

Police Task Force Report to City Council September 26, 2023

HISTORY

Following the City of Palouse's most recent personnel change in the Police Department, the City was left with a single officer. This development came on the heels of losing our partnership with the Town of Garfield due to their dissatisfaction with the services we were providing in their community. In short order, we went from a three-person department to a single officer. While Palouse has been accustomed to policing in cooperation with Garfield in the past, and with two officers more recently, having a single officer is a different experience for us when we consider the last decade.

Given the circumstances, it seemed prudent to take a step back and evaluate policing in Palouse and the different options that are available to us. Where do we go from here? What are our options? And, whatever we choose, how do we do it in a fiscally responsible manner?

On March 14, 2023, Mayor Tim Sievers appointed the Police Task Force, comprised of Councilmembers Sam Brink, Sarah Bofenkamp, and Robert Brooks, along with City Administrator Misty LaFollett and the Mayor.

The Police Task Force was created to investigate, discuss, and bring information to the City Council on how we might proceed. The Task Force has met several times in the four months since it was established and conducted research into the different options that it came up with. The options examined included:

1. Continuing as a one-person department.
2. Hiring a second officer and having a two officer department.
3. Redeveloping a partnership with a neighboring community.
4. Contracting with the County and hiring a code-enforcement officer for local issues.
5. Maintaining a full officer and contracting with the County for additional patrols.
6. Maintaining a full officer and contracting with a non-administrative, oversight entity.

There was no preconceived idea of what would come out of this process - just identification of some options - investigation of those options to determine a cursory level of understanding what embarking on a particular path might entail (including

budgetary consequences, service consequences, etc.), culminating in a presentation of the information to the City Council and community input before a final decision is made.

This brief report will provide a summary of our research and a jumping off point for conversation by the council and for public input. The report will move through the six options outlined above.

ADDITIONAL CONSIDERATIONS

Since the Task Force began meeting we've learned some additional information that informs this report. In a conversation with Whitman County Sheriff Brett Myers, he indicated that it is becoming increasingly difficult for smaller municipalities to outfit and fund a police department due to the rapidly changing laws and regulations and the increasing costs of personnel, training, equipment, etc. This is why many rural communities, even in Whitman County, are choosing other policing options.

Additionally, during the research process, the City's insurance company has indicated that it views maintaining a police department with the limited resources we have available to us to be a liability and risk the City should avoid.

OPTIONS CONSIDERED

Continuing as a one-person department.

The department could continue as a one-person department. If we continue on this path, the likely next step would be to promote our current officer to the position of chief and continue on our way.

PRO

- We already have a police officer on staff.
- Maintains a local law enforcement presence in the community.
- A local officer knows the community better and has relationships with residents, businesses, etc.
- Less equipment to purchase and maintain.
- Budget-friendly.

CON

- Coverage is limited when the officer is off duty or on vacation.
- A single officer is responsible for all policing, reporting, etc. - there is no one to share the burden.
- Can a single officer provide the coverage desired by the community?
- How do we ensure the health and wellness of a single officer and prevent burnout?
- The Mayor becomes the only source of oversight and accountability.

BUDGET IMPLICATION

A single officer department can likely operate in Palouse for about \$105,000 - \$115,000 annually, which is 9.3 -10.25% of General Fund expenditures.

Hiring a second officer and having a two officer department.

The department could hire a second officer, either as a chief or if the current officer were promoted to chief, by hiring for the officer position.

PRO

- Maintains and expands a local law enforcement presence in the community.
- Local officers know the community better and have relationships with residents, businesses, etc.
- Duty shifts can be staggered for greater coverage on a regular basis and when an officer is off duty or on vacation.
- Two officers should be able to provide more coverage across more time for the community.
- Supports the health and wellness of our officers by sharing the burden of responsibility among multiple people.
- Increases oversight and accountability with the addition of a layer of supervision.

CON

- Hiring officers for small departments is difficult given what a small municipality can afford to pay.
- Increases the cost and maintenance of equipment.
- Coverage remains limited if one officer is on vacation.

BUDGET IMPLICATION

In 2021, the last full year with two full-time officers on staff in Palouse, the department costs were \$174,711.76, which is 21.3% of General Fund expenditures.

In a conversation with Whitman County Sheriff Brett Myers, he estimated that to bring a new entry-level police officer on staff today it would cost between \$80,000 - \$120,000 for the salary, equipment, training, etc.

A two officer department can likely operate in Palouse for about \$175,000 - \$225,000 annually, an amount equal to roughly 15.6 - 20% of General Fund expenditures.

Redeveloping a relationship with a neighboring community.

The City could enter into a contract with a neighboring town to provide joint policing services. The amount and quality of services would be dependent on the contract. In the previous contract with Garfield, the contract required:

A police officer's presence in the Town, on duty, providing policing and law enforcement services at least five hours each day, seven days a week.

