The economic crisis is continuing to force cutbacks in law enforcement agencies across the nation, according to a new survey that PERF conducted earlier this month. Slightly more than half of the 608 police agencies responding to the survey reported that their budgets decreased from the 2009 fiscal year to 2010, and among those departments, the average budget cut was 7 percent.

Overall, there was a 3-percent decrease in the average number of sworn officers between FY 2009 and FY 2010, the survey found. And there was a 1-percent decrease in the average number of civilian personnel.

PERF conducted the survey in preparation for a Summit in Washington, D.C. on September 30 asking the question: “Is the Economic Downturn Fundamentally Changing How We Police?” More than 100 police chiefs and other officials were planning to attend the meeting to discuss whether budget cutbacks are creating a “new normal” in policing, in which police departments must do more with fewer resources. The Summit, undertaken with support from the Motorola Foundation, will be the subject of a forthcoming “Critical Issues in Policing” report by PERF.

Other findings from the survey include the following:

- Overtime: 66 percent of departments reported that they have cut overtime spending.
- Hiring freezes: 43 percent have implemented hiring freezes for sworn positions. The same percentage of departments have implemented hiring freezes for civilian positions.
- Salaries: 58 percent have eliminated or reduced police employee salary increases.
- Layoffs: 22 percent have laid off employees.
- Furloughs: 16 percent have implemented unpaid furloughs.
- Technology: 55 percent have cut back or eliminated plans to acquire technology.
- Training: 68 percent have reduced or discontinued training.
- Specialized Units: 38 percent have discontinued special units such as gang or drug enforcement units.
- Expectations for next year: 39 percent of departments are preparing to cut their budgets next year; the average cut these departments are expecting is 8 percent.

Did you experience a budget cut this year?

<table>
<thead>
<tr>
<th>Option</th>
<th>Percent</th>
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<tr>
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51% of departments reported budget cut from 2009 to 2010. Average cut: 7%
As I write this, PERF is busy preparing for two national conferences. The first, to be held September 30 in Washington, will focus on the economic crisis and how it is affecting police budgets and operations. The second, to be held October 7 in Sacramento, is about the impact on police when increasing numbers of prison inmates are released without the concomitant resources to support them in the community.

Regarding the economy, we know from our latest survey that a majority of police departments are undergoing budget cuts, that the average cut this year was 7 percent, and that most of the departments being cut this year are expecting more cuts next year. Chiefs overwhelmingly tell us that their highest priority is to protect the jobs of sworn officers—and yet the number of sworn personnel is declining, as is the number of civilian employees.

It will take the collective wisdom of our PERF chiefs to answer the tough questions about what this means. Do we expect police department funding to bounce back to previous levels? What if budget cuts continue for several more years? Because up to 90 percent of a police department’s budget is in personnel costs, the first cuts often are in training, technology, and travel. But those elements have helped police departments make the great advances over the last 20 years, with a better-educated, better-trained workforce, using state-of-the-art information systems and technology.

So does this mean that we are slowly returning to the relatively primitive, less proactive, less effective policing that was the norm 20 or 30 years ago?

At the same time, we know that according to the latest UCR figures, violent crime declined 5.3 percent last year, and property crime fell 4.6 percent—despite the cuts in police department budgets. At first this might seem counterintuitive, but our sense is that it will take time before we feel the full impact of budget cuts. Sacramento, California is a case in point. The Police Department there was being hit with reductions in personnel even before the recession, and this year they are beginning to experience increases in violent crime.

One concern that many chiefs have is that we may go from one extreme to another in terms of hiring. Right now many police departments either are not hiring at all or are hiring substantially fewer officers. We know from experience that when municipalities begin to hire again, hiring large numbers of officers in a short period of time frequently results in problems. (Miami and Washington, D.C. have experienced this.)

