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STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER SEVENTY-NINE

TO: Heads of All State Departments and Agencies

RE: The Establishment of the Governor's Police Jurisdiction
Commission

WHEREAS, New Castle County, the most populated County in the State, has special problems relating to the delivery of police services, with seven police agencies providing those services, five being municipal police agencies and the remaining two being the New Castle County Police and the Delaware State Police; and

WHEREAS, the principal focus of concern with respect to coordinated delivery of police services relates to those areas of the County that are not served by the municipal police agencies and in which the New Castle County Police and Delaware State Police share jurisdiction, although the question of the more efficient delivery of police services on a metropolitan basis is being raised; and

WHEREAS, various agreements and arrangements between the New Castle County Police and the Delaware State Police including the establishment of RECOM (Regional Communications Center) have not resolved the problems of joint jurisdiction such as duplication of programs and resources, coordination of operations, personnel, and varying levels of service; and

WHEREAS, the problems involved in joint jurisdiction will become more serious and complex as the New Castle County population grows and the sizes of the two police agencies grow; and

WHEREAS, the recent enactment of Senate Bill 252 by the 128th General Assembly of the State of Delaware represents only an attempt at a partial, interim solution to these problems and does not address itself to the basic situation created by joint jurisdiction and to the overall law enforcement needs of New Castle County (such as who should provide and who should pay for the services); and

WHEREAS, a detailed study of the delivery of police services in New Castle County is required which will take into account population growth, demographic characteristics, crime patterns, calls for police services, traffic enforcement, present allocations of manpower and resources by police agencies operating in New Castle County both within and without the limits of incorporated municipalities, the evaluation of the role and efficiency of existing multi-jurisdictional law enforcement activities, the present and projected capital and operating budget demands on the various governmental units providing police services in New Castle County to at least 1985, and other relevant factors.

NOW, THEREFORE, I, SHERMAN W. TRIBBITT, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

- I. The "Governor's Police Jurisdiction Commission" is hereby established, all meetings of which shall be open to the public.
- II. The Commission shall consist of eleven members, nine from New Castle County, and one each from Kent and Sussex Counties.
- III. The Chairperson of the Commission shall be designated by the Governor and the Vice-Chairperson of the Commission shall be designated by a majority of the members of the Commission.
- IV. The Commission is charged with three basic responsibilities:
 - A. To prepare a recommendation to the Governor on the future course of action that should be taken by the State and County Governments to resolve the fundamental problems of competing jurisdictions, taking into account all of the factors cited in the introduction to this Order, including an evaluation of all alternatives, including but not limited to: (1) the alternative of merging the New Castle County Police into the Delaware State Police; (2) the alternative of independent County Police jurisdiction in given geographical areas; (3) the alternative of division of functional responsibilities between the two agencies within a co-extensive geographic jurisdiction; (4) the alternative of creating a metropolitan police department, including the five municipal agencies and the New Castle County Police; and (5) any other alternative solution.
 - B. To ascertain the impact of Senate Bill 252 on the problems of jurisdiction and to ascertain any separation of functional responsibilities that will contribute to the solution of the problems cited;
 - C. To provide an analysis of the impact on operating and capital budgets of the governments providing police services in New Castle County through 1985, of the continuation of the present system of delivery of police services in New Castle County, and of any alternative method of delivering such services recommended by this Commission; in addition, the Commission shall make recommendations as to the relationship which should exist between state and local funding of police services in New Castle County if the present system of delivering police services should be maintained, and such relationship with respect to any alternative method of delivering such services recommended by the Commission.
- V. The Commission in arriving at its recommendations shall consider the factors cited in the introduction to this Order, any factors it deems relevant to its consideration of the problems presented, and including but not limited to the following:
 - A. Statutory Authorizations
 1. The legal basis for the exercise of police jurisdiction by all of the agencies delivering police services in New Castle County.
 2. The extent of existing authority among units of local government for contracting for the delivery of police services among themselves or for merging the local departments.

3. The necessity for constitutional and/or legislative changes to support the recommendations made.

B. Funding

1. The extent of funding, both operational and capital, including current and accrued and accruing pension obligations, for the present delivery of police services in New Castle County by governmental units including an allocation of State Police costs to New Castle County.
2. The sources of such funding, i.e. state, local, federal grants.
3. Projected funding through 1985 of the continuation of the present system or of any alternatives recommended.

C. Law Enforcement Factors

1. The extent to which each police agency in carrying out its respective function of enforcing criminal statutes uses both coercive and non-coercive means. Coercive activities include criminal law enforcement, traffic law enforcement, regulatory statute or ordinance enforcement (the protection of health and welfare of the community), juvenile law enforcement, keeping the peace and intelligence gathering. Non-coercive activities include social service (involvement in community affairs), crime prevention, creation of an environment of security and stability, and provision of services.
2. The extent to which the role of each police organization is undergoing change toward one of "provisions of services", with the accompanying changes and philosophies toward policing. (For example, what percentage of the high number of "calls for service" to which each police agency responds each year are non-criminal in nature? Historically, the State Police have been selective in their responses to "calls for services"; due to limited manpower, large areas of service and the nature and variety of their tasks, calls involving criminal acts and/or traffic safety received priority. Calls for non-criminal incidents or services were of a lesser priority.) To what extent has the State Police philosophy regarding non-criminal incidents been modified toward providing services of all types upon call in New Castle County and to what extent is this the result of RECOM (Regional Communications)? What is the total number of "calls for service" responded to by the Delaware State Police in New Castle County and the New Castle County Police in F.Y. 1974, and of this total number, what percentage involved criminal complaints, what percentage involved traffic accidents, and what percentage involved other "calls for service"?
3. A study of how each department operating in New Castle County is organized with respect to operations, administration, personnel, and training; and what percent of each department's total personnel and budget is allocated to each of these functions:

