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**WHAT WILL BE THE IMPACT OF BEHAVIORAL
PROFILING IN THE IDENTIFICATION OF
POLICE MISCONDUCT IN CALIFORNIA
BY THE YEAR 2005?**

An Independent Study Project

Technical Report

by

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ACQUISITIONS

JON ARNOLD

COMMAND COLLEGE CLASS 20

MAY, 1995

Peace Officer Standards and Training
(POST)

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 the 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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INTRODUCTION

The issue of police misconduct has become an issue of paramount importance to the general public as well as a continual concern to the law enforcement community. Police misconduct is generally viewed as excessive use of force or criminal actions on the part of the police. Law enforcement agencies have generally pursued a traditional approach to dealing with misconduct on the part of their officers. Most effort to deal with this issue have been reactive, not proactive. Corrective action, whether it be training, counseling, or punitive in nature, has been imposed only after misconduct has occurred. Proactive approaches must be explored where patterns of behavior can be recognized and corrective intervention can be introduced before misconduct occurs.

SCOPE OF THE PROBLEM

The background research on the topic of police misconduct made it evident that much has been done in the area of traditional responses. Law enforcement agencies primarily use citizen and internal complaints to identify misconduct of their personnel.¹ Many agencies have adopted a traditional or "mechanical" system which identifies problems by the number of complaints received during a given time frame.

The Kansas City, Missouri, Police Department adopted an "Early Warning System"² (EWS) which resulted in compiling a list of twenty-five officers who had an unusually large number of citizen complaints. The Atlanta, Georgia, Police Department uses a similar system when certain types of complaints exceed a given threshold.³ After identification

under the EWS, the employee will then be directed to the Psychological Service and Employee Assistance Unit (PSEA Unit) for counseling. The PSEA unit will be responsible for maintaining a "Behavior-Medical File" on each employee who falls under the EWS guidelines.⁴ The Long Beach, California, Police Department initiated an early warning system using predetermined thresholds of complaints, shootings, and use-of-force incidents.⁵

The New York City Police Department has identified and provided counseling for more than 8,200 officers since 1973 through the department's "Early Intervention Program."⁶ While the program appears to be successful due to the significant number of officers provided with counseling, major misconduct still haunts the N.Y.P.D. Systems to root out police corruption were established in 1972 by the Knapp Commission, but the corruption continues. In May, 1992, five N.Y.P.D. officers and one former officer were arrested for drug trafficking by police in Long Island's Suffolk County.⁷ New York City Mayor David Dinkins established the Mollen Commission to conduct hearings into how these officers were able to form a "crew" of 15 to 20 officers who, while on duty, stole money and drugs from raids.⁸ In September, 1994, 14 additional officers including two sergeants were arrested for drug sales, extortion, and perjury, bringing the total to 29 officers implicated in the 30th Precinct in Harlem.⁹

Although these systems help correct some misconduct, the public continues to have its confidence eroded by media reports such as the following headlines: November, 1992, "Detroit officers charged in black motorist's death;"¹⁰ December, 1993, "Millions of dollars stolen and nineteen deputies convicted;"¹¹ January, 1994, "Ten-year veteran police officer charged in series of burglaries committed on duty;"¹² April, 1994, "An officer collects

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Abstract

The issue of monitoring patterns of behavior as it relates to police misconduct is examined. Data analysis results indicate a lack a success with traditional reactionary law enforcement responses to misconduct. The study summarizes behavioral research projects conducted by the Department of Defense and the National Institute of Justice which demonstrate the feasibility of the concept. Policy considerations emphasize an industry-wide approach to the issue and the benefits of proactive early-stage intervention. A strategic plan is offered which includes first, a research phase to identify specific behavioral precursors to misconduct, and second, a pilot project to be implemented by the listed agency. A transition management plan discusses the management structure and an implementation outline. Follow up research is recommended to define reasons for specific behavior and to identify what intervention techniques can be beneficial to correct adverse behavior. Forecasted trends and events, references, and bibliography are included.

\$8,000.00 per week in protection money, while another buys four suburban homes and a \$35,000.00 Corvette all on take-home pay of \$400.00 a week;"¹³ June, 1994, "Officer pleads innocent in wife's shooting;"¹⁴ July, 1994, "Ex-officer gets 14 years in N.Y. corruption case;"¹⁵ December, 1994, "Officer jailed after killing in Norco;"¹⁶ December, 1994, "9 police officers charged in New Orleans scandal."¹⁷

More effort must be directed toward early recognition of behavior which may lead to misconduct. The "paramilitary" structure of most police agencies and the "Peace Officer Bill of Rights"¹⁸ may slow the development in this area. According to a 1991 Security Management Magazine article, private industry has already recognized the necessity to act early by "recognizing warning signs" and "intervening at an early stage."¹⁹

As the future of law enforcement is contemplated, it becomes evident that recent events involving corruption and excessive force cannot be allowed to continue. Research is being conducted to help determine the root causes of the behavior. During the American Psychological Association's 1993 meeting in Toronto, Canada, presentations were made by police psychologists from five major U.S. cities. The speakers provided data which showed that action taken by the first-line supervisor was the most essential ingredient in preventing continued excessive force.²⁰ Dr. Ellen Scrivner completed a project for the National Institute of Justice which reflects data from interviews of sixty-five police psychologists from fifty major departments. This author interviewed Dr. Scrivner and learned that preliminary data shows that counseling is the most prevalent form of intervention used in dealing with excessive force.²¹ Based on the surveys, 79% of the police psychologists counsel officers charged with excessive force, while only 23% monitor behavior for identification of

precursors to excessive force.²² In order to identify individual officers with a propensity for excessive force, 42% recommended behavioral monitoring systems to detect precursor behaviors, followed by formal evaluations.²³

Dr. Scrivner presented a report to the National Institute of Justice in April, 1994, entitled: "The Role of Police Psychology in Controlling Excessive Force". The report listed examples of "at risk" or "*marker behavior*." These included officers acquiring nicknames signifying forceful arrests; an officer's prisoners accumulate injuries; squad concerns develop about an officer getting someone hurt; and an officer's insubordinate behavior begins to increase.²⁴ These "markers", and other behavior come to a supervisor's attention many times before any formal complaints are filed.

This report identified five distinct categories of "at risk" officers involving excessive force. **Chronic risk** - These officers were described as having pervasive and enduring personality traits that are manifested in anti-social, narcissistic, paranoid, or abusive tendencies.²⁵ **Job-related experience** - These officers had prior involvement with job-related traumatic situations leading to a sense of isolation, burnout, or had Post Traumatic Stress Disorder.²⁶ **Early career stage problems** - These were described as young and inexperienced officers, frequently seen as "hotdogs," "badge happy," or "macho."²⁷ **Patrol style** - These were seen as officers who combined a dominant command presence with a heavy-handed patrol style that was particularly sensitive to challenge and provocation.²⁸ **Personal problems** - This, the largest group, was made up of officers who experienced personal problems that destabilized their job functioning. They seemed to have a tenuous sense of self-worth and higher levels of anxiety that were well masked.²⁹

The study supports the concept of the development of proactive monitoring to detect "marker behaviors" signifying that problems are brewing long before these problems are flagged by a computer because of several complaints.

Law enforcement agencies utilize a variety of methods to screen candidates prior to employment, including the Minnesota Multiphasic Personality Inventory and the California Psychological Inventory. Although satisfactory as preemployment screening, there is no industry-wide, proven mechanism to significantly identify future misconduct of current employees. Few occupations involve such a high level of stress coupled with a significant amount of responsibility.

Other than law enforcement, only the military has parallels with the risk of being injured or killed and having the potential legitimately, to take a human life. The military, or the Department of Defense, to be specific, views misconduct on the part of their employees as a significant problem. This is evidenced by the fact that no less than sixty-eight research projects have been conducted on the subject since 1987³⁰. These research projects, according to the Defense Technical Information Center in Alexandria, Virginia, were completed for the U. S. Department of Defense and included issues such as the following: personnel screening, criminality of employees, and security.

The military's primary focus, although similar to law enforcement, is to identify indicators of "betrayal of trust" in order to protect national security. Research into the motivations of those who committed espionage against the United States has been conducted for over fifty years. According to a 1991 report by T. R. Sarbin on "Domestic Espionage: A Criminological Theory," espionage will probably not be found by examining

an individual's preemployment background, since the intent to offend was not present at that time.³¹ One can make an assumption that those just beginning their career in law enforcement also did not manifest outward tendencies toward misconduct at that point. Those employees with access to "top secret" information are a constant risk if compromised by an outside influence, i.e., money, sex, drugs, or blackmail. A report presented at the first Personnel Security Research Symposium held in Monterey, California, in 1988, stated the increase in documented espionage cases during the 1980's can be traced to a general decline in ethics among businessmen, elected officials, and the general public.³²

In 1991, researchers Joseph Parker and Martin Wiskoff reported that in attempting to discover the reasons for trust betrayal (espionage), they found behavioral similarities to law enforcement personnel. Mercenary trust violators are likened to blue-collar workers in high-risk occupations.³³ This analogy is supported by the fact that both groups take large risks for relatively small rewards and must demonstrate competence in the performance of their jobs over a period of years. These researchers made specific references to occupational groups, specifically law enforcement and bomb disposal. These individuals have been found to be bright, self-confident, tough, exhibitionistic, and nonconforming. Within this group, violating regulations and some delinquent behavior is normative.³⁴

Research was conducted which focused on the emotional condition and psychological state of mind of the individual at the time of the espionage. According to a paper presented by George Geiss in 1991 entitled "Trade secret theft as an analog to treason," espionage and trade-secret theft occurred during times of personal or structural discontent and malaise.³⁵ Other researchers found that a feeling of alienation or low self-esteem contributed to their

decision to commit treason. Studies to identify patterns of persons involved in "white-collar crimes" have found that the only common personality trait is a lack of self-control or a tendency to seek self-gratification without concern for others.³⁶

Several studies have found that patterns of constructs have emerged when researching employee theft or delinquency. A lack of self-control is found to be a predictor of unreliable employee behavior. Elevated tension and anxiety are listed as contributors to employee theft and delinquency. Irresponsibility and lack of conscientiousness contribute to unreliable employee behavior.³⁷ Some researchers have stated that individuals who are willing to betray their country would also be prone to engage in betrayal at an interpersonal level (between friends, family, co-workers).

A detailed study by Suzanne Wood and Martin Wiskoff was completed in May of 1992 which analyzed all known Americans who spied against the United States since World War II. Their report reflects an in-depth analysis of 117 individuals who were either convicted or prosecuted for espionage between 1945 and 1990. Over half of the spies were motivated by money as the primary reason. The next largest motivation factor was "disgruntlement or revenge," which became more prevalent in recent years. It was displayed in the forms of disenchantment, extreme unhappiness with people and jobs, bitterness, frustration, disillusionment, and alienation.³⁸ These findings are similar to the other studies involving unreliable employee behavior. While the report focuses on security measures to combat espionage, it does discuss personal characteristics that have a parallel to law enforcement. Approximately 1/3 of the 117 subjects used drugs or alcohol to the extent that these habits were easily discovered. Alcohol abuse has been determined to be

closely associated with security-concern offenses, such as crimes against persons and property, financial irresponsibility, personality disorders, and drug abuse.³⁹ A significant amount of research has been conducted for the purpose of protecting national security by attempting to identify indicators of trust betrayal or espionage.

Research must be conducted to determine what methods can be used to identify precursors to misconduct and, then, what proactive intervention systems can be found. When identified, these precursors, or "red flags," should be verified by research and developed into a system that would trigger the appropriate type of corrective intervention.

RESEARCH FOCUS

A futures study on the following issue has been conducted:

**What will be the impact of Behavioral Profiling
in the identification of police misconduct
in California by the year 2005?**

"Behavioral Profiling" is the concept of identifying reasons or causes for certain displayed actions or patterns of actions. Behavior involves actions, reaction, and conduct. Based on the assumption that some behavior can be linked to certain actions, the idea of "profiling" is to identify, through research, common characteristics which are indicators of specific behavior. Police misconduct includes any criminal activity, excessive force, or significant violations of policy. The effort in viewing behavioral profiling as it relates to police misconduct is to determine actions which are precursors to undesirable behavior.

The study also considered what methods would be used to identify behavior patterns and how will behavioral profiling standards be adopted. And finally, the study asked, will early detection of "at risk" behavior patterns reduce police misconduct.

Research revealed the subject of police misconduct to be a significant problem for the law enforcement community. "Behavioral Profiling" and its relationship to misconduct appears to be an emerging issue that warrants future consideration in addressing the problem.

This article is a result of a study which included the use of a panel of experts which forecasted future trends and events. Based on an analysis of these future trends and events, a scenario was developed which provided a "picture" of the future. The study then created a strategic plan for an organization and examined the steps required to transition from a current method to a new system.

A PERSISTENT THEME

A persistent theme became evident throughout the research. This theme appeared to be "the degree of effort being expended to identify problem behavior." This concentration of effort was seen throughout the numerous studies conducted by the military on identifying early indicators. These focused on demonstrations of "trust betrayal" in order to control or reduce incidents of espionage and to combat the compromising of critical intelligence matters. Private industry has also recognized the necessity to act early, as indicated in a 1991-report advising employers to "recognize warning signs" and to "intervene

at an early stage." Incidents of "workplace violence" have occurred across the country including several at Post Office locations where employees have committed acts of violence against supervisors and co-workers. These types of incidents have led to the development of private-sector businesses which specialize in training supervisors in the recognition of behavior which may lead to workplace violence.

Law enforcement agencies such as the Los Angeles Police Department have created "Threat Management" units to focus specifically on certain crimes where patterns of behavior are common to the perpetrators. The Federal Bureau of Investigation has a unit which "profiles" certain violent offenders involved in serial crimes. The National Institute of Justice (NIJ) continues to conduct research to identify "precursors" to excessive force. In the 1994 NIJ research report on "The role of police psychology in controlling excessive force," it states that "research studies now under way are exploring ways to improve the accuracy of predictions of violent behavior."⁴⁰

While a variety of institutions focus on identifying precursors to problem behavior, law enforcement seems to be "stuck" in a traditional reactionary approach.

A GLIMPSE AT THE FUTURE

The study provided a look into the future, specifically at how behavioral profiling would impact law enforcement agencies ten years from today. The study developed a two-stage implementation plan. First, the "research stage" would be conducted by a team coordinated by the National Institute of Justice. The research team would be composed of

military researchers, police psychologists, and liaison with selected internal affairs investigators. The research would be conducted to identify individual patterns of conduct that can be verified and linked to misconduct. Based on that research, these patterns could be broken-down into behavior patterns which precede misconduct. The study will then offer alternative intervention techniques that can be provided to the identified officers. After these patterns and intervention techniques are developed, supervisors will be trained on how to recognize these precursors or, how to "profile" this behavior.

After completion of the research stage, a "pilot project" would be implemented by a law enforcement agency. The project manager would be the commander of the Professional Standards Unit (PSU). This unit is responsible for all internal affairs related investigations. The project manager would ensure that all managers and supervisors receive all associated training. The PSU Commander will maintain the data collected and oversee all referrals to intervention.

The agency selected for the "pilot project" on behavioral profiling was the Huntington Beach Police Department. The city of Huntington Beach is a coastal community of 200,000, located in Southern California. However, during the summer months the population soars to over 300,000, bringing additional problems for the understaffed agency. The police department consists of 236 sworn and 140 civilian employees. The police department consists of very talented and dedicated officers. Due to the department's reputation, it has for a number of years been able to hire officers from other agencies, thus achieving a level where the average officer has 12 year's experience and possesses more than a four-year college degree.

Due to the low ratio of officers to citizens, 1.1 per 1,000, it has had to rely on a high-enforcement profile in order to maintain public safety, especially during the summer months. This enforcement policy, while necessary to combat the increase in violent crime, poses its own problems in the form of a subculture. Use of force was a continual issue to deal with. Officers who found themselves outnumbered, and without adequate follow-up resources available, were challenged to deal with high demands for service and violent suspects.

This view of the Huntington Beach Police Department ten years from now provides a glimpse of what steps were taken to implement the behavioral profiling pilot project. First, strategic planning was conducted with the assistance of a planning team. The plan was conceived through the development of a mission statement, environmental and organizational analysis, stakeholder (entities/individuals impacted by the issue) identification and analysis, alternative policy consideration, and the acceptance of a selected strategy.

Next, a transition management plan was created in order to implement the strategy. For the plan to be successful, the organization must get from the *present state* - the current condition, to the *future state* - the condition the organization wishes to achieve, by moving through the *transition state* - the period during which the actual changes take place.⁴¹

In developing the project, several future trends and events were taken into consideration. One significant trend identified, was the number of citizen complaints filed against police officers. According to the California Department of Justice (DOJ), citizen complaints rose 45% over the past decade. Another future trend was the number of criminal complaints sustained against police officers. DOJ reported that sustained

criminal complaints against officers increased 95% over the past decade. Both of these trends were forecasted by the panel to continue to rise.

Significant future events were forecasted which included the following: "Periodic psychological testing of police officers becomes mandated by law;" "Discovery of a major 'cover-up' of police misconduct;" "Mandatory civilian review of police misconduct;" and "A law is enacted mandating those identified as 'problem officers' to receive treatment."

The aforementioned trends and events tend to forecast a bleak future. With that in mind, it was found that there were a number of obstacles to overcome which included the funding for the project; the creation of a research team; logistical complications and potential legal challenges. Groups were identified that may want to oppose the concept of behavioral profiling. One group which might oppose it was determined to be the California Police Officers' Association Legal Advisors Committee. This group makes statewide recommendations on legal issues affecting California law enforcement. It is made up of police legal advisors, deputy city attorneys, private attorneys who defend municipalities, and internal affairs investigators. The group may oppose the concept on the theory that data collected through profiling, may be potentially damaging if obtained by attorneys who target police officers in civil lawsuits.

In order to counter any resistance, members of the CPOA Legal Advisors Committee will be asked to liaison with the research group and with the project manager in order to attempt to reduce any potential legal obstructions.

A second group which may initially oppose the concept is the Police Officers' Association (POA). This association generally looks out for the welfare and benefits of its

members. The association may feel that the behavioral profiling program is simply an effort to identify problem officers in order to impose negative discipline. They may also feel that the system could be abused by a supervisor with a hidden agenda to target certain individuals.

The POA certainly has a legitimate concern with any issue which may impact its members. It will be incumbent on the project manager to work closely with the POA President in order to address their concerns. To that end, steps have been taken to implement beneficial programs to both the POA and the department in the past. One is the creation of the "Peer Counseling Program." This program was developed in order to train employees to provide counseling to fellow employees. Members were selected throughout the department from all ranks and assignments. The program offers the availability of trained peer counselors to provide a service with complete confidentiality through the management of the police psychologist.

A second program which is even more strongly embraced by the POA and members of the department at large, is the "Trauma Support Program." This program has been in existence for over five years. It was created in part by the efforts of Dr. Larry Blum, PhD who is a practicing police psychologist and lecturer in Southern California. Dr. Blum provides preemptive debriefings to employees involved in traumatic events. He also provided the training for all members of the Trauma Support Team. Each member was selected based on their experience and personal involvement in a shooting or other critical life-threatening incident.

The success of the program is demonstrated in the following summary of the incidents before and after implementation of the team: During a three-year period (1986-1989) and prior to the Trauma Support Team program, the department had 3 shooting incidents involving 3 officers. All three incidents led to prolonged psychotherapy and resulted in the disability retirement of 2 of the 3 officers. Since the implementation of the Trauma Support Team in 1990, the department has had 37 incidents where the team responded and provided counseling to all involved employees. These incidents involved 103 officers. Only 3 of these officers required some form of follow up therapy, and none required prolonged psychotherapy. No officer was retired on a disability due to these incidents.

This experience with the Trauma Support concept and its resulting acceptance by the POA can be a starting point to demonstrate that early intervention in traumatic incidents is beneficial. It may also show that early intervention to reduce misconduct can have favorable results and potential career-salvaging results with members of the association.

CONCLUSION

The issue studied in this report dealt with the subject of police misconduct and one method of how the law enforcement community may address it. Behavioral profiling of police officers is an emerging issue which can impact the manner in which misconduct may be minimized in the future. The study examined the issue and three sub-issues; as a result, the conclusions drawn with respect to the sub-issues are as follows:

1. What methods will be used to identify behavioral patterns related to police misconduct?

Recognizing that the identification of "behavioral patterns" is of paramount importance to the program, the methods must be as scientifically sound as possible. The patterns must be found through detailed research similar to methods used to support the quality of psychological testing instruments similar to the Minnesota Multiphasic Personality Inventory and the California Psychological Inventory. The National Institute of Justice (NIJ) has conducted research which identified categories of officers at risk for excessive force. NIJ reports that research studies are now being conducted exploring ways to improve the accuracy of predictions of violent behavior.

The United States Department of Defense is conducting a "Police Integrity Study" to identify a set of items on psychological test instruments that differentiate people who later betray the trust vested in them by committing serious crimes from people who do not. Using test information collected from a nationwide sample of law enforcement agencies, the study will develop and validate test items that measure people's predisposition to betray trust.

It is these types of studies and methodology that this author believes can accurately identify the requisite patterns of behavior. As discussed within the "Transition Management" section, systematic steps must be taken over a period of time to accurately identify behavior which indicates future misconduct.

2. How will behavioral profiling standards be established or adopted?

Similar to identifying behavioral patterns, the establishing of standards can only be made after in-depth research. Profiling standards should be established by an industry-wide, sanctioned organization, such as the Police Executive Research Forum and/or the National Institute of Justice. These organizations have the ability and the reputation necessary to sanction the establishment of standards. Police psychologists will be involved in developing the criteria which establish and support the foundation for the standards. The profiling standards must then be subjected to review and critique by a review group such as the American Psychological Association. Finally, the standards should be reviewed by a coalition of law enforcement officials to ensure that the standards will be usable by police supervisors.

3. Will early detection of "at risk" behavior patterns reduce police misconduct?

This sub-issue is a key component of the study as it relies on the basic assumption that early detection of any illness or problem provides greater chances for recovery or resolution. Following the argument that early signs of community deterioration are forerunners of more serious criminal problems, this should be applied to the human behavioral dimension of the police organization.⁴² Early detection of "at risk" or "marker" behavior on the part of police officers suggests deterioration of behavior, and the behavioral equivalent of the "broken windows" concept. As previously stated, many agencies have seen

the benefit of early action or intervention techniques and, thus several, such as Long Beach, California; Atlanta, Georgia; and Denver, Colorado utilize an "Early Warning System." New York Police Department uses its "Early Intervention Program" to provide counseling at an early stage, and the Chicago Police Department uses a consultant to deal with spousal abuse at the earliest possible stage.

Police supervisors are trained to identify and respond to performance problems and training deficiencies as soon as possible to correct conduct and improve effectiveness. When supervisors eventually receive training to identify "marker" behavior, they will then become more focused on responding to any additional problem behavior and, when appropriate trigger intervention steps. When intervention takes place early in the path of deteriorating behavior, it has the greatest chance of correcting the problem and placing the officer on the "correct" career path.

**WHAT WILL BE THE IMPACT OF BEHAVIORAL PROFILING
IN THE IDENTIFICATION OF POLICE MISCONDUCT
IN CALIFORNIA BY THE YEAR 2005?**

Based on the study, this author feels that Behavioral Profiling will have a profound impact on the identification of police misconduct in California, and possibly the nation, by the year 2005. The research has shown that police misconduct, including excessive force, criminal conduct, and corruption, is increasing and standard methods of response are not

effective. Although many departments utilize "early warning systems," these are only valuable after the incident or misconduct has occurred.

Several research projects which are being conducted by different groups are in progress and should provide assistance to this issue. The United States Department of Defense is currently conducting a five-year study of police officers to identify factors that can indicate "betrayal of trust." The National Institute of Justice (NIJ) has recently published the findings of a study which identified five different profiles of officers at risk for excessive force. Further, the NIJ reports that other research studies are under way exploring ways to improve the accuracy of predictions of violent behavior. The police psychologist component of the American Psychological Association reported that in a nation-wide study, 42% of the police psychologists were involved in monitoring officer behavior. Additionally, their data shows that the development of proactive monitoring to detect "marker behaviors" should be encouraged.

The issue of police misconduct appears to be of increasing concern to the public and the media. During a one-year period, this author found newspaper articles which reflected numerous incidents of excessive force involving police officers. The articles listed 49 individual officers who were charged with criminal acts, including grand theft, drug sales, and murder. The reasons for this activity should be the subject of another study project; this author only focused on one response which law enforcement should explore to address the problem. Law enforcement can no longer rely on age-old methods to deal with misconduct.

This author reviewed numerous psychological and military research projects, conducted interviews of researchers and clinicians, spent time at a research center, and held

panels which included police psychologists, attorneys, behavioral specialists, and law enforcement officials. Based on this research, this author believes the concept of behavioral profiling is feasible and should take place.

Future Study Recommendations

Further study must be conducted to accurately define reasons for specific behavior. Additional work should be performed to identify what intervention methods will be the most beneficial to correct certain activity. Studies should concentrate on what training methods can best equip supervisors to identify and respond to actions on the part of their subordinates.

