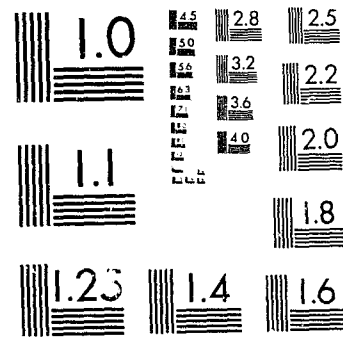


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EFFECTS OF EDUCATION ON LAW ENFORCEMENT

STUDENTS' ATTITUDES TOWARD

RULE OF LAW

By

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CHAPTER I

INTRODUCTION

Power is always subject to abuse--sometimes subtle, other times, as in the criminal process, open and ugly. Precisely because of its potency in subjecting the individual to the coercive power of the state, the criminal process must . . . be subjected to controls¹

The prevention of abuse of discretionary power is a complex problem. Violations of due process of law may be of a malevolent nature, but more often they result from an overzealousness on the part of police officers to detect crimes and gather evidence. Nevertheless, procedural fairness must be observed.

The nature of the police task places field officers in autonomous operating positions in the community. Departmental supervision and extra-departmental control is, therefore, quite limited in scope and effectiveness.²

¹Herbert L. Packer, The Limits of the Criminal Sanction (Stanford: Stanford University Press, 1968), p. 166.

²President's Commission on Law Enforcement and Administration of Justice, Report of the Commission, Task Force Report: The Police (Washington, D.C.: U.S. Government Printing Office, 1967), pp. 29-32. In arriving at

The alternative to external control of the individual officer's actions is internal control, imposed by the officer himself. If the officer believes that fundamental values of liberty and freedom are preserved through equal application of the law within reasonable limitations, his behavior is apt to reflect this. His own repudiation of biased, arbitrary justice would tend to insure the execution of his duties in accordance with the rule of law. As Skolnick suggests:

The needed philosophy must rest on a set of values conveying the idea that the police are as much an institution dedicated to the achievement of legality in society as they are . . . an organization designed to control misconduct³

Skolnick goes on to say that police ideology must rest on the values of a democratic legal order. As the President's Commission on Law Enforcement and Administration of Justice advocated,

Individual police officers must be provided with the training and education which will give them a professional identification consistent with the

this conclusion, the Commission reviewed departmental and extra-departmental controls in detail, including administrative regulation, supervision, judicial review, civil liability, and citizen complaint procedures..

³Jerome J. Skolnick, Justice Without Trial: Law Enforcement in Democratic Society (2nd ed.; New York: John Wiley & Sons, 1975), pp. 238-39.

police role in a free society. . . . and to make them receptive to efforts to make law enforcement both fair and effective.⁴

It is to the consideration of the impact of education on attitudes toward the rule of law that this study was directed.

Purpose

Consistent with democratic ideals, the principle of rule of law stresses a standard of equality to which all citizens are subject and to which they are entitled.

Simply speaking, it is a matter of fairness.

This study examined the effect of higher education upon the attitudes of pre-service and in-service criminal justice personnel toward the rule of law. Completed survey questionnaires on procedural fairness were utilized to determine these attitudes. Although the study included students from the police and correctional segments of the criminal justice system, primary consideration was given to the former group.

Theoretical Assumptions

If society desires police behavior to conform to certain procedural rules, it is desirable that the values

⁴President's Commission, Police, p. 30.

which underlie these rules be internalized by police personnel. Acquisition of particular values determines the attitudes which an individual will have about situations or objects in his world, providing an inclination to act in a certain manner towards them.

Though consideration was given to the relationship between attitude and behavior, this was not within the scope of the study, and was not hypothesized.

The hypothesis was based upon the theoretical assumption that education may have a significant effect in modifying attitudes, and that attitudes are predispositions to behavior.

Research Hypothesis

The hypothesis tested in this study was as follows:

A positive relationship exists between the amount of college education attained and a favorable attitude towards the rule of law.

There were a number of secondary relationships of interest which were included in the study. A factor isolated was in-service/pre-service standing, where in-service students were those already employed in the criminal justice system, and pre-service students were those who had never been so employed. Another such factor was

police/non-police orientation, where non-police designated those employed in the corrections or counseling field. Finally, the type of education attained, i.e., general or law enforcement, was examined as a key differential.

CHAPTER II

REVIEW OF LITERATURE

Following the publishing of The Challenge of Crime in a Free Society by the President's Commission on Law Enforcement and Administration of Justice (National Crime Commission) in 1967, a surge of expansion occurred in criminal justice higher education. This resulted from the heavy financial support for the development, enlargement, and enhancement of college criminal justice programs by the Law Enforcement Assistance Administration, in response to the Crime Commission's findings and recommendations.⁵

According to the Commission, career personnel had an unacceptably low level of educational preparation,⁶ which

⁵LEAA's education assistance grew from 3.25 million dollars in fiscal 1969 to 40 million dollars in 1973, at which level it has remained. From Larry T. Hoover, Police Educational Characteristics and Curricula, Report of project supported by the National Institute of Law Enforcement and Criminal Justice, July 1975 (Washington, D.C.: U.S. Government Printing Office, 1975), p. 21.