Regular consultation between the chief and Mayor regarding scheduling and services.

Regular reporting to the Mayor and Council (written and in-person at council meetings).

Palouse administered the department with three officers in place, and in 2019, the last full year the agreement was in place, Garfield's contribution to policing services equaled \$68,534.92 of the total 2019 Law Enforcement Expenditures of \$221,514, leaving Palouse to cover \$152,979.08.

The Town of Garfield has indicated they would consider this option if they were in the position of administering the department this time.

PRO

- Maintains and expands a local law enforcement presence in the community.
- Local officers know the community better and have relationships with residents, businesses, etc.
- Duty shifts can be staggered for greater coverage on a regular basis and when an officer is off duty or on vacation.

- Having two or more officers should be able to provide more coverage across more time for the community.
- Supports the health and wellness of our officers by sharing the burden of responsibility among multiple people.
- Increases oversight and accountability with the addition of a layer of supervision.

CON

- If hiring a third officer, the same difficulties for hiring for small departments applies as it is difficult given what a small municipality can afford to pay.
- Increases the cost and maintenance of equipment.
- Given our past history there remain questions regarding whether each municipality would truly receive the coverage and care promised in the contract?
- There are a lot of unknowns regarding this option at this time.

BUDGET IMPLICATION

Much is unknown regarding the budget implications. It would depend on the nature of the contract negotiated between the communities.

In 2019, the last full year of the agreement with Garfield, Garfield's contribution to policing services equaled \$68,534.92 of the total 2019 Law Enforcement Expenditures of \$221,514, leaving Palouse to cover \$152,979.08.

In a conversation with Whitman County Sheriff Brett Myers, he estimated that to bring a new entry-level police officer on staff today it would cost between \$80,000 - \$120,000 for the salary, equipment, training, etc.

A two officer joint department can likely operate for about \$175,000 - \$225,000 annually. A three officer joint department can likely operate for about \$245,000 - \$295,000 annually, which amounts to between 21.8 - 26.3% of General Fund expenditures.

Contracting with the County and hiring a local code-enforcement officer for local, non-criminal issues.

The city could contract with Whitman County for policing services and hire a local code-enforcement officer to deal with non-criminal issues, such as nuisance properties, barking dogs, abandoned vehicles, etc.

PRO

- The County can provide 40 hours of patrol each week and across a greater time period. Patrols could happen throughout the day and evening hours, even overnight.
- The City gets out of the policing business, which is becoming increasingly expensive and difficult given the changing laws and regulations around policing as well as the cultural battles being waged on the police in general.
- The County has more resources to train and equip its officers.
- The County has full-time supervisory/administrative personnel to assist with recordkeeping for the municipalities.

CON

- While the County can provide 40 hours of patrol each week, the City can't dictate how all of that time is allocated.
- We lose the local connection to the police department - the officers working for the County don't necessarily know Palouse.
- There are questions regarding responsiveness. The Sheriff's office is responsible for 2,200 square miles, and also has a limited number of deputies on staff at a given time. Response times could be severely delayed if the on-duty deputies are in Lamont, Hay, or Uniontown for instance.
- According to Sheriff Myers, once a town/city gets out of policing, given the costs and the challenges today, it is unlikely you could start up a police department again.
- Costs would likely be higher than what we are currently paying, given that we would have to pay for the County coverage and hire an additional employee to do code enforcement as that is outside the scope of what the Sheriff's office would be willing to provide.

ADDITIONAL NOTES REGARDING POLICING SERVICES IN WHITMAN COUNTY

The only towns/cities with dedicated policing services in Whitman County are: Colfax (Pop. 2,773), Pullman (Pop. 32,508), Palouse (Pop. 1,042) & Garfield (Pop. 560).

Towns under contract with Whitman County: Tekoa (Pop. 807), Rosalia (Pop. 610), Uniontown (Pop. 389), Albion (Pop. 550).¹

Academy Options: You have to hire to get a slot - they are sponsored. Burien is 3 months out and Spokane is 6 - 8 months out.

ADDITIONAL NOTES REGARDING CODE ENFORCEMENT OFFICERS

What is a Code Enforcement Officer?

"A Code Enforcement Officer is a sworn or non-sworn inspector, officer or investigator, employed by a city, or county, or city and county, who possesses specialized training in, and whose primary duties are the prevention, detection, investigation, and enforcement of violations of laws regulating public nuisance, public health, safety, and welfare, public works, business activities and consumer protection, building standards, land-use, or municipal affairs."

What is code enforcement?

