

ROMANIA'S LOCAL POLICE. CURRENT ISSUES AND FUTURE DIRECTIONS

Abstract

The paper's objective is a survey on current academic and policy debates on local police, current issues of local police in Romania, and the implications of the various national initiatives on its development during the economic transition and financial crisis (budgetary constraints).

The methodology used in this paper comprise studies of published materials (articles, strategies, reports, policies, research studies, laws), which provide theoretical and practical research on local police in Romania and its development. The themes discussed ranged from: the definition of a public service, to local police in different countries, current issues for Romania's local police, a brief analysis on local police, different steps and measures that should be taken for improving its activity and quality. The value of this study is that it fills a gap in the literature regarding various information on Romanian local police.

Keywords: local police, public service, management, decentralization

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POLIȚIA LOCALĂ DIN ROMÂNIA. PROBLEME ACTUALE ȘI DIRECȚII DE ACȚIUNE

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Rezumat

Obiectivul lucrării este un studiu privind actualele dezbateri academice și politice cu privire la poliția locală, problemele curente ale poliției locale din România, precum și implicațiile diferitelor inițiative naționale privind dezvoltarea sa în perioada de tranziție economică și criza financiară (constrângerile bugetare). Metodologia utilizată în această lucrare pune accent pe studierea materialelor publicate (articole, strategii, politici, rapoarte, studii de cercetare, legi), care asigură o cercetare teoretică și practică cu privire la poliția locală din România și dezvoltarea acesteia. Temele discutate au variat de la: definiția unui serviciu public, la poliția locală în diferite țări, probleme actuale pentru poliția locală din România, o analiză succintă a poliției locale, diferite etape și măsuri care ar trebui urmate pentru îmbunătățirea activității și a calității acesteia. Valoarea acestui studiu este că poate contribui la umplerea unui gol în literatura de specialitate cu privire la diverse informații despre poliția locală din România.

Cuvinte cheie: poliția locală, serviciu public, management, descentralizare



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1. LITERATURE REVIEW

It is important to examine the history of Romanian police in order to understand its progress over time. Alterations to the purpose, duties, and structure of Romanian police institutions have allowed this profession to evolve into a more effective entity that meets the European Union requirements.

The novelty of the Romania's local police (Bulea, 2013) and that it has on its back other two institutions (from historically point of view) - the Public Guardians and Community Police - reveals the need to improve the system, to ensure public order and local alignment with the new requirements of the millennium. The manner in which this service implements the specific plan, which is an ultimate goal, perfect attempt to prevent and combat antisocial actions requires a very complex phenomenon, perfectly in time based on previous experience and taking into account the evolution of society, inevitable, which brings with it new requirements, needs and challenges.

Services are useful activities designed to meet social needs, their result is intangible, cannot be stored and they are the main stimulous element of economic competition (Plumb et al., 2003, pp. 52-54).

At European level The Metropolitan Police Service (MPS, nd) is one of the most popular local police service in the world and serves the population of London. The public service has over 32,500 employees (approximately 14,200 people representing administrative staff, 230 employees - traffic controllers, 4,300 employees - Support Community Police Officers). Also, The Metropolitan Police Service is supported by approximately 3,600 volunteers, mainly from the Metropolitan Constabulary.

We can observe that UK's local police main values are to put the public interest first, to act with integrity and fairness as a team (West Midlands Police, nd).

Sweden (Jones and Wiseman, 2006) has established a long-term commitment based on an open, compassionate and supportive society. These issues have defined the perspective on Community Police, and have determined the structure and its management. The Swedish legislation was heavily influenced by European legislation in the field of crime prevention. In 1972 at the national level was created the National Council for Crime Prevention (represented also locally by approximately 232 entities), which aims to formulate solutions to the problems across the country and communicate them to local police. It also provides information to politicians, media and citizens about prevention of crime at local level.

In France, the Community Police has an over 30 years history. Starting with 2002 the Proximity Police was created. It connects the police with municipalities and directs residents to participate at their own security and to volunteer with community policies. This is a very important aspect as the local community participation is reduced, causing a lack of involvement in society.