Meanwhile, police departments in many states are dealing with a separate issue: the impact of increasing numbers of prisoners being released. Budgets for correctional agencies are being slashed, which results in pressure to release inmates early. Meanwhile, parole agencies are also being cut, so police officers increasingly must take on the responsibilities of parole officers. The recidivism rates of released offenders were already high (one recent study found that a quarter of adults exiting parole in 2008—more than 130,000 offenders—returned to prison for violating their terms of supervision, and another 9 percent went back to prison as a result of a new conviction). And with many cities cutting back on the types of jobs programs that released offenders need, it seems likely that recidivism could go higher. Reentry programs are being drastically impacted.

So we have two big storms blowing over the country. At the moment, these storms may be worst in California, which is the epicenter of budget cuts. Some of the largest cuts in police departments and other city agencies have been in cities like Los Angeles and Oakland, and the state’s correctional system is being changed in ways that seem to be more about saving money than ensuring public safety.

I fear that we may be seeing the slow and quiet dismantling of the infrastructure and the movement toward professional policing that have made policing so successful today. When you ask how it came to be that violent crime nationwide is down more than 40 percent compared to 20 years ago, I think most experts agree that improvements in policing have played a key role. Today’s police departments are not only more effective at crime reduction, they’re also more humane, less likely to use force, and more closely tied to the communities they serve.

Progress in policing didn’t happen by accident. The changes that we see today are the culmination of hard work and substantial investments. We have come too far to see these improvements eroded.

I am looking forward to hearing your views about all of these issues at our upcoming Summits as well as our Town Hall Meeting in Orlando on Sunday, October 24.
All crime, in the final analysis, is local. The terrorist and the common criminal both carry out certain actions, such as obtaining materials, conducting surveillance of their targets, and recruiting accomplices. Research by Dr. Brent Smith of the University of Arkansas, sponsored by MIPT, tracked terrorist behavior and found that nearly half of terrorist incidents occurred less than 30 minutes from the perpetrator’s home. Dr. Smith’s research showed similar results with precursor crimes, 54 percent of which occurred within 90 miles of a terrorist’s residence.

This makes the local intelligence base absolutely critical in the identification of indicators and warnings of terrorism. It is the bedrock of our national intelligence architecture, composed of the hundreds of thousands of observations and reports that issue daily as police patrol their beats.

This is not to say that the sophisticated technical sources, the sterling work done by investigative agencies and the information from allies is not important; it rather indicates that due to the mathematics of the line officer cadre, their numbers, and their deployment, they will be most likely to observe and document what may be the first indicator of a nascent terrorist plot or an emerging crime problem.

The uniformed officer is, in fact, the First Collector, both in the sense of being positioned to identify indicators of crime and terrorism first, and being the most important collector in the department. Only uniformed officers are operational around the clock with a public safety mandate that permits them to interact with the community in a wide variety of ways. Improving the data-collection skills of the 850,000 officers nationwide will improve local, state and national intelligence.

MIPT (originally known as the Memorial Institute for the Prevention of Terrorism) has developed training to accomplish this goal—to improve the fundamental and essential skill of information collection for uniformed officers. InCOP (Information Collection on Patrol) is training for uniformed officers that improves their ability to identify crime series, criminal enterprises, and emerging criminal and terrorist threats.

InCOP training is provided without cost to police departments and other law enforcement agencies. Our goal is to teach everyday patrol officers how to follow up and “connect the dots.” MIPT works with local police agencies to customize a 1- or 2-hour training session that can be delivered to officers at shift changes, minimizing disruptions to the local police department. InCOP training also can be incorporated into an agency’s training cycle, depending upon the requirements and the needs of the agency. The basic module is tailored to the agency’s information-sharing environment, emerging threats, crime problems, policies and procedures. And the training is designed so that all officers can receive it, not just a few.

The underlying assumptions of MIPT training are:

- The uniformed officer is the most important collector of criminal information and suspicious activity related to crime and terrorism planning.
- The local intelligence base is the most likely source of indicators and warnings of terrorism planning. It is a treasure trove of observations and contacts that yields millions of reports daily.
- Training the entire cadre of uniformed officers creates a culture of information and intelligence greater than training small groups of officers over time. Information collection becomes a topic of discussion, accelerating the processes of learning and sharing.
- Training designed to address department-specific crime problems within the context of the department’s unique information-sharing environment has a greater impact upon behaviors than generic training.

