Mr. MELEKIAN. We monitor the programs where we have provided funding for, which, as I mentioned, at least, last year, although I really expect that number to go up this year, there was only one agency that selected reentry as a problem. So we do monitor what they're doing, because we hear the same stories that you do about that kind of thing.

Quite honestly, I think that the nature of reentry and how it is being handled is casting a very wide net, and I think it gets handled in different ways in different places. The impact, particularly in California, is going to be significant, and it will be interesting to see what the 2012 grant applications look like this year, to see whether the number of agencies requesting funding for reentry programs increases.

Mrs. ADAMS. And when you are looking at all the numbers as you evaluate these programs, and where the funding is going for these programs, are you also evaluating the reoffending numbers

and the crime rates as they appear, once these programs are in place?

Mr. MELEKIAN. We certainly try to coordinate with the Bureau of Justice Assistance who tracks that.

Mrs. ADAMS. Could you let us know whether or not someone is tracking that information and keeping it accurate?

Mr. MELEKIAN. I will get back to you on that.

Mrs. ADAMS. Thank you. I yield back.

Mr. GOWDY. Thank the gentlelady from Florida.

The Chair will now recognize the gentlelady from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. I thank the Chair and the Ranking Member. I thank the witness for his presence, and also for his service as a law enforcement officer. You may have come across, in your experience, Chief Lee P. Brown, who served as head of the Chiefs Association, serves as the police chief commissioner in New York, Atlanta, and then we were fortunate to get him both as a chief of police, but also as a mayor of the City of Houston.

And he utilized something that I think is a vital tool, and that is the community-oriented policing, which I, frankly, believe the COPS program sort of modifies. It helps ensure that there are law enforcement officers available.

So my first question is, probably you've answered it, but I am a supporter of the COPS program, and my question to you is the ability to truly work the COPS program within the budget framework, or with additional cuts that may come to the program, what dilemma would you be placed in?

Mr. MELEKIAN. The dilemma, if that is what it is, is really a recognizing of how do we help the police departments and the sheriffs' departments across the country to sort of adjust to this new reality that they are in, and that because, as I mentioned earlier, under the current funding levels, 90 percent of the agencies that apply for COPS grants are not getting funded. And however we slice that pie up, 90 percent of those agencies are not getting funded.

So, we have to look to our community policing development program, and we have to look to our training and technical assistance programs, to see if we can provide them assistance other than the hiring of personnel.

I mentioned a couple of programs like the National Network of Safe Cities. There are a number of these kind of efforts, where different agencies are beginning the process of trying to share information, share best practices about how they are accommodating themselves to the new reality.

Ms. JACKSON LEE. The COPS programs that are funded, I'll say Houston, for example, that really wants this funding, we are a big city, people call 911 in the middle of the night, how does the COPS program help to ensure that emergency services are continued, that those emergency responses are answered?

Mr. MELEKIAN. We try to ensure that, particularly those agencies, and Houston has been a grant recipient for 2 of the last 3 years, because of the issues that you identified, our focus is making sure that those officers, whatever the problem was, whatever the community problem was that the jurisdiction said it wanted to do, that we make sure that that is what they are doing.

Our belief is, and there is a lot of research out there to suggest, and I think it is going to get more interesting over the next couple of years, that crime is actually very narrowly focused to individuals and narrowly focused to place. And if we can work with jurisdictions to help them utilize those COPS resources, to sort of focus on both of those things, our hope is that it will bring the crime rate down, and it will bring the demand down on the 911 system.

Ms. JACKSON LEE. Do you think that we should encourage more partnerships in theory and practice with the COPS program, and a focus on community-oriented policing?

Mr. MELEKIAN. I think community policing, particularly in this environment, is going to become more critical and not less critical. It was a different reality when, if you wanted to have a school outreach program, if you wanted to do a foot patrol, you simply added personnel, and whether those personnel were funded by the Federal Government for some limited period of time, or whether they were locally funded, you could do that. In today's environment, you can't. You have to have a stronger relationship with the business owners in the neighborhood, with the residents in the neighborhood, with the community groups in the neighborhood, and there has to be an individual relationship about between the police and the members of the community. That is community policing in its essence, and that is what we are trying to drive.

Ms. JACKSON LEE. Can I follow up with this question? I introduced legislation dealing with bullying prevention, the reauthorization of Juvenile Accountability Block Grant. It is not under your jurisdiction, but here is the question that I have.

Many times parents in this tragic incident that happened in the last 2 days will be baffled. Where were the police? Why didn't we have someone there? Can you just, from policing perspectives, speak to this idea that intervention, whether it is community oriented policing, whether it is intervention, or best practices, or preventing bullying, really helps in a holistic idea of safety for the community?

Mr. GOWDY. You may answer the question, Director Melekian.

Ms. JACKSON LEE. Thank you, Mr. Chairman.

Mr. MELEKIAN. Thank you, sir.

As I mentioned earlier, when I was describing my experiences, I think there are the three parts, there are three tracks of things that have to occur to have a successful violence reduction program, and each one of them is tied to community policing.

There needs to be an after-school program, so that kids have something to do. It isn't just something to do. It is also about forming a relationship and an impression of what a local law enforcement officer is.

The intervention piece is the kid that gets in trouble for the first time, but there are all kinds of studies that suggest that there's only a small percentage of those kids that are going to go on to cause a lot of trouble, if you can identify them, and work with them. Places that have done them have had great success.

And if your enforcement efforts can focus on individuals, rather than broad neighborhoods, so that you don't fall into the trap of widening the gap between local police and the communities they serve, if you can manage to keep it on an individual level, each one

of those pieces is a critical community policing piece that can contribute to violence reduction. And I specifically include the issue of school police in a positive constructive way in that discussion.

Ms. JACKSON LEE. Thank you. Thank you. I yield back.

Mr. GOWDY. I thank the gentlelady from Texas.

Director Melekian, again on behalf of all of us, we want to thank you for your service to our country, for your service to law enforcement, and your service in your current capacity.

Without objection, all Members will have 5 legislative days to submit to the Chair additional written questions for the witness, which we will forward and ask the witness to respond as promptly as he can, so his answers may be made a part of the record.

Without objection, all Members will have 5 legislative days to submit any additional materials for inclusion in the record.

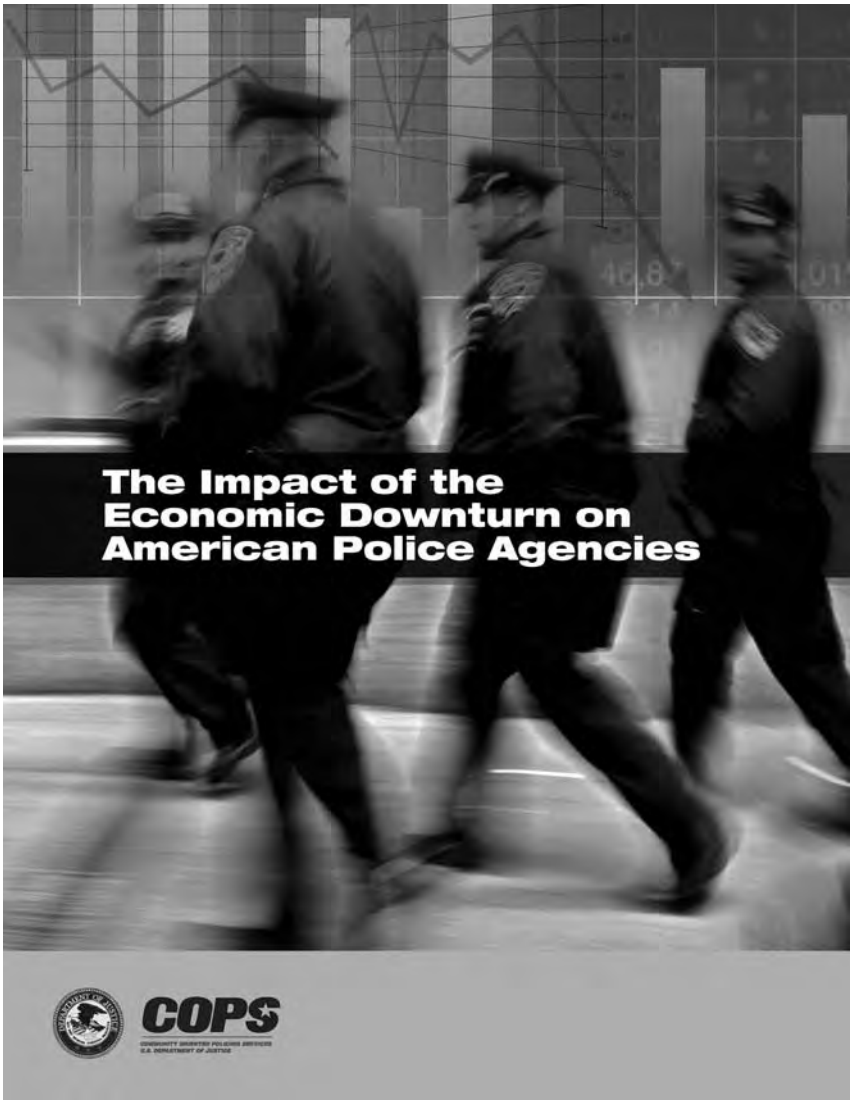
With that, this hearing is adjourned.

[Whereupon, at 11:14 a.m., the Subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

Report from the Office of Community Oriented Policing Services (COPS)



The Impact of the Economic Downturn on American Police Agencies

A Report of the U.S. Department of Justice
Office of Community Oriented Policing Services (the COPS Office)
October 2011

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COPS

Dear Colleagues,

As law enforcement agencies throughout the nation continue to face challenges brought about by the current economic changes, it is increasingly important that law enforcement practitioners and our communities work together to ensure the safety of the public. The core mission of the United States Department of Justice (USDOJ) is the protection of the American people, and the law enforcement community plays an integral role in the advancement of this mission. As a component of the Justice Department, the COPS Office is committed to acting as the voice for state and local law enforcement agencies within the federal government. We believe that the changes that have been occurring across the country are going to continue to have a serious impact on the way American police agencies operate in the years to come.

Central to the philosophy of community policing is the achievement and advancement of public safety by building relationships and solving problems on a local, neighborhood level. As police departments across the nation face budget cuts, and are therefore limited in resources and staffing levels, community policing strategies are essential to maintaining effective public safety services within this changing economy.

The Department of Justice is determined to help build the framework necessary to enable our law enforcement partners to make the most of these limited resources and to promote promising and effective public safety efforts. In advancing these goals, the COPS Office recently awarded more than $240 million in new grants that supported the hiring and retention of more than 1,000 officers in 238 agencies and municipalities across the country. These funding opportunities helped support local departments to increase the total number of staff; enhance their relationship with the community; and directly address the public safety concerns facing their communities.

This report also reflects our commitment to assisting local law enforcement agencies thrive in the current economy. To date, it is also the first federal analysis that examines the impact the economy has had on the law enforcement community. It is our goal to continue to examine these issues so that we may provide the best available resources, information, and guidance to the field to assist police in the development of sustainable policies and procedures that will help shape the new reality in American policing.

Sincerely,

Bernard K. Melekian, Director
Office of Community Oriented Policing Services

About the COPS Office

The Office of Community Oriented Policing Services (the COPS Office) is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, and tribal law enforcement agencies through information and grant resources. The community policing philosophy promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. In its simplest form, community policing is about building relationships and solving problems.

The COPS Office awards grants to state, local, and tribal law enforcement agencies to hire and train community policing professionals, acquire and deploy cutting-edge crime-fighting technologies, and develop and test innovative policing strategies. The COPS Office funding also provides training and technical assistance to community members and local government leaders and all levels of law enforcement.

Since 1994, the COPS Office has invested more than $16 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing. More than 500,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.

The COPS Office has produced more than 1,000 information products—and distributed more than 2 million publications—including Problem Oriented Policing Guides, Grant Owner's Manuals, fact sheets, best practices, and curricula. And in 2010, the COPS Office participated in 45 law enforcement and public-safety conferences in 25 states in order to maximize the exposure and distribution of these knowledge products. More than 500 of those products, along with other products covering a wide area of community policing topics—from school and campus safety to gang violence—are currently available, at no cost, through its online Resource Information Center at www.cops.usdoj.gov. More than 2 million copies have been downloaded in FY2010 alone. The easy to navigate and up to date website is also the grant application portal, providing access to online application forms.

Acknowledgments

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U.S. Department of Justice
Office of Community Oriented Policing Services (the COPS Office)
Community Policing Advancement Directorate
Research & Development Division

Introduction

The economic downturn of the past several years has been devastating to local economies and, by extension, their local law enforcement agencies. According to a report by the National Institute of Justice, the United States is currently experiencing the 10th economic decline since World War II (Wiseman 2011). The impact of this downturn will result in a change of how law enforcement services are delivered. As has been discussed by the COPS Office Director, Bernard Melekian, in a series of recent articles published in the *Community Policing Dispatch*, expectations will not be lowered just because an agency now has fewer officers, or because the budget is limited. Simply doing less while waiting for local budgets to recover to pre-2008 levels is not a viable option. Faced with a dramatic budget contraction, law enforcement leaders need to start identifying different ways to deliver police services and, perhaps more importantly, articulate what the new public safety models will look like to their communities (Melekian 2011a). The effects of the economic downturn on law enforcement agencies may be felt for the next 5–10 years, or worse, permanently. The permanence of this change will be driven not just by the economy, but by the local government officials determining that allocating 30–50 percent of their general fund budgets for public safety costs is no longer a fiscal possibility (Melekian 2011b).

While some people see signs that the economy is beginning to recover on the national level, most economists agree that local jurisdictions are still in decline and will continue to be so, at least in the short term. County and municipal budgets tend to lag behind the general economy and continuing foreclosures are slowing the recovery of property tax revenues, which are the backbone of local agency funding. Faced with these budget realities, the current model for service delivery—which has been with us for the last 50 years—is already starting to change, and will be forced to continue to change dramatically and rapidly in the next 3–5 years. As articulated in the June edition of the *Community Policing Dispatch*, Director Melekian discusses the need for a change in delivery of police services from a mid-20th century model to a more forward-looking 21st century model. He explains:

> *Police service delivery can be categorized into three tiers. The first tier, emergency response, is not going to change. Tier two is non-emergency response; where officers respond to calls after the fact, primarily to collect the information and statements necessary to produce reports. These calls, while an important service, do not require rapid response—the business has already been vandalized, the bike already stolen. Tier three deals with quality of life issues, such as crime prevention efforts or traffic management duties. They help make our communities better places to live, but they are proactive and ongoing activities. The second and third tiers of police service delivery have always competed for staffing and financial resources, but as local budgets constrict, that competition becomes fiercer. The public expects that both tiers are addressed, and agencies with shrinking payrolls are faced with finding new ways to make sure that can happen (Melekian 2011c).*

Faced with these dramatic budget contractions, law enforcement leaders have begun identifying the most cost conscious ways to deliver police services, and developing a new model of policing that will ensure that communities continue to receive the quality police protection they are entitled to. In a 2011 survey of police chiefs conducted by the International Association of Chiefs of Police (IACP), 94 percent of respondents agreed that they were seeing "a new reality in American policing developing" (IACP 2011).