⁶Charles W. Tenney, Jr., Higher Education Programs in Law Enforcement and Criminal Justice, Report of project supported by NILECJ, June 1971 (Washington, D.C.: U.S. Government Printing Office, 1971), p. 45.

prompted strong recommendations for large-scale corrective action. Tenney offers an explanation for the Commission's focus on education:

The Commission's claim of need for such higher education in law enforcement is supported by no documentation other than the fact of the generally (and admittedly) low educational level of most individuals now in the field. Apparently, therefore, the Commission perceived ~~problems in law enforcement~~, equated them with this low educational status, and concluded that higher education could and should serve as a cure. . . . With the already well developed models in other endeavors of education as an "action," it was predictable and to be expected that higher education in law enforcement would be put forth as the action to be taken.⁷

Thus, education was perceived by the Commission as the vehicle for improving the competence of criminal justice personnel, particularly the police, who would in turn improve the system.

Numerous other governmental commissions and private foundations have advocated the improvement of police personnel, specifically through education.⁸ Hoover offers

⁷ Ibid., pp. 91-92.

⁸ Notable groups which have done so are the National Advisory Commission on Criminal Justice Standards and Goals (1973); Governor's Mutual Assistance Program for Criminal Justice (1973); Advisory Commission on Intergovernmental Relations (1971); Police Foundation (1972); American Bar Association Project on Standards for Criminal Justice (1972); National Advisory Commission on Civil Disorders. They are cited by Hoover, Police Educational Characteristics, pp. 1-2.

clarification about this:

The recommendation of these numerous commissions that improvement of the quality of police personnel would improve the effectiveness of the American police service was not made without careful consideration of existing alternatives.⁹

One such alternative was to increase manpower on the streets, however, differential ratios of police to population did not produce related differentials in reported crime rates.¹⁰

A second alternative to personnel improvement is the improvement of police operations per se. However, since improvement of operations is intrinsically related to quality of staff, a point of diminishing returns is soon reached if efforts are concentrated solely on technology and systems. Ultimately consideration again reverts to the need for improving the quality of police personnel by improving educational standards.¹¹

Perhaps the best rationale for educationally upgrading the police is that they must police themselves. The individual officer or pair of officers in the field are operating autonomously. They are not in the direct control of either their departmental supervisors or the court when they make the discretionary decisions which will make the difference between fair or biased enforcement of the law.

⁹ Hoover, p. 2.

¹⁰ Ibid.

¹¹ Ibid.

law.¹² "Police discretion . . . is necessary because of limited police resources, the ambiguity and breadth of criminal statutes, the informal expectations of legislatures, and the often conflicting demands of the public."¹³

The use of discretion which is necessarily left to the individual officer is critical to the quality of justice in our society, for it determines whether justice will be administered fairly and with sensitive regard for human behavior, or in a discriminatory, oppressive manner.

Whenever supervision is not possible, then we depend upon internalization of codes of conduct to protect society. In this case, we are concerned with a standard of conduct that will contain violations of constitutional guarantees of due process. . . . Such a professional code of conduct is intrinsically related to education.¹⁴

Thus, education is seen to be essential to the development of democratic attitudes on the part of police officers.

The remainder of this chapter will be devoted to discussing the theoretical concepts which were employed

¹²Ibid., p. 12, citing William W. Turner, The Police Establishment (New York: G. P. Putnam's Sons, 1968), p. 22.

¹³National Advisory Commission on Criminal Justice Standards and Goals, Report of the Commission, Report on Police (Washington, D.C.: U.S. Government Printing Office, 1973), p. 22.

¹⁴Hoover, p. 13.

in the study at hand, including contemporary research about their relationships.

Attitude

The term "attitude" has been used in several instances up to this point. It is a common word, the meaning of which is understood in general usage. It is described as an "indispensable" concept in social psychology, appearing frequently throughout the literature of that field.¹⁵ Attitude was defined in this study as "predispositions to respond in a particular way toward a specified class of objects."¹⁶

A predisposition is not directly observable or measurable, so it must be inferred from behavior, including words and deeds.¹⁷ Attitudes are inferred from evaluative behavior--agreeing or objecting, favoring or disapproving--and serve as indicators of the end product of

¹⁵Gardner Lindzey and Elliot Aronson, eds., The Handbook of Social Psychology (2nd ed.; Reading, Ma.: Addison-Wesley, 1968), I, 59.

¹⁶Milton J. Rosenberg, et al., Attitude Organization and Change (New Haven: Yale University Press, 1960), p. 1.

¹⁷Ibid., and Carolyn W. Sherif, Muzafer Sherif, and Roger E. Nebergall, Attitude and Attitude Change (Philadelphia: W. B. Saunders, 1965), p. 19.

socialization.¹⁸ Just what is evaluated, and how, varies widely from culture to culture and between individuals within the same culture, leading to the conclusion that attitudes are acquired.¹⁹

A social attitude, then, may be defined as a set of evaluative categorizations formed toward an object or class of objects as the individual learns, in interaction with others, about his environment, including evaluations of other persons.²⁰

The evaluations of other persons are particularly important to the concept of attitude as examined in this study. In the process of education, the evaluations of course instructors and textbook authors are conveyed to the students. Numerous factors enter into the acceptance or rejection of such evaluations by the student; it is sufficient to recognize that simple exposure to material in an academic setting is conducive to learning and to the students' increased awareness of their environment.

Rule of Law

Previous reference has been made to discretion, due process, and rule of law. As detailed earlier, discretion

¹⁸Ibid., p. 5.

¹⁹Ibid., p. 20.

²⁰Ibid.

is a necessary instrument of law enforcement in our society, for rigid enforcement of the laws in their present state would be intolerable. Discretionary police power is the power to initially determine whether legal action is to be taken, of what nature and degree, and to what conclusion.²¹ The issue of police discretion is not whether it should be permitted, but how to control it.