"Code Enforcement is the prevention, detection, investigation and enforcement of violations of statutes or ordinances regulating public health, safety, and welfare, public works, business activities and consumer protection, building standards, land-use, or municipal affairs."²

What a Code Enforcement Officer is:

- a sworn-in inspector or investigator employed by a county or a city that specializes in the prevention, detection, and enforcement of violations of laws. In short, code enforcement
- protects the community by regulating entities that are breaking laws and city ordinances.
- an officer ensures that businesses and people are in compliance with public health, safety, public works, consumer protection, business activities, building standards, municipal affairs, and more.
- operates like other city staff and is directed by the Mayor and code enforcement policies.

¹ Annual Estimates of the Resident Population for Incorporated Places in Washington: April 1, 2020 to July 1, 2022 (SUB-IP-EST2022-POP-53). Source: U.S. Census Bureau, Population Division Release. Date: May 2023.

² Sourced from the California Association of Code Enforcement Officers.

- Duties tend to orbit the identification of code violation, the explanation of regulations and requirements to citizens, and the constant move toward compliance.

EXAMPLE: on a daily basis, a code enforcement officer could find themselves performing inspections, carrying out routine duties in support of a city's community compliance program, enforcing vendor permits, and responding to citizen inquiries or complaints.

What a Code Enforcement Officer is not:

- A police officer. Speeding, wellness checks, drug violations, etc. are not the jurisdiction of a Code Enforcement Officer.
- A ticketing machine. The department's first action is usually a written notice of violation, allowing a reasonable amount of time to make corrections before a ticket is issued.
- Biased. Every single complaint is investigated, whether driving past the location in question or making personal contact, a record is kept of the investigation, and the investigation's outcome is documented to ensure all items are inspected.³

According to Sheriff Brett Myers, no training, certification or badge is required for code enforcement officers. Pay could be hourly - probably \$20 - \$25 per hour or between \$47,000 - \$57,000 for full-time work.

BUDGET IMPLICATION

A contract with the Whitman County Sheriff's Office for 40 hours weekly of policing services is roughly \$105,000 annually. If a code enforcement officer worked 10 hours weekly, plus taxes, equipment, uniforms, etc. probably a minimum of \$15,000 - \$20,000 additional annually for a total cost of \$120,000 to \$125,000 annually, which is 10.7 - 11% of General Fund expenditures.

Maintaining a full officer and contracting with the County for additional patrols.

PRO

- We already have a police officer on staff.
- Maintains a local law enforcement presence in the community.

³ Sourced from The Role and Importance of Code Enforcement Officers, Silver & Wright Law, 2020

- A local officer knows the community better and has relationships with residents, businesses, etc.
- Less equipment to purchase and maintain.
- Provides increased presence when desired with supplemented services from the County.
- Could provide coverage when our officer is on vacation.

CON

- Increased costs.
- County deputies don't necessarily know Palouse.
- Availability may be impacted by need for urgent services elsewhere.

BUDGET IMPLICATION

A single officer department can likely operate in Palouse for about \$105,000 - \$115,000 annually. Adding a contract for an additional 20 hours weekly with the County would add an estimated \$52,500 to the cost of law enforcement, increasing costs to roughly \$157,500 - \$167,500 annually, an amount equal to 14 - 14.9% of General Fund expenditures.

Maintaining a full officer and contracting with a non-administrative, oversight entity.

One of the biggest concerns of the Council, given the department's recent history, has been administrative oversight of the police department to ensure the department meets standards for policing in Washington State and is operating in accordance with applicable laws and guidelines. Mayors and Councils come and go, and more often than not won't have the appropriate knowledge or expertise to provide adequate oversight. Contracting with an outside oversight entity would provide the expertise the City desires and increase confidence in department operations.

PRO

- Maintains a local law enforcement presence in the community.
- Increases the department's legality and professionalism.
- Ensures compliance to the degree that is required by Washington State but that is increasingly difficult for rural communities.
- Adheres to the expectations of insurance providers.
- Upholds staff, city, and resident safety.

CON

- Increased costs.

BUDGET IMPLICATION

A single officer department can likely operate in Palouse for about \$105,000 - \$115,000 annually, while the costs of contracting with an oversight entity are still being explored.

CONCLUSION

There are many options to be considered, and even options inside of options, with pros and cons for each, as well as significant budgetary implications. It is also likely that certain options now will not be feasible in the future. The hope of the Task Force was to work within that reality to ensure resident interest, financial responsibility, and community safety.

The question we hope to address with this research is: which option matches up with what the residents of Palouse desire at this juncture, as well as what the City can afford.

Respectfully submitted,
Police Task Force

Tim Sievers, Mayor
Sarah Bofenkamp, City Councilmember
Sam Brink, City Councilmember
Robert Brooks, City Councilmember
Misty LaFollett, City Administrator