MIPT’s training relentlessly focuses upon the basic skill of information collection throughout its four InCOP courses. InCOP customizes the training to the department, engages the police department as a training partner, encourages the police department leaders to choose trainers, and previews the training for the department prior to delivery.

In addition, follow-up surveys assess the utility and impact of the training. InCOP measures success in training not only through traditional pre- and post-tests and reaction sheets, but also by an empirical increase in the quality and quantity of line officer reporting. This enhanced reporting provides a more holistic view of the community that facilitates the implementation of community policing and improves the agency’s criminal intelligence program.

For more information, call Greg Taylor, Training Director, at 405-278-6319. Additional information about MIPT can be found at www.mipt.org. A video about InCOP is available at http://www.mipt.org/incop-video.
Rapes and other sex offenses are chronically underreported and under-investigated, according to a panel of experts who testified before a Senate panel on September 14. One cause of the problem is that the FBI’s definition of rape for the Uniform Crime Reporting program is too limited, and that the FBI provides inadequate oversight over how local police departments report sex crimes for national data-collection purposes, witnesses said.

PERF President Charles Ramsey, Commissioner of Police in Philadelphia, told Senators that the deliberate downgrading of rape cases in that city in the late 1990s was “a pervasive and systemic failure” that was remedied by comprehensive reforms implemented by then-Commissioner John Timoney. Ramsey presented Philadelphia’s situation as an example of how police departments can make important advances in their operations by partnering with advocacy groups and other organizations, such as the Women’s Law Project, which continues to play a role in monitoring the handling of rape investigations in Philadelphia.

Following are excerpts from the testimony of Commissioner Ramsey and Carol E. Tracy, executive director of the Women’s Law Project. The testimony of other panelists before the Senate Subcommittee on Crime and Drugs is available online at http://judiciary.senate.gov/hearings/hearing.cfm?id=4772.

COMMISSIONER CHARLES RAMSEY:
It Took a Comprehensive and Relentless Approach To Reverse the Downgrading of Rape Cases

Thank you for this opportunity to appear before you today to discuss this critically important issue. Having had 42 years in law enforcement, I have witnessed many important changes in how rape and sexual assault are reported and handled by police departments in three cities: first in Chicago for 30 years, then as Chief of the Metropolitan Police Department here in Washington, DC, for nine years, and now as Police Commissioner in Philadelphia. Additionally, I currently serve as the President of the Police Executive Research Forum, as First Vice President of Major Cities Chiefs, and as a member of the executive committee of IACP.

I’d like to begin by thanking a trusted colleague, tireless advocate and friend in Carol Tracy, who testified before me and summarized the incidents in Philadelphia in 1999 that led to dramatic changes in the Police Department. I firmly believe that partnerships between law enforcement agencies and our social service, prevention, and victim advocacy counterparts are absolutely essential in addressing some of the most pressing issues that confront us.

I will be brief in this testimony, and share with you the most relevant lessons learned from our history in the Philadelphia Police Department of how rape has been reported and investigated. The deliberate downgrading of rape cases in the Philadelphia Police Department in the late 1990s, brought to light by the excellent investigative work of the Philadelphia Inquirer, exposed a widespread hidden practice. There was no one person or unit responsible; it was a pervasive and systemic failure. Consequently, it took a comprehensive and relentless approach to address this failure. Under then-Police Commissioner John Timoney, many important corrective actions were taken at all levels: from training, report-writing, and interviewing to coding and follow-up investigation. It also required changing leadership, adjusting staffing levels, accepting oversight, and establishing partnerships with advocacy groups.