Police agencies are some of the hardest hit by the current economic climate. Curtailing revenues nationwide have forced local governments to make cuts in spending across the board, which includes public safety operating budgets. While budget cuts threaten the jobs of law enforcement officers, the duties and responsibilities to ensure public safety remain.

However, to date, there has been no systematic way of measuring the impact the economic downturn has had on police agencies across the country. This report intends to delve into the existing information, research the ways in which law enforcement agencies have been affected, and examine the ways they have responded.

The following surveys, publications, and data sets were used in this report in order to analyze how the economic downturn has affected staffing at police agencies, delivery of services, and organizational management.

The Recession Continues: An Economic Status Survey of Counties
In February 2011 the National Association of Counties (NACo) published a report titled, *The Recession Continues: An Economic Status Survey of Counties*, which outlined the results of a survey of 500 counties (across population size) as a means to determine the impact that the declining economy was having on county budgets, and the ways in which these counties were reacting to the challenge of lower revenues. The results of the study showed that counties were cutting services and personnel, as well as making across-the-board cuts to budgets, in order to address shortfalls. The data are different than what was found from previous surveys, where counties indicated they were using pay and hiring freezes to deal with the economic downturn. As the shape of the economy has gradually worsened, more counties have turned to furloughs and layoffs, with 53 percent of counties working with fewer staff in FY2011 than in FY2010 (Byers 2011).

National Survey of County Elected Officials – Looking for the Light at the End of the Tunnel: A National Survey of County Elected Officials on the Economy, Budgets, and Politics
In 2011 a survey developed by the Carl Vinson Institute of Government, in partnership with NACo, polled a random sample of 508 county officials on issues related to the economy, budgets, and politics. Overall, the study found that while many elected county officials still rate the national economy as poor, there appears to be a slightly more optimistic opinion than what was found in the 2010 study (Clark 2011).

Policing in the 21st Century: Preliminary Survey Results
As a part of President Mark A. Marshall's Policing in the 21st Century Initiative, IACP conducted a number of surveys and held roundtable discussions with over 400 law enforcement leaders to discuss the impact that the new economy is having on the field. These efforts were spearheaded by IACP's Research Division, working in partnership with IACP's Division of State Associations of Chiefs of Police, Division of State and Provincial Police, the Indian Country Section, and Mid-Size Cities Section (IACP 2011). Results of the study provide insight into ways in which national police agencies are responding to the effects of the economic climate on their agency operations.

Major Cities Chiefs Association (MCCA) Survey
In 2011 the Major Cities Chiefs Association surveyed 23 major city departments to discuss the economic challenges they faced in light of the current economy (MCCA 2011). The results demonstrate some of the trends that are being experienced in police agencies across the nation as a result of reductions to operating budgets.

Is the Economic Downturn Fundamentally Changing How We Police?
This is the 16th report in the "Critical Issues in Policing Series" that the Police Executive Research Forum (PERF) has developed in order to provide timely information and guidance on a number of difficult issues that police agencies have faced over the years. The report highlights findings from a survey conducted in 2010 of 608 police agencies focusing on the current economic challenges their departments are facing, and what the agencies have done in order to confront such challenges (PERF 2010).

State of America's Cities Survey on Jobs and the Economy
The *State of America's Cities* is an annual survey of municipal officials that has been conducted for almost 25 years by The National League of Cities (NLC). The 2010 survey yielded 349 respondents consisting of local officials from various cities nationwide. The data from the survey provide insight into the effects of declining fiscal and economic conditions on American cities (McFarland 2010).

City Fiscal Conditions in 2010
The *City Fiscal Conditions Survey* is a national survey of city financial officers throughout the United States. The survey yielded 338 respondents from cities of different population sizes, and produced information on the current fiscal state of the nation's cities and the struggles cities face while managing rapidly declining revenues (Hoene and Pagano 2010).

Law Enforcement Management and Administrative Statistics (LEMAS)
The Department of Justice Bureau of Justice Statistics (BJS) is the United States' primary source of criminal justice statistics. Every "3 to 4 years, LEMAS collects data from over 3,000 state and local law enforcement agencies, including all those that employ 100 or more sworn officers" as well as "a nationally representative sample of smaller agencies. Data are obtained on the organization and administration of police and sheriffs' departments, including agency responsibilities, operating expenditures, job functions of sworn and civilian employees, officer salaries and special pay,

demographic characteristics of officers, weapons and armor policies, education and training requirements, computers and information systems, vehicles, special units, and community policing activities" (LEMAS 2011).

Census of State and Local Law Enforcement Agencies (CSLLEA)
In conjunction with the LEMAS data discussed above, BJS also conducts a census every 4 years of publicly funded law enforcement agencies with one or more full-time-equivalent sworn staff. This master list of law enforcement agencies is compiled from the previous CSLLEA census; lists provided by Peace Officer Standards and Training offices and other state agencies; and a list of agencies requesting new FBI-ORI identifiers since the previous CSLLEA. The latest CSLLEA was conducted in 2008 and included 17,985 state and local law enforcement agencies employing at least one full-time officer or the equivalent in part-time officers. The CSLLEA represents the sampling universe from which the LEMAS survey is drawn. Data collected as part of the CSLLEA include number of sworn personnel, number of civilian personnel, and agency-type category (CSLLEA 2011). CSLLEA data are recognized as the most definitive counts of law enforcement agency personnel operating with local, state, and tribal funding.

COPS Hiring Program (CHP) – Office of Community Oriented Policing Services, U.S. Department of Justice
For the last 3 years, the Department of Justice, Office of Community Oriented Policing Services (the COPS Office) has collected data from its Hiring Program applicants, including data on agency operating budgets, officer and civilian layoffs, furloughs, hiring freezes, service populations, and authorized and actual sworn force strengths. With thousands of applicants each year, the data set represents a sizeable sample of all the state, local, and tribal law enforcement agencies in this country, although it is not a random sample. For the analysis in this report, two subsets of data were used. The first subset is all the agencies that submitted a hiring program application in 2011 and who are currently staffed with at least 10 full-time officers. The second subset is those agencies that applied both in 2009 and 2011, as well as having at least 10 full-time officers. The significance of the 10 officer threshold is that while agencies of at least that size account for just 51 percent of all law enforcement agencies in this country, they employ more than 95 percent of all sworn officers. In addition, those agencies can generally be presumed to be full-service departments offering 24/7 patrol and response coverage.

Some of the CHP data used in this report will evaluate the total sample of applicants regardless of sworn force levels. These samples will be indicated as such.

News Media
Current news articles offer a way to capture the effects of the economic downturn that police agencies throughout the country are experiencing and highlight the ways in which agencies are mitigating the adverse effects of cuts to operating budgets. Within each section of this report, information from numerous media outlets helps to paint a more personal picture of how law enforcement agencies are dealing with today's challenges.

A New Method of Data Collection is Pertinent to Successful Resource Allocation

The lack of an annual and systematic data collection of law enforcement agencies nationwide poses serious challenges for the development of aggressive and productive problem-solving strategies. In order to successfully develop effective techniques to combat challenges resulting from the economic climate, it is important to have an accurate understanding of the problems that are facing police agencies as they occur. While the BJS census (CSLEAA) and survey (LEMAS) provide representative and systematic data about U.S. law enforcement agencies and staffing, they were last administered prior to the current recession. It is likely that by the time the next cycle of BJS data is available much of the economic turbulence that has occurred over the past three years will have changed yet again.

The BJS census and surveys of law enforcement agencies are methodologically robust and have enormous intrinsic value. However, the cycle by which the census and survey data are collected (every 3–4 years), as well the time lag between when the data are collected and when they are made publically available are not ideal for the types of analysis we believe are necessary for keeping on top of important trends as they emerge. The usefulness of these data sources for assessments of economic impact would be enhanced if the data were collected more often and made available in a shorter time frame. The next census and survey data for law enforcement agencies, to be conducted in 2011, will likely reveal a new reality in policing that is fundamentally different to what we have seen to date. Moreover, by the time the data is readily available (typically several years after collection) the entire state of the American economy will have changed and the immediate impacts of the recession on police agencies will have already occurred. Given the historic importance of state, local, and tribal law enforcement and their impact on the quality of life, the COPS Office feels the law enforcement community and the Department of Justice could benefit by enhancing these efforts of data collection and release by determining whether annual reports would be feasible. Even if the urgency of data collection was not underscored by the current economic crisis, a more timely collection and dissemination of data would be warranted by the new responsibilities law enforcement agencies have taken on in the last decade (i.e., homeland security, cyber crime, and greater cooperation necessitated in a more globalized society). Indeed, never has the need been more important for immediate and proactive data analysis of this kind. Federal, state, and local governments can collaboratively and effectively refocus and realign their resources to ensure the successful preservation of public safety, but their efforts will be compromised significantly if they lack up-to-date data and metrics on which to base their efforts. In summation, we encourage our colleagues at the Department of Justice to support ongoing efforts at BJS, as well as consider more frequent and timely censuses and surveys of law enforcement agencies.

The World of Policing Prior to the Great Recession

To properly assess the changes that have occurred among police agencies as a result of the economic downturn, it is important to get an idea of what police agencies looked like before.

Law Enforcement Trends Prior to the Economic Downturn

Periodically, BJS conducts two major data collection efforts. One is a census of state, local, county, and tribal law enforcement agencies (CSLLEA) and the other is a more detailed survey of approximately 3,000 state and local law enforcement agencies, including all those that employ 100 or more sworn officers and a nationally representative sample of smaller agencies (LEMAS). The most recent data are from 2008, prior to the current economic downturn (see Figure 1). The data provide an overview of the staffing numbers police agencies nationwide have maintained in the years prior to the economic downturn

Full-Time, Part-Time, and Full-Time Equivalent Sworn Officers, LEMAS and LE Census, 1986–2008

	CSLLEA 1986	LEMAS 1987	LEMAS 1990	CSLLEA 1992	LEMAS 1993	CSLLEA 1996	LEMAS 1997	CSLLEA 2000	LEMAS 2003	LEMAS 2007	CSLLEA 2004	LEMAS 2008	CSLLEA 2008
FT Sworn	496,885	[illegible]	[illegible]	[illegible]	[illegible]	618,845	[illegible]	661,979	[illegible]	[illegible]	680,162	[illegible]	704,814
PT Sworn	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	37,716	[illegible]	[illegible]	40,081	[illegible]	29,106
1/2 PT Sworn	17,497	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	18,669	[illegible]	[illegible]	20,267	[illegible]	19,094
FTE Sworn	514,444	[illegible]	[illegible]	542,556	[illegible]	629,441	[illegible]	680,628	[illegible]	[illegible]	700,449	717,525	724,413
Agencies	15,641	[illegible]	[illegible]	15,630	[illegible]	[illegible]	[illegible]	17,750	[illegible]	[illegible]	15,882	[illegible]	[illegible]

Figure 1. Full-Time, Part-Time, and Full-Time Equivalent sworn officers data from 1986–2008

Source: Bureau of Justice Statistics

Figure 2 (on page 8) indicates that since 1986 the number of general purpose law enforcement agencies (publicly funded law enforcement agencies with the full-time equivalent of at least one sworn officer with arrest powers) fluctuated between about 14,000 and 17,000. (This graph excludes special purpose police agencies that are included in the analysis of the BJS census, e.g., the 17,985 total agencies in 2008.)

Note: Most of the fluctuation in agencies is accounted for by smaller agencies that tend to come in and out of existence, but some may be reflective of newly formed agencies or consolidations. There is no systematic effort to track newly formed or consolidated agencies.

The Number of Law Enforcement Officers Was on a Steady Upward Climb Through 2008

As indicated in Figure 3 (on page 8), there was a steady increase in the number of full-time equivalent sworn officers employed by general purpose state and local law enforcement agencies between 1986 (N= 514,494) and 2008 (N= 724,413). This represents a 41 percent increase in sworn personnel over the entire period, although the growth was slower from 1997 on.

