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**What Discipline Strategy Will Be Used To Regulate
On-Duty Conduct of California Law Enforcement
Personnel By The Year 2002?**

**An Independent Study Project
Technical Report**

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**Command College Class 16
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This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

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

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

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

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Section I Introduction and Background

Major advances in the quality of law enforcement have occurred in recent years. Considerable success can be attributed to the research conducted on police issues. An issue of significant concern is police misconduct. This issue has influence on the quality of law enforcement and the quality of life in a community.

Police misconduct in the form of brutality, use of force, and corruption is not uncommon in American history. It was not until the 1960's that this issue of police misconduct assumed any public and political urgency. This was the result of the National Advisory Commission on Civil Disorders.¹ Its purpose was to investigate the causes of the rioting and destruction that occurred in Los Angeles, New York, and other cities across the country. The commission concluded that police misconduct was the primary cause of the rioting.

The issue of police misconduct is again being revisited by the public and political bodies. In 1989, national television viewers were shocked by a video clip of a police officer shoving a person through a plate glass window in Long Beach, California. Then in 1991, national and international television viewers were again subjected to a video clip of police violence as a Los Angeles motorist was beaten.² In California, as well as nationally, incidents of police misconduct have been the focus of attention by citizens and police managers. Government officials have expressed concern that a strategy to deal with police conduct has not been

formulated. Outraged citizens in this country have formed the assumption that many police officers are brutal. This assumption is far from the truth.

The future holds many opportunities for those in law enforcement to make a difference. The social concern of police conduct can give law enforcement the opportunity to make a significant change in the perception society has of law enforcement. Police managers must take affirmative steps to improve police performance. Unfortunately, some police managers have not yet accepted this challenge or do they view it as a legitimate challenge.

The review of current and past literature disclosed that there have been a number of suggestions made over the years concerning how to counter police misconduct. The common approach to discipline for many police organizations is the "military model". This approach has been the dominant influence in the development of today's police organizations. The term "military model" is used here to describe a management style, rather than to denote militaristic quality in the enforcement of laws. This model comprises the total body of management philosophy and techniques used to achieve compliance to direct orders. This style has principles, such as unity of command, and standards of rules and regulations.

A method of discipline in some police agencies is the civilian review. In general, a civilian review board is a panel of appointed citizens, usually with no police orientation or background, which is formed to investigate complaints by citizens

regarding alleged police misconduct. They hold hearings on complaints and report the results of its investigation to city officials.³ Although, depending on how civilian oversight is defined, there may be as many as 60 different types of civilian review boards falling into one of three prototypical groups, the internal, external or hybrid models.⁴ The internal model operates inside the police department by using civilian investigators in place of police internal affairs to investigate civilian complaints. This type of board has investigative powers and recommends discipline, but both hearings and records are closed. The San Francisco Office of Citizen Complaints exemplifies this procedure.⁵ By comparison, under the external model the investigators are hired from and operate outside the police department. Those officials may have investigative power and often open their hearings and findings to the public, but frequently they make no recommendations regarding discipline, leaving such decisions to the respective Chief of Police or Sheriff. A present day example of this "external" model is the Berkeley Police Review Commission.⁶ Finally, some departments follow the example of the Metro-Dade Independent Review Panel and have adopted a hybrid model of police review. Under this approach, members are recruited from both inside and outside the department and routinely work closely together to arrive at their findings. This panel normally has investigative powers, may be able to recommend discipline and typically opens its hearings to the public.⁷

Control of police misconduct within organizations most popular

is in the form of internal control by its own members. This is accomplished by rules and regulations and investigation of misconduct by an internal process. The latter began in 1950 when the Los Angeles Police Department established the first Internal Affairs Unit.⁸ Despite the initial appeal of police review boards, general acceptance of them has been at best mixed. In fact, Paul West found that while officer's individual opinions concerning the potential benefits of external review were found to vary, both with their rank and their involvement in complaint investigations, the overwhelming majority of police agencies in the United States continue to operate purely internal complaints systems.⁹ Nonetheless, in California, a select number of police agencies utilized one of the forms of police review boards described above, including but not limited to Richmond, Berkeley, Oakland, San Francisco, Los Angeles, San Diego and Long Beach.¹⁰

The failure of police review boards to "catch on", despite being in existence for over 30 years, may be due in part to the mixed reviews they have received in academic literature. External control began in 1895 when the first committee was formed to investigate the New York Police Department.¹¹ They concluded that an outside panel should investigate police misconduct. To date there are arguments both for and against adoption of an external review. However, the experiences of those departments that did implement independent review was uniformly disappointing. Many of these departments initiated civilian review boards following a widely publicized event questioning the effectiveness of internal

police review. Yet, in spite of this fact, evaluations of these civilian review boards revealed that they rarely disagreed with the results of co-existing internal investigations.

More work in the area of police professionalism is warranted. In other organizations, professionalism means discretion to do the job is left up to the individual.¹² Professionalism can establish pride and dignity within an occupation that would create an intolerance of code-of-conduct violators. It is impossible to construct an effective system of accountability without a strong and functional mechanism for maintaining behavioral control over police.¹³ Toward this effort, police agencies must maintain an internal process to investigate police misconduct.

The purpose of this study is to examine trends and events which may impact the issue of what discipline strategy will be used to regulate on-duty conduct of California law enforcement personnel by the year 2002. This examination will be supported by a literature search and interviews with experts who have knowledge on employee conduct. For the purposes of definitions, the following applies:

Police Misconduct: For the purpose of this study, police misconduct is defined as conduct that is unacceptable behavior and violates a rule or law.

Police Managers: For the purposes of this study, police managers are defined as people who are charged with the responsibility of setting policy and giving direction to others to accomplish an objective.

Internal Investigations: For the purpose of this study, internal investigations is defined as an investigative unit within a police agency that receives and investigates complaints of police misconduct.

Police Professionalism: For the purposes of this study, police professionalism is defined as police officers who are responsible to citizens, to themselves, and to their peers for the quality of their service and decisions.

Civilian Review Board: For the purposes of this study, Civilian Review Board is defined as a formal method of handling police misconduct complaints outside the police department. It is comprised of citizens who investigate police misconduct and recommend to the police executive what penalty is appropriate for the allegation.

Since 1983, there has been state legislation to adopt an independent review of police misconduct. Following the aftermath of the beating of Rodney King by Los Angeles police officers there has been an increased demand for Civilian Review Boards. Citizens have forced politicians to introduce legislation to monitor police misconduct. The most recent was introduced by State Senator Art Torres, SB 1335 on January 29, 1992. However, police fraternal organizations and labor unions strongly oppose a civilian review.

This study precipitated a data search to determine the number of complaints received by California police agencies. There are over 60,000 police officers as defined in California Penal Code 830. The Bureau of Criminal Statistics and Special Services has recorded 14,180 citizens' complaints against police officers in 1987. From this date to 1990 the statistical data reflected less than a 1% increase in complaints. In 1991 there were 16,467 citizens' complaints against police officers.¹⁴ This is a nominal increase in a four year period. Police managers in law enforcement have a responsibility to deter police misconduct. As Paul Whisenand stated in his book, The Managing of Police Organizations, "one of the main reasons for your job is to strengthen agency review and control police conduct".

In this study, the issue of what discipline strategy will be used to regulate on-duty conduct of California law enforcement personnel by the year 2002 will be revealed. Through the use of futures research, this study will identify trends and events, and evaluate their impact on the issue. A strategic plan will then be formulated and implemented to deal with the issue. This plan will offset an undesirable future.

Issue and Sub-Issues

What discipline strategy will be used to regulate on-duty conduct of California law enforcement Personnel by the year 2002?

This issue was selected because of recent events that have triggered a more intense interest in discipline. Recent events of outrageous police conduct have made it a current issue with future implications. The selection of the issue requires an interdisciplinary, methodological, and critical analysis of the future and the formulation of a policy statement. To this endeavor a review of social, technological, environmental, economic, and political topics were researched. This literature research identified three (3) sub-issues:

1. What external control will be in place to regulate the conduct of police officers?
2. Who will determine penalties of the misconduct of police officers?
3. Will regulations of conduct increase professionalism?

Section II Futures Study

This research study is a methodical approach at answers to the issue "what discipline strategy will be used to regulate on-duty conduct of California law enforcement personnel by the year 2002?" The purpose of this study will also answer sub-issue questions:

1. What external control will be in place to regulate the conduct of police officers?
2. Who will determine penalties of the misconduct of police officers.
3. Will regulation of conduct increase professionalism.

To this endeavor, as in any futures research, a literature review of social, technological, environmental, economic, and political topics was made that relate to the issue and sub-issues. Interviews were also conducted of experts in the field of personnel management.

Scanning

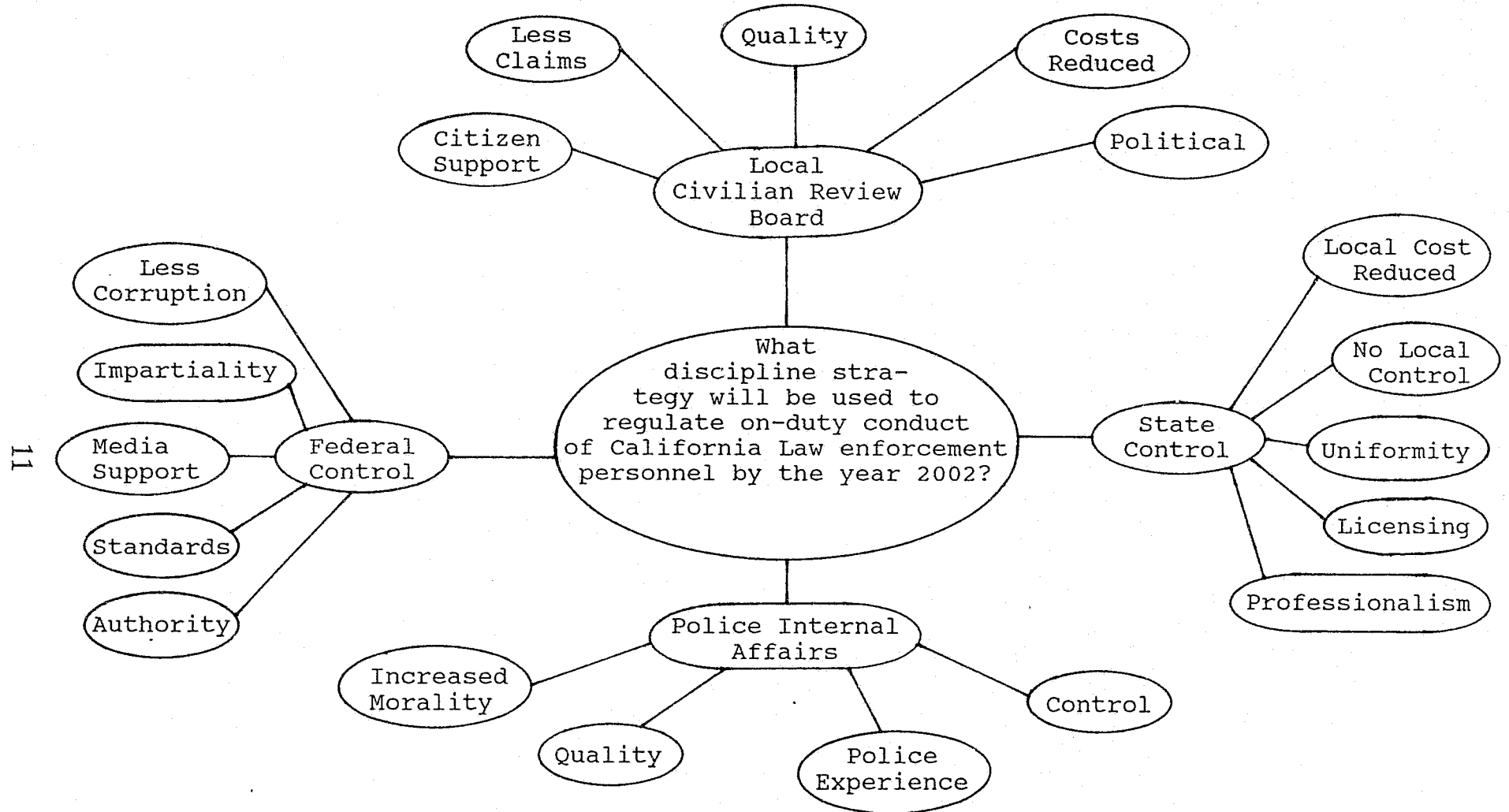
This is a technique to identify related issues. Scanning included class brainstorming, personal interviews, surveys, and a literature search. This data was compiled into a futures file which was used to select the issue and sub-issues. Assistance from the California Commission on Peace Officer Standards and Training library staff and the National Institute of Justice provided a comprehensive list of resources. Interviews with subject matter experts in the field of personnel management were conducted. In addition, with the use of telecomputing with approximately 50 members of Safetynet, a law enforcement computer network club, a

suggested reading list was developed.