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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 the 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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PREFACE

Behavioral profiling is the concept of identifying reasons or causes for certain displayed actions or patterns of actions. Behavior involves actions, reactions, and conduct. Based on the assumption that some behavior can be linked to certain actions, the idea of "profiling" is to identify, through research, common characteristics which are indicators of specific behavior. Police misconduct includes any criminal activity, excessive force, or significant violation of policy. The effort in viewing behavioral profiling as it relates to police misconduct is to determine actions which are precursors to undesirable behavior.

Section I

INTRODUCTION

What can damage a law enforcement agency's effectiveness more than misconduct on the part of its officers? What could tarnish law enforcement's image or destroy the public trust more than officers involved in illegal activity? Law enforcement leaders know what the answer is: nothing! It has also been seen that one, single, significant event of police misconduct can destroy years of good work performed by the agency.

Over the past few decades, law enforcement has continued to evolve into a true profession. Efforts to recruit the right individuals have become a priority with most departments. Employment screening methods are utilized to separate out those candidates who do not possess the required skills or raw materials. These methods include a written exam, a physical agility test, an oral interview, a polygraph exam, a psychological exam, a background investigation, and a medical examination.¹

Minimum standards of training have continued to grow into a sophisticated network of programs. According to the California Commission on Peace Officer Standards and Training Administrative Manual, the basic academy curriculum now includes up to five months of instruction. The course now involves more than the simple mechanics of arrest, firearms training, and patrol procedure. Many hours of instruction are spent equipping the recruits with an understanding of cultural diversity, cultural awareness, human relations, ethics, and sexual harassment.² Advanced officer training is mandatory for all officers and first-line supervisors every two years. Eighty-hour courses are required training for newly appointed police sergeants, which include instruction on ethics and misconduct investigations. Similarly, a two-week training course is also required for all new police management personnel. These courses of instruction are only the preliminary classes which are required as personnel advance through the ranks. Numerous courses of specialized instruction are also provided to law enforcement officers to train them in specific fields.

While training procedures continue to evolve, law enforcement agencies are being influenced by outside societal shifts. As one looks toward the next decade, the demographics continue to change throughout the nation and especially here in California. The population in the United States is projected to increase approximately 12% to 15%, while the underdeveloped countries will grow at a rate four to five times faster. Immigration continues to be a concern, especially in California. According to the 1990 United States Census, over the last decade California's Latino population increased 66% while the Asian population grew by 121%.³ California has the nation's largest Latino and Asian populations, and the second-largest African-American population. According to the

U. S. Department of Education report of 1990, California had up to 40% of the nation's 2 to 3 million public school pupils who have limited proficiency in English.⁴ These changes influence law enforcement in the manner in which agencies adjust their responses to meet constantly shifting community needs, and the way they will fill their employment needs from the reshaping workforce. In addition to the cultural shift in the workforce, individuals entering the labor pool now possess a different "work ethic" from those employed in the past. Each age group possesses different values based on the conditions present while they were being raised, in addition to the values of their parents.

Those who are now senior citizens were raised in a more agrarian society. They lived through the "Great Depression" and World War II, which left many of them with a philosophy that carried over into the work place. They could be described as being happy just to have a job. They would most likely, if possible, stay with that employer until retirement. These individuals would put in "an honest day's work for an honest day's pay." The "Baby Boomers," while possessing different attitudes than their parents, inherited many of their basic values.

Those now entering the law enforcement workforce, ages 18 to 30, have been labeled "Baby Busters" or "computer babies." The work ethic of these younger adults is significantly different, if not missing entirely. Loyalty to their employers is not a major concern to them. If not satisfied, they will seek employment opportunities elsewhere. Many will move every three to four years and will hold up to ten jobs over their lifetime. They are not as willing to "pay their dues" and eventually earn weekends off. Many do not want to spend years on the graveyard shift with weekdays off. Their outlook on employment opportunities is similar

to their desire for material possessions. They tend to seek immediate gratification. According to Michael Josephson, of the Josephson Institute of Ethics, this generation can be referred to as the "I.D.I. Generation" or "I deserve it."⁵ They think that whatever they want, they need; whatever they need, they get; and whatever they get, they deserve.⁶ Recent research involving high school and college students ages 18 to 30 found that 50% of them cheated on exams.⁷ The significance is that these different values and ethics, or lack of ethical behavior, tend to permeate all aspects of their lives.

This poses a unique situation for law enforcement agencies. In the past, most agencies hired individuals who had prior military experience or previous employment and life experience. Many individuals entering law enforcement today have very limited life experience, and very few have any military experience. Some are just not willing to work for a few years to "earn" a good shift or assignment. They expect things to come to them much faster.

If the erosion of the work ethic is not a significant enough obstacle to overcome, one simply has to add this to the type of role model which is available today. In recent years, the general public has demonstrated a growing concern about the way people are behaving. In fact, the proliferation of well-publicized examples of dishonesty, hypocrisy, cheating and greed has created some alarm about the state of personal and professional ethics. Certain familiar names come to mind in the business community: Ivan Boesky, Michael Milken, or Charles Keating. In government circles: John Sununu, Marion Berry, Alan Cranston, and William Sessions. In sports: Pete Rose and Mike Tyson, and, finally, in religion: Jimmy Swaggart or Jim and Tammy Fae Bakker. Many of these biggest names in politics, business,

sports, and religion have provided the worst role models for the younger generation to follow.

Law enforcement agencies go to great lengths to ensure that their employees perform their jobs properly, effectively, and that they do not abuse their authority. Through proper recruiting, testing, training, supervision, and inspection, most inappropriate behavior can be held at a minimum. The weakest areas in the system are supervision and inspection. The old adage, "You get what you inspect - not what you expect," is true.

In order to equip officers with the necessary training, new recruits, as well as seasoned officers, are instructed in the areas of human relations, ethical behavior, and sexual harassment. These topics prepare them to deal with the "human" and personal challenges of the job. Continual efforts are made to provide proper training and guidance to newer officers by recognizing the important role of the "field training officer" or "FTO." The FTO provides guidance and influences the path the newer officer will take in his or her career. Recently there has been more focus on the FTO as a "mentor" to younger officers. What naturally follows is the importance of the first line supervisor in the formation of the officer's attitude toward his/her job. Law enforcement has known for a long time that the most influential person in guiding, directing, and controlling an officer's behavior, and overall career success, is the first-line supervisor.

With proper training, guidance, and supervision, the great majority of police officers do not become involved in misconduct. For those that do, departments must take corrective measures when most appropriate to modify behavior.

Police departments have generally pursued a traditional approach to dealing with misconduct on the part of their officers. Most efforts to deal with this issue have been reactive, not proactive. Corrective action, whether it be training, counseling, or punitive in nature, has been imposed only after misconduct has occurred. Proactive approaches must be explored where some type of intervention occurs prior to the misconduct.

The background research on the topic of police misconduct made it evident that much has been done in the area of traditional responses. Law enforcement agencies primarily use citizen and internal complaints to identify misconduct of their personnel.⁸ Many agencies have adopted a traditional or "mechanical" system which identifies problems by the number of complaints received during a given time frame. The Kansas City, Missouri, Police Department adopted an "Early Warning System"⁹ (EWS) which resulted in compiling a list of twenty-five officers who had an unusually large number of citizen complaints. The Atlanta, Georgia, Police Department uses a similar system when certain type of complaints exceed a given threshold.¹⁰ After identification under the EWS, the employee will then be directed to the Psychological Service and Employee Assistance Unit (PSEA) for counseling. The PSEA unit will be responsible for maintaining a "Behavior-Medical File" on each employee who falls under the EWS guidelines.¹¹ The Long Beach, California, Police Department initiated an early warning system using predetermined thresholds of complaints, shootings, and use-of-force incidents.¹²

The Huntington Beach Police Department utilizes the services of a police psychologist to supervise and train members of the "Trauma Support Team." The team members provide preemptive post-incident debriefings with employees who are exposed to

a duty-related traumatic event. Early intervention by the team has successfully reduced disability-related retirements.¹³

The Oakland Police Department developed a federally funded program in 1972 which dealt with early attempts to identify patterns of conduct. The author interviewed Captain James Hahn who supervised the project. The program was established to assist supervisors in recognizing disruptive behavior and intervention by peer counselors. The program was discontinued in 1978 due to funding limitations. According to Captain Hahn the program did not fully identify recognizable patterns of conduct.

The New York City Police Department has identified and provided counseling for more than 8,200 officers since 1973 through the department's "Early Intervention Program."¹⁴ While the program appears to be successful due to the significant number of officers provided with counseling, major misconduct still haunts the N.Y.P.D. Systems to root out police corruption were established in 1972 by the Knapp Commission, but the corruption continues. In May, 1992, five N.Y.P.D. officers and one former officer were arrested for drug trafficking by police in Long Island's Suffolk County.¹⁵ New York City Mayor David Dinkins established the Mollen Commission to conduct hearings into how these officers were able to form a "crew" of 15 to 20 officers who, while on duty, stole money and drugs from raids.¹⁶ In September, 1994, 14 additional officers including two sergeants were arrested for drug sales, extortion, and perjury, bringing the total to 29 officers implicated in the 30th Precinct in Harlem.¹⁷

Although these systems help correct some misconduct, the public continues to have its confidence eroded by media reports such as the following headlines: November, 1992,

"Detroit officers charged in black motorist's death;"¹⁸ December, 1993, "Millions of dollars stolen and nineteen deputies convicted;"¹⁹ January, 1994, "Ten-year veteran police officer charged in series of burglaries committed on duty;"²⁰ April, 1994, "An officer collects \$8,000.00 per week in protection money, while another buys four suburban homes and a \$35,000.00 Corvette all on take-home pay of \$400.00 a week;"²¹ June, 1994, "Officer pleads innocent in wife's shooting;"²² July, 1994, "Ex-officer gets 14 years in N.Y. corruption case;"²³ December, 1994, "Officer jailed after killing in Norco;"²⁴ December, 1994, "9 police officers charged in New Orleans scandal."²⁵

More effort must be directed toward early recognition of behavior which may lead to misconduct. The "paramilitary" structure of most police agencies and the "Peace Officer Bill of Rights"²⁶ may slow the development in this area. According to a 1991 Security Management Magazine article, private industry has already recognized the necessity to act early by "recognizing warning signs" and "intervening at an early stage."²⁷

As the future of law enforcement is contemplated, it becomes evident that recent events involving corruption and excessive force cannot be allowed to continue. Research is being conducted to help determine the root causes of the behavior. During the American Psychological Association's 1993 meeting in Toronto, Canada, presentations were made by police psychologists from five major U.S. cities. The speakers provided data which showed that action taken by the first-line supervisor was the most essential ingredient in preventing continued excessive force.²⁸ Dr. Ellen Scrivner completed a project for the National Institute of Justice which reflects data from interviews of sixty-five police psychologists from fifty major departments. This author interviewed Dr. Scrivner and learned that preliminary

data shows that counseling is the most prevalent form of intervention used in dealing with excessive force.²⁹ Based on the surveys, 79% of the police psychologists counsel officers charged with excessive force, while only 23% monitor behavior for identification of precursors to excessive force.³⁰ In order to identify individual officers with a propensity for excessive force, 42% recommended behavioral monitoring systems to detect precursor behaviors, followed by formal evaluations.³¹

Dr. Scrivner presented a report to the National Institute of Justice in April, 1994, entitled: "The Role of Police Psychology in Controlling Excessive Force". The report listed examples of "at risk" or "marker behavior." These included officers acquiring nicknames signifying forceful arrests; an officer's prisoners accumulate injuries; squad concerns develop about an officer getting someone hurt; and an officer's insubordinate behavior begins to increase.³² These "markers", and other behavior come to a supervisor's attention many times before any formal complaints are filed.

This report identified five distinct categories of "at risk" officers involving excessive force. **Chronic risk** - These officers were described as having pervasive and enduring personality traits that are manifested in anti-social, narcissistic, paranoid, or abusive tendencies.³³ **Job-related experience** - These officers had prior involvement with job-related traumatic situations leading to a sense of isolation, burnout, or had Post Traumatic Stress Disorder.³⁴ **Early career stage problems** - These were described as young and inexperienced officers, frequently seen as "hotdogs," "badge happy," or "macho."³⁵ **Patrol style** - These were seen as officers who combined a dominant command presence with a heavy-handed patrol style that was particularly sensitive to challenge and provocation.³⁶

Personal problems - This, the largest group, was made up of officers who experienced personal problems that destabilized their job functioning. They seemed to have a tenuous sense of self-worth and higher levels of anxiety that were well masked.³⁷

The study supports the concept of the development of proactive monitoring to detect "marker behaviors" signifying that problems are brewing long before these problems are flagged by a computer because of several complaints.

Law enforcement agencies utilize a variety of methods to screen candidates prior to employment, including the Minnesota Multiphasic Personality Inventory and the California Psychological Inventory. Although satisfactory as preemployment screening, there is no industry-wide, proven mechanism to significantly identify future misconduct of current employees. Few occupations involve such a high level of stress coupled with a significant amount of responsibility.

Other than law enforcement, only the military has parallels with the risk of being injured or killed and having the potential legitimately, to take a human life. The military, or the Department of Defense, to be specific, views misconduct on the part of their employees as a significant problem. This is evidenced by the fact that no less than sixty-eight research projects have been conducted on the subject since 1987.³⁸ These research projects, according to the Defense Technical Information Center in Alexandria, Virginia, were completed for the U. S. Department of Defense and included issues such as the following: personnel screening, criminality of employees, and security.

The military's primary focus, although similar to law enforcement, is to identify indicators of "betrayal of trust" in order to protect national security. Research into the

motivations of those who committed espionage against the United States has been conducted for over fifty years. According to a 1991 report by T. R. Sarbin on "Domestic Espionage: A Criminological Theory," espionage will probably not be found by examining an individual's preemployment background, since the intent to offend was not present at that time.³⁹ One can make an assumption that those just beginning their career in law enforcement also did not manifest outward tendencies toward misconduct at that point. Those employees with access to "top secret" information are a constant risk if compromised by an outside influence, i.e., money, sex, drugs, or blackmail. A report presented at the first Personnel Security Research Symposium held in Monterey, California, in 1988, stated the increase in documented espionage cases during the 1980's can be traced to a general decline in ethics among businessmen, elected officials, and the general public.⁴⁰

In 1991, researchers Joseph Parker and Martin Wiskoff reported that in attempting to discover the reasons for trust betrayal (espionage), they found behavioral similarities to law enforcement personnel. Mercenary trust violators are likened to blue-collar workers in high-risk occupations.⁴¹ This analogy is supported by the fact that both groups take large risks for relatively small rewards and must demonstrate competence in the performance of their jobs over a period of years. These researchers made specific references to occupational groups, specifically law enforcement and bomb disposal. These individuals have been found to be bright, self-confident, tough, exhibitionistic, and nonconforming. Within this group, violating regulations and some delinquent behavior is normative.⁴²

Research was conducted which focused on the emotional condition and psychological state of mind of the individual at the time of the espionage. According to a paper presented

by George Geiss in 1991 entitled "Trade secret theft as an analog to treason," espionage and trade-secret theft occurred during times of personal or structural discontent and malaise.⁴³ Other researchers found that a feeling of alienation or low self-esteem contributed to their decision to commit treason. Studies to identify patterns of persons involved in "white-collar crimes" have found that the only common personality trait is a lack of self-control or a tendency to seek self-gratification without concern for others.⁴⁴

Several studies have found that patterns of constructs have emerged when researching employee theft or delinquency. A lack of self-control is found to be a predictor of unreliable employee behavior. Elevated tension and anxiety are listed as contributors to employee theft and delinquency. Irresponsibility and lack of conscientiousness contribute to unreliable employee behavior.⁴⁵ Some researchers have stated that individuals who are willing to betray their country would also be prone to engage in betrayal at an interpersonal level (between friends, family, co-workers).

A detailed study by Suzanne Wood and Martin Wiskoff was completed in May of 1992 which analyzed all known Americans who spied against the United States since World War II. Their report reflects an in-depth analysis of 117 individuals who were either convicted or prosecuted for espionage between 1945 and 1990. Over half of the spies were motivated by money as the primary reason. The next largest motivation factor was "disgruntlement or revenge," which became more prevalent in recent years. It was displayed in the forms of disenchantment, extreme unhappiness with people and jobs, bitterness, frustration, disillusionment, and alienation.⁴⁶ These findings are similar to the other studies involving unreliable employee behavior. While the report focuses on security

measures to combat espionage, it does discuss personal characteristics that have a parallel to law enforcement. Approximately 1/3 of the 117 subjects used drugs or alcohol to the extent that these habits were easily discovered. Alcohol abuse has been determined to be closely associated with security-concern offenses, such as crimes against persons and property, financial irresponsibility, personality disorders, and drug abuse.⁴⁷ A significant amount of research has been conducted for the purpose of protecting national security by attempting to identify indicators of trust betrayal or espionage.

Research must be conducted to determine what methods can be used to identify precursors to misconduct and, then, what proactive intervention systems can be found. When identified, these precursors, or "red flags," should be verified by research and developed into a system that would trigger the appropriate type of corrective intervention.

The author met with a focus group to determine the issue and sub-issues. The group included; Eric Gruver, PhD in Psychology; Captain Bill Mamelli, Huntington Beach Police Department; and Lieutenant Tony Sollecito, Huntington Beach Police Department. To assist in the analysis of the issue question, a Futures Wheel (Illustration 1, page 15) was developed by the author with the assistance of the focus group. The Futures Wheel is presented to furnish the reader with an illustration to visualize the relevance of the sub-issues to the issue question.

The following issue was identified as a significant future concern to California law enforcement during the next decade.

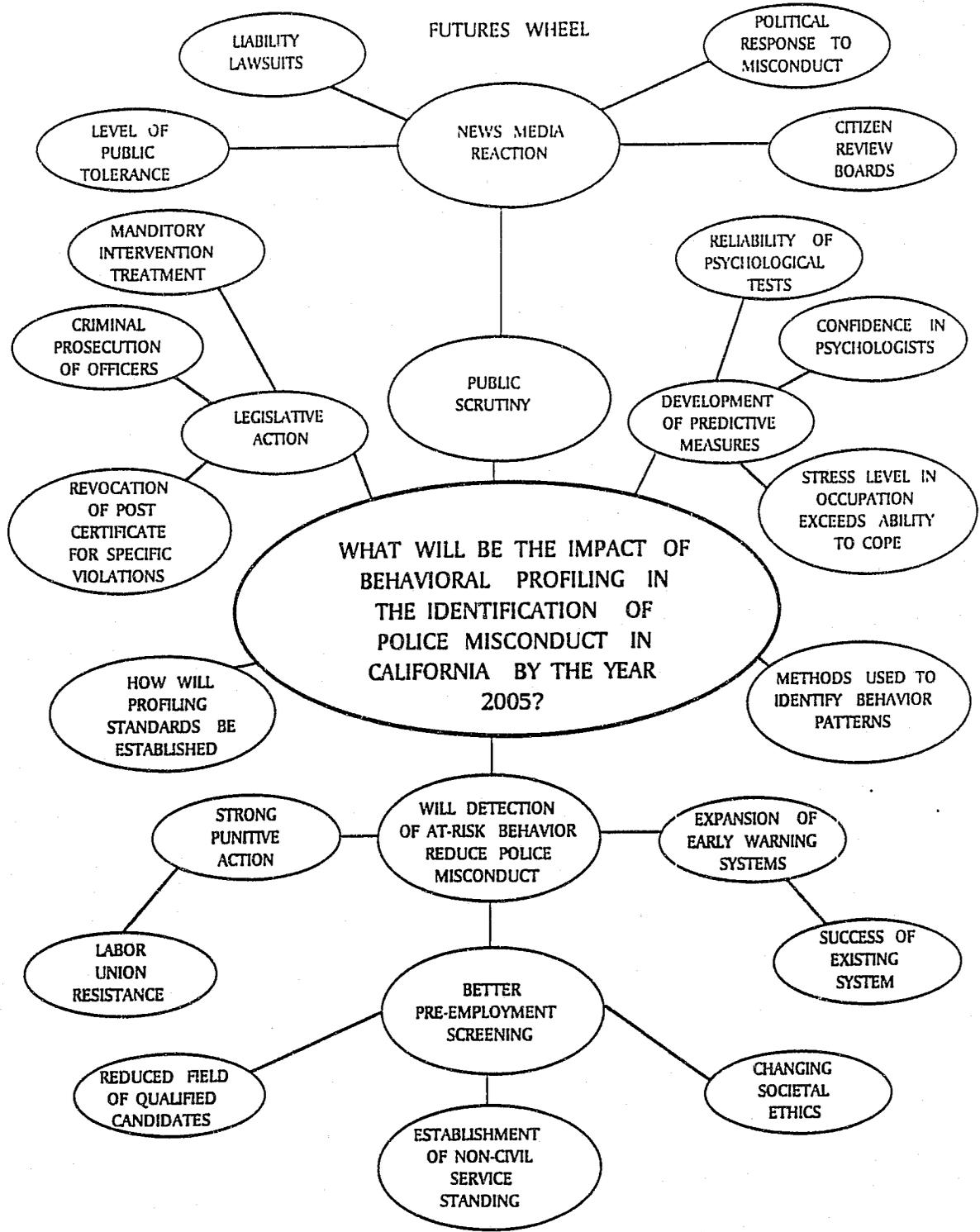
I. THE ISSUE:

What will be the impact of behavioral profiling in the identification of police misconduct in California by the year 2005?

II. SUB-ISSUES:

- 1. What methods will be used to identify behavior patterns related to police misconduct?**
- 2. How will behavioral profiling standards be established or adopted?**
- 3. Will early detection of "at risk" behavior patterns reduce police misconduct?**

ILLUSTRATION 1
FUTURES WHEEL



Section II

FUTURES STUDY

PURPOSE

The intent of the futures study is to clarify a vision of what the future might be in ten years. This is achieved by a methodical approach to define the future within the context of the project issue:

**"What will be the impact of behavioral
profiling in the identification of
police misconduct in California
by the year 2005?"**

SCANNING PROCESS

The scanning process consisted of three phases: a literature search, personal interviews, and the development of a futures file. This provided the author with the majority of the data discussed in the introduction. This data was also used to identify and further clarify the issue and demonstrate the need for the study.

NOMINAL GROUP TECHNIQUE

The Nominal Group Technique (NGT) is a process by which a panel is formed to "brainstorm" the issue and to develop a list of trends and events for future forecasting. Seventeen individuals were invited to participate on the panel. The panel consisted of the following professionals:

1. Eric Gruver, Ph.D. in Psychology

Dr. Gruver is a police psychologist for a number of law enforcement agencies in southern California. He has been a practicing psychologist and lecturer for over 17 years.

2. Michael Corcoran, Ph.D. in Behavioral Sciences

Dr. Corcoran is a Threat Assessment Specialist. He is a police officer with the Huntington Beach Police Department with over 25 years in law enforcement. Dr. Corcoran is in charge of the Hostage Negotiating Team.

3. Michael Hyams, Ph.D. in Psychology, Juris Doctorate

Dr. Hyams is a police sergeant with the Newport Beach Police Department. He has over 19 years in law enforcement and is a well-published author.

4. Edward McErlain, M.S. in Management

Mr. McErlain is a Captain with the Huntington Beach Police Department with over 25 years in law enforcement. Captain McErlain is a POST Command College graduate.

5. Roger Baker, M.S. in Psychology

Mr. Baker is a Captain with the Anaheim Police Department with over 25 years in law enforcement. Captain Baker is a graduate of the F.B.I. National Academy.

6. John Lane, M.S. in Public Administration

Mr. Lane is a Lieutenant with the Los Angeles Police Department with over 22 years in law enforcement. Lieutenant Lane is in charge of the Threat Management Unit.

7. Bill Sage, Juris Doctorate

Mr. Sage is the Legal Advisor to the Huntington Beach Police Department and is a Deputy City Attorney. He has over 25 years' combined experience as a Deputy District Attorney, Deputy City Attorney, and attorney in private practice.

8. Rod Gillman, B.S. in Criminal Justice Administration

Mr. Gillman is a Captain with the Fountain Valley Police Department with over 25 years in law enforcement. Captain Gillman is a graduate of the F.B.I. National Academy.

9. Timin Browne, B.A.

Mr. Browne is a Lieutenant with the Orange Police Department with over 24 years in law enforcement. Lieutenant Browne has extensive experience in Internal Affairs investigations, and lectures on the subject at Chapman University.

10. Art Droz, Juris Doctorate

Mr. Droz is an officer with the Huntington Beach Police Department with over 25 years in law enforcement. Officer Droz is a member of the state bar and a practicing attorney.

11. Richard Wright, B.S. in Criminal Justice

Mr. Wright is an officer with the Huntington Beach Police Department with over 20 years in law enforcement. Officer Wright is currently the President of the Huntington Beach Police Officers' Association and has extensive experience in labor relations.

Each panel member was personally invited by the author and was advised of the process to be used. Prior to the NGT panel being convened, each member was sent a letter

which provided him with the issue and sub-issues, a definition of "trends" and "events," and asked that he be prepared to contribute at least 3 trends and 3 events.

The NGT panel met at the Huntington Beach Civic Center. A Command College classmate and two civilian employees assisted the author with the process. After all panel members were introduced, the author provided an overview of the research project, including the background data. The issue was printed on a poster-size document and placed on the wall in front of the panel for easy review. To further clarify the issue for the panel, behavioral profiling was defined as "the concept of attempting to identify reasons or causes for certain displayed actions or patterns of actions." This was also placed in front of the panel for review. A trend was defined as "a series of events that are related, occur over time, and can be forecasted." An event was defined as "a discrete, one-time occurrence that can have an impact on the issue." These definitions were also placed in front of the panel.