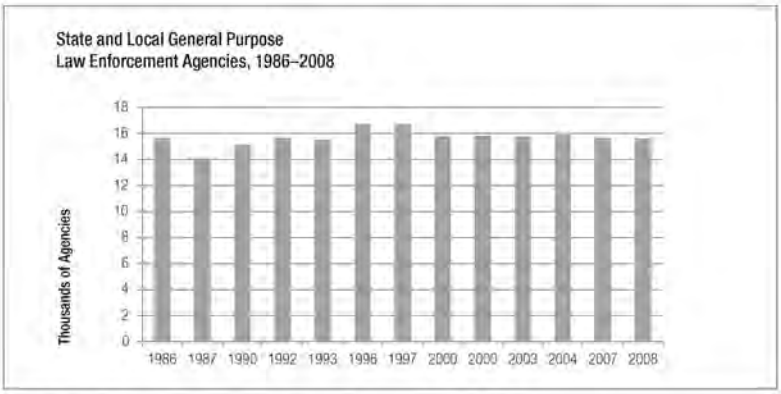

Figure 2. General purpose state and local law enforcement agencies identified by BJS Census

Source: Bureau of Justice Statistics

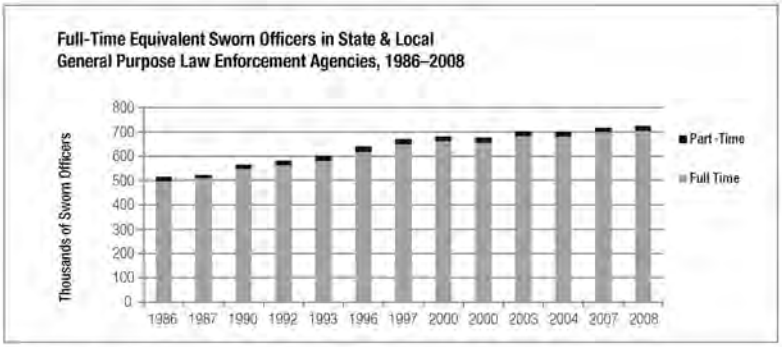

Figure 3. Full-Time Equivalent sworn officers in state and local general purpose agencies

Source: Bureau of Justice Statistics

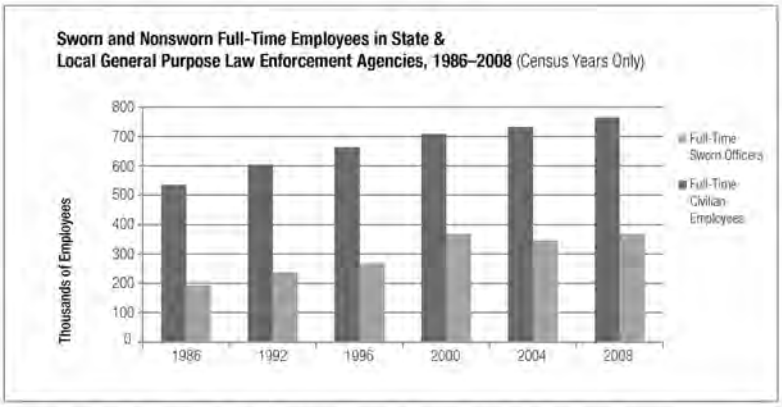

Figure 4. Full-Time Equivalent sworn officers and civilian employees in state and local general purpose agencies

Source: Bureau of Justice Statistics

Civilian Personnel Also Increased Steadily Prior to 2008

As Figure 4 indicates (based only on census years), the increase in sworn personnel was paralleled with an increase in civilian personnel. The increase in civilian personnel between 1986 and 2008 (91 percent) actually outpaced the increase in sworn personnel (41 percent). This historic data indicate a general increase in civilianization. In 2008, civilians accounted for about one-third (32.5 percent) of full-time employees in general purpose law enforcement agencies. In 1986, civilians had accounted for just over one-fourth (26.5 percent).

The preceding analysis of BJS data indicates there had been steady increase in law enforcement personnel, both sworn and civilian, between 1986 and 2008. No BJS census or survey data for law enforcement agencies have been collected since the current economic downturn. New data that are scheduled to be collected by BJS in 2011 should prove to be revealing. It will likely reveal the first ever decrease in national, state, local, and tribal law enforcement personnel since BJS began collecting data in 1986. This trend is clearly linked to the economic downturn, but what makes it more adverse is that the national population continues to grow and police have to take on new responsibilities related to homeland security, cybercrime, and modern challenges.

The Great Recession Has Changed the Face of American Policing

The economic crisis that began in 2008 has changed America in many ways. Unemployment rates have increased sharply, the stability of the housing market has collapsed, consumer spending has slowed, city revenues have lessened, and the federal deficit has reached a record level. As the fiscal conditions worsen and costs continue to escalate, many have articulated that America must learn how to "do more with less." However, when it comes to public safety, scholars and practitioners have noted that this motto is simply not a viable option. Instead, law enforcement agencies must develop ways to do things *differently*, and use the resources that are available in the most efficient and effective ways possible.

In the 2010 NLC study of the nation's city finance officers, data showed the largest downturn in revenues and cutbacks in spending in the history of the survey, with revenues declining for the fourth year in a row. Further, since city budgets tend to lag behind the national economic conditions by anywhere between 18 months to several years, the belief is that 2011 will likely result in further revenue declines and cuts in spending (Hoene and Pagano 2010).

Similar findings resulted from the 2010 NLC survey of municipal officials, in which 75 percent reported that the overall economic and fiscal conditions within their cities had worsened over the past year. Nearly a quarter of cities (22 percent) indicated that they had made cuts to public safety, which were likely to impact activities essential to the quality of life and safety of their cities, such as crime prevention and service response times (McFarland 2010).

In particular, the economic decline has severely affected law enforcement agencies' operating budgets across the nation. While there is no systematic data collection method used to gather information on how law enforcement agencies' budgets have been affected in the past few years, using the data from a number of smaller studies provides an idea of the prevalence, scope, and type of budget constraints affecting police across America.

The following data reflect local law enforcement agencies' responses to questions related to reductions in their operating budgets.

PERF Study

- Over half of the responding agencies (51 percent) reported a decrease in their budgets between fiscal years 2009 and 2010, with an average budget cut of 7 percent.
- Of the departments that experienced budget cuts in 2010, 59 percent were expecting additional cuts in FY2011 (PERF 2010).

IACP Study

- Over 85 percent of agencies reported that they were forced to reduce their budget over the last year.

- More than half of the respondents reported that they had to reduce their budgets in the prior year by 5 percent or more; a quarter had to reduce their budgets by more than 10 percent.
- These reductions were on top of the cuts that agencies already had to endure over the past several years.
- Most did not anticipate the reductions or the seriousness of the problem to end soon. In fact, 98 percent of respondents stated that they anticipated the economic impact on their agency was going to be at least "somewhat" problematic in the upcoming year.
- Over 40 percent said the coming year presented a serious or severe problem to their agency, with over one-third saying that they would have to further reduce their budgets by 10 percent or more in the coming year (IACP 2011).

MCCA Study

- Seventy-eight percent of respondents indicated that their department had experienced budget cuts, with an average budget reduction of 5.4 percent.
- Of those who experienced budget reductions, 97 percent said they had experienced flat or reduced budgets over the past 1 to 12 years.
- Forty-three percent of respondents stated they had experienced reduced/flat budgets within the last 3 years (MCCA 2011).

COPS Hiring Program (CHP)

In analyzing the budget data provided by applicants over the past 3 years (for agencies that applied both in 2009 and 2011 with a sworn staff of 10 or more) from 2009 to 2011, the average change in agency budget was an increase of only 1.75 percent. Despite this slight increase in average budget, it was found that over one third (35.7 percent) of 2011 applicants reported a budget drop of greater than 5 percent between 2009 and 2011. This is based on those 2011 applicants who provided operating budget data for both years (N= 2,701). This proportion is consistent with the findings of the PERF, IACP, and MCAA studies. During that same period, the Consumer Price Index (the generally accepted indicator of inflation) increased 1.09 percent in 2010, and then another 3.57 percent in 2011 (see Figure 5 on page 12). The cost of business rarely gets cheaper, and the costs of police services have escalated in spite of declining or stagnant operating budgets. Salaries and insurance costs—which can make up 90 percent or more of a police budget—generally increase as employees earn years of experience, making it extremely difficult for agencies to make enough cuts in other areas in order to maintain a balanced budget (Wexler 2010). Further, vehicle fuel costs have also increased dramatically in recent years, with the national average price of gasoline up 45 percent from just 5 years ago, with even higher price spikes experienced in the spring of 2008 and again earlier this year (Department of Energy 2011). All of these factors combine to put added pressure on agency operating budgets.

These data indicate that among these agencies, operating budgets that were fairly stagnant are now losing spending power as they fail to keep up with the rate of inflation. If operating costs continue to rise, and revenues continue to decline, law enforcement agencies will likely remain challenged to provide policing services at the levels that citizens are accustomed to receiving.

Effects on Staffing

As agencies have been pressured to make difficult decisions in light of the current fiscal conditions, many are being forced to provide the same services with fewer employees than they have in the past.

- According to a May 2010 survey conducted by the National League of Cities, 71 percent of city officials surveyed reported making cuts to personnel in order to deal with the fiscal implications of the current economic conditions. This number increased to 79 percent of survey respondents by the October report (McFarland 2010).
- A 2011 survey by the National Association of Counties found that counties are cutting services and employees, with 53 percent of counties working with fewer staff today than in FY2010 (Byers 2011).

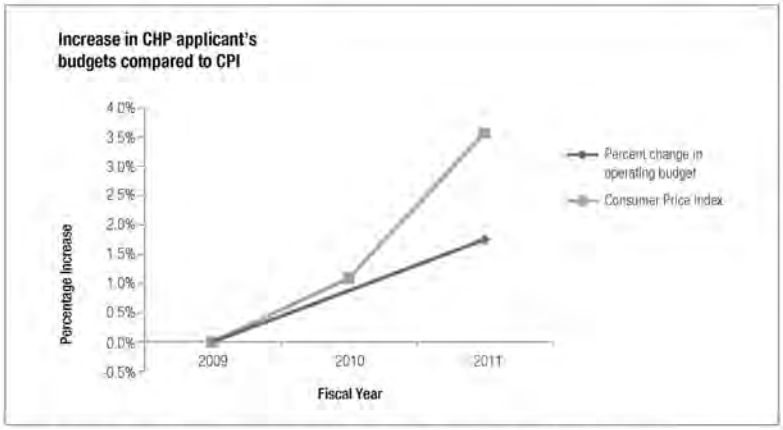

Figure 5. Average percent increase in operating budget of COPS Hiring Program applicants from 2009 and 2011 as compared to the increase in Consumer Price Index over that same time period

Source: The COPS Office

- Among respondents to the 2010 PERF study, there was a 3 percent decrease in the average number of sworn officers between FY2009 and FY2010 (PERF 2010).

Agencies have used a number of techniques to reduce their personnel costs. Layoffs, mandatory furloughs, and attrition are often the result of these budget reductions in many police agencies.

Layoffs

Currently, the data of officer positions laid off are not collected by any one agency. However, the Bureau of Justice Statistics is planning to collect the data in their 2011 LEMAS Survey. Given that the LEMAS Survey uses a stratified random sample,[1] the study should provide a reliable estimate of layoffs using weighted averages (based on the agency size stratification scheme).

So while there is no single database of layoff information, a number of smaller agencies have put together estimates regarding the number of police positions terminated as a result of budget reductions.

- The Fraternal Order of Police can directly document 4,000 layoffs, but estimates relying on less direct measurements suggest a more realistic number would be between 12,000 and 15,000 sworn officer positions lost.
- The International Association of Chiefs of Police estimate the number of law enforcement officer positions lost is 10,000.
- COPS Hiring Program data for the last 18 months estimate that 5,738 state, local, and tribal law enforcement officers have been laid off. The actual number may be as high as 10,000 if one extrapolates beyond the applicant pool to the full universe of U.S. law enforcement agencies.

Police Layoffs

IN THE NEWS:

PATERSON, NEW JERSEY POLICE DEPARTMENT laid off 125 officers on april 18, 2011. This is a quarter of their entire force. In addition, more than 30 lieutenants and sergeants were demoted to patrol. Patterson experienced a 15 percent spike in violent crime in 2010 over the 2009 level (CBS Broadcasting, Inc. 2011; Henry 2011).

FLINT, MICHIGAN – The Flint police force has been hurting since being slammed with layoffs. Flint has become one of America's murder capitals. In 2010, with a population of 102,000, there were 66 documented murders in Flint. The murder rate is higher than Newark, St. Louis, and New Orleans, and even Baghdad's. Flint has laid off two-thirds of its police force over the last 3 years and a typical Saturday night has experienced reduced staffing to only six patrolmen on duty (LeDuff 2011).

CAMDEN, NEW JERSEY POLICE DEPARTMENT – In January 2011 the Camden Police force was nearly cut in half. One hundred and sixty-three officers were laid off, leaving Camden with only 204 sworn officers—the department's lowest number since 1949 (Goldstein 2011).

1 Stratification is by agency size with all 100-plus sworn departments sampled

- Major Cities Chiefs Association found that 52 percent of agencies surveyed had laid off sworn officers (McFarland 2010).
- According to the PERF survey, 22 percent of respondents indicated they had laid off employees as a result of decreasing budgets (PERF 2010).

COPS Hiring Program Data Indicate Number of Officers Requested to Refill Positions on the Rise

CHP applicants are eligible to apply for funds in order to a) hire new officers, b) rehire officers who had already been laid off as a result of state, local, or tribal budget cuts, and/or c) rehire officers who are currently scheduled to be laid off on a future date as a result of budget cuts. Additionally, agencies were asked to identify which of these categories they would intend to use the hiring funds toward, if they were to receive an award.

In FY2009, 2.3 percent of applicants applied for funds to rehire at least one officer who had previously been laid off due to budget cuts. These positions made up 1.5 percent of the total number of positions requested. In comparison, in FY2011 4.6 percent of applicants applied for funds to rehire at least one officer who had previously been laid off due to budget cuts, making up 5.3 percent of the total amount of positions requested.

In FY2009, 12 percent of applicants applied for funds to rehire officers who were scheduled to be laid off. These requests made up 13 percent of the total amount of positions requested. Comparatively, in FY2011, 6 percent of applicants applied for funding to rehire officers scheduled for layoffs, making up 7.4 percent of the total positions requested.

So while the percentage of agencies requesting CHP funds in order to prevent future layoffs has decreased, the percentage of agencies requesting funds to rehire officers who have already been laid off has tripled along with the number of 'rehire positions' requests (from 1.5 percent of the total requests in 2009 to 5.3 percent of the total requests in 2011) (see Figure 6 on page 15). This indicates that many agencies had to lay off a number of officers between 2009 and 2011, and therefore are requesting funds in order to reinstate some of their sworn personnel. This is further supported by the data in which 6 percent of total applicants in FY2009 stated that they had laid off a percentage of their sworn staff, while in FY2011 this number increased to 12 percent of total applicants.

Agency Types—Request for Funds to Rehire Laid Off Officers

In 2011, a total of 125 agencies applied for positions to rehire officers. A total of 478 rehired officer positions were requested. Interestingly, the amount of rehire positions requested was fairly even when categorized by agency size (agencies serving populations of 100,000 or more were considered "large agencies"). One hundred and twelve small agencies applied to rehire a total of 233 officers. The number of positions requested within small agencies ranged from 1 to 14, with an average request of 2 officers per agency. Thirteen large agencies applied to rehire a total of 245 officers. The number of positions requested by large agencies ranged from 1 to 50, with an average request of 19 officers per agency (see Table 1 on page 15).

Table 1. Total number of agencies and rehire positions requested in 2011 by agency type

Agency Type	Number of Agencies	Number of Rehire Requests
SMALL:		
Tribal	1	1
Regional Police Department	1	3
School/Universities	5	6
Sheriff Departments	21	41
Municipal Agencies	84	182
LARGE:		
Sheriff Departments	8	148
Municipal Agencies	5	97

Source: The COPS Office

In 2011, rehiring of layoffs accounted for 14 percent of total requests by municipal agencies. By comparison, the rate for Sheriff Departments was 11 percent.