According to Kutnjak Ivkovic (2008, p. 407) police agencies are not isolated entities, they are integral parts of the society at large. That's why, other social factors could also be related to the way citizens perceive the police. For example, when society tolerates misconduct of government employees and fails to control it, police officers are more likely to be corrupt, milk calls for service, plant evidence, and use excessive force. When insufficient resources are channeled from the state or city budget into the police budget, the numbers of police officers will be too low, the quality of applicants will suffer, hiring processes will be inadequate, training will be shortened, internal control will be sketchy, salaries will be low, and equipment will be obsolete. Such shortcomings are very likely to have adverse consequences on the public service with, and support for, the police (Doherty and Horne 2002).

Whereas the theory differentiates between diffuse and specific support for the police, as a rule, the police literature routinely addressed either the issue of diffuse support or the issue of specific support. Broadly speaking, the confidence-related questions addressed in the literature range on a continuum from the very general ones, such as the level of confidence in the police or the evaluations of the job the police were doing (e.g., Correia et al., 1996; Reiss, 1967; Walker et al., 1972), to the fairly specific ones. The latter ranged from the ones about providing safety in the area (Brillon et al., 1984; Cao et al., 1996); maintaining order, protecting property, and protecting against crime (Cao et al., 1996); and respecting citizens' rights (Brillon et al., 1984), to the responsiveness, promptness in answering emergency calls (Brillon et al., 1984; Cao et al., 1996), courtesy and equality in treatment (Reisig and Correia, 1997), general demeanor of police officers (Webb and Marshall, 1995), availability of information and leisure programs for young people, and quality of various programs (see, e.g., Brillon et al., 1984; Reisig and Correia, 1997; Reisig and Parks, 2000). As a general rule, it seems that studies tended to rely more on some form of specific support for the police than on the diffuse one. Heterogeneity of the questions asked across the studies and the inclusion of both specific and diffuse questions in some of the studies make it very cumbersome and complicated to follow the dichotomy of specific support and diffuse support in the sections of the articles that discusses the impact of various correlates of public support for the police.

Most of the studies (Kutnjak Ivkovic, 2008, p. 410) that examine the police public support, particularly the projects that provide an in-depth exploration of various factors related to public opinion, have been conducted in the United States. The researchers have primarily explored the impact of the respondents' demographic characteristics, their experience with the police, and the neighborhood effects. Compared with the other factors, the effects of police-related variables (other than the contact with the police) and society-wide factors have been studied relatively rarely.

2. ROMANIA'S LOCAL POLICE. CURRENT ISSUES

When the Law of Local Police (no 155, 1 January 2011) was approved, the Community Police in Romania became history, and was replaced by the Local Police. The new institution formed has additional powers after it took a number of departments from the City Hall.

Romania's local police duties are to protect the fundamental rights and freedom of individuals, private and public property, prevention and detection of crime, in the areas of the public order and security of goods, driving on public roads, construction discipline and advertising panels, environment protection, entrepreneurship, accounting of, and other areas established by law (Law no. 155/12.07.2010 local police, Chapter. I, art. 1).

Thus, since 2011, the local police is the institution that shall ensure compliance with legal regulations on discipline construction, environmental protection, advertising and commerce.

The new functions listed above, will be managed by three newly created services within the Local Police: Construction Discipline and Street Advertising Service, Environment Protection Service and Commercial Inspection Service.

Construction Discipline and Street Advertising Service

When it comes to discipline in constructions and street advertising, some of the tasks that local police will have to meet are: carrying out checks to identify work done without planning permission or termination, as appropriate, including temporary constructions, carrying out checks to identify persons who do not comply with permit repair works of the roadway and pedestrian, participates in the demolition / dismantling / construction undertaken without authorization on public or private unit / administrative-territorial subdivision or the spaces under management authorities of local government or other institutions / local public services by providing perimeter protection and freedom of action of the staff involved in these specific operations; notes, where applicable, according to duties established by law, violations of discipline in the permitting execution construction works and submit the minutes of establishing contraventions, to sanction, to the head of the specialist coordinate the planning and, where appropriate, to the county council president, mayor of the administrative- territorial or municipal sector Bucharest in whose jurisdiction the offense was committed or the person authorized by them, legal compliance checks on display advertising, campaign posters and other forms of display / advertising, including those relating to the company 's location at the place of business .