Futures Wheel

A Futures Wheel is a technique that graphically depicts interrelationships and consequences of issues or trends. Illustration 1 is a Future Wheel to study the relationship of the main issue to sub-issues. The main issue is a trend on a selected event for futures research. Four (4) sub-issues are derived directly from the main issue. Those sub-issues listed impact other issues and areas of concern.

Futures Wheel
Illustration 1



The Literature Scan and Futures Wheel revealed relevant issues to the study. This information provided knowledge on the subject for the researcher.

Nominal Group Technique

The Nominal Group Technique is a group of people to assist in the forecasting and evaluation of the potential impact of events on the issue. The panel members chosen in this study have expertise within their field that assist in the identification and evaluation of the emerging trends. The identity of panel members is listed in appendix A.

To begin, the researcher presented the nominal group with the question "What Discipline Strategy Will Be Used To Regulate On-Duty Conduct of California Law Enforcement Personnel By The Year 2002?" A round-robin recording of ideas generated by the group was recorded on a flip chart. The objective was to map out the group's thinking. This step provided equal participation and it encouraged others to generate ideas. A discussion of each idea followed and allowed members the opportunity to seek clarification. The researcher conducted a preliminary vote from the panel members on the ideas generated. Each panel member selected only the top 5 trends they felt were of priority. A discussion on the preliminary vote was then conducted. Following this, a final vote provided a more accurate indication of preferences. The final vote ranked each trend using a scale of 1-5.

Trend Identification and Selection

Using the Nominal Group Technique, the panel identified twenty trends (Appendix B). After a discussion and vote by the panel members, the five trends that were most important on the impact of the issue and sub-issues which would be of benefit if long range forecasting were selected. The trends are defined as a change in a variable that takes place over an extended period of time. Trends are normally distinguished from fluctuation, which is a change that occurs over a brief period of time and often is of no long-term significance.¹⁵ The following is a list of prioritized trends identified by the panel:

Trend #1 - Public demand for increased control on law-enforcement conduct.

Trend #2 - Type of discipline varies among law enforcement agencies.

Trend #3 - Politicization of investigations and discipline process conducted outside law enforcement agencies.

Trend #4 - Internal confidence with law enforcement administration and supervisors.

Trend #5 - Use criminal sanctions through the criminal justice system to fine and prosecute.

Upon selection of the five trends, each panel member was asked to estimate the nominal level of each trend five years ago, and project to the future in five years and ten years. The panel

members were instructed to use the base level of 100 as representing the level of the trend today. In projecting the future, the panel made a nominal level projection as to what the anticipated or most likely projection "will be" if no action is taken. The panel also evaluated the normative level of each trend by five and ten years into the future. This normative level projects what "should be". See Table 1.

TABLE 1

TREND EVALUATION TABLE

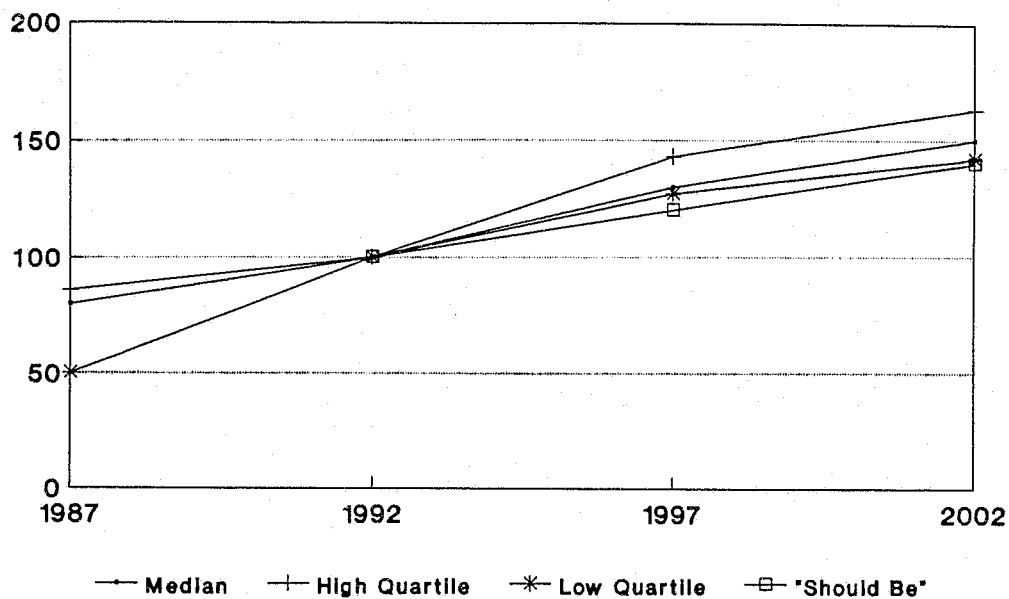
TREND STATEMENT	LEVEL OF THE TREND (today=100) **			
	5 YEARS 1987	TODAY	5 YEARS 1997 *	10 YEARS 2002 *
Public demand for increased control on law enforcement conduct T-1	80	100	130	150
			120	140
Level of variation in type of discipline among law enforcement agencies T-2	60	100	110	120
			120	145
Politicization of investigations and discipline process conducted outside law enforcement T-3	70	100	120	130
			110	118
Internal confidence with law enforcement administration and supervisors T-4	90	100	115	125
			120	140
Use criminal sanctions through the criminal justice system to fine and prosecute T-5	90	100	120	125
			110	115

** Panel Medians, N=7

* "will be" / "should be"

Table 1 is the median estimation of the trend level on each trend statement. The forecast is relative to today and today equals 100. A forecast of 0 would mean the trend ceases to exist. Example: In 1987, the trend level of Trend 1 is shown as 80. The 1997 forecast shows the trend level will be 130. The lower half depicts the value of what the trend level should be in 1997. This judgement is based on what should be accomplished. This interpretation applies to each trend.

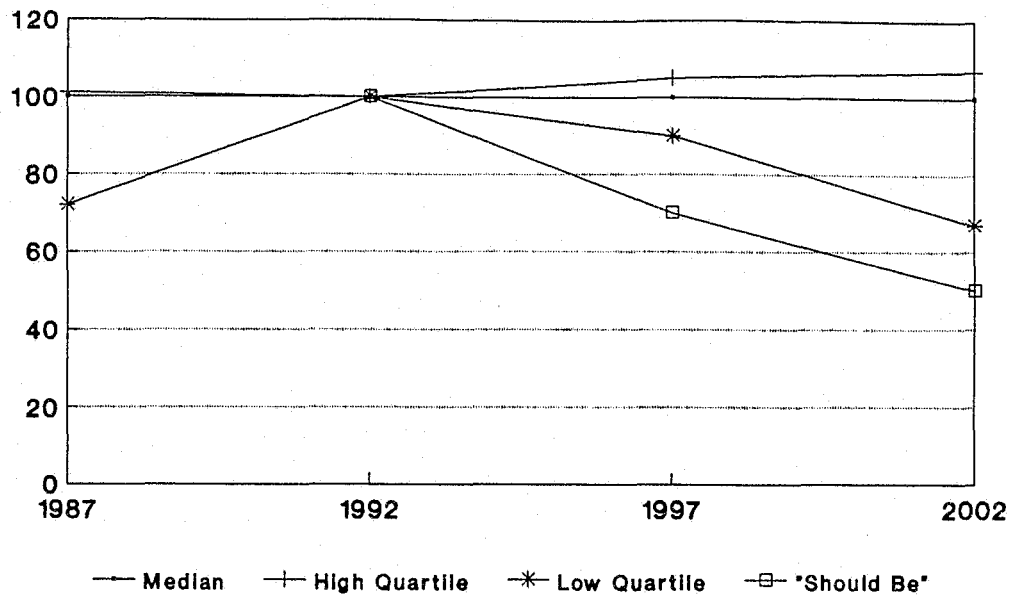
TREND 1 DEMAND FOR STRICT OFFICER CONDUCT



Trend #1 - Public demand for increased control on law enforcement conduct.

The panel felt the level of the trend five years ago was approximately twenty percent lower. The forecast in the next 5 years shows a dramatic increase. The panel saw this increase and attributed it to more exposure by the media of isolated events of police brutality cases and the increase in civil litigation. Police managers will face the dilemma of recruitment and training in violence avoidance and ethics even though costs are a factor and many agencies face budget crises. Consolidation of training needs may be an alternative to cut costs.

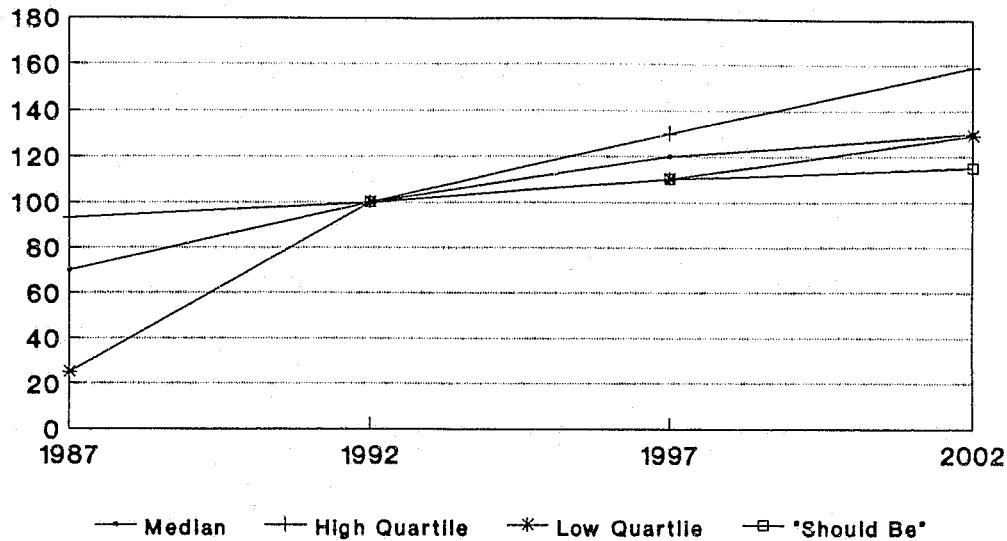
TREND 2 TYPE OF DISCIPLINE VARIES



Trend #2 - Type of discipline varies among police agencies.

The nominal group panel members saw that the level of variation in discipline will be somewhat uniform, in the "most likely" future. Panel members based this on a consensus that discipline is now under more scrutiny by citizen groups including labor unions. At ten years, the lowest median was 145 for "should be", yet the "will be" is 120. In discussion between the panel members, this change is based on the notion that labor unions by the year 2002 should include within their Memoranda of Understandings a code of discipline that focuses on training in lieu of punitive action. Panel members believe that today police managers are allowing employee supervisors to contribute in the decision-making process on discipline and this will continue. This should create a standard on this trend.