Agency Types—Request for Funds to Prevent Scheduled Layoffs

Also in 2011, a total of 172 agencies applied for at least one position in order to prevent a scheduled layoff of a sworn officer (see Table 2 on page 16). A total of 664 positions were applied for, totaling $18,207,013 in requests. One hundred and fifty-four small agencies applied for 313 preventive layoff positions. The number of positions requested ranged from 1 to 6, with an average of 2 positions per agency. Large agencies made up the majority of the requests for preventive layoff positions. Seventeen agencies applied for 351 positions, ranging from 3 to 50, with an average of 16 positions per agency.

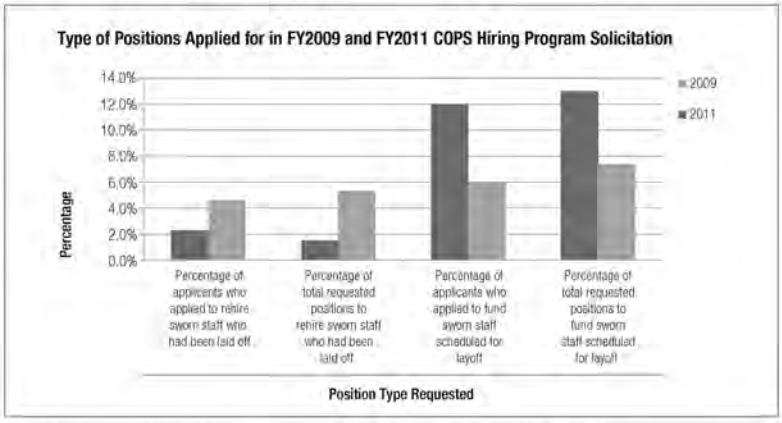

Figure 6. Comparison of types of positions requested in the COPS Hiring Program in 2009 and 2011

Source: The COPS Office

Table 2. Total number of agencies and positions in 2011 requesting funds for preventive layoff positions

Agency Type	Number of Agencies	Number of Preventative Layoff Requests
SMALL:		
Constable	1	1
County Government	1	1
Tribal	1	1
Schools	5	6
Sheriff Departments	33	64
Municipal Police	113	240
LARGE:		
Sheriff Departments	7	78
Municipal Police	10	273

Source: The COPS Office

In 2011, preventive layoff requests accounted for 25 percent of total requests by municipal agencies. By comparison the rate for Sheriff Departments was 8 percent.

Mandatory Furloughs

Many agencies are using furloughs as a method of managing labor costs. According to the PERF survey, 16 percent of responding agencies indicated they had implemented unpaid furloughs (PERF 2010). In the COPS Hiring Application, agencies were asked to report the percentage of their sworn positions that have been furloughed for at least 40 hours in the year of application. In looking at the 1,569 agencies that applied for CHP funding in both FY2009 and again in FY2011:

- In 2009 3.4 percent of these agencies reported that at least some of the sworn officers were furloughed for 40 hours or more that year.
- By 2011 the percentage reporting furloughs had more than doubled to 6.9 percent for those same agencies (see Figure 7 on page 17).

For those agencies with furloughs in either year, the percentage of staff subject to the furlough also increased dramatically from 2009 to 2011 (see Figure 8 on page 17):

- In 2009 39 percent of the officers in a furlough-affected agency were subject to the furlough.
- By 2011 57 percent of the officers in a furlough-affected agency were subject to the 40+ hour furlough.

Based on the size of our sample, it is possible to estimate that more than 28,000 officers nationwide have been furloughed for at least 40 hours this year, which is equivalent to more than 500 full-time positions.

Staffing Reductions through Attrition

As agencies are doing all they can to avoid layoffs and furloughs, many are instituting hiring freezes in order to balance operational budgets through voluntary departures.

- In the survey by National League of Cities, the most common reaction regarding personnel-related cuts made in 2010 was hiring freezes (74 percent) (McFarland 2010).
- In the 2011 National Association of Counties survey, 41 percent of responding counties stated they had instituted hiring freezes as a means of adjusting their budgets in light of revenue shortfalls (Byers 2011).
- Thirty-six percent of agencies who responded to the PERF survey stated they had experienced reduced staffing levels through attrition (PERF 2010).

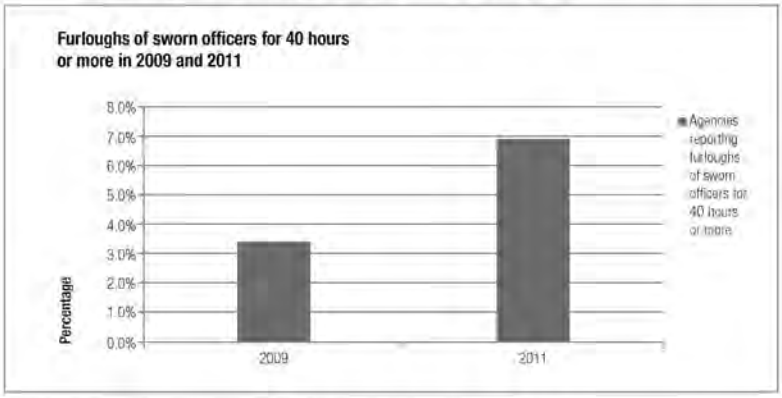

Figure 7. Comparison of agencies reporting furloughs for 40+ hours in 2009 and 2011

Source: The COPS Office

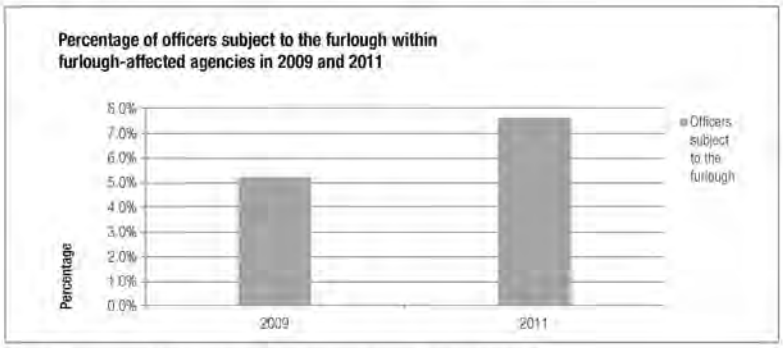

Figure 8. Comparison of the percentage of officers subject to furloughs in 2009 and 2011

Source: The COPS Office

- According to the 2011 CHP data, 43 percent of total applicants indicated they had sworn positions that went unfilled due to budget restraints.

Shift in Average Number of Officers per Population Served

LEMAS reports from 2004 and 2008 show the average officers per population to be about 250 per 100,000 (see Figure 9) (LEMAS 2011). This can vary dramatically across the country and between types and settings of agencies, but that number did hold steady for the 10 years prior to the recession.

In 2009, the CHP applicants had (across all agency sizes) an average of 215 officers per 100,000. In 2011, CHP applicants (across all agency sizes) had an average of only 184 officers per 100,000 (see Figure 9). Again, looking at the sample of applicants who applied in both years with more than 10 officers:

- In 2009 the sample agencies averaged 189 officers per 100,000
- By 2011 that average had dropped to 181 officers per 100,000

While this may not seem like a dramatic difference, statistical analysis revealed it to be significant, meaning that it is a greater decline than we would expect to see through random chance. In addition, the 1,569 agencies in our sample serve 4.2 million people, so the impact of even small decreases can likely be felt by many. However, this result could also be due to sample bias—meaning agencies with a lower number of officers per thousand are more likely to apply for COPS Office grant funding.

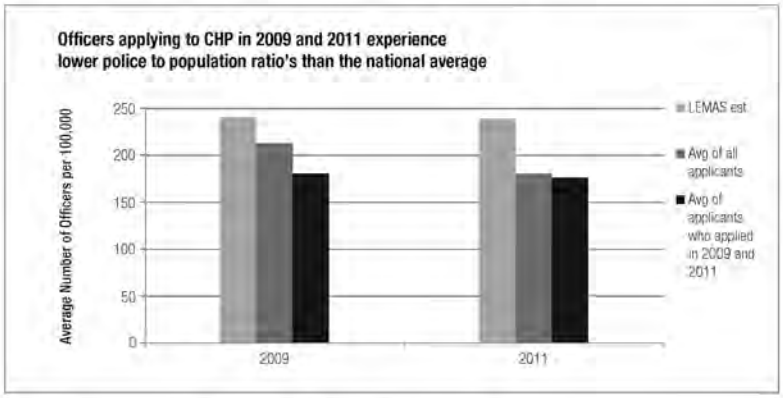

Figure 9. The average number of officers per 100,000 among CHP applicants compared to national average

Sources: Bureau of Justice Statistics and The COPS Office

COPS Hiring Program Provides Relief to Agencies Suffering from Personnel Reductions

IN THE NEWS:

BURTON, MICHIGAN – The Burton Police Department has used 2010 COPS funding to rehire two officers who were laid off as a result of budget cuts. Police Chief John Benthall said the grant "will help the Burton Police Department to maintain adequate services in the city of Burton." Budget cuts required the department to lay off two officers while losing three to attrition. In rehiring these two officers, Burton is able to "bring our police force back up to a good level," Benthall stated, and they were "ecstatic to get the news" (Acosta 2011).

FEDERAL WAY, WASHINGTON – "I'm planning to utilize this grant to maintain officers I'd otherwise have to terminate." – Police Chief Brian Wilson of Federal Way, Washington, said of the $1.03 million award the agency received in 2010 (Howard 2010).

EGG HARBOR TOWNSHIP, NEW JERSEY – Five Egg Harbor Township police officers who received layoff notices earlier in the year were able to stay on the job after the township was awarded $1.1 million through the COPS Hiring Program. "This should be a major relief to those young officers who went through the layoff ordeal in the past 2 years, serving the township the best they could while continuously worrying what will occur in 2011," Chief Blaze Catania said in a statement. "I'm very happy for them and what this means to the township and its citizens" (Rose 2010).

TULSA, OKLAHOMA – In January 2010 the Tulsa Police Department was forced to lay off 124 officers due to budget cuts. According to Tulsa Deputy Police Chief Daryl Webster, "There probably hasn't been a layoff in this department since the Depression." However, with the help of COPS funding, 18 Tulsa police officers who were laid off were re-hired. "You're talking about [reinstating] almost an entire shift of officers in one of our divisions….Certainly, it's a blessing," Webster said (Loren 2010).

BEATRICE, NEBRASKA – In 2009, the city of Beatrice received COPS funding that allowed them to retain one officer who would have otherwise been laid off. Police Chief Bruce Land said the grant will significantly impact the community. With a police force of only 22 officers—a percentage of only 1.8 officers per 1,000 residents—"To lose even one position would be a great loss," Land said (Masoner 2009).

PEORIA, ILLINOIS – The jobs of 10 Peoria police officers were saved through funds from the COPS hiring grant. The news came to the city just days after they had to make the hard decision to lay off 13 officers because of budget reductions. "This is good for the officers, this is good for the community, and this is good for the (City Council)," said Peoria Police Chief Steven Settingsgaard during a 2010 news conference. The department had lost 33 police officers the previous year in order to close a $14.5 million budget deficit. Settingsgaard stated: "The thought of seeing another significant layoff here at the Police Department has been weighing heavy on our minds. The grant could not have come at a better time and it will directly benefit the community by keeping more police officers in the streets" (Oldendorf 2010).

Effects on Delivery of Services

The effects of such staffing reductions are likely to influence the capacity of law enforcement agencies to provide the same services, in the same ways, as they have in the past. The PERF study revealed that this indeed is the case for many of their respondents. Nearly half (47 percent) of the responding agencies surveyed by PERF indicated that budget cuts had already caused or will cause changes in the services they provide to their communities. Further:

- Eight percent of departments surveyed are no longer responding to all motor vehicle thefts.
- Nine percent of departments are no longer responding to all burglar alarms.
- Fourteen percent of departments are no longer responding to all non-injury motor vehicle accidents (PERF 2010).

The MCCA survey found that 25 percent of their respondents had experienced service reductions as a result of budget cuts. Of those agencies, the following are ways in which the agencies compensated for such budget reductions:

- Seventeen percent of respondents said that their agency had stopped responding to some calls for service.
- Forty-three percent stated they had increased the use of telephone reporting, along with 30 percent who had increased the use of online reporting.
- Twenty-six percent stated there had been a reduction in investigations follow-ups, specifically related to property crimes, fugitive tracking, non-felony domestic assaults, financial crimes, computer crimes, narcotics, and traffic cases (MCCA 2011).

Changes in Policies and Procedures

Delivery of services is not the only area of law enforcement that is suffering due to budget cuts. Police policies and practices are undergoing a transformation in order to adapt to the economic changes. PERF found that two-thirds of their responding departments reported that they had reduced or discontinued training programs because of their limited budgets. More than half stated that they have cut back or even eliminated plans to obtain new technology (PERF 2010). The various ways departments responding to the survey have felt the impacts on policies can be seen in Table 3 on page 21.

Table 3. PERF study respondents indicating impacts of reduced budgets on policies

Percentage of PERF Study respondents indicating impacts of reduced budgets on policies	
Reduced out-of-town travel?	72%
Reduced or discontinued training?	68%
Considered increasing fees for police services?	60%
Cut back or eliminated plans to acquire technology?	55%
Discontinued special units (e.g., gang, traffic enforcement)?	38%
Implemented or considered a tax increase to avoid police service cuts?	35%
Discontinued take-home cars?	31%

Source: Police Executive Research Forum

The MCCA survey showed similar responses to questions relating to areas that had been cut as a result of budget reductions, as shown in Table 4.

Table 4. MCCA study respondents indicating impacts of budget cuts

Respondents of MCCA Study who indicated budget cuts were made in the following areas	
Travel	61%
Vehicles	61%
Training	48%
Aviation	48%
Community Policing	39%
Narcotics Enforcement	35%
School Resource Officers	22%
Federal Task Forces	22%

Source: Major Cities Chiefs Association

The IACP Survey further mirrored these trends, as shown in Table 5.

Table 5. IACP survey respondents indicating impacts of budget cuts (IACP 2011).

