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Editorial

It has long been recognized that recruiting and retaining quality personnel is key to waging an effective response to the many challenges facing law enforcement. In the past decade, law enforcement has been somewhat successful in attracting and preparing quality personnel with increased emphasis of college education and the conduct of enhanced basic training. There is still much work to be done, however, especially in increasing the numbers of women and minority recruits.

Additionally, law enforcement must do a much better job of ensuring that quality law enforcement officers are retained once they have been recruited and trained. The initial investments in recruiting and training are substantial. If we continually lose good people, the recurring monetary and experience level loss can be devastating. It is therefore essential that increased attention be given to “quality of worklife” issues.

This edition of the *Illinois Law Enforcement Executive Forum* focuses on retention of personnel. Traditional and nontraditional responses to retention issues are explored in this collection of 11 articles written by law enforcement practitioners and academics. The objective is to present an evaluation of current practice and to initiate fresh thought on the critical issue of retaining quality law enforcement personnel. Effective service delivery in law enforcement is dependent upon formulating and implementing sound retention practices.

Thomas J. Jurkanin, PhD
Executive Director

Illinois Law Enforcement Training and Standards Board

Recruitment and Retention of Qualified Police Personnel: A Best Practices Guide

Chief Jack McKeever, Lindenhurst, Illinois Police Department
Lieutenant April Kranda (Ret.) Fairfax County Police Department

Introduction

One of the greatest challenges facing law enforcement organizations today is the successful recruitment and retention of highly qualified employees. Community safety can be compromised when substantial experience and training is lost through staff turnover and vacancy. It is imperative then, to recruit, select, and retain the kind of personnel who will bring to the department and to the community a strong commitment to and talent for the job. Over 12,000 of the 17,173 IACP members represent communities of less than 25,000 which are served by less than 25 sworn police officers.

Smaller police departments require innovative strategies to distinguish themselves from larger departments that seek qualified individuals from the same applicant pool. Smaller police departments have unique and valuable characteristics, and they are often excellent models of community policing. Quality police work is more clearly defined by the quality of public safety and the satisfaction of the community, not by the size of the police force. For this reason, the International Association of Chiefs of Police has developed a text called *Big Ideas for Smaller Police Departments: Recruitment and Retention of Qualified Police Personnel: A Best Practices Guide*. The book is designed specifically for smaller police departments—those serving less than 25,000 or fewer residents by 25 or fewer sworn officers.

Beyond the realities of resources, location, and political agendas, how can you determine if your department provides a healthy work environment to attract and retain skilled and eager employees?

As these personnel issues are explored, the writers are asking readers to “think outside the box.”

Recruitment

The recruitment section includes the following:

- An Agency Self-Assessment – Describes ways to determine agency recruitment and retention goals
- A Community Assessment – Describes ways to determine community support for those goals
- Community Partnerships – Describes how hiring goals can be enhanced through community partnerships

The work environment within an agency can also have a dramatic effect upon the successful recruitment and retention of qualified police personnel. This section includes recommendations for building work environments that provide employee growth and satisfaction. When implemented, these recommendations can give smaller departments a distinct advantage over larger departments in the hiring and retaining of qualified police personnel. Examples of assessments are found at the end of the section.

I. Agency Assessment

Goal – Determine the Department’s Hiring Strengths and Weaknesses.

The first essential step in designing an effective recruitment and selection process is an honest self-appraisal that determines whether your department provides a healthy working environment for employees and whether incentives to join your department exist. The result of this assessment is information from which a strategy can be developed that incorporates short-and long-term department hiring goals and which clarifies department values. You will see how recruitment and retention are interdependent as new hiring strategies are linked to retention strategies. As you succeed in developing recruitment strategies, they will link directly to successful retention strategies. Recruitment strategies incorporate the values and goals of the department and the community. Once you determine the department’s values and goals, you can develop effective recruitment and retention strategies that support those goals.

Step One – Explore What You Think Are the Advantages of Working in Your Department.

Exploratory Questions for The Chief: What Are the Advantages of Smaller Department Policing?

1. Why would I want to work for this department?
2. What does my department have to offer?
3. How do I seek the most qualified individuals?
4. What can I do to keep quality employees?

Make a list of the things that come to mind. Compare them to the answers received from smaller department chiefs who attended the nation-wide symposiums.

IACP Symposium Responses from Smaller Department Chiefs: The Advantages of Smaller Department Policing

- Skilled employees are valued as the department's most important assets.
- Career opportunities for personal growth include specialized duties and promotions.
- It is important to promote a family atmosphere in the department and the community.
- Employees are encouraged to provide input on department policies such as shift configurations, uniform design, and community policing strategies.
- There is a spirit of organizational teamwork between the chief and the department which encourages employee opinions and input at staff meetings.
- All employees, sworn and civilian, are treated with dignity and respect.
- The chief knows everyone by name and supports all employees to reach their personal and professional goals.
- All employees have access to the chief.

Step Two – Explore Staff Responses to the Value of Working in the Department.

Having looked at your perceptions of the hiring strengths of your agency, poll your staff to see if there is agreement. Even disagreement will be informative. Use the previous four Exploratory Questions listed above. Once the answers to the four questions have been answered by the chief and the staff, hold a focus group meeting with employee representation, civilian and sworn, to discuss the findings and to set new hiring goals based on those results.

Step Three – Hold a Focus Group with Staff to Develop Your Department's Hiring Priorities.

Develop Department Hiring Priorities with Staff

1. How can we sell the department to qualified applicants?
2. What are the unique qualities of the department and community that will appeal to potential applicants?
3. What are the qualities we want to see in applicants?
4. Does the department reflect the diversity in the community?
5. Is the department prepared to successfully integrate women and other minorities into the force?
6. How can I make my department a place that appeals to new applicants and retains experienced officers?

Summary

Review of feedback from the questionnaire and focus group should provide some clear ideas about prioritizing and targeting hiring goals. In order to be competitive with the general workforce and other police agencies, successful smaller departments must place significant emphasis on creating a work environment that stresses employee value and provides prospective applicants with a clear understanding of the benefits of employment with the department.

II. Community Assessment

Goal – Determine How the Community Views the Department.

“An accurate assessment of a police department includes community input. Ask yourself, ‘What are they saying about me at the barber shop?’”

Chief Jack McKeever, Lindenhurst, Illinois

We call community assessment a “community mirror aspect” of the overall department’s assessment. This mirror provides the department with information about the values, needs, and desires of the community. Smaller departments can benefit by making sure police and community values are consistently articulated to new employees. The community is an important selling point to new employees and their families. Knowing that the police department is appreciated and supported by the community is a positive factor in recruiting and retaining police staff. Police programs and services like police activity leagues or community watch programs are enhanced when supported by community partnerships. Such partnerships with community-based organizations or the faith community have developed successful volunteer and other community programs for police departments.

Community partnerships can include any of the following examples:

- *Form a community partnership group.* Include youth, minority group representatives, civic, and/or church representatives as well as political allies to work on a civic concern together. (Choose one with a high probability of success, and document your group’s recommendations.)
- *Tell your story.* Have a reporter go on a ride-along with a police veteran. Provide community groups of all kinds with information concerning department outreach and service programs.
- *Establish an “Officer of the Year” program.* Have the winner speak to community service organizations and schools; get a newspaper article published about his or her community service.
- *Begin a Police Activity League (PAL).* Start after-school education and sports programs for youth.
- *Encourage development, and provide training for neighborhood watch programs.*
- *Encourage police officers to teach at local community colleges.*

The Value of Community Partnerships to Recruiting and Retention

Community partnerships are opportunities for police to listen to public concerns, to work together with community groups to solve those concerns, and to develop meaningful ways to exchange information with community-based organizations so that the public sees how integral police are to the health of community life.

There are several methods for determining the community perception of your department that are inexpensive and informative. Consider the following examples:

- *Informal Survey.* Design a survey that asks important questions and solicits community suggestions for departmental improvement. See if the newspaper will print it, or copy the survey and circulate it through community groups and churches. Perhaps a police survey booth in front of the local grocery store might get responses.
- *Opinion Poll.* Call a random sample of people, and ask them their opinion of the department. The number called will depend on the size of the community and the number of staff available to you. Ask three to five direct questions that offer a range of responses. Use a scale of 1-5, that will give a spectrum of choices. [e.g., (1) Is doing a fine job, (2) Is doing an adequate job, (3) Needs improvement, (4) Is doing a poor job, (5) Don't know.] *Note: Survey or opinion poll results showing community support for police can be an effective recruitment statement (e.g., 75% say the department is doing a good job.).*
- *Grants.* Investigate the availability of foundation or other grant funding for police initiatives, community partnership programs, equipment, or technology acquisition. Money may be available from a variety of sources for community policing initiatives which include community partnership programs or technology information-sharing between law enforcement agencies. (TPO grants provide technology grants; foundation grants are listed at the library in the *Federal Register*. A resource librarian will help you locate law enforcement grants.)

Tip: Even if only one suggestion from the community is implemented, the department can benefit from being seen as a department that cares and responds to its citizens.

Summary

Be prepared to respond to and/or publish survey results (include the positive and negative responses), and then suggest ways the department will respond to those needs and suggestions. There are many creative ways that police and their communities can and do work together. The important point is that you, as a law enforcement executive, know successful ways to partner with your community. Departments that enjoy community support often have greater success recruiting because new police officers see this community as a positive place to live and work. Families are drawn to communities in which officers and their families are appreciated and considered valuable.

Inexpensive Strategies for Effective Recruitment: The Challenge of Recruiting

As technology advances and the value of problem-solving or community-oriented policing increases, the demand for specialized police services also increases. Qualified applicants must be educated, effective communicators who understand the value of linkage to government and community resources. Recruitment of qualified, diverse applicants who can meet the standards of modern policing is a significant challenge.

In order to meet this challenge, smaller departments must enhance or revise their recruiting and selection strategies. The task of recruiting should be identified as one of the most critical functions within the organization.

The following are examples of ways that smaller departments can get an edge in recruiting:

1. Appoint a Recruiter.

- The recruiter can be a pivotal position in the department. A recruiter represents the department in the community and to prospective applicants. A successful recruiter is a highly talented and motivated person with a passionate conviction that police work, especially in this department, is the best job in the world.
- Due to limited resources, most smaller agencies do not have the luxury of appointing a full-time recruiter. Still, the effectiveness of this individual, even on a part-time basis, can have striking results when the right person has this job. *Consider the use of auxiliary officers or volunteer personnel to supplement the recruiting function at no cost.*
- Recruiters should be held to a high performance standard that emphasizes the ability to identify qualified and diverse applicants and to bring them into the selection process.
- Any effective recruitment strategy will include ways to optimize the skills and talents of current personnel. All employees should be considered recruiters on the lookout for talented individuals for their department.

How to Choose a Recruiter

- Look in your department for officers who are mission-driven, possess strong communication skills, and demonstrate an ability to sell the department.
- Look for a nonjudgmental person who is free from bias. (Recruiters who are unsuccessful in recruiting qualified women and minority applicants may be hampered by personal bias). If diversity is valued by the department, select someone who enthusiastically shares that value.
- Assign a high status to this position. By spotlighting the recruiting function as prestigious, officers will feel honored to serve in this position and will strive to bring the best qualified applicants into the department.
- A two-year tour of duty is recommended for this position because the challenges of this position are considerable; however, this arbitrary time frame may vary given individual differences and job demands.
- Performance measures should be based on the number of qualified applicants recruited, not on the number of applicants eliminated. Help the recruiter succeed.

- The recruiter's most effective tool is personal relationships. Smaller departments can successfully differentiate themselves from larger departments by focusing on people, not objects or equipment. Stress the benefits of your department and community by emphasizing comradery within the department and cohesion of the community.

2. Launch Auxiliary Officer, Cadet, and/or Explorer Programs.

Because this is a resource-intensive strategy, especially for the small department, it is recommended that you develop this regionally, or at least with one or two other nearby departments. These programs not only provide additional resources to the department for police services and community outreach, but they also provide an additional pool of potential applicants. These programs promote good will and give citizens an opportunity to invest in their community through public service. Programs like these allow the community to meet its police officers. No one can sell the department as effectively as incumbent officers. Consider asking new officers why/how they chose the department.

3. Poll Your Staff for Strategies.

Focus groups or brief employee surveys can be informative. You may be surprised by new recruitment ideas that are generated. Input from new hires can provide valuable insight into ways to streamline the hiring process.

4. Add Employee Incentives for Successful Recruitment.

Incentives such as monetary bonuses, leave time, recruitment recognition awards (uniform pins), or additional training opportunities can motivate current staff to prioritize recruitment.

5. Form Citizen Police Academies.

This is also a resource-intensive strategy for the small agency, so partner with other agencies when possible. Regional academies can share resources among several departments. Citizen police academies have proven highly beneficial in creating public awareness and appreciation for police work. These academies vary in structure and content and can be formal or informal depending upon the community. They can be developed by several smaller agencies and serve a region as well as an individual community. Academy graduates often become community advocates for police and can serve a valuable role in any recruiting effort.

6. Hold Career Fairs.

This is a resource-intensive strategy. Partner with other public services like the fire department, the department of public health, Sheriff, or others. The career fair is a way to introduce police work to schools, businesses, and the community. Typically, this opportunity to advertise police work is extremely effective in educating the public and potential applicants. As you plan, consider teaming up with local businesses or community organizations for additional visibility and shared costs.

7. Develop a Connection to Local Colleges and Universities.

Campus recruiting efforts are an excellent adjunct to the occasional career fair. Formal liaisons can be built with campus career counselors, educators,

and internship coordinators. Graduate students are excellent resources for additional support for department research, surveys, and grant writing. Officers can co-facilitate classroom studies in criminal justice. (An officer in uniform can be an effective advertisement.)

8. Participate in Community Speaking Engagements.

Chiefs can build community awareness and support for recruiting by speaking at community groups, schools, churches, and service organizations. These organizations can be excellent resources for demonstrating the department's service commitment to the community and can be an effective avenue for reaching minority groups in the community.

9. Develop Military Linkages.

Some innovative departments have linked with military recruiters to learn successful marketing and recruiting techniques. Military recruiters receive extensive training, some of which is applicable to police work and can be a source of information for agency recruiters.

10. Develop a Media Partnership.

Print and broadcast media can be a strong ally to the police department. Media representatives are usually interested in developing a relationship with the local department because they need police information. The media savvy chief knows that a strong alliance with members of the media is needed to provide accurate reporting about police work. An effective media strategy is to take a proactive stance by providing positive, inspirational features about the department, its officers, and programs. Cooperation with the media is a two-way street and must be cultivated with attention toward development of personal relationships based on trust and honesty. Cooperative members of the media are a tremendous asset to any department and can also be an asset to recruitment. Sell the benefits of your department through the media.

11. Use the Internet.

Some small departments have been able to compete in the technology arena by developing partnerships with businesses that share their computer technology and provide websites for small departments. The University of Arkansas' Center for Rural Law Enforcement offers free Internet access for qualifying departments. For more information, contact Harold Stuart at (501) 570-8000.

12. Have an Open House.

Many communities have festivals or holidays when town businesses have an open house. During these festivals and holidays, provide facility tours and educate citizens about policing as an exciting career.

13. Build Recruiting Skills.

The IACP offers a class called, "Building Skills for Effective Recruiting." Take advantage of this and similar law enforcement-focused recruiting classes available to you. These skills must be built and sustained by continued education and collaboration with other chiefs.

Retention

Employee retention can also be a major problem for smaller departments. Some smaller departments cannot offer the high salaries that larger municipalities do, but they have an edge in several key areas of staff retention. The table below outlines keys to staff retention and outlines what smaller departments have to offer. With a little imagination and innovation, the smaller department can actually have an edge over larger departments.

Keys to Staff Retention: Smaller Departments Can Have an Edge

Key to Retention	Benefits of Smaller Description	Departments
Quality Relationships	Performance is enhanced by positive coworker relationships.	Direct access to the chief; chief is aware of individual work performance and personal concerns of staff.
Meaning & Purpose	Workers are happier and healthier when they derive purpose and satisfaction from their work.	Police are often recognized and valued in smaller communities where people know each other, work together, and live close by.
Recognition	Workers place higher priority on recognition and appreciation than salary in most surveys.	The smaller city chief has a unique opportunity to know his or her staff well and provide the kind of recognition needed to promote loyalty and retention of staff.
Promotion & Personal Growth	Officers need to be challenged and given opportunities for promotion and personal growth.	Smaller departments offer innovative career pathing by creating specialized positions such as school liaison, fleet manager, information technology officer, firearms instructor, recruiter, evidence technician, business and community liaison, and public information officer.
Safe, Friendly Communities	People like to live near the workplace, where schools are good, and where the community is safe.	Smaller departments are often appealing because their community offers a positive quality of life for individuals and for families.

Employee Satisfaction, a Key to Retention

The most effective way to build departmental commitment and loyalty is to demonstrate how the department values employees by providing them with the support and tools to effectively do their jobs. Job satisfaction surveys consistently name appreciation and recognition as what workers want more than a salary increase.

Any effort by management to transition employees into the department effectively and stress appreciation of their work will increase satisfaction and reduce turnover.

The New Officer – Strategies for a Successful First Day

No agency can guarantee employee retention; however, the manner in which an officer is transitioned into the department can have a significant impact on his or her opinion of the department, job performance, and decision to stay. Critical to a successful transition of the new officer is the experience of the first day.

- Select officers to meet and welcome each new employee. Let them be responsible for new hire orientations. In this way, develop a mentor program for all new employees.
- The chief should be available to meet and welcome the new employee personally.
- The mentor officer should make staff introductions, answer questions, and be a point of contact for the first week if possible.
- Have this person acquaint the new employee with the department, give a tour, show the new employee to his or her locker or work station, and be available for questions. The mentor officer can also introduce the new employee to academy staff, training officers, or supervisors.
- The mentor officer should acquaint all new hires with department policy and procedure.
- The mentor officer should inform new hires about uniforms.

This attention to new employees communicates, “you matter to us” and demonstrates the department’s commitment to provide each employee with the tools necessary to become productive and valued officers.

Mentoring as an Effective Tool for Recruitment and Retention

Although *informal* mentoring has been influential in the development of good officers and leaders, the implementation of *formal* mentoring programs, such as “first day mentors,” has emerged as an effective tool for enhancing recruiting efforts and reducing employee turnover. By implementing a formal mentoring program, a police department distinguishes itself from other departments by conveying the message that the organization values its employees. The practice

of formal mentoring has been proven successful in reducing employee turnover by providing consistent and professional attention to new recruits. The additional support to new employees yields valuable rewards.

What Is Formal Mentoring?

Formal mentoring in this context refers to the process of providing a new recruit with an experienced officer as a consistent point of contact and support for a definite period of time. Unlike the field training officer (FTO), the mentor does not train and evaluate work performance. The mentor provides support and encouragement, acts as a resource for information, and promotes continued career growth. The FTO and mentor roles are distinct, yet complement each other.

Some chiefs in small departments have expressed a concern that a formal mentoring program is impractical because of limited staffing. The mentor function can be accomplished with marginal expenditures or staff time, by using existing personnel who are trained in mentoring skills. Resources for skill development include the following:

- IACP Training Division provides a class in mentoring for retention of public safety personnel.
- Police can learn from nonprofit and business organizations that provide training in mentoring because of the success they have demonstrated.

The benefit of this one recruitment and retention strategy, mentoring, far outweighs the marginal cost of staff time. When the right person is in the position of mentor, the quality of employee retention for the agency often improves.

The Chief as Mentor

Police officers from smaller departments have an advantage over employees from large departments when it comes to developing a mentoring relationship with their chief. Through the role of mentor, the chief has the opportunity to help officers identify their strengths and choose the right training and career development activities to enhance their skills and esteem. The chief who emphasizes career development by providing officers with opportunities to build their skill base will develop loyal employees with high self-esteem. For this reason, it is recommended that the chief assume the primary role of mentor to the department and utilize veteran officers to serve as mentors to new recruits.

Police officers from smaller departments who have the benefit of a mentor chief have a unique opportunity to develop their skills and talents in a way that many officers in larger departments lack. It is recommended that every chief assume the role of mentor and encourage his or her officers in every way possible to feel valued and to receive the best training available. This can be accomplished through inexpensive means such as assigning officers to task forces in neighboring agencies to more expensive means such as formal training. Most of the strategies listed in the retention section of *The Best Practices Guide* can be implemented without great expense to the department.

A difficult but important task for every chief is to recognize his or her responsibility to identify and develop a successor. Effective police leaders view their positions as temporary and continually prepare subordinates to eventually take their place without causing disruption to the agency. This is the ultimate act of mentoring. The IACP report, *Police Leadership in the 21st Century*, includes as one of its mandates, “create a network of mentors.” Mentoring can be effective at many different levels of the organization—chief to chief, veteran officer to recruit, or officer to officer. Mentoring is an inexpensive and effective means of transferring information and experience throughout the organization, and the mentoring relationship enhances staff retention because it communicates care and concern to staff.

Frequently Asked Questions About Recruitment and Retention

1. How can I attract and retain quality employees when the salary is not competitive with larger agencies?

Although many factors contribute to effective staff recruitment and retention, the compensation package is an important consideration for most employees. The police chief has the responsibility to educate and inform citizens, business leaders, and elected officials of the necessary compensation requirements needed to remain competitive in the marketplace. It is vital that the cost to recruit, hire, train, and retain police officers is directly related to the benefit of public confidence and safety.

The budgetary impact of employee turnover must be clearly compared to the cost of recruiting, hiring, and training new police officers.

Hidden Cost of Officer Turnover

1. Citizen complaints are often higher for less experienced officers.
2. Overtime for officers drains the department’s budget of needed resources.
3. New, inexperienced officers tend to have more automobile accidents.

Police officers make important decisions every day that affect the lives of individual citizens. The legal implications of decisions concerning arrest and/or use of deadly force are of growing concern to all communities. The decisions police make require specialized training and experience. The role and impact of the police officer in a small community, from patrol officer to school officer, can be even more influential than in a larger community simply due to visibility. It is important for the community to recognize that the cost of hiring and retaining good police officers is less than the cost related to officer turnover. A community with a positive image of its public safety is more likely to provide financial support to police programs and services.

2. Because of my agency’s size, there are limited opportunities for promotions. How can I overcome this obstacle?

Traditionally, the smaller department has fewer opportunities for advancement and promotion than larger, urban departments. Smaller police agencies have

a unique opportunity to redefine promotion and creatively institutionalize advancement in a manner than separates them from larger departments in a positive way.

The smaller city chief can develop personal relationships with his or her officers that chiefs from larger departments cannot. These relationships often inform the chief of the interests, skills, and hobbies of the officers. From this information, consider developing “specialist” categories in the place of actual rank promotions. Specialist categories that are being used currently include the following:

- School Liaison Officer
- Fleet Manager
- Firearms Manager
- Firearms Instructor
- New Hire Mentor
- Recruiter
- Special Programs Coordinator (for youth and community volunteerism).

3. How do I overcome the image that small town policing is not as professional as larger agency policing?

Small town policing should never be equated with a lack of sophistication or an ignorance of contemporary policing trends and issues. For instance, smaller departments are often experts in community policing techniques, but may not be able to purchase some of the newer information technology or equipment. There are no easy answers. Positive solutions take time and effort to build.

The first issue to consider is that of image. The image of the department is largely influenced by the chief and how he or she presents him- or herself to the department and to the community. The chief who models a continued commitment to personal and professional growth will lead a department to do likewise. It is important to build a positive department image by also providing the best equipment and training available to your department. Some suggestions for building and maintaining a positive image within your department and community include the following:

- Membership in state and national police organizations will keep you informed of grants and training programs for smaller departments.
- Whenever possible, attend conferences and membership meetings to take advantage of networking opportunities and information sharing.
- Read law enforcement publications like *Police Chief* that provide opportunity for professional information and personal support.
- Involve yourself in national service organizations with local chapters. Very often, these organizations provide opportunities to network and occasionally provide specialty grants for equipment or program development.

- Investigate continuing education for yourself and your officers in local community colleges and state training academies and through national grant projects that may become available.
- Look for opportunities to sit on advisory boards for organizations or projects that may provide educational opportunities.
- Involve yourself with regional departments that may include your officers in training or on task forces at little or no cost.

Usually the chief in a small community has a multitude of tasks to manage with a limited staff. Be realistic and choose development strategies wisely.

Summary

The strategies offered in this best practice guide are intended to present smaller department chiefs with realistic and practical approaches to making their department a viable employment choice for potential qualified law enforcement personnel. These strategies can give the smaller police department the edge, help each unique agency realize its hiring potential, and support chiefs and their departments in providing public safety for the communities they are committed to serve in a manner that enhances community collaboration and department strength.

Lieutenant April Kranda (Ret.) is a 20-year veteran of the Fairfax County Police Department. Ms. Kranda served in a variety of operational and administrative positions, including patrol, criminal investigations, internal affairs, and media relations. As aide to the deputy chief for operations, Ms. Kranda developed and implemented the New Hire Mentoring Program for her department. She currently serves as a mentoring advisor for several law enforcement agencies and training facilities. As a certified instructor, she has instructed for the Drug Enforcement Agency (DEA), Women in Federal Law Enforcement Conference, and FLECT. Ms. Kranda is an instructor for the IACP “Mentoring for Retention of Public Safety Employees” course, has co-authored the IACP best practice guide, *Recruitment & Retention of Qualified Police Personnel*, and currently consults nationally and internationally for law enforcement on issues including recruitment and retention, mentoring, and media relations.

John David “Jack” McKeever, originally from the south side of Chicago, holds an MA degree in public administration from Webster University and an MA degree in theology from the University of St. Mary of the Lake. Chief McKeever began his policing career in 1968 as a part-time police and fire dispatcher while attending graduate school. After 21 years of police service as a training officer, detective, and other supervisory assignments, he retired from the Highland Park, Illinois Police Department in 1993 at the rank of lieutenant. Since 1993, Chief McKeever has served as chief of police from the village of Lindenhurst, Illinois, a community of 12,000.

Chief McKeever has served on the board of directors for the Lake County Major Crimes Task Force and is a past president of the Lake County Chiefs Association. He is a consultant for the International Personnel Management Association and has provided valuable consultation to the International Association of Chiefs of Police on recruitment and retention of police personnel.

In his own words, Chief McKeever says, "As an administrator of a small police agency myself, I know how difficult it is to recruit, select, and retain truly high-quality police officers. The message of our brief training symposium (which means the grouping and sharing of thoughts) is that we have the power to do something about the issue of getting and keeping good cops. Many of the answers are already among us, and I guarantee that we can help each other."

Perspectives on the Retention of Police Officers

Patrick F. Vaughan

Retired Deputy Director

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Over the past decade, law enforcement organizations have achieved significant advancements that have enabled mobility within the profession. With the advent of portability of pensions, lateral entry, and accelerated promotional opportunities, law enforcement officers no longer feel obligated to finish their career in the department of their initial entry.

The issue has been somewhat exacerbated by the “Generation X” phenomena, wherein younger officers no longer feel a sense of “career loyalty” to the agency that initially hired them.

The Shanghai Effect

Law enforcement agencies experiencing high turnover rates, or those agencies seeking to attract experienced personnel, women, or minorities have created hiring incentives. The net result has created an environment akin to the 16th century practice of “shanghaiing” sailors. This practice utilized by unscrupulous ship’s captains plied unsuspecting townsmen or sailors with liquor and promises of adventure and high wages, drugged them, and carried them aboard ship for what resulted in “conscripted” service until the ship returned to the home port. Today’s law enforcement agencies, in some cases, are luring prospective officers with hiring bonuses, competitive salaries, home search and mortgage assistance, and enhanced vacation and time off schemes. The law enforcement executives from the former departments would describe this practice as the modern day “Shanghaiing” of police officers.

The Competition for Experienced Officers

How can an agency compete with aggressive hiring practices of their regional neighbors? Granted, law enforcement administrators do not control the purse strings of the parent unit of government. Can you survive in such an environment, when you as an administrator are held accountable for retention of experienced officers, women, and minorities?

Solutions to this dilemma are not easy to come by. First, the law enforcement administrator must achieve the confidence of the governing authorities, such as the mayor, city manager, village/city council, or county board. This confidence can lead to collective “brainstorming” resulting in the creation of incentives that may be monetary or those that may require, not so much funding, but community support.

For instance, child care becomes an issue for women officers working afternoon or night shifts. Community linkages can locate or create child care for the particular shifts needed by parent police officers.

Minority Officer Considerations

In the case of minority officers, a reoccurring response during recruitment has been that the officers do not feel welcomed or comfortable in the community or the agency.

This is a situation that could be addressed by the development of a mentoring program that is separate from the field training officer program. Agency mentors can work at dealing with the specific issues leading to a minority officer's discomfort with the agency or the community. Again, the community linkages are vital to creating a "welcomed" environment for minority officers.

Leadership Issues

What are some of the other issues that cause three-to-five-year experienced officers to start "shopping" for departments with hiring incentives? I submit that a lack of leadership starting with first line supervisors is a major cause for discontent among three-to-five-year experienced officers. Officers at this level of experience are starting to feel a heightened level of competency. They expect their "street bosses" to be competent decisionmakers, when necessary. If departmental leaders do not train, develop, and evaluate supervisors who are competent role models, look for discontent among the three-to-five-year officers.

Additionally, administrators must evaluate the departmental decision-making environment to determine if they are taking advantage of opportunities to allow experienced officers to assume more responsibility in their sphere of activity. Officers assigned to patrol duties find that environment more and more mundane. A community-oriented policing style helps the officer find satisfaction in seeing problems and issues to fruition. These officers should be evaluated and receive feedback on their problem-solving skills. Competent supervisors can provide that feedback and build the officers' skills. Officers who feel they are building skills and have confidence in their immediate supervisor are less likely to be shopping for other departments or putting themselves in a position to be "Shanghaiied" to the neighboring department offering the best recruitment incentives.

Nurturing an Environment of Achievement

Perhaps this is not purely a game of incentives. Maybe there is something to the theory of self-actualization as described in Maslow's hierarchy of needs.¹ Many police officers entered law enforcement with the intent of "making a difference."

The officers who feel they are making a contribution to the agency and ultimately to the community are on the road to "self-actualization" leading to satisfaction in the workplace. These officers will not likely be "shanghaiied" by a neighboring agency offering the "incentive of the month."

¹ Maslow, A. H. (1943). A theory of human motivation. *Psychological Review*, 50, pp. 370-396.

These examples point out that law enforcement administrators can not sit back and adopt the “woe is me” attitude while experienced officers are being lured away by recruitment incentives. Local support must be marshaled for the standard benefits package that is enjoyed by officers in the region.

Ongoing assessments must be accomplished on the quality of leadership within the department. Operational officers must be made to feel that they are part of the organization and their contributions are important. Command officers should be evaluated on how well they nurture the officers under their command in terms of building them into decisionmakers and persons who can accept responsibility.

Obviously, all departments cannot compete with the larger agencies offering specialized assignments with higher pay increments, but all departments can implement the type of leadership that nurtures self-actualization in developing young officers. In doing so, officers who are now being “Shanghaied” may be retained.

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A New Paradigm for Police Officer Retention: Intellectual Capital v. the Law Enforcement Officer

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The Problem

There is little disagreement about the importance of effective recruitment and retention of highly qualified officers for law enforcement agencies. The social, economic, legal, and political environments have a dramatic effect upon successful human resource management in police departments.

The riots of the 1960s drew attention to the quality of policing, resulting in the creation of the President's Commission on Law Enforcement and Administration of Justice¹, which produced a report entitled *Task Force Report: The Police*. The report concluded the necessity of increasing police quality through selection, education, and training.

In 1972, the Equal Opportunity Employment Act was introduced, which changed hiring practices for police departments as well as other employers². The constantly increasing number of civil lawsuits and introduction of collective bargaining made police administrators pay more attention to the issues of employee hiring, retention, and promotion.³

Today, modern managers name hiring and retention as one of the most serious problems in their organizations. Recruiting and retaining professional personnel scored highest by a wide margin in a recent survey of 4,000 human resource professionals. When asked to choose the two major issues facing their organizations, 79% and 51% chose recruitment and retention respectively, underscoring the bottom-line impact that the lack of staffing is having on organizations, forcing them to choose innovative ways to retain their employees.⁴

The labor shortage is a real phenomenon, driven by the inexorable pull of demographics and a one-time booming economy. The growth rate in the labor force has been shrinking steadily and will actually turn negative by 2015, yet economic expansion and new job creation has averaged 2.5% over the past decade.⁵

¹The President's Commission on Law Enforcement and Administration of Justice, Task Force Report: The Police. (1967). Washington, DC: U.S. Government Printing Office.

²Hoover, L. T. (1992). Police management perspectives and issues. *Police Executive Research Forum*. Washington, DC.

³Nowicki, D. E., Sykes, G. W., & Eisenberg T. (1991). Chapter 10: Human resource management. In *Local government police management* (3rd ed.). Washington, DC: International City Management Association, p. 273.

⁴Survey finds recruitment and retention the top issues facing employers. *Library Personnel News*, 14(2), 8.

⁵Ryan, C. (2000, December). Employee retention—what can the benefits professional do? *Employee Benefits Journal*, 4(25), 18-22.

According to the American Management Association, 36% of job applicants in 1998 could not meet requirements of basic-skills on pre-employment tests. In addition, people are changing jobs in record numbers, creating the highest turnover rate in 20 years. The Bureau of Labor Statistics reports that the typical American worker holds nearly nine different jobs before age 32. Granted, that estimate was compiled last year, when the economy showed no signs of slowing, but don't be fooled. No company, large or small, new economy or faltering economy, is unaffected by the ongoing turnover epidemic. Consider this: Over half (53%) of U.S. workers surveyed at the beginning of this year suspected that at least a mild recession was imminent, yet, 88% felt as secure in their jobs as they did a year ago. A study of 1,000 full-time workers commissioned by the online recruitment firm Headhunter.net found that 78% would take a new position if the right opportunity came along, and 48% of those who are employed are looking for new jobs.⁶

The U.S. Department of Commerce estimates that by 2006, half of today's workers will be employed in industries that produce or use information technology. Police officers with an interest in technology are driven by the chance to work with new technologies.

In the past, the problem of retention was mitigated, because the economy was bad and police departments attracted new people by providing stable and regular payment. But it's not so simple any more, because now police departments must compete with other law enforcement agencies and private companies that often provide better pay and employee benefits. Now police departments must think about alternative retention policies similar to competitors to attract and retain new personnel.

Literature on police administration and management from the 1980s and 1990s usually avoids using the term *employee retention*. Instead, they describe elements, influencing employee retention in police agencies. These elements cover different categories of police management, meaning that police retention was not considered as a separate issue. Now the situation has changed and discussion is focused on retention issues.

Turnover

Outside the law enforcement community, 41% of human resource managers believe that not feeling valued is just as important a factor as compensation in employee separation decisions. Thirty-two percent of the managers also recognized that having a poor relationship with a manager is a key factor in employee turnover as well.⁷

In law enforcement agencies, the most powerful reason for high turnover is the frustration of police officers toward their department. The police organization today, in most cases, is authoritarian and paramilitary in nature. In contrast, the departmental mission forces police officers to be creative, innovative, and community-oriented. The structured and rigid nature of the police agency suppresses the officers' initiative and makes them cynical.

⁶ Dobbs, K. (2001). Knowing how to keep your best and brightest. *Workforce*, 4(80), 56-60.

⁷ Survey finds recruitment and retention the top issues facing employers. (2001). *Library personnel news*, 2(14), 8.

Better paid positions offered by state or federal agencies (i.e., FBI, Secret Service, state police) and larger local law enforcement agencies is another reason for the drainage of officers from smaller jurisdictions. In addition, the private sector frequently offers better working hours and benefits package.

Generally speaking, police officers are leaving their departments because they feel out of place or unwelcome. If an officer takes the initiative to leave the department, that officer will often not “fit-in” even if the agency makes overtures to retain him or her. This officer is ready to explore other opportunities in his or her career. Under the old paradigm, the department will attempt to retain this officer often increasing the officer’s dissatisfaction. Only through innovative approaches will the department satisfy this officer’s needs. Approaches may include increasing educational and professional development opportunities, promoting job enrichment, offering the option to transfer to another position or, as a last resort, another department.

In general, people stay with an organization because they “fit” the department and community they are serving. Officers feel that they are progressing within the agency and in their own career. The officer and department are moving ahead together.

The most recent views on retention are focused on satisfying the human needs and desires of those who feel trapped by their jobs. Main efforts are concentrated on attempts to neutralize the turnover whether recruit, rookie, or veteran.

Police managers should remember that turnover is natural and will likely increase in the near future. We should not be afraid of it. If the agency uses human capital properly, moderate turnover will be beneficial to the agency. Each person will bring different knowledge, experience, and skills to the department—a bigger pool of employees, better equipped with ideas and methods. But what happens when an officer leaves the department? Can we somehow retain his or her experience and knowledge? Is it possible to lose the officer, but retain the value of that officer? To do so, we have to increase interrelations with our employees, and learn not to forget the value of leaving officers.

In prior years, a department in conflict with an officer could end almost any dispute with “It’s our policy!” Officers no longer tolerate that, because they can move to new departments. Departments have to learn to treat officers as human beings and individuals. We can no longer treat officers as a military regiment whose desires and needs can be averaged and only generally addressed. Increasingly, officers are making independent, individual decisions about what they require from their executives.

Money and benefits can be used to attract people to the police department, but they can not be used to retain people. The most significant reason that officers leave their positions is the low level of communication with other officers and executives coupled with perceptions of limited control over their own work situation.

What Is Retention? Begin with the End in Mind

The problem of retaining police employees should not be seen as separate from other processes of police management, such as executing the departmental mission, recruitment, selection, hiring, promotion, career development, and employee benefits. All of these processes influence retention, and they need to be incorporated in order to reach the goal of keeping valuable human resources within the organization.

To develop a retention plan, we must first identify the *goal(s)* and *objective(s)*. What does the agency need? Goals are used to clarify the role of the police, for instance, to prevent crime, maintain order, and serve the community in solving problems. The *goal* of retention, in general, is to maintain the same or develop a higher level quality of service. If this is the goal, then the *objective* of retention is to develop intellectual, social, and political capital. Traditional police retention strategies focused on a different objective—law enforcement personnel. This objective is limited by many factors, such as age, retirement, transfer, residence, and so on. Traditional employee retention is the set of policies, created and maintained by the personnel department in order to keep human resources (employees) within the organization by satisfying their needs and concerns. This definition can be applied to any industry, as well as to the law enforcement sphere.

Why is it so important to “wisely” retain employees? There are several reasons. First, police departments are losing money invested in employee training and development. Second, police departments are losing social and intellectual capital.

- Social capital – employee’s connections and good relationships with the public.
- Intellectual capital – employee’s knowledge, skills, and experience.

Another reason to “wisely” retain employees is to eliminate lawsuits⁸, regarding negligent retention.⁹

Police agencies need to compete not only with other agencies, but with the experienced and skilled private sector as well. In order to attract and retain employees, it is necessary to know the practices that are used by the competitors in order to borrow the successful ones and try to apply them in police work.

Police retention is a strategy and tactic of keeping the intellectual, social, and political capital of the agency for the purpose of providing quality services for the community, based on training, communications, and professionalism.

⁸ Negligent hiring, retention, and supervision. (1994). *Liability Reporter*, (264), 189.

⁹ MacConnell, R. M. (1991, July). Negligent hiring and retention—A cause for concern. *The Police Chief*, 7(58), 12-15.

Solutions

Traditional Retention Model: Retaining Individuals	Innovative Retention Model: Retaining Intellectual Capital
Views the police department as outside regulatory system	Views the police department as self regulatory system which can reproduce the same quality of service with constantly rotating personnel
Dependant on incomers	Semi-independent
Retains individuals ("bad" and "good")	Retains knowledge; skills; experience; and intellectual, social, and political capital
Relies on external training, reactive approach to training needs	Permanent training program, relies on internal and external training, proactive approach to training needs
Low level of internal communications, existence of internal institutional casts (top managers, middle and lower managers, rank-and-files), gender/generation groups	High level of internal communications, "one team approach"
Formal, paramilitaristic, authoritarian leadership	Informal, intellectual, and behavioral leadership
Retention limited by age, retirement, transfer, residence, budget	Unlimited
Management by order, cynicism, "BS" syndrome	Management by ethics, ethical thinking, high morale
Material motivation, incentives	Self-motivation
Turnover concern	Mission concern
No plan	Both short- and long-term training/retaining plans
Retaining everyone	Retaining the best
Indifferent towards officers' education	Encouragement of lifelong educational efforts and career advancement
Underdeveloped FTO programs – overemphasis on technical skills, more evaluation than training, too short and demanding, inexperienced FTO	Mentoring as management style in all levels of agency
Police officers' needs-oriented	Law enforcement agency mission-oriented
Sporadic evaluations	Constant evaluations
Extensive way of developing employee pool	Intensive way of developing employee pool
Insecure stability based on developed links between officers	Secure dynamic stability of personnel
Valued qualification – readiness for following the orders of supervisors	Ability to learn quickly and apply new knowledge and skills to everyday routine

Strategy

- To increase police officer retention in law enforcement departments, we have to concentrate the efforts on retaining the intellectual, social, and political capital of the agency. It would be irrational to retain those who wanted to leave the department.
- Convert police departments into increasingly efficient learning machines. Departments will profit greatly from a steady stream of newcomers who stay and work for a while, teaching and learning, then move on. Today for the first time in the history of criminal justice, not only can the “older generation of cops” teach rookies, but newcomers can teach veterans.
- Enhance all levels of internal and external communications. Convert your department into a well of communication information.

Tactics

Police managers should consider employing the following tactics:

- Provide officers with constant feedback from supervisors and access to mentoring and coaching.
- When police officers do quit, it is likely that they are showing dissatisfaction with their supervisors, rather than rejecting the job itself. They chose the police occupation, because they were attracted by it. To increase police officers’ retention in such a case, we recommend using feedback surveys involving supervisors, peers, and subordinates of commanders with patterns of high turnover and correcting the findings with leadership training to help all police supervisors learn what officers want.
- Create a base for personal and professional development of each officer, to ensure that officers will progress as individuals grow with the law enforcement agency, and feel needed. Creating an environment that promotes longevity begins with the concept of *servant/leadership*. Based on Robert Greenleaf’s “Servant as Leader” theory, the philosophy—in which managers (servants) cultivate employees (leaders) by serving and meeting the needs of others—lies at the heart of nearly all business functions.¹⁰
- Distinguish your law enforcement agency from the rest by stressing your “educational department” philosophy during recruiting efforts.
- Give officers greater control of their activity. Allow officers to make their own decisions. Police executives must show trust in their officers.
- Encourage the middle range police managers to take carefully considered risks, regardless of the results. Assure them that they will not be penalized.

¹⁰ McLaughlin, K. (2001). A strong foundation. *Training*, 38(3), 84.

- Create an environment with opportunities for professional growth. Let officers know of any agency tuition reimbursement or training programs that would further support their career goals. Police executives seeking active and satisfied officers should create goals for educational and professional development activities. Police department budget should reflect line items to fund these activities.
- Today’s law enforcement officers are more concerned with agency culture and quality of life issues than ever before. Offering such privileges as flexible work schedules and additional vacation time will be beneficial.
- Communicate with your officers. Professional police executives should spend a greater amount of their time listening because officers whose concerns and opinions are acknowledged are more likely to stay with the agency. Assure officers that you are always ready to listen. Give them your home phone number.¹¹
- Continue inservice training in current positions and in “next step” positions in department.
- Spend more energy moving the middle group of your agency to the top, and retain the best officers. To have several of the best officers in the department is an attraction to the others.
- Establish new job designs to increase variety and responsibility, and create additional challenges for the police officer.
- Encourage regular dialogue with law enforcement administrators on department vision, personnel challenges, and department goals and perspectives.
- Allow for flexible shift schedules, internal function sharing, and understanding of personal life demands.
- Support personal growth, university or college education, sport involvement, and fun.
- Develop an individual oriented departmental subculture.
- Establish a departmental identity. It is critical to understand that law enforcement officers gravitate toward departments with established identities, which are famous for integrity, honesty, good promotions, and so on.
- Develop a promotion plan for the department. Officers need to know the next step in their career.
- Create an orientation program for your department. By creating a formal orientation program, the administration is able to control what employees are exposed to from the beginning.