TREND 3 INVESTIGATION/DISCIPLINE CONDUCTED BY OUTSIDE POLICE AGENCIES

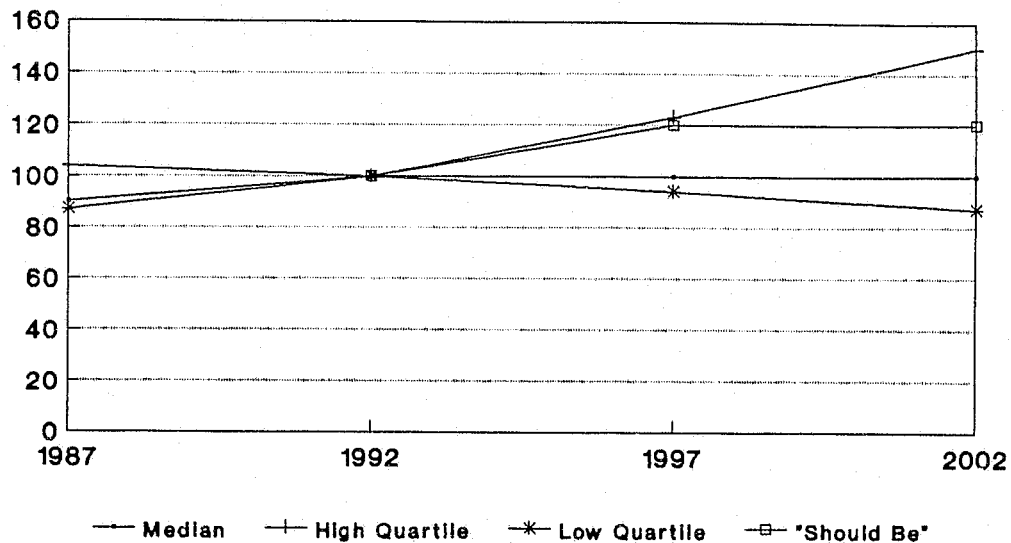


Trend #3 - Politicization of investigations and discipline process conducted outside law enforcement agencies.

The panel members saw an increase of politicization of the discipline process within the next ten years. In this discussion of the trend line, the median being 120 in five years with an increase of ten by the year 2002, is a thirty point increase from today. The panel members felt this is attributed to special interest group influence within the bureaucracy. Police managers will have to provide these groups and others a better understanding of the discipline process and the power of progressive discipline in order to deal effectively with the low percentage of employees who will be forced to change or, in some cases, be dismissed. The highest median forecast was 160. This is attributed to media exposure.

TREND 4

INTERNAL CONFIDENCE WITH POLICE ADMINISTRATORS AND SUPERVISORS

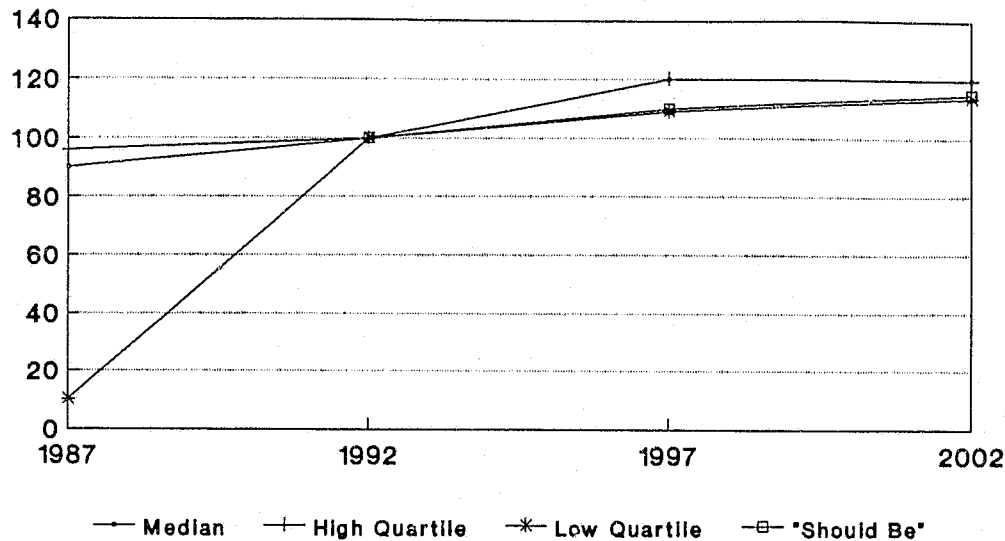


Trend #4 - Internal confidence with law enforcement administration and supervisors.

The panel members concluded that discipline will be scrutinized from external sources. As a result, line staff will not receive internal support for actions they feel are just. The projected median forecasts at five and ten years show the trend line the same as today at 100. The high forecast of 150 represents administrators supporting officers on controversial issues. The panel members noted that if the upper forecast should happen to materialize, normative forecast is automatically achieved.

TREND 5

USE CRIMINAL SANCTIONS IN CRIMINAL JUSTICE SYSTEM TO FINE/PROSECUTE



Trend #5 - Use of criminal sanctions through the criminal justice system to fine and prosecute.

The panel members forecasted this trend on the use of criminal sanctions through the criminal justice system in the form of fines and prosecutions will be common practice. It is interesting to note that the five year and ten year median is constant at 120 and the low and high quartile are remarkably close. Even more remarkable, from a policy perspective, is that there is essentially no difference between the exploratory and the normative forecast. The panel members felt that prosecutors will develop a policy to review discipline cases that will routinely be part of the decision process. As a result, if a criminal act is committed by a police officer they will be prosecuted.

Event Identification and Selection

Events are defined as discrete, one time occurrences; a building block of any serious futures research study. A series of the same events over time is a trend. The Nominal Group Technique panel members were asked to identify and evaluate events that, if they occurred, would have a major impact on the issue and sub-issues. The panel identified 20 events (see Appendix C) and, after a discussion and vote they selected 5 events. The 5 events selected were:

Event #1 - Public Revolt

Event #2 - Elimination of Peace Officer Bill of Rights

Event #3 - Legislation Mandating Civilian Review Boards

Event #4 - Legislation Mandate Limiting Use of Force

Event #5 - Legislation Mandating Police License Board

The panel members were asked to forecast the 5 events. They were asked to indicate the year that the probability of each event occurring first exceeds zero and estimate the probability of occurrence of each event by 5 years and 10 years into the future.

Panel members were also asked to estimate the positive and negative impact of each event on the issue of discipline strategy using a scale of zero to 10. For example, if the panel member felt the event would have a negative and positive impact on the issue, the positive being greater, a rating of +8 and -2 can be given. If the event had no impact a rating of zero would be given.

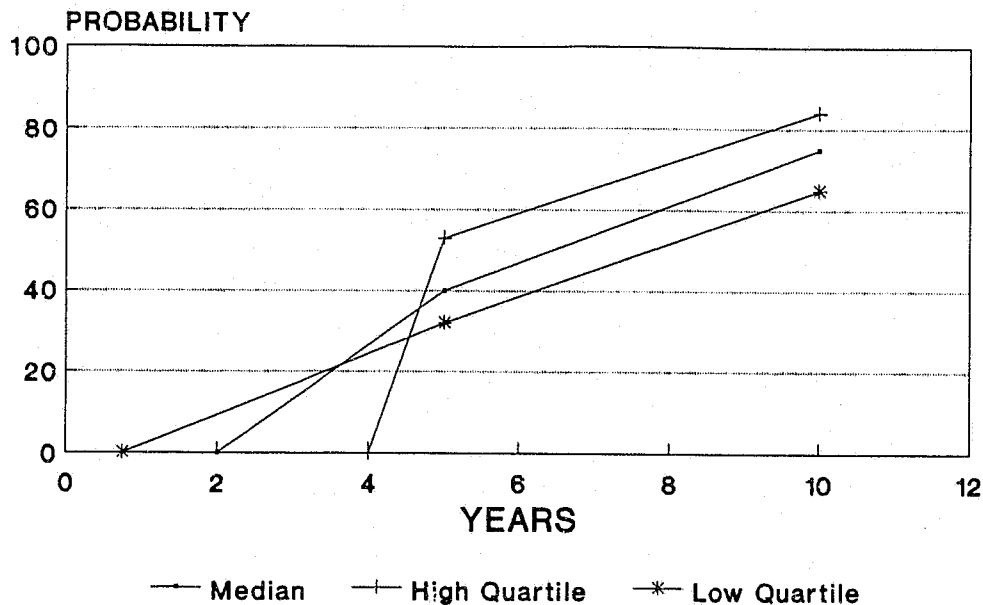
TABLE 2
EVENT EVALUATION TABLE

EVENT STATEMENT	YEARS UNTIL PROBA- BILITY FIRST EXCEEDS ZERO **	PROBABILITY **		IMPACT ON THE ISSUE AREA IF THE EVENT OCCURRED	
		FIVE YEARS FROM NOW (0-100)	TEN YEARS FROM NOW (0-100)	POSITIVE (0-10)	NEGATIVE (0-10)
Public Revolt E-1	2	40	75	2	7
Elimination of Peace Officer Bill of Rights E-2	3	05	20	2	6
Legislation mandating Civilian Review Boards E-3	1	50	65	3	7
Legislation mandate limiting use of force E-4	3	45	75	5	6
Legislation mandating Police License Board E-5	3	50	65	7	2

** Panel Medians

Table 2 summarizes the panel's forecasts of the probability of each event (and its likely effect on the issue if the event should actually occur). A 0 indicates the event probably will not happen within the time frame. A 100 indicates the event probably will happen, and 50 indicates the event has an equal chance of happening or not. The Positive and Negative Impact values represent the impact on the issue if the event occurred. The medians are recorded for each event. For example, the occurrence of Event #1 happening is 2 years. In 5 years the probability of occurrence is 40 percent. There would be a greater negative impact (7) on the issue if a public revolt occurred than a positive impact (2).

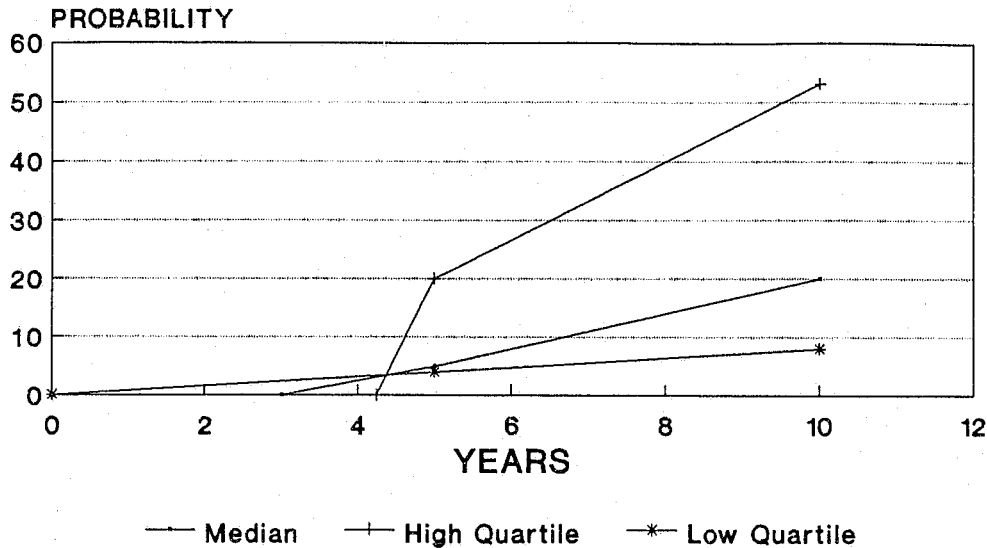
EVENT 1 PUBLIC REVOLT



Event #1 - Public Revolt.

This event is first probable within two years, based on the panel median. A 40 percent median probability within five years and 75 percent probability within ten years. The lowest median forecast of probability of this event occurring is 9 months. Following discussion with the panel members, this low forecast represents the aftermath of the Rodney King incident and the negative political fallout. Which could, in turn, increase the probability of civil unrest. The panel was at consensus that a public revolt would force police managers to make major reforms within the respective departments. New and innovative methods to gain public acceptance on police tactics would have to occur, which may require state funding for agencies.