Environment protection Service

Inspectors from the Environment Protection Service have the following duties: enforcing legal provisions on conditions for lifting, transporting and storage of household and industrial waste, notifies to competent public authorities and institutions breaches of legal rules on the level of pollution, including noise; identifies goods abandoned on public or private unit / administrative-territorial subdivision or areas under the administration of local authorities or other institutions / local public services and applies the legal procedures for lifting them; check water sources sanitation, the banks, their beds or basins, check to ensure sanitation streets, access roads, green areas, gutters, removing snow and ice from roads, pest control, sanitation checks for contracts concluded by natural or legal persons under the law, check lifting waste sanitation operators in accordance with established schedules, verify and correct, according to competencies of local authorities, referrals citizens of non-compliance with environmental laws and water sources, as well as the management of settlements .

Commercial Inspection Service

Commercial Inspection Service has the following duties: legal compliance work for the conduct of street trade and commercial activities in accordance to the conditions set by the local government; verify the legality of the product marketing activities carried out by operators, individuals and businesses authorized and private producers in food markets and fairs, and legal provisions by administrators of agricultural markets; checks and place of, business permits, approvals, documents of origin of goods, metrological ballot for scales, opinions (notice) and other documents as determined by law or administrative action of central and local public administration; verify legal compliance on the placement of advertising materials and marketing places for tobacco products and alcoholic beverages; cooperates and advises governments on disease surveillance, environmental and consumer protection in the exercise of duties specific to their activity; verify that the obligations of operators on the display of the prices of products sold and services and notify authorities if identifies irregularities, verify and correct, under the law, the complaints received in relation to the acts and deeds of trade conducted in public places in violation of law.

Legal Framework: local police operate under the Law - frame no. 215/2001 on local government and Law no. 155/2010 of local police.

Institutional framework: the local police operates as a functional department under mayor as a specialized unit, being directly subordinate to the deputy.

In October 2013 a N.F.L.P. (National Federation of Local Police in Romania) delegation composed of the President and Vice President attended the General Assembly of the Association of Municipalities of Romania (AMR). The meeting was attended by former mayors AMR members as guests: Mayor of Bucharest, President of the Union of County Councils, Senior Vice President of the Association of Municipalities. The meeting was honored by the Prime Minister and the Deputy Prime Minister.

On the agenda was also included the item "Status of proposals on improving the normative regulations of the local government." At this point AMR President said that during the last talks in Ministry of Regional Development and Public Administration (MRDPA) he received a clear message about the fact that decentralization will take place soon in most of the ministries, less in Ministry of Internal Affairs (MAI), thereby transferring additional powers and duties to local government authorities that currently are managed by central agencies. In conclusion, in the first stage of this process of decentralization of public order and road traffic failed because it was not prepared enough. AMR has also submitted to the Ministry of Regional Development and Public Administration a set of "Proposals to amend certain rules and regulations implementing the local governance" where at 15 and 17 points on the list were included NFLP proposals, namely: amending and supplementing O.G. no. 26/1994 and Law no.155/2010 so that local police personnel to receive food allowance, allowance for permanent assignment and classification in abnormal working conditions, special or other working conditions in accordance with regulations provided for police officers and civil servants with special status of public order.

The Prime Minister said in his interventions that the transfer of powers to local authorities will be accompanied by financial resources from the Government.

Mr. Deputy Prime Minister Liviu Dragnea said that a number of laws will change, including: the Law 215/2001 on Local Government, Civil Servants Law no.188/1999 Law and the Prefecture Law no.340/2004, under efficient local government. It will also be developed a Metropolitan Area Law for community fundraising and rural development perspective.