¹¹ Messmer, M. (2001). The keys to employee retention. *National Public Accountant*, 46(3), 20-21.

- Improve the communication network in the department. Make officers a part of the team by involving them in the process of decisionmaking.
- Encourage ongoing education, and create a learning organization.
- Cross-train officers as a retention tool.
- Pay special attention to an officer's first day of work (welcome by chief, staff introductions, a tour of the department).
- Use job descriptions to help place officers in the right positions, and help them to know what's expected.
- Encourage open communication. Be ready to answer questions, work side-by-side with new officers, listen to feedback, and hold exit interviews when they leave.
- Improve the work environment.
- Remove frustrations (e.g., equipment needing repair, not having the right information, and poor radio communications).
- Develop an officer financial literacy program. New officers face immediate financial concerns in the first six months of employment.
- Develop a detailed orientation program. Police departments often fail during their orientation programs. The first few days are critical to set the attitude of the officers and executives' expectations of them. To make the orientation process a powerful first impression, executives have to tell new officers the history of the agency, its position among law enforcement agencies in the area, how their jobs fit into the overall action plan, and so on. Give interesting tours. State your expectations of officers so that they have the security of strong leadership and direction.
- Establish social programs (e.g., crisis day fund – offer a one-time payment to officers that can be used for such things as child care, adoption costs, elder care, college tuition, or extra retirement funds; conference room child care; reimbursement for any cardiovascular activities that they participate in, from joining a gym to taking a kick-boxing class; cheap haircuts, and so on).
- Conduct exit interviews. Uncovering why the officer really is leaving can benefit the department.

While recruiting remains the number one issue for managers, the recruiting problem would not be as great if agencies could retain a higher percentage of individuals hired. Retention policies can make a difference!

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Common Sense Approach to Police Retention

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The Problems

The first step in resolving (not solving) police retention problems is in correctly restating the problems. Not so interesting for law enforcement officers, however, instructional to us all.

- There are fewer law enforcement applicants. Fewer people want to be cops.
- Retiring officers, disabled officers leave the force daily.
- There is a shortage of funds to match the offers of larger departments, making smaller departments the “training departments.” You train them. The larger departments hire them away.
- The department hires other department’s troublemakers (gypsy cops) by failing to do a complete background investigation.
- More and more officers are “fed up” with the job. They are stressed out, worn out, cynical, and burned as a fast-food French fry.
- Some departments change shifts so frequently that officers are always tired and slow in their thinking and responses. Slow response increases the odds of injuries and accidents. Combine this with too much unpaid overtime.
- Lower ranking officers have little or no input into department policy.
- Officers have nowhere to turn when having problems other than to supervisors.
- There is a lack of regular training and a failure to provide retention programs or mentoring.
- There are too many “old school” copisms (i.e., “If you don’t like it here, leave!”)

For years, law enforcement departments have relied on the enthusiasm, dedication, and naivety of their new recruits. We showed them the uniform, praised the benefits, then regaled them with war stories of adventure and hair-raising tales of daring-do. The young white males, just out of high school and/or the military, were ready for the job, only we forgot to tell them the down side of law enforcement:

- Little or no respect from the community

- Seeing the bloody carnage that few people ever have to see
- Being lied to by almost everyone
- Unrelenting stress that kills four times as many officers as do criminals
- A job that reduces their life expectancy by years

We now find ourselves desperately seeking applicants, trying to keep the officers that we have, and hoping that we won't have to face a new scandal or further massive lawsuits. Los Angeles, Pittsburgh, New York City, Boston, and others have had more than their fair share of officers that were no better than the criminals they chased. We all know that for every bad cop, there are a thousand good officers that do their job everyday, year after year. They receive little thanks for their dedication; however, they generally don't want thanks. If we talked to these officers and found out what they really wanted and how they do the job, we would find the "cookie-cutter" to develop new officers. I should know. I entered law enforcement to save the world. Imagine my surprise to find out the world didn't want to be saved!

When someone becomes a law enforcement officer for the wrong reasons, he or she isn't going to stay on the job for long. If the department doesn't carefully train its officers and doesn't thoroughly supervise and monitor its officers, then officers are going to be fired for misconduct or even criminal acts. Some departments and supervisors now have to hide the facts of specific incidents or perhaps even suggest that the officer hedge the truth to avoid lawsuits because of officer mistakes. Ask yourself, as a law enforcement supervisor, have you ever tolerated an officer that was too quick with his or her fists because he or she had other good qualities? Have you kept a "hot-head" on because you thought he or she would mellow in time? A quick review about officers that drift from department to department due to complaints of injuries to citizens will tell you that we aren't cutting out the "mean" cops soon enough.

Many of the officers find themselves in trouble because of ego-based or ill-tempered action which could have been eliminated by proper, regular supervision. The job itself provides a feeding ground for ego, arrogance, and badge heavy fueled incidents. If you want to retain officers, you must round off the rough edges by anger management training, stress reduction training, group encounter sessions (not gripe sessions), followed by direct contact by the management of the department. Officers look toward the police administration for direction and advice but often get conflicting orders. Haven't we all seen that memo that proclaims, "Disregard this memo."? There are law enforcement administrators and supervisors that never have anything good to say to uniform officers. Many officers have stated that the only time he or she (the supervisor) "ever talks to me is to complain about something." We all have seen supervisors tear up a report because of errors, instead of showing the report writer the errors and how to correct them. You want to retrain your officers, retrain your supervisors, and watch how they treat their subordinates. Recently all of the well-publicized ills of the FBI have been blamed on the rigid structure of the upper management. This type of management seeks to increase its own power, blame the lower ranks for mistakes, and destroy anyone who criticizes the management structure.

In a 2000 Bureau of Justice report, National Center for Women and Policing, the author(s) clearly stated the need for a self-assessment guide for the retention of women law enforcement officers. This report is an excellent guideline and would work regardless of gender. The modified steps are as follows:

- 1. Assess Your Department.** What kind of officers are you seeking? Is breathing the most common qualification? If you are seeking only male officers, then you're eliminating 75% of potential applicants. Surely by this day and time, the color of an applicant's skin isn't as important as his or her character. Then, why aren't you pressing hard for the hiring of women and minorities? Are you concentrating on education to the exclusion of applicants? It's far better to provide at least some funding for your officers to attend college courses, than to require much more than a GED or high school education. Most communities have work programs to offer training and education. Join in, assist, make officers out of rejected applicants that at first were short of education, English skills, or experience.
- 2. Develop a Job Description for the Officer.** What do law enforcement officers do in your department? What guidelines do you use to evaluate their performance? Use this same yardstick to develop the job description for officers, not merely adopt one from a national standard. Ensure that all applicants understand what the job is and how they are expected to behave. (What does the department really want?)
- 3. Develop a Statement of the Retention Problem.** Focus some attention on the reasons why officers are leaving the department. Conduct exit interviews on all officers leaving the department regardless of the reasons for departure. A retiring sergeant could provide valuable information, as could a three-to-five-year officer that gives up on the job. Rehire retiring supervisors as part-time mentors.
- 4. Redevelop Policies and Procedures.** Perhaps your policies and procedures are out of date with the times and issues of modern society. Could it be that the department is "management by memo"? No real policies or procedures, just memos on what not to do. Are the department policies related to the real needs of the community? Is the department involved with a community policing program or related long-range plan? Not every community will benefit from a community policing program per se. The community may require specialized planning, short-ranged policies, etc.
- 5. Recruit Quality Candidates.** This is very easily said and very hard to accomplish. Many departments are short of officers on every shift and are working the existing officers well past overtime and into a daze. At one time, law enforcement agencies wouldn't hire an applicant if he or she knew what marijuana was. Now departments are hiring applicants that have tried marijuana a time or two, but who have never used it regularly. Departments are hiring applicants that have been arrested or ticketed for more than minor traffic citations because of the lack of applicants. Look to the TV ads; how is the U.S. military seeking recruits? Every local high school and college should have a law enforcement department recruiting officer available to provide outstanding color brochures, advice, and applications. Every military base should likewise have recruiters seeking applicants from the recently discharged military personnel. The

department should check the laws, retirement plans, and consider hiring retired military personnel. For years, retired military personnel were discounted as too old, but consider what they have to offer: Maturity, discipline, and comfort being in uniform. The departments of corrections have been hiring them for years and are glad to do so. Use the city/county pension plan instead of the state's law enforcement pension plan.

6. Form a Recruitment and Retention Committee. Form a committee of newer officers, senior supervisors, field training officers, and civilians to formulate a positive plan to attract new recruits:

A. Does your department regularly visit the high schools, colleges, and universities in seeking applicants? What about youth outreach programs?

B. What are the benefits of continuing with your department?

(1) Does your department pay for officers' continued education?

(2) What are the benefits for the officers' families? Do you pay for their insurance, while they pay 10% of their salary to pay for their families' insurance?

(3) Do you have a "Take the Squad Car Home Program"?

(4) Who takes the time to check on the officer, his or her family, and his or her problems? Regular supervisors do not have the time!

C. Organize a recruitment team, and train them to do prephysical testing, written examinations, oral interviews, medical evaluations, and background investigations. Don't forget that there may be job opportunities within your department for the physically challenged. You still need to locate, hire, and train telecommunication officers, detention officers, administration staff, etc.

Your recruitment team should be seeking women and minorities and checking to see if your department hires immigrants or noncitizens. How about daycare centers for single parents?

7. Develop Officer Mentoring Program. The department should absolutely develop a mentoring program for new officers. Well-chosen, trained senior officers should show the new officer the causes, whys, what fors, and how things work in your department. This is in addition to your field training officer or training staff. The mentor can have more than one officer to mentor, but not more than two at a time. The mentor fixes a time every week to discuss the good parts of the job, plus any on-going difficulties with work or life in general. These discussions are not to be conducted in bars, saloons, or nightclubs. The topics should include the officer's family and whether the officer is "playing cop 24-hours-a-day, seven-days-a-week."

We lose officers because they start playing the game of cops and robbers all the time. Life on the street can be exciting; however, it is also a power trip. The new

officer is “the man, the Street Heat.” He or she tells somebody to do something, and it most often gets done. The new officer buys a police scanner and listens to radio calls on off-duty time. He or she buys a police radio for their personal vehicle and new guns for the house. The officer gets a sofa gun, a toilet gun, and a shower gun in case of surprises. He or she falls in love with the street and is unhappy when he or she has to go home at the end of a shift. The spouse becomes a bore because the officer is only a mere human being at home. The law enforcement officer marries, divorces, then remarries probably more than those employed in any other occupation. Without a stable home life, the officer loses contact with human relations, except for those picked up in a bar.

Mentors are hired, trained, and paid for being a monitor. A mentor program cannot be an extra duty for a supervisor, manager, or officer. Mentors have to be carefully selected, trained on the specific of the mentor program, regularly evaluated, and retrained as needed. Your mentoring program should begin prior to the academy as well as post-academy mentoring. Small departments can use informal mentor programs and checklists for the program.

- 8. Train Supervisors.** Most military and paramilitary organizations are forced into making the same mistakes over and over again. For example, picking the best street officers to be supervisors is the ongoing “Peter Principle” (promotion beyond a person’s capabilities). We are sometimes surprised that our good uniform street officers may be poor supervisors. No one should be promoted to a supervisory position without prior training. If you have a small department, send your potential supervisors to attend training at a larger department; have your potential supervisors take college courses in leadership and supervision. Even web-based courses can assist potential supervisors in developing leadership skills. You might take note that the years of management and supervision training are in our past. We trained managers for years, and we forgot about leadership.

Without leadership training, supervisors cannot do their job properly. Leadership is about demonstrating excellence, not giving orders in a firm voice.

- 9. Retrain FTOs.** As a police supervisor, you sent rookies to field training officers to continue their training after graduating from the academy. You might be amazed that some FTOs instill their bad habits in new officers. Any FTO that tells the recruit on the first day to “Forget that crap you learned at the academy; I’ll show you how things work” shouldn’t be a FTO. Granted that things are different in the field than the academy, but ethics, honesty, obeying the law, self-control, restraint of temper, etc., doesn’t change from the academy to the field. It’s time to take a long hard look at what the FTOs are teaching the recruits. Remember, it’s what we learn first that we learn best. I firmly believe that 99.9% of all FTOs are doing their job, but one in a department is sufficient to discourage a dozen new officers. Have each recruit in the FTO program file an exit report on each FTO with whom he or she works. Retrain FTOs on new policies and procedures; check and verify that what’s being taught is accurate and what we want taught. Be prepared for gripes from FTOs and the new officers on this issue.

10. Investigate Training Procedures. Take the time to check and verify all training that's being offered by your department or anywhere the department sends its officers to be trained. Just because the program has a few buzzwords that sound good doesn't mean the program contains the information your officers and supervisors need. Your trainers, FTOs, and training supervisors should belong to the American Society of Law Enforcement Trainers or some other training association to obtain the latest training information, not necessarily lesson plans, but material on *how* specific training programs work and *what* they contain. One program is verbal judo. It once was a hot topic a few years ago, and now perhaps has faded a bit, but is talking a suspect into giving up a bad thing? As an average sized officer, I had to rely on my talking ability to get things done. The use of force was the last thing I wanted to use. From recent reports, it may be that some officers are substituting OC spray for talking suspects down. "If they don't immediately comply with orders, spray 'em."

If your department does not regularly offer training in anger management, stress reduction, leadership for followers, verbal judo (or something similar), plus specific training on all the equipment your officers carry (like OC spray, ASPs, etc.), then your department is facing not only the loss of officers, but loss of funds through lawsuits. Are your officers carrying backup weapons that haven't been registered through the department? This is another potential major lawsuit for the department.

Check and recheck your officers for basic prejudice and discrimination. This is a department killer. Skin color plays no part in determining suspects unless stated by victims and/or witnesses. No automatic tickets because the person driving speaks poor English or has a different color of skin than an officer's.

Revisit the qualifications and dedication of your trainers. Are they tired of teaching? Trainer burnout happens on a regular basis, but the trainer may not want to return to field duty. You may want to consider a floating rotation of trainers that teach part-time as well as work the streets. This isn't new, but it may be time to rethink the training program.

11. Evaluate the Training Academy. If your department has its own academy, then the lesson plans, trainers, exercises, and testing methods should regularly verify that the lessons match local and national standards; that the trainers are teaching the program, not merely using the time to tell "war stories." Consider sending the recruits into the field with FTOs a day or two during their academy training. If you send your officers to the state academy, do you have any input into what's being taught? Is there a training council that oversees the academy training processes? When is the last time you, as a law enforcement executive, actually read a lesson plan? Some state police academies have a tendency to be political. Are the supervisors in your academy law enforcement officers? Do they have uniformed law enforcement experience? Were the academy supervisors or trainers ever trainers before they hired on at the academy?

Did the politicians give the directorship of the academy to a nonpolice officer because he or she had an advanced degree? The local law enforcement academy trains police and sheriff's department uniformed officers in basic

law enforcement techniques. Do the academy trainers and supervisors have state police or highway patrol experience only? There are many issues here to consider; however, this article is not casting dispersions on any portion of law enforcement. Trainers should know their business and have actual experience as a street uniformed officer, not a sociologist without a clue about law enforcement. If I have offended any state police officer or highway patrol officer, I humbly apologize; however, answer me this: " Would you want a trainer in your academy without highway patrol experience?" It is a different job after all, isn't it?

12. Evaluate Internal Affairs and Use of Force Procedures. You can be a hero everyday of your life until the last day. If on that last day you falter, lose your temper, or apply a little too much street justice, you're remembered as a bad cop. Each use of force of any kind must be written up on a Use of Force Form and submitted directly to the Chief's or Sheriff's office for his or her signature. Internal Affairs (IA) should keep records on every officer and the Use of Force Forms, as well as personnel.

If an officer uses force more than four times in a 12-month period (adjustable depending upon region), a review of the officer's performance should be mandated. This can mean that officers need to work on their communication skills and reduce the use of force. No officer, however, should ever be disciplined for using the amount of force necessary to do the job, even if it is more than four times a year.

This method of Use of Force Forms can assist the department in keeping track of how much force is being used and which officers are more aggressive. This method can renew efforts to develop programs to assist officers in keeping their calm intact. Good officers are discharged frequently because of aggressive incidents. It is insufficient to merely suspend them from duty. Standing them in the corner is not enough. Instead of simply suspension, specific retraining for that officer to reduce further incidents of excessive aggression is necessary.

Revisit your departmental policies and procedures. Are they current, in line with the real world in which your officers must function? The days of telling young Johnny "to go home and be good" are over. Johnny now is carrying a 9m.

Real efforts must be made into ridding law enforcement forever of the "blue wall of silence" or "code of silence"; take your pick of verbiage. Based on experience, law enforcement executives can relate dozens of stories about good officers supporting bad officers in an incident, because they felt they had to. No officer wants to be a snitch, and those that have reported their fellow officers have paid for it. The solution is simple, yet complex. All officers must be allowed to tell the truth, even when it hurts. No more, no less. Officers feel a kinship toward other officers, even if it's only one of working together. The military relies on such relationships. Soldiers in war are not fighting for God, mother, and apple pie; they fight for their friends in the unit. Law enforcement officers are no different; they rely on each other for their survival. This also applies if the department makes a mistake; the department must admit their error. If an officer makes a bad mistake, the

department must insist on the truth and take the consequences. This may be considered distasteful medicine, but it's one sure way to win the trust of the people back.

Lastly on this issue, if any law enforcement officer feels that he or she is better than someone else because they have different color skin, leave the department today, and seek a job where bigotry isn't important, if you can find one. If you're going to be a law enforcement officer, you must be one for all the people. This applies to law enforcement supervision and administration as to each individual person.

Take this simple, common sense approach to recruitment and retention of officers; apply in proportion to your needs; and encourage all to make an honest effort. It will work.

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He has worked as an instructor for the U.S. Department of Justice training Haitian Police Officers and as a Police Major for the United Nations in Bosnia, monitoring and training local law enforcement. In Bosnia, he was a district commander, then liaison to the ministry of police. He commanded the presidential protection unit which provided VIP protection for the president of Bosnia and the two vice-presidents. He commanded the unit when we protected His Holiness Pope John Paul II when he came to Sarajevo in 1998.

He is the unpublished author of a novel about the American experience in Bosnia, and he is still writing new mystery novels.

Recruiting and Retaining Women in Law Enforcement: A Proven Model for Effective Community-Oriented Policing

Laura Goodman-Brown
Ombudsman, Office of Crime Victims

Introduction

This paper will briefly identify and examine the following:

- The gains women have made in policing
- How their presence has enhanced the success of Community-Oriented Policing (COP)
- Why the increase in the numbers of women in law enforcement has been slow

And focus primarily on the following:

- Why recruitment of women is important for the successful implementation of COP
- Barriers to the recruitment and retention of women
- Solutions to the recruitment and retention of women

Background

In 1991, the Independent Christopher Commission Report¹ urged the Los Angeles Police Department to eliminate excessive force and bias and move to community-based policing models. This same report also found that pervasive gender bias within the department contributed substantially to excessive force problems and community distrust. Today, this report continues to be referred to as grounds for hiring and retaining women in law enforcement especially as departments move towards modern policing philosophies like community-based policing, victim-centered policing, and restorative justice.

Headlines across the nation and world identify abuses of power by police. These highly publicized abuses, along with legal issues including inappropriate or excessive use of force, sexual discrimination and harassment, and corruption lawsuits have cost taxpayers millions of dollars each year.² Overall public confidence and trust is diminishing, and communities are demanding meaningful civilian oversight and significant input into policing issues. These solutions are founded in community policing models. They are also founded in the hiring and retention of women.

¹ Warren Christopher, former Attorney General in the State of California, was hired as an independent investigator to review the policies and practices of the Los Angeles Police Department after several police officers were recorded on videotape beating a handcuffed, unarmed suspect.

² Kappeler, Victor E., & Del Carmen, Rolando V. (1993). A content analysis of police civil liability cases: Decisions of the federal district courts, 1978-1990. *Journal of Criminal Justice*, 21, 325-337.

Unfortunately, recent studies³ conducted by the National Center for Women and Policing and the International Association of Chiefs of Police reveal that women's integration into law enforcement over the past five years has remained slow. Women continue to face the same or similar obstacles that they did a decade ago, including lack of acceptance and sexual harassment, along with additional obstacles including a "glass ceiling" that inhibits promotions.

Research conducted both nationally and internationally demonstrates that women police officers rely on a style of policing that uses less physical force. Compared to their male counterparts, women are more able to defuse and de-escalate potentially violent confrontations and are better able to facilitate the cooperation and trust required to implement community policing.⁴ Why then do police departments not strive to recruit and retain women?

The Community Policing Model

"Women led the community policing movement from the start. It was when their units (community relations, domestic violence, crime prevention) built strong relations with their community and the leadership started seeing success that community policing took off."⁵

At its core, COP involves three critical elements⁶:

1. The creation and reliance on effective partnerships with the community and other public and private sector resources
2. The application of problem-solving strategies or tactics
3. The transformations of police organizational culture and structure to support this philosophical shift

"It is a way of doing business that involves the development of an institutional mindset that holds the community paramount and values preventive and problem-solving efforts in all of the organization's business."⁷

Women Police Are Essential to the COP Model

Years of studies have illustrated the positive impact women have had in law enforcement, including the reduction of excessive force and the accompanying civil liabilities, the increased efficacy in police response to family violence, and the increased emphasis on conflict resolution and problem-solving techniques over use of force. While studies have shown women to be successful in these areas, there has been no indication that women are less effective than men in other areas

³ National Center for Women and Policing. (1998, November). *Equality denied: The status of women in policing*.

⁴ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*. Los Angeles: Author, p. 22.

⁵ Chief Penny Harrington. (1998, May 10). Cops of a Different Kind. *Austin American-Statesman*, Insight.

⁶ Bureau of Justice Assistance. (1997). *Crime prevention and community policing: A vital partnership*. Monograph, p. 3.

⁷ Id.

such as physical confrontations and defense tactics.⁸ Still, they comprise only 14.3% of all sworn officers in the United States and only 5.6% of top command law enforcement positions.⁹ If police departments are serious about implementing community policing, they must also seriously consider their policies and practices regarding the recruitment and retention of women.

There are obvious advantages¹⁰ to hiring and retaining women officers. Some, but not all, of those advantages include the following:

- Female officers can help implement COP.
- Female officers are less likely to use excessive force.
- Female officers are more apt to improve law enforcement's response to violence against women and children.
- Female officers' increased presence reduces the problems of sexual discrimination and harassment within an agency.
- Female officers' presence can bring about beneficial changes in policy for all officers.
- Female officers' presence will reflect the communities they serve.

Given the abundance of information available that demonstrates women's unique abilities to police our communities, what prevents police departments from striving to recruit and retain women? Some resourceful chiefs have recognized these abilities, seen the impact women can have on public perception, and utilized women to bring a more positive police presence to their communities.

In 1999, Peru, South America and Mexico City, Mexico installed women police as traffic officers to clean up a real or perceived corrupt police force. New Mexico's, then new, police chief, Alejandro Gertz Manero surprised everyone when, to the outrage of 900 male traffic officers, he took away their lucrative ticket-writing authority and handed their pens and pads over to 64 women. The reason was simple, Gertz said, "I trust them."¹¹ Peru followed suit for similar reasons.¹²

⁸ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*, p. 22. (A number of early evaluations were conducted to determine the effectiveness of male versus female officers in law enforcement agencies such as Washington DC, St. Louis, New York City, Denver, Massachusetts, California, and Pennsylvania. The results clearly indicated that men and women were equally capable of police patrol work.)

⁹ National Center for Women and Policing. (1998, November). *Equality denied: The status of women in policing*.

¹⁰ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*. Los Angeles: Author, pp. 21-27.

¹¹ Joseph B. Treaster. (1999, August 22). Mexico turns to women to clean up corrupt traffic cops. *Star Tribune*, World.

¹² The Washington Post. (1999). Available online: <www.washingtonpost.com/wp-srv/inatl/longterm/worldref/country/peru.htm>.

Recruiting Qualified Candidates

Currently, law enforcement agencies throughout the world face enormous challenges in recruiting qualified candidates of any gender.

Officials state that the main impediment to recruiting highly qualified women and men is the strong national economy, which is enabling private industry to offer higher pay for entry-level positions to people who would be attracted to a career in law enforcement (the privatization of law enforcement). In addition, municipal budget constraints, as elsewhere, have slowed hiring.

But those explanations ring hollow to people who track the advances of women in law enforcement. Recalling the days of the court order, Penny Harrington, president of the National Center for Women and Policing said, "When they were forced to find women, they found them."¹³

All too often, department recruiting efforts focus on women (and men) leaving the military. This approach has been criticized as an antiquated way of thinking. "Why not look on college campuses, nursing schools, look for paralegals and social workers? They already have the mindset to help people, not kill them."¹⁴

The major obstacles¹⁵ to increasing the numbers of women in policing are as follows:

- Attitudes of top administrators, supervisors, and peers that women do not belong in policing
- Lack of political will or understanding by elected officials of the need for more women police
- Inadequate recruiting programs
- Biased and outdated entry examinations
- Academy training programs that emphasize unessential physical conditioning or a "boot camp" approach over the actual skills needed by officers
- Rigid field training programs
- Outdated evaluation and assignment systems
- Inadequate systems for reporting, investigating, and resolving discrimination and harassment complaints

¹³ Janofsky, Michael. (1998, June 21). Pittsburgh is showcase for women in policing. *The New York Times*.

¹⁴ Cited in Janofsky, Michael. (1998, June 21). Pittsburgh is showcase for women in policing. *The New York Times*.

¹⁵ National Center for Women and Policing. (2000). "10 Major Obstacles to Increasing the Numbers of Women and Policing." Training Handout.

- Absence of policies and programs dealing with issues of importance to women
- The brass ceiling

At a fundamental level, most departments, though espousing to a community-oriented policing philosophy, fail to create job announcements, position descriptions, or recruiting brochures that emphasize COP characteristics and attributes. They instead continue to place heavy emphasis on unessential physical attributes rather than skills such as communication, mediation, and problem solving. These skills, when highlighted both pictorially and in writing on recruiting announcements and brochures, send the message that the only response to fighting crime is through the use of force and that other skills are not valued. These representations typically do not reflect personal attributes and characteristics one would desire from a COP officer or one that women would typically desire or visualize for themselves. A typical recruiting brochure may portray officers in paramilitary or full military formations and/or over-dramatize aggressive, physical confrontations and other activities more often enjoyed by men like firing weapons, riding motorcycles, piloting planes or helicopters, and rappelling from tall buildings. Though women have proven to be adept in all of these areas, they generally do not come to the department with these skills or even with the knowledge that they are capable of acquiring or advancing in them. Therefore, women will not typically apply for positions that do not appear to require or value their skills.

Position Descriptions

The first step in recruiting qualified women is to develop a position description that emphasizes COP characteristics and attributes. COP is proactive, solution-based, and community-driven.¹⁶ It occurs when a law enforcement agency and law abiding citizens work together to do four things:¹⁷

1. Arrest offenders (victim-centered response)
2. Prevent crime (community-centered response)
3. Solve on-going problems (community-centered response)
4. Improve the quality of life (community-centered response)

The COP model of policing requires that officers be skilled in mediation, organizing and mobilizing the community, de-escalating violence, and coordinating services with other governmental agencies. If position descriptions do not include these skills, they will not attract the most qualified candidates for today's policing. Also, position descriptions that fail to reflect a COP philosophy send conflicting messages to all police officers about their duties and responsibilities and the sincerity of the department to fully implement COP.¹⁸

¹⁶ U.S. Department of Justice, Community Oriented Policing Services (COPS) Office.

¹⁷ Id.

¹⁸ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*, p. 38. Los Angeles: Author.

Therefore, the key to developing the best position description is to emphasize the value that the organization places on COP and detail the knowledge, skills, and abilities necessary to successfully implement COP. For example, the position description should highlight skills such as the ability to de-escalate violent situations, communicate with diverse groups of people, mediate disputes, and coordinate with other government and social service agencies. Specific activities and responsibilities of a patrol officer should not be eliminated from entry-level position descriptions. Rather, they should be included along with COP skill sets.¹⁹ (See Appendix A, page 49 – Checklist for Developing a Job Description.)

Designing Recruitment Brochures & Posters

At a fundamental level, recruitment brochures and posters should reflect current policing philosophies that emphasize COP and the knowledge, skills, and abilities needed for candidates to be successful as COP officers. Typically, women are attracted to law enforcement because they want to help their communities; therefore, brochures should stress the important role COP officers have in working with the community to solve problems and prevent crime.²⁰ As stated previously, brochures should not overemphasize paramilitary or full military formations, and/or dramatize aggressive, physical confrontations, and other activities more often enjoyed by men like firing weapons, riding motorcycles, piloting planes or helicopters, and rappelling from tall buildings. These activities are not only more likely to attract male candidates than female, but they are also deceptive in that these activities are the exception, not the rule, in daily police duties, and are generally found in specialized units to which few officers (male or female) ever aspire. (See Appendix A, Page 50 – Checklist for Recruiting Quality Candidates.)

Removing Obstacles in the Selection Process

Most entry-level physical ability tests are often outdated, not job-related, and test for physical requirements not needed to perform the job of a COP officer. According to the National Center for Women in Policing, many of these tests put unnecessary emphasis on upper body strength and rely on methods that eliminate large numbers of women.

An important consideration for a law enforcement agency in reviewing its entry-level physical abilities test is whether officers who are currently performing the job can satisfactorily pass the test. By establishing a standard of physical performance for entry-level candidates, agencies are saying that a particular level of performance is necessary to do the job . . . However, if current law enforcement officers do not maintain that level of physical ability and they are still effective as officers, then the level of physical performance being tested for is obviously not required to perform the tasks of the job.²¹

Special skills required for specialized units typically have requirements specific to those positions. That testing usually occurs after people are hired and have been functioning as law enforcement officers. The American Medical Association does

¹⁹ Id.

²⁰ Id. p. 48.

²¹ Id. p. 66.

not require general practitioners to complete specialized training such as training in surgical skills, when they have no intention of being a surgeon. Why would we expect COP officers to have skills that they will likely never practice when there are plenty of officers who are skilled in those specialized areas?

Physical testing should be limited to general fitness measured through such activities as running, sit and reach, and similar activities. These tests should be measured by standards relative to gender and age. Any additional performance requirements can be enhanced in the police academy, and requirements not necessary for success on the job should be eliminated. (See Appendix A, page 53 – Checklist for Removing Obstacles in the Selection Process.)

Designing Recruitment Training Academies

The boot-camp model of training should be replaced with training that is based on adult learning techniques. The curriculum should focus on using training methods that emphasize skills required in COP including moral decision making, problem solving, and physical training that emphasizes health and stress relief as opposed to physical prowess.²²

Live-in academies should be eliminated, if possible. If they need to be maintained, efforts should be made to ensure that female recruits are not isolated. Mentoring programs would be helpful to assist women through this time, and departments should ensure that parents are able to spend time with their families during the term of the live-in academy.²³

Field Training Officers (FTOs) should be selected and rewarded for their ability to perform well as teachers, guides, and mentors. They should not have a history of bias, discrimination, harassment, retaliation, or family abuse.²⁴

According to the Commission of Accreditation for Law Enforcement Agencies, . . .

The selection process for FTOs is crucial to a successful program as many of the values, tactics, and attitudes of the FTOs are transmitted to inexperienced officers. Initial training, as well as periodic inservice training should be provided to FTOs to prepare them for and keep them current with their assigned responsibilities.²⁵

The FTO program should be continually reviewed to ensure that standards are job-related and nondiscriminatory and that probationary officers are receiving proper training in appropriate job duties and skills. Additionally, the academy should conduct routine evaluations to expose problems.²⁶ Some indicators include the following:²⁷

²² Id. p. 85.

²³ Id.

²⁴ Id. p. 88.

²⁵ The Commission of Accreditation for Law Enforcement Agencies. (1999). *The standards manual of the law enforcement agency accreditation program* (4th ed.), pp. 33-34. Fairfax, VA: Author.

²⁶ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*. Los Angeles: Author, p. 89.

²⁷ Id. p. 89.

- Women receive lower scores than men.
- Women are criticized or rated lower than men for similar conduct (i.e., held to a higher standard).
- Women are subjected to statements relating to lack of strength, lack of aggression, or other statements that may indicate that an FTO is not supportive of women as police officers. (See Appendix A, page 56 – Checklist for Designing Quality Recruit Academies and Field Training Programs.)

Mentoring for Retention

Mentoring officers provide support and guidance to new officers and often take a special interest in helping them integrate into the law enforcement culture, build their skills, and move up in the ranks. Unfortunately, mentoring networks have not included women on a large scale. Women would benefit from developing alliances and networks to help cope with the challenges of working in law enforcement and fostering support systems that help women advance.²⁸

Mentoring programs can be formal or informal. Mentoring programs range from mentors being assigned to new hires to help them assimilate into the department and successfully complete academy training to enhancing the abilities and skills of department members in their current positions and preparing them for career advancement. In any form, mentoring programs can reduce an agency's financial liability by providing female employees with a support system that assists them in resolving their issues before they result in costly lawsuits.²⁹ (See Appendix A, page 58 – Checklist for Mentoring for Retention.)

Conclusion

Women have had a positive impact in law enforcement, including reduction in excessive force and the accompanying civil liabilities, the increased efficacy in police response to family violence, and the increased emphasis on conflict resolution and problem-solving techniques over use of force. Still, the number of women in law enforcement has increased at an alarmingly slow rate, and departments have done little to change practices or procedures regarding diversity, sexual harassment, and gender issues that impact a department's ability to retain women. If departments would bring recruiting and retention practices in line with vision and mission statements that call for community-oriented policing, they would be more successful in the hiring and retention of women.³⁰ Since women generally possess better communication skills than their male counterparts and are better able to facilitate the cooperation and trust required to implement a community policing model,³¹ it follows that hiring and retaining women in law enforcement is likely to enhance a department's community policing efforts. Other modern policing philosophies like community-based policing, victim-centered

²⁸ Id. pp. 93-94.

²⁹ Id. p. 94.

³⁰ A random sampling of police recruiting brochures, position descriptions, and policies and procedures clearly indicates a lack of correlation between stated objectives and actual practices.

³¹ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*, p. 22.

policing and restorative justice, given their predisposition to relationship building, will also be realized or enhanced by the style of policing found in women officers. It is also assumed that retaining women police officers would be an effective means of addressing other prevalent problems like excessive force and citizen complaints,³² as well as, the costly and pervasive problems of sexual discrimination and harassment.

³² Id.

Appendix A

Checklist for Developing a Job Description³³

- The job description accurately reflects the duties that police officers are expected to perform.
- Community input was obtained when developing the job description.
- The job description has been reviewed by a legal expert to ensure that it is job-related.
- The job description describes and emphasizes community policing activities along with traditional law enforcement duties.
- The job description emphasizes the following knowledge, skills, and abilities:
 - The ability to communicate with diverse community members
 - Knowledge of the value of cultural diversity
 - The ability to de-escalate violent situations
 - The ability to mediate disputes
 - The ability to organize and work cooperatively with community groups
 - The ability to communicate with diverse groupings of people
 - The ability to develop and prioritize solutions for crime and community “livability” problems
 - The ability to empathize with those holding different values
 - The ability to work cooperatively with other governmental and social service agencies
 - The ability to identify proactive measures to prevent problems and enhance community “livability”
 - The ability to handle conflicting priorities
 - The ability to drive a police car in hazardous conditions

(**Note:** This is not an all-inclusive checklist, but merely some suggestions to assist law enforcement agencies in developing their own job descriptions.)

³³ National Center for Women and Policing. (2000). *Recruiting and retaining women: A self-assessment guide for law enforcement*. Los Angeles: Author, p. 41.

Checklist for Recruiting Quality Candidates³⁴

Recruitment Plan

- A recruitment committee has been established consisting of . . .
 - An equal employment/affirmative action/civil rights expert.
 - An advertising/marketing/public relations expert.
 - A representative knowledgeable about the agency's testing process.
 - High-ranking women and minority members of the law enforcement agency.
 - Members of the community who represent women's and minority organizations and businesses.
 - Recruiters from the agency or government office responsible for recruiting.
 - Faculty members from local college criminal justice programs.
 - High school and college career counselors.
 - High-ranking department officials.
- A recruiting plan has been developed that includes goals for hiring women and a timetable for achieving those goals.
- An adequate budget has been provided for recruiting, including funds for advertising and marketing.
- The recruiting plan addresses ways to involve the community.
- The recruitment committee meets at least twice a year to evaluate progress and make necessary modifications to the plan.

Recruitment Brochure

- The photographs feature women in uniform.
- The photographs depict women officers performing community service functions such as working with children, the elderly, or victims of domestic violence, as well as performing more traditional police services.
- The descriptive information about the job emphasizes the role of law enforcement officers in solving community problems and helping people.
- The brochure emphasizes the qualities desired in a community police officer.
- Physical requirements of the job are not over-emphasized.
- Pay and benefits, including family-friendly policies, are highlighted.
- Minimum entry requirements are clearly described.
- Career advancement opportunities are realistic.
- The application and testing process is described in detail.
- The training process is described in detail.
- There is one telephone number to call to obtain information or sign up for the examination.
- There is a tear-off form to send for an application.
- The brochure states the agency's commitment to equal employment opportunity.

³⁴Id. pp. 58-61.

Recruiting Team

- ❑ The recruiting team includes a diverse group of law enforcement officers who are committed to community policing and the recruitment of women.
- ❑ Recruiters are selected for their skills in recruiting, including effective advocacy, good public speaking, and public relations skills.
- ❑ Recruiters are selected for their positive attitudes about women in policing.
- ❑ Recruiters have a dedication to increasing diversity.
- ❑ Recruiters are demonstrably committed to community policing values.
- ❑ Recruiters have a friendly personality and are easy to talk to.
- ❑ Recruiters have received training.
- ❑ Recruiters have knowledge of the agency's policies and procedures, especially those that affect women, such as pregnancy leave.
- ❑ Recruiters have knowledge of women's issues such as sexual harassment, family leave, and other similar problems.

Locating Women Recruits

- ❑ The recruiting unit has an adequate budget to cover advertising, printing, mailing, booth rental, travel, and telephone costs.
- ❑ The recruiting campaign places an emphasis on recruiting at community colleges on an ongoing basis. Community colleges and high schools are regularly visited to encourage women applicants.
- ❑ Businesses frequented by women are targeted as partners in the recruitment effort. Examples of some businesses are daycare centers, eldercare centers, and grocery stores.
- ❑ Community organizations such as churches, service clubs, and neighborhood associations are enlisted as partners in the recruitment effort, with special emphasis on organizations in minority communities.
- ❑ A press conference is utilized to kick off the recruiting campaign.
- ❑ Community meetings about crime issues are utilized as opportunities to recruit women.
- ❑ Job fairs are utilized as an opportunity to find women applicants.
- ❑ Career days are held, and women are encouraged to attend and learn more about a career in policing. These career days are held on weekends to promote better attendance. Daycare is provided if possible.
- ❑ Radio and television stations have agreed to provide public service announcements aimed at recruiting women.
- ❑ Police personnel appear on local radio talk shows and television community affairs programs to interest women in law enforcement careers.
- ❑ The local press is encouraged to write feature stories regarding women in law enforcement.
- ❑ Local movie theatres have agreed to provide pre-movie advertising in the theatre aimed at recruiting women.
- ❑ The chief/sheriff/director of the organization continually emphasizes the organization's commitment to equality and the desire to attract more women into law enforcement in speeches, media interviews, and other public appearances. The political leaders of the community also emphasize this desire to hire women as law enforcement officers.

- ❑ Print, radio, and television advertising features women performing law enforcement duties. Advertising locations should be selected based on the percentage of women in each targeted audience.
- ❑ Posters and brochures are distributed throughout the community to places likely to be visited by women.
- ❑ The agency has a website that provides employment information.
- ❑ Advertisements are placed in publications with high female readership and in public locations such as transit stops.
- ❑ Local businesses are enlisted as partners in the recruiting effort and provide resources for advertising.

Incentive Program

- ❑ An incentive program is in place to encourage officers to recruit diverse candidates.
- ❑ The reward offered is spread over time and is achieved when the recruit completes probation.
- ❑ The reward is sufficiently generous to encourage officers to participate in the program.
- ❑ The civilian staff is involved in the recruiting effort.

Youth Outreach

- ❑ Programs at the middle and high school levels encourage students to aspire to a career in law enforcement.
- ❑ Mentoring systems are in place to identify highly desirable candidates and keep them interested in a law enforcement career over a multi-year span of time.
- ❑ Ride-alongs, internships, cadets, and Explorer Scout programs are utilized as recruitment tools.
- ❑ Recruitment efforts continue year-round.
- ❑ Law enforcement managers are actively involved in the recruitment effort and are evaluated on their achievements in this regard.
- ❑ Women officer and minority officer organizations are involved in the recruitment effort.
- ❑ Instructors and career counselors at high schools and colleges are involved in the recruitment effort.
- ❑ Community social service and job placement agencies are involved in the recruitment effort.
- ❑ The Police Corps program is utilized.

Monitoring Recruitment Efforts

- ❑ A system has been implemented to monitor and evaluate law enforcement recruiting programs.
- ❑ Application forms ask how the applicant learned about the law enforcement job.
- ❑ The recruiting program is evaluated every six months with a formal report prepared for the administrator of the organization.

Checklist for Removing Obstacles in the Selection Process³⁵

General (Applicable to All Selection Components)

- All selection components have been developed based on the information contained in the updated job description.
- Each selection component has been examined for adverse impact on the basis of sex, race, and national origin.
- Each selection component that has adverse impact has been either . . .
 - Validated by legal and testing experts and determined to be the job-related alternative with the least adverse impact.
 - Replaced by the job-related alternative with the least adverse impact.
- A comprehensive record-keeping system is in place to gather information about performance on each component of the selection process by applicant gender, race, and national origin.

Physical Abilities Test

- Test developers thoroughly evaluated the physical duties actually performed by officers.
- Physical duties required for the job are taught and tested during the training academy.
- If the test is likely to have adverse impact on women, a course is given to assist those taking the test to prepare for it.
- Physical abilities tests are graded as pass or fail.
- The agency has ongoing physical conditioning programs for all employees.

Written Examinations

- The written examination measures skills and abilities needed for community-oriented policing.
- The written examination does not ask questions about police procedure or laws.
- If subject matter experts are utilized to develop areas of questions for written examinations, women officers are included as experts.

Structured Oral Interview

- The oral interview panel is gender and racially diverse.
- The panel includes members of the local community.
- Panelists are supportive of employing women as law enforcement officers.
- Panelists have been thoroughly trained in the following areas:
 - Discrimination law and adverse impact
 - How personal bias can distort the rating process
 - Job description
 - Policing philosophy of the organization

³⁵ Id. pp. 79-81.

- Questions to be asked
 - Rules about follow-up questions
 - Types of questions that should never be asked
 - Explanation of the rating/scoring system
 - Review of ratings for gender bias
- Oral interviews are scored.
 - Any rater who consistently scores equally qualified women lower than men is removed.
 - Questions used during the interview measure skills and abilities needed to de-escalate violence, communicate with all types of people, mediate disputes, engage in problem solving, and other skills needed for community policing.
 - Extra points are awarded to candidates with a history of community involvement.
 - Exactly the same questions are asked of each candidate.