The control of discretion is designed to ensure the observance of procedural due process, defined as, "A regular course of justice, which is not unreasonable or arbitrary . . ."²² The concept of rule of law is synonymous to this--its principle is embodied in the approach which stresses a consistent standard by which all citizens must abide.

In the development of his Rule of Law Scale, Snarr considered various definitions of the concept of rule of law:²³

²¹Harry W. More, Jr., ed., Critical Issues in Law Enforcement (Cincinnati: W. H. Anderson, 1972), p. 150.

²²James A. Ballentine, Ballentine's Law Dictionary, ed. by William S. Anderson (3rd ed.; Rochester, N.Y.: Lawyers' Co-operative Publishing Co., 1969), p. 1000.

²³Richard W. Snarr, "Rule of Law Orientation: A Scale Measuring Procedural Guarantees," Richmond, Ky., 1975, pp: 1-2. (Typewritten.)

- A. a government of law not of men; (Dicey, 1965), (Skolnick, 1967)
- B. equal application of the law to all citizens; (Dicey, 1965), (Skolnick, 1967), (Rawls, 1971)
- C. citizen compliance with the law; (Kadish and Kadish, 1973)
- D. the rights of persons in a larger sense; (Kadish and Kadish, 1973)
- E. procedural guarantees to protect adult citizens from unwarranted government actions; (Kadish and Kadish, 1973), (Rawls, 1971), (Skolnick, 1967).

Snarr focused on procedural guarantees--due process--in constructing the scale to measure the dimension of rule of law orientation. The concept of rule of law is defined by Snarr as, "the extent to which an orientation of the police is based on the protection of citizen rights."²⁴ Dr. Snarr's definition of rule of law was adopted for this study.

Education and Attitude Change

The term "education," like the term attitude, was used in a general sense throughout the study. It was defined as:

- (1) the aggregate of all the processes by means of which a person develops abilities, attitudes, and other forms of behavior . . . (2) the social process

²⁴Ibid., p. 2.

by which people are subjected to the influence of a selected and controlled environment (especially that of the school).²⁵

The second sense of this definition is of particular interest, for the social function of education is a common theme in educational literature. Formal education--in the school--is an agent of transmission, selectively communicating knowledge and traditions, including societal values, from one generation to the next. Thus, it is one of the most significant institutions, with a mandate to operate within the frame of reference of the society it serves.²⁶ It follows that, in a democratic society, formal education should include the transmission of democratic values.

It should be noted that exposure to values is not synonymous with their acceptance. Research findings on attitude change have been inconclusive.²⁷ Some research indicates that greater attitude change results with greater difference between an individual's original position and the position to which the individual is exposed. It is a

²⁵Carter V. Good, ed., Dictionary of Education (2nd ed.; New York: McGraw-Hill, 1959), p. 19f.

²⁶Gail M. Inlow, Education: Mirror and Agent of Change (New York: Holt, Rinehart and Winston, 1970), p. 34.

²⁷Sherif, Sherif, and Nebergall, Attitude and Attitude Change, p. 12.

matter of reducing dissonance between how one really feels about something and how it is suggested one should feel.

Other research indicates that an opposite effect is operating with respect to attitudes: the greater the discrepancy between original position and the newly presented position, the more resistance there is to change.²⁸

In an extremely comprehensive and important work, Feldman and Newcomb reviewed hundreds of research reports concerning the orientations and characteristics of American college students.²⁹ They found that there is a slight increase indicated in the importance of social values, relative to other values, from freshman to senior year, though statistical significance is generally lacking.³⁰ In terms of orientation to social issues, the great majority of studies show seniors to be significantly more liberal (or less conservative) than freshmen. Change apparently occurs in both directions, the net change being in the liberal direction. That is, some students become less liberal as

²⁸ Ibid.

²⁹ Kenneth A. Feldman and Theodore M. Newcomb, The Impact of College on Students (San Francisco: Jossey-Bass, 1969), I.

³⁰ Ibid., p. 8.

a result of the college experience, but more students become more liberal as a result of the experience.

Degree of attitude change is related, among other factors, to the credibility and attractiveness of the source of information.³¹ Since the importance of the referent is, to some extent, a matter of perception, it varies from student to student.

Student attitude change is, therefore, a function of a number of variables and their interaction. These variables include the present attitudes of the student, the disparity between present attitudes and newly exposed attitude information, and the perceived importance of the source of the information.

Education and Police Attitudes

As noted in the introduction to this chapter, education was assumed to be the universal means for upgrading the police, by those who were charged with recommending improvements to the criminal justice system. The assumption was so widespread that no evidence was presented to support the recommendations for increased education.

³¹ Harry C. Triandis, Attitude and Attitude Change (New York: John Wiley and Sons, 1971), pp. 172-77.

There has not been a large number of empirical studies of the effect of education on police attitudes. Smith, et al., compared college and noncollege oriented police on a measure of authoritarianism, maintaining similarity in social and cultural backgrounds.³² Their study disclosed that the college police officer, especially the younger officer, was less authoritarian than his non-college counterpart (no evidence was presented concerning the authoritarianism of the college oriented group prior to their college experience). In a subsequent study, these same authors compared police college students with non-police college students and found that the former group of students was less authoritarian than the latter group of students.³³

Guller compared attitude differences between freshman and senior police college students and found that the

³² Cynthia L. Sparling, "The Use of Education Standards as Selection Criteria in Police Agencies: A Review," Journal of Police Science and Administration, III, No. 4 (1975), 333, reviewing Alexander B. Smith, Bernard Locke, and William F. Walker, "Authoritarianism in College and Non-College Oriented Police," Journal of Criminal Law, Criminology, and Police Science, LVIII, No. 1 (1967), 132.

