

MIAMI-DADE POLICE DEPARTMENT SERVICES
AND
THE FEASIBILITY OF A POLICE SERVICES DISTRICT

JANUARY 1999

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I. INTRODUCTION

A. BACKGROUND

At the Board's Incorporation Workshop on July 14, 1998, staff discussed issues related to the delivery of police services. Staff were directed to come back with a more comprehensive discussion addressing both the need for, and the feasibility of, a countywide police district.

The question of how to ensure adequate law enforcement services throughout Miami-Dade County is both complex and critically important. Any crime -- no matter where it occurs in the community -- has an effect on the entire community. Crime has serious economic and social impacts on Miami-Dade County. The impact on the tourism industry of the murder of a tourist or the extent to which crime statistics discourage industries to come to the area underscore the economic impact of crime. On a personal level, few Miami-Dade County residents stay within the boundaries of a single jurisdiction. Most cross municipal boundaries and police jurisdictions every day to work, recreate, and visit family and friends. If any area of the County is "off limits" due to the reality of -- or the perception of -- crime, the daily lives of all are diminished.

Crime in Miami-Dade continues to be a very real problem, but, due to the combined efforts of the Miami-Dade Police Department (MDPD) and the police departments of all of the municipal governments, the Miami-Dade County area is in a better position today than previously to deal with a wide range of criminal activity.

The current situation, however, depends on a delicate equation that involves:

- the current size and capacity of the Miami-Dade Police force;
- the continued funding of specialized services jointly through Countywide and UMSA taxes; and,
- the cooperation and efficacy of all the municipal police departments in the County.

Any change in this equation, whether in the size and capacity of MDPD due to incorporation or annexation, or in the willingness of all County residents, both in UMSA and the municipalities, to support a fair share of the cost of law enforcement services through municipal, UMSA and countywide taxes, can threaten it.

This report addresses the delivery of a range of law enforcement functions. For the purposes of the report, the functions are treated as three types: countywide (sheriff's services and the crime lab that are provided countywide); specialized (services that can be considered municipal and may or may not be provided by cities); and general municipal, local services. Generally, the breakdown is as follows:

Countywide
(Provided to all
Municipalities and UMSA)

Court Services
Crime Lab
Warrants/ Civil Process
Juvenile Assessment Center

911 Communications

Specialized
(Provided to UMSA and available
to all Municipalities)

Tactical Services
Special Response Team
Canine (including all specialized
canine units
Aviation / helicopter
Motorcycle Patrol
Hostage Negotiation
Marine Patrol
Underwater Recovery
Bomb Squads
(detection & disposal)
Central Investigations
Homicide
Traffic Homicide
Robbery Investigation
Narcotics - Interdiction
Sexual Crimes
Domestic Violence/
Child Exploitation
Economic Crimes
Criminal Intelligence / Organized
Crime, including Auto Theft
and Arson
Juvenile Gang Unit
Serious Habitual Offender
Criminal Apprehension
Program (SHOCAP)
Public Corruption

General Municipal
(Provided to UMSA
Only)

Routine Patrol and
Response
Bicycle Patrol
Community Policing
General Investigations
Burglary
Larceny
Assault
Auto Theft
Public Housing
Policing

B. ORGANIZATION OF THE REPORT

The following sections of this report contain:

- Section II: A review of the current structure and funding of police services in Miami-Dade County;
- Section III: A description of different types service structures;
- Section IV: A description of alternative funding structures;
- Section IV: A discussion of four potential models for countywide law enforcement in Miami-Dade County under four different incorporation scenarios; and.
- Section V: Conclusions, recommendations and suggested strategies for their implementation.

II. POLICE SERVICES IN MIAMI-DADE COUNTY - CURRENT STRUCTURE

A. MUNICIPAL AND COUNTYWIDE SERVICES

Law enforcement services to residents and visitors in Miami-Dade County are currently provided by the municipal police departments in the 30 existing municipalities, the Miccosukee Police Department, and by MDPD which provides services both countywide and in the unincorporated area. A complete analysis of all law enforcement services in the County is beyond the scope of this report; however, a 1995 study of municipal services in Miami-Dade conducted by researchers at Florida International University (FIU) provides some insight into the current structure.

The municipal police departments in Miami-Dade County vary considerably in size and in the ratio of law enforcement employees to population. Based on data from the 1993 Uniform Crime Reports, the FIU study reported that Indian Creek had 12 law enforcement employees, for a ratio of 272.7 per thousand population; El Portal had five employees, for a ratio of 2.0 per thousand population; Virginia Gardens employed seven, for a ratio of 3.2 per thousand population; and the City of Miami employed 1,495, for a ratio of 4.2 per thousand population. These departments all provide, at a minimum, local patrol, response and arrest functions within their own jurisdictions. (See Appendix I.)

Unlike municipal police departments, MDPD provides both countywide and municipal law enforcement functions. The Department provides all law enforcement functions in the unincorporated area. On a countywide basis, it provides all state mandated sheriff's services, the crime lab, and a range of specialized police services involving major investigations, economic crimes, and other cross jurisdictional matters. MDPD also provides services to some cities that could be considered municipal but that are in fact provided by few of the incorporated municipal police departments (e.g., homicide investigation and aviation).

With regard to police services in the unincorporated area, the FIU report estimated 3,294 law enforcement employees for a ratio of 3.1 per thousand population. There are currently 3,200 law enforcement officers in UMSA, for a ratio of 3.0 per thousand population. That ratio is expected to rise in FY 98/99 and FY 99/00 with the employment of additional officers.

Some law enforcement functions are also performed by the Florida Department of Law Enforcement (FDLE). FDLE is primarily involved in very high profile cases and in multi-agency efforts such as the Tactical Operations Multi-Agency Cargo Anti-theft Squad (TOMCATS), a task force consisting of personnel from MDPD, FDLE, the US Customs Service and the FBI that was formed in response to growing commercial cargo theft.

B. VARIATION IN MUNICIPAL LAW ENFORCEMENT FUNCTIONS

Two surveys were conducted to determine variation in functions among the local jurisdictions. An internal survey of the Miami-Dade Police Department collected information from various units regarding the provision of specialized services to existing municipalities. These include:

tactical services, centralized investigations (e.g., homicide and robbery) and administrative support services such as training. (See Appendix 2.) In addition, a questionnaire was sent to all municipal police jurisdictions in the County asking for their view of service relationships. (See Appendix 3.)

The internal survey indicates that, with few exceptions, MDPD provides, or assists cities in the provision of, virtually all specialized law enforcement services. Only the cities of Miami, Miami Beach and Hialeah, for example, were reported as not having been routinely supported by MDPD in homicide investigations. *

A total of 21 jurisdictions responded to the municipal police department questionnaire. Although many jurisdictions report providing a wide range of services, most acknowledge at least drawing on the assistance of MDPD for many of these services. With respect to many specialized police functions, only five of the 21 jurisdictions responding reported that they provided homicide investigation, seven reported providing traffic homicide investigation and none reported providing aviation or full bomb squad (detection and disposal) services.

It should be noted that this survey does not address the level of service that a city is capable of providing for these functions. For example, a department that provides homicide investigation may not have the capacity to handle multiple homicides at the same time or a very high profile homicide such as the Gianni Versaci assassination

In summary, the surveys demonstrate two things:

- In order to maintain high quality specialized law enforcement services, the region as a whole is highly dependent on MDPD's ability to provide, support or enhance them;
- There is no uniform delineation of service provision between MDPD and municipal police departments. The level of services provided by municipal police departments is more a function of past practices and funding availability than an organized plan. Some cities are highly dependent on MDPD, while others offer a fuller range of law enforcement police services.

C. FUNDING STRUCTURE

Local police departments are funded through local revenues. According to the FIU study, total law enforcement expenditures among the municipalities varied from \$428,448 in El Portal to \$91,737,000 in the City of Miami. Per capita expenditures for police services also vary widely; for example, Indian Creek Village spent \$14,553 per capita on law enforcement; South Miami, \$246; El Portal \$174; Hialeah \$130; and the unincorporated area \$206. (See Appendix 4.) In an analysis of factors predicting police expenditures, community wealth was found to be the major predictor of per capita spending.

MDPD services are currently funded in three ways.

- Funding is derived from countywide taxes for those services that are a 100% countywide function (i.e., Sheriff's functions, the crime lab, and the Juvenile Assessment Center - JAC).
- For "split" services - those specialized services available to existing cities and provided to the unincorporated area - funding is apportioned between the countywide budget and the UMSA budget, adjusted both for work effort in the cities and to account for UMSA residents' countywide tax contribution.
- Police functions that are performed only in the unincorporated area are 100 % supported by UMSA taxes.

The following Table depicts some of the current funding allocations for MDPD. A full budget allocation is contained in Appendix 5.