Background Investigations

- Investigators have been screened for bias against women and other unlawful biases.
- No investigator has participated in discriminatory behavior in the workplace.
- Investigative staff is gender and racially diverse.
- Investigators have been trained in the following:
 - Discrimination and equal employment law
 - Philosophy of the chief executive regarding the types of officers to be hired
 - Community policing philosophy of the department and the knowledge, skills, and abilities required to perform those duties
 - Job description
 - Automatic disqualifiers
 - Types of questions that cannot be asked
 - Other important areas of inquiry
- There is a detailed format for conducting background investigations.
- Applicants are screened for gender bias and negative attitudes toward women as law enforcement officers.
- Applicants are screened for negative attitudes toward female victims of domestic violence or sexual assault.
- Applicants are screened for a history of the following:
 - Perpetrating spousal or child abuse
 - Perpetrating sexual harassment
 - Violent behavior
 - Nonpayment of spousal or child support
 - Records of restraining orders
 - Violence documented in divorce proceedings
 - 911 domestic violence-related calls from the residence of the applicant
- Completed investigations are in writing.
- Completed investigations do not contain hiring recommendations, only factual statements.
- If polygraph examinations are used in the screening process, the examiners have been screened for gender bias.
- The staff of polygraph examiners is gender and racially diverse.
- Applicants are informed of the reasons they failed the background investigation.

Psychological Examination

- The purpose of the psychological examination has been clearly identified to the examiners.
- An emphasis of the psychological examination is to screen out persons with a tendency to use physical force or violence.
- An emphasis is to screen in persons with . . .
 - The ability to de-escalate violence.
 - Good communication skills.
 - Compassion.
- The psychologists have been screened for gender bias.
- The psychologists have been screened for their support of women as law enforcement officers.
- The psychologists have a thorough understanding of the job description and the policing philosophy of the organization.
- Psychological examination results are not scored.
- Psychologists are required to submit a written report documenting the reasons for rejection of any candidate.

Medical Evaluation

- Medical personnel have been screened for gender bias and any history of improper behavior with patients.
- Medical personnel have a thorough understanding of the job description and the physical requirements of the job.
- Medical personnel understand the requirements of the Americans with Disabilities Act.
- Women are not screened out due to abortions or recovery from forms of cancer unique to women.
- Medical personnel are required to submit a written report documenting the reasons for rejection of any candidate, a copy of which is provided to the candidate.

Hiring Eligible Applicants

- The chief administrator or designee interviews all candidates before making hiring decisions.
- Older applicants are valued for the life experience they bring to the job.

Checklist for Designing Quality Recruit Academies and Field Training Programs³⁶

Recruit Academy

- The academy director has experience in adult learning techniques and an understanding of community policing and the job of a law enforcement officer.
- A training committee consisting of police personnel and community experts is utilized to develop curricula.
- The boot camp academy model is not utilized.
- Live-in academies are not utilized unless necessary.
- If there are live-in academies with lone female recruits, programs are in place to prevent them from becoming isolated.
- Training is grounded in community policing principles.
- The majority of training provided is on topics to support community policing principles.
- Training is provided addressing diversity in the agency as well as in the community.
- Ethical decisionmaking is an element of all training provided.
- Academy training staff is diverse.
- Instructors have been carefully screened for bias against women in law enforcement; past family abuse; racial bias; and past incidents of discrimination, harassment, or retaliation.
- Instructors are thoroughly trained in civil rights laws.
- Instructors are trained in how to teach adult students.
- Instructors possess skills as counselors and problem solvers.
- Instructors are evaluated by the students.
- Defensive tactics, the use of pepper spray, and the use of less-than-lethal weapons are utilized over training that relies on upper body strength and physical force.
- Women are used as instructors for physical and firearms training.
- Individual instruction is provided for firearms training for all recruits.
- If necessary, firearms have been modified, or smaller weapons have been authorized to accommodate smaller officers.
- Academy staff are required to maintain a nonhostile work environment and to report all incidents of discrimination or harassment.
- Recruits who exhibit bias against women or any other protected class will be terminated.
- Surveys are conducted to determine if discrimination or harassment is occurring but not being reported.
- The seriousness of discrimination and harassment is conveyed to all newly hired personnel by the agency chief executive.
- All reports of bias, discrimination, and harassment are immediately investigated.

³⁶ Id. pp. 90-91.

Field Training

- ❑ FTO job descriptions emphasize the roles of teacher, guide, and mentor.
- ❑ FTO staff and supervisor positions include a diverse group of officers.
- ❑ FTOs are screened for their ability to work with female police officers.
- ❑ FTOs do not have any prior history of bias, discrimination, harassment, retaliation, or family abuse.
- ❑ FTOs are trained in their assignments and responsibilities.
- ❑ FTOs are required to instruct women trainees in the avenues available to them to report bias, discrimination, and harassment.
- ❑ FTOs are required to report any bias, discrimination, or harassment they observe.
- ❑ FTOs are selected on the basis of their support of community policing, respect for diversity, ethical conduct, and teaching abilities.
- ❑ Seniority is not used as a basis for selecting FTOs.
- ❑ The field-training program is continually reviewed for gender bias and to ensure proper training.
- ❑ Evaluations by FTOs are routinely examined to prevent bias and discrimination from occurring and to give early warning of problems.
- ❑ Programs are in place to monitor recruit officers' progress and the workplace environment.
- ❑ Improvement programs are developed as soon as problems are identified with a recruit's performance.
- ❑ A training committee consisting of law enforcement and community experts evaluates all academy and FTO programs.

Checklist for Mentoring for Retention³⁷

- A committee consisting of a diverse group of women officers has been established to design, monitor, and evaluate mentoring programs.
- Mentoring programs have been implemented to assist applicants during the selection process.
- Applicants are contacted on a regular basis during the selection process.
- Applicants are informed of programs to assist them in various phases of the testing process.
- Recruits are assigned mentors at the time of hire.
- Formal mentoring continues through the end of probation.
- Mentors are selected through a formal application process.
- Peer recommendations are solicited during the mentor selection process.
- Formal training is provided for mentors and mentees.
- Mentor training includes peer counseling, discrimination law, performance evaluation criteria, and issues faced by women in law enforcement.
- Mentors and mentees meet once a week during academy training.
- Mentors and mentees meet once a month during field training.
- Mentors and mentees meet while on duty.
- A command staff member meets with mentors on a regular basis.
- A coordinator is assigned to supervise the mentor program.
- Mentoring is also available to officers after the probationary period.
- High-ranking women are encouraged to mentor subordinate officers.
- A women's advisory committee is established to advocate for women employees.
- Employees are encouraged to attend training conferences.
- Employees are encouraged to join affinity organizations.
- Top command/administrators actively serve as mentors.
- Civilian employees are included in the mentoring program.
- The mentor program is evaluated at least once a year.

³⁷ Id. p. 101.

Appendix B

Resources

- Christopher, Warren. (1991). *The Christopher Report*.
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- Parks, Bernard C. (2000, March 1). Board of Inquiry into the Rampart Area Corruption Incident Executive Summary.

Laura Goodman-Brown was appointed to the position of ombudsman for the Office of Crime Victims Ombudsman on December 14, 1992. As ombudsman, she serves as the state's top investigator of crime victims' rights violations and victim mistreatment by the criminal justice system and victim service providers. Prior to her appointment, she was a sergeant with the Minneapolis Police Department.

Ms. Goodman-Brown's background includes eight years as an officer/sergeant with the Minneapolis Police Department and three years as a Ramsey County Sheriff's Deputy. Through her work in the criminal justice system, she has had considerable contact with Minnesota's courts, prosecutors, law enforcement, corrections and probation agencies, as well as social service and victim service agencies.

Ms. Goodman-Brown is a dynamic speaker who has conducted numerous presentations to professionals worldwide. Presentation topics have ranged from interviewing, investigation, and communication skills to leadership, mind mapping, and creative problem solving. Ms. Goodman-Brown's audiences have included law enforcement officers, prosecuting attorneys, ombudsmen, social service workers, victim service providers, university students and staff, and others.

Retaining Women Police Officers

**Chief Penny Harrington, Director
National Center for Women and Policing**

Every police administrator in the nation is facing or will soon be facing issues regarding maintaining a full complement of sworn officers. Recruiting programs are failing to bring in enough qualified candidates. Unless there is a major change in the employment situation in this country, there is no relief in sight. Smart managers are now beginning to focus on retaining their current employees.

There have been some studies conducted on why women leave policing. The main reasons usually given are as follows:

- Not being valued or appreciated
- Sexual harassment
- Family care issues

If we want to retain women officers, we must address each of these issues.

In December, 2000, the U.S. Department of Justice, Bureau of Justice Assistance published a book, *Recruiting & Retaining Women: A Self-Assessment Guide for Law Enforcement*, that addresses all of these issues and more. Chief Penny Harrington, Director of the National Center for Women and Policing, was the primary author, with assistance from law enforcement personnel across the country. The book was approved by the National Sheriff's Association, the International Association of Chiefs of Police, the Commission on Accreditation of Law Enforcement Agencies, the National Organization of Black Law Enforcement Executives, the Hispanic American Police Commanding Officers Association, the International Association of Women Police, and many others. It is available from the National Criminal Justice Reference Service at <www.ncjrs.org>.

Rather than repeat information in the book, some of the important points are summarized here.

Sexual Harassment

In recent studies, over 69% of women officers surveyed report that they are subjected to sexual harassment in law enforcement, often on a daily basis. This is despite years of litigation, policy development, and training. Why is sexual harassment still a problem? The short answer is "because women are not valued for the skills and abilities they bring to policing."

If you don't think sexual harassment is an issue in your agency, consider the following questions:

- When is the last time your agency's sexual harassment policy was updated? If it has not been updated within the past year, it is probably out of date. Court decisions frequently change the law. Improvements in dealing with sexual harassment need to be incorporated.

- How long has it been since you have conducted a comprehensive sexual training program for all employees? This means a program that is at least four hours long and that addresses the issues of power and control, the types of behaviors that may lead to sexual harassment allegations, and the agency's "zero tolerance" policy. If you have not conducted such a training program within the last three years, it is time to do it again—with outside experts experienced in training police agencies.
- How many sexual harassment complaints have you received in the last year? None? Don't congratulate yourself. Of the 69% of women officers who report being harassed, only about 5% reported the harassment. What have you done to determine if your female officers and civilian personnel are being subjected to sexual harassment?
- Do you have a process in place to protect women who report harassment from being subjected to retaliation? Over 50% of women who report sexual harassment are subjected to retaliation.
- If you asked women in your agency, "When was the last time that one of your coworkers made a derogatory comment about women in policing?", what would they say? Many agencies and officers do not understand that derogatory comments based on gender contribute to a hostile work environment.

If you think about these questions and decide you need help, please obtain a copy of the self-assessment guide. It will give you detailed information about how to fix these problems.

Not Being Valued

Police cultures still value physical strength over the ability to defuse violent situations. I can hear many of you say, "That is not true in my department!" If that was your reaction, I challenge you to honestly look at the following ways your department operates:

- Do you have a physical abilities test for entry that places an emphasis on upper body strength?
- Does your entry-level testing process identify and select people with superior verbal skills and those who have the ability to de-escalate violence?
- Does your entry-level testing process reward higher education? Or does it instead reward military service or other "police-related" backgrounds?
- Who have you rewarded in the past few years? Officers who have been involved in shootings, dangerous chases, or other acts of heroism? What about officers who have managed to avoid shootings by de-escalating the situation? Do they get equal recognition?
- How many women are in your agency and at each rank? The national average is 13%, which is dismal considering that our population is about 50% women.

- How are women in your agency assigned? Are they in the high profile positions likely to improve their chances for promotion such as public information officer, tactical teams, gang units, and other highly desired assignments? Or, are women assigned to units such as juveniles, domestic violence, and sex crimes? There is nothing wrong with women working those units—the point is, they should have equal opportunity to work all units.
- How many women are in promoted positions in your organization? One? Two? If women comprise 13% of your total sworn force, they should comprise *at a minimum* 13% of all promoted positions.
- Has a woman ever made it into the top command positions in your organization?

If these questions have surfaced some issues in your agency, the self-assessment guide can be of tremendous help to you.

Family-Care Issues

Lately, the most frequent inquiries we are receiving at the National Center for Women and Policing are from young women officers who are pregnant and are facing severe problems with the policies in their agencies.

Agencies that want to hire and retain young women, must take the issues of child care and family care into consideration. Some of the most difficult challenges for single mothers or mothers with young children are as follows:

- Live-in academies
- Rotating shift schedules
- Relocation
- Lack of flexibility to deal with issues that arise such as parent-teacher conferences, children who get ill at school, and other similar situations that are beyond the control of the parent.
- Pregnancy assignment questions and pregnancy leave

Some agencies have implemented daycare centers to address these issues. Some agencies have excellent policies regarding issues of pregnant officers. It is not impossible. Again, the self-assessment guide has many suggestions for dealing with these issues.

The bottom line is, if you want to retain women officers, you must take a serious and comprehensive look at these issues and how your agency handles them. Women bring a wealth of knowledge, skills, and abilities to policing. They are a valuable asset that has been ignored or degraded for too many years.

We encourage you to increase the numbers of women officers in your agency and to tackle some of these issues. In addition to the information contained in the

self-assessment guide, the National Center for Women and Policing is always available to assist you in solving these problems. Many chiefs and sheriffs have called upon us for advice and assistance. Visit our website at <www.feminist.org/police> for the latest publications and information on gender issues in law enforcement. We hope to hear from you!

Chief Penny Harrington, Director of the National Center for Women and Policing, was the first woman in the nation to become chief of a major city police department in Portland, Oregon, in 1985. Chief Harrington is the founding director of the National Center and is recognized as the leading expert in the nation on issues of gender in policing. She has written two books, her autobiography *Triumph of Spirit* and *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement*. She is currently writing a book on investigating sexual harassment that will be published by Prentice Hall.

Retention of Law Enforcement and Correctional Officers

Sheriff David Owens
McLean County Sheriff's Office

Police administrators throughout Illinois continually struggle to recruit and retain qualified and experienced law enforcement personnel. It is very frustrating to lose quality personnel to other law enforcement agencies or to the private sector. Recruitment and training of law enforcement and correctional staff is both costly and time consuming. It is important to review the reasons why officers leave and why they stay to truly understand what we can do to help retain these valuable employees.

Reasons Why People Leave

- More prestigious jobs related to the law enforcement field such as state or federal agencies, FBI, secret service, state police, and medium sized local law enforcement agencies
- Higher pay/better benefits, more opportunities for advancement, competition from other law enforcement agencies
- Private sector jobs – higher pay, better benefits, better working hours (e.g., the insurance industry)
- A willingness by many younger people to leave their jobs and not to be committed to just one agency; a lack of loyalty to the organization for which they work
- Unacceptable performance, violation of policies and rules (failure to make probation)
- Accepting another law enforcement job to move closer to home
- Inability to adapt to 24/7 work environment and personal demands
- Many people using corrections as a stepping stone and go on into police work
- Spouse changed in job, which impacts the family
- Retirement

Reasons Why People Stay

- Close to home, close to family and friends
- Pay/benefits

- Retirement plan
- Enjoy working specifically for a Sheriff's Office
- Enjoy working in a rural setting rather than working in the metropolitan environment
- The community (nice place to live and to raise a family)
- Job security
- Interesting work and varied experiences
- Like the people with whom they work
- They came from a smaller agency (more possibilities for job advancement)

All of our line personnel and medium-level supervisors are in collective bargaining units, so the sheriff doesn't negotiate for them; their union does. In that regard, the sheriff doesn't control salary for his law enforcement and correctional employees. Absent the sheriff representing his law enforcement and correctional employees at the bargaining table, it is very important that the sheriff provide a positive work environment and good leadership for them. If an employee likes coming to work every day, then you are going to have a better work product, and employees are more likely to stay with the organization. Thus, positive morale plays a major factor in whether or not an employee stays with an agency.

Generally, it has been my experience that it is more difficult to retain qualified corrections personnel than law enforcement personnel. Within the McLean County Sheriff's Office, the law enforcement division of the office and the corrections division of the office are separate entities. In some agencies, new employees start their career working in the jail and gradually, with seniority and experience, become patrol deputies. This second system may help to retain correctional employees who want to move into law enforcement field assignments.

The vast majority of law enforcement personnel leave to obtain jobs in larger, higher paying agencies. They do not leave because they dislike their job. It has everything to do with career advancement and providing for their families and making a better living.

Correctional officers have left for higher paying jobs in related fields or for jobs in the private sector. Some have moved out of corrections into law enforcement within their own agency. We've also seen some corrections officers leave due to the inability to adjust to the job or to family problems associated with the work hours and the days off. Other major reasons correctional officers leave are failure to make probation and disciplinary actions. Police administrators and sheriffs have very little control in retaining employees. The things administrators do have control over include providing realistic goals, good supervision, clear and concise policies, and a positive and fair work environment. Allowing employees to have ownership within the organization also strengthens morale. Seeking employees' input on issues that directly impact them promotes ownership in the organization.

This helps them to feel that they have an important role to play and that they are a part of the organization. Their participation and ideas are essential in the overall operation and success of the agency. All of these reasons help to promote good morale among employees, and this plays a very important role in their retention.

In summary, police administrators have little or no control in retaining the employees within their departments. More often than not, people leave to pursue higher salaries and better benefits, which administrators have little or no authority over. They can, however, provide their employees with a positive, professional work environment in which employees can feel like they are part of a team. Listening to employees and showing an interest in their ideas can go a long way in boosting morale. If officers enjoy going to work every day, and money is not a driving force in why they are seeking a law enforcement career, they are more likely to stay with agencies that promote this type of environment.

Sheriff David Owens graduated from Le Roy High School in 1969. In 1973, he graduated from Western Illinois University with a bachelor of science degree. He joined the McLean County Sheriff's Office in May of 1974 as a patrol deputy. He was promoted to sergeant in 1979. As a sergeant, Owens had a number of assignments. He ran a patrol shift, served as the supervisor in charge of the criminal investigations division, and served as a crime prevention/public relations officer. In 1988, he was promoted to the rank of lieutenant. As a lieutenant, he supervised the patrol division, court security detail, and the communications division of the sheriff's office. He was elected sheriff of McLean County on November of 1998 and took office on December 1, 1998. Sheriff Owens is currently in his 28th year with the sheriff's office and starts his fourth year as sheriff on December 1, 2001.

Legal Issues in Law Enforcement Screening

Donald R. Zoufal

Chief Legal Counsel, Illinois Department of Corrections

The recruitment and screening function for law enforcement positions poses a serious challenge for the law enforcement administrator. In addition to labor market forces that affect the ability of administrators to meet workforce requirements, there are a host of legal considerations which affect the ability to successfully meet recruitment goals.

This article will explore the legal considerations in the area of general liability and employment liability as they impact the employment process. The purpose is not to provide an exhaustive discussion of all legal considerations in connection with employment decisions. Rather, this article is designed to generally inform managers of some of the issues presented by employee screening.

Overview

In recent years, market forces have increased the difficulty confronted by the law enforcement sector in meeting its labor needs. Increases in funding for local law enforcement as well as the expansion of some law enforcement operations (particularly in the field of corrections) have served to increase the demand for labor. At the same time, the competitive nature of the general labor market has further stiffened competition. For many law enforcement employers, recruitment difficulty has also been exacerbated by raised employment standards, especially in the areas of entry age and education.

Overlying the effect of market forces on recruitment is a web of legal considerations. Those include potential liability concerns for improperly screened candidates who commit misconduct, as well as liability based on the individual hiring decision itself. These legal constraints make the already difficult job of filling hiring quotas more costly and more difficult. Appropriate screening, if properly tailored and implemented, can reduce liability concerns, enhance community confidence in the workforce, and reduce other employment costs such as attendance and turnover.

To Screen or Not to Screen

“To screen or not to screen”—is not really the question. While some researchers have raised questions as to the efficacy of certain screening mechanisms as predictors of long-term performance,¹ both public perception and long-term liability concerns make some form of screening essential. In *Board of County Commissioners of Bryan County v. Brown* [520 U.S. 397, 117 S. Ct. 1392 (1997)], the U.S. Supreme Court examined the liability of a local government employer for inadequately screening an officer who subsequently committed misconduct.

¹ Grant, J. Douglas, & Grant, Joan. (1995). Officer selection and the prevention of abuse of force. In William Geller and Hans Toch (Eds.), *And Justice for All*. Washington, DC: Police Executive Research Forum.

The case concerned a deputy sheriff who had allegedly used excessive force in connection with a traffic stop. The deputy, who, coincidentally, was a great-nephew of the sheriff, had been arrested for several traffic infractions and had been convicted of assault and battery within six months prior to his date of hire. The sheriff, who made the hiring decision, indicated that he had given the deputy's criminal record only a cursory review before hiring the deputy. In a five-to-four decision, the Court concluded that there was an insufficient linkage between the claim of a failure to properly screen and the misconduct which gave rise to the constitutional injury; however, the majority noted that in a circumstance where the deficiency in background is "strongly related" to the constitutional injury, liability may attach (520 U.S. at 411, 117 S. Ct. at 1392).

Although the Bryan County case sets a high bar for the actual imposition of liability for failure to properly screen applicants, the mere possibility of such a claim ensures a fertile field for litigation by persons who are injured by law enforcement officials with questionable backgrounds. The case should serve as a warning for administrators that entry-level law enforcement hiring decisions may have a future impact on liability. That liability is not only in the form of indemnity liability for the individual who commits misconduct but direct liability linked to the hiring decision.

In addition to potential liability under 42 U.S.C. § 1983 for failure to properly screen, law enforcement employers are subject to liability under a state law theory of negligent hiring. In *Bates v. Doria* [150 Ill., App.3d 1025, 502 N.E. 2d at 454 (2d Dist. 1986)], the Illinois Appellate Court outlined the claim of negligent hiring and retention under state law. The Bates court noted that it was well-established that an employer could be liable where he or she knew or should have known that an employee was "unfit for the job so as to create a danger of harm to third persons" (150 Ill., App.3d at 1030, 502 N.E. 2d at 458). As in Bryan County, the court in Bates noted a deficiency in proof between the alleged failure to properly screen and the actual misconduct and so affirmed the judgment in favor of the sheriff.

Perhaps more important than potential liability concerns is the role that employment screening plays in instilling public confidence in law enforcement. In recent studies conducted in the aftermath of corruption scandals in cities like Chicago (Austin 7) and Los Angeles (Rampart Area Corruption Incident), investigators have examined the recruitment screening process and made recommendations for heightened hiring standards and enhanced pre-employment screening.² These reports suggest that increased scrutiny of officers at intake is a necessary step to address corruption in the system. This reasoning was based on the fact that many of these individuals were relatively short-time employees at the time they began engaging in misconduct.

The lesson of both Bryan County and Bates is that law enforcement agencies must have at least some minimal screening process for assessing applicants. Failure to conduct appropriate screening raises liability concerns for law enforcement. Moreover, such a failure will doubtless raise great public concern over the integrity of the law enforcement workforce.

² Report of the Commission on Police Integrity. (1997, November). Chicago, pp. 17-18; and Rampart Area Corruption Incident, Executive Summary. (2000, May). Los Angeles, pp. 4-7.

Potential Screening Liability

While failure to screen can result in liability down the road when an employee commits some act of misconduct, improper screening techniques or improper application of accepted screening techniques can create liability in the present. That liability can come in the form of lawsuits from prospective employees. The following is an analysis of some of the accepted screening devices for employee selection, the limitations of those devices, and some practical and legal considerations in the use of screening devices.

1. Drug Testing/Inquiries About Drug Possession/Usage

The U.S. Supreme Court in the case of *National Treasury Employees Union v. Van Raab*, [489 U.S. 656 (1989)], recognized the special need of law enforcement and public safety employers to ensure a drug-free workplace. In the face of fourth amendment attack, the Court upheld preselection drug testing for employees as constitutionally permissible. In *Van Raab*, the court approved a U.S. Treasury Department policy of drug testing employees prior to their selection for positions involving drug interdiction or requiring the carrying of a firearm. The logic of this decision has been expanded to cover those law enforcement individuals with access to inmates in prisons and jails and also to commercial motor vehicle operators [See *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989)]. In addition to being afforded protection under federal law, drug testing of governmental employees is also permitted by state law [See *Hillard v. Bagnola*, 297 Ill. App.3d at 906 (1st Dist. 1998)] (while this case does not apply directly to pre-employment urinalysis, the court employs the *Van Raab* analysis).

While urinalysis is currently the primary means of employee drug testing, blood and hair testing are also scientifically viable alternatives.³ Blood testing, in addition to requiring administration by medical professionals, has the further disadvantages of being more highly intrusive and less well suited for the use of drugs over a long period of time since traces of narcotics dissipate more rapidly in blood than in urine. Hair, on the other hand, offers the ability to test for drug use over a longer period of time than urinalysis. Trace elements can be found 90 to 120 days after use. While there is little case law assessing the efficacy or intrusiveness of hair testing, there have been some allegations of racial bias in the use of this form of testing due to hair composition.⁴ Use of hair testing is generally done in conjunction with a urinalysis program.

³ Saliva testing is also an alternative, which may gain federal approval in the future.

⁴ The use of hair testing, while it has the advantage of a long testing period, may also be argued to be suggestive of long-term drug addiction rather than simply current drug use. While inquiry as to current use is consistent with the provisions of federal law as outlined later in this section, the more that use pattern is suggestive of addiction, the greater the concerns that federal laws protecting persons with disabilities will be implicated. Thus, the lengthened test period offered by hair testing alone might prove to be a disadvantage; however, if this test is used in conjunction with urinalysis to identify persons who may have sought to clean out their system in anticipation of a pre-employment test, federal law issues can be addressed by testing only those with a negative urinalysis. Through this testing protocol, the negative urinalysis result will work to defeat an argument of addiction which might otherwise be suggested by a positive hair test, indicating use beyond the testing limits of urinalysis. If the person suffers from a true addiction, it would be difficult to refrain from more current use.

If drug testing is permissible, an employer might reason that questioning a prospective applicant about drug use is also permissible; however, such questions may prove to implicate provisions of the Americans with Disabilities Act (ADA) [42 U.S.C. § 12101 (2000)]. Under the provisions of the ADA, individuals who are addicted to substances can qualify as disabled. Current use of drugs, however, as evidenced by positive urinalysis testing (or tests from other samples such as blood or hair), is not protected under the ADA. Casual use of drugs is similarly unprotected by the ADA.

In order to avoid the possible implications of the ADA concerning addiction, employers who wish to probe prior drug use should be careful to fashion questions that do not elicit a response indicative of possible past addiction. Rather, the questions should be fashioned to address current use or casual use. Questions about possession as distinguished from use are always appropriate since possession generally denotes criminal activity.

2. Polygraph Examinations

In addition to advocating drug testing, many of the current studies of law enforcement corruption advocate a greater role for polygraph examination in employee screening. The studies recommend such examinations at several levels in the employment process including preemployment, promotion, and special assignment. Because courts have remained both hostile to and skeptical of polygraph examinations, however, it is important to understand the limits imposed by statute and case law.

The polygraph examination has long been a controversial tool. In recent years, the use of polygraph examinations in employment screening has been severely restricted. In 1988, Congress enacted the Employee Polygraph Protection Act (EPPA) [29 U.S.C. § 2001 (1999)], which outlawed the use of polygraph examinations by private employers for most employment-related purposes. The EPPA does, however, specifically exclude local, state, and federal employers from its coverage. Those entities have long used and continue to use the polygraph in connection with employment decisions. Despite the fact that the EPPA does not outlaw polygraphs for law enforcement, a recent decision of the Seventh Circuit demonstrates the open hostility many courts have toward polygraphs.

In *Veazy v. Communications & Cable of Chicago* [194 F.3d at 850 (7th Cir. 1999)], the Seventh Circuit examined the history of the polygraph and much of the scientific works that assess the efficacy of polygraphs. The majority opinion cited with approval the study of David Gsallai, *Polygraph Evidence in Federal Courts: Should It Be Admissible?*, [36 Am Crim L Rev. 87, 98 n. 64 (1999)], which observed, “No overall measure [of validity] can be established based on scientific evidence” and that polygraphs detect deception better than chance, but with error rates that could be considered significant” (194 F.3d at 956). The court further observed that concern over studies questioning the effectiveness of polygraphs led Congress to pass the EPPA which would not allow an “inaccurate machine to dictate the fate of millions of Americans” (194 F.3d at 956). Legal skepticism over polygraphs is also reflected in the fact that both state and federal statutes limit the admissibility of polygraphs as evidence before a court. Prohibitions against the use of polygraphs in the interrogation of employees are also found in the Uniform Peace Officers’ Disciplinary Act, [50 ILCS 725 (2000)].

In light of statutory and judicial hostility toward the polygraph, law enforcement employers need to be extremely guarded in their employment of this tool. Basing

an employment decision solely on a polygrapher's finding of lack of veracity in the answer to a question or questions would likely lead to protracted litigation. Notwithstanding that fact, polygraphs may still serve some real use for employers. In conjunction with the completion of detailed questionnaires, where the prospective employee is advised that he or she may be subjected to a polygraph examination to assess the veracity of answers, many experts believe the veracity of the answers is greatly increased. Using polygraphs in this fashion, to enhance the veracity of responses to questionnaires rather than as a substantive screening device is a more low-cost and legally conservative approach. Moreover, not all applicants need be subjected to a polygraph. Only a sufficient number of candidates need to be subjected to a polygraph so as to make the program a credible deterrent to falsification on a questionnaire.

3. Credit Checks and Financial Background Investigations

The use of credit checks and financial background investigations is another suggestion made by many of the commissions studying corruption in large city police departments. Like the other investigation tools discussed in this article, checking up on the credit of prospective employees implicates federal statutes and case law. Improper investigation and inappropriate use of credit information may result in both civil and criminal liability.

Accessing credit information for prospective employees is governed by the Fair Credit Reporting Act (FCRA) [15 U.S.C. § 1861 (2000), et seq.]. Under the provisions of the FCRA, employers are limited to seeking credit information for an employment-related purpose such as hiring or promotion. The FCRA requires that the employee or prospective employee be provided notice that a credit check is being conducted. The statute specifies that affected persons must be notified of when requests are made, the scope of those requests, and when reports are received. The FCRA also requires employers to advise when an adverse employment action is based in whole or in part on information received in a credit report.

Failure to comply with the strictures of the FCRA can result in civil and criminal penalties. Criminal penalties include fines of up to \$5,000 and up to one year in prison for violations of the act. Additionally, an individual whose rights are violated may bring a civil action for compensatory and punitive damages. Civil actions for violations of the FCRA can also be brought by the Federal Trade Commission.

In addition to the statutory protections offered by the FCRA, there is a growing body of case law that extends privacy protections to personal financial investigations. In *Denius v. Dunlap*, [209 F.3d at 944 (7th Cir. 2000)], the Seventh Circuit joined a number of other federal appeals courts in recognizing the existence of a constitutionally protected privacy right in certain financial disclosures. Noting the broad nature of the disclosure required in an authorization for release of financial information in connection with a teacher's employment contract, the court concluded that authorization might compel the release of protected financial information. The Seventh Circuit concluded that

[b]ecause confidential financial information may implicate substantial privacy concerns and impact other fundamental rights, we agree with the overwhelming majority of our sister circuits that some types of financial information involve

the degree and kind of confidentiality that is entitled to a measure of protection under the federal constitutional right of privacy (209 F.3d at 958).

Until The U.S. Supreme Court addresses this issue, public sector employers in the states of Illinois, Indiana, and Wisconsin (which comprise the federal Seventh Circuit) must have an important and demonstrable governmental interest before requesting sensitive personal financial information from employees or prospective employees. Unfortunately, the Seventh Circuit has not provided much guidance on what type of financial information qualifies for protection. While consumer credit reports covered by the FCRA likely do not rise to the level of meriting federal constitutional protection, it is difficult to provide employers with exact parameters.

The best advice for employers in light of the *Denius* decision is that authorizations for release of financial information should be narrowly tailored to seek only that sensitive financial information that the employer actually intends to use for the investigation in making the employment decision. The more expansive the authorization, the more likely a court might find privacy rights to be implicated. Additionally, the employer should be able to justify why the information sought is important to the decision-making process. Financial background information on a property custodian or person exposed to large sums of cash would likely be easier to justify than similar information on a teacher or dental technician. Using this narrowly tailored approach, in conjunction with standardized authorization and notice forms and procedures to address FCRA requirements, is critical to the employment of credit checks and financial background investigations.

4. Medical and Psychological Checks

Medical and psychological evaluations raise a host of legal issues in the employment context, most importantly, the constitutionally protected right to privacy and the ADA. Failing to properly address these concerns both substantively and procedurally in the hiring process can result in employer liability for civil damages.

Medical and psychological information is clearly afforded constitutional privacy protection (See *Denius v. Dunlap*, supra, 209 F.3d at 956-57). Unless a countervailing government interest can be advanced, governmental entities cannot require disclosure. Thus, employees are limited in their ability to request this information in circumstances in which a conditional job offer has been made. In addition to the temporal limitation, disclosure is also limited to medical and psychological conditions relevant to performance of the essential functions of the job. Just as is the case with financial disclosures, medical and psychological authorizations should be narrowly tailored to request only information necessary for the employment decision.

In addition to the privacy implications of requesting medical and psychological information, gathering this information also raises ADA issues. As a general rule no such information should be gathered until a conditional offer of employment is made. Similarly, no medical or psychological exam should be conducted in advance of the conditional offer. The only exception to that rule would be a request for a physician's statement concerning the ability of prospective employees to take a fitness exam.

Fitness exams are not considered to be medical exams prohibited by the ADA and unlike a medical exam can be done before conditional offers are made. A fitness

exam can be given as part of the initial screening; however, if that exam adversely impacts on persons with disabilities or demonstrates a gender bias, it will only be found to be legitimate if the test is job-related and a business necessity. The task of validating a test to job requirements in order to defend against litigation where an adverse impact is shown can be an expensive proposition. Therefore, if an agency plans to use a fitness test, it should seek out one which has been validated against the agency's job requirements.

As a general rule, the gathering of medical and psychological records and exams should be deferred to later stages of the hiring process after a conditional offer has been made. This information should be directed to assessment of the applicant's ability to perform essential job functions.

5. Criminal History Checks

An employer's review of criminal history records likely does not implicate any significant federal concerns. Based on the cases which have considered the dissemination of law enforcement information, several broad categories can be drawn in which dissemination is either permitted or excluded. These cases provide general guidelines for discriminating between information which can be shared and information which should be withheld or at least subjected to greater scrutiny before release. In 1976, the U.S. Supreme Court directly addressed this privacy issue in the context of the public dissemination of law enforcement information concerning arrests. In a five-to-four decision in the case of *Paul v. Davis* [424 U.S. 693, reh'g denied 425 U.S. 935 (1976)], the Court ruled that publication of an official act such as an arrest is not a violation of any protected privacy right. In that case, the plaintiff, who had been arrested for shoplifting, brought suit against several law enforcement officials when his photograph was included in a police flyer of active shoplifters. Between the time of the plaintiff's arrest and the flyer's publication, the charges against him had been dismissed. While the Supreme Court concluded that some action for defamation might be maintained in state court, the dissemination of the flyer itself raised no constitutional privacy claim. Thus, dissemination of information of public acts like arrests or convictions do not implicate protected privacy concerns.

In Illinois, however, inquiries about arrest record are prohibited on job applications [See 775 ILCS 5/2-103 (2000)].

[I]t is a civil rights violation for any employer . . . to inquire into or to use this fact of an arrest . . . as a basis to refuse to hire . . . or to act in respect to recruitment hiring, promote renewal of employment selection for trainees or apprentices, discharge, discipline, tenure or terms, privileges or conditions of employment.

This statute was promulgated in response to concerns that consideration of arrest information had disparate impact on minority populations.

To the extent that a law enforcement employer receives criminal history information indicating arrests, the fact of arrest alone should not serve as a basis for any employment decision. Those arrests should only serve as a tool for further background investigation. Only where that investigation elicits subsequent evidence of criminal conduct or other conduct inconsistent with law enforcement employment can there be a basis for an employment decision. If conduct that

serves as the basis of arrest is to be used as a valid basis for an employment decision, the employer should be careful to ensure that there is independent evidence, separate and apart from any arrest report which may document that conduct. That documentation may include self-admissions in employment interviews, answers to employment or psychological analysis questionnaires, or background investigations which address the inappropriate conduct, rather than the arrest reports or summaries. The existence of an arrest should only serve as a starting point for the examination of conduct that may be inconsistent with employment requirements. Arrests themselves cannot support any employment decision or action. Thus, an interview of police and civilian witnesses to alleged misconduct that may have been the subject of arrest is critical. Those interviews and not the contents of arrest reports should form the basis for employment actions. Documentation of those interviews should be maintained in personnel files.

A recent phenomenon has been the expungement of arrest information. Under Illinois law, information concerning arrests which do not result in convictions can be ordered expunged upon petition to a circuit court [20 ILCS 2630/5 (2000)]. Expungement requires all law enforcement agencies to remove all reports concerning the arrest from their files. This would include employment files. Accordingly, if the only evidence which is maintained in the file is an arrest report which is subsequently ordered expunged, the employer will likely not be permitted to consider that information. Additionally, the employer will likely not be permitted to use any information gathered using the arrest report after expungement is ordered. This may pose a particularly difficult challenge when a prospective employee is rejected based on a background investigation and then reapplies after the arrest is expunged. Unless the prior background investigation is retained in employer files and that information includes detailed interviews or descriptions, rather than just copies of the arrest reports which are ordered expunged, the employer will be at a loss to use the arrest information. An investigation which occurs after expungement which uses expunged arrest reports as a basis will be likely to create liability.

Conclusion

The issues of liability in connection with employment decisions are very real and serve to increase the difficulty of an already imposing task. Additionally, the failure to implement a thorough screening process for applicants greatly undermines public confidence in public safety services. This examination is only designed to expose executives to some of the common challenges of the most frequently used screening devices. It should serve as a call for executives who are creating, redesigning, or examining employment screening practices to review those practices with legal counsel. Properly designed screening processes should serve to reduce liability for subsequent employee misconduct, reduce litigation from unsuccessful applicants, and enhance public confidence.

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Psychological Fitness-for-Duty Examinations: Practical Considerations for Public Safety Departments¹

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Police officers with known or suspected psychological or behavioral problems often present complex issues for administrators. For example, an officer who was once a productive and respected member of a department now shows a distinct change in behavior or attitude that is confusing, frightening, or irritating to his or her supervisors and coworkers. Such an officer can have a profound effect on public safety as well as organizational effectiveness, productivity, and morale. Once a problem officer has been identified, a public safety department must exercise due diligence in order to protect itself from liability for the officer's actions, as well as to protect the officer, the public, and other officers from potential harm. In addition, the department often has deep personal concern for the officer and wants to save his or her career if at all possible.

When a police officer or other public safety employee has a personal, psychological, or behavioral problem that is affecting the workplace, it can raise difficult questions such as the following:

- Can the employee work safely under routine conditions?
- Can he or she work safely in critical situations or under high levels of stress?
- Do I, as an administrator, have the right to order an employee to take a psychological exam?
- If I discipline the employee for poor performance or conflicts with other workers, is that a violation of the Americans with Disabilities Act (ADA)?
- Should I refer him or her to counseling?

While there is often a clear connection between psychological problems and workplace functioning, dealing with these issues requires a clear understanding of the problems involved, what workplace behaviors are affected, what workplace modifications may be available, and what mental health interventions would be appropriate (Fischler, 2000; Fischler & Booth, 1999). A psychological fitness-for-duty (FFD) examination can help a public safety administrator by providing information that will help to clarify these issues and answer questions arising from them.

¹ The author would like to thank Irving Guller, PhD; Philip Trompetter, PhD; and Matthew Guller, JD for their comments on an earlier draft of this paper.

Common Behavioral Red Flags Leading to FFD Referrals

Most concerns leading to FFD exams are generated from observed workplace behaviors, though they may arise from information obtained about a person from outside sources as well. Stone (1995) found that excessive force issues accounted for 19% of police FFD referrals. These can include a pattern of citizen complaints or one especially egregious complaint. Allen, Hibler, & Miller (2000) found that about 29% of FFD cases were classified as resulting from “workplace violence,” which could mean violence against citizens, violence against coworkers, or violence against the officer in question. Obviously, prediction and prevention of future violence can be a major reason to conduct an FFD exam.

Generally, a marked negative change in an officer’s demeanor or job performance may signal the need for an FFD. Such changes may include a pattern of interpersonal conflicts with coworkers or supervisors, insubordination, excessive use of sick leave, being on duty while intoxicated or hung-over, a pattern of poor judgment, sexual inappropriateness, bizarre or threatening behavior, or a high rate of errors. These workplace behaviors do not necessarily indicate that the officer has a psychological problem, but they may provide probable cause to investigate further through an FFD exam. Sometimes, an officer will confide to a coworker or supervisor that he or she is having a personal problem that is affecting his or her ability to work and feels the need for help. For example, employees may recognize that they are having family or alcohol problems that are making them more irritable, depressed, or anxious, leading to more conflicts or errors at work. Sometimes, an officer will describe symptoms of post-traumatic stress disorder (PTSD), which are affecting his or her willingness to go to certain types of calls or engage in high-risk situations.

Often, the underlying psychological correlates of a workplace problem are unclear to an administrator. It is a good policy to discuss the situation with the department’s consulting psychologist (or other police psychologist) to determine if there is sufficient reason to suspect an underlying psychological problem before formally ordering the exam. This is most useful if the psychologist has the opportunity review the employee’s personnel file, or at least obtain a summary of his or her past job performance. Obviously, not all substandard performance issues are the results of psychological problems. For example, poor morale, low motivation, or an inadequate level of skill may be at the root of problematic behavior. Often supervisory coaching or discipline would be a more appropriate intervention than an FFD exam. Sometimes, a person is just not cut out for law enforcement and should not have been hired in the first place.

Other administrative concerns may be generated from reports of problems outside of the workplace. Such a situation can raise a number of issues related to personal privacy and appropriate work-life boundaries. Police departments are advantaged over their civilian counterparts by their ability to do internal investigations of alleged problems that occur outside of work; however, a great deal of discretion by the administrator is necessary so that every unsavory rumor about an employee does not come under public scrutiny.

Once the investigation or an admission by the officer has indicated that there is indeed a problem, the administrator must decide if the problem warrants discipline (e.g., conduct unbecoming an officer) and/or an FFD exam. Especially

egregious behavior clearly calls for an FFD exam before the officer returns to work even if there have been no previous problems with work performance. Such behavior might include suicidal or homicidal threats, extremely inappropriate use of force, inappropriate use of alcohol (for example, being arrested for DWI while off-duty), any illegal drug use, or domestic abuse. Self-reported symptoms of anxiety or depression such as insomnia, loss of appetite, confusion, increased irritability, fatigue, nightmares, or loss of interest or initiative, when of sufficient intensity, may also be red flags which would warrant an FFD exam, even in the absence of work-related performance problems. The goal here is to prevent a problem that can be foreseen or should have been foreseen.

Definition and Goals

An FFD exam initially seeks to answer two questions: (1) does an employee have a psychological problem? and (2) can he or she no longer perform his or her job in a safe and effective manner? Both conditions must exist for an employee to be found unfit for duty. That is, if an employee has a psychological problem but no work problems (or clear potential for work problems), then he or she may be referred to mental health treatment but could continue to work without restriction. In this case, the employee would not be compelled to such treatment, and it would be at his or her discretion. Conversely, if there are work-related problems, but no psychological problems, the issues should be handled through remedial or disciplinary channels.