The author explained to the panel the NGT process and the modified Delphi technique which was to follow. Each panel member was supplied with a note pad, all voting forms, trend forecasting graphs, and event evaluation forms.

TREND IDENTIFICATION

The panel was informed that the initial goal was to identify the "top" 10 trends. The panelists were then asked to individually and silently generate potential trends which were the most descriptive of the issue. A total of 45 trends were identified (Appendix B). After

a period of discussion in an effort to refine the list, the panelists were asked to vote for the top 20 events that were the most descriptive.

A final vote was taken which produced the following "top" 10 trends:

Trend #1 - Number of citizen complaints filed against officers in California for misconduct. This includes all citizen complaints for criminal and non-criminal conduct reported to the California Department of Justice as required by California Penal Code Section 832.5.

Trend #2 - Number of sustained criminal complaints against officers in California. This includes all criminal complaints sustained against peace officers according to the California Department of Justice.

Trend #3 - Predictive ability of psychological tests. This relates to the level of accuracy, reliability, and predictive ability of standardized psychological tests utilized by the professional psychological community to test or predict behavior.

Trend #4 - Acceptance of equality regarding gender, race, and sexual orientation. This relates to the acceptance or lack of prejudice against other persons based on their gender, race, or sexual orientation by society, but specifically the law enforcement community. Demonstrated prejudice against any members of these groups can increase instances of misconduct.

- Trend #5 - **Number of civil liability lawsuits filed against officers.** This includes civil legal actions filed against police officers and/or their departments for intentional acts or negligence.
- Trend #6 - **Public tolerance of police misconduct.** This relates to the general acceptance or lack of acceptance by the public of police misconduct.
- Trend #7 - **Availability of qualified candidates to enter law enforcement.** This includes the size of the pool of candidates interested in a career in law enforcement as well as the number of persons suitable to be law enforcement officers.
- Trend #8 - **Scrutiny of officers' off-duty conduct.** This involves the level of concern or monitoring of police officers' off-duty behavior by the public and by the department.
- Trend #9 - **Number of civilian review boards.** This includes the number of departments that utilize civilian review, as opposed to police management, to have authority over final disciplinary action.
- Trend #10 - **Number of officers receiving stress-related retirements.** This includes officers who receive an industrial disability retirement caused by single-incident trauma or by extended-period job-related psychological pressure.

EVENT IDENTIFICATION

The panelists were then asked to individually generate a list of events which would have the most impact on the issue. The panel produced a total of 30 events (Appendix B). The events were listed on flip charts for review and discussion. After two rounds of voting, the following list of the "top" 10 events was produced:

- Event #1 - **The repeal of California Government Code Section 3300-3311, commonly known as the "Peace Officers Bill of Rights."** This act provides for guaranteed rights to officers who are under investigation and are being interviewed. It includes the rights to representation, to tape-record the interview and to know the identity of the interrogators.
- Event #2 - **Periodic psychological testing of officers mandated by law.** This event is a law which requires police officers to submit to annual psychological testing in order to determine any evidence of significant unsuitability.
- Event #3 - **Discovery of a major "cover-up" of police misconduct.** This event is a discovery that an organized cover-up occurred in order to hide the facts surrounding an incident of significant misconduct.
- Event #4 - **Vigilante incident committed by off-duty officers.** This is an incident of illegal activity committed by several police officers, while off-duty due to frustration over the criminal justice system.

Event #5 - Major labor unions organize police within California into one association. This involves the major police labor unions joining together into a statewide association. This could lead to more legal protections for officers and thus, more difficulty in taking action against officers.

Event #6 - Genetic test developed that conclusively predicts "deviant" behavior. This event is the development of a genetic test which identifies a specific gene that can conclusively predict certain behavior which includes that which is not desired in law enforcement officers.

Event #7 - Complete privatization of a police department. This involves a law enforcement agency contracting out for all law enforcement services to private-sector companies. Employees in this "civilian" capacity would lack the legal protections guaranteed police officers under the law.

Event #8 - Mandatory civilian review of police misconduct. This event is a statute requiring some type of civilian review of all sustained police misconduct.

Event #9 - Civil lawsuit judgement bankrupts city. This event is an incident where a civil lawsuit involving police misconduct or negligence ends in a judgement which causes the municipality to declare bankruptcy.

Event #10 - Law enacted mandating those identified as "problem officers" to receive treatment. This is a law which requires police officers who are identified through a proven testing process to submit to a corrective treatment program, either in lieu of discipline or in addition to discipline.

TREND FORECASTING

The next step in the process was to conduct future "forecasting" of each trend by use of a modified Delphi technique.⁴⁷ Each panel member was provided with 10 graphs to use in forecasting. A sample graph was shown with numerical numbering on the left from 0 to 300 with a level of 100 indicating "today." The bottom of the graph reflected time in 5-year increments from -20 (20 years ago) through +20 (20 years in the future). In the center of the time line was "today." Each panelist was asked to forecast where he thought the trend was 5 years ago, where it will be 5 years from today, and where it will be 10 years from today. A sample graph, labeled #A, was provided to each panelist which recorded the number of citizen complaints filed in California during the preceding 10-year period (Appendix D).

TABLE 1 contains the results of the trend forecasting and displays the low, median, and high responses. Each trend statement is listed along the left-hand side in an abbreviated fashion. The column under "1990" reflects what the panel felt the level of the trend was 5 years ago from today. Trends #1 and #2 actually show the level of the trend in 1990 according to the California Department of Justice statistics. The column "1995" reflects the level of the trend, today. Columns "2000" and "2005" list numbers reflecting the high, medium, and low pane estimates of the trend for 5 years, and 10 years from today.

TABLE 1

TREND EVALUATION

LEVEL OF TREND

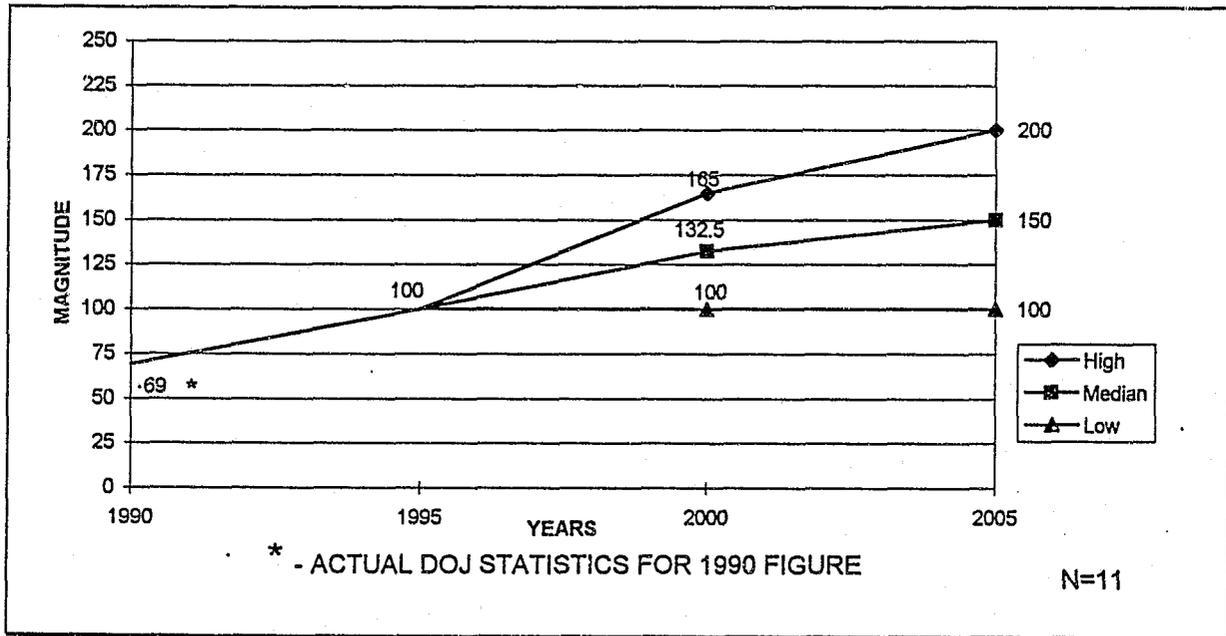
Today = 100

TREND STATEMENT (Abbreviated)	1990	1995	2000	2005
* #1 Number of citizen complaints	69	100	H 165 M 132.5 L 100	H 200 M 150 L 100
* #2 Sustained criminal complaints	51	100	H 170 M 135 L 80	H 200 M 157.5 L 90
#3 Predictive ability of tests	H 100 M 75 L 25	100	H 200 M 125 L 100	H 225 M 137.5 L 100
#4 Acceptance of equality	H 100 M 55 L 10	100	H 160 M 125 L 80	H 215 M 150 L 50
#5 Number of civil lawsuits	H 120 M 67.5 L 50	100	H 160 M 135 L 110	H 210 M 155 L 115
#6 Public tolerance of misconduct	H 150 M 135 L 80	100	H 125 M 75 L 50	H 150 M 50 L 35
#7 Availability of candidates	H 150 M 110 L 100	100	H 125 M 87.5 L 50	H 150 M 67.5 L 30
#8 Scrutiny of off-duty conduct	H 150 M 87.5 L 50	100	H 175 M 120 L 70	H 200 M 105 L 50
#9 Number of civilian review boards	H 100 M 50 L 10	100	H 150 M 135 L 100	H 200 M 160 L 100
#10 Number of stress retirements	H 150 M 87.5 L 50	100	H 150 M 105 L 70	H 150 M 105 L 40

N = 11 * Actual DOJ data

TREND #1

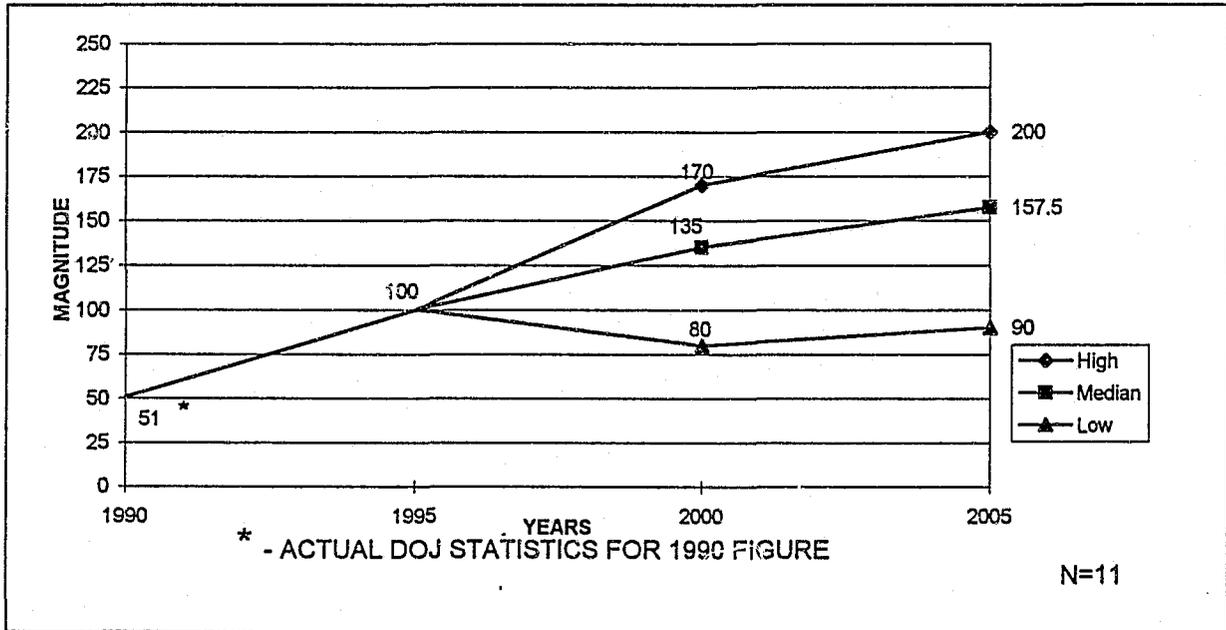
CITIZEN COMPLAINTS FILED AGAINST OFFICERS IN CALIFORNIA FOR MISCONDUCT



The majority of the panelists felt that the number of citizen complaints against officers would increase approximately 32% over the next 5 years and approximately 50% over the next 10 years. The increase would likely be caused by the increased scrutiny of the public and by law enforcement leaders in the area of misconduct. The California Department of Justice data³⁸, reflects a 45% increase over the past decade (Appendix D). After factoring in the 9.8% increase in peace officer personnel³⁹, the true increase would be 35.67%.

TREND #2

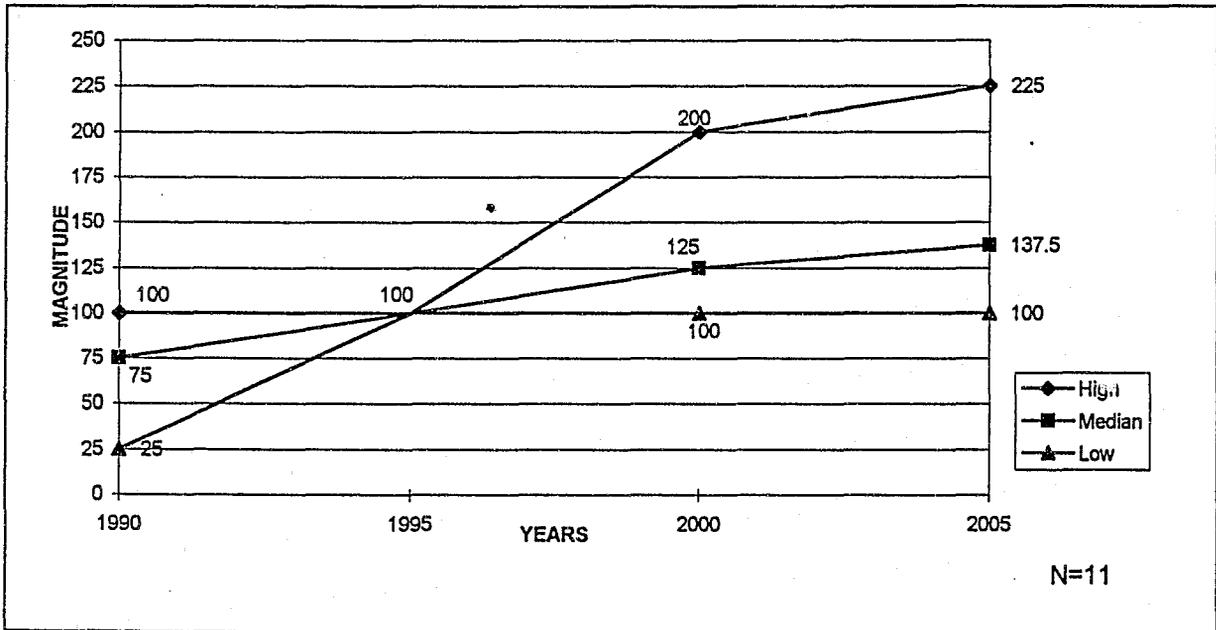
SUSTAINED CRIMINAL COMPLAINTS AGAINST OFFICERS IN CALIFORNIA



The panel felt there would be an increase in the number of criminal complaints sustained against police officers. There are a number of reasons supporting this trend, including changing societal ethics, increased drug use by the general public, and higher pressures of the occupation. California Department of Justice statistics reflect a 95% increase in sustained criminal complaints for the past decade⁴⁰ (Appendix E).

TREND #3

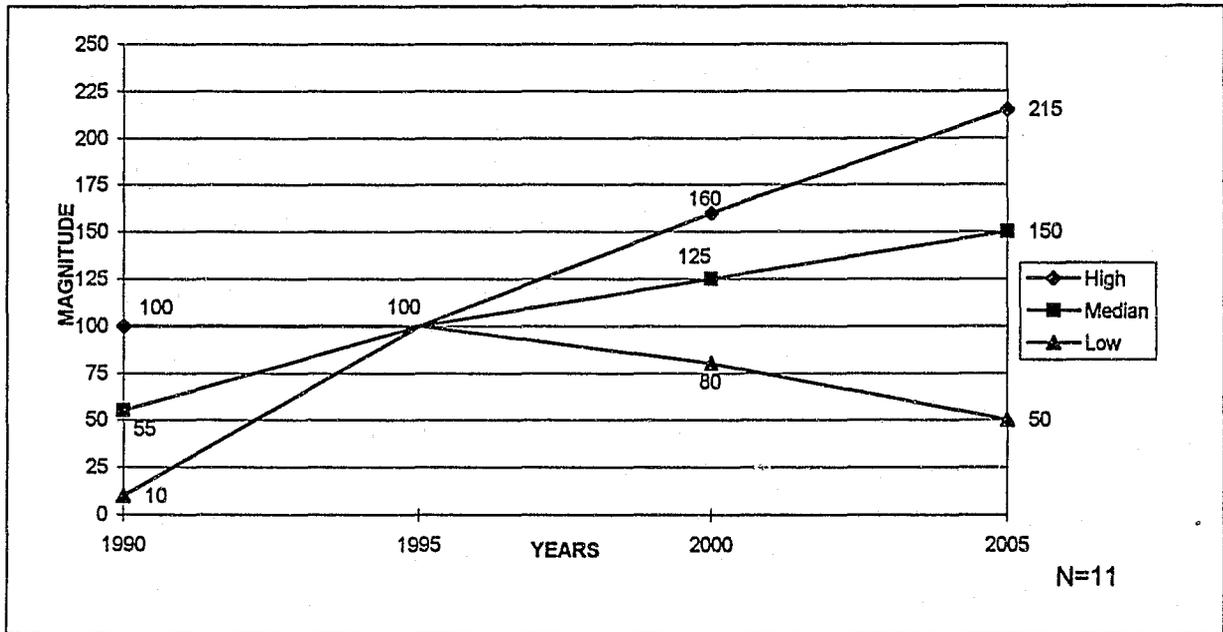
PREDICTIVE ABILITY OF PSYCHOLOGICAL TESTS



The panel believes the predictive ability of psychological tests will increase approximately 25% in the next 5-year period and 37% during the next decade. This will occur mainly due to continued research and testing of the instruments used to predict behavior. Other factors are the continued training in the procedures, expansion of their use, and the constant refinement of the testing instruments.

TREND #4

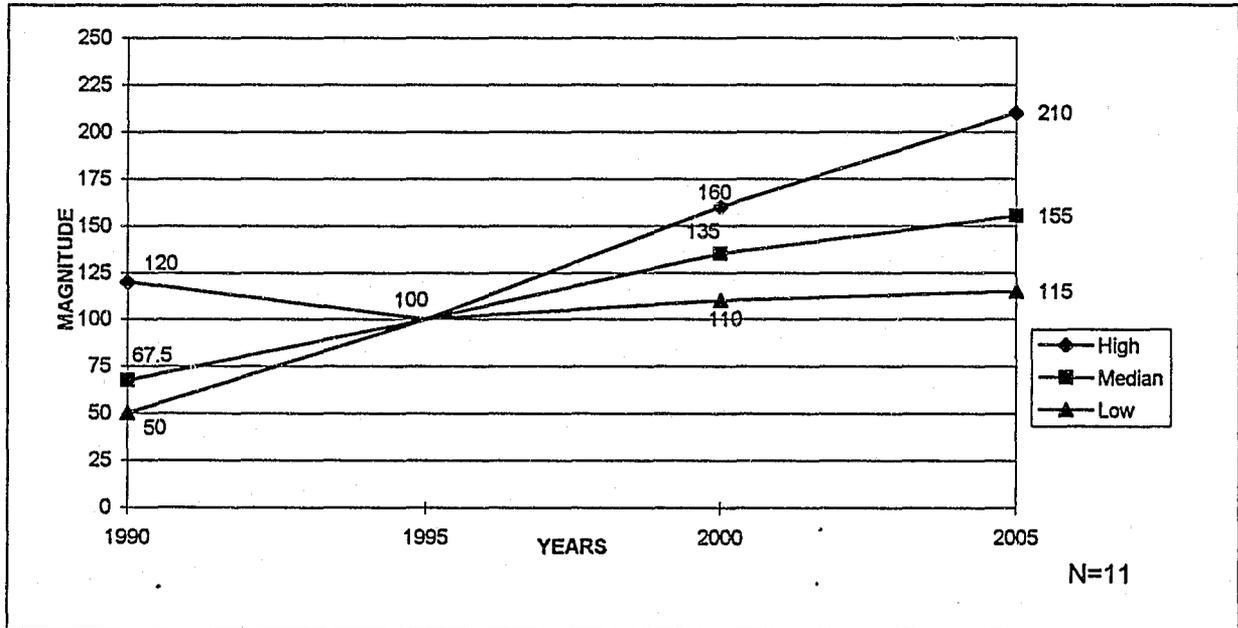
ACCEPTANCE OF EQUALITY REGARDING GENDER, RACE, AND SEXUAL ORIENTATION



The panel felt that the sensitivity of officers to others is critical, especially as it relates to one's gender, ethnicity, or sexual orientation. The panel believed this "level of acceptance" has increased by approximately 45% over the preceding 5-year period. This change in acceptance can be partly attributed to increased cultural diversity in the community as well as the labor force, training in the area of human relations and sexual harassment, and a decrease in homophobia. The panel feels this will continue over the next decade (median increase of 25% and 50%).

TREND #5

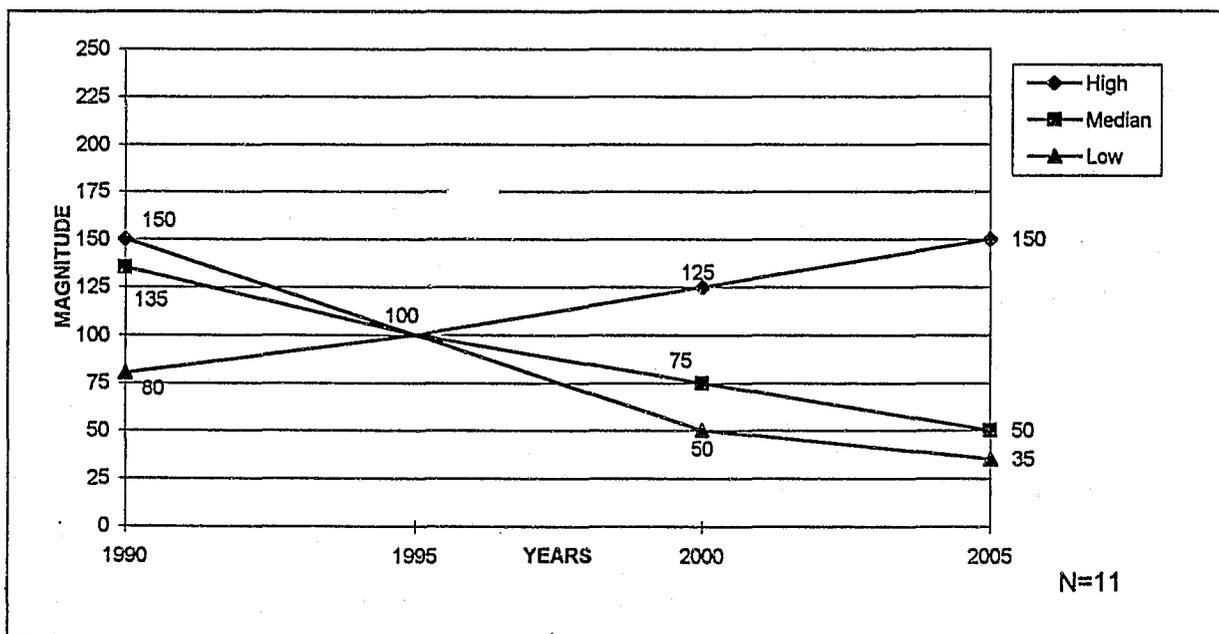
CIVIL LIABILITY LAWSUITS FILED AGAINST OFFICERS



The consensus of the panel was that this trend has increased and will continue to increase over the next decade. The panel included two practicing attorneys who possessed personal insight into the issue. The trend will continue to be a method or "vehicle" by which citizens can address their dissatisfaction with police misconduct. In view of our litigious society, this trend may continue and go unanswered until some significant changes are made.