Table 1
Funding for Selected MDPD Functions By
Percent Allocation to UMMA and Countywide Budgets

Law Enforcement Service /Function	Percent Countywide	Percent UMMA
Director's Office	23%	77%
Office of Director	23%	77%
Police Legal Bureaus	23%	77%
Budget and Planning Bureau	23%	77%
Media Relations	23%	77%
Information Services - Communications Bureau	100%	0
Investigative Services	0%	0
Criminal Intelligence	74%	26%
Enhanced Crime Fighting	0%	100%
Criminal Investigations		
Economic Crimes Bureau	15%	85%
Homicide Bureaus	19%	81%
Robbery Bureau	22%	78%
Sexual crimes	22%	78%
Narcotics	28%	72%
Domestic Crimes	0	100%
Uniform Service		
Community Policing	19%	82%
Special Patrol	4%	96%
Tactical Operations	19%	81%
Aviation Section	19%	81%
Special Events	0	100%
Police Operations Bureau	4%	96%
Public Housing	0	100%
South Operations: Chief, Doral Station, Cutler Ridge Station, Kendall Station, Hammocks Station	0	100%
North Operations : Chief, Miami Lakes Station, Northside Station, Intracoastal Station, Carol City Station		100%
Centralized Services		
Court Services	100%	0%
Training, Personnel, Psychological Services	23%	77%
Sheriffs Services		
Warrants Bureau	100%	0%
Crime Laboratory Bureau	100%	0%
Property and Evidence Bureau	4%	96%
Crime Scene Investigations	56%	44%

D. ADVANTAGES AND DISADVANTAGES OF CURRENT SERVICE AND FUNDING ARRANGEMENTS

The current structure of police services and funding in Miami-Dade County has developed over a long period of time and has proved fairly stable.

Advantages: The existence of a very large, unified and nationally recognized police department such as MDPD within Miami-Dade County benefits the entire county. The current method of funding MDPD has established a department that:

- 1) provides certain services (e.g., sheriffs services and the crime lab) to all residents of the County, irrespective of municipal jurisdiction;
- 2) provides all law enforcement services - both local patrol and specialized law enforcement services - in the unincorporated area;
- 3) enables independent cities to utilize the specialized law enforcement services of MDPD; and,
- 4) has the ability to provide a countywide perspective on, and response to, crime.

The quality of services provided by the Miami-Dade Police Department is widely recognized. At the same time, the ability of individual municipalities to provide at least some of their local police functions through a municipal police department allows for some degree of local prioritization of law enforcement activities. To the extent that their fiscal capacity allows, each jurisdiction can set and provide for its own desired level of local service. In addition each jurisdiction is able to depend on the support and assistance, when requested, of the Miami-Dade Police Department.

Disadvantages: Despite these advantages, it must be noted that the structure allows for significant disparity in local services between jurisdictions. Some municipal jurisdictions are able to and do purchase a level of local road patrol that other jurisdictions would have a very hard time funding.

In addition, the current method of funding "split" services has certain risks. These are:

- 1) The method of funding some services from both the countywide and the unincorporated area budgets, requires that the "split" be regularly revisited and readjusted. Not only is it difficult to calculate the appropriate split based on work effort, but any readjustment is in effect a "zero-sum" game. If the split does not reflect as accurately as possible the balance of incorporated and unincorporated effort, either the unincorporated area property tax payer or the residents of municipalities may be supporting more than a fair share of services. Finally, the allocation of funding is difficult to understand and may lead to public misperceptions regarding the funding of MDPD.
- 2) The current structure is inefficient in terms of the aggregate cost of municipal and county services. The current structure allows each municipality the option of providing

services that are already provided by the County thereby unnecessarily duplicating services, and capital expenditures thus increasing the aggregate cost of law enforcement services.

3) The current structure creates fiscal inequities. Those jurisdictions which provide certain services (e.g., homicide investigations in the City of Miami and North Miami Beach) experience a financial burden that is not comparable to other municipalities (e.g., Key Biscayne, Bal Harbor or South Miami) that do not provide those services even though they are treated equally with respect to their taxing capacity.

4) The current structure is also potentially confusing given the proximity and irregularity of municipal boundaries within a largely urbanized metropolitan region. In most cases, the boundary between adjacent municipalities is not clearly marked. A traffic accident or other incident in the middle of an intersection may cross three or more municipal jurisdictions. Confusion over which jurisdiction has first-response responsibility may delay response and at a minimum cause inconvenience to those involved. In addition, the lack of uniformity between jurisdictions in certain functions, e.g., traffic control or response priorities to calls, produces uncertainty regarding what to expect from law enforcement within different jurisdictions.

5) The capacity of different jurisdictions to provide local law enforcement services is widely varied. As a result there is the potential for considerable inequity in important police functions. One jurisdiction, with a low level of need, may be able to afford a far greater level of neighborhood patrol than another with a far greater need. Variation in local capacity also affects the conditions under which law enforcement officers work, e.g., facilities and support staff.

6) Finally, the current structure is highly vulnerable to the impact of potential future incorporations. The current system depends on the existence of a large enough and financially healthy unincorporated area to support both the scope of services and the level of manpower of MDPD.

At some point, given future incorporations, erosion of the size of the department and the fiscal capacity to support specialized services, would lead to a seriously diminished law enforcement capacity in the County as a whole.

In summary, despite the fact that the current funding structure has been stable and satisfactory over a long period of time, it may be appropriate to consider changing the funding structure for MDPD services, in particular for specialized services. Alternative methods of delivering and funding these services must be considered and evaluated .

III. ALTERNATIVE MODELS OF SERVICE STRUCTURE

As part of the analysis, staff considered various models of service delivery. In general, the structure of any local service delivery system can vary on three core dimensions: planning, financing and service provision.

Four principle models of service structure are:

- Consolidated - in which the same agency plans, finances and produces the service;
- Regulated - in which one agency plans or regulates the service but either one or more other agencies finance and deliver the service;
- Contract - in which one or multiple agencies plan and finance the service but another provides it; and
- Mutual aid agreements - in which multiple jurisdictions coordinate certain services under special circumstances.

Each model has advantages and disadvantages and the selection of a particular model will depend on a variety of local conditions and priorities.

This section describes the advantages and disadvantages of consolidated, regulated and contract service delivery and mutual aid agreements in terms of service provision. The following section describes alternative financing models.

A. CONSOLIDATED SERVICE MODEL

In a jurisdiction with a fully independent police department, police services are, by definition, consolidated. These departments may be small or very large. The New York City Police Department, for example, serves the five counties that make up the City of New York. The Department's command structure includes the five boroughs and local precincts, but the overall financing, planning and delivery of services is under a single unified department. Although it is rare for multiple jurisdictions to join in a single consolidated department, it can occur. In Metro Toronto, for example, the independent local police departments of the 13 municipalities and the City of Toronto that comprise the Metropolitan Council, were originally retained as local service functions in 1953 when Metro was formed. In 1957, however, in the interests of economies of scale, the departments were "amalgamated" into the Metro Police Council.

Advantages and Disadvantages of Consolidated Services

In general, a consolidated model has the advantage of maximizing the likelihood of uniform service delivery throughout a jurisdiction thus eliminating, or at least minimizing, inequity in service within the jurisdiction. As the simplest-to-understand model, it can also be the most accountable - everyone knows who is in charge and who is responsible for a particular service. A consolidated system also ensures a jurisdiction-wide perspective. Where crime is mobile, it is

sensible to have a law enforcement jurisdiction that is large enough to view trends in crime and to respond to them in a comprehensive manner.

On the other hand, the very uniformity that a consolidated model may provide can prevent achieving a desirable level of local variation in service. In addition, if the system is very large and becomes unwieldy, a consolidated structure may lead to a loss, real or perceived, of access and accountability.

B. REGULATED SERVICE MODEL

Under a regulated model, one agency plans or regulates a service that is delivered by and paid for by others. This model most typically applies to services for which there are clear and measurable standards of activity and outcomes. In terms of law enforcement, a regulated model would involve the establishment and enforcement of specific standards for municipal police departments in terms of such matters as: the ratio of officers to population, the ratio of officers to geographic area; the specific range of services provided and functions performed; standardized protocols for matters such as evidence collection and record keeping; standardized personnel and training requirements and standards for crime clearance.

Currently, there is no established model for such standards with respect to municipal law enforcement. Local law enforcement agencies may through application and review by the Commission for Accreditation of Law Enforcement Agencies (CALEA) become nationally accredited. The process is time consuming and voluntary, however, and is not designed to serve as a regulatory system monitoring performance and outcomes.

Advantages and Disadvantages of Regulated System

One advantage of a regulated model of service delivery is that enforcing established and appropriate standards can assure at least a minimum level of service for residents of every jurisdiction. To the extent that the standards are sufficient and enforceable, there would be some assurance that law enforcement basic needs would be met in every area of the County.

The major obstacle to implementing such a system is that meaningful, measurable standards are extremely difficult to establish, agree to and enforce. Currently there are no such agreed on standards nationally or in Miami-Dade County. As described above, local police departments vary widely in terms of levels of staffing and functions performed. Each department has a great deal of autonomy in personnel practices, hiring, screening and evaluation. Clearance rates vary widely.