³³ Ibid., Sparling, p. 334, reviewing Smith, Locke, and Walker, "Authoritarianism in Police College Students and Non-Police College Students," Journal of Criminal Law, Criminology, and Police Science, LIX, No. 3 (1968), 440-43.

senior students were less dogmatic, expressed less negative self-esteem and a less punitive attitude toward others.³⁴

Finckenauer noted that conclusions to date on the effect of education on performance have been limited to incidental findings of indirectly related research.³⁵ Performance criteria have included incidents of misconduct, use of sick leave, supervisor ratings, civilian complaints, and response times. The findings tend to indicate that the educated officer performs better (according to employed criteria); however, Finckenauer cautions that,

. . . the evidence is by no means definitive, and it really does not address the question of whether college-educated police officers use their discretion any differently or any more professionally than noncollege police officers. Although use of police discretion is the heart of police work, we are still ignorant on this question for all practical purposes.³⁶

In his study of New Jersey police recruits, Finckenauer focused on one aspect of this question,

³⁴ Ibid., Sparling, reviewing Irving B. Guller, "Higher Education and Policemen: Attitudinal Differences Between Freshman and Senior Police College Students," Journal of Criminal Law, Criminology, and Police Science, LXIII, No. 3 (1972), 396-401.

³⁵ James O. Finckenauer, "Higher Education and Police Discretion," Journal of Police Science and Administration, III, No. 4 (1974), 451.

³⁶ Ibid.

specifically, whether college-educated officers are more or less likely to invoke the criminal process in discretionary situations than officers who did not attend college.

Although he discusses performance studies in his article, his research was conducted in a classroom. Utilizing ten hypothetical discretionary situations from Lafave's Arrest: The Decision to Take a Suspect into Custody, he was essentially measuring hypothetical behavior.

Finckenauer found that the college-educated recruits responded differently than the noncollege recruits. According to the researcher, there was a greater tendency on the part of the college group to utilize a non-arrest alternative, although the difference between the groups was not significant.

Weiner examined the relationship between level of education and attitudes of police and police science students on a range of social and political measures felt to be important to the law enforcement role.³⁷ These included attitudes toward blacks and other ethnic groups, toward law

³⁷ Norman L. Weiner, "The Educated Policeman" (paper presented at the 70th annual meeting of the American Sociological Association, n.p., August 29, 1975).

and order, and toward the police.³⁸ Weiner reported that there was no relationship between level of education and attitude among either police or students.³⁹ As measured by

³⁸ Weiner employed an attitude questionnaire composed of the Sheatsley Pro-Integration Scale, Niederhoffer's Police Cynicism Scale, the Bogardus Social Distance Scale, and the F-Scale (the student group questionnaire contained the F-Scale; the police group was not administered this portion of the questionnaire). The Likert-type questionnaire included such statements as, "A person should obey only those laws that seem reasonable," and "Almost anything can be fixed up in the courts if you have enough money." Factor analysis produced fifteen factors from the police group data, and nine factors from the student group data. Three of the dimensions measured by Weiner were attitudes toward "law violation," "obedience to law," and the courts. Each respondent was scored on each factor; these factor scores were used as the dependent variables, as measures of attitude. The factor scores were correlated with level of education, the independent variable. Respondents' ethnic background, age, and father's occupation (an indication of socio-economic status) were used as control variables. The police sample (396 officers) was surveyed once; the students were surveyed twice over a period of two years. Weiner attempted to gauge the effect of the junior college experience by surveying an entire class of students upon their entrance into the program and two years later, just prior to their earliest graduation date; however, after two years, only 17% of the original student sample of 115 were ready to graduate.

³⁹ "It was found that the more education a policeman has, the more likely he is to accept blacks, Puerto Ricans, and Italians, to approve of black protest, and to understand black demands. However, only one of these statistically-significant relationships had a correlation of over .200. Finally, out of 75 possible relationships between the officers' level of education and their attitude factor scores, only 25 were statistically significant. Therefore, it was concluded that the

the selected criteria, neither police science students nor police became less authoritarian, more understanding of the courts and the law, or less ethnically prejudiced as a result of exposure to college education.

The findings, Weiner suggested, were due to the vocational orientation of the students--all student subjects were enrolled in a junior college--and the absence of a resident student culture. In the case of the police, the conflicting demands of their role were felt to level or negate the effects of their classroom instruction.

Weiner stated that studies conducted in four-year colleges are flawed because typical police education is provided at junior colleges (he supports this contention with the fact that 70% of the law enforcement programs are offered by junior colleges, yet no figures are presented as to the percentage of total law enforcement students who are enrolled at these schools). The implication is, of course,

educational level of the Lake City police did not affect their attitudes.

"A similar situation is found with the police-science students. . . . [E]xcept for attitudes toward black protest . . . there is no significant relationship between a student's attitudes and the level of education he has completed. The correlations here, like those for the police, are also very small, the largest being .1779." Weiner, p. 7.

that his sample was more truly representative of the law enforcement student.

The chief flaw in Weiner's study was the composition of the "student" class. It included 55 pre-service students (58%) and 39 in-service (police, military police, and private security) students (42%). The in-service/pre-service status, as important as it is, was not employed as a control variable in correlation analysis. This is surprising, considering Weiner's acknowledgement of the police role as the reason for the lack of an effect of education on attitudes.

