

130533

**HOW WILL POLICE MANAGERS ADDRESS MATTERS  
OF INTERNAL DISCIPLINE BY THE YEAR 2000?**

**AN INDEPENDENT STUDY**

130533

U.S. Department of Justice  
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**Commission on Peace Officer Standards and Training**

**Sacramento, California**

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**This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.**

**Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.**

**Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.**

**The views and conclusions expressed in this Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).**

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**ABSTRACT**

The study examines current trends in how police managers handle matters of discipline and accountability of their personnel and forecasts how such matters will be addressed by the year 2000. The author provides an overview of relevant literature, examines significant trends and events, constructs alternative futures scenarios, and offers policy suggestions as well as strategic and transition management plans. Analysis of data unveils a great deal of diversity as to how police organizations hold personnel accountable for behaviors and performance. The diversity of organizational values and cultures, coupled with a work force that questions and challenges management processes, creates potential for this arena of management performance to be ever more closely scrutinized by political as well as legal authority. The results of this study display the need to provide police managers and supervisors with direction and elements of human understanding, to make clear expectations for employee behavior and performance, and to give proper attention and motivation to all personnel for optimum performance.

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**BY**

**DARYL M. WICKER  
COMMISSION ON POST  
ORDER NO. 11-0220**

**EXECUTIVE SUMMARY**

This study examines factors and data that will influence law enforcement management efforts to address internal organizational behaviors and performance in the future. It provides direction for planning and transitioning to a discipline system that will be highly accountable to many entities. The study utilizes futures forecasting techniques and draws upon the considerable expertise and experience both within and outside the police organization. The study has three principle parts.

**Part One - Futures Study:** A Nominal Group Technique (N.G.T.) Panel was used along with information and environment scanning, as well as personal interviews, to develop the background for the study. The study produced five trends and five events relevant to the topic. These trends and events were analyzed and forecast using a cross-impact method from which three possible future scenarios were developed for policy consideration.

From the key trends and events identified, the study answers questions relevant to expectations for employee behavior and performance by the year 2000, organizational values and culture in conflict with personal values of police personnel, organizational adaptation necessary to address many entities who scrutinize internal operations of the police agency, and police union influence upon the policy direction of the law enforcement agency of the future.

**Part Two - Strategic Plan:** From information and data developed in forecasting and by analysis of all the factors and stakeholders, six policy alternatives were offered by which the law enforcement leadership of the future will manage internal affairs. The policy alternatives developed include working to minimize value conflicts between the new and the old, giving consideration to rule and regulation violation and to the actual work record and history of the violator, training for cultural awareness/sensitivity and value differences, involving all personnel in organizational decision making processes, exposing scrutinizers to the law enforcement functions and personnel, and fostering a participative style of management and supervision that draws upon the resources of all personnel.

The development of the strategic plan or philosophy includes several action steps that are articulated in the study. The action steps range from developing organizational Mission Statements to involving all organizational personnel in the development of organizational guidelines for performance, behavior, and accountability.

**Part Three - Transition Management:** Planning for change is the responsibility of all organizational personnel. While transitioning to the future will require leadership and direction, such are clearly the responsibility of the Chief Executive of the organization. The Chief must assign personnel to transition efforts who are committed to people and are loyal to the concern for managing police conduct and performance of the future. A task force approach is likely the most effective method by which the transition plan will come of fruition. The task force approach for transitioning to the future will provide wide range of opinion and comment and will provide the most thorough exposure of all stakeholders to the plan.

**Part Four - Conclusions and Future Implications:** While this study identifies policy alternatives for the future, it also draws emphasis to the issue of human relations. The internal processes that currently are and will be in place in the law enforcement organization must clearly provide human understanding to include cultural awareness and personal and individual value perspectives.

The rigidity of policy and structure of organization of the past must give way to negotiation and compromise. The influences upon the organization both internal and external cannot be ignored but must be carefully listened to and evaluated.

Accountability by the law enforcement organization of the future will include a more open, participative, and communicative style of management and supervision that will facilitate both task and people.



### EPIGRAPH

Guard the paths of justice by seeking knowledge, it is thereby that you will discern justice and equity for every good course. Wisdom will enter your heart, discretion will guard you, and understanding will watch over you.

Proverbs 2:6-11

## BACKGROUND

The internal processes of the law enforcement organization have traditionally been held close to the breast and not generally shared or exposed to entities outside the organization. Legal opinion has surfaced that shields law enforcement personnel from public exposure and disclosure of internal inquiry disposition.

In the preceding thirty plus years, law enforcement has experienced tremendous change, the impact of which has been continued effort to professionalize its methods, its responsiveness, its processes, behaviors, and its personnel. Much of this effort began with a Code of Ethics developed by the professional police organization known as P.O.R.A.C. (Peace Officer Research Association of California) in 1957. Considerable effort has been directed toward the education and training of law enforcement personnel, the aforementioned Code of Ethics stands memorialized in some form in many police agencies in California. The California State Commission on Peace Officer Standards and Training (P.O.S.T.) establishes standards for the employment of persons in the law enforcement field, and the importance of training is emphasized by willingness of government to fund training and education programs for law enforcement.

Educational incentives for law enforcement personnel have become a part of the compensation benefit package for many most police employers, and the modern police manager is both experienced and formally educated. Along with the effort to professionalize has come a degree of public accountability unrivaled in the past. The mystique and enigma of the law enforcement agency is no longer merely discussed, it is investigated and reported upon with ever growing frequency.

Personal observation reveals that traditionally, the law enforcement employee has been subjected to either harsh methods of accountability or functioned with impunity. Very little middle ground or balance for handling internal matters existed. Several important events have historically occurred that have created a more equitable and responsive system of addressing such matters. Those events are worthy of evaluation as they lay both foundation and reason for the law enforcement internal processes of today. Those same events have established several very unique and identifiable trends that exist in the law enforcement community. When those trends are analyzed and forecast, they lead one to draw certain conclusions as to how such matters will be addressed by the law enforcement administrator of the future.

Personal experience reveals it is not uncommon to have conversation between law enforcement leadership turn to the airing of "personnel issues" that try the patience and expertise of the administrator. The one to one relationship of subordinate to supervisor or manager, has all but vanished from the police internal processes.

The influences and entities that have brought about police administration's efforts to establish accountability can be found in the root premise that these administrators are first held accountable to those same influences and entities. Errors in judgement, willful misconduct and corruption, and conduct deemed unbecoming for police personnel can be found in all police agencies. It can likewise be found in any organization that recruits and employs individuals from the human race. The key to balancing organizational health and harmony with the demand for accountability is one of human understanding and perception.

Police organizations have patterned much of their internal processes from those of the military. The rank structure of the organization, the rules, the regulations, and codes of conduct, the manuals of procedure and method are well in evidence in many police organizations. Likewise, the municipality or county that employs police personnel generally has manuals of procedure for personnel in place, and the law enforcement entity is expected to know the manual and to adhere to its dictates.

While the military influence is very much in evidence in many police organizations, it is important not to assume that such evidence is negative. Rather, that influence offers both clear direction for the function of the organization and its employees and likewise creates expectation for the results of one's inability or unwillingness to adhere to rules, regulations, and processes. The result can be, however, a work force that

sees its employer as rule bound and insensitive to the human plight. In its effort to dictate performance, behavior, and demeanor, procedure manuals give little attention to matters of diverse values and cultures of the individuals that make up the organization. Law enforcement administrators point to its manuals in defense of its performance and the performance and conduct of its personnel.

The recent move to litigate differences and to seek remedy for wrongs via available legal process have had significant impact upon law enforcement. The filing of lawsuits with claims of excessive force or inappropriate response and conduct by law enforcement has prompted organizations to gear response toward protecting the organization rather than protecting the public. The lawsuits that result can be extremely costly to the police organization in both monies and in its impact upon its personnel. Police will argue that police response is guided by the behavior of the persons involved in an incident and thereby such public behavior will in fact prompt how police respond. While the argument has merit, it is not an acceptable argument in defense of a lawsuit or accusation of misconduct. It is also no longer a valid argument to the administration when an officer is charged with some wrongdoing. Thereby, the police legal advisor is a commonplace sight in the law enforcement agency of today.

The litigation that has impacted law enforcement is not limited to public lawsuit. Police unionization and its effort to protect its membership has brought with it legal representation of the employee rights and privileges of employment. The field of labor law and litigation has opened an entire new arena for the practice of law. Professional police fraternal organizations have been highly successful in garnering supportive legislation and law that protect the police employee's property and liberty interest in their jobs. While not new in concept, the idea that an employee should feel secure in their job if performing to established standards is clearly the principle upon which relevant court decisions are founded.

Additional influences upon law enforcement have been found at all levels of government. As the first responders to the majority of society's problems, law enforcement is looked upon as being problem solvers. They are perceived as those who would stand ready to resolve issues for humankind while being ever accountable for their response and methodology. The problem created therein is one of diversity of political thought and opinion and a partisan political response to non-partisan issues. More than one Police Chief has experienced the wrath of a diverse City Council and its opinions as to how the police should respond. The plight of the Chief is often decided by issues that in fact are not related to criminal justice but rather to how a politician views the world.

The media also plays a significant role in how the police are held accountable and how the internal processes of a law enforcement organization perform. The press are the self-proclaimed "watchdogs of society." Their charge is to report facts, news, and information that the "public has a right to know." Therein lies the dilemma for the media and the police. They are dependent upon one another for their existence. The police seek to protect the privacy of the individual and the media seeks to expose that which it deems appropriate for the public to know. Both entities revel in their autonomy and independence. Investigative reporters see the police administration as self-protective and uncooperative. The police administration responds with indignity and claim of privacy when challenged by the media. Conflict between these entities result over issues that are in fact non-issues if the truth were exposed. Police are ever protective of their own. They disdain claims of cover-up, whitewash, or corruption, yet they lay waste of silence to the media who may later prove their salvation in the face of adversity and public exposure.

One final consideration and the true motivator for this study is that of the human being. Police agencies seek to employ individuals who manifest high ideals, morality, and values. They are trained in all aspects of life experience and dilemma and thrust into the fray of society as its peacekeepers. It takes little time for the police employee to realize that the very

persons they seek to represent and to care for, can suddenly be the critic, the enemy, the accuser. Thereby, the police employee becomes distrustful and subjective in his or her interpersonal style. While being granted tremendous discretion in conducting law enforcement tasks, only the results of the exercise of discretion are measured.

These same idealistic police personnel find themselves under continued and close scrutiny. They look for the ulterior motive or hidden agenda of other human beings including their peers and especially their supervisors and the department administration. When the performance or conduct of these personnel is questioned by the administration, there is little trust that the administration that relies so heavily upon them to do the job will now give consideration to them as individuals when rules have been broken or performance is substandard. The administration's effort to operate with efficiency and effectiveness becomes a personal affront to the job effort and ethic of the police employee.

As a police administrator the author has seen the police spirit broken by inconsiderate and insensitive administrative response to inappropriate police conduct. No effort is made to establish reason for breach of codes or ethics or conduct. Rather, the process seeks only to lay blame and to establish guilt or innocence of the offender. Seldom is consideration given to the work record of the individual being scrutinized.



Seldom is consideration given to the act of misconduct being one of omission or mistake as opposed to one of willfulness. What was intended when the rule was violated, what was the result, what was the state of mind of the police employee when the act was committed, was the wrongfulness or the negligence of the act foreseeable, what remedy is appropriate for the situation?

These are all questions that beg for answers now and the quest for those answers will certainly intensify as the future unfolds. This study will provide evidence of the present and a vision for the future that will hopefully direct law enforcement to administer its own with the same idealism that it administers the law of the people.

## METHODOLOGIES/OBJECTIVES

The first project objective is futures forecasting. That effort has entailed environmental scanning and information review, personal interviews, evaluation of relevant trends and events by means of a modified Nominal Group Technique (N.G.T.), cross-impact analysis of those same trends and events, alternative futures scenarios, and policy considerations. The data generated will form the basis for subsequent project sections.

The second objective is to plan strategically for a model police agency based upon one scenario from the previous futures section. Strategic planning will make use of an organizational mission statement, situational analysis, and Modified Policy Delphi. This process will isolate policies and strategies that will form a foundation and basis for the actual transition to the plan.

The project's third objective is to develop the actual transition management plan. Policies and procedures previously identified will be placed into a model management structure. Commitment planning will take place, "critical mass" will be analyzed, and responsibility charting completed. Supporting technologies or other relevant factors will be discussed.

Finally, the study offers an overview of the findings from research conducted, and provides conclusions and recommendations relevant to managing police organizations of the future.

**PART I**

**FORECASTING THE FUTURE**

## THE ISSUE

Addressing matters of internal discipline within police organizations: What policies and processes will be in place for the law enforcement Managers by the year 2000?

## SUB-ISSUES

Since this is in reality an impact study, sub-issues become essential to a complete and detailed discussion of the central issue or question and were identified in the interview processes, by structuring of a relevance tree, and while conducting an N.G.T. Panel.

1. How will administrative response to a culturally diverse work force impact internal disciplinary processes?
2. To what extent will the establishment of organizational ethics, values, and culture impact internal processes of the future?
3. What organizational conflicts are likely to result from a new found sensitivity for the workers?
4. How will entities that scrutinize the law enforcement function receive and evaluate internal disciplinary processes?

## ENVIRONMENT AND INFORMATION SCAN

The information scan involved search for and examination of materials representing social, technological, environmental, educational, political, and legal position and ideation. Fairness and equity in the impart of internal inquiry were identified as of deep concern. Police organizations have found it necessary to continue to investigate their own and to issue mandates for behavior and performance.

A number of factors were identified that impact how and to what degree an organization addresses internal issues and the behavior and performance of its personnel. Recruitment and retention of qualified personnel in the face of a declining human resource pool, political influences, and scrutiny were common. Legal influences that protect the employee and theoretically the public are developing to a specialized field of law. The employees' union has a great deal of influence on the topic. The press and media see themselves not just as informers but also as reformers. The media no longer just reports, it investigates, reports, and editorializes its findings. It was apparent that each entity envisions a system of law enforcement internal processes and discipline differently.

The human resource pool and the social nature of the law enforcement profession were also found to have great influence upon an organization's internal processes.

One key factor that all literature revealed to be essential to sound processes was that of consistent application of those processes.

In an address before the California Commission on Peace Officer Standards and Training Command College in March of 1989, Dr. Leo Estrada, Professor of Sociology and Demographics from the University of California at Los Angeles (U.C.L.A.), revealed several demographic factors that are certain to influence the issue both currently and into the future. These figures are especially relevant in that they impact both the recruitment issue and establish the basis of the population that law enforcement will serve. The significance of these figures lies within the values each general population age bracket manifests. The period of turmoil and opposition to the War in Vietnam in the 1960's now brings the sentiment of that youthful population to the forefront of leadership in today's population.

The individuals of the Vietnam Era are now the middle American group of today and bring with them the "me generation" mentality. Dr. Estrada attributes much of the "yuppie" achiever mentality and motivation of today to that group that is now in the 35 to 45 years of age population group. These individuals seek accountability from their governmental entities, including

the police, while at the same time they strive for financial independence and security. The police they once scorned and perhaps viewed as the representative enemy of their cause, are now all that stands between them and those who would take their freedom and independence from them in the form of criminality. At the same time, this segment of the population has a strong desire for the police to be accountable for both their actions and in some cases, inactions.

Dr. Estrada further revealed that the population birth rate in this country is nearing zero. While the population continues to grow nationally, the vast majority of that growth is due to immigration. There are currently approximately four million persons born in the United States each year, and it is projected that such number will remain relatively static through the decade of the 1990's.

Dr. Estrada also spoke of the top ten largest cities in the United States having a minority population of at least 30%.

By the year 2000, Whites will represent approximately 47% of school age children, while minorities will represent 53%.

California's largest minority population is Hispanic. Thirty-two percent (32%) of all Hispanic women have yet to reach child bearing years, and the birth rate among Hispanic females is twice that of Whites. The year 2000 will see the Hispanics as the majority of the population in the State of California.

Immigration rates will clearly influence population trends in this country in the future, more than will fertility.

Undocumented immigrants make up an estimated 10% to 15% of the population of California. That percentage is likely to increase to nearly 20% by the 2000.

By the year 1995, one-third of all foreign born immigrants in the United States will live in California.

By the year 2000, only 16% of the United States population will be between the age of 18 and 26 (prime law enforcement recruitment age).

The environment and information scan also was most revealing in the fields of the legal and political influences and their impact upon law enforcement. From the legal perspective, law enforcement has long held a great deal of pride in its ability to police its own and to ferret out the unfit. The vigor by which law enforcement has addressed Internal Affairs matters was held in appropriate appreciation by the general population and at the same time in disdain by the law enforcement employee. Both legal and political influences have done much to bring the internal law enforcement processes under a great deal of scrutiny, subjective evaluation, and have contributed to the specialized field of personal law.

In the 1970's two separate yet distinct legal opinions and legislative dictates, relevant to personnel law, were brought to bear upon California law enforcement and have had lasting impact and effect.



The first legal dictate was a California Supreme Court ruling that granted due process rights to governmental employees who were the subject of and charged with violations of rules and regulations or were subject to some disciplinary process due to incompetence or nonperformance. While the decision, commonly now known as the Skelly Decision, (Skelly vs. State Personnel Board, SF 23241, September 16, 1975), did not prohibit discipline of governmental employees, it restricted the right of governmental employers to discipline an employee without having first provided for due process for the employee to be advised of the reason for the action, to be provided with all information to be used in support of the action, and to have opportunity to respond to charges prior to the imposition of any disciplinary action. The decision changed forever the manner by which the employee could challenge any disciplinary action being taken by the employer. The Skelly Decision now exists as a rule for employer performance in matters of discipline up to and including termination.

The second legal development received the support of Statewide Law Enforcement Professional Associations. That legal dictate was and is still commonly known as the Peace Officer Bill of Rights. The Peace Officer Bill of Rights is codified in Section 3300 et.seq. of the California Government Code, and provides for certain rights and privileges to be granted to any sworn Public Safety employee and employer in the event of internal inquiry. The Peace Officer Bill of Rights has now become

the standard by which California law enforcement conducts investigation and interview of its employees who are the subject of disciplinary investigation or inquiry.