The Department has had the same commander of the now-Special Victims Unit (SVU) since the year 2000, at which time a number of seasoned investigators were also transferred into the unit to increase our staffing levels. Our partners have also remained in their positions in the advocacy groups. Carol Tracy has been with the Women’s Law Project since these changes were implemented, and once a year, she and her peers from other organizations come to the SVU office and pore over between 300 to 400 cases selected at random. They have complete access to our files and our personnel. This is just the formal component of their annual review, but on a daily basis, these organizations are in constant communication with police personnel from SVU. They have established a long-term relationship, one which has built trust and confidence in what was a broken system. I credit all the personnel in SVU and our advocacy groups for their persistence and their dedication to their jobs, and to the thousands of people they’ve helped deal with such painful acts of violence and trauma. I cannot overstake the importance of this collaboration in charting a new course of direction in how rape was, and is, reported and investigated by our Department.

The Philadelphia Police Department put measures into place that thus far have been helpful in re-establishing trust, and promoting a culture that treats victims of rape with dignity and respect. There will always be ways in which we can better the process, and we are committed to continuous improvement as a core principle for how we will move into the future. It’s now been over ten years since these practices have been exposed, and seemingly, we have sustained these changes for the better. Sustainability cannot be
We See Chronic Patterns of Police Refusing To Accept Rape Cases for Investigation

Following are limited excerpts from the testimony of Carol E. Tracy. Her full testimony is available online at http://judiciary.senate.gov/pdf/09-14-10%20Tracy%20Testimony.pdf

My name is Carol Tracy and I am the Executive Director of the Women’s Law Project (WLP), a public interest law center located in Pennsylvania.

I wish to commend the Subcommittee for conducting these hearings. We believe it is critically important that Congress address the claims that are being made in numerous newspapers that police departments around the United States are mishandling rapes and other sex crimes. It is also essential that this Committee review the serious inadequacy of the FBI Uniform Crime Report program’s definition of rape and assess the quality of the rape data reported by local law enforcement agencies.

The Women’s Law Project first became involved in addressing police mishandling of sex crimes in the fall of 1999. At that time, the Philadelphia Inquirer published an investigative report revealing that for almost two decades the Philadelphia Police Department had downgraded thousands of rapes and other sex crimes to a non-criminal category, thereby precluding a full and complete investigation of the crime. Thousands of sexual assault cases, almost one third of all reports from the mid-1980s through 1998, were buried in a non-crime code, “2701 – Investigation of Person.” The victims were never advised that their complaints had been shelved.

The WLP led a group of women’s and children’s organizations in responding to the scandal and demanding reform. Recognizing the need for public oversight, the Women’s Law Project requested that the Public Safety Committee of Philadelphia City Council hold hearings to investigate The Inquirer’s allegations. In addition, we organized meetings with then-Police Commissioner John Timoney and his senior staff to discuss the need for change in the Department.

The Commissioner undertook a comprehensive audit that included a reinvestigation of all cases coded “2701” for the previous five years (the statute of limitations, or maximum time period, during which rape prosecutions could still be commenced). He assigned 45 newly graduated detectives to conduct this reinvestigation, which revealed that 681 cases should have been classified and investigated as rape, a first-degree felony. The reinvestigation also found that over 1,700 additional cases should have been investigated and classified as other sex crimes.

Massive reforms have been implemented, and advocates were invited to provide input and suggestions at numerous junctions. Most notable was the invitation to review all rape complaints that were “unfounded,” a UCR classification for “false or baseless complaints” which is used when “the investigation shows that no offense occurred or was attempted.” Ten years later, the Women’s Law Project, along with [other organizations], continues to annually review “unfounded” rape files as well as files coded as non-crimes and a random sampling of open rape and sexual assault cases.

A very strong collaborative reform effort put in place by Commissioner Timoney continues under the able leadership of Commissioner Ramsey. We all recognize the need for constant vigilance and cooperation. We believe that we have a successful partnership in Philadelphia.

We hear from women whose complaints of rape and other sex crimes have been disbelieved by police. If the complaints relate to the Philadelphia Police Department, we attempt to intervene on their behalf. In cases in which a civil lawsuit is filed, we often file “friend of the court” briefs in support of the victim whose case was mishandled by the police. Most recently we filed such a brief in support of a western Pennsylvania woman who was sexually assaulted at gunpoint by a perpetrator during a robbery of her workplace. She sued the local police after they not only disbelieved her but actually arrested her for falsely reporting a crime, theft, and receiving stolen property. The perpetrator sexually assaulted at least two other women before he was apprehended for a subsequent assault and confessed to assaulting all of them. This is not the first time we have dealt with a woman who has been arrested instead of helped by law enforcement.

Initially I thought the reports of egregious police conduct were isolated incidents. However, viewing the totality of the news accounts, it is clear that we are seeing chronic and systemic patterns of police refusing to accept cases for investigation, misclassifying cases to non-criminal categories so that investigations do not occur, and “unfounding” complaints by determining that women are lying about being sexually assaulted. They also show a shocking
disregard and callous indifference to victims who are interrogated as though they are criminals, are presumptively disbelieved, are threatened with lie detector tests and/or arrest, and are blamed for the outrageous conduct of perpetrators.

THE FBI'S UNIFORM CRIME REPORTING SYSTEM DOES NOT ACCURATELY REPORT SEX CRIMES

UCR data have been considered the authoritative source of nationally representative information on crime. Decades of press reports, however, raise serious questions as to whether this data is in fact reliable as far as sex crimes are concerned. Criminologists have informed me that the data on sex crimes that states report to the UCR system, unlike data on other major crimes, is so inaccurate that most academic researchers do not use it as a separate measure when examining violent crime patterns.

The inaccuracy stems from the apparent undercounting of rape due to police improperly unfounding rape complaints at extremely high rates, or failing to classify them as crimes and accept them for investigation.

The lack of reliable and verifiable national data on the incidence of rape and other sex crimes and the disposition of such cases is a grave problem. It is not possible to manage, or improve, what is not measured.

Our review of current national data found that at least 45 cities with populations over 100,000 have unfounded rates of over 20 percent; some cities have more unfoundeds than total reported rapes.

The problem with the UCR does not end with its inadequate data analysis. The narrow definition of rape does not reflect societal definitions of serious sexual assault. “Forcible rape” is defined by the UCR as “the carnal knowledge of a female, forcibly and against her will.” This definition, unchanged since 1927, is exceedingly narrow, including only forcible male penile penetration of a female. It excludes oral and anal penetration, rape of males, penetration of the vagina and anus with an object or body part other than the penis, rape of females by females, incest, statutory rape, and non-forcible rape. The force requirement also excluded rape victims incapable of giving consent because of youth, disability, or drugs.

In the intervening years since the UCR created its definition of rape, America has significantly expanded its understanding of rape, and states have revised their laws accordingly. Many state criminal laws—and the public at large—now recognize that all forms of non-consensual sexual penetration, regardless of gender, relationship, or mode of penetration, are as serious as the criminal conduct included in the UCR definition of rape.

The inconsistencies between the UCR's reported data on rape and the broader statutory definitions of serious sex crimes promulgated by state legislatures impact society's response to sex crimes on a number of levels.

First, the UCR definition has a powerful influence on police perception of serious sex crimes and resulting police response. By minimizing what crimes count as rape, it sends a powerful message to those who gather the statistics, the local agencies, that the only serious sex crime is UCR rape.

Second, inadequate police response in turn leads to diminished public confidence in the handling of sex crimes by police within a particular community. Sexual assault is already the most underreported of crimes. Because sexual assault victims find it so difficult to come forward under the best of circumstances, diminished trust in the police strongly undermines the likelihood of victims to report to police. When a victim does not report a sexual assault to the police, the police cannot bring the perpetrator to justice, making it possible for this assailant to strike again and again.

Third, by diminishing the scope of the problem, the narrow definition of rape reduces our ability to develop programs and policies that appropriately respond to the problem, thus hampering law enforcement and victim assistance efforts.

A PERF Member’s Request for Assistance Re. Police Mission Statements

BEGINNING IN THE MID-1980S, MANY OF THE PROGRESSIVE police agencies across the United States began developing explicit, written statements of purpose—mission statements. In many cases these statements were supported by value and vision statements. Today, these guiding principles, specific to each department and its unique culture, have become commonplace among progressive police departments.

Despite this, there is, to my knowledge, no collection of police mission/vision/value statements nor a single body of work that assembles in one place the various processes of developing these statements or implementing them after they are written. Accordingly, I am setting out to do this and asking for your help.

Recognizing that the PERF membership includes the most progressive and thoughtful chiefs of police in the world, I would ask that you forward several pieces of information from your department to me. Specifically:

- Mission statement
- Statement of values
- Vision statement
- Motto
- The process you used to write these documents and the methods you have used in your department to make them real to your employees.

My expectation is to assemble these statements into one coherent guide dedicated to police agencies. It is my hope that we can create a useful product, a document that will collect the wisdom of the best and the brightest among us.

Please send materials directly to Michael Berkow, Altegrity, 7th Floor, 570 Lexington Avenue, New York, NY 10022. Michael.berkow@altegrity.com
5 Officers Honored at White House

Vice President Joe Biden, Attorney General Eric Holder, and Assistant Attorney General Laurie Robinson presented the Public Safety Officer Medal of Valor to five law enforcement officers and nine fire/rescue officers at a September 22 ceremony at the White House.

The Medal of Valor is the highest national award for valor by public safety officers. It is awarded to officers who have exhibited exceptional courage to protect or save the lives of others. Bill Tegeler, PERF’s Deputy Director of Management Services, represented PERF at the event.

The law enforcement officers honored were:

**Deputy Carl A. Beier** of the Jefferson County, Mo. Sheriff’s Office, who responded to a report of a violent domestic disturbance at a rural residence. When he arrived, a woman ran to him. Moments later, the woman’s husband began charging toward Deputy Beier, firing an assault weapon. Beier stood his ground and returned fire, wounding the gunman. He also kept the 911 dispatch center advised of what was happening and prevented other deputies from being ambushed.

**Officer Pedro Garcia** of the San Antonio Police Department responded to an “officer in trouble call” involving three patrol officers who had come under gunfire while attempting to serve a felony warrant at a residence. Officer Garcia immediately devised and directed a plan to rescue a seriously wounded officer. As he approached the officer, Garcia was wounded in the face by gunfire, but pulled the wounded officer out of the residence and into the fenced back yard, while returning fire. He then directed another officer to use a patrol car to create an opening in the fence so they could escape. Once the rescued officer was taken to an EMS unit nearby, Garcia returned to the scene to coordinate with his fellow officers until a SWAT team relieved them.

**Lt. Brian Sturgill** of the Oklahoma Highway Patrol helped rescue a number of people who were endangered in 2007 when Hurricane Erin flooded parts of Oklahoma. In one incident, Lieutenant Sturgill, working with Kingfisher, Okla. Fire Chief Randy Poindexter, rescued two occupants of a submerged pickup truck. Piloting an OHP helicopter, Sturgill maneuvered the craft so its skids were underwater, which allowed Chief Poindexter to get close enough to the occupants of the truck to pull them to safety.

**Officer Vidal Alberto Colon** of the Milwaukee Police Department responded to a report of a “subject with a gun,” and when he arrived, the suspect ran. Officer Colon chased the suspect and was shot in the abdomen. Despite his injury, Officer Colon returned fire and wounded the suspect, a career criminal. When other officers arrived, Colon was able to rise to his feet and make it to the front of the residence to direct them to the suspect so he could be taken into custody.

**Detective Jared T. Reston** of the Jacksonville, Fla. Sheriff’s Office was chasing a fleeing suspect when the suspect turned and shot him several times with a .45 pistol. In spite of his wounds, Detective Reston managed to draw his service weapon and return fire, striking the suspect and ending the pursuit.

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Economic Crisis Has Hit Policing, PERF Survey Finds

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