Smith and Ostrom studied the effect of college education on police attitudes toward several aspects of their work, and on policemen's performance.⁴⁰ Among the attitudes measured were those concerning the effect of probable cause on police effectiveness, the effect of Supreme Court decisions, and protest and dissent. Performance was measured by citizen evaluations which were derived from a survey questionnaire. One aspect of the evaluation focused on equal treatment of all citizens by

⁴⁰ Dennis C. Smith and Elinor Ostrom, "The Effects of Training and Education on Police Attitudes and Performance: A Preliminary Analysis," in The Potential for Reform of Criminal Justice, ed. by H. Jacob (Beverly Hills, Calif.: Sage Publications, 1974), pp. 45-81.

the police. Smith and Ostrom reported only weak relationships between level of education and the attitudes cited above (no degree of association, as measured by Kendall's tau, reached .20), though the direction indicated a more egalitarian stance associated with more education. Weaker relationships were found in testing the association of education with performance measures (no association reached .10); officers with higher levels of college education were not given higher ratings by the citizens they served.

The data utilized by Smith and Ostrom, originally collected in 1972 during a major study of police performance, were obtained from 712 police officers and approximately 4,000 citizens, and covered twenty-nine jurisdictions in the St. Louis metropolitan area. Their sophisticated study was of no minor significance.

Miller and Fry examined the effects of college education on professionalism and related attitudes among 136 police personnel in three agencies.⁴¹ They hypothesized that higher educational attainment (measured separately by the number of all college units completed, the number of

⁴¹Jon Miller and Lincoln Fry, "Reexamining Assumptions About Education and Professionalism in Law Enforcement," Journal of Police Science and Administration, IV, No. 2 (1976), 187-96.

law enforcement units completed, and whether or not an academic degree was held) would lead to greater professionalism (defined in their study as "endorsement and symbolic identification with the publicly stressed image of professionalism").⁴²

The researchers found only a slight association, or no association, between the three educational variables and the five dimensions of professionalism. The strongest correlation ($r = -.22$) suggested a negative effect on public service orientation by those who held an academic degree. Law enforcement education was found to be slightly conducive to professionalism, but the highest correlation measured only .15. The correlations for total college education and professionalism, and the holding of a degree and professionalism, tended to be negative. The authors noted that they had determined that endorsement of the professional model by the subjects was strong, but that college education did not contribute to such an endorsement.⁴³

⁴²Ibid., footnote 14 at p. 191.

⁴³Ibid., p. 192.

In a 1972 study of 380 police officers, Snarr found a negligible degree of association between education and attitude towards role of law.⁴⁴ Similarly, in a 1973 study of 102 police officers and twenty-three law students, Morey found a lack of significance of the effect of education on attitudes toward rule of law among the police.⁴⁵ Both of these studies used the Rule of Law Scale, the instrument employed in the study at hand.

A 1974 study of 770 law enforcement (criminal justice) four-year college students by Shinawatra examined the relationship between level of education and attitudes toward the rule of law.⁴⁶ Over 86% of the student body were of pre-service status, and 8.3% were in-service personnel.⁴⁷ Shinawatra found a negative relationship between level of

⁴⁴Richard W. Snarr, "An Analysis of the Relationship Between Professional and Bureaucratic Orientations and Rule of Law Among Policemen" (unpublished Ph.D. dissertation, University of Kentucky, 1972), p. 75.

⁴⁵Kenneth D. Morey, "A Study of Attitudes Toward Rule of Law Among Police Officers and Law Students" (unpublished Master's thesis, Eastern Kentucky University, 1973), pp. 43-44.

⁴⁶Thaksin Shinawatra, "An Analysis of the Relationship Between the Educational Process and Rule of Law" (unpublished Master's thesis, Eastern Kentucky University, 1974), p. 50.

⁴⁷5.5% did not provide information about their status.

education and observance of the rule of law, a finding which was opposite to expected results.⁴⁸ This relationship held when controlling for law enforcement/non-law enforcement course classification, pre-service/in-service status, and race. Again, the measurement instrument was the Rule of Law Scale.

The similar findings obtained in the studies cited above have begun to lead to a questioning of the major assumption that education of the police will produce more equitable enforcement of the law through the proper use of discretionary power. The results of this study provide further needed information about this vital concern.

⁴⁸The degree of the association, as measured by gamma, ranged mainly from low to moderate, depending upon data classifications.

CHAPTER III

METHODOLOGY

This study incorporated data which were collected in 1975 by the author for use as part of a four-year study.⁴⁹ The data were collected by means of an attitude questionnaire known as the Rule of Law Scale developed by Snarr. This scale is a Likert-type summated scale which employs ordinal measurement. Each questionnaire respondent, stating his agreement or disagreement with each item, is given a total numerical score--the sum of the item scores--which represents his position on a scale of favorable/unfavorable attitude towards rule of law. The fifteen-item scale, reproduced in the Appendix, had been administered to over 1,200 subjects and had undergone three

⁴⁹In 1974, Dr. Richard Snarr, College of Law Enforcement, Eastern Kentucky University, initiated a four-year, longitudinal study of the effects of education on students' attitudes toward rule of law. The data derived from the second year of this survey (1975) were utilized for the study at hand.

item analyses to establish its reliability,⁵⁰ prior to the 1975 collection of data.

To test the effect of education upon attitude towards rule of law, it was necessary to define both concepts operationally, to make them amenable to measurement. The operational definitions follow.

Attitude Towards Rule of Law

As previously noted, there are varying definitions of the concept of rule of law, including that which is based on procedural guarantees designed to protect citizens' rights from arbitrary acts of government officials.⁵¹ This definition was utilized by Snarr in developing his scale to measure orientation towards rule of law.