Mr. Gheorghe Falca, Arad Mayor, mentioned that the road traffic control and public order service competences should be transferred to the local police. It was agreed that monthly meetings should be held between representatives of AMR and Government on decentralization, including the point where they will discuss these proposals for legislative changes.

In discussions between representatives of NFLP and AMR, Federation agreed to provide technical support to local police on the light of the discussions that will take place on the subject.

At national level the National Federation of Local Police in Romania was established in late 2007 as a legal entity of private law, civil society component, independent, non-governmental, nonprofit.

The original name was National Federation of Community Police, and it was established in Drobeta Turnu Severin and consisted of 11 members. Subsequently Federation headquarters was moved to Brasov, and the number of members increased to 24.

Currently (2013) the headquarters of the Romanian National Federation of Local Police is located in Brasov. Its president is Mr. Găzdac C. Florian, General Manager of Local Police from Satu Mare.

The Romanian National Federation of Local Police was formed to organize a single structure of professional representation, supporting and defending the common interests of its members at national, regional and local level and internationally, in relations with public authorities central and local state institutions, employers, trade unions and non-governmental organizations or any other legal entity, in order to promote the image and to lift the local police prestige.

The Romanian National Federation of Local Police is actively campaigning to improve the legislative framework aimed at the interests of the local police institution, in accordance with national and international laws.

In order to achieve the purposes for which it was established, the Federation developed strategies, statistics, studies, draft legislation, codes of conduct, protocols and other tools to regulate or support relationships between those involved so that they better align with the standards and European realities in the field.

According to Law no. 155/2010, local police has a number of responsibilities in the following areas:

- public order and security of goods: maintain the public order in established places, near schools, health units, providing security for goods and objectives owned or administrated by local authorities, etc.
- road traffic control: safe road traffic from the territorial jurisdiction; notes offenses and applies penalties for violation of laws on stopping, illegal parking of vehicles, etc.
- construction discipline and street advertising: carry out checks to identify unauthorised construction works, verify legal compliance on displaying advertisements, campaign posters and other forms of displaying;
- environmental protection: enforcing legal provisions on conditions for lifting, transport and storage of waste, notify the competent authorities on breaches of law related to pollution, etc.

- commercial activity: legal compliance work for the conduct of street trade and commercial activities, verifying of market activity legality, etc;
- people registry (recording): people received voting cards at the age of 18; cooperate with other authorities to verify personal data, etc.

Human Resources: according to rules set by the European Union, in each administrative unit must be an agent of the local police for every 1000 inhabitants.

Particularly important is the provision in Law no. 155/2010 of the duty of local police officers with responsibility for the public order and road traffic to undergo initial training program organized in an educational institution within the Ministry of Internal Affairs, after the appointment in function.

This can be analyzed from two different points of view: the provision requires a thorough training of civil servants, higher than they had as community police, but would be more effective if they were made before the appointment and would complete an assessment of the skills acquired by the students, with the opportunity to select the staff at that time.

Regarding the interference between different institutions with police powers, having common territorial jurisdiction, appear for the first time, express mention in the law governing that regulates the establishment, organization and functioning of local police. Thus, it works with the National Police and Constabulary "under direct supervision" of their own.

It reveals a much closer cooperation between these authorities, both by the fact that the local police will attend trainings in the institutions of the Ministry of Internal Affairs, will be jointly coordinated during activities by national police and constabulary, will have access to databases data of national police, under the law, in addition, are working together to implement fine-points for one year from the establishment of local police and local police officials specializing in traffic management, exercises its powers with Romanian traffic police structures (during the same period of time).

Under Article 14 of Law 155/2010, local police staff is made up of public servants that occupies specific public officials in local police, civil servants holding general public officials and contractual staff. The first two categories of personnel are subject to the Civil Servants Regulations Act. Regarding the regulation of employment of contract staff, this is done according to the Labour Code and the staff contracted with responsibility for security of goods and goals of local interest will be considered and the conditions laid down by Law. 333/2003 on the protection of objectives, goods, values and people protection, as amended and supplemented.

