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ABSTRACT

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THE MANAGEMENT OF POLICE MISCONDUCT

by

ALLEN W. BURKS
COMMAND COLLEGE CLASS XV
PEACE OFFICER STANDARDS AND TRAINING (POST)
SACRAMENTO, CALIFORNIA
January 1993

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The Management of Police Misconduct

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Abstract

This study was developed to examine the Impact of Publicized Police Misconduct on Law Enforcement Management and the role of law enforcement management of the future in maintaining public trust. This study provides a historical perspective and an introduction to the subject including three areas of research: Futures Study; Strategic Planning and Transition Management. The Futures Study identifies Trends and Events that forecast a desirable future scenario of law enforcement management responsibility to maintain trust within the community and with the members of the police organization. The Strategic Planning and Transition Management goals to achieve the desirable future are addressed using the Fullerton Police Department, a mid-sized southern California Police Department, as the model agency. Conclusions and recommendations for further study and research are in a separate journal report. Appendixes include endnotes, bibliography and other supporting documentation.

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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.

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Standards and Training

The history of law enforcement from the early days of the "COP", a label placed on peace officers as the 'Constable On Patrol', or the significant 'Copper' buttons worn on police uniforms, until recently has always meant the apprehension of criminals and the enforcement of laws.

Modern law enforcement of today and tomorrow is developing into a professionalism of providing service to the community. The level and parameters of that service continues to challenge the executive leaders and managers of police departments across the country. Mr. Warren Christopher, of the Los Angeles Christopher Commission (Independent Commission of the Los Angeles Police Department), during a Los Angeles Times newspaper interview, responded when asked about measuring results of police service, states; "I think you would be looking for the satisfaction of the community, something that is hard to measure."[1]

The identification of that service is ultimately the responsibility and authority of the Chief of Police or the Sheriff of the County. How will that law enforcement service be delivered to the community? John H. Zenger, author of *Leadership: Management's Better Half*, states:

> If we define management as the administrative ordering of things - with written plans, clear organization charts, well documented annual objectives, frequent reports, detailed and precise position descriptions and regular evaluations of performance against objectives - then it is true that many organizations are well managed, and no one will deny that competent management is essential to any organization.
>
> Leaders, on the other hand, provide visionary inspiration, motivation and direction. Leadership attracts people and inspires them to put forth incredible efforts in the common cause. Leadership in this sense, most would agree, is missing from most of our public and private organizations.[2]

Law enforcement must continue to develop leaders among the managers of the organization. The management and development of leadership within the organization is the inherent responsibility of the executive leader of that organization. Leaders must be trained to be accountable and maintain

credibility with those they lead. Effective leadership is the foundation for the building of ethical skills within the organization, the ethical skills which will prevent police misconduct of the future.

Noted authors, Warren Bennis and Burt Nanus of *Leaders, The Strategies For Taking Charge,* write:

> Mangers are people who do things right and leaders are people who do the right thing.[3]

> Credibility is a premium these days. Leaders are being scrutinized as never before. Fifty years ago this was not the case. Attention to welfare, social services, health, education and environment has spawned a morass of advocacy groups, government regulations, organized consumers and unions to whom the media is ever more responsive. All are questioning and challenging authority...[4]

The credibility of leadership must all be inclusive with ethical and moral standards at the highest level. Author John W. Gardner, in the book, *Leaders: Taking Charge, Leadership and Empowerment,* writes:

> Leaders have a significant role in creating the state of mind that is the society. They can serve as symbols of the moral unity of the society. They can express the values that hold the society together. Most important, they can conceive and articulate goals that lift people out of their petty preoccupations, carry them above the conflicts that tear a society apart, and unite them in pursuit of objectives worthy of their best efforts.[5]

On March 3, 1991, during the arrest of Rodney King by the Los Angeles Police Department, it was apparent the standards of leadership and control were absent during the beating that occurred that infamous night.

The impact of this single event in law enforcement history would change the status quo of doing police business. This research report was inspired and challenged by the question asked of a law enforcement manager of a mid-sized police agency in Southern California, "What would you do if a Rodney King type incident occurred in your city?"

The research of *The Management of Police Misconduct*, was documented in a technical report that identified a primary issue question of "What impact will highly publicized police misconduct cases have on police management by the year 2002?" Three sub-issues were also identified:

1. "What training and education programs will be required to develop police officers?"
2. "What impact will discipline have on retention of police officers involved in police misconduct cases?"
3. "What methods will be developed by police management to retain public trust?"

The first two issues will be addressed later in this report with recommendations of future study. This report will focus on the third issue of; *What methods will police management develop to retain public trust?"*

The management of police misconduct, whether the Chief of Police, the Sheriff of the County, or the Internal Affairs Investigator, the thought of managing a police misconduct incident is most likely the least desirable of responsibilities. Even worse, if it is a highly publicized incident with negative news media coverage and potential negative public scrutiny.

The law enforcement managers of today, tomorrow and beyond, will be accountable and responsible for the ethical standards and behavior of law enforcement employees providing service to the community. Author Colleen A. Fitzpatrick, in her work, *Customized Code of Ethics*, writes:

> Police Leaders communicate department standards through their actions or by their silence, for failure to correct inappropriate behavior gives department's endorsement to such behavior. Therefore management must take steps to improve and encourage ethical behavior.[6]

The absence of a strong standard of ethics and professional demeanor in delivering service to the community will exemplify the potential for corruption. Author Otis E. Cooksey, *Corruption - A Continuing Challenge For Law Enforcement*, writes:

> Corruption can destroy the special bond of trust between law enforcement and the public...when corruption occurs, not only is the bond between police and public strained, but citizen cooperation, on which law enforcement depends can be jeopardized.[7]

Police misconduct; corruption, excessive force and inappropriate behavior, has always been a part of any law enforcement agency. The amount of misconduct is in relationship to the number of employees and the standard of leadership. Los Angeles Sheriff Sherman Block, reported in an article titled; *Values, Standards and Integrity in Law Enforcement,* "The Los Angeles Sheriff's Department discharges approximately 20 officers a year, primarily as a result of misconduct."[8] Further leadership frustrations were evident in the article, *Keeping the Faith*, where Los Angeles Police Assistant Chief, Robert Vernon stated:

> ...Although we trained the people properly, although we disciplined those who have deviated - although we have done all these things, there must be something more we can be doing.
>
> Our problem is we have to recruit from the human race...police officers are human beings - anger, fear, whatever - and they make mistakes and allow themselves on occasion to be overcome with emotion.[9]

Los Angeles Police Chief, Daryl Gates, during an interview states: "Society has been visited by a whole variety of problems that we have failed to solve...People look to the Chief to solve their problems."[10]

As law enforcement evaluates the present condition and application of the 'Code of Ethics', first established in national format by the National Conference of Police Associations in 1956,[11] law enforcement must conclude that the lack of emphasis on leadership responsibilities of the past has created the accountability issues of today and the future.

Author Vane R. King, *Rededicating Ourselves to Leadership and Ethics in Law Enforcement*, writes:

> Clear ethical codes of conduct are not always stressed by today's police leadership, ethical issues and values are most certainly not a new concern in law enforcement. However, they have never before been so publicized nor have the stakes involved been so high.
>
> But times have changed, and according to various media sources, so have police officers, not so much with regard to their collective values, but to their faithfulness to those values.[12]

Author John Gardner is also quoted in the same article of *Rededicating Ourselves to Leadership and Ethics in Law Enforcement*, as saying, "Our problem is not to find better values but to be faithful to those we profess."[13]

The literature research in this paper has identified several sources directing the reader's attention to the responsibilities of leadership and direction of ethical behavior standards. Law enforcement manager's and leaders having learned by their experiences and identifying underlying problems and causes of police misconduct, need to develop a plan to impact the *status quo* of police management and accept the challenge of change leading us into the 21st Century.

Author Warren Bennis, *21st Century Leadership*, writes: "Constant change disturbs some managers - it always has, and always will. To survive the 21st Century, we are going to need a new generation of leaders - leaders not managers."[14]

Traveling into the future, law enforcement must be aware of the society that needs and supports their police organizations. Noted author, Alvin Toffler, *The Third Wave*, identifies that:

> More than anger, citizens are now expressing revulsion and contempt for their political leaders and government officials. They sense that the political system, which should serve as a steering wheel or stabilizer in a changed-tossed, runaway society, is itself broken, spinning and flapping out of control.[15]

Law enforcement management involved in the acceptance of change will look to the future and the 21st Century and will continue to learn from the past. Author John Naisbitt, *Ten New Directions Transforming Our Lives*, from his book *Megatrends* confirms:

> In our new information society, the time orientation is to the future. We must now learn from the present how to anticipate the future. When we can do that, we will understand that a trend is not destiny; we will be able to learn from the future the way we have been learning from the past.[16]

The acceptance of change is not the final chapter to allow a successful entry into the 21st Century and beyond. A transition management philosophy must be adopted by law enforcement managers. Authors Alvin and Heidi Toffler, *The Future of Law Enforcement - Dangerous and Different*, identify a key factor that will impact public trust of law enforcement, "Failure to prepare in advance for the turbulent '90's could produce a grave breakdown in public security."[17]

Addressing the transition state and involving the community as a team player in the law enforcement role in society will mean involving the community in the transition management plan. Author William Bridges, *Getting Them Through The Wilderness: A Leader's Guide To Transition*, states:

> Many leaders fail to realize the importance of managing transition...managing transitions requires more than the obligatory transition team...for today's leader it means identifying, gathering together, and educating the pivotal people who will help realize the new vision, the organization's 'promised land'.[18]

This research report has identified the introduction to leadership and ethical behavior responsibilities. The report has addressed the responsibility of law enforcement managers and leaders to recognize and adapt to change and how it will impact the approach of the 21st Century.

Where does the community, the recipient of police service, become a part of the transition management plan to retain public trust?

The final phase of literature research will focus on the third sub-issue of the Issue Question. The sub-issue that identifies the responsibility and program to maintain public trust during the aftermath of a highly publicized police misconduct incident.

The strong foundation of ethical behavior standards by law enforcement managers, their responsibility to provide training for police officers in ethical behavior standards and their responsibility to develop a transition management plan for the integration of the community, are all critical to the success of retaining public trust. The recently developed, *Community Oriented Policing* and *Problem Oriented Policing* programs by many law enforcement agencies, have proven to be successful police/community involved philosophy/programs.

The lack of public trust in law enforcement after the Rodney King beating on March 3, 1991 by the Los Angeles Police Department was noted by the prominent Los Angeles civil litigation attorney, Thomas Beck, during his interview by Karen Nikos, *Los Angeles Daily Times*, when he observed that:

> Mistrust towards police officers in the six months since the Rodney King beating has increased the chances of jury verdicts against police...Jurors are no longer are predisposed to believe that a police officer's version of what happened is automatically true...There is definitely more skepticism now.[19]

The previously noted technical report identifies research data on the subject of managing police misconduct focused on a preferred strategy, a *Citizen Advisory Panel.* This report will conclude with recommendations of that same strategy, a *Citizen Advisory Panel* , as a method developed by law enforcement managers to communicate and integrate with the community. The involvement of representation from the community with representatives from local government and law enforcement managers will help remove prejudicial views of the police agency and provide a format to develop future training and policy guidelines.

Chief Allen W. Cole, Lawrence Police Department, Massachusetts, writes in his article on *Citizen's Advisory Committees and the Use of the Nominal Group Techniques*, that:

> It is widely accepted that a law enforcement agency is only as successful as the support it receives from the public it serves. Indeed, O.W. Wilson, writing in 1963, stressed that, "Failures in police administration are frequently traceable to a lack of public support, arising from citizen misunderstanding of police purposes and methods." However, the bureaucratic structure of law enforcement agencies, because of its rigid rules and impersonal style, tends to foster just such misunderstandings.[20]

Chief Cole is identifying a standard that has been in place since long before O.W. Wilson's impact on law enforcement education. Although Chief Cole promotes the nominal group technique process as a simple, but effective, technique for structuring small group meetings,[21] his emphasis on citizen involvement in police operations was noted in his following comments:

> In some areas, formal police citizen advisory councils have been implemented to provide for ready-made lines of communication between law enforcement and the community. These advisory boards create understanding and cooperation between the police and citizens, provide opportunities for citizens to offer suggestions on improvement in police service, acquaint citizens with the operation of the law enforcement agency and allow them to let police know about any problems in the community.[22]

Currently, law enforcement officials representing a coalition of law enforcement groups with a combined membership of 375,000 people, have developed a law enforcement steering committee, (L.E.S.C.), to establish a "blueprint for progress in policing." This blueprint will focus on the topic of increasing public trust and improving police services. The *Criminal Justice Newsletter*, Washington D.C., on September 15, 1992, reports the elements of the blueprint plan including the following:

> **Community Policing** - maintain closer contacts with the community
>
> **Altering Top-Down Management** - structure involvement of the rank and file positions within the police department.
>
> **Cultural Bias Training** - initiate cultural diversity training and screen culturally biased applicants.

Hiring and Promotion - recruitment and promotion of greater numbers of minorities and women that are representative of the community.

Aid to Crime Victims - assistance to victims does not end with the filing of a report, an arrest, or a conviction.[23]

This project reveals research data that has identified trends and potential events for the "Issue Question" - "What impact will highly publicized police misconduct have on police management by the year 2002?" Three sub-issues were identified with the focus of the research attention on the third sub-issue; "What method will be developed by police management to retain public trust?" The primary method developed was a 'Citizen Advisory Panel', supported by research literature.[24]

The first sub-issue identified in the research of a separate technical report was the question of ; "What training and education will be required to develop police officers?" The researcher recommends further future research of this sub-issue question to evaluate future needs of police officer recruitment, and the training of new officers in the areas of cultural diversity, demographics, non-lethal force and psychological profiles.

The second sub-issue for future research was the implications of, "What impact will discipline have on retention of police officers involved in police misconduct cases?" The evaluation of the disciplinary process and peace officer rights will identify areas of improvement and expansion of psychological testing and treatment. Police managers and internal affairs investigators will require training in motivation and people skills.

This research concludes with the concept that immediate action should be taken to implement programs to develop and retain public trust. The rapid growth of technology and information in our society mandates professional law enforcement service to our communities be the best.

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INTRODUCTION

A review of the need to evaluate Highly Publicized Police Misconduct Cases and their impact on Law Enforcement

SECTION I: FUTURES STUDY

What impact will Highly Publicized Police Misconduct cases have on Police Management by the year 2002?

SECTION II: STRATEGIC PLANNING

The development of a Strategic Plan and Implementation Plan for the achievement of a desired future

SECTION III: TRANSITION MANAGEMENT

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INTRODUCTION

THE IMPACT OF POLICE MISCONDUCT ON THE FUTURE OF LAW ENFORCEMENT

"The Management of Police Misconduct", Whether the Chief of Police, the Sheriff of the County, or the Internal Affairs Investigator, the thought of managing a police misconduct incident is most likely the least desirable of responsibilities. The Law Enforcement Executives and Managers of today and tomorrow will be accountable and responsible for the recognition, prevention, and response to police misconduct.

On March 3, 1991, what started out to be a routine police activity of a pursuit, confrontation with a resistive suspect, and his subsequent arrest, resulted in the most infamous day in law enforcement history and by the events that would follow, the most devastating day in the history of the Los Angeles Police Department. This single incident which has impacted all law enforcement agencies nationwide by the way they are perceived by their communities, has inspired the author of this project to search for a solution to the Management of Police Misconduct.

The term "Misconduct" has been defined by the Webster's Ninth New Collegiate Dictionary as; "mismanagement, esp. of governmental or military responsibilities, intentional wrongdoing."[1] Although the term misconduct covers a variety of personal conduct and behavior, the primary focus of the news media and newspaper accounts of law enforcement activities surrounds the allegations of excessive force and civil rights violations.

Where did all this begin, and where will it end? Author Colleen A. Fitzpatrick, Customized Code of Ethics, writes that "police leaders communicate department standards through their actions or by their silence, for failure to correct inappropriate behavior gives department's endorsement to such behavior. Therefore management must take steps to improve and encourage ethical behavior."[2]

Author Otis E, Cookey, Corruption, a continuing challenge for law enforcement, also writes that "corruption can destroy the special bond of trust between law enforcement and the public. When corruption occurs, not only is the bond between police and public strained, but the citizen cooperation, on which law enforcement depends, can be jeopardized."[3]

The management of law enforcement is where it all begins and ends. The success of that management will depend upon the values, ethics and future planning that will determine the success of law enforcement and the retention of public trust. The impact of a publicized police misconduct incident on the public trust of the community and the retention of that public trust is the primary goal of this project. The research of this project will develop strategies that will provide methods to retrieve public trust and maintain communication with the community.

The ultimate authority and responsibility of any law enforcement agency is the executive officer, Chief of Police or Sheriff of the County. Chief Daryl Gates, Los Angeles Police Department, during an interview stated, "society has been visited by a whole variety of problems that we have failed to solve, people look to the chief to solve a lot of their problems. The policy makers look at the chief as a terrible threat, if he shows any independence and criticizes the politicians, then he is even more of a threat. Whether they are going to jail or just getting a traffic citation or coming for help, that service you get is going to be quality service, is the way to go into the future."[4]

The police executive often finds that he/she is in the game of politics whether he/she wants to play or not. Law Enforcement has been referred to as the necessary evil of society, but someone has to do the job. Robert Vernon, Los Angeles Police Department, writes in his article, Keeping the Faith;

"although we trained the people properly, although we disciplined those who have deviated, although we have done all those things, there must be something more we can be doing." The frustration of this author is evident as he continues, "our problem is we have to recruit from the human race, police officers are human beings - anger, fear, whatever - and they make mistakes and allow themselves on occasion to be overcome with emotion."[5]

Across town the Los Angeles County Sheriff Sherman Block writes in Values, Standards and Integrity in Law Enforcement: An Emphasis on Job Survival, "The Los Angeles Sheriff's Department discharges approximately 20 officers a year, primarily as a result of misconduct."[6] Why is this happening?, Are we not recruiting the right people?, Are our training programs deficient? All questions each law enforcement manager should be asking and searching for the answers.

The aftermath of the incident of March 3, 1991 resulting in the criminal prosecution of four Los Angeles Police Officers and their acquittals fueling the Los Angeles Riots of 1992 has made a definite impact on the law enforcement community and public trust of the service provided by law enforcement agencies. The public trust of our police departments and our judicial system has questioned the fairness and equality to all citizens.

The issue of trust towards police officers and the judicial system was evident in an interview with Los Angeles civil litigation Attorney Thomas Beck, Mistrust of Police affects lawsuits, when he stated, "mistrust towards police officers in the six months since the Rodney King beating has increased the chances of jury verdicts against police. Jurors no longer are predisposed to believe that a police officer's version of what happened is automatically true, there is definitely more skepticism now."[7]

This project is the result of a question asked of the researcher, "What would you do as a law enforcement manager if a Rodney King incident occurred in your city?" This project will address that question as it investigates **"THE IMPACT OF POLICE MISCONDUCT ON THE FUTURE OF LAW ENFORCEMENT."**

There will be three areas of primary research data; A Futures Study, Strategic Planning and a Transition Management Plan.

DEFINITION OF TERMS:

Misconduct - Mismanagement, esp. of governmental or military responsibilities, intentional wrongdoing.[8]

Public - Of, relating to, or affecting all the people or the whole area of a nation or state, of relating to a government.[9]

Trust - Assured reliance on the character, ability, strength, or truth of someone or something, one of which confidence is placed.[10]

POST - Peace Officer Standards and Training (California)

The following section of this independent study project will develop the introduction to the "Issue Question" and research data for **"WHAT IMPACT WILL HIGHLY PUBLICIZED POLICE MISCONDUCT HAVE ON POLICE MANAGEMENT BY THE YEAR 2002?"**

SECTION I

FUTURES STUDY

WHAT IMPACT WILL HIGHLY PUBLICIZED POLICE MISCONDUCT CASES HAVE ON LAW ENFORCEMENT MANAGEMENT BY THE YEAR 2002?

INTRODUCTION

In 1991 the use of a video recorder camera during the arrest of Rodney King by the Los Angeles Police Department, would impact the future management of law enforcement more than any other single event in law enforcement history. The events that followed brought about an awareness among law enforcement management of the need to develop a strategic plan for the managing the response to highly publicized police misconduct incidents.

Law Enforcement managers of the future will be challenged by the impact of these incidents upon the education and training programs of police officers, retention of experienced police officers involved in misconduct incidents and the retention of public trust and support.

The success or failure of the future management of police misconduct will determine future legislative influence and the survival of public trust, for which this project will focus its research and collective data. The project will work towards the development of a Strategic Plan, an Implementation Plan and a Transition Management Plan to accomplish the *desired future.* Through the application of a group consensus this research will attempt to identify key Trends and Events that will forecast a positive course of action for law enforcement administrators.

The following pages will introduce the Methodology and five phases of research to identify the technical data for future decision making and the **MANAGEMENT OF POLICE MISCONDUCT.**

METHODOLOGY

PHASE I

SELECTION OF THE ISSUE QUESTION:

Establishing the "Issue Question" and "Sub-Issues" selections was based on the consideration and review of what the impact would be on the future of law enforcement, the impact by external and internal influences on police departments, and the impact on the development of police department policies and procedures in response to future incidents of the topic question.

Upon establishing the "Issue Question" and related "Sub-Issues", the selection of current and future managers was completed and a meeting held to review and discuss the impact of these issues on the future management of law enforcement agencies. The use of the Futures Wheel (Table #1) approach to the "Issue Question" established the question,

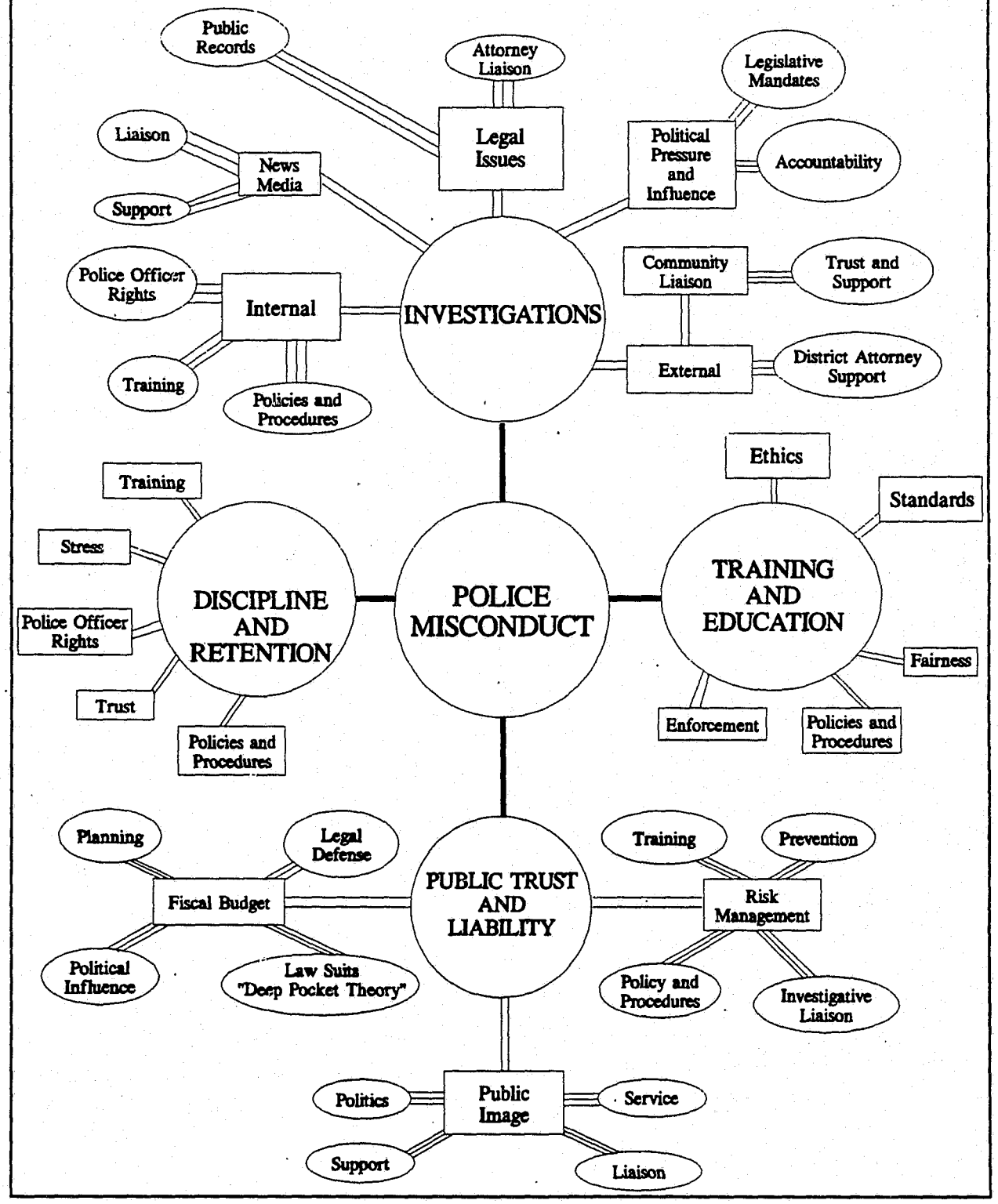
"WHAT IMPACT WILL PUBLICIZED POLICE MISCONDUCT CASES HAVE ON POLICE MANAGEMENT BY THE YEAR 2002?"

Three "Sub-Issues" were also confirmed through this process;

- **"WHAT TRAINING AND EDUCATION PROGRAMS WILL BE REQUIRED TO DEVELOP POLICE OFFICERS?",**
- **"WHAT IMPACT WILL DISCIPLINE HAVE ON RETENTION OF POLICE OFFICERS INVOLVED IN POLICE MISCONDUCT CASES?"**
- **"WHAT METHODS WILL BE DEVELOPED BY POLICE MANAGEMENT TO RETAIN PUBLIC TRUST?"**

Table 1

FUTURES WHEEL



IDENTIFICATION OF TRENDS AND EVENTS:

The seven group members were contacted in person and by phone and invited to participate in the Nominal Group Technique (NGT) process to review and discuss the subject matter. All seven group members and two alternates welcomed the opportunity to participate and were sent letters of introduction to the process (Appendix A) which included the definition of the process, the individual member's responsibilities during the process, and a reminder of the date and location of the meeting. The group members were also provided information on the target "Issue Question" and requested to begin establishing some personal thoughts and responses to prepare them for the process.

The group members were established through representatives from local law enforcement agencies and city government management. Two representatives were from law enforcement agencies outside of the facilitator's agency, four were from within the facilitator's agency and one was from city government management of the facilitator's agency. There were two Police Captains, three Lieutenants, one Sergeant and a City Personnel Manager.

The participants were;

Captain Ron Rowell, Fullerton Police Department

Captain Lee Devore, Fullerton Police Department

Captain Gene Hernandez, Orange Police Department (Alternate)

Lieutenant Tony Kelly, Buena Park Police Department

Lieutenant Jeff Roop, Fullerton Police Department

Lieutenant Tony Hernandez, Fullerton Police Department

Sergeant Mike Stedman, Fullerton Police Department

Nancy Spencer, Personnel Manager, City of Fullerton

The meeting began with and explanation and review of the N.G.T. Process and the goals and objectives of the results. The process began with forms provided to each member to list as many Trends that they believed were impacting or might impact the "Issue Question" and related "Sub-Issues".

During a round robin format each member shared his/her thoughts and ideas with the group. These suggested trends were then listed on a flip chart in view of the group for later discussion and evaluation. Upon documenting all of the Trends provided by the group, the Trends were discussed and reviewed to insure a clear understanding of each Trend by each member. During this process the group elected to combine some Trends with similar meaning or wording to establish a final list of Trends. (See Appendix B for original list and noted changes)

The initial list of Trends established by the group totaled (35) and upon a review and combining of similar Trends, the group re-established a list of Trends totaling (20).

The same process of establishing Trends was then applied to establishing a list of Events that would impact the "Issue Question" and "Sub-Issues" of the topic. Again the group provided a list of Events and a subsequent review of these events was conducted in a round robin format. Unlike the Trends process the group elected not to combine any events and only minor clarification of wording was conducted and agreed upon by the group. This may have been attributed to the group experience of the Trend Identification Process and a more selective input by each group member. The total number of Events offered by the group was (17) as listed in Appendix C.

PHASE II

SELECTION OF TRENDS AND EVENTS:

The introduction of Phase II into the NGT Process was to involve the group members in the re-evaluation of the Trends and Events and prioritize them as to the most impact each Trend or Event will have on the topic question.

In review of this process it was determined that the group selected from throughout the established combined list of Trends and from the initial list of Events. As a result of a anonymous voting process the group selected the top (12) Trends and Events and ultimately would select the top (5) Trends and Events utilizing the same anonymous voting process.

SELECTION OF TRENDS FOR FORECASTING:

The group membership was asked to select the top (12) Trends and upon further discussion and review determine the top (5) Trends that would be considered the most important to establish long range forecasting for the development of the subsequent strategic planning. Table #2 represents the Trend Screening process. The group then came to a consensus of agreement on the following top (5) Trends for forecasting;

Trend #1 - Redefining the Law Enforcement role and responsibilities with public input and priorities.

Trend #2 - Community Oriented Policing Philosophy as a proactive police tactic.

Trend #3 - Politically motivated mandated training. (Legislative reaction)

Trend #4 - Citizen review committees of police misconduct cases.

Trend #5 - Publicized police misconduct impact on public trust.

TABLE 2. Trend Scanning

CANDIDATE TRENDS	FOR PURPOSES OF TOP-LEVEL STRATEGIC PLANNING HOW VALUABLE WOULD IT BE TO HAVE A REALLY GOOD LONG-RANGE FORECAST OF THE TREND?				
	Priceless	Very Helpful	Helpful	Not Very Helpful	Worthless
Redefining the Law Enforcement Role	7				
C.O.P./P.O.P. Proactive Police Tactic	3	3		1	
Politically Motivated Mandated Training	1	5	1		
Citizen Review of Police Misconduct	1	4	2		
Police Misconduct Impact on Public Trust		6	1		
News Media Influences on Public Trust in L.E.		5	1	1	
Recruitment and Retention Impacted by High Risk Job		5		2	
Law Enforcement Regionalization	1	2	4		
Increase of Citizen Operated Audio/Video Equipment	1	2	2	2	
Cultural Awareness Training Programs	1	1	2	3	
Local and National Recessions (restricted resources)	1	1	2	2	1
Changing Attitudes of Workplace		1	6		

SELECTION OF EVENTS FOR FORECASTING:

The group membership continued the above process by anonymously voting on the top (12) Events from the initial list of (17). A continuation of the voting established the top (5) Events that would most likely occur or which would have the greater impact on the "Issue Question", if the event in fact did occur. As a result of this process the following (5) Events were elected;

Event #1 - Major recurrence of a police misconduct case rocks California Law Enforcement.

Event #2 - Anti-Police legislation passes, further restricting police powers.

Event #3 - Supreme Court lowers standard for filing Civil Rights violations.

Event #4 - Cities refuse to pay any punitive damage claims or judgements resulting from civil suits or misconduct cases.

Event #5 - Lack of funding restricts effectiveness of California POST.

PHASE III

TREND FORECASTING:

A ratio scale was used to assist the group in forecasting the top (5) selected Trends with a current or present condition value of 100. The group was asked to estimate the condition of the individual Trends five years ago and forecast the condition of each Trend five and ten years into the future.

The following table reveals the results of that process;

TABLE 3. Trend Evaluation

Trend No.	TREND STATEMENT (Abbreviated)	LEVEL OF THE TREND* (Today=100)			
		5 Years Ago	Today	** 5 Years from now	**10 Years from now
1	Redefining the Law Enforcement Role	75	100	150 / 200	200 / 250
2	C.O.P./P.O.P Tactic	40	100	150 / 200	200 / 250
3	Politically motivated mandated training	60	100	150 / 100	125 / 100
4	Citizen review of police misconduct	50	100	150 / 110	200 / 125
5	Publicized police misconduct impact on public trust	50	100	50 / 150	70 / 200

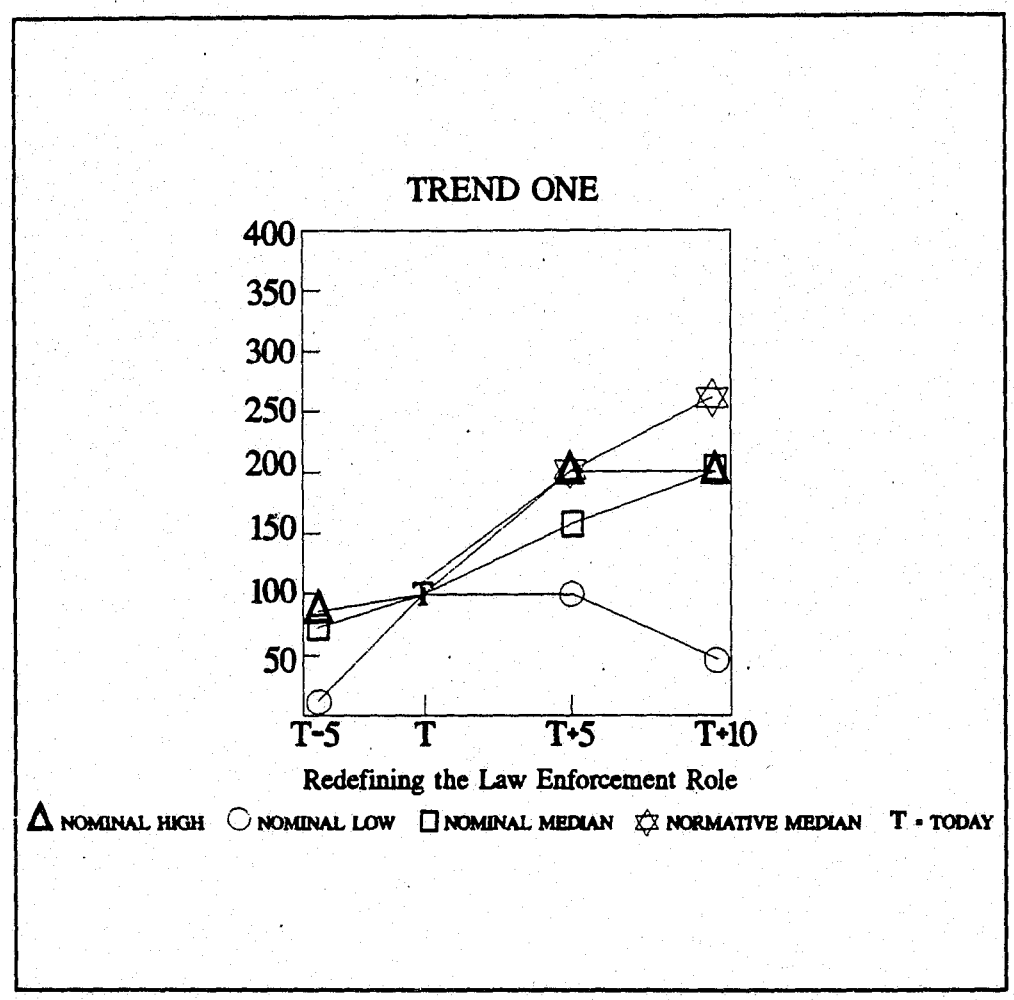
* Panel Medians
N=7

** Five/Ten years from now
Will Be / Should Be

INTERPRETATION OF TREND ESTIMATES:

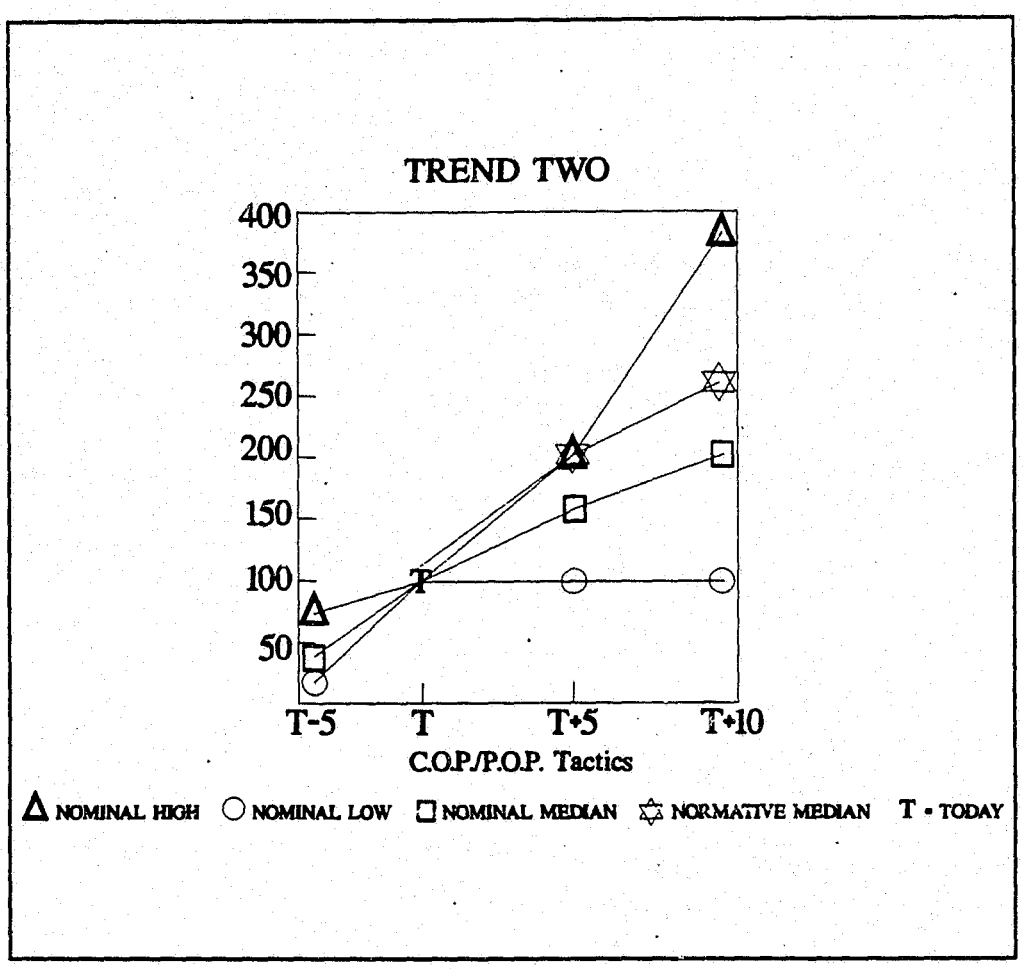
The Trend Evaluation Graphs on the following pages illustrate the forecast of the Normative High, Low and Median and the Nominal Median of each Trend.

FIGURE 1



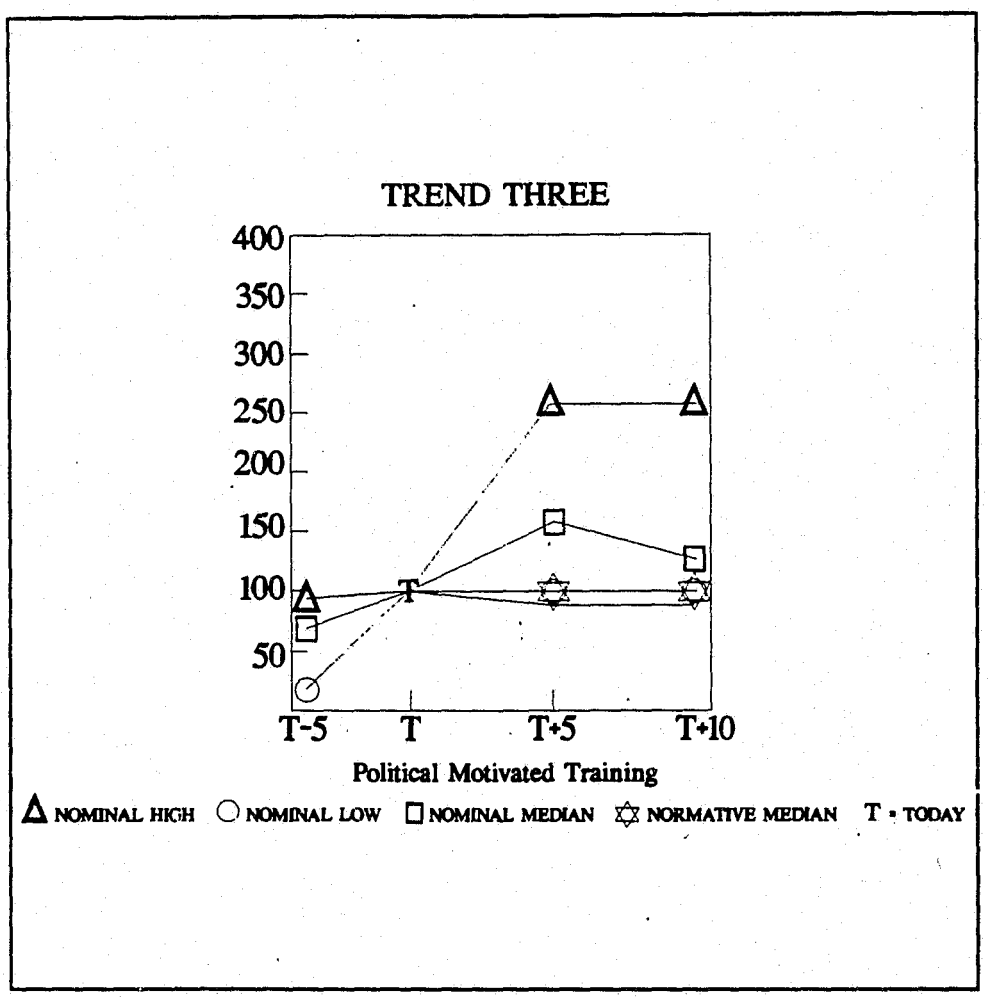
The group estimate revealed that the responsibility of 'Redefining the Law Enforcement Role' in the future "would be" 50% greater in five years and 100% greater in ten years. The estimates also noted that this trend "should be" 100% greater in five years and 200% greater in ten years. This interpreted that the group felt the importance of Trend #1 to be very high and only second to that of Trend #2. As noted in Figure 1 the "desired future" (Normative Median) was 50 points higher than the "will be" estimate (Nominal High).

FIGURE 2



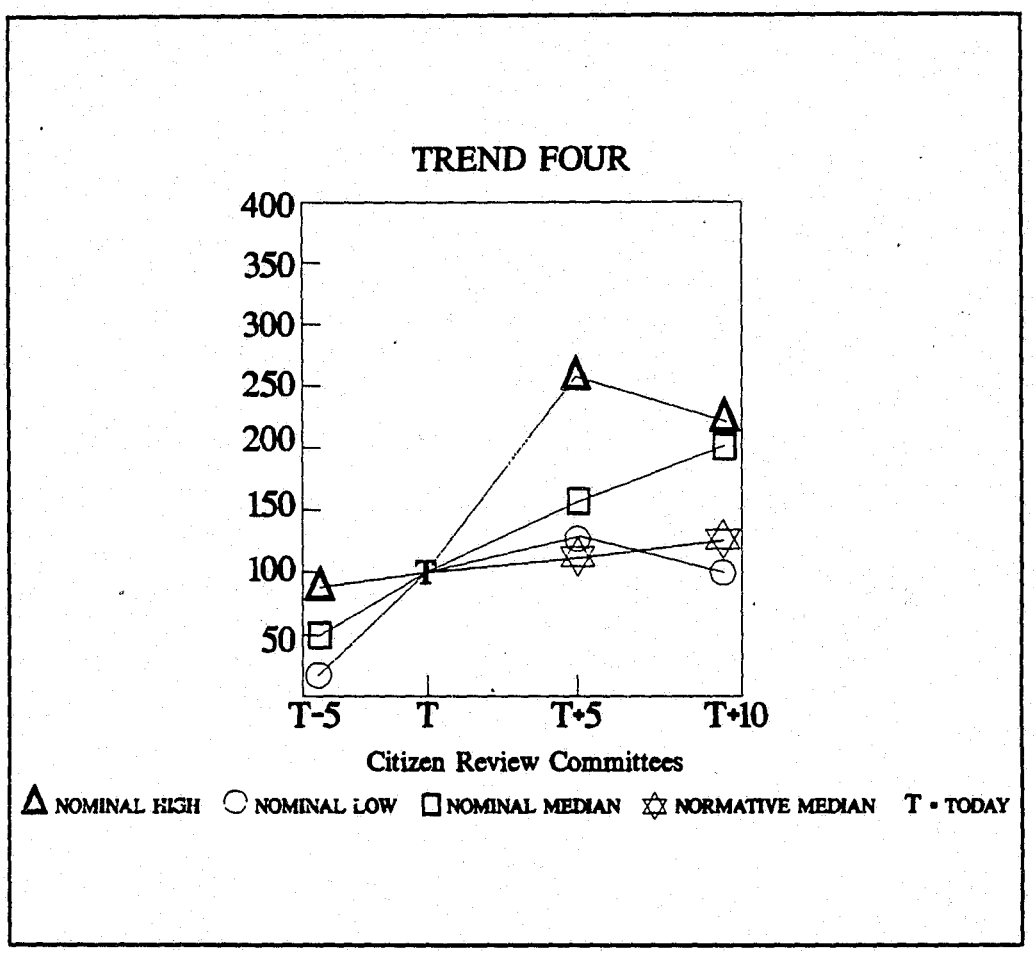
The group estimates on this trend forecasted that the empasis on Community Oriented Policing and Problem Oriented Policing Programs "will be" 50% higher in five years and 100% higher in ten years. The forecast of where this trend "should be" in five years and ten years was 50 points higher than the Nominal Median in each catagory. This reflects that the group empasized the importance of the trend in consideration of normal resistance to the acceptance of change within the organization.

FIGURE 3



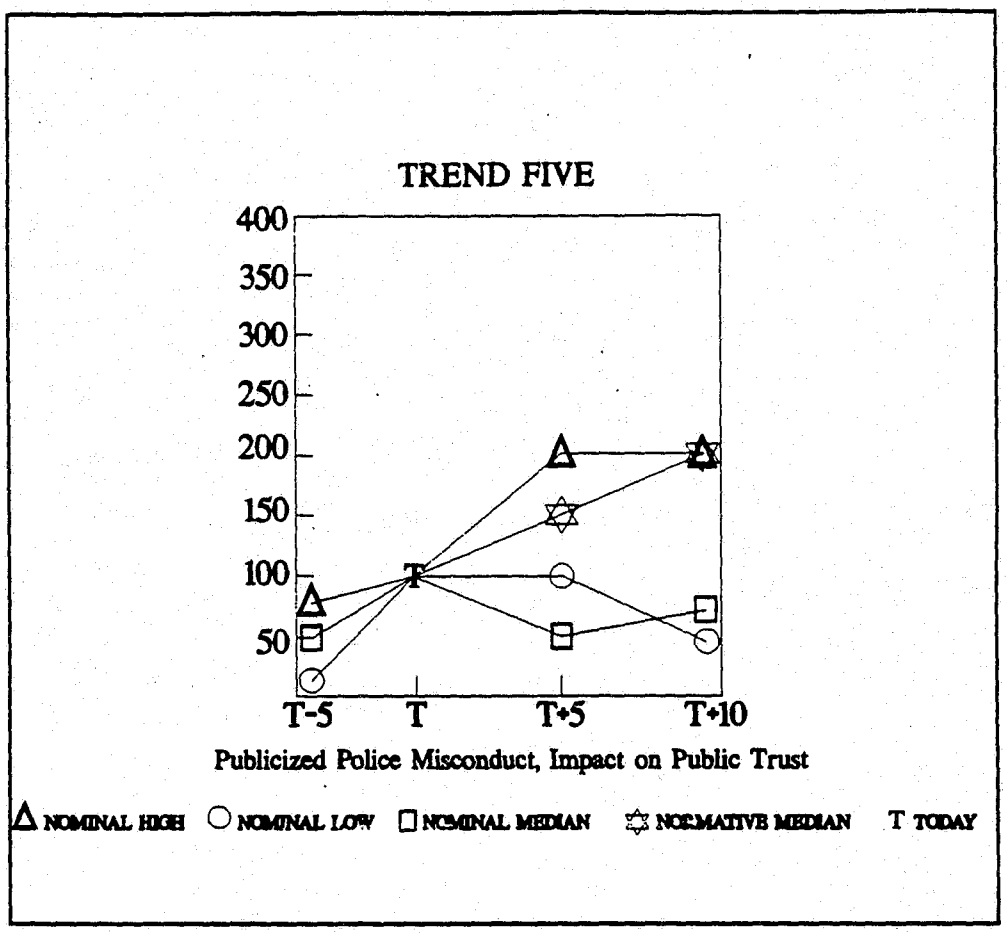
The group's forecast of this trend revealed that they estimated the probability of Political Motivated Training programs would increase 50% in five years. This was attributed to the recent news media focus on police misconduct cases and pending local and national elections of political offices. The continued forecast to ten years revealed an estimate that political pressure would reduce by 25% as a result of preventative training programs adopted in the previous five years. The desired future forecast or "should be" was determined by the group to have little or no impact on the current level of political influence or involvement attributed to immediate action by law enforcement

FIGURE 4



The group estimates of this trend revealed that the potential involvement of citizen review committees in law enforcement operations was 50% higher in five years and 100% higher in ten years. The group believed that the involvement of citizen review committees "should" only increase by 10% in five years and 25% in ten years, as a desirable future. The group attributed this lower increase in this trend due to a strong supportive community.

FIGURE 5



The group estimates of the impact of current or future Police Misconduct would decrease the amount of Public Trust in the next five years by 50%. This Nominal Median would improve slightly by 20 points in the next five years beyond, or ten years from today. The estimates of the Normative Median (Should Be) were much higher, revealing a 50% increase in Public Trust in five years and incresing again by 50% in ten years. This again was attributed to positive communication and training programs that would be developed to create a *desirable future.*

EVENT FORECASTING:

Group members were then asked to forecast the future of the top (5) Events selected during the previous evaluation process of Phase II. The group was asked to consider and identify the number of years until the probability of the Event in question would first exceed zero. Portions of years were expressed as decimals. During this evaluation process the group was also asked to forecast the probability of the Event occurring five and ten years from now, utilizing a percent scale of "0" to "100". The scale representing "0" as the Event probably would not occur by the time frame listed, and "100" that the Event will probably occur within the noted time frame. Any forecast of level between the listed "0" to "100" would reflect a level of probability of the Event in question occurring.

The group members completed the final part of this evaluation process by evaluating the degree of impact the Events in question would have on the "Issue Question" should the actual Event occur. This process was completed by using a "0" to "10" scale of results having either a positive or negative impact.

The following (Table #4) reveals the results of this process noting that the results were established from the median scores from the group members.

TABLE 4. Event Evaluation

Event No.	EVENT STATEMENT (Abbreviated)	*Years until probability first exceeds zero	Probability 0 - 100%		Impact on the Issue Area if the Event occurred 0-10 scale	
			5 yrs from now	10 yrs from now	Positive	Neg.
1	Major recurrence of police misconduct	1	95	95	5	10
2	Anti-Police legislation	2	50	75	2	8
3	Supreme Court lowers standards, civil rights	3	30	50	3	7
4	Cities refuse to pay punitive damages	3	30	50	3	7
5	Lack of funding restricts POST	2	50	70	2	9

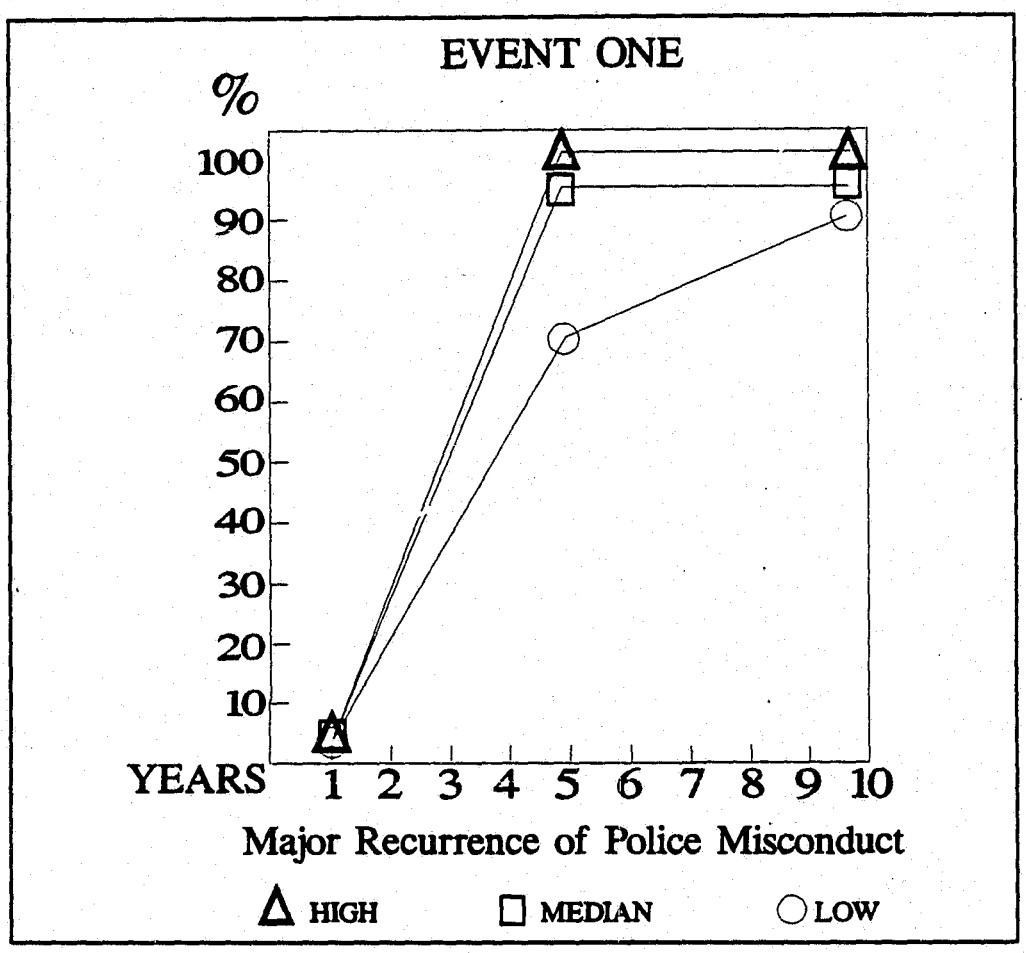
All Figures Represent Panel Medians, N=7

A review of the above figures reveal that the group membership believed that Event #1 would have the highest probability of occurrence, within the first year, and would have the most negative impact. The group also believed that the following year there would be legislative impact on law enforcement and a lack of funding from an economic recession impacting POST of California. It was interesting to note that the group felt the financial impact on POST would be a greater negative than that of legislative restrictions on law enforcement.

INTERPRETATION OF EVENT ESTIMATES:

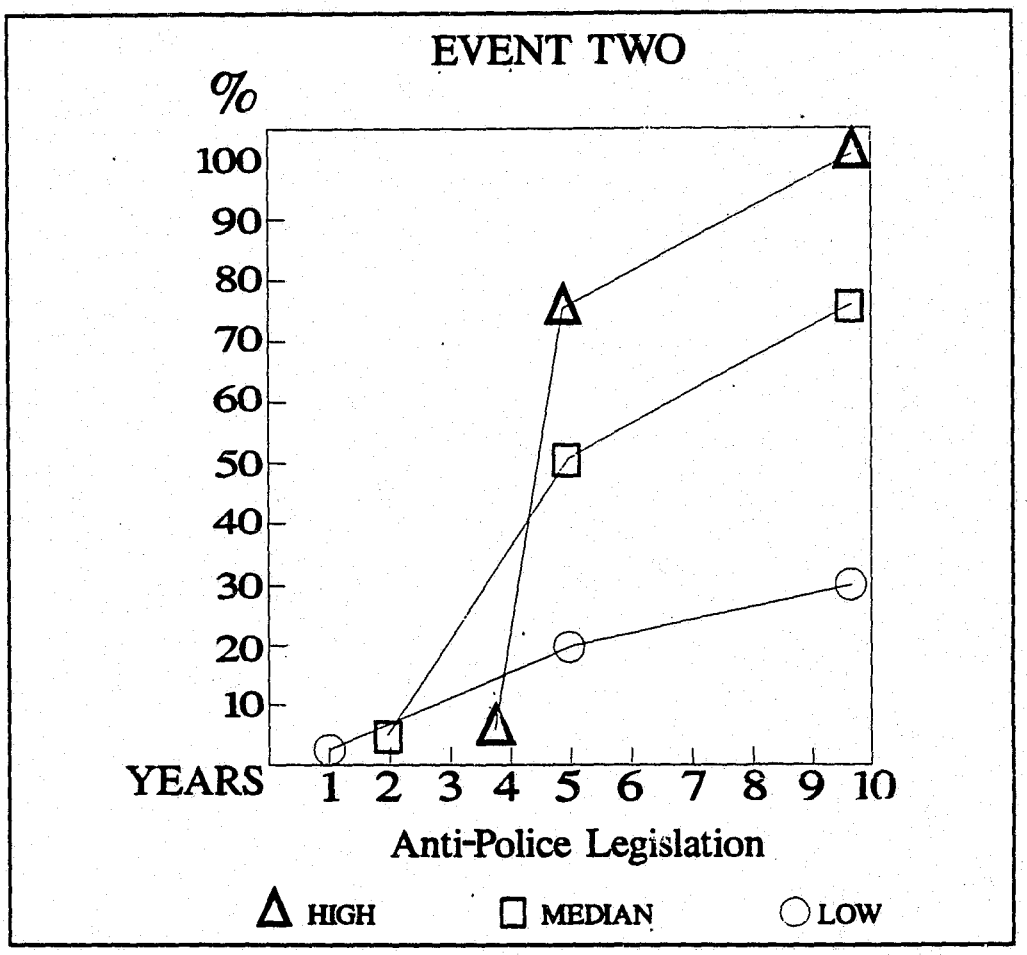
The following Event Evaluation Charts will further identify and illustrate forecasting the High, Low and Median results.

FIGURE 6



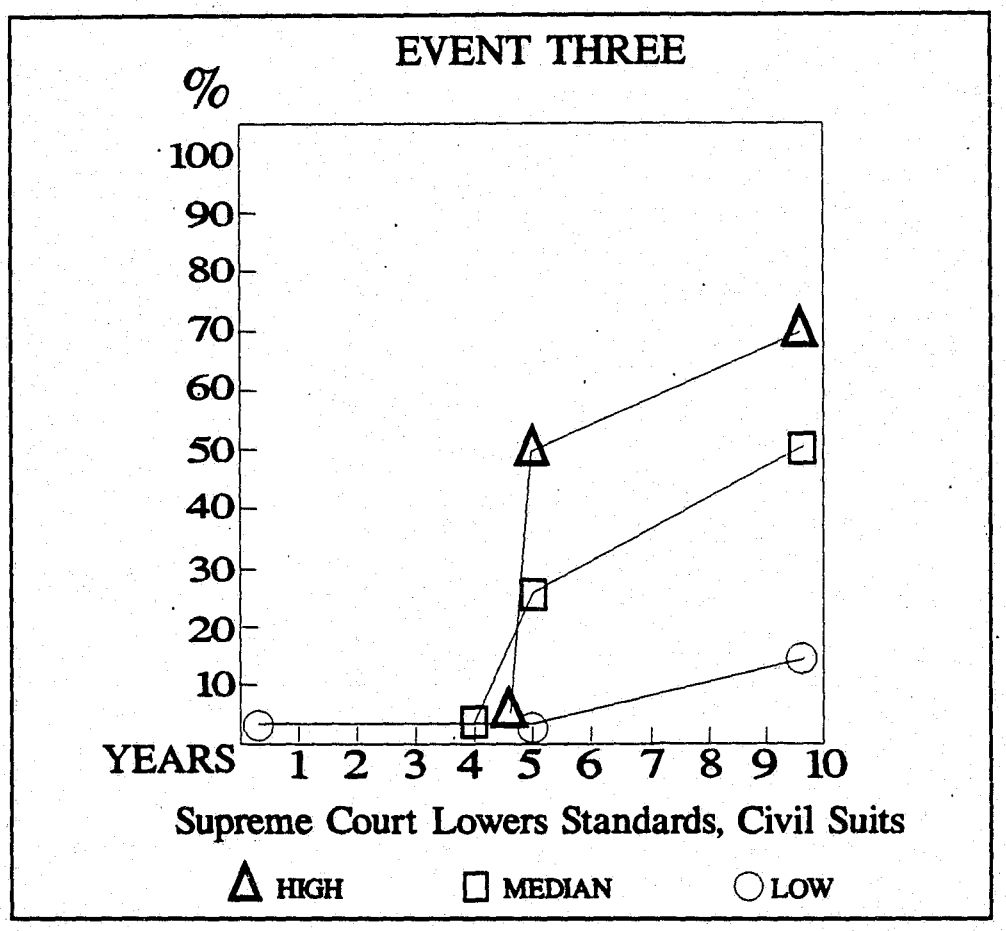
The group median reveals that there is a strong probability of this event occurring by the end of the first year with the estimate that there is a 95% probability of this event occurring in the next five and ten years. This is attributed to the focus of news media attention on all law enforcement activities and the expansion of publicized police misconduct cases beyond excessive force incidents involving off duty conduct of police officers.

FIGURE 7



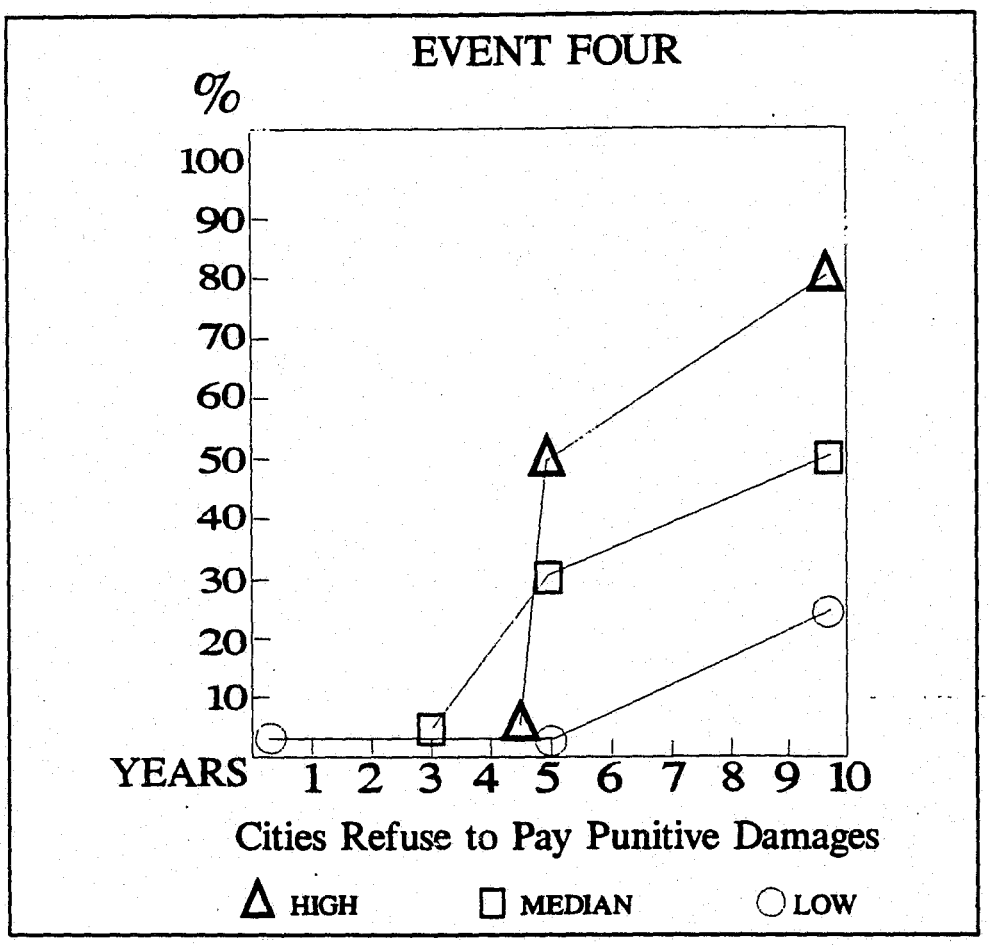
The group median estimated this event may first occur beyond the second year and that there was a 50% probability of occurrence in the next five years. The probability of this event occurring in the next ten years would increase to 75%. The group agreed that the impact of Event #1, Major recurrence of a police misconduct case, would increase the probability of Event #2.

FIGURE 8



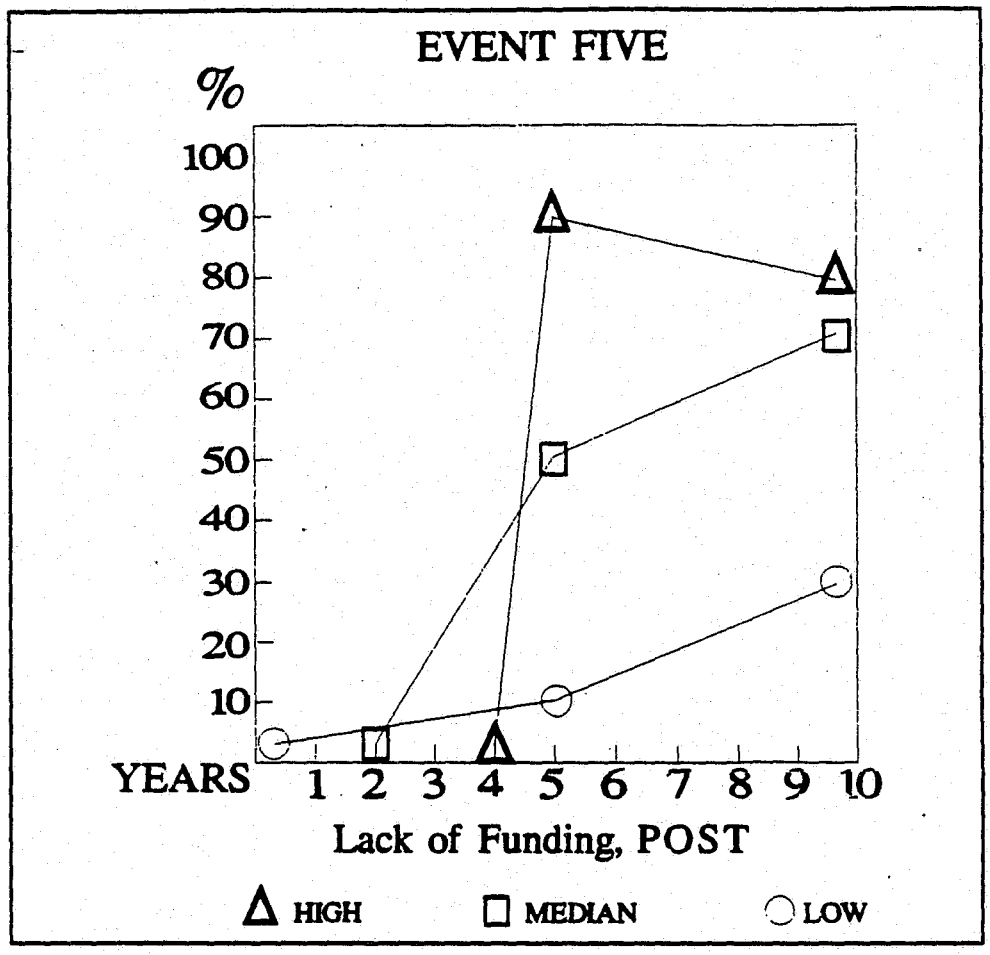
The group median estimated this event would probably not occur until beyond three years and only had a 30% probability of occurrence in five years. The probability of this event occurring in ten years was estimated to be only 50%, attributed to the slow conservative reaction of the U.S. Supreme Court to the legislative results of the states.

FIGURE 9



This event was interpreted the same as Event #3. The probability of occurrence would not begin until beyond three years and with only a 30% probability of occurrence in five years and only 50% probability of occurrence in ten years. This was also attributed to lengthly civil litigations and the financial impact of judgements not occurring for probably five to ten years.

FIGURE 10



The group estimates on this event reveal that they believed any significant financial impact on P O S T would probably not occur until beyond two years with a 50% probability of impact in five years and a 70% probability of impact in ten years. This event was attributed to a continued national recession and slow economical recovery and growth in California.

PHASE IV

CROSS -IMPACT ANALYSIS:

The final analysis for the group membership through the Forecasting Process was to complete a Cross-Impact Analysis and forecast the individual impact of each Event upon the other Events and upon each of the Trends. This was to reach a percentage of maximum impact either positive or negative and forecast the amount of years to the maximum impact upon the relationship between the Events and Trends.

The impact of each Event on other Events and Trends is listed by numbers within the "Actor Impacted Total" column and also within the "Reactor Impacted Total" row listed on the following page, Cross-Impact Evaluation Matrix (Table #5) The higher numbers listed in the "Actor" column identify the Events having the most impact on the other Events and Trends. The higher number within the "Reactor" row indicate those having the greatest reaction to an Event's occurrence.

The results of this analysis reveal that Event #2 had the highest impact on other Events and Trends with a (9) and Events #1 and #3 nearly as impacted with an (8). Trend #1 was most significantly impacted by each Event that might occur with the remaining Trends #2 through #5 equally impacted by all other Events.

This means that if Event #2 (Anti-Police Legislation Passes), Event #1 (Major recurrence of Police Misconduct) and Event #3 (Supreme Court Legislation Passes) all occur, Trend #1 (Redefining the Law Enforcement Role) will be impacted significantly. (Refer to Table #5)

TABLE 5. Cross Impact Evaluation (Matrix)

Maximum Impact (% change ±) Years to Maximum Impact											
**	E1	E2	E3	E4	E5	T1	T2	T3	T4	T5	Actor Impact Totals
E1	X	25 1	25 2	25 2	X	75 1	75 1	90 1	90 1	90 1	8
E2	-50 1	X	20 3	25 1	5 2	90 1	50 1	80 1	75 1	-50 1	9
E3	-20 1	20 2	X	25 1	X	90 1	90 1	90 1	90 1	-10 1	8
E4	-25 1	X	X	X	X	50 1	X	X	50 1	-10 1	4
E5	5 2	X	X	X	X	90 1	-75 1	80 1	X	X	4
"Reactor" Impacted Totals											
	E1	E2	E3	E4	E5	T1	T2	T3	T4	T5	
	4	2	2	3	1	5	4	4	4	4	

** LEGEND Panel Medians: N=3

E1 = Major recurrence of police misconduct case.
E2 = Anti-Police legislation passes.
E3 = Supreme Court legislation passes.
E4 = Cities refuse to pay punitive damages.
E5 = Lack of funding restricts POST.

T1 = Redefining the Law Enforcement role.
T2 = C.O.P./P.O.P. Tactic
T3 = Politically motivated mandated training.
T4 = Citizen revoiew of police misconduct.
T5 = Publicized police misconduct, impact on public trust.

PHASE V

DEVELOPMENT OF SCENARIOS:

Data developed from the N.G.T. Process and Forecasting Process was interpreted into three scenarios that might reveal future courses of action. The "Nominal Scenario" represents what might happen if nothing occurs to alter the present direction of the "Issue Question". The "Normative Scenario" represents what may occur if law enforcement management develops a plan that will result in a positive outcome for the "Issue Question". The "Hypothetical Scenario" represents what might happen if the negative Events occur to impact the management of the "Issue Question" and the overall impact on law enforcement.

The following three scenarios have been written to forecast what might be printed in a local newspaper during the next decade:

The Nominal Scenario

"DEMONSTRATIONS OVER POLICE MISCONDUCT"

In the aftermath of the news media coverage of yet another alleged excessive force incident by police, citizen groups again joined together to demonstrate in front of City Hall.

Today, the anniversary of the highly publicized video coverage of the Rodney King incident, a motorist who was beaten by police five years ago, several citizen group organizations protested in a demonstration in front of City Hall to voice opposition to the payment of a $20,000,000 settlement to John Doe. Unemployed and homeless, John Doe, who was shown on nationwide news media coverage being beaten by three police officers after his arrest for shoplifting, was present at the demonstration demanding police reform. Also in attendance was Rodney King who had received $5,000,000 two years ago for his beating he received from the police as a result of his failing to yield on a traffic stop.

The citizen groups formed five years ago under the coalition of C.F.P.R. (Citizens For Police Reform) again demanded the termination of the Chief of Police and mandated training for police officers to prevent the recurrence of excessive force

incidents. A spokesperson for the police department offered a prepared statement by the Chief of Police that the department is evaluating a variety of training programs and that the notorious excessive force incidents are isolated incidents exploited by the news media.

John Whiner, spokesman for C.F.P.R. responded to the police statement by stating that no efforts have been made in the last five years to correct deficient recruitment, pre-employment testing and negligent training programs now in place within police operations. He stated that his coalition will be seeking other alternatives to the poor management of the police department by initiating a bid to recall councilmembers and place on the voting ballot legislative measures to restrict police powers and force new operation programs to protect citizens in the community.

City Councilman Seymour Money has voiced support for the C.F.P.R. in that the present day philosophy of civil suits and settlements of the large dollar amounts are the cost of doing business, will no longer be acceptable and that a review of city policy will be forthcoming in the next few months. He further stated, "The poor management of the police will not make the city poor".

The Normative Scenario

"CITY SAVES MONEY"

The City announced today that a windfall of budget monies accumulated over the last seven years will be transferred to the city homeless funding program established in 1995.

Mayor Seymour Money in a statement today credited the Police Chief Dorothy Peacemaker as being responsible for the reduction of police misconduct incidents that had resulted in citizen complaints, civil suits and large monetary settlements during the first part of this decade.

Chief Dorothy Peacemaker accepted the recognition on the behalf of her management staff for having developed training programs used in the recruitment of new police officers, pre-employment testing and evaluation, establishing profiles within the community and liaison with community leaders as well as adaptation of programs for retention of experienced police officers.

Peacemaker stated that as a result of a five year strategic planning schedule the police department has been effective in the reduction of citizen complaints and civil suits which had plagued the department in 1991 during the excessive force complaint of Rodney King that had been highly publicized by the news media.

Mayor Seymour Money also stated that in addition to the budget savings being used for the community homeless program a portion of the funds saved would be directed to the continuation and expansion of the police department training programs and community based policing assignments. The Mayor concluded with the statement that he is proud of the police department's accomplishment in removing the tarnish from an age old motto; "TO PROTECT AND SERVE".

The Hypothetical Scenario

"CITY VOTES TO CONSIDER BID FOR PRIVATE POLICE AGENCY"

During the Council Meeting today councilmembers debated the consideration to accept bids for a private policing of the community as a result of recent legislative restrictions on public policing and the increasing cost to operate the police department.

The vote of the council did not come as a surprise to members of the police department. During the last decade since 1991 there have been an increasing number of police misconduct incidents documented that have resulted in civil suit filings and large monetary settlements. In 1994 legislation was passed by the state that soon became labled the "Anti-Police" laws which restricted the use of police powers. Effective in 1995 Misdemeanor Arrests could not be made without a Judicial Warrant and all Felony Arrests could not be made without a Probable Cause Declaration filed with the court having jurisdiction. In an effort to reduce excessive force complaints, the police baton or nightstick was determined to be an offensive weapon and therefore restricted.

During the same year of 1994 as a result of the continuing national recession the California Commission on Peace Officers Standards and Training was restricted on public funding and had to reduce the majority of their training programs and research information. This resulted in the reduction of management training having a direct impact on law enforcement management.

In 1995 the Supreme Court lowers the standards and requirements of civil litigation which brought about the municipalities refusing to pay for punitive damages for police misconduct.

These were but only a few reasons cited for today's council vote. Poor management of law enforcement of the past will create the unemployment of tomorrow and unknown next year.....2002.

SECTION II

STRATEGIC PLANNING

THE DEVELOPMENT OF THE STRATEGIC AND IMPLEMENTATION PLANS FOR THE ACHIEVEMENT OF THE DESIRED FUTURE

INTRODUCTION

The success or failure of future law enforcement managers in managing police misconduct cases, will determine the impact of future legislative influence on law enforcement. The success or failure of managers responding to misconduct cases will also impact the education and training programs for police officers, the retention of police officers disciplined for misconduct, and what methods will be developed by police management to maintain public trust.

In an effort to develop a strategic plan for implementation of new policies and procedures, training programs and community liaison, a previous Nominal Group Technique (NGT) process was used to identify key Trends and Events, and how they would impact the "Issue Question" of;

"WHAT IMPACT WILL PUBLICIZED POLICE MISCONDUCT CASES HAVE ON POLICE MANAGEMENT BY THE YEAR 2002?"

The N.G.T. Process and Forecasting information identified three scenarios. These scenarios were the "Nominal Scenario", which represented what might happen if nothing occurs to alter the current direction of the Isuue Question, the "Normative Scenario", representing if negative events occur to alter the direction, and the "Hypothetical Scenario", which represents what would happen law enforcement develops a plan to bring about a positive outcome, or the *"most desirable future"*

This section will identify and develop a Strategic and Implementation Plan to provide direction to achieving the Hypothetical Scenario, *"most desirable future"*, and begins with the development of a Mission Statement.

STRATEGIC PLAN

The first phase of the Strategic Plan was to develop a "Mission Statement" that related to the Issue Question. The researcher utilized the existing Mission Statement currently in use by the agency under review, the Fullerton Police Department, which has adopted the standard of "Dedicated to Service *** Committed to Excellence". The following is the "Macro Mission Statement", an overview and philosophy of the organization;

MISSION STATEMENT

MACRO MISSION STATEMENT:

THE FULLERTON POLICE DEPARTMENT IS DEDICATED TO THE PROTECTION OF OUR COMMUNITY, ENSURING THE PUBLIC'S RIGHT TO A CRIME FREE ENVIRONMENT, WITH A COMMITMENT TO PROVIDE EXEMPLARY AND PROFESSIONAL SERVICE, USING TRADITIONAL VALUES AND INNOVATIVE TECHNIQUES.

In an effort to enhance the department's Mission Statement and direct emphasis towards the management of the Issue Question, the researcher established a "Micro Mission Statement";

MICRO MISSION STATEMENT:

WE, THE PERSONNEL OF THE FULLERTON POLICE DEPARTMENT ARE COMMITTED TO ENSURING THE QUALITY STANDARDS AND TRAINING TO ACHIEVE A HIGH LEVEL OF PROFESSIONAL DEMEANOR, TO DEVELOPING PROGRAMS FOR THE RECRUITMENT, TRAINING AND RETENTION OF QUALIFIED PERSONNEL AND TO MAINTAINING COMMUNICATION WITH THE COMMUNITY TO RETAIN PUBLIC TRUST.

This report reflects the researcher's efforts to establish a strategic plan and strategies to achieve the Mission Statement. The negotiation with key stakeholders to support the strategic plan and the implementation of the policies and procedures to accomplish the plan, will be addressed to forecast the success of the Mission Statement.

SITUATIONAL ANALYSIS

A review of Trends and Events impacting the Issue Question were evaluated to determine the environment of external and internal influences and their impact on the success of the mission. This evaluation included the use of the "STEEP" and "WOTS-UP" analysis. The "STEEP" process was to consider the Social, Technological, Environmental, Economic and Political impacts as well as the "WOTS-UP" process of considering the Weaknesses, Opportunities, Threats and Strengths of the Underlying Planning and its impact on the development of the Strategic Plan.

HISTORICAL REVIEW

The researcher's experience and knowledge of the Fullerton Police Department's history reveals that there have been no major incidents of any highly publicized police misconduct cases involving either excessive force, integrity or ethical allegations. The researcher also believes there have been no incidents of Fullerton Police misconduct that have impacted recruitment, retention or public trust. However, this report will reflect that through technology, the thirst for information, and the accessibility of news media coverage of police activities, will enhance the potential for highly visible and publicized scrutiny of police operations. In an effort to resolve the potential for adversary contacts with the police department and its peace officers, the implementation of a Strategic Plan must be developed.

POLITICAL ENVIRONMENT

THREATS:

- The impact of events created by a highly publicized police misconduct case and the threat of a recurrence of a major misconduct case will attribute to the City Council's increased involvement in police management accountability. (External)
- The concern over community participation in police review boards and the concern over community support for re-election of city council members will bring about more involvement by the city council members in police management of training programs and personnel disciplinary matters. (External)
- The impact of news media coverage of police misconduct activities will influence government officials to support anti-police legislation which will restrict police powers and activities in an effort to control liability of misconduct incidents. (External)

OPPORTUNITIES:

- The City Council and City Manager in an effort to avoid the civil liabilities of future police misconduct cases will support politically mandated training programs in the areas of cultural diversity, use of force and civil liabilities. (External)
- The City Council and City Manager will support training programs that can be integrated into the existing disciplinary process to retain police officers involved in police misconduct cases. (External)
- City management will support improved pre-employment screening and psychological testing to recruit new police officers that possess proficient people skills. (External)

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- The City Council and City Manager will support training programs that can be integrated into the existing disciplinary process to retain police officers involved in police misconduct cases. (External)
- City management will support improved pre-employment screening and psychological testing to recruit new police officers that possess proficient people skills. (External)

- The concept of Community Oriented Policing programs supported by city government and police management will improve the public image of the police department and achieve public trust. (External)

ECONOMIC ENVIRONMENT

THREATS:

- A recurrence of highly publicized police misconduct cases will create an impact on the judicial system that will lower the standards by which civil rights violation cases are accepted by the court, thus impacting the results of civil suit litigation and settlements. (External)
- Civil rights violation cases and settlements will impact the fiscal budgets and operations of the police agency which will in turn impact the work environment as peace officers become more reluctant to perform police duties. (External/Internal)
- The City Council refuses to pay for punitive damages assessed against police department personnel as a result of civil suit litigation. (External)
- The economic recession continues to restrict funding to the police department and to the California Peace Officers Standards and Training (POST) organization reducing the opportunities for effective education and training programs for the police department. (External)

OPPORTUNITIES:

- The City Council will support fiscal budget expenditures to provide for effective training of police officers to avoid potential civil suits as a result of police misconduct. (External/Internal)
- California Peace Officer Standards and Training will continue to provide progressive training programs serving as preventative maintenance for potential police misconduct cases. (External)

TECHNOLOGICAL ENVIRONMENT

THREATS:

- News Media access to the private use of video recording equipment used during police operations will restrict law enforcement officers in the performance of their duties. Police Officers will become reluctant to become involved in public confrontations in fear of critical review of video recording by the news media and public scrutiny of officers' actions. (External)

OPPORTUNITIES:

- The use of video and audio recording equipment by law enforcement personnel will enhance and document the actions taken by police officers were valid and will withstand public scrutiny. (Internal)
- The training and use of non-lethal weapons will control violent physical confrontations, avoiding the use of excessive or deadly force which has been the primary focus of civil rights violation allegations and subsequent civil suit litigation. (Internal)
- The use of computerized records systems to monitor citizen complaints and allegations of misconduct and department responses to complaints. (Internal)
- The computerized records system will provide information for development of training programs from data retrieved from officer involved confrontations. (Internal)

ORGANIZATIONAL CAPABILITIES

STRENGTHS:

The personnel of the Fullerton Police Department are dedicated to the accomplishment of the Mission Statement and with effective leadership will be successful in their endeavors.

The current management team of the Fullerton Police Department is experiencing considerable change within the organization with the retirement of two of the three Captains and the anticipated retirement of the Chief within the next year. The opportunities for progressive change within the organization are at an optimum level with recent promotions and future promotions planned within the supervision ranks.

The management group consists of the Chief, three Captains and seven Lieutenants. Two of the three Captains and two of the seven Lieutenants have attained Masters Degrees and the remaining five Lieutenants have all attained Bachelor Degrees. Two of the three Captains have completed the Peace Officer Standards and Training Command College and two Lieutenants are currently enrolled and are participating in the Command College program for Law Enforcement Managers.

The department has a reputation for strong leadership and a high standard of expected officer conduct which has been supported by a strong disciplinary system for misconduct or conduct unbecoming the professional demeanor standards of the department. This would also suggest the reasons for there being no controversial police misconduct cases that have impacted the reputation of the police department.

The Department has maintained the strong support of the City Manager and the City Council. In the last three years, the make-up of the City Council has been enhanced by the election to the council of a retired Fullerton Police Department Captain, who, although he seems to be critical of the Chief of Police, appears to be supportive of the department.

The futures oriented philosophy of the current management of the department will attribute to the preparation and implementation of strategic planning in response to highly publicized police misconduct cases. The recognition by management the need to develop community oriented policing and problem oriented policing will promise continued public trust.

ORGANIZATIONAL CAPABILITIES

WEAKNESSES:

The police department is experiencing positive progressive changes with upcoming retirements and the anticipated retirement of the Chief of Police. In light of these changes it has been perceived that the Chief of Police is within one year of his retirement and that he would prefer to avoid controversial decision making and avoid changes that might create controversy within the department.

Although the Chief supports the concept of futures thinking and the establishment of a vision for future strategic planning, he appears reluctant to challenge the police officers union over management prerogative decisions that have been questioned by the union.

The current atmosphere and relationship of the police officers' association leadership with the department management leads the researcher to believe that the implementation of change within current training programs, and the interaction of training with discipline resulting in termination in response to police misconduct, will be challenged by the current administration of the association.

The following page, Table #6, reflects the Strategic Needs Capability Analysis that was compiled from three managers within the organization identifying their interpretation of the current status of the Organizational Capabilities.

TABLE 6.

CAPABILITY ANALYSIS

STRATEGIC NEEDS CAPABILITY

Strategic Need Area:	Agency's Ability to Respond to and Manage Police Misconduct				
CATEGORY	RATING*				
	SUPERIOR	BETTER	AVERAGE	IMPROVE	CRISIS
Management Skills			X		
Educational Level		X			
Executive Training				X	
Participative Management				X	
Specialty Training				X	
Community Support		X			
City Council Support			X		
Management Flexibility				X	
Economic Status		X			
Recruitment/Retention			X		
Morale				X	

LEGEND

SUPERIOR: Better Than Anyone Else. Beyond Present Needs
BETTER: Better Than Average. Suitable Performance. No Problems
AVERAGE: Acceptable. Equal to Other Agencies. Not Good, Not Bad
IMPROVE: Not As Good As It Should Be. Deteriorating. Must Be Improved
CRISIS: Real cause for Concern. Situation Bad, Action must Be Taken At Once

*Consensus Rating by 3 Managers of the Model Police Agency

STAKEHOLDER ANALYSIS

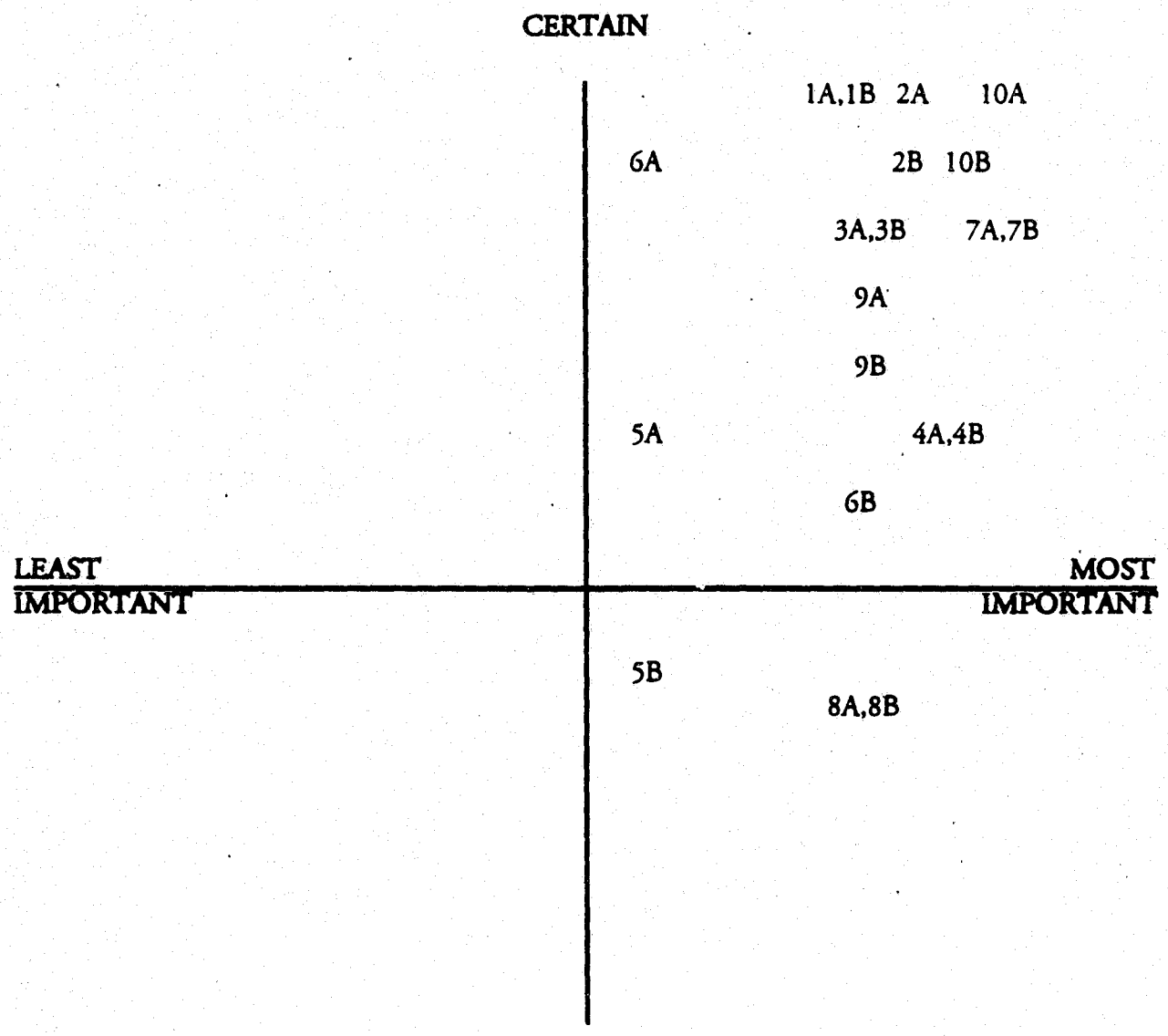
"Stakeholders" represent individuals or group of individuals who have an interest, influence or impact on the issue. The stakeholders also possess assumptions about the issue. Their assumptions are basic, deep rooted, often unstated values and beliefs about any issue. Identified within the stakeholder list is the individual or group of individuals who is classified as a **"Snaildarter"**, one who is unanticipated and who can radically impact the issue or strategy.

STAKEHOLDER	ASSUMPTIONS ABOUT ISSUE
1. Chief of Police	A. Supportive of status quo. B. Little tolerance for breach of conduct.
2. Police Management (Captains)	A. Need consistency from Chief. B. Standardization of discipline.
3. Police Middle Management (Lts./Sgts.)	A. Supports standardized system. B. Want more input into decisions.
4. Police Union (F.P.O.A.)	A. Fear loss of power and input. B. Fear stronger discipline and public interference.
5. Public Employees Retirement System (PERS)	A. Fear impact of stress claims. B. Fear loss of funds.
6. City Council **(Snaildarter)**	A. Supportive of change. B. Fear public scrutiny.
7. City Manager	A. Supportive of change. B. Prevent controversy.
8. City Personnel Director	A. Supportive of improvement. B. Supportive of training.
9. Media	A. Break down "Code of Silence". B. Validate disciplinary system.
10. Community (Citizen)	A. Satisfied with status quo. B. Supportive of police agency.

The following chart tracts the assumptions of each stakeholder as evaluated by the researcher and the Modified Delphi Process members. This chart represents the degrees of certainty and importance to the issue. (NOTE: The numbers correspond to the stakeholder assumptions defined on the previous page)

TABLE 7.

Stakeholder Assumption Map:



DEVELOPING ALTERNATIVE STRATEGIES

Using a Modified Delphi Process with eight participants, a list of alternative strategies was established. During a review and analysis of the strategies a rating and then a voting process among the delphi members selected the top three strategies capable of implementation for the success of the mission.

STRATEGY #1 - Mandatory Training Programs; The development of training in the specific areas of Cultural Diversity, Civil Rights and Liabilities, High Risk enforcement confrontations, and Communication Skills. This program applicable in the recruit training academies and field training of probationary and tenured police officers.

STRATEGY #2 - Personnel Review Program; A review process to evaluate and identify job performance and the relationship of that performance to citizen complaints. Identify at risk employees and reduce the threat of misconduct or complaint. The development of a process or training to retain employees who have received discipline as a result of being involved in misconduct incidents.

STRATEGY #3 - Citizen Advisory Panel; In an effort to provide better service to the community the development of a Citizen Advisory Panel would accomplish a network of communication in line with the Community Oriented Policing Philosophy in practice at the department. The network of communication would then be expanded to include the news media to develop a stronger liaison to reduce the negative adversary environment, a standard in reporting law enforcement activities.

The Modified Delphi Panel recognized that all three strategies were relevant to each other and all necessary for a long term success of the mission.Upon identifying the final three strategies, the panel identified four stakeholders that would impact the implementation of the preferred strategy and subsequent implementation of the remaining strategies.

PREFERRED STRATEGY:

The four stakeholders were the City Council, Chief of Police, Police Management Group and the Community (Citizen Representation). The panel took into consideration the previously identified assumptions of each stakeholder and then applied that information towards their support or non-support of all three strategies and the preferred strategy.

STRATEGY #1 - Mandatory Training Programs:

During the process of determining the preferred strategy the panel discussed and evaluated each strategy beginning with the "Manadatory Training Programs" Strategy. The panel observed that this strategy would involve a long range goal and would take time in the planning and integration into the current training programs and would require a review and development of fiscal funding and increased loss of man hours from personnel deployment. The stakeholders perception would be supportive with the exception of the City Council that would require that fiscal funding be retrieved from existing training budgets and outside grants.

Strategy #2 - Personnel Review Program:

The panel then discussed the strategy of the "Personnel Review Program" and believed that the stakeholders would support this program with the perception that it was or should already be in place. The City Council again would support the program with the expectation that existing personnel within the police department could handle the implementation of the program without fiscal budget considerations. One consideration was observed that the police officers' association or union would most likely object to the review of personnel without representation.

STRATEGY #3 - Citizen Advisory Panel: (Preferred Strategy)

The panel then addressed the preferred strategy of the "Citizen Advisory Panel" that involved the implementation of a communication network with community groups and the network of a more viable or friendly atmosphere of communication with the news media. In light of the current direction of the police department towards Community Oriented Policing and Problem Oriented Policing, the preferred strategy could be integrated with the community with the least amount of resistance. All of the stakeholders would be supportive of the program but each would have their own priorities and perceptions of responsibilities within the program.

The Police Management Group, most likely responsible for the implementation and management of a program for the development of a "Citizen Advisory Panel", would be concerned about support from the Chief of Police and his ability to deter micro management of the program from the City Council. The City Council would be apprehensive about any communication with the community without review and critique. The Citizen Group and News Media involved in the program would question the credibility of the program unless thay had access to all information and had input into accountability issues regarding police department operations. The Chief of Police, a potential *snaildarter* in this case, might restrict the flow of information to the Citizen Advisory Panel, in fear of scrutiny or criticism of his management of the police department, or he may see the program as an opportunity to sustain community support and the retention of public trust.

The panel recognized that the preferred strategy was an external program designed to be in response to any highly publicized police misconduct incident and that the remaining strategies would be developed within the internal operations of the department with immediate implementation.

IMPLEMENTATION PLAN

Although there appeared to be more obstacles in place for the preferred strategy plan of a "Citizen Advisory Panel", the Modified Delphi Panel and the researcher found that immediate implementation of the program and the establishment of a support base within the community was feasible. That support would help to accomplish the programs of training within the police department and the prevention of highly publicized police misconduct cases, the response to those cases and the recovery from civil liability litigation.

The first step of the implementation of the preferred strategy plan would be to establish a liaison from the police department to identify key community groups and their leadership to establish the panel. The Community Relations Officer from the police department would have the most current contacts within the community who are normally identified as the "Movers and Shakers" within the community.

The establishment of a "Citizen Advisory Panel" should consist of a seven member panel, representing the existing geographical areas within the city that are used by the police department for personnel deployment and in conjunction with the school district neighborhoods.

In an effort to gain wide support for the implementation of the program the City Council at the request of the City Manager and Chief of Police should mandate the program at a City Council Meeting and create positive citywide publication. A Program Manager should be selected and assigned the responsibility of liaison with the participants of the groups.

Representatives from the Police Management Group should be assigned by the Chief of Police to attend alternate meetings to discuss current events. The meetings should be established on a bi-weekly or monthly basis or more often as needed. The representatives from the police department should not be restricted to management personnel but an accountability of participation from all groups and personnel within the police department.

In addition to daily liaison with the news media on police activities, a public affairs cable channel should be implemented within the existing cable television system in the city. This system of a police channel would afford the opportunity for the police department to communicate directly to the community and provide educational information on police operations, policies and procedures, services provided by the department and basically what the department can and cannot do in providing service. The program manager would be responsible for this portion of the program.

In an effort to evaluate the success of the proposed strategic plan, a survey of its impact on the community should be completed through the existing victim survey inquiries sent throughout the community by the police department and using the resources of the water department billing process, survey all residents as to there acceptance of the program and their perception of its success. The initial approach, delivery and acceptance of the strategic plan will be dependent on the effort to "Sell" the program and therefore critical for the success of the plan.

NEGOTIATING ACCEPTANCE OF THE STRATEGY

The researcher acknowledges that with any new program or strategy there must be flexibility in its design for trial and error and the acceptance to a re-design the structure of the strategy program as needed.

The preferred strategy selected has one critical component within the plan; Maintenance of an open exchange of information that is fair and equitable.

The participants, location of meeting sites, frequency of meetings and subject matter (Except that which is restricted by confidentiality or legal restraints) are all flexible in nature and subject to negotiation.

To accomplish the Mission through the application of a Strategic Plan and its program, is to bring about change in the current communication system within our community to provide a tool to manage future "Highly publicized police misconduct cases". As stated many times, insanity is defined as; "Doing it the same way every time and expecting different results".

Keeping that thought in mind and using the concept of that thought in our approach towards the following stakeholders, we have made assumptions as to what negotiation will take place to gain the stakeholder's support for the strategic plan in question. Five stakeholders were selected for review and it is apparent they all have a common theme of wanting input and control. To achieve teamwork among the participants will be a challenge in the art of negotiating.

The stakeholders under review for negotiation tactics are all in executive level positions with considerable influence and control of decision making and the approval of strategic planning. The presumption by the researcher is that a police middle manager at the lieutenants level will be developing and introducing the strategic plan to upper management for approval. Therefore strong "power plays"[11] will not be successful. The thought left with each level of upper management must be that the next level up will accept the proposal and the accountability of success. Dr. Caprielian's teachings and the text "Getting to Yes" by authors Fisher and Ury [12] support the following concepts.

POLICE MANAGEMENT GROUP:

This group of Police Captains will be supportive of the proposed strategy and to show support as the proposal represents a futuristic change within the work environment that coincides with a long range plan of Community Policing or Community Based Policing. The approach with completed staff work and minimal risk taking for their investment will be enhanced by providing a design for their input and mentorship of the original idea. The support from the managers group will come from the negotiations tactic of "Psychological Influence" [13] and the application of "Rationality".[14]

CHIEF OF POLICE:

The Chief who is close to retirement and subject to recent internal controversies will be reluctant to address any changes in doing business as usual and that the proposal is more long term and not subject to his support. The most likely successful tactic of negotiations with this stakeholder would be the application of "Rationality"[15] and the "Participative"[16] approach to gaining support. The emphasis is on the influence the Chief of Police has with the City Manager, City Council and the Community to bring everyone together in a teamwork approach to solving the problem and succeeding with the mission.

This stakeholder can create an obstacle with a "Win/Win" philosophy to problem solving and may require a BATNA approach to achieving participation (Best Alternative To a Negotiated Agreement).[17]

CITY MANAGER :

In a position of seeing the bigger picture and the accountability to the City Council, for the mismanagement of personnel within the police department, he will contributes to the "Issue Question" and accomplishment of the Mission Statement. This stakeholder will be reached by "Psychological" negotiations [18] and the reference to his possession of the positive "Power" to influence change and participation of others.[19]

CITY COUNCIL:

These stakeholders with concerns of public image and support as a political platform are reached utilizing the "Rationality" approach during negotiations.[20] The "Snaildarter" is within this group as the retired Police Captain from the Fullerton Police Department who is influenced by his experience from the department and will be reached with the "Psychological" approach during negotiations[21] as he can be seen as the one who reaches back and helps the department.

COMMUNITY (CITIZENS):

The involvement of potential politically motivated community "movers and shakers", public service club members, business community members and the cultural diversed residents of the community, the "Power" negotiating tool[22] could not be used as it would create a hostile environment and question the credibility of an equitable and fair system of communication. The use of "Rationality" and "Psychological Influence" tools of negotiations would be both successful as they represent fairness and the sharing of ideas to motivate others to participation. The strength of a "Psychological Influence" negotiation promotes open communication and trust built upon facts.[23]

SECTION III

TRANSITION MANAGEMENT

THE TRANSITION OF THE STRATEGIC AND IMPLEMENTATION PLANS FOR THE INVOLVEMENT OF THE CRITICAL MASS PARTICIPANTS

INTRODUCTION

This section will address the development of a "Transition Management Plan" for the Fullerton Police Department in the preparation of managing the "Issue Question" of this Independent Study Project;

"WHAT IMPACT WILL PUBLICIZED POLICE MISCONDUCT CASES HAVE ON POLICE MANAGEMENT BY THE YEAR 2002?"

Two previous exercises were completed in the areas of "Futures Forecasting" and the development of a "Strategic Plan" and "Implementation Plan" to direct the organization into the future and the management of the "Issue Question". The Futures Forecasting process identified future scenarios relative to the Issue Question and the development of a *most desirable future* scenario to achieve a successful response. The Strategic Plan process focused on the design of a new Mission Statement, Alternative Strategies, an Implementation Plan and the identification of Stakeholders that would impact the plan.

During the Strategic Plan process and the identity of three Alternative Strategies, a Preferred Strategy was selected to precede the Implementation Plan. The Preferred Strategy was identified as a "Citizen Advisory Panel" to establish a format for a communication network within the community and a communication network with the news media. This strategy would therefore establish the foundation for a Community Oriented Policing Philosophy Program involving the liaison of community leaders and law enforcement management personnel.

Historically, the Fullerton Police Department has not had to experience the management of a highly publicized police misconduct incident similar to that of the Rodney King versus the Los Angeles Police Department incident of March 3, 1991. Therefore, there has been no formalized contingency plan to handle such an incident and respond to community inquiries and the impact of the news media coverage.

The researcher believes that although there is a current strong community support environment with the police department, there are few levels of integrated communication lines within the community and even fewer within the news media.

The Implementation Plan was developed to organize the "Citizen Advisory Panel" and establish guidelines and procedures for the input and retrieval of information. The Transition Management Plan will now address how we can accomplish the Implementation Plan and ultimately achieve a desirable future.

IDENTIFICATION OF A COMMITMENT STRATEGY

CRITICAL MASS:

In the Strategic Plan process of this project the researcher identified a list of "Stakeholders" representing individuals or a group of individuals who have an interest, influence or impact on the issue. In an effort to identify the "Critical Mass" involved in the Transition Management Plan the previous list of "Stakeholders" was utilized to establish the "Critical Mass" participants. Each participant or group of participants will be identified by their prospective current level of commitment required from them to ensure a successful implementation of the plan.

Although the previous list of "Stakeholders" was established at ten members, the "Critical Mass" membership will be reduced to develop the minumum number of individuals involved that are most critical to the transition.

The following list identifies the "Critical Mass" participants:

- Chief of Police
- City Manager
- City Council
- Community (Citizen Interest Group)
- Police Union (F.P.O.A.)

COMMITMENT CHARTING:

The following table reflects the perception of the "Critical Mass" participants in their current position of commitment in establishing the Preferred Strategy and Implementation Plan and the projection of the minimum level of commitment to achieve success and a desirable future.

TABLE 8. Commitment Chart

Critical Mass Participants	Block Change	Let Change Happen	Help Change Happen	Make Change Happen
Chief		X>>>>>>	>>>>>>>>>>>>>	>>>>>O
City Manager		X>>>>>>	>>>>>>O	
City Council		X>>>>>>	>>>>>>O	
Community			X>>>>>>	>>>>>O
Police Union	X>>>>>>	>>>>>>O		

X = Existing position O = Position for success

The following is an assessment of each "Critical Mass" participant and the strategies necessary to move these participants to the required level of commitment for success of the Transition Management Plan.

Chief of Police - He has been with the department for over thirty years and has promoted through the ranks reaching the position of Chief of Police approximately five years ago. Creating the department's Mission Statement through a Strategic Planning Committee and developing a 'Vision for the Future' of the department has proven his desire for accepting future change.

The management personnel of the department have experienced a perception of stronger support from the Chief in addressing change within the department as evident in two new programs; A Team Policing Deployment concept and Problem Oriented Policing. Although these two programs have created some controversy within the ranks and their reluctance to accept the impact of the change, the Chief continues to support the change even in view of his pending retirement within the next year. The Chief's approach and response in these areas has led the researcher to believe his current level commitment position in the Transition Management Plan would be that of "Let Change Happen".

As we review the intent of the Preferred Strategy of the Implementation Plan involving the Community, we recognize a weakness in the Chief's demeanor. He is perceived by many within the department and the community as not being easily approachable or that he has isolated himself from community involvement. This perception as seen primarily from the service clubs of the community can be resolved with the Chief's commitment to the Strategy of the Implementation Plan.

In consideration of the remaining "Critical Mass" participants and their own built in obstacles, the Chief will have to be motivated to challenge himself to sell the plan. As the Transition Plan continues it will become evident that the obstacles that exist within the City Council and the Police Union will require considerable political diplomacy on the part of the Chief, placing him in the "Make Change Happen" catagory.

City Manager - The City Manager is seen as a strong and determined leader of the department heads of the City. He has been viewed as very supportive of Public Safety issues and is perceived as being approachable to the acceptance of change, which was evident in his recent support of a new police program, "Operation Clean-up". In this program he became involved in several meetings within the community, showing his support of the program and its anticipated impact.

The stigma of a community involved program as recommended in the form of a "Citizen Advisory Panel" brings with it the fear of losing control to special interest groups or relinquishing power. The Chief of Police will need to persuade the City Manager to support the concept of better relationships with the community and subsequent news media organizations to achieve the goal of offsetting prejudices arising out of a highly publicized police misconduct incident. The City Manager will need to liaison with the City Council to gather their support of the plan by reaching their interest in developing a better line of communication with their constituents. The positive impact on the City Council of a better way to communicate with the community will be the responsibility of the City Manager in his efforts to fulfill his role in the catagory of " Help Change Happen".

City Council - The City Council is made up of five council members of which one is selected to serve as the Mayor for one year terms. The current council has two conservative and two liberal members with the fifth member being in a "swing vote" position. This position is currently held by a Councilman who is a retired Police Captain from the Fullerton Police Department. The perception of the City Council's approach to matters involving police department operations is that they rely heavily on this Councilman's input due to his previous employment with the police department.

Since two of the City Council Members are involved in local community service clubs, and one is a retired Police Captain, and have supported previous public safety programs, they are deemed to be very supportive of the police department. It is believed that the City Council is in the "Let Change Happen" catagory. The researcher believes that the approach of better coimmunication with the council's constituents will prompt them to become more involved and in the "Help Change Happen" catagory.

Community - The resources available within the community to develop the teamwork needed to offset prejudicial judgements, as the result of a "Highly Publicized Police Misconduct Incident", can be achieved through an integrated communication network with the police department. Involving the Community in a Community Oriented Policing concept will develop a strong relationship in the exchange of information that will further the support of the police department and also address the needs of the Community.

The researcher believes that the Community Leaders will seek the opportunity to become more involved with the police department and will begin in the catagory of "Help Change Happen" and will progress through support of the plan to the catagory of "Make Change Happen". This "Critical Mass" member is the one unknown factor within the group as there has been no previous programs that would measure their participation. The Operation Clean-up program which is in progress and deemed to be a successful program, tends to support the Community's desire to participate. The community leaders would be recruited from the service clubs, Chamber of Commerce and Neighborhood Watch organizations.

Police Union - This member of the "Critical Mass" provides the secondary obstacle to the success of the Implementation Plan. Traditionally Police Unions and line personnel have resisted the movement towards any type of Police Relations Board, Citizen Review Boards or Citizen Advisory Panels. The Police Union President often sees the involvement of such community leaders as a threat to the power base of the Police Union and Police Department.

Primarily, it is believed the Police Union President's position in the acceptance of the recommended change is that they believe employee rights and benefits would be endangered by the participation of a "Citizen Advisory Panel". This perception comes from the belief that the result of a "Highly Publicized Police Misconduct Incident" would involve the disciplinary process or criminal prosecution and that either process would impact the Peace Officers' Bill of Rights. The Police Union has also expressed a concern of being involved in the decision making process of any Implementation Plan that would involve the working conditions of their constituents or the influence of community leaders on the internal disciplinary process of the police department.

In review of the Police Union stance on the Preferred Strategy and the Implementation Plan, they would be evaluated as being in the catagory to "Block Change".

Developing a liaison with the Police Union and keeping an open line of communication will enhance the opportunity to bring the Police Union forward to the catagory of "Let Change Happen" and thus reducing the element of controversy and maintaining morale.

TRANSITION MANAGEMENT STRUCTURE

Organizational change occurs in three phases; the present state, the transition state and the future state. The identification of the need to develop a Preferred Strategy and an Implementation Plan to establish a line of communication with the community reveals that the Fullerton Police Department is still in the present state. The department has not taken action to fully implement a line of communication in the form of a Community Oriented Policing program or develop a "Citizen Advisory Panel" or any process similar to these programs. Therefore the process of Transitional Management of these changes must begin now and move the department into the *desirable future* state.

Observing that there is a need to implement the Transition Management of the Preferred Strategy, to move the organization into the most desirable future state, the political environment of the City government cannot be overlooked. The existing management structure with established lines of authority and chain of command has been and continues to be effective. The application of this established system with all the "Critical Mass" participants will prevent resistance and opposition.

In each of the "Critical Mass" participant's environments there exists support groups and a delegation process. The researcher has noted that the key role player and his support staff, is the Chief of Police. Among the Chief's staff are three Captains and seven Lieutenants who collectively possess the management skills to implement the Transition Management Plan. Their community contacts and support groups within the agency will help the Chief sell the process to the other "Critical Mass" members.

TECHNOLOGIES AND METHODS OF IMPLEMENTATION

The final phase of Transition Management planning involves the identification of Technologies and Methods that will bring about a successful implementation of the desired changes and achieve the most desirable future.

The researcher has identified that there are two issues at opposite ends of the Transition Plan; the Police Union and the City Manager/City Council. The Chief must retrieve support from the Police Union and its constituents from the existing "Block Change" mode of response to a "Let Change Happen" approach to the plan. At the same time the Chief must convince the City Manager/City Council that he has the Police Union's support. Unfortunately, the City Managers' open door policy to the Police Union and the internal contacts with the Councilman, the retired police captain, both develop their own agendas and create obstacles that at best make the effort challenging to the Chief.

All of the "Critical Mass" participants by their position will be impacted by the Transition Plan and therefore must be a part of or assist in the Methods and Technologies recommended for the plan.

The following Technologies and Methods have been designed for the plan and are not limited in scope:

TASK FORCE OR COMMITTEE - The "Critical Mass" participants are from varied positions within City government including representation from the Community. The selection of at least one representative from each participant group to form a Task Force or Committee will ensure input and the exchange of information for a consensus agreement. The 'Brainstorming' process will allow for the establishment of a structure and guidelines for future analysis of the progress of the plan. This process will bring the group together to form a teamwork environment to achieve success. The City Council to gain public support would announce the selection of a program manager to facilitate the Task Force Committee meetings. The recommended selection would be that of the Assistant to the City Manager, to coordinate and liaison the responsibilities of each committee member.

RESPONSIBILITY CHARTING - During this process the Committee Members will identify staff or support personnel. Committee Members or their staff will receive responsibility assignments for the retrieval and distribution of information. (See Table #8 on the follwing page)

Research - Committee Members or their staff will retrieve information from other governmental agencies that have experienced similar programs or plans with a "Citizen Advisory Panel" concept.

Selection Process - The Committee will select Citizen Advisory Panel Members and identify the Goals and Objectives of the panel for future implementation.

TABLE 9.

RESPONSIBILITY CHART
(Three Person Consensus)

ACTORS> / ACTIONS	Chief	Program Manager	Community Leaders	City Manager	Police Union
TRANSITION STATE:					
Staff Development	I	R	S	A	I
Research Information	S	R	S	A	I
Goals and Objectives	I	R	I	A	I
Identify Training	I	R		A	I
Establish News Media Liaison	I	R	I	A	
Identify Demographic Recruitment	I	R		A	I
Establish Communication Network	S	R	S	A	S
FUTURE STATE:					
Evaluate Civil Liability Risks	I	R		A	
Establish Policy Guidelines	A	R	S	A	I
Assessment	I	R	I	A	I

LEGEND:

R= **RESPONSIBILITY for action (but not necessarily authority)**
A= **APPROVAL (must approve, has power to veto action)**
S= **SUPPORT (has to provide resources, but does not have to agree to the action)**
I= **INFORM (must be informed before the action, but cannot veto)**
Blank= **Irrelevant to that particular action**

Implementation - Committee dissemination of plan, goals and objectives and selected panel members. The Committee to initiate an agenda for panel meetings direction of information establishing a news media liaison.

Assessment - The Committee will be responsible for the assessment and review of the plan to identify the level of success.

Milestone Recognition - Milestones should be established to allow the Committee to recognize significant dates and accomplishments. This process will allow for positive dissemination of information and recognition for success and keep all participants involved.

EVALUATION AND FEEDBACK SYSTEM

During the implementation of the Assessment and Milestone Recognition phases of the preferred strategy program, an Evaluation and Feedback System will enhance the direction of progress and identify changes that may be deemed necessary for continued success. Performance measures can be assessed by follow-up committee meetings or by surveys to employee and citizen groups.

The primary responsibility of the Chief of Police, Sheriff, or Executive Officer of the law enforcement agency will be to ensure participation of the management positions within the agency. The participation of the managers of the agency must develop a teamwork environment through their liaison with the Community Leaders and News Media Personnel. The liaison will require the exchange of information and development of trust and support between all Task Force Committee Members.

The Evaluation and Feedback System will be utilized as a tool to determine if the goals and objectives of the "Citizen Advisory Panel" and the subsequent goals and objectives of the Task Force Committee are being achieved with any success. The Evaluation and Feedback System will also identify if the Milestone Recognition schedule is being completed in a timely manner or will need review.

The following list of options can be developed to establish the Evaluation and Feedback System;

- Publication and dissemination of the "Citizen Advisory Panel" concept including Goals and Objectives.
- Monthly meetings and documented minutes for dissemination.
- Quarterly evaluation of planning and progress by Panel to City Manager/City Council.
- Comparison of Police Misconduct Incidents from other law enforcement agencies.
- Comparison of Citizen Complaints before and after implementation of program.
- Comparison of Civil Litigation before and after implementation of program.
- Citizen surveys evaluating trust of law enforcement services (Victim of Crimes Survey)
- Employee surveys to evaluate trust of program and recognition of success.

CONCLUSION

The researcher has identified an eventuality of a "HIGHLY PUBLICIZED POLICE MISCONDUCT INCIDENT" occurring in the future and impacting a law enforcement agency in California. In an effort to maintain public trust, the concept of a "Citizen Advisory Panel", was identified as a preferred strategy to approach the response to and management of a police misconduct incident.

The development of a "Transition Management Plan" has addressed the issues necessary to bring about a positive change for a *desirable future.* That future is to maintain the trust of the community and the integrity of professional law enforcement services. Law Enforcement agencies must prepare for the future today. The transition from today to tomorrow and beyond must be more than a vision or desired achievement. There must be a specific Strategic Plan and Transition Plan to achieve success.

The absence of a Transition Management Plan today will run the risk of the loss of Public Trust tomorrow.....

APPENDIXES

POLICE DEPARTMENT

237 WEST COMMONWEALTH AVE. • FULLERTON, CA 92632 • (714) 738-6800 • FAX (714) 773-1043

PHILIP A. GOEHRING CHIEF OF POLICE

APPENDIX A

November 22, 1991

Dear

REFERENCE TO

I appreciate your assistance and participation in this Nominal Group Technique (NGT) exercise. This process is the first stage of the futures research project for the Command College program. In order to minimize the time required for the process, which may take up to four hours, I would like to provide you with some information to consider in advance of the meeting.

You will be asked to consider an emerging issue for law enforcement in terms of the trends and events that will impact the issue in the next five to ten years. The following describes the issue question, sub-issues and includes a definition of an event and trend.

THE ISSUE

WHAT IMPACT WILL PUBLICIZED POLICE MISCONDUCT CASES HAVE ON POLICE MANAGEMENT BY THE YEAR 2002?

Sub-issues are easily derived from this general question. For the purpose of our group exercise, I would like to focus your thinking on the main issue in the context of the following sub-issues:

1. What training and education programs will be required to develop new officers?

2. What impact will discipline have on retention of officers involved in misconduct cases?

3. What methods will be developed by police management to retain public trust?

DEFINITIONS

Event - A single occurrence, that can be traced to a given point in time. (Several events occurring over time create a trend)

Trend - Several similar events which take place over a relatively short period of time. They are indicators of possible change.

I am hoping to assess the potential for managing our future course by identifying current trends that are likely to continue and events which may occur in the future. I believe that we all have either experience or an interest in the stated issue which should help us forecast the trends and events of the issue.

During your review of the topic issue please consider it in the context of our total environment. It may be helpful for you to consider the issue as it applies to the "STEEP" acronym. This requires reviewing the issue in terms of its impact on or how it will be impacted by Social, Technological, Environmental, Economic and/or Political trends and events.

THE N.G.T. EXERCISE

The N.G.T. process as it is organized will include the following at our meeting:

Step 1 - Individually identify the trends and events you feel will impact the issue by the year 2002. Working alone, list your response on a sheet of paper. Each member then offers one of their trends/events to the group and it is placed on a chart until every participant's trends/events are represented.

Step 2 - Each member individually selects what they believe to be the top five trends and events from the list. Using the N.G.T. process the top five trends and events will then be applied to the Trend Screening and Event Screening forms. A discussion and clarification of the results will then follow.

Step 3 - The top five trends and events will then be applied to a Trend and Evaluation form to establish the group's high, low and median results of each trend and event. We will then discuss the differences for the inclusion within the written paper on the topic.

Step 4 - If time allows, we will review our results for the completion of a Cross-Impact Evaluation Matrix.

The N.G.T. Process is confusing and does take a significant amount of time to complete to retrieve sufficient information. This information will be applied towards the completion of the Independent Study Project of my Command College Class.

As a reminder, **DECEMBER 3, 1991 at 1:00 P.M.** has been scheduled for our meeting and will be held within the Administrative Conference Room, second floor of the Highland Building, at the Fullerton Police Department.

Thank You,

TRENDS

1. D.A. review of ALL police brutality complaints/cases. (Later review, determined to be an Event)
2. Continuation of National Recesssion.
3. Dwindling labor supply.
4. Diminishing Public Trust.
5. Real Time Media coverage/pressure.
6. Increase in independent review committees. (Citizen review committees)
7. Community Policing.
8. Police reluctance to become involved in physical contacts.
9. Regionalization. (Sharing of Resources)
10. Lack of pro-active educational approach by law enforcement. (During review, combined with #7)
11. Recruitment and Retention adversly impacted by perception that risks are too high. (During review, combined with #8)
12. Citizen operated Video Cameras.
13. Sensitivity training for Law Enforcement.
14. Lower hiring standards. (During review, combined with #24)
15. Police operated Video Cameras. (During review, combined with #12)
16. Minority recruitment.
17. Population shifts.
18. Costly politically based mandated training.

19. Cultural awareness programs. (During review, combined with #13)

20. Ethics training. (During review, combined with #18)

21. Community/Media/Press scrutiny. (During review, combined with #5)

22. Termination of Police Officers for any sustained brutality complaint.

23. Dwindling state resources. (During review, combined with #2)

24. Changing attitude and life experience of Workforce.

25. Labor/Union involvement in disciplinary process. (During review, combined with #22)

26. Private Policing alternative.

27. Unfavorable Federal Litigation/Legislation in police misconduct cases.

28. Increased discipline for sustained complaints. (During review, combined with #22)

29. Female recruitment for police officer positions. (During review, combined with #16)

30. Lowering of education standards. (During review, combined with #24)

31. Drug and Alcohol use.

32. Executive training to learn from others mistakes. (During review, combined with #18)

33. Re-establishing Law Enforcement Mission. (During review, combined with #35)

34. Law Enforcement slow response to change. (During review, combined with #35)

35. Law Enforcement planning based on public priority. (During review, combined with #7)

EVENTS

1. Individual Mal-Practice Insurance offered to Police Officers.
2. California Police Agencies go private.
3. Anti-Police legislation passes, further restricting police powers.
4. AB 1417 passes, mandating binding arbitration in police misconduct cases.
5. Lack of funding restricts effectiveness of California POST
6. Major re-occurrance of a Police Misconduct case rocks California Law Enforcement.
7. State of California goes bankrupt.
8. P.E.R.S. denies stress retirement claim from alledged brutality complaint.
9. Licensing mandated for Police.
10. No candidates available for entry level police officer.
11. Disciplinary schedule is legislated for police misconduct cases.
12. Federal Government mandates national accredidation for police.
13. Term limitations mandated on Chiefs of Police.
14. Legislation passes limits on liability for on-duty misconduct cases.
15. Cities refuse to pay any punitive damage claims or judgements resulting from civil suits of misconduct cases.
16. Courts deem video taping of citizens illegal without probable cause.
17. Supreme Court lowers standard for civil rights violations.

ENDNOTES

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12. Roger Fisher and William Ury, *Ibid.*

13. Roger Fisher and William Ury, *Ibid.* pp. 140-148.

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15. Roger Fisher and William Ury, *Ibid.* pp. 92-94.

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18. Roger Fisher and William Ury, *Ibid.* pp. 140-148.

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21. Roger Fisher and William Ury, *Ibid.* pp. 140-148.

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