TREND #6

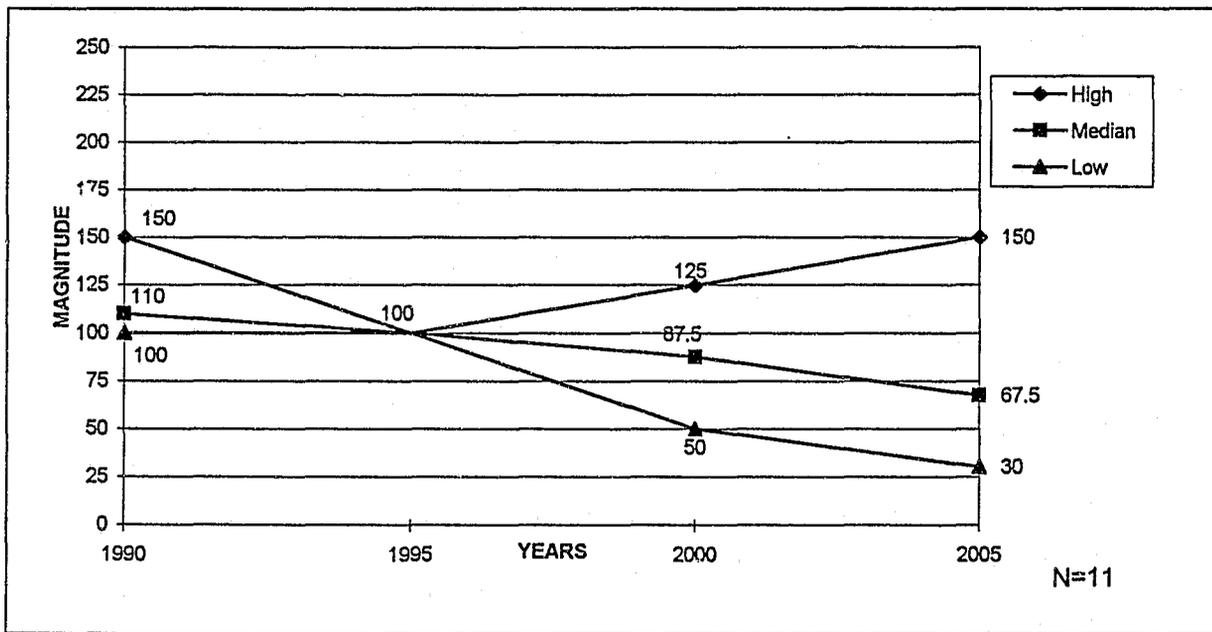
PUBLIC TOLERANCE OF POLICE MISCONDUCT



The panel suggested that the public's tolerance of police misconduct has declined and will continue to do so over the next 10 years; however, 2 panel members thought it would increase during the next 5 years. These panelists felt that the public's dissatisfaction with the criminal justice system would reverse their tolerance level. Recent media coverage of corruption and other criminal activity committed by police officers has focused the public's attention on the issue. While the public may have been more tolerant in the past of minor misconduct, it now expects more professional behavior. Recent legislative bills which have been drafted to link criminal sanctions with excessive force are an indicator of this trend.

TREND #7

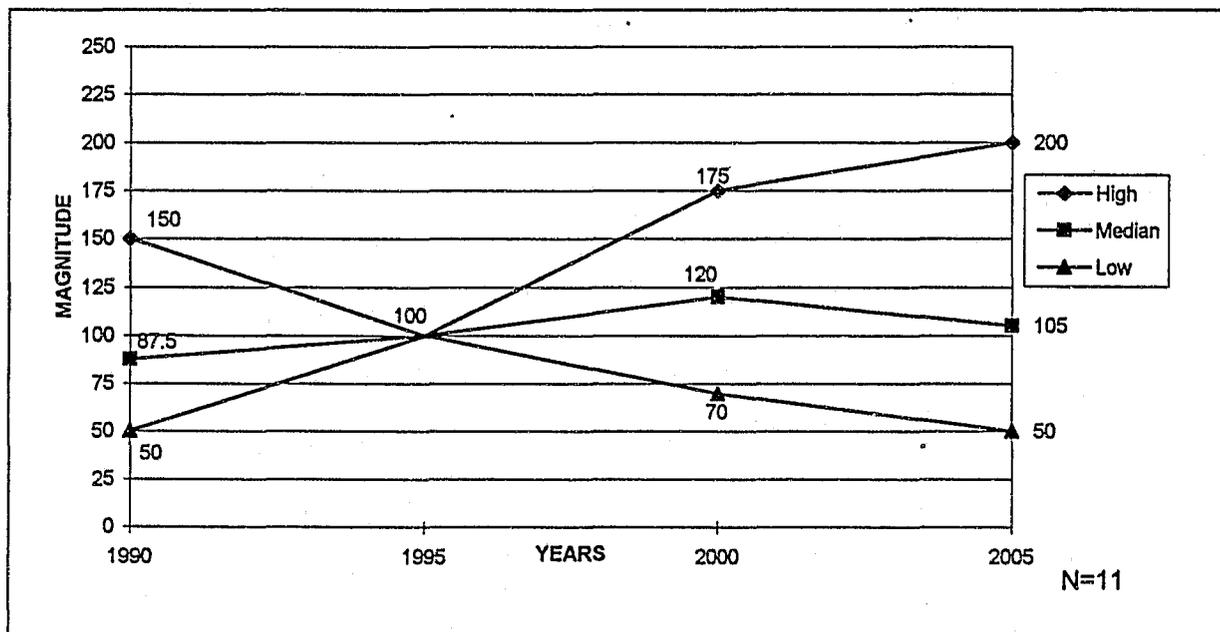
AVAILABILITY OF QUALIFIED CANDIDATES TO ENTER LAW ENFORCEMENT



The majority of the panel felt that the number of "qualified" candidates available to enter law enforcement has diminished and would continue to decline, while 2 members felt the availability would improve between 2000 and 2005. The complexity of the job has required that the screening process become even more restrictive. The difficulty of the job has caused some to reconsider their desire to enter such a dangerous and stressful occupation. Many factors enter into this pattern, including the general lack of military experience, the overall lack of "life experience," and the changing work ethic.

TREND #8

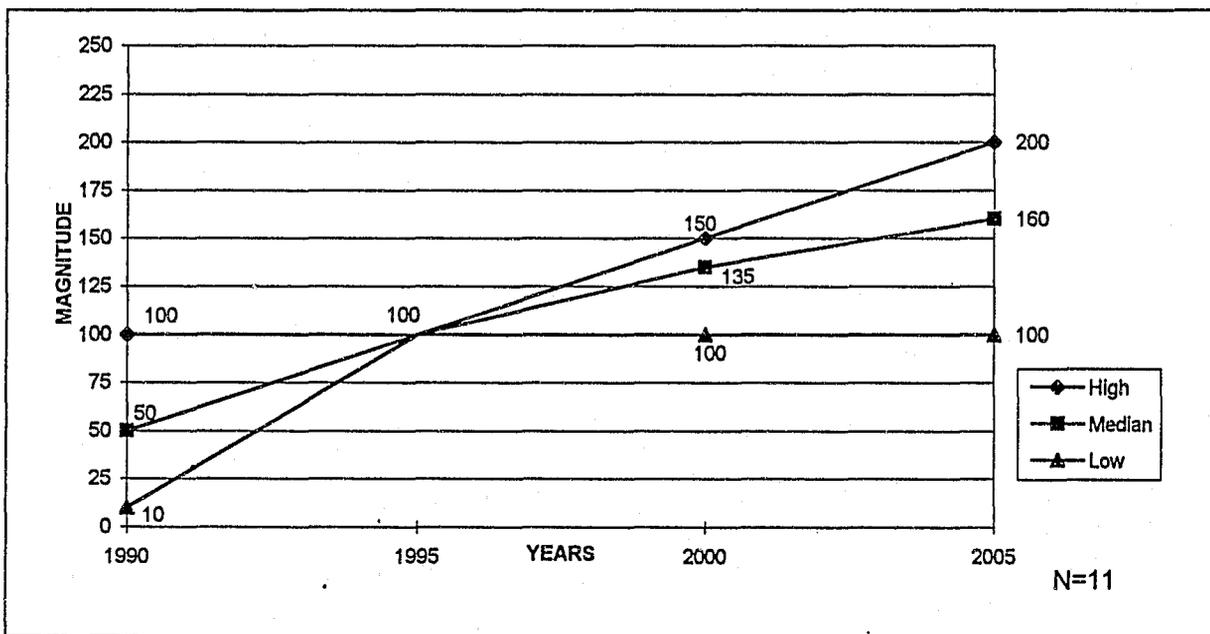
SCRUTINY OF OFFICERS' OFF-DUTY CONDUCT



The panel's opinion was split at the 10-year point. One-half believed it would return to the 1995 level due to improved behavior on the part of officers, while the others felt the scrutiny would continue to increase. The pendulum regarding the scrutiny of officers' off-duty conduct has swung back and forth over the past twenty years. The trend shifted from a significant involvement in officers' personal lives to one of less concern due to increased privacy issues. The panel felt that agencies now are placing more emphasis on off-duty conduct if it causes a negative impact on on-duty performance. The issue is paradoxical in nature. As society desires less constraint on their personal lives, they want more scrutiny of police officers' behavior, both on and off duty.

TREND #9

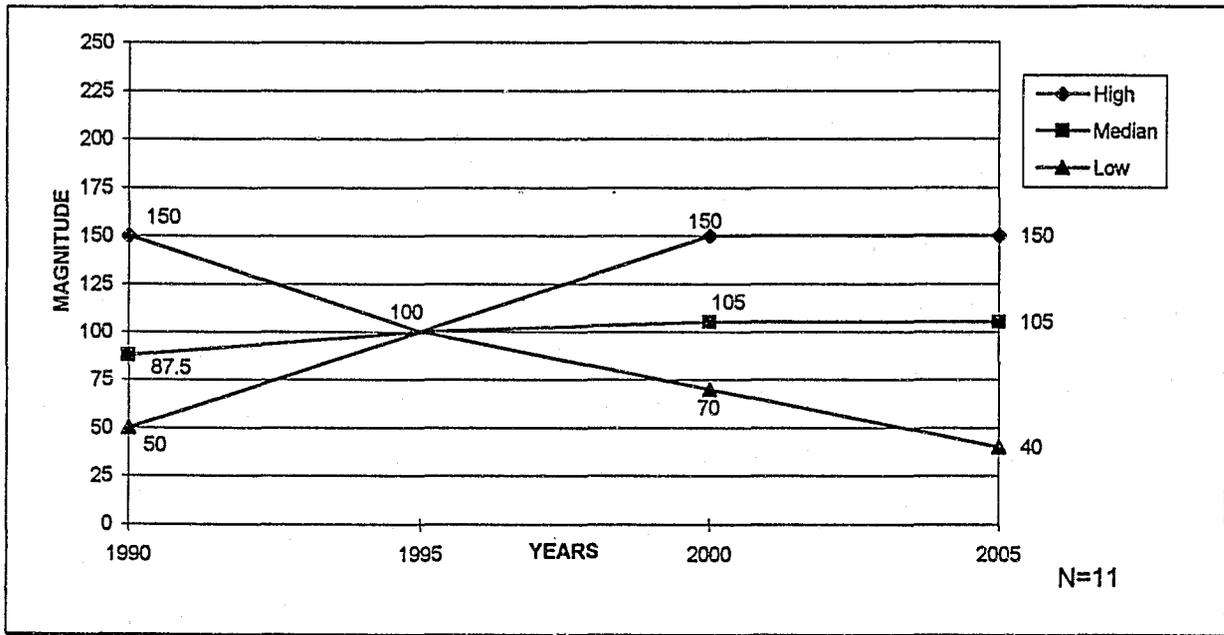
CIVILIAN REVIEW BOARDS



While civilian review boards exist in several cities, the panel believed that the trend will continue over the next decade. The failure of some agencies to "police" their own, to control inappropriate behavior, and to reduce abuses of power has fueled the effort to place civilians in overall review of police misconduct. The panel suggested this trend will increase significantly over the next 5 years and then decline to a slower growth rate.

TREND #10

NUMBER OF OFFICERS RECEIVING STRESS-RELATED RETIREMENTS



The consensus of the panel was that the number of officers receiving stress-related or industrial-disability retirements would increase by only approximately 5% over the next 5-year period and then level off. While demands placed on officers, both physical and psychological, are tremendous, changes in training methods and workers' compensation provisions will have an effect.

EVENT FORECASTING

The final step in the Delphi process was to conduct future forecasting of the selected events. Each panel member was provided with an Event Evaluation Form. The panelists were asked to individually "forecast" the number of years until the event first occurs, the probability that the event will occur in the next 5-year and 10-year periods, and both the positive and negative impact on the issue, if the event occurred.

The following graphs reflect the analysis of each event and include the "Maximum": the time when the event first occurs, the probability level of the event occurring at 5 years, and level of probability at 10 years. The "Average" is simply the average of the panel's forecasting of when the event will occur, the level of probability at 5 years, and the probability at 10 years. The "Minimum" is the latest forecast of the event occurring and the lowest probability at 5 and 10 years.

TABLE 2 contains the results of the event forecasting and displays the panel average for all ten events. The table lists the 10 events in abbreviated fashion along the left-hand side. The next column lists the average number of years from today the panel felt that the event would occur. The next column reflects the probability, from 0% to 100%, that the event would occur 5 years from today, and again at 10 years from today. For example, Event #4 "Vigilante act committed by officers" indicates that the panel felt that the event would occur 3.6 years from today, only have a 43% chance of occurring in 5 years but have a 70.4% chance in 10 years. The last column lists the positive and negative impact of the event on the main issue.

TABLE 2

EVENT EVALUATION FORM
(All figures are panel average)

EVENT NUMBER AND STATEMENT	NUMBER OF YEARS UNTIL EVENT FIRST OCCURS	PROB. AT		IMPACT ON THE ISSUE	
		5 YR.	10 YR.	POS	+NEG -
#1 Repeal Bill of Rights	8	11.5	18.5	2.2	6.1
#2 Mandated Psych. Test	4.4	48	73.5	8.1	2.2
#3 Cover-up of Misconduct	2.9	66	82.9	4.3	4.3
#4 Vigilante Act by Officers	3.6	43	70.4	3.3	3.2
#5 Statewide Labor Union	6.1	15.5	38	2.1	7.8
#6 Genetic Test Developed	4.8	20	40	5.5	2.5
#7 Privatization of P.D.	4.9	21	39	2.7	5.2
#8 Mandatory Civ. Review	4.4	44.5	65	4.5	2.9
#9 Lawsuit Bankrupts City	2.8	70.5	88.4	5.5	2.3
#10 Mandatory Treatment	3.9	44	77	7.9	1.8

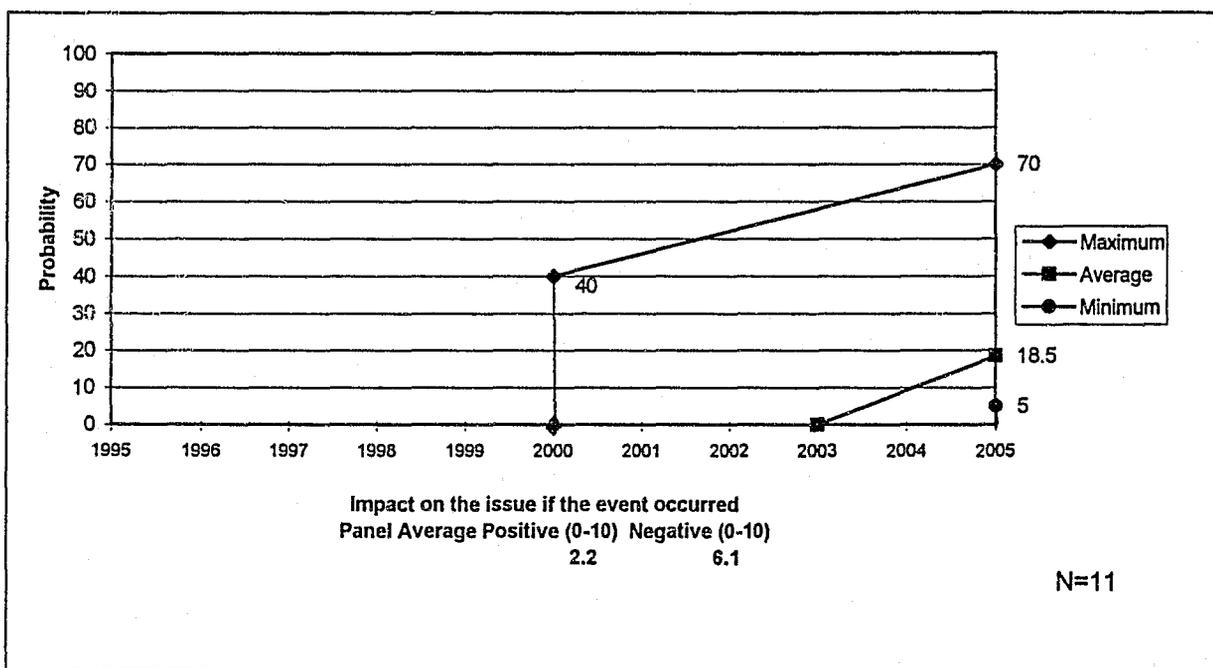
N = 11

EVENT #1

THE REPEAL OF CALIFORNIA GOVERNMENT CODE SECTION

3300-3311, COMMONLY KNOWN AS THE

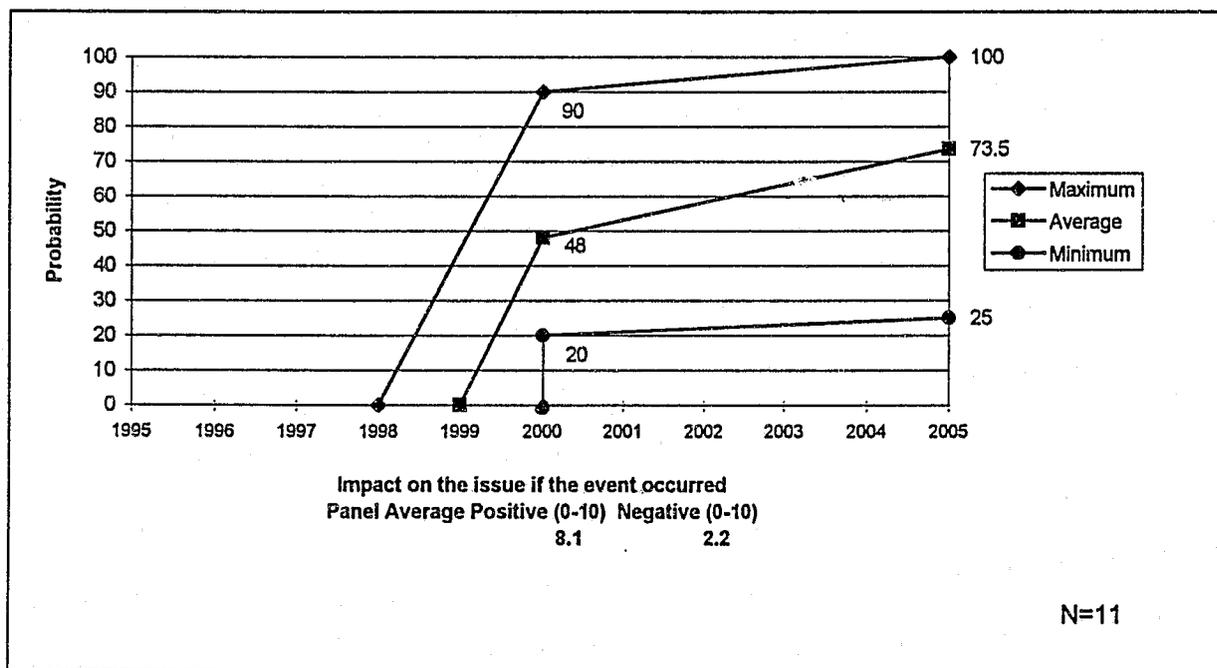
"PEACE OFFICERS BILL OF RIGHTS"



The majority of the panel felt this event would not occur for at least 10 years, if at all. Only 3 members believed it might occur at 5 years and no sooner. The consensus was that the event would have a negative impact on the issue.

EVENT #2

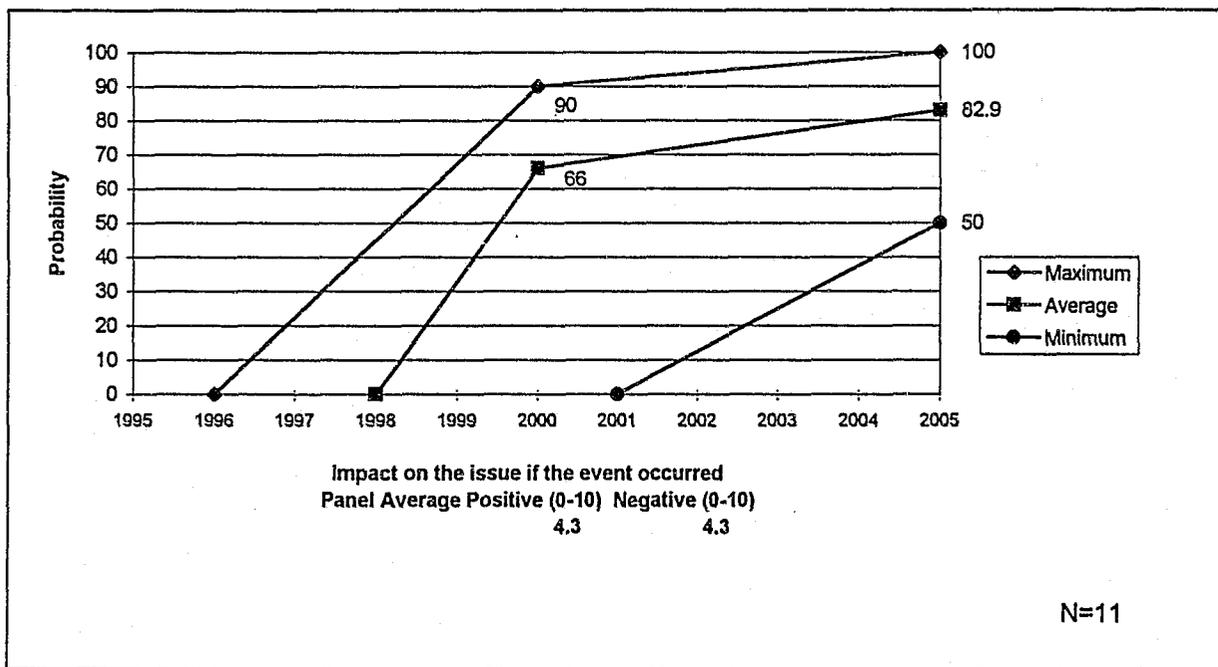
PERIODIC PSYCHOLOGICAL TESTING OF OFFICERS MANDATED BY LAW



The panel believed this event would occur within 3 to 5 years. The average probability is indicated at 48% in 5 years and 73.5% in 10 years, which reflects some confidence in the event occurring. This response by the panel demonstrates their position that advancements will be made in the accuracy and acceptance of psychological testing. The panel believed the impact of the event on the issue was more positive (8.1) compared to negative (2.2).

EVENT #3

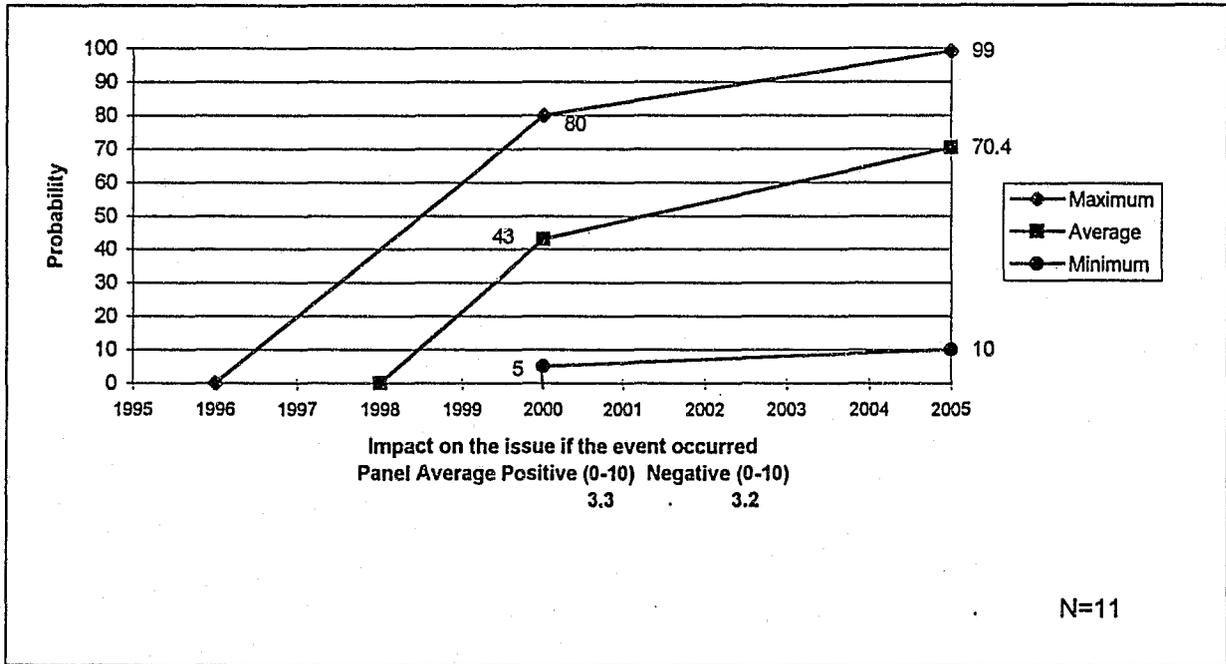
DISCOVERY OF A MAJOR "COVER-UP" OF POLICE MISCONDUCT



The panel suggested that this event would occur as early as 1 year, with a probability of 90% at 5 and 100% at 10 years (Maximum). The average forecast has it occurring in 2.9 years with a probability of 66% at 5 years and 82.9% at 10 years (Average). Although the average positive impact and negative impact are the same, some panelists felt it would have a 100% negative impact and others felt it would have a 100% positive impact on the issue. Some believed this event could trigger aggressive action in the monitoring of behavior.