Attitude towards rule of law was operationally defined as the total numerical score on Snarr's Rule of Law Scale. A low score indicated an unfavorable orientation toward rule of law; a high score indicated a favorable orientation toward rule of law.

⁵⁰Snarr, "Rule of Law Orientation," p. 3. Item analyses had been performed with the items which comprised the initial drafts of the scale. The standard for retention of an item was a correlation (as measured by gamma) of .50 or higher with the sum of all the items.

⁵¹Ibid., p. 4.

Education

In this study, education was operationally defined as the completion of college courses by an individual, as reported by that individual. Level of education was differentiated by the number of credit hours completed. In addition to this, a distinction was made between law enforcement education and general education. Law enforcement education consisted of the completion of courses designated as law enforcement courses (at the time of collection of data utilized in this study, all undergraduate criminal justice courses at Eastern Kentucky University were listed as "law enforcement" courses, hence a reference to law enforcement was understood to mean that which is oriented to the field of criminal justice). General education, or non-law enforcement education consisted of the completion of courses not specifically designated as law enforcement courses.

The variables, education (total), general education, law enforcement education, in-service/pre-service status, and police/non-police orientation, were derived from a demographic information questionnaire which was administered with the Rule of Law Scale. It is reproduced in Appendix I with the instrument package.

Population and Data Collection

The population for this study was composed of all undergraduate students of law enforcement (criminal justice) at Eastern Kentucky University, Richmond, Kentucky, who were enrolled for classes during the Fall semester of 1975. This excluded students who were in a non-class status such as those involved only in thesis preparation or independent research. It should be noted that there were some non-law enforcement (non-criminal justice) students who were enrolled in a law enforcement course during the administration of the survey. These students completed the questionnaire, and the resulting data is included with the raw data assembled for the previously cited four-year study. The data from this group of students was not included in this study, except in the case where the non-law enforcement student indicated that he or she planned to enter a criminal justice occupation.

A word is in order concerning the classification of respondents into "police" and "non-police" categories. As can be seen on the demographic information portion of the questionnaire package reproduced in the Appendix, item 7 (intended occupation) gave the respondent a choice of six responses. Those who selected choices 1, 4, and 5 ("police

officer;" "industrial security;" "security") were placed in the "police" category; those who selected choices 2 and 3 ("correctional employee;" "juvenile worker") were placed in the "non-police" category; those who selected choice 6, "other," were placed in the category most appropriate to their response. Security is considered to be preventive and reactive enforcement of a specific nature. Those who were working in, or who planned to enter, the security field were placed in the "police" category because it was felt that security personnel and police tend to operate in a similar manner and share similar views, due to the fact that both groups are in an adversary relationship with offenders of the law.

The Rule of Law Scale questionnaires, together with the questionnaires for demographic data and a cover letter (Appendix), were provided to the instructor of each law enforcement class (each section of each course), who was requested to hand them out to the students during a regular class session. The students were given time to work only on the survey, which was collected by the instructor and returned to the author of this study. All day and evening classes held at Richmond, Kentucky were included. The inclusion of evening classes was important because they

were the classes normally attended by in-service personnel. The collection of data from all day and evening classes required a two-week period of time from late September to early October, 1975. The data from the survey were personally coded for transfer to data punch cards. Key punching and verification were accomplished by data processing staff at Eastern Kentucky University.

Because the survey instrument specifically asked for "the total number of hours you have completed at Eastern Kentucky University," and "the total number of hours you have completed in Law Enforcement at Eastern Kentucky University," college education acquired prior to attendance at Eastern Kentucky University was an unknown variable. For this reason, transfer students' responses were removed. Those responses containing a Social Security Number (SSN) which did not match to the master file of past and present Eastern Kentucky University students were removed as being possibly unreliable responses. The decision to exclude the unmatched SSN's was made after their total number was known--the loss of so few responses in attempting to increase validity was felt to be warranted.

Two hundred forty-one transfers and 28 unmatched SSN's were removed from the original population--this

amounted to 25.7% and 3%, respectively. Thus, 668 cases, or 71.29% of the original population, remained.

Descriptive statistics generated at this point provided a profile of the screened population (missing responses excluded). By classification, 37% was composed of freshmen; 24%, sophomores; 21%, juniors; and 18%, seniors. By sex, 71% of the population was male, 29% was female. 91% of the population was white, 9% black. 50% of the population was under 19½ years of age; 7% was over 25 years of age. Those students majoring in criminal justice comprised 94% of the population.

In an effort to verify the accuracy of the screened punched card deck which was to be utilized for computer analysis, 5% of the screened population's original survey instruments were randomly selected and compared to their corresponding punched cards. Of these 35 comparisons, each containing up to 42 entries, no errors were found.

As a final step in the purification of data, the response categories of each of the frequency distributions which had been generated were edited for incorrect responses. As a result, two responses were identified as being incorrect because there were inconsistencies between the number of total education of law enforcement education hours

reported, and the number of general education hours computed. These cards were excluded only from the analysis or analyses which they would otherwise have affected. Thus, one zero-order analysis included 667 cases; all other analyses included 666 cases.

Statistical Measure

In previous studies utilizing the Snarr Rule of Law Scale, the statistical measure employed to analyze the strength and direction of relationships was Goodman and Kruskal's Coefficient of Ordinal Association, referred to as Gamma (G).⁵² This statistic was the original choice of Snarr in the study which produced the Rule of Law Scale, and was used to analyze the results of its first administration.⁵³ Gamma is a coefficient of the association between two sets of ordered observations; it provides a measure of the degree to which an individual's rank in one

⁵² Shinawatra, "Educational Process and Rule of Law"; William D. Beckerman, "Values as Predictors of Attitude Toward Rule of Law Among Policemen" (unpublished Master's thesis, Eastern Kentucky University, 1975).