C. CONTRACT MODEL

In a contract system, individual jurisdictions enter into contracts with other agencies for the provision of all or only certain law enforcement services. There are examples of such an approach. Typically in law enforcement, contracting involves a very large department, often a County Sheriff's Department, under the direction of a countywide elected sheriff, that routinely

provides major investigations (such as homicide and economic crimes) and, in addition, enters into contracts with individual cities to provide a specified level of local law enforcement.

1. Los Angeles - the "Lakewood Model"

The Los Angeles County Sheriff's Department is the largest and the oldest model of police service contracting. Starting with the then-new City of Lakewood in 1954, the Department now contracts with 40 cities to provide the full set of law enforcement needs. Some services, including homicide and narcotics investigations, are provided and funded countywide. For all non-countywide services (e.g. local patrol, routine investigations), cities may choose to contract with the Sheriff's Department either individually or as partners in a regional contract with other adjacent cities as an alternative to funding an independent police department.

The contracts are negotiated for specific levels of service and are currently based on a "one-cost" model for different levels of service. For example, in FY 1998-99, a two-deputy, 56-hour deputy-sheriff service unit is priced at \$428,442 per year. (See Appendix 6.) The actual level of service must be agreed to by the LA Sheriff's Department Station Captain for the area and by city officials. That level of service must meet or exceed the Sheriff's Departments recommended minimum patrol and investigative capacity for that particular city.

The Department reports that the size and structure of the department, in particular the ability that contracting provides to draw on a large force of officers for major events or emergencies such as an earthquake or major civil disturbance, is critical to maintaining countywide public safety capacity. In this case, the structure guards against the potential fragmentation in law enforcement capacity and performance in the metropolitan area and multiple jurisdictions of Los Angeles County.

Although since the inception of the program, some contracting cities formed independent local departments, all of those have since rejoined the contract program.

2. Broward County

In Broward County, many specialized functions are provided countywide through the Broward Sheriff's Department. The Division of the Office of the Sheriff contains, in addition to the Sheriff's office, a public information section, a legal section and the Metropolitan Intelligence Unit which coordinates with other law enforcement agencies in the county to identify, prosecute and seize the assets of narcotics organizations and other organized criminal groups.

The Crime Prevention Division consists of five districts. This division provides a full range of police services in the small unincorporated area of the county as well as strategic intelligence, specialized police and emergency services, including aviation and marine services, crime scene and gangs throughout the county. The Department also contracts with six cities within the county (Pembroke Park, Dania, Lauderdale Lakes, Tamarac, Deerfield Beach and Weston) to provide all law enforcement activities.

Advantages and Disadvantages of the Contract Model

A contract model can provide significant benefits in delivering specialized and general law enforcement services in a metropolitan area. Additionally, new and existing cities are able to achieve some economies of scale in administrative functions. To the extent that the resulting department is large enough to support a full range of specialized services that small departments might not be able to afford, and to employ a large enough contingent of law enforcement officers to assure capacity for large-scale events, a contract model can enhance the level of law enforcement available to all of the participating jurisdictions.

There are, however, a range of difficulties associated with establishing this kind of model.

- First, as described below under financing alternatives, it is exceedingly difficult to develop a fair and predictable pricing system for law enforcement services. Contracts are also voluntary and introduce a level of uncertainty that without long enough contract periods can make long-term planning for staff and capital investments problematic. In Los Angeles, the contract period is typically five years, subject to annual review.
- Minimum levels of service must also be determined. The Los Angeles Sheriff's Department establishes a threshold service level that must be met for each participating municipality. This requires considerable cooperation and good faith on the part of all parties. For example, it requires that the city officials agree to the Sheriff's Department's assessment of their minimum service level - even if that level of service is more costly than they would like or than they anticipated.
- In addition, given the voluntary nature of contracts and the mobility of crime, there is a threat that without some clear standards for service levels for all jurisdictions, including those who provide their own services, the crime problems of a nonparticipating jurisdiction may spill beyond its boundaries.
- In the examples of Broward County and LA County, in which the same department provides services to both contracting municipalities and to the unincorporated area, there is the additional risk that the unincorporated area, which does not have a discrete contract for a fixed level of service, may be shortchanged.

D. MUTUAL AID AGREEMENTS

For some types of local services - typically related to public safety - service sharing through mutual aid agreements provides a different mode of service delivery. In this model different jurisdictions agree that, under specific conditions - typically of an emergency nature, they will help each other out.

Advantages and Disadvantages of Mutual Aid

A mutual aid agreement recognizes and, to some extent, compensates for the fact that individual jurisdictions cannot always provide adequate law enforcement on their own under all circumstances. With mutual aid agreements, a small municipality retains local control over its law enforcement services but is able to call on other jurisdictions for manpower and assistance if needed. Thus the aid agreement acts as a kind of insurance policy against any individual jurisdiction's unforeseen and unfunded emergency.

There are, however, many disadvantages to an over-reliance on mutual aid.

- For many specialized law enforcement services that require complex and dedicated training and equipment (e.g., complex homicide investigations, specialized domestic violence programs, or bomb removal and disposal), the sum of many small departments cannot equal the resources and equipment of one large one.

If no single jurisdiction has the capacity to dedicate sufficient staff and resources to a specific function, then the function simply cannot be provided no matter how willing the jurisdictions are to help each other out.

In addition, as a method of reliably and routinely ensuring adequate law enforcement, mutual aid agreements have other serious disadvantages.

- The agreements are voluntary and are operationally complex. For example, the command structure and protocols will vary depending on which jurisdiction has requested assistance and the location of the event. The potential for non-uniform protocols or non-standardized training in such matters as crowd control or evidence collection may compromise the safety of residents and police officers or, in an investigation, the apprehension and prosecution of criminal violators.
- Finally, the principal of mutual aid assumes some degree of common capacity. A mutual aid agreement in which one jurisdiction provides far more aid than it receives from another is out of balance because reciprocity may not be feasible to the extent that is required by the major, larger agency. This can lead to one jurisdiction, and one jurisdiction's tax payers, being unfairly burdened for the cost of providing aid to another jurisdiction.

E. MODELS FOR MIAMI-DADE COUNTY

Each model clearly has a mix of advantages and disadvantages and it is difficult to fit any one model to the context and needs of Miami-Dade County.

Current Model

As currently structured, law enforcement services in Miami-Dade County are a complex consolidated model - different police services are consolidated at different levels of jurisdiction.

Sheriff's services and the crime lab are consolidated countywide. Local patrol is consolidated at the municipal level - each jurisdiction independently plans, funds and delivers local patrol within its jurisdiction, with the County acting as the jurisdiction for the unincorporated area.

Specialized services - the "split services" described above - are harder to describe. Some cities, in addition to financing and providing local patrol, also finance and provide a range of special services including homicide. Those cities can, to some extent, be viewed as having a consolidated service structure. Most cities, however, depend at least to some extent -- many entirely -- on MDPD for such services. To the extent that Miami-Dade County both plans and delivers these law enforcement services, makes them available countywide, and funds them through a mix of countywide and UMSA taxes, these specialized services can be said to be operationally consolidated. However, the mix of funding sources and the capacity for municipalities to self-provide the services complicates the picture.

Total Consolidation

To achieve a fully consolidated model would require the merger of all police functions - including all municipal law enforcement services provided in the incorporated and unincorporated area - into a single large agency under the authority of a single jurisdiction.

Although there are examples of large police departments that serve populations larger than that of Miami-Dade County, e. g., the New York City Police Department which serves all five boroughs of New York, it is extremely unlikely that this could occur in Miami-Dade County. Existing cities or new cities are unlikely to voluntarily give up control over their own local police departments. In addition, without an alternative funding mechanism, there is no capacity within the countywide budget to fully fund a countywide consolidated police department.

On the other hand, the consolidation of at least some of the specialized services may be somewhat easier to accomplish. Since many jurisdictions do not provide the full range of services, there could be less resistance to fully transferring these functions to MDPD. Those cities that either already provide or choose to provide the service in the future, could have the option of doing so but there would be a clear understanding that MDPD has the primary responsibility - and appropriate funding - for these services. Funding for such a department would require capacity within the countywide budget.

Regulated Law Enforcement

With respect to establishing a regulated law enforcement model in Miami-Dade County, the Miami Dade County Home Rule Charter provides that the County may set minimum standards for a range of services. If those minimum standards are not met, the County may assume the

function and require reimbursement. Although not codified, those standards could include minimum standards for the provision of some or all law enforcement services by a municipality.

Developing a regulated model, would require:

- establishing reasonable standards to which all jurisdictions could agree;
- developing a fair and accountable regulatory process for monitoring those standards; and,
- achieving consensus on a clear and fair process for establishing the conditions under which the County would in effect pre-empt a municipality's law enforcement functions and the municipal revenues required to provide it.

Contract Model

At present, MDPD does not enter into long-term contracts for any services. For a new city, it has been the practice for the department to continue to provide service at the level at which it had been provided prior to their incorporation during a transition period through an inter-local agreement in which the new city pays for the service. At the end of that period, local police functions, at whatever level the jurisdiction has determined are appropriate, are assumed by the new municipal police department.