EVENT #4

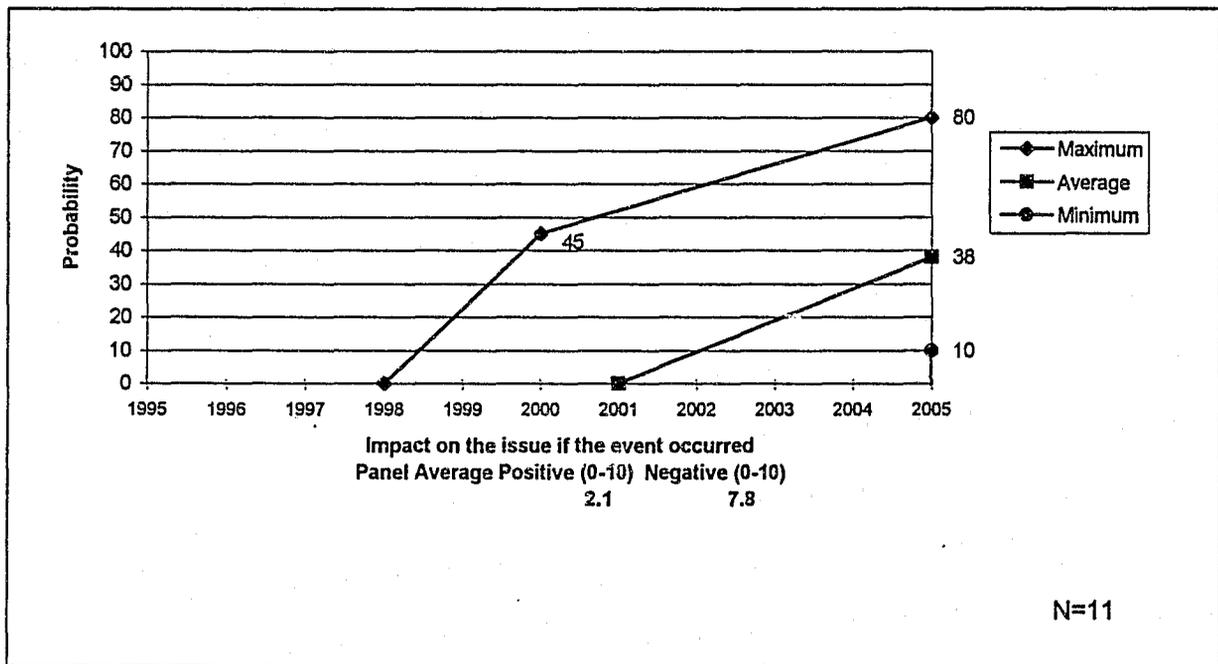
VIGILANTE INCIDENT COMMITTED BY OFF-DUTY OFFICERS



This event was thought to include an act of violence, outside of legal process, committed by a group of off-duty police officers due to continued frustration with the criminal justice system. The "Maximum" indicates the event occurring at 1 year, with a probability of 80% at 5 years and 99% at 10 years. The "Average" has it occurring in 3.6 years with a 43% probability at 5 years and a 70.4% at 10 years. The "Minimum" reflects an occurrence in 5 years with only a 5% chance, and a 10% chance at 10 years. Similar to Event #3, there was a disparity of opinion in the type of impact on the issue. Two panelists felt it would have a 10 (100%) negative impact and 0% positive, while one panelist felt it would have a 10 (100%) positive impact and 0% negative.

EVENT #5

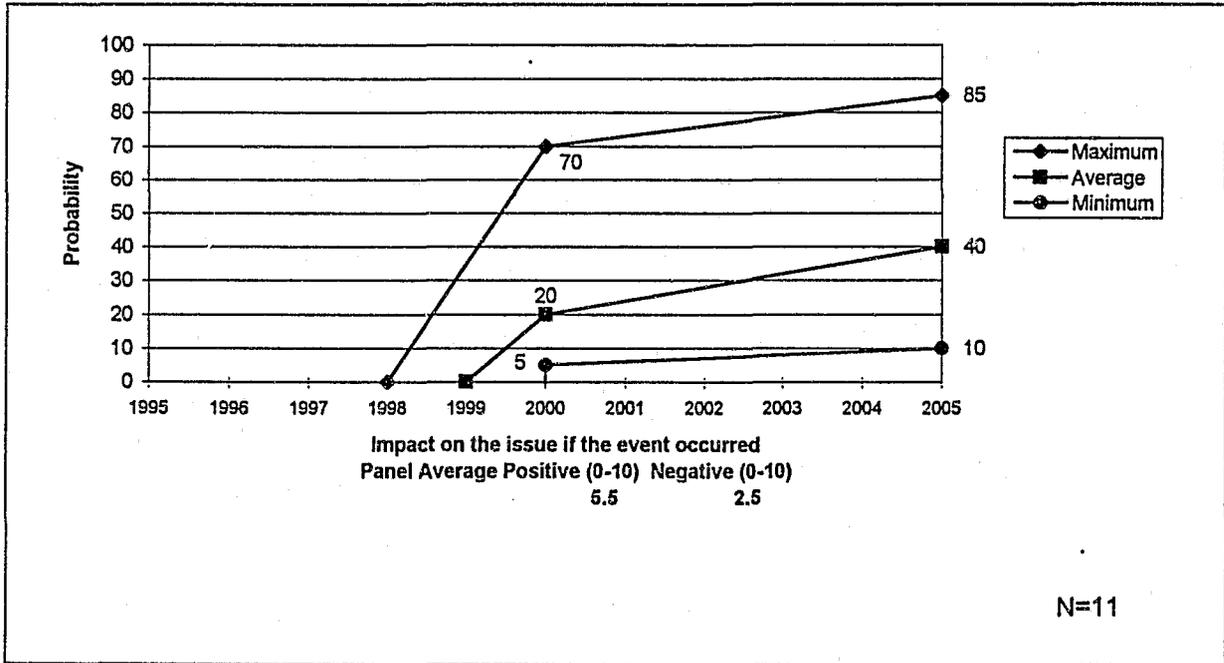
MAJOR LABOR UNIONS ORGANIZE POLICE WITHIN CALIFORNIA INTO ONE ASSOCIATION



As indicated on the graph, the "Average" shows the event with only a 15.5% probability at 6.1 years and only a 38% at 10 years. Two panel members felt it would occur as early as 3 years and have a 45% probability at 5 years, rising to 80% at 10 years. A few (as indicated by "Minimum") believed it would not occur for 10 years and then only have a 10% chance. The majority of the panelists suggested that the event would have a negative impact on the issue, mainly due to potential organized resistance to behavioral monitoring.

EVENT #6

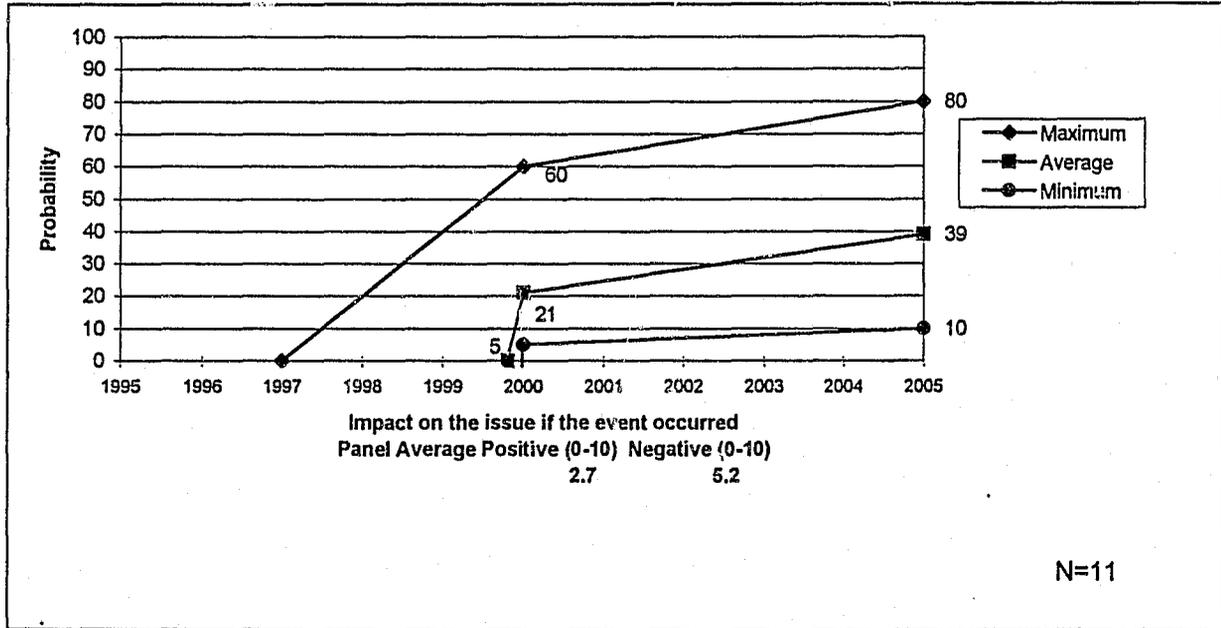
GENETIC TEST DEVELOPED THAT CONCLUSIVELY PREDICTS "DEVIANT" BEHAVIOR



There was a strong consensus within the panel that this event would occur between 3 and 5 years, as indicated on the graph. The average probability of only 20% at 5 years and of 40% at 10 years demonstrates that the panel believes the actual development of this test, although a major breakthrough, has only a limited chance of occurring. The panel felt the impact on the issue would be more positive (5.5) than negative (2.5).

EVENT #7

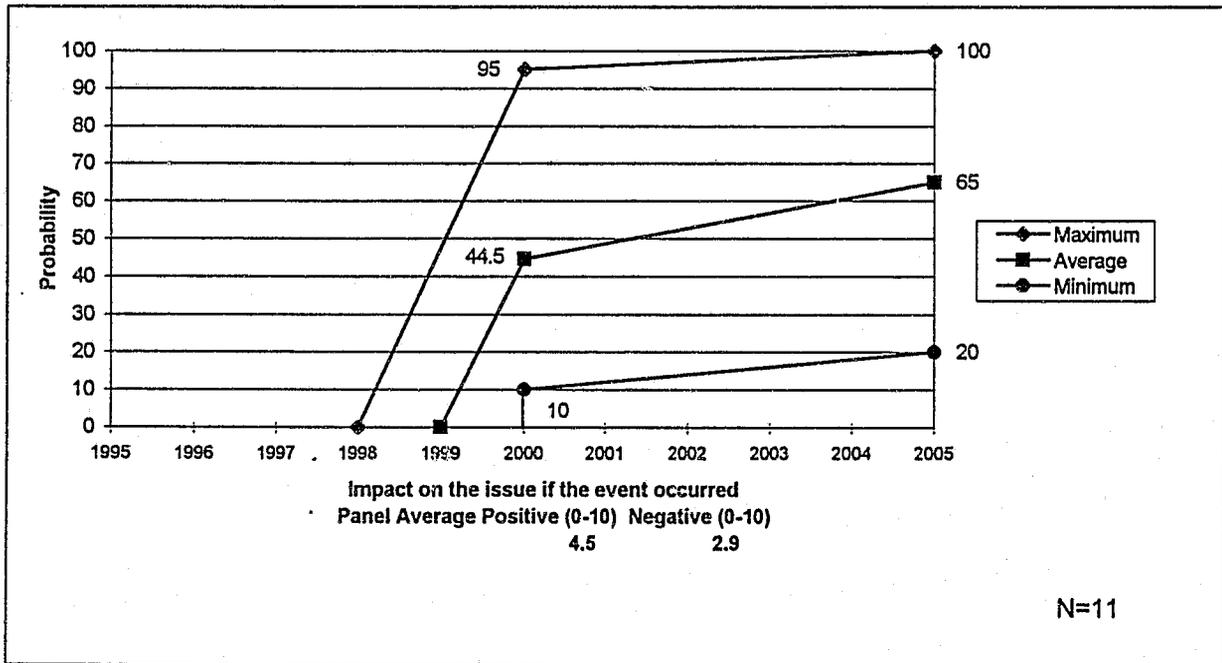
COMPLETE PRIVATIZATION OF A POLICE AGENCY



As indicated on the graph, only 1 member believed the event would occur in 2 years, with a 60% probability at 5 years and an 80% probability at 10 years. The "Average" indicates the event occurring in 4.9 years, with a 21% chance at 5 years and 39% at 10 years. The "Minimum" reflects only a 5% probability at 5 years, and then only a 10% probability at 10 years. The panel felt that, while many law enforcement agencies are "civilianizing" and/or privatizing some portions of responsibility, the likelihood that an agency will divest itself completely of sworn personnel is not strong. The opinion of the panel on issue impact was a negative score of 5.2. This is based partly on the fact that most civilian or private-sector employees do not go through the intensive background investigation process that a police officer does. In addition, the concept of behavioral profiling is primarily beneficial in an occupation which has civil service protection and guaranteed due process liberty interest rights.⁴¹

EVENT #8

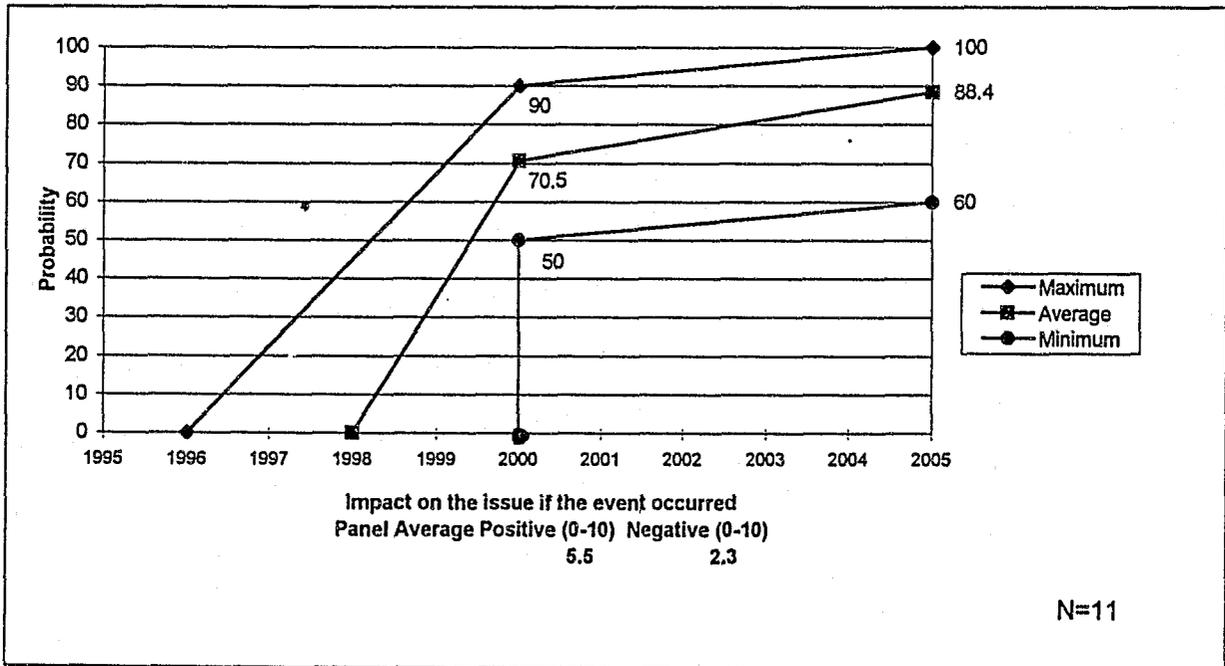
MANDATORY CIVILIAN REVIEW OF POLICE MISCONDUCT



The consensus of the panel was that this event would occur in 3 to 5 years, as indicated on the graph. The average response by the group placed the probability in 10 years at 65%. The majority believed the event would have a limited positive impact on the issue. If steps are not taken to accurately monitor and correct officers' conduct, public and political pressures may compel civilian review of police misconduct.

EVENT #9

CIVIL LAWSUIT JUDGEMENT BANKRUPTS CITY

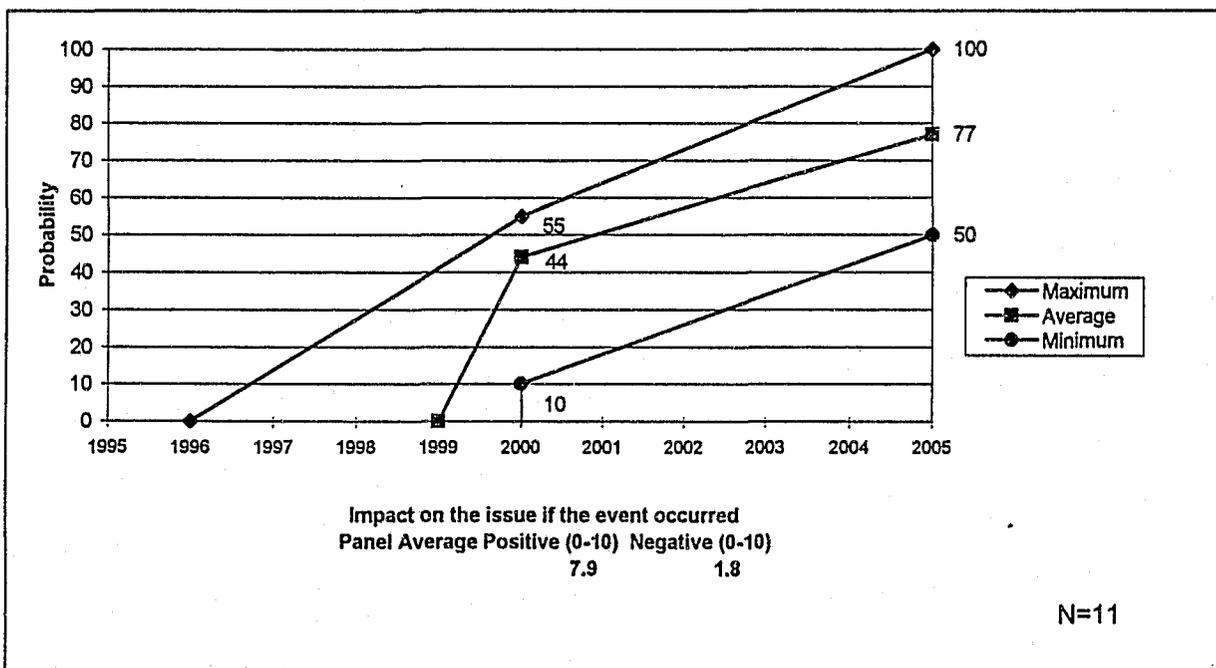


While the general background of the panelists primarily involved municipalities, this event was understood to apply to counties or any other governmental entity. As demonstrated on the graph, the panel suggested this event may occur from 1 to 5 years into the future; however, the average places it occurring in 2.8 years with a probability of 70.5% at 5 years and 88.4% probability at 10 years. The positive impact on the issue of 5.5 (55%) indicates that a portion of the panelists felt that at the time the event occurs, it would cause other agencies to focus on behavioral profiling to protect themselves from a similar fate.

EVENT #10

LAW ENACTED MANDATING THOSE IDENTIFIED AS

"PROBLEM OFFICERS" TO RECEIVE TREATMENT



This event is a legislatively-mandated treatment program for officers who are identified through a profiling procedure as requiring corrective treatment. Although not yet developed, this would encompass a system that, first, accurately identifies the "problem officer" and, second, provides a proven treatment which "corrects" the behavior. The panelists were in agreement that this event would occur, as indicated in the level of probability. All but 2 panelists forecasted the probability in 5 years between 40 and 75%. All but 1 panelist forecasted the probability in 10 years between 70 and 100%. The positive impact of 7.9 indicates the majority believed this event to be of significant influence on the issue.

CROSS-IMPACT EVALUATION

The author met with a panel to review the forecasts made by the NGT panel and to discuss event-on-event impacts. The cross-impact analysis is a process where each event is examined with respect to its potential affect on each of the other events. The panel included:

William Mamelli, Captain, Huntington Beach Police Department

James Cutshaw, Lieutenant, Huntington Beach Police Department

Tony Sollecito, Lieutenant, Huntington Beach Police Department

After considerable discussion, the panel estimated the event impacts by using a Cross-Impact Matrix. Table 3 displays the panel's estimations and the final event probability.

**CROSS-IMPACT MATRIX
PANEL CONSENSUS N=11**

IMPACTING EVENT	E1	E2	E3	E4	E5	E6	E7	E8	E9	E10	FINAL
E1 Repeal of Bill of Rights		2	20	15	-10	-	-	8	-	-5	45
E2 Periodic Psych. Testing			4	10	-20	15	-	7	5	10	99
E3 Cover-up of Misconduct	12	4		8	-	-	4	4	-	-8	92
E4 Vigilante Incident	-5	-6	-2		6	-8	18	-	-	-3	67
E5 Statewide Labor Union	25	4	-	-		-	11	16	-	3	63
E6 Predictive Test Discovered	-	5	5	2	-		-	-	-	4	48
E7 Privatization of Police Agency	-	2	10	6	9	-		-	18	-	72
E8 Mandatory Civilian Review	8	-6	14	10	7	-7	8		10	-3	90
E9 Lawsuit Bankrupts City	2	-8	11	8	-	-5	4	-		-4	94
E10 Mandatory Treatment Enacted	2	3	5	7	-3	10	-	3	6		98

It was apparent that certain events would have a significant impact on others. Event #3 (discovery of a major "cover-up" of police misconduct) would affect Event #1 (repeal of "Peace Officers Bill of Rights") by increasing the likelihood that Event #1 would occur. By contrast, if Event #5 (statewide police labor union) occurred, it would reduce the likelihood of Event #1 occurring, due to powerful organized resistance. This is also the rationale behind the negative impact of Event #5 on Event #2 (periodic psychological testing of officers).

Event #1 (repeal of "Bill of Rights") and Event #8 (mandatory civilian review of police misconduct) would have a significant impact on Event #5 (statewide union) by fueling an effort to organize in order to protect against further union-perceived adverse changes. Event #9 (lawsuit bankrupts city) would have a contributory Effect on Event #7 (privatization of police agency) for fiscal reasons alone. Event #8 has both positive and negative cross-impact events. Events #3 ("cover-up"), #4 (vigilante incident), and #9 (lawsuit bankrupts city) would contribute to the chances of Event #8 (mandatory civilian review) occurring. While #2 (periodic psych. testing), #6 (genetic test developed), and #10 (mandatory treatment) would potentially reduce the possibility of Event #8 occurring, due to positive proactive measures.

The final probabilities were developed by factoring the panel's estimate of the event-on-event impact into the original probability developed by the NGT panel. A "Probabilistic Scenario Generator" program, called "Sigma," developed by the Policy Analysis Company, Washington D.C., was utilized to randomly generate forty (40) scenarios. The author divided the scenarios into three separate families by activity. Three scenarios were selected

to be written about in order to describe three potential futures. Each of the scenarios will take place within the context of the following hypothetical setting. Each scenario will include a variety of trends and events, but all three will include the following core trends:

1. The number of citizen complaints filed against officers in California for misconduct (Trend #1).
2. The Number of sustained criminal complaints against officers in California (Trend #2).
3. Public tolerance of police misconduct (Trend #6).

SCENARIO SETTING

The city of Huntington Beach is a coastal community of 200,000, located in Southern California. However, during the summer months the population soars to over 300,000, bringing additional problems for the understaffed agency. The police department consists of 236 sworn and 140 civilian employees.

The department has a very good reputation with the public as well as with other law enforcement agencies. Due to the nine miles of beaches within the city, it has always been a haven for people looking for a good time. The police department consists of very talented and dedicated officers. Due to its reputation, the department has for a number of years been able to hire officers from other agencies, thus achieving a level where the average officer has 12 years' experience and possesses more than a four-year college degree.

Due to the low ratio of officers to residents, 1.1 per 1,000, it has had to rely on a high-enforcement profile in order to maintain public safety, especially during the summer months. This enforcement policy, while necessary to combat the increase in violent crime, posed its own problems in the form of a subculture. Use of force was a continual issue to deal with. Officers who found themselves outnumbered, and without adequate follow-up resources available, were challenged to deal with high demands for service and violent suspects. A small but continual subculture existed in which the officers felt that they were not always supported by the administration, especially when challenged over their actions taken in the field.

The date is February 5, 2005, and the location is the conference room of the Huntington Beach Police Department. Chief Ron Lowenberg has been in law enforcement for over 35 years, the last 15 years as chief, and is retiring in two days. Chief Lowenberg is conducting his last staff meeting and has invited his captains, lieutenants, and civilian managers to the meeting. He has written a speech summarizing the events that have occurred over the past 10 years. Chief Lowenberg is addressing the following topics: improvements in equipment and facilities; changes in recruiting and training; high-profile crimes with successful prosecutions; realization of a true partnership with the public through community-oriented policing, and challenges faced which involved significant personnel, legal, and disciplinary issues. This last area is the portion of the speech which the reader will be sitting in on.

SCENARIO #1 (Iteration 2)

"Most feared future"

The below listed events will occur in the following order:

- 1995 February - Vigilante incident committed by off-duty officers (E#4).
- 1995 August - Law enacted mandating those identified as "problem officers" to receive treatment (E#10).
- 1997 May - Discovery of a major "cover-up" of police misconduct (E#3).
- 1998 November - Major labor unions organize police within California into one association (E#5).
- 1998 December - Complete privatization of a police agency (E#7).
- 1999 January - Civil lawsuit judgement bankrupts city (E#9).
- 2000 January - Genetic test developed that conclusively predicts "deviant" behavior (E#6).
- 2001 April - Periodic psychological testing of officers mandated by law (E#2).
- 2003 November - Mandatory civilian review of police misconduct (E#8).