Local police staff consists of:

- a) public servants holding specific public officials of local police;
- b) civil servants holding general functions/ positions of society;
- c) contractual staff.

Method of financing. According to Law no. 155/2010, where the local police department is organized as a specialized function, the work is fully financed from the local budget (Law nr.155/12.07.2010 local police, chapters VIII, art. 39).

3. LOCAL POLICE SERVICE ANALYSIS

▪ Strengths

1. Local police offers a diversified service as the resources involved are specialized in different fields (safety and public order, road traffic, environmental protection, etc.);
2. Effective intervention is provided and is suitable in different areas due to constant staff training, providing them real-time adaptation to changes in legislation. Also, physical training allows employees their intervention in emergency situations;
3. Increased funding of assets (infrastructure) between 2009 - 2011, provides a framework for future development of services;
4. Close cooperation between local police, traffic police, constabulary and Inspectorate for Emergency Situations (IES) lead to higher service quality.

▪ Weaknesses

1. Overcharging activity generated by too many powers attributed to local police employees so that their yield may decrease;
2. Reducing the quality of work as a result of reducing the budget between 2009 - 2011;
3. Lack of correlation between the current needs with those on the medium and long term and with financial allocations, that are declining in recent years;
4. Infrastructure available to local police is not well developed - in the opinion of the employees (personal communication) there are not spaces for specialized training, response equipment must be improved, etc;

5. Lack of indicators to measure the response time, the favorable settlement, to reveal the opinions and suggestions of the citizens, to be updated in real time, because in many cases communication with citizens is achieved through a register;
6. Lack of indicators for monitoring the effectiveness of human resources that can be useful for providing salaries and promotions to employees correlated to their results;
7. Insufficient financial funds due to changes in the structure of City Hall priority public services from one year to another and reallocation of those funds to other areas.

▪ **Opportunities**

1. Opportunity to benefit from expertise, best practices and knowledge of local police working with NFLP;
2. Possibility of accessing European funds for various projects;
3. International cooperation, partnerships with other organizations, to exchange experiences and gain new knowledge, transfer of know-how;
4. Implementation of an integrated quality management;
5. Implementation of new technologies in the field of weapons equipped for efficient intervention actions and better case handling;
6. Adoption of new methods of intervention, more effective, practiced in other countries that would achieve the standards set out in this field at international level;
7. Development of information technologies to streamline activities, monitoring, possibility of introducing performance indicators.

▪ **Threats**

1. The legal framework within which local authorities have been forced to reduce its budget by 25% as a result of the financial crisis;
2. Institutional framework - being subordinated to the mayor, it is possible to give less importance to this service, focusing his attention on other areas;
3. Budgetary constraints generated by the fact that the main financial source for this service is the local budget, which must satisfy the financial resources need for a larger number of activities in many cities;

4. High degree of bureaucracy;
5. Impending oil crisis could affect the availability of fuel that this service needs to fulfill its tasks.

4. DISCUSSION AND FUTURE DIRECTIONS

In order to improve the quality of local police public services, we think that a number of changes (improvements) could be done. These would serve to increase the quality like promptness, speed of intervention, efficiency, training.

Regarding the average age of employees, we believe that they can integrate a policy of phasing in the organization of young employees. They can bring a "fresh perspective" on service, they can come up with new ways of working with new approaches to community problems. Also, by getting closer to young people in the city, you can create a link that will facilitate communication with youth groups, so that local authorities be able to realise different activities better, for example: the protection of citizens trying to combat racing (encountered in the city), or youth groups that consumes substances prohibited by law.

Also, younger workers have a different learning ability, adaptability to change and enhance the civil service permanent correlation with the changing needs of the community they serve.

Another recommendation should take into consideration human resources degree of motivation. Local police employees are weak and very weak motivated because material and non-material benefits are reduced, so there is no incentive to increase efficiency and to motivate them to become more involved in their work.

