

July 14, 1997

Dear Mayor:

Recently you asked several questions about the benefits of forming a new police department in your city versus contracting with the county for police services. The sheriff has certain constitutional and statutory responsibilities to all citizens in the county, regardless of whether they live inside a city or outside a city. As I understand your questions, the town wants to enhance the level of law enforcement services beyond that of the unincorporated areas of the county.

As you are aware, Tennessee legislation allows municipalities to enter into agreements with the county to provide law enforcement services for the city. These agreements can even allow the sheriff and the general sessions court to enforce city ordinances. In some instances, these agreements provide a cost effective way of providing police services in the city, and they can produce a "win, win" situation for both the city and the county. The city would have cost effective law enforcement services, without any administrative headaches, and the county would have more police personnel available in the county. This would free the existing personnel to patrol in unincorporated areas of the county.

I have recommended contracted services for some cities, but I do not believe contracted services are in the best interest of your city. Your city, while newly incorporated, has a population of 1,854 people and will likely see substantial growth in the near future. This growth and the close proximity to large cities will lead to increased crime in your city. Traditional policing, responding to calls for service, does little to prevent crime. Proactive, problem-solving policing can prevent crime and enhance the quality of life of the citizens. Community oriented policing must be flexible and adaptive. Contracting with the county for law enforcement services will not allow timely adjustments in philosophy or policy.

By incorporating, the citizens of your city indicated they wanted to control the destiny of their community. The Sheriff represents the entire county and must be accountable to all of the county citizens, not just those in your city. A local police department is responsible to the local governing body and the citizens who elect the local board.

A locally managed police department can more easily become involved in the community, building a rapport with the citizens the police department serves. As a new city with a small police department, the officers' hours can be flexible, changing with the seasons and town activities. An employee, or employees, of the sheriff's department would not be so flexible.

At one time a small town in West Tennessee that I have worked with contracted with the county for police services. The sheriff opted to discontinue the contract, and the town hired the officer who had been employed by the sheriff's department. As an employee of the city, the officer began working varying shifts, rather than a regular, 3pm to 11pm, shift. The officer is able to provide traffic enforcement during the hours the town

experiences the highest traffic volume, but is also available to patrol the parks when they are heavily used. In fact, the town now provides the officer with a bicycle to patrol the parks and other areas of town that are not easily accessible by vehicle. The officer simply carries the bicycle on a rack on the rear of the car. This type of flexible law enforcement services builds a rapport with citizens and allows the officer to help solve problems before they manifest themselves as crime.

Your city is likely to see substantial growth and will need an increased police presence. If the city is ready to develop a police presence now, starting a new police department offers the most effective method of providing that presence. If you have any questions, or if I can ever be of assistance, please do not hesitate to call.

Sincerely,

Rex Barton
Police Management Consultant