"Ladies and gentleman, now that I have summarized many of the triumphs we have witnessed, I want to conclude by addressing some of the toughest challenges we have faced over the past decade...."

"Back in February of 1995, you may remember that Officers Brown and White were involved in that drive-by shooting and wounding of that 'gang-banger' in retaliation for his attack on White during an arrest (E#4). We know they were extremely frustrated with the fact that he got off on a technicality, but the public would have strung us up if we hadn't prosecuted the officers. At that time, the public's scrutiny of officers' off-duty conduct (T#8) really began to increase. That incident still left us with a 'black eye' that took years to go away. Then, in August of 1995, we were compelled by law to send all the 'bad apples' to the 'shrink' for treatment (E#10). We were assured it would help reduce the number of stress-related retirements (T#10). Not a bad idea but it didn't fix anything. Just a couple years later, in May of 1997, we discovered that Officer J. Green, one of the 'bad apples,' had beaten a suspect who eventually died of his injuries. Green and Sergeant Black covered it up by 'doctoring-up' the report and lied during the internal affairs investigation (E#3). That was bad news for those two and for the department. The public was outraged at this. They had become less and less tolerant of police misconduct (T#6) during that period. Those two lost their jobs and went to prison over that senseless act.

"In November of 1998, the major labor unions in the state organized (E#5) in an effort to preserve some of the protection for officers whom they could see being challenged. They recognized that some of the trends occurring were being noticed in Sacramento, specifically, the number of citizen complaints filed against officers (T#1) and the number of criminal complaints which were sustained against officers (T#2). Their drive to gain more political power simply caused the A.C.L.U. and liberal legislators to push for more laws to limit officers' protection.

"In December, 1998, we witnessed a neighboring city privatize all law enforcement services by contracting with a variety of private-sector businesses (E#7). While this was done with the goal of reducing costs, the city didn't foresee all of the ramifications of this action, including the increased liability for negligence. In January, 1999, that city lost a multi-million-dollar lawsuit due to gross negligence that bankrupted them (E#9). We all knew that something had to be done to get a handle on the number of civil lawsuits being filed against our officers and the department (T#5), but complete privatization for them was disastrous.

"In what appeared to be prophetic, at the dawn of the new millennium, a genetic test was developed in January of 2000 which claimed to conclusively predict 'deviant' behavior (E#6). In response to this new test, the legislature mandated periodic psychological testing of officers in April of 2001 (E#2). As you saw, the Police Officers Association fought this thing 'tooth and nail.' Even though the studies had shown an increase in the predictive ability of psychological tests (T#3), the treatment programs mandated back in 1995 were not able to correct the behavior as they had hoped.

"Then, just two years ago, in November of 2003, the legislature mandated civilian review of police misconduct. This turned out to be a less-than-brilliant decision by our friends in Sacramento. They simply had no idea how difficult it is to make decisions regarding misconduct cases. Most of the time, officers think that we are out of touch with what occurs on the street. Trying to ask a citizen with no field experience to make an analysis of actions taken during critical field situations simply doesn't work.

"The majority of these bad situations and poor decisions were simply unforeseeable. All that I can add to this is, in two days, instead of being saddled with these headaches, I'll be busy with a fishing pole and you'll be stuck with them."

SCENARIO #2 (Iteration 8)

"Most likely future"

The below listed events will occur in the following order:

- 1996 June - Discovery of major "cover-up" of police misconduct (E#3).
- 1996 July - Civil lawsuit judgement bankrupts city (E#9).
- 1996 July - Complete privatization of police agency (E#7).
- 1997 March - Repeal of peace officers' "Bill of Rights" (E#1).
- 1999 September - Periodic psychological testing of officers mandated by law (E#2).
- 2001 January - Mandatory civilian review of police misconduct (E#8).
- 2003 May - Major labor unions organize police within California into one association (E#5).

"Ladies and gentlemen, now that I have summarized many of the triumphs we have witnessed, I want to conclude by addressing some of the toughest challenges we have faced over the past decade....."

"Many of you may recall that back in June of 1996, Officer J. Green was accused of taking money from undocumented aliens during arrests. We discovered that two of his buddies were also involved in what ended up being a criminal conspiracy. All three tried to cover for each other and lied to Internal Affairs (E#3). Our 'early warning system' didn't identify them as potential problems because none of them had any patterns of sustained complaints.

"The following month (July, 1996), neighboring Saddleback Valley went bankrupt when they were hit with that multi-million-dollar judgement for their third fatal accident involving a high-speed pursuit (E#9). That last one didn't just hit them civilly; the officer involved was convicted of manslaughter due to gross negligence (T#2). Also that month, neighboring Costal Beach completely privatized all law enforcement services (E#7). They took this action partly due to the number of civil lawsuits being filed against their department personnel (T#5), but also due to the decrease in the caliber of available candidates seeking to enter police work (T#7). We had to battle city hall over this issue, as they strongly considered doing the same thing here.

"Then in March of 1997, Sacramento dropped a bomb on all the rank and file officers in the state when they repealed the 'Peace Officers Bill of Rights.' The lawmakers claimed it was necessary due to the overall increase in sustained criminal complaints (T#2), both on and off duty, but I feel that the public pushed them to take some drastic action in response to their increasing scrutiny of officers' conduct (T#8).

"In September, 1999, the state required us to conduct periodic psychological testing of all officers (E#2), apparently to provide us with a mechanism to determine if they were

still fit to remain in their positions. If you remember, it was intended to reduce the costs associated with the perceived increase in stress-related retirements (T#10), which did not occur. While this may have satisfied the voters, it just saddled us with another time-consuming and expensive procedure that did not solve any problems.

"In January of 2001, the state decided it was best to place civilians in review of all police misconduct (E#8). If you recall, this was in response to the 85% increase in sustained criminal complaints against officers during the preceding ten years (T#2) and was coupled with the decrease in the public's tolerance of police misconduct (T#6).

"Then, just two years ago (May, 2003), the major labor unions organized into a state-wide association (E#5). This was a reaction in response to the elimination of the officers' bill of rights and the dislike of the psychological testing and civilian review.

"While many of these things were meant to correct deficiencies or solve problems, too many were simply a reaction to a previously unforeseen event, which then created yet another problem. "The thought I want to leave you with is, if there had been some collective, long-term planning to deal with these issues, the outcome might have been much more beneficial to the law enforcement community."

SCENARIO #3 (Iteration 12)

"Most desired future"

The below listed events will occur in the following order:

- 1995 August - Major labor unions organize police within California into one association (E#5).
- 1995 August - Discovery of a major "cover-up" of police misconduct (E#3).
- 1999 February - Mandatory civilian review of police misconduct (E#8).
- 1999 June - Complete privatization of a police agency (E#7).
- 2002 January - Periodic psychological testing of officers mandated by law (E#2).
- 2004 August - Law enacted mandating those identified as "problem officers" to receive treatment (E#10).

"Ladies and gentlemen, now that I have summarized many of the triumphs we have witnessed, I want to conclude by addressing some of the toughest challenges we have faced over the past decade.....

"Back in August of 1995, when the labor unions organized statewide, we initially viewed it as a threat and an omen of bad things to come (E#5). Looking back on it now, our fears never materialized. Frankly, I was quite surprised at the level of cooperation provided by the union's executive board. The statewide association afforded us with a greater ability to deal with long-term issues of concern to both labor and management. This

coordinated effort helped deal with issues such as the decreasing availability of qualified candidates (T#7) and the increased scrutiny of officers' off-duty conduct (T#8).

"While we made progress in one area, we also suffered a setback the same month when we discovered a significant 'cover-up' of misconduct (E#3). If you don't recall the circumstances, three of our narcotics investigators became involved in a series of drug-money 'rip-offs.' They got caught up in a pattern that began with seizing money legally, and then degraded into taking drug money for their own personal benefit. They had covered their tracks fairly well, but after they were discovered, all of the bad news came out. The community deserved better than they got in this incident, especially when you remember the increase in citizen complaints (T#1) and the 95% increase in the number of sustained criminal complaints during that Period (T#2).

"In an effort to learn from our mistakes, we then instituted financial disclosure procedures, biannual psychological debriefings, random drug testing, and assignment time limits for narcotics investigators.

"In February, 1999, the state mandated civilian review of police misconduct cases (E#8). Most of us resisted the concept initially, but, with no choice, we learned how to make it benefit the disciplinary process. We found that when we were required to take disciplinary action against an employee, we approached it as a necessary tool to modify behavior. Our investigative and disciplinary process has been continually updated and improved to the point that we had no objection to a civilian body reviewing our decisions. The civilian review board initially thought they would need to scrutinize investigations dealing with possible discrimination against minorities and sexual harassment claims. To

their surprise, they found that there were no significant discriminatory practices by our department. This was aided by the increased acceptance of equality regarding gender, race, and sexual orientation (T#4).

"In June of 1999, the neighboring city of Small Beach embarked on an innovative journey by 'privatizing' all law enforcement services (E#7). They opted for a unique method in dealing with the 'shrinking dollar.' While many agencies have 'civilianized' certain non-enforcement positions, Small Beach was the first to contract with private-sector businesses for enforcement-related functions. Employing civilians in this capacity not only reduced the city's costs but the civilians were not afforded the same administrative protections as sworn officers. I was told that they were swayed in their decision by the diminishing amount of qualified candidates entering law enforcement (T#7) and the cost associated with the number of officers retiring on stress-related disabilities (T#10).

"In January, 2002, periodic psychological testing of officers was mandated by law (E#2). This became law, primarily, based on several studies which concluded that certain behavioral traits were indicative of potential precursors to misconduct. These studies, including those conducted by Dr. Scrivner with NIJ and those completed by the DOD facility in Monterey demonstrated that proactive measures, if taken prior to misconduct occurring, had a much better success rate than the standard reactionary 'early warning system' technique. When you consider the benefits of preemployment screening and add that to the increase in the predictive ability of psychological testing (T#3), it is clear that

providing early intervention is in the best interests of the employees, the department, and the public.

"In response to the periodic testing program, legislation was then passed* just last August (2004), mandating those officers identified by the periodic testing to be directed to receive corrective treatment (E#10). This law as well as the behavioral profiling system, again was initially resisted by the union, but was later accepted as it became obvious that it afforded agencies with a mechanism to modify behavior in a positive sense. Prior to this process, many officers were not identified as having a behavioral problem until it was too late. Even with early warning systems, corrective measures often failed because the pattern of 'problem' behavior had already formed. As the number of citizen complaints (T#1) and sustained criminal complaints (T#2) continued to increase during the past decade, it was apparent that merely relying on negative discipline did not work. The public's tolerance of police misconduct (T#6) reached a peak during that period, which prompted the law enforcement community and the lawmakers to seek other solutions to the problem of misconduct. These efforts were part of the motivation to develop our pilot project of the behavioral profiling system.

"During my thirty-five years in law enforcement, I have seen many changes, some good and some bad. However, I am pleased that in the twilight of my career, I can say that we redirected our focus from being reactionary to being proactive in our efforts. Almost fifteen years ago, California State Supreme Court Chief Justice Malcom M. Lucas said, 'We need to anticipate change and plan for action. We need to lead and not wait to be led into the next millennium.' I'm glad that we heeded those words.

"I would like to leave you with a thought that I hope you will always remember:
'Where there is no vision, the people perish.'"

POLICY IMPLICATIONS

The law enforcement community must endeavor to develop new methods of attacking problems. The issue of police misconduct has been with the profession since the beginning. As improvements occur in employment screening, training, and supervision, so must law enforcement improve their methods of dealing with misconduct. Now more than ever, the public is watching law enforcement to see what steps will be taken to reduce this problem. Behavioral profiling is just one of many methods which should be explored in order to correct undesirable behavior before it becomes too large a problem to change.

The law enforcement community must endeavor to develop new methods of attacking problems. The issue of police misconduct has been with the profession since the beginning. As improvements occur in employee screening, training and supervision, so must law enforcement improve their methods in addressing misconduct. Now, more than ever before, the public is watching law enforcement to see what steps will be taken to reduce this problem. Behavioral profiling is just one of many methods which should be explored in order to correct undesirable behavior before it becomes too large a problem to change.

The following policy considerations were developed from the previous scenarios, specifically, scenario #3. These policy considerations are as a result of the proactive, visionary approach taken by the department in response to the trends and events which

occurred over the ten-year period involved in the scenario. As demonstrated in the scenario, an agency can either be controlled by events without any thought given to them, as in scenario #1, or can make a half-hearted effort to control things, as shown in scenario #2. As listed in scenario #3, a concerted effort was made to recognize and understand trends and events, thus controlling the destiny of the department and not simply becoming a victim of the future.

Law enforcement agencies should consider the following:

1. Approach the concept of behavioral profiling on an industry-wide scale. Utilize the knowledge and research skills of experienced police psychologists to assist in development of a system.
2. Look to the military for findings obtained through their research projects which have a close correlation to law enforcement needs.
3. Recognize the potential savings, both financial and in human terms, of a system that, if developed, could provide early corrective intervention.
4. Allocate personnel and resources to develop a process that will:
 - identify proven behavioral traits indicative of future misconduct,
 - train supervisors to recognize patterns of conduct,
 - provide a mechanism which will centrally collect reportable data,
 - provide intervention strategies which correct behavioral problems at earliest stage,
 - maintain tracking of employee to ensure proper intervention is taken, with periodic review to determine if further action is necessary.

Section III

STRATEGIC PLAN

This next section deals with the development of a "Strategic Plan." A detailed plan will ensure that concerns and issues are identified and action plans formulated. This is accomplished through the following steps: the development of a mission statement, environmental and organizational analysis, stakeholder identification and analysis, alternative policy considerations, and the acceptance of a selected strategy.

A. MISSION STATEMENT

The mission of the Huntington Beach Police Department is to work as a team and in partnership with the community to provide our city with the most professional, effective police services possible, always keeping in mind ethical standards, constitutional safeguards, and respect for the human dignity of all persons.

This mission will be accomplished through (1) the delivery of law enforcement service which is courteous, responsive, fair, firm, and efficient; (2) the establishment and maintenance of a spirit of professionalism, and (3) the treatment of our employees as the most important organizational asset.

Project Mission

In recognizing the value of the employee, the mission of the Professional Standards Unit will be to utilize behavioral profiling for the early identification of activity patterns

related to misconduct. To meet this challenge, the mission will be obtained by accomplishing the following goals:

1. To rely on documented research which identifies specific conduct as a precursor to undesirable behavior.
2. To adhere to an established system which identifies patterns of behavior related to misconduct.
3. To work closely with supervisors in order to provide early intervention through training, counseling, or discipline, when necessary, of employees identified by behavioral profiling.

A strategic planning team was formed to assist the author in identifying and considering all issues relating to the mission statement. The team consisted of the following:

Bill Mamelli, Captain, Huntington Beach Police Department

Charles Poe, Captain, Huntington Beach Police Department

Jim Cutshaw, Lieutenant, Huntington Beach Police Department

John FitzPatrick, Lieutenant, Costa Mesa Police Department

Tony Sollecito, Lieutenant, Huntington Beach Police Department

Bill Sage, Deputy City Attorney, City of Huntington Beach

Michael Corcoran, Ph.D., Huntington Beach Police Department

Each member of the team reviewed the "Futures Study" portion of the project, including the trends, events, and scenarios, in preparation for the strategic planning session. The team then utilized the "WOTS UP" process to consider all relevant issues. The WOTS UP analysis process provides for identification of the WEAKNESSES, OPPORTUNITIES, THREATS, STRENGTHS, UNDERLYING and PLANNING for the mission.

Opportunities and Threats describe the external environment in which the Huntington Beach Police Department operates, while the Strengths and Weaknesses are internal influences that identify resources and limitations of the organization in achieving the mission. These external and internal influences serve as a guide to the analysis, and help in considering all issues which may impact the mission.

B. ENVIRONMENTAL ANALYSIS

In order to conduct a proper examination, the team analyzed the environment by use of the "STEEP" process. The STEEP process separates analysis into categories of Social, Technological, Economic, Environmental, and Political concerns. **Opportunities** are issues that will support the achievement of the mission, while **Threats** are issues that will block the success of the mission.

SOCIAL

OPPORTUNITIES:

1. Workplace violence against supervisors and co-workers: The recent trend of violence occurring at the workplace demonstrates a need for early identification of undesirable behavior and early intervention when necessary.
2. Increased scrutiny of police officers' on-duty and off-duty conduct: The public appears to be increasingly concerned about the behavior of police officers. This concern could lead to efforts to support monitoring of behavior.
3. Increased predictive ability of psychological tests: The use of psychological testing and police psychologists continues to grow in the law enforcement community. Faith in testing systems and reliance on psychologists' professional opinions continue to expand beyond the preemployment stage.
4. Increase in cultural diversity of the law enforcement workforce: There is an increase in both the cultural diversity of the law enforcement workforce and in the acceptance of other cultures and lifestyles.

THREATS:

1. Special interest groups: Special interest groups may demonstrate concerns over infringement of individual rights and privacy issues.
2. Employees' concerns: Individual employees may have concerns over personal privacy issues regarding their individual behavior.

3. Increase or perception of increase in violent crime: Public concern over the increase in violent crime may create allowances for officers' behavior in order to combat criminal activity.
4. Ineffectual criminal justice system: General frustration on the part of the public over the failure of the criminal justice system to stem the tide of violent crime may cause the public and the police to focus away from behavioral profiling.
5. Potential for increase in industrial disability retirements: The identification of problem officers through a behavioral profiling system may lead to an increase in officers seeking or obtaining "stress-related" retirements.

TECHNOLOGICAL

OPPORTUNITIES:

1. Use of advanced computer systems for research: The use of computer systems is a significant benefit in conducting research and analyzing data toward the development of a process that will enable behavioral profiling to become more effective.
2. Availability of computers: Computer systems will enable the monitoring of employees who fall within the concern of the a behavioral profiling program.

THREATS:

1. Computer processing errors: Data collected during research could be misread or improperly entered into the system, leading to an incorrect analysis or conclusion.
2. Data can be discovered: Information collected and entered into a computer data base could inadvertently provide a mechanism that makes the information available to a plaintiff's attorney through discovery in a civil lawsuit.

ECONOMIC

OPPORTUNITIES:

1. Cost-effective approach: A program which allows early identification and intervention at the early stages in an employee's career path would be a cost-effective method to correct behavior. The public's concern over use and misuse of tax dollars should support a cost-effective system.
2. Increased cost of lawsuits: There has been an increase in the number of civil lawsuits and the amounts of civil judgements rendered against public agencies for negligence or improper conduct on the part of police officers. Thus encouraging agencies to place a greater emphasis on early prevention.
3. Potential for bankruptcy: The potential for a significant civil judgement could financially paralyze an agency or cause the municipality to enter bankruptcy.
4. Decrease in availability of candidates: The potential decrease in the number of qualified candidates entering law enforcement should lead to an effort to treat

officers as a limited commodity and make attempts to "salvage" careers when possible.

5. Private sector development: The private sector could develop a workable system for behavioral profiling and monitoring with the motivation of financial gain.

THREATS:

1. Decline in revenue: The recent economic recession has led to reduced budgets for most law enforcement agencies. Budget reductions will make it difficult to establish new programs and acquire the necessary equipment. Many agencies have "downsized" their staffing levels, which may cause difficulties in availability of personnel to set up and manage a behavioral profiling system.

ENVIRONMENTAL

No environmental opportunities or threats were identified for this issue.

POLITICAL

OPPORTUNITIES:

1. Military research: Recent and ongoing research conducted regarding profiling of certain behavioral patterns has been reviewed by the law enforcement community and is accepted as very credible data.
2. Support of concept: The American Psychological Association (APA) and a sub-committee comprised of police psychologists support the concept of behavioral or conduct monitoring. This was evidenced in the discussion at the symposium held

in Toronto, Canada, in 1993 where a preliminary report was presented to the group with an announcement that a study was underway at the National Institute of Justice.

3. Media coverage of misconduct: Recent media coverage of police misconduct and criminal activity on the part of police officers has the potential to influence public opinion to support the issue.
4. Legislative action: Pressure on the legislature by the public and organized groups may lead to statutory regulation requiring behavioral profiling statewide.

THREATS:

1. Political lobbying: The political strength and influence of statewide police officer organizations to lobby against the issue could interfere at the state and local level.
2. Legal discovery issues: Concern over the potential for civil discovery of profiling data could cause legal advisors to resist the concept.
3. American Psychological Association support: Support or involvement by the APA in the research or development of a system may cause the results to be questioned due to their vested and financial interest in the concept.
4. Labor attorneys: Attorneys representing police associations may resist the concept due to concern over a loss of employee protection and an infringement on employees' rights.

C. ORGANIZATIONAL ANALYSIS

The Huntington Beach Police Department is an extremely innovative and progressive organization staffed with high-caliber and dedicated employees. The department is headed by the chief of police who oversees four divisions, each commanded by a captain. The city is divided into three distinct geographic areas, each commanded by a uniformed lieutenant, and utilizes a "Community Oriented Policing" philosophy in response to problem-solving.

The department is comprised of 376 members, both sworn and civilian. Sixty-eight percent of the department is male, with thirty-two percent female. Minorities and females are represented within the ranks of managers and supervisors. The department reflects the cultural diversity of the community: 7.5% are Hispanic, 2.7% are Asian, 2.6% are African-American, 1% are Native-American, and the remainder are Caucasian. Over ninety percent of the sworn members are "laterals" from other law enforcement agencies. The department's recruiting motto of "The best... looking for the best" reflects the agency's commitment to quality. The department has long been known as a leader in instituting new concepts or technologies, with the following as only a partial list: the first helicopter patrol in Orange County (1969), and later the first to obtain the quiet tail-rotor helicopter followed by the first Notar (no tail-rotor); computer-aided dispatch center "CAD" (1970) followed by the first computer terminals in patrol cars; full-service jail facility (1974) which now contracts with a number of agencies; state-of-the-art crime laboratory (1974) including CAL-ID system; sixteen-member "Trauma Support Team" and in-house "Peer Counseling Program" (1990), and most recently, community oriented policing and decentralized command (1993).

Following are the "**Strengths**" and "**Weaknesses**" of the department which will assist or inhibit the ability to accomplish the mission.

STRENGTHS:

1. Size of the agency: The department is small enough that the majority of the members are familiar with, or even friends of, other employees. This familiarity could enhance a supervisor's or peer's ability to recognize minor changes in behavior or performance.

2. Philosophy of Chief of Police: The chief of police truly believes in the value of the employee, and takes steps to both formally and informally recognize them and their contributions to the organization. The chief would be unreservedly supportive of any innovative concept which may contribute to the safeguarding of careers.

3. Support of City Council/City Administrator: The elected officials would be supportive of a program which may reduce both administrative grievances and disciplinary actions through early intervention.

4. Department leadership: The leadership of the department believes in empowering supervisors and field training officers to have direct involvement in making decisions regarding correcting behavior at the earliest opportunity.

5. Department recognition of the employee: The department recognizes the employee as the most valuable organizational asset, and has demonstrated concern for the

employee's welfare by establishing both a Trauma Support Team and a Peer Counseling Program.

6. Relationship with psychologists: The department enjoys a close working relationship with two police psychologists. They have interacted repeatedly with the department's oral interview board, field training officers, officers assigned to undercover positions, and have trained and consult quarterly with the trauma support team. The rapport they have developed will afford credibility to the process.

7. Professional Standards Unit: The Professional Standards Unit, which is charged with the duty to oversee and investigate internal affairs issues, will maintain any behavioral profiling system developed. The unit will be a central location where all "profiling" data is collected from supervisors and entered into a computer program. The unit, by use of a computer program, can monitor behavioral trends and make the appropriate notifications when necessary.

WEAKNESSES:

1. Low ratio of officers: The city has a population of approximately 200,000, with a seasonal increase of up to 100,000 additional visitors during summer months. The police department has a total of 236 sworn officers. This low ratio of officers has necessitated a high workload coupled with overtime requirements that can lead to stress and job "burn-out." Traditionally, the department has met service demands by employing quality people and by maintaining a high-enforcement profile. This "enforcement profile" can lead to citizens' complaints and incidents of excessive force.

2. Reduced staffing levels: Due to budget reductions, the police department has lost seventeen support staff positions over the past five years. The department is now facing the possibility of losing several sworn positions, including management, supervisory, and line-level. These reductions in staffing levels will cause additional workload to be transferred to others, thus making it more difficult for supervisors to have the available time to spend in monitoring behavioral patterns.

3. Strong Police Officers' Association: The political strength of the police officers' association, coupled with their current legal staff's advice to challenge and then formally appeal all disciplinary action, may lead to an organized move to oppose the achievement of the mission.

4. City Personnel Rules and Administrative Regulations: Specific language within the city's personnel rules and regulations may restrict or inhibit the use of proactive measures or intervention programs to respond to undesirable conduct.

5. Insufficient training of supervisors and field training officers (FTO's): There has not been sufficient training developed or provided to supervisors and FTO's yet to enable them to identify patterns of undesirable behavior or conduct and to make the appropriate documentation.

6. Hesitation to take action: There is a general hesitation on the part of some first-line supervisors to take corrective action early after discovering behavioral or performance deficiencies in their subordinates.