An FFD exam, by definition, is performed only on incumbent personnel and is therefore distinctly different from a pre-employment psychological exam (Fischler, 1997; Fischler, 2001; Hibler & Kurke, 1995; International Association of Chiefs of Police Psychological Services Section, 1998a, 1998b). In addition, while pre-employment exams may be used to screen for undesirable personality characteristics or other psychological issues that might negatively affect job performance, an FFD exam is generally narrower in scope and seeks to discover whether or not a psychological problem or symptoms of a psychological disorder as described by the *Diagnostic and Statistical Manual of Mental Disorders* (1994) are responsible for the employee's work problems or potential problems. Finding that an officer's current problems are related to stress, for example, is probably insufficient to conclude that he or she is unfit for duty. If there are no true psychological problems, the employee should generally be handled through disciplinary channels.

While FFD exams are probably more common in public safety occupations than they are in lower risk occupations, due to the potentially dire consequences of having unfit officers on duty, any employee can be referred for an exam. The practice, however, is not limited to public safety departments and can be performed in any occupational group (Fischler, 2000). In public safety departments, unsworn employees, such as dispatchers, transcribers, and community service officers, for example, may be referred if there is reason to believe that the employee cannot perform his or her job in a safe or effective manner due to a mental health problem.

The FFD exam itself is not disciplinary in nature, although it may be seen that way by employees who are being compelled to complete the exam. In addition to being compelled to be examined, there may be disciplinary consequences for whatever issue precipitated the exam, and potentially, for refusal to cooperate

with the exam. In some cases, where the behavior in question is not egregious or where the extent of the suspected mental health disorder is not severe, the FFD exam can be used as an alternative or diversion to discipline. For example, an officer with an otherwise good work history pulls his gun and threatens a suspect inappropriately. The chief might send the officer for additional use-of-force training or choose to discipline the officer, perhaps with a reprimand or suspension. Alternatively, if the chief believes that the officer has been under excessive stress lately due to such issues as marital problems or has seemed otherwise irritable or out of sorts, he or she can offer to send the officer for an FFD exam instead of evoking the discipline, as long as the officer agrees to abide by the results of the exam. In such a case, the chief recognizes that there may be other problems underlying the recent behavior, which, if addressed and corrected, would help the officer in the long run more than a disciplinary consequence would. Such a diversion would be inappropriate where there are clear underlying psychological issues that raise serious doubts about the ongoing safety of the officer or others or where the seriousness of the offending behavior compels discipline. In those cases, a chief may not have the discretion to forego either the exam or the discipline.

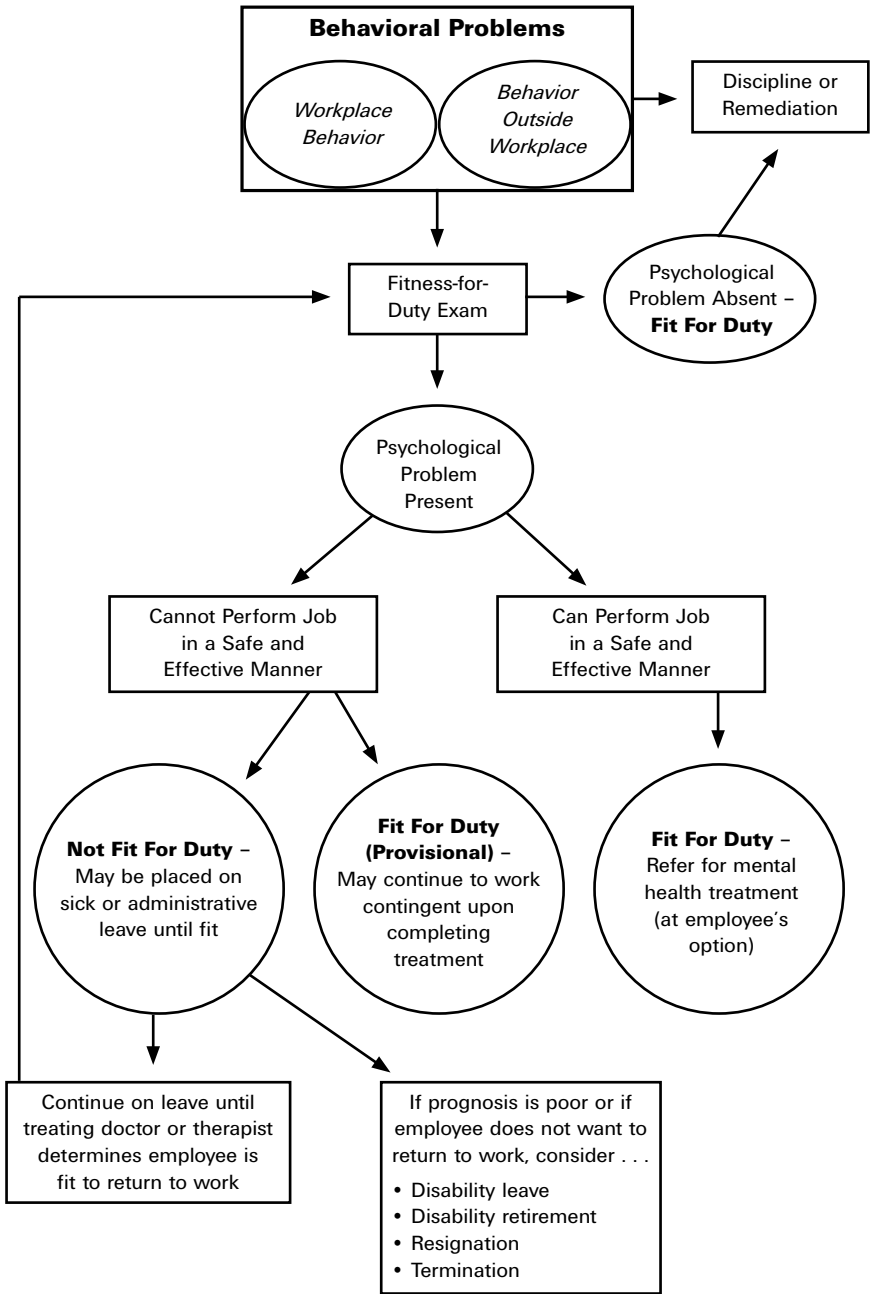
Possible Outcomes

There are a number of possible outcomes to an FFD exam. An illustration of the decision tree used in the FFD exam process, including potential outcomes, can be found in Figure 1.

In one scenario, the examiner may conclude that the employee does not have a significant psychological problem. In this case, he or she is psychologically fit for duty and should be referred back to the appropriate departmental administrator to determine the need for remediation, training, coaching, or disciplinary consequences. It is important to realize, however, that such an employee may still have personal problems, such as family concerns or being spread too thin by too many commitments. The examiner may recommend help such as family counseling or advise the employee to cut back on other activities, but the ultimate decision to follow this advice rests with the employee.

It is also not uncommon for some officers to have mild- to moderate-level personality characteristics which, while negatively affecting work performance, are not of such severity as to be classified as personality disorders, and therefore, probably would not render the individual unfit for duty. Examples of such characteristics might include shyness or unassertiveness, rigidity, self-centeredness, authoritarianism, or indecisiveness. Since personality problems generally begin early in adulthood, under ideal circumstances, they should be identified at the pre-employment psychological examination. If they were not, the employee may have mild, but chronic, adjustment problems at work. The remediation/disciplinary path is the most appropriate for this individual. Psychotherapy may also be helpful and might be recommended by the FFD examiner. The officer may not agree to follow this advice but eventually would probably face significant disciplinary problems if his or her performance did not improve.

Figure 1. Decision Tree in the Fitness-for-Duty Examination Process



If the examiner determines that a psychological problem or disorder is present, it will probably fall into one of three broad categories: (1) clinical syndromes, (2) personality disorders, or (3) cognitive disorders. Clinical syndromes include anxiety disorders, depressive disorders, PTSD, and substance abuse/dependency. Symptoms such as sleep or appetite disturbance, concentration problems, fatigue and lethargy, low self-esteem, and avoidance of stressful situations are often involved with these disorders. Rarely, an officer may have a psychotic disorder with symptoms such as paranoia, delusions, or hallucinations. Clinical syndromes often have a favorable prognosis with the right type of treatment, which typically includes some combination of medication and psychotherapy. A variety of stressors, both work- and non-work-related, can bring on clinical syndromes. Often the affected individual has a biologically or genetically based predisposition for the problem, which when combined with situational stressors, results in significant mental health symptoms.

Personality disorders are defined as maladaptive ways of perceiving the world, relating to others, and controlling impulses. They are chronic, pervasive, and ultimately self-defeating. Individuals with personality disorders often believe that there is nothing wrong with them, or if they do perceive that there is a problem, it is someone else's fault. Depending on the specific disorder, affected individuals can show a wide variety of problems, including dishonesty, poor judgment due to inability to control impulses, manipulateness in relationships, suspiciousness or hostility towards others, too much or too little concern over details, failure to take independent action when appropriate, and too much or too little concern over what other people think. Long-term psychotherapy can occasionally be helpful for people with personality disorders, but the prognosis for change is usually guarded. Since personality disorders begin in adolescence or early adulthood, they may be identified in the pre-employment screening exam; however, sometimes symptoms of a personality disorder can lie in a dormant state until a set of events (e.g., conflict with a supervisor or breakup of a relationship) triggers their emergence.

Cognitive disorders involve deficits in memory, general intelligence, problem solving, and reasoning. They are often related to acquired neurological damage due to a number of possible causes such as stroke, head injury, chronic alcoholism, brain tumor, early onset dementia (such as Alzheimer's), or other medical etiologies. Occasionally, an individual can recover from the acute effects of head injury or stroke through time and cognitive rehabilitation. More typically, however, once someone has been diagnosed with an acquired cognitive disorder, he or she will rarely be able to recover sufficiently to work as a public safety officer again.

Milder cognitive disorders can include learning disabilities and attention-deficit disorders. Depending on the severity, individuals with these disorders can sometimes work in the public safety field. Since these disorders have an onset in early childhood, they would usually be identified during the pre-employment exam; however, sometimes the full impact of one of these disorders on job performance is not recognized until the employee is actually working at his or her assigned duties over an extended period of time.

Having determined that a psychological problem exists, the examiner then explores whether or not it is likely to interfere with the employee's ability to

perform his or her job safely and effectively. Some serious disorders, such as major depression with suicidal ideation, severe PTSD with frequent flashbacks or unwanted recollections of the traumatic event, active alcohol dependence, certain personality disorders such as antisocial or paranoid types, and most cognitive disorders would generally not allow safe and effective performance of law enforcement duties. In cases such as these, the officer should continue to be on leave until he or she recovers sufficiently to return to work or decides to pursue other options such as disability leave, disability retirement, or resignation. Medical leave may be continued for as long as departmental policy permits. If and when the employee believes that he or she has recovered sufficiently to return to work and his or her treating doctor or therapist is in agreement with this, then he or she should be referred for a second FFD exam with the original departmental examiner or other independent examiner. Since significant role conflicts and potential conflicts of interest often occur when the FFD examiner is also the treating doctor or therapist (Fischler, 2000; Greenberg & Shuman, 1997), the treating clinician should generally not make the final FFD decision, and therefore, a second FFD exam with the departmental or other independent examiner becomes necessary.

Sometimes the question arises as to whether it is possible to send a dysfunctional employee back to work with restrictions or "reasonable accommodations" under ADA. In our experience, it is rare that a seriously emotionally disturbed or personality disordered police officer can fulfill the "essential functions" of the job with or without accommodations or fulfill the "business necessity" of the organization. Furthermore, there are no known accommodations that would allow such an individual to fulfill certain job duties such as carrying a gun or making split-second decisions in critical situations. If the officer is only mildly disturbed, modifications such as time off for doctor appointments, flexible scheduling, or changes in supervisory methods may assist him or her to make a satisfactory return to work. More radical accommodations, such as reassigning job duties or providing closer supervision may be achievable with personnel other than sworn officers, because the public safety issues are not as direct. Sometimes an officer is placed on "light duty" which is often clerical and non-law-enforcement in nature. While perhaps beneficial for the officer, such a placement is probably not required under ADA because the employee is not able to function in his or her own job with or without reasonable accommodations; however, specific guidance on these issues should be obtained by the department's legal advisor.

If the psychological problem is mild and the prognosis is favorable, the potential work problems are likely to be less pernicious. For example, if the employee has a mild depression or anxiety disorder, he or she may be somewhat unproductive, occasionally irritable with coworkers or the public, or show sporadic instances of questionable judgment. Life-threatening consequences in this case are unlikely; therefore, he or she may be found provisionally fit for duty and continue to work contingent upon entering and completing an appropriate mental health treatment program. In this case, either the FFD examiner or the department should follow up to verify that the employee is taking the steps recommended by the examiner.

It is also possible that, although the employee has a psychological problem, it is not of sufficient severity to cause significant work-related problems. This might be the case with an acute adjustment disorder in response to the breakup of a relationship or the loss of a parent. In such cases, the employee may be somewhat

depressed, anxious, worried, or tired, but the condition is not of sufficient severity to significantly affect work performance. The examiner may then decide that no additional treatment is necessary and the employee may unconditionally return to work, that additional treatment would be clinically useful, but not mandatory for the employee to return to work.

FFD Exams: Best Practices

As Benner (1997) describes, there is no one universally accepted method or set of criteria for conducting an FFD exam; however, the IACP Police Psychological Services Section (1998a) guidelines, as well as descriptions of practice in a number of contexts, provide a general consensus that seems to have developed around the standard of practice (Allen et al., 2000; Benner, 1997; Fischler, 2000; Hibler & Kurke, 1995; Stone, 1995). A fair and comprehensive examination should generally have the three following elements: (1) a review of available collateral information, (2) psychological testing, and (3) an in-depth interview. In addition, examiners should have specialized knowledge of public safety assessment techniques.

Collateral information may include personnel records, medical records, internal investigation reports, and family interviews. To the extent possible, records should be reviewed prior to the examination. While an objection may sometimes be raised that having access to these records could bias the examiner, these concerns are generally outweighed by the value of such information with regard to being able to appropriately focus the exam and raise and resolve inconsistencies that may exist between the records and the employee's self-report. A general rule of thumb is that the more complete the information to which the examiner has access, the more accurate will be the findings.

Personnel records may include documentation of critical incidents, memos from supervisors or coworkers regarding their observations or problems they have experienced with the employee in question, and a history of the employee's performance record. Personnel records can usually be obtained prior to the examination. Within the current context, the medical records of primary interest would be those related to mental health evaluation or treatment. They can come from psychologists, psychotherapists, psychiatrists, or other medical doctors who are involved in the employee's mental health treatment. If there are psychological adjustment issues related to a physical injury or condition, then medical records related to those may also be reviewed. Medical records must usually be obtained with the written consent of the examination subject. It is generally preferable for the examiner to obtain medical records directly from the medical provider, thereby insulating the employee from an additional violation of privacy that would occur if the employer would have direct access to those records. Finally, interviews with family members or other concerned parties may be helpful to assess the employee's ability to function in non-work-related contexts and to get a better understanding of the history of the employee's problems or issues. Such interviews should be performed with the employee's permission, after the examiner has had an opportunity to interview the employee.

Psychological testing is the second major component of the FFD exam. Testing is critical to the process in order to lend objectivity, comprehensiveness, and defensibility to the process. This usually includes objective personality tests such

as the Minnesota Multiphasic Personality Inventory (Butcher, Dahlstrom, Graham, Tellegen, & Kaemmer, 1989), the Millon Multiaxial Clinical Inventory (Millon, 1994), and the California Personality Inventory (Gough, 1996). Some psychologists may also use the Rorschach Inkblot Test (Exner, 1993). Cognitive tests, such as the Shipley Institute of Living Scale (Zachary, 1986) can be used to screen for intellectual or memory problems. If abnormalities are discovered or if there are other reasons to think that the employee may be suffering from cognitive problems, more comprehensive tests, such as the Wechsler Adult Intelligence Scale (Wechsler, 1997a), the Wechsler Memory Scale (Wechsler, 1997b), or other specialized neuropsychological tests may also be useful.

Finally, the in-depth personal interview gives the employee an opportunity to describe the problems from his or her perspective and allows the examiner to obtain a psychosocial history and conduct a current mental status examination. The examiner has the opportunity to try to reconcile differences between what the employee may describe and the information that has already been provided by the department. The psychosocial history should include information related to education, employment history, mental health treatment, substance use, legal problems, physical health concerns, and family history (including family or origin as well as current family or significant other constellation). Some interview questions may be related to ethnic and gender bias, if this is an area of concern. The mental status examination evaluates the presence of psychiatric symptoms through direct observation (e.g., the employee is very tearful, lethargic, disorganized, etc.), as well as self-report (e.g., sleep or appetite disturbance, concentration problems, paranoid thoughts, etc.).

At the beginning of the examination, it is important that the examiner demonstrate an attitude of objectivity, compassion, and fairness. Statements that the examination is being performed to determine what problems might exist, that the examiner is an objective third party, and that the goal of the exam is to provide recommendations as to what is likely to be in the best interests of both the employee and the department, are usually helpful in easing the employee's initial anxiety and defensiveness. At the conclusion of the interview, it is often helpful to discuss the conclusions and recommendations directly with the employee. This allows the opportunity for the examiner to assess the employee's level of insight and cooperation, as well as how open to treatment he or she is. It also allows the employee to ask questions about the treatment process, treatment options, likely prognosis, and how successful treatment will be related to eventually returning to work.

FFD Exam vs. Counseling

Administrators are sometimes unsure whether to refer an employee to counseling or an FFD exam. Either can be quite useful, but there are significant differences in the processes, goals, and outcomes of each. These are summarized in Table 1.

Table 1

Counseling	FFD Exam
Administrator's primary concern is the employee's personal adjustment; work problems are absent or mild	Administrator's primary concern is how employee's problems affect the job; work problems or potential problems are moderate to severe
Counseling cannot be ordered by administrator—can only be suggested; participation is voluntary	Administrator generally has authority to order the exam; participation may be mandatory
Employee is primary client; goal is to return employee to the highest level of emotional health possible	Department is primary client; goals are to determine the employee's psychological problems and ability to work
Psychological testing and collateral information usually lacking	Psychological testing and collateral information are critical
Written report may not be sent to the department or, if sent, may be skewed in the employee's favor	Written report, with clear and objective recommendations, goes to the department

Counseling can be extremely helpful to police officers and their families (Kates, 1999; Kirschman, 1997), and it may be very useful to recommend counseling services to employees at certain times. Often, these services are provided by the employee assistance program (EAP) and can be accessed free of charge. Recommending counseling is particularly appropriate in situations in which the administrator notices subtle changes in an employee which he or she believes are being caused by personal problems, but the effects on the employee's work performance are minimal or absent. Unless the work problems are severe or potentially dangerous, an administrator also has the option of initially recommending voluntary counseling, seeing if the work problems are resolved, and subsequently referring the employee for an FFD exam if they are not. When the work problems are very serious, however, an FFD exam should be the preferred initial response since the process is specifically designed to address such problems.

A second difference is that, while the FFD exam may be mandatory if the administrator's concerns are serious enough, it is usually inappropriate for an administrator to require counseling because that implies that the administrator has diagnosed the problem and prescribed a treatment—obviously stepping into a medical expert role. Counseling may be required subsequent to the recommendations of an FFD exam since the examiner has the appropriate expertise to make such a recommendation. If an administrator suggests counseling or therapy instead of a FFD exam, it should be because he or she is primarily concerned about the personal adjustment of the employee.

The counselor's role is very different from that of an FFD examiner, and the two are usually incompatible (Greenberg & Shuman, 1997). In counseling or psychotherapy, the employee is the client, and the counselor's primary responsibility is to help, treat, or advise in a way that is in the employee's best interests, whether or not the recommendations make sense from an employer's perspective. To be therapeutic, the counselor needs to remain relatively uncritical and nonjudgmental of the client's self-report and therapeutic goals; however, the evaluator may be quite critical and judgmental regarding the validity of the employee's self-report, as well as the appropriateness of his or her employment goals. For example, a counselor might try to help the employee return to work as quickly as possible because the employee believes it would be good for his or her mental health, even if other objective information would suggest that doing so could potentially threaten public safety.

This also raises the issue of professional competence; the therapist and evaluator, by definition, should have different sets of competencies. A counselor who has limited knowledge of or experience with psychological assessment techniques for public safety personnel can be particularly problematic. With this in mind, the IACP Police Psychological Services Section (1998a), recommends that only psychologists or psychiatrists familiar with law enforcement assessment techniques perform FFD exams. In addition, since the roles of evaluator and therapist are often incompatible, a counselor or therapist may find him- or herself in an ethical dilemma if asked to provide an opinion regarding the fitness for duty of one of his or her clients.

Another difference is the type of information that is likely to be considered in each setting. In a counseling setting, the source of information is typically little else beyond the self-report of the employee—the objective reality of this information may not be as important to the success of therapy as are the employee's perceptions of and feelings about the situation. In an FFD exam, the evaluator strives to learn the objective reality of the situation to the greatest extent possible by relying on multiple types and sources of data (e.g., self-report, objective tests, and collateral information). Along the same lines, the primary goal of therapy is to restore the client to the highest level of emotional and mental health. In some situations, this could include the therapist encouraging the employee to find another less stressful and dangerous line of work. In others, it might include the therapist encouraging a return to work, in spite of significant work dysfunction, in a misguided attempt to improve the employee's level of self-esteem and self-confidence.

A final issue relates to the type of information that is provided to the department by the professional contact. It is difficult, if not impossible, for a therapist to both furnish information to a department that a therapy client views as unfavorable and simultaneously maintain a therapeutic relationship with that client. In addition, a mental health treatment provider is likely to be reluctant to release personal and confidential information obtained during therapy sessions even if it bears directly on the employee's job performance. Since a therapist cannot release a report unless the employee specifically requests that he or she does so, an employee could potentially object to certain statements in a report and request that they be deleted or reworded. If part or all of the information from a therapist is not favorable to the employee, it may not be released to the department, or only favorable information may be reported. In an FFD exam, written conclusions and recommendations are

based on objective data as well as the independent judgment of the examiner. Ideally, the FFD examiner should serve a sort of officiating role, making recommendations that are balanced and unbiased and that attempt to weigh the interests of the employee against those of the department and the public.

Legal Issues

After an administrator has made a decision that obtaining an FFD exam for an officer is necessary, it is important for him or her to know what, if any, limits there may be on his or her ability to compel the employee to engage in the examination. In general, the courts have been quite affirming of a public safety department's right (and obligation) to refer an employee for an FFD exam if there is a reasonable cause for concern about the employee's ability to function safely or effectively. Guller (2000) and Rostow, Davis, Levy, and Brecknock (2001) have provided useful summaries of case law relevant to psychological services in public safety contexts. A few cases stand out as particularly instructive to the FFD process. For example, in *Bonsignore v. City of New York*,² a police officer shot his wife and then killed himself. His widow sued the department claiming the department was negligent for retaining the officer. The court ruled in her favor, opining that a law enforcement department has to show that it has taken reasonable precautions to not retain officers who are emotionally disturbed. Based on another court decision,³ it appears that the doctrine of official immunity may not be invoked to protect a department from claims of negligent retention.

Numerous court cases have affirmed that a public safety department has a right to order an officer for psychological exams, including FFD exams (Guller, 2000). For example, in an Illinois case, *Conte v. Harcher*,⁴ a police lieutenant allegedly used excessive force and was ordered to undergo an FFD examination, which he refused. The court concluded that in order to protect the public interest and the efficiency of the department, the chief has a right to be fully informed about an officer's ability to perform his or her duties, and therefore, to order fitness testing.

The ADA does not prohibit public safety departments from requiring an officer to undergo a psychological FFD exam. Problematic personnel do not need to represent a "direct threat" under ADA to be appropriate for an FFD exam since being emotionally stable is considered to be a "business necessity" for public safety agencies. For example, in *Watson v. Miami Beach*,⁵ a police commander observed that an officer showed "unusually defensive and antagonistic behavior" toward his coworkers and supervisors, and required that he submit for an FFD exam. The officer challenged the order under the ADA, arguing that such an exam constituted a protected inquiry. The court ruled that under the circumstances an FFD exam is job-related and consistent with business necessity. In *Crocka v. City of Chicago*,⁶ the court ruled that it was reasonable to evaluate an officer's fitness for duty based on the knowledge that he was depressed and taking psychotropic medication. In doing so, the court dismissed the claim that ordering the exam was a violation

² 683 F.2d 635 (2nd Cir. 1982)

³ *Davis v. Hennepin County*, 559 N.W.2d. 117 (MN App. 1997)

⁴ 365 N.E. 2nd 567 (Ill. App. 1977)

⁵ 98-4163, 1999 U.S. App. Lexis 10976 (11th Cir.)

⁶ No. 98-2250, 203 F.3d 507, 2000 U.S. App. Lexis 1649, AD Cases (BNA) 289 (7th Cir. 2000)

of ADA. The courts have also ruled that work-related problems such as “poor judgment” and “personality conflicts” are not disabilities under the ADA and are therefore not offered protection under it.

Once ordered to an FFD exam, most courts have ruled that a public safety employee must comply with the order. For example, a Chicago police officer refused to take an FFD exam after being accused of sexual misconduct. The appellate court ruled that “an officer does not have the prerogative of actively disobeying an order from a superior while the officer subjectively determines whether the order is lawful . . . such a practice would thwart the authority and respect which is the foundation of the effective and efficient operation of a police force and destroy the discipline necessary in a paramilitary organization.”⁷ However, in Minnesota, a divided court ruled that an order to submit to an FFD exam is grievable and subject to arbitration under Minnesota’s Public Employee Labor Relations Act.⁸

Finally, the courts have been fairly inclusive with regard to what behaviors provide a reasonable basis on which to order an FFD exam. They include domestic violence,⁹ excessive absenteeism, tardiness, rapid variations in mood,¹⁰ making threats of physical harm,¹¹ allegations of sexual misconduct,¹² accusations of excessive force,¹³ and concerns regarding emotional stability after a critical incident such as a shooting.¹⁴ The use of obscene language between police employees, however, does not constitute a reason for an FFD exam.¹⁵

Summary and Conclusions

The psychological FFD exam can be a very useful tool for public safety administrators who must deal with problematic personnel. The primary goals of an FFD exam are to determine if an employee has a psychological problem, and if so, to determine the extent to which it might affect an employee’s ability to perform his or her job in a safe and effective manner. It can be effectively used to reduce the need for discipline, maintain a well-adjusted and productive workforce, and potentially save an employee’s career. It can also assist both the employee and department in providing direction to the best resources available to treat the employee’s underlying problems and hopefully returning the employee to work as soon as possible. When a return to work is not possible, the FFD exam report can provide the appropriate basis to help the department explore other avenues such as medical leave or disability retirement.

Many red flags may signal the need for an FFD exam, including a pattern of interpersonal conflicts with coworkers or supervisors, insubordination, excessive force complaints, threats of suicide or homicide, domestic abuse, excessive use of sick leave, being on duty while intoxicated or hung-over, a pattern of poor

⁷ *Hayes v. Police Bd. of Chicago*, 1997 Ill. App. Lexis 832 (7th Cir.).

⁸ *Hill v. City of Winona*, 454 N.W.2d 659 (Minn. App. 1990)

⁹ *Essex County Prosecutor Directive*, Essex County, New Jersey

¹⁰ *Werz v. Wilson*, 922 S.W.2d 268 (Texas App. 1996)

¹¹ *Flynn v. Sandahl*, 58 F.3d 283 (7th Cir. 1995)

¹² *Hayes v. Police Bd. of Chicago*, 1997 Ill. App. Lexis 832 (7th Cir.).

¹³ *Conte v. Harcher*, 365 N.E. 2nd 567 (Ill. App. 1977)

¹⁴ *City of Boston v. Boston Police Patrolmen’s Assn.* 392 N.E.2d. 1202 (Mass. App. 1979)

¹⁵ *Maplewood and Law Enforcement Labor Service*, 108 LA (BNA) 572 (Daly, 1996)

judgment, sexual inappropriateness, bizarre or threatening behavior, or a high rate of errors. The employee may also complain of depression, anxiety, PTSD symptoms, or alcohol abuse. There are significant differences in how FFD exams and mental health treatment services deal with these issues due to the differences in roles and competencies of therapists and evaluators. In general, while the welfare of an employee may be adequately served through mental health treatment, the interests of the department and the public are best served through the FFD exam process when performed by a psychologist or psychiatrist familiar with public safety assessment issues. In performing an exam, the examiner relies not only on the self-report of the employee, but also on objective psychological tests and collateral information. This combination of information sources allows for more objective conclusions that are better able to withstand challenges in court or another venue.

The decision to refer an employee for an exam is probably best made by the department administrator, with appropriate collaborative input from the department's consulting psychologist and its legal advisor. This decision may be made easier with the knowledge that the courts have generally been quite affirming of the use of FFD exams in public safety departments and that departments can be held liable for not using them when appropriate to protect the public's safety. Administrators seem to have been given broad discretion in referring an employee for an exam as long as the reasons for the exam are deemed appropriate.

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The College Degree Requirement for Law Enforcement Officers

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Introduction

The college-degree requirement appears to have gained momentum over the last 20 years as a minimum standard for police employment. As evidence of this, in 1995 one of the largest police departments in the nation with over 10,000 officers, the Chicago Police Department, adopted a policy of requiring a minimum of a two-year associate of arts degree for their entry-level officers (Rodriguez, 1995).

In 1997, the Bureau of Justice Statistics conducted a survey of more than 19,000 local and state law enforcement agencies as part of its Law Enforcement Management and Administrative Statistics (LEMAS) program. The part of that survey related to education and training indicated the following:

Nearly all (97%) local police departments had an education requirement for new officer recruits. The typical minimum requirement was a high school diploma (83%). Fourteen percent of departments had some type of college requirement, usually a two-year degree (8%). Just 1% required new recruits to have a four-year college degree. The percentage of local police officers employed by a department with some type of college requirement for new officers in 1997 (31%) was twice that of 1993 (15%), and three times that of 1990 (10%) (United States Department of Justice, 1995, 5).

The 1993 LEMAS survey indicated the importance that police departments are placing in the furtherance of higher education for their officers by way of incentives. "Some local police departments offered certain types of special pay to officers. For example, 28% of local police departments, employing 51% of all officers, offered education incentive pay to qualified officers" (11). Over 68% of the chiefs of police in the 1997 South Suburban Chicago Chiefs of Police Association salary survey indicated that their department offers educational incentives to their officers.

In his article on the forecast of police employment, Sharp (1997), noted that "69% of the respondents to a recent poll acknowledged a trend in law enforcement work that requires a college degree as a condition of employment . . . and 53% answered that college degrees should be required for police officers as conditions of new or continued employment for *all* departments." Clearly, the issue is not whether police officers should have a college education. The issue is becoming one of "how and when police agencies will implement higher education requirements for entry-level officers" (Breci, 1997, 52).

The concept of requiring a college education for officers has been a topic of research and debate for many years. There are many law enforcement administrators who are not convinced of the utility in requiring a college degree for officers due to the admitted difficulty of measuring its effects (Travis, 1995). In general, the

research and debate has focused on the concepts of professionalism, performance, and recruitment.

With more police departments seeking college educated entry-level officers, this begets answers to several questions of particular interest to police managers.

- Why is there a growing trend towards the college degree requirement?
- What are the benefits to requiring that entry-level officers have a college degree?
- What are the costs to the agency associated with the requirement of a college degree?
- What effect does the college degree requirement, or lack of it, have on an agency?

Why Is There a Growing Trend?

Much of the credit for the stimulus that led to the call for college educated police officers is placed upon the social upheaval of the 1950s and 1960s. The response of law enforcement to this social upheaval—the Civil Rights movement, the 1968 Democratic Convention in Chicago and protests against the Vietnam War—were all brought into sharp focus through the electronic medium of television. What the public saw of law enforcement’s response to social change led to the outcry for reforms. Several commissions were formed to look at the state of law enforcement in response to this public outcry. The recommendations of these commissions were to require that police applicants have a minimum number of semester hours of college credit or a baccalaureate degree (Walker, 1994; Campbell, 1992).

In 1986, the United States Supreme Court upheld the Dallas Police Department’s requirement of 45 semester credits as a job-related requirement. Vodicka (1994) notes that “In upholding this requirement, the court cited the professional nature of police responsibilities and the need to establish employment standards that are in keeping with the professional mandate. This decision cracked the ice for police departments across the country to raise their entry-level standards” (9).

Law enforcement officers today are required to have a range of skills which include decisionmaking, critical thinking, problem solving, personal computing, communication, conflict resolution, and mediation, just to name a few. Many of these skills are developed through a formal college education. Officers today play a number of different roles and wear a number of different hats such as counselor, social worker, mediator, psychologist, crime analyst, community leader, and lawyer (Benson, 1993). Tasks that officers perform such as report writing, interviewing and interrogation, and filling out forms appropriately require broad-based educational insights related to writing and communication.

Through a combination of education and training, officers are better prepared to face the complex situations so often encountered in their work. They need an understanding of human behavior and decision-making as well as the necessary “‘hands-on’ skills needed to defuse a tense situation” (Ferreira, 1997). Anyone

seeking assistance from one who professed to be a competent practitioner in his or her field of expertise would, at a minimum, expect him or her to possess a college degree; why is it we should expect any less from the law enforcement officers we entrust with protecting our lives and property?

Hoover provides three arguments for raising the educational standards in law enforcement. "First, the magnitude of crime has risen to the point that more qualified personnel are necessary to cope with it. Second, the nature of the police function involves conflict resolution skills, which require the officer to balance crime fighting with 'social work.' Someone handles this role conflict better with a college education because education encourages a broader social perspective." Third, "the use of police discretionary power within the restraining intent of the Bill of Rights is a delicate and comprehensive intellectual task" (qtd. in Campbell, 1992, 15).

An advanced formal education has long been recognized as the foundation for attainment of professional status in most fields. While the effect of an advanced education on the police profession is difficult to measure empirically, "achievement of professional status and the need for education has followed a historical process over time: thus, a group begins as an occupation and at one point crosses a threshold or boiling point—they must be seen as a profession by the public, and they must believe it themselves. It is therefore better to ask, 'How far along this historical curve is policing?' rather than 'Is policing a profession?'" (Buren, 1997). Walker (1994) cites Fogelson in defining the term *professional* as "one who must endure high admission standards, undergo extensive training, serve his clients, be devoted to the public interest, subscribe to a code of ethics, and possess a wide range of specialized skills." Walker notes that the police occupation adheres to all these concepts but one: high admission standards.

Events in the historical evolution of law enforcement in recent decades have led to the various commissions recommending a college education as a condition of employment for officers entering the law enforcement profession. There have been other signs that indicate that law enforcement is moving along the historical evolutionary curve towards professional status. These include curriculum standards that have been developed in police training institutions, accreditation of police agencies, and state-enacted certification standards. It is also generally recognized that state legislatures will begin to implement standards which are formulated to improve police professionalism (Breci, 1994). Clearly, law enforcement is moving towards attainment of professional status.

As previously noted, law enforcement is becoming increasingly more complex. Because of this, police professional organizations and accreditation groups have supported higher levels of education for police officers. These organizations have pointed to research, some of which is conflicting, that documents the benefits of an advanced education for law enforcement officers. Law enforcement administrators want to know that the college degree requirement for officers is a benefit for the police department as well as the officers.

What Are the Benefits?

Research in law enforcement and education began in earnest during the 1960s and 1970s in response to an influx of federal funding when Congress, in 1968, passed the Omnibus Crime Control and Safe Streets Act. The Act created the Law Enforcement Assistance Administration, which was responsible for millions of dollars being injected into policing and local criminal justice programs (Gaines, Southerland, & Angell, 1991). The effect of a college education naturally became one of the variables for social researchers in criminal justice to explore.

Much of the early education research focused on the effects of a college education on police performance, some of which produced contradictory results. There are, however, several themes that have begun to emerge concerning the benefits of a college degree for police officers. In general, a college education appears to benefit officers by way of enhancing several skill areas of importance to performing their job, which in turn assists them in promoting the mission of their police department. These skills can broadly be condensed into the categories of communication skills, socialization skills, and decisionmaking/analytical skills.

The Illinois Criminal Justice Information Authority (ICJIA) in its *Trends and Issues* (1997) publication delineated the conclusions reached by Carter, Sapp, and Stephens (1989) from their study conducted for the *Police Executive Research Forum*. In the section "What Training and Education Do Law Enforcement Officers Receive?," the ICJIA indicates that, "The study concluded that college-educated officers performed policing tasks better; were better oral and written communicators; were more flexible in dealing with diverse cultures, lifestyles, races, and ethnicity; and had fewer disciplinary problems."

Sanderson (1977) in a longitudinal study of 117 police officers over a ten-year period led him to conclude that those officers with college performed significantly better in the academy than those officers without a college education. Subjects with a four-year degree received fewer complaints than the two-year or no college subject; the four-year college level subject will use over 50% fewer sick days and approximately 60% fewer injured-on-duty days than the subject with no college. In a summary of all terminations from employment, 89.66% had no college education; 6.9% had two years of college; and 3.44% had a four-year college degree. There was a definite correlation between education and promotions: the higher the college level, the higher the percentage of promotions. Truxillo, Bennett, and Collins (1998) in their longitudinal study also identified a significant relationship with promotions, as well as supervisory ratings of job knowledge.

Sanderson (1977) concluded that a college education has a positive effect on the performance of police officers and recommends that the push for higher education among police officers continue. In regards to the benefits to the police department, he notes that the dollar savings and increased efficiency in reduced disciplinary cases, absenteeism, and terminations demand that the police administrator and the public encourage a higher level of education among police officers. An increasing number of police administrators now view it as an important component of a complete transition to community-based policing (Varricchio, 1998).

Vodicka notes that the research, despite differences in approaches, indicates that college-educated officers . . .

- Perform the tasks of policing better than their non-college counterparts.
- Communicate better; whether with a citizen, in court, or as part of a written police report.
- Show more flexibility in dealing with difficult situations and in dealing with persons of diverse cultures, lifestyles, races, and ethnicities.
- Adapt better to organizational change and are more responsive to alternative approaches to policing.
- Tend to see the broader picture of the criminal justice system than to view police more provincially as an exclusive group.
- Present fewer administrative and personnel problems.
- Also, they are more professional and more dedicated to policing as a career rather than as a job (92).

There is not, however, complete support for the college-degree requirement amongst law enforcement administrators. Administrators have legitimate concerns about what effects the college-educated officer and the degree requirement will have on the police agency. These concerns generally revolve around issues of recruiting, job satisfaction, pay, and promotions. They ultimately focus upon resources and the costs associated with them.

What Are the Costs and Effects on the Agency?

In today's world of "corporate downsizing," businesses, as well as government, are being told to do more with less financial resources. With personnel costs encompassing 85% or more of an agency's budget, is it any wonder why law enforcement administrators are examining concerns about college-educated officers, the degree requirement, and the costs associated with them? How does the education requirement affect the bottom line of a police agency?

Dantzker (1991) sees the concerns some administrators have as . . .

- Degree requirements negatively affect minority recruitment.
- College-educated police officers, particularly those with a four-year degree, tend to become bored and feel that the job is not as challenging.
- Degreed officers expect special treatment and quick promotions. They become critical when expectations are not fulfilled.
- College-educated officers cause animosity within the ranks. They question authority and orders.

- Officers without college can also develop necessary skills through inservice and on-the-job training.
- A college requirement limits the pool of prospective applicants.

Concerns over costs associated with these points are valid if taken at face value without further insight or research into how benefits outweigh the costs. An examination of these concerns indicates that while there is cause for concern, when considered in the context of the overall picture, law enforcement and the public it serves will find that the benefits far outweigh the potential costs. For example; there are potential political costs associated with the negative effect it is believed it will have on minority recruitment. These political costs can translate into a real loss of support at budget allocation time, which may translate into lost revenues for the agency. When considered in light of actual educational levels across races, however, it is apparent that these fears are without basis due to the fact that . . .

“the national educational level for all races is not significantly different. White officers have an average educational level of 13.7 years; blacks, 13.6 years; Hispanics, 13.3 years. As a whole, law enforcement personnel nationwide have an average educational level of 13.6 years . . . differences in educational levels among all races were found to be statistically insignificant . . . the data demonstrate that college-educated minority group members are being effectively recruited by law enforcement” (Walker, 1994).

This is indicated by the fact that 72% of blacks and 73% of Hispanics had attended college compared to 66% of whites.

In review of the *Police Executive Research Forum* study on education Carter & Sapp (1990) found that minority representation in American law enforcement does, indeed, tend to approximate the general population. It thus appears that an ethnic and racially diverse college-educated police department is a reality. Law enforcement should continue in that regard to base its college entrance requirements on written policy and recruit minorities who meet those qualifications.

Concerns about a college-educated officer becoming bored, expecting special treatment and quick promotions, as well as questioning authority and orders, is based upon fears regarding officer turnover rates and lost investment in recruiting, training, and paying benefits. These are, however, endemic not only to college-educated officers but to most officers as a result of the semi-military bureaucratic structure and management styles that prevail in law enforcement.

Educated officers may present more of a problem than less educated officers concerning boredom, questioning authority, and being more critical. Moriarty and Field (1994) note that maintaining a traditional approach to work design and management while raising educational levels is counterproductive because people who are not allowed to use their skills will experience job dissatisfaction.

In attempting to understand the systemic impact of a college-educated officer on the police agency, Patterson (1991) looks to two influences on police behavior:

(1) the paramilitary structure and (2) the training/education of officers. He notes that “the increase in awareness fostered by education can be a source of conflict and frustration.”

There is a sense of empowerment with learning. It is only logical that college educated officers soon begin to evaluate the internal organization based on their new knowledge.

Educated officers question the reasons for decisions, policies, and procedures. As they learn, their perspective changes. Often, line officers are studying management, supervision, budgets, and policymaking in school. They want to know how the theory they are studying in the classroom is used in actual practice. Officers will no longer accept that someone is right merely because the one making the decision has a higher rank. They will demand explanations. Such questioning is often mistakenly viewed as a personal attack, a challenge to the supervisor’s authority, or a threat to the agency. “Traditional leadership and management models and styles will, in all probability, be ineffectual with tomorrow’s work force which may have little loyalty for loyalty’s’ sake . . . There is an inherent desire for freedom to innovate, power to control personal destiny, and respect of being measured against personal achievements, not against company norms” (Moriarty & Field, 1994).

The problem lies not with college-educated officers but with the bureaucratic and managerial philosophy that drives police departments. It should become increasingly clear that police administration needs to accept greater sophistication in its management style and recognize the potential commitment from employees that is lost when it fails to integrate the needs and goals of the individual with the organization. The primary challenge for police administration is to harness the zeal which officers place into police unions, informal organizations, and outside interests and direct it to a commitment to the organization.

Concerns over college-educated officers expecting quick promotions should not be an issue to administrators because the procedures for the promotional process are governed by police and fire commissions and civil service board guidelines. In general, a college degree is not an overriding factor in promotional decisions for the first line supervisory ranks. Officers know this at the time they enter the profession and should not be the major cause of job dissatisfaction.

The observation that officers without college experience can also develop necessary skills through inservice and on-the-job training is true to a certain extent. This amounts to training, but training equates to teaching physical skills. It does not teach a person how to evaluate and critically analyze information in order to make more informed decisions—something that is a hallmark of a college education. When combined with training through the police department, a college education provides a powerful asset in an officer who is more effective and efficient in the delivery of services to the community because he or she is better prepared to understand what needs to be done, and more importantly, he or she is better able to conceptualize why it needs to be done for the benefit of the community.

Lastly, administrators are concerned that a college requirement will limit the pool of prospective applicants. In Minnesota, where they have mandated an associate

college degree for new officers, there have been no problems with an availability of qualified applicants. Concerning the claim that smaller departments will not be able to compete with larger departments in recruiting personnel, Breci (1997) observes that "in Minnesota, larger departments do receive more applications for posted job openings (around 400-500 per opening) than smaller rural departments (100 applications per opening). However, no shortage of qualified applicants exists."