	Yes
Has your agency had to cut back on training?	60%
Has your agency had to cut back on buying or upgrading major equipment, such as vehicles in the last year?	64%
Has your agency cut back on buying or upgrading major technology such as In-Car Cameras or LPTs in the past year?	58%

Source: International Association of Chiefs of Police

Law Enforcement Service Reductions

IN THE NEWS:

CAMDEN, NEW JERSEY – "After the layoffs of 163 police officers, Camden is feeling the impact. Callers to 911 who report things like home burglaries or car break-ins are asked to file a report over the phone or at police headquarters; officers rarely respond in person. 'If it doesn't need a gun and a badge at that location,' officers are not sent, the city's police chief, J. Scott Thomson, said last week" (Goldstein 2011).

OAKLAND, CALIFORNIA – "Cutbacks…have forced police to tell residents to file their own reports—either online or in writing—for break-ins and other lesser crimes. 'If you come home to find your house burglarized and you call, we're not coming,' said Oakland Police spokeswoman Holly Joshi. The city laid off 80 officers from its force of 687 [in July] and the department can't respond to burglary, vandalism, and identity theft" (Johnson 2010a).

PERF – "For the first time, because of the economy, police departments…may have to change how they do business," says Chuck Wexler, executive director of the Police Executive Research Forum. "People will see a change in basic delivery of services," from longer police response times to a dramatically reduced police presence in some communities (Johnson 2009).

SACRAMENTO, CALIFORNIA – "The Sacramento Police Department is dealing with severe budget cuts this year, including fewer officers and task forces. A total of 43 officers lost their jobs, and the narcotics unit and gang unit was cut all together. The police department also does not respond to home burglaries unless they are in progress, and they don't respond to minor traffic accidents unless some type of crime is involved" (Maher 2011).

Civilianization

Some police agencies have also begun shifting some of the duties typically reserved for sworn staff to civilian employees as a means of cost savings. The term civilianization generally refers to a law enforcement agency's hiring of non-sworn personnel in order to replace or supplement its current sworn staff (Forst 2000). In utilizing civilians to perform duties typically performed by sworn staff, police departments are able to save money primarily through lower pay, reduced training requirements, and smaller overhead requirements. According to a study by American University Professor Brian Forst on *The Privatization and Civilization of Policing*, estimates from New York City indicate the average cost of civilian employees is about one-third to one-half that of a sworn officer, even when they are performing the same functions (Forst 2000).

More and more cities across America have begun to make the shift toward civilianization under the current budget constraints. In fact, 22 percent of respondents in the IACP survey stated their departments had begun shifting sworn responsibilities to non-sworn personnel (IACP 2011).

Police Civilianization

IN THE NEWS:

MESA, ARIZONA – The Mesa Police Department has begun using civilians for everything from crime scene processing to fraud investigations. They created a team of nine civilian investigators who make 30 to 40 percent less than an officer. In 2010, the unit handled about 50 percent of all burglary calls (Adams 2011).

OKLAHOMA CITY, OKLAHOMA – In Oklahoma City, civilians working as part-time police ambassadors help relieve some of the light duties formally performed by police, such as giving directions or working special events. For $9 an hour, these civilians provide a significant cost savings for the department. Sergeant Baxter of Oklahoma City PD has said, "They do provide what I believe is a vital service. They do help the police departments and officers out on the streets" (Loren 2010).

SAN FRANSICO, CALIFORNIA – "In San Francisco, the police department unveiled a test program last year [2010] that uses civilian investigators to respond to nonviolent crimes. They interview victims and witnesses, write reports, take crime scene photos, and collect fingerprint and DNA evidence" (Fenton 2011). "The $1 million pilot program and others like it are being designed to allow dwindling numbers of uniform officers to focus on more serious violent crime. San Francisco Assistant Chief Thomas Shawyer says the civilians will save up to $40,000 per person in training, equipment, and benefit costs required to hire an officer" (Johnson 2010b).

In BJS's report, *Census of State and Local Law Enforcement Agencies*, 2008, analysis reveals that between 1992 and 2008 the number of sworn full-time personnel in state and local law enforcement agencies grew by 34 percent, with the growth among civilian personnel (a 54.7 percent increase) outpacing growth among sworn personnel (a 25.9 percent increase). In 2008, civilian employees accounted for 32.5 percent of full-time employees in U.S. law enforcement agencies compared to 28.2 percent in 1992. Based on the 2008 BJS survey, sheriff's departments had a substantially higher proportion of civilian employees (48.2 percent) than local police departments (22.5 percent). The civilianization trend between 1992 and 2008 was much more pronounced in sheriff's departments relative to local police departments. Between 1992 and 2008, the number of civilian employees employed by sheriff's departments grew by 91 percent (relative to 34.0 percent growth in sworn employees). In contrast, the growth of civilian employees among local police was more modest at 26.7 percent (and only slightly above the 23.1 percent growth of sworn employees) (CSLLEA 2008).

Law Enforcement and Private Security Collaboration

The combination of increased demands and stagnant or declining local law enforcement resources makes it clear that, now more than ever, law enforcement agencies must pursue all reasonable avenues for collaboration with private security. Private Security is defined in the COPS publication *Operation Partnership* as, "both the proprietary (corporate) security and contract security firms across the full spectrum of security services and technology" (Law Enforcement – Private Security Consortium 2009).

At the field level, private security has the potential to reduce the cost of public law enforcement.

- In Las Vegas, Wilmington (DE), Minneapolis, New York, and other cities, law enforcement's ability to view private security closed-circuit television (CCTV) cameras has the potential to save taxpayer money that would have otherwise been spent to buy this same equipment.
- In Durham, North Carolina, and in several counties in Florida, private transit security officers are being used on public transit systems (Law Enforcement – Private Security Consortium 2009).

Data from the 2011 National Survey of County Elected Officials indicate that 23 percent of surveyed officials stated that their county has privatized one or more services once supplied by the county government due to economic conditions (McFarland 2010).

Using Volunteers

Another technique that is being used by law enforcement agencies to help manage personnel cutbacks is the use of volunteers whenever possible. In the Department of Justice National Institute of Justice report on "Strategic Cutback Management," supplementing staff with volunteers when feasible is highlighted as having significant cost saving potential (Wiseman 2011).

Using volunteers to help supplement sworn staff is a possible way for law enforcement agencies to continue to enhance the safety of the community, through increasing the efficiency of sworn personnel and promoting the partnership of citizens and police in a time when police agencies are losing manpower. The North Miami Beach Police Department Neighborhood Services and Inspections (NSI) Unit has taken volunteerism to a unique level by using police "recruits from local academies to volunteer their time to gain experience in the field." The NSI Community Policing Cadet Program allows "these cadets [to] patrol the city for quality of life issues, offering a valuable service—providing free services to the agency" (Alqadi 2011).

Agencies across the nation have begun to take part in volunteer programs after the creation of the USA Freedom Corps (USAFC) by President Bush in 2002, which resulted from the September 11, 2001 attacks. The national Volunteers in Police Service (VIPS) Program provides access to resources and information for and about law enforcement volunteer programs of all kinds and is one of five Citizen Corps partner programs that developed as part of the USAFC initiative. The program aims to improve the ability of state and local law enforcement to utilize civilian volunteers (Volunteers in Police Services 2011a). IACP manages and implements the VIPS Program in partnership with the White House Office of the USAFC and the U.S. Department of Justice Bureau of Justice Assistance.

In 2009, IACP conducted a survey of 115 law enforcement agencies that had registered VIPS Programs. The data provide a good overview of law enforcement volunteerism from the field's perspective. Of the 115 respondents, the following responses were rated according to perceived importance. The percentages below represent the number of respondents who indicated that the described factor was "important" or "very important"

- Ninety-four percent cited added value to the department
- Ninety-two percent cited the ability for officers to respond to more pressing needs
- Ninety percent cited it increased their ability to provide additional service
- Eighty-five percent cited enhancing citizens understanding of the police (Volunteers in Policing Services 2011b)

IACP has also found a vast increase in the number of volunteers that are being used by law enforcement agencies to perform police duties since 2004 (see Figure 10) (Johnson 2010b).

Furthermore, 43 percent of MCCA survey respondents reported that they increased the use of volunteers as a means to compensate for budget reductions (MCCA 2011).

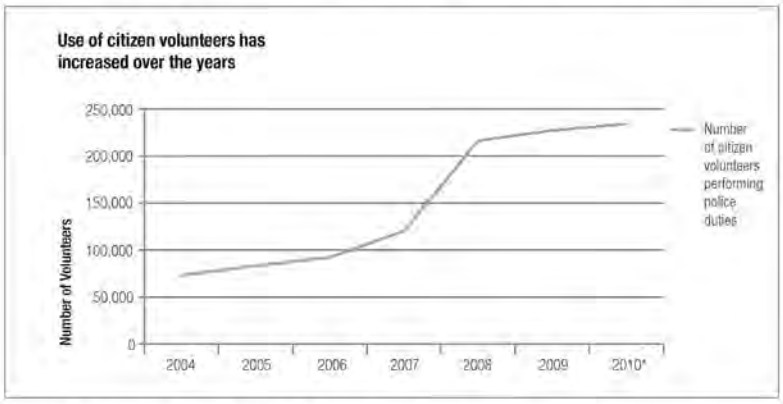

Figure 10. Data provided by IACP on the number of citizen volunteers used by police agencies from 2004 to 2010

* Data are through 10/6/2010

Source: International Association of Chiefs of Police

Law Enforcement Agency's Use of Volunteers

IN THE NEWS:

RICHLAND, WASHINGTON – "In Richland a group of nearly 40 volunteers is taking on the smaller tasks, lightening the workload so cops can stay focused on more serious threats—all for free.... Richland's Police Volunteers logged more than 600 hours just last month, providing that sense of security to more and more people" (Vedadi 2011).

DURHAM, NORTH CAROLINA – "Teams of civilian volunteers help police canvass neighborhoods immediately after murders and other violent crimes, to help responding units and put potential witnesses at ease. Durham Chief Jose Lopez says other volunteers in city-issued cars patrol shopping centers during the busy holiday seasons and conduct property checks for residents who are away from home. 'They are additional eyes and ears for us,' Lopez says. 'It effectively puts more people on the street'" (Johnson 2010b).

WACO, TEXAS – "Students from Baylor College, Texas State Technical College, and McClennan Community College can earn college credit in political science while learning about the law enforcement profession first-hand. Citizens on Patrol student volunteers help patrol the Baylor campus and direct traffic during special events. The patrol is especially active during Christmas break and other school holidays, when fewer 'eyes and ears' are typically around to report crimes" (USAonWatch n.d.).

LOS ANGELES, CALIFORNIA – Due to a $100 million cut in budget, LAPD will use volunteers to fill the gap. Currently there are 700 unpaid workers in its Reserve Corps—saving the city about $5 million each year (Hillard 2011).

Technology as a Force Multiplier

Around the country, cash-strapped communities are looking for any way to boost efficiency and cut spending. As indicated in several of the current surveys, many law enforcement agencies have been forced to reduce or entirely cut their budgets for technology (more than half of the PERF study respondents stated they had cut back or eliminated plans to acquire technology) (PERF 2010). However, other police agencies are shifting their operational models to include the use of technology systems that can help agencies to improve outcomes and increase efficiency. Certain technologies such as Closed-Circuit Televisions (CCTVs) and Light-Based Intervention Systems (LBIS) can act as force multipliers through incident intervention and crime prevention, without requiring the immediate presence of an officer (Cordero 2011).

A recent COPS publication, *Evaluating the Use of Public Surveillance Cameras for Crime Control and Prevention*, studied the public surveillance systems in Baltimore, MD, Chicago, IL, and Washington, D.C. A cost-benefit analysis was used to analyze the cost of the surveillance systems with the savings from victim and criminal justice costs. One neighborhood in Chicago alone saw a cost savings of $4.30 for every dollar that was used for the system. Most law enforcement agencies have to balance the cost of implementing, maintaining, and training for a new piece of technology with the savings that this technology will bring, and this study provides some interesting examples (La Vigne et al. 2011).

Some agencies have increased the use of a type of geographical technology called the Tactical Automatic Vehicle Locator (TAC-AVL) which is used to reduce police response times to emergency calls. TAC-AVL provides commanders the locations of patrols cars with a real-time map of the city, allowing them to determine whether the vehicles are in the right place at the right time (Mayer 2009). Efficient management of resources is crucial for agencies with limited manpower. Automated Emergency Dispatch Systems (AEDs) are used in some agencies to automate emergency police dispatch by electronically locating and dispatching the nearest available patrols (Cordero 2011).

A new trend developing in law enforcement agencies today is the use of social media. According to a PERF survey, 86 percent of responding agencies used some form of social media, including Facebook, Twitter, MySpace, YouTube, and Nixle. Social media provides a cost effective avenue for police to communicate directly with their communities, as well as receive information and feedback from those that they serve (Johnson 2011).

Police Use of Technology as Force Multiplier

IN THE NEWS:

ALBUQUERQUE, NEW MEXICO – Albuquerque police have led the way in utilizing technology and social media to make up for the loss of officers and resources due to budget cuts. Their system provides "real-time investigative information to private business groups on interactive websites to help stop theft rings, locate violent crime suspects, and track fugitives. Police Chief Raymond Schultz has said that the system has helped make up for the loss of about 60 officers over the past 2 ½ years. The Albuquerque model is now being replicated in agencies in Georgia, Minnesota, Washington, and California" (Johnson 2011).

CAMDEN, NEW JERSEY – Camden Police use a combination of GPS, gunshot detectors, and CCTVs to identify problem areas and dispatch officers to those places, which is more efficient than waiting for calls for service. "Technology can never fully replace an officer," said Camden Police Chief Scott Thomson, whose department of 250 officers has been nearly cut in half since 2006. "We are just trying to leverage technology…to appear bigger than we are" (Johnson 2011).

FULTON COUNTY, GEORGIA – "Fulton County has received permission from the Board of Supervisors' Public Safety Committee to accept a one-time state grant of $30,000 for teleconferencing equipment…. The Sheriff's Department currently spends about 6 hours a day [at the courthouse]; 'The video teleconferencing will help reduce transportation costs' by allowing computerized court appearances" (Anich 2011).

BELMONT COUNTY, OHIO – "A juvenile court in eastern Ohio has found that instituting video court hearings has decreased costs and increased the delivery of swift services. Juvenile Court Judge Mark Costine who began the program has found that by reducing the number of prisoner transports, the sheriff's office has saved $50,000 year, while the video installation only cost about $7,000. Judge Costine notes; 'All the courts have these issues of transportation of prisoners….We have found a way to make the hearings go faster and also save money'" (Long 2011).