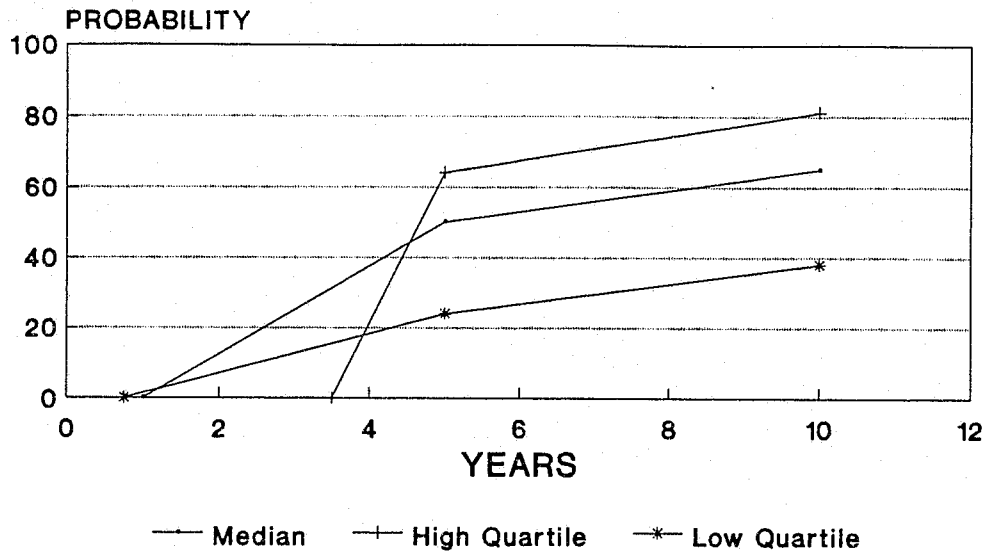
EVENT 2 ELIMINATION OF PEACE OFFICER BILL OF RIGHTS



Event #2 - Elimination of Peace Officer Bill of Rights.

This event was forecasted to have only a five percent chance of occurring within the next five years. This forecast has contributed to the political clout of police labor unions and associations. However, the panel agreed that in ten years the legislative branch will be forced by the public to abandon police labor unions, which reflects the 15 percent increase over a five year period. In discussion of the ten year projection 52 percent probability this will occur. The group felt that a reform of police rights will occur to offset public unrest.

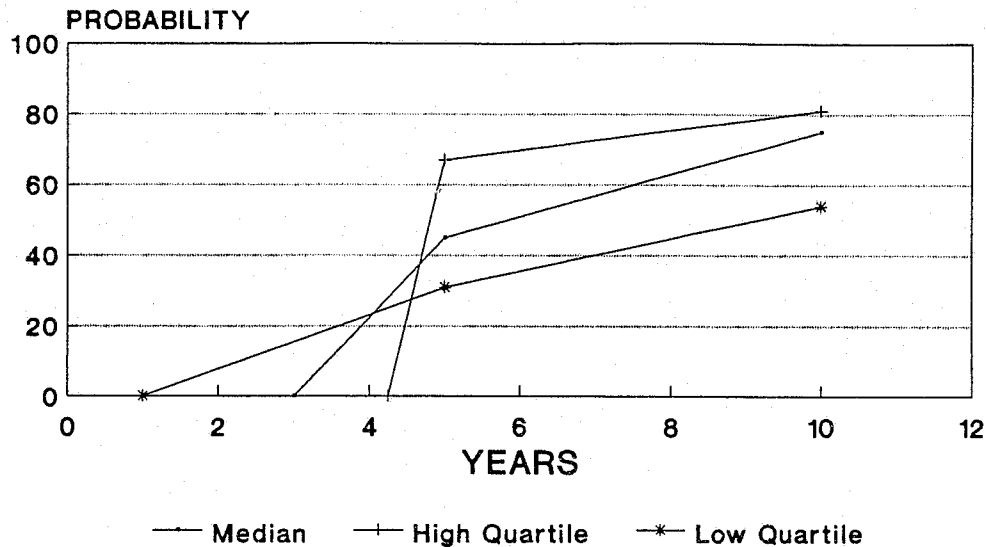
EVENT 3 LEGISLATION MANDATING CIVILIAN REVIEW BOARDS



Event #3 - Legislation mandating Civilian Review Boards.

The panel discussion on civilian review boards varied among members. However, with the public mistrust of police managers the legislative branch will attempt to establish review boards to build a better relationship between the public and law enforcement. The median forecast of this occurring is 40 percent in five years and 65 percent in ten years. The high median forecast of 80 percent was recorded in ten years. Several of the panel members indicated this will be the direct result of the Rodney King incident and other allegations of police brutality. The important point here is that the event is not forecasted to occur by the end of the 10 year.

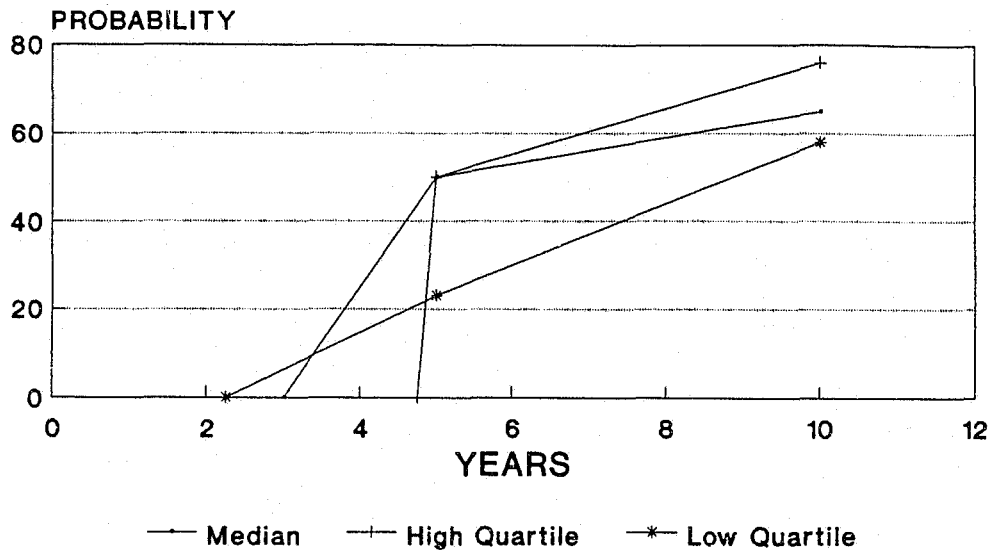
EVENT 4 LEGISLATION LIMITING USE OF FORCE



Event #4 - Legislation mandates limiting use of force.

The panel members were in consensus that this event may occur as a result of money spent on civil suits and the recording of police abuse cases. The five year median probability that this event occurs is 45 percent and a dramatic increase of 75 percent in ten years. If the event occurs, retention and recruitment of quality people may be adversely affected. For relief, police managers will have to evaluate their current response to calls for service where violence is reported. Training in violence avoidance by police may have an impact on this event occurring. Today many police agencies are teaching recruits on how to avoid violence.

EVENT 5 LEGISLATION MANDATING A POLICE LICENSE BOARD



Event #5 - Legislation mandating a Police Licensing Board.

The panel members were in agreement that the public will demand police officers conduct themselves in a professional manner. In view of the fact that other professions come under scrutiny by license boards, the legislative branch may attempt to satisfy the public by creation of a licensing board to handle police discipline. The five year median forecast for this event occurring has a 50 percent probability. The ten year highest forecast is 75 percent. The license board would have authority on certain acts of misconduct that could suspend or terminate a police officer's license. This would prohibit those officers from working in law enforcement.

Cross Impact Matrix

Cross-Impact Matrix is an analytical technique for identifying the various impacts of specific events of well-defined policy actions on other events. It explores whether the occurrence of one event or implementation of one policy is likely to inhibit, enhance, or have no effect on the occurrence of another event.

The Nominal Group Technique panel members made assessments of the events and trends using the cross-impact matrix (Table 3). This assessment was to determine the event impact on other events and how trends were influenced in a positive or negative manner. Each panel member reviewed the events and was asked to determine what if the event actually occurred? Would the occurrence of the event affect the probability of the other events? And if so, to what extent? For example, in looking at the table, Event #1, Public Revolt, if it occurred it would increase the probability by a maximum of 10 per cent that Event #2, Elimination of Peace Officer Bill of Rights would occur. The lower half indicates that this maximum cross-impact would occur within 2 years after Event #1 on the forecasted level of Trend #1, Public demand for increase control on law enforcement conduct and a 20 percent increase that this would occur in 2 years if a public revolt occurred.

**TABLE 3
CROSS IMPACT MATRIX**

IMPACTING EVENT	IMPACTED EVENTS *					IMPACTED TRENDS *				
	E-1	E-2	E-3	E-4	E-5	T-1	T-2	T-3	T-4	T-5
Public revolt		+10	+50	+20	+50	+20	0	+30	0	+20
E-1		2	2	3	2	2	2	4	0	4
Elimination of peace officer bill of rights	0		+20	+10	+30	+20	+40	+30	-50	+20
E-2	2		3	3	3	1	2	3	1	3
Legislation mandating civilian review boards	+ 5	+10		+ 5	+30	+40	+35	+40	+20	+20
E-3	1	2		4	4	3	2	3	2	3
Legislation mandate limiting use of force	+10	+ 5	+10		+10	+20	+10	+15	- 5	+30
E-4	3	2	2		3	2	2	2	3	3
Legislation mandating police license board	0	-10	+10	+20		+25	-10	0	+25	+ 5
E-5	.5	2	2	2		2	3	2	2	2

IMPACTED TOTALS FOR REACTORS

E-1	E-2	E-3	E-4	E-5	T-1	T-2	T-3	T-4	T-5
2	4	4	4	4	5	4	4	4	5

IMPACTED TOTALS FOR ACTORS

E-1	E-2	E-3	E-4	E-5
7	8	9	9	7

* Panel Medians

LEGEND:

- T-1 Public demand for more strict control on police officer conduct.
- T-2 Type of discipline varies among police agencies.
- T-3 Investigation and discipline process conducted outside of police agencies could become political.
- T-4 Internal confidence with police administrators and supervisors.
- T-5 Use of criminal sanctions through the criminal justice system in the form of fines and prosecution.

Actors

After the impact of the events and trends on each other have been determined, it is necessary to identify the important events by their potential impact on the future, as determined by the panel members. Actor events are defined as those that impact more events and trends than others. This technique is to assist in the development of policy on the issue.

Reactors

Upon identifying of the "actor" events that have greater impact, each trend and event was examined to determine if they were "reactors." Reactors are identified as those trends and events affected by a greater number of other events. Following is a brief description of the results of 2 events that have the greatest number of changes, also known as "actors." Also, included are 2 events and trends that have the greatest number of changes known as "reactors":

Actors

Event-3: Legislation mandating civilian review boards:
Counting across starting with Event 1, and ending with Trend-5, this event impacts 9 events and trends. This indicates that a policy statement should consider this event. It is an event that has influence on the issue.

Event-4: Legislation mandates limiting use of force:
Counting across starting with Event-1, and ending with Trend-

5, this event impacts 9 events and trends. With this rating, it is apparent that a policy statement formulated consider this event. It is an important actor event that effects other events and trends.

Scenarios

This section is a development of three alternative future scenarios regarding the issue of what discipline strategy will be used to regulate on-duty conduct of California law enforcement personnel by the year 2002. These scenarios are based on the trends and events that were forecasted. The purpose is to show a future story of "what if". In providing these alternatives it will assist planners by showing a glimpse into possible futures.

The first scenario is exploratory (surprise free) where the forecasted events do not occur. In the second scenario, the hypothetical (what if) future has a negative impact on the future of the event forecasted. The third scenario, the normative (desired and attainable), will have a story on the future where the events occurred however future planning on the issue can impact the outcome. The hypothetical scenario will be used in this study to plan for the "what if" scenario.

Scenario 1

EXPLORATORY

In the year 2002, public demand for strict control on police officer misconduct is still present but not widespread. The public revolt that occurred ten years ago in Los Angeles after a police beating is still an economic concern. The area devastated by the rioters has yet been restored. The California Legislature attempted to change the way police misconduct is managed. However, police labor and associations have been successful at deterring legislation. The power of these groups is increasing. Public support has grown because of community based policing methods. Police officers have gained significant support as a result.