Conclusion

This article has examined issues of interest to law enforcement administrators that surround the college degree requirement. It has done so within the context of questions regarding the reasons behind the growing trend in law enforcement, what the tangible benefits to the degree requirement are, the costs associated with it, and the effect on the agency.

The fact of the matter is that law enforcement is moving along the historical curve towards recognition as a profession. Within that context, a college education has become a *de facto* requirement for employment in law enforcement. Many police administrators who responded to the PERF education study commented that they rarely hired candidates with only the minimum education, even though they accepted applications from those with only a high school diploma (Carter & Sapp, 1990).

If police administrators choose to change employment philosophy from the trend towards a college-degree requirement and college education for police officers, it will mean a turning away from the progress that has been made towards recognition of law enforcement as a profession. A change of this nature would have negative consequences for police agencies considering the changes in alternative policing strategies and complexities of technologies, as well as changing laws and issues in law enforcement. Officers who have the intellectual abilities necessary to make decisions and use discretion in determining the correct course of action to take are an asset and lessen the potential for civil actions against the police department. Having officers with the leadership to make independent decisions outweighs whatever costs an administrator may perceive. "College-educated officers have shown they have the energy, willingness, and desire to increase their worth to the organization. They are telling us they want to help and be an active part of the organization, not just another cog in the wheel" (Patterson, 1991, 71).

Sanderson posits that the unrealized savings to a police department in reduction of disciplinary cases, absenteeism, and terminations alone, should lead administrators and the public to encourage a higher level of education. If administrators are looking for ways to cut costs associated with requiring a college degree from its officers, then more agencies need to promote links between higher education, state training boards, and law enforcement in order to develop alternative criminal justice curriculums that produce fully trained and state-certified recruits right out of college.

Based upon this review and analysis of the literature, it is recommended that police departments set a minimum entry-level requirement of 60 hours of college credit or an associate's degree from an accredited institution.

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Exploring the Drivers of Employee Retention

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Although my 32 years of management experience have totally been in the business of security management, I believe that much of what I learned in the private sector can be applied to public law enforcement. In both areas, at a basic level, it is essential to find and hire the best possible people and to keep the good ones around as long as possible. In this article, I will share my concepts of and experiences with employee retention with the hope that some may be of use to the reader.

Although the present recession may provide a bit of a breather, we are living and working in the most difficult and competitive labor market of our lifetime. It has become increasingly difficult to recruit the level of people that we found much more easily a decade or more ago. Our personal experiences with service businesses, whether fast food or retail, most likely confirm that service and work ethic seem to be declining these days.

It is, therefore, all the more essential that we strive to retain the good people in whom we have invested so much time, money, and effort. You just can't be sure that the replacements will be as strong, and it is always much more cost-effective to keep a person than to go out and find and hire a replacement. In the security guard business, for example, it has been estimated that it costs at least \$1,000 every time a security officer is turned over. Those costs come from recruiting, interviewing and screening, training, and new uniforms and equipment. If you factor in the costs of the typical learning curve for new employees and the related extra supervision and attention that is necessary, the cost of turnover is considerably higher.

Work Motivation

Dr. Frederick Herzberg's Work Motivation Theory¹ holds that true work motivation comes from the work itself and not from the "hygiene" or "maintenance" factors such as salary, benefits, interpersonal relationships, supervision, and even job security. Dr. Herzberg claims that the hygiene factors, in themselves, do not lead to job satisfaction or happiness, but to dissatisfaction more often than not. The work factors such as responsibility, achievement, recognition, growth, and advancement are the primary causes of satisfaction. The hygiene factors are expected once they are given and, in effect, become institutionalized entitlements. Real work motivation comes from the work itself and from those motivating factors that are intrinsic to the job.

In a frank discussion of retention, we must first admit that people do leave for better pay, benefits, and security. It must be assumed that the workplace is a

¹ Herzberg, F., Mausner, B., and Snyderman, B. (1959). *Motivation to work*. New York: John Wiley & Sons.

competitive market and that an employer who pays and provides significantly lower wages and benefits than comparable employers in the market will suffer higher turnover and will face much more difficulty recruiting. For the purposes of this article, we will assume that salary and benefits are comparable.

It should be noted that I have encountered many ex-employees who claimed to have quit for better pay or benefits but, after further questioning, admitted that they left due to issues such as supervisory treatment, lack of promotional opportunities, difficult working conditions, favoritism, etc. It is just easier to say you're leaving for the money and avoid the grief of resurrecting all of the painful situations. People usually want to just get away and get on with their lives.

Conversely, I have worked with several people who could have made much more elsewhere but stayed in their positions because they were very happy with the working conditions, the supervisory treatment, and the people with whom they worked. That brings to mind Abraham Maslow's Hierarchy of Needs² that addresses the variety of interwoven needs that drive human behavior. They are as follows, from most to least essential:

- Physiological – Basic food and shelter
- Security – Basic safety and the freedom from feeling insecure
- Belongingness – To associate with and be accepted by others
- Esteem – The feelings of independence, freedom, recognition, status, and reputation
- Self-Actualization – The ability to concentrate on assuming responsibility and involvement fully and at a creative level

This means, in terms of retention, that base salary must be sufficient to provide for a person's basic needs before he or she can rise to reach any sort of job satisfaction or achievement. Unfortunately, in the security guard business, too many people are still at or below such subsistence levels. As we attempt to meet those needs and help employees achieve as much satisfaction as possible in each category, loyalty and longevity will increase accordingly.

Probably the best way to see the difference among motivational factors and needs is to look at ourselves. Remember the jobs and positions you've held, and consider what made them pleasant or unpleasant. Why did you leave or transfer? What did you discuss most often with your peers in those positions? What sent you home angry and frustrated? What caused you to enjoy the job? What made you feel good about your work? If you're at all like most people, your frustration probably revolved around treatment by superiors, politics and bureaucracy, perceived unfairness and favoritism, and low levels of ethics and integrity. Your enjoyment probably was based upon recognition, advancement, challenge, positive relationships with fellow workers, and accomplishments. Pay and benefits probably don't immediately leap to mind. The next soul-searching

² Maslow, A. H. (1998). *Maslow on management*. New York: John Wiley & Sons.

questions, then, should be, “How do my employees feel? What is motivating them? Are they staying or leaving because of me? Would I want to be treated as I/we treat our people?”

In the following sections, I will explore specific work motivators (or demotivators) that, in my opinion, most dramatically affect retention.

Supervision

I would first like to illustrate the retention factor that is closest to my heart – quality supervision. When I took over the North Carolina security officer operations for Pinkerton in late 1996, I found that we were losing people faster than we could find them in the low unemployment area of Raleigh. We were virtually hemorrhaging people, and the cost and client frustration was significant and damaging. We conducted phone interviews of a cross section of former employees and heard repeated, again and again, the names of two field supervisors who talked down to employees, swore and yelled at them, and sometimes lied to them. After counseling failed to change their ways, those two supervisors were replaced with supervisors who were much more people-oriented. Our retention improved greatly with that action alone.

The lesson learned there, and in many other experiences, is that employees most directly relate to their immediate superiors. No matter how supportive and strong upper management may be, if the front line supervisors are jerks, then we’re all jerks in the employees’ eyes. It’s very easy nowadays to just hang it up and walk down the street to another job if you’re not happy.

It is, therefore, more important than ever that all supervisors are trained and developed as true leaders who reflect integrity, professionalism, civility, and supportiveness in all that they do. It should be noted that in most organizations, people are promoted because they are very good and dedicated at what they do, whether working as beat officers, security guards, or factory workers. Proficiency at a task and dedication to a job, though, does not necessarily indicate potential supervisory or leadership strength. Newly promoted and trained supervisors who don’t quickly demonstrate leadership skills should be stringently counseled and observed and reassigned if necessary. Not every person can or should be a leader.

I have used an exercise to illustrate the importance of leadership skills. I call it “Good Boss – Bad Boss.” During a meeting or class of supervisors or managers, I ask participants to offer an example, without potentially embarrassing names or specifics, of a good boss and a bad boss that they’ve had in their careers and what made that boss good or bad. Most people have worked long enough to have experienced both. Usually trends arise as the attendees discuss their examples that often include varieties of abusiveness, micromanagement, lack of trust, dishonesty, inconsistency, favoritism, etc. While the discussion is continuing, I ask the attendees to consider whether any of the discussed characteristics might fit them. Hopefully it encourages a bit of soul searching. In the end, the principal message is usually the often neglected Golden Rule—treat others as you would have them treat you.

Working Environment

As security director for a major international service firm, I was involved with a number of workplace violence situations that had escalated to death threats and attacks, and I had investigated many sexual harassment allegations. In many of those situations, I found work environments that had indirectly fostered attitudes of carelessness, disloyalty, resentment, and even paranoia. Supervision and management were often either too distant or too close. Cliques formed and played against each other. Work was extremely repetitive or otherwise nonchallenging. Teamwork and positive interpersonal relationships were nonexistent. Supervisors and managers either didn't listen or, when they did, were derisive and made assumptions too quickly, or they were chronically indecisive. All in all, atmospheres were created which encouraged the worst aspects of human nature. Turnover was typically higher in these operations—those who could bail out, did.

What sort of work environments have you created for your people? An excuse in law enforcement might be that the officers' work environments are the streets and neighborhoods and that management can't control that, but that would be a cop-out (no pun intended). No matter how rough the world is out there, the officers' working foundation and roots are in their relationships with their fellow officers and superiors and in the satisfaction they derive from their work. Years ago I learned, for example, that a busy security officer is a happy security officer. If his or her assignment is to sit in a chair and stair at a door for eight hours, you can pretty well assume that they will figure out inappropriate ways to keep things interesting and make the time pass. Likewise, law enforcement officers who feel that they are in a rut, that what they do doesn't make a difference, that they're not appreciated or listened to, and/or that there is little hope for change or improvement will either look elsewhere for satisfaction or will become the mopes they perceive themselves as.

While I managed the Northeastern U.S. operations for Pinkerton, a negative work environment example occurred when we encountered a large New England shopping mall which was experiencing a very high level of turnover among its security officers, some of whom were police officers. Upon closer inspection, we determined that a sort of caste or class system had evolved in which the more experienced, law enforcement trained, officers lorded it over the less experienced basic security guards. A new security guard at this mall could expect to work the most unpleasant duties and shifts and be constantly put down by the clique of experienced officers. Most of those new people quickly tired of the abuse and quit. An aggressive program of teambuilding and counseling helped to smooth the situation and encourage the more experienced officers to be mentors rather than intimidators, and retention improved as a result. It should be mentioned that immediate management of the officers at this mall were largely oblivious to the conditions because they hadn't taken the time or effort to investigate.

I have learned over the years that the vast majority of people want to do a good job and have good ideas to improve their work and performance—if only somebody asked. It has been proven, over and over again, that the top down, hierarchical, autocratic, "Theory X" management style is counter-productive and seldom extracts all of which people are capable. In recent years, I always asked my people to develop their own goals and objectives that will support the goals of the

organization or department. I am still amazed that most people create goals for themselves that are more aggressive and rigorous than management would have imposed upon them. First of all, people should understand what their organization's or department's goals and objectives actually are and how the organization or department has been doing. Knowledge is no longer power. Instead, a good manager shares virtually everything with his or her employees, especially including the latest performance and productivity statistics. Then, employees should have the opportunity to consider and discuss their own functions, how they relate to and support each other, and how they can better contribute. Conversely, employees without known and specific objectives and who are not listened to and valued will go down the street to the department or firm that will appreciate them.

As a supervisor or manager, you should ask yourself the following questions concerning working environment:

- How would I feel if I worked as an officer in my department? If I worked for me?
- Do my people have and know their specific, reasonable, and attainable goals and objectives?
- Do they have someone to whom they can go confidently if the traditional chains fail or aren't trusted (i.e., Ombudsman, hotline, etc.)?
- Are all of my people treated fairly, or is there a group that gets preferential treatment and notice?
- How well do I know my people? Are they comfortable with coming to me with suggestions, or do they fear me? Do I know their true strengths and weaknesses? Are they in the best roles, or could they contribute better doing something else? Have I made assumptions about my people made upon friendships, similar interests or backgrounds, or prejudices?
- Do my people like each other, or is there much conflict or resentment? Do I know why and what can be done? Could I be the cause of that?
- Again, do I treat my people the way I would want to be treated?

Other Retention Considerations

Pinkerton, before they were acquired by the Swedish firm, Securitas, bonused managers for employee retention as well as client retention, revenue growth, and profitability. That was a strong and clear reminder that managers and supervisors are responsible for and can affect the retention of their people. It was demonstrated that the more progressive and supportive operations, even where unemployment was the lowest, could achieve admirable levels of high retention and low turnover. Retention is as controllable and manageable as any other measurement of productivity and performance.

It is also essential that retention be measured and tracked. As with any other function, people can't be held accountable unless they know where they stand. I believe that it is more positive to measure and report levels of retention than turnover. Such measuring and tracking should also allow for charting trends which may help identify a problem situation or manager before things get worse. Tracking should also require explanations for terminations—whether voluntary or involuntary. In some cases, poor retention is more due to excessive involuntary terminations than resignations. Some managers and supervisors would rather fire a person than work with him or her to achieve improvement and mutual satisfaction. A manager who is quick to fire and who has a higher than average rate of terminations may be responsible for the problem.

I believe that the issue of employee retention will only become that much more critical and challenging as we move deeper into the 21st Century. As our economy grows, through starts and stops, people will have more and more choices as to where they want to work. With the help of the Internet, we will be much more aware of the employment possibilities that meet our qualifications and needs. It will be easier to evaluate a potential employer on-line including how people are treated and motivated. People will better know their rights and have higher expectations for job satisfaction. Typical loyalty to one's job will erode even further.

And managing by the Golden Rule will be that much more indispensable.

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2000 County Sheriffs' Survey Results

Robin A. Johnson
Robert K. Campbell

County sheriffs face a variety of challenges at the dawn of the new millennium. Financial and demographic changes have important implications for sheriffs' ability to maintain service levels. Technological advances hold great potential for enhancing law enforcement efforts but are expensive and can be difficult for some cash-starved departments to obtain. Perhaps most importantly, the nature of crime is also changing as traditional urban problems of gangs and drugs continue to surface in rural areas.

To gauge recent issues and trends in county sheriffs' departments, the Illinois Institute for Rural Affairs, the Illinois Sheriff's Association, the Illinois Law Enforcement Training and Standards Board, and the Illinois Law Enforcement Executive Institute, surveyed sheriffs last year on a variety of topics, following up on a similar survey and report completed in 1995. In the 2000 survey, 78 counties returned completed questionnaires, a response rate of 76.5%. The sample is fairly representative of counties by metropolitan status as defined by the U.S. Census Bureau and by region.

This article will examine results from the survey and identify trends in comparison with the 1995 results. Before examining other issues, it is helpful to identify demographic and financial trends as perceived by sheriffs.

Demographic and Financial Trends

Any population or economic shifts have resource implications for sheriffs' departments and may lead to reconsideration of priorities. Sheriffs were asked if the population shifts in their counties during the 1990s affected the level of services provided. This question, while based on the judgments of sheriffs rather than hard data, is still important because perceptions can drive decisions on resources and service levels.

Most sheriffs (58.4%) statewide report that service levels were impacted by population shifts, an increase from 48.6% in 1995 (Table 1). The results varied considerably by metro status with nearly all metro (92%) sheriffs saying that services were impacted by changes in population, and only 32.1% of sheriffs in remote counties reporting this finding. This confirms that sheriffs' perceptions were close to reality since population increases during the 1990s occurred mostly in metro areas while most remote counties barely held their own or lost population.

Sheriffs were also asked if certain population subgroups increased in population in the past ten years. Statewide, 59.4% of respondents reported an increase in the elderly population, and 58.8% said the number of youth (15-24 years of age) increased. Nearly half (45.1%) of the sheriffs said the number of lower income residents increased.

Table 1. Perceived Population Change and Direction

Question	Statewide Pct.	North Pct.	West Pct.	East Pct.	South Pct.	Metro Pct.	Adjacent Pct.	Remote Pct.
Since 1990, have population shifts affected the services that you must provide?								
Yes	58.4	94.7	47.8	63.6	37.5	92.0	54.2	32.1
No	41.6	5.3	52.2	36.4	62.5	8.0	45.8	67.9
If yes, which of the following has occurred?								
Definite increase in elderly								
	58.8	77.8	72.8	33.3	38.5	77.3	43.8	46.2
Definite increase in youth (15-24 years old)								
	59.4	77.8	36.4	66.7	30.8	68.2	62.5	23.1
Definite increase in lower income residents								
	45.1	50.0	63.6	44.4	23.1	36.4	56.3	46.2
No noticeable change								
	15.7	0.0	9.1	22.2	38.5	0.0	18.8	38.5

More sheriffs in the 2000 survey noticed an increase in the elderly than in 1995 (59.4% versus 50%), reflecting the first Baby Boomers retiring, a trend that will continue into the future. The number of sheriffs reporting an increase in the number of youth declined from 1995 probably resulting from slower birth rates in the 1980s.

As sheriffs adapt services to population changes, they must shift budget priorities accordingly. Law enforcement services are among the most expensive provided by local governments, and public safety expenses are among the county expenditures increasing most rapidly. Police services are labor intensive, require a fleet of vehicles, and demand adequate training for such things as firearms use and drug interdiction.

Sheriffs' budgets vary greatly depending on population, economic activity, and location. Among survey respondents, the DuPage County Sheriff's Department had the largest budget (\$33 million) and Gallatin County the smallest (\$125,000).

Improved economic conditions during the late 1990s led to healthier finances in many counties. Nearly nine of ten responding sheriffs (89.5%) said that annual budgets had increased during the prior three years compared with 80.7% in 1995. While the numbers of sheriffs reporting budget increases of less than five percent stayed about the same, the number whose budgets increased more than five percent rose from 32.5% to 42.1%. Only five departments said their budgets declined in the preceding three years, and two of them are located in southern Illinois.

Sheriffs were also asked to rate the capacity of their budgets to meet current needs (Table 2). In 2000, 23.1% of sheriffs said that their budgets were adequate to perform all tasks, and 24.4% indicated that, while the current budget was currently adequate, it would be insufficient to meet departmental needs within two or three years.

Table 2. Current Budget Capacity

Question	Statewide Pct.	North Pct.	West Pct.	East Pct.	South Pct.	Metro Pct.	Adjacent Pct.	Remote Pct.
How adequate is your budget for current needs?								
Adequate to perform all tasks	23.1	30.0	26.1	36.4	8.2	34.6	20.8	14.3
Adequate at present but will be insufficient within 2-3 years	24.4	30.0	21.7	9.1	29.2	26.9	25.0	21.4
Currently inadequate but have not had to reduce services	44.9	35.0	52.2	36.4	50.0	38.5	45.8	50.0
Currently inadequate and expect to terminate personnel or otherwise	2.6	0.0	0.0	0.0	8.3	0.0	0.0	7.1
Have already terminated personnel or reduced services	5.1	5.0	0.0	18.2	4.2	0.0	8.3	7.1

Nearly half (44.9%) of the sheriffs reported that their current budget was inadequate, but they had not yet been forced to reduce services. It could be that these sheriffs are deferring capital purchases of expensive items, such as vehicles, or are cutting back on training expenses in an effort to maintain current services and staff.

For other sheriffs, hard financial times have already arrived, and they are or will be making some difficult decisions. Two sheriffs said that their budget was currently inadequate, and they expected to terminate personnel or otherwise pare expenses; and four sheriffs reported that they already terminated personnel or reduced services. Three of those six sheriffs are located in southern Illinois, and four are from remote counties.

While longer term trends appear challenging for some sheriffs, the near term outlook appears to be positive for many of them. Nearly one-third (32.1%) of sheriffs forecast budget increases of more than 5%, and 56.4% anticipate increases of less than five percent for 2001. Only three sheriffs (3.9%) predicted declines in their budgets. Again, the numbers are better than in 1995 when 22.2% of sheriffs estimated their budgets would decrease.

It would appear that budgets for some sheriffs, while currently adequate, are slowly deteriorating and will require difficult tradeoffs in the next three to four years. Clearly, some sheriffs are preparing for that eventuality. Nearly one-fifth (18.2%) said that they expect to cut services in the next three years for budgetary reasons. Ten of the 14 sheriffs predicting services cuts (71.5%) are from remote counties.

Sheriffs expecting financial shortfalls were asked a follow-up question on the amount of budget increase needed to meet departmental needs. Most sheriffs (55.6%) estimate that they need an increase of less than 15% to meet current needs. In spite of the increased financial needs of sheriffs in the near future, results are still much better than in 1995 when more than half (58.3%) indicated they needed

funding enhancements of more than 20%. The decline in the number of sheriffs needing large infusions of dollars could result from improved economic and financial conditions, passage of a public safety sales tax, or improved management practices that increase efficiency and save tax dollars.

Sheriffs' Services

Sheriffs were asked to estimate the average amount of time spent by their departments on a variety of functions. It is important for sheriffs to be aware of time spent on specific tasks, not only to determine whether resources are being placed into prioritized areas, but also to promote efficiency in the delivery of services.

Patrolling Rural Areas

In spite of the fact that patrols are not a mandated function of sheriffs' departments most do so as a service to rural areas. The largest portion of sheriffs' departments' time (32.2%) is devoted to patrolling rural roads and unincorporated areas. This is not surprising because of the large number of roads that need to be patrolled across the state. Most sheriffs (83.6%) report that their departments spend at least 20% of their time patrolling rural areas.

According to the survey, sheriffs want an increased patrol presence in their counties but are limited by financial factors. In response to a question asking them for the area in which they would prefer additional funding from the Illinois Department for Law Enforcement, most sheriffs (69.2%) listed increased patrol presence as the top priority. Sheriffs in remote counties reported this priority more often (85.7%).

Serving Civil Process

Sheriffs report that 13.2% of their departments' time on an average day is devoted to serving civil process. Most sheriffs (56.9%) indicate that 5-10% of time is spent serving civil process, and about one-fourth (26%) say that 20% or more of departmental efforts involve civil process. Counties in the latter category are probably more spacious, meaning more time spent traveling to serve papers.

Criminal Investigation

The average sheriff's department spends 12% of its time investigating criminal offenses. Nearly two-thirds of responding sheriffs (65.6%) say that their departments devote 5-10% of their time to investigations. Roughly one in five departments (22%) spend 20% or more of their time investigating crimes, a decrease from 47.1% in 1995. In fact, the numbers from the 2000 survey indicate that sheriffs are spending less time on average on criminal investigations than in 1995. This is probably due to the crime rate decreasing in Illinois during that period of time.

Small Town Patrols

Sheriffs statewide report that 10.7% of their departments' time involves patrolling streets in small communities. Most (54.1%) departments spend 5-10% of their

time patrolling small towns, and 6.6% invest more than 20% of their time for such services. The latter figure is a large drop-off from 1995 when 37.6% of sheriffs said their departments invested more than 20% of their time in small town patrols. This could reflect shifting resources into other areas with a higher priority, reduced regular patrols, or more contracted patrols for small towns.

Maintaining Jail Facilities

The average amount of time spent by sheriffs' departments maintaining jail facilities statewide is 10.1%. Surprisingly, nearly one-third (31.4%) of sheriffs said that no time is spent overseeing jail facilities. This could involve sheriffs in small, rural counties that house few inmates on a daily basis, sheriffs in counties without jails, or sheriffs that contract with other counties to house their inmates.

The five-year trend shows that sheriffs are spending more time overseeing jail operations. In 1995, three-fourths (75.3%) of sheriffs said that they spent less than 5% or no time maintaining jails, while 37.3% reported similar amounts of time in 2000. In addition, the number of sheriffs reporting 20% or more of total departmental effort going into jail management increased from 7.1% to 23.6%. This could involve sheriffs that have sought funding for a new jail facility or counties where jails are housing inmates from other counties or federal facilities.

Transporting Prisoners

Another core function of sheriffs is transporting prisoners to and from courthouses, other correctional facilities, or medical treatment facilities. This is another area in which sheriffs report more activity during the past five years. While the statewide average for time spent has remained the same at 7.1%, those reporting less than five percent or no time for this activity decreased from 62.4% in 1995 to 22% in 2000. Also, sheriffs estimating 5-10% of daily effort for transporting prisoners increased from 28.2% to 67.8%.

Transporting prisoners was one of only four issues that increased in importance to sheriffs since 1995. The number of sheriffs rating transporting prisoners as a very important issue increased from 60% to 72.4%. It could be that more counties are transporting inmates more often between facilities to alleviate overcrowding.

Administration of County Jails

Perhaps the most important responsibility of county sheriffs is to operate a jail facility. The stakes have increased from both a public safety and financial perspective. County jails are now likely to house dangerous criminals involved in local crimes as well as hold federal prisoners en route to other facilities. In addition, the age of facilities, enormous construction costs, use of new technologies, and state and federal mandates, combine to raise the cost of new facilities to multimillion dollar levels.

Not all counties maintain a jail. All counties in metro areas have jails, but 25% of those in remote counties do not. Counties without jails are located in southern

Illinois (5) and in the western region (3) and usually pay to house prisoners in nearby counties or share facilities.

Jail Characteristics

The age of jails ranges from new ones built in 2000 (Woodford County) to those constructed more than 150 years ago (Putnam County in 1843). Most sheriffs (67.6%) report that their jails were constructed after 1975, a sharp increase from only 14.9% in 1995. About one in ten sheriffs (11.8%) have reported jails more than 50 years old, and 20.6% report that their jails were constructed between 1950 and 1975.

Most of the construction of new facilities has occurred in metro counties. While the statewide average age of jails is 30 years, sheriffs in metro counties report an average age of about 17 years. Older facilities are reported more often in rural counties where the average age of facilities is approximately 38 years.

The average cost of building or remodeling a jail statewide is \$8.7 million. Sheriffs in metro counties report an average cost of \$12.3 million, and jails in remote counties average approximately \$4 million.

State and federal regulations often drive sheriffs to consider building or remodeling jails. The number of sheriffs reporting that they are presently, or were recently, under state and federal pressure to remodel their facilities declined from 42.5% to 32% during 1995-2000. This could indicate that some of the sheriffs previously reporting that they faced such pressure were able to build new facilities in recent years.

New jails and those being remodeled require more space to handle an influx of inmates. Circumstances of the increase depend on the location of the county. The number of metro county sheriffs housing more than 100 inmates increased from 36.8% in 1995 to 61.5% in 2000. Jails in remote counties also had an increase in population—those housing 21-50 inmates increased from 17.9% to 28.6%, and those housing 51 to 100 inmates rose from 17.9% to 23.8%. Since most criminals are held in state prisons, county inmates are often comprised of low-level offenders with short durations or prisoners from other counties. In addition, more counties are holding state and federal prisoners for longer periods of time due to overcrowding. DuPage County reports the highest average daily inmate population at 750, and Putnam County has the lowest at two. The statewide average population of jails is 109, ranging from 217 in metro counties to 51 in remote counties.

Inmate populations can be compared with the number of beds by facility to determine capacity levels. On average, county jails have 128 beds; numbers range from 242 beds in metro jails to 63 in remote counties. Numbers of beds vary from 820 in DuPage County to two in Putnam County. Most counties are close to capacity, with jails in metro counties the nearest to overcrowded conditions. For example, jails in remote counties have an average capacity of 63 and current average populations of 51, leaving additional room for 12 inmates, or 19.1%. Jails in adjacent counties have an average unused capacity of 25%, and the figure for metro jails is 10.4%.

Housing Inmates from Other Counties

The number of counties reporting that they board inmates from other counties declined from 65.8% in 1995 to 58.9% in 2000. This finding could result from the fact that more counties are building or remodeling existing facilities that include more beds. Larger facilities alleviate overcrowded conditions that may have caused housing inmates elsewhere. Also, sheriffs may have made corrections and revisions to existing jails to come into compliance with state and federal standards.

Sheriffs in remote counties house inmates from other counties more often than metro and adjacent counties. This could be because those facilities are less full and have the capacity to board additional inmates. Remote counties are also more likely to face financial problems and fees from housing inmates.

Daily rates charged by counties housing inmates have increased slightly during the five-year period under examination, rising from an average of \$41.57 in 1995 to \$43.10 in 2000. Most sheriffs (68.1%) charge a daily rate of between \$36 to \$85. DuPage County reported the highest rate at \$75, and Ford County reported the lowest at \$22. The number of counties charging more than \$85 declined from 24 to one, suggesting that counties adjust rates due to supply and demand. The shift in fees over the years also suggests that sheriffs review their fees on a systematic basis to make adjustments based on costs of availability. Sheriffs without jails shop for the lowest cost among nearby jails, creating downward pressure on fees charged.

Personnel Issues

Police work is labor intensive, and personnel costs comprise a large portion of law enforcement budgets. The economic revival of the mid- to late-1990s has had both positive and negative impacts on personnel issues in sheriffs' departments. On the plus side, improved economic conditions stabilized county finances and led to better salaries and benefits for sheriffs' personnel; however, the economic recovery also created lucrative opportunities outside law enforcement, which created competition for sheriffs' departments.

Sheriffs' Information

Most sheriffs (62.8%) served as a deputy in the county where they hold office prior to their election, and 20.5% worked in municipal law enforcement. Results changed from 1995 when 53.7% of respondents served as deputies before becoming sheriff and 23.2% worked in municipal police departments. The 2000 results vary to some degree, with sheriffs in metro counties more often serving in municipal police departments and sheriffs in rural counties more likely to have risen through the ranks. This is probably because there are fewer police agencies in rural counties from which potential candidates could be drawn.

More sheriffs report receiving post-secondary degrees as the highest level of education they attained. The number of sheriffs reporting that they received an associate's degree increased from 10.8% in 1995 to 15.4% in 2000. More than one in five sheriffs (21.8%) attained bachelors' degrees, an increase from 16.9%; and the number receiving a master's degree rose from 7.2% to 9%. All sheriffs with masters'

degrees are in metro counties; increases in the number of sheriffs with associates' and bachelors' degrees occurred mainly in rural counties.

Most sheriffs (39.7%) indicated that they have served one to five years as sheriffs, meaning they are in their first or second terms since the survey was mailed in 1999, a year after the most recent election; another 29.5% of sheriffs have six to ten years of experience and are in their second or third terms. Therefore, nearly 70% of sheriffs have ten or fewer years of experience. The rest of the sheriffs have served more than ten years—14.1% have served 11-15 years; 9% have served 16-20 years; and 7.7% have served 21 years or more.

Staffing Levels

Most sheriffs reported they were fully staffed as of January 1, 2000. The average number of full-time sworn personnel in sheriffs' departments ranges from 103 in metro counties to 17 in remote counties with a statewide average of 49. In addition, there is an average of 4.7 part-time sworn personnel in counties throughout the state. Sheriffs report an average number of 29.4 nonsworn personnel, ranging from 75.8 in metro counties to 5.6 in remote counties. There is an average of 3.7 part-time nonsworn personnel in sheriffs' departments.

Sheriffs that oversee jail operations report an average of 29.4 full-time jailers with the numbers varying from 59.2% in metro counties to 9.3 in remote counties. There is also an average of 2.3 part-time personnel involved in jail operations statewide.

Salaries

Approximately two-thirds (66.2%) of sheriffs report that current pay levels are sufficient to attract applicants, an increase from 59.3% in 1995 (See Table 3). The results vary with about 40% of sheriffs in rural counties saying that current pay is insufficient. Financial factors may be only part of the recruiting problem. Many law enforcement agencies across the nation are struggling to attract and retain police officers.

Table 3. Adequacy of Current Pay Levels

Question	Statewide Pct.	North Pct.	West Pct.	East Pct.	South Pct.	Metro Pct.	Adjacent Pct.	Remote Pct.
Is the current pay level sufficient to attract applicants?								
Yes	66.2	60.0	69.6	80.0	62.5	80.8	60.9	57.1
No	33.8	40.0	30.4	20.0	37.5	19.2	39.1	42.9

Sheriffs were able to provide pay increases for staff in the last two years of the decade. In FY1998, sheriffs reported an average pay increase of 3.7%, and for the following year, the average increase was 3.8%. The raises were greater than the inflation rates of 1.6% in 1998 and 2.2% in 1999, allowing sheriff's personnel real increases in purchasing power. These raises are comparable to average increases reported in the last survey in FY1993 (3.9%) and FY1994 (3.7%) as the nation was emerging from a recession and inflation was slightly higher.

Current pay levels reflect recent increases and provide a way to compare salary levels in different regions of the state. Not surprisingly, pay levels vary with metro status—counties in metro areas are able to compensate sheriffs and their staffs better than rural counties. Remote counties have the most difficulty providing attractive wage levels to county law enforcement officials; however, a higher cost of living in urban areas negates some of the salary differential.

Sheriffs' salaries average slightly more than \$50,000 statewide, ranging from averages in the mid-\$60s in metro counties to the low \$40s in remote areas. Considering that sheriffs oversee multimillion dollar budgets, dozens and, in some cases, hundreds of employees, and serve to enhance the public safety, it would seem that they are underpaid compared with similar responsibilities in the private sector.

Another striking aspect of salaries of sheriffs' departments is the entry-level pay for recruits just out of the training academy. The statewide average starting salary is about \$26,000 and ranges from the low-\$30s in metro areas and mid-\$20s in remote counties. Starting pay must not only be competitive with the private sector, but, at the very least, must provide a minimum level of support for individuals interested in a career in law enforcement. Salaries starting in the low-to mid-\$20s are close to the \$17,463 poverty level for a family of four, making it difficult for those wanting to work in law enforcement and raise a family.

Collective Bargaining

Nearly all sheriffs (88.5%) report that they bargain collectively with employee groups, an increase from 77.1% in 1995. The increase is mainly reflected in the greater number of sheriffs in remote counties who must deal with unions, increasing from 55.6% to 82.1%.

In most cases (55.1%), sheriffs bargain with the Fraternal Order of Police (FOP), which is often the bargaining unit for law enforcement officers. An additional 20.3% of sheriffs report bargaining with FOP and other unions, such as the American Federation of State, County, and Municipal Employees (AFSCME) or local bargaining units. Interestingly, nearly one-quarter (24.6%) of sheriffs report dealing with local bargaining units, with most of them located in rural counties.

Collective bargaining has impacted nearly all sheriffs' budgets (except for one) for salaries and benefits but not had much effect on working hours. All sheriffs report that collective bargaining increased wages, and 86.8% say it increased benefits. Only 16.2% of sheriffs report that collective bargaining resulted in a decrease in the number of hours worked. Thus, collective bargaining appears to have achieved its goal for most sheriffs' employees by boosting salaries and benefit packages.

Training Issues

Nearly two-thirds (64.9%) of sheriffs view training requirements as a very important issue. That number is down from 80% in 1995 but still reflects the priority that sheriffs place on training personnel.

Nearly three-fourths (74%) of responding sheriffs reported that current inservice training needs are being met, an increase from 63.5% in the previous survey. This could reflect more financing available for sheriffs' departments. Half of the sheriffs saying that training needs are not being met are from remote counties.

Financial concerns are the leading cause (80%) for sheriffs reporting that inservice training needs fall short. Access and availability of programs are another concern, cited by 50% of sheriffs. Some training programs are conducted in state, but others are held out of state, which can increase costs of attendance and reduce the number of staff that can participate.

The state and federal governments have mandated training for sheriffs' departments in a variety of areas. Most sheriffs report meeting mandated training requirements for air/bloodborne pathogens (96.2%), correctional certification (95.7%), and hazardous materials (HAZMAT) (94.9%).

Part-time officers are mandated to undergo the same training as full-time staff. This requirement can hit small departments hard because they have fewer resources and rely more on part-time staff; however, most sheriffs (84.2%) favor mandated training for part-time officers in spite of the costs.

Personnel Qualifications

Statewide trends suggest that some sheriffs are raising minimum educational requirements for new deputies and offering incentives for continuing education. None of the responding sheriffs reported that they do not require any minimum education compared with five sheriffs that did in 1995. Also, ten sheriffs now require at least an associate's degree for a new deputy compared with none in 1995. Approximately two-thirds (67.1%) of sheriffs do not offer any incentives for continuing education. The most common form of incentive is tuition reimbursement that is offered by 25% of sheriffs. Some sheriffs offer monetary bonuses for continuing education—seven offer bonuses for a bachelor's degree, seven for an associate's degree, and two for an advanced degree.

Minimum age requirements for hiring have not changed much since 1995, but more sheriffs are lowering the eligible age for early retirement. All sheriffs except for two require a minimum age of 21 for employment. The maximum age for hiring has dropped some, declining from 41.5 to 37.5. Most sheriffs (78.9%) said they provide an early retirement age of 50-55 years of age, an increase from 60.3% of respondents in 1995. The number that offered early retirement in the 55-60 age group declined from 23.1% to 14.5%.

Fewer sheriffs are providing preference points for previous police and military experience, and more are requiring that new applicants be tested for drug use. It could be that the tight job market caused some sheriffs to drop preference points to help attract potential applicants. Sheriffs testing applicants for drug use/involvement rose from 43.6% to 53.8%.

The number of sheriffs that have merit commissions has remained about the same in recent years. Merit commissions have control over the hiring of police officers and can be involved in other aspects of personnel policy. While the number

of sheriffs with merit commissions rose slightly in other counties, the number declined in remote counties from 55.6% to 35.7%. This could indicate new sheriffs opting to abolish commissions and resume authority over hiring.

Management

The ability to effectively manage and oversee operations is a major if often overlooked aspect of the sheriff's office. Sheriffs must be able to develop a budget, track spending, oversee contracts, and efficiently manage operations. Citizen opposition to higher taxes and greater demands for financial accountability make enhanced financial management skills all the more important.

Contracting for Services

One of the more common ways for sheriffs to provide services is to contract with small communities for patrol services. Statewide, 37.2% of sheriffs have such contracts with small communities, roughly the same as the 39.3% of sheriffs that contracted in 1995. Contract agreements are more common in metro counties (69.2%) probably because they have more available manpower and resources to provide protection services. Only 25% of remote counties contract with small communities, probably because of financial limitations that force sheriffs to reduce non-core services.

There are two main types of protective services counties offer to small communities: (1) night patrols and (2) investigative assistance. An equal number of sheriffs (41.4%) report that they provide night patrol and investigative services for small communities. Investigations are a specialized function that most small departments can't afford and must secure elsewhere.

Services provided to small towns can vary with the resources available to both the contracting community and the county. This can be seen by the number of sheriffs (76.8%) reporting that the range of services increased during the 1990s as compared with that figure in the 1980s (35.6%). Clearly, there is a demand for these services in small towns.

Only one-third of responding sheriffs (33.3%) said the fees charged to small towns fully cover the cost of providing the service. Nearly two-thirds (61.5%) of sheriffs report that fees do not cover costs, an improvement from 1995 when 71.1% said that fees did not cover costs. More sheriffs in metro counties (45%) report that fees fully covered the cost of services, probably because larger counties have more staff to assist with determining the full cost, which can be a highly technical process.

There are several methods used by sheriffs to charge small towns for protective services. The most common reported by 40% of sheriffs is using an hourly rate for time spent, an increase from 28.6% in 1995. This method is the fairest from the county's standpoint because towns are paying for what they get. A variety of components can go into determining the hourly rate including labor, fuel, and equipment.

The number of counties charging a flat rate, regardless of the services provided, declined from 45.7% in 1995 to 37.5% in 2000. A flat rate may be less fair to the county because they receive a set rate that has no relation to how much they are called on to do. Trends during the late 1990s showed that many sheriffs realized the differences in fee computation methods and changed to a fairer method.

Another option for sheriffs is to charge by the number of calls responded to. The number of sheriffs reporting this method increased from 2.9% to 7.5% during the five-year period. This method is similar to the hourly rate charged in that the fees are directly related to services performed.

Nearly three-fourths (73.2%) of responding sheriffs said that they evaluated the cost of providing contracted services during the previous three years. Results varied with metro status—sheriffs in metro counties were more likely to have reviewed costs than sheriffs in remote counties. Still, nearly two-thirds (63.6%) of sheriffs in remote, rural counties evaluated costs, a sign that most sheriffs in all parts of the state pay close attention to the bottom line on contracting agreements.

In response to a question on the survey asking sheriffs to rate the effectiveness of contracts with small communities, most respondents (38.5%) believe they are profitable and beneficial to the sheriff's office. Conversely, 10.3% of the responding sheriffs said that contracts with small communities were time-consuming and not beneficial. It is likely that the reasons relate to fees not fully covering the cost of services.

Consolidation/Merger

The survey listed four types of services that sheriffs could consolidate with other local governments, and none of the services received a majority of support for merger. The service sheriffs favored for consolidation most often is 911 communications systems by 35.8% of respondents (See Table 4). 911 systems are becoming more expensive due to the cost of advanced telecommunications equipment. Some 911 systems already involve multiple jurisdictions. Rising costs could mean that more counties look outside their borders for potential partners to provide 911 services.

One reason many sheriffs favor consolidation of 911 services is that most departments already have cooperative agreements with other entities for dispatching services. Approximately three-fourths (75.6%) of sheriffs statewide dispatch for other law enforcement agencies, and 70.5% dispatch for area fire departments. Also, 67.9% report that their departments also provide dispatching for ambulance services and 55.1% for emergency medical technicians (EMTs). The foundation is in place for expansion of cooperative ventures among sheriffs' departments and other law enforcement and emergency services agencies.

Table 4. Consolidation of Services

Question	Statewide Pct.	North Pct.	West Pct.	East Pct.	South Pct.	Metro Pct.	Adjacent Pct.	Remote Pct.
Do you favor consolidation of services with other . . .								
Municipalities within the county?	35.8	60.0	30.4	18.1	29.1	42.3	29.1	35.7
Multi-county correctional facilities?	29.4	35.0	30.4	36.3	20.8	34.6	25.0	28.5
911 communication systems?	17.9	33.3	8.6	18.1	25.0	11.5	16.6	25.0
Consolidated county/city facility?	16.6	30.0	17.3	0.0	12.5	15.3	8.3	25.0

In the survey, 29.4% of sheriffs said that they favored consolidation of services with area municipalities. It is assumed that the sheriffs would have operational control over a consolidated force since the county has the larger jurisdictional boundary; therefore, it is somewhat surprising that more sheriffs are not in favor of a joint city/county police force. Perhaps sheriffs know the political realities of gaining support for and implementing a merger and simply do not believe it is realistic.

Fewer sheriffs (17.9%) favor a consolidated city/county facility. This could be an attractive option for some because it stops short of consolidating services but combines departments in a single facility that could improve cooperation.

Finally, 16.6% of sheriffs favor a multi-county correctional facility. One such entity exists in southern Illinois and includes Union, Pulaski, and Alexander Counties. The most formidable obstacle to such a facility is again the control.

Relations with Other Law Enforcement Agencies

Most sheriffs report good working relationships with other law enforcement agencies. More than 80% of sheriffs rate relations with the Illinois Department of Law Enforcement as good with 37.2% rating them as highly favorable and 44.9% as favorable. Only two sheriffs said relations were unfavorable, and one said highly unfavorable.

Relations with municipal police departments are even better. All sheriffs except one had a favorable opinion with 48.7% reporting that the relationship is highly favorable and 50% saying it is favorable.

Fleet Management

The survey results indicate that sheriffs are aware of the importance of properly maintained fleets, ranking equipment costs and repairs as the sixth most important issue facing their departments. There was less concern over equipment costs and repairs during the past five years, declining from 88.2% of sheriffs rating it as very important to 82.9%. Improved economic conditions contributed to better

finances for counties and allowed sheriffs to put sufficient funds into equipment replacement and repair.