The Boca Raton (Florida) Police Department has created a social media project called VIPER (Visibility, Intelligence, Partnerships, Education, and Resources), which provides the community with a forum to share crime tips, view recent mug shots, receive information, or even request emergency services (Madeiros 2011).

Chuck Wexler, the executive director of PERF, has said: "Departments are looking to technology as a force multiplier. They are using this technology to better manage fewer resources, because just saying 'We don't have enough officers' isn't cutting it with the public" (Johnson 2011).

Another example of how technology has been leveraged by police agencies forced to reduce spending, is through the use of video teleconferencing. For judicial proceedings that had previously required inmates to appear in court, and therefore required an official to transport them, videoconferencing provides some agencies with an efficient and resourceful tool to provide services at a reduced cost. Through the use of teleconferencing equipment, court proceedings are able to be held via video as lawyers discuss their cases in front of the judge, instead of having a constable, sheriff, or police officer transport the defendants to court.

A survey conducted by the Administrative Office of Pennsylvania Courts' (AOPC) Office of Judicial Security, on the use of video conferencing as a means of conducting preliminary arraignments and other judicial proceedings, found that utilization of this technology had a cost savings potential of $21 million annually. Results from the study showed that on average, more than 15,700 proceedings are currently being held via video conferencing in Pennsylvania, resulting in a cost savings of about $1.7 million monthly (AOPC 2011).

Eliminating court transports has the potential to save agencies both monetarily and through officer productivity. A typical prisoner transport involves one officer and one car for what can take up to an entire day. The AOPC study found on average it costs $73 to transport a defendant to and from a local facility and an addition $588 to transport to and from a state correctional institution (AOPC 2011). The cost savings realized as a result of implementing this new method of service delivery have been staggering in some places, including annual savings of $30 million in Pennsylvania, $600,000 in Georgia, and $50,000 in Ohio from transportation costs alone (Long 2011).

Effects on Organizational Management

With agencies nationwide struggling to uphold their levels of service while losing personnel, many have been forced to consolidate efforts with neighboring agencies. The term *consolidation*, as used here, describes a number of concepts related to the pooling of resources between law enforcement agencies. In 2007, the New Jersey State Association of Chiefs of Police published the white paper *Police Department Regionalization, Consolidation, Merger & Shared Services: Important Considerations for Policy Makers*, and defined the different types of consolidation efforts as follows:

Shared Services: Is when two or more agencies combine certain function units, such as emergency communications, SWAT, dispatch, or records.

Local Merger/Consolidation: When two separate police agencies form a single new unit.

Regionalisation: When a number of jurisdictions combine efforts to police a geographic area rather than a jurisdictional one. The new entity does not contain elements of any existing agency—either the jurisdictions had no previously-existing police department, or those that existed have been disbanded.

Contract Services: Is when a formal contract to pay for law enforcement services is provided by one jurisdiction to one or more other jurisdictions (NJSACOP 2007: 2).

State and local law enforcement agencies throughout the country are finding the need to develop effective methods and strategies in order to compensate for their dwindling resources. In order to keep communities safe in an affordable and cost effective way, some police agencies are combining their efforts to optimize productivity and increase efficiency (Cordero 2011).

Studies of Law Enforcement Agency Consolidation

- In the 2011 National Survey of County Elected Officials, 26 percent of respondents said that their county had consolidated services with another county government in response to economic conditions. Further, another 31 percent said that their county has participated in discussions regarding the consolidation of services (McFarland 2010).
- One quarter of IACP survey respondents referenced innovative multi-jurisdictional arrangements their department was taking to promote cost-effective service delivery, including:
  - Joint task forces, combinations that include police, sheriffs, state police, and constables.
  - Service/function-specific resource sharing, including crime scene technicians, dispatch, SWAT, Hazmat, laboratories, and training (IACP 2011).
- Seventy-seven percent of IACP survey respondents said that their agency has been asked to increase its support of other agencies (IACP 2011).
- Seventy percent of MCCA survey respondents stated that they had used consolidation of functions as a means to compensate for budget reductions (MCCA 2011).
- In the 2011 National Association of Counties survey, 38 percent of respondents said that they had been approached by other units of the government during FY2010 about consolidating various activities. Of those approached, 23 percent said they have consolidated law enforcement and/or fire protection (Byers 2011).
- In the 2011 National Survey of County Elected Officials, 56 percent of respondents indicated that their county had cooperated regionally to reduce the cost of services (McFarland 2010).

- A study conducted by Cumberland County, New Jersey, found that the cities could collectively save $4.5 million over 5 years through consolidation (Zager 2011).
- Somerville, New Jersey, also conducted a study, which found that regionalizing their municipal police services under one county umbrella could save about $18 million a year (Cooper 2011).

Regionalization and Consolidation

IN THE NEWS:

MINNEAPOLIS/SAINT PAUL, MINNESOTA – In the Twin Cities of Minneapolis/Saint Paul, the Police Authority and the San Anselmo Police Department began taking steps towards consolidation by sharing some dispatch services and officers. The proposed plan would save San Anselmo $51,000 immediately, and another $113,000 in the future (Dunleavy 2011).

PORTAGE, MICHIGAN – Portage has consolidated the police and fire departments. The city's police chief has taken the role of public safety director, reporting directly to the deputy city manager, and is responsible for the overall management of both the fire and police departments (Hall 2011).

NEW JERSEY – Berlin Township, Berlin Borough, and Waterford Township Police Departments in New Jersey have developed their own approach to sharing public safety services by combining their police detectives in a shared investigative bureau. Further, Berlin's volunteer fire department is being used to staff evening hour shifts in order to save costs (Mast 2011).

CAMDEN COUNTY, NEW JERSEY – Camden County is developing alternate plans for regionalized special services, such as a central detective bureau and SWAT (SNJDC 2011).

MARION COUNTY, OREGON – "Marion County Board of County Commissioners (Fire Rescue/Public Safety Communications) and the Marion County Sheriff's Office are initiating efforts to combine their dispatch services. County and Sheriff's Office staff determined that consolidating those efforts would create a recurring savings of $370,000 per year" (Bryant 2011).

LANSING, MICHIGAN – "A plan to consolidate Lansing's north and south police precincts could save the city $535,380 in rent, utilities, and janitorial services by the 2015 fiscal year" (VanHulle 2011).

GREENFIELD, CALIFORNIA – The Greenfield City Council approved an agreement to merge its police force with the city of Soledad's. City Manager Brent Slama stated, "'Given the fiscal realities facing our cities, especially the four south Monterey County cities, regionalization is going to be important [in the future].' The Soledad proposal is projected to save Greenfield $158,699 beginning in the 2012–13 fiscal year. David Cariaga [a representative of both Greenfield Police associations] stated, 'It's the best solution to keep the men and women in the department working and…it's creating a savings for the city'" (Vijayan 2011).

BROWARD COUNTY, FLORIDA – "Facing an estimated $9 million deficit, mostly for police and fire services, Lauderdale Lakes has asked the Sheriff's Office for help. The solution came in the form of consolidation between Lauderdale Lakes and the unincorporated Central Broward district, which will save a combined $3.4 million. 'Many of our cities ought to look to merge with each other and have economies of scale and save the taxpayers a lot of money,' Broward County Commissioner Dale Holness said at a June County Commission workshop" (East 2011).

The Importance of Community Policing in Tough Financial Times

Many of the cost saving techniques discussed within this report are directly related to community policing efforts. Community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime (COPS Office 2009a). The three tenets of community policing—community partnerships, organizational transformation, and problem solving—are of increased importance when facing budget cuts that reduce the number of officers on the streets.

Collaborative partnerships to develop solutions to problems and increase trust in police can be seen in many of the solutions police agencies are using in light of the economic downturn. Specifically, the use of volunteers, partnerships between the police and private agencies, and the use of social media as a means to communicate effectively with the community in order to meet their needs, are all examples of how collaborative partnerships act as a cost-saving tool.

Organizational transformation exists through the alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem solving. From its inception, community policing's goal is one of forging strong relationships between law enforcement and the communities they serve. It aims to redesign the practice of public safety into a collective, collaborative effort (COPS Office 2009a).

The current economic crisis, which has thwarted many police activities, requires police agencies to place a greater emphasis on problem-solving techniques. By engaging in the proactive and systematic examination of identified problems and developing and rigorously evaluating effective responses, they will be able to best use the limited resources that are available to them.

Unfortunately, when agencies are forced to make widespread budget cuts, some have done so by reducing or eliminating some of their community policing programs. In fact, according to the MCCA survey, 39 percent of respondents who have reduced budgets stated that those budgets cuts were made to their community policing efforts (MCCA 2011).

Herein lies one of the major fallacies as it relates to community policing. Community policing should not be viewed as a particular program within a department, but rather as a department-wide philosophy. Programs are typically initiated as a response to a specific problem, in which only a small portion of the organization is involved and once the problem has been addressed the program is dissolved (Trojanowicz and Bucqueroux 1994). Instead, community policing must be understood as a philosophy that promotes the systematic use of partnerships and problem-solving techniques to proactively address the conditions within a community that are cause for public concerns over crime and social disorder issues (Melekian 2011d).

Community policing is an organizational strategy. It can be used to govern the way police services are delivered, recognizing the police officer as an organizer of resources in pursuit of public safety rather than someone designated to perform specific tasks (Trojanowicz and Bucqueroux 1994).

In an article in *The Police Chief*, COPS Office Director Melekian articulates the importance of the community policing philosophy in the face of the current economic climate. He argues that the downturn in the economy has affected the country in ways that could not have been predicted even 5 years ago. The enhancement of community policing and the myriad of social outreach programs that have been employed by local law enforcement were initially brought about in large measure by the combination of federal grant dollars and readily available local funding sources. That financial foundation is now in serious jeopardy in many local jurisdictions.

Melekian further highlights how some have made the argument that these economic challenges may compel us to abandon community policing because we simply cannot afford it (Melekian 2011d). However, experience has shown that community policing is a more cost-effective way of utilizing available resources than simple traditional policing practices, for a number of reasons. Primarily, community participation in crime-prevention amplifies the amount of available resources, while community partnerships used to address problem solving provides a more efficient distribution of combined police and community resources than simply reactive policing program models (Brown 1989).

The Importance of Community Policing in a Recession

IN THE NEWS:

CONCORD, MASSACHUSETTS – Deputy Police Chief Barry Neal has utilized the proactive approach of community policing to prevent crime and reduce victimization. "We recognize that we can't solve problems alone, we need to engage the community and work in partnership with them," he said. "It gives us direct daily face-to-face contact between the community and the officers, and also gives us the ability to prevent problems from occurring instead of reacting to them" (Ball 2009).

ALBUQUERQUE, NEW MEXICO – Chief Schultz of Albuquerque is having officers develop partnerships with retailers to address shoplifters and boosters. The Police Department has experienced a 20 percent reduction in their workforce and is developing partnerships with retailers with the goal of sharing information in order to link petty crimes together to prosecute larger and stronger cases and get repeat offenders off the street. In addition, they are offering rewards to housekeepers at hotels to report the accumulation of large amounts of merchandise, which can often be found in hotel rooms (Stelter 2011).

KANSAS CITY, MISSOURI – "When we talk in Kansas City about 'doing something different,' a mention of community policing usually follows. And surely, the thought of police officers working hand in hand with neighborhood folks is enticing. But successful, citywide community policing would require a culture change for a police department that places more faith in arrest statistics than relationships as a crime-fighting tool. [In looking for a new police chief, Kansas City] believes a chief who finds a way to make it acceptable, indeed desirable, for officers to connect with citizens and help solve problems will be the start of the change that everyone talks about" (Shelly 2011).

Conclusion

In 2008, the entire country was introduced to the largest fiscal crisis since the Great Depression. Many who have worked in the field for decades have never seen an economic situation that has affected law enforcement like the one our country currently faces. As cities and counties across America are experiencing a downturn in local revenues, the effects on public safety budgets have been significant. Americans are faced with a new economic reality, in which they are challenged to develop new and innovative ways to leverage resources and maximize productivity in the face of diminishing financial means. Police agencies have not escaped the effects of shrinking revenues. In fact, the economic challenges facing many Americans are amplified when it comes to public safety.

To compensate for shrinking budgets, many individuals focus on what can be sacrificed from their normal lifestyle in order to offset the reduction in available spending. Families may forego their annual summer vacation, or choose to only shop in discount stores rather than their favorite department stores. However, law enforcement agencies face the more difficult and ever important task of maintaining the same quality of service that they always have provided despite a severe reduction in available resources. Therefore, to successfully deliver the high levels of community protection and emergency responsiveness communities depend on, law enforcement agencies must develop new and innovative techniques to address the needs of their communities in cost-effective and sustainable ways.

The recognition and acceptance of this new economic reality is more important than ever in developing strategic management practices to ensure the effective and efficient delivery of police services. Never before has the law enforcement community experienced such significant cuts to operating budgets and available resources. Rather than continuing to provide services through traditional means in hopes that the economy will return to pre-recession levels, police nationwide are shifting, adapting, and redeveloping the ways in which they do their job—to ensure the highest levels of public safety.

In every corner of the United States, state, local, and tribal police departments are being forced to lay off officers and civilian staff, or modify their operations as a result of budget cuts. Over the last 2 years, many agencies have experienced considerable affects from budget constrictions, including mandatory furloughs and hiring freezes, which have resulted in significant reductions in staffing levels never experienced before. Indeed, American law enforcement is changing, and the effects are likely to last over the next 5 to 10 years, if not longer.

While the exact nature of how these changes will take place is unclear, the data within this report suggest that changes may occur on several fronts. First, there may be greater application of "force-multiplier" technologies such as closed-circuit TVs, automated

emergency dispatch systems, video teleconferencing equipment, and social media usage. Utilization of technologies such as these has the ability to provide law enforcement agencies with a way to maximize available information while alleviating the need for an immediate response.

Another fundamental alteration that has been seen in delivery of police services as a result of the changing economy is the increased application of non-sworn individuals—both as employees and as volunteers. More and more police agencies have begun to shift some of the responsibilities that have traditionally been performed by sworn staff to civilian personnel as a means to mitigate payroll costs and maintain staffing levels. Further, some agencies have even engaged citizen volunteers to help alleviate the strain on police work loads. Such approaches can provide sworn staff with more time to focus on pressing and time-sensitive issues that can only be successfully managed by a law enforcement officer.