Aware of special interest groups, police managers have recognized the need to monitor police conduct more closely. The use of force policies limiting such use is gaining political support. The technological advancement in laser weapons have led to more police use. This was the result of the federal government providing funds to states for research on the use of these weapons. However, the cost of the laser weapons has deterred many police agencies from making it the chosen standard issue.

Within the last ten years civilian review boards have been diminishing. The cost of maintaining this review process has increased. As a result, many cities have questioned their ability to manage police misconduct. State and local support has flourished for Police Licensing. Currently, this method of handling police misconduct has support of police labor. They

believe this will benefit the police profession and increase bargaining power.

Scenario 2

HYPOTHETICAL

The 1990s saw a continued erosion of public opinion about police officers as the media displayed the 6 year law suit between Mr. Rodney King and the Los Angeles City Police Department that was dragged through the courts in southern California. During the trial sporadic civil unrest in Los Angeles, San Francisco, and Sacramento occurred. This public revolt caused property damage in the millions of dollars.

With increasing negative public sentiment toward peace officers, the California Legislature eliminated parts of the Peace Officer Bill of Rights, mandated a civilian review process to review citizen complaints and limiting the use of force. In January, 2002, the California legislature passed legislation that implemented a mandatory state licensing for all peace officers. A key addition to the legislation gave the State Licensing Board disciplinary ability as well. The California Commission of Peace Officer Standards and Training was the governing body of the License Commission.

Peace officers in California are now more highly trained than ever before. Through the State mandated licensing division, officers must now pass standard psychological, firearms proficiency, and annual physical agility tests. To stay accredited

with the state and keep their license current, officers must continually complete courses on social aspects of the diverse cultural backgrounds that exist in California along with other training programs. These program are augmented by municipalities in which they serve.

There have been adverse effects by the mandate of the Police License Board. Citizen complaints against peace officers have increased. Police departments have been eliminated from the process of investigating citizen complaints. Since they do not have input, department heads feel they do not have control on management of peace officer misconduct.

In July, 2002, Samantha "Sam" Lambeck who graduated from the Sacramento Police Academy, was licensed by the State, and joined Sacramento's police force. The State Licensing Board conducted a random review of personnel files which revealed that after a year and a half on the job, Officer Lambeck had two documented counselings in her personnel file. Both counselings had to do with relatively minor excessive force violations. Upon further investigation by the board, it was made known that both incidents involved a minority male.

Sam was referred to courses on cultural awareness by her supervisor. The State License Board did not renew her police license. They condemned the department by not forwarding the complaints to the Board. To the contrary, the department head justified his action because of the minor infractions and the citizens did not want formal action taken by the License Board.

Following appeal, Officer Lambeck got her license back.

Sam took a lateral transfer to the San Diego Police Department. In the next 6 months, she familiarized herself with the demographics of the city. On Christmas Eve, 2002, 0200 hours, Officer Lambeck was finishing an extended six-day work week. A five year veteran, she received what appeared to be a routine call to respond to a disturbance. Upon arrival at 0210 hours, she heard what she believed was a fight inside the dwelling. On entry, she observed a Black male, 35 years of age, strike a 30 year old female Hispanic. Officer Lambeck immediately restrained the male and, after charges were made by the female, placed the male subject under arrest. After handcuffing the subject, she placed him in the rear seat of her patrol car. While talking with the female, she determined that the arrestee was her husband, who had a history of spousal abuse.

The following day, the arrestee filed a complaint of discrimination with the License Board. Because of Officer Lambeck's complaint history on minorities, she was placed on administrative leave until the disposition of the complaint. Since the Peace Officers Bill of Rights were restricted, Officer Lambeck had no recourse to keep her job until the License Board made a ruling on her behalf.

Scenario 3

NORMATIVE

With increasing negative public sentiment toward peace officers, the California legislature took a proactive approach to assist municipalities in obtaining reliable candidates as peace officers. A key addition to the legislation gave the State Licensing Board disciplinary ability as well.

Through the State mandated licensing division, officers must now pass standard psychological, firearms proficiency, and annual physical agility tests. These programs are augmented by training courses given by the municipalities in which they serve.

In July, 2002, Samantha "Sam" Lambeck graduated from the Sacramento Police Cadet Academy, was licensed by the state, and joined Sacramento's police force. The State Licensing Board conducted a random review of personnel files which revealed that after a year and a half on the job, Officer Lambeck had two documented counselings in her personnel file. Both counselings had to do with relatively minor excessive force violations. Upon further investigation by the Board, it was made known that both incidents involved a minority male. The Board subsequently suspended her license for a period of 3 days for the use of excessive force and possible discrimination. She resigned her position upon substantiation of yet another infraction of excessive force. Since this was her second infraction in such a short time, her license was suspended for a period of 30 days.

Samantha Lambeck resigned her position rather than face further disciplinary action by the License Board and moved to San Diego. She was hired eight months later by the City of San Diego as a Police Officer. On Christmas Eve, at 0200 hours, Officer Lambeck was finishing an extended six-day work week and was about to lose her patience with an uncooperative citizen. A five year veteran, she received what appeared to be a routine call to respond to a disturbance at 2396 Del Paso Blvd., an extremely unsavory part of the city. Upon arrival at 0210 hours, she heard what she believed was a fight inside the dwelling. On entry, she observed a Black male, 35 years of age, strike a 30 year old female Hispanic. Officer Lambeck immediately restrained the male subject and, after charges were made by the female, placed the male under arrest. After handcuffing the subject, she placed him in the rear of the patrol car. While talking with the female, she determined that the arrestee was her husband, who had a history of spousal abuse. She documented the injuries to her as facial lacerations and a bruised left eye.

Angered by the violence, and continued racial epithets from the arrestee, Officer Lambeck made an unscheduled stop in a deserted part of town enroute to South Division Confinement facility. Officer Lambeck then proceeded to use her baton to inflict injuries similar to those of the victim on the subject.

Several days later, she received a call and instructions to report to Internal Investigations Section. Officer Lambeck was informed that the subject filed a complaint of excessive force with

the Department. Officer Lambeck recalled that the State Licensing Board had previously suspended her license twice for similar actions. Her previous sustained offenses resulted in progressive disciplinary actions that were just short of permanent license revocation. With these two previous disciplinary actions against her for the use of excessive force, Officer Lambeck knew the State Board would have no choice but to revoke her license.

Policy Statements

A four member committee (See Appendix D) was formed to study the issue and identify policies that can change trends to make the Hypothetical Scenario a workable solution to regulate on-duty conduct of California law enforcement personnel by the year 2002. The process of policy formulation can alter the probability of an event from occurring. A policy can change the probability of an event by making it more or less likely to occur. This committee recommended the following policy statements:

1. Police agencies develop a cultural awareness training program in dealing with diverse ethnic populations.
2. Police agencies develop a training program on ethical standards. Regulation of ethical violations be strictly enforced by police agencies.
3. The California Peace Officer Standards and Training (POST) create an advisory committee to establish guidelines for the formation of a new entity to be known as "Police License Commission." This commission will regulate the discipline of certain acts of misconduct by police personnel. Minor acts of misconduct shall be investigated by the respective police agency.
4. Certain acts of police misconduct will decertify a police officer by the "Police License Commission." Some acts of misconduct by police officers will be fined or prosecuted by the District Attorney.

5. Police agencies shall form a partnership with their community to restore public confidence and set priorities of each department. Police will focus their attention toward solving problems identified by neighbors.

With the implementation of these policies it is hoped that they will have a direct effect on the trends and events in the hypothetical scenario. It is anticipated that police officers will show more concern on how they conduct themselves on citizen contacts. Following the development of the policy statement, the committee members were asked to rate each policy statement whether or not it is feasible or desired. The rating was 1 through 15, with 15 being the highest. Table 4 is the rating results on each policy statement:

TABLE 4

Modified Police Delphi

Policy	Rank	Feasibility	Desired	% Total
1. Cultural Awareness Training	4	8	7	70%
2. Ethical Standards Enforced	3	10	8	75%
3. Formulate Police License Commission	1	15	15	100%
4. Decertification Of Police Officers	5	4	4	30%
5. Police Partnership	2	12	10	80%

Policy 3, the formation of a Police License Commission, was rated the highest score. The result identified the preferred

policy statement. A basic cross-impact matrix linking these policy statements to those events or trends that were more likely to be affected is shown on Table 5.

TABLE 5

BASIC CROSS-IMPACT ON POLICY STATEMENTS

IMPACTING POLICY	IMPACTED EVENT *		IMPACTED POLICY *					Impacted Trends*				
	E-3	E-4	P-1	P-2	P-3	P-4	P-5	T-1	T-2	T-3	T-4	T-5
Cultural awareness Training P-1	+45	+45	0	+15	-10	-15	+20	+20	+15	+15	+10	+25
Ethical Standards Enforced P-2	+50	+60	+45	0	+20	-15	+20	+30	+10	+20	+10	+30
Formulate License Commission P-3	+10	+20	+10	+40	0	-60	+10	+25	-10	0	+25	+ 5
Decertification of Police Officers P-4	0	0	+45	+30	+80	0	-10	+40	+20	+30	+15	+10
Police Partnership P-5	+40	+40	+40	+15	+25	+10	0	+25	+15	+20	+10	+30

Table 5 portrays whether or not a policy statement will raise or lower the probability of occurrence of each event, or raise or lower the nominal trend level. Example: There would be a 10 percent chance that Event 3 would occur if Policy 3 was implemented and a 25 percent increase in the forecasted level of Trend 1 occurred. In the hypothetical scenario, it is desired that these policies will have a positive impact upon their implementation. It will restore public confidence in law enforcement. In order to analyze the impact of the policy statements on the events and trends a Basic Cross-Impact on Policy Statements is used for this purpose.

Section III Strategic Plan

Fundamental changes are occurring within the process of discipline in law enforcement. The traditional approach is being challenged. In the examination of future trends and events and the method used in forecasting, our society will demand change. In view of the Nominal Group findings the public will demand strict control on police conduct by the year 2002. The future studies have shown that society has a lack of confidence in police handling their own discipline, citing a conflict. The events we witnessed in the Los Angeles and Miami riots are the catalyst for future public demonstrations if police misconduct is not monitored. Legislation mandating civilian review boards will occur if law enforcement fails to take the lead in the formulation of changes. In recent years, many law enforcement agencies have had considerable success with the implementation of Community Oriented Policing. This change has provided a trusting partnership between the community and police. To foster this lasting relationship, better police professionalism will enhance the public's trust. The step, in the desired future, is the establishment of a State Police License Commission. To lend credibility to the Commission, members of the board should come within law enforcement. Development of a Strategic Plan will ensure that issues are identified and action plans are formulated to respond to those issues. This is accomplished through:

- A mission statement and goals
- Analysis of the environment
- Identification of stakeholders and their assumptions
- Development of alternative strategies

In addition, the use of strategic planning will be used to implement the objective. To begin, the following mission statement will be the focal point to provide direction and purpose:

It shall be the mission of the Police License Commission to set standards for peace officer conduct and ensure peace officers adhere to the law and ethical standards of the profession. The Commission shall serve all parties with integrity and in a fair and impartial manner. Investigations of improper peace officer misconduct shall be reviewed and if a violation of law or standards set by the Commission occurred, shall, in a fair and equitable manner, impose discipline which may include remedial training, suspension from duty, or the termination of the police license issued by the Commission. The Police License Commission shall recognize their contribution to the peace officer profession and to the complainant for the quality of police services and a safe environment. To meet this challenge the mission shall be accomplished by the following goals:

1. *Maintain a system of discipline that is objective and assured by intense investigations and review.*
2. *Identify potential causes of conflict between police agencies and complainants and ensure proper corrective action is taken.*

3. *Protect peace officers from criticism when they perform their duties in an approved manner.*

4. *Conduct discipline hearings in a prompt and just manner.*

The mission statement and goals shall serve as a commitment and direction to encourage a partnership between peace officers and society by establishing a professional attitude dedicated to excellence.