⁵³ Snarr, "Relationship Between Professional and Bureaucratic Orientations."

ordinal scale is predictable from his rank in another.⁵⁴ This statistic is recommended by Davis where ordinal data is to be analyzed with R by C tables larger than 2×2 .⁵⁵ It was employed for analysis in this study because it is designed for ordinal data, it can be calculated without difficulty when there are ties in rank, and it provided a statistical consistency with previous Rule of Law studies.

Analytical Format

It was felt that 3×3 matrices would provide better quality information than the common 2×2 matrices (employing a high/low dichotomy), where more subtle differences might be obscured. Therefore, the range of the values of the variables were categorized into high, medium, and low groups. It was originally intended that the areas of the total distributions of rule of law scores and education would be apportioned as follows: high-25%; medium-50%; low-25%. However, the distributions of values were such

⁵⁴ Linton C. Freeman, Elementary Applied Statistics (New York: John Wiley and Sons, 1965), pp. 79-82. As a measure of association, Gamma is more closely related to r^2 than to r , for it is an indication of overall association.

⁵⁵ James A. Davis, Elementary Survey Analysis (Englewood Cliffs, N.J.: Prentice-Hall, 1971), pp. 64, 72-75.

that trichotomies at these percentages were not possible.

Table 1 shows the percentage distributions for the key variables.

TABLE 1

TRICHOTOMIES OF VARIABLES
(Percentage of Distribution)

Group	Rule of Law	Education	Law Enf. Education	General Education
High	26	30	25	25
Medium	49	40	34	42
Low	25	30	41	33
Total	100	100	100	100

CHAPTER IV

RESULTS

The research hypothesis which was tested by the analyses of the data is restated below:

A positive relationship exists between the amount of college education attained and a favorable attitude towards rule of law, as measured by a score on the Rule of Law Scale.

In interpreting the values of gamma obtained from the analyses, Davis' conventions for describing Q values were employed because the coefficients Q and gamma are closely related.⁵⁶ According to Davis, gamma tends to provide values which are a little lower in magnitude than Q values obtained for the same data, due to gamma's allowance for finer distinctions.⁵⁷

The statistical analyses produced two figures for each matrix cell: the number of students who fell within the cell category, and this number expressed as a

⁵⁶ Davis, Elementary Survey Analysis, pp. 49, 80.

⁵⁷ Ibid., p. 75.

percentage of the column total. The initial zero-order level of analysis is shown in table 2.

TABLE 2
RULE OF LAW BY LEVEL OF EDUCATION

Rule of Law	Education							
	High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	55	30.1	61	24.6	41	23.6	157	25.9
Medium	82	44.8	123	49.6	93	53.4	298	49.3
Low	46	25.1	64	25.8	40	23.0	150	24.8
Total	183	100.0	248	100.0	174	100.0	605	100.0

NOTE: 62 missing cases.

Gamma = .03

The analysis indicated that there was a negligible positive association between level of education and rule of law score, a finding which did not support the hypothesis.

The differential effects of law enforcement education and general (non-law enforcement) education were

explored in a further zero-order analysis, the results of which are shown in tables 3 and 4.⁵⁸

TABLE 3

RULE OF LAW BY LEVEL OF LAW ENFORCEMENT EDUCATION

Rule of Law	Law Enforcement Education							
	High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	44	28.9	56	27.5	54	23.8	154	26.4
Medium	64	42.2	101	49.5	123	54.2	288	49.4
Low	44	28.9	47	23.0	50	22.0	141	24.2
Total	152	100.0	204	100.0	227	100.0	583	100.0

NOTE: 83 missing cases.

$$\text{Gamma} = -.01$$

The analysis shown in table 3 indicated that there is no association or a negligible negative association between the level of law enforcement education and a score

⁵⁸ Although it may appear, at first examination, that this is a first-order level of analysis, it is to be noted that "education" is still the independent variable; the independent variable has not been changed, only differentiated.

on the Rule of Law Scale. This is evident in the distribution of scores of the high and low education groups, each of which placed equal or nearly equal numbers of students in the high and low score ranges.

TABLE 4

RULE OF LAW BY LEVEL OF GENERAL EDUCATION

Rule of Law	General Education							
	High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	46	31.3	64	25.5	41	22.9	151	26.2
Medium	67	45.6	124	49.4	96	53.6	287	49.7
Low	34	23.1	63	25.1	42	23.5	139	24.1
Total	147	100.0	251	100.0	179	100.0	577	100.0

NOTE: 89 missing cases.

$$\text{Gamma} = .06$$

The analysis depicted in table 4 revealed a negligible positive association between the level of general education and rule of law score. As in the analysis shown in table 3, the low education level group

placed almost the same number of students in the high score range as in the low score range.

A comparison of tables 3 and 4 reveals the effect of differentiating general education and law enforcement education. Although negligible associations were indicated by analysis, there was a distinction revealed, when comparing direction, which was opposite to expected results.

A secondary relationship was explored by isolating the pre-service/in-service factor in analyzing the associations between general education and rule of law, and law enforcement education and rule of law. The first-order analysis for law enforcement education is displayed in table 5.