Some agencies have had to drastically change their methods for handling non-emergency situations and administrative duties. Many police agencies are no longer able to dispatch an officer to every call for service. Instead, more often police managers are forced to direct their resources to focus on situations which pose the most threat to public safety. For example, some agencies are no longer able send officers to collect crime reports for cases that don't involve suspects, or dispatch patrol officers to every non-emergency/non-injury service call. The primary focus on law enforcement is protecting the safety of their communities. Therefore, agencies experiencing limited resources must adjust their approach to focus in on situations that are an immediate threat to public safety.

A more drastic change that is being seen as a result of the economic downturn is the increase in the number of agencies combining efforts and resources through consolidation, shared services, and regionalization. When agencies are faced with maintaining services levels with less and less, collaborating or combining agency's efforts often is the only way to maximize available resources, training, and information.

As this report has shown, the recent economic downturn has placed serious constraints on police budgets and severely diminished the availability of resources. As an additional step to help compensate for declining resources, many departments have also begun collecting and disseminating crime data in real-time via new technology. This has allowed for the effective management and strategic deployment of resources to focus on specific problems as they develop. With the increased use of technology and information-sharing policies being institutionalized throughout many police departments nationwide, it has become essential that the collection of national census data relating to law enforcement agencies be collected with the same urgency.

It is crucial for policy makers to create proactive, aggressive, and productive problem-solving strategies based on relevant and current data. However, the delay in the current methods of data collection and dissemination makes it difficult to present an accurate

picture of the state of police agencies as things happen. In turn, a true understanding of the challenges confronting law enforcement agencies as seen through comprehensive analysis takes time and resources. It will be important for federal partners to collaborate on a way to collectively participate in data collection efforts in the future that will increase the availability of up-to-date data, and its analysis and dissemination. By collecting data more frequently and comprehensively, policy makers and government agencies will be able to adjust and realign their strategic goals to provide relevant assistance where law enforcement agencies need it most.

Institutionalization of the community policing philosophy is vital to the ability of law enforcement agencies to succeed and thrive in the current economic climate. Agencies must systematically use partnerships and problem-solving techniques to proactively address the problems that their communities are facing. Development and enhancement of symbiotic relationships between police and the communities they serve is key to ensuring community safety.

It is clear that the challenges facing America as a result of the economic decline that began in 2008 have been significant. Law enforcement communities are facing a new reality in American policing—one that requires a shift in the methods they use to uphold levels of service while dealing with ever shrinking budgets. However, the importance of maintaining and expanding community policing practices during this time of economic hardship is paramount. Research and feedback from the field indicate that community policing is a successful practice in both small and large agencies with significant public safety problems. Thankfully, many of the law enforcement agencies in the United States already practice community policing, and more are coming to recognize the value of community partnerships in this time of limited resources.

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The economic crisis that began in 2008 has changed America in many ways. Unemployment rates have increased sharply, the stability of the housing market has collapsed, consumer spending has slowed, and city revenues have lessened. Law enforcement agencies are some of the hardest hit by the current economic climate, and they face a new reality in American policing—one that requires a shift in the methods they use to uphold levels of service while dealing with ever shrinking budgets. The importance of maintaining and expanding community policing practices during this time of economic hardship is paramount.

Drawing from reputable surveys, publications, and a variety of data sets, *The Impact of the Economic Downturn on American Police Agencies* outlines the ways in which law enforcement agencies have been affected, and examines the ways some have responded.

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, N.E.
Washington, DC 20530

To obtain details on COPS Office programs,
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Response to Post-Hearing Questions from the Honorable Bernard K. Melekian, Director, Office of Community Oriented Policing Services, U.S. Department of Justice

Questions for the Record for Bernard K. Melekian, Director
Office of Community Oriented Policing Services

Subcommittee on Crime, Terrorism, and Homeland Security
Committee on the Judiciary
U.S. House of Representatives

February 29, 2012

Submitted by F. James Sensenbrenner, Jr.

1. What is the legal authority that your Office is relying on that explicitly permits you to award and/or modify 2012 COPS Hiring Program (CHP) grants to fund officers who are scheduled to be laid off?

The COPS Office's authorization statute specifically states, in pertinent part, that we may make grants to "rehire law enforcement officers who have been laid off as a result of state, tribal, or local budget reductions for deployment in community-oriented policing . . ." 42 U.S.C. § 3796dd(b)(1). The COPS Office has interpreted and applied this section to include officers who are scheduled to be laid off on a specific date as a result of state, tribal, or local budget reductions to avoid forcing law enforcement agencies that already know they are laying off officers on a specific date to complete the entire administrative lay-off process (such as processing health care continuation coverage and requiring the officers to return their cars, uniforms, badges, and service weapons) before allowing the officers to return to work the very next day to be "rehired" on the COPS grant. This is a practical accommodation to the realities of the field that achieves the same result that we would achieve if we did force these agencies to complete the formal administrative lay-off process and then "rehire" the formally laid off officers the next day.

In these circumstances, the grantees are required to continue paying the salary and benefits of the officers with state, local, or tribal funding until the date that the lay-off was scheduled. COPS grant funds may not be used to pay for these positions until the date of the lay-off to ensure compliance with the nonsupplanting requirement of the COPS statute, which mandates that grantees may not use COPS funds to pay for officers otherwise funded with state or local funds. As soon as those officers are no longer "otherwise funded" – the date of the lay-off – they become eligible to be rehired under the COPS grant funding. For audit and monitoring purposes, grantees are required to maintain documentation demonstrating that the lay-off was scheduled as a result of state, local, or tribal budget cuts and the date that the lay-off was scheduled, as well as documentation demonstrating that the COPS grant funding was not used to pay for these officers' salaries and benefits until the lay-off date.

2. What is the legal authority you have been relying on to award and/or modify grants to fund officers who are scheduled to be laid off under the 2010 and 2011 COPS Hiring Programs (CHP)?

Please see the answer to question 1, above. The statutory authority remains the same for question 2.

3. What are the criteria and/or formulas that your Office used or is planning on using to award COPS hiring grants under the 2010, 2011 and 2012 CHPs?

In both 2010 and 2011, the COPS Office focused on balancing the need for federal assistance, as measured by economic and fiscal health questions along with crime rates, with an applicant's current commitment to community policing and their proposed community policing plan. In addition, two long-standing statutory requirements designed to ensure national distribution of COPS Office funding had an impact on which applications were funded. First, the COPS Office is required by statute to distribute half of all hiring funds to agencies serving populations of more than 150,000 and half to those of fewer than 150,000. Second, the COPS Office is also required by statute to ensure that at least half of one percent of hiring funds is allocated to each state or territory with eligible applicants. These criteria will again be adhered to in awarding COPS hiring grants in 2012.

4. Does your Office currently require submission of retention plans as part of the 2012 CHP grant application? If so, what are the criteria used to evaluate the plans?

Yes, a retention plan is required as part of the grant application. Under CHP, the retention requirement establishes that grant recipients must plan to retain at the time of grant application and actually retain each officer position awarded for at least one year (12 months) following the conclusion of three years (36 months) of federal funding for that position. The requested officer positions should be added to the grantee's law enforcement budget with state and/or local funds, over and above the number of locally-funded officer positions that would have existed in the absence of the grant. Absorbing CHP-funded officers through attrition, rather than by adding the extra positions to the budget with additional funding, does not meet the retention requirement.

At the time of application, applicants must affirm that they plan to retain any positions awarded, and identify the planned source(s) of retention funding. Although retention plans are not a "scored" part of the application, individual responses are reviewed to ensure that a clear source for retention funding is provided.

5. Does your Office intend to enforce the 12 month retention requirement against grantees that received hiring grants under the 2010, 2011 and/or 2012 CHPs? Under what circumstances will your Office waive the 12 month retention requirement?

Yes, grantees receiving 2010, 2011, and/or 2012 CHP funding must retain all sworn officer positions awarded under their CHP grant(s) with state and/or local funds for a minimum of 12 months following the conclusion of the three-year grant period.

During the last quarter of the grant period, grantees may request an exemption from the retention requirement. To qualify for an exemption, grantees must demonstrate (with supporting documentation) two key points: 1) that they did plan for retention, and 2) that they are unable to implement their plan as a result of severe fiscal distress, natural disaster, or other mitigating circumstances as defined by the COPS Office. Such mitigating circumstances may include, but are not limited to, the following situations when documented by the grantee:

- Jurisdiction has been declared bankrupt by a court of law;
- Jurisdiction has been placed in receivership, or its functional equivalent, by the state or federal government;
- Jurisdiction has been declared a financially distressed area by its state or a federal government agency;
- Budgetary imbalance or expenditure cutbacks resulting in significant reductions in other services provided by the law enforcement agency or significant lay-offs of the agency's personnel;
- Extraordinary and unanticipated nonrecurring expenses and/or loss of revenue (including closure or relocation of major employers) resulting in material effect on a jurisdiction's fiscal condition;
- Significant downgrading of a jurisdiction's bond rating for fiscal-related reasons;
- Filing for bankruptcy, receivership or similar measure, with the request for relief pending;
- Location within an area in which a declaration of major disaster has been made pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

If grantees did plan to retain, but were unable to because of one or more of the aforementioned circumstances, the COPS Office will exempt those grantees from retention (specific to the grant in question). Grantees will be informed that they are not eligible for any additional new COPS grant funding that contains a retention requirement for a one-year period, which will begin at the end of the 36-month funding period when the retention requirement would have begun. However, grantees may complete implementation of any existing grants. If grantees do not retain and do not meet the exemption criteria, those agencies will be restricted from receiving any and all new COPS grants (regardless of whether there is a retention requirement) for a period of three years.

6. You testified that each grant monitor has an average of 400 grants to manage. What are the specific grant monitoring responsibilities of these grant monitors? How many site visits did each grant monitor perform in 2010, 2011, and to date in 2012? How many site visits is each grant monitor expected to perform in 2012?

Within the COPS Office there are two distinct roles related to the question above. The Grant Program Specialist is the primary point of contact for state, local, and tribal agencies that require guidance regarding the maintenance and administrative functions of their COPS awards. Grant Program Specialists assist grantees with various administrative procedures, such as requests to modify a grant, requests for extensions of

time to implement a grant, and the grant closeout process. Additionally, Grant Program Specialists provide guidance to agencies on all matters of programmatic implementation, such as allowable costs, reporting requirements, and numerous other administrative requirements. Each Grant Program Specialist who manages a COPS grantee portfolio is responsible for approximately 400 grants.

The second role related to the question above is the role of the Grant Monitoring Specialist. Under federal law, the COPS Office is mandated to monitor at least 10% of all active grant funding awarded to state and local agencies to ensure compliance with grant conditions and other applicable statutory regulations. The COPS Grant Monitoring Division works in coordination with Office of Justice Program's (OJP) Office of the Chief Financial Officer and the Office of the Inspector General to ensure that grantees are complying with the programmatic and financial obligations of their COPS grants.

The primary role of the Grant Monitoring Specialist is to meet the COPS Office's statutory monitoring requirement by conducting site visits and office-based reviews of the various grants administered by COPS. At the start of each fiscal year, the Grant Monitoring Division utilizes a Grant Assessment Tool to assess all active COPS grants and develop a comprehensive monitoring plan. The comprehensive plan is comprised of a combination of both on-site visits and office-based reviews.

During Fiscal Year 2010, the COPS Office Grant Monitoring Division conducted 75 site visits, with each Grant Monitoring Specialist conducting approximately 11 site visits. In Fiscal Year 2011, COPS conducted 129 site visits, with each Grant Monitoring Specialist conducting approximately 12 site visits. The comprehensive monitoring plan for Fiscal Year 2012 proposes for each Grant Monitoring Specialist to conduct approximately 13 site visits for a total of 139. As of March 20, 2012, COPS has conducted 25 of the site visits scheduled for Fiscal Year 2012.

7. In your FY 2011 budget request, your Office stated that it assisted the administration in stimulating an economic recovery with 2009 COPS Hiring Recovery Program (CHRP) grants funded by The Recovery Act of 2009. What specifically did your Office do to stimulate the economic recovery with 2009 CHRP grants? Did your Office continue to assist the administration in stimulating the economy with the 2010 and/or 2011 CHP hiring grants? If so, what is the legal authority you relied upon for doing so? Are you planning on doing this with 2012 CHP hiring grants?

The American Recovery and Reinvestment Act of 2009 provided $1 billion for the COPS Hiring Recovery Program. The funds were used to hire new officers and rehire officers who had been or were scheduled to be laid off. The $1 billion allocated for CHRP was used to create or preserve 4,699 sworn law enforcement positions for three years. These grants covered the full salary and benefits packages for highly trained public sector positions. The jobs created and/or preserved with the CHRP dollars advanced community policing at the local level, and contributed greatly to the quality of life of the citizens in each community. The officers hired under the Recovery Act not only

improved public safety in their neighborhoods, but were also contributing members of society by paying taxes, buying homes, and stimulating local economies.

Given the fiscal distress experienced by state, local, and tribal law enforcement agencies, Congress made important temporary changes from the way the COPS Office grants had been awarded in the past. For purposes of the Recovery Act, Congress did the following:

- Waived the previously required 25 percent local match;
- Waived the previously required $75,000 salary cap; and
- Provided that CHRP grants cover 100 percent of the approved entry-level salary and fringe benefits of each newly-hired and/or rehired, full-time sworn career law enforcement officer during the course of three years.

The COPS Office did not impose a limit on the number of officers an agency could request, but capped awards at 5% of an agency's sworn force strength, up to 50 officers.

The Recovery Act (Public Law 111-5) mandated that the local match and salary cap also be waived for any additional appropriations the COPS Office received in Fiscal Years 2009 and 2010, thereby providing continued relief from onerous burdens on local law enforcement.

The Administration and the COPS Office recognize that our partners in state, local and tribal government are continuing to face economic woes, but also feel that funding can be used to benefit the largest number of communities through the re-introduction of the local match. A key ingredient to any successful partnership is sharing responsibility.

In 2012, CHP grants will cover up to 75 percent of the approved entry-level salary and benefits for three years (36 months) for newly hired, full-time sworn officer positions (including filling existing unfunded vacancies) or for rehired officers who have been laid off, or are scheduled to be laid off on a specific future date, as a result of local budget cuts. A minimum 25 percent local cash match is therefore required this year. Under 2012 CHP, there is also a maximum federal contribution of $125,000 per position over the three-year grant period.