For the newest cities, these locally assumed functions have not typically involved homicide investigation or many of the other specialized services for which they remain dependent on MDPD. As new cities have formed, both the significance of having these services available countywide and the vulnerability of the current system has become more apparent.

The idea of a contract model for Miami-Dade has some attraction. The primary obstacles, which are discussed further in the following section, are:

- establishing a pricing system. e.g. Does the contracting jurisdiction pay for only selected services? If for a fixed number of patrol units does the contract price include full overhead?, etc.;
- the voluntary nature of contracts;
- assuring that contractual obligations to one jurisdiction do not lead to any degradation of service in the area otherwise served by the contracting jurisdiction - whether that is MDPD or another municipal police department.

By policy, the Board of County Commissioners has required that Department not contract for any services with new cities beyond the transition period unless it is established that there are no unmet needs in the unincorporated area.

In addition, a contract model is especially problematic in relation to specialized services (e.g. multiple homicides or hostages) which may be infrequently needed, and therefore not seen by a city as a high budget priority. When those services are needed, they are needed urgently.

Mutual Aid

With respect to mutual aid, the County and cities, with the exceptions of Key Biscayne, Bay Harbor Islands and Homestead, have recently agreed that, in addition to providing mutual aid in certain types of events, officers from each jurisdiction may make arrests within each others' jurisdictions without a prior call for assistance under very specific circumstances - i.e., if the officer witnesses a crime in progress while in a jurisdiction other than their own. (Appendix 7.)

This is clearly a step forward in acknowledging the metropolitan nature of crime in the county. Without the scale and scope of MDPD to support specialized services, however, mutual aid alone cannot address the metropolitan law enforcement needs of the County.

Summary of Models

In sum, there is a need to preserve the integrity of the specialized services provided by MDPD and it cannot be guaranteed that this capacity can be preserved under the current structure if there are future incorporations of any significant size or negative fiscal impact.

If we consider alternatives to the current situation from a purely operational point of view, a **countywide consolidated model for specialized services**, in particular those that are clearly too expensive for many of the municipalities to routinely provide (e.g., aviation, specialized canine services, bomb disposal) and those that clearly address regional issues (e.g., economic crimes, narcotics intervention) could assure the preservation of those services.

In addition, given the choice of most small municipalities to stress local patrol rather than specialized services, **continued local provision of routine patrol and local investigations** would allow individual municipalities the ability to tailor these services to their individual desires and fiscal capacity. By clearly separating the funding for specialized services, some of the current obstacles to **MDPD contracting** with new or existing jurisdictions for local services would also be removed.

To minimize inequity in local law enforcement, **explicit minimum standards** could be established for municipal police departments that would assure that each department had adequate local patrol and response time and the capacity to appropriately conduct general investigations.

If the Board were to pursue this strategy, the issues of how to fund specialized law enforcement, how to establish a contract program, and how to establish a regulatory framework for local law enforcement will need to be addressed.

Funding options for services are discussed in the following section.

IV. ALTERNATIVE MODELS OF SERVICE FUNDING

Financing for local services, both operating and capital, derives from a variety of sources, including taxes and fees, grants (federal and state), capital and revenue bonds, entitlements - such as state revenue sharing, interest earned, etc.. Any one service may be funded from multiple sources.

Law enforcement in the County, both for MDPD and for the individual police department, is funded from a variety of sources, including general funds (municipal, Countywide, UMSA), grants (e.g., COPS), and the Law Enforcement Trust Fund (LETF) established with proceeds from the sale of seized goods and property.

Four basic alternative funding structures for municipal services are:

- Fee Based: The recipient of the service wholly or in part makes direct payment for service received at the point of service.
- Contracts: The recipient purchases the availability of services over a longer term through an arranged payment.
- Taxing District: (Independent or Dependent): Recipients of the service pay for the availability of the service within an established geographic area through a uniform millage rate.
- Benefit District: The recipients of the service are assessed for a service that has a direct and common benefit to properties within the geographic area covered by the district.

A. FEE BASED:

With respect to specialized law enforcement services provided to cities, there has been some discussion of directly charging any municipality that receives a specialized law enforcement service from MDPD for the actual cost of that specific service on an event-by-event basis. This would involve establishing a fee schedule for each type of activity, e.g., a homicide investigation, the deployment of a bomb squad or SWAT team. The fee schedule could also take into account the duration and intensity of an event and the number of staff dedicated to it.

Advantages and Disadvantages of A Fee Based Structure

Although this method has the apparent advantage of ensuring that Miami-Dade is fully reimbursed for services rendered within a municipal jurisdiction, in practice it is neither workable nor equitable.

- It would not be possible, without potentially bankrupting a small city, to fully recover the cost of a major event or an investigation such as was involved in the series of murders along the Tamiami Trail through fees and charges.

- Some incidents, such as the school-bus high jacking, cross multiple municipal jurisdictions and there is no rational accounting basis that could establish a fair allocation of charges.
- There is also no method for a municipality to judiciously structure its municipal budget to anticipate such charges. Few municipalities would be able to establish the level of reserve or contingency funds that might be needed to compensate for a major and unanticipated investigation or event.
- In addition, a direct cost recovery model would produce serious uncertainty regarding long-term financing of MDPD.

It may be possible to establish a fee structure for certain very specific activities or programs, such as special anti-auto-theft programs (e.g. VIN etching) or specific training programs for municipal officers. However, as a means of supporting general law enforcement activities in multiple jurisdictions over a long period of time, a fee-based structure cannot provide the financial stability and predictability required to plan and provide adequate law enforcement services.

Staff were unable to identify any general law enforcement program that is conducted and financed on a fee basis.

B. CONTRACT

Some examples of a contract system are described in Section III of this report. In such a system, individual jurisdictions could enter into contracts with MDPD for the provision of all or only certain law enforcement services.

Fiscal Advantages and Disadvantages of the Contract Model

A contract model can provide some fiscal benefits for the delivery of both specialized and general law enforcement services.

- To the extent that newly formed cities contract with an existing law enforcement agency, they are saved the startup costs of a new police department.
- New and existing cities are also able to achieve some economies of scale in administrative functions.
- Jurisdictions would also be assured of common training and reliable recruitment practices.
- In addition, to the extent that the resulting department is large enough to support a full range of specialized services and has a large enough contingent of law enforcement officers to provide capacity for large-scale events, the economies of scale of a contract model can enhance the level of law enforcement available to all of the participating jurisdictions.

There are, however, a range of fiscal difficulties associated with establishing this kind of model.

- First, it is difficult to develop a fair and predictable pricing system for law enforcement services. Since the inception of its contract system, the LA Sheriff's Department has developed and negotiated a variety of pricing structures - including a detailed "menu" based system and the current "one price" patrol unit model.

Immediately prior to the adoption of this model, the Department offered cities the option of purchasing two types of patrol - general law patrol and traffic law patrol. The traffic-law patrol officers, available at a lower rate, were expected to focus primarily on traffic issues and did not have the same level of training as general law enforcement officers. Some cities, however, came to depend on these officers for a full range of law enforcement services. Those cities required more intensive district back-up for general law enforcement and the district was not recovering its full cost for investigative services.

- In addition, as described above, contracts are voluntary and introduce a level of uncertainty that can make long-term planning for staff and capital investments problematic. In Los Angeles, the contract period is typically five years, subject to annual review. Without a clear expectation that a contract will be renewed, it is difficult to adequately plan for staffing and for any long-term investments in technology, equipment or facilities.
- Finally, a city that may clearly need a service, may not be able to afford to contract for it.

C. SPECIAL TAXING AND BENEFIT DISTRICTS

Special taxing and benefit districts, as opposed to general government districts, typically provide services that are not otherwise available within a particular jurisdiction, or may provide enhanced levels of service over and above what is otherwise provided. State law governs the method of creating, and the authority awarded to, such districts. There is little flexibility under current state law to design alternative funding methods for a countywide police district.

Depending on their governance structure and budget approval provisions, special taxing districts may be independent or dependent.

1. INDEPENDENT SPECIAL TAXING DISTRICT

The establishment of an independent police services district to provide all or a limited set of law enforcement functions would have to meet all state mandated minimum requirements for such districts. These requirements govern the purpose of the district, the powers, function and duties of the district regarding ad valorem taxation, bond issuance and revenue raising capabilities, the membership and organization of the governing board, the methods of financing the district and other requirements. These are described in Chapter 189.404(3), Florida Statutes. Independent

districts are typically created by the state legislature by special act and cannot provide general government functions.

However, under Florida Law, counties do have the authority to create certain types of independent countywide districts. These districts are limited to children's services, county health care, mental health care and community development districts. If the functions of such districts were expanded to include specialized police services, the creation of the district, like others, would likely be subject to the passage of a countywide referendum authorizing the district's charter and the millage rate for the district within whatever limit was allowed by statute. For example, current law caps a county children's services district .5 mills; while a county health care district is capped at 5 mills. (Subsection 125.901 F. S.)