a. Operations

- (1) What percentage of each department's complement of total personnel is assigned to the task of patrol?
- (2) What percentage of the time of the uniformed personnel of each department assigned to patrol activities is devoted to traffic law enforcement and accident investigation?
- (3) What percentage of each department's complement of total personnel is assigned to criminal investigation in New Castle County, and in F.Y. 1974, what were the number and nature of the criminal complaints handled by such units?
- (4) What percentage of each department's manpower and resources are allocated to special investigation units such as auto theft, drug control, vice control, and traffic divisions, and what were the number and nature of the cases handled by such units in New Castle County in F.Y. 1974?
- (5) What percentage of each department's complement of total personnel is assigned to a youth section or youth aid division in New Castle County, and what was the number of juvenile arrests made by each unit in F.Y. 1974 or "calls for service" responded to by each unit relating to juveniles in F.Y. 1974?
- (6) What percentage of each department's total personnel and resources are devoted to other support services in New Castle County involved with operations as contrasted to administration and personnel training?

b. Administration

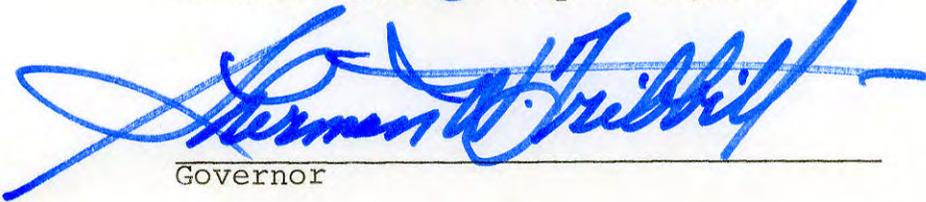
- (1) What percentage of each department's total personnel and resources are devoted to administrative duties such as fiscal control, criminal records, communications, transportation, and other administrative duties and in the case of the Delaware State Police, what percentage of such allocation of total personnel and resources is allocable to New Castle County?
- (2) What is the planning capability of each department, and what percentage of each department's total personnel and resources are devoted to planning and in particular to planning crime prevention programs as well as normal planning--such as planning for manpower needs and allocations, short and long range plans to meet department objectives, and problem area studies. In the case of the Delaware State Police, what percentage of this allocation is allocable to New Castle County?

- (3) What percentage of each department's total personnel and resources is devoted to community relations? As to the Delaware State Police, what percentage of such allocation of resources and manpower is allocable to New Castle County?
 - (4) What percentage of overall expenditures in the administration branch of the Delaware State Police are allocable to New Castle County?
 - c. Personnel and Training
 - (1) What percentage of each department's total personnel and resources are devoted to personnel and training? As to the Delaware State Police, what percentage of such resources are allocable to New Castle County? What percentage of basic police training is provided to other departments by Delaware State Police Training Academy?
 - (2) To what extent are the personnel of each department qualified for specialized police tasks: i.e. Criminal investigation-rape, homicide, robbery, etc.; Vice Control-narcotics, gambling, etc.; Intelligence Gathering-organized crime; Community Relations Specialists; Youth Aid Workers.
4. An evaluation of present multi-jurisdictional law enforcement activities such as:
 - a. RECOM - Regional Communication Center
 - b. The State Bureau of Identification
 - c. Investigative Strike Force - Relating to the legal distribution of narcotics and dangerous drugs
 - d. C.L.U.E.S. - Criminal Law Uniform Enforcement System
 - e. Intelligence Central - Organized Crime Investigation Unit
5. A study of the percentage of:
 - a. Criminal investigation hours compared with total on-duty hours for each department operating in New Castle County in F.Y. 1974;
 - b. Patrol hours compared with total on-duty hours for each department operating in New Castle County in F.Y. 1974;
 - c. Accident investigation hours compared with total on-duty hours for each department operating in New Castle County in F.Y. 1974.
6. A study of the growth of the New Castle County Police Department since F.Y. 1967, and the agreements or working arrangements which have been made since F.Y. 1967 between the Delaware State Police and the New Castle County Police as a result of the sharing of the same jurisdiction; and

identification of the reasons why such past agreements which divided functions geographically or in relation to dispatch of cars by RECOM have been unsuccessful.

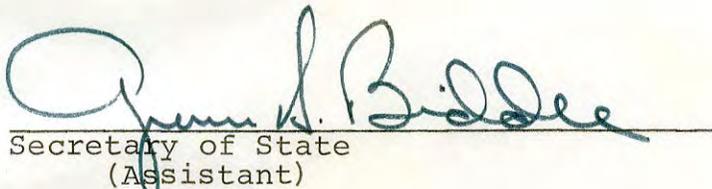
7. A consideration of the Needs and Problems Analysis (relating to police) set forth in the F.Y. 1975 Comprehensive Plan of the Delaware Agency to Reduce Crime on Pages 322 through 336.
 8. Standard 5.2 - Combined Police Services - of the recommendations of the National Advisory Commission on Criminal Justice Standards and Goals.
- VI. The Commission shall hold public hearings throughout New Castle County during the course of its deliberations, no fewer than one in each County Councilmanic District.
- VII. The staff of the Delaware Agency to Reduce Crime shall serve the Commission and the wishes or requests of the Commission shall have the highest priority; in addition, all state agencies and departments will cooperate fully with the Commission. County and municipal governments are also hereby requested to render whatever services or information is needed.
- VIII. The Commission shall submit to the Governor and the General Assembly its findings and recommendations by January 1, 1976.

APPROVED this 5th day of August, 1975



Governor

ATTEST:



Secretary of State
(Assistant)