The size of sheriffs' fleets range from an average of 45 cars in the metro areas to ten in remote counties. Some departments also have vans with the average number ranging from five in metro counties to 1.5 in remote areas. The average number of squad cars in sheriffs' departments statewide is nearly 23. At approximately \$20,000 a vehicle, it is apparent why fleets take up a sizeable portion of sheriffs' budgets.

The average number of vehicles increased across the board from 1995 to 2000. For example, the statewide average number of vehicles increased from 14 to 22. This could result from either more funding in budgets for vehicle purchases or increased use of leasing vehicles as an option.

The condition of the vehicles suggests that sheriffs have improved their stocks of squad cars significantly within recent years. Sheriffs reporting that their fleets are in excellent condition increased from 37.8% in 1995 to 48% in 2000. The number of sheriffs saying their fleets generally need to be replaced declined slightly, and the number reporting that vehicles generally need to be repaired increased.

Most sheriffs (53.8%) purchase their vehicles through the Department of Central Management Services (DCMS) pool although the number declined from 75.3% in 1995. Only 10.3% of sheriffs said they purchased vehicles locally, a decrease from 43.5% in 1995. Local purchases have traditionally been the preferred method of sheriffs because buying out-of-town can cause negative feelings among local dealers. Also, buying locally can help support the area economy. Perhaps the prices of local dealers could not compete with the state program, and sheriffs switched their preferences.

The number of sheriffs acquiring vehicles through lease-purchase agreements nearly doubled during recent years, going from 3.5% to 6.4%. The rest of the sheriffs use a combination of methods to acquire vehicles. While small, the numbers indicate that sheriffs are shopping for the best bargain regardless of whether it is for purchase or lease or whether it is through a local dealer or the state.

Many sheriffs (74%) try to establish a regular rotation of trading vehicles to ensure that some are new models, and 26% have no set replacement schedule. The preferred method, used by most sheriffs (39%), is to trade vehicles annually, and an additional 6.5% trade every two years. Another 28.6% of sheriffs replace vehicles based on a set number of miles traveled.

Insurance Coverage

Another major cost for sheriffs is liability insurance. The intensity of liability insurance as a key issue to sheriffs has dropped since 1995. The number of sheriffs rating liability insurance premiums as a very important issue decreased from 68.2% to 51.9% in 2000. Apparently, the costs of liability insurance have stabilized or sheriffs are better able to afford premiums because of improved finances.

The survey results show that more sheriffs are self-insuring, and fewer are using major carriers than they were in 1995. Most of the increase in self-insurance is in metro counties where the number of sheriffs reporting this option increased from 36% in 1995 to 76.9% in 2000. Few sheriffs (4.2%) report difficulty in getting insurance.

Technology in Law Enforcement

One of the greatest challenges facing sheriffs is incorporating technological advances into service delivery systems. Rapid changes in telecommunications, computerization, and the Internet have had profound impacts on how sheriffs provide services.

Communications

New technologies with expensive price tags are forcing counties to consider cooperative arrangements for communications systems. Only 10.3% of sheriffs report that they have county communications systems that don't include other agencies. More sheriffs in remote counties (17.9%) have their own systems, probably because they are located far away from potential partners.

Most sheriffs (39.7%) report that dispatching is provided by a 911 communications center. One-half (50%) of sheriffs in metro counties say 911 boards have sole responsibility for dispatching. 911 boards receive funds from a telephone tax and use the proceeds for dispatch operations. Another 30.8% of sheriffs say that 911 centers are part of a multi-agency approach for communications. Ten sheriffs (12.8%) said that dispatching was provided by a multi-agency center.

Nearly three-fourths (73.7%) of sheriffs said that they provide staffing for the communications centers. More rural sheriffs provide staffing than those in metro areas, probably because metro counties more often have 911 agencies with their own funding sources that hire staff directly. Rural counties are more often involved in multi-agency arrangements, with and without 911 boards, and must provide some degree of staff support.

In most cases (48%) where sheriffs' personnel are involved in staffing communications centers, civilian officers alone perform the dispatch function. In 22.7% of counties, sworn personnel are assigned to dispatching, and 29.3% of sheriffs report a combination of sworn and civilian personnel in this area.

Computers and the Internet

A majority of sheriffs (57.1%) say they use mainframe computers, and 2.6 plan to add them within the next three years. This figure is an increase from 33.7% of sheriffs that used mainframes in 1995. Use of mainframes is much more common in metro counties (72%) than remote counties (35.7%).

Most sheriffs (89.6%) use personal computers (PCs), a slight increase from 84.1% five years earlier. All metro counties use PCs, and 75% of remote counties do so. The sheriffs that do not use PCs are located in the southern and western

regions, indicating that financial considerations are limiting sheriffs' ability to obtain PCs.

Specialized software packages are available for management of law enforcement agencies. The survey asked sheriffs if they utilize Police Management Information Systems (PIMS), and one-quarter (25.7%) responded affirmatively. Fewer sheriffs use PIMS now as compared to 1995—especially in metro counties where the number of users declined from 14 to seven. Two sheriffs indicated that they plan to add PIMS in the future.

Use of computer-aided dispatch systems (CADS) more than doubled in recent years, increasing from 27.4% in 1995 to 57.1% in 2000. Four sheriffs (5.2%) plan to utilize CADS in the next several years. Use of CADS is more prevalent in metro and adjacent counties.

Geographic Information Systems (GIS) is rapidly becoming a useful software tool for many local government functions. GIS helps public officials map where certain activities occur to assist in efficient deployment of resources and better problemsolving. While few sheriffs' departments currently use GIS (17.1%), the number more than doubled from 1995, and 13.2% of sheriffs plan to add GIS in the next three years. Seven of the ten sheriffs planning to acquire GIS are located in metro counties.

A new use of computers involves placing specialized units in police vehicles to help deputies access important information more quickly. The use of car-based computers more than tripled since 1995, increasing from 8.2% of sheriffs to 28.6%. Because of the cost of car-based computers and the fact that they should be purchased for all vehicles at once for maximum efficiency, they are mostly used in metro counties (60%). An additional 12 sheriffs (15.6%) plan to deploy car-based computers within the next three years, bringing the statewide percentage of sheriffs using these systems to close to 50%. They will still be rare in remote counties, however, with only one sheriff currently using the computers and one planning to purchase them soon.

Software systems are also available for administration of jails. More than two-thirds (69.3%) of responding sheriffs said that they use a computerized Jail Management Software/Computerized Book and Arrest System. Use of this software is more common in metro counties, although, more than half (51.9%) of sheriffs in remote counties use it. Four sheriffs plan to add this software in the near future.

Finally, a large number of sheriffs (69.3%) utilizes the Internet as an information resource. Seven sheriffs plan to add Internet access in the next three years bringing the statewide total to nearly 80% of sheriffs. Internet access is rarest in southern Illinois counties (43.5%), although, a majority of remote counties (55.6%) have it. In addition, many sheriffs have websites that provide information to the public and include links to other law enforcement agencies.

In-Car Video Cameras

Another technology that has been adapted for law enforcement is the use of video cameras in squad cars. Cameras can help ensure that deputies follow proper

procedures when questioning suspects and arresting individuals. They also can be helpful for liability purposes if a defendant claims mistreatment by a deputy. Nearly one-half (48.1%) of sheriffs said that they adopted the use of this technology in the previous four years, an increase from 39.8% in 1995. Use varies by size with 72% of metro counties using in-car video cameras and only 21.4% of remote counties.

Emerging Issues & Trends

The challenges facing sheriffs also provide opportunities for creativity and innovation in drafting solutions. Several issues were examined that have emerged as major concerns for sheriffs or are continuing problems that have spread throughout the state, affecting more sheriffs than previously. In response, sheriffs developed initiatives and programs to address the following challenges:

- *Drugs.* Illegal use of drugs continues to be the issue of most concern to sheriffs (See Table 5). All sheriffs in the survey said that drugs rated as a very important issue in their counties. The nature of drug crimes has changed as rural areas have experienced an increase in the use of methamphetamine or “meth.” Sheriffs in rural areas have responded by increasing training for meth lab cleanups and forming task forces with other law enforcement agencies to combine their efforts.
- *Senior Citizen Services.* More sheriffs indicated that senior citizens’ issues are important in their communities in response to the rising number of elderly residents. Sheriffs began tailoring programs to meet the needs of seniors and forming partnerships with other government agencies and nonprofit groups to enhance the delivery of services. Many counties implemented Triad Programs for the elderly that focus on crime prevention. Some counties created their own local senior citizen programs, while others used initiatives developed by the Illinois Sheriff’s Association.
- *Gangs.* The number of sheriffs that rated gangs as a major concern nearly tripled from 1995 to 2000, increasing from 16.5% to 47.4%, the largest increase of any issue in the survey. Gang concerns have spread to suburban and rural areas, usually in conjunction with drug issues. In response, sheriffs are participating more in gang awareness programs that are similar to drug education and prevention initiatives.

Table 5. Issues Rated as “Very Important” to the Sheriff

Question	Statewide Pct.	North Pct.	West Pct.	East Pct.	South Pct.	Metro Pct.	Adjacent Pct.	Remote Pct.
Drugs	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Residential burglary	92.2	90.0	90.9	100.0	91.7	96.0	95.8	85.7
Property crimes	90.9	95.0	100.0	100.0	75.0	92.0	100.0	82.1
Violent crimes	85.5	90.0	90.5	63.6	87.5	95.8	83.3	78.6
Maintaining jail standards	84.4	90.0	81.8	90.9	79.2	100.0	83.3	71.4
Equipment costs and repairs	82.9	80.0	95.2	63.6	83.3	79.2	87.5	82.1
Traffic accident calls	76.3	95.0	90.5	54.5	58.3	83.3	87.5	60.7
Transporting prisoners	72.4	70.0	81.0	81.8	62.5	75.0	83.3	60.7
Senior citizen services	68.4	80.0	71.4	54.5	62.5	79.2	70.8	57.1
Training requirements	64.9	65.0	86.4	54.5	50.0	72.0	79.2	46.4
Vandalism	57.1	55.0	77.3	54.5	41.7	56.0	75.0	42.9
State-mandated programs	56.8	52.6	75.0	36.4	54.2	65.2	54.2	51.9
Court time	56.6	50.0	71.4	45.5	54.2	54.2	58.3	57.1
Farm equipment thefts	56.0	30.0	81.0	45.5	60.9	41.7	66.7	59.3
Liability insurance premiums	51.9	45.0	81.8	18.2	45.8	56.0	62.5	39.3
Gang activities	47.4	85.0	33.3	27.3	37.5	70.8	37.5	35.7
Animal thefts	18.4	10.0	23.8	9.1	25.0	12.5	16.7	25.0

- *Innovative Management.* Continued population shifts, changing economic and financial conditions, and the rising cost of technology are trends that will force sheriffs to think “outside the box” when developing solutions. Sheriffs are more adept at analyzing fee structures for services they provide, such as for boarding inmates and small town patrols. They will also likely examine opportunities to contract with other law enforcement agencies to share services, equipment, and/or personnel. In spite of their current opposition, some will move towards consolidation of services, especially 911. Opportunities exist for more cooperative efforts that will reduce duplication of services and increase efficiency.
- *Recruitment/Retention.* Despite the economic slowdown in the past year, recruitment and retention of personnel will likely become more difficult in the future and be an issue of major importance. Competition from more lucrative private sector opportunities and the decreasing allure of police work are other reasons for the “cop crunch.” Solutions will likely require additional resources for paying off student loans, housing assistance, etc. Some sheriffs are already providing increased educational assistance for deputies. This issue could force sheriffs and other law enforcement agencies to share personnel or further combine efforts.
- *Community and School-Based Policing.* Continuing the trend of the 1990s, more sheriffs are adopting community-based policing strategies to help prevent crime and increase their visibility in the community. Statewide, 55 sheriffs reported having community policing officers, and 50 have school resource officers. Senior citizen outreach programs are another example of community-based policing. Growth in community-based policing programs will continue as sheriffs take more proactive steps at crime prevention and build better relationships with citizens.

Conclusion

The late 1990s were good years for most sheriffs in Illinois. Better economic conditions increased the amount of resources available for sheriffs to do their jobs more effectively. In nearly every category of the survey, most sheriffs reported improved financial, managerial, and personnel-related conditions. Overall, the outlook is bright for most sheriffs.

Some sheriffs, however, face enormous challenges in the years ahead. In rural areas of the southern and western regions, continued population declines and economic and financial deterioration will bring some difficult choices ahead. More consolidation, contracting, service sharing, and other cooperative efforts will be needed to maintain service levels. Even sheriffs in some large, prosperous counties may face increased demands for services and rising costs of services. Of course, if the economy continues to slide, all sheriffs will face difficult choices.

The survey results demonstrate that most sheriffs are well-equipped to face these challenges. Most sheriffs’ management skills have improved; more are technologically savvy; and many are quick to adapt innovative ideas to their local needs. The years ahead will no doubt offer new challenges and further test sheriffs’ capacity to provide cost-effective services and craft innovative solutions.

The purpose of this study and those preceding it is to inform policymakers about issues and trends affecting sheriffs' departments and increase the understanding about the proper role of county law enforcement. It is part of a systematic study by the Illinois Law Enforcement Training and Standards Board, Illinois Law Enforcement Executive Institute, and Illinois Institute for Rural Affairs to analyze and communicate law enforcement issues. These efforts will continue in the future.

A full copy of the report, *Illinois Sheriffs' Departments: Trends and Concerns 2000*, can be obtained by contacting the Illinois Law Enforcement Executive Institute at (309) 298-2266.

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Village of Mundelein Winners of the 2000 International Association of Chiefs of Police Community Policing Award

Mayor Marilyn Sindles
Chief Raymond J. Rose
Ken Marabella, Administrator

A successful community policing program must involve not only the entire community, but also the village government—the mayor, village board, village administration, department heads, and all village employees. The community policing “vision” must be an integral part of an organization’s mission statement, goals, and budgetary planning. If any one piece of the collaboration does not participate, the program will not succeed.

Mayor’s Perspective

We have promoted cooperation and partnerships at all levels of government and within our community’s general population. As the world becomes a smaller place in which to live and work, so do individual communities. Having people work cooperatively and harmoniously to identify and address local issues is paramount to a community’s success.

The Village of Mundelein, over the past several years, has taken a leadership role in a number of local and regional issues that have resulted in creating a community with multiple successes in virtually every area. The people, businesses, not-for-profit groups, and employees have learned the value of creating processes that involve stakeholders and providers of services in order to obtain goals. Our *community policing* program is an example of this type of approach and is part of the broader concept of *community governance*.

When the Village recognizes issues to be addressed, we listen to those who are most affected, and those who are responsible for developing and implementing solutions. The department heads of the Village have long been involved in various professional organizations and have accepted various leadership roles in order to enhance the services provided at all levels. Through professional police, fire, public works, finance, and management organizations, the Village has been able to learn from others and share our experiences to promote better government.

As Chairman of the Illinois Law Enforcement Training and Standards Board, Past President of the Lake County Municipal League, Chairman of the Central Lake County Joint Action Water Agency, Member of the Illinois Municipal League Board of Directors, and various other high profile positions, I have long ago recognized the need to methodically identify issues and develop solutions. The Village of Mundelein’s community policing program, which was recently recognized as one of the leading programs in the nation by the International Police Chief’s

Association, is a perfect example of this attitude and approach. The following program, which has enjoyed the unqualified support of our elected officials and staff, has been a tutorial, albeit after the fact, of the development of a highly successful community policing program.

A successful community policing program must enjoy *significant* elected official support, for if the mayor and council are not enthusiastically supportive, the program will never be able to attain the type of success that is possible. Elected officials are called upon routinely to provide the financial support and community direction that is essential to a successful community policing program. Local elected officials, as policymakers and leaders in the Village, must provide the support necessary to ensure a well-rounded program that addresses the needs of the entire community. When proper goals are established and pursued collectively, it is much easier for all of the individuals involved to support the program (e.g., elected officials, staff, and public).

A community policing program requires not only the financial and administrative support that comes from the elected officials, but also support from the community, both from those specifically served and the general population at large. Issues regarding facilities, funding, manpower, and programs must be explained and justified in order to promote the type of atmosphere that is conducive to establishing and maintaining a comprehensive community policing initiative.

Given that we have a new \$10 million police station under construction, we have just received the International Police Chief's Association Community Policing Award, we have received our CALEA (Commission on Accreditation for Law Enforcement Agencies) accreditation, and I have been re-elected to my fourth term as Mayor, all within months of each other, demonstrates the type of community support which has evolved within the Village of Mundelein and which is essential to the program's success.

The relationship between the mayor and the chief of police is an issue which can be most sensitive and has rarely been explored in print. A program of this nature unquestionably needs to have a high profile, both inside and outside of the community; and in the Village of Mundelein's case, the high profile figure has generally been the police chief. Egos being what they are, elected officials must establish the ground rules early on in conjunction with other elected officials, the chief, and staff. There is no room in a successful community policing program for conflict or jealousies. There are fairly clear rules that must be adhered to from both the elected and appointed perspectives.

The success of a program cannot be measured by the number of newspaper articles, quotes, personal appearances, or other recognitions that are given to the program. The success of the program has to be measured in results. While the police chief's position is on the point, it was determined early on that the role of the mayor would be one of support of the program, whether it was through newspaper interviews, discussions with elected officials, or in meeting with the public at large. Both the perception and fact must be that the mayor, the police chief, board, and staff are all working harmoniously and methodically to address the community issues.

Village Management Perspective

Crime and the fear of crime—topics that were old news to large cities—became of paramount importance in the early 1990s. Mundelein was experiencing considerable changes: economic growth, expanding physical area of the Village, an influx of people moving from Chicago to the suburbs, and a large increase in our Hispanic population. Rural Mundelein was fast becoming a premier location in Lake County for commercial and residential growth—something the Village administration was encouraging.

The police department, however, was not properly prepared to deal with these events. One entire apartment complex of over 500 units had been completely overtaken by gang influences and the crime, fear, and frustration that accompanies such an invasion. From that beginning, gang symbols started appearing throughout the Village. The grade schools and the high school were reporting more and more warning signs, such as flashing symbols, the backward hats, and spray painted symbols. Village elected and appointed officials realized that the problems were far more extensive. Besides these external factors, internal conflicts also were of concern such as poor morale, lack of leadership, lack of coordination between shifts, and a significant lack of confidence from the Village administration.

The recognition of multiple law-enforcement-related problems, both “on the street” and in the police station itself turned out to be Mundelein’s first step in developing one of the premiere community policing programs in the nation. This recognition step was not taken easily, it is very difficult to accept the fact that you have a significant problem, especially in a government environment. We believed we needed a police department that would be up to the task of addressing the overall community needs, warts and all. As we would later find out, political courage from the elected officials at this early stage is paramount to the success of any community policing program.

Selecting the right individual to lead the department, the village government, and the community at large is the second step in the overall community policing program. Now that the issues had been recognized and had been publicly acknowledged, the Village embarked on the second step of our effort to attack our problems: the selection of a new police chief to lead the department, work with the Village Administration, and serve our citizens. The Village needed someone with strong leadership skills, experience in those issues that we had identified, and vision. The Village needed an individual that could envision how our community and department *could be*, not how it *presently existed*. The person chosen must be dedicated to police excellence and teamwork. Due to the tremendous internal and external communications required, the chief must be an excellent communicator. He must be able to deal effectively with employees, department heads, elected officials, the administrators, the public, and the media. This second step is critical. Even though the Village may have recognized the need for the program, the right individual is essential to the success of the project.

Later in this article, there is a summary of the dozens of successful programs that our community policing program administers. Many of these programs involve multiple Village departments in order to realize this success. Many of these programs are also highly visible in the community and in the media.

The combination of high visibility and absolute need of assistance from other departments, however, can be a formula for failure. The media's infatuation with police activities can also serve to create friction and envy in other Village departments, if not properly addressed. Finally, the plethora of organizations that recognize exemplary police performance (which in part is necessary to balance the huge media attention that erupts when problems occur) can further inadvertently cause interdepartmental issues. Managing these issues is another critical aspect of a successful community policing program.

The Village of Mundelein has been very fortunate to have not only a stable political environment, but a stable administrative environment as well. From 1992 through 2000, the same department head team members remained in office. They are an exceptional group, each enjoying the knowledge that they have the political and administrative support necessary to undertake their various missions, while realizing that financial resources are limited. They are also driven to continually "set the bar higher" in their departmental operations and their professional goals. Through the luxury of working together as a team, with the common goal of making the Village better, the Village has been able to minimize internal "issues."

Every department of the Village understands and readily acknowledges that they need assistance from the other Village departments to realize their goals and provide the best service possible to our residents. Our departments work together, whether it is in emergency situations, special events, or daily operations. The departments have also learned to be patient and to support funding recommendations for other departments, even when it means that implementation of some of their programs may be delayed. The department head group has the confidence in the administration to allocate resources for personnel, equipment, and facilities where the need is the greatest. Patience will be rewarded. Department heads are taught to spend their efforts working for the good of the Village, not in competing with one another. Local government is not a race, it is a mission.

In the Mundelein Community Policing Program, it is essential that various program components maintain a high profile, with a highly visible spokesperson. In Mundelein, that person is the police chief, with the mayor in a highly visible supportive role. Without the mayor's total support, both publicly and privately, the community policing program would be doomed to failure. A successful community policing program requires politics and egos to be checked at the door! It is absolutely essential that the chief, the mayor, and the administrator do not compete. They must not compete for media attention, community favor, resources, or board influence. Once again, the Village of Mundelein is very fortunate. The mayor has served for 14 years as an elected official, 12 as mayor. The administrator has served Mundelein for 26 years. They hired the police chief, fully recognizing that the police chief's position had to be visible, both in the community and in the press. A successful community policing program will be enhanced in a community in which the mayor and administrator are secure in their own positions and fully understand the role the chief must play.

The chief must also understand his (or her) role. Being highly visible does not translate into autonomy or independence. It means working in harmony with the elected officials and administration to accomplish goals. It means fully acknowledging that the employer is not the police department, it is the Village of Mundelein. Parallels are often drawn between the military and police department

organizations. Generals and admirals fully understand and acknowledge that their employer is the United States of America and that they are subject to its civilian authority. Police chiefs of community policing programs will have a far greater chance of success if they remember this very simple fact of government.

It has become obvious over the years, that a properly conceived, initiated, implemented, administered, and continuously modified community policing program, is far more than a fad; it can become a departmental culture that reaps benefits to the entire community and far exceeds expectations.

Police Department Summary

In the past 91 years, Mundelein has evolved from a community of farmlands in 1909, population 500, to a culturally and ethnically diverse suburb of Chicago with over 28,000 residents. Mundelein is geographically situated approximately 35 miles northwest from Chicago's loop, five miles west of Interstate 94, and 20 miles north of O'Hare International Airport. Four major state highways serve Mundelein: (1) Route 60, (2) Route 45, (3) Route 176, and (4) Route 83 encompassing a 9.75-square-mile land area. It is redefining its identity and striving to blend its unassuming past with a bustling future. The Village has evolved over the past two decades from a rural-oriented, blue collar, small town to a suburban, upper middle-class, diversified community. New development has been primarily residential and has led to a large influx of new residents but has also provided a "move up" market for established residents. Simultaneously, a steady increase in the Hispanic population, attracted by affordable housing and employment opportunities, has occurred. According to the 1997 special census, the Hispanic population showed an increase from 7.5% in 1990 to 18.1% in 1997. The Hispanic community is highly concentrated into two neighborhoods: (1) Diamond Lake and (2) Whitehall Manor. Few resources were available for Hispanic families. Those that were available, often went unused because of cultural and language barriers. The Village is in transition, which provides certain problems and challenges for the community.

Over the years, Mundelein developed a number of concerns dealing with issues of minorities (cultural diversity), young people involved with gangs, alcohol, drugs, and other "quality-of-life" issues. It was clear that traditional policing and reacting to crimes after they occurred was failing. These problems, if ignored, would certainly affect the entire community. In response to the problems facing the community, the police department developed a nontraditional approach to addressing community problems. A number of partnerships with a variety of organizations in the community were formed. The partnerships resulted in the development of a number of community policing programs: Project CAPE – Mundelein (Creating A Positive Environment), the Mundelein Task Force, and the development of two Community Resource Centers. In addition to the community partnerships, the police department also implemented a number of additional community policing programs involving all members of our community, including schools, churches, businesses, senior citizens, youth, and families.

The Mundelein Police Department focuses on the prevention of crime through the department's solution-oriented programming. Our partnerships have contributed to enhancing the "quality-of-life" issues, the reduction of crime, and "fear-of-crime" issues that have had a negative impact on our citizens and residents. The

following is a summarization of our mission and organizational values and how we have accomplished our goals.

Strategies and Tactics Implemented to Encourage the Community Policing Philosophy Internally and in the Community – Community Involvement in Problem-Solving and Crime Prevention Efforts

The Mundelein Police Department is comprised of 45 sworn officers and a support staff of 19 civilians who serve a community of approximately 28,000 people. The police department is organized into two divisions: (1) the operations division and (2) the support services division, each headed by a deputy chief. The deputy chief of operations is responsible for the day-to-day functions of the department, the patrol division, and the special operations unit. The support services deputy chief is responsible for the operation and administration of the department, the investigations unit, record/communications divisions, DARE (Drug Abuse Resistance Education), GREAT (Gang Resistance Education And Training), and the high school and junior high school liaison officer programs.

In 1992, the Village of Mundelein hired Raymond J. Rose as chief of police. Chief Rose met with members of the police department to discuss the expectations and the direction the department would be taking under his guidance. The chief introduced himself to the officers and made an analogy that the department was “on a new bus” and he was the driver. Within a couple days, the chief found a little yellow bus on his desk. It bears the legend “The Golden Rule” on its side where a school district or bus company name should go. The new route that the department drives is one called “community policing.” As part of the new philosophy, the department has also visually taken on a new look. Squad cars received new markings with the police department motto “Community-Focused, Community-Committed” painted on the sides; dispatchers and officers received new uniforms, and the police department received a new paint scheme. The new look was symbolic of what the department believes in. A mission and values statement was developed, and the department made a commitment to itself and to the Village of Mundelein. The mission and values statement reads . . .

The Mundelein Police Department is in existence to provide the highest quality of police service which requires citizen involvement in the identification and solution of problems within the community. The Mundelein Police Department will continue to improve the “quality-of-life” through enhanced police services, while protecting the constitutional rights of all citizens.

Officers were given a laminated copy of the mission and values statement, which could be kept in their uniform pockets. Additionally, the mission and values statement was placed on the back of all department business cards. Inside the police department, you could find several framed copies of the mission and values statement proudly displayed on the walls, as a reminder to the community and the police department employees to show their commitment. New changes began to occur. The philosophy of community policing strives to form a partnership between officers and residents as a way to stem crime. Community-oriented policing encourages a problem solving partnership between the citizens and police. It recognizes a shared responsibility and connection between the police and the community in making the Village of Mundelein a safer, more livable community.

The entire 64 members of the department participated in the move to accept community policing as an enforcement strategy. All of the members of the department; officers, investigators, command staff, and the chief; attended training in community policing and total quality management principles. The training gave the department insight as to what direction we, as a department, were heading. It instilled a sense of pride and accomplishment in each of us. We were all called upon to become more active with the community and take part in more of the community policing programs. Each officer was empowered and encouraged to produce to his or her full potential.

In order to implement the community policing philosophy, a number of major changes had to occur. The department implemented a 12-hour shift. The change benefited both the patrol force as well as the department. The organization benefits because there is an improvement in the deployment of personnel resources into the community, which enhances the organization's efficiency and effectiveness. Accountability and responsibility are directed to the lowest levels of the patrol force, thereby improving results in the area of reducing crime and also a reduction in the "fear-of-crime." The employees benefit by "normalizing" their schedule and providing for a number of "quality-of-life" issues (i.e., rotating shifts reduced, regular weekends off), therefore allowing all officers stability in their personal life and more time with their families. Obviously, when the morale of the officer is high, this translates to a better organization and better service to the community.

The Village was also divided into four geographical police districts: Districts 10, 20, 30, and 40. A zone commander is responsible for two districts. Each district is assigned a district commander and a team of community policing officers. Officers are responsible to the citizens in their district. Each officer must walk his or her entire district, introducing themselves to each resident or business owner within their beat. Although this process is time consuming, it provides district officers an opportunity to meet the citizens of "their" district. Officers also develop accountability and responsibility to their district. They work with residents to identify crime patterns or trends and utilize crime prevention techniques or special operations details to address issues surrounding their police districts. Positive feedback has been received from the district officer and the community, stating that they feel the police are more approachable and accessible to them as compared to the past.

The department has also implemented CRIMESTAT, which is an adaptation of the New York Transit Authority and Police Department's "COMPSTAT." Like the New York model, the Mundelein Police Department utilizes CRIMESTAT to analyze crime patterns within each police district. The chief of police, the deputy chief of operations and support services, the zone commander, district commander, and district officers, attend monthly meetings. During each meeting, issues such as crime patterns, district officer concerns, and concerns from the community are discussed. Also discussed are the problem-solving techniques used to address these issues. This process requires communication on all levels of the department, from command to the rank and file. Not only are problems discussed, but also credit is given to district officers and command for their approach taken to solve these problems. The process accomplishes positive results and solutions to community problems, thereby further strengthening the partnerships created with the community.

The safety of our community is a village-wide concern. Crime and disorder in our neighborhoods cause frustration, uneasiness, and fear. Traditionally, police respond to calls, investigate crimes, and make arrests. This process alone does not reduce crime. Crime and public safety issues are community problems which require a commitment from the community and the police to work together to solve these issues. Community policing initiatives are making a difference in law enforcement agencies and communities worldwide. At the heart of community policing is the belief that meaningful change can occur when law enforcement agencies empower officers to make decisions, think creatively, and work closely with their communities. The Mundelein Police Department has made a commitment with the citizens of the Village of Mundelein to address crime, “fear of crime,” and “quality of life” issues through community-oriented policing.

The Mundelein Police Department has developed a philosophy to employ nontraditional “alternatives” to community problems. The police department works in a unique partnership with the community. Police officers focus on the prevention of crime before it happens through the department’s community involvement and solution-oriented programming. The police department has been the catalyst in the successful implementation and coordination of several community policing programs, such as Project CAPE – Mundelein, The Mundelein Task Force, and The Whitehall Manor Project (including the creation of the Mundelein Police Community Substation and two Community Resource Centers). Police officers are on foot patrolling businesses; school liaison officers are stationed in the middle school and high schools. Additionally, bike safety officers patrol the streets and teach bike safety programs at *all* community schools. The special operations unit operates full-time in the summer and works closely with the Gang Outreach Police-Chaplain Program. Our Senior Citizen’s Police Academy and senior advocate officers work closely to identify and resolve crime concerns addressing the senior population. The common thread that runs through all of these community policing programs has been the Mundelein Police Department. The department has embraced community policing, and the result has been a number of community-focused, solution-oriented programs.

The Mundelein Police Department has been operating with the strategy of community policing since 1992. Since the effort began, a number of community policing programs and interventions have been instituted. Some of the programs include Project CAPE – Mundelein (Creating A Positive Environment), The Mundelein Task Force, The Whitehall Manor Project, and our two Community Resource Centers which are all covered in detail later in the report. In addition to the aforementioned programs, the department also instituted numerous community policing programs.

Implementation of Community Policing Initiative

Mundelein developed a number of concerns dealing with issues of minorities (cultural diversity) and young people involved with gangs, alcohol, drugs, and other “quality-of-life” issues. We concentrated our efforts on two areas of the village: (1) Whitehall Manor and (2) Diamond Lake. A third area of the village, Poet’s Subdivision, also experienced similar problems, however, not to the magnitude of Whitehall Manor and Diamond Lake. In all three areas, we were faced with unique problems that had to be addressed to ensure the healthy growth of the community.

Whitehall Manor

In the southeast corner of the Village built on 25 acres of land is an 18-building, 522-unit, privately owned, multifamily complex known as Whitehall Manor. According to the 1997 special census, 1346 people lived there, 86.7% of which are Hispanic. Over the years, Whitehall Manor had become a troublesome area; domestic disturbances, gang graffiti, and gang presence was increasing. The owner was willing to make capital investments and had hired a security team; however, the security force had taken advantage of their authority destroying the residents' trust. A group of troublemakers, many from outside the complex, were holding the residents in fear. Faced with a large "culture gap," many of the residents did not know how to respond to the problems and were reluctant to go to the police, due to their experience with the security company. The situation was at a critical point. The area needed attention. To address these issues as well as ensure the community's safety and well-being, a community resource center and police substation were opened. Both are discussed in detail, later in this report.

Diamond Lake

The Diamond Lake Community, located in the southwest area of the village, is a 17-block area with 450 homes and a population of 1,401 residents, 56.7% of which are Hispanic. In the early 1930s and 1940s, Diamond Lake was known as a resort community once home to summer tourists. Over the years, the area has given rise to many year-round, low-income residents who speak little or no English. According to the 1997 special census, the Hispanic population showed an increase from 7.5% in 1990 to 18.1% in 1997, with the highest increase in the Diamond Lake area. Diamond Lake had become a troublesome area. Crime was on the increase, and many of the houses were becoming run down. Gang graffiti and gang presence had property owners in the area feeling that they were losing ground. Communication between the different cultures living in the area was minimal. Like Whitehall, the Mundelein Police Department held a series of community meetings to address these issues with the residents. As a result of the meetings, the neighbors organized and formed several neighborhood watch groups to address the issues. Hispanics and English-speaking residents began working together to, "break down barriers and build bridges" to a better community. They continued to rely on the police department, and the calls for service increased. The police allocated resources to address the problems. Eventually, crime decreased within the community, and the calls to the police tapered off.

Poet's Subdivision

The Poet's is a four-block area with approximately 54 homes and a population of approximately 184 residents, 58.6% of which are Hispanic. Poet's, is centrally located on the southern end of the Village and is normally one of the quiet areas of town, which generates very few calls for service. Like Whitehall Manor and Diamond Lake, Poet's also experienced some community problems. In the summer of 1997, gang activity increased and resulted in several gang-related shootings. We immediately assigned two community policing officers to work directly with the residents in the area. Several neighborhood meetings were held; calls to the police department increased; and resources from the police department were

immediately allocated. The special operations unit saturated the area with an overt police presence, utilizing our “zero-tolerance” approach. Because of the training provided to the community and the partnership formed, the residents were able to provide valuable information utilized to obtain a search warrant of the offenders’ home, which resulted in the arrest of the offenders. The problems were resolved; crime decreased; and calls for service leveled off. Prevention efforts were made to prevent the problems from reoccurring. Neighborhood Watch programs including neighborhood patrols, security surveys, phone patrols, and a phone tree were started. They also developed a neighborhood newsletter called the *Poet’s Voices*. Due to the partnerships created, the community developed closer relationships with their neighbors and the police department.

The police department developed a number of partnerships with a variety of organizations. The result has been the development of Project CAPE – Mundelein, the Mundelein Task Force, and the development of two Community Resource Centers. What follows is the development, planning, and implementation of these programs. We begin with Project CAPE, followed by the Task Force (including the Whitehall Resource Center) and end with the Oak Creek Plaza Resource Center.

Project CAPE (Creating A Positive Environment)

The Mundelein Police Department following its philosophy to employ nontraditional “alternatives” to community problems, set up a partnership with “Omni Youth Services” and “Prevention Services/In Touch” to discuss crime and crime prevention. We discussed the Hispanic community and what could be done to bridge the culture gap within the community. These meetings led to additional partnerships which included the views of churches, residents, schools, and children. We found interest, support, and commitment from several organizations and used the media to promote the effort. As a result, a committee was formed and given the name Project CAPE (Creating A Positive Environment).

We worked together to create a mission statement which read, “The mission of Project CAPE is to bring together concerned individuals to create an environment that provides members of the community with the life skills, recreational activities, and opportunities to reach their full potential and become productive citizens.”

Project CAPE then organized a community assembly, which 125 participants attended. We developed a strategy to identify what we, as a community agreed, were problems that dealt with “quality-of-life” issues such as gangs, alcohol, and other abuse, as well as the substandard conditions for minorities in the community. The forum included a crosssection of individuals including representation from local government, business, law enforcement, educators, religious leaders, social services, service organizations, senior citizens, and probably the most important – the Mundelein youth. Now we, as a community, began working together to identify solutions to problems, while creating an environment that will become positive for the development and growth of our youth. Each participant in the assembly had an active role in building a vision for Mundelein and developing the action steps needed to make that vision a reality.

The goal of Project CAPE is to use a collaborative community-based approach to create and promote an atmosphere that sponsors and encourages healthy families and youth. It is clear that there is a need *and* an interest, to develop strategies toward making our Village a healthy place for our young people and families to grow and focus on “quality-of-life” issues. The assembly pinpointed obstacles that would prevent us from reaching our goals, and strategies to overcome those obstacles were also discussed. Improving the “quality-of-life” for residents of the village was top priority.

There were three main objectives developed to meet our goals:

1. **Building relationships, confidence, and trust of the residents.** The community was not used to seeing police as friends. Historically, the police, to many residents, were to be avoided – not befriended. Overcoming these negative attitudes was essential and took hard work; patience; and many small, positive contacts.
2. **Confronting racism and bigotry.** Some residents couldn’t understand why the Hispanic community was getting so much attention. It was felt that they should sink or swim without preferential treatment. To overcome prejudice, we used supportive media coverage to mold community support.
3. **Overcoming the “perception” of poor funding.** All of the groups participating were already funded, and this project was part of their function, so funding wasn’t the real issue some thought at first. Grants were obtained, and over \$5,000 has been received to date.

In addition to identifying goals and obstacles, people volunteered for committees to focus on specific needs. The result was seven committees or action groups: (1) Community Center Committee, (2) Education Committee, (3) Human and Community Resources Committee, (4) Image Development Committee, (5) Multi-Cultural Committee, (6) Neighborhood Watch Committee, and (7) Youth Committee.

Chairpersons and cochairs were identified, and a public appeal was made for additional volunteers. The first accomplishment of each committee was to develop a plan on how to achieve their goals for the first year. Second, a 90-day plan and a mission statement for each committee was developed. As more and more projects were developed, more interest was generated, and each committee had between 10-15 members, with the number growing weekly. Since the inception of Project CAPE with a small committee of seven, the number of volunteers has continued to grow. The first meetings and organizers expanded the group to 73 members. At our first assembly, we had 125 participants.

With the committees now in place, we have over 200 people participating on a regular basis. Volunteers from the community help run most of our projects. As a result, other organizations have contacted us to participate such as Omni Youth Services, Moraine Girl Scouts, Prevention Services/In Touch, Fremont Library, Mundelein Park District, Hawthorn Junior High School, and La Puerta Abierta. Our annual A-May-Zing Mundelein event raises our totals to almost 700 people.

Results have been seen in the highly visible programs and projects that Project CAPE has been involved in, such as the Resource Directory, House Walk, Red Ribbon Celebrations, Police and Community Resource Centers, National Night Out, etc., but the successes go beyond just those sort of projects. Relationships have developed, that have reduced cultural barriers, and information has started to flow through the community. Our members are communicating with each other, knowing who their neighbors are and working with them, strengthening the partnership. Additionally, we have strengthened our relationships with each other and have developed lasting relationships with adults and more importantly with our children. Positive, consistent messages are being sent regarding “zero Tolerance” in our community and to the surrounding communities. This is reflected in the current trend of a reduction in gang graffiti, gang activity, and gang presence. Crime in general has followed this same trend. The cooperation and support of so many residents, volunteers, and community organizations have been noted throughout the community, and those people are commended for their unselfish dedication and commitment in making Project CAPE a success.

The accomplishments and inroads to what were seen as problems could in no way have been affected so greatly, as through the development of Community Partnership’s Project CAPE. Many of the surrounding communities have contacted us for our guidance and assistance in setting up similar partnerships within their communities.

CAPE stands for “Creating A Positive Environment.” We have created a positive environment for all of our residents by bridging the culture gap, providing services to the entire community, and making everyone feel that they are a part of Mundelein. Everyone knows they have a vested interest in the community and therefore a desire to participate in the growth and long-term prosperity of the Village. The following is a summarization of the CAPE committees.

The **Community Center Committee** came together when the youth of the community had a dream to make a place that provided positive alternatives they could enjoy that was free of gangs and the criminal element. The Mundelein Park District listened to the concerns of the youth committee and worked with them to make their dream come true. In the fall of 1997, the park district opened the doors to a new community center. The center is equipped with a weight room, basketball court and running track and is the meeting place for a number of community activities.

The **Education Committee** is made up of residents, judges, superintendents, and principals from the six school districts located within the boundaries of Mundelein. They planned and implemented a modified concept of the Lighted Schoolhouse Program. This involves rotating dances and other activities throughout Mundelein to a different school in each one of the districts. It provides school age children the ability to have a place to go to participate in specialized activities in a supervised environment. Police officers, school officials, and parents are building relationships and providing alternatives to participating in gangs or just “hanging out.”

The **Human and Community Resource Committee** designed a Community Resource Directory for Mundelein residents printed in both English and Spanish. This directory provides information about local social services throughout the

community and Lake County. The booklet was paid for by donations to Project CAPE through a number of fundraising efforts.

The **Image Development Committee** has organized a number of events during the year including cleanup efforts utilizing volunteers that include young people, for example Girl Scout and Boy Scout Troops. The committee also sent out a mailing to all businesses within the Village asking them to “spruce up” their parking lots and building exteriors; local business owners were very supportive and compliant. Other annual events sponsored by this committee are the Summer Garden Walk, Halloween Decorating Contest, Christmas House Decorating Contest, and Holiday House Walk. One of the most successful events that the committee sponsored was the annual “A-May-Zing Mundelein Day of Caring.” Each year, residents volunteer to assist community members and seniors with a variety of projects, such as painting, yard work projects, clean-up projects, errand running, cleaning up litter along our streets, donating blood, signing up organ donors, voter registration, painting of parks and playground equipment, and much more. With the help of over 400 volunteers, it is truly an “A-May-Zing” day!

The **Multi-Cultural Committee** began networking with the minorities in Mundelein, developing projects such as Bookmobile and library presentations with Spanish speaking instructors and librarians. Banking institutions conducted seminars for minorities explaining banking processes. Additionally, the committee encouraged the Hispanic community to volunteer for the development of a float for the annual Fourth of July Parade reflecting the diversity of the Mundelein community. This was the first time ever that the Hispanic Community participated in a Fourth of July event.

The **Neighborhood Watch Committee** works closely with the police department to sponsor the annual National Night Out Event held in August of every year. During the event, the police and fire departments, explorers, and the mayor of Mundelein all visit the National Night Out parties and barbecues going on throughout Mundelein. Participation is exceptional, and the turnout from the community is excellent. The community had 98% of the neighborhood watch programs participate.

The **Youth Committee** is working with youth groups at both of our high schools to develop a number of events for teenagers not only within Mundelein but networking and building partnerships with other teenagers in surrounding communities with the emphasis being on programs giving alternatives to drug use and gangs.

As you can see, the Mundelein Police Department has been the common thread, which runs through all of the community policing programs and the community has directly benefited from all of them. Every time the police department was called upon, we responded with a number of resources that were allocated to address the community problems.

The Mundelein Task Force and the Police Resource Center. The largest and most successful community policing program thus far was the development of the Police Resource Center, located within the Whitehall Manor Apartment Complex. Whitehall Manor has a Hispanic population of 85% and has 522 units. The task

force is an organization that provides social resources for the apartment residents. The goal of the Mundelein Task Force was to improve the "quality-of-life" for the residents of the Village.