Analysis of the Environment

The environment to which this issue applies will be California peace officers as defined under California Penal Code 830. California has 77 police agencies with over 60,000 peace officers. The analysis begins with a situational audit consisting of a discussion of California police agencies, their weaknesses, opportunities, threats, and strengths that are necessary elements of the planning process. These elements were analyzed by ten individuals. Five were from within law enforcement who held the rank of lieutenant and above. The other five were citizen participants (See Appendix E). This analysis will determine if police agencies are able to cope with their environment. With the incorporation of a futures study analysis, we will look at the internal and external environment, on the issue of a Police License Commission. Unfortunately, the acts of police brutality have created an opportunity to support the mission and goals from the external environment. The internal environment, with the fraternal

order of law enforcement, may create the biggest threat to the mission statement. However, many within the internal environment, in time, will appreciate the mission statement because it offers an opportunity to create a professional partnership between society and their peers. The Nominal Group Technique identified trends and events that will either allow or block the achievement of the mission statement and goals. The strategic committee of ten found the following:

STRENGTHS

1. Recognition of a system of discipline that is consistent. Unlike the current methodology, the group voiced a pattern of inconsistency in the imposition and rules of discipline.
2. Discipline process that is consistent would support ethical standards. An Ethical Code of Discipline be established by law that would be enforced internally and externally.
3. Standardized system of comparison of order or policy formation with ethical standards.
4. Accountability of employee conduct. An employee would know what is acceptable and what is not.
5. Technology is available to monitor employee conduct. Historical data can be retrieved and stored for future use.
6. Citizen endorsement and satisfaction is present.

WEAKNESSES

1. Changes in the nature of the work would show inconsistent discipline. Law enforcement lacks standards and often violations are not enforced.
2. Extensive rules, regulations, laws, and ordinances. Many officers fail to review changes and revisions of rules.
3. Removes the decision process from the employing agency. Supervisors want input in decision making process of discipline.
4. Proclivity of agencies to withhold disciplinary action pending review. On many occasions review of discipline cases take too long.
5. Failure to properly exercise discretion in employee performance issues. Some supervisors are not willing to demand performance standards.

What emerges from this assessment is that the group saw that change would be more positive than negative. The strengths are suited for a professional reputation. Like those of other professions, it is the methodology of the disciplinary process that is most important.

Weaknesses are more toward the attitude of an organizational change and a new bureaucratic level in the discipline process. The Trends and Events identified the following:

OPPORTUNITIES

1. Civilian review: If law enforcement does not take a proactive role in a system of discipline the less desirable of a civilian review may be established.
2. Relaxation of confidentiality rules: Currently, police disciplinary files are confidential. If citizens lose confidence in the discipline of police officers, they may force a change in the confidentiality rules.
3. State regulation mandating specific conduct: Politicians may be forced to set regulations that can be very restrictive. Constituents will force this change.
4. Turn-over rate of peace officers: A fair discipline system will retain a quality workforce.
5. Level of training: No matter if a police officer works for a large or small police agency the level of training can be standardized.
6. Empowerment of employees participating: Inclusion of law enforcement personnel will ensure the program is a success.
7. Community oriented policing: Law enforcement will gain support from citizens as a result of community based policing. New programs supported by police will be better accepted.
8. Society expectations: Because of the media exposure of police activity, citizens have expectations that the police will formulate good policy.

9. Open government: Consumer advocates and government "watch dogs" will demand government business be open. As a result, new police programs will be scrutinized.

These opportunities are the result of trends and events that have a direct impact on law enforcement. Police misconduct cases have had a negative attitude toward police in general.

THREATS

1. Resistance from labor groups: Change in police practices is difficult without support from labor groups.
2. Increase in violent crime: Focus of citizens in police business is solutions to crime prevention.
3. Inefficiency of the justice system: Citizens have been very disappointed in the criminal justice system.
4. Changing of traditional sanctions will not effect new employee: If new police employee has expectations of how business is conducted, they tend to support traditional methods.
5. Reluctancy for society to recognize professional status in law enforcement: Educational standards in law enforcement has been slow to change as private enterprise.

On review, it is clear that law enforcement is capable of effectively dealing with the environmental assessment. It is also clear that external concerns can be addressed and satisfy the needs and wants of citizens and special interest groups. The key element to achieve the desired outcome will be educating the public in the discipline process.

Stakeholder Analysis

After assessing the environment, it is important to identify and determine who may have an impact on the policy change.

Stakeholders are people who have a direct or indirect interest in the change. They may be affected by what the organization may or may not do. The Stakeholder Assumption Surfacing Technique (SAST) was used for this purpose. The process of generating a list of stakeholders was done using the same group who identified the environmental concerns. The group identified 32 stakeholders and their assumptions, which were reduced to ten (10), who had the most identifiable interest in the related issue. The group also identified one (1) snaildarter. A snaildarter is one who is not considered to have an interest on the issue but does have the potential to have a significant impact on the implementation of policy and any change. The following are the results:

Stakeholders

Assumption

1. Peace Officers

- A. Suspicions and motives
- B. Lack of need of discipline
- C. "Out to get them" mind set
- D. Support internal process

2. Peace Officer Mid-Managers

- A. Reduces authority
- B. Right to dictate discipline standard
- C. Well disciplined organizational will
be suspect

3. Peace Officer Labor Unions
 - A. Losing control
 - B. Suspicious of management
 - C. Creating adversary role
4. Community
 - A. Expectation on conduct of law enforcement
 - B. Held to higher standard
 - C. Input in process
 - D. No confidentiality
5. City Manager
 - A. Solid Discipline process
 - B. Hold Chief responsible
 - C. Prefer not to be involved in process
6. Political Body
 - A. Peace Officer honesty
 - B. Insulated from process
 - C. Want to be involved in selection of members who determine discipline
7. Chief of Police/Sheriff
 - A. Constant review
 - B. Support internal review
 - C. Reduces authority
 - D. More publicity
8. Peace Officer Standards and Training Commission
 - A. Need to regulate on duty conduct

B. They want to be involved because they feel it would be good for law enforcement

C. Standards exist now for felony convictions

9. Special Interest Groups

A. Assume no conduct standards now

B. No trust in current system

C. Standards exist now

10. Risk Manager

A. Saves money

B. No knowledge of current system

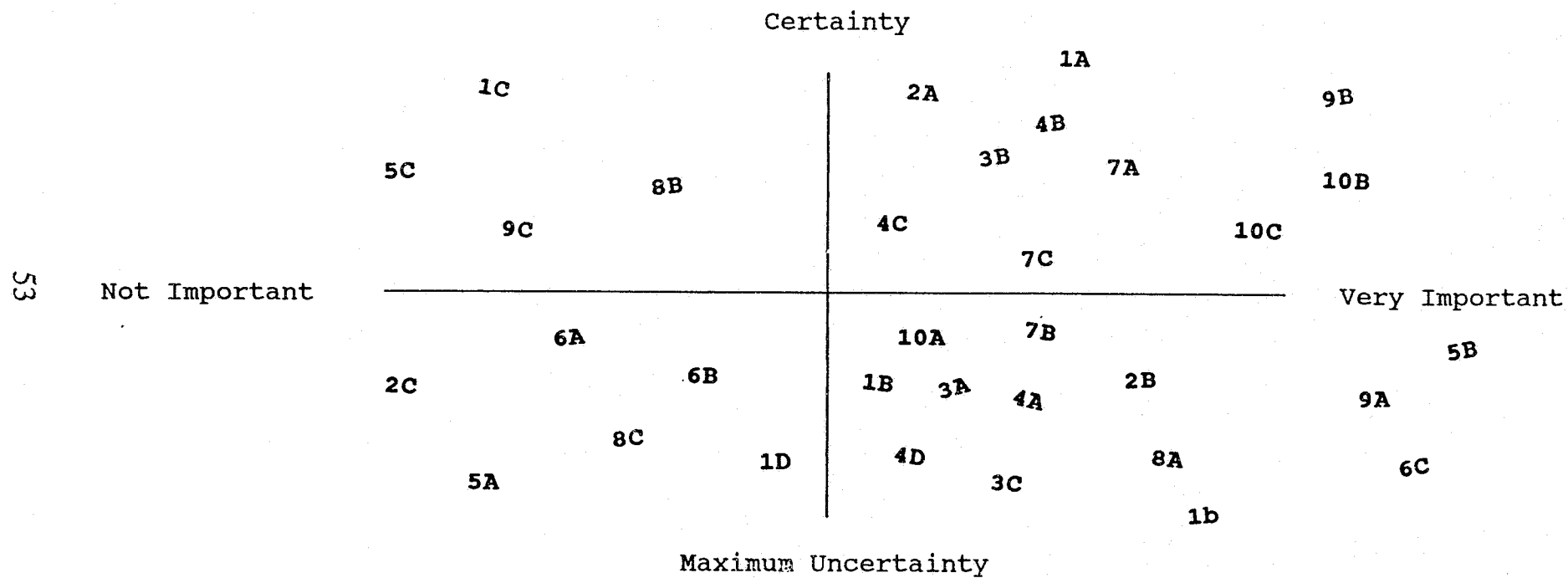
C. Someone else will assume risk

The group identified the Personnel Board as the snaildarter. The success of the strategic plan could depend on how this group is considered part of the process. Careful consideration should be given to dealing with this threat. This snaildarter may consider it their right and authority to hear and resolve discipline cases.

The last phase of making strategic assumptions is determining the importance and certainty of the stakeholders' assumptions. This process is a visual aid in determining those stakeholders who are considered most important to the issue and their assumptions which are most certain (see Table 6). The process is known as the Strategic Assumption Surfacing Technique (SAST). A plot map is divided into four sections. Each section identifies a concern that may be addressed by negotiating or monitoring (see Table 1). The

stakeholders in the upper left quadrant are important and certain on their assumption which will require monitoring. The lower left quadrant are the ones who are unsure and require careful watching. The lower right quadrant are those stakeholders who need attention because they have interest in the issue.

TABLE 6



Stakeholders

1. Peace Officers
2. Peace Officer Mid-Managers
3. Peace Officer Labor Unions
4. Community
5. City Manager
6. Political Body
7. Chief/Sheriff
8. Peace Officer Standards and Training (POST)
9. Special Interest
10. Risk Manager

Snaildarter

- 1b. Personnel Board

Developing Alternative Strategies

A modified policy delphi was used to identify potential strategies. The primary objective of this process is to ensure that alternate strategies to address the issue are identified and explored. Using the modified policy delphi process, twenty-five (25) people participated. Each member was a member of SafetyNet, a law enforcement computer network consortium (see Appendix F). Participants were given the issue statement, mission statement, objectives, and the normative future scenario. The result generated over 40 alternative strategies. Many were duplicate or similar to some degree. After screening duplicate alternatives, 19 alternative strategies were given to the group along with a point value of 1 through 4. The highest desired point value was 4. As a result, the top 7 alternative strategies were:

Alternative 1. Police agencies will establish a discipline process matrix with sanctions. This system would be published within rules and regulations. Officers would know the discipline imposed and the appropriate department response. The discipline would remain internal, including the investigation of each violation. The appeal process would remain within the department.

Alternative 2. Develop civilian advisory committee to set discipline. Police agencies would conduct investigations and impose the discipline established by the committee.

Alternative 3. Develop law enforcement advisory committee to investigate and recommend discipline to the departments' chief executive. Members to be appointed by the respective local political body.

Alternative 4. Develop system of mandating licensing of police officers that addresses police misconduct. The method employed would be set up by the California Commission of Peace Officers Standards and Training (POST).

Alternative 5. Develop system within judicial branch. A committee of court officers would administer, investigate, and impose discipline. This process excludes department management input.

Alternative 6. Develop system by legislation. This mandate would force departments to set rules according to law. Department managers would investigate and be held accountable for imposition of discipline.

Alternative 7. Develop system in the form of civilian review boards. This would be a process that takes the discipline outside the respective agency. Participant would serve upon appointment by the political body.

After the 7 alternative strategies were identified, the group rated each strategy with the same point value in the following categories:

- | | |
|-----------------------------|----------------------------|
| 1. Desirability, Short Term | 2. Desirability, Long Term |
| 3. Feasibility | 4. Cost |
| 5. Stakeholder Support | |

Following the rating of each category the sum value was totaled. From the highest point value, the group identified 3 alternative strategies to complete a detailed analysis. The 3 identified were:

Alternative 1. Police agencies will establish a discipline process matrix with solutions. This system would be published within rules and regulations. Officers would know the discipline imposed and the appropriate department response. The discipline would remain internal, including the investigation of each violation. The appeal process would remain within the department. This alternative would be acceptable to those stakeholders employed within a police agency, but the community and special interest groups would perceive it negatively since they would not have input.

Alternative 3. Develop law enforcement advisory committee to investigate and recommend discipline to the department's chief executive. Members to be appointed by the respective local political body. The stakeholders identified in law enforcement perceive this as a political body. Great opposition came from peace officers and peace officer labor groups. Political and community stakeholders would welcome this alternative and perceive it as a tool they could manipulate.

Alternative 4. Develop system of mandatory licensing of peace officers that addresses police misconduct. The method employed would be set up by the California Commission of Peace Officer Standards and Training (POST). Political and community members as stakeholders may buy into the program if their input is requested.

The group was given instructions to identify the "pros" and "cons" of the three (3) alternative strategies. The results were:

Alternative Strategy 1

Pros

Consistent
Quick decision process

Less criticism
Simple concept
Removes personal interaction
Standardized
Inexpensive
Creates expectations
Provides guidelines

Cons

Reduces flexibility
Consideration of other factors not
taken into account
Meet and confer item with labor
Sets limitation

Alternative Strategy 3

Knowledge of people
setting policy
Consistent
No favoritism
Simple concept
Less criticism
Standardized

Narrow view point
Lends itself to inconsistency
Flexibility
Consideration of mitigating
circumstances
Decision process too long, expensive

Alternative Strategy 4

Consistent

No outside input

Simple process

No favoritism

Standards

Expert Opinions

The selected preferred strategy established by the group is Alternative 4. It was felt that misconduct should be under the direct authority of the California Commission on Peace Officers Standards and Training (POST). This would require state legislation to adopt change. Police managers would be more inclined to support the review of complaints by POST. Also, experience by law enforcement in conducting investigations is important to maintain department morale. The opposing stakeholders can be satisfied if the method of discipline is fair and impartial. This would create public trust and confidence in the discipline process. To accomplish support from all stakeholders, negotiation on the stakeholders assumptions can be performed allowing input from all involved to ensure success.

Recommended Strategy

The recommended strategy is directly related to the issue question, "What Discipline Strategy Will Be Used To Regulate On-Duty Conduct Of California Law Enforcement Personnel By The Year 2002?" Based on forecasted impacts on trends and events in the cross-impact matrix, policies recommended by the modified delphi

group are acceptable in the issue question. The recommended strategies should include the following policies:

1. Develop a Police License Commission within the California Peace Officer Standards and Training bureau. The purpose of the commission will be to outline a process to review police officer misconduct complaints.
2. Develop training programs on cultural awareness in dealing with diverse groups and offer training on ethical standards. Regulation of ethical violations will be strictly enforced by all police agencies.

Implementation Plan

To implement the strategy, the stakeholders must work cooperatively. The law enforcement community must be pushed for a strong commitment to open its doors to change and seek input from the community. An action plan must be prepared for the strategic issue. To ensure the objective is met, stakeholders should direct:

- A policy be developed that sets standards of conduct.
- Identification of funding source without constraints.
- Who will be selected and the criteria for assignment, term limit, and authority.
- Educating the law enforcement element and the community.
- Process to integrate the concept.
- Utilization of mission statement and goals as direction.
- Implementation of an inspection and control.

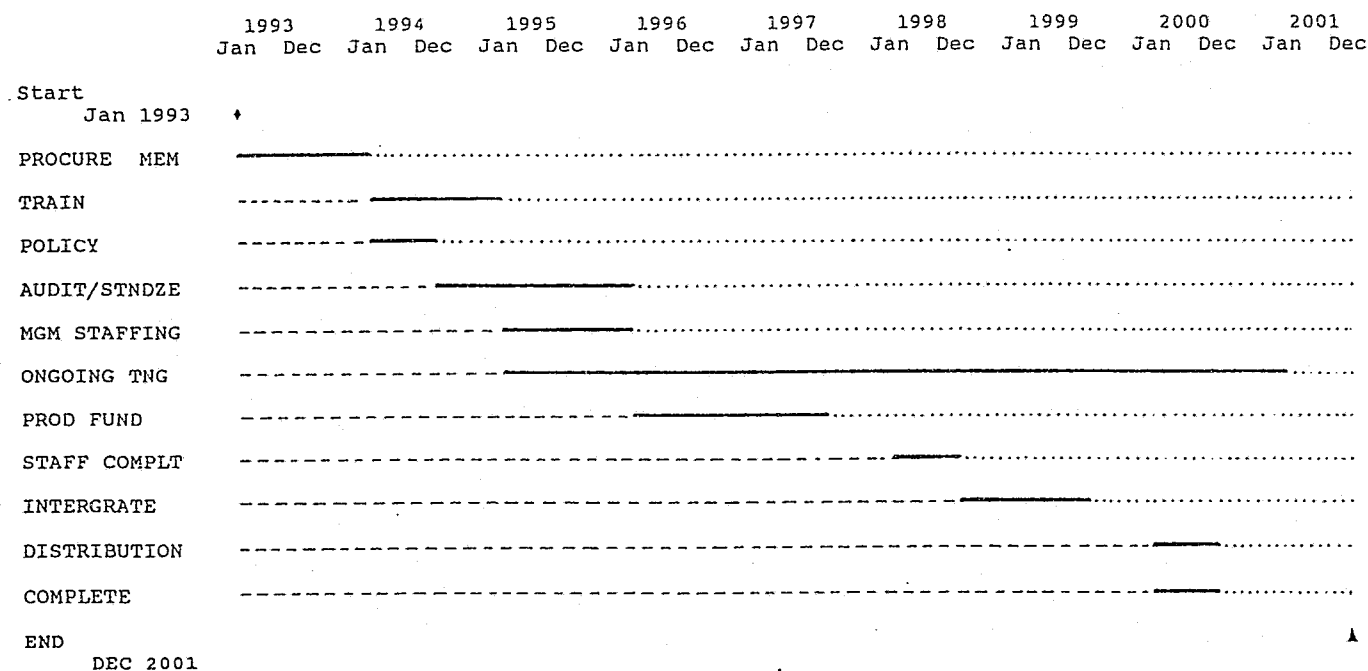
Commitment to this changing philosophy is important. Selected stakeholders in changing the discipline process must be open to

anticipated controversy. Constant evaluation, inspection, and auditing will ensure necessary changes can be made during the early stage of implementation. This planning phase can be started by having a person named to chair a task force committee. Following this initial step, public meetings should be held to identify the qualities and attributes the public wishes to see in committee members. Once this is complete, committee members should meet to define the issue and mission. A time line should be established. A Gantt Chart will be beneficial so all parties can adhere to a time line that is reasonable (see Table 7).

Now that the implementation has been set and the actor selected to direct the activities and resources, success will depend on constant evaluation and inspection. This process should be accomplished by the chairperson on a regular basis.

GANTT CHART

Project: POLICE IMPLEMENTATION



LEGEND	
Tasks	
Planned Duration	—————
Planned & Actual Duration	—————
Slack
Negative Slack
Baseline	- - - - -
Overallocated
Tags	
Milestones	
No Slack	*
Slack	
Negative Slack	
Completed	▲
Constraints	
Tags	

Section IV Transition Management

This segment of research is to present a "Transition Management Plan" that will help California police agencies implement an effective strategic plan that involves a partnership of people in the field of police work and those outside law enforcement. Transition management is the movement of an organization from its present state to the desired future state. During this time there is a gap or void when the actual changes take place which is called the transition state. To manage this, certain organizational principles must be applied. This will reduce the resistance from the internal and external environment on change. Development of a Transition Management Plan will ensure the change is managed by identifying persons who must commit to the change or help the change occur. An analysis is then performed to determine each person's current and desired position on the change. This is better known as Responsibility Charting. To ensure the tasks to implement the change are completed an audit plan will be implemented with an effective contingency plan.

To better understand why a change is necessary in the discipline process one must revisit the issue. This plan calls for the implementation of a Police License Commission within the jurisdiction of the California Peace Officer Standards and Training division. A cooperative effort of those identified as critically involved in the strategy is necessary to ensure the plan is successful.

The transition plan will include the identification of the Critical Mass and development of a commitment for each member. To begin, discipline change can be charted as follows:

Table 8

Police Discipline Change

Degree of Change	Police	Legislature	Citizen	Special Interest Groups
High		X	X	X
Medium	X			
Low				

As charted above, the change agents are high among external sources. It is interesting to note that the change in discipline effects the internal source yet they are willing to accept change. They are not in a position to argue the point because of recent misconduct of other police officers that has resulted in negative publicity. Since we have identified who wants the change we must respond to how the change will occur at the present state.

It is essential in all change efforts that a commitment plan be formatted. To do this one must identify the critical mass. Critical Mass is defined as those people from whom we must have a commitment. Their energy is necessary for change to occur. People in this group are not just limited to stakeholders. It can include others who are remotely effected by a policy change. If they support the proposed change, success is likely to occur. If opposition occurs the change is likely to fail.

The individuals or groups identified as Critical Mass are:

1. Citizens
2. Chief of Police/Sheriff
3. Union Leader
4. Politicians
5. Peace Officer

Commitment Charting

Commitment charting (see Table 9) is a technique used to identify the level of commitment of those in the critical mass in order for change to happen. To begin each member is charted at their present level of commitment. Then they are charted on what minimum level of commitment is necessary for change to occur. In some cases, by having a commitment of one party you can look for others to follow who would otherwise block change. This can happen politically or by association.

From the five members in the critical mass, for the change to occur we will need the following commitment:

Table 9

COMMITMENT CHART

	CRITICAL MASS	BLOCK CHANGE	LET CHANGE HAPPEN	HELP CHANGE HAPPEN	MAKE CHANGE HAPPEN
1	CITIZENS			X →	O
2	CHIEF OF POLICE/SHERIFF		X →		O
3	UNION LEADER	X →	O		
4	POLITICIANS			X →	O
5	PEACE OFFICER	X →	O		

X = Current Level of Commitment O = Desired Level of Commitment

The above is a graph of where each member stands on the issue of formation of a Police License Commission and where they should be for a successful implementation plan. To describe commitment of those identified and what action is needed to support our efforts for change an analysis was done.

1. CITIZENS

Peace Officers have enjoyed a good relationship with citizens in the past. Recent police misconduct cases have adversely effected this relationship. Citizens have demanded from the mayor police discipline be removed from within the internal source of police agencies to external bodies. Current and desired level of commitment for change is needed to help make change happen. This can be accomplished by lobbying other elected officials who are in the critical mass.

2. CHIEF OF POLICE/SHERIFF

Agency Executives have had recent public revolts over acts of police misconduct and the expenditure of tax money on damages caused by these revolts has drained police budgets. The Agency Executives will let change happen or face the consequences. To assist in change the Agency Executive can lobby the union leaders to endorse new law concerning the formation of a Police License Commission.

3. UNION LEADER

This person is elected and represents peace officers on labor issues. He has political ties through endorsements of elected officials. His current position is to block change because he

fears politics will take part in the discipline process if a Police License Commission is formed. However, if he can have input on commission members and gain recognition, he will let change happen.

4. POLITICIANS

This government body is made up of elected officials. Their concern is over public opinion and the expenditure of tax dollars. Their current position is to help change happen. By doing so they can make change happen. They also can influence peace officer labor unions by negotiating support on other labor related concerns. They may just want input on the appointment of members on the Police License Commission.