The internal police processes of today and certainly into the future will carry the employer burden of proving personnel actions to have been handled fairly and with consideration for the property and liberty interests each person has in his or her employment. A caveat to these legal dictates is the extension of such rights and privileges to the private sector. Court dockets and administrative law review of employer actions taken against its employees in all professions are now commonplace.

The expectation for the future is that this field of law will continue to expand and to place responsibility and burden upon the employer to address internal disciplinary issues with consideration for the rights and privileges of the employee and the employer.

The legal entity has also had great impact upon why and in what circumstances internal inquiry is conducted. Government, which once functioned with a near sovereign immunity in matters of liability, now is accountable to the courts and the public for its own actions and the actions of its employees. The emerging legal doctrine of vicarious liability for the employer has done much to cause scrutiny of the behavior and performance of governmental employees. In efforts to protect itself, government continues to place high standards for behavior and performance upon its employees.

The political influences were also found to be much in evidence in the literature scan phase for this research. The elected officials are ever more cognizant of the internal operations and processes of the government departments within their jurisdiction. It is not uncommon for elected officials to champion the cause and search for truth and justice within its own political infrastructure when prompted by an unhappy or dissatisfied constituency. In that most Police Chiefs are employed in the position by appointment, they are well aware of their tenuous "at will" employment status and can be greatly influenced by the political direction or whim. In the October 26, 1990, edition of the Hawaiian Island newspaper, The Star Bulletin, it was reported that the appointed Honolulu Police Chief was ordered by the City of Honolulu Mayor to appoint a Filipino as the next Assistant Police Chief. The Chief is in a rather uncomfortable position in that the only Filipino available for promotion is both a personal friend of the Mayor and is not the most qualified candidate for the position. What choice can the Chief make? What choice will he make?

Additional evidence of political influences were found in several Southern California newspapers that have followed the story of the Long Beach Police Department. This large California city of nearly 500,000 people is undergoing massive reorganization, training, and change. Much of the change is prompted by an elected City Council that has tired of the allegations of unprofessional police conduct and performance,

tired of a growing crime rate, and tired of a bickering and posturing between a police union and the Chief as to matters of internal discipline and processes. The result has been a political response that has now contracted police services to the Los Angeles County Sheriff's Office to police the northern parts of the fifty (50) square mile city. The Chief has the support of the political structure to correct problems, yet his efforts are seen by the politically active police union as purely politically motivated. Community welfare and the fight against crime have taken a back seat to the political side of the issue. (Information gained as reported in the Los Angeles Times, Long Beach Press Telegram, Orange County Register, newspapers, television news, and from personal interview with the Police Chief.)

Clearly, the information scan for this topic has created a myriad of considerations for developing strategies for the law enforcement manager of tomorrow. The key would appear to be recognizing the absolute fact that the influences that play upon the topic all have relevance and importance.

Appendix bibliography specifically references other literature that was scanned.

## INTERVIEWS

Research interviews were conducted with several law enforcement professionals in both Orange and Los Angeles Counties in Southern California. Those interviewed included:

- One Police Chief.
- A Police Union Legal Advisor (Attorney).
- A Police Lieutenant assigned as the Bureau Commander of the Internal Affairs Unit.
- A five member Board of Directors for a Police Union.
- A Police Captain.
- A City Manager.
- A City Attorney.
- A former City Personnel Director, now a University Political Science Instructor and Consultant on matters of personnel.
- A Police Officer recently subject of disciplinary action (suspension) by his employing agency.

Each of those interviewed were asked an established series of questions and also asked to offer personal commentary and response to the issue. The structured series of questions asked were as follows:

1. Is the law enforcement attempt to address matters of internal inquiry and discipline fair and equitable?
2. Which external influence or entity is of greatest concern to you? (Political, Legal, Social, or Media)

3. Without discipline, what else might be attempted to create accountability for law enforcement personnel of the future?
4. Have police unions offered representation of law enforcement personnel that mitigates intended disciplinary actions, or has that representation created a bar to a more sensitive relationship between the employer and employee?
5. Is the continued effort to professionalize law enforcement of a concern to you and why?

These individuals were selected for interview to offer both insight and honest commentary to the issue. Each had, on prior occasion, expressed interest in the topic. Each has a vested interest in the internal disciplinary processes, and expressed a sincere desire to bring stability to an area of concern to law enforcement.

Without exception, each of those interviewed believed that compromises and concessions would have to be made to bring about desired stability for future internal disciplinary processes. All felt the current state of affairs and processes was in such flux that no unity of purpose nor direction for the future was uniquely and specifically clear. Each likewise agreed they held concern for the people involved or subject to disciplinary processes and each expressed understanding of the many influences that impact how an organization responds to such matters.

The simple processes of investigation and inquiry, followed by appropriate action, have disappeared in the confusion of legal mandate and scrutiny. The police union attorney felt that these changes had improved greatly upon the plight of the employee subject to discipline. The union attorney commented that the zeal by which police administrators in the past conducted internal inquiry created impressions of insensitivity toward personnel on the part of the administration. The attorney felt that caution needed to be added to the types of discipline administered. He had considerable comment regarding making the penalty fit the violation, the point being that administrations have given little consideration to why the violation occurred, only that it did. The attorney referenced the fact that only legal processes had brought about existing changes and no manner or matter or compromise, or negotiation, between employee and employer had ever accomplished such.

The Police Chief expressed concern that the legal influences had greatly handicapped a law enforcement administrator's ability to manage the department in the best interests of all employees and the public. The Chief cited example of flagrantly inappropriate behavior by one of his employees whereby the Chief had severely disciplined or terminated the employee. The Chief's decision was later overturned due to legal interpretation of process and legal interpretation as to fairness and equity of the penalty imposed. The Chief felt that in the past he was able to

give consideration to the person involved and to disposition matters without certain formalities. He felt that such discretion had now been taken from him and he was at the mercy of the process itself.

The Chief indicated that he had a great deal of difficulty explaining to the political structure of his municipality why he was not able to rid the department of malcontents, inefficient employees, or others who had violated specific organizational rules or regulations.

The City Manager interviewed expressed many of the concerns of the Police Chief. He was quick to draw attention to the fact that most City Managers have the ultimate approval as to what discipline is appropriate. While indicating that he relies heavily upon the judgement of his Police Chief and will most always take the recommendation of the Chief, he has given much greater scrutiny to such recommendation based upon legal reversal of both his and the Chief's decisions. The City Manager also felt it appropriate to remind the interviewer that he not only bears responsibility for the Police Department but for all other municipal departments as well. He indicated that appropriate discipline for a Police Officer may be highly inappropriate for a Public Works Department tree trimmer.



The City Manager further indicated that the Police Department does a much more thorough and complete job of investigation and reporting on disciplinary matters than do other departments within the city governmental structure. In that investigation and reporting are commonplace for the Police Department, they are foreign to other departments. This City Manager indicated that he has sent Managers and Supervisors from other city departments to the police for training in investigation and reporting.

The City Manager indicated that many City Council Executive Sessions, which are reserved for discussion on matters of personnel and litigation, center on how department heads manage their personnel and the manner in which those personnel perform and behave. He indicated that the City Councils are most generally supportive of law enforcement yet are concerned because of the liability exposure that law enforcement generates. He recalled many instances wherein upon briefing the Council regarding certain actions taken by the Police Department, the Council did not understand why the police could not have simply walked away from an encounter rather than risk liability exposure. He indicated that with each new City Council Election, he must again educate and instruct the membership upon the charge and responsibility of the Police Department. Seldom does a Council question how law enforcement addresses matters of serious crime but frequently they question matters of simple traffic enforcement, and Police Officer interaction and interpersonal relations with the public.

The former City Personnel Department Director indicated that the independent and autonomous operations of most police agencies makes it very difficult to deal with the police leadership. Frequently, the Personnel Office's questioning of Police Department operations and in particular those addressing matters of discipline and internal process are viewed by the police hierarchy as interference in the Police Department operations. She indicated that law enforcement managers have the tendency to opt for more severe penalty for rules and regulation violations than do other city departments. Because of the nature of the police task, law enforcement will generally bring intensity and timely resolve of personnel issues. She did, however, indicate that the police have much more detailed and thorough understanding of the relevant personnel laws than do Managers of other city departments.

The joint interview of the Police Union Board of Directors was unique. Not even among the police officers' association leadership could unity of opinion be found. Several felt that in most cases the department was not harsh enough and in some cases too harsh in its imposition of disciplinary action. When queried as to what situations or factors influenced such opinion, they felt that the individuals involved and the work record and "attitude" of those persons were highly relevant but not considered. The Union Board indicated that not only were they

concerned for the membership but they were concerned for themselves personally. They indicated that any one of them could be subject to internal inquiry and discipline at any time. The charges could range from willful misconduct to inadvertent rule and regulation violations. They universally wished consideration be given to that factor even if prior work history and record were not considered.

A most enlightening interview came from the Police Captain of a large metropolitan Southern California police agency. That Captain offered a new perspective of consideration for this study when he told of his Police Chief spending between two and three full days each week reviewing recommended disciplinary actions for the department. The City Charter for this municipality requires that the Chief review and sign off on all disciplinary actions. The Chief has little knowledge of his personnel aside from that brought to his attention in investigative reports.

Issues of consistency of imposition of disciplinary action comes from an established schedule of actions for each and every conceivable rules and regulations violation. The schedule is not deviated from unless there is some factor brought forth in the investigative reports or brought forth in the due process mitigation hearing. The officiousness of the process and the organizational value of consistency frequently do not provide for any consideration beyond the penalty schedule.

In response to structured questions, commonality as well as difference of opinion between those interviewed was realized. No responses were evaluated for importance, merely relevance, and were recorded as information for the topic being researched.

#### Group Responses to Structured Questions

Question #1. In most cases, given the limitations and constraints placed upon the police administrator, efforts to address matters of internal inquiry and discipline appear to be fair. However, and this was well qualified by the respondents, the terms fair and equitable are relative. While the imposition of discipline may be fair to the employee, does it carry the same degree of fairness for the organization and any who may have been wronged by the act of the employee? Effective negotiation and compromise between involved parties in most cases will create the greatest degree of fairness and equity for involved parties. There were additional comments that the degree or discipline imposed should not be made public and that personnel records of all employees should be kept confidential as is currently the case.

Question #2. Without doubt, the biggest concern was that of the media. Several reasons for the concern were given and included the media's desire to access personnel record information and to make public the results of internal police investigations.

The second most common concern was that of political influence. Each respondent was concerned that political concern for efficiency and for a responsive Police Department would some day wrest responsibility for internal inquiry away from the department itself and perhaps place that responsibility in the hands of a group similar to a Civilian Review Committee. The most disconcerting part of such a review committee was that the committee appointees would be seated by the political forces themselves. Thereby, personal motivations and political agenda coupled with political cronyism would dictate committee membership and makeup.

Question #3. The individuals queried were in like agreement that the internal inquiry and disciplinary process currently in place in law enforcement would continue to exist well into the future. The concern was again expressed that if the system

could not or would not meet the needs of all concerned parties, that the responsibility would be removed from the department's administration.

Question #4. The only agreement herein was one of recognition that the union's involvement in the process has created a more efficient system. In the face of judicial reversal of decisions and continued scrutiny of the process itself, the Police Department's administration has become much better at its internal inquiry methodology.

There was considerable disagreement as to the impact of union activism. The rank and file feel that the activism has strengthened their position and they now have recourse, while the administration feels that interpersonal insensitivity of any quasi-judicial process depersonalizes the process and does not permit open and honest communication between the involved parties. Again, the topic or subject of negotiation with consideration for past job performance and actions was seen as being lost in the formality of the process itself.

Many police departments facilitate appeal of disciplinary action but do not allow for formal grievance processes on the face of such action.

Question #5. All respondents saw continued efforts to professionalize law enforcement as both positive and something that must continue into the future. Many of the issues discovered in the literature scanning of the topic, to include decreasing personnel resource pool and the increasing value diversity of a multicultural population, were given by respondents as reasons to continue the efforts to professionalize.

Training for human understanding was cited by several of those interviewed.

#### NOMINAL GROUP TECHNIQUE

A nominal group was assembled to evaluate a list of relevant trends and events and to compile a final set of such events and trends for evaluation. Members of the group included a Police Chief, a City employed Personnel Analyst, a Personnel Director from a private sector multinational corporation, a City Attorney, an Attorney who represents police employees subject to internal inquiry and discipline, a Police Captain, and one print-media newspaper reporter for a local limited circulation newspaper.

The group was advised the trends and events would be identified by consensus as to the six (6) most critical in each category. The group was advised of the following factors.

- Events must be discreet occurrences that a future historian would be able to determine did or did not occur.
- Trends must be clearly stated with terms defined and understood. The trends had to be non-directional in that later forecasting would determine direction.
- Trends and event must be comprehensive and represent major areas of relevance to the issue or topic.
- Events must include those with low probability but which would greatly impact the issue if they occurred.
- Trends and events, both internal and external, to the organization must be included.
- Final sets of trends and events must be worth forecasting.

Each of the group began to add first trends and events to a list that the group moderator, the researcher, had begun. When a lengthy list of both trends and events was generated, voting was done by the group as to which of these trends and events would qualify for forecasting. After voting (forcing a choice based upon the trends and events most relevant), definitions, discussion, and tabulation for the final trends and events was completed. These were then identified and ranked.



## TRENDS

1. The amount of employee appeals of disciplinary action for administrative and judicial review.
2. The frequency of attorneys being present and party to processes wherein an employee is or could be subject to a disciplinary action.
3. The media demand for disclosure of the dispositions of internal inquiries and disciplinary actions.
4. The police union demand not to disclose the result of any internal inquiry or disciplinary action publicly.
5. Methods or systems of alternative means of discipline.
6. Civilian review of police performance and conduct as a means by which the public can be assured of police accountability.

## EVENTS

1. A Police Chief is held criminally culpable for the actions of one of his or her subordinate personnel.  
(Theory of racketeer influenced and corrupt organizations is applied.)
2. A civilian review panel is created to review all internal investigations and materials and to make recommendation to the Chief for an appropriate disposition.

3. Media lawsuit results in judicial mandate for disclosure of the results and disposition of all Police Department internal inquiries and disciplinary actions.
4. Police unions state job actions in response to public disclosure of matters of personnel actions.
5. Judicial mandate applies to discipline process and disposition on a universal scale that must be followed by the disciplinary authority.
6. Police Psychologists publicly disclose that the internal processes and disciplinary actions are in fact more psychologically damaging to the police employee than are the stresses of the daily job.

#### FORECASTING

Those individuals who participated in the Nominal Group Technique (N.G.T.) process were also asked to provide forecasts for the group's selections. These forecasts involved projecting into the future their best estimates of how the level of each trend might change and the probability of the enumerated events actually occurring over the next decade (1990 to 2000).

The results of the forecasts made by the group will be discussed in narrative form while the actual graphs representative of the group's charting follow that narrative.

## TRENDS

Table #1 is the representative cumulative scoring done by the N.G.T. group in establishing a rank order of the trends. To establish the rank order, the N.G.T. group was asked to score each of the trends. The group was advised that for purposes of strategic planning, how valuable would it be to have a good long range forecast of the trend? The group then individually voted for the trend as either being **PRICELESS, VERY HELPFUL, HELPFUL, NOT VERY HELPFUL, or WORTHLESS**. Numeric scores were attached to each of those evaluations which ultimately forced a cumulative point total for each of the trends. The top six trends were then utilized throughout this study for developing a strategic plan for law enforcement to utilize to address matters of internal discipline in the year 2000.

Table #2 represents the N.G.T. group's evaluation of each of the trends. All N.G.T. group members were asked to estimate the level of the trend five years ago, five years into the future, and ten years into the future. The group was given a current trend level of 100 for today's trend level. For forecasting into the future, the group was asked to estimate the level of what at which the trend **WILL BE** as well as **SHOULD BE**. The **should be** rating was to be one they would prefer to see the trend level if they could shape the future themselves. These averages were recorded and charted in Table #2.

**TABLE 1. - TREND SCREENING**

**CANDIDATE TRENDS  
in  
RANK ORDER**

**FOR PURPOSES OF TOP-LEVEL STRATEGIC PLANNING  
HOW VALUABLE WOULD IT BE TO HAVE A REALLY  
GOOD LONG-RANGE FORECAST OF THE TREND?\***

#		Priceless **4	Very Helpful **3	Helpful **2	Not Very Helpful **1	Worthless **0	Total Pts.
		* 6	2				30
1.	Appeal All Discipline	**24	6				
		* 6	2				30
2.	Attorney Present	**24	6				
		* 5	3	1			29
3.	Media/Disclosure	**20	9				
		* 5	2	2			28
4.	Union/Non-Disclosure	**20	6	2			
		* 4	3	1			27
5.	Alternative Discipline	**16	9	2			
		* 4	2	2			26
6.	Civilian Review	**16	6	4			

\* Panel total for each estimate category.  
(# Hits)

\*\* Score times number of estimates in each category.

TABLE 2. - TREND EVALUATION

TREND STATEMENT (Abbreviated)		LEVEL OF THE TREND** (TODAY = 100)			
		5 Years Ago	Today	* Five Years From Now	* Ten Years From Now
1	Appeal All Discipline	30	100	120 50	130 50
2	Attorney Present	30	100	120 75	140 75
3	Media/Disclosure	50	100	150 50	170 50
4	Union/Non-Disclosure	50	100	150 50	170 50
5	Alternative Discipline	0	100	120 150	150 150
6	Civilian Review	50	100	120 50	140 70
			100		

\*\* Panel Medians

\* Five Years from now

\* Ten Years from now

~~"will be"~~

~~"will be"~~

~~"should be"~~

~~"should be"~~

The highest and lowest forecasts were used to assess the range of estimates encountered. The range is a critical factor in understanding both the diversity of opinions and the strength of group convictions.

**TREND EVALUATION:**

**Trend #1:** Figure #1 shows that the group envisions the trend of EMPLOYEES APPEALING DISCIPLINARY ACTIONS FOR ADMINISTRATIVE REVIEW to continue into the future. The group commented that such appeal processes are time-consuming and costly to the organization. Several of the panel members felt that preparation for and testimony at appeal hearings were highly disruptive to the organization and would in many cases place other members of the organization in the position of offering open hearing testimony as to the events surrounding the behavior that generated inquiry and subsequent disciplinary action.