7. Sergeants and officers belong to the same association: Both sergeants and officers belong to the Huntington Beach Police Officers' Association. A sense of allegiance and

comradeship could cause internal problems within the association over supervisor-to-subordinate issues.

8. Professional Standards Unit computer system: The computer network within the Professional Standards Unit would contain all of the data on behavioral profiling of employees. This data could be obtained through legal discovery processes if demanded by the plaintiff in a civil lawsuit.

D. STAKEHOLDER IDENTIFICATION AND ANALYSIS

Stakeholders are defined as individuals or groups which may impact the mission or be impacted by the implementation of the mission. The stakeholders' role is unclear. They may create opposition, be supportive, or have a mixed interest in the issue. Their identification, evaluation of assumptions, and mapping of their positions are important for the successful implementation of a strategic plan. Assumptions are the stakeholders' beliefs, concerns, fears, and/or expectations about the issue.

The Stakeholder Assumption Surfacing Technique (SAST) was utilized by the planning team to identify twenty-two (22) stakeholders and their assumptions (refer to appendix A). After discussion and voting, the list was reduced to eleven (11) which had the most interest in the issue. The team also assisted in identifying two (2) potential "snaildarters." A snaildarter is an individual or group who are unanticipated or appear to be insignificant but can hinder or even block the implementation of the plan by specific action or a lack of cooperation.

The following are the eleven stakeholders and their assumptions regarding the issue of behavioral profiling:

<u>STAKEHOLDER</u>	<u>ASSUMPTION</u>
1. Chief of Police	A. Would be supportive as an effective tool for managers. B. Believes it to be an innovative benefit to law enforcement. C. Will be opposed by Police Officers' Association.
2. City Council	A. Would be supportive as a benefit to the organization. B. Believe it could reduce civil litigation. C. May support, in hopes of positive recognition to the city and interest by voting public.
3. Police Management Association	A. Would be supportive as method of reducing disciplinary action. B. Believe it may "safeguard" careers. C. Would cause supervisors to pay closer attention to their subordinates.
4. Police Officers' Association	A. Would oppose due to use of a subjective system of analysis. B. Believe it to be used as a tool for "selective" discipline. C. Oppose through Meet and Confer requirement.
5. Individual officers	A. May fear as a mechanism for supervisors to spy on them and pursue a hidden agenda. B. Would distrust the results of monitoring and have general fear of the "unknown." C. Believe it to be an unnecessary cost.
6. Professional Standards Unit	A. Might expect a decreased investigative workload. B. Believe to be an effective tool for monitoring of undesirable behavior. C. Expect it to cause a shift in focus to data monitoring of a burdensome system.

7. The community	<ul style="list-style-type: none"> A. Would support as a benefit to law enforcement. B. Believe it may save tax dollars through reduced litigation costs. C. May safeguard careers and thus protect the community against improper police conduct.
8. Attorneys	<ul style="list-style-type: none"> A. Plaintiffs' Bar (private civil attorneys) would support as a mechanism to allow them discovery. B. City Attorney would believe it will reduce ! litigation costs. C. Police Legal Advisors would oppose as a potentially discoverable source of damaging behavioral analysis.
9. Arrestees and Complainants	<ul style="list-style-type: none"> A. Would receive better treatment by the police. B. Expect that improper actions will not be repeated. C. Believe it to be a "smoke screen" by the police to cover up abuse.
10. American Psychological Association. American Medical Association	<ul style="list-style-type: none"> A. Require research work for them which would benefit them financially. B. Create a new job market that only they could professionally sanction. C. Would add credibility to their ideas and professional conclusions.
11. Military Researchers	<ul style="list-style-type: none"> A. Would support in hopes of obtaining a research data base to utilize for their own focus of study. B. Possess a wealth of research information to validate concept. C. Already are equipped and properly funded to conduct research in this area.

POTENTIAL SNAILDARTERS

The team felt that two groups, the Department of Defense and the California Peace Officers' Association (CPOA) State Legal Advisors Committee, were potential snaildarters. The Department of Defense may prohibit the involvement by the Defense Personnel Security Research and Education Center (PERSEREC) in the research program, may refuse to release their research data on similar military studies, or may find at the conclusion of the research that the concept is not obtainable.

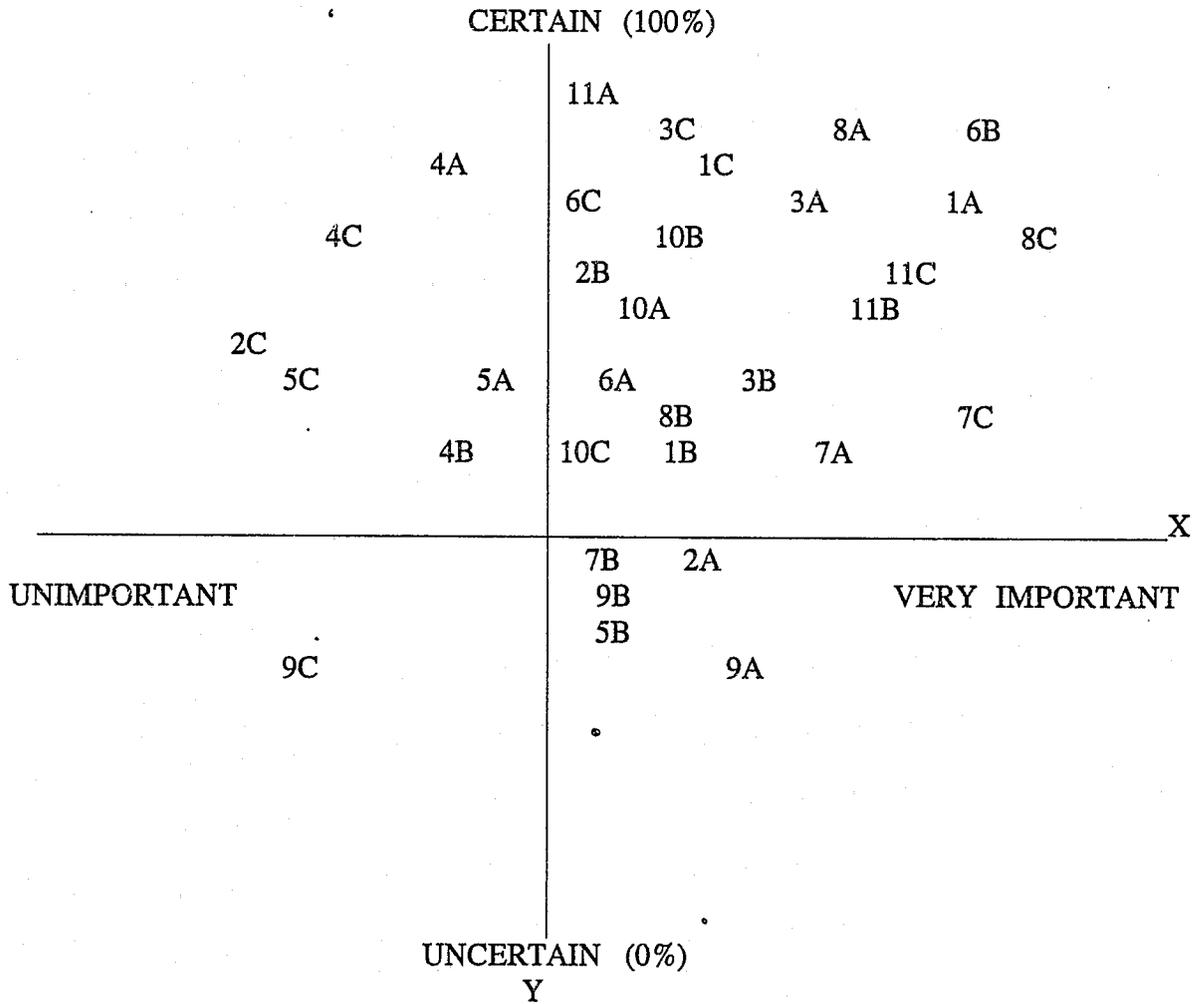
The CPOA Legal Advisors Committee, which makes statewide recommendations on legal issues affecting California law enforcement, may oppose the issue due to the threat that the data collected may be potentially damaging if obtained by the plaintiff's bar in civil lawsuits.

STRATEGIC ASSUMPTION MAPPING

The last phase in strategic assumption analysis is to determine the importance and certainty of the identified stakeholders' assumptions. The assumptions are "mapped" on a chart according to their degree of importance and their level of certainty to the issue (see Table 1). For the reader, the number identifies the stakeholder while the adjoining letter identifies the individual assumptions previously listed. Stakeholders' assumptions are plotted along the "X" axis by the importance as it relates to the mission, while the plotting along the "Y" axis relates to the certainty of the assumption as it relates to the mission.

TABLE 4

STRATEGIC ASSUMPTION SURFACING MAP



"X" Axis - Importance of the stakeholder's assumption in obtaining the mission.

"Y" Axis - Certainty/uncertainty of the stakeholder's assumption.

STAKEHOLDERS

- | | |
|----------------------------------|-----------------------------------|
| 1. Chief of Police | 7. The community |
| 2. City Council | 8. Attorneys |
| 3. Police Management Association | 9. Arrestees and Complainants |
| 4. Police Officers' Association | 10. American Psychological Assoc. |
| 5. Individual officers | American Medical Assoc. |
| 6. Professional Standards Unit | 11. Military Researchers |

E. ALTERNATE STRATEGIES

A Modified Policy Delphi process was used to identify potential alternate strategies.

The delphi team consisted of the following members:

Bill Mamelli, Captain, Huntington Beach Police Department
Charles Poe, Captain, Huntington Beach Police Department
Jim Cutshaw, Lieutenant, Huntington Beach Police Department
John Fitzpatrick, Lieutenant, Costa Mesa Police Department
Tony Sollecito, Lieutenant, Huntington Beach Police Department
Bill Sage, Deputy City Attorney, City of Huntington Beach
Michael Corcoran, Ph.D., Huntington Beach Police Department

The primary objective of this process is to ensure that all possible alternatives are considered and, after a discussion phase, voting is conducted by the team to decide on the top strategies (refer to Appendix G for original list). The team, focusing on the mission statement, decided on the selected strategies based on desirability, feasibility, and practicality.

The following is a discussion of the advantages and disadvantages of the top two (2) alternatives and the plan the team felt was the most controversial:

Alternative #1

The United States Department of Defense (DOD), specifically PERSEREC, will be consulted to conduct research to determine identifiable behavioral patterns indicative of

misconduct. The researchers will utilize completed studies of DOD employees and in-progress research to establish a system which identifies recognizable behavioral traits which may be precursors to misconduct.

Advantages -

1. The military possesses a significant amount of research in this field.
2. PERSEREC has a sufficient budget through the Department of the Navy with a mandate to conduct research projects.
3. A completed project would be timely due to familiarity with conducting research.
4. The research conducted would be impartial to law enforcement's concerns.
5. The staff has a highly developed national network with other specialists in the field.

Disadvantages -

1. Their completed research projects and data collected are not specifically designed for the law enforcement community.
2. Plan may not be compatible with the Huntington Beach Police Department.
3. A request for research or agreement to conduct the project may be given a low priority by the military.
4. The law enforcement community may question the data obtained or even the motive behind military involvement.

The stakeholders most impacted by this option would be the military researchers (#11), as they would be asked to spearhead the research. They might be enthusiastic about

the concept in that they may obtain data to assist them in other research projects. The APA/AMA (#10) may be resentful due to lack of direct involvement.

Alternative #2

The second alternative is to form a coalition of interest groups from all sectors to conduct the research and develop the program. The coalition led by NIJ would include representatives from police labor organizations, police management, city attorney/county counsel, local police psychologists, behavioral scientists, threat-management consultants, military researchers, representatives from POST.

Advantages -

1. There would be a "buy-in" by most groups due to representation.
2. A significant cross-section of input would be captured.
3. The coalition concept would provide a variety of experience.

Disadvantages -

1. There may be a lack of agreement due to diversity of group.
2. There could be legal challenges brought by unrepresented groups.
3. Labor vs Management disputes may occur.
4. The final product may be too "watered-down."
5. Progress may be slow and the project completion may take too long.

Almost all of the stakeholders have the potential to be impacted by this plan due to the coalition concept. Each stakeholder would have the opportunity to place a representative on the panel or to have their concerns heard.

Alternative #3 (most controversial)

This alternative plan was to develop a limited or "scaled-down" version of behavioral profiling. Then conduct a three-to-five-year test project where one-half of the personnel are monitored through behavioral profiling with data collection and analysis. The remaining half would be monitored under a "placebo" system as a blind test group. The data would be compared after the experimental period to determine if the process proves to have had any success.

Advantages -

1. This process would test the credibility of the assumptions prior to developing a full implementation plan.
2. The method would demonstrate fairness to employees involved.

Disadvantages -

1. There would be a minimum three-to-five-year delay before evaluation.
2. Test subjects could be lost from the experiment due to attrition.
3. There could be a financial cost for the half receiving placebo treatment.
4. Employees may feel discriminatory treatment to the half involved in actual monitoring.
5. "Non-regulated" half may demonstrate behavior which is detrimental to community.

This option would tend to impact the Professional Standards Unit (#6), the Chief of Police (#1), and the two employee associations (#2 & #3) the most significantly. This

would stem from an in-house program coupled with the management of a double-blind test project. The department would then have to justify the results of the study program.

F. SELECTED STRATEGY

The selected plan is a hybrid of alternatives #1 and #2. It was felt that the military researchers may be best equipped to conduct the research and to develop the system due to experience, equipment, budget availability, nationwide resources, reputation, and motivation. However, it was felt that having law enforcement representatives working with the military would enhance their understanding of law enforcement's unique focus on the issue. Police psychologists, police legal advisors, internal affairs investigators, municipal personnel directors, and labor-relations representatives possess very specific knowledge which would need to be considered in developing the system.

G. IMPLEMENTATION PLAN

The key concern in implementing the plan is, first, to verify that initial research demonstrates that the concept of identifying certain behavioral traits related to misconduct is valid. Then, next, to develop a system which recognizes patterns of conduct which are "precursors" to misconduct. Assuming that these challenges can be successfully met, the data and eventual conclusions drawn must be verified.

Representatives from the United States Department of Justice/National Institute of Justice (NIJ) should be chosen to coordinate the research study phase of the project. NIJ possesses nation-wide resources and is the best position to approach the Department of

Defense to conduct joint programs. They would oversee the selection of the research team to collect and examine the data which identifies the behavioral patterns related to misconduct. The research team should include both police psychologists and military researchers and draw on data from California and national sources. A system would have to be developed which (1) recognizes specific behavior, activity or conduct, (2) tracks employee activity which triggers action at specific threshold levels, and (3) causes intervention to take place at the earliest possible stage.

After completion of the research stage, a pilot project would be established focusing on California law enforcement specifically by the Huntington Beach Police Department. A pilot project would take the necessary steps to establish a working system. This would include developing a training program that would provide instruction to supervisors and managers to enable them to recognize and document specific patterns of behavior. An intervention process would be developed to provide the appropriate action, including informal peer-counseling, formal counseling by a psychologist, training, personal-improvement-programs, reassignment to another detail, or a combination of efforts. After all of the preceding steps are accomplished, a computer system and associated training will have to be created to process all of the data, alert when threshold levels are reached, and track all employees through the process up to and including completed intervention programs.

There are obstacles to be addressed, but they should be seen simply as challenges to be met in implementing the program. These challenges include: the funding for the project, the assembling of the involved personnel, potential legal challenges, and the perception it

may be a threat to labor. The reality of the concept is that there may be no interest in pursuing the topic, the required funding may be difficult to obtain, and it will involve "inexact" science coupled with "soft" research.

SECTION SUMMARY

The strategic planning process examined and analyzed all associated data, insights, affected entities, and alternatives in order to clarify a specific direction to be taken. This analysis provided for a detailed examination of the perceived obstacles, the potentially "hidden" issues, and the political ramifications. It allowed for a review of alternative ideas prior to selecting the most feasible plan. Through this review, it was determined that in order for the research stage to succeed, a coordinated effort by a number of entities will have to provide guidance through an "advisory committee" approach.

The next step in the process, in order to reach the goal described in the mission statement, is to develop a transition management plan/pilot program. This process will identify each step, in detail, to ultimately complete the mission.

Section IV

TRANSITION MANAGEMENT

The selected future (Scenario #3/Iteration 12) reflects settings where problems indicative of precursors to misconduct were answered by early intervention techniques. The strategic plan incorporated the following steps: (1) Appropriate research is conducted in order to identify and verify behavioral patterns indicative of misconduct; (2) A system is developed which allows supervisors to recognize specific behavior or conduct, tracks employee activity that triggers action at specific threshold levels, and causes intervention to take place at the earliest possible stage; (3) A training program is developed to provide instruction to supervisors and managers to enable them to recognize and document specific behavior; (4) An intervention process is developed to provide the appropriate action, and, (5) A computer system is created to process all data, alert when threshold levels are reached, and track all employees through the process.

A. TRANSITION MANAGEMENT PLAN

The Transition Management Plan provides a structure or method for an organization to successfully implement a strategic plan. In order to make any significant change, an organization must get from the present state - the current condition, to the future state - the condition the organization wishes to achieve, by moving through the transition state - the period during which the actual changes take place.⁴⁸ The success or failure of any change

depends on the degree to which the organization manages its efforts during the transition state.

The objective of this transition management plan is to facilitate the implementation of behavioral profiling pilot project to identify behavioral precursors to police misconduct within the Huntington Beach Police Department. Contained within the following are the steps and techniques which will make this plan viable and realistic, and move the organization from its present state to the desired future state in an orderly fashion.

Transition management takes into consideration important approaches to the stakeholders, along with their respective spheres of influence. Their commitment to the plan, or lack of it, will be examined, as well as consideration for providing incentives necessary to help with the implementation of the plan. A management structure will be presented that will track the stakeholders from their present level of commitment to the desired level. The responsibilities of the key players will be developed, using responsibility charting. Methodology will be discussed which will support the implementation and manage anxiety and uncertainty during the transition.

B. CRITICAL MASS

"Critical Mass" is the minimum number of individuals or groups (stakeholders) who actively support the change or ensure that the change will take place. If they oppose the plan, it will most likely fail. Critical mass support of the plan is imperative.

The author utilized a focus group to assist with the identification of the critical mass. The group included: Captain Bill Mamelli, Lieutenant Tony Sollecito, and Michael

Corcoran, Ph.D., all with the Huntington Beach Police Department. Focusing on implementation of a behavioral profiling pilot project, the following key players make up the critical mass due to their position or ability to influence the implementation of the plan. Again, they are critical to the success of the plan.

1. Chief of Police - The chief holds the ultimate ability to cause a program to be implemented. He/she must be highly supportive of a project for it to succeed. The chief has the authority to cause staff members to direct their time and resources toward developing the program.

2. Administration Captain - The organization's management staff is crucial to the success of a project in that they may be directly involved in running the program; in fact, the Administration Division Commander will oversee the program manager. Additionally, if he supports the project and communicates this down to the first-line supervisors, they in turn will understand its importance.

3. Highly respected Patrol Sergeant - This individual is influential due to the respect he commands from his subordinates. He can persuade other supervisors to accept his opinion on issues. Many times the strong or "informal" leader holds the key to the success of a project or policy change simply by the manner in which they view it. Many employees will react to a change by the way it is explained to them by their supervisors. The project should be explained by the supervisor in a positive fashion with an effort to alleviate any anxiety which may occur due to changes taking place.

4. Police Officers' Association President - The Police Officers' Association (POA) President has the ability to view a project from the position of how it will impact the

association as a whole. Many times, concerns arise due to its effect on individual members. The POA's board of directors has an obligation to its members to review any change with respect to all positive and negative effects on the membership. Certainly, the president holds the power the impact the program.

5. Program Manager - The Professional Standards Unit will be ultimately charged with implementing the behavioral profiling system. The Professional Standards Unit Commander will have to allocate time and resources to run the program. The unit members will be required to expend the effort to maintain the effectiveness and credibility of the program.

6. Police Psychologist - Psychologists directly employed by law enforcement agencies, or working as consultants, will be involved in the program both as researchers and as part of the intervention system. They will be heavily relied upon for their unique insight into behavior and their working knowledge of law enforcement.

7. Military Researchers - Military Researchers, specifically the Defense Personnel Security Research and Education Center at Monterey, California (PERSEREC), are imperative to the program due to their vast amount of research in the area of behavior. Currently, they are conducting research for the International Association of Chiefs of Police involving the identification of precursors to excessive force by law enforcement personnel.

The next phase involves determining the readiness and capability of the critical mass. Readiness for change has to do with willingness, motives, and aims, where capability involves power, influence, authority to allocate resources, and the possession of information and skills

As previously stated, In order to achieve the change necessary to implement a new plan, it is necessary to obtain some degree of commitment from the critical mass. The level of commitment need not be the same for each member.

A simple rating system has been developed with three kinds of commitment:

- Let it happen,
- Help it happen,
- and Make it happen.

Table 6 indicates the current (X) and desired (O) level of commitment of each member of the critical mass.

TABLE 6
COMMITMENT CHART

CRITICAL MASS ACTORS	BLOCK CHANGE	LET IT HAPPEN	HELP IT HAPPEN	MAKE IT HAPPEN
Chief of Police			X-----	----->O
Admin. Captain			XO	
Patrol Sergeant		X-----	----->O	
Police Officers' Association President	X-----	----->O		
Program Manager			X-----	----->O
Police Psychologists		X-----	----->O	
Military Researchers		X-----	----->O	

X = Present degree of commitment

O = Minimum degree of commitment needed for change to occur

The Commitment Chart illustrates the present degree of commitment and the minimum level necessary for successful change to occur. For those actors whose commitment level needs to be moved, intervention strategies can be developed.

The following is a discussion of the strategies to be used to influence the critical mass in order to obtain the requisite movement in commitment.

Chief of Police: The Chief of Police plays a critical role in any new program or significant change within the organization. Policy decisions must come from the chief's office, and he/she is ultimately responsible for the success or failure of the program. In reality, the chief will delegate the responsibility for the day-to-day work on the project to the program manager. As a graduate of Command College Class III and a future-thinking leader, Huntington Beach Police Chief Ron Lowenberg is a risk-taker and is continually looking for innovative methods to deal with challenges facing law enforcement. He and his department value the employee as the most important organizational asset. He would be supportive of programs which are both beneficial to the organization and protect the careers of the employees. As the Commitment Chart indicates, the chief's present degree of commitment is "Help it happen." As the department head, it is necessary for his degree of commitment to be raised to "Make it happen." This would naturally occur after a review of a detailed project report, prepared by the Program Manager, listing all steps necessary to implement the strategic plan and accomplish the goals of the mission statement.

Administration Captain: The management staff is also comprised of effective future-thinking leaders; several are also Command College graduates. Understanding the chief's level of commitment to the project, the management staff will take the lead and assist in

supporting the project. The Administration Captain, who supervises the Program Manager will then help identify those supervisors and "informal leaders" who will be involved in helping the change occur. Since the management staff is united in its support of the project, they will send the appropriate message throughout the organization that this program is a priority, and will evince a sense of trust in the program to the employee associations. The staff is currently at the level of commitment necessary to facilitate the change.

Patrol Sergeant: The supervisors are the most critical element in the law enforcement equation. The job simply doesn't get done properly without their involvement. They walk a fine line between labor and management. They will also play a crucial role in behavioral profiling by monitoring behavior and conduct on the part of their subordinates. Without their ability to evaluate conduct, timely warnings and early intervention would not occur. Their present level of commitment is at "Let it happen." while the desired level needed for the change to occur is "Help it happen." Several different intervention strategies might have to be employed in order to move the supervisors to the higher level. First, the Program Manager should meet with the patrol sergeant(s) who are viewed by the officers as "role models" and provide them with an overview of the program. After demonstrating to them the positive benefits of the program, especially as it relates to safeguarding employees' careers by providing early intervention, they should embrace the concept. The first-line supervisors should be educated regarding the aspects of how they will improve the effectiveness of the organization, not to the detriment of their subordinates but by providing a benefit at the same time. For some supervisors, however, educational intervention will not provide enough movement. The management staff can demonstrate the importance of

the program by "role modeling." This can be accomplished by utilizing the system to address problems with supervisors and managers, and not simply the rank and file employees. Last, changing reward systems may assist the remaining few by explaining to them that supporting important organizational programs provides them with a mechanism to demonstrate abilities to senior members which may prove important when being considered for specialty assignments or further advancement.

Police Officers' Association President: The present level of commitment of the POA President is at "Block change." This is due to resistance from the union to any change that has even the remotest possibility of negatively impacting their membership. The association may react to behavioral profiling as a subterfuge in order to identify "problem" officers. Through the use of educational intervention provided by the Program Manager and influential sergeants, the POA may see the benefit to its members. Even after being informed of the potential benefits to the program, the POA may still resist change.

A method for analyzing the degree of resistance is to utilize a process called Resistance management. An individual or group whose commitment is needed must be sufficiently dissatisfied with the present state of affairs, eager to achieve the proposed new program, and convinced of the feasibility of the change, or the "cost" of changing is too great. If this cost of changing is too high, they will continue to resist the change. Through this method, the POA should be shown that, by the use of behavioral profiling, their members have the potential to receive counseling at an early stage in order to assist with the modification of conduct. This, in turn, will reduce more drastic punitive disciplinary

action. The result will be a more cooperative effort on both sides to use early positive discipline to modify behavior.