Thus, under current state law an independent police services district could not be created by county ordinance without prior statutory authorization and voter approval or, if modeled after a community development district, without the approval of 100% of the property owners. In addition, in order to qualify as an independent district, the district must not meet any of the criteria set forth in Subsection 189.403(2) F. S.. The County Commission would not provide its governance and its governing board. The district's board would be wholly responsible for policy-making, planning, operating and setting the budget of the police district in accordance with the district's charter provisions.

No examples were identified of a special independent police services district that provided a wide range of general law enforcement functions across multiple jurisdictions.

Advantages and Disadvantages of an Independent Special District

If it were possible to create such a district, an independent special taxing district for police specialized services, that district could include all existing municipalities and the unincorporated area and would clearly distribute the fiscal responsibility for supporting those services among all Miami-Dade taxpayers.

There are however, substantial obstacles to implementation.

- First, it would require legislative authorization in order to have taxing authority.
- Second, the creation of the district, and the approval of a millage to support it, would likely require a countywide referendum. It is unlikely that such a referendum would be approved without substantial support from all the municipalities and a prolonged and vigorous campaign.
- Finally, even if these obstacles were overcome, the County Commission may wish to consider whether or not it would choose to relinquish such an important function of what is typically a general government function to an independent governing body.

2. DEPENDENT SPECIAL TAXING DISTRICT

Under the Miami-Dade Home Rule Charter, Section 1.10(A), the Board of County Commissioners may establish a special taxing district by ordinance. Thus the Board of County Commissioners could, without a referendum, create a dependent special taxing district for police services that could cover the unincorporated area and any individual municipalities that choose to participate in the district.

The millage required to support the services provided by the district would depend both on the range of services provided and the taxable value of the participating area. As a dependent district, the millage, like that of the Fire and Rescue District, would count against the County's countywide 10 mill cap.

Advantages and Disadvantages of a Dependent Special District

The creation of a dependent district would be easier to accomplish than the creation of an independent district. Unlike an independent district, it would not require legislative authorization and, depending on the ordinance creating it, it may not require voter approval. In addition, the Board of County Commissioners would remain the governing body with policy and budget approval.

However, there are serious fiscal and operational limitations on such a district.

- First, the millage required to support a dependent district could count against the County's 10 mill cap. Depending on the number of services to be provided by the district, the millage currently available may not be sufficient to support the services.
- Second, should any city choose not to participate, the County would in effect be forgoing potential countywide revenues for provision of services that are not countywide. This is currently the case with the Fire and Rescue District. For that district, the County does not collect Fire-Rescue District millage from the cities of Miami, Hialeah, Coral Gables and Key Biscayne despite the fact that the millage for the district is counted against the 10 mill cap.
- In addition, depending on the range of services to be included in the police district, those cities that do not participate may no longer be entitled to critical law enforcement services currently available to them, placing the residents of those cities at greater risk. Given the mobility of crime and the countywide impact of crime in any jurisdiction, the County as a whole could suffer.

3. SPECIAL BENEFIT DISTRICTS

A special benefit or assessment district requires a clear and direct "benefit" resulting from the assessment paid and a clear method of establishing the benefit. There are many special benefit districts in the County that provide for landscaping and infrastructure such as sidewalks or

sewers or lighting. Public safety benefit districts include guard gates and roving patrols. It would, however, be legally impossible, absent a reversal of recent Florida Supreme Court Opinions, to establish the necessary direct benefit for a more general law enforcement services special benefit district as well as a defensible, measurable method for benefit assessment charges to individual property owners.

In addition, any benefit district requires majority voter approval. Past experience demonstrates that approval for such districts is difficult to obtain, and may be especially difficult for a large metropolitan area.

a. Inglewood, California

With respect to general law enforcement, as opposed to a single-purpose district such as a guard district or roving patrol district, staff were able to identify only one existing law enforcement benefit assessment district. That district is located in the City of Inglewood, California (population 100,000 with an area of nine square miles) and grew out of a an anti-crime effort similar to Operation Clean Sweep/Safe Streets that had previously been funded on an overtime basis. Having determined that a 20-officer unit would be adequate to continue the service, city officials and voters approved a Police Benefit Assessment District (P.B.A.D.) consisting of all city parcels. The district funds a special anti-crime unit focused on the suppression of narcotics and gang-related activity. (Appendix 8.)

Although Inglewood does provide an example of a successful benefit district, it must be noted that the service provided is very limited in scope. It is also a small geographic area and the funding is essentially for one specialized unit. It is difficult to generalize this example to Miami-Dade County.

Advantages and Disadvantages of Special Benefit Districts

A special benefit district enables an area to receive a service or benefit that is not otherwise available or at a level that is not otherwise available. To the extent that such a district requires voter approval, they enable local areas to establish levels of services that are specifically tailored to the desires of residents. There are many obstacles to creating such a district.

- Absent a reversal of current case law, it is impossible to establish the necessary direct benefit and assessment methodology for a service such as specialized law enforcement.
- Given the requirement for voter approval, such a district would be difficult to establish at the scope and scale that would be needed.

D. MUNICIPAL SERVICES TAXING AND BENEFIT UNIT:

Section 125.01, F.S., enables counties to establish municipal service taxing or benefit units (MSTU/MSTB) specifically for the purpose of providing "municipal services and facilities from

funds derived from service charges, special assessments of taxes within such district only.” 125.01(5)(a)(F.S.). These MSTUs or MSTBs may include both incorporated and unincorporated areas provided that the governing bodies agree to participate.

Advantages and Disadvantages of MSTU

Although a municipal services taxing unit could allow multiple jurisdictions to participate in funding general or specialized law enforcement, and while there are fewer restrictions as to the purpose of this type of district, there are significant drawbacks.

- State law requires the agreement of all of the governing bodies of the jurisdictions that would be participating in the MSTU. In Miami-Dade County, the millage to fund the services would count against the 10 mill municipal caps of the participating cities and of UMSA. Many cities may be unwilling, or unable, to commit a portion of their municipal millage to this purpose.
- Given fiscal constraints, it is possible that those cities most in need of specialized services would be least likely to be able to participate in the MSTU.
- In addition, because an MSTU is voluntary, any jurisdiction, although agreeing to participate for a fixed number of years, could, after the termination of the agreement, opt to leave the MSTU. The remaining jurisdictions would have to reassess issues of cost effectiveness, long term planning and funding.

No examples were identified of an MSTU that provided a range of law enforcement functions across multiple jurisdictions.

However, in several counties, MSTUs are used to provide local police services in the unincorporated area. In Pinellas County, for example, an MSTU supports law enforcement services provided by the Sheriff's Department in the unincorporated area. In addition, the Sheriff's Department contracts with 10 small cities to provide full police services.

As in Broward, the Pinellas County Sheriff is a constitutional officer, elected countywide.

E. SUMMARY OF FUNDING ALTERNATIVES

Although there are several possible special district approaches to funding specialized law enforcement services, they all have significant impediments and drawbacks.

- The most straightforward approach to funding specialized services would be to fund such services through the countywide millage.

Unlike creating a countywide special district, this approach would avoid the statutory limitations on independent districts created by ordinance and the requirement for voter approval. Unlike a

dependent district or MSTU, this approach would ensure that these services would be available throughout the County, and not be dependent on the voluntary participation of each municipality.

The major obstacle to this approach is financial. At present, there is little capacity to accommodate significant additional costs for law enforcement within the 10 mill cap, without potentially eroding or limiting other countywide services. In addition, for those cities that elect to continue to provide some or all of the specialized services, an argument could be made that that this approach constitutes double taxation.

If, however, in the future, funding responsibilities in the countywide 10 mill cap were removed, and if the support for this approach were obtained from the existing municipalities, this alternative could become more feasible.

Three possible sources of funding responsibility relief include:

- the establishment of a non-advalorem fire rescue special assessment district;
- a dedicated funding source for mass transit (e.g., a local option transit sales tax); and
- a shifting of costs currently borne by counties is support of the judiciary to the state.

Revision Seven to the Florida Constitution which approves such a shift of court-support costs was approved by the electorate on November 3, 1998. We must now monitor closely the legislature's actions in response to this vote of the people.

Thus the extent to which this approach is both feasible and desirable, depends on the specific services that would be provided and the costs of those services.

The following section reviews four models for a countywide police service, ranging from very limited countywide services to full consolidation.

IV. MODELS OF COUNTYWIDE LAW ENFORCEMENT IN MIAMI-DADE COUNTY

To assist the Board in evaluating potential alternatives for establishing a police department to provide services countywide by means of countywide funding, staff reviewed four models of countywide law enforcement services. These models vary by specific functions that would be available and funded on a countywide basis, with all other services to be provided by existing or new municipal police departments.

The four models are:

- Sheriff's Mandated Services and Crime Lab
- Sheriff's Mandated Services, Crime Lab and Limited Central Services
- Sheriff's Mandated Services, Crime Lab, Limited Central Services, and Specialized Services
- Consolidated Police Services - all of the above including road patrol

Each model is reviewed in terms of the following questions:

- What services would be provided by the Countywide department?
- What is the cost of those services?
- How could those services be funded?
- What services would no longer be provided countywide?
- What is the cost of those services?
- What are the fiscal implications to UMSA and the municipalities?
- What are the advantages and disadvantages of the model under four incorporation scenarios?