It was also abundantly clear that the group felt the trend should not continue to escalate but should rather remain relatively constant with the level of five years previous to this study. Some increase in appeals was anticipated, however, clearly the group had very strong desire not to see the trend continue as forecast.

Figure #2 represents the range figures forecast by the group for Trend #1.

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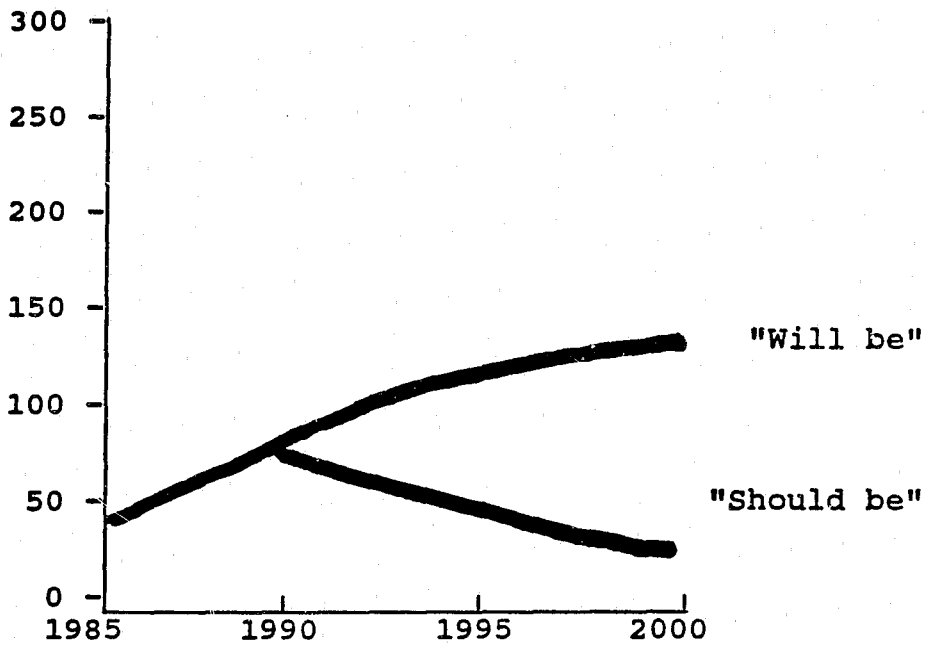


Figure # 1

T # 1 "Will be"/"Should be" Forecast

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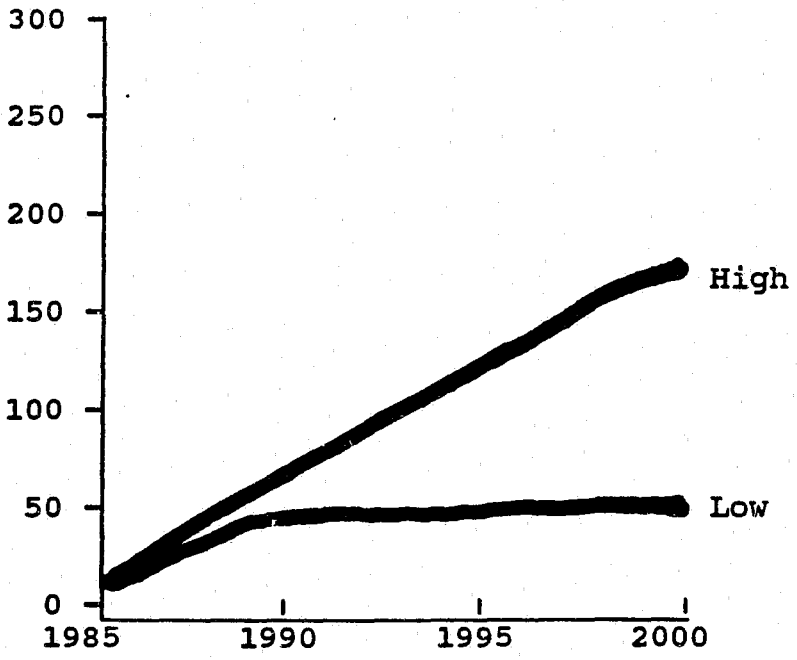


Figure # 2

T # 1 Forecast Range

Trend #2: Figure #3 offers evidence that the group felt that the presence of EMPLOYEE LEGAL REPRESENTATIVES AT EACH STEP OF THE INTERNAL INQUIRY PROCESS will continue to increase into the future. The attorney presence places all involved parties in a more formal posture and does little to enhance the search for the truth. While the group felt it appropriate to have attorneys present to represent employees in the more serious cases, the need for such in routine or simple cases was not necessary. The group felt that legal representation of the employee at all such proceedings would likely create the need for the organization to also have legal representation on hand and, therefore, again timely resolve of issues was sacrificed and costs for such processes would increase dramatically.

The ~~should be~~ forecasts done by the group indicate that some escalation in the presence of attorneys would be expected and would be acceptable. There was one qualifier that the group indicated would make the additional presence of attorneys more palatable. That qualifier was to state that if the Chief and the representative attorney could communicate or negotiate at some point in the process, the need for protracted processes or administrative appeal of actions taken could be reduced dramatically.

Figure #4 displays the range of forecasts offered by the N.G.T. group to Trend #2.



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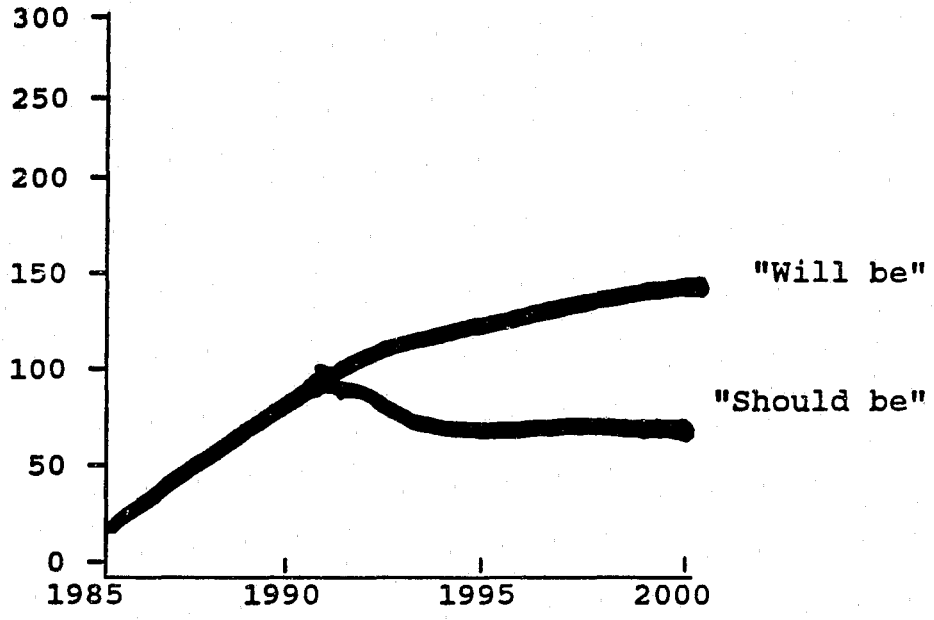


Figure # 3

T # 2 "Will be"/"Should be" Forecast

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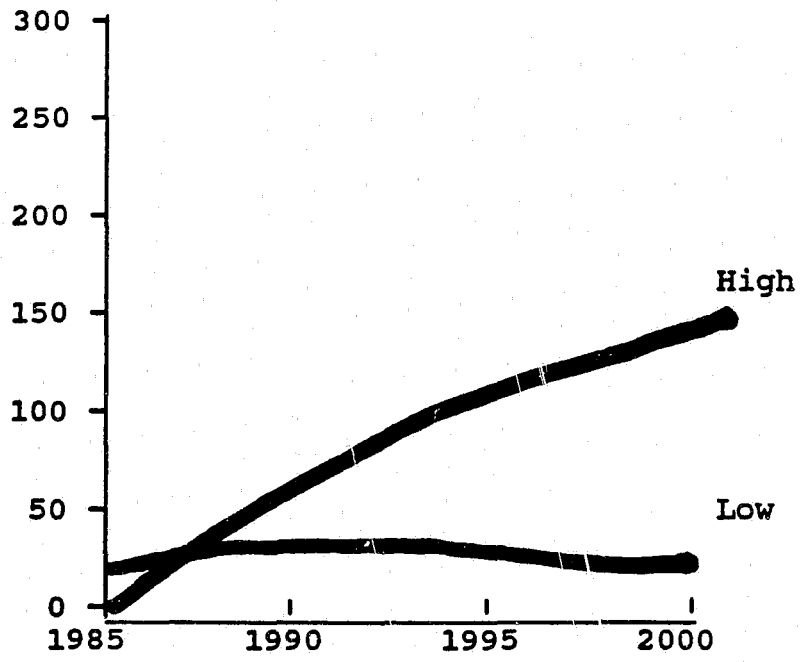


Figure # 4

T # 2 Forecast Range

Trend #3: Figure #5 is representative of the group's response to MEDIA DEMANDS FOR PUBLIC DISCLOSURE OF INTERNAL INQUIRY AND DISCIPLINARY CASE DISPOSITION. Without exception, each N.G.T. member felt that public disclosure would have extremely negative impact upon personnel and the organization. All felt that the media involvement in such matters should return to its level of five years prior. While each of those present expressed appreciation for the role of the media, none could see any inherent value in disclosure of disciplinary action dispositions.

Comment was made reference media competition as having a bearing on how the media sees its inform and reform responsibilities.

Figure #6 displays the range of forecasts offered by the N.G.T. group to Trend #3.

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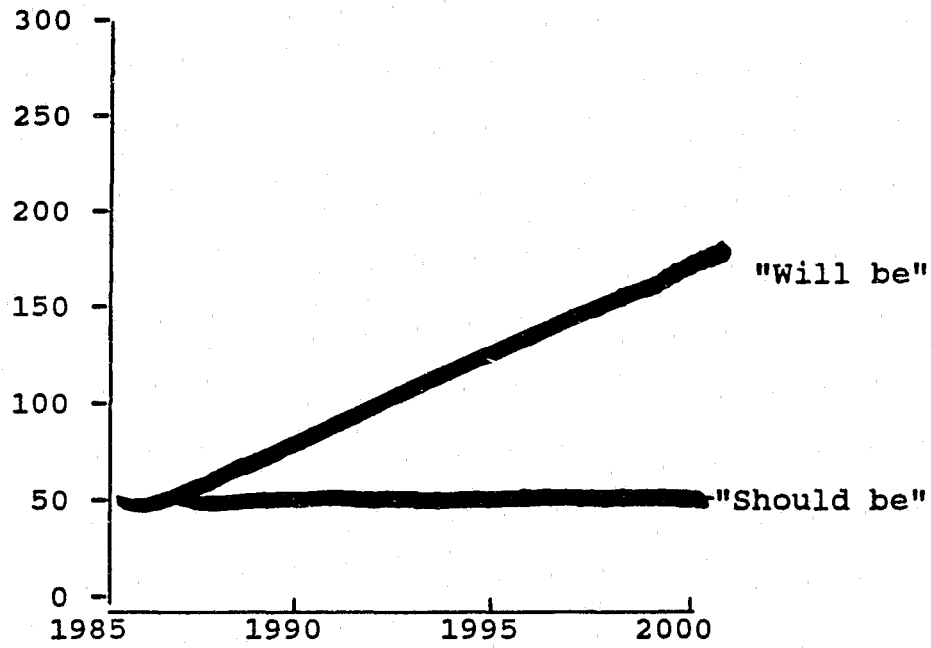


Figure # 5

T # 3 "Will be"/"Should be" Forecast

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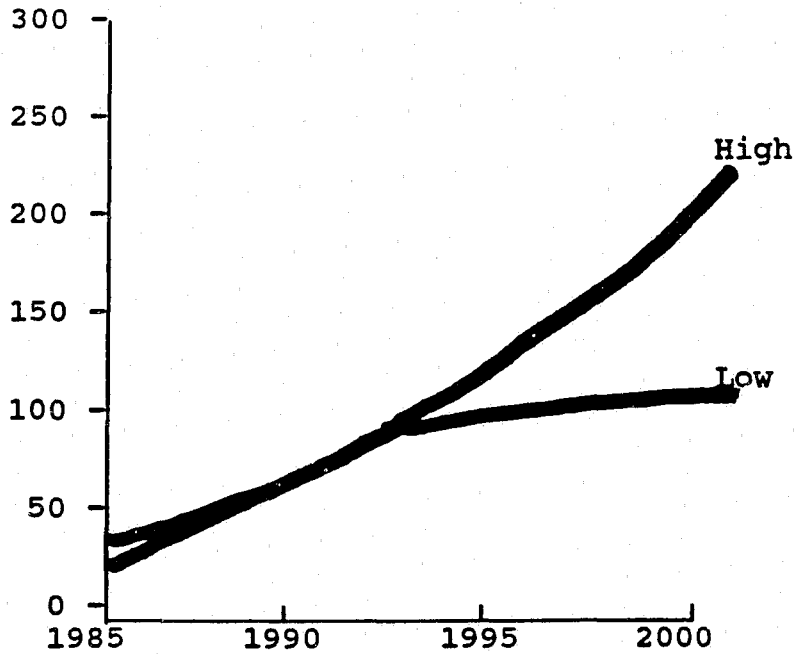


Figure # 6

T # 3 Forecast Range

Trend #4: Figure #7 graphically displays the N.G.T. group's forecasts for the trend of POLICE UNIONS DEMANDING NON-PUBLIC DISCLOSURE OF DISCIPLINARY ACTIONS. The forecasts made by the group were remarkably consistent with those made for Trend #3. The group felt that the union activism to oppose public disclosure would be in direct response for the media demand for disclosure. The group viewed the trend as having a most direct action/reaction or cause/effect motivation. The group indicated that if the media's push for disclosure were resolved, that this trend would likely have little impact or importance in strategically planning for the future.

The positive aspects of this trend, as viewed by the N.G.T. group, were that it would in all probability be a rallying point for joint support and cooperation between the police administration and the police union. The group felt it important that these entities have a point of unity of purpose at some point in the future.

Figure #8 shows the range of forecasts for Trend #4 as made by the N.G.T. group.

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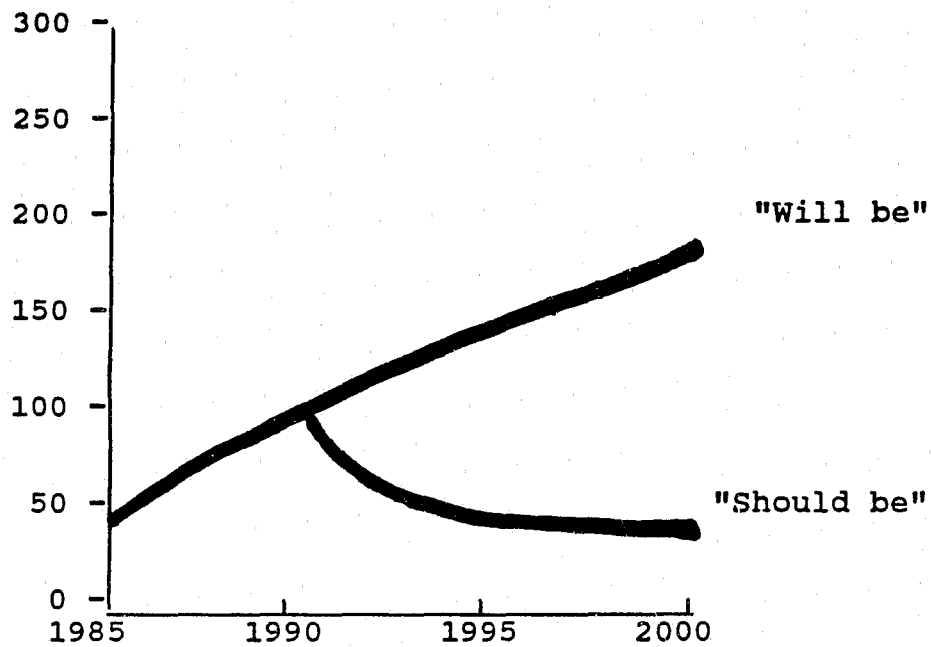
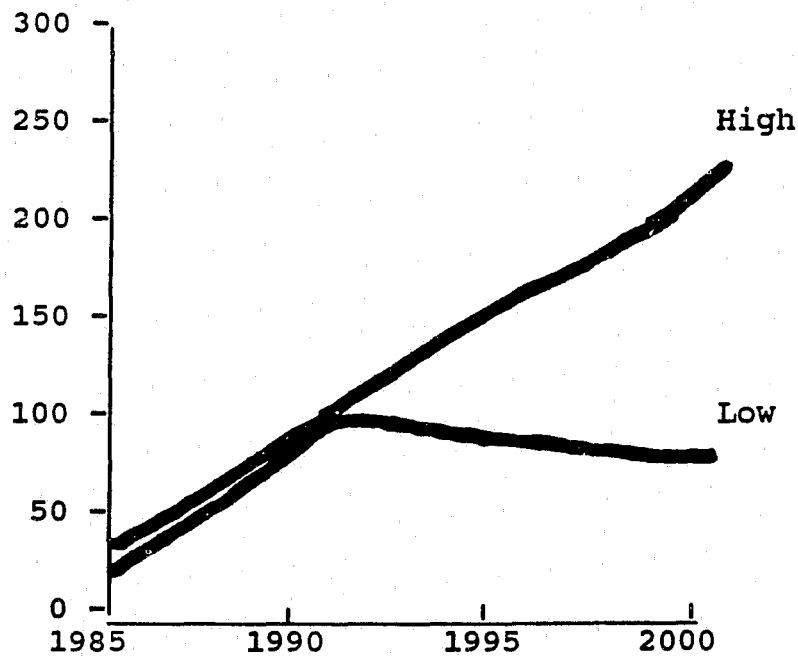


Figure # 7

T # 4 "Will be"/"Should be" Forecast

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● Figure # 8

T # 4 Forecast Range

Trend #5: Figure #9 represented the N.G.T. group's forecasts for Trend #5, the creation of ALTERNATIVE FORMS OF DISCIPLINARY ACTIONS. This was the only trend that the group felt should continue to develop and one that could have a very positive impact upon matters of internal discipline. The trend is one that offers both alternative and negotiation to the internal inquiry and discipline processes. The group envisioned that the trend may develop with a greater rapidity that may be desired; however, the emphasis was again placed upon the potential for this trend to positively impact the issue.