To be successful, three main objectives were developed:

1. Building relationships with the Whitehall Manor residents and the members of the task force, creating partnerships with the residents, and seeking their participation during the planning process
2. Fulfilling basic needs by creating a stable environment and implementing programs that have short-term and long-term outcomes
3. Empowerment of the community, building skills and training residents to replace the Task Force volunteer members with Whitehall residents, while keeping and developing a supportive environment with Village officials and other agencies

Since the task force has a police segment to it, many individuals were hesitant to participate in any events. Overcoming negative attitudes was essential and took patience and many small, positive contacts. Youth contacts, through the Police Resource Center, were important. The second obstacle they needed to confront was racism and bigotry. Some residents couldn't understand why the Hispanic community was getting such attention. To overcome prejudice, the Task Force volunteers used supportive newspaper coverage to mold community support. Volunteers played a crucial role in organizing and implementing programs and special events. All of the Mundelein Task Force members have contributed significant amounts of time to keep the collaborative effort strong and productive.

The police department held apartment building meetings to identify problems. The police department opened the police substation, and later, a community/social resource center was opened in two apartments provided by the owner. A grant, received from Xerox Social Services Leave Program, allowed one of their employees (our resident) to work full-time, attached to the police department, but working at Whitehall Manor as an assistant project coordinator. Additionally, Omni Youth Services, with the assistance of the Mundelein Police Department applied for and received a block grant to hire a project coordinator and outreach worker. Their responsibilities included going into the community to develop and coordinate more volunteers, to get more of the residents involved in the programs currently in progress, but even more important to work towards developing additional programs and projects. Three training workshops were held to orient volunteers to the needs of the residents, familiarize them with the community and service resources and programs available to the Hispanic residents, and give them history and knowledge of the role and function of the Mundelein Community Task Force.

The Mundelein Police Department has continued to be the motivating force. All of the 52 members of the department have participated. In addition, 52 other organizations take part equally; some of which are listed on the following page:

Name	Contribution
Police Department	Leadership & Planning
Omni Youth Services	Youth Counseling
Moraine Girl Scouts	Youth Activities
Prevention Services/In Touch	Leadership
Fremont Library	Library Services
Mundelein Park District	Recreational Programs
Hawthorne Junior High	Bilingual Services
La Puerta Abierta	Bilingual Assistance

The Whitehall Manor Project has resulted in the establishment of an on-site police resource center, staffed by a full-time bilingual police officer. The police department organized an Apartment Managers Association, which developed a landlord/tenant training program. The program trains and educates the apartment complex owners on laws, lease writing, and civil law issues relating to apartment complex owners. One of the benefits directly related to the Apartment Managers Association, is that owners now share information about their tenants. If a person was evicted from one complex in town, that information was shared with other owners so that the "problem" wouldn't just leave one complex and move to another.

Additional programs organized have been; the formation of nine Girl Scout Troops, tutoring programs for children *and* parents, free immunization programs, summer English classes, a resource fair, expanded park district programs in the neighborhood, visits by the "Bookmobile," the creation of a traveling soccer team, the Whitehall Manor Christmas party, Red Ribbon Appreciation Dinner, National Night Out Block Parties, and much more. All of these projects were run with the assistance of volunteers from the community and the residents. As a result, interest, support, and commitment were found. Other organizations were contacted, and the media was used to promote the effort.

Mundelein Community Resource Center

After the overwhelming success of the Whitehall Manor Project, we expanded our concepts to the entire village by opening a second community resource center in February 1997. The center is located in downtown Mundelein. Although the center predominantly serves Diamond Lake residents, its unique location, a storefront located in a strip-mall, makes the center accessible to the entire community. The new center houses 30 computer terminals donated by Allstate Insurance Company in Mundelein. A full-time police officer as well as a project coordinator from Omni Youth Services, staffs the center and are both fluent in English and Spanish. Some of the services offered by Omni include counseling in domestic violence, English-as-a-second-language classes, after-school homework programs, traffic safety seminars, a job bank, free school supplies, banking and health information, and prevention programs for at-risk children. Special clubs, field trips, movie nights, trips to the zoo, and boy and girl scout programs are also available free of charge. As a result of the resource centers, Mundelein has experienced a 20% decrease in crime during the past year, due in part to its outreach into communities such as Whitehall Manor, Diamond Lake, and the Poet's Subdivision.

Evaluation of Initiative

Community policing is policing by solving community problems. The police department, through its proactive, nontraditional approaches to community problems and allocation of resources, has developed innovative and creative programs and services to the community. We have built lasting friendships and relationships with all members of the community, including schools, businesses, churches, youth, and senior citizens. The police department has remained the “common thread” through the community, acting as the catalyst in organizing community programs. Project CAPE, the task force, and the resource centers—the police are the common thread that binds them together. The cooperation between all of these organizations and the community has made these programs successful. The police department continues to improve services to the community and provides quality service in law enforcement so that all residents of Mundelein have the opportunity to lead quality, productive lives.

From the onset of the Whitehall Manor Project, there has been success in citizen improvement, as a way to bring families to a higher understanding of what it means to be a responsible member of the community and how to function for themselves. The police department is here to help them develop accountability and responsibility for themselves and their neighborhood. In time, the police department and task force will move to the background, and the resident volunteers will take over for themselves and develop programs that meet their needs. Consequently, the Whitehall Manor Project has received active citizen participation in the problem-solving process. The residents have learned to use the police department and the task force as resources. Toward this end, the building-by-building resident meetings played a key part in the success of the program. They provided an outlet and an ear for the residents to voice their concerns. Before an agency was brought in to set up a program (Girl Scouts for example), the needs of the residents were ascertained. This way we knew the program would be accepted. As a result, nine girl scout troops were organized. Northeast Area for Aging was contacted due to numerous requests from Hispanic seniors who had questions concerning social security and Medicare. A total lack of understanding on these issues was evident. When the needs of the residents were met, the programs gained acceptance. The residents began to think more about the positive things that could be accomplished. To underscore how serious we were, Hispanic homeowners from other parts of the community were recruited to attend building meetings as well as church leaders and teachers from the school bilingual programs. These unofficial community leaders were able to assure the Whitehall residents that the Village had their best interest at heart.

A high police presence was also an integral factor to the success of the program. It was a critical component of the Whitehall Manor Project (i.e., the Task Force was forming, and police activity in the area increased dramatically). This went on for over two months, and then, the police presence dropped back to a normal or “maintenance presence.” By saturating the neighborhood, the message was clear that the police meant business. Residents became familiar with the officers; the police roused gang members from outside the area, broke up public drinking parties, dispersed loiterers, and worked with the owner to evict unlawful tenants. This gave the “good” residents back their buildings and community. Children started to come out to play, and an orderly atmosphere began to develop. This

further encouraged residents to voluntarily take part in the task force. When the Police Resource Center was opened in June, it was accepted by the community. The Resource Fair was the showcase of what services were available. Over 120 adults attended. The National Night Out celebration was held in August and was attended by over 200 people. The Christmas party, a celebration of the year's success, had more than 420 people attend to see Santa Claus. He arrived on the Mundelein Fire Department's ladder truck, and all children left with a Christmas stocking stuffed with goodies and gifts donated by local businesses.

In addition to the results already stated above, the Mundelein Police Department wanted to garner input from the community regarding their perceptions of the department, the services provided, and crime. As the police department expands their community policing program to all geographical areas of the Village, it is important to ensure that the police department shares the same views as the community on what the problems are and work to resolve those problems together. This approach gives the department the ability to reduce crime, the fear of crime, and eventually the calls for service.

The department mailed out 2,226 random surveys to the community. The analysis of the responses clearly showed that the community is satisfied or very satisfied with the overall quality of services that the Mundelein Police Department provides them (a 75% positive response), and, additionally, they are happy with the officer's and other employees' attitude, behavior, and treatment of citizens (66% positive response). Utilizing the survey as a starting point to begin the community policing program, this information is found to be very important as it becomes the foundation for community/problem-solving policing.

After analyzing the results of the survey, it was important to establish a foundation to expand our community policing programs. It was very satisfying to the entire department to see that the attitude and philosophy of the police department has been welcomed by the community and that the Mundelein Police Department is on the "cutting-edge" with its nontraditional approach to providing police services and reducing crime in the Mundelein community.

Lessons Learned from Initiative

The Mundelein Task Force, Mundelein Police Resource Centers, Project CAPE and the numerous police department programs are innovative because of the level of collaboration, strength of support, and level of empowerment. We have reduced risk factors and increased protective factors of the community's youth. The process has fostered a clear outcome and is seen in terms of a healthy community for many generations. We, as a community are working towards giving all individuals the knowledge, skills, and confidence they need to reach their potential and become healthy productive citizens within the Mundelein community. Our programs have had a significant impact, not only in Whitehall Manor, Diamond Lake, and Poet's areas, but the entire Mundelein Community as well as surrounding communities. It is clear that our partnerships have contributed to enhancing the quality of life, reduction of crime, and fear-of-crime issues that have such a negative impact on our citizens and residents. It is clear that the Mundelein Police Department along with the Mundelein Task Force, resource centers, Project CAPE, and the community have developed a mentality that does not focus on problems but rather

on solutions. We have learned from our initiatives and know other communities can learn from our experience.

Special Operations Unit

The special operations unit was created to provide a central repository for the collection, evaluation, analysis, and dissemination of information pertaining to individuals, groups, organizations, and/or businesses suspected of being involved in gang activity and to provide methods of proactive enforcement strategies to prevent and/or curtail the presence of gangs within the Village of Mundelein. The unit utilizes a zero-tolerance philosophy as it operates its plan of attack through community education, computerization, and community relations. Officers are selected on merit by the authority of the chief of police and are trained academically by attending one or more recognized academic institutions including certification as a gang specialist. In addition to addressing interdiction and suppression, officers can be further trained to participate in the public speakers' bureau and the gang intelligence unit.

"Operation Defoliage"

The police department began to receive a number of citizen complaints regarding the gathering of juveniles, some of which were gang members, in wooded areas behind some apartment complexes within the Village. The natural surveillance of trees and shrubbery enabled the gang members to create an actual "hide-out" or meeting place, equipped with tables and couches, which was out of view from passing squad cars. The police department, with the assistance of the Mundelein Public Works and Building Departments worked with the property owners of the complexes to discuss a plan of action. The plan resulted in the removal of the "hide-out," by bulldozing the fort and any excess shrubbery or trees. This allowed the police officers to see into the wooded area while on patrol and to monitor activity more closely. The operation was used in several areas in which this activity was a problem.

Lake County Gang Task Force

The presence of gangs within Lake County has been felt since the late 1980s. Since this time, however, gang members have become more organized and developed a spider web structure throughout the United States for the purpose of criminal activity. In response to an increase in gang activity and crime within Lake County, the Mundelein Police Department became the catalyst for the Lake County Gang Crimes Task Force. The unit consists of 49 local Lake County police departments as well as state and federal agencies with a roster of over 104 police personnel. The task force utilizes canine units, bike units, and mounted horse patrols. In addition, the unit also has a public speakers bureau, publishes a "gang awareness handbook," and utilizes a computerized intelligence unit.

Northern Illinois Police Alarm System (NIPAS)

NIPAS is a police mutual aid system operating in Northeastern Illinois. The department joined NIPAS in recognition of the fact that natural occurrences or man-made occurrences may result in situations which are beyond the ability of

an individual community to deal with effectively (in terms of manpower and equipment resources on hand at a given time). Each community needs to assist its neighboring communities. The six goals of NIPAS are (1) to provide immediate extra manpower and equipment at the scene of police emergencies, (2) to provide for an automatic and systematic response of police manpower teams, (3) to provide for contractual responsibilities and liabilities, (4) to provide broad area coverage, (5) to foster a cooperative spirit for police emergency planning, and (6) to provide access to specialized manpower and equipment which no one department could afford to maintain. The three primary components of NIPAS are (1) the car plan, (2) the emergency service team, and (3) the mobile field force.

Serious Habitual Offender Comprehensive Action Plan (SHOCAP)

The Mundelein Police Department instituted SHOCAP within the entire Lake County area. SHOCAP provides for a partnership with the police, schools, juvenile probation, and the courts to identify juvenile offenders who traditionally have been able to go undetected, as they become involved in crime and gang and drug activity throughout the different communities and schools. This is only the second such program in the state.

Lake County Metropolitan Drug Enforcement Group (LCMDEG)

LCMDEG is an organization composed of officers from many Lake County communities, the Illinois State Police, and the Drug Enforcement Administration (DEA). LCMDEG conducts undercover narcotics operations in all communities in Lake County and the surrounding area.

High School Liaison Officer

The Police Liaison Program is a joint effort between the high school and the Mundelein Police Department in which an officer is assigned to the high school during the school year. The purpose of the liaison officer is to be a positive role model to the students of the school. The youth of the community spend roughly eight hours per day in school, and this provides the officer with an opportunity to get to know these teenagers. The police liaison is available to the students and staff in the same manner as a school counselor. In addition, his other duties include but are not limited to classroom presentations, investigations where a violation of the law exists, acting as a source of information for students and parents seeking help through social service agencies, assistance in truancy problems, traffic control, security and supervision at extra-curricular events, and breaking down barriers and building bridges between students and the police. In addition, our liaison officer also facilitates the Peer Jury Program.

The Peer Jury Program

Crime among juveniles is better prevented than punished. The Peer Jury Program is a positive, court diversion process that focuses on the rehabilitation of nonviolent, first-time offenders and provides a meaningful and remedial method of dealing with selected offenders without reference to the juvenile court. Typically, when a youth is arrested, police youth officers determine if community service would be a suitable consequence serving as an alternative to either formal charges resulting

in a court case. A "station adjustment" which is usually no more than a lecture is another alternative. If the youth successfully completes a community service task assigned by the peer jury, charges are not entered, and no court record is made. Accountability and responsibility are the primary goals of the Peer Jury Program. An outstanding feature of the program is the prospect of bringing together a diverse collection of adolescent volunteers who act as a jury of peers for offenders. The program is an excellent teaching tool for the jury members.

Junior High School Liaison Officer

The junior high school liaison duties are similar to the high school liaison officer in that the officer's presence will help young people learn to trust police at an early age as well as support ideas taught in police programs at the schools, such as DARE and GREAT. Exposing young children to an officer on a daily basis would help the police department build key relationships early.

Elementary Drug Abuse Resistance Education Program (DARE)

DARE, is a drug abuse prevention program taught in nine elementary schools in Mundelein. The program consists of 17 lessons that are 45-50 minutes in length. Along with learning how to react when offered drugs, children learn about peer pressure, self-concept improvement, handling stress, value judgements and risks, as well as respect for the law, personal safety, and the glamorization of drugs and alcohol in the media.

Gang Resistance Education And Training (GREAT)

GREAT is a program designed to help children set goals for themselves, resist pressures, learn how to resolve conflict without violence, and understand how gangs and youth violence impact the quality of their lives. GREAT is currently taught in two middle schools and will be expanding to four middle schools in the spring of 2001.

The Police Explorer Post

The Police Explorer Post is for boys and girls aged 14-20 who are considering law enforcement as a possible career choice. The post members attend training once a week on all aspects of police work including patrol, investigations, domestics, traffic direction, traffic stops, and report writing, to name a few. After training, they become eligible to ride-along with police officers during their respective shifts. Explorers have the opportunity to compete with other departments to display their knowledge in each division of training received. To assist the department, the explorers volunteer their services during special events by providing a number of duties such as traffic direction, videotaping children, and bike safety patrols.

Positive Alternative Community Activity Programs

The department provides positive alternative programs throughout the year for youth to participate in instead of joining a gang or getting in trouble. We plan trips to the Lincoln Park Zoo, Chicago Cubs and White Sox games, Six Flags Great America, bowling, skating, movies, fishing derbies, and summer camps.

Elderly Services Officer Program/Senior Advocate Officer

As our senior citizen population increases, communities must find a way to reach our older generation. Our department developed a Senior Advocate Officer Program in which certified elderly services officers held training meetings with senior citizens to discuss their concerns and to educate them on crime trends targeting the elderly. The goals were to improve the quality-of-life for our seniors by reducing crime and the fear of crime. Training topics consisted of elderly abuse, financial exploitation of the elderly, and specific crimes such as home repair frauds and telemarketing scams. As a result, many seniors expressed a desire to learn about the daily operations of the police department and what services were available to them. In September of 1997, the Mundelein Police Department organized a ten-week Senior Citizen's Police Academy.

Senior Citizen's Police Academy

The Senior Citizen's Police Academy is the first of its kind in Lake County. Thirty-eight senior citizens attended the academy. Classes were held once a week, for ten weeks, and they were 90 minutes in length. Officers volunteered their time to prepare and present a lesson plan on different aspects of being a police officer such as traffic stops, street gang awareness and interdiction, defensive tactics, Northern Illinois Police Alarm System (NIPAS), Metropolitan Enforcement Group (MEG), investigations, Drug Abuse Resistance Education (DARE), and much more. During the traffic stop segment, the seniors acted as police officers, and officers played as the vehicle drivers. Local businesses donated notebooks, paper, and supplies to record each lesson. A graduation ceremony was held, and each graduate received an academy T-shirt, diploma, and coffee mug. At the completion of the academy, the seniors related how they had felt a sense of strength and confidence in themselves where a weakness may have once existed.

Carrier Watch Program

The Carrier Watch Program is operated in conjunction with the U.S. Postal Service and allows the elderly or physically/mentally disadvantaged residents to have their name and important medical information placed on file at the Mundelein Police Department in the event of an emergency. The postal carrier watches the home for signs of problems and notifies the police department if anything suspicious develops or it appears the resident may need assistance.

Neighborhood Watch Program

Citizen involvement in crime prevention has grown considerably during the last ten years, resulting in programs that promote home security, area surveillance, and citizen reporting of crimes to the police. Neighborhood Watch provides for a direct relationship with the citizen and the police department through the communities beat officer. Residents get to know each other, watch out for each other, and take pride in their neighborhood by calling the police when something is amiss. The five program goals are to (1) decrease opportunities for criminal activity and offenders to go undetected, (2) improving police-community relationships by breaking down the barriers that once divided the community, (3) overcoming residents "fear of crime" and feelings of being powerless, (4) enhancing a "sense of

community” among neighbors, and (5) raising the level of informal social control that people exercise over their environments. Mundelein has over 45 area captains and 100 block captains who actively participate in the program and ensure its success. Neighborhood Watch offers a variety of programs to the community such as Operation Identification, home security surveys, Crime Prevention Through Environmental Design (CPTED), Wireless Communities on Phone Patrol (COPP), personal safety talks on stranger abduction, McGruff Safety Homes, bike registration, animal and vehicle registration, plus much more. Neighborhood Watch is an excellent crime prevention tool that is proactive, not reactive, and has the potential to reduce crime, particularly property crimes, such as theft and burglary.

Neighborhood Watch Area – Diamond Lake: The Diamond Lake “Clean-Up”

One of the first projects organized by the Diamond Lake Neighborhood Watch Program was the Diamond Lake “clean-up.” Diamond Lake had developed the reputation of being called “mini-Mexico,” and the residents were offended. Garbage had lined the streets, and some of the homes were run-down. In April, the residents of Diamond Lake with the help of the Mundelein Police, Public Work and Building Departments worked with the cub scouts, Lake County officials, and many volunteers, to pick up trash and beautify the area. The Public Works Department hauled away over ten dump trucks of garbage. The Building Department identified safety violations, and condemned homes were identified for immediate improvement. Homes involved in illegal activity were referred to the Attorney General’s Office and through the nuisance abatement act, we were able to condemn one of the houses involved in illegal activity. The “clean-up” was a success in that the area was literally “cleaned up” but also symbolically. It represented the residents’ view that together, they are living in one community solving problems and cleaning up crime.

Mundelein Police Department’s Community Day’s Booth

Every year, the police department along with the assistance of the neighborhood watch members, actively participate in the National Association of Town Watch’s National Night Out Celebration. We begin advertising for the event at our public relations police booth at the Mundelein Days July 4 celebration. On display are police vehicles, including a squad car, jeep, bicycle unit, all terrain vehicle, and the DARE mobile. The DARE mobile is one of our vehicles which was seized from a drug dealer and has printed on the fenders “this vehicle seized from a drug dealer” and other DARE information. Informational pamphlets were also available on drug prevention, Neighborhood Watch, Park Smart, personal safety, and the McGruff Safety House Program. Children posed for free photographs with McGruff that contributed to the police-community partnership perception. The “Convincer,” a mechanical simulator in which people wear a seat belt and experience a seven m.p.h. crash, was also on display, educating the public on seat belt safety, along with “Vince & Larry,” the crash test dummies.

Child Fingerprinting & Videotaping – KinderVision

KinderVision is a program that allows police officers to fingerprint and videotape children so that their parents can use the tape in the event of an emergency or

abduction. The video includes an audio segment which allows the child to talk about their hobbies or other interests. Over 600 children participated.

National Night Out Celebration Event

During our National Night Out celebration, the police and fire departments, mayor of Mundelein, and the police and fire explorers, visited 38 National Night Out parties and barbecues going on throughout Mundelein. Participation in the events was exceptional, and the turnout from our community was excellent. We had 98% of our Neighborhood Watch Programs participate. Some of our larger parties took place at the Whitehall Manor Apartment Complex, Poet's Subdivision, and the Tullamore Subdivision. Officers met with residents and discussed such programs as DARE, Neighborhood Watch, drug enforcement, gang suppression, and why we are participating in the National Night Out celebration. We handed out coloring books, junior police badges, night-lights, and more. Children painted anti-gang and anti-drug slogans on coffee mugs donated from a local business, and the boy scout and girl scout councils were available to register children for scouting programs. This year, we are planning a community picnic due to the popularity of the event.

McGruff Safety House Program

A McGruff Safety House is a temporary refuge for children who find themselves in an emergency or frightening situation such as being bullied, followed, or hurt while walking in a neighborhood. Parents who volunteer their homes as McGruff houses agree to make emergency phone calls for children in trouble and watch out for neighborhood children as they go to and from school. The volunteers are screened before participating in the program, including a criminal history and records check. The program is here for a child's piece of mind and safety and demonstrates that the community accepts a shared responsibility with the police on behalf of its children.

Children Have An IDentity (C.H.A.D.)

The safety seat child identification program was developed as a result of a traffic crash involving a 13-month-old boy named Chad. The babysitter who had been driving the boy was killed. Chad was injured, but no one at the scene knew his identity. An emergency room nurse fortunately recognized him. His parents were quickly located, and his injuries were treated. The police department issues stickers to residents of the community for parents to place on the child's safety seat or if a child is riding a bike, the sticker can be placed under the child's seat or in his or her helmet.

Operation "Safe-Ride Home"

Operation "Safe-Ride Home" was created in cooperation with local taxicab companies who agree to provide rides to village residents at a discounted rate, should they become intoxicated. Posters were distributed to local liquor establishments throughout the village and are displayed near the business exits.

Operation LIFELINE

Mundelein Police Department participates in the program which provides teens and adults free taxi rides home to help in the following circumstances: (1) when faced with having to ride in a vehicle with an impaired driver or a threatening date, (2) when stranded due to criminal activity against them, (3) when their vehicle becomes inoperable and they need a ride to work, or (4) when an abused or battered woman or child is brought to the police department or a safety shelter. LIFELINE membership cards are offered free of charge to all members of the community, as well as Mundelein and Carmel High School students.

Red Ribbon Week

Red Ribbon Week started in 1985 when Drug Enforcement Agent Enrique Camarena was murdered in Michoacan, Mexico. The Red Ribbon became the symbol to eliminate the demand for drugs, and the Red Ribbon Celebration became the catalyst to show intolerance for drugs in our schools, work places, and communities. The celebration is now two weeks long and includes such events as a country-western dance, Business Discount Days, Decoration Day, The "Night Before Halloween" event, movie nights, bowling nights, and skating nights. Quig's Apple Orchard offers hayrides and a haunted house night. All activities are drug-free family activities and are provided for free.

Police Department Open House & Home Safety Week

Each year the community is invited to "get a look inside" the workings of the police department. On display are a number of police department programs, which we demonstrate to the community. We encourage the public to participate, as a police officer would, in some of the activities. For example, we have a Firearms Training Simulator (FATS) machine in which the officer makes split-second decisions on "shoot" and "don't shoot" situations through a video simulator. In addition, participants get to "lift" fingerprints in our mock "crime scene." Each division or special assignment in the department displays information about their respective duties and responsibilities. Additional displays include the Northern Illinois Police Alarm System (NIPAS) Tactical Services Van, Blood Alcohol Testing (BAT) Mobile, a van equipped with instruments to measure a subject's blood-alcohol level, and the traffic accident reconstructionist, who displays an actual vehicle involved in a fatal vehicle crash.

Police Chaplain Program

The Police Chaplain Program is another resource available to the department. It links the church to the community. Mundelein relies on seven volunteer chaplains from local churches and one synagogue. The chaplains rotate duties weekly and are on call around the clock. The chaplains provide support to the police officer when they are faced with sensitive issues, such as death notifications, which can be awkward for many police officers. Chaplains are better trained to help families deal with their grief and can counsel the victims of crimes. The chaplains respect confidentiality for both the officer and the community, which makes them easily approachable.

Gang Outreach Program

The Gang Outreach Program is a multiracial, multicultural gang prevention and intervention program providing services designed to positively influence the lives of at-risk youth in four areas: (1) Developmental, (2) emotional, (3) social, and (4) spiritual. Gang Outreach targets gang members, “wannabes,” and at-risk youth in the community. The goal is to inspire and instill within the youth a desire to fulfill their potential in life with a sense of dignity, honor, respect, belonging, and destiny. Mundelein Police Chaplain, John Hernandez, is a member of the Gang Outreach Program and assists the department in situations when a gang member wants assistance in leaving the gang element. The program is very successful and assists the community in several ways:

- The Tattoo Removal Program provides ex-gang members with assistance in removing their tattoos free of charge.
- Transportation can be provided to and from special events.
- Summer programs, jobs, and performing arts are provided.
- Trips to feed the homeless, convalescent hospitals, and jail visits can be provided.

The Gang Outreach Program provides for a 24-hour hot line and continuous counseling for its members through home visitation.

Bike Patrol Officers

Mundelein utilizes six part-time bike patrol officers who have attended an intense 80-hour bike patrol course, which not only teaches bike safety, but also teaches officers how to properly maneuver their bikes in a variety of situations. The bike officers are a great community relations tool. With the barrier of the squad car removed, the public finds the bike officers more approachable. Officers participate in parades, bike rallies, and bike safety classes. Their patrol duties include patrolling all of our apartment complexes, village parks, and bike paths, as well as areas in which vehicular traffic is restricted. The officer’s covert ability enables them to ride-up and approach criminal activity virtually without making a sound.

Bike Safety Programs

The police department’s Bike Safety Program instructs children on the benefits of bicycle safety operations and builds a positive relationship between the police department and the children of the community. Officers have appeared on NBC-TV to promote the bike safety program which teaches such topics as bicycle maintenance, proper wearing of helmets, bicycle safety laws, and much more. The unit visits all of the elementary schools annually and organizes a bicycle registration rodeo, where bicycles are given a safety check and riders are judged on their skills after competing on an obstacle course. Prizes, including helmets, water bottles, riding gear, and a new bike are awarded to the winners. Over 400 children participated. One of the promotions offered at the rodeo was a helmet promotion, in which helmets were offered to the community at a discounted rate.

The remainder of the proceeds were donated to the DARE Program. As part of the safety program, police explorers ride on patrol and issue citations to bike riders who are in violation of the bicycle rules of the road. On the positive side, when a rider is in compliance, they are rewarded through the “Operation Chill” Program.

“Operation Chill”

The Mundelein Police Department in cooperation with Southland Corporation and its 7-Eleven stores, provides the police department with coupons good for free Slurpee drinks from the local 7-Eleven store. Operation Chill gives police officers and police explorers the opportunity to reward young people who are doing something positive—such as wearing their bicycle helmet, using hand signals, attending DARE positive alternatives, or just helping another member of the community. Operation Chill gives law enforcement another way to establish and build relationships with youth on a one-to-one basis.

Summary

As you can see, a community policing program takes time; effort; short- and long-range planning; manpower; resource allocation; financial commitment; and the support of the mayor, village board, and everyone else involved in the program. Community policing is an environment or a culture—something that is not only practiced at certain planned community events, but also every day you go to work. It is all about providing the best service to the community as possible. Forming partnerships to make the community a part of the solution. Tearing down the “us-versus-them” mentality and joining forces with concerned law abiding residents to make our community a better place to work, live, and raise our children.

Mayor Marilyn Sindles was elected to the mayoral office in 1989, 1993, 1997, and 2001. She was appointed to the Illinois Law Enforcement Training and Standards Board by former Illinois Governor Jim Edgar in 1992 and reappointed in 1995 and 1998. She was the ILETSB chairperson in 1999. She is a past president of the Lake County Municipal League Board of Directors and the Mundelein/Vernon Hills Rotary. She is a past vice president of WINGS – Lake County Chapter.

She currently serves on the board of directors for a variety of organizations, including the Northern Illinois Council Against Substance Abuse, Mundelein Task Force, Project CAPE – Mundelein, Lake County Municipal League, Illinois Municipal League, and others. She has received numerous awards, and the Village of Mundelein has received numerous awards under her leadership.

Raymond J. Rose is currently chief of police with the Village of Mundelein and has held the position since 1992. Prior to his appointment, he served with the Elk Grove Village Police Department for 24 years achieving the rank of deputy chief.

During this period, Ray also found time to complete his education. In 1988, he attained a master's degree in public administration from Northern Illinois University and was inducted into the Pi Alpha Alpha National Honors Society for Public Affairs and Administration. He also attended the 59th nine-month Police Administration Training Program (P.A.T.P.) class at Northwestern University's Traffic Institute and the 161st Session of the National FBI Academy at Quantico, Virginia. He attended the 15th Session of the Senior Management Institute for Police hosted by the Police Executive Research Forum and Harvard's Kennedy School of Government. Additionally, he attended Northwestern's Executive Management Program (EMP), the FBI MLEEDS (Midwest Law Enforcement Executive Development Program), and in June of this year attended the FBI LEEDS course at Quantico.

He has had articles published in several law enforcement magazines and recently co-authored a graduate-level textbook on public administration—*Managing Local Government*. He is Immediate Past President of the Illinois Association of Chiefs of Police, Past President of the Lake County Chiefs of Police Association, President of the Board of Directors – Northern Illinois Crime Lab, serves as Secretary on the NIPAS Board, serves as Secretary on the NEMRT Board, and is active in numerous other law enforcement affiliated organizations at the local, state, and national levels.

Ken Marabella received his BA from Bradley University in political science in 1972 and a master's degree in public administration from the University of Denver's College of Business in 1973. Upon graduation, Ken joined the administrative staff of the County of Lake, Illinois. He joined the Village of Mundelein as its Administrator in 1975 and has been there ever since. Ken has been active in a number of professional organizations and working committees over the years including the ICMA, ASPA, IRMA, PTI, and MFOA. His regional associations include Lake County's Community Development Committee, Solid Waste Advisory Committee, Stormwater Management Agency, and the Route 53 Corridor Planning Council. On the local level, he has served as Director of the Lake County Municipal League, the Libertyville/Mundelein/Vernon Hills Chamber of Commerce and Chaired the North Suburban Health Insurance Co-op. Ken currently serves as Chairman of the Lake County Managers and the Automated Horn Task Force. His presentation to Transport Canada's Rail Highway Workshop was published in 2000.

Ecstasy and the Undercover Agent

Detective Scott W. Perkins

The epidemic of designer and club drugs has been spreading steadily across the early 90s. What was once the exclusive drug of choice in the underground club scene has now permeated practically every facet of American social life. The rise in popularity of these club drugs has resulted in an increase in overdoses, violence, and, in too many instances, even death.

The club drug culture has established its own style of dress, communications, and interaction. This resulted in the creation of a unique setting that is foreign to conventional counter drug operations. Within the designer/club drug arena, there are certain protocols and procedures that if not followed closely could quickly identify the presence of an undercover agent or label the individual as an outsider. Not all of the protocols and procedures are designed to alert the dealers. Many have evolved over the years due to the physical and psychological effects of the various drugs; however, failure to follow prescribed or expected actions will result in being labeled as an outsider, cloaked with suspicion and immediate disassociation.

A major problem facing the undercover agent is not only being intimately knowledgeable of the drugs (XTC, GHB, Special K, LSD, methamphetamine, rohypnol, cocaine, and marijuana), but also proficient in displaying the appropriate protocol associated with each drug.

I refer to these expected actions as “street signs.” If these “street signs” are studied, understood, and practiced, they will assist the agent in conducting a safe and successful operation.

Beans, rolls, wafers, smurfs, and bootlegs are just a few of the common street names for ecstasy (XTC), MDMA, and 3-4-methylenedioxymethamphetamine. Ecstasy is the most abused drug in the club scene and has become the drug of choice amongst America’s young elite. The most common way to purchase XTC is in pill form or in a gelatin capsule. If you are attempting to purchase XTC in pill form, the street name for that pill will be whatever symbol is pressed into the front of the pill. Symbol of a bird indicates the pills are *doves*; a dollar sign identifies the XTC pill as a *Richie Rich*. If the dealer states he or she has *junior highs*, it is to let you know that the pills are slightly smaller. The term *splits* indicates a scored line on the back of the pills making it easy to break in half. *Wafers* are XTC pills that resemble a chewable vitamin C tablet and are the largest pill form of XTC.

Common problems when buying XTC in pill form is that some of the binders used (wall speckling, dental clay, and china clay) combined with the nervous sweat in your palm starts to dissolve the pill.

When buying XTC pills, it is not always mandatory that you appear to eat one in front of your supplier; however, it is critical that you give the appearance of licking a portion of the pill. This shows that you are experienced enough to know to taste for the bitterness of the MDMA (XTC). If this portion is bypassed,

it will not immediately identify the agent. It will only cause close scrutiny of all forthcoming transactions and interactions. Drug buys involving XTC capsules commonly indicate low-quality XTC or a complete rip-off. If the capsule is only ¼ filled with off-white or tan powder, chances are it is not a good XTC capsule. A capsule filled completely with off-white to tan powder is a good indicator that it contains little or no XTC. Common name for the good form of XTC is *quarter caps*. Small blue and white capsules containing very white powder are known as *smurfs*. They are in great demand and are known for their high purity levels of XTC. The common packaging for transporting, introducing, and distributing XTC is in a bag of plain M&Ms®, Skittles®, Tootsie Rolls®, or a Tic-Tac® box. Resupply stashes left in vehicles are commonly stored in a condom sealed off and/or secured around the nozzle of the gas tank. The condom is then lowered on a string into the neck of the vehicle's gas tank.

Large shipments of XTC are shipped airmail and are concealed in shampoo bottles, hollowed out books, and candles. A target group who received shipments in shampoo bottles would then transfer the pills into test tubes and push them into a predetermined location in their backyard.

XTC is normally taken orally; however, it can be smoked, injected, and snorted. If an agent gives the appearance to have taken the XTC orally, it is important not to give off any of the signs and symptoms of XTC use until 20 to 40 minutes have passed. One hit of XTC will last approximately four to six hours. This gives the agent a reason to make additional XTC buys from additional target dealers as the night progresses. Making continuous XTC buys throughout the night into the next day will open up invitations to the after-parties. These are the locations where the major players come together and socialize. Within this target group, the majority of the mules are exotic dancers. A good indicator that your investigation is netting organized distributing groups is the abundance of exotic dancers present both socially, as associates and girlfriends of various players.

Once an agent reaches the point where target individuals are opening their private parties, the agent's initial cover story will then be tested. The request to ingest XTC with the target individual will happen at this point. If confronted with doing XTC in front of several people inside of a restricted environment, tell them that you are "burning up," meaning you have ingested so much XTC over the past several days that it has caused incredibly painful heart burn. This will allow you to bypass taking the XTC. In this arena, describing the high is also a critical part of bridging the gap between the agent and the dealer.

XTC causes an abundance of energy, freeflowing conversation, and the breakdown of communication barriers. It will also give the feeling of being at peace with the world and you. This will be evident in some of the statements you will hear. They will all have a potentially deep meaning with a flowery twist. It is the DJ who is going to guide you and your musical journey. It is mandatory that you know the top five to ten DJs and know the difference between house, ambient, break beat, jungle, and hip-hop music. The primary reason for taking XTC in the club scene is to enhance the musical experience. Have a plan reaction to witnessing several overdoses during your operation. A good technique is to recognize the early warning signs of the potential overdose victim and intervene before the person collapses. There are things that you must come to expect when working undercover.

You will be asked to do drugs. You will be robbed, and you will see overdoses. During a robbery, the first 30 seconds to a minute is on you. If you come to expect such actions and mentally prepare for them, the reaction you display during the real world critical event will be immediate, fluent, and effective. A good indicator that you may be losing control of the situation is if you hear yourself stuttering. This shows lack of confidence in your reply and should act as a key to redirect others' attention to something or someone else.

Meeting with target individuals after the party is expected. You must give the appearance of experiencing an XTC hangover. This is a dulling of your senses and your mental process, along with fatigue. This will last one to two days. Other physical reactions indicating XTC use is teeth grinding, constant movements, scattered thought process, exaggerated jesters, physical touching, (massages, hugs, scratching arms).

Paraphernalia associated with XTC includes blow pops, Vicks® inhalers, and baby pacifiers. The Vicks inhalers are the number one indicators for XTC use. Ingesting the Vicks gives the XTC user a magnified experience of the burning sensation, and it runs throughout the body. It is also common to blow the vapors into each other's eyes and to rub the vapor cream on the entire body. These are all actions that are expected of the agent when visiting the club scene. It is up to each agent's creative thinking to find ways around these and other expected actions without causing problems for themselves or their teammates.

These are just a few of the protocols and procedures associated with the drug MDMA (XTC). Keep in mind that if your target area has supplies of XTC, it is also going to have supplies of all the other designer and club drugs listed; each with its own protocols and procedures. Constant alertness and mental perception are the only way to infiltrate this subculture.

Detective Scott W. Perkins has been employed by the Orlando Police Department since August 1991. He spent his first year in the patrol division and subsequent years with the drug enforcement division. In addition to drug enforcement, Detective Perkins is a member of the Orlando Police Department's SWAT Team. In 1996, Detective Perkins was named Florida's Narcotic Officer of the Year by the Florida Narcotic Officers' Association. The American Police Hall of Fame & Museum named him Law Enforcement Officer of the Year for 1998.

Prior to Detective Perkins' career as a police officer, he spent five years in the United States Army. Currently, Detective Perkins teaches courses throughout the United States to civilian law enforcement and military police on the subjects of raves, designer and club drugs, undercover drug operations, tactical drug operations, and tactical operations in rural environments.

For more information on this and other designer and club drugs, please contact . . .

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Approaches to Police Testimony

Barry M. Anderson, PhD
Terry M. Mors, Professor

The purpose of this article is to give practicing police officers insight into proper preparation for courtroom testimony, as well as suggestions regarding actual testimonial procedures. While the authors teach the more technical aspects involved in becoming police officers, they feel that this more practical aspect of an officer's duties is too often left to "on-the-job" training.

Professor Barry Anderson approaches the subject from a criminal lawyer's viewpoint. While he is currently teaching mainly law-related courses at the undergraduate level, he has previously practiced for a number of years as a defense attorney, as a prosecutor, and as a judicial magistrate.

Professor Terry Mors approaches the subject from a police officer's viewpoint. While he is currently teaching mainly policing-related courses at the undergraduate level, he has previously worked for a number of years as a practicing police officer at various levels and ranks.

The article has been written from the two different perspectives of the authors. There will be differences in some areas, but it will show that there are many similarities in approaches for effective police testimony.

Also be aware that this article is not a technical research paper, but one based the practical advice of the authors' experience in the real world in an area seldom discussed or taught to law enforcement personnel.

A Criminal Lawyer's Perspective – Barry M. Anderson

I. Introduction

When a person is charged with a crime and, ultimately, goes to trial, what is his or her best defense? In actuality, a criminal defendant's best defense is closely related to the topic of this article, police testimony. Obviously, defendants use all of the technical defenses that law enforcement students spend so much time studying. Those defenses consist of justifications defenses (such as self-defense) and excuse defenses (such as insanity or intoxication). These are the textbook defenses that usually get all the headlines when they are used, especially when they are successfully used such as Hinckley's insanity defense when charged with shooting President Reagan. Keeping in mind that few felony cases actually go to trial (probably less than 5%), these technical/textbook defenses are seldom used in real-world criminal trials.

The defenses, which are most prevalently used, are two defenses that are not really studied very much by law enforcement students. The first one is the alibi defense, which is really the "I didn't do it because I was some place else" defense. The second widely used defense is the defense of "creating a reasonable doubt," which is really "the state can't prove their case beyond a reasonable doubt" defense.

From the personal perspective of a defense attorney, the best and most satisfying defense is that of an alibi or that “the defendant didn’t commit the crime,” especially when it’s true and successful; however, being truthful and realistic, most people accused of crimes are probably guilty of something approximating what they are charged with, and most of them do, in fact, plead guilty to some charge before trial.

So you’re still waiting for the answer to the \$64,000-question: “What is the best defense for a person charged and being tried with a crime?” My classes are told that this “best” defense is just one of the many subdefenses of the “create a reasonable doubt” defense. That aspect or defense, for lack of a better term is to “try the cop.” After getting over the initial shock of my statement, my students will invariably respond indignantly such as, “That’s not fair!” or “How can an ethical defense attorney use that defense?” (Using the terms *ethical* and *defense lawyer* together in some eyes is an oxymoron); or “The cop didn’t do anything wrong so why pick on him?” As mentioned earlier, there are other defenses/aspects of a trial, which can create a reasonable doubt in the minds of the jurors, but it just so happens that the “try the cop” defense is the one, in my opinion, upon which more not-guilty verdicts are based than any other aspect of “creating a reasonable doubt” defenses. In my opinion, more not guilty verdicts are rendered using this defense than all the others put together. Often the jurors, in explaining their not guilty verdict after a trial will say something like, “I just had a problem with Officer X’s testimony or his credibility.”

Let you jump to the conclusion that this defense is some “slick shyster lawyer” trick, remember that the basic tenets of the legal part of our criminal justice system, are that the state has the entire burden of proof by the highest standard in law, which is to prove the defendant guilty beyond a reasonable doubt and, that the defendant is presumed innocent. This “best defense” does nothing but capitalize on the state and its witnesses, who do not know or do not assess the weakness of their case or are not prepared.

Let me get to the real purpose of this article, which is to provide law enforcement officers with suggestions on how to make this “best defense” become obsolete for defense attorneys. It can become obsolete since more trials are lost, from the defendant’s perspective, for the simple reason that the state’s law enforcement witnesses are well-prepared, credible, and professional. Ironically, this “best defense” for defendants can quickly then become the “best offense” for the State. The rest of this article will be spent discussing the concepts or traits of preparedness, credibility, and professionalism. These traits in a police officer witness are readily observable, whether the observer is the judge, the jury, the prosecutor, the defense attorney, or the criminal defendant.

In closing this introductory portion of the article, keep in mind that the goals of our criminal justice system are to do justice by searching out and attaining the truth. Hopefully, once the truth is determined, the individual defendant will be treated fairly and appropriately; society will be safer; and future criminal activity will be reduced. Obviously, to us realists, these goals are mostly idealistic and seemingly unattainable, but participants in our criminal justice system must never lose sight of them. The primary goals are not to attain convictions, not to arrest people, not to prosecute people, not to file charges, not conduct “wars” on

whatever the politically correct crime to get tough on is, according to the public or government, and not to get guilty persons “off on technicalities.” When we, as a society and a system of criminal justice, get to the point of convicting and punishing innocent people or getting guilty people off on “slimy” or unethical legal tricks, regardless of the costs, then our system of criminal justice is reduced in stature and effect. It would no longer be the “best” criminal justice system in the world – *best*, by the way, does not mean, *perfect*.

