

# LAW ENFORCEMENT ANALYSIS

HARRIS COUNTY, TEXAS

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May 1996



Two groups of citizens are totally unrepresented in the "Contract Deputy" program. These groups are the middle and upper income subdivisions who are unable to get the support of homeowners to participate in the program, and the middle to lower income neighborhoods which have no funds for the contract or no organized Homeowners Association to sign the contract. These citizens complain about the program and feel as if they are subsidizing the private security of the more affluent, well organized subdivisions, via their property taxes, but have had little political clout. They are adamantly against the program. Who can blame them?

In the past 26 years Harris County has experienced tremendous growth in the suburban areas. A population which was less than 10,000 total inhabitants in 1970 has now burgeoned to more than 890,000 people.

Unfortunately for the citizens of the Houston suburbs, law enforcement funding has not kept pace with the growth. Woefully inadequate growth in Sheriff department services, state of the art equipment, support and investigative personnel as well as the front line of defense - the District Patrol Deputy - must be corrected now.

The Texas Constitution authorizes the Sheriff to be the Keeper of the Peace in the county. The Sheriff's duties also include staffing the county jail and providing other minor, ancillary services. Unfortunately, the Harris County Sheriff's Department has become a political football; personalities and empires, not real world priorities, have been the driving force behind this fiasco. A recent article in the Texas Police Journal described Harris County as a "Horror example" of multiple police jurisdictions. Harris County has become a "worst case example" scenario for every Law Enforcement Agency in the nation.

Millions of county taxpayer dollars have been spent to create partial service and duplicated law enforcement in the form of Constable Deputy Traffic Patrols, Park Patrols and Toll Road Patrols. In addition, countless support dollars have been expended on these Constable empires via duplicated efforts in communication and community services such as gang task force, neighborhood crime watch, domestic violence, etc. Add to this

expense, the additional physical facilities required to house the staff and growing number of Constable Deputies, and the financial redundancy in law enforcement becomes



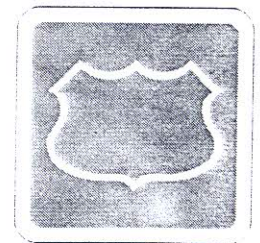
very apparent.

Barrels of taxpayer funds have gone into equipping these empires with everything from multiple copiers and fax machines to state of the art computers and vehicles. Some Constable vehicles in Precinct 4 now even contain new MDTs. The adversarial relationship between the Constables and the Sheriff's Department was established by design of Commissioners Court many years ago. However, the current Commissioners Court has inherited the result of a political contest between then Sheriff Heard and the now forgotten County Commissioners Court of 1970. This is the worst possible dilemma of an elected official: acting as a catalyst for changing a system which has become entrenched. Even though the interests of fiscal responsibility, The Texas Constitution, illegality of actions and the critical need for unduplicated and professionally deployed law enforcement would be better served by scrapping the system, Commissioners Court cannot do so.

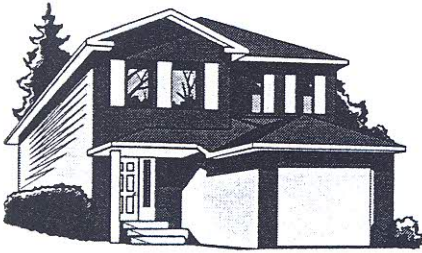
Millions more in county taxpayer dollars have gone into the funding of the "Contract Deputy Program". The absorption of these public funds to directly subsidize the cost of the "contract deputies" program is only the tip of the iceberg when one measures costs. Each contract requires attention of other officers, Sergeants, Lieutenants, Command Staff and support personnel. The cost to the taxpayer goes far beyond the \$55,685 annually which is required to keep the deputy in the contract. Commissioners Court, whose membership includes no CPAs, has refused to accept the County Auditor's calculations of the cost of a Deputy. Instead, the number is set at a level \$7,500 below the actual cost of the deputy and ancillary expense. The auditor's cost does not reflect the millions of dollars in indirect support costs associated with this program.

This program must be scrapped. Those neighborhoods who rightfully feel the need for additional security beyond 2.0 Sheriff Deputies per 1000 people should be given a superior alternative to the current program. That alternative is working well now in Tanglewood in Houston.

Tanglewood, home of President Bush, has a creative method of handling private security. Utilizing only HPD officers, this program is directed by a law enforcement professional. The officers who provide security in Tanglewood are working for the neighborhood, not the county. Tanglewood, an excellent example of the type of affluent subdivision which is frequently the target of professional criminals, has



**SECURITY**



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## County "Contract Program" Has Evolved Into Substitute For Professional Law Enforcement

The citizens of the unincorporated area of Harris County have every right to be concerned about their safety and security. The juvenile crime rate will soon be on the upswing in the suburbs. Criminologists long ago predicted this upsurge and are now telling us to brace for the coming wave of the "superpredator" juvenile criminal. Demographers and Criminologists predict a sharp increase in juvenile crime as well as escalated juvenile violence within the next two years. Added to this continuing rise in violent, sociopathic juvenile crime is the increasing gap between the middle and upper income classes. As we see more middle class families shift into lower and lower income levels, we can expect an accompanying attack on those who appear to control the wealth. High income suburbs are the targets of professional burglars and thieves; increasingly, we see violent "kick burglaries" and the use of weapons in attacks on individuals in these affluent neighborhoods. This trend of preying on upper income individuals is predicted to escalate.

With the introduction of the "Contract Deputy Program" came the elimination of county control over the number of deputies available for proactive law enforcement. Although all participating homeowner groups pay handsome amounts above their property taxes for a "contract" or multiple "contracts", there is no universal ground swell of support for the program.

Some love it and some hate it. Despite the vast differences in support for the program, there are four constants which cannot be ignored: 1) Three taxpayer funded studies have stated adamantly that the contract deputy program must be eliminated and replaced with a well funded, proactive Sheriff's Department. 2) The program has

been declared illegal by the Attorney General of the State of Texas on three different occasions. 3) The program violates the Texas Constitution. 4) County taxpayer dollars are being used to subsidize this private security program and build empires which are in direct conflict with efficient law enforcement.

Some homeowner groups feel the element of responsibility for their safety is removed from the jurisdiction and discretion of elected officials and county budgets with the "Contract Program". They are correct. These homeowner groups generally represent the more affluent subdivisions, and, of course, they feel the most threat from crime and the least inclination to "trust" elected officials. Each group dictates the activities and scheduling of the deputy and therefore has control over their law enforcement. These groups are exceptionally vocal proponents of the "Contract Deputy" program. They are responsible for the orchestrated outcries each time abolition of the program is discussed. Who can blame them?

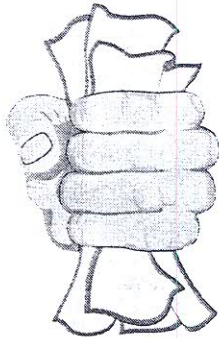
Other groups of homeowners who utilize the "Contract Deputy Program" feel as if they are being blackmailed into paying additional revenue beyond their property taxes in order to provide a basic and minimal level of protection for their families and property. These groups are generally middle class subdivisions who must compromise on infrastructure improvements and maintenance in order to afford their "contract". These homeowners rarely speak directly to an elected official; they complain about the system but are not well versed in the methodology of directing their complaint. Needless to say, these homeowner groups are against the "Contract Deputy" program. Who can blame them?



control of the coverage, scheduling, methodology and officer briefing regarding neighborhood concerns. The county or city cannot pull the officer for any reason. If he does not show up for work, perform the job well or handle himself professionally, he risks being fired. This is precisely the type of security which any high profile neighborhood must demand. These neighborhoods must have security beyond that which is provided at taxpayer expense yielding a ratio of 2.0 officers per 1000 people. The Tanglewood alternative actually costs a neighborhood less money than the current "Contract Deputy" program, and it offers the peace of mind and control which is only attained through a direct business relationship.

Since the duty of the Constable in each Precinct is primarily to serve writs and warrants, the changes in the Constable budgets must reflect only the financial obligation which the taxpayer can reasonably expect to assume for the performance of these services.

The prioritization of law enforcement dollars for the benefit of the public is mandatory in the rapidly growing suburbs of Harris County. The creative "Pay or Pray" program must be extracted from the county budget and replaced with proactive, professionally trained and deployed law enforcement officers. The District Patrol of the Sheriff's Department must be increased dramatically this year and in increments over the following five years to increase the level



of protection from the current 1 officer per 3400 people to 2 officers per 1000 people. No other factors should be considered in this equation; private security, contract deputies, Constable park patrols and traffic patrols, etc., are not here to respond to our 911 emergencies. The city of Houston has made gigantic strides in consolidation and efficiency in law enforcement and has increased HPD's budget in order to raise the ratio to 2.7 officers per 1000 people.

It is time for Harris County to emulate Houston's success and implement a proactive program which eliminates liberal spending for duplicated services and taxpayer subsidies for individual security agreements. It is time for the citizens to demand that County government, like private enterprise, operate efficiently and effectively to serve the needs of the people.

It is time for other bodies to eliminate this terrible burden from Harris County Commissioners Court. Most political observers feel that any Republican Commissioner who actively attempts to scrap the "Contract Program" will commit political suicide. Presumably the financial and legal realities of this situation must be finessed by elected officials who do not rely on specific voting precincts in Harris County to retain their positions.

It is time for Harris County's taxpayers to see an end to the liberal waste of law enforcement tax dollars and the variable of political gamesmanship in this important area of the budget. The question now becomes a simple one: how can we end this program without jeopardizing the political careers of our elected Commissioners? The answer is obvious.