Figure #10 graphically displays the range of forecasts offered by the N.G.T. group to Trend #5.

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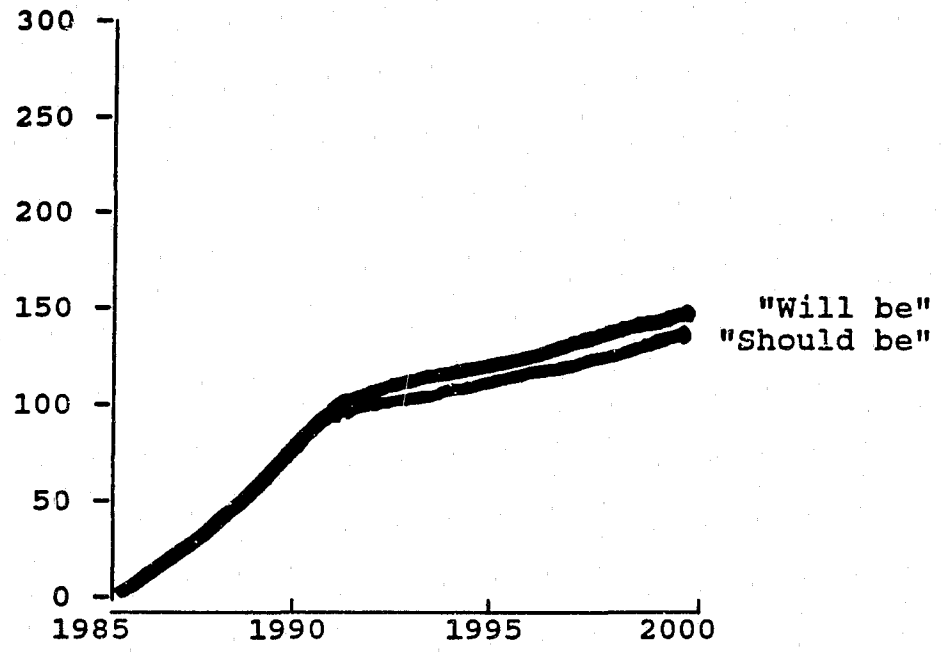


Figure # 9

T # 5 "Will be"/"Should be" Forecast

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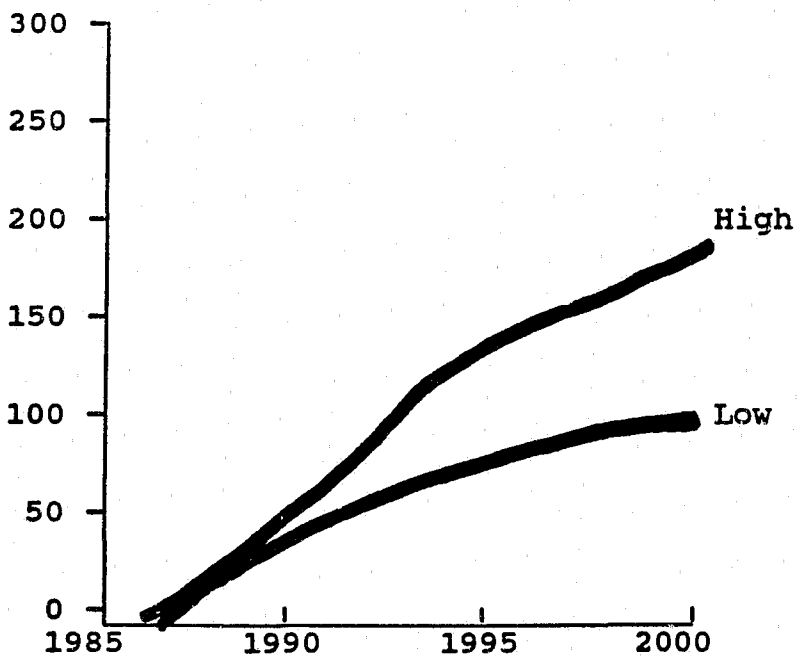


Figure # 10

T # 5 Forecast Range

Trend #6: Figure #11 offers insight as to the N.G.T group's perception of the trend toward CIVILIAN REVIEW OF POLICE INTERNAL OPERATIONS. Clearly, the group was opposed to such innovation and felt that civilian review of police operations have been less than successful and highly political when attempted in other jurisdictions. While the group was certain that the trend would continue to increase, they felt that it had potential to decrease if the law enforcement community continues to police its own with integrity and vigor. Cautious words were offered by the union attorney present with the N.G.T. group when he indicated that if the organization did not see the need to develop alternative and more people sensitive methods of discipline, that the civilian review concept may be the only real course of action available for resolution to bring fairness and equity to the disciplinary process.

Universally, the group felt that the ~~should be~~ forecast would increase but in all reality they would prefer to see the concept disappear all together.

Figure #12 represents the range of forecasts for Trend #6.



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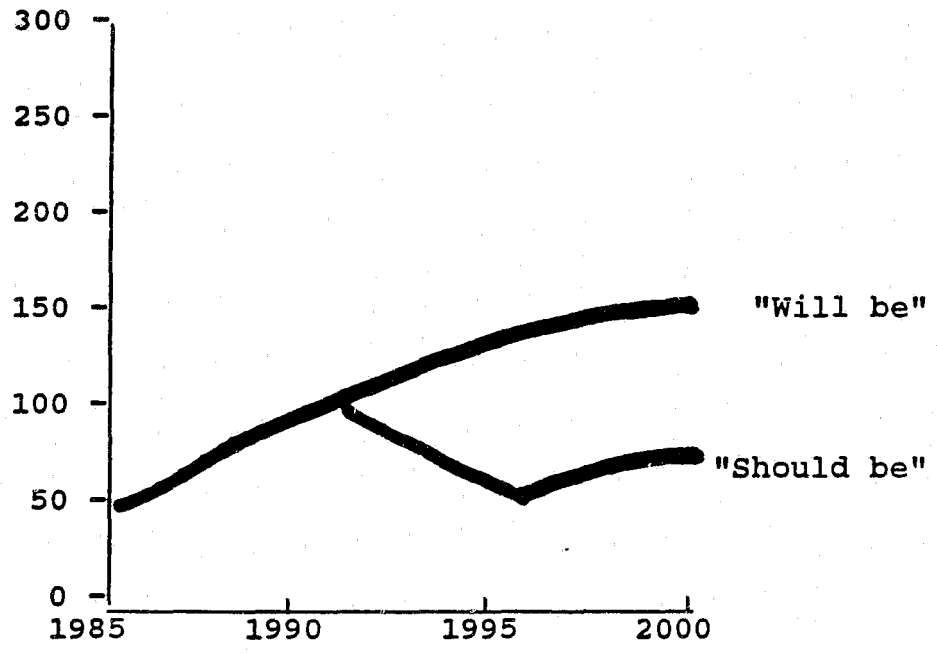


Figure # 11

T # 6 "Will be"/"Should be" Forecast

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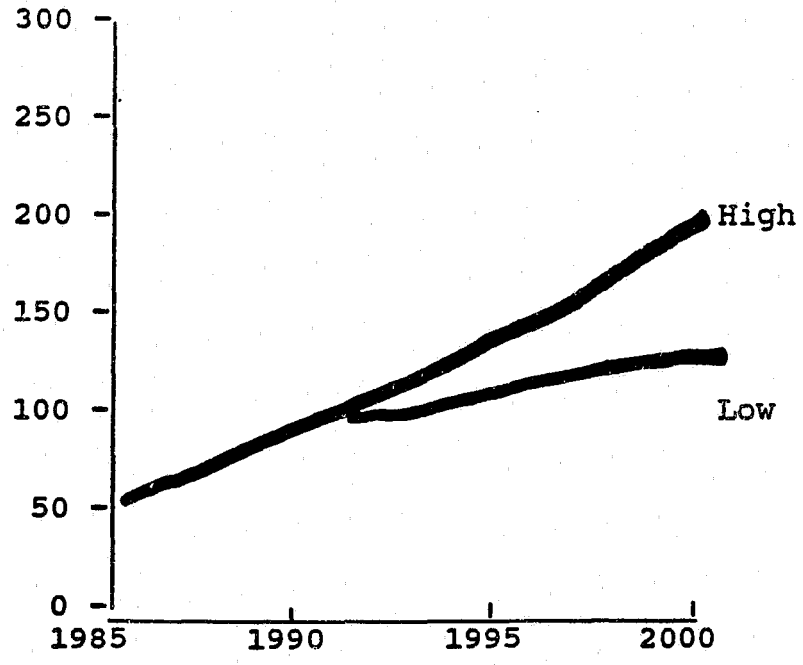


Figure # 12

T # 6 Forecast Range

**PERCENTAGE TREND EVALUATION: (As rated by the N.G.T. panel)**

Trend #1, Appeal of Discipline, was seen to have a steadily increasing percentage of probability of increasing over the next decade. The greatest potential for the trend to continue was envisioned between the years 1990 and 1995.

Trend #2, Presence of Legal Representatives, was forecast as having a near equal probability of continuing over the next decade. The trend increase was seen as a steady increase as opposed to some dramatic escalation. No de-escalation was envisioned by the group to be a probability.

Trend #3, Media Demand for Public Disclosure, was forecast as nearly doubling in the next decade from the current 100 level in 1990 to nearly 200 in the year 2000.

Trend #4, Union Demand for No Disclosure, was forecast in near parallel percentage to Trend #3. Should Trend #3 continue to escalate, Trend #4 will certainly keep pace.

Trend #5, Alternative Discipline Forms, was forecast to escalate to an approximately 50% greater level than is currently in place. This was the one trend that the group felt bore the greatest potential to positively impact and influence internal disciplinary processes over the course to the next decade. It was most interesting to note that the ~~should be~~ forecast was consistent with the ~~will be~~ forecast, thereby implying the group would like to see the alternative discipline concept develop accordingly.

Trend #6, Civilian Review Process, was forecast to continue to increase to a level nearly 100 greater than is currently in place. The group in general felt that the trend bore potential to increase even more dramatically if law enforcement administration did not respond to growing organizational concerns over how employees are dealt with when issues of misconduct come to the department's attention.

**EVENTS:**

The forecasting group next completed event evaluation forms to estimate the probabilities for each of the selected events. They initially postulated the year in which each event's probability of occurring first exceeded zero and then forecasted cumulative probabilities of occurrence by the year 1995 and the year 2000. Finally, they recorded the positive or negative impact of each event's occurrence upon the issue question. The group's average forecasts are charted and analyzed in Table #3.

**TABLE 3. - EVENT EVALUATION (MEDIAN FORECASTS)**

		Year Probability Exceeds Zero	5 Years From Now	10 Years From Now	Impact on Issue If Event Occurred	
					Positive 0-10	Negative 0-10
E1	Criminal Culpable C.O.P.	1995	60	70		10
E2	Pre-Discipline Civilian Review	1993	60	80	2	
E3	Press/Lawsuit	1991	75	100		5
E4	Union Job Action	1991	75	100		5
E5	Universal Discipline Application	1994	70	80	4	
E6	Psyche Disclosure	1995	70	80	6	

Event #1, Criminally Culpable, C.O.P., was forecast as having a 60% probability of occurring in the year 1995 and only a 10% probability of occurring in the years from 1995 to 2000. The Racketeer Influenced and Corrupt Organization (RICO) statutes under which the chief law enforcement officer could in fact be held culpable, have experienced tremendous and unique application in recent years. The potential to have the RICO statutes extended to hold a police executive culpable for the actions of a subordinate was extremely disconcerting to the group. Should the event actually occur, it was seen as having maximum negative impact upon the issue. Figure #13 represents the group's high, median, and low forecasts for Event #1.

Event #2, Pre-Disciplinary Civilian Review, the forecasting group identified 1993 as the year in which this event could become a reality. The event was seen as having an increasing probability of occurring over the next decade, from a 60% probability by 1995 to an 80% probability by the year 2000. The group rated the event as having a positive impact of two if it occurred. The principal of a pre-disciplinary civilian review committee was not endeared by the group; however, they did feel that if it occurred, that it could provide a system of law enforcement accountability that may satisfy the police unions that decisions are made by individuals independent of the department's administration. The employee may have a tendency to feel that he or she is receiving a more equitable disposition in such cases. Figure #14 represents the group's high, median, and low forecasts for Event #2.

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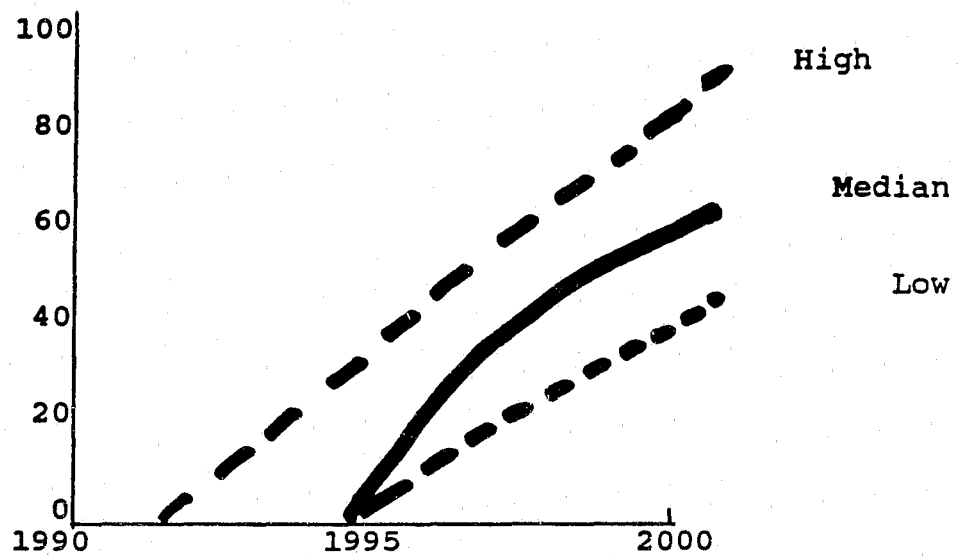


Figure # 13

E # 1 - Criminally Culpable C.O.P.  
Cumulative Probability

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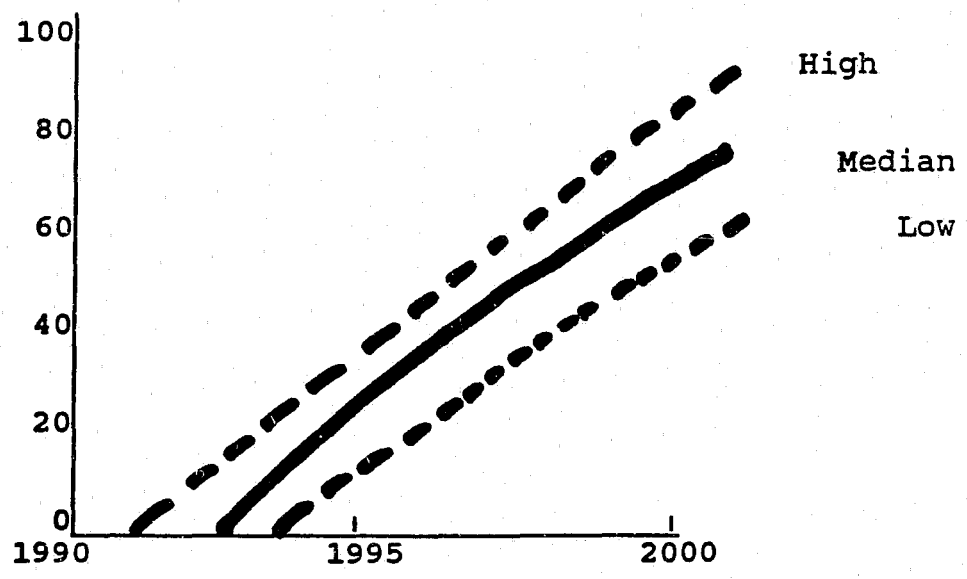


Figure # 14

E # 2 - Civilian, Pre-Discipline Review  
Cumulative Probability

Event #3, Press Lawsuit for Disciplinary Action Disclosure,

Event #3 was seen having a very distinct probability of occurring within the next year, a 75% probability of occurring by 1995 and a 100% probability of occurring within the next decade. Should the event occur it was rated as having a negative impact of five (5) in large degree due to the time, efforts, and costs associated with defending such a lawsuit. Figure #15 represents the group's high, median, and low forecasts for Event #3.

Event #4, Union Job Action, was forecast as having the same degree of probability of occurring as did Event #3. In that the job action would likely follow a press or media lawsuit, it likewise would have a negative impact of five (5). Events #3 and #4 are very much interrelated and both bear propensity to draw far reaching public attention to the internal operations of a police agency. The negative impacts envisioned by the forecast group included potential for loss of public confidence in the police, costs associated with such an action, and clear distraction for the law enforcement mission of crime repression and public safety. Figure #16 represents the group's high, median, and low forecasts for Event #4.