II. Preparing for Trial Testimony

Being prepared for giving testimony in a major felony case, or any case for that matter, begins the minute you, as a police officer, get involved in any case. Take detailed notes, or use a recorder or whatever device that you feel most comfortable with in order to ensure that *all* of your thoughts, observations, or actions taken are preserved for the making of your report. Keep in mind that if you don’t make notes of your thoughts, observations, or actions at the scene, there’s a chance that you won’t remember them when it comes time for the report to be written. Also, keep in mind that it’s always easier to remove needless or irrelevant items from your initial notetaking than it is to add relevant ones. Adding requires interpretation of what occurred as you remember it. Everything is always subject to interpretation, which may not be entirely accurate. This same procedure is important even for offenses that you consider to be minor; so establish a thorough on-the-scene procedure, and stick to it in all cases. It’s hard to turn this type of “preparedness” on and off, so experience should dictate that you do the initial work the same way every time. It then becomes a routine procedure and establishes the consistency that you will need and will benefit you in the future.

Write your formal reports as soon after the event as possible. Again, try to establish a routine procedure that fits you and your style. If you don’t, and are asked by a defense attorney as to when the report was prepared in relation to the incident, be prepared for the consequences. If it was a week or two later, how credible will your testimony be considered? Don’t give the defense attorney that opening!

Since others will be looking at your typed formal reports, take pride in how they are prepared, look, and read. Spelling errors, in my opinion, are inexcusable in light of our modern technologies, such as spell-check. Good grammar is also important. Your style of writing is another important aspect. Use words that normal people can understand. Don’t use legalese or “stilted” technical police phrases. Tell a complete story of your involvement in the crime in your report. In summary, use a style of writing that you’re comfortable with, and clearly express what occurred in layman’s terms.

Are your reports important only for the trial? Absolutely not! In major cases, there are generally issues of reasonable suspicion in a stop or frisk situation; there are issues of probable cause. For an on-the-scene arrest or search, there are issues of probable cause for obtaining search warrants and arrest warrants, etc. If those are issues in the case, guess whose observations, thoughts, investigations, and work are the most critical aspect of that issue? It’s the on-the-scene and/or arresting officer! There will undoubtedly be a pre-trial suppression hearing on all those issues at which the officer or officers will be required to testify in detail as to what

occurred at the scene to create reasonable suspicion or probable cause. Remember that these pre-trial hearings often determine the outcome of the case.

Along the same lines, remember that you will testify at the lower court level more often than in major felony cases. The thorough note-taking and report-making procedures, which you have developed, will pay dividends there also. You cannot possibly remember all the particulars of the many cases in which you get involved; however, the consistency of your procedure will allow you to clearly remember what occurred by reviewing your notes and reports, not based on what you vaguely and generally remember as having occurred.

Some officers treat the lower courts as the “wicked step-child” and really don’t get very concerned about their role in those courts. Let me assure you that it is a serious mistake to do so. There are two main reasons for taking your testimonial role in the lower courts seriously. First of all, from a system perspective, these are the courts that most common ordinary people come in contact with when they are arrested and/or charged by a police officer. These folks are generally not your basic “Public Enemy #1” types but are more of the average citizen type. They get their impression of our criminal justice system through that contact. If they leave that experience with a feeling of being treated unfairly, then the whole system suffers from that perception. Word of mouth is a powerful tool in our society. Judges, lawyers, and law enforcement personnel suffer from reputation problems in our society. By and large, we deserve it because we don’t take the steps necessary to correct or change that perception. Treating the public with respect and courtesy in the lower court system is one way to change the negative perceptions.

The second reason that you, as a police officer, should take your role in the lower courts seriously is one of pure self-interest in your career. The image that you give the judge, prosecutor, or defense attorney at the lower court level often stays with you in later cases. Judges, believe it or not, are human. They are often the fact finders or determiners of guilt or innocence in the minor cases. They often base their decisions in these cases solely on the police officer’s testimony, demeanor, attitude, etc. Believe me, judges remember a cop who comes before him or her and is chronically unprepared, has a confrontational attitude, or has a seemingly personal agenda. These judges consider their job to be an important one, which it is, so you should do likewise when you’re in their court.

There are numerous examples of how the police officer’s preparedness, or lack thereof, in the lower courts affects that officer’s reputation in the future. Once a reputation is established, be it good or bad, it is hard for an officer to lose. You can be assured that more of your cases will be resolved prior to trial if you have that reputation of being prepared, credible, professional, and respectful of all parties.

In some states, part of the process in major cases, not only involves pre-trial hearings, but pre-trial discovery. The defendant is allowed to depose or question in detail, under oath, all of the state’s witnesses before a certified court reporter. There are transcripts made of the testimony of these witnesses for use at trial, if need be. Police witnesses often consider these proceedings as less than important and often come into these depositions totally unprepared. About all one gets out of them is, “I just can’t remember,” or “It has been a long time since I looked

at my notes or report," or "I'm just not sure," or "You'll have to ask someone else." That approach is a big mistake for police officers and helps validate the "try the cop" defense.

How do you think it looks to the jury when an officer goes to trial and that officer testifies before the jury that he or she remembers all those facts that he or she couldn't remember three months earlier when under oath? You can be assured that the jury doesn't consider the trial as some sort of "hide-the-ball" kind of game. After the officer testifies on direct exam from the prosecutor, inevitably this discovery deposition will be read, line for line, in question form by the defense attorney to show the officer's previously evasive answers in the deposition to the very questions that the prosecutor just asked about which he or she is now very clear about. You can be assured that the defense attorney will ask you the rhetorical question, "Since you were under oath to tell the truth on deposition and are under oath here at trial, which testimony is the jury supposed to believe?" Do not treat your responsibilities and duties to testify at any stage as a game with the defense attorney and the defendant. It is not a game, and the jury will agree that it is not a game. They see a real live human being charged with a very serious offense, and they expect the police officers, who they want to believe, to treat the matter as seriously as they do.

Prepare for your discovery testimony the same way as you would for trial. If you do so, you'll probably only have to testify once because, more times than not, the defendant decides to plead guilty after taking the depositions. He or she realizes that the officer is not playing games and is a credible and honest witness. He or she realizes that the "trying the cop" defense won't work. Also the state, after the taking of discovery depositions, often realizes the flaws in the case and will try to resolve the case without a trial.

Before getting to the trial testimony procedures of a police officer, there are some general theories about juries, which seem to be accurate and are important considerations for an officer preparing his or her testimony. First of all, the jury absolutely wants to believe the police officers. You are the people sworn to protect them. Defense lawyers, on jury voir dire, will sometimes ask jurors whether or not they will consider police testimony the same as all other testimony and not place any extra credence on police testimony. Those questions are normally only asked of the jurors when the defense attorney knows that there will be good and credible police witnesses testifying for the state. In any regard, the jurors will usually say that they will consider the police testimony the same as others, but we all know that isn't actually true, because the jury really *wants* to place more credence on police testimony.

Secondly, the jury doesn't want the police officer to come off as an advocate for the state. At trial, the prosecutor is the advocate for the state; the defense attorney is the advocate for the defendant; the judge is the impartial referee who rules on objections and informs the jury of what laws are applicable; the witnesses (including the police) are the presenters of the facts of which they have knowledge regarding the case, and then they (the jury) are the determiners of the facts, how they relate and, ultimately, the guilt or innocence of the accused person. Remember what your role is as a police witness!

Finally, the judge will give the jury many instructions on what the applicable law is in relation to the case at hand. There will always be an instruction given at the end of the trial on the jury's duties relative to witness testimony and how they should consider it (see below an example from the current set of the Iowa Uniform Instructions):

CREDIBILITY OF WITNESSES. Decide the facts from the evidence. Consider the evidence using your observations, common sense, and experience. Try to reconcile any conflicts in the evidence, but if you cannot, accept the evidence you find more believable.

In determining the facts, you may have to decide what testimony you believe. You may believe all, part, or none of a witness's testimony.

There are many factors, which you may consider in deciding what testimony to believe, for example:

1. Whether the testimony is reasonable and consistent with other evidence you believe.
2. Whether a witness has made inconsistent statements.
3. The witness's appearance, conduct, age, intelligence, memory, and knowledge of the facts.
4. The witness's interest in the trial, their motive, candor, bias, and prejudice.

Remember the jury will measure the credibility of your testimony against an instruction similar to the one set out above, just like all other witnesses.

Finally, regarding this portion of preparing for your trial testimony, go over your reports as many times as needed in order to feel comfortable that you know their contents. Do not memorize your report as that only makes your testimony appear to be stilted or rehearsed. Review your initial notes if need be. Talk to the prosecutor. If he or she doesn't contact you, you contact the prosecutor. A well-prepared and concerned officer is as helpful to the prosecutor in getting ready to try a case as the prosecutor is to the officer in getting ready as a witness. An officer's testimony should be reviewed with the prosecutor to the extent that the officer knows the content and boundaries of his or her expected testimony, but not the exact questions; otherwise the testimony again appears to be rehearsed or coached. The reports and relationship of other officers to this case should be discussed also. Remember that both sides probably have your report so you don't want to testify as if it were a script. The prosecuting attorney should also talk about the defense attorney, his or her style, what to expect from the defense, and what is the nature of the defenses being presented by the defendant. The prosecutor also should give you a copy of your deposition testimony if you were deposed earlier for you to review before trial. Use these documents and review them!

III. Trial Testimony

In analyzing the important aspects and procedures of a police officer's trial testimony, there are several tips or suggestions to follow:

Tip #1 – Be yourself! In other words, it's all right to be nervous and concerned. That's normal for everyone. You should not get on the witness stand and suddenly become someone that you're not or try to act in a way that is not consistent with your personality. The defense attorney will spot it, and, more importantly, the jury will spot it. When you're acting or pretending to be someone that you're not, it will negatively affect your credibility.

Tip #2 – Listen to the entire question asked before answering, whether from the prosecutor or the defense attorney. Some police witnesses will anticipate the question and will start answering before the question is completed. This confuses the jury and irritates “the heck” out of judges since their court reporters can't report two people talking at the same time. Judges will occasionally “chew out” witnesses for doing that, and, obviously, you do not want the judge's irritation towards you to affect your credibility. A general rule in answering questions is always to take your time to consider the entire question before answering.

Tip #3 – Do not try to answer a question that you do not understand or to which you do not know the answer. It is not a mistake to occasionally say, “I can't remember,” “I'm not exactly sure,” or “Could you repeat the question?” The evidence rules will allow you to refresh your memory by looking at your report with the help of counsel. The prosecutor or the defense attorney is allowed to hand you your report in order to do that. It *is* a mistake to continually say that you can't remember or you can't recall because that does affect your credibility; however, the jury does not expect you to be a “robot” with a script and know exactly the answer to every question asked or be able to understand every question asked. If you don't understand the question, politely ask the court reporter or the attorney to repeat the question.

Tip #4 – Try to talk to the jury when answering questions as if you're telling them a story. The ability to do this will develop over time, but speaking directly to the jury conveys to them that you consider them as important persons in the trial. *Inform* them of your knowledge of the case, but don't *lecture* to them in order to impress the jury with how smart you are. There is a difference, and that difference will be conveyed to the jury by your attitude and demeanor. At first, you'll have a tendency to direct your answers to the attorney asking the question, so take a second after the question is asked to consider the question and your answer, and then respond by directing your answer towards the jury.

Tip #5 – When an objection is made by the attorneys to a question or an answer, immediately stop, and let the judge rule on the objection. Once the judge has ruled, you can then proceed with the answer or the next question. Remember that you have every right to have the question re-asked or re-stated if you weren't entirely clear about the question or the judge's ruling.

Tip #6 – Answer only the question asked. If either side wants further clarification, they can ask a follow-up question. Along these same lines, remember that in your

direct examination by the prosecutor, he or she can only ask direct or non-leading questions, so your pre-trial preparation and knowledge is particularly essential there. Prosecutors get in a real bind when they have to do everything but “stand on their heads” to get an answer out of a clueless or unprepared police witness without asking a leading question. The defense attorney will object to any and all leading questions, especially if he or she believes that the witness is unprepared and unable to answer the questions unless they are leading. Believe me; if that scenario occurs, it will affect your credibility with the jury.

Tip #7 – As a follow-up to # 6 above and on occasion, do not be afraid to politely address the judge and request to be allowed to explain your answer to a question posed by a defense attorney, who says that he or she only wants a “yes or no” answer. We all know that sometimes questions cannot be accurately answered with a simple “yes or no.” Usually the judges will allow you to do so, but if not, the prosecutor will be clued into this area and thus, be able to have you clarify that specific answer on your redirect exam.

Tip #8 – Do not give the jury the impression that you consider the defendant as someone less than yourself. Show him or her the respect that any other “presumed innocent” person would deserve. Some jurors often adopt the attitude of “there, but for the grace of God, go I.” Refer to the defendant by his or her last name (Mr. or Ms. Smith) instead of as “the defendant.” This impresses a jury with your fairness.

Tip #9 – Do not get angry or confrontational with the defense attorney. If the defense attorney believes that he or she can get a police witness angry or in an argument with him or her, be assured the defense attorney would try. If that happens, the loser is always the police witness. Sometimes the defense attorney doesn’t even have to try because the police officer witness has immediately “copped an attitude” or become defensive with the first question on cross-examination. On the other hand, if the defense attorney immediately becomes confrontational with a police witness and the police witness stays cool, calm, and collected while this lawyer is ranting and raving, the defense becomes the loser in that scenario. The jury knows who the aggressor is in these situations.

Tip #10 – Do not become defensive when asked if you have discussed your testimony with the prosecutor. Some defense attorneys believe that this shows that your testimony has been concocted with the help of the prosecutor. Be up front, and answer that you have discussed your testimony as to what occurred with the prosecutor and that it is standard procedure in all cases to do so. The jury will understand that; however, if you appear hesitant and unsure on how to answer that question, then some credibility problems have been created.

Tip #11 – Do not give the jury the impression that you know this defendant is guilty. The role of the jury is to determine the defendant’s guilt or innocence considering all the evidence, including your “impartial” testimony. When or if the jury gets the impression that you’re an advocate, your credibility is lessened.

Tip #12 – Do not be afraid to admit a mistake or correction, if, in fact, one was made. Obviously a mistake of the magnitude, such as you now know that it wasn’t the defendant who you saw running from the robbery scene when you’ve

previously said it was, will destroy your case. We're talking about relatively insignificant mistakes or minor corrections which defense attorneys love to "harp" on, hopefully, to create some reasonable doubt, such as exact time of day or exact location of where evidence was found or whether you or some other officer were involved in certain aspects of the investigation or some inconsistency in previous testimony on deposition, statements, or reports. The jury does not expect you to be perfect, just honest and fair. My suggestion is that if you are aware of some error or change in your testimony before trial that you inform the prosecutor immediately. Oftentimes, the prosecutor will or can diffuse any negative effect by bringing it up on your direct exam, instead of letting the defense attorney bring it up on cross-examination.

Tip #13 – Do not underestimate the intelligence and concern of the jury. They take their job seriously when they become jurors. There are people on juries who, out of that juror role, are the typical "law and order" type person, who believe that if a person was charged then they're guilty. Oftentimes, however, when that type of person gets on a jury, they realize the realities of the seriousness of the charges, the magnitude of the state having to prove their case beyond a reasonable doubt, that the defendant is a real live human being (not a whole lot different from themselves), and that deciding guilt or innocence is a really difficult task. Generally speaking, all jurors seem to take their duties very seriously and want to do the "right" thing, which is consistent with the law given to them by the judge. Don't convey any type of negative message to the jury about their role in our system of criminal justice.

Tip #14 – The final tip is to be professional. As previously indicated, professionalism is a part of being prepared. By being professional, you should not take that to mean being "phony." Professionalism comes naturally with being prepared, with understanding the importance of your profession (not job), and with understanding the role of law enforcement in our system of criminal justice. Another part of professionalism is that you understand that all parties in the system have their jobs to do, and sometimes things happen at the other various levels of our criminal justice system about which you do not agree. Being a professional means that you do not take those outcomes or occurrences in a personal manner merely because you don't agree with them. That kind of response or reaction often only makes for bitter persons toiling at a job, not professionals being a part of an important profession in the best criminal justice system in the world. Oftentimes, it helps to place yourself in the situation of the person or group whose actions with which you don't agree. This helps put some perspective into the situation and helps in understanding why, perhaps, the situation occurred the way it did. Another way to react is by doing your part differently the next time this situation occurs, in order to help ensure that the same outcome does not happen again. This, of course, assumes that you had some control or input into the previous matter.

IV. Summary

Most criminal trials are won or lost, depending on your perspective, based on the credibility of witnesses. Obviously, not all witnesses are police witnesses, but police are the usual and expected witnesses in all criminal trials. Our criminal justice system requires that the state prove the defendant guilty beyond a reasonable doubt. Remember that an unprepared, incredible, or unprofessional police witness

can create reasonable doubt. That should never happen if those police witnesses prepare and take their testimonial roles seriously.

Police officers need to work on preparation for testifying and testifying procedures in all criminal cases. Any police officer can become a good witness. Criminal trials do not occur on a frequent basis, but this article has set out some suggestions for officers to improve their testimonial skills from the perspective of a criminal lawyer. In summary, the major suggestions are as follows:

Preparation for Trial Testimony

- Take detailed notes from the beginning of your involvement in a criminal investigation.
- Write reports as quickly after the crime as possible.
- Take pride in your reports.
- Get involved and prepared for all pre-trial hearings or depositions.
- Take your testimonial role in the lower courts seriously; it's a great learning tool for more serious trials.
- Seriously review, but don't memorize, your notes, reports, and previous testimony before trial.
- Talk to the prosecutor before trial.

Trial Testimony Suggestions

- Be yourself.
- Listen to the entire question before answering.
- Don't try to answer questions that you don't understand or to which you don't know the answer.
- Testify directly to the jury in an informative fashion.
- If objections are made by counsel, stop testifying immediately, and let the judge rule before continuing with your answer or having the question repeated.
- Don't volunteer information.
- Occasionally ask the judge for permission to clarify an answer to a defense question, which asks only for a "yes or no" answer.
- Treat the defendant and the defendant's attorney with respect, and don't convey your feeling that the defendant is guilty.
- Don't get confrontational, angry, or defensive about questions asked by the defense attorney while on the witness stand.
- Don't be afraid to admit that you made a mistake.
- Don't underestimate the role or intelligence of the jury.
- Appear to be fair and as impartial as possible.
- Be professional.

If you follow these suggestions, the "try the cop" defense may become obsolete. Maybe, in process, it will become the prosecution's "best offense"!

A Police Officer's Perspective – Terry M. Mors

I. Introduction

Police officers spend an inordinate amount of time and effort investigating crimes. Their primary goal should be to seek the truth about the crime, regardless of how it affects the outcome. Secondary goals include making the arrest and getting a

conviction. Too often police officers get hung up on the arrest and conviction. They feel that they must arrest someone for the crime, and they often get insulted or offended if the accused is acquitted in court. While secondary to discovering the truth, preparing the case for trial is no less important. Some police officers are like water and electricity. They take the path of least resistance. In other words, they become lazy. Many cases of good police work have gone by the wayside due to lack of preparation for court. Often, it is the police officer who is put on trial by the defense attorneys in an attempt to gain a not-guilty verdict for the clients. The officer must be prepared to present all of the facts of the case in a fair and unbiased fashion and in a manner that is easily understood by the judge and jurors. The officer's attitude alone is sometimes enough to create a "reasonable doubt" in the minds of jurors and can sway them over to a not-guilty verdict. Certainly, an officer that appears unprepared or less than credible will have a similar outcome.

Not all police officers will testify in major cases. Yet, that does not mean that they cannot gain experience for when that day comes. Police officers testify all the time in branch court or lower courts on traffic violations, misdemeanors, and ordinance violations. Get in the habit of doing the job right, and stay consistent. Good habits developed in branch court will carry over to circuit court and federal court. That doesn't mean that every petty theft police report has to rival Tolstoy's *War and Peace* for length; however, do not be lazy. Write good police reports for all cases. Then, read them, and discuss the case, if necessary, with the prosecutor before going to trial. Finally, develop good testimony habits. Learn from fellow officers. Ask them and the prosecutor to critique your testimony. As with all things in life, we learn from our mistakes. You may be able to live with a speeding violator getting off based upon a mistake you made while testifying, but could you live with a rapist or murderer walking? I have testified in just about every type of case from speeding violations to homicide investigations. Naturally, I was more nervous in homicide and rape cases; however, I was also more prepared in those cases. What always bothered me the most was how I would face the victim's family if a guilty suspect were set free because I didn't do my job properly. Ask yourself how you would feel if your child was murdered or raped, and the police officer bungled the case. Just like anything else in life, good habits stay with you, and bad habits are hard to break. Hopefully the following guidelines will help you develop habits that will enable you to win in court.

II. Preparing for Trial Testimony

Police officers are constantly told from the day that they get hired not to put too much information in their police reports. The belief is that if officers put a lot of detail in their police reports, it will only give the defense attorney more ammunition with which to discredit the officer. They are told this at the police academy, and they are told this by their peers. Nothing could be further from the truth. Attention to detail and proper documentation are the officer's best weapons in court. More cases are probably won in court by defense attorneys based upon holes in police officers' reports than on any other aspect of the investigation. There is an old saying in police work: "If it isn't documented, it didn't happen."

Police officers must articulate everything they did and often things they didn't do, in their police report. For example, officers may be asked what they did to avoid the use of force as well as why they used force. On the stand, they better have

an answer for that. If they don't tell the story the way that it actually happened, someone else will interpret that for them. Our minds have a tendency to try and make sense of things from our preconceived notions of how things ought to be. If you have ever looked at an abstract painting, you have no doubt tried to interpret the painting to be some object of reality that you recognize as being correct. Our perception of reality is based upon our morals, beliefs, and past experiences. We filter new knowledge through our paradigm of reality. We all perceive things differently. The truth is that the painting may not represent anything at all. When you read this sequence of letters, A, B, C, D, F, G, H, J, K, L, N, O, Q, R, T, U, V, Y, Z, what is the first thing you do? Your mind wants to fill in the missing letters to make sense of the sequence as the letters of the alphabet.

That is exactly what happens when police officers leave holes in their police reports. Someone is going to fill them in. That person may be the defense attorney, jurors, the judge, or even the prosecuting attorney. The point is that any attempt in court to explain a void in your police report may appear as a lie or cover-up. If it happened, put it in your report. Get in the habit of always documenting everything you do, and be consistent. Remember that the defense attorney can subpoena other past reports you wrote as well. In one case, a police officer arrested a subject on a traffic stop. The officer checked the handcuffs for proper fit and doubled locked them. On the way back to the police station, the arrestee complained that the handcuffs were hurting him. The officer stopped the car and again checked the handcuffs for proper fit. They were fine, and the officer documented all of this in his report. At a civil trial, the defense attorney asked the officer if he put in his report that he checked the handcuffs for proper fit and double locked them only because his client had complained of pain. The officer stated that he always checks the handcuffs for proper fit and double locks them. He said in court that he put it in his report, because it was something he did as part of the arrest. The defense attorney again asked if he always did this as a matter of practice. The officer answered, "Yes." The defense attorney then produced arrest report after arrest report of the officer's. Each time, he asked the officer if he put in his report that he checked the handcuffs for proper fit and double locked them. Each time, the answer was "No." The defense attorney then made the allegation that the officer only put it in this report to cover up the damage allegedly caused to his client during the handcuffing.

Be specific in your language. If a subject resisted arrest, specifically state how he or she resisted arrest. Don't use vague or abstract terms and phrases. For example, don't say, "The subject used profanity." State exactly what the subject said. The same holds true for phrases like "the subject was uncooperative" or "the subject attacked me." State how they were uncooperative or how they attacked you. This will be important as you prepare to testify in court, for you will surely be asked how the subject was uncooperative. Some cases don't go to trial for several months or even years. Unless you have a photographic memory, you will need your police report to refresh your memory. If that information isn't in there, you'll pay for it on the stand.

Also, don't use police jargon or legal language in your police reports. Remember that other people read your reports besides police officers. Talk in plain English so you can be understood. You may know that a 10-50 is a traffic accident, but the jury may have no idea what you are talking about. Plus, it makes you seem

impersonal, and distances you from everyday, ordinary citizens. Those citizens may just be the jurors deciding your case. You must be specific and speak in terms easily understood. Write the report in the first person, and write it the way that you would speak as if you were telling the story to a friend. For example, don't say "Victim Smith further related that when he arrived at his place of residence he observed the perpetrator within his domicile." Say "Smith said he saw Jones standing inside his house when he came home." That's the way we talk, and that's the way you should write. If it sounds artificial, it sounds less credible.

There are also differences in the way people perceive what is told to them. In trying to justify shooting an armed suspect, it is not sufficient to say, "The man came at me with a knife." If a man walks towards you with a Buck knife in a sheath on his belt, he is probably not a threat to you. If a man found a knife at the scene and is walking over to give it to you, he has come at you with a knife. In either case, you are not justified in using deadly force. You will be much better perceived, and justified, if you say something like, "Smith ran towards me. He clutched a four-inch folding knife, locked in the open position, high overhead in his right hand. He was holding the exposed knife in a stabbing motion. As he ran towards me, he shouted, 'I'll kill you, pig!'" How you are perceived is based on how you present things in your police report and in your courtroom testimony. So, be specific and be accurate. That requires taking good notes in the field. Also, remember that the defense can subpoena your notes under the rules of discovery. So, don't put anything in your notes that you don't want others to see. I always made it a habit to destroy my notes once I had completed the police report to my satisfaction and the satisfaction of my supervisor. When asked on the stand to produce my field notes, I would tell the attorney that I had disposed of them. When asked why, I testified that once I had transposed my notes into my police report, there was no longer a need to keep them. My police report is my official account of what transpired.

Police officers spend a lot of time and energy investigating crimes. They build the best possible case to take to trial. Yet, most spend little if any time preparing for court. Some don't even read their report before testifying. There is an old saying in the legal profession: "A good attorney never asks a question to which they don't already know the answer." The same should be true for the police officer about to testify. You should anticipate what might be asked of you, and have an answer ready for it. You don't want to appear rehearsed, but you don't want to appear dumb-founded either. You are a professional, and you are going to be expected to testify like a professional.

Many officers use phrases during testimony such as, "I don't recall" when they don't remember something. That is acceptable once in awhile or for minute or unrelated details; however, when an officer repeatedly says this, then remembers critical information as if it happened yesterday, it makes the officer's answer appear rehearsed and less than credible. The officer should always have an answer for questions pertinent to the case. That requires preparation. That means reading the report over and over and making notes. You may also want to get the transcript from preliminary hearings if you testified already before the actual trial. You don't want to contradict your earlier testimony during the trial. When that happens, it appears as if you are lying. I once testified in a serious felony case in which my answer to a question at trial was slightly different than my testimony at the

preliminary hearing. The defense attorney jumped all over that and asked me “Officer, were you lying then, or are you lying now?” The truth is I didn’t lie in either case, but it was too late. The damage had been done. The seed was already planted in the jury’s mind.

In major cases, the officer should meet with the prosecuting attorney to discuss the case. When you review the case with the prosecutor, you learn what will be asked of you. By planning your strategy together, you leave little if anything to chance. The prosecutor will also be able to assist by preparing you for what the defense attorney might ask of you. Remember, the defense attorney will undoubtedly prepare his or her case by reviewing it with the client. You should be no less prepared. If the prosecuting attorney doesn’t contact you to discuss the case before trial, take the initiative yourself. Ask him or her for a few minutes of time to meet with you to discuss the case days before it goes to trial.

III. Trial Testimony

When you arrive to court, let the prosecutor know that you are present and ready for trial. Defense attorneys usually file a motion for separation of witnesses. That means all that are going to testify must wait outside of the courtroom. Only one witness at a time is allowed inside the courtroom to testify. The purpose of this is to keep witnesses from hearing each other’s testimony and, thus, synchronizing their testimony. You will not be allowed to discuss the case with other witnesses while waiting. So it is important to go over the case with other officers before showing up to court. Plus, you don’t want to talk about the case with anyone while waiting to testify. You never know to whom you are talking. That person might just be a witness or may somehow be connected to the defense.

Don’t worry that your testimony isn’t identical to others. You are telling the truth from your own perspective. We all interpret things slightly differently. No one expects everyone’s testimony to mirror each other’s. If it did, it wouldn’t appear natural. The best thing you can do to prepare is review your police report and discuss the case with the prosecutor before trial. That way neither you nor the prosecutor will be surprised or embarrassed.

Your job as a witness is to present your evidence and testimony in a fair and impartial manner so that the judge and jury may determine the truth, legality, and guilt or innocence of the defendant. The best way to do that is to invite the jury into your shoes to see the facts of the case as you saw them. Our legal system is based upon an adversarial process in which the prosecution and the defense each try to sway a judge or jury. You as a police officer are not to get caught up in that adversarial process. Your job is to present information in a professional unbiased manner. Many officers assume an adversarial posture once they go on the stand. They befriend the prosecuting attorney on the stand. Upon cross-examination by the defense, those same officers become cold, distant, argumentative, and sometimes downright hostile. That attitude alone is sometimes enough to alter the outcome of the trial.

Attitude is a major component of courtroom testimony. Many police officers are viewed negatively within their department, within the community, and within the courtroom because of their attitudes and behavior. Just about everyone knows of

a police officer that is badge heavy, arrogant, authoritarian, or just an out and out jerk. Judges know those officers too from appearing before them in court. Once you develop a negative reputation, it will probably stay with you through your entire career. I have seen police officers lose cases simply based upon their credibility and attitude in court as opposed to the facts of the case. Judges actually stated that they had no doubt the defendant was guilty but questioned the credibility of the police officer. I know of a police officer that was found liable in a civil case based solely upon his attitude. It was a case in which officers used deadly force against two armed drug dealers. This particular officer arrived on the scene well after the shootings took place. At trial, the officer sat at the defense table displaying an attitude of anger and contempt for the plaintiff. On the stand, the officer displayed a defensive and argumentative attitude. The other defendant officers acted openly and honestly on the stand. They didn't appear to take sides, despite their involvement in the incident. The jury wanted to hold someone accountable, so they found the officer with the negative attitude guilty. After the trial, jurors remarked that while there was no evidence to find him guilty of any wrongdoing, they believed he was lying on the stand based solely upon his attitude and demeanor. A wise man once told me that perception is reality. If people perceive that you lied, then in their mind you lied regardless of the truth.

You must remember that your job is not to find the defendant guilty or administer punishment. Your job is to tell the truth. The best way to make your case is to follow the same guidelines already mentioned about writing police reports. Use plain English, and explain your actions. Avoid the use of police jargon that makes you appear mechanical and inhuman. You want the judge and jury to see you as a fellow human being. That requires testifying using a small badge. In other words, do not come across as macho. Too many badge heavy officers testify from a position of total authority. They put themselves up on a pedestal. That is a turn-off to everyone in the courtroom, including the judge and jury. You want them to relate to you, see you as the professional you are and have confidence that what you are saying is the truth.

Use plenty of detail. That comes from a well-written report and from properly preparing for court. You want to be able to recall the incident clearly for the court. Don't minimize the situation, but don't be verbose. Whether it is the prosecutor or the defense attorney, only answer the question put to you. Don't volunteer additional information or go off on a tangent. Be thorough, but be concise. If the answer only calls for a "yes" or "no," then answer it that way. If asked to elaborate or explain, do so fully and honestly without volunteering answers to questions that were not asked. Speak slowly and address the judge and jury. They are the people that need the information you are providing. You must paint a picture of what happened for the judge and jury. They are the ones that will decide guilt or innocence. They can't do that without all of the information. Remember that attitude is everything! If you come across as vindictive, jurors may regard you as biased, unprofessional, or worse yet, untruthful. Be relaxed. Use open body language gestures to help explain the dynamics of the situation. Above all else, be yourself.

Finally, you want to appear professional. Arrive early so that the prosecutor knows you are there, and that you are ready for business. Arriving early also gives you time to relax and get yourself together. When people rush around, they sometimes get distracted, confused, and forget things. Dress accordingly. You are about to

enter a court of law and testify as a law enforcement expert. Many departments have a policy regulating dress for court. If that is the case, follow it. You may be required to wear a uniform. If so, make sure it is clean and neatly pressed. Polish your shoes. If you are not required to wear a uniform, wear nice dress clothes. That usually means a coat and tie for the gentlemen and a dress or nice pantsuit for the ladies. While it is true that how you are dressed has nothing to do with what you are saying, the two are inherently linked. If people are turned off by your appearance, they are less likely to listen to what you have to say. Clothes also say a lot about how well you care about the case and your job. Don't leave anything to chance. You are a professional, and you are getting paid to be there. Dress like a professional. Remember, perception is everything. You get one chance to impress a jury. Make the most of it.

IV. Summary

A successful investigation doesn't end with the arrest. Post-arrest activities many times are more important than the investigation. Great cases have been lost at trial due to shoddy police reports, lack of preparation for court, and poor testimony in court. Some simple guidelines have been laid out to assist you and the prosecutor in bringing the case to a successful conviction. In summary, they are as follows:

Preparing for Trial Testimony

- Document everything that happened; your police report is your only memory.
- Articulate what you did and why you did it.
- Don't leave holes or gaps in your report; someone else will fill them in.
- Use plain English, and avoid the use of police jargon and legal language.
- Write your report in the first person, and write in the manner in which you talk.
- Review your police report several times before the trial, and make notes.
- Schedule a pre-trial conference with the prosecutor to discuss the case.
- Confer with fellow officers involved in the case, and include them in the pre-trial conference.

Trial Testimony

- Arrive early.
- Dress properly.
- Avoid discussing the case with anyone while waiting outside of the courtroom.
- Testify professionally, and don't portray a negative attitude.
- Don't engage in adversarial conduct with the defense attorney.
- Testify wearing a small badge; don't flaunt your authority.
- Invite the jury into your shoes by using plain English and explaining your actions.
- Speak slowly and clearly.
- Avoid the use of police jargon, ten codes, and legal language.
- Don't offer opinions.
- Use plenty of detail.
- Answer only those questions asked of you.
- Don't provide additional information unless asked to do so.
- Answer all questions thoroughly, but be concise in your answers.
- Use body language to explain the dynamics of your situation.

If you follow these simple guidelines, you will enhance your credibility in court. Prosecutors will be grateful; jurors will believe you; and victims and their families will thank you. Your job doesn't end with the arrest. If police officers put as much effort into their police reports, preparation for court, and testifying as they do in their investigations, conviction rates will soar. Police officers have a responsibility to their department, the prosecutor's office, and the victims and their families to professionally investigate the case from start to finish. That finish line is in the courtroom.

Barry M. Anderson earned his BA in 1965 from Grinnell College, his Juris Doctorate in 1968 from the University of Iowa Law School, and his MA in law enforcement and justice administration in 1994 from Western Illinois University.

Anderson has practiced law in Keokuk, Iowa for over 30 years with a concentration in the criminal law and juvenile law areas. He has argued numerous criminal cases in the Iowa Supreme Court. He was elected Lee County attorney and has served as a magistrate judge in Lee County. For the past few years, he was the chairperson of the Iowa Criminal Law Section of the Iowa Bar Association and an active member of the Indigent Defense Task Force in Iowa.

In 1988-1989, he became an adjunct professor at WIU until his hiring as an assistant professor in the LEJA department in 1993.

Terry Mors is an assistant professor with the Department of Law Enforcement and Justice Administration at Western Illinois University. He is a former instructor for the Criminal Justice Institute of Lake County, Illinois and a former police commander. Professor Mors can be reached at <Terry_Mors@ccmail.wiu.edu>.

News from the Illinois Police Corps

Gary Turner, Director

On August 24, the first class of the Illinois Police Corps cadets graduated. This cadet class received over 1600 hours of training in a 24-week period. While the State of Illinois mandates a 400-hour curriculum, which was incorporated into the 1600-hour IPC training, the Police Corps has a deeper function. Integrity and ethics are instilled into every part of the training, not just a single block of instruction. Cadets are confronted with situations which develop their ethics and integrity from the very beginning, during the crucible, until Police Week which is conducted at the end of training. Integrity and ethics are tested in the classroom with scenarios as well as on the range with a set up. Illinois Police Corps training is both scenario- and experience-based. This is a departure from the traditional classroom lecture-based training. Emphasis in experience-based training is placed on performance, although cadets must maintain an 85% academic test average.

Fitness is highly emphasized throughout the academy with two daily workouts. One workout focuses on cardiopulmonary functions with distance running, sprinting drills, aerobics, Reebok bicycle classes, and several other cardio activities. The second workout concentrates on strength. A strength plan is developed for each cadet to use during his or her weightlifting workout. The class must test at the 50% level of the Cooper's Power Test to pass the entry-level requirements of the Illinois Police Corps. Cadets leave the program testing at the 90% level of the Cooper's Power Test.

The crucible event has been extended from one to four days. In addition to heightening leadership skills and team-building efforts, the crucible is a training tool that focuses on communication, problem solving, cooperation, close body proximity to others, support from others, trust, and stamina. The four-day format allows continuous training so that the cadets remain a cohesive group for the training period. The four-day format creates an atmosphere that encourages group cohesion, teamwork, and a sense that "we're in this together." By the end of the crucible, cadets are very familiar and comfortable with one another. They learn that much more can be accomplished by a team than by a group of individuals. During the crucible, they not only rely upon each other during training tasks, but they also rely on each other for meal preparation and clean-up, moral support, and encouragement.

Illinois Police Corps training includes a variety of extensive training. Cadets receive certification for training in emergency vehicle operations, juvenile officer duties, and field sobriety testing. They also attend 40 hours of training in community policing. In addition, community service is an integral part of training as the cadets are highly involved in the Special Olympics, which includes the Torch Run and two days of working field events during the Special Olympic Games. Future training will also include an emphasis on working with youth as a program is developed to incorporate the initiatives of the Big Brother/Big Sister program.

Police Week is a training session designed to challenge cadets to apply what they have learned throughout their Police Corps training. Police Week is comprised of a set of scenarios placed throughout the community, which is a great opportunity for community businesses and people to interact with Police Corps trainees and cadets. Cadets are dispatched to calls and must act as the responding officer. Businesses such as Wal-Mart contribute by allowing us to utilize their store, security (or property control) room, merchandise to use as props, and their parking lot. The training scenario at Wal-Mart involved juvenile shoplifting of items used in the creation of methamphetamine. By using an entire week for this training initiative, staff can design the scenarios so that they are interrelated. For example, the Wal-Mart methamphetamine shoplifting scenario may be associated with, or provide clues on, a related anhydrous tank theft. On the academy end of Police Week, there are a lot of logistics to work out, volunteers to seek, and planning to be done, but the training experience for the cadets is unsurpassed.

Since the September 11 attack, the Police Corps has been at work developing a program that would prepare police officers to identify potential terrorists and their targets before they strike. A group of state directors met in Charleston, SC in September and identified what should be taught. In October, this group met with Israel police, security, and terrorist experts in Washington, DC and continued the development of the program. The Israelis completed the development and delivered the prototype program at the Police Corps in Missouri in November. This intensive five-day course included the history of Islam, the terrorist mindset, security and patrol procedures, target hardening, identification and interviewing of terrorists, and community involvement along with other material. The training was highlighted when the participants were divided into teams and identified a target to strike. The teams then went out and developed detailed plans on what to hit when and how to strike. They also determined where to get the devices and equipment they would use and then stepped through the plan with the exception of actually carrying out what was to take place. The teams reported back and agreed that security in their targets was minimal to nothing. The targets were a school, a mall, a professional sports stadium, and a national landmark. At the end of the program, the Israelis reinforced what they had been saying throughout the course, that we in the United States must now think and act differently than we did before September 11.

Gary Turner is the Director of the Illinois Police Corps and started the program in Illinois in September of 1999. Turner has been in law enforcement for 29 years. He started his career in the Marine Corps and then worked with the Champaign County Sheriff's office for 25 years where he retired as the Chief Deputy. Turner taught at the Police Training Institute as an adjunct instructor for 18 years and at Parkland College for 11 years. Turner has an MPA from the University of Illinois and is working toward his doctorate. He has worked with several local and state agencies throughout the United States on a number of training issues.

Guidelines for Preparing Manuscripts

There are virtually no restrictions on subject matter as long as the material pertains, in the opinion of the editor, to law-enforcement-related areas. Manuscripts should be typed and double-spaced. A résumé or vitae from the author(s) must accompany submissions. Book reviews and research notes will be considered for publication. No submission will be published until recommended by referees, who will review blind copies.

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Send three hard-copy manuscripts, vitae(s), and a diskette to . . .

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Works Published/Produced Through the Illinois Law Enforcement Executive Institute

Emerging Challenges in Illinois Law Enforcement Collective Bargaining, Lewis Bender, Robert Fischer, and Thomas J. Jurkanin, January 2001.

Illinois Law Enforcement Executive Forum Journal, inaugural issue, June 2000.

Methamphetamine Labs: A New Danger for Illinois, 30-minute videotape, produced in cooperation with the U.S. Drug Enforcement Administration, Illinois State Police, through funds from the Illinois Law Enforcement Training and Standards Board.

Small Town Policing in the New Millennium: Strategies, Options, and Alternate Methods, Robin Johnson, author and researcher; published in cooperation with the Illinois Institute for Rural Affairs, March 2000.

Managing a Clandestine Laboratory Enforcement Program, Inspector Thomas McNamara, through a grant from the Illinois Law Enforcement Training and Standards Board, March 1999.

Model Domestic Violence Protocol for Law Enforcement, 1999, through a grant from the Illinois Criminal Justice Information Authority.

Making Empathy Statements to Defuse Conflict and Generate Rapport, Joseph Kulis et al., 1998.

Developing Persona Skills for Community Policing: A Manual for Trainers, Joseph Kulis, 1998.

An Assessment of Municipal and County Computer Crime Investigations in Chicago, Illinois Metropolitan Area, Bradley Byers, 1997.

Identifying the Future of Law Enforcement: 1997 Executive Forum Series Summary of Proceedings and Conference Notes, Illinois Law Enforcement Executive Institute in cooperation with the Illinois Law Enforcement Training and Standards Board, 1997.

Sex Crimes Investigation Course: Train-the-Trainer, Scott Keenan, Susan Welch, Polly Poskin, authors, Illinois Law Enforcement Executive Institute, 1997.

Police Executive's Perspectives of the Pre-Service Model, Kent Harrington, primary researcher and author, Illinois Law Enforcement Executive Institute, 1997.

Surviving and Thriving as a Law Enforcement Executive in the Twenty-First Century, May 1996, November 1996, June 1997, October 1997, June 1998.

Model Guidelines and Sex Crimes Investigation Manual for Illinois Law Enforcement, editor, Illinois Law Enforcement Executive Institute and the Illinois Coalition Against Sexual Assault through a grant from the Illinois Criminal Justice Information Authority, 1996.

Illinois Legislative Updates, 1995, 1996, 1997, Kevin Burke, author, Illinois Law Enforcement Executive Institute. (Videotapes produced as well as an annual satellite interactive television program through Educational Broadcasting at Western Illinois University.)

Zero Tolerance, 1994 Illinois Secretary of State Police. (Videotape produced as well as a satellite interactive television program through Educational Broadcasting at Western Illinois University.)

Sexual Assault Investigation Series (three tapes) in cooperation with the Illinois Coalition Against Domestic Violence through a grant from the Illinois Criminal Justice Information Authority, 1996.

1. *Preliminary and In-Depth Interview of the Victim of Adult Sexual Assault*
2. *Evidence Collection*
3. *Suspect Interview*

Domestic Violence Investigations Series (three tapes) in cooperation with the Illinois Coalition Against Domestic Violence and the Illinois Attorney General through a grant from the Illinois Criminal Justice Information Authority, 1997.

1. *Obvious Scenario*
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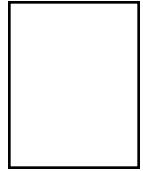
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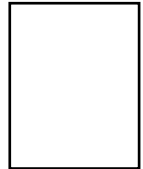
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