Program Manager: The Professional Standards Unit Commander will be intimately responsible for managing the behavioral profiling system. The unit commander will have the responsibility of ensuring the proper processing of data and following up on intervention actions. What will move the unit from "Help it happen" to "Make it happen" will be the completion of the development of the process and the designation of the unit commander by the chief as the program manager.

Police Psychologists: The police psychologists, composed of both on-staff and contractual clinicians, will be involved in the intervention techniques used to modify behavior. Other psychologists will assist with the research to identify the "at risk" behavior or precursors to misconduct. In order to move the group to "Help it happen." it will necessitate focusing their efforts from the theory to practical application. This will be accomplished with educational intervention.

Military Researchers: Military researchers, specifically the Defense Personnel Security Research and Education Center, would also be needed to move to "Help it happen." It would need to be demonstrated to them that they would have an opportunity to assist in developing criteria which would identify precursors to police misconduct. This, in turn, could benefit them in their research into the identification precursors to acts of espionage or other betrayal of trust involving military personnel. The current research project involving police excessive force is being conducted to provide the military with just such results.

C. MANAGEMENT STRUCTURE

An effective management structure must be established to facilitate the implementation of the plan. The selection of the transition manager is a crucial one. A successful manager usually possesses the following attributes:

- * The clout to mobilize the resources necessary to keep the change moving.
- * The respect of the existing leadership and change advocates, including the wisdom and objectivity to make balanced decisions.
- * Effective interpersonal skills which demonstrate diplomacy and persuasion rather than force or formal power.⁵⁰

The project manager must be selected by the Chief of Police. The project manager will derive power from the chief and will report directly to the chief on matters involving the program. The project manager selected would be the Professional Standards Unit Commander, a lieutenant. His selection is due to his close involvement with behavior and conduct-related issues. The ideal setting would have the project manager relieved of his normal daily responsibilities during the implementation of the program. In reality, this may not be possible. The manager may have to delegate some day-to-day work to subordinates and concentrate as much as possible on the project. The project manager will head a team composed of selected personnel necessary to implement the change.

Due to the unique nature of the project, it will be necessary to have, in a sense, two project teams. In the early stages, the manager will work closely with outside personnel responsible for conducting research and developing the instruments to be used by law enforcement. This group would be identified as the Law Enforcement Advisory Committee.

It would include a representative from the National Institute of Justice (NIJ) who is familiar with the topic, representatives from PERSEREC, police psychologists with the American Psychological Association (APA), and a representative from POST. The focus of the advisory committee will be on developing an industry-wide approach to the use of behavioral profiling. Once the initial phase is completed, an in-house transition team will be established, consisting of the following personnel: The project manager, a representative from the Police Management Association (PMA), two sergeants representing supervision, the Training Unit Supervisor, a representative from the Police Officers' Association (POA), two police psychologists, and a computer programmer. The following table reflects the organization and focus of the team members:

PROJECT MANAGER (Overall responsibility)	
PMA REP. (Mgt. issues)	SUPERVISORS (Direct involvement)
TRAINING SGT. (Training program)	POA REP. (Labor issues)
POLICE PSYCHOLOGISTS (Intervention methods)	L.E. ADV. CMT. (Research)

The personnel who were selected for the transition team were chosen due to their unique technical ability or expertise in the field, or for their position within the department and their ability to assist with the change. The team includes the project manager who functions not from his own power base but from the chief's office, representatives of constituencies (management, first-line supervisors, police officers' association), and "natural" or informal leaders.

To make the transition successful and effective, there must be several methods employed to support the implementation. It is critical that the goal of the program be made

clear to everyone in the department. Lines of communication must be maintained and periodic updates provided to all. Controlling the effects on the organization and the employees as a critical factor. Considering that change tends to create stress and uncertainty, methods must be employed to provide stability during the transition state. The following methods will be used to help accomplish this:

1. Remaining focused on the goal is key to implementation.
2. Team building by involvement of members of the department in the process.
3. Providing constant feedback to the organization as to the progress of the project.
4. Management by "wandering around" and being available for questions during briefings and staff meetings.
5. Reviewing short-range checkpoints that show the team and the organization the accomplishments obtained so far. Taking note of checkpoint accomplishments allows the program manager to give credit and praise to team members for achievements.
6. Responsibility Charting: The technique called responsibility charting is used to depict the major actors and assign them specific tasks and responsibilities. This process can serve to facilitate understanding and appreciation of individuals' roles. It places responsibility on specified steps and eliminates duplicate effort and wasted time.
7. Program evaluation: A key element of any new plan is an evaluation component. This tool allows for critical examination of the plan after implementation, during

a test period, and throughout the program's lifetime. It is used to address problems that earlier were unforeseen. The tool provides for a mechanism which will identify specific problems, direct the item to the appropriate person or unit to cause correction, and allow changes to be made in a timely manner which will then improve effectiveness.

Listed horizontally across the top of the Responsibility Chart (Table 7) are the actors. Vertically on the left of the chart are the activities involved. The following classifications are used: (R) Responsibility to see that actions or decision occur, (A) Approval of actions or decision with the right to veto, (S) Support of action but no right to veto, (I) Informed of action or decision but no right to veto, and (-) Not Applicable to this item.

The chart provides a view of the number of steps or tasks which need to be completed to make the changes. The chart also identifies the individuals or groups who are responsible for carrying out the tasks. As the chart reflects, there is only one "actor" identified to be responsible "R" for each of the tasks. There are decisions listed which indicate what actor(s) may need to provide approval "A".

TABLE 7

RESPONSIBILITY CHART (RAS)

Actors

DECISIONS TASKS	Program Manager	Chief of Police	Police Mgt. Rep.	1st-Line Super.	Training Sergeant	POA REP.	Police Psych.	Advisory Cmte.
FORM L.E. ADVISORY COMMITTEE		A	I	I	-	-	S	A
ACQUIRE FUNDING	S	A	-	-	-	-	I	R
CONDUCT RESEARCH	S	S	I	I	I	I	S	R
DEVELOP MISSION STATE.	R	A	S	S	I	I	S	I
DEVELOP PRECURSOR I.D. SYST.	A	S	I	I	-	I	S	R
ESTABLISH BEH. PROF. METHODS	A	S	I	I	-	I	S	R
DEV. INTERVENTION METHODS	S	A	S	S	-	S	R	A
DEV. TRAIN. PROGRAM	A	S	S	S	R	-	S	S
TRAIN EMPLOYEES	A	S	S	I	R	I	S	S
IMPLEMENT PROG. TEST	R	A	S	S	-	I	S	I
PROGRAM EVAL.	R	A	S	S	-	I	S	A

SYMBOLS R = RESPONSIBILITY I = INFORMED
 A = APPROVAL - = IRRELEVANT TO THIS ITEM

S = SUPPORT

D. TRANSITION MANAGEMENT PLAN OUTLINE

A transition plan outline is helpful in organizing efforts for the transition. It also allows for a timetable for each step. Target dates are important but must be realistic and attainable. It is beneficial for the transition manager to utilize a time-line for each Step which helps make goals and expectations easier to monitor. The following is an outline for the implementation of a behavioral profiling program and is broken down into four phases.

Phase I

I. PLAN AND ORGANIZE

- A. Prepare behavioral profiling proposal - Completion: 90 days
 - 1. Identify project needs
 - 2. Create Mission Statement
 - 3. Identify potential sources of assistance

- B. Create Law Enforcement Advisory Committee - Completion: 120 days
 - 1. Obtain assistance from National Institute of Justice
 - 2. Meet with representatives from PERSEREC
 - 3. Develop liaison with POST
 - 4. Develop liaison with Police Psychologists (APA)

- C. Develop project proposal for funding - Completion: 60 days
 - 1. Submit proposal to U.S. Department of Justice
 - 2. Submit proposal to U.S. Department of the Navy (PERSEREC)
 - 3. Submit proposal to other funding sources

- D. Establish "needs assessment" for internal transition team - Completion: 60 days
 - 1. Identify steps to implement program for department
 - 2. Selection of project manager
 - 3. Selection of team members by assignment

Phase II

II. IMPLEMENT PROGRAM

- A. Conduct Behavioral Profiling research - Completion: 24 to 36 months
 - 1. Conduct research study to identify precursors to misconduct
 - 2. Identify measurable conduct traits for profile
 - 3. Develop intervention strategies for identified employees
 - 4. Develop threshold levels for triggering intervention
 - 5. Develop critique mechanisms for psychologists
 - 6. Obtain U.S. DOJ/NIJ and/or POST certification

- B. Develop system for department - Completion: 90 days (after item A completed)
 - 1. Assign transition team member duties
 - 2. Develop training program for managers and supervisors
 - 3. Produce videotape on program for department viewing
 - 4. Train all personnel involved
 - 5. Develop intervention standards
 - 6. Develop computer program to track employees identified by system

Phase III

III. UTILIZE SYSTEM

- A. Collect data on employees relative to program - Continuous
- B. Refer employees to appropriate intervention method
- C. Closely monitor employee responses to intervention
- D. Continue liaison with Law Enforcement Advisory Committee and transition team

Phase IV

IV. EVALUATE

- A. Review system effectiveness - Continuous
 - 1. Obtain feedback from supervisors and managers
 - 2. Obtain feedback from Police Officers' Association and individuals
 - 3. Compile statistical analysis to measure number of employees involved in system
- B. Continue to modify program for effectiveness
 - 1. Maintain open line of communication with all concerned

E. ANTICIPATED OBSTACLES

As in any significant change, especially one dealing with many unknown factors, there will be some problems. One of the first obstacles to overcome is the monumental task of locating the right entity to conduct the initial research. This alone causes complications regarding who will provide the funding, and then will they exert too much control over the direction of the research. Next is the problem with logistics. The agency poised in the best position to conduct the research is in Monterey, California, while the police psychologist with the greatest level of knowledge is in Washington, D. C. Assuming the funding and geographical issues can be worked out, political complications could arise.

The differing backgrounds of the key members of the advisory committee may lead to a conflict. The military researchers from PERSEREC focus on identifying traits or patterns of conduct which can be identified by the layperson. Their thrust is to provide the Department of Defense personnel with a method of identifying problems which could be recognized by a supervisor or investigator. The police psychologists have a different focus in that they possess specialized clinical experience in evaluating behavior and should be able to provide training to supervisors to recognize behavioral clues.

Through the development of the committee, it will afford the opportunity for each of the entities to "educate" each other's research and efforts. By demonstrating that each has been focusing on a similar issue but from differing viewpoints, the committee should be able to realize the need for a coordinated effort. The concept of behavioral profiling can benefit law enforcement on an industry-wide basis.

Funding for the project will be sought, as stated earlier, from various governmental institutions. Justification for the funding can be demonstrated by reviewing the financial cost to law enforcement agencies of personnel costs in response to misconduct. When agencies suffer personnel losses from disciplinary actions, they lose all monies which have been invested in hiring, training, and equipping those personnel.

The Police Officers' Association (POA) and individual officers may oppose the program, believing it to be a mechanism for the department to "single out" particular employees. A significant amount of effort will have to be expended in educating the employees that the purpose of the program is to assist employees at the earliest stage possible with intervention steps that help them to correct problems. The process will reflect an effort to focus on early indicators of problems which are then met by positive responses to provide help and safeguard careers. Once the employees and their unions understand the ultimate goal of the program, they should see the benefit to both the employee and the organization, and thus be supportive.

EVALUATION COMPONENT

As with any new program, there must be an evaluation component to determine its effectiveness or success. The pilot project must maintain a continuous evaluation of the system. First, the project manager must review all officer referrals to intervention. This should provide an insight into whether the officers involved and the clinicians who are providing assistance recognize any benefit. Next, the manager must obtain feedback from supervisors as to whether or not they have seen any change in the behavior of the personnel

involved. Also, the manager must survey the supervisors in order to determine if there is any change in the level of acceptance of the program. The program manager should conduct confidential surveys of the individual officers, after referral to intervention to determine their personal view of the value of the system.

Follow up should be conducted to determine any new concern of the Police Officers' Association regarding employment issues. Continual communication with the management representative should be maintained to determine if any additional management concerns have emerged. The program manager should conduct a periodic review of the system with the Law Enforcement Advisory Committee and the police psychologists to make any modification the can improve the system.

Lastly, consideration should be given to a temporary abandonment of the program if the system appears to have major flaws or some significant, unforeseen event causes the system to be unworkable.

SECTION SUMMARY

This section has covered the transition management of the project. Included were the transition management situation, followed by an examination of the critical mass, an assessment of the members' readiness and capability, the type of commitment necessary for the project to be successful, the management structure, and a look into the anticipated obstacles.

The goal of the transition management plan was to provide the law enforcement community, and specifically the Huntington Beach Police Department, with a method of

identifying behavioral patterns which are precursors to misconduct. Then, provide a system where alternative intervention strategies are employed to assist the employee in correcting deficiencies at the earliest possible stage. The ultimate goal is to provide a more cost-effective way of focusing on positive discipline and safeguarding careers.

Section V

CONCLUSION

The issue studied in this report dealt with the subject of police misconduct and one method of how the law enforcement community may address it. Behavioral profiling of police officers is an emerging issue which can impact the manner in which misconduct may be minimized in the future. The study examined the issue and three sub-issues; as a result, the conclusions drawn with respect to the sub-issues are as follows:

1. **What methods will be used to identify behavioral patterns related to police misconduct?**

Recognizing that the identification of "behavioral patterns" is of paramount importance to the program, the methods must be as scientifically sound as possible. The patterns must be found through detailed research similar to methods used to support the quality of psychological testing instruments similar to the Minnesota Multiphasic Personality Inventory and the California Psychological Inventory. The National Institute of Justice (NIJ) has conducted research which identified categories of officers at risk for excessive force. NIJ reports that research studies are now being conducted exploring ways to improve the accuracy of predictions of violent behavior.

The United States Department of Defense is conducting a "Police Integrity Study" to identify a set of items on psychological test instruments that differentiate people who later betray the trust vested in them by committing serious crimes from people who do not. Using test information collected from a nationwide sample of law enforcement agencies, the study will develop and validate test items that measure people's predisposition to betray trust.

It is these types of studies and methodology that this author believes can accurately identify the requisite patterns of behavior. As discussed within the "Transition Management" section, systematic steps must be taken over a period of time to accurately identify behavior which indicates future misconduct.

2. How will behavioral profiling standards be established or adopted?

Similar to identifying behavioral patterns, the establishing of standards can only be made after in-depth research. Profiling standards should be established by an industry-wide, sanctioned organization, such as the Police Executive Research Forum and/or the National Institute of Justice. These organizations have the ability and the reputation necessary to sanction the establishment of standards. Police psychologists will be involved in developing the criteria which establish and support the foundation for the standards. The profiling standards must then be subjected to review and critique by a review group such as the American Psychological Association. Finally, the standards should be reviewed by a

coalition of law enforcement officials to ensure that the standards will be usable by police supervisors.

3. Will early detection of "at risk" behavior patterns reduce police misconduct?

This sub-issue is a key component of the study as it relies on the basic assumption that early detection of any illness or problem provides greater chances for recovery or resolution. Following the argument that early signs of community deterioration are forerunners of more serious criminal problems, this should be applied to the human behavioral dimension of the police organization.⁵¹ Early detection of "at risk" or "marker" behavior on the part of police officers suggests deterioration of behavior, and the behavioral equivalent of the "broken windows" concept. As previously stated, many agencies have seen the benefit of early action or intervention techniques and, thus several, such as Long Beach, California; Atlanta, Georgia; and Denver, Colorado utilize an "Early Warning System." New York Police Department uses its "Early Intervention Program" to provide counseling at an early stage, and the Chicago Police Department uses a consultant to deal with spousal abuse at the earliest possible stage.

Police supervisors are trained to identify and respond to performance problems and training deficiencies as soon as possible to correct conduct and improve effectiveness. When supervisors eventually receive training to identify "marker" behavior, they will then become more focused on responding to any additional problem behavior and, when appropriate trigger intervention steps. When intervention takes place early in the path of deteriorating

behavior, it has the greatest chance of correcting the problem and placing the officer on the "correct" career path.

**WHAT WILL BE THE IMPACT OF BEHAVIORAL PROFILING
IN THE IDENTIFICATION OF POLICE MISCONDUCT
IN CALIFORNIA BY THE YEAR 2005?**

Based on the study, this author feels that Behavioral Profiling will have a profound impact on the identification of police misconduct in California, and possibly the nation, by the year 2005. The research has shown that police misconduct, including excessive force, criminal conduct, and corruption, is increasing and standard methods of response are not effective. Although many departments utilize "early warning systems," these are only valuable after the incident or misconduct has occurred.

Several research projects which are being conducted by different groups are in progress and should provide assistance to this issue. The United States Department of Defense is currently conducting a five-year study of police officers to identify factors that can indicate "betrayal of trust." The National Institute of Justice (NIJ) has recently published the findings of a study which identified five different profiles of officers at risk for excessive force. Further, the NIJ reports that other research studies are under way exploring ways to improve the accuracy of predictions of violent behavior. The police psychologist component of the American Psychological Association reported that in a nation-wide study, 42% of the police psychologists were involved in monitoring officer behavior. Additionally,

their data shows that the development of proactive monitoring to detect "marker behaviors" should be encouraged.

The issue of police misconduct appears to be of increasing concern to the public and the media. During a one-year period, this author found newspaper articles which reflected numerous incidents of excessive force involving police officers. The articles listed 49 individual officers who were charged with criminal acts, including grand theft, drug sales, and murder. The reasons for this activity should be the subject of another study project; this author only focused on one response which law enforcement should explore to address the problem. Law enforcement can no longer rely on age-old methods to deal with misconduct.

This author reviewed numerous psychological and military research projects, conducted interviews of researchers and clinicians, spent time at a research center, and held panels which included police psychologists, attorneys, behavioral specialists, and law enforcement officials. Based on this research, this author believes the concept of behavioral profiling is feasible and should take place.

Future Study Recommendations

Further study must be conducted to accurately define reasons for specific behavior. Additional work should be performed to identify what intervention methods will be the most beneficial to correct certain activity. Studies should concentrate on what training methods can best equip supervisors to identify and respond to actions on the part of their subordinates.

APPENDIX A

INDIVIDUALS INVITED TO PARTICIPATE IN NGT PANEL

1. Captain Roger Baker
Anaheim Police Department
Anaheim, Ca.
2. Dr. Larry Blum * (unavailable for NGT)
Licensed Psychologist
Santa Ana, Ca.
3. Lt. Timm Browne
Orange Police Department
Orange, Ca.
4. Dr. Michael Corcoran
Threat Assessment Specialist
Huntington Beach, Ca.
5. Mr. Art Droz
Attorney at Law
Huntington Beach, Ca.
6. Captain Rod Gillman
Fountain Valley Police Department
Fountain Valley, Ca.
7. Dr. Debra Glasser * (unavailable for NGT)
Behavioral Sciences Division
Los Angeles Police Department
8. Dr. Ira Grossman * (unavailable for NGT)
Licensed Psychologist
San Diego, Ca.
9. Dr. Eric Gruver
Licensed Psychologist
Tustin, Ca.

APPENDIX A Continued

10. Dr. Michael Hyams
Newport Beach Police Department
Newport Beach, Ca.
11. Lt. John Lane
Threat Management Unit
Los Angeles Police Department
12. Captain Ed McErlain
Huntington Beach Police Department
Huntington Beach, Ca.
13. Professor Thomas Perez * (unavailable for NGT)
Director of Criminal Justice Program
Irvine Valley College
14. Ms. Diana Field * (unavailable for NGT)
Attorney at Law
Santa Ana, Ca.
15. Mr. William Sage
Deputy City Attorney
Huntington Beach, Ca.
16. Mr. Mike Wellins * (unavailable for NGT)
Clinical Counselor
Santa Ana, Ca.
17. Mr. Richard Wright
Association President
Huntington Beach Police Officers Association

APPENDIX B

TOTAL TRENDS GENERATED BY NGT PANEL

1. Corruption of police officers
2. Citizen review boards
3. Liability lawsuits
4. Sexual Harassment
5. Scrutiny of off-duty conduct
6. Willingness of citizens to make formal complaints
7. Number of officers disciplined for improper conduct
8. Number of stress retirements
9. Union involvement in employee right issues
10. Public scrutiny of law enforcement
11. Acceptable standards of behavior
12. Level of confidence in validity of psychiatric examinations
13. Level of agreement in psychiatric practitioners
14. Qualified candidates available to enter law enforcement
15. Level of labor vs management cooperation
16. Political response to public's view of police misconduct
17. Citizen complaints dealing with unethical behavior
18. Number of officers disciplined for criminal activity
19. Officers disciplined for sexual, racial or gender issues
20. Violence against police
21. Pool of police applicants
22. Changing attitudes of news media
23. Legal community's involvement in police misconduct
24. "Political Correctness" affecting misconduct issues
25. Number of criminal citizen complaints against officers
26. Federal "civil rights" investigations of officers
27. Legislation passed regulating police conduct
28. Substance abuse by general public
29. Contrasting cultural value systems
30. Level of employment longevity
31. Dysfunctional family units
32. Public tolerance of police misconduct
33. Varying interpretation of misconduct
34. Legal system's tolerance of police misconduct
35. Predictive ability of psychological tests
36. Awareness of supervisors/peers of problem behavior
37. Community policing - impact on misconduct
38. Civilianization of positions
39. Workers' compensation issues

APPENDIX B Continued

40. Pre-employment screening for profiles of potential misconduct
41. National trends of identification factors for behavior
42. Mandatory procedures for treatment of "problem officers"
43. Officers' frustrations with expectations
44. Acceptance of criminal behavior
45. Concepts of equality relating to race, gender, and sexual orientation

APPENDIX C

TOTAL EVENTS GENERATED BY NGT PANEL

1. Law mandates periodic psychological testing of officers
2. Genetic test developed which predicts "deviant" behavior
3. Officer kills multiple citizens
4. Tax initiative regulating salary and benefits
5. Chief of Police removed for criminal conduct
6. Armed citizens revolt against officers
7. Abolishment of pre-employment psychological testing
8. Mandatory polygraph exam prior to hiring
9. Establishment of pre-employment tests for government positions
10. Mandatory citizens' review for all law enforcement personnel
11. Discovery of genetic link to misconduct
12. Health hazard from police computers discovered
13. Legislation of illegal drugs
14. Privatization of police department
15. Chief of Police arrested for act of corruption
16. Death of public official caused by police officer
17. Discovery of police plot to induce violence
18. Discovery of "cover-up" of major misconduct
19. Vigilante incident by off-duty officer
20. Internal work-place shooting incident
21. Officer ostracized for cooperation in investigation
22. Murder of large number of officers
23. Lawsuit bankrupts city
24. Female becomes Chief of Police for LAPD
25. Law mandating treatment for "problem officers"
26. Repeal of law mandating pre-employment screening
27. Law mandates total cost of problem officers be made public
28. Citizen panel established to handle all personnel complaints
29. A.C.L.U. President elected as county district attorney
30. Major labor union organizes all police in state

APPENDIX D

STATE OF CALIFORNIA DEPARTMENT OF JUSTICE
NUMBER OF CITIZENS' COMPLAINTS AGAINST PEACE OFFICERS

YEAR	COMPLAINTS REPORTED	COMPLAINTS SUSTAINED
1984	12,875	2,357
1985	13,890	2,339
1986	12,811	2,412
1987	14,180	2,244
1988	13,817	2,438
1989	14,855	2,759
1990	14,755	2,754
1991	16,467	2,632
1992	17,468	2,769
1993	18,931	2,555

* Source - California Department of Justice
Office of the Attorney General

** Data is not corrected for 9.8% increase in full-time peace officer personnel

APPENDIX E

STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

NUMBER OF CRIMINAL COMPLAINTS AGAINST PEACE OFFICERS

YEAR	CRIMINAL COMPLAINTS REPORTED	CRIMINAL COMPLAINTS SUSTAINED
1984	738	153
1985	827	246
1986	728	160
1987	846	167
1988	1,454	290
1989	1,467	268
1990	1,412	295
1991	1,404	255
1992	1,745	310
1993	1,861	240

* Source - California Department of Justice
Office of Attorney General

** Data is not corrected for 9.8% increase in full-time peace officer personnel

APPENDIX F

STAKEHOLDERS

1. Police Officers' Association *
2. The community *
3. Peace Officers Research Association of California
4. Police Management Association *
5. Civilian police employees
6. American Psychological Association *
7. American Medical Association *
8. City council *
9. Chief of Police *
10. Individual officers *
11. Professional Standards Unit *
12. City attorney
13. Attorneys *
14. Criminal Justice System
15. Director of Finance
16. Personnel Director
17. CPOA Legal Advisors Committee (snaildarter)
18. Military Researchers *
19. Other police departments
20. National Institute of Justice
21. Arrestees *
22. Complainants *

* Denotes top 11 stakeholders

APPENDIX G

ALTERNATE STRATEGIES

1. Form a coalition of special interest groups to develop the plan.
2. Utilize military researchers and completed DOD projects.
3. Request the American Psychological Association and American Medical Association to jointly conduct research and develop plan.
4. Request Police Officers' Association to develop plan.
5. Implement experimental study with double-blind test for 3-to-5 year period.
6. Request the private sector develop program and oversee implementation.
7. Identify other agency and assist development for it, consider results prior to implementation at Huntington Beach.
8. Lobby for legislative requirement for POST development.

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