Because many potential incorporation configurations have been suggested and considered, for the purpose of this study we have focused on four incorporation scenarios. They are:

- Scenario A - Total incorporation (or annexation) of the entire unincorporated area into one large jurisdiction;
- Scenario B - Incorporation of the unincorporated area into several cities of about the size of the City of Miami or larger;
- Scenario C - Total incorporation into municipalities of 10,000 to 20,000 persons with a residual unincorporated area;
- Scenario D - Continued incremental incorporation, with a gradually and unpredictably diminishing unincorporated area.

These models and their advantages and disadvantages are considered individually in Sections A through D and summarized in Section E.

A. MODEL 1: SHERIFFS' MANDATED SERVICES AND CRIME LAB

1. What services would be provided countywide by the County?

Court Services
Warrants
Crime Lab

2. How would these services be funded?

Countywide taxes would be available to cover these services.

3. What is the cost of these services (FY 98-99)?

\$24,261,000 (\$19,320,000 plus overhead)

4. What services would not be provided Countywide or to cities?

All other services, including

911
Juvenile Assessment Center
Aviation
Central Records
Central Investigations
Economic Crime Bureau
Homicide and Crime Scene
Sex Crime Investigation
Domestic Crime Investigation
General Investigation (including burglary, larceny, assault and auto theft)
Narcotics
Criminal Intelligence
Robbery
Special Patrol
Tactical (SRT)
Aviation - helicopter
Underwater recovery
Training

Local Patrol in UMSA would be the responsibility of a redefined department that served only the unincorporated area)

5. What is the cost of these services (FY 98-99)?

\$316,514,000

6. Fiscal Issues

- This model substantially reduces the County's financial obligations for countywide services to the minimum required by law. The countywide millage could be reduced as a result.
- Existing and new municipalities, and UMSA, would be required to self-finance all services no longer provided by MDPD. Cities could make voluntary arrangements to contract for these services with other jurisdictions. The current cost for provision of these services to existing municipalities is about \$14 million.
- Smaller cities, and in particular those cities with high service needs and low tax base that are not currently self-providing these services, would be at a serious fiscal and operational disadvantage.
- Given the current UMSA structure, a new UMSA Police Department would be formed to provide local patrol and all specialized services in the unincorporated area only and all non-countywide services would have to be fully absorbed into the UMSA budget.
- UMSA property taxes would have to increase by approximately 1 (one) mill to cover the additional expense of fully funding these services.

INCORPORATION SCENARIOS

Advantages

- Under any incorporation scenario, the state mandated services and the crime lab would be continued.
- This model is consistent with the Board's policy to shed municipal services.

Disadvantages

The major disadvantage of this model under any incorporation scenario would be the disestablishment of the current Miami-Dade Police Department.

Specific disadvantages, and the extent to which there could be serious service disruptions, would depend on the incorporation scenario pursued.

A single large city created out of the current unincorporated area (**Scenario A**) would have the fiscal capacity to form a police department that could provide many, if not all, of the services that would no longer be available countywide. However, that new police department would be entirely under the political and administrative jurisdiction of the new city.

The potential disadvantages to creating a large new police department include:

- Loss of Continuity There would be no ability to ensure continuity in the priorities, performance and the overall values of the Miami-Dade Police Department which is nationally accredited and widely recognized for its professionalism and expertise.
- Start up costs and effort: The startup costs to initialize a new department of this scale could be significant. Although arrangements could be made to convey some MDPD facilities (e.g., the district stations and other facilities) and equipment (including computer systems, hardware, vehicles, etc.), the costs to the new city would be substantial. There would also be a significant cost to either transfer or build up administrative infrastructure such as data bases, financial systems, etc. .
- Personnel: A new department of this size would face significant recruitment issues and, with no assurance that current staff would be absorbed into the new department, the County could face the loss of experienced and trained law enforcement personnel. For staff that were transferred to the new department, a range of issues such as seniority, retirement, liability for unused sick-leave or vacation days would have to be addressed.
- Coordination with the Sheriff's Department and Crime Lab: Under the current structure there is close coordination between the Crime Lab, the crime scene unit and investigative units such as homicide, robbery, and sexual battery. Coordination between these units and continuity and consistency in crime scene and forensic evidence collection protocols minimizes the chance that the integrity of a case will be compromised by inconsistent or improper procedures.
- Juvenile Assessment Center (JAC). The JAC is designed to serve the needs of detained juveniles by providing for quicker processing and appropriate referrals to social services. The JAC also, by serving as a central drop off center for juveniles, enables officers to return to duty faster than would otherwise be the case. Although a single large city may elect to continue the JAC, that is not assured and the participation of other municipalities would require negotiation.

Under **Scenario B** (several large incorporations) in addition to all of the above issues, there would be a significant loss of economies of scale for certain specialized functions that, while infrequently called for, are important elements of public safety.

The capacity of even a city of 300,000 to fund and retain these services is questionable. Those services include:

- Helicopters: MDPD helicopters are used for a variety of functions, such as criminal search and pursuit in UMSA and security for certain high profile events (e.g., visiting dignitaries: the Summit of the Americas, and the Super Bowl, etc.). It would likely be cost prohibitive for a jurisdiction of 300,000 to acquire and maintain this equipment, to provide staff and to ensure the number of flight hours needed for certification.

- Canine: Although several moderately sized cities may be able to fund a limited canine function such as police dogs, the maintenance of specialty canine units would likely be cost prohibitive.

At present MDPD has 26 canines. Of these, 13 are trained to detect explosives (six at the airport and seven in the Special Patrol Bureau), seven are trained to detect narcotics, three are trained for cadaver searches, one is trained for missing persons and one each is being trained for cadaver and narcotics detection. It is not likely that smaller jurisdictions, even of 300,000, would be able to support similar capacity.

- Special Response Team (SRT): Several smaller police departments may be able to provide some SRT coverage. However, it would likely be cost prohibitive to staff and provide training to the level required to deal with major or highly complex incidents such as a bus hijacking or a multiple hostage situation in a public or private facility.
- Investigative Functions: Specialized investigative functions conducted by the Homicide Bureau, Robbery Bureau, Narcotics Bureau and Sexual Battery Bureau require dedicated training and manpower. It is unlikely that smaller cities would have the capacity to dedicate the funding required to maintain current level of manpower, training, and expertise in these bureaus.
- Countywide Perspective: The independent police departments of the new and existing cities would likely enter into mutual aid agreements and could develop inter-jurisdictional task forces such as the RID program. However, the capacity for any single jurisdiction to maintain a truly countywide “big picture” becomes significantly decreased.

Crime does not respect municipal boundaries and, given the mobility of crime, there is significant benefit in having a large jurisdiction that has a substantial criminal intelligence unit and the ability to deploy large numbers of officers. This is particularly evident in the area of economic crime (fraud, embezzlement, large scale auto theft operations) that in the long run effect the economic vitality of the region as a whole.

- Manpower Capacity: Certain events, such as a large-sale natural disaster or civil disturbance, or a major incident such as a plane crash, require the coordinated deployment of officers with comparable training and equipment. Without extensive inter-jurisdictional cooperation among several large departments and inter-local agreements providing for a clear command structure and common training for such events there could be a diminished capacity to respond.

In addition, the capacity to accomplish the kind of large-scale inter-jurisdictional and interagency coordination that is required to deal with major events of countywide significance, such as a summit or national political convention, would be diminished. (Appendix 9 is a brief synopsis of the planning and coordination involved in the providing law enforcement for the Summit of the Americas. Similar arrangements would be

required for any major event such as a national political convention or, on a smaller scale, visits by major elected officials.)

All of these disadvantages are especially acute under **Scenario C** (multiple small incorporations with the potential of a small residual unincorporated area).

Small jurisdictions typically provide local patrol and response with little or no investigative capacity. Under this scenario, it is likely that many specialized and investigative functions would be lost and adequate basic law enforcement could not be assured.

Under **Scenario D** (continued incremental incorporation with a gradually diminishing unincorporated area), the extent of - and the pace at which - these disadvantages would become apparent would depend on the number and characteristics of any new cities that are approved and the size and configuration of the remaining unincorporated area.

- Approval of incorporations that have a negative fiscal impact on the UMSA budget, will require additional millage (both UMSA and Countywide) to fund the level of services that currently exist.
- To the extent that any new city by virtue of its boundaries takes with it a balance of revenues and expenditures, the impact on law enforcement services would be more gradual and would depend on the size and configuration of the remaining unincorporated service area. For example, if future incorporations were to create large several but non adjacent and distant unincorporated areas, the cost of service delivery to those areas would increase.
- Finally, at a certain point, the continued erosion of the department would be such that the department would no longer have the capacity to staff for and provide specialized services.