5. PEACE OFFICER

Peace Officers will block change. This group is directly impacted by the issue. External discipline methods are not popular among peace officers. Their greatest fear is politics playing a role in discipline. If peace officers can manage a benefit from this change by negotiation with their labor issues they will let change happen.

Transition Management Structure

The governing of the transition management structure is best described as the method of change. It is a process that moves from one component to another, a step by step phase. To coordinate the formation of a Police License Commission the components include: pre-change state identification; transition state; and the future state. It is necessary, prior to beginning the transition process,

to determine how this phase will be managed and by whom. The best system of management is the one that creates the least tension.

A Police License Commission is a statewide program. A committee must be formed from those in the Critical Mass. To manage this change the most likely member within the Critical Mass to do so would be a politician member. Their influence and political role is most viable. The chair from this group should be designated as the Transition Manager. Both internal and external open communication should be maintained. By authority granted by the Transition Manager, a transition management team should be formed. This team should include individuals and a member from each group of the Critical Mass. They would be responsible for conducting research and making proposals. The Transition Manager will be directly responsible to ensure the Critical Mass is kept abreast of committee work. The method used can either be done by meetings or by conducting informational forums.

Technologies/Techniques to Support Implementation/Change

After selection of the committee members to manage the transition state certain job tasks must be identified. The job tasks should then be assigned to a person with a reasonable time line for progress reports and completion dates. To support and facilitate implementation, technological advances can be used. This technology should be addressed in the implementation plan. The nature of the issue must be clearly defined and able to withstand anticipated problems or concerns is a major element which

may require mapping out what change is needed and demanded. A response to this should be available to assess the impact on the transition plan.

Each committee member working individually or as a group should use a responsibility chart (see Table 10) to identify who is responsible for assigned tasks. This will facilitate the process of job duties, eliminate unnecessary efforts, and ensure success by holding people accountable. The following depicts the job tasks and to whom they are assigned:

Table 10

RESPONSIBILITY CHARTING

TASKS	ACTORS					
	CITI-ZEN	CHIEF OF POLICE/SHERIFF	LABOR UNION	PEACE OFFICER	POLITICIANS	PROJECT MANAGER
Mission Statement	I	A	S	S	I	A
Funding	A	I	I	I	A	R
Commission Structure	I	A	S	S	R	A
Develop Plan	-	A	S	S	A	R
Introduction of Plan	I	A	S	I	R	S
Employee Training	-	A	S	I	I	A
Evaluations	I	A	I	I	A	R
Monitor	I	R	S	I	R	R

R = Responsibility (not necessarily authority)
A = Approval (right of veto)
S = Support (put resources toward)
I = Inform (to be consulted)
- = Irrelevant to this item (not important)

Through the responsibility charting method it will ensure direction and program success. A responsibility chart is beneficial in assigning responsibilities and eliminating duplication of effort. Some actions can be shared. Another method of charting which can be deployed is known as the "Y" method. This method is accomplished by charting: the person assigned to the task; the function to be performed; and how the activity is to be accomplished. In addition the following can be employed:

Confrontational Meetings - These meetings will allow input from others outside the committee. Being responsive to the critical mass and their concerns will give clear signal of an unbiased plan. Since the plan will need community support it is necessary to share information and gain support. Dissemination of information will reduce conflict.

Surveys - This process seeks input from others who would otherwise remain silent in fear of reprisals or the like.

There are other methods such as marking milestones. Use of PERT charts identify milestones which can be celebrated. Feedback can then be received to improve communication. It can also be used as a reward system when tasks are completed or milestones are met. It is known that people like recognition. This is a good method to employ.

When the transition plan is ready for implementation an evaluation period should be established. This period can be

weekly, monthly, or any other time frame agreed upon. During evaluation, if deficiencies are found, corrective action can be taken. The element of success in change is an effective monitoring system and managing it to the desired state. After the evaluation period the final project can be formalized.

Section V Conclusions and Recommendations

The issue studied in this report is a major concern to people who work in law enforcement. It is a study brought about by those who have violated the ethics of the profession. This emerging issue will have a major impact on the way police conduct daily activity. The study examined the issue and three sub issues, as a result, the study recommends:

The Issue

What discipline strategy will be used to regulate on-duty conduct of California law enforcement personnel by the year 2002? Adopt a strategic plan approach to discipline which would require police managers, in California, to implement a four-step program consisting of: a certification/instruction process; ongoing proficiency training to maintain certification; a decertification process, and an appeals process.

Sub-Issue 1

What external control will or should be in place to regulate the conduct of police officers? Based on the results of the nominal group technique and trends and events, a state control board will increase citizen confidence in the police discipline process.

Sub-Issue 2

Who will determine penalties for the misconduct of police officers? This study shows that a standard penalty phase will affect the disparity of discipline imposed by other agencies.

Sub-Issue 3

Will external regulations of conduct increase professionalism? This study determined that outside control of police, ethics, training, and discipline will promote the professionalism desired by citizens and special interest groups. The establishment of a Police Commission will benefit both citizens and officers and create a system of impartiality and fair play.

Recently, television viewers have been shocked by video clips of police officers shoving a person through a plate glass window in Long Beach, California, and beating a motorist in Los Angeles, California. This has sparked a fury among special interest groups and has had a lasting mistrust of police officers. Some citizens in this country have formed the assumption that all police officers are brutal. We know that this assumption is far from the truth.

The responsibility for managing misconduct must be a priority for police administrators. Misconduct of police officers cannot be condoned. In order to foster better relations police administrators should reinforce professional standards. When these standards are violated, swift action must be taken to ensure confidence in the community.

Regulation of misconduct by a Police License Board is just one step to build confidence in the community. Police officers who violate the community trust will be appropriately handled by penalties and fines. Hopefully, the regulation of police officer misconduct from an external source with standards of conduct will increase professionalism.

Our society has seen an increase in gang activity and the use of drugs. This has caused a more aggressive and violent community, which police are charged to control. Programs must be formulated to ensure police officers do not over react to this problem.

Future Research

Other areas of concern that should be addressed and identified in this study for future research include:

- Employee Evaluations: By having a regular annual evaluation employees will know what is expected and the mission and goals of the police agency. It will also offer suggestions to improve job tasks.
- Employee Early Intervention: Monitoring employee behavior is a must. An effective way to be on alert of employees who do not meet standards is through an Early Intervention Program.

Section VI Attachments

Appendix A

Nominal Group Technique Members

1. Terry Silva, Personnel Director, California Youth Authority
2. Ted Barnes, Chief of Police, City of Pinole
3. John Gurney, Police Captain, City of Pacifica
4. Richard Williams, Union Member, Sacramento Police Officers Association
5. Glenn Graves, Administrative Analyst, City of Sacramento
6. Dan Scruggs, Administrative Analyst, City of Sacramento
7. Dan Ortega, Assistant to San Jose Mayor, City of San Jose

Appendix B

List of Trends

1. Public demand for more strict control on police officer conduct.
2. Type of discipline varies among police agencies.
3. Investigation and discipline process conducted by outside of police agencies could become political.
4. Internal confidence with police administrators and supervisors.
5. Use of criminal sanctions through the criminal justice system in the form of fines and prosecution.
6. Citizen awareness and scrutiny of police officer misconduct.
7. Influence of police officer labor union.
8. Acts of misconduct by police officers.
9. Civilian review Board Commissioners.
10. Civil Service Boards overturn decisions made by police administrators on discipline that makes current system not effective.
11. Police liability costs.
12. Regionalization of local government.
13. Peace Officer Bill of Rights.
14. Use of video camera by citizens.
15. Personnel file confidentiality.
16. Law enforcement duty to accommodate disabled employees.

17. Citizen demands for police officers to be screened for potential use of excessive force.
18. Less discretionary decisions made by police officers.
19. Effect on recruitment.
20. Budget cuts on police agencies.

Appendix C

List of Events

1. Public revolt over police abuse.
2. Elimination of Peace Officer Bill of Rights.
3. Legislation mandating civilian review boards.
4. Legislation mandates limited use of force.
5. Legislation mandating a police licensing board.
6. Community oriented policing implemented statewide.
7. Funding available to process discipline action.
8. Citizen committee to follow police officers around.
9. State unable to fund police license board.
10. Los Angeles police found guilty of excessive force.
11. Election of pro civilian control on council.
12. Police officers strike because of bad police discipline.
13. Elimination of POST.
14. Major street riots.
15. Chief fired for police officer brutality.
16. Refused to discipline police officer in highly publicized event.
17. Legislation mandated specific discipline for specific acts.
18. Legislation prohibits investigating own officers.
19. Police ombudsman appointed.
20. Civil service commission eliminated from the discipline process.

Appendix D

Policy Committee

1. Paul Lee, Lieutenant, Berkeley University Police
2. Ted Barnes, Chief of Police, City of Pinole
3. John Gurney, Police Captain, City of Pacifica
4. Tom Boyd, Police Lieutenant, City of San Rafael

Appendix E

Environment Committee

1. Ted Barnes, Chief of Police, City of Pinole
2. John Gurney, Police Captain, City of Pacifica
3. Tom Boyd, Police Lieutenant, City of San Rafael
4. Paul Lee, Police Lieutenant, Berkeley University
5. Dan Ortega, Assistant to San Jose Mayor, City of San Jose
6. Terry Silva, Personnel Director, California Youth Authority
7. James Aulb, City Manager, Ferndale, CA
8. Dan Scruggs, Administrative Analyst, City of Sacramento
9. Glenn Graves, Administrative Analyst, City of Sacramento
10. Richard Williams, Union Representative, Sacramento Police Officers Association

Appendix F

Modified Policy Delphi

Each Forum on CompuServe has one or more Administrators, also known as System Operators (or SysOps for short) who are responsible for maintaining the Bulletins and Data Libraries, forwarding messages, answering users' questions and generally organizing and keeping order on the Forum. The Forum Administrator is the person to contact with questions, complaints, and suggestions concerning the content or operation of the Forum.

The SafetyNet Forum has one administrator and four assistant administrators:

Administrator:	Dr. Charles M. Baldeck, C.I.H. Industrial Hygiene Consultant CompuServe I.D.: 76703,2005 Voice Phone: (614) 488-4787 Mailing Address: P.O. Box 21121 Columbus, Ohio 43221
Senior Assistant Administrator:	Sgt. Bruce Williams Police Officer/Volunteer Firefighter CompuServe I.D.: 76701,115 Voice Phone: (609) 546-7125 Mailing Address: Bruce R. Williams P.O. Box 102 Barrington, N.J. 08007
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Jack Hamrick/GA
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Thomas J. Gray, Jr.
Lance J. Holladay
JAMES E. RAU
RAE A. CAMPBELL

Dave Kishler
James Levine
John W. DeMeo
Charles Williams
CHARLES LEROSS
Barry Davidson
Dianne Stewart
TOM BAK
Rom Pontolillo
Gopal Miglani

Tom Werner
Maggie Hirakawa
Kenneth Reed
Ralph Gregorio
Jon Gustin/TN.
Roxan Temaat
Shawn Otto
Michael Eckley
Roland W. WHITE
Ron Lyons
Mark D. Schey

WILLIAM PIPER
Jim Koed
John Harlacker
KEVIN MCALPINE
Bob McMullin
Guy R. Antolick
Brian Lo
James G. Perry

DOUGLAS R. STEVENSON
B. Domme
Gary Darling
Franklin Martin
Joel O. Fry
Bill Patterson/Ca
Mic Gunderson
Jim Horn
TYRONE AUSTIN
TIMOTHY SHEEHAN, CIH
George Imburgia

Richard Weigele
John Flickinger
Ann L. Swing
Wayne P. Bergeron
Bill Buckbee
Fred Villani
JORGE BERRIOS
Bill Van Riper/FL
Jeff Nelson
Jeff Wygul
Vincent A. Russo

Amit Reizes
Richard Grammick
Jurt Weirich
BRADLEY S. SHAW
Paul Godwin
Ralph Stuart

Turner Pippin
Barton J. Cocco
Rod Hickcox
Rick Parker
Jeffrey L. Mitzel
Gary Allen
LAWRENCE TODD
SHERYL ANDERSON
Timothy G. Stillman

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