The possibility of promotion is another way to motivate employees, their incentive to permanently overcome their limits in order to have access to higher stages in terms of hierarchy. Promoting employee stimulate lifelong learning need, their willingness to carry on as best to meet the standards set by the superiors. According to the employees of local police, the opportunities for promotion are restricted, limited. Thus, to encourage the development of skills, knowledge, employers can choose to promote those who show good results in the work. In this way professional development should be stimulated and could increase the quality of local police activities.

In the absence of funds for salaries the local authorities may choose to introduce non-material benefits in the local police services, correlated with physical and mental request of employees. Among the non-material benefits, you can choose to create a pleasant environment, a mechanism for merits / good results recognition of the organization, but also locally, for example in the local newspapers printed and

distributed to citizens, facilitate access to information on local police profile from other countries (working methods, intervention, information of interest) with access to the Internet and specialized websites etc..

Facilities available to the public service for the current activity is a weak point, requiring matching needs with resources. The funds allocated for the purchase of material goods should take into account the growing demands, the need to make effective investment that will generate long-term positive effects. This service requires intervention vehicles, increasing its share of fuel allocated to allow staff intervention required in all cases, better facilities for training space that have specialized equipment, space for business use of arms, to practice skill.

Employees feel the need for training activities. For continuous improvement of performance, one element is the permanent training of employees through profesional training activities to update knowledge and to adapt them to the current working environment. Local police service can make international exchanges, which may result in sharing knowledge, working methods and efficiency of the public service.

It can also be performed a series of training courses both at the local police level and at the central level (Ministry of Internal Affairs), aimed at both updating of knowledge on law framework, theoretical information and practical knowledge on new intervention methods, information about specific weapons, training methods, etc.

Another relevant problem in the local police on motivating employees, encouraging them, is the system of performance indicators that could be placed in the service.

During the discussions with several employees form the local police we found out that such a system would be useful, considering that this idea would be beneficial. Among the proposals we can mention: promotion based on merit, bonus wages based on results (for example, "to be paid by results", "to differentiate salary").

Takeing this into consideration, a number of dependable performance indicators can be created (developed) in order to facilitate evaluation of the employees quality work and of quality services offered to citizens by this service. But nowadays, it would be difficult to implement such a system because is based mainly on the database that records requests, complaints from citizens. This register is one of the weaknesses of the local police service. This registry is currently done mainly on paper.

We believe that in this public service is appropriate to have a computer system used to implement electronic record into its operations.

This system, based on a specialized software is designed to continuously monitor the activities developed, its efficiency through real-time view of historical data (for example, if there are other requests in the past

for the same person-employee, what was its' nature?, etc.). It also facilitates electronic record setting performance indicators for both the service itself and the activities developed by employees (degree of public satisfaction, response time for complaints, referrals, employee efficiency, the average number of complaints handled by each employee, etc).

In this way it would increase the efficiency of public service and its employees, which could lead to a long-term wage growth, it would enhance the public service image at local level, it could become a model of good practice for other institutions and public services at local level, etc.

To implement this system, European funds could be attracted by the Sectoral Operational Programme Increase of Economic Competitiveness (SOP IEC), Priority 3: Information and Communication Technology for the private and public sectors, Key Area of Intervention 3.1 - Support the use of information technology (Operation 2: Support for local authorities to achieve broadband networks and public access points to broadband Internet (PAPI) in areas of market failure (rural and small urban areas in terms of access).

CONCLUSIONS

Finally, we consider that a closer look at the essence of public service shows that the establishment of local police brings major benefits both locally and nationally, in the fight against generators of crime factors. Clear division, jointly evaluated and taken on responsibilities of defending public order and safety between related authorities to ensure that it makes and that will prove beneficial effects over time.

The year 2010 was one of the most significant in reorganization of the defense system of local police and, today, the local police institution is indeed a guarantor of social security by the contribution they make to its prosperity. It remains to be seen the direction it will follow once we will overcome the difficult national and international times we are living for several years now.

Our politicians have made positive forecasts, especially considering the fact that the evolution of the Community Police to the Local Police could be achieved in such adverse conditions.

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