It is difficult to predict the point at which that capacity would be lost.

B. MODEL 2. SHERIFFS' SERVICES, CRIME LAB, JUVENILE ASSESSMENT CENTER, CENTRAL RECORDS AND COMMUNICATION

1. What services would be provided countywide?

Court Services
Warrants
Crime Lab
Juvenile Assessment center
Communications - 911
Central Records (Criminal History and Subject Identification)

2. How would services be funded?

Countywide taxes
JAC - Countywide taxes and/or joint financing by the cities

3. What is the current cost of these services (FY 98-99)?

\$49,537,000

4. What services would no longer be provided countywide or to cities?

All other services, including
Aviation
Central Investigations
Economic Crime Bureau
Homicide and Crime Scene
Sex Crime Investigation
Domestic Crime Investigation
General Investigation (including burglary, larceny, assault and auto theft)
Narcotics
Criminal Intelligence
Robbery
Special Patrol
Tactical (SRT)
Aviation - helicopter
Underwater recovery
Training
Local Patrol in UMSA would become the responsibility of a new UMSA-only police department)

5. What is the cost of these services (FY 98-99)?

\$291,238,000

6. Fiscal Issues

- There would be some decrease in countywide service obligations. The countywide obligation would be at a level below the FY 98-99 level thus the countywide millage could be reduced.
- Existing and new municipalities would be required to self-finance and provide all services no longer provided by MDPD. The current cost for provision of these services to existing municipalities is about \$5.6 million.
- Smaller cities, and in particular those cities with high service needs that are not currently providing these services, would be at a serious fiscal disadvantage.
- If there were no future incorporations and all specialized services not provided countywide were absorbed in a new UMSA Police Department, UMSA police expenditures would have to be increased to cover the \$20 million additional expense. There is millage capacity in UMSA to do so.

INCORPORATION SCENARIOS

Advantages:

In addition to the advantages described under Model 1, under any incorporation scenario this model would have the following added advantages:

Retention of a countywide 911 system would assure a stable, countywide police call system. The retention of the current 911 system would be especially advantageous for existing and new cities that may not be able to afford independent communications systems.

The County would also retain the capacity to maintain centralized record controls for such matters as criminal history and subject identification.

The JAC is a countywide function designed to serve the needs of juveniles that are arrested in any jurisdiction by providing for quicker processing and appropriate referrals to social services and to enable officers to return to duty faster than would otherwise be the case. This is particularly important for smaller police departments.

Disadvantages

All of the disadvantages described above for Model 1 under each scenario apply to this model.

C. MODEL 3: SHERIFF'S MANDATED SERVICES, CRIME LAB, LIMITED CENTRAL SERVICES, AND SPECIALIZED SERVICES.

1. What services would be provided countywide?

- Court Services
- Warrants
- Crime Lab
- 911
- Juvenile Assessment Center
- Central Records
- Central Investigations
- Economic Crime Bureau
- Homicide and Crime Scene
- Sex Crime Investigation
- Domestic Crime Investigation
- Narcotics
- Criminal Intelligence
- Robbery
- Special Patrol
- Tactical (SRT)
- Aviation - helicopter
- Marine Patrol
- Training

2. How would services be funded?

Countywide Taxes

3. What is the current cost of these services (FY 98-99)?

The total cost of these services countywide is unknown.

Total countywide expenditures for these services include both MDPD allocations for these services and part of the allocations of each of municipal police departments that provides some of these services.

The current Miami-Dade County cost is \$138,589,000. The cost of providing all of these services to all municipalities (for example homicide in the City of Miami) would be considerably higher.

4. What services would no longer be provided to municipalities?

None. All currently available services would be provided to municipalities.

Double taxation

Individual cities that currently provide a service could elect to duplicate the service or discontinue it.

5. What is the cost of these services (FY 98-99)?

NA

6. Fiscal

- The countywide millage would have to be increased. If, for example, the total cost of these services were to increase to \$116,600,000 - a reasonable estimate - the increase in county wide millage would be about .5 mills.

This increase could be accommodated under the current millage cap, but would severely limit remaining millage capacity and reduce or eliminate any budget flexibility to deal with future countywide contingencies in law enforcement or other services.

- Those cities that currently provide these services could reduce their police budgets and potentially lower municipal millage. Alternatively, they could elect to enhance or duplicate a particular service.
- The UMSA police budget for a new UMSA police department could be reduced by the amount shifted to the countywide budget. That could represent more than one mill of UMSA property tax.

INCORPORATION SCENARIOS

Advantages

Under any incorporation scenario (A, B, C or D), there would be some clear advantages to consolidating all special services in the Miami-Dade Police Department.

- With respect to special investigations, provision by a single department would assure some level of consistency in investigation and forensic protocols that could enhance success in both uncovering and prosecuting criminal activity. Uniform training and standards in the provision of these services and Countywide coverage and perspective could enhance public safety in the region as a whole.
- In individual cities that are currently providing these services and in UMSA, tax payers could see a reduction in municipal millage or an enhancement in other services.
- This model would assure both that special services would be available to all jurisdictions, including the jurisdictions that do not currently provide them, and that the cost of those services would be shared countywide.

Disadvantages

Under any incorporation scenario, there would be some disadvantages to this model.

- To the extent that any existing city is currently providing a service, such as homicide investigation, the loss of that function would affect the staff and organization of that city's police department. If the city opted to continue to provide the function, the cost would be redundant and confusion over jurisdictions could occur.
- In addition, given the 10 mill cap on countywide taxes, there would be a substantial decrease in the County's flexibility to enhance law enforcement or any other countywide services or to plan for unforeseen contingencies that may require countywide taxes.

D. MODEL 4 - CONSOLIDATED POLICE SERVICES

1. What services would be provided countywide?

- Court Services
- Warrants
- Crime Lab
- 911
- Juvenile Assessment Center
- Central Records
- Central Investigations
- Economic Crime Bureau
- Homicide and Crime Scene
- Sex Crime Investigation
- Domestic Crime Investigation
- General Investigation (including burglary, larceny, assault and auto theft)
- Narcotics
- Criminal Intelligence
- Robbery
- Special Patrol
- Tactical (SRT)
- Aviation - helicopter
- Underwater recovery
- Training
- All Local patrol and all other local police functions throughout the County

2. How would services be funded?

Countywide Taxes

3. What is the current cost of these services (FY 98-99)?

Unknown

The FIU study reported that for FY 94/95 the aggregate police expenditures for the then 27 municipalities in Miami-Dade County totaled approximately \$209 million. This is over 2/3 of the current MDPD budget of \$340,775,000.

It is not possible without a very detailed analysis of the police department budgets of all of the existing cities to evaluate what costs could be reduced (e.g., administrative costs) and what costs would be increased (e.g., to provide comparable salaries and benefits to all personnel). However, it is safe to say that the additional cost would be significant - and could almost double the current MDPD budget.

4. What services would no longer be provided countywide?

None

5. What is the cost of these services (FY 98-99)?

Unknown

7. Fiscal implications

- To absorb the total cost of a consolidated police department (similar to the Metro Toronto Police Department) in countywide taxes would exceed the 10 mill cap.
- Existing cities could reduce their municipal budgets by the amount required to fund their police departments.
- If the UMSA budget no longer included any law enforcement costs, the UMSA millage could be substantially reduced.

INCORPORATION SCENARIOS

Advantages

As with Model Three, there would be some advantages to total consolidation under any incorporation scenario.

- With respect to special investigations, a single department would assure some level of consistency in investigation and forensic protocols that could enhance success in both uncovering and prosecuting criminal activity.
- Uniform training and standards in the provision of all law enforcement services and a countywide coverage and perspective could enhance public safety in the region as a whole.
- Providing police patrol countywide could reduce existing disparities in law enforcement and could enhance existing service and response time in some existing municipalities.
- For individual cities that are currently self-providing these services and for UMSA, tax payers could see a reduction in municipal millage or an enhancement in other services.
- This model, as the previous model, would also assure that special services would be available to all jurisdictions, including the jurisdictions that do not currently self-provide them and that the cost of those services would be shared countywide.
- This model would ensure the size and capacity of a large countywide department.

A fully consolidated department, would have the greatest benefit under scenarios C and D.

Disadvantages

Under any incorporation scenario, however, there are significant obstacles to and disadvantages of this model.

- The administration and coordination of such a large department could prove difficult.
- To the extent that any existing or new jurisdiction may currently, or in the future, choose to continue to provide a service, there would be a cost to duplicate the service.
- For existing municipalities, there would be a loss of local authority and control and in some instances response time could be degraded.
- Most significantly, the total cost of a consolidated police department in countywide taxes could not be absorbed under the countywide 10-mill cap without serious reductions in other countywide services.
- This would leave the County without any flexibility to enhance countywide services such as social services, transit or traffic signal coordination or to plan for unforeseen contingencies that may require countywide taxes.

E. SUMMARY OF MODELS

It is apparent that the need to create a separate police district for special services varies considerably depending on the combination of service model and incorporation scenario. It is also clear that any transition from the current structure will not be easy.