The conditional gamma for the pre-service group indicated a negligible positive association between the level of law enforcement education attained by students in that group, and their performances on the Rule of Law Scale. The conditional gamma for the in-service group suggested a low to moderate negative association between the level of law enforcement education attained by students in that group, and their rule of law scores. This was the strongest association obtained from the analyses performed. It should be noted, however, that the number of cases

TABLE 5

RULE OF LAW BY LEVEL OF LAW ENFORCEMENT EDUCATION BY PRE-SERVICE/IN-SERVICE STATUS

Rule of Law	Law Enforcement Education															
	Pre-Service								In-Service							
	High		Medium		Low		Total		High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	41	30.8	56	28.1	48	23.1	145	26.9	3	15.8	0	0.0	2	50.0	5	18.5
Medium	58	43.6	98	49.3	113	54.3	269	49.8	6	31.6	2	50.0	1	25.0	9	33.3
Low	34	25.6	45	22.6	47	22.6	126	23.3	10	52.6	2	50.0	1	25.0	13	48.2
Total	133	100.0	199	100.0	208	100.0	540	100.0	19	100.0	4	100.0	4	100.0	27	100.0

NOTE: 99 missing cases.

Conditional Gamma = .04

Conditional Gamma = -.31

Zero-Order Gamma = .00

First-Order Partial Gamma = .04

included in the in-service group (27) was minimal, a factor which tends to weaken the reliability of that particular result.

The association between law enforcement education and rule of law score, when controlling for pre-service/in-service status, is shown by the first-order partial gamma. It can be seen that the conditional value which had been obtained for the in-service group was attenuated when that group was combined with the pre-service group. The difference between the partial gamma and the zero-order gamma reflected the differential effect of pre-service or in-service status upon the association between level of law enforcement education and rule of law score. This difference of .04 indicated that the effect was negligible.

Table 6 shows the result of isolating the pre-service/in-service factor when analyzing the association between level of general education and rule of law score.

The conditional gamma for the pre-service group indicated a negligible to low positive association between the level of general education attained by students in that group and their rule of law scores. The conditional gamma for the in-service group suggested a low to moderate negative association between the level of general education and

TABLE 6

RULE OF LAW BY LEVEL OF GENERAL EDUCATION BY PRE-SERVICE/IN-SERVICE STATUS

Rule of Law	General Education															
	Pre-Service								In-Service							
	High		Medium		Low		Total		High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	43	32.1	62	26.4	37	22.4	142	26.6	1	12.5	2	1.3	2	40.0	5	18.5
Medium	61	45.5	119	50.6	88	53.3	268	50.2	3	37.5	4	2.6	2	40.0	9	33.3
Low	30	22.4	54	23.0	40	24.3	124	23.2	4	50.0	8	5.1	1	20.0	13	48.2
Total	134	100.0	235	100.0	165	100.0	534	100.0	8	100.0	14	100.0	5	100.0	27	100.0

NOTE: 105 missing cases.

Conditional Gamma = .09

Conditional Gamma = -.28

Zero-Order Gamma = .06

First-Order Partial Gamma = .09

rule of law scores. This latter association was the second strongest obtained from the analyses; however, as was the case in table 5, the number of cases included was minimal.

The association between general education and rule of law score, when controlling for pre-service/in-service status, is shown by the partial gamma of .09. Again, the strength of the conditional value which had been obtained for the in-service group was reduced when the groups were combined. The difference between the partial gamma and the zero-order gamma reveals the differential effect of pre-service/in-service status upon the association between the primary variables of general education and rule of law score. This effect--which measured .03--was negligible.

A comparison of the results presented in tables 5 and 6 shows that the tendency towards more positive association between general education and rule of law than between law enforcement education and rule of law, is maintained when controlling for pre-service/in-service status.

Another secondary relationship was examined by isolating the police/non-police orientation factor in analyzing the associations between general education and rule of law scores, and law enforcement education and rule

of law scores. The first-order analysis for law enforcement education is shown in table 7.

The conditional gamma for the police group (-.10) indicated a low negative association between the level of law enforcement education attained by students with that orientation, and their scores on the Rule of Law Scale. The conditional gamma for the non-police group suggested a low positive association between law enforcement education level and rule of law scores.

The overall association between law enforcement education and rule of law score, when controlling for police/non-police orientation, is shown by the partial gamma of -.05. The difference between the partial gamma and the zero-order gamma revealed the differential effect of police/non-police orientation upon the association between the primary variables. This effect was slight.

The analysis of the relationship between general education and rule of law score, controlling for police/non-police orientation, is shown in table 8.

The conditional gamma for the police group (-.05), indicated a negligible negative association between the level of general education attained by students with that orientation, and their scores on the Rule of Law Scale.

TABLE 7

RULE OF LAW BY LEVEL OF LAW ENFORCEMENT EDUCATION BY POLICE/NON-POLICE ORIENTATION

Rule of Law	Law Enforcement Education															
	Police								Non-Police							
	High		Medium		Low		Total		High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	26	26.5	18	16.8	28	23.9	72	22.4	16	32.6	32	39.5	19	25.3	67	32.7
Medium	37	37.8	60	56.1	64	54.7	161	50.0	24	49.0	35	43.2	40	53.4	99	48.3
Low	35	35.7	29	27.1	25	21.4	89	27.6	9	18.4	14	17.3	16	21.3	39	19.0
Total	98	100.0	107	100.0	117	100.0	322	100.0	49	100.0	81	100.0	75	100.0	205	100.0

NOTE: 139 missing cases.

Conditional Gamma = -.10

Conditional Gamma = .10

Zero-Order Gamma = -.03

First-Order Partial Gamma = -.05

TABLE 8

RULE OF LAW BