Contract Law
Enforcement
Safety, Service, Security
Captain Ed Laverone
Santa Clara County Office of the Sheriff
Future Trends

- Metropolitan Police Departments
  - Miami, Las Vegas, Indianapolis
- Contracting with Sheriff
  - Types of Contract
    - FTE (buying dedicated bodies)
    - Hourly (buying minutes - pay for use)
    - Hybrid/Menu (I'll take 21 patrol deputies, 3 traffic deputies, 5 sergeants and an SRO for dessert)

Bay Area Cities Seek to Turn Over Policing Role From The Wall Street Journal, March 31, 2011

Future Trends

- Consolidating
  - JPA (shared resources, shared liability - Twin Cities Police Authority)
  - Contracting (Buying resources, no liability - Cupertino, Saratoga)
- Shared Services
  - Regionalization
    - Tactical Teams (Monterey Peninsula, West LA County)
    - Crime Scene Investigation
    - Mobile Field Force (San Mateo, Santa Clara County)
    - Records Management (Santa Cruz County)
    - Evidence Storage (2007 Fresno Study, San Anselmo-Twin Cities Police Authority)
    - Communications 1 Centers (Monterey, Santa Cruz, Fresno County)
- Training Centers

Morning Roundup: Jamestown to look into police-sheriff consolidation
Safety

- Get the assets of the larger agency
  - SWAT, Bomb Squad, Specialized Investigations, Underwater Search, Search and Rescue,
- Add officers as needed based on crime trends and crime analysis

Service

- Contract dictates length of assignment
- Officers can be dedicated to the City
- City insulated from labor issues
- You’re the Customer! (And the customer is always right.)
- No employment law issues - no right to assignment – Deputies are always on “probation” when working a contract
- Service-oriented policing philosophy

Security

- Unlike with in-house departments, labor-management issues do not impact service
- Contract terms locked in for length of contract, no surprises
  - Liability protections in contract: If Deputy crashes and kills two bicyclists – County Pays
ISSUES

- Politics
  - Labor
  - Public identity
- "Loss of control"
  - Control is greater
    - May not be appointing the police chief, but right to select the officer in charge of contract must be protected – No issues when "firing" the officer in charge – In SCL a Captain is the officer in charge of the contract, Sonoma uses a lieutenant
  - Control is relative to the wording of the contract
    - Protect your interests when drafting the contract
    - Right of refusal

FY 2011
Average Costs Per Citizen for Police Services

<table>
<thead>
<tr>
<th>City</th>
<th>Per Capita $</th>
<th>% of General Fund Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Altos Hills</td>
<td>$118.22</td>
<td>18.21% contracts with Sheriff</td>
</tr>
<tr>
<td>Monte Sereno</td>
<td>$144.86</td>
<td>22.85% contracts with Los Gatos</td>
</tr>
<tr>
<td>San Jose</td>
<td>$149.71</td>
<td>29.76% contracts with Sheriff</td>
</tr>
<tr>
<td>Campbell</td>
<td>$159.06</td>
<td>20.29% contracts with Sheriff</td>
</tr>
<tr>
<td>San Jose</td>
<td>$195.79</td>
<td>20.87% contracts with Sheriff</td>
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<tr>
<td>Morgan Hill</td>
<td>$273.63</td>
<td>40.04% contracts with Sheriff</td>
</tr>
<tr>
<td>Campbell</td>
<td>$305.03</td>
<td>33.89% contracts with Sheriff</td>
</tr>
<tr>
<td>San Jose</td>
<td>$314.50</td>
<td>31.38% contracts with Sheriff</td>
</tr>
<tr>
<td>Gilroy</td>
<td>$325.99</td>
<td>46.77% contracts with Sheriff</td>
</tr>
<tr>
<td>Milpitas</td>
<td>$332.64</td>
<td>33.63% contracts with Sheriff</td>
</tr>
<tr>
<td>Mountain View</td>
<td>$340.72</td>
<td>31.24% contracts with Sheriff</td>
</tr>
<tr>
<td>Santa Clara</td>
<td>$367.97</td>
<td>32.89% contracts with Sheriff</td>
</tr>
<tr>
<td>Los Gatos</td>
<td>$445.62</td>
<td>43.48% contracts with Sheriff</td>
</tr>
<tr>
<td>Palo Alto</td>
<td>$474.80</td>
<td>23.84% contracts with Sheriff</td>
</tr>
<tr>
<td>Sunnyvale</td>
<td>$499.61</td>
<td>33.38% consolidated police and fire</td>
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</tbody>
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Empirical Studies

- Contract cities have fewer violent and property crimes as well as lower crime rates
- Cities that contract with their county sheriff, on average, spend far less per capita on police services
- Cost of providing contract policing is actually lower than maintaining a department

Office of the Sheriff, County of Santa Clara

4/24/2012
Empirical Studies

- Violent crime clearance rates are substantially better in contract cities
- Political costs of conversion could be high
- Contracting has been practiced for over half a century


QUESTIONS?

- INFORMATION AND STUDIES

  Municipal contracting with county sheriffs for police services in California: Comparison of cost effectiveness. Police Quarterly (2011) PERF
  Police, consolidation, regionalization and shared services: Options, considerations and lessons from research and practice. BOLO COPS Office, US DOJ (2012)
  Regionalization or consolidation of law enforcement services in the United States. National Executive Institute Associates, Major Cities Chiefs Association and Major County Sheriffs Associations (2002)

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