Model A

If only those services considered under Model A (sheriff's services and the crime lab) were provided countywide, the need for a special district would be most acute under incorporation Scenario Three - many small incorporations.

Currently many municipalities do not provide a full range of law enforcement services and many would not have the capacity to do so. If the County were to be comprised of upwards of 60 independent cities with 60 independent police jurisdictions and there were no large agency able to provide specialized services on a countywide basis, general public safety would be put at risk. Under this conditions, there would clearly be a need to develop alternative means of funding and providing such services.

On the other hand, if there were to be one large new city established in the unincorporated area through a combination of limited annexation and total incorporation of the remaining unincorporated area (Scenario One), the large municipal police department of that new city would likely have the capacity to provide specialized services, at least within its own jurisdiction, and could potentially - through contracts - provide some services to other jurisdictions. The actual nature and scope of the new city's police department would be a function of the policy and financial decisions of the governing body of that jurisdiction.

Under this scenario, smaller cities that currently depend on MDPD for services to which they are now entitled under the "split" of countywide and UMSA funding would be at a serious disadvantage. Those cities' municipal budgets would have to absorb the full cost of these services - either by adding services to their own department or by funding a contractual arrangement with the new large city. It is also unclear who would provide specialized law enforcement services to those cities that need it but have not contracted for it with another jurisdiction.

Under Model A/Scenario Two (countywide provision of sheriff's services and the creation of several medium sized cities) many law enforcement functions could be provided such as are currently provided by the City of Miami.

It is likely, however, that certain very expensive services, such as the police helicopter and the full range of canine and SWAT services, would be lost unless some other arrangement were made to fund them.

Model A/Scenario Four (incremental incorporation with a gradually diminishing unincorporated area) presents the least immediate threat of a loss of specialized services. However, at some point, and it is not possible to clearly predict when, staffing levels of MDPD would be seriously eroded and it would not be possible, without significant increases on the countywide side of the MDPD budget to retain those services.

Model B

Model B, (provision of sheriff's services and limited central services) under any incorporation scenario, would provide some assurance that certain minimal central functions could be performed. As with Model A, the need for some kind of a district to ensure and provide coordinated specialized law enforcement would be most acute under Scenario Three.

Model C

Model C, (provision of all specialized services), would assure that under any incorporation scenario specialized services would continue to be available throughout Miami-Dade County. The question of funding those services through the countywide budget, however, is currently problematic.

To the extent that this model cannot be accommodated under the countywide 10 mill cap without seriously eroding the County's capacity to perform other countywide functions, alternative funding mechanisms such as long term contracts and or a special or general purpose district would be required.

Model D

Model D. the consolidated provision of all law enforcement services by one countywide department, would eliminate the need for a separate agency to provide special services under any incorporation scenario.

Like Model C. this model cannot be funded under the current millage cap without seriously reducing the county's capacity to provide other needed countywide services and, as with Model C, alternative funding mechanisms would be required.

This model would also require existing municipalities to give up control over their local police departments -- an option that most, if not all, municipalities would strongly resist.

VI. CONCLUSIONS AND POLICY OPTIONS

The Miami-Dade Police Department, under its current operational and funding structure, is a department of which we can all be proud. The quality of the specialized law enforcement services provided by the department are widely recognized and the fact that few cities, even those that could afford to do so, have expressed any interest in duplicating these services is a testament to the Department.

Funding for these services, however, is and, under the current system, will continue to be problematic. It is also abundantly clear, however, that the County cannot afford to be without these services or to allow them to gradually diminish in the face of future incorporations.

Most proponents of incorporation speak of wanting only the “bread and butter” local law enforcement services. These include more frequent and visible local patrol, more community policing programs and quicker response time for all events - even non-emergency events in which rapid response is more a matter of reassurance than crime prevention.

Although the Board could pursue the creation of a special district to fund all or some of the specialized police services currently provided, any currently available approach has substantial obstacles and drawbacks.

Given the range of obstacles identified, the following are a set of options for approaches to providing law enforcement services in Miami-Dade County.

A. Countywide Sheriffs and Specialized Services with Regulated Local-Municipal Services and MDPD Contracting

On balance, the option that may be both the most feasible and the most likely to ensure that quality law enforcement is available - in all jurisdictions - would involve having specialized services retained by MDPD by providing them countywide under the countywide millage while allowing municipalities (new or existing) the ability to provide truly local law enforcement either through self-provision or through contracts. This option will require considerable discussion with existing municipalities regarding the potential argument of double taxation.

To the extent that the Board could create the capacity within the Countywide millage to accommodate an appropriate range of specialized services, the continuance of the specialized services would be assured. Potential vehicles to achieve that capacity are:

- Adoption of a non-advalorem assessment method of financing the Fire and Rescue District.
- Adoption of a transit sales tax.
- Realizing the Revision Seven court funding relief.

In addition, by establishing clearly countywide funding for these services, the Board would remove a significant disincentive for new or existing cities to contract with Miami-Dade for truly local law enforcement services.

At present, if the Board were to pursue a strategy allowing MDPD to contract for law enforcement services, the Department must charge for the full range of both local and split services in order to fully capture the cost of special services. Any new or existing city that believes it can count on MDPD to provide specialized services, can, to the extent its fiscal capacity allows, provide local-patrol, enhanced response times and traffic enforcement at a lower rate than would be charged by MDPD. By separating clearly funding for local and specialized services, MDPD could compete on price as well as on quality for local municipal law enforcement functions.

Providing MDPD with the capacity to enter into long-term contracts with new and existing municipalities would also address the issue of having a large force that could, in specific emergencies, be called on to mobilize under a single command structure and would provide a pool of law enforcement officers with comparable training and experience eligible for assignment to specialized units.

Minimum standards could be developed both to assure that an adequate level of local law enforcement services are provided in both UMSA and in the municipalities (either through independent departments or through contracts) and to better structure contracts for services that individual municipalities could enter into with MDPD.

If the Board concurs with this option and additional capacity is available in the countywide millage, the transition to this structure, including the delineation and cost analysis of precisely which services will be provided countywide can be begun and be accomplished within two to three budget cycles.

It would be advisable for the Board to allow the County Manager to obtain the services of a nationally recognized auditing and management consulting firm to help establish the minimum standards and a contract price structure. This firm could working with the Miami-Dade League of Cities and others, to define minimum standards for local law enforcement, including such measures as the ratio of law enforcement officers to population adjusted for density and reported crime, personnel screening and training requirements, and other standards as desired.

This approach would not require legislative approval and would not require either voter or municipal governing body approval. It will, however, require considerable discussion and consensus building with the existing municipalities, their governing bodies, managers and police chiefs.

B. Other Alternatives

Should the Board not create or have available the capacity required to accommodate a full range of specialized services under the countywide millage cap by the methods described above, there are three remaining options.

1. Retain the current structure

To some extent this is clearly the easiest option. If:

- the Board does not approve any future incorporations, or,
- if any future incorporations are small and service neutral in their impact on MDPD; or,
- if only one or two very large new cities are created with significant capacity to provide specialized services,

this approach could be sustained for the foreseeable future.

As described in Section 1, however, a number of risks that, even under a low incorporation scenario, would remain. This option would require no further implementation steps but would depend wholly on the incorporation policy adopted by the Board.

2. Pursue state legislation to enable the creation of an independent special police services district similar to a Mental Health District.

This would require establishing a clear definition of what services the district would perform and making the issue a key part of the county's legislative agenda.

If enabling legislation were adopted at the state level, the risks and benefits of having an independent governing board for such a district would require serious deliberation. In addition, achieving local support and consensus is critical to this choice because it would require approval by county voters. This approach would also require considerable discussion and consensus building with the governing bodies, managers and police chiefs of the existing municipalities

3. Transfer a limited number of specialized services to the countywide budget; establish a contracting structure for other specialized services; and establish a contracting structure for local services.

If the Board were to shift only some of the specialized services (e.g., canine, helicopter/aviation, economic crimes, bomb squad, etc.) to the Countywide millage, leaving others (e.g., homicide, narcotics, etc.) wholly within the UMSA budget, the Board could direct that MDPD establish a contracting structure for a two tiered set of services:

- local patrol and general investigation; and
- specialized, but not countywide, services such as homicide and sexual battery.

Local patrol and general investigation would be provided to UMSA through the UMSA budget and would be available by contract to cities.

For the second tier of services, specialized but not countywide, a price structure that assured the availability of these services to those cities that enter into contracts for the service could be established. That price structure could be a per-capita figure adjusted for density and historical levels of activity.

Under this option, UMSA would contract with MDPD for these services and both new and existing cities would be able to contract with MDPD, or another agency, for these services and pay for them from local revenues. However, those cities who do not enter into contracts, would not be able to receive the service. This would be a difficult policy decision and public safety could be put in jeopardy.

If this, or any variation of a contracting approach is taken, it is advisable for the Commission to authorize the Manager to obtain the services of a nationally recognized auditing and management consulting firm to help establish the contract price structure.

A transition to this structure could be expected to take up to three years.