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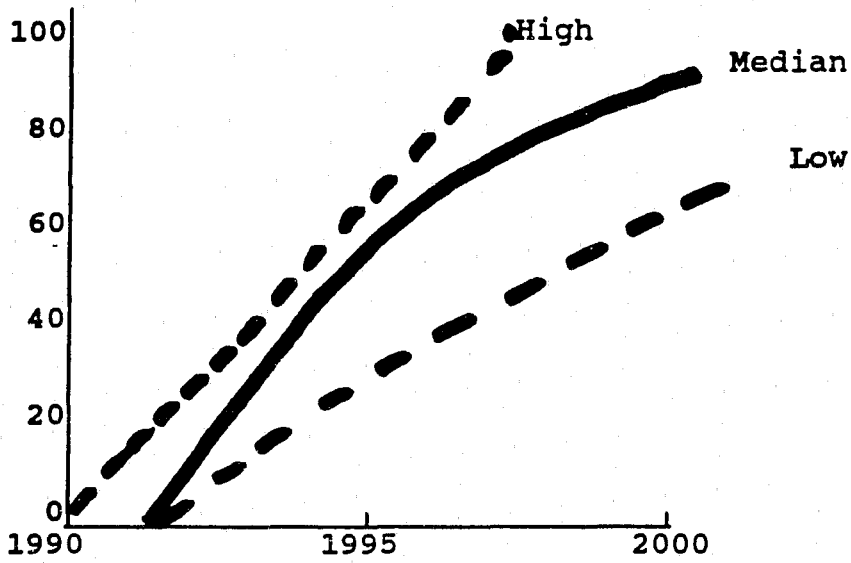


Figure # 15

E # 3 - Press Lawsuit - Cumulative Probability

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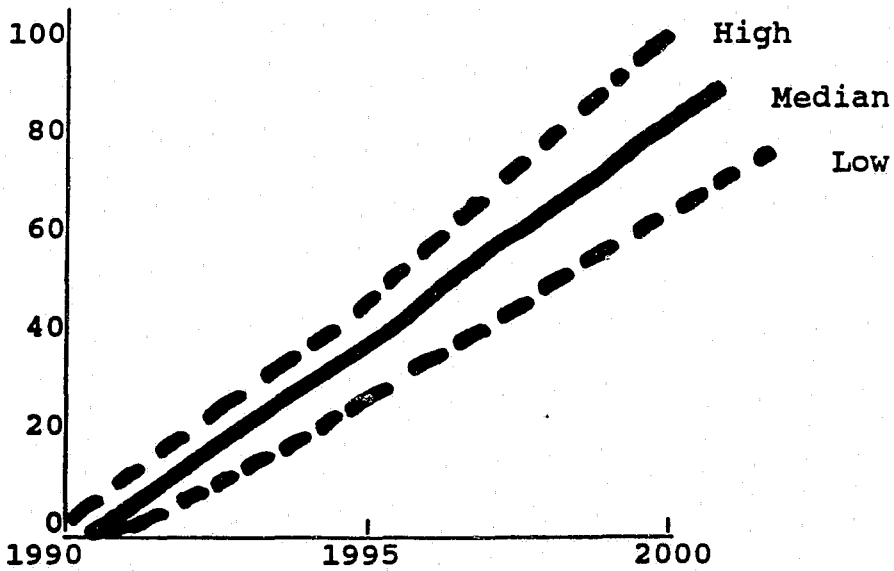


Figure # 16

E # 4 - Job Action - Cumulative Probability

Event #5, Discipline, Universally Applied, was seen having probability of first occurring in the year 1994. The event carried with it a 70% probability of occurrence by the year 1995 with only an additional 5% probability of occurring between the years 1995 and 2000. The group saw the event as having positive impact of four on the issue due in large part to creation of a universal application of penalties for misconduct. Universal application of discipline was also seen as having direct impact upon the consistent application of discipline. Figure #17 represents the group's high, median, and low forecasts for Event #5.

Event #6, Psychological Negative Impacts Revealed, has an overall probability of occurring over the next decade and likely would occur by 1995. The group felt that the event would have a positive impact of six if it occurred due to the credibility of those who would go public with the information. Figure #18 represents the group's high, median, and low forecasts for Event #6.

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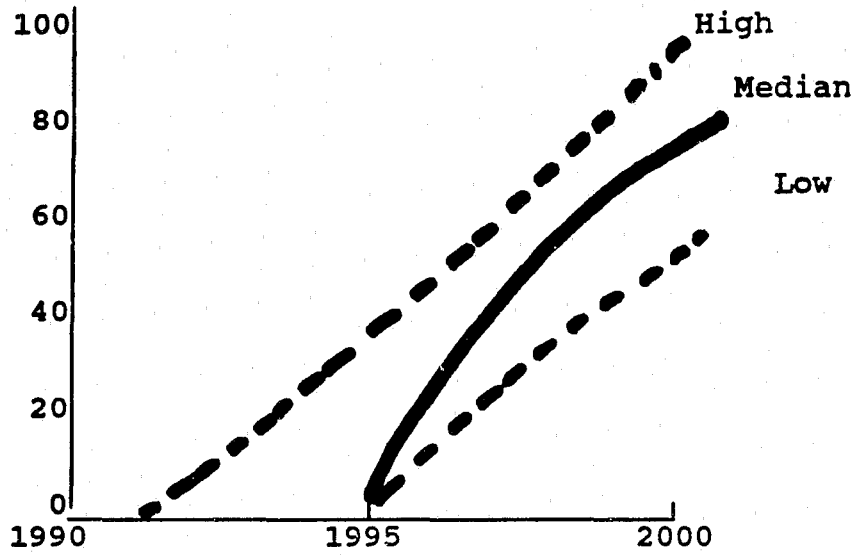


Figure # 17

E # 5 - Universal Discipline Application  
Cumulative Probability

P  
E  
R  
C  
E  
N  
T

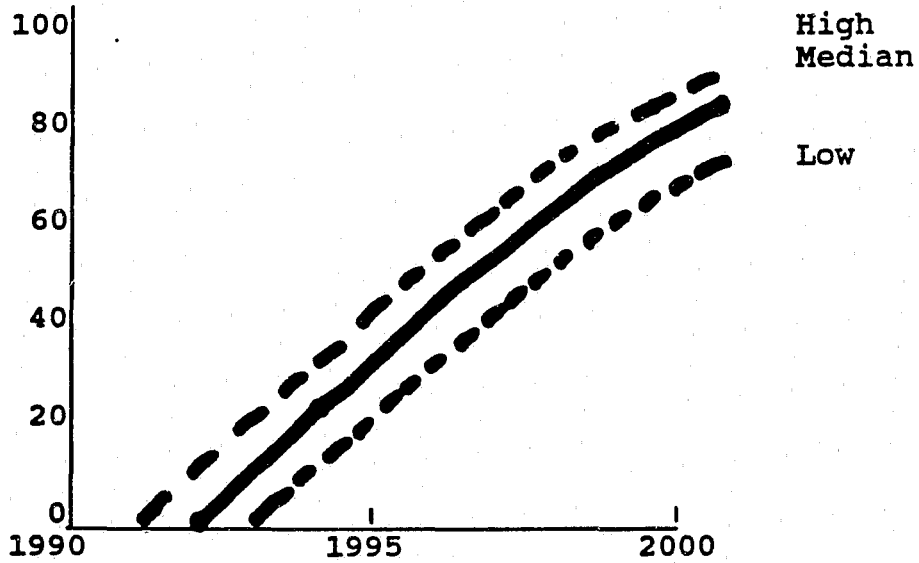


Figure # 18

E # 6 - Psyche Disclosure -  
Cumulative Probability

## CROSS-IMPACT ANALYSIS

Following completion of Trend and Event forecasting, further analysis process took place in the form of Cross-Impact Analysis. The cross-impact technique involves author forecasting how specific events and trends either positively or negatively impact other trends or events. The technique is charted and the results of the analysis are included in Table #4.

The cross-impact technique also identifies which of the events are actors or reactors. The actors are those events that influence other trends and events while the reactors are those that are impacted or most influenced by other events. When the actors are identified by the cross-impact technique, the researcher can then begin to develop which policies can be targeted for change or implementation in influencing future policy considerations.

Four (4) of the six (6) events were identified as actors and included Events: #1, criminally culpable Chief of Police; #5, universally applied disciplinary action schedule; #3, press lawsuit seeking disclosure of internal disciplinary actions; and #6, disclosure of the harmful psychological effects of scrutiny and accountability demands.

TABLE 4. - MATRIX

(RESEARCHER)

Maximum Impact (% Change )  
Years to Maximum

**	E1	E2	E3	E4	E5	E6	T1	T2	T3	T4	T5	T6	"IMPACT TOTALS"
E1	X		-25		+15	+20	-40	-50	-40		+15	+10	E1 8
E2		X	+20	-30	+5		+10	-10			+20		E2 6
E3	+ 5	+10	X	-50	+10	+10	-40	-30		-50		-20	E3 9
E4	-50	+10	-50	X	- 5			-10	-30		+20	+15	E4 8
E5		+10	+ 5	- 5	X	-15	+20	- 5	-10	+10	+20	+ 5	E5 10
E6		-10	-45	+15	+10	X		+10	+40	+50	+30	-15	E6 9

"IMPACTED" TOTALS

E1	E2	E3	E4	E5	E6	T1	T2	T3	T4	T5	T6
<u>2</u>	<u>4</u>	<u>5</u>	<u>4</u>	<u>5</u>	<u>3</u>	<u>4</u>	<u>6</u>	<u>4</u>	<u>3</u>	<u>5</u>	<u>5</u>

\*\* Legend

E1 Criminal Culpability C.O.P.  
 E2 Pre-Discipline Civilian Review  
 E3 Press Lawsuit  
 E4 Union Job Action  
 E5 Universal Discipline Application  
 E6 Psyche Disclosure

T1 Appeal Discipline  
 T2 Attorney Present  
 T3 Media Disclosure  
 T4 Union Non-Disclosure  
 T5 Alternative Discipline  
 T6 Civilian Review

Event #1, (eight impacts), bore considerable impact on others in both positive and negative form. Should the event actually occur, it was likely to bring positive reaction to events that would establish a disciplinary process that would take much of the administrative discretion away from the Chief. While removing certain of the Chief's administrative discretion, it would likewise bring about an established process that would be strictly followed and adhered to by the Chief to avoid charges of abuse of discretion by those that would allege the top administrator to be arbitrary or capricious. The event also bore potential to further desensitize the disciplinary process when it no longer would give consideration to the individuals involved in alleged misconduct.

Should Event #1 actually occur, it had tremendous potential to be a disruptive influence upon the organization and its management structure. The event was also one that could prove to be very costly to the organization in monetary and managerial proportions. When individuals aspiring to higher leadership position are faced with accountability that can hold them both civilly and criminally culpable for the actions of their subordinates, how likely will one be to be innovative and progressive? From a perspective of response, the management structure could well find itself directing a disproportionate amount of time to the internal operations while neglecting the mission of the department which is delivery of efficient law enforcement services.

The occurrence of Event #1 was also seen to be one to have much impact on the Chief's relationship with the union. With increased attention of the plight of the Chief's accountability, clearly pressure is added to the union members to perform and respond to more restrictive standards of behavior and job performance. One positive aspect was the ability of the union to influence public sentiment and opinion in the favor of the police. Currently, the public often views the police as being very restricted in its ability to do the job, and higher standards of performance to protect the department rather than the public bear potential to rile the ire of a public who need the police.

Event #5 (ten impacts), establishment of a universally applied structure for discipline, held the highest total of impacts upon other trends and events with ten. Six (6) of the impacts created by Event #5 occurring were positive. Thereby, conclusion was drawn that should Event #5 occur, it was likely that other events would not occur and certain trends would be unlikely to continue. If a universally established method for the application of discipline were established, it was unlikely that any police administration would be held responsible for any allegation of arbitrary or disparate treatment of employees. However, if the event did occur, it was highly probable that any public disclosure of the psychological impacts of increased accountability on the part of the police employee would not be forthcoming.

If Event #5 did in fact occur, it would likely bring with it methods of alternative discipline that would provide for consideration of whether acts of misconduct were willful or inadvertent violations of rules and regulations committed in the ambitious performance of one's duties as a police employee. The alternative discipline ideology is one whose time has come and one that will in all probability become an intricate part of the disciplinary process if law enforcement can create policy and direction for the change.

Event #3 (nine impacts), was seen to impact nine (9) of the events and trends and revealed the second largest number of impacts in the cross-impact analysis. The media/press has been seen as one of the prime motivators seeking greater public accountability on the part of the police. Should the press continue to move for greater accountability, such a move was seen as negatively impacting five (5) of the identified trends and events with major ramifications. The greatest impact was one of Event #4 occurring wherein the police union would stage job actions in response to court actions taken by the press to seek disciplinary action disposition and to make such public. The police job action was seen as having a terrific potential to erode the public trust and support for law enforcement. That public trust and support is unequivocally essential to the success of law enforcement. Again, all of the attention brought to the issue of police internal operations and discipline bears potential to negatively impact recruitment and retention of qualified and dedicated personnel.



Event #6 (nine impacts), disclosure of the psychological effects of increased accountability, displayed six (6) of its impacts as having very positive impact. When professional opinion is rendered that the police employee's effectiveness is adversely affected by the continued scrutiny, very positive and structured change would likely be forthcoming.

The reactor events were identified as #2, pre-disciplinary action civilian review, and #4, union job action. Both of these events were unlikely to occur unless one or more of the reactor events actually happened. While the union job action was viewed as having very adverse and negative impact if it occurred, the pre-disciplinary review event received mixed response as to its positive or negative effect. While the pre-discipline review would create certain parity, it takes discretion away from the chief executive and gives little, if any, consideration for the people involved in any alleged misconduct.

### SCENARIOS

Scenarios of alternative futures portray in a brief overview or snapshot, what the future would be like if the events and trends identified and forecast actually occurred. The pictorial view of the future is known as a "Future Scenario" and can be portrayed in any number of ways depending upon assumptions made from data and information garnered in the N.G.T. and forecasting processes. Therefore, if one set of assumptions is made, it can

create a very different scenario of the future if one were to make a separate and distinct assumption.

In each of the following scenarios, one possible future for the issue area is constructed, and is based upon data generated by the N.G.T. processes, forecasting, and cross-impact processes. While the author's imagination certainly influences how the scenario unfolds, it is to a great degree influenced by the information gained in both the scanning and interview processes. The scenarios are intended to offer futures that are both negative and positive and to provide warnings of pitfalls and dangers as well as opportunities for the policymakers to shape the desired future. Finally, the scenarios provide for the policymaker to develop strategies based upon specific policies that are designed and intended to mitigate the impact of any future perceived as negative, and to likewise assist in making those things happen that provide for a positive and beneficial manner by which to manage internal disciplinary processes in the future.

#### NOMINAL SCENARIO

The Nominal Future Scenario is a narrative that describes what is most likely in the year 2000. It is based upon the forecasting group's "will be" trend projections without benefit of the occurrence of any of the forecasted events or the implementation of policies that may mitigate the negatives. It is essentially a surprise free scenario that will continue as is expected.

JANUARY 2000:

Recruitment of qualified personnel into the law enforcement profession has continued to be of primary concern to the police administrator. It is more than simply a matter of recruiting but also one retaining those qualified personnel once they are employed and are functioning in their jobs. The recruitment and retention aspects of the police administrator's job are greatly influenced by several entities external to the police organization. Additional concern has become of great concern and such is the manner, style, and method by which the police agency handles its responsibilities with the multinational and cultural constituency it serves.

Police managers struggle with the language barriers often created when the department responds to need in the minority community. While the term minority community has continued in use, the many races, ethnicities, and cultures that make up the population are now in fact the majority population of the community. The population is quick to be critical of the police insensitivity to the many cultures it encounters in its routine business. The public has accused the police of being unresponsive and bias in its application of the law. The press and media, engaged in serious competition for the advertiser's dollars and the reader's attention, have focused considerable investigative reporting effort to how the police react and interact with all races and cultures.

The Police Chief is under considerable pressure to meet community need while at the same time manage resources with lesser funds. The Chief has found himself burdened with legal expenses that far exceed those budgeted for equipment and personnel. Several community interaction and training programs have been cut back or eliminated for lack of funding. The community continues to demand more police understanding and is unwilling to tolerate excuse, reason, or justification for police insensitivity to their unique problems and issues.

As the press/media pursues and demands added accountability on the part of the police, likewise does the political entity make similar demand. The city councils and community governing boards are tiring of the police department's inability to maintain allocated staffing levels, and very agitated by the legal costs associated with operation of a law enforcement agency. The governing board finds itself listening to countless complaints, claims, and lawsuits being brought by the public against the police. Many of the complaints have merit, many do not. The press has continued to prod the political entity to produce results and legal case disposition information to and for the public. The press has continued to pursue disclosure of all police department internal disciplinary matter dispositions and is in fact having media employees elected to community governing boards to seek reform from inside the government. While the courts have continued to reject the media's appeal for public

disclosure of internal disciplinary operations of the police department, certain concessions have been made and in some cases public has been advised of the disposition of police internal investigations and subsequent disciplinary actions.

In response to the media pressure for disclosure of disciplinary dispositions, the police union has gained much strength and has asserted its position for the agency not to disclose disciplinary dispositions. In cases where dispositions have been made public, the union has filed legal action alleging violation of the personal and civil rights of the police personnel it represents. In each and every case wherein a police employee is the subject of internal inquiry, a police union attorney is present with and representing the employee involved. Police union attorneys are found sitting in briefing and training sessions and each shift has a union attorney on duty in the police facility and often riding with the police personnel as they go about their tasks.

The presence of the union attorney has greatly intimidated the police supervisors and managers. These supervisory personnel find it difficult to counsel, train, mentor, or instruct subordinate personnel while a union attorney looks on with tape recorder and in some cases video disk recorder operating. The supervisor's attempts to evaluate the performance of subordinates is hampered by legal challenge to each and every such attempt. Promotional examinations draw very few of the eligible candidates to the examination process.

When in fact the Chief has disciplined personnel for either willful misconduct or inadvertent rule and regulation violations, that discipline is appealed for administrative and legal review in each and every case. Cases of formal counselling or reprimand are appealed and the Chief and many of the managerial staff find themselves engaged in administrative duties and responsibilities frequently unrelated to the public law enforcement mission. The union, while frequently seen as having adversarial relationship with the press, takes many of its complaints to that entity knowing of the press' willingness to publish such complaints and to get involved. It is also not uncommon to see the union take complaints directly to the governing body and thereby bypassing any internal administrative effort to deal with or resolve issues.

The Police Chief has made effort to mitigate certain disciplinary actions by allowing the union and its membership opportunity to be part of the decision making processes on matters relative to internal inquiry and discipline, yet the union continues to seek ever greater concessions on the part of the department administration. While the idea of alternative means of discipline, when first implemented, had a very positive impact upon the organization and its personnel, it has now progressed to the point that the Chief has little discretion when considering appropriate disciplinary actions.

The complexities of the law, the multicultural society, media pressures, union issues that seek to protect the police employee, a limited pool of human resources from which to draw personnel to the profession, gross legal costs associated with the day-to-day operation of the police department on non-enforcement functions, a political entity that is evermore involved in the day-to-day operations of the police department, inability to counsel and direct personnel without fear of legal redress, and mounting pressure to allow civilian review of ALL police department operations have placed a most burdensome and frustrating position upon the police department and its managers.

#### NORMATIVE SCENARIO

The Normative Future Scenario concentrates on the expands the "should be" trend forecasts. The scenario unravels by jumping forward into the future and describing the feeling, thought processes, attitudes, and behaviors of the stakeholders. The scenario is intended to offer a future that may be more attainable than first thought or believed possible. The scenario that follows is the perspective of a Police Chief who is faced with a decision relative to a disciplinary matter wherein one of the department's employees, in this case a Vietnamese female Police Officer, has been found to have been discourteous to a member of the minority Hispanic community while at the scene of a domestic dispute.

JANUARY 2000:

University City Police Chief Smith sits at his desk and has finished reviewing all internal investigative reports in the matter of allegations that Officer Sue Nuygen, while present at the scene of a domestic dispute, referred to the Hispanic husband involved in the dispute as a "male chauvinist pig." The investigative reports have revealed that Officer Nuygen did in fact refer to the individual in the alleged fashion and in effect the allegation against the Officer has been sustained.

Chief Smith has reviewed the personnel file of the suspect Officer and finds that she has been employed by the department for just over three years. She is a product of a minority recruitment effort that the department has been involved with for several years. Officer Nuygen is evaluated as being a conscientious and credible officer with an extreme loyalty toward the department and the law enforcement profession. While her personnel file is not free of complaint, each time that complaint against Officer Nuygen has been made, she has been exonerated of any wrongdoing. She is an active and productive Police Officer and one who has done much to cement relations between the department and the minority Asian community. Chief Smith wonders why the Asian, Oriental, Hispanic, and Blacks within his jurisdiction are still referred to as minority population when in fact they comprise approximately 60% of the total community population. Due to the multicultural composition of the community, the department receives few complaints of racist or sexist misconduct on the part of its Officers.



Chief Smith turns to the police union attorney who is present with him in his office and openly tells the attorney that in his opinion the complaint is sustained and even though prompted by the uncooperative spirit of the complainant, Officer Nuygen was wrong to make the comment to the complainant. The media representative present in the room has also reviewed reports and comments that the violation is minor, was in fact made in the heat of the moment and is not necessarily representative of the routine job performance typically turned in by Officer Nuygen. The media representative sees no value in disclosing the results of the investigation to the public in that such disclosure bears great potential to do harm to the Officer and would do little to make the public aware that the police do in fact investigate and reprimand its own personnel with sincere obligation to all. The media representative leaves the room, and the civilian internal affairs representative assigned to the police department by the City Council has no comment regarding the matter. His only utterances are that he does not understand why the Officer had to make the comment in the first place. The Chief subtly reminds the civilian, the owner of a local barbershop, that comments can be made in the heat of the moment that are later regretted. The Chief encourages the civilian appointee to spend more time riding with the police and exposing himself to the operations of the police department. With such exposure the Chief feels that the civilian review appointee would better be able to make judgments as to the performance and behavior of police employees.

As conversation regarding the appropriate disposition of the matter is had between the Chief and the union attorney, the police psychologist who is present reminds the others that while the comment made by the Officer was perhaps inappropriate, it did in fact draw the ire or the angered husband away from his wife and focus that anger on the Officer present. The tactic was, in the estimation of the psychologist, dangerous, yet the end result was the domestic dispute being settled without incarceration of any of those involved.

Discussion between those present now evolves to appropriate disposition and action to be taken against the Officer. The conversation is congenial and clearly intended to offer a resolve that will bring satisfaction to all concerned parties. The Chief suggests that a suspension of minimal time seems appropriate while the union attorney believes that simple documented reprimand will suffice in both punishing the behavior and correcting matters so that the behavior would not occur again. The psychologist reminds the Chief and the attorney that Officer Nuygen is a highly sensitive and sincere human being and will respond to any form of discipline deemed appropriate by the Chief. The attorney agrees that the Chief's action will not be appealed if the action taken by the Chief does not exceed documented reprimand.

Prior to making a decision, the Chief wishes to discuss the matter with Officer Nuygen as he values her opinion, thoughts, and feelings in the matter. Officer Nuygen is invited into the Chief's office and indicates that she understands the wrongfulness of her comments and is willing to correct her inappropriate conduct by serving on the department's minority recruitment team for a one month period without consideration or compensation.

Both the Chief and the attorney agree that the alternative form of discipline offered by Officer Nuygen is the most appropriate for the case at hand. While the results of the inquiry will be part of Officer Nuygen's file, the fact that she was remorseful, is willing to make her talents available for the welfare and benefit of the department is a most admirable position for the Officer to take.

With the matter formally dispositioned and agreed upon, the parties part company, each to continue other duties that need their attention. The Chief now sits alone in his office and reflects on the very positive management principals that were put in place within the department over the preceding decade, including focused minority recruitment, human relations training, refusal to publicly disclose personnel information, ethics, training, and alternative forms of discipline. The turmoil of the disciplinary process in the early 1990's has given way to a system that is responsive to the needs of the department employee

and the community and one that will allow all involved parties the opportunity to reach a disposition that is fair and equitable. The compromise of today will be well justified for Chief Smith as he knows that those compromises will always be those of preference and never principal, and the professionalism of the law enforcement occupation has continued to expand under enlightened and considerate leadership.

#### HYPOTHETICAL SCENARIO

The Hypothetical Futures Scenario integrates a set of previously forecasted trends and events by assuming that each forecasted event actually occurs. The result is that the facts at hand will present a very turbulent future. Other factors considered in the Hypothetical Scenario involve allowing the events and trends to occur, and to interact, and to be responded to by the stakeholders. While the scenario may seem improbable, it is highly likely when considering that no current actions, strategies, or plans have been undertaken or prepared to address the matter. This type of scenario is frequently viewed as "feared but possible."

JANUARY 2000:

The Police Chief is thoroughly disgusted with the criminal justice processes, and the operations of his own department. Having spent the last three weeks in court answering to charges that he operates a department that is corrupt in terms of its mission and in its relationships with the public, the Chief finds that he has no control over his own destiny or that of the department he manages. Tears well into his eyes as he wonders if a jury will sentence him to jail for his role as Police Chief. How could statutes originally drafted to grant the police the power to prosecute organized crime figures now be the very statutes by which he stands to be convicted.

The charges brought against the Chief under these Racketeer Influenced and Corrupt Organization, (RICO), Statutes were filed at the urging of a City Council appointed committee that oversees and judges the operations of the police department and its personnel. While the Chief's ability to develop policy and direction for the organization is theoretically not eroded by the Civilian Review Committee, he has yet to draft a policy or procedure that the committee has not either quashed or modified significantly. While having feared the potential for civil culpability for the actions of his employees, the Chief is highly perplexed that he would be responsible for them to the point of being criminally responsible.

With all the training efforts put forth on behalf of his personnel, with all of the efforts to recruit minorities into the profession, with all of the efforts to deal in forthright fashion with the police union, with all the effort to keep the political entity advised of departmental operations and employee performance, with all the funds spent to defend the actions of the department, how could the legal process now be in a position to incarcerate the Chief of Police for the actions of another?

The Chief felt that he adapted well to the judicially established rules and guidelines for addressing internal matters and discipline. He had survived a very lengthy and at times violent police labor strike and picketing by police employees when the press won a lawsuit ordering the Chief to publicly disclose the disposition of all disciplinary matters. The Chief had now taken the side of the police union to have the court decision in the disclosure lawsuit overturned and to seek to have personnel records and actions remain confidential.

As the Chief parked his car and walked across the parking lot to his office, he was met by a group of Officers going off duty. The Chief, desiring not to display his frustration and dismay with matters, made congenial inquiry of the Officers how things had gone the preceding shift. The response by the Officers was one of negativism and sarcasm. The basic message conveyed by the Officers was that they avoided any further problems for the department by doing only that which was

necessary to keep the peace in the community. They would no longer actively seek out drunk drivers, they would no longer seek to incarcerate wanted persons, they would have no comments to anyone they encountered in the course of their job beyond that necessary to bring a quick resolve to issues. They would respond only to calls for service, the Dispatcher would be quick to disposition calls and not send Officers to situations that were not related to matters of criminality, and arrests would be made only in the most aggravated situations. In essence, the Officers were choosing not to risk public exposure for their actions by accomplishing only those tasks necessary to prevent injury to others.

The comments and attitude of the Officers angered the Chief, yet he understood their dilemma. The degree of accountability and the exposure for their conduct had destroyed their willingness to perform. It was no wonder that the Chief was unable to fill allocated positions and that he had found it necessary to lower the standards for accepting applicants into the profession. The Chief knew he had been able to hold his job only because no others were willing to accept the responsibility for the position.

With no manner by which to control the influences either internal or external of his organization, the Chief continued his walk to his office where, upon arriving, the first telephone call he made was to his attorney and to thereby seek a session for negotiated plea with the RICO prosecutors. Perhaps a guilty plea

would allow him to remain out of jail, perhaps a guilty plea would allow him to sue his own department for a stress related disability retirement, perhaps the revelation that the continued scrutiny being directed toward the police was emotionally destructive to all people within the organization would provide the Chief some relief.

The Chief's future, the future of law enforcement, the future of societal response to criminality, and the basis for the existence of law enforcement are in serious doubt. Oh, but for the opportunity to go back in time, to see the potential for this turbulence and conflict, and to bring resolve by planning with strategic policy development and a plan to transition to the future with confidence and compromise. Unfortunately, time stands still for no person or system.

With the forecasting and scenario development now in place, the researcher has the responsibility to develop policy alternatives that will allow for the desired Normative Scenario to develop. While the Hypothetical Scenario is not desired, the development of policy alternatives is intended to mitigate those trends or events that could in fact bring the Hypothetical Scenario to fruition.



**PART II**

**STRATEGIC MANAGEMENT PLAN**

## THE SITUATION

Information and environment scan, interviews, forecasting, and scenario development having been completed, the researcher's efforts are directed to the development of a plan by which the future may be molded or developed to achieve the desired future. With demographic data and historical overview having been reviewed and evaluated, the **STRATEGIC MANAGEMENT PLAN** is to be formulated.

The subject of the Strategic Management Plan is to be any California law enforcement agency. The plan may be adopted and modified to suit the needs and directives of any police agency regardless of its size or the makeup of the population it serves. To facilitate the reporting and application of the strategic management principals that are to be developed, the City being discussed will be referred to as Anycity, California.

Anycity, California, has a full service law enforcement agency that serves a population of 100,000 people with a geographic area of approximately fifteen (15) square miles. Anycity is primarily residential, however, has a solid tax base of commercial and industrial development. Anycity has an approximate population mix of 65% White, 20% Hispanic, 10% Asian/Oriental, 3% Black, and 2% Others. The trend toward a minority population has increased significantly in recent years as has the percentage of retirement age persons who live in the community. The retirement age persons are very active in community affairs and are represented by two individuals who sit on the five member City Council.

The police union is active in the community and its leadership is moderate in its approach to and relationship with the Chief and the administration. The union is not generally politically active as no need for such activity has developed or been necessitated. The demographic makeup of the department is representative of the community it serves, and 15% of its ranks are staffed by female personnel. As has been the case over the preceding two years, the department has found it difficult to recruit and to retain qualified police personnel. Staffing levels in the sworn ranks remain a constant 10% under allocated levels.

Consistent with the information developed in the issue forecasting portion of this research project, the same issues are beginning to surface in Anycity. The Chief, while having an excellent working relationship with the press, is tiring of the continued press effort to have the Chief make public the results of internal investigations and the dispositions of and names of the police personnel who are subjected to the discipline. The Chief is adamant in his opposition to disclosure of personnel information and data and enjoys the support of the union and its legal representation on this issue. The union is somewhat frustrated by the inability of the department to maintain allocated staffing levels as it impacts the amount of overtime the personnel are mandated to work to maintain minimum staffing levels.

The police department has in place a Mission Statement, and each year goals and objectives are developed consistent with its budget request and community need. The main department goals remain consistent year to year, and it is the objectives towards those goals that become quantitative and change each year consistent with need and budget process. The organization makes every effort to keep personnel aware of the mission of the department, and its Mission Statement and Goals and Objectives are posted throughout the department. Supervisors are periodically reminded to discuss those objectives and the organization's mission in its briefing sessions.

The culture of the Anycity Police Department is well entrenched and accepted. The Chief bears reputation for fairness when addressing matters of discipline; however, there are those who feel that the ideals established by the Chief and the standards for behavior and performance that are set, are too high and very difficult to achieve. Truthfulness and integrity are the primary characteristics of the organization's culture; however, many of the younger personnel have struggled with understanding and subscribing to the work ethic of the older personnel. While many take opportunity to work overtime to secure additional monies, most of the younger personnel work overtime only when mandated and when they do, they choose to allocate the hours to a time bank that allows them to take time off work at some later time in lieu of receiving the pay.

Ethical behavior on the part of personnel is important to the Chief, and he is known to be intolerant of those who violate policy or procedure as it relates to ethical issues and principled interpersonal relationships with all segments of the community.

A trend of somewhat disturbing nature has surfaced whereby personnel who are disciplined have found it appropriate to administratively appeal those actions.

An additional phenomenon has been the presence of a union attorney at all union meetings as well as the attorney being present at interviews conducted with personnel regarding internal matters. While few personnel complaints made against members of the department are sustained, some word of the complaints have reached the City Council level and there is some political concern being expressed in this election year. At least one of the City Council membership has expressed public concern over the number of claims and lawsuits filed against the city for actions taken by police. Several of the claims involve complaints of inappropriate action by the police in the form of excessive application of force, however, several question processes and procedures utilized by the police as a matter of routine. In that similar lawsuits and claims are being filed against the city in matters unrelated to police operations, the aforementioned City Council member is concerned as to costs associated with defending those lawsuits even if the suits have no merit. The Council member has suggested creating a **BLUE RIBBON**

**COMMITTEE/COMMISSION**, similar to the Planning, Parks and Recreation, Traffic, and Senior Citizens, to review, evaluate and make recommendation on such matters to the Council.

While the Chief is generally satisfied with operations, he is also a realist as well as a P.O.S.T. Command College graduate. He is well aware that it is necessary to continually scan the environment for signs of emerging trends that may be critical to the operation of the department in the future. The Chief has formed an ad hoc committee of department supervisors, managers, line personnel, civilian personnel, union leadership, and city personnel office analyst. The task of this committee is to develop a Strategic Management Plan for the future by which the department will address and manage issues of:

- Organizational conflicts anticipated if a sensitivity for the worker intensifies.
- Increasing minority and multicultural population and their impacts upon the administration of law enforcement services.
- Recruitment and retention of police personnel.
- Disciplinary processes, impacted by organizational ethics, values, and culture.
- Press relations relevant to matters of disclosure of the dispositions of disciplinary actions.

The Chief has titled the group: **STRATEGIC PLANNING COMMITTEE.**

Under the leadership and guidance of the Chief, the committee will develop policy and procedure guidelines for the department to address matters over the next decade.

Having established the mythical Anycity and the problems and issues facing the Strategic Planning Committee stated, their strategic planning efforts began. The planning efforts, as followed by the Anycity team, were in fact carried out for this study by Modified Policy Delphi Process. The process utilized the talents of one Police Captain, three Police Lieutenants, one Police Sergeant, and a Police Officer who serves on the Police Union Board of Directors. The processes that follow, while attributed to the Anycity Strategic Planning Committee, were actually accomplished by the Modified Policy Delphi Panel.

#### THE PLANNING AND SITUATIONAL ANALYSIS

The first task taken under consideration by the Anycity team was to identify a way for the police department to manage personnel and discipline issues over the next decade. To begin that task, a WOTS UP analysis was undertaken. The WOTS UP analysis provides audit and identification of the **WEAKNESSES, OPPORTUNITIES, THREATS, and STRENGTHS** that underlie the planning process. The WOTS UP analysis is intended to relate the organization to its environment. The **Opportunities and Threats** are those forces external to the organization and oftentimes include previously identified trends and events that influence

the organization. **Strengths and Weaknesses** are internal influences that represent resources and limitations of the organization in achieving its issue specific objectives.

**OPPORTUNITIES:**

1. An increasing cultural diversity that is bringing many different races and cultures to the community. These groups are adding the opportunity for the city and its people to develop and to enhance the quality of life in the community.
2. A strong representation on the City Council that is reflective of an aging population.
3. A new found resource pool from which to draw minorities to the law enforcement profession.
4. Police union attorneys that are becoming ever more present and involved in the business and interests of the police department membership it represents.
5. An investigative press and media that is pressing for and seeking information as to the internal operations of the police department. The press is adamant about its desire to have internal disciplinary dispositions made public. Such information is to include the names of the involved personnel and the types of punishment, punitive action, or disciplinary action taken against members of the police department for rules and regulations violations. The press wants all such information disclosed regardless of the violation being willful, incidental, or inadvertent.



6. A legal system that has carried the liability of municipalities and its personnel to the finite degree, and one that has stated that if other parties involved are not able to pay damages, that the resource with the funds, in many cases the municipality, will pay any judgement.

#### THREATS

1. A culturally diverse community that has little understanding or patience with a police department that does not understand nor respond to the cultural diversity of the community.
2. An extremely liberal legal system that holds municipalities and its leadership liable when no other recourse is available for a plaintiff.
3. Statewide professional police officer fraternal and professional organizations that have the attention of several legislators are attempting to secure greater privileges for police personnel under the Peace Officer Bill of Rights.
4. Administrative law procedures that are geared to protect the liberty and property rights of the employee. A system that can require an organization to employ an individual who may be a liability to the organization and the employing municipality.

5. A shrinking pool of human resources from which to draw personnel to the law enforcement field.
6. Increased international tensions that have drawn strong military commitment to the Middle East. The military has stated that it will need one-half of all high school graduates in the military service within the next five years just to maintain projected minimum staffing levels. The military buildup has also drawn several police personnel who serve in the military as reservists to be recalled for service.
7. An increasing minority population and diverse cultural groups within the community that make law enforcement efforts difficult.
8. At least one City Council member who is questioning police and city operations that are resulting in claims and lawsuits being filed against the city.
9. Rising legal costs and expense associated with the very specialized defense of legal actions brought against the city and the police department.
10. An investigative press that continues to demand increase police accountability.
11. A legal system that places the municipality and its police department in the position of proving its actions appropriate in all legal arenas including personnel issues.

**STRENGTHS:**

1. A minority representation of the community amongst the ranks of the police department.
2. An ethical and fair minded Police Chief who is deeply concerned about the future of the city, the police department, and the services provided. He is also very concerned about the fairness and equity of disciplinary actions and personnel issues in which he must make decision.
3. A strong working relationship between the press and the police.
4. Strong organizational culture of integrity and honor.
5. A well educated and professional rank and file police department membership.
6. Sufficient training funds for the police department to train its personnel to the relevant issues, both job specific and interpersonal relations.
7. A well trained and loyal police administration that holds its personnel highly accountable for job performance and behaviors.

**WEAKNESSES:**

1. Police union that is seeking greater legal representation for its money.
2. A work ethic among certain younger Officers that is very leisure oriented.
3. Average 10% under allocated staffing levels for the previous two years.
4. Retention of qualified personnel who seek employment outside the law enforcement profession.
5. Personnel appealing an ever increasing number of disciplinary actions.
6. Police department and association resistance to any civilian review process of department and city operations.
7. Lack of a current strategic plan for the police department in the future.
8. Diversity of basic values among police department membership.

With the WOTS UP analysis completed and agreed upon, the Strategic Planning Committee took special care to note that many of those things identified as **Opportunities** or **Strengths** could also be looked upon as **Threats** and **Weaknesses**. With this factor clear to the group, they were able to move forward with understanding that even the most adverse or negative situation can prove to be helpful in developing a plan of action for today and tomorrow.

### STRATEGIC ASSUMPTION SURFACING TECHNIQUE (SAST):

When any organization seeks to develop policy and make decisions, it must always consider the influences that are both internal and external to the group. Many of those were identified in the WOTS UP analysis and will be further and thoroughly identified in the SAST process. The SAST process is intended to clearly identify the entities involved and define their influences.

Stakeholders are those individuals, groups, or organizations who have a relationship to the impact of the management of police internal disciplinary processes and dispositions. They can be affected, either directly or indirectly, by what the organization does regarding the issue. They bear potential to affect the issue themselves, and they most definitely have interest in or concern for issues and the policy that will develop in response to the issue.

Snaildarters are those stakeholders who may surface as unexpected, or were first believed to be insignificant, yet have a potential to influence the policy being developed. Oftentimes they may in fact be the influence that stymies efforts to develop policy to the satisfaction of other stakeholders.

The Anycity group at first made listings of stakeholder candidates then evaluated those lists. The goal identifying those stakeholders was to give consideration to their opinions and feelings and position they may take relevant to policy

development. It was important to identify those stakeholders who would be most likely to influence the issue or be influenced by it. When the list of stakeholders was drafted, those who bore potential as snaildarters were appropriately labeled. The list developed by the committee included: (s = snaildarter potential)

- Police Management
- Police Supervisors
- Training Officers
- City Council (s)
- City Manager
- Police Association Membership
- Department Psychologist
- Civilian Police Employees
- City Personnel Office (s)
- City Attorney (s)
- State Commission on Peace Officer Standards and Training  
(P.O.S.T.)
- Community Residents
- Police Union Attorney (s)
- Press/Media (s)
- Administrative Law Judges (s)
- The Courts (s)
- Senior Citizens
- Minority Groups
- State Legislature
- City Risk Manager

### **STAKEHOLDER ASSUMPTIONS:**

For each of the stakeholders identified, the committee found it necessary to identify certain aspects about each of the entities. These aspects were referred to as assumptions and were used to guide the group as to the desires and concerns of each stakeholder. In most cases, several assumptions could be made about each of the stakeholders.

### **POLICE MANAGEMENT:**

1. Wants to provide efficient and effective law enforcement services to the people of Anycity.
2. Desires to have a department staffed with personnel that reflect and are responsive to the community.
3. Desires to minimize organizational conflicts both internally and externally.
4. Is headed by a highly principled Police Chief, and one who is extremely familiar with the community and the police department.
5. Recognizes the changing demographics of the community.
6. Seeks to maintain staffing levels as allocated.
7. Has strong desire to hold personnel accountable, yet has little desire to be overly punitive.
8. Is willing to negotiate matters of discipline in the best interests of the involved personnel and the department.

9. Has a relatively secure working relationship with the press, yet does not feel that the press nor any of the public should have access to personnel information as it pertains to internal inquiry and discipline.

**POLICE SUPERVISORS:**

1. Generally care about their subordinates and desire to help them achieve personally and professionally.
2. At times feels that the administration is somewhat isolated from the day-to-day operations and conflicts of the organization.
3. Is an extremely close knit group of personnel who have great influence with management staff and the Chief.
4. Have strong desire to be involved in the decision making process.
5. Believe that the entry level of personnel in law enforcement today lack commitment and dedication of those in prior years.
6. Assume tremendous responsibility for the day-to-day observance, reporting, and evaluating of the performance of the majority of the department's personnel.
7. See the department as at times burdened with excessive paperwork and effort to document occurrences.
8. Are members of the police union and in fact two hold positions on the union's board of directors.



9. See the increasing presence of police union attorneys as unnecessary and an added burden to their work load responsibility.

**TRAINING OFFICERS:**

1. All are experienced yet not all aspire to attainment of rank or promotion.
2. See their training role as critical to the success of the organization.
3. Feel that the department administration puts a great deal of responsibility upon them, yet is not always ready to heed the advice and recommendations that they make.
4. Have desire to be recognized as role models with the department.
5. Want some input on training methods and selection of personnel.

**CITY COUNCIL:**

1. Generally takes little action in the affairs of city departments.
2. Has two members who represent the senior citizen population.
3. Is much more in tune, understanding of, and tolerant of value systems that were in place for previous generations.

4. Is concerned about the number of lawsuits being filed against the city, and the high costs associated therein.
5. Has one member who is attempting to create a civilian review commission/committee.

**CITY MANAGER:**

1. Secure in the capabilities of the police department and its Chief.
2. Has much influence with the City Council.
3. Is concerned about the costs associated with defending claims and lawsuits made against the city.
4. Does not understand the reasons for an increasing number of appeals of simple disciplinary actions.
5. Wants policies for each city department reviewed by him prior to implementation.

**POLICE ASSOCIATION:**

1. Wants more representation by its legal counsel.
2. Desires to minimize disciplinary actions.
3. Wants alternatives to disciplinary actions considered.
4. Does not always understand the purpose of policies.
5. Resists change in policy as it relates to discipline.
6. More union benefit motivated than community or department benefit motivated.

**POLICE PSYCHOLOGIST:**

1. Has deep concern for the emotional welfare of police personnel being continually subjected to internal and external scrutiny.
2. Would like to see minor rule and regulation violations excused in the interest of the involved personnel.
3. Is well respected by all department personnel.
4. Has published many opinions, papers, and articles relevant to the impact of discipline upon a police organization.
5. Is more oriented toward the individual personnel than toward the organization.

**CIVILIAN EMPLOYEES:**

1. Are not protected by the Police Officer Bill of Rights and are seeking such protection through the union.
2. Have far less overall tenure with the department than do the sworn Officers.
3. See themselves as second class employees when compared with the sworn personnel.

**CITY PERSONNEL OFFICE:**

1. Has concern for affirmative action employment standards
2. Has concern that disciplinary issues are handled to all legal and administrative procedure and process.
3. Is involved in the hiring and promotion of all City employees.

**CITY ATTORNEY:**

1. Has a very conservative approach to legal issues.
2. Would rather settle issues rather than litigate.
3. Has increased fees significantly in light of many more legal issues for the city.
4. Has an excellent bank of attorneys who specialize in all areas of municipal and personnel law. Has a staff expert in police litigation matters.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING:**

1. Is always looking for programs that professionalize law enforcement.
2. Is adhering to strict standards for the employment of police personnel.
3. Is beginning to add civilian police employee groups to those that P.O.S.T. represents and recognizes.

**COMMUNITY RESIDENTS:**

1. Growing minority population.
2. Want law enforcement to understand minority cultures.
3. Generally supports the police.
4. Wants some disclosure of acts of misconduct on the part of the police.

**POLICE UNION ATTORNEY AND PRIVATE ATTORNEYS:**

1. Takes pride in challenging management on issues of discipline.
2. Is appealing more disciplinary cases.
3. Will always argue discipline issues that the represented personnel did not commit any violation and even if he or she had, the disciplinary action proposed is harsh and unfair.
4. See escalated litigation as profitable and expanding attorney exposure and power as well as satisfying union demand for more representation.

**PRESS/MEDIA:**

1. Want internal inquiry and disciplinary actions taken against police department personnel made public.
2. Are in competition with other media sources for sponsorship, readership, and attention.
3. Have gone from an "informer" posture to one of informer and "reformer."
4. Feels it has public support in its efforts.
5. Seek ever greater accountability on the part of the police.

**ADMINISTRATIVE LAW JUDGES:**

1. Hear discipline appeals cases with propensity to place the disciplinary authority in position of justifying the action taken.

2. Concerned for the liberty and property rights of the disciplined employee.
3. Take weeks to render decisions in cases heard on appeal.

#### **COURTS**

1. Involved in Writ of Mandate appeal cases only.
2. Put great stock in an organization's correction of deficient behavior via training as opposed to discipline.

#### **SENIOR CITIZENS:**

1. Understand little of the values of today's generation.
2. Are a growing percentage of the population.
3. Generally support the police with vigor.

#### **MINORITY GROUPS:**

1. Seek parity in represented races on the police department.
2. Most want cultural understanding.

#### **STATE LEGISLATION:**

1. Quick to lend support to law enforcement for later election endorsement.
2. Will consider any legislation that affects human rights and dignity, including disciplinary actions taken against police personnel.

**CITY RISK MANAGER:**

1. Concerned with city liability exposure.
2. Values greatly the manner in which the police department holds its personnel accountable.
3. View issues from an actuarial perspective.

With the stakeholder assumptions completed, it is clear to see that several of the entities involved in the issue have influence and are influenced by others. The motivations and desires of each are made clear which thereby allows the planning team to consider the input and concerns of all. When examining the assumptions, several are clear as to their intent and purpose while others may remain unclear or clouded. Those that are unclear should be looked upon as bearing potential for snaildarter status.

Stakeholder assumption charting now completed, the next step for the group was to develop a series of management strategies that would become the object of specific policy direction for the Anycity Police Department. Once policy considerations are articulated, opportunity for negotiation of those specific policies is in place and ready for communication. All strategies must be communicated to the stakeholders, and they should be given opportunity for participative input.

The following listed policy alternatives were developed by the Strategic Planning Committee and presented to the stakeholders, many of which were part of the planning committee.

**POLICY ALTERNATIVES (AS DEVELOPED BY GROUP):**

1. Specific disclosure of disciplinary actions taken by the police administration, exclusive of terminations for criminal conduct, must remain confidential.
2. Innovative methods must be developed to recruit minority applicants into the police department.
3. Organizational values of integrity and honor must remain intact.
4. Alternative methods for the application of discipline that include input from the individual subject to the discipline must be developed and implemented.
5. Have P.O.S.T. assist in the development of programs for enhancing police and media/press relations and understanding.
6. Request that those who allege acts of police misconduct agree to the confidentiality of the disposition to protect the complainant and the Officer.
7. Do not establish set schedules for discipline that do not allow for consideration of all factors and circumstances surrounding the case, including the work history of the person(s) involved.
8. Structure ethics training for all department personnel on a regularly scheduled basis.
9. Reinforce policy and procedure to personnel on all levels at all times.



10. When policy change is necessary, always state the reason for the change and communicate that reason to all.
11. Discourage civilian review of disciplinary issues.
12. Seek legislative support to continue to keep confidential matters of personnel.
13. Develop training methods to enhance interpersonal skills of personnel.
14. Develop cross-cultural training programs for personnel. When possible, have the courses instructed by in-house personnel.
15. Police Chief, City Manager, and City Attorney review all discipline cases prior to imposition of the disciplinary action.
16. Be proactive in the development of Civilian Review Boards.
17. Utilize the predisciplinary due process hearing as a time for the Chief, involved personnel, and legal representatives to negotiate a settlement that will not be appealed.
18. Create a system for binding arbitration hearing of disciplinary matters.
19. Foster an attitude of compromise and negotiation.
20. Disclose publicly, disciplinary actions. Such may serve as a deterrent to willful misconduct.

21. School entry level personnel on how the disciplinary system operates, and what procedures will follow. Include the personnel formally signing agreement that they will willingly abide by all department and city rules and regulations.
22. Make public the department's efforts to professionalize.
23. When acts of misconduct result in property damage, make the responsible personnel financially accountable for the damage.
24. Frequently survey the public for its assessment on the quality of the delivery of police services.
25. Foster a more participative management environment on issues of policy and procedure.
26. Train personnel in the value diversity of each individual and each generation.

**MODIFIED POLICY DELPHI:**

With each of these policy considerations generated and listed by the group, six individuals were chosen and asked to evaluate the listed alternatives in a Modified Policy Delphi. Through two successive rounds of voting, they scored each policy for its desirability and feasibility. The scale ranged from definitely infeasible (0) to definitely feasible (3), and very undesirable (0) to very desirable (3). With six members voting, the maximum score for each of the policy alternatives was 18. Combined totals for feasibility and desirability suggested

the relative value of each policy for inclusion in a broad strategy. Specific results of the Modified Policy Delphi are included in Table #5.

TABLE 5.

<u>POLICY</u>	<u>FEASIBILITY</u>	<u>DESIRABILITY</u>	<u>TOTAL</u>	<u>RANK</u>
1. Non-Discipline	18	18	36	1
2. Minimum Recruit	12	18	30	1
3. Integrity Remains	18	18	36	1
4. Alternative Discipline	18	18	36	1
5. Media Training	16	12	28	8
6. Complete Confidentiality	10	11	21	11
7. No Discipline Scheduled	15	15	30	6
8. Ethics Training	16	17	33	3
9. Policy Training	12	10	22	10
10. "Why" Change Policy	18	16	34	2
11. No Civilian Review	16	18	34	2
12. Legislative Support	14	14	28	8
13. Interpersonal Training	14	14	28	8
14. Cross-Cultural Training	16	16	32	4
15. Chief/City Manager Review	15	14	29	7
16. Civilian Review	10	14	24	10
17. Negotiated Discipline	16	16	32	4
18. Binding Arbitration	8	8	16	12
19. Compromise	16	17	33	3
20. Public Discipline	6	6	12	13
21. New Hire Buy-in	18	18	36	1
22. Professional Public	14	12	26	9
23. Employee Pay	0	10	10	14
24. Survey Public	12	14	26	9
25. Participative Management	15	16	31	5
26. Value Diversity	10	16	26	9

While the group viewed the twenty-six (26) policy alternatives as all having some merit either to follow through with implementation or opposition to implementation, several of the alternatives were consolidated as being of like intent.

Each policy and its relevance coupled with its relationship to the issue of addressing matters of internal discipline in the future were discussed, and pros and cons of each were outlined with an eye toward stakeholder implications.

As a result of the Modified Policy Delphi Process, six (6) of the original twenty-six (26) policy alternatives were established as the six (6) policy alternatives that would be recommended to the Chief.

POLICY PROS/CONS:

Policy #1. The Anycity Police Department will not disclose internal disciplinary matter disposition to the press or the public. The policy is exclusive of matters involving violation of criminal statute law.

PROS:

1. Maintains the confidentiality of personnel records and files.
2. Offers administrative support to the position of the union.
3. Creates internal accountability.

**CONS:**

1. Allegations of cover-up or whitewash may result.
2. Can public trust what matters are dispositioned in their best interests.
3. May generate press lawsuit to seek public disclosure.

**Policy #2.** The Anycity Police Department recognizes the cultural, ethnic, an racial diversity of the community and seeks to recruit individuals of all nationalities into the police service. Recruitment will be accomplished by direct minority community contacts and job fairs, exposing the minority community to the police mission and culture, and by seeking minority community leadership assistance in recruitment.

**PROS:**

1. Makes public statement of a non-racial police department and its desire to represent community makeup in its ranks.
2. Can bring greater understanding of cultures when persons of dissimilar race work in same environment and for same cause.

**CONS:**

1. Development of innovative recruitment programs may prove costly and time-consuming.
2. Public as well as individuals within the organization may view such efforts as lowering the standards for employment with the department.

Policy #3. Integrity, honesty, and honor are basic organizational values of the Anycity Police Department. They are instilled and fashioned by staff adherence and example to ethical and honest behaviors and are an intricate part of indoctrination and orientation training. Career survival and ethics training will be provided and reinforced to all Police Department employees.

PROS:

1. Develops public trust and confidence in the police.
2. Speaks directly to the basic values of most of the population.

CONS:

1. Such policy statement may be construed by some to imply that a problem of dishonesty currently exists and is being corrected.

Policy #4. It is the policy of the Anycity Police Department to permit individuals subject to disciplinary action to communicate their feelings relevant to the issue directly to the office of the Chief of Police outside the confines of legal representation of either party. A liaison/ombudsman position will be created to offer liaison between staff and line personnel. The Anycity Police Department has no established schedule for imposition of disciplinary actions. In cases wherein discipline may be applied, the disciplinary authority will consider all factors relevant to the matter including the nature

of the offense, work history and record of the individual subject to discipline, property damage, injury, whether the violation is willful or was otherwise a violation of policy, procedure or process, prior disciplinary actions taken against the individual, consistency of application of discipline by the disciplinary authority, and any other factors that may be relevant to the matter.

An Ad Hoc Committee of Police Department managers, supervisors, line personnel and union representatives will be formed to develop information as to which factors should be considered and how much weight those factors should represent for the Chief's disciplinary action decisions.

PROS:

1. Permits honest and candid interpersonal interaction between the Chief and subordinate personnel.
2. Allows the Chief to consider the personality and character of others without fear of favoritism charges.
3. Allows individuals subject to discipline to place themselves in the position of the Chief and make recommendation for action relative to their own case.
4. Conveys a message of people sensitivity on the part of the Chief and the administration.



CONS:

1. Discussion between the Chief and subordinate personnel may not remain confidential.
2. Employees take advantage of the opportunity and submit ideas for action that are trifling or inappropriate for the offense.
3. Such option may not be permitted in all situations which can leave an unclear policy for personnel to interpret to their own imagination.
4. Displays signs of an indecisive department leadership.

Policy #5. It is the policy of the Anycity Police Department to offer entry level, in service, and continued training to issues of interpersonal relations with emphasis upon matters of race, ethnicity, cultural awareness.

PROS:

1. Makes clear departmental objective of understanding and serving all people of all races and cultures.
2. Emphasizes importance of interpersonal relations.
3. Emphasizes training as means of creating awareness of all matters with which the police must deal.
4. Speaks directly to the public service task of law enforcement.
5. Speaks to the issue of the Chief's support and recognition of personnel and community demographics.

**CONS:**

1. Can be costly.
2. Can distract from job specific training needs.
3. May be construed as forcing the cultural and value structure of others on police personnel who may philosophically disagree with those cultural mores and values.

**Policy #6.** It is the policy of the Anycity Police Department to draw upon all of its resources and personnel on matters of policy and procedure development. All members of the department are encouraged to provide input, suggestion, or idea to the department administration for consideration. Whenever practical, the administration will call upon personnel of this department to assist in the development of policy and procedure for the department.

**PROS:**

1. Gets buy-in by rank and file.
2. Draws upon untapped and potentially creative resources.
3. Generates enthusiasm for administrative operations of the department.
4. Involves more personnel in policy and procedure development when these personnel are generally those who will have to work within the structure and guidelines of the policy and procedure.

**CONS:**

1. Can make a "benevolent dictator" out of the Chief if participatively developed policy or procedure are not implemented.
2. Takes much longer to develop consensus for direction.
3. Can be costly in terms of human hours time devoted to the process.

**Rank Order - Policies From Original 26 Alternatives:**

1. Internal Disciplinary Action Not Publicly Disclosed.
2. Minority Recruitment.
3. Integrity and Honesty Instilled as Basic Organizational Culture.
4. Pre-Discipline Communication and Negotiation.
5. Cultural Awareness and Interpersonal Sensitivity Training.
6. Protect Confidentiality of All Internal Processes.
7. Consideration of Factors that may Mitigate Disciplinary Action.
8. Reveal All Reasons for Change.
9. Oppose Civilian Review of Police Disciplinary Issues.
10. Seek Legislative Action to Statutorily Prohibit Public Disclosure of Disciplinary Actions.
11. Utilize Due Process to Hear All Factors and Evidence.
12. Survey Public Opinion as to Delivery of Police Services.
13. Draw Upon All Department Resources in Developing Policy, Procedure, and Processes.

**PART III**

**TRANSITION MANAGEMENT PLAN**

Having developed the Strategic Management Plan by drafting policy direction, it is now incumbent upon the researcher to develop a plan by which the organization will transition to the newly created policy direction. The Transition Management Plan will involve several approaches. Those stakeholders viewed as most critical to the plan will be analyzed and their commitment to the plan evaluated. These stakeholders are worthy of assessment as to their readiness and capability to commit to the plan. A management structure will be developed to assist in motivating the change, guiding the transition from the present to the future, and evaluating progress and assessing result.

#### COMMITMENT PLAN

##### CRITICAL MASS:

When consideration is given to change, there will always exist a group of individuals or entities who support the change, and efforts will ensure that the change occurs. Again, these individuals or entities are known as stakeholders. Should any one of these critical stakeholders oppose the change or work counterproductively toward the intended change, the plan will fail. The minimum number of individuals or entities, now referred to as actors, whose support and commitment must be gained, is referred to as the Critical Mass.

When stakeholders were identified during the Strategic Management Plan's development, they were individually identified as specific persons or groups. Clearly, any of the persons involved belong to a generalized group and these groupings of persons can be categorized. Each of these entities has the potential to influence and be influenced by other entities. Their ability to influence or be influenced creates a sphere of influence for each of them. To accurately identify the critical mass in this effort to bring about change, it is essential to determine which stakeholders most influence others. It is also essential to identify which actors can deliver or gain the cooperation of others within their sphere of influence.

The following illustrates the relationships and identifies independent actors with the power to deliver the support of others. These actors will make up the critical mass for the present issue.

POLICE MANAGEMENT

Police Psychologist

Police Supervisors

Training Officers

CITY MANAGER

City Council

City Attorney

Personnel Office

Risk Manager

POLICE UNION

Union Attorney

Union Membership

Civilian Employees

MINORITY GROUPS

Senior Citizens

Community Residents

State Legislature

COURTS

Administrative Law Judges

Legislature

PRESS/MEDIA

READINESS/CAPABILITY:

Not all actors within the Critical Mass will be ready to transition to change, and some may not bear the capability to change as acutely as do others. Some may be neither ready nor capable. Each actor in the Critical Mass must be evaluated by the change motivator, in this case the Chief of Police, so that a tactical approach can be taken to address the specific and unique needs of each of the actors/stakeholders.

The following illustration provides your author's assumptions about each actor's readiness and capability as to implementing the proposed policy change developed in the Strategic Management Plan.

ACTORS IN THE CRITICAL MASS	READINESS LEVEL			CAPABILITY LEVEL		
	HI	MED	LO	HI	MED	LO
Police Management		X		X		
City Manager		X			X	
Union	X				X	
Minority Groups		X		X		
Courts			X	X		
Press/Media	X					X

In that each actor within the Critical Mass must be brought to a minimum level of not blocking the proposed change, it is essential to determine each actor's commitment to change. The next process in the plan is to chart or identify any shift in the current level of commitment that will be necessary to assure that actor at least does not block the change. The following illustration will assist in making the assessment.

ACTORS IN THE CRITICAL MASS	BLOCK CHANGE	TYPE OF COMMITMENT		
		LET HAPPEN	HELP HAPPEN	MAKE HAPPEN
Police Management			O-----X	
City Manager		O-----X		
Union			O-X	
Minority Groups		O-----X		
Courts		O-----X		
Press/Media	O-----X			

O = Present      X = Change



### INFLUENCING THE CRITICAL MASS:

**Police Management:** The Police Management Team influences many other important and critical stakeholders. Management must offer strong support to each of these actors within the Critical Mass. It is imperative that the group move from a help change happen mode to one of making change happen due to their leadership role within the department. The group must display with enthusiasm its concern for the welfare of all personnel and especially its concern not be in search for ways in which to recommend discipline. The motivation for the change is one of making all expectation for performance clear, and standards for performance rigid yet achievable. The ideology for the change is to unburden the employee from the threat of discipline if he or she is performing to standards. When such happens it will certainly lessen the negative side personnel work load for the management team and permit them to move forward with the development of the organization and its personnel. They must be thoroughly briefed that the change will benefit all.

**City Manager:** The City Manager is in a position to let the change happen but he needs to be brought to a position of helping it come about. The City Manager will need to influence the City Council that the change is in the best interest of the city. The modeling aspects of a program that will have potential to reduce liability exposure both on the community as well as the personnel level should carry great weight with the City Council. In that the proposed change also carries with it commitment to address

matters of an increasing minority population in the city, the City Manager needs to emphasize the importance of that aspect to the City Council. The City Manager needs to be thoroughly briefed on the positive aspects the policy changes could bring in terms of city employee relations. The City Manager must be actively involved in promoting the change, and he must keep the City Council apprised of developments.

The City Manager also holds influence with the City Attorney, the Personnel Office, and the Risk Manager. It is incumbent upon the City Manager to make the policy direction clear to these entities and he must influence their cooperation and urge their assistance. The City Attorney has much to gain by development of a personnel discipline system that will reduce the numbers of appealed hearings and thereby the office work load.

**Police Union:** The union is currently in a position to help the change happen and needs to remain in that strategic position to continue to help. The union is in fact one of the driving forces that has brought about the intended change for the betterment of its membership. None of the policy alternatives drafted are in conflict with the union membership, all bear potential to create a more people sensitive disciplinary system for the department. The union must, however, be held accountable for the manner in which it presents issues to its members. The Chief needs to attend a union meeting to address the group, and he needs to meet with shift and unit union representatives to make clear the change.

**Minority Groups:** In that no current conflicts nor allegations of racial or disparate treatment of minorities exists, the group is in a position to merely let the change happen. To see the intended success envisioned in the change, this community needs to move to a position of helping the change come about. The benefits of the change to the community at large and especially to the minority community must be emphasized. Minority community leadership needs to be brought on board to assist in representing the changes and the program to the community. Making the minority community leadership aware of the value of cross-cultural training for the police and having minority persons employed in the department will bring credibility and representation to the community.

**Courts:** The courts, which for purposes of offering decision and judgement, greatly influence the administrative appeals process and are in a position to merely let the change happen. The courts must be brought to a position of helping the change happen by placing burdens of proof where they belong. When disciplinary issues are heard they must be heard with the best interests of all parties at heart. The trier of fact must completely understand the negotiation and compromise aspects of the change and should have little problem with doing so in that such is a common aspect of the administrative and judicial processes currently in place. The courts should in fact be appreciative of personnel matters that come before them. The courts must also recognize the importance of the cross-cultural

training aspects of the change and be in a position to assist in the instruction of the cultures and processes involved in the judicial system.

**Press/Media:** This is the only actor within the Critical Mass that is currently in a position to block the change. The position taken by the press must be one of simply letting the change happen. There is little benefit to the press to continue its current course as reformers and it is important that the press see themselves gaining from the change. If the press' intent is to develop sponsorship, readership, and public credibility, then they should welcome the opportunity to publicize the aspects of the change and to emphasize the compassionate accountability being built into the policy direction. The press can do much to assist in the cultural training exchange as they have tremendous access to information and people. The press needs to be aware that any disciplinary actions within the department that involve criminal violations will be shared with them just as they currently are with routine criminal cases. The ethics and values training that will accompany the change will make for effective story line for the press. The reporting of the number of complaints and the disposition thereof should continue to be reported to the press. The nature of complaints made against the police should also be shared for statistical data reporting purposes only. The press needs to be reminded that if individuals are unhappy with the police department's internal investigation and disposition, that

recourse for those persons does exist in the courts and administrative appeals process. The press has never taken interest in the discipline that comes about in the police organization as it relates to simple rule and regulation violations and, therefore, no emphasis should be placed upon that aspect of the program. The fact that the police have assumed a leadership role with regard to minority recruitment and cross-cultural training may even provide a basis for the media to recruit minorities into that profession.

#### MANAGEMENT STRUCTURE

The uniqueness of the change about to impact the Anycity Police Department will require a special, yet temporary, management structure that will be free of the daily routine of the department operations. The project manager will need to possess special characteristics of patience and assertiveness along with a willingness to make the change happen.

The project manager in this scenario will need to be one appointed by the Chief. While the project manager will assume overall responsibility for the change program, he or she will utilize a grouping or task force of represented departmental and community elements. The manager must be given the necessary authority to draw upon all reasonable resources, and given access to information and processes that impact the intended change.

The individual chosen will need exceptional interpersonal skills and must have a willingness and ambition to see the change as being a positive influence upon the community and the organization. The manager will report directly to the Chief of Police.

**SUPPORTING TECHNOLOGIES:**

While the very general approaches to matters of transition management have been discussed and the task made clear, there must be methods of addressing the transition that will help to dispel the anxieties and fears that will always accompany change.

1. **Responsibility Charting (RASI):** The project manager and the Chief should work to establish the roles for all of the actors who will be participating in the transition plan. Charting the responsibilities for all the actors provides a means by which they recognize their roles, who they will interact with and they will likely agree or disagree with.

The RASI charting method can provide visual evidence of how each actor or participant is involved in either having **Responsibility (R)** for a task; **Approval** or right of veto (**A**); a **Support** or resource role (**S**); or who bears a need to be consulted or **Informed (I)**.

Table #6 is an example of RASI charting as completed by the author for the issue currently being addressed.

TABLE #6

**DECISION/TASK**

**ACTORS**

	<u>P.D.</u> <u>MGMT.</u>	<u>CITY</u> <u>MGR.</u>	<u>POLICE</u> <u>UNION</u>	<u>MINORITY</u> <u>GROUPS</u>	<u>COURTS</u>	<u>PRESS</u>
Define Discipline Parameters	R	A	S	I	A	I
Communicate Organizational Values and Culture	R	A	I	I	I	I
Values and Ethics Training	R	A	S	I	I	S
Discipline Processes	R	A	S	I	A	I
Hearing Matters	R	A	S	I	A	I
Recruitment	R	R	S	S	I	S
Cultural Cross-Training	R	A	S	S	I	S
Community Survey	R	A	S	S	I	I
Press Liaison	R	R	S	I	I	R
Negotiation/Compromise	R	A	S	I	A	S
Discipline Imposition	R	R	S	I	A	I
City Council/Legislative Liaison	A	R	A	S	S	S

**R = Responsibility      A = Approval      S = Support      I = Inform**

2. **Formal Training:** Training efforts should be accomplished by both in-house and consultant resources. Effective training can relieve the transition manager of the job of doing the training him/herself.
3. **Test Instruments:** Survey and evaluation of the successes or areas that need attention to transition to the new policies should be an ongoing process. Personnel must also be surveyed and tested as to their understanding of matters.
4. **Failure Scenario:** Creation of a scenario that portrays failure and the impact of that failure upon stakeholders can do much to motivate participation and support. The scenario must in fact be one of honest assessment of resultant impacts of failure. Scare tactics have no place here.
5. **Involving People:** Let the participative style of policy development be both an organizational value and one that is in fact practiced by the chief executive.
6. **Communication:** It is imperative that the transition team communicate the changes and always answer the "Why" question that is certain to result with change. Convey progress to all stakeholders and keep them informed and motivated.
7. **Community Surveys:** Previously discussed, must be carefully worded to avoid irrelevant or insincere responses.



8. **Perception Checks:** Periodic evaluation of the transition progression by communication with the line and impacted personnel. Seek honest and sincere input in the aforementioned participative style. Measure progress towards the strategic goal with periodic checkpoints.
9. **Celebrate:** Make plans for and accomplish public recognition for the success the plan enjoys. Be prepared to recognize the efforts of those who contribute to the program's successes.
10. **Other Change Cautions:** Be careful not to implement other changes of equal or greater significance if at all possible. The fear of too many changes, coming too fast without apparent cause or reason can cause people to fail to let go of the old.

**PART IV**

**CONCLUSIONS AND FUTURE IMPLICATIONS**

When the researcher began the undertaking of this futures study, it was admittedly with some degree of skepticism that answers regarding how a police administration would address matters of internal inquiry and discipline in the future would be forthcoming. The long tradition of law enforcement holding itself accountable by rigorous and vigorous internal processes is entrenched and almost routinely accepted. The problem, as identified in the background section of this study, was one of personal feelings about the insensitivity of the process for the personnel involved. The study, if it accomplishes nothing else, has caused a realization that the issue question is shared by many of the researcher's colleagues. With all the implications of value diversity, political and legal implications and influences, a declining human resource pool, and a growing minority population, how could law enforcement look to the future with enthusiasm for its very existence?

As the study was undertaken, it was enlightening to observe how many influences and factors were involved and were germane to the central issue. To have envisioned that a quasi-military organization like a police department would consider negotiation and compromise as to personnel issues was not imagined. The impacts of value diversity and minority population were never seen as an intricate part of the issue question. These and several other factors emerged during the study process that created an entirely new appreciation for the people who serve in this profession.

When one begins to consider the degree of accountability that law enforcement is subjected to, it was difficult to plan for which front would next question the performance and procedures of the agency. It was therein realized that to be responsive to the external scrutinies, that the agency must be prepared to address and resolve internal issues on a first priority basis. The employees within the organization are those who daily and with routine precision, present the image and culture of the law enforcement agency to the public it serves.

While ever more scrutiny and subjective evaluation of the law enforcement function have come forth, the agency has traditionally turned to its personnel to resolve those matters but has frequently not provided them with the necessary resources and support to accomplish the tasks. When efforts to be responsive failed, the organizational personnel suffered the wrath of an administration who created even more accountability for its personnel.

The transition that law enforcement has undergone in the preceding ten years cannot begin to rival that which lies ahead. The future is in fact not certain but is predictable to a certain degree if those empowered with responsibility for managing the future can rise above the traditional and routine and seek new ways and methods and to develop a sincere ideology for the management of people who enter the public service. They also must be prepared to manage the technological as well as the environmental issues that will accompany a rapidly changing world and its work force.

Aside from all of the simplistic and idealistic comment herein, there are tasks that need to be addressed. It is unequivocally a marvelous challenge to tend to the needs of so many when there is so much to be gained by sincere dedication to task and people. The key therein is balance. It will always be important to remember that successful organizations are filled with successful people.

The encouragement for the future lies within recognizing the importance of the dynamics of organizations and its people. When these considerations are realized and the added factor of dynamic change in the values and cultural diversity of the general population is realized, the challenge becomes clear.

Law enforcement must continue to adapt to change. Its tradition driven culture is relevant but must be restricted to historic perspective and not manifest itself in guiding the direction for the future. While a current resurgence of a simpler life-style permeates much of society, law enforcement cannot be lulled into any false sense of security in relying upon traditional methods to address matters of crime and managing people. Examining trends and projecting the impacts of such is a tremendous undertaking yet must be accomplished.

This research project has touched the researcher's life in many ways. He has experienced the law enforcement administrator who is counting the days until retirement; he has encountered the administrator who holds such passion for challenge that change is the force that drives him; he has encountered people who respect

law enforcement and those who view it as a repressive conduit of political will and fortune. One thing has become perfectly clear, law enforcement is here to stay and due to the interpersonal nature of the task, will always need a dedication to people. While such factors as hi-tech artificial intelligence and jet age computer linguistics are emerging, so likewise is the realization that no hi-tech machine can develop compassion or sense the needs of others by interpretation of verbal and nonverbal communications styles. Only humankind can reason and only humankind holds the absolute key to survival of the species.

While the policy direction identified within this study is no panacea, it is certainly a point at which police managers can begin to evaluate their own responses to issues and people. While the issues and the subissues identified in this study are in great state of change, so must be the minds of those in position to shape the future.

The stated mission in this project was to offer alternatives, ideas, suggestions, and impetus for managing people in the future and in particular managing those people when conflict or inappropriate behavior or violations of policy, rules, or regulations occur. The alternative strategies and the transition management plan will require cautious implementation. Some of the policy developed is risky, yet what are the alternatives if nothing is done?

This study will close herein with attention to the epigraph and it is offered for consideration as both motivator and as a point of departure for all.

"Guard the paths of justice by seeking knowledge, it is thereby that you will discern justice and equity for every good course. Wisdom will enter your heart, compassion will guard you, and understanding will watch over you."

**APPENDICES - BIBLIOGRAPHY**



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