Applicant agencies will have an opportunity to request a waiver of the local match requirement based on documented severe fiscal distress. Funding for 2012 CHP is limited, and requests for local match waivers will be evaluated on a case-by-case basis.

8. In your testimony, you referenced the Community Policing Housing Program in Racine, Wisconsin, where police officers buy homes in high crimes areas, work to reduce crime, and then resell the homes to families in need. Are there federal programs funding any aspect of this program?

It's been nearly 20 years since the Racine Police Department embraced the community policing philosophy and changed how the organization delivers police services. The Community Oriented Policing House Program (COP Houses) is a local initiative fully

funded through local revenues and partnerships. The program began in the 1990s and continues to be a strong example of community policing in action. Rather than saturating officers in a crime hot spot, the police department decided to invest in the community by building its own house and setting an example for the neighborhood. The project was made possible by state funding directed towards local initiatives and a partnership with the Racine Community Outpost, a local non-profit organization.

Throughout the history of the COPS Office, the City of Racine has received only one hiring grant. This $813,345 grant funded three officers. These officers may have been assigned to work in the COP Houses, but the COPS Office has not directly funded the COP Houses, nor has any other federal agency. This is a locally funded and locally supported initiative.

9. What are the criteria for being classified as a "high risk" grantee?

As of FY 2011, the Department of Justice grant-making components (COPS, OJP, and the Office on Violence Against Women (OVW)) share one Department of Justice High Risk Grantee Policy. This means that we now share one DOJ High Risk Grantee List and use the same criteria for classifying a grantee as high risk. Those criteria are based on the Uniform Administrative Requirements for Grants and Cooperative Agreements (28 C.F.R. §§ 66.12 and 70.14) and include the following:

1. Has a history of unsatisfactory performance;
2. Is not financially stable;
3. Has a management system that does not meet the management standards set forth in C.F.R. § 66.20 (standards for financial management systems);
4. Has not conformed to terms and conditions of previous awards; or
5. Is otherwise not responsible.

In applying these criteria to DOJ grants, the components have established four categories of Automatic High Risk Designations:

1. Grantees with specific types of open audit reports (based on length of time the report has been open, and/or dollar thresholds of questioned costs);
2. Grantees that have been referred to the U.S. Treasury for offset to collect a debt owed to DOJ;
3. Grantees that are on the COPS Office Restricted Grantees List (agencies that are restricted from receiving new COPS grants for a specific period of time as a remedial action for past noncompliance that could not be remedied through repayment of funds); and
4. Grantees that have been recommended for suspension or debarment by any DOJ component or office.

The components may also refer other grantees that do not meet these four specific "automatic" criteria for consideration as high risk. Referrals for the high risk list are

considered collaboratively by the three grant-making components. The criteria for referrals include when a grantee::

1. Has specific types of open audit reports that do not meet the automatic high risk thresholds but are otherwise material in amount or significant in nature;
2. Is unresponsive to requests from DOJ to address open audit or monitoring findings;
3. Has significant noncompliance issues that were identified during the normal grant administration process;
4. Was the subject of an OIG investigation (as opposed to audit) where the investigators identified noncompliance issues which require corrective administrative action;
5. Is delinquent in submitting a required Single Audit Report;
6. Has had recurring and significant findings documented in Single Audit Reports;
7. Was referred to possible high risk designation by an outside federal agency (including, but not limited to, the Recovery Act Board);
8. Is not financially stable, or is the subject of concerns regarding performance, reliability, or risk.

a. How many current COPS grantees are classified "high risk"?

There are currently 15 grantees on the DOJ High Risk List that were referred to the list by the COPS Office. Those 15 grantees each met an "automatic referral category" and therefore are now on the high risk list, but COPS has not actually made any new awards to those agencies since their high risk classification.

The COPS Office has made two grant awards to other agencies on the high risk list. In both cases, the newly awarded funds remain on hold at this time until the high risk conditions are addressed.

b. What happens to a grantee when classified as "high risk"?

High risk grantees receive additional Special Conditions on any new DOJ grant award. We have identified three Special Conditions that are mandatory for all high risk grantees, as well as 12 additional Special Conditions that may be applied based on the specific factual nature of a grantee's high risk condition.

The three mandatory Special Conditions include requirements that:

1. The grantee will produce upon request any additional financial or programmatic documentation related to the award;
2. The grantee agrees that it may be subject to and will cooperate with any additional financial and/or programmatic monitoring during the award period; and
3. The grantee must attend a DOJ-sponsored financial grant administration training program (which we now offer free of charge in an on-line format to all DOJ grantees).

c. While on the high risk list, can a current grantee receive new grants?

Grantees that are on the DOJ high-risk list are generally not prohibited from receiving new grants. However, if a grantee is on the high risk list because it is also on the Government-wide Suspension and Debarment List, it will not receive any new grant awards. This is not the case with any COPS Office high risk grantees at this time.

Additionally, if the grantee is on the high risk list because it is also on the COPS Office Restricted Grantee list, it may not receive any new COPS grant awards until the restricted period ends. However, a grantee that is on the COPS Restricted Grantee list may still receive new awards from OJP and OVW. Any new awards, however, would be subject to high-risk special conditions and related requirements.

Grantees that are on the high risk list for other reasons may apply for new grant awards, although depending on the competitive nature of the grant program and the limited amount of funding available, the grantee's high risk status and the reasons for its high risk status certainly may be one factor considered when making discretionary COPS grant awards.

Grantees on the high risk list that do receive new grant awards may not be able to access the new grant award funding until they have satisfied their high risk Special Conditions, depending on which particular Special Conditions attach to their award. Within the Special Conditions that are applied based on the specific factual circumstances of the high risk classification, eight are considered "withholding" conditions, which means that funds for any new grant awards will be "withheld" until the Special Condition is removed based on grantee remedial action.

d. What is the justification for awarding additional funds to a "high risk" grantee?

Although the concerns that lead to a grantee being designated as high-risk are obviously substantial, in most cases they do not rise to the level that would require "debarment or suspension" from receiving grant funds, if they are otherwise qualified. Accordingly, the Department has taken the approach to apply additional conditions, safeguards, and controls to ensure that funds awarded to "high-risk grantees" are properly administered, until the grantee has remedied the concerns and has been removed from high-risk status. In many cases, withholding special conditions are placed on new awards that prevent the grantee from spending grant funds until the grantee has remedied the high-risk related issues.

Additionally, because the three DOJ grant-making components now share one high risk list, but make grant awards supporting different purposes and activities, it is possible that a grantee may be classified as high risk for reasons that are unrelated to the type of new grant that is awarded. For example, a grantee could be placed on the high risk list by OVW for issues relating to misuse of domestic violence-related funding that was not in any way administered, managed, or overseen by the local police department. The COPS Office may therefore wish to have the option of making a new award for police officer

hiring to that jurisdiction, since the funding will flow directly to the police department and be used, administered, and managed for an entirely different purpose by an entirely different city agency.

Sharing a DOJ-wide list allows COPS, OJP, and OVW to collaborate and discuss these kinds of decisions to ensure thoughtful application of both the policy itself and the subsequent grant award decisions. We meet at least monthly through a joint Grants Challenges Working Group, which developed the DOJ-wide High Risk Policy, and maintain frequent communication about high risk issues as they arise. The COPS Office chairs the Grants Challenges Working Group at this time and communicates regularly with the Office of Audit, Assessment, and Management (OAAM) at OJP, which manages the overall high risk process for DOJ.

e. **Does your Office have a procedure in place to notify OJP and OVW when a grantee is placed on the COPS Office's high risk list? If so, what is the procedure?**

As explained above, we do not maintain a separate COPS Office high risk list, but now share one DOJ-wide high risk list with OJP and OVW. In accordance with the policy, each component has a High Risk Coordinator and High Risk Approving Official who communicate all high risk designations to OAAM. OAAM coordinates with all three components to discuss any cross-cutting issues and maintains a DOJ High Risk List which is regularly updated and shared with the components. We also meet regularly through the Grants Challenges Working Group and discuss any high risk issues collaboratively through that venue.

f. **[duplicate of question "e"]**

g. **Has your Office referred a high risk grantee for suspension or debarment since you have been Director?**

No, the COPS Office has not referred any grantees for suspension or debarment.

10. There are recent press accounts of state and local law enforcement officers receiving outrageously generous pensions and benefits. As just one example out of many, a program in San Francisco allows officers to retire at age 55 with up to 90% of their salary as a yearly pension, then come back to work as an officer and receive both a full salary and have deferred retirement payments deposited in an account that guarantees a 4% return. Upon leaving the department for a second time, the officers receive the so-called retirement payments that accrued during their second tours of duty as a lump sum. In many cases, police officers are leaving their second tours of duty with lump sums in the mid-six figures. A comptroller's report found that this outrageous program is expected to cost the city an additional $52 million to re-hire retired officers rather than new recruits. Despite these benefits, the COPS Office awarded San Francisco with $16 million in hiring grants in 2009 alone.

Does your Office look at agencies' pension and benefit plans when deciding whether to provide grant money? If not, why not?

COPS hiring grants cover the approved entry-level salary and fringe benefits of each newly-hired and/or rehired, full-time sworn career law enforcement officer over the three-year (36 month) grant period. CHP grant funding is based on an agency's current entry-level salary and fringe benefits package for full-time sworn officers; any additional costs for higher than entry-level salaries and fringe benefits, such as in the example of San Francisco, are the responsibility of the grantee agency. Accordingly, the COPS Office does examine all entry-level benefit plans during the application budget review process.

11. In your testimony you stated that "the mission of the COPS Office is to advance public safety through community policing." As you know, the President wants to spend another $4.25 billion dollars to hire state and local police officers in fiscal year 2013.

How many officers will $4.25 billion fund? How was this number reached? Is it based on actual law enforcement needs across the country?

Approximately 25,720 additional officers could be funded with $4.25 billion. The projection for the number of officers to be funded is based on the prior year average cost of salaries, including a Cost of Living Adjustment, and factoring in the assumptions for Fiscal Year 2013 of a continued 25% local match, $125,000 per officer cap, and estimation of 50% of grants receiving waivers of those cap and match requirements.

Based on our 2009 CHRP solicitation, the actual hiring needs of law enforcement agencies that applied to our office (7,272 agencies) are in excess of $8 billion.

In a report published by the COPS Office last October based on data and surveys from a number of law enforcement trade associations and research groups, approximately 10,000 law enforcement positions have been lost through layoffs, and hiring freezes in departments nationwide will leave approximately 30,000 positions unfilled. In addition, an estimated 28,000 officers and deputies faced week-long furloughs. These numbers are conservative estimates, and never before has the law enforcement field seen layoffs and furloughs on this scale.

12. It was recently reported the COPS Office will begin an investigative review of the Las Vegas Metropolitan Police Department's use of deadly force, and the department's related policies and investigative procedures. It is reported this review will begin immediately and last six months or longer, after which the COPS Office will issue a report detailing their findings and possible recommendations, but the Metropolitan Police Department will not be bound by these recommendations.

Could you please give us more details on this investigation and report, and tell us how this fits within the purview of COPS as a grant making office?

The COPS Office, through our Community Policing Development funds, can make an award for the application of technical assistance to support law enforcement efforts related to high-profile events, major incidents, or disasters identified by the agency. The COPS Office seeks proposals that demonstrate an applicant's ability to provide the guidance, support, and logistics that will be required to deliver technical assistance to jurisdictions across the nation. The applicant must have a cadre of public safety subject matter experts and trainers that can deliver technical assistance on short notice, experience working with law enforcement, expertise in conflict resolution, and a thorough understanding of community policing and other specialized topics. This assistance will enhance agencies' ability to work with stakeholders within a community policing environment, and features a variety of community policing strategies including (but not limited to) problem solving, community partnerships, organizational transformation, crime prevention, and community-based approaches.

Through the COPS Critical Response Technical Assistance Program, COPS will provide the Las Vegas Metropolitan Police Department (LVMPD) an opportunity to address the concerns of the community on use of force. Initiated by the COPS Office, this project includes an in-depth review of LVMPD police-involved shootings over the past five years, exploring the circumstances of the shootings to identify common factors and outcomes. COPS has partnered with a research and analysis agency to review LVMPD's policies, procedures, training, tactics, investigative files, and documentation. Some of the variables to be examined include: fatal and non-fatal incidents, aggravating and mitigating factors, race and ethnicity, mental state, the number of officers involved, the number of shots fired, and officer injuries. The analysis of the information will also incorporate feedback from the community. The planned data review includes interviews with both LVMPD personnel and community members.

13. The Las Vegas investigation was announced after calls for the Justice Department's Civil Rights Division to investigate the Metropolitan Police Department.

What expertise does the COPS Office have to investigate the possible misuse of deadly force? If civil rights abuses are the primary concern, is the DOJ Civil Rights Division better suited for the project?

As previously mentioned, COPS has partnered with a research and analysis agency to implement the Critical Response Technical Assistance Program. This cooperative agreement project will: (1) offer law enforcement agencies access to a range of subject matter experts who can provide remote and/or in-person guidance on short notice; (2) develop a tailored approach to the specific needs of the requesting agency; (3) implement the technical assistance in real time; (4) conduct an analysis to reconstruct the critical incident to identify how community oriented policing principles impacted the outcome; and (5) document each incident to produce annual reports that summarize trends, lessons learned, and best practices to guide future critical response efforts. This approach will ensure community engagement, which promotes cooperation and eases tensions during a critical incident or event.

The Critical Response Technical Assistance Program will respond to high-profile, law enforcement-related critical incidents, such as controversial issues relating to ethics and integrity, natural disasters, acts of terrorism, and officer-involved shootings. These incidents will be identified by the COPS Office, which will work with our research provider to develop a technical assistance response plan. Technical assistance may include on-site assistance, subject matter expert referrals, and providing other relevant resources as necessary. The final deliverable for this program is an after-action report to COPS on each incident. These after-action reports serve not only the agencies included in each review, but evolve into best practices for any agency's use.

The review and technical assistance provided by the COPS Office is separate from any action that might be taken by the Civil Rights Division. The Civil Rights Division will determine independently whether a pattern or practice investigation is warranted pursuant to its authority. At the same time, the Civil Rights Division will be kept fully informed of the work of the COPS Office, and the Las Vegas Metropolitan Police Department has agreed that all technical assistance, findings and recommendations of the COPS Office will be made available to the Civil Rights Division.

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