

Standards For Public Safety Services

(Public Outreach 5.9)

At Studies & Information

Web Page: http://www.hugoneighborhood.org/JSPSS_Studies.htm

Justice System & Public Safety Services Study Design: 2015 (Study Design)

Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

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Very Draft February 1, 2016

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The following is an ongoing project at the beginning of its research to identify “*Public Safety Services (PSS) Standards.*”

Chapter I is the purpose of this paper which is to identify Josephine County’s (JO CO’s) public safety services’ (PSS’) standards as required by applicable local, state, or federal requirements. This includes methods to identify standards, including the minimally adequate level of public safety services (MALPSS), and any legal or required standards.

Chapter II is the introduction which addresses several topics.

The Committee’s preliminary conclusions are that standards for “Public Safety Services” (PSS) in Oregon are largely citizen and local government decisions within the “states” authority under the 10th amendment to the U.S. Constitution.

Etc.

Chapter III includes some of the highlights (i.e., summaries, conclusions, statements or phrases on PSS standards, etc.) of the bibliographic references (alphabetical).

Chapter IV includes a normal set of bibliographic references (alphabetical) on PSS with varying levels of detailed information on standards, including quotes.

The bibliographic references for PSS standards are web published at the JS&PSS Exploratory Committee’s *Studies & Information* web page.

Studies & Information

Web Page: http://www.hugoneighborhood.org/JSPSS_Studies.htm

I. PURPOSE

The ultimate purpose of this paper is to identify Josephine County's (JO CO's) public safety services' (PSS') standards as required by applicable local, state, or federal requirements. This includes methods to identify standards, including the minimally adequate level of public safety services (MALPSS), and any legal or required standards.

The background to why the standards need to be identified is a local JO CO public safety problem/issue.

Problem A problem is a matter or situation regarded as unwelcome or harmful and needing to be dealt with and overcome. A problem can also be a question raised for inquiry, consideration, or solution.

Issue A planning issue is an important topic or problem for debate or discussion, and entails alternative solutions between which to choose.

A. Overall Public Safety Question

What is the county's Public Safety Problem? First, *What are the public safety services being referred to?* Second, *What are the problems?* And finally, *"Or, is there a problem, and if so, judged by what standards?"*

1. What are the applicable Public Safety Services? They can be as many, or as few PSS, as a local government decides. The Association of Oregon Counties, and the State of Oregon identified 20 types and three categories of funding (Appendix A).

2. What were the tax proposal PSS from 2012 through 2015? These five Josephine County, Oregon taxing proposals from 2012 - 2015 focused on what are usually considered to be the six major components of the county's public safety program (Appendix B).

1. Adult Jail.
2. Juvenile Justice Center.
3. District Attorney's Office.
4. Rural Patrol Deputies.
5. Criminal Investigations & Related Sheriff's Office Support Services.
6. Animal Protection.

3. What is the difference between emergency, adequate, normal, and optimal levels of PSS?

How far will people go to get the best available outcomes. What will one sacrifice for the best? Many things in life are relative, and to achieve the best in one thing, usually means giving something else up.

A normative level of PSS might be considered to be the normal or correct way of doing something (i.e., perhaps a compromise between adequate and optimal?). However, defining normal is difficult . . . normal today, or normal yesterday? Normal prior to 2012 or normal in 2015? Knowing what is correct is even more difficult. Correct according to whom? Whose professional experience opinion, and/or facts, determine the definition of “correct.”

Professional opinion strategies on public safety standards are common, and they are usually not requirement standards. They usually serve as guides or goals. After extensive research, the Committee, except for certifications and training, does not yet understand the standards for the county’s public safety program.

4. What is a MALPSS Analysis Compared To A Professional Opinion? A professional opinion from an experienced practitioner is usually very good, but it is also normally without documented, and publically available comprehensive facts, inventories, or analysis. It is more about trusting the practitioner, rather than understanding the facts.

The Committee is proposing a MALPSS research project that goes beyond the valuable work of the Lane County Public Safety Coordinating Council in defining a PSS rating system, including its ratings for over 70 sub-components of their services.

The research project will include an analysis for determining the applicable alternative levels of PSS in a scientific, documented, and publicly accessible way. The project’s analysis model has five elements (Appendix C).

- Element 1. Publically Identified Problems/Issues.
- Element 2. Publically Identified Range of PSS Alternative Solutions.
- Element 3. Indicators for PSS. An indicator is a variable, either singly or in combination with another variable, which is taken as an indication of the condition of the overall issue (e.g., unemployment as an indicator for a community’s employment situation, particulate matter in air as an indicator for air pollution, and spotted owls as an indicator for forest health on federal lands).
- Element 4. Standards for Indicators. A standard is the measurable aspect of an indicator. It is the level, point, or value above which something will take place, or below which it will not take place. It provides a baseline against which a particular condition, or change, can be judged as acceptable or not.
- Element 5. Significance Determinations. To determine significance, impacts are compared to standards beyond which the impacts, including cumulative, become significant

B. Framework For Analyzing PSS

The framework is a procedure of independent analysis where the voters are the decision-makers. It is part of the Committee's most basic beliefs, concepts, and attitudes.

The study would be conducted by an independent researcher using a range of PSS levels, including the analysis components of, problems and issues, indicators, and standards. It is not so much about the answer, as about an independent, neutral, documented analysis procedure, that can be publicly debated.

The goal is independence of a direct government controlled agenda, toward the objectives of credibility addressing all citizen identified problems and issues.

Vetted Facts. Verifiability means that people reading *Study Design* can check where the information comes from, and make their own determination if it is reliable.

Scientific does not mean rocket science. It just means that from documented facts, citizens have a common understanding of the issue being debated, perhaps in agreement or disagreement, because they are aware of the vetted facts.

Decision-Makers. The decision-makers are the voters of Josephine County when they vote in the next levy, and/or other tax, fee, or assessment mechanism.

C. Benefits of Public Understanding

This is the simple belief that the benefits of common accurate facts, to better explain the county's public safety issue, is worth the effort. Strategies to combat misinformation are worth trying, within the framework that all citizens, voters, votes, and values are legitimate. Legitimacy has powerful hopes. The Committee believes the MALPSS concept is sound as an educational tool to assist the public to understand, whether it is actually implemented by the government, or not. It is an educational tool to understand in a scientific documented way . . . versus relying on professional or political opinions.

What will a MALPSS Impact Methodology Model provide to people? Standards are in many ways just like all the other pieces of information needed for an informed and understanding public. They are also keys because they focus directly on the potential public safety issue. For example, it is significant to understand where the county's public safety program is . . . in the scheme of things. Are we above an emergency level of PSS, or below? Are the county's services adequate, or less than adequate? And, just as important, where is the science and/or facts supporting the professional opinions of adequacy?

Professional and political opinions have been offered, but the public has not been provided a scientific vetted documented study.

D. Summary

In summary, a scientific study of the rationale for a Josephine County Commissioners' MALPSS declaration, used to proclaim a public safety fiscal emergency, when fiscal conditions compromise the county's ability to provide a *minimally adequate level of public safety services*, would help answer the question, "*Is there a problem?*"

At this point the project to identify the PSS standards for JO CO has failed. It does provide a beginning in identifying methods to identify PSS standards.

II. INTRODUCTION

The Committee's preliminary conclusions are that standards, especially allocations and staffing, for "public safety services" (PSS) in Oregon are largely citizen and local government decisions within the "states" authority under the 10th amendment to the U.S. Constitution.

Ratified in 1791, the 10th Amendment to the Constitution embodies the general principles of Federalism in a republican form of government. The Constitution specifies the parameters of authority that may be exercised by the three branches of the federal government: executive, legislative, and judicial. The 10th Amendment reserves to the states all powers that are not granted to the federal government by the Constitution, except for those powers that states are constitutionally forbidden from exercising. For example, nowhere in the federal Constitution is Congress given authority to regulate local matters concerning the health, safety, and morality of state residents. Known as police powers, such authority is reserved to the states under the 10th Amendment (Wikipedia).

Therefore between the authorities of the 10th Amendment and the local differences there are many PSS and standards in the 50 states, including Oregon.

1. States are Laboratories of democracy. States used to serve as a laboratory to try novel social and economic experiments without risk to the rest of the country. The states are often seen as "laboratories" for social experiments.
2. Understanding and designing PSS solutions are complicated tasks as there are substantial differences between Oregon counties in terms of their geographic and demographic characteristics, priorities, historic crime rates, willingness to tolerate certain levels of crime, and past and present funding of various PSS.

The Committees' belief is that a solid foundation for identifying PSS standards for allocation and staffing is through a long-term partnership between the voters, criminal justice professionals, and elected officials in identifying public safety issues, goals, and alternative solutions. Except for legal standards, allocation and staffing standards are policy decisions. They are much more subjective than the definitive standard that citizens are supposed to be safe.

A. Authorities

1. Declaration of Independence The Declaration of Independence is the statement adopted by the Continental Congress meeting at Philadelphia, Pennsylvania on July 4, 1776. The first sentence of its preamble follows.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

However, The Declaration of Independence is not a governing document. It is exactly what it is called, a declaration of independence. It does not play a unique role in constitutional interpretation, but is one of many sources of the U.S. Constitution's original meaning. As far as the Committee understands there is not a single U.S. Supreme Court case that was specifically decided on the Declaration of Independence or its provisions. No decision has turned or can turn on the Declaration of Independence itself.

2. U.S. Constitution There are many voices that the U.S. Constitution makes it a responsibility for government to keep us safe. However, the Constitution tells us that government's sole job is to enforce the Constitution; and that means keeping us free. It does not guarantee public safety, it guarantees liberty. There is no mention of "safety" or "security" in the Constitution. Parts of the Constitution applicable to PSS follow.

a) 8th Amendment to the U.S. Constitution

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

The 8th Amendment to the Constitution protects citizens against cruel and unusual punishments. In terms of prisoners' rights, this protection requires that prison officials afford inmates certain minimum standard of living. Additionally, prisoners retain some other Constitutional rights, including due process in their right to administrative appeals, freedom of religion, equal protection under the law (at least, as compared to other inmates), and a right of access to the parole process. Courts have held that the Equal Protection Clause of the 14th Amendment has been held to apply to prison inmates so prisoners are protected against discrimination or unequal treatment based on race, sex, religion, age, national origin, and creed.

b) 10th Amendment to the U.S. Constitution

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Nowhere in the federal Constitution is Congress given authority to regulate local matters concerning the health, safety, and morality of state residents. Known as police powers, such authority is reserved to the states under the Tenth Amendment.

c) 14th Amendment, Section 1, to the U.S. Constitution

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The Supreme Court has ruled that any state law that abridges freedom of speech, freedom of religion, the right to trial by jury, the right to counsel, the right against self-incrimination, the right against unreasonable searches and seizures, or the right against cruel and unusual

punishments will be invalidated under section 1 of the Fourteenth Amendment. This holding is called the Incorporation Doctrine.

However, it does not impose a requirement to protect its citizens from private violence.

*In DeShaney v. Winnebago County Department of Social Services,*³ the Supreme Court ruled that the Department's failure to protect Joshua did not violate the Federal Constitution. Chief Justice Rehnquist maintained that nothing in the language or history of the Due Process Clause of the Fourteenth Amendment required a state to protect its citizens from private violence. That clause, he observed, "is phrased as a limitation": "It forbids the State itself to deprive individuals of life, liberty, or property without 'due process of law,' but its language cannot fairly be extended to impose an affirmative obligation on the State" to protect these interests "against invasion by private actors."⁴ This interpretation was reinforced by the history of the Clause, which indicated that its purpose was to protect the people from the State, not to ensure that the State protected them from each other."⁵ Supreme Court in *DeShaney v. Winnebago County Dep't of Social Servs.*, 489 U.S. 189, 191-93 (1989)

d) Others?

2. Oregon Constitution

Preamble to the Oregon Constitution We the people of the State of Oregon to the end that Justice be established, order maintained, and liberty perpetuated, do ordain this Constitution.—

Article I Bill of Rights 1.

We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.

Article I, Section 15

Be consistent with and support the goals of public safety as established in the Oregon Constitution; Article 1, Section 15 of the Oregon Constitution establishes the foundation principles of criminal law: “Laws for the punishment of crime shall be founded on these principles: protection of society, personal responsibility, accountability for one’s actions and reformation.”

Article I Bill of Rights, Section 15

Laws for the punishment of crime shall be found on the principles of reformation, and not for vindictive justice.

Article I Bill of Rights, Section 27

The people shall have the right to bear arms for the defense of themselves, and the state, but the Military shall be kept in strict subordination to the civil power.

Article VI Administrative Department, Section 6.

County Officers: There shall be elected in each county by the qualified electors thereof at the time of holding general elections, a county clerk, treasurer and sheriff who shall severally hold their offices for the term of four years. [Constitution of 1859; Amendment proposed by initiative petition filed June 9, 1920, and adopted by the people Nov. 2, 1920; Amendment proposed by H.J.R. 7, 1955, and adopted by the people Nov. 6, 1956]

Article VI Administrative Department, Section 8

Article VI, section 8 (section 8), of the Oregon Constitution expressly provides that a county sheriff must possess “other qualifications as may be prescribed by law”:

Every county officer shall be an elector of the county, and the county assessor, county sheriff, county coroner and county surveyor shall possess such other qualifications as may be prescribed by law. All county and city officers shall keep their respective offices at such places therein, and perform such duties, as may be prescribed by law.

Article VI Administrative Department, Section 10

County home rule under county charter. The Legislative Assembly shall provide by law a method whereby the legal voters of any county, by majority vote of such voters voting thereon at any legally called election, may adopt, amend, revise or repeal a county charter. A county charter may provide for the exercise by the county of authority over matters of county concern. Local improvements shall be financed only by taxes, assessments or charges imposed on benefited property, unless otherwise provided by law or charter. A county charter shall prescribe the organization of the county government and shall provide directly, or by its authority, for the number, election or appointment, qualifications, tenure, compensation, powers and duties of such officers as the county deems necessary. Such officers shall among them exercise all the powers and perform all the duties, as distributed by the county charter or by its authority, now or hereafter, by the Constitution or laws of this state, granted to or imposed upon any county officer. Except as expressly provided by general law, a county charter shall not affect the selection, tenure, compensation, powers or duties prescribed by law for judges in their judicial capacity, for justices of the peace or for district attorneys. The initiative and referendum powers reserved to the people by this Constitution hereby are further reserved to the legal voters of every county relative to the adoption, amendment, revision or repeal of a county charter and to legislation passed by counties which have adopted such a charter; and no county shall require that referendum petitions be filed less than 90 days after the provisions of the charter or the legislation proposed for referral is adopted by the county governing body. To be circulated, referendum or initiative petitions shall set forth in full the charter or legislative provisions proposed for adoption or referral. Referendum petitions shall not be required to include a ballot title to be circulated. In a county a number of signatures of qualified voters equal to but not greater than four percent of the total number of all votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required for a petition to order a referendum on county legislation or a part thereof. A number of signatures equal to but not greater than six percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required for a petition to propose an initiative ordinance. A number of signatures equal to but not greater than eight percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required for a petition to propose a charter amendment. [Created through H.J.R. 22, 1957, and adopted by the people Nov. 4, 1958; Amendment proposed by S.J.R. 48, 1959, and adopted by the people Nov. 8, 1960; Amendment proposed by H.J.R. 21, 1977, and adopted by the people May 23, 1978]

Others?

3. Charter of Josephine County, Oregon

<http://www.co.josephine.or.us/Files/Josephine%20County%20Charter.pdf>

Section 5. General Grant of Powers.

Except as this charter provides to the contrary, the county has authority over matters of county concern to the fullest extent now or hereafter granted or allowed by the constitutions and laws of the United States and the State of Oregon, as fully as though each power comprised in that authority were specified in this charter.

Section 12.1. Emergency Board Meetings

INTENT: This charter amendment provides the Josephine County Board of Commissioners with the tools to effect swift remedial action in emergency situations.

DEFINITIONS: a) Emergency: the existence of a clear and present danger or threat to life or property of the people of Josephine County resulting from a disaster, either natural or man made, including, but not limited to, earthquake, conflagration, flood, war, plague, pestilence, or riot; an occurrence that would be obvious as an emergency to any reasonable or prudent person.

Section 20. Qualifications.

(2) In addition to the foregoing qualifications, the Sheriff, Assessor, Treasurer, Clerk, County Legal Counsel and Surveyor shall have those qualifications as prescribed under this charter and state law. [Amended March, 1993]

Section 14.6 County Animal Control Support

(1) The county shall provide full support and maintenance of all Animal Control field services and shelter operations.

(2) "Field Services" shall consist of the enforcement of all Oregon statutes relating to offenses against animals, and County Charter laws and County ordinances relating to licensing, domestic animal, poultry of livestock issues and all animal abuse or neglect investigations. These services shall include the trapping, pickup and disposal of all stray and abandoned animals, and they shall be available to meet citizen needs.

(3) "Shelter operations" shall include licensing, lost and found assistance, animal boarding in the main shelter, requirement of a strict responsible ownership contract for adoptions with no animals available for research or exploitation, active leadership for a humane educational program for adult and school-age county residents, and euthanasia services.

(4) Definitions shall follow ORS 167.310(1)(a)(c)&(d). {Amended November, 1994}

Section 14.7 County Debt Limitation

(1) The County shall not create any debt or liabilities which shall singly or in the aggregate, with previous debts or liabilities, exceed the sum of \$5,000; provided however, the county may incur bonded indebtedness in excess of such \$5,000 limitation to carry out purposes authorized by statute, such bonded indebtedness not to exceed limits fixed by statute and subject to procedures such as hearings and a majority vote of the people.

Section 15.5 Voter Approval Requirement for Capital Programs or Projects

The Board shall not enter into any capital program or project agreement of any kind with any financial agent, agency or individual without prior approval of Josephine County voters at a regular election.

A capital program or project shall include, but not be limited to, real estate or construction projects, whether by the issuance of bonds or by lease purchase agreement or other type of agreement, and remodeling and furnishing.

Section 17.5 Review of County Department Heads

Definitions

4. DEPARTMENT: A department of County government established under state constitutional mandate, statutory mandate, County charter mandate, or when applicable, at the discretion of the Board, in order to meet the requirements for effective operation of County government as determined by that Board or the prescribed mandates.

Section 19. Elective Administrative Officers

(1) The elective administrative officers of the county shall include, in addition to the three County Commissioners, the Sheriff, the Assessor, the Treasurer, the Clerk, the County Legal Counsel and the Surveyor. [Amended March, 1993]

Section 20. Qualifications

(1) An elective officer of the county:

(a) shall be a legal voter of the county and

(b) shall have resided in the state six months immediately before assuming office.

(2) In addition to the foregoing qualifications, the Sheriff, Assessor, Treasurer, Clerk, County Legal Counsel and Surveyor shall have those qualifications as prescribed under this charter and state law. [Amended March, 1993]

(3) Appointive personnel of the county shall have whatever qualifications the Board of County Commissioners prescribes or authorizes.

Section 26.5 Investigation of Abuse or Neglect of an Animal

Requires that Animal Control Officers make all domestic animal, poultry, livestock and abuse or neglect investigations in Josephine County. [Amended November, 1990]

Section 29.1 Charter Amendment: Right to Bear Arms

INTENT: The intent of this Charter amendment is to provide the citizens of Josephine County with local protection of one of their inalienable rights as originally defined by our founding fathers in the United States Constitution and Bill of Rights.

SECTION 29.1 Due Process and Just Compensation

INTENT: The intent of this Charter Amendments is to provide the citizens of Josephine County with local protection of one of their inalienable rights as originally defined by our founding fathers in the U. S. Constitution and the Bill of Rights.

Section 1: The following provision shall be adopted into the Josephine County Home Rule Charter and shall govern all actions by individuals and organizations, both public and private, within Josephine County.

No person shall be deprived of life, liberty or property without due process of law; nor shall private property be taken for public use without just compensation.

Section 29.3 Prohibits Advocacy of the Forfeiture of Constitutional Rights

INTENT: The intent of this Charter amendment is to prohibit the advocacy of the forfeiture of any right guaranteed by the U. S. Constitution and shall further prohibit public officials, elected or appointed, from advocating the forfeiture of any rights guaranteed by the U. S. Constitution or to fail to uphold the rights guaranteed by the U. S. Constitution. For example the Second Amendment of the U. S. Constitution (the right to bear arms) may not be used to advocate the forfeiture of the First Amendment of the United States Constitution (guarantee of free speech) may not be used to advocate the forfeiture of rights guaranteed by the Second Amendment. By way of further example, elected or appointed officials may not advocate the need the ban the right to bear arms in contravention of the rights guaranteed by the Second Amendment of the U.S. Constitution.

DEFINITIONS: Nothing in this initiative shall be construed to prevent anyone from using the 1st Amendment Right of Free Speech, from proposing, discussing and/or debating changes in the U. S. Constitution, or from suggesting any changes. However, while the U. S. Constitution stands, as the supreme law of the land, elected or appointed public officials shall be bound by the chains of the U. S. Constitution, to uphold and preserve the rights of all citizens protecting them from the irresponsible misuse of free speech that is to say, elected or appointed public officials, shall be prohibited from advocating and conspiring to deprive law abiding citizens from their U. S. Constitutional protections and guarantees. Legal Path - U. S. Constitution. The Constitution of the United States established in 1789 and ratified by the states forming the United States of America.

Section 29.7 Prohibition of Income Tax.

Josephine County shall not establish an income tax; both personal and business income taxes would be disallowed. [Amended May, 1990]

Others?

B. Police Power

Even under the narrowest concept of the police power as limited by substantive due process, it was generally conceded that states could exercise the power to protect the public health, safety, and morals, and they have.

A general welfare clause is a section that appeared in many constitutions, as well as in some charters and statutes, which provides that the governing body empowered by the document may enact laws to promote the general welfare of the people, sometimes worded as the public welfare. In some countries, this has been used as a basis for legislation promoting the health, safety, morals, and well-being of the people governed thereunder (known as the police power). Such clauses are generally interpreted as granting the state broad power to legislate or regulate for the general welfare that is independent of other powers specified in the governing document.

The term “general welfare” actually appears twice in the Constitution. We find it first in the preamble and then in the opening line of Article I Sec. 8. Promoting the general welfare falls among the responsibilities of the federal government, but it must do so within the scope of the specific powers delegated.

1. U.S. Constitution

a) Preamble of Constitution

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

b) Article I Sec. 8 of Constitution

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States;

C. **Core Oregon Public Safety Agencies and Budgets** (*Report Of The Reset Subcommittee On Public Safety*)

- *The Reset Subcommittee. June 2010. Report Of The Reset Subcommittee On Public Safety. Cameron Smith, Senior Policy Advisor; The Crime & Justice Institute (CJI). Salem, OR.*

The State of Oregon provides the following core public safety functions: The budget numbers reflected in these descriptions reflect both the total biennial budget and (in parenthesis) the general fund budget of each area.⁹

Program Area Agencies

- Department of Corrections
- Department of Justice
- Department of State Police
- Oregon Judicial Department
- Oregon Youth Authority
- Public Defense Services Commission
- Oregon Military Department
- District Attorneys and their Deputies
- Criminal Justice Commission
- Department of Public Safety Standards and Training
- State Board of Parole and Post-Prison Supervision

The **Department of Corrections** manages offenders sentenced for felonies by the courts with biennial budget of \$1.408 billion (\$1.259 billion GF). DOC distributes funds to counties for management of offenders on probation, parole, post-prison supervision, or who have been sentenced to incarceration for one year or less, and directly provides those services in some counties. DOC operates over 14,000 prison beds. The felony probation caseload is approximately 22,000 and the parole and post-prison supervision caseload is approximately 14,600. County Community Corrections operations makes up \$214 million or 17 percent of DOC's general fund and Debt service to cover the borrowing for prison construction is \$130 million or 10 percent of DOC's general fund.

The **Department of Justice**, with a biennial budget of \$384 million (\$54.7 million GF), under the leadership of the Attorney General, provides legal counsel to state officials and agencies. The DOJ represents the state in court actions, assists District Attorneys in investigating and prosecuting certain limited crimes, enforces child support obligations, antitrust laws, coordinates consumer protection services, provides compensation, funding for direct services, and advocacy to victims of crime, and works with law enforcement to prosecute organized crime.

The **Department of State Police** with a biennial budget of \$355 million (\$251 million GF) is responsible for a wide variety of public safety infrastructures, including a uniformed police presence across the state, enforcement of fish and wildlife laws, investigation of certain crimes, forensic laboratory services, the state-wide law enforcement data system.

The **Oregon Judicial Department** is a separate branch of government with a biennial budget of \$352 million (\$293 million GF) operates the unified state funded court system. The Chief Justice is the administrative head of the system. This system includes the Oregon Supreme Court, Court of Appeals, the Tax Court, and twenty seven judicial districts. Municipal courts and justice courts remain outside the state system.

The **Oregon Youth Authority**, with a biennial budget of \$312 million Total Funds (\$266 million GF), is the state's juvenile corrections agency. It serves the state's most delinquent youth ages 12 through 24 who commit crimes prior to their 18th birthday. OYA is funded to oversee 900 youth in 11 close-custody facilities, and to provide parole and probation services to approximately 1,100 youth in communities. OYA provides a range of evidence-based treatment and education programs to youth in close custody, and contracts for community-based foster care, residential treatment and specialized treatment programs for youth on parole and probation. Treatment programs are designed to address and reduce or eliminate the criminogenic factors that contributed to the youths' criminal behaviors. In addition, OYA distributes funds to county juvenile departments for prevention, intervention and diversion services to minimize the number of youth who need to be placed in state institutions.

The **Public Defense Services Commission** with a biennial budget of \$214 million (\$210.8 million GF) is an independent body that governs the Office of Public Defense Services (OPDS). The Contract and Business Services Division of the Office administers the public defense contracts that provide trial representation for financially eligible criminal and juvenile defendants. The Appellate arm of OPDS provides constitutionally mandated representation in the appellate courts for financially eligible persons.

The **Oregon Military Department** with a biennial budget of \$371 million (\$24.8 million GF) provides combat-ready units and equipment for deployment in support of national defense, assistance in natural disasters or civil unrest. OMD operates the Office of Emergency Management. The Oregon National Guard has 8,650 Army and Air Guard members, 596 facilities, and manages a federal program of 2,153 federal employees.

District Attorneys and their Deputies with a biennial budget of \$10 million (all general fund) dollars (plus the shared costs of counties) prosecutes criminal offenses and civil forfeitures, represents the state in juvenile courts, and advises local public safety officers and enforces child support orders. The state funds less than 5 percent of the total operating expenses of district attorney offices and county governments provide the additional support required for state criminal prosecutions.

The **Criminal Justice Commission** with a biennial budget of \$18 million (\$5.4 million GF) provides an impartial forum for criminal justice policy planning. The Commission's focus is on sentencing, specifically analyzing the use of incarceration and services to reduce recidivism, and strives to make the criminal justice system effective and efficient in preventing crime. Starting in 2009, the Commission also administers Oregon's portion of the federal Byrne/JAG funds by establishing grant programs funneling those vital dollars into our counties and communities.

The **Department of Public Safety Standards and Training** with a biennial budget of \$48 million (\$11.4 million GF) is responsible for standards, certification, accreditation, and training of public safety personnel in law enforcement, county corrections, parole and probation, law enforcement telecommunications, firefighting, and private security.

The **State Board of Parole and Post-Prison Supervision** with a biennial budget of \$11.4 million GF sets parole release plans for offenders convicted of felonies committed prior to November 1, 1989 and post-prison release plans for felony offenders convicted after that date, and determines when “dangerous offenders” should be released. It establishes conditions of parole and post-prison supervision for all offenders being released from prison, and works with local community corrections agencies to impose sanctions for offenders who violate these conditions.

Footnote 9. http://www.leg.state.or.us/comm/lfo/2009_11_budget/PUBLIC_SAFETY.pdf & http://www.leg.state.or.us/comm/lfo/2009_11_budget/2009-11_Budget_Highlights_Update.pdf

D.. Public Safety Services (PSS) Standards

1. Planning PSS standards are usually identified through some planning process, informal or formal, and with public involvement, or not.

Planning Steps (*Appendix D1. Impact Methodology Model*)

- Walker, Mike; Whalen, Jon. 2015. *Appendix D1. Impact Methodology Model*. Supporting Justice System & Public Safety Services Study Design: 2015. Hugo Justice System & Public Safety Services Exploratory Committee, Hugo Neighborhood Association & Historical Society. Hugo, OR.
- 1. Information Issue (e.g., public opinion, government, etc.).
- 2. Known Facts (e.g., affected conditions, benchmarks, etc.).
- 3. Indicators & Standards (e.g., law, policies, etc.)
- 4. Analysis (of publicly identified alternative solutions).
- 5. Conclusions/Recommendations.

Police-staffing models have evolved. The earliest approaches addressed rising crime and the number of personnel necessary to do so. Later models aimed to improve efficiency, but did not give much attention to discretionary time needed for community policing. More recent models address community policing needs, but can require difficult decisions. Community policing in its simplest terms is the system of allocating police officers to particular areas so that they become familiar with the local inhabitants.

2. National PSS Standards There does not appear to be national PSS standards, and few in Oregon, except for state certification and training standards, and some Oregon jail standards.

- Ready-made, universally applicable patrol staffing standards do not exist. There are no such [national] standards. Nor are there “recommended numbers of officers per thousand.”
- Patrol operations police agencies routinely speak about “recommended officers per 1,000 population” or a “National Standard” for staffing or comparisons to other municipalities. There are no such standards, nor are there “recommended numbers of “officer per thousand”.
- There is no magic formula because every jail is different.
- How many patrol officers/deputies does a law enforcement agency need? It is common for law enforcement administrators to ask some variation of the question, “How many patrol officers/deputies do we need?” In reality, there is no universally applicable answer to this question. How many patrol officers are needed depends upon what level of police services is desired. There is no fixed standard in this respect.
- For elected Sheriffs in Oregon, very few minimum standards exist.
- Officers per thousand is a "national standard." Wrong. There are no such standards. Nor are there “recommended numbers of officer per thousand.”
- No single national standard for police staffing is recognized. Research of available literature revealed some “best practices” regarding current thinking in the field of police staffing. As resources allow, transition toward *Traditional* or *Community* policing models is increasing being applied.
- There is no right or wrong value for any of the policy decisions that impact police allocation and staffing. It is based on the level of service that a law enforcement unit wants to provide to its citizens and based on the availability of resources needed to meet the performance objectives set for patrol.
- The answer to the question, “How many patrol officers/deputies are needed?” varies based on several factors. Many of these variables are policy decisions for which there is no correct answer. It depends upon the level of police service desired in the community as well as what a given community is willing to purchase in police services.

3. Oregon Jail Standards When someone asks for “Oregon Jail Standards” they could be referring to two, or more, separate things, but they are usually referring to one or both of the following.

1. ORS 160.076 [???], which are the jail standards that were first enacted in the early 1970s, and that lay out the statutory minimum requirements that jails must adhere to.
2. Voluntary standards promulgated by the Oregon State Sheriff’s Association (OSSA), and followed by every jail in Oregon. They are not publically available as they are copyrighted. OSSA is not a government agency and is not required to comply with public records laws.

There appears to be a body of case law that defines how jails should be operated and a means to hold jail officials accountable if the case law is not followed.” Jail standards are specifications or benchmarks for jail operations and facilities. They may exist in the form of mandated rules and regulations established by law or voluntary guidelines established by professional associations. Jail standards typically consist of prescriptive statements that establish requirements or levels of performance for specific jail functions, activities, or conditions. These statements, and the standards generally, are intended to reflect legal requirements and what the field believes is “sound correctional practice.”

What are the ‘Oregon Jail Standards’? Jails in Oregon follow voluntary standards that are maintained by the Oregon State Sheriffs’ Association (OSSA). The standards are applied on top of state and federal policies regarding county jails. But unlike state, county or sheriff office policies, these are created and maintained by a nonprofit organization — one that says the standards, which were first copyrighted in 1999, are also a “trade secret” under state law.

Although the standards are applied in the inspection of public facilities, the OSSA argues they are a “trade secret” under Oregon law because the OSSA owns them. Unlike the sheriff’s office or county policies, the jail standards are owned by the sheriff’s association, and go beyond the requirements of state and federal law. Both county and sheriff’s office policies are considered public record. But the OSSA, a 501(c)(3) nonprofit, isn’t a public body subject to Oregon public records law.

4. Factors That Affect Police Patrol Allocation (Fritsch, Eric J., Ph.D. July 2013. *Factors that Impact Police Patrol Allocation*. University of North Texas, Department of Criminal Justice. Denton, TX).

How many patrol officers/deputies does a law enforcement agency need? It is common for law enforcement administrators to ask some variation of the question, “How many patrol officers/deputies do we need?” In reality, there is no universally applicable answer to this question. How many patrol officers are needed depends upon what level of police services is desired. **There is no fixed standard** in this respect.

There is no right or wrong value for any of the policy decisions that impact allocation. It is based on the level of service that a police department/sheriff office wants to provide to its citizens and based on the availability of resources needed to meet the performance objectives set for patrol.

The answer to the question, “How many patrol officers/deputies are needed?” varies based on several factors. The Model for the Allocation of Patrol Personnel (MAPP) allows the user to specify the values for several performance objectives/variables in determining the number of officers that should be assigned to patrol. Many of these variables are policy decisions for which there is no correct answer. **It depends upon the level of police service desired in the community as well as what a given community is willing to purchase in police services.**

5. Performance Measurement After the PSS goals, allocation, and staffing has occurred, performance can be addressed. Performance measurement is at the heart of nearly every innovative management fad or organizational development strategy in the past two decades. It is an essential component of **zero-based budgeting and management by objectives, reinventing government, re-engineering the corporation, total quality management, bench-marking, balanced scorecards, and organizational learning.** Police performance is multidimensional. This idea, as simplistic as it might seem, is the foundation of effective performance measurement.

Once the goals of policing have been identified and a salient list of dimensions (and perhaps sub-dimensions) has been prepared, it is time to begin formulating specific performance measurements. Many times, people start off in the middle of the process by generating a list of performance measures without having first done the necessary and far more difficult work of thinking about the broad dimensions of police performance.

E. Summary.

In summary, this is on-going project at the beginning of its research to identify PSS standards. This is a huge project as the literature is immense. At this point the authors do not know if they have found the main PSS standards' themes or not. However, they decided to end this draft in order to establish a written web published baseline of research as the foundation for further work.

Assistance from the reader would be appreciated would be appreciated in the form of comments on this document and any recommended edits (e.g., logic, changes, additions, etc.), as well as any additions or deletions to the list of bibliographic references.

Thank you.

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III. REFERENCES ON PUBLIC SAFETY SERVICES STANDARDS: HIGHLIGHTS

- **Bell, Tom. July 25, 2011. *Station needed; questions remain.*** News-Graphic.com. Georgetown, KY

Many chiefs will state that the officers-per-thousand is a “national standard.” Police agencies routinely speak about:

- “Recommended officers per 1,000 population” or
- “National standard” for staffing or
- Comparisons to other municipalities

Ready-made, universally applicable patrol staffing standards do not exist. There are no such [national] standards. Nor are there “recommended numbers of officers per thousand.” It is not useful to make comparisons with other communities.

- **Campbell, John; Brann, Joseph; and Williams, David. March 2004. *Officer-Per-Thousand Formulas and Other Policy Myths.*** International City/County Management Association’s Public Management (PM) Magazine, Features, Volume 86 Number 2. Washington, DC.

In every town—regardless of crime rate, regardless of department size—we hear about comparable jurisdictions with more officers and about how local officers are overworked, going from call to call. We have yet to find a department that thinks it could do with fewer personnel. The questions aren’t “How busy are we?” or “Do we have as many officers as the next town?” The question should be “What will it take for us, in this community, to achieve our public safety goals?”

- **Center for Public Safety Management. LLC. October 11, 2013. *Proposal for Comprehensive Analysis of Police and Fire / EMS Services Ontario, Oregon.*** Washington, DC.

Benchmark the Community It is essential to understand the service levels, protection needs, community dynamics, and overall environment within which the police department operates.

Patrol Operations Police agencies routinely speak about “recommended officers per 1,000 population” or a “National Standard” for staffing or comparisons to other municipalities. There are no such standards, nor are there “recommended numbers of “officer per thousand”.

- **Center for Public Safety Management. LLC. March 17, 2014. *Proposal for Comprehensive Analysis of Law Enforcement Services City of Monroe, Wisconsin.*** MD. Washington, DC.

Benchmark the Community It is essential to understand the service levels, protection needs, community dynamics, and overall environment within which the police department operates.

Patrol Operations Police agencies routinely speak about “recommended officers per 1,000 population” or a “National Standard” for staffing or comparisons to other municipalities. There are no such standards, nor are there “recommended numbers of “officer per thousand”.

- **Center for Public Safety Management. LLC. February 12, 2015. *Proposal for Comprehensive Analysis of Law Enforcement Patrol Staffing Ocean City.*** MD. Washington, DC.

The CPSM Approach. The CPSM team developed a standardized approach to conducting analyses of police departments by combining the experience sets of dozens of subject matter experts.

Patrol Operations Police agencies routinely speak about “recommended officers per 1,000 population” or a “National Standard” for staffing or comparisons to other municipalities. There are no such standards, nor are there “recommended numbers of “officer per thousand”.

- **FBI. Downloaded January 29, 2016. *Uniform Crime Reporting Statistics: Their Proper Use.*** Uniform Crime Reports. Criminal Justice Information Services Division, Crime Statistics Management Unit. Clarksburg, WV.

UCR crime statistics are used in many ways and serve many purposes.

However, despite repeated warnings against these practices, some data users continue to challenge and misunderstand this position. Data users should not rank locales because there are many factors that cause the nature and type of crime to vary from place to place. UCR statistics include only jurisdictional population figures along with reported crime, clearance, or arrest data. Rankings ignore the uniqueness of each locale.

Ranking agencies based solely on UCR data has serious implications. For example, if a user wants to measure the effectiveness of a law enforcement agency, these measurements are not available. The FBI cautions and, in fact, strongly discourages, data users against using rankings to evaluate locales or the effectiveness of their law enforcement agencies.

- **FBI. Downloaded January 29, 2016. *A Word About UCR Data.*** Uniform Crime Reports. Criminal Justice Information Services Division, Crime Statistics Management Unit. Clarksburg, WV.

Since crime is a sociological phenomenon influenced by a variety of factors, the FBI discourages ranking the agencies and using the data as a measurement of law enforcement effectiveness.

“Because of law enforcement’s varied service requirements and functions, as well as the distinct demographic traits and characteristics of each jurisdiction, readers should use caution when drawing comparisons between agencies’ staffing levels based upon police employment data from the UCR program.

- **Gilbertson, Gil, Josephine County Sheriff Candidate. March 2006. *JoCo Jail “Cap” Figures That Don’t Add Up.***

There is no magic formula because every jail is different. National Sheriff Association Executive Board.

In 2003, a recommendation to the JO CO Board of County Commissioners (BCC) proposed a limit on the number of inmates incarcerated in the county jail (i.e. ratio of 1 deputy to 5 inmates). The BCC adopted the recommendations made by the Sheriff, agreed upon by the District Attorney, and Legal Counsel in compliance with Oregon law. See Oregon Revised Statute 169.042 thru 046, and JO CO Court ORDER No. 2003-023.

Yamhill County (Oregon) is a classic example of what an efficient and professionally managed jail can do. Although this county is 55% smaller in area than Josephine, with a population of approximately 10,000 more citizens, and has a budget comparable to ours, Sheriff Crabtree has two fewer corrections deputies, yet continually fills his older, less efficient 250-bed jail to full capacity. Why can we not do better with our state-of-the-art facility?

- **Fritsch, Eric J., Ph.D. July 2013. *Factors that Impact Police Patrol Allocation.*** University of North Texas, Department of Criminal Justice. Denton, TX.

How Many Patrol Officers/deputies Does a Law Enforcement Agency Need? It is common for law enforcement administrators to ask some variation of the question, “How many patrol officers/deputies do we need?” In reality, there is no universally applicable answer to this question. How many patrol officers are needed depends upon what level of police services is desired. There is no fixed standard in this respect.

There is no right or wrong value for any of the policy decisions that impact allocation. It is based on the level of service that a police department wants to provide to its citizens and based on the availability of resources needed to meet the performance objectives set for patrol.

The answer to the question, “How many patrol officers/deputies are needed?” varies based on several factors. The Model for the Allocation of Patrol Personnel (MAPP) allows the user to specify the values for several performance objectives/variables in determining the number of officers that should be assigned to patrol. Many of these variables are policy decisions for which there is no outside correct answer. It depends upon the level of police service desired in the community as well as what a given community is willing to purchase in police services.

- **Lane County Public Safety Coordinating Council. December 1, 2011 *Status of the Public Safety System in Lane County as per Senate Bill 77*.** Report to the Board of County Commissioners. Eugene, OR.

The Lane County PSCC determined a minimally adequate level of public safety services for its 70 plus PSS considering Lane County’s physical, historical and fiscal circumstances in the area.

- **Magellan Research Corporation. April 2007. *Comprehensive Staffing Needs Projection Eugene Police Department*.** New York, NY.

The primary issue addressed in the patrol staffing needs section of this study focuses on the question: How many sworn police officers should be assigned to patrol in the Eugene Police Department? The methodology employed to answer this question was the use of the Model for the Allocation of Patrol Personnel (MAPP). MAPP is an allocation model created by Justice Research Consultants, LLC, and has been successfully employed in other cities and jurisdictions to accurately project the number of officers required in patrol, utilizing variable service level schemes or performance objectives.

- **Maguire, Edward R., Ph.D. (DATE) Associate Professor Administration of Justice Program. *Measuring the Performance of Law Enforcement Agencies - Part 1 of a 2-Part article*.** George Mason University Fairfax, Virginia. CALEA Update Magazine | Issue 83. Gainesville, Virginia.

Performance measurement is at the heart of nearly every innovative management fad or organizational development strategy in the past two decades. It is an essential component of zero-based budgeting and management by objectives, reinventing government, re-engineering the corporation, total quality management, benchmarking, balanced scorecards, and organizational learning. Police performance is multidimensional. This idea, as simplistic as it might seem, is the foundation of effective performance measurement.

- **Maguire, Edward R., Ph.D., Associate Professor Administration of Justice Program. *Measuring the Performance of Law Enforcement Agencies - Part 2 of a 2-Part article*.** George Mason University Fairfax, Virginia. CALEA Update Magazine | Issue 84. Gainesville, Virginia.

Explore the feasibility and utility of agency-level performance measurement in policing. Once the goals of policing have been identified and a salient list of dimensions (and perhaps sub-dimensions) has been prepared, it is time to begin formulating specific performance measurements. Many times, people start off in the middle of the process by generating a list of performance measures without having first done the necessary and far more difficult work of thinking about the broad dimensions of police performance. We start by identifying theories and concepts and then collect data on specific measures that reflect those broader theories and concepts. The search for specific performance measures should be a liberating, unconstrained process in which participants are encouraged to think well outside of the traditional boundaries.

- **Martin, Mark D.. April 2007. *Jail Standards and Inspection*.** U.S. Department of Justice, National Institute of Corrections, NIC Accession Number 022180. Washington, DC.

There is now a body of case law that defines how jails should be operated and a means to hold jail officials accountable if the case law is not followed. Jail standards are specifications or benchmarks for jail operations and facilities. They may exist in the form of mandated rules and regulations established by law or

voluntary guidelines established by professional associations. Jail standards typically consist of prescriptive statements that establish requirements or levels of performance for specific jail functions, activities, or conditions. These statements, and the standards generally, are intended to reflect legal requirements and what the field believes is "sound correctional practice."

- **Matarese, Leonard. Downloaded December 16, 2015. *Determining Police Staffing & Deployment.*** Director of Research & Project Development, ICMA Center for Public Safety Management, International City/County Management Association

Police agencies routinely speak about "recommended officers per 1,000 population" or a "National Standard" for staffing, or comparisons to other municipalities. There are no such standards.

- **Myers, Hardy, OR Attorney General. November 10, 2008. *Attorney General's Opinion: Must the sheriff or a candidate for sheriff of Multnomah County meet the requirements for a sheriff set by ORS 206.015, including the requirement to be, or to become, certified as a police officer by the DPSST?*** No. 8287. Salem, OR.
- **Stumbo, Stacy D. of the Daily Courier. July 07, 2012. *Josephine County Sheriff Gil Gilbertson has had enough of friction with Grants Pass police officials.*** Front Page News, The Grants Pass Daily Courier (TGPDC)

For elected Sheriffs in Oregon, very few minimum standards exist.

- **Walker, Mike & Whalen, Jon, Members, JS&PSS Exploratory Committee. Draft December 15, 2015. *Appendix B4. JO CO's Minimally Adequate Level Of Public Safety Services (MALPSS) Standards.*** Supporting *Justice System & Public Safety Services Study Design: 2015 (Study Design)*. Hugo Neighborhood Association & Historical Society. Hugo, OR.
- **Walker, Mike; Whalen, Jon, Members of Hugo Justice System & Public Safety Services Exploratory Committee, Hugo Neighborhood Association & Historical Society. Draft 2015. *Appendix B3. Analysis Public Situation.*** Supporting *Justice System & Public Safety Services Study Design: 2015*. Hugo, OR.
- **Walker, Mike; Whalen, Jon, Members, Hugo Justice System & Public Safety Services Exploratory Committee, Hugo Neighborhood Association & Historical Society. Draft 2015. *Appendix B2. Studies & Information.*** Supporting *Justice System & Public Safety Services Study Design: 2015*. Hugo, OR
- **Wieczorek, Thomas. December 1, 2010. *Police Staffing Standards.*** International City/County Manager Association. Downloaded December 16, 2015.

Officers per thousand is a "national standard." Wrong. There are no such standards. Nor are there "recommended numbers of officer per thousand."

- **Wilson, Jeremy M. and Alexander Weiss. August 2012. *A Performance-based Approach to Police Staffing and Allocation.*** ISBN 978-1-932582-60-4. The Office of Community Oriented Policing Services (COPS Office) & Michigan State University.

A Workload-Based Assessment for Patrol In this chapter, we highlight common staffing approaches and demonstrate how agencies may develop and use a workload-based assessment of patrol staffing needs that incorporates performance objectives for discretionary time. We also review various work schedules and illustrate their importance in patrol staffing allocation, using data from four law enforcement agencies, including information from their calls for service and notional work schedules.

Police-staffing models have evolved to reflect models of policing. The earliest models reflected approaches to addressing rising crime and the number of personnel necessary to do so. Later models aimed to improve efficiency, but did not give much attention to discretionary time

needed for community policing. More recent models address community policing needs, but can require difficult decisions—e.g., defining response intervals.

- **Wilson, Jeremy M. and Weiss, Alexander. April 2013. *Staffing the ‘Small’ Department: Taking Stock of Existing Benchmarks and Promising Approaches*.** *The Police Chief* 80 (April 2013): 34–40.

While agencies give much attention to recruitment and retention, they often overlook a more fundamental question: How many police officers does a particular agency need? Answering this question is essential to any discussion about managing workforce levels, regardless of whether there is a shortage of qualified officers or an inability to support previous staffing levels. Put another way, what number of officers would help an agency most cost-effectively meet the demands placed on it? This is a fundamentally different question than how many officers does a community want or can a community support. Yet answering the need question effectively frames a discussion about want and affordability.

Traditionally, there have been four basic approaches to determining workforce levels: per capita, minimum staffing, authorized level, and workload-based. Each differs in its assumptions, ease of calculation, usefulness, validity, and efficiency. A fifth approach, based on officer coverage, can help determine staffing needs in communities with low call volumes.

- **Withycombe, Claire. December 6, 2015. *Sheriff’s association blocks release of jail standards in lawsuit: Jail standards document sealed in Deschutes County jail suit*.** *The Bulletin*.

What are the ‘Oregon Jail Standards’? Jails in Oregon follow voluntary standards that are maintained by the Oregon State Sheriffs’ Association. The standards are applied on top of state and federal policies regarding county jails. But unlike state, county or sheriff office policies, these are created and maintained by a nonprofit organization — one that says the standards, which were first copyrighted in 1999, are also a “trade secret” under state law.

Although the standards are applied in the inspection of public facilities, the association argues they are a “trade secret” under Oregon law because the association owns them. Unlike the sheriff’s office or county policies, the jail standards are owned by the sheriff’s association, and go beyond the requirements of state and federal law. Both county and sheriff’s office policies are considered public record. But the association, a 501(c)(3) nonprofit, Bishop wrote, isn’t a public body subject to Oregon public records law.

- **Xenia City Manager’s Office and Finance Department & Xenia Fire Division and Xenia Police Division. June 2012. *Public Safety Services Study: A Comprehensive Assessment of Service Capacity, Affordability, and Sustainability for Xenia*.** Xenia, OH.

No single national standard for police staffing is recognized. Research of available literature revealed some “best practices” regarding current thinking in the field of police staffing. As resources allow, transition toward *Traditional* or *Community* policing models.

IV. MORE DETAILED BIBLIOGRAPHY ON PUBLIC SAFETY SERVICES STANDARDS

- **Bell, Tom. July 25, 2011. *Station needed; questions remain.*** News-Graphic.com. Georgetown, KY

The other thing that was mentioned in the May 10 article and also in the mayor's budget message was the **"national standards"** for staffing. If I recall, it was 2.5 officers for every thousand in the population. So the chief is saying he should have 72 officers. Let me just quote the International Association of Chiefs of Police and the International City/County Management Association.

First, the IACP: **"Ready-made, universally applicable patrol staffing standards do not exist.** Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions. Accordingly, they have no place in the IACP methodology. Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data."

ICMA says: "The use of officers per thousand for police or fire deployment is an ineffective performance measure. Instead, the determination should be made by what time is required to perform the given tasks on a daily, monthly, and seasonal basis and deploying the appropriate resources to manage the workload. **Many chiefs will state that the officers-per-thousand is a "national standard."**

Police agencies routinely speak about:

- **"Recommended officers per 1,000 population" or**
- **"National standard" for staffing or**
- **Comparisons to other municipalities**

There are no such standards. Nor are there "recommended numbers of officers per thousand." It is not useful to make comparisons with other communities.

- **Campbell, John; Brann, Joseph; and Williams, David. March 2004. *Officer-Per-Thousand Formulas and Other Policy Myths.*** International City/County Management Association's Public Management (PM) Magazine, Features, Volume 86 Number 2. Washington, DC.

"We added 200 more officers, and to be honest, I can't really tell you that anything changed in the community at all." An assistant chief from a major city

The concepts for solving the police resource questions described in this article are simple. However, few leaders apply them fully. We think we know why. The concepts are simple, even obvious. But the degree of political will and administrative leadership required to carry them out can seem almost revolutionary.

The authors of this article have worked with many communities across the United States—some of the smallest and largest, the most dangerous and safest. We have worked with chiefs who "require" 2.0 officers per thousand to begin community policing, and for managers with 3.6 officers per thousand who declare they cannot do proactive policing without more cops. **In every town—regardless of crime rate, regardless of department size—we hear about comparable jurisdictions with more officers and about how local officers are overworked, going from call to call. We have yet to find a department that thinks it could do with fewer personnel. Overseeing it all are city and county leaders allocating resources among crime, water, parks, and public works while trying to weigh arguments for more police that often hinge on workload measures and the perceived need to have as many officers as another community. It is time to challenge the assumptions and practices guiding these staffing requests. The questions aren't "How busy are we?" or "Do we have as many officers as the next town?" The question should be "What will it take for us, in this community, to achieve our public**

safety goals?” This article is about how local leaders can connect this question to their own resource decisions.

John Campbell is president of Campbell DeLong Resources, Inc. (www.cdri.com), Portland, Oregon. Joseph Brann is chief executive officer, Joseph Brann & Associates, LLC (ibrannballc.com), Pales Verdes Peninsula, California, and a retired police chief, He served as the first director of the COPS Office in the U.S. Department of Justice. David Williams is a criminal justice management consultant and adjunct professor in criminal justice administration at the University of Portland, Portland, Oregon (williamsd@k-com.net), and also a retired assistant chief of police for Portland.

- **Center for Public Safety Management. LLC. October 11, 2013. *Proposal for Comprehensive Analysis of Police and Fire / EMS Services Ontario, Oregon.*** Washington, DC.

Benchmark the Community It is essential to understand the service levels, protection needs, community dynamics, and overall environment within which the police department operates. The ICMA study may involve interviews and surveys directed at stakeholders in the community. Elected officials, community groups (civic, business, religious, labor, etc.), community leaders, and employee labor representatives would be contacted to solicit their opinions about the department, the public safety needs of their constituency, and the perceived gaps in service levels currently provided. ICMA will work with the agency to identify community members that can provide this important information. Additionally, the department will be compared to organizations of similar size with respect to crime, demographics, and cost-efficiency.

Patrol Operations Police agencies routinely speak about “**recommended officers per 1,000 population**” or a “**National Standard**” for staffing or comparisons to other municipalities. **There are no such standards, nor are there “recommended numbers of “officer per thousand”**. The International Association of Chiefs of Police (IACP) states; “Ready-made, universally applicable patrol staffing standards do not exist. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions.” Staffing decisions, particularly in patrol, must be made based upon actual workload and very few police agencies have the capability of conducting that analysis. Once an analysis of the actual workload is made, then a determination can be made as to the amount of discretionary patrol time that should exist, consistent with the local government’s ability to fund.

- **Center for Public Safety Management. LLC. March 17, 2014. *Proposal for Comprehensive Analysis of Law Enforcement Services City of Monroe, Wisconsin.*** MD. Washington, DC.

Benchmark the Community It is essential to understand the service levels, protection needs, community dynamics, and overall environment within which the police department operates. The ICMA study may involve interviews and surveys directed at stakeholders in the community. Elected officials, community groups (civic, business, religious, labor, etc.), community leaders, and employee labor representatives would be contacted to solicit their opinions about the department, the public safety needs of their constituency, and the perceived gaps in service levels currently provided. ICMA will work with the agency to identify community members that can provide this important information. Additionally, the department will be compared to organizations of similar size with respect to crime, demographics, and cost-efficiency.

Patrol Operations Police agencies routinely speak about “**recommended officers per 1,000 population**” or a “**National Standard**” for staffing or comparisons to other municipalities. **There are no such standards, nor are there “recommended numbers of “officer per thousand”**. The International Association of Chiefs of Police (IACP) states; “Ready-made, universally applicable patrol staffing standards do not exist. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions.” Staffing decisions, particularly in patrol, must be made based upon actual workload and very few police agencies have the capability of conducting that analysis. Once an analysis of the actual

workload is made, then a determination can be made as to the amount of discretionary patrol time that should exist, consistent with the local government's ability to fund.

- **Center for Public Safety Management. LLC. February 12, 2015. *Proposal for Comprehensive Analysis of Law Enforcement Patrol Staffing Ocean City, MD.*** Washington, DC.

The CPSM Approach The CPSM team developed a standardized approach to conducting analyses of police departments by combining the experience sets of dozens of subject matter experts. We begin projects with a request for data, documents and worksheets. Next, we extract raw data on calls for service from an agency's computer aided dispatch system. The data are sorted and analyzed to identify performance indicators (i.e., response times, workload by time, multiple unit dispatching, etc.) for comparison to industry benchmarks. Performance indicators are valuable measures of agency efficiency and effectiveness. The findings are shown in tabular as well as graphic form and follow a standard format for presentation of the analyzed data. While the format will be similar from community to community, the data reported are unique to the specific agency.

Patrol Operations Police agencies routinely speak about "recommended officers per 1,000 population" or a "National Standard" for staffing or comparisons to other municipalities. There are no such standards, nor are there "recommended numbers of officer per thousand". The International Association of Chiefs of Police (IACP) states; "Ready-made, universally applicable patrol staffing standards do not exist. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions." Staffing decisions, particularly in patrol, must be made based upon actual workload and very few police agencies have the capability of conducting that analysis. Once an analysis of the actual workload is made, then a determination can be made as to the amount of discretionary patrol time that should exist, consistent with the local government's ability to fund.

- **FBI. Downloaded January 29, 2016. *Uniform Crime Reporting Statistics: Their Proper Use.*** Uniform Crime Reports. Criminal Justice Information Services Division, Crime Statistics Management Unit. Clarksburg, WV.
<https://www.fbi.gov/about-us/cjis/ucr/ucr-statistics-their-proper-use>

UCR crime statistics are used in many ways and serve many purposes. **They provide law enforcement with data for use in budget formulation, planning, resource allocation, assessment of police operations, etc., to help address the crime problem at various levels.** Chambers of commerce and tourism agencies examine these data to see how they impact the particular geographic jurisdictions they represent. **Criminal justice researchers study the nature, cause, and movement of crime over time.** Legislators draft anti-crime measures using the research findings and recommendations of law enforcement administrators, planners, and public and private entities concerned with the problem of crime. The news media use the crime statistics provided by the UCR Program to inform the public about the state of crime.

UCR data are sometimes used to compile rankings of individual jurisdictions and institutions of higher learning. These incomplete analyses have often created misleading perceptions which adversely affect geographic entities and their residents. For this reason, the FBI has a long-standing policy against ranking participating law enforcement agencies on the basis of crime data alone. **Despite repeated warnings against these practices, some data users continue to challenge and misunderstand this position.**

Data users should not rank locales because there are many factors that cause the nature and type of crime to vary from place to place. UCR statistics include only jurisdictional population figures along with reported crime, clearance, or arrest data. Rankings ignore the uniqueness of each locale.

Ranking agencies based solely on UCR data has serious implications. For example, **if a user wants to measure the effectiveness of a law enforcement agency, these measurements are not available.**

Because of concern regarding the proper use of UCR data, the FBI has the following policies:

- The FBI does not analyze, interpret, or publish crime statistics based solely on a single dimension interagency ranking.
 - The FBI does not provide agency-based crime statistics to data users in a ranked format.
 - When providing/using agency-oriented statistics, **the FBI cautions and, in fact, strongly discourages, data users against using rankings to evaluate locales or the effectiveness of their law enforcement agencies.**
- **FBI. Downloaded January 29, 2016. *A Word About UCR Data*.** Uniform Crime Reports. Criminal Justice Information Services Division, Crime Statistics Management Unit. Clarksburg, WV. <https://www.fbi.gov/about-us/cjis/ucr/word>

Since crime is a sociological phenomenon influenced by a variety of factors, the FBI discourages ranking the agencies and using the data as a measurement of law enforcement effectiveness.

“Because of law enforcement’s varied service requirements and functions, as well as the distinct demographic traits and characteristics of each jurisdiction, readers should use caution when drawing comparisons between agencies’ staffing levels based upon police employment data from the UCR program. In addition, the data presented here reflect existing staff levels and should not be interpreted as preferred officer strengths recommended by the FBI. Lastly, it should be noted that the totals given for sworn officers for any particular agency reflect not only the patrol officers on the street but also officers assigned to various other duties such as those in administrative and investigative positions and those assigned to special teams.” Federal Bureau of Investigation, Uniform Crime Reports, <http://www.fbi.gov/about-us/cjis/ucr/ucr>.

- **Fritsch, Eric J., Ph.D. July 2013. *Factors that Impact Police Patrol Allocation*.** University of North Texas, Department of Criminal Justice. Denton, TX. <http://policestaffing.unt.edu/images/PolicePatrolAllocationWhitePaper.pdf>

How Many Patrol Officers/deputies Does a Law Enforcement Agency Need? This white paper reviews the common methods used today to answer this question along with the limitations of each. It provides a comprehensive discussion of the factors and performance objectives that impact police patrol allocation and how modern patrol allocation models, including the Model for the Allocation of Patrol Personnel (MAPP), account for each of these factors and objectives.

It is common for law enforcement administrators to ask some variation of the question, “How many patrol officers/deputies do we need?” In reality, there is no universally applicable answer to this question. How many patrol officers are needed depends upon what level of police services is desired. There is no fixed standard in this respect. Some communities want a Priority 1 response time of 4 minutes; some are willing to tolerate 7 or 8 minutes. Some communities want 50 percent of each shift to be spent on proactive patrol; some are willing to get by on 15 percent. Some communities want extensive traffic enforcement; some do not. Some communities want high patrol visibility in residential neighborhoods; for others, one drive through a neighborhood every 2 weeks is plenty. There is no rule requiring that at least one patrol officer always be available in a jurisdiction for a true 911 emergency, but most jurisdictions want there to be at least one patrol unit free all, or nearly all, of the time. Other communities enjoy readily available back-up units for true emergencies, such as contiguous jurisdictions or a university campus police department within the jurisdiction, and can therefore staff the patrol function at lower levels at certain times. Addressing the above complex array of issues, among others, in reality, provides the answer to the question “How many patrol officers/deputies are needed?”

Policy decisions have a significant impact on the allocation of patrol personnel as well. Several factors that impact allocation can be considered policy decisions. Police administrators set values for these variables, and they can be modified by the department as the conditions change. For example, if an administrator believes that the response time goal for emergency calls for service is too high, another lower

value can be set and the number of officers needed to meet this new objective can be determined by an allocation model. **There is no right or wrong value for any of the policy decisions that impact allocation. It is based on the level of service that a police department wants to provide to its citizens and based on the availability of resources needed to meet the performance objectives set for patrol.**

In the 1973 report of the National Advisory Commission on Criminal Justice Standards and Goals, the response time standard was set at three to five minutes for all part one crime calls and 3 minutes or less for emergency calls in urban areas.⁵

⁵ *National Advisory Commission on Criminal Justice Standards and Goals, Police.* (1973). <http://babel.hathitrust.org/cgi/pt?id=uc1.32106001090288;view=image;page=root;size=100;seq=2>.

Retrieved on July 6, 2013.

As demonstrated in this paper, the answer to the question, “How many patrol officers/deputies are needed?” varies based on several factors. The MAPP allows the user to specify the values for several performance objectives/variables in determining the number of officers that should be assigned to patrol. **Many of these variables are policy decisions for which there is no outside correct answer. It depends upon the level of police service desired in the community as well as what a given community is willing to purchase in police services.**

- **Gilbertson, Gil, Josephine County Sheriff Candidate. March 2006. *JoCo Jail “Cap” Figures That Don’t Add Up.*** US Observer. <http://www.usobserver.com/archive/mar-06/jail-cap.html>

“**There is no magic formula because every jail is different.**” National Sheriff Association Executive Board.

Out of 36 counties in Oregon, we are the only one to restrict the number of prisoners incarcerated at a number less than full capacity. **We are filling only 120 beds of our 262-bed jail and releasing up to 75 felons each month. The Board of Commissioners, under direction of the Sheriff, proclaimed a ratio of 1 deputy to 5 inmates as an absolute.** Using this logic, we could have saved ourselves a lot of money by not building the new jail.

In 2003, a recommendation presented to our “then” county commissioners proposed a limit on the number of inmates incarcerated in our jail. The Board of Commissioners adopted the recommendations made by the Sheriff, agreed upon by the District Attorney, and Legal Counsel in compliance with Oregon law. See **Oregon Revised Statute 169.042 thru 046, and JOCO Court ORDER No. 2003-023.**

Yamhill County (Oregon) is a classic example of what an efficient and professionally managed jail can do. Although this county is 55% smaller in area than Josephine, with a population of approximately 10,000 more citizens, and has a budget comparable to ours, Sheriff Crabtree has two fewer corrections deputies, yet continually fills his older, less efficient 250-bed jail to full capacity. Why can we not do better with our state-of-the-art facility?

- **Lane County Public Safety Coordinating Council. December 1, 2011 *Status of the Public Safety System in Lane County as per Senate Bill 77.*** Report to the Board of County Commissioners. Eugene, OR.

The Lane County PSCC determined a minimally adequate level of public safety services for its 70 plus PSS considering Lane County’s physical, historical and fiscal circumstances in the area.

- **Magellan Research Corporation. April 2007. *Comprehensive Staffing Needs Projection Eugene Police Department*. New York, NY.**

Oregon has the lowest number of police officers per capita in the United States and Eugene and Lane County have fewer police than most parts of Oregon. The existing level of police service provided to the citizens of Eugene is very low due to significant understaffing in the Eugene Police Department in comparison to other municipal law enforcement agencies in the United States. When Eugene is compared to the cities participating in the International City/County Managers Association (ICMA) Center for Performance Measurement (CPM) program, police services in the City of Eugene fall in the bottom tier of cities on several basic measures. Compared to a typical CPM city, the EPD has:

- Significantly higher property crime;
- Dispatches an officer to far fewer calls for service from the public;
- Dispatches far fewer calls as top priority;
- Takes much longer to respond to calls for service;
- Is much less likely to assign serious property crime reports to a detective;
- Is less likely to cite drivers for moving traffic violations; and
- Must spend more on overtime to provide police services to the public (see table below).

The primary issue addressed in the patrol staffing needs section of this study focuses on the question: How many sworn police officers should be assigned to patrol in the Eugene Police Department? The methodology employed to answer this question was the use of the **Model for the Allocation of Patrol Personnel (MAPP)**. MAPP is an allocation model created by **Justice Research Consultants, LLC**, and has been successfully employed in other cities and jurisdictions to accurately project the number of officers required in patrol, utilizing variable service level schemes or performance objectives.

- **Maguire, Edward R., Ph.D., Associate Professor Administration of Justice Program, George Mason University Fairfax, Virginia. *Measuring the Performance of Law Enforcement Agencies - Part 1 of a 2-Part article*. CALEA Update Magazine | Issue 83. Gainesville, Virginia.**

Performance measurement is at the heart of nearly every innovative management fad or organizational development strategy in the past two decades. It is an essential component of zero-based budgeting and management by objectives, reinventing government, re-engineering the corporation, total quality management, benchmarking, balanced scorecards, and organizational learning. Despite its popularity, performance measurement is an inherently ambiguous term. It is used in various ways to refer to the performance of individuals, of products and services, of subunits, of projects, and of organizations. Yet the methods and data used to measure performance at these different levels can vary significantly.

This article provides a brief review of comparative performance measurement in policing. It is written with practical application in mind, alerting readers to the many issues that arise in performance measurement, and suggesting some concrete steps that CALEA and its members can follow if they choose to implement a performance measurement system. Section II provides a brief history of police performance measurement. Section III describes what I have called a “Golden Thread,” a theme that is woven throughout a story, linking together its disparate parts. In this case, that theme is very simple, yet very powerful: **police performance is multidimensional**. This idea, as simplistic as it might seem, is the foundation of effective performance measurement. Section IV reviews some of the dimensions of police performance that have been examined in the past, offering some practical suggestions for those who are thinking about generating their own lists. The next segment of this article will feature a number of additional sections that explore how to implement performance measurement, both nationally, and within your agency.

- **Maguire, Edward R., Ph.D., Associate Professor Administration of Justice Program, George Mason University Fairfax, Virginia. *Measuring the Performance of Law Enforcement Agencies - Part 2 of a 2-Part article.* CALEA Update Magazine | Issue 84. Gainesville, Virginia.**

This is the second segment of a two-part article on measuring the performance of law enforcement agencies. It is written for a policing audience, and draws in discussions with members of CALEA's Performance Measurement Subcommittee and those who have attended my training workshops at the last three CALEA Conferences. In the first segment, I introduced the general concepts, terminology, and history of comparative performance measurement in policing. In this second segment, I show you how to develop, pilot-test, and implement comparative performance measurement in your agency. This article is one small part of a larger effort by CALEA to **explore the feasibility and utility of agency-level performance measurement in policing**. That journey is just beginning, and will proceed slowly, but it will be a worthwhile one.

Once the goals of policing have been identified and a salient list of dimensions (and perhaps sub-dimensions) has been prepared, it is time to begin formulating specific performance measurements. Many times, people start off in the middle of the process by generating a list of performance measures without having first done the necessary and far more difficult work of thinking about the broad dimensions of police performance. The process I am recommending is a rough analogue to the deductive model of science in which we start by **identifying theories and concepts and then collect data on specific measures that reflect those broader theories and concepts. The search for specific performance measures should be a liberating, unconstrained process in which participants are encouraged to think well outside of the traditional boundaries.**

Traditional performance measures in policing are often derived from administrative data maintained by the police department. While these data can often be very useful and should be included, official police data should not be the only source used in a comprehensive performance measurement system.

- **Martin, Mark D. April 2007. *Jail Standards and Inspection.* U.S. Department of Justice, National Institute of Corrections, NIC Accession Number 022180. Washington, DC.**

The convergence of historical neglect of jail issues with increased federal court involvement presents a major challenge for jail officials; **there is now a body of case law that defines how jails should be operated and a means to hold jail officials accountable if the case law is not followed.**

In *Estelle v. Gamble*, 429 U.S. 97 (1976), the "deliberate indifference" test is applied in areas other than just medical, including safety and other general living conditions. It has effectively expanded to mean "deliberate indifference to the basic human needs" of the inmate.

Jail standards are specifications or benchmarks for jail operations and facilities. They may exist in the form of **mandated rules and regulations established by law or voluntary guidelines** established by professional associations. Jail standards typically consist of prescriptive statements that establish requirements or levels of performance for specific jail functions, activities, or conditions. These statements, and the standards generally, **are intended to reflect legal requirements** and what the field believes is **"sound correctional practice."**

- **Matarese, Leonard. Downloaded December 16, 2015. *Determining Police Staffing & Deployment.* Director of Research & Project Development, ICMA Center for Public Safety Management, International City/County Management Association.
file:///C:/Users/Mike/Downloads/Determining%20Police%20Staffing%20&%20Deployment.pdf**

Police agencies routinely speak about "recommended officers per 1,000 population" or a "National Standard" for staffing, or comparisons to other municipalities. There are no such standards.

- **Myers, Hardy, OR Attorney General. November 10, 2008. *Attorney General's Opinion: Must the sheriff or a candidate for sheriff of Multnomah County meet the requirements for a sheriff set by ORS 206.015, including the requirement to be, or to become, certified as a police officer by the DPSST?*** No. 8287. Salem, OR.

CONCLUSION For the reasons above, we conclude that the Multnomah County sheriff must possess the qualifications required by state law, including the requirement that any sheriff not certified as a police officer must become certified within one year of taking office. ORS 206.015(3). In our view, there is no irreconcilable conflict between sections 8 and 10 of Article VI of the Oregon Constitution. Instead, we think that those two provisions are reconciled by the understanding that sheriffs are required to possess qualifications imposed by state law, along with possessing any qualifications required by the home rule county. Although we acknowledge some possibility that those qualifications could theoretically be incompatible, that is not the case with respect to the sheriff of Multnomah County. We decline to infer from a hypothetical conflict between subconstitutional qualification requirements an unavoidable conflict between the relevant constitutional provisions. In our view, the text, context, and history of the relevant constitutional provisions all favor this understanding. Moreover, this understanding is consistent with the rule that constitutional provisions should be harmonized, and conflict between them should be avoided, where it is possible to do so. To the extent that 40 Op Atty Gen 464 (1980) is to the contrary, we overrule that opinion.

- **Stumbo, Stacy D. of the Daily Courier. July 07, 2012. *Josephine County Sheriff Gil Gilbertson has had enough of friction with Grants Pass police officials.*** Front Page News, The Grants Pass Daily Courier (TGPDC)
http://www.thedailycourier.com/articles/2012/07/07/front_page_news/news02.txt

In 2012 the City of Grants Pass Public Safety Chief, Joe Henner, sent a memorandum to City Manager Aaron Cubic. The memo related discussions about consolidating law enforcement services in the city and the county after the failure of a property tax levy to support the criminal justice system. "Consolidation of law enforcement services under the umbrella of the Josephine County Sheriff's Office is a bad idea," Henner wrote.

"**For elected Sheriffs in Oregon, very few minimum standards exist,**" [emphasis added] Henner wrote. "This is not meant to reflect negatively on any current or former sheriff but you really never know who will be providing leadership at the sheriff's office. That is because elected sheriffs can come and go with every election. At a recent meeting, the current Sheriff stated he 'answers to no one,' with respect to decision making about law enforcement in the county."

- **Walker, Mike & Whalen, Jon, Members, JS&PSS Exploratory Committee. Draft December 15, 2015. *Appendix B4. JO CO's Minimally Adequate Level Of Public Safety Services (MALPSS) Standards.*** Supporting *Justice System & Public Safety Services Study Design: 2015 (Study Design)*. Hugo Neighborhood Association & Historical Society. Hugo, OR. Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>
- **Walker, Mike; Whalen, Jon, Members of Hugo Justice System & Public Safety Services Exploratory Committee, Hugo Neighborhood Association & Historical Society. Draft 2015. *Appendix B3. Analysis Public Situation.*** Supporting *Justice System & Public Safety Services Study Design: 2015*. Hugo, OR.
- **Walker, Mike; Whalen, Jon, Members, Hugo Justice System & Public Safety Services Exploratory Committee, Hugo Neighborhood Association & Historical Society. Draft 2015. *Appendix B2. Studies & Information.*** Supporting *Justice System & Public Safety Services Study Design: 2015*. Hugo, OR

- **Wieczorek, Thomas. December 1, 2010. *Police Staffing Standards*.** International City/County Manager Association. http://icma.org/en/icma/knowledge_network/questions/kn/question/20623. Downloaded December 16, 2015.

Officers per thousand is a "national standard." Wrong. There are no such standards. Nor are there "recommended numbers of officer per thousand." It is not useful to make comparisons with other communities. "Ready-made, universally applicable patrol staffing standards" do not exist.

The International Association of Chiefs of Police (IACP) states; "Ready-made, universally applicable patrol staffing standards do not exist. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions."

Joseph Brann, the first Director of the COPS Office and retired chief of police in Haywood, California wrote in "**Officer's per Thousand and other Urban Myths**" appearing in ICMA's PM Magazine,

"A key resource is discretionary patrol time, or the time available for officers to make self-initiated stops, advise a victim in how to prevent the next crime, or call property owners, neighbors, or local agencies to report problems or request assistance. Understanding discretionary time, and how it is used, is vital. Yet most departments do not compile such data effectively. To be sure, this is not easy to do and, in some departments' may require improvements in management information systems."

- **Wilson, Jeremy M. and Alexander Weiss. August 2012. *A Performance-based Approach to Police Staffing and Allocation*.** ISBN 978-1-932582-60-4. The Office of Community Oriented Policing Services (COPS Office) & Michigan State University.

A Workload-Based Assessment for Patrol In this chapter, we highlight common staffing approaches and demonstrate how agencies may develop and use a workload-based assessment of patrol staffing needs that incorporates performance objectives for discretionary time. We also review various work schedules and illustrate their importance in patrol staffing allocation, using data from four law enforcement agencies, including information from their calls for service and notional work schedules.

An assessment approach reflecting departmental workload can help provide a better and more objective means for determining staffing needs. Additionally, comprehensive assessments for patrol help to answer a host of critical questions, including:

- How many patrol units should be on duty during each shift?
- How should they be distributed among the various communities in the city or county?
- Should one officer or two be assigned to each car? Or, should there be a mix of one-officer and two-officer cars?
- How do patrol officers spend their time when they are not handling calls for service?
- What are the patrol beats for each car?
- Which citizen calls merit response by a patrol car, and which ones can be handled by other means, such as taking a crime report over the telephone?
- How many cars are dispatched to each call?
- What should be the starting times of patrol officers' tour of duty?
- What do patrol officers' schedules look like: days on duty, tour rotation, and so forth (Levine and McEwen 1985, 3)?

Police-staffing models have evolved to reflect models of policing. **The earliest models reflected approaches to addressing rising crime and the number of personnel necessary to do so. Later models aimed to improve efficiency, but did not give much attention to discretionary time needed for community policing. More recent models address community policing needs, but can require difficult decisions—e.g., defining response intervals.**

Typical Approaches to Staffing Allocation

1. The Per Capita Approach.
2. The Minimum Staffing Approach.
3. The Authorized Level Approach.
4. The Workload-Based Approach.

- **Wilson, Jeremy M. and Weiss, Alexander. April 2013. *Staffing the ‘Small’ Department: Taking Stock of Existing Benchmarks and Promising Approaches*. The Police Chief 80 (April 2013): 34–40.**

By Jeremy M. Wilson, PhD, Associate Professor and Associate Director for Research, School of Criminal Justice, Michigan State University, East Lansing, Michigan; and Alexander Weiss, PhD, President, Alexander Weiss Consulting, LLC; Adjunct Professor, School of Criminal Justice, Michigan State University, East Lansing, Michigan

While agencies give much attention to recruitment and retention, they often overlook a more fundamental question: **How many police officers does a particular agency need?** Answering this question is essential to any discussion about managing workforce levels, regardless of whether there is a shortage of qualified officers or an inability to support previous staffing levels. **Put another way, what number of officers would help an agency most cost-effectively meet the demands placed on it?** This is a fundamentally different question than how many officers does a community want or can a community support. **Yet answering the need question effectively frames a discussion about want and affordability.**

Unfortunately, law enforcement administrators have few resources to guide them in determining the number of officers they need. To be sure, there are multiple approaches to answering this question, ranging from the simple to the complex, each with a range of advantages, disadvantages, and assumptions. Most of the methods developed to help agencies determine the appropriate number of officers that are needed are designed for large communities and are not very well suited for agencies serving small communities. In this article, the authors describe an approach to staffing for small agencies, beginning by reviewing some of the methods currently in use.

The sections that follow highlight common staffing approaches and demonstrate how agencies may develop and use a **workload-based assessment of patrol staffing needs that incorporates performance objectives for discretionary time**. Where possible, workload-based approaches are superior to others in that they can help provide a better and more objective way to determine staffing needs. Additionally, comprehensive assessments for patrol help to answer a host of critical questions regarding resource allocation and deployment.

Traditionally, there have been four basic approaches to determining workforce levels: per capita, minimum staffing, authorized level, and workload-based. Each differs in its assumptions, ease of calculation, usefulness, validity, and efficiency. A fifth approach, based on **officer coverage**, can help determine staffing needs in communities with low call volumes. Each is reviewed below to provide context for developing an evidence-based approach to police staffing.

- **Withycombe, Claire. December 6, 2015. *Sheriff’s association blocks release of jail standards in lawsuit: Jail standards document sealed in Deschutes County jail suit*. The Bulletin. <http://www.bendbulletin.com/home/3764221-151/sheriffs-association-blocks-release-of-jail-standards-in>**

A U.S. District Court in Eugene agreed recently to **keep confidential a set of standards used to inspect county jails after the state sheriff’s association intervened** in a wrongful death lawsuit against Deschutes County. Though Mays’ attorneys can have the so-called Oregon Jail Standards, they remain sealed because they’re the property of the nonprofit **Oregon State Sheriffs’ Association**. The association says the

standards are proprietary content. The standards, which are voluntary, are distinct from state and federal laws and are used in biannual inspections of county jails.

Although the standards are applied in the inspection of public facilities, the association argues they are a “trade secret” under Oregon law because the association [**Oregon State Sheriffs’ Association**] owns them. John Bishop, the association’s executive director and the retired sheriff of Curry County, in an email Wednesday compared the standards to “the formula for Coca Cola or the recipe for KFC.” “Making the standards public would destroy their value,” Bishop wrote.

Unlike the sheriff’s office or county policies, the jail standards are owned by the sheriff’s association, Bishop said, and go beyond the requirements of state and federal law. Both county and sheriff’s office policies are considered public record. But the association, a 501(c)(3) nonprofit, Bishop wrote, isn’t a public body subject to Oregon public records law.

“What the interplay is between copyright law and public records law, that’s an interesting issue,” Doyle said. “I’m a big believer in . . . disclosure and recognize the public interest in matters, but at the same time, we’re obligated by law to recognize the copyright and it was a condition of our receipt of this document in the first place, so we’re obligated to honor that.”

What are the ‘Oregon Jail Standards’? Jails in Oregon follow voluntary standards that are maintained by the **Oregon State Sheriffs’ Association**. The standards are applied on top of state and federal policies regarding county jails. But unlike state, county or sheriff office policies, these are created and maintained by a nonprofit organization — one that says the standards, which were first copyrighted in 1999, are also a “trade secret” under state law.

- **Xenia City Manager’s Office and Finance Department & Xenia Fire Division and Xenia Police Division. June 2012. *Public Safety Services Study: A Comprehensive Assessment of Service Capacity, Affordability, and Sustainability for Xenia.* Xenia, OH.**

Strategies for police staffing vary greatly across national, regional and local agencies. Criteria used to make decisions concerning staffing levels and allocations can include political climate, economic conditions, demographics, city leadership goals, crime trends, calls for service (CFS) and community expectations. Common methodologies used included the analysis of historical staffing patterns, community surveys, population growth, ratio of officers to population, and the ratio of sworn to non-sworn employees. **No single national standard for police staffing is recognized.** The development and implementation of effective and efficient staffing plans must be based on sound police management practice. Research of available literature revealed some **“best practices”** regarding current thinking in the field of police staffing as presented by knowledgeable and respected sources around the country and beyond.

Law Enforcement Recommendations:

- Maintain current staffing levels as part of our *Minimum Safe Staffing* model;
- As resources allow, transition toward *Traditional* or *Community* policing models;

Appendices

- Appendix A. Twenty Types & Three Categories of Public Safety Services (PSS) Funding
- Appendix B. Range Of PSS In Levies/Sales Tax For Increased Funding: 2012 - 2015
- Appendix C. MALPSS Analysis Of Public Safety Services (PSS) Solutions
- Appendix D. Bibliography for Public Safety Services Standards (alphabetical)
- Appendix E. Bibliography for Public Safety Services Standards (chronological)
- Appendix F. Draft Working Web Research Ideas

Appendix A. Twenty Types & Three Categories of Public Safety Services (PSS) Funding

The Association of Oregon Counties (AOC and) Oregon identified 20 types and three categories of funding for PSS: 1. State provided PSS, 2. State/County shared and provided PSS, and 3. County provided PSS.

Table I-1. Shared State-County Justice System & Public Safety Services (PSS)	
Oregon State Provided PSS	Appellate Court
	State Police
	State Prison
	Attorney General
State & County Shared PSS	Trial Courts
	District Attorney
	911/Emergency Communications
	Emergency Management
	Homeland Security
	Community Corrections
	Court Security
	Juvenile Services
	Marine Patrol
	Drug Courts
	County Law Library
County Provided PSS	Sheriff Patrol
	Animal Control
	Justice Courts
	Search and Rescue
	County Jail
<p>Sources: 1. Oregon Secretary of State. May 2012. <i>Oregon's Counties: 2012 Financial Condition Review</i>. Report Number 2012-17, Secretary of State Audit Report Kate Brown, Secretary of State Gary Blackmer, Director, Audits Division. Salem, OR. 2. Association of Oregon Counties. October 1, 2010. <i>Task Force on Effective and Cost-Efficient Service Provision</i>. Rep. Nancy Nathanson, Chair.</p>	

Appendix B. Range Of PSS In Levies/Sales Tax For Increased Funding: 2012 - 2015

What were the JO CO PSS proposed for increased funding in the last four years of levies and the sales tax proposal from 2012 through 2015?

During the last four years of levies and the sales tax proposal, locally there are usually considered to be six major components of the JO CO public safety program.

1. Adult Jail.
2. Juvenile Justice Center.
3. District Attorney’s Office.
4. Rural Patrol Deputies.
5. Criminal Investigations & Related Sheriff’s Office Support Services.
6. Animal Protection.

Table I-2. Range Of Public Safety Services (PSS) In Levies/Sales Tax For Increased Funding: 2012 - 2015					
Public Safety Services (PSS) ¹	2012 ²	2013 ³	2014 ⁴	2015 ⁵	2015 ⁶
1. Adult Jail	√	√	√	√	√
2. Juvenile Justice	√	√	√	√	√
3. District Attorney	√	√			√
4. Sheriff Rural Patrol Deputies	√	√		√	
5. Sheriff Criminal Investigations & Related Office Support Services ⁷	√ ⁷	√		√	
6. Animal Control/Protection		√			
7. Provide School Security Program & Resources		√			
8. Better Business & Job Environment				√	
9. Citizens’ Oversight Committee				√	
10. Annual Independent Audit				√	
Footnotes 1. Range Of Public Safety Services In Levies/Sales Tax For Increased Funding: 2012 - 2015 2. JO CO Voters Pamphlet: May 15, 2012 3. JO CO Voters Pamphlet: May 21, 2013 4. JO CO Voters Pamphlet: May 20, 2014 5. JO CO Voters Pamphlet: May 19, 2015 6. JO CO/City Of Grants Pass Voters Pamphlet: November 3, 2015 7. JO CO Public Safety Services: Sheriff Criminal Investigations & Related Office Support Services such as Adult Jail, Civil Division, Patrol Deputies, Investigative Officers, Search and Rescue, and Emergency Management.					

Appendix C. MALPSS Analysis Of Public Safety Services (PSS) Solutions

MALPSS Methodology and Standards, Not Professional Opinion There must be an identified MALPSS evaluation methodology for the alternative range of PSS level solutions that addresses the following analysis process elements in a scientific, documented, and publicly accessible way: 1. Affected Conditions – Description of Existing Conditions Being Compared to MALPSS Indicators and Standards; 2. Indicators; 3. Standards; and 4. Significance. Informal professional opinion policies on *Public “Value” Safety Standards* are common for local public safety standards, and they are usually not requirements unless specifically adopted as policies rather than serving as guides or goals. The heavy lifting is for future researchers to identify and apply the actual MALPSS standards.

Table Public Outreach 5.5-1. MALPSS Of Public Safety Services (PSS) Solutions			
Alternative Levels of PSS Solutions¹	Acronym	Affected Conditions Compared to MALPSS Indicators	Standards
Optimal Level	OL PSS	Best available outcomes; includes discretionary services?	
Normative Level	NL PSS	Compromise between adequate and optimal; includes discretionary services (pre-2012 level of PSS)?	
Adequate Level	AL PSS	Personnel structures & staffing models; police service methodologies?	
Minimally Adequate Level	MAL PSS	MALPSS?	
Less than Adequate Level	LTAL PSS	Less than sufficient to satisfy a requirement/meet a need?	
Inadequate Level	IL PSS	Insufficient for a purpose?	
Emergency Level	EL PSS	Public Safety Fiscal Emergency (PSFE)? ²	
Footnotes (see Appendix B4. Josephine County's Minimally Adequate Level of Public Safety Services (MALPSS) Standards, 229 pages) http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm 1. Public Safety Services Law Enforcement Staffing & Deployment (LES&D) standards. 2. PSFE, Oregon House Bill 3453 (2013); much the same concept as Public Safety Services Emergency (PSSE), OR Senate Bill 77 (2009).			

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Appendix F. Draft Working Web Research Ideas

Police agencies routinely speak about “recommended officers per 1,000 population” or a “National Standard” for staffing, or comparisons to other municipalities. There are no such standards.

“National Standards” for Police Staffing

National Standards of “recommended officers per 1,000 population”

Police agencies routinely speak about “recommended officers per 1,000 population” or a “National Standard” for staffing, or comparisons to other municipalities. There are no such standards.

Notes:

1. U.S. Department of Justice, Office of Community Oriented Policing Services, “COPS Hiring Recovery Program Update,” *Community Policing Dispatch* 2, no. 6 (June 2009), www.cops.usdoj.gov/html/dispatch/June_2009/hiring_recovery.htm (accessed February 5, 2013).
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8. Albemarle County. “Performance Management: Police Response Times Rural Areas,” www.albemarle.org/departments.asp?department=perfmgt&relpage=3473 (accessed February 5, 2013).

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- police staffing formula
- police staffing ratios
- police staffing models
- police staffing software
- police staffing study

WEB SEARCH

Oregon Historical County Records Guide

Historical County Offices and Duties

<http://arcweb.sos.state.or.us/pages/records/local/county/about/context/offices.html#Sheriff>

Web search:

- Interpret Oregon Constitution
- right to safety found in Oregon Constitution
- peace, safety, and happiness found in Oregon Constitution
- Sheriff's Office is ordained by the Oregon Constitution
- Oregon Jail Standards are based on constitutional and statutory requirements.
- The office of sheriff was established in the Oregon Constitution at the founding of this state.
- Oregon Constitution identifies the duties of the sheriff as the "ministerial officer" of the state and county courts and directs the office holder to carry out all other duties set forth for this office in state law.
- The duties of the office of sheriff as found in our Constitution and state law are not optional, but mandatory functions for which the county must provide at least some form of service: 1. Court Services, 2. Corrections/Jail, 3. Marine Patrol, 4. Civil Process Services, 5. SAR, and 6. Enforcement.
- ORS 206.010 declares this about the office of sheriff
-
-
-

Oregon Topics: Justice/Crime - Oregon Government Resources

Oregon Blue Book

<http://bluebook.state.or.us/topic/justice/just02.htm>

Oregon Department of Justice

Statutory Authority: ORS Chapter 180

Oregon's Judicial Branch

Statutory Authority:

Department of Corrections

Statutory Authority: ORS Chapter 423

Oregon Youth Authority

Statutory Authority: ORS 419A, 419C, 420, 420A

Criminal Justice Commission

Statutory Authority: ORS 137.651–137.673

Oregon State Police

Statutory Authority: ORS 181.020

Board of Parole and Post-Prison Supervision

Statutory Authority: ORS Chapter 144

Police Power In United States constitutional law, police power is the capacity of the states to regulate behavior and enforce order within their territory for the betterment of the **health, safety, morals**, and general welfare of their inhabitants.[1] Under the Tenth Amendment to the United States Constitution, the powers not specifically delegated to the Federal Government are reserved to the states or to the people. This implies that the Federal Government does not possess all possible powers, because most of these are reserved to the State governments, and others are reserved to the people.

Police power is exercised by the legislative and executive branches of the various states through the enactment and enforcement of laws. States have the power to compel obedience to these laws through whatever measures they see fit, provided these measures do not infringe upon any of the rights protected by the United States Constitution or in the various state constitutions, and are not unreasonably arbitrary or oppressive. Methods of enforcement can include legal sanctions, physical means, and other forms of coercion and inducement. Controversies over the exercise of police power can arise when its exercise by the federal government conflicts with the rights of the states, or when its exercise by federal or state authorities conflicts with individual rights and freedoms.

????Article I Bill of Rights, Section 47 to Article I as follows: ...
for their peace, safety, and happiness, and the people have at all times the right

Section 47. Right of Local Community Self-Government

(1) As all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness, and the people have at all times the right to alter, reform or abolish their government should it become destructive to their fundamental rights or well-being, therefore the people have an inalienable and fundamental right of local community self-government, in each county, city, town, or other municipality.

(2) That right shall include the power of the people, and the power of their governments, to enact and enforce local laws that protect health, safety, and welfare by recognizing or establishing the rights of natural persons, their local communities, and nature; and by securing those rights using prohibitions and other means deemed necessary by the community, including measures to establish, define, alter, or eliminate competing rights, powers, privileges, immunities, or duties of corporations and other business entities operating, or seeking to operate, in the community.

(3) Local laws enacted pursuant to subsection (2) shall be immune from preemption or nullification by state law, federal law, or international law, and shall not be subject to limitation or preemption under Article IV, section 1(5), Article VI, section 10, or Article XI, section 2 of this constitution, or Oregon Revised Statutes 203.035, provided that:

(a) Such local laws do not restrict fundamental rights of natural persons, their local communities, or nature secured by the Oregon Constitution, the United States Constitution, or international law; and

(b) Such local laws do not weaken protections for natural persons, their local communities, or nature provided by state law, federal law, or international law.

(4) All provisions of this section are severable.