

## FORCED TO CHANGE?

Small-town **police** departments grapple with reform, competition

By **Glenn Rolfe**

Delaware State News

Law enforcement is a profession where danger can lurk around the next corner or traffic stop.

It is also the target of debate and focus of reform, amplified by the May 2020 death of George Floyd while in the custody of Minneapolis **police**.

**Police** agencies, particularly those in small towns, are facing staffing challenges and shortages.

Competition for officers in a shallow applicant pool are impacting hiring and staffing, those in local law enforcement say.

“One of the reasons for that is the difficulty in staff; people are not interested in this job,” said Delmar **Police** Chief Ivan Barkley. “And knowing what is going on in the legislative circles, I can’t say I blame them.”

Capt. Ralph Holm, acting chief for Georgetown **Police** Department, echoed those sentiments.

“Our pool of applicants has been diminished significantly because of the – and I don’t want to talk bad about the media but we have had some tough times. The **police**, law enforcement has had some tough times over the last couple of years,” he said. “This is a tough job to begin with when you’re dealing with the dangers of the job, let alone hearing things about **police** officers losing rights. Like in Delaware, they are talking doing some things and changing the **police** officer bill of rights, civilian review boards ....”

Dagsboro **Police** Department, with a force of four full-timers which includes Chief Steven Flood, is seeking town council support to expand by six additional officers over the next three years to meet anticipated growth and development.

“I’ll be honest with you,” said Chief Flood at the March 21 council meeting. “It’s like everything else in the world. That’s a tall order to fill because nobody wants to be a **police** officer nowadays.”

Dagsboro council allocated one additional officer in the upcoming budget.

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**Delmar Police Chief Ivan Barkley Sr., shown last year during a press conference after the fatal attack of Delmar Police Cpl. Keith Heacock, says the department continues to struggle with staffing.**

Delaware State News file/ Glenn Rolfe

## Police

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Christopher Workman, chief of Cheswold's **police** department which provides 24-hour coverage with minimal staff, says staffing challenges are not exclusive to Delaware.

"The biggest case quite honestly with the way things are right now is officers leaving to go to other departments, from small municipalities and going to bigger municipalities for these bonuses ... because everybody is hurting. They are taking from each other. It's the nature of the beast," said Chief Workman. "It's tough everywhere. It's not just here. I am on the national board, and we talk about it all the time. It's across the nation. It's not just Delaware."

"You are going to hear the same comments from each and every one of us," said Chief Barkley. "And that is staffing is still not where we want it to be. We're working towards a goal, but it is not where I want it. It is not where it needs to be."

Chief Barkley said response to an application event typifies the lack of interest. "I had 20 applicants. Out of 20, seven showed up," Chief Barkley said.

Georgetown, with a town budget allocation to support 21 officers, was operating last week with 12. Some

voids are the result of retirements. Others are officers leaving for other agencies and opportunities.

“We are in the rebuild phase,” said Capt. Holm.

Georgetown has four recruits in the Dover **Police** academy, with one recruit slated to start the Delaware State **Police** Academy this month.

April 28 will mark one year since the line- of- duty death of Delmar Cpl. Keith Heacock. The 54-yearold patrolman was pronounced deceased three days after he was attacked while responding to a call on the Delaware side of town the morning of April 25.

The death of Cpl. Heacock – alone on patrol at the time he was assaulted – sparked outrage from within the community and calls for change and enhanced staffing and patrols.

Delmar’s bi- state force of officers are sworn and certified in both Delaware and Maryland.

“We are currently allotted 16 officers. I am still short five, with one still in the academy now,” said Chief Barkley, noting efforts are made to not schedule single- officer patrols.

“Considering everything that happened, I try to minimize that one person on alone as much as I can. Now, once I am able to work my way into these other five, then I should be able to facilitate that,” Chief Barkley said. “Right now, we are not back to 24 hours yet. I anticipate with the current cycle that we are in, hiring three, and once I get them out and through field training then I should be able to go back to 24-hour operations.”

As incentive, Delmar offers overtime. “But even that gets old after a while,” said Chief Barkley. “ You are spending time away from your family, time away from stuff they like to do. Again, we are doing everything we can to cover those blocks. You also have to take into account vacation, illness, training. That is more time that these guys are away from here.”

Factoring into the staffing equation is competition from larger agencies and state **police**, which offer higher pay.

“That is what I am dealing with,” Chief Barkley said. “Mine is compounded because my guys are certified in both states, so they can go to Maryland or Delaware. They can go either way. Everybody is trained in both states.”

Chief Barkley said Delmar’s salary is \$46,000-plus while in the academy. It jumps up a bit once out.

Seaford, which has one of the largest forces in Sussex County, has 29 officers, which includes one in field training. If tradition holds, Seaford anticipates that number will drop by several officers at some point.

“That is our maximum staffing. We normally touch it but then it goes away shortly thereafter,” said Seaford Deputy Chief Michael Rapa. “ You can never have enough. We will have five people per shift on the road, which is really good but still not enough to do what we need to do. You can’t just enforce. You also still have to do your community outreaches.”

Georgetown’s officers start at \$51,500, with two annual adjustments – cost of living in May (which this year will be 7%) and a step-up increase of 2% on the officer’s anniversary hiring date. There has been preliminary discussion regarding possible signing bonuses at some point.

“I would say ... the applicant pool that we are dealing with today, they don’t care what they are going to make in three years,” said Capt. Holm. “They want to know what they are going to make right now, and they

want to make the most they can make, if they're going to subject themselves to this profession.”

Capt. Holm says give and take is simply part of the game.

“All agencies fighting for applicants in a small pool. And that basically is what we have – I won't say victimized by – but officers who want to go to larger agencies for more opportunities or for more money,” Capt. Holm said. “We're not doing it to cut each other's throat at all. It is just a matter of we're all in the same boat. We're hurting and we need people.”

State **police** jobs are more lucrative, Deputy Chief Rapa says. “They pay the most. They have the best benefits. They have take-home cars,” he said. “So, you're competing against that. Do you want to make \$45,000 and get hammered all day long and know that you're going to work the road the rest of your life, or do you want to go make \$60,000/\$65,000 and have opportunities for career paths and advancement and training? Those are hard to compete with.”

## Police reform

In Delaware, Senate Substitute 1/Senate Bill 149, sponsored by Sen. Elizabeth Lockman, D-Wilmington, would publicize all serious and substantiated records of law-enforcement misconduct.

SS 1, which has received pushback and opposition, would make changes to the Law Enforcement Officers' Bill of Rights to increase transparency by enabling the creation and operation of community review boards at the state, county and municipal level to review such records, which bill supporters say is critical to increasing public trust in the criminal justice system.

“There is no data backing that law. It doesn't protect the officer. It's a twist of what is actually going on,” said Deputy Chief Rapa. “People look at things and they are like, ‘I can go be a doctor and I am not judged by people that have never done this job. Or I can be an attorney, and I am not judged by people who have never done this job.’ Those are all key factors. Those are the outside influences from legislatures and activists and things like that, that you have to be comfortable with.”

“That is intimidating for people outside that profession to hear about — taking away qualified immunity,” Capt. Holm said. “There are going to be those people that have their calling who aren't going to be intimidated by these ebbs and flows. But it is the people that aren't sure. They are like, ‘Why would I want to do that?’ So, it is forcing people who may have at least decided to get their feet wet in this profession, it's turning them to other professions.”

Meanwhile, Maryland **police** reform is expected to dramatically alter the way officers perform their jobs and how they are disciplined. The reform package is structured to hold law enforcement accountable and increase transparency.

“Civilian review boards are great. But you're talking about civilian review boards who are making judgment or are going to pass judgment on whatever action you took, with actually little to minimum knowledge about how your job is supposed to be done,” Chief Barkley said. “There are no **police** officers involved in that. Unlike other professions — doctor, lawyer — if there is an issue about the way that you do your job, and you've got to go before some type of council or tribunal, there are going to be people with your job skills involved in that.”

Chief Barkley said Maryland is bringing out new legislation, minimizing sentences for killing **police** officers. “They are going to start offering parole to some of the individuals,” Chief Barkley said.

“So, you have the reform legislation that is going on out there,” said Chief Barkley. “You've got guys bailing. Some are at the point where they can retire, and they are getting out of it. And others are like,

“Forget this. I can take a whole lot less risk just doing another job making less money.” “Law enforcement is a tool to enforce the law,” said Deputy Chief Rapa. “We don’t make the laws. We might say, we don’t agree with this, or we support this law. But at end of the day, we don’t make the law. The people they elect make the laws. And we are the ones who are supposed to enforce them. You have people that have created laws, with good intentions, with unintended consequences, and at the end of the day, law enforcement is the one enforcing it.” Chief Barkley takes exception to anonymity.

“We won’t even touch on the anonymous complaints. I think there are some constitutional issues with that. People can complain anonymously, and they’ll start a review on you at that point in time. I think anybody has the right to face their accuser in that type of situation,” Chief Barkley said. “They’ve opened the door to civil litigation to make it so much easier. It almost makes you feel like you are a target.”

Chief Barkley says issues differ in urban and metro regions.

“My biggest problem with most of this is, we are not dealing with issues caused by the members of our department. That’s not what we are dealing with. We are dealing with issues that are happening in Baltimore, and PG (Prince George’s) County (Maryland) and Wilmington. This is what they are using as a basis for doing it. I understand everything that is going on around the country. But sometimes you have to

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**City of Seaford Police Department is one of the largest municipal agencies in downstate Delaware.**

Delaware State News/ **Glenn Rolfe**

## **Police**

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look at the individual,” Chief Barkley said. “They’re trying to paint with a broad brush and that’s not the thing that is happening.

“I still love my life. I am very fortunate, and I work in a community that for the most part supports law enforcement. They like law enforcement. For the most part we don’t have those issues. And that is comforting.”

**Small force, notable success**

Cheswold's round-the-clock coverage is made possible by a handful of full-timers and part-timers.

"Nine years ago, there was one guy working here whenever he wanted to. When I got here, there was one officer," Chief Workman said. "Right now, I have three full-timers including me, and I have six part-timers, and I cover 24 hours a day, seven days a week, 365 days a year. I am a working chief. I work 7 (a.m.) to 3 (p.m.) every day. I answer calls. I handle investigations."

Cheswold's department, authorized for six full timers, is usually at five. One recruit just came out of the state **police** academy and is undergoing field training.

"I am trying to hire two more. But it is very tough. Almost everybody in the state is hiring," Chief Workman said. "But I have got to say, I have been blessed. My town council, my town people — they have all been very good. And we have worked together to get it to where we are today. While we struggle at times, we're still doing it."

Chief Workman says a department like Cheswold's must accept the fact that it's small and really can't compete with the big municipalities in terms of money and specialties. In some ways, it's a revolving door.

"We had just raised our starting salary to almost \$45,000 to hopefully be able to compete with the other small municipalities. However, it is kind of tough to still participate because the bigger places such as DSP, I believe their starting salary is at \$68,000 now. And many of these departments are offering \$5,000, \$10,000 bonuses, which we cannot do," Chief Workman said. "So, we've had to get creative ... and mostly for us we just have to realize we are a small department and a starting point for a lot of people. That is kind of what I have been doing."

"If you want to be in canine. If you want to be in narcotics. If you want to be in detective, then you're not going to be that with me," said Chief Workman. "We just have to embrace that even more now. Hey, if you come to us, you couldn't get into Delaware State **Police**, you couldn't get into Middletown, but we'll teach you, we'll train you. If you give us five years — you're going to have to sign a five year contract — we'll teach you, we'll train you, we will get you ready. And hopefully within those five years I convince you to stay. But if not, then you're prepared to go to a bigger department. Then you go off to the next person. But you always have to continuously have an open line to hire people because now it is just so tough."

The hiring philosophy has changed, Chief Workman says.

"Now, if we get an application in, we've kind of got to run with it and see if they are viable to be with the department. If you get an application in, you kind of start vetting that person right away. Is that person qualified? Then we go with an interview, then we go with the testing and the physical agility and all the stuff that we need to see if they can get into the academy. It has changed what we do a lot," Chief Workman said.

It is the way things are in today's world, he says.

"I mean it's not only the money. I think it's also the generation. It's also the national narrative. There is plenty going against people wanting to be in law enforcement," Chief Workman said. "But the people that you are hiring — this is not a knock towards them — they try things and if it doesn't work, they move onto the next thing. You can hire a person who says they want to be a **police** officer and they come in and they want to do good and they do a great job. But they may work two years and go, 'This is just not for me, so I am going to move on and do something else.' They don't have a problem doing that.

"They want a 9-to-5 (job), be able to come in, go to work and at 5 o'clock they want to be able to leave. You can't do that in **police** work. It just doesn't work that way. It's not a knock towards them. It is just that's that generation. They are ready to move on if they are not happy where they are at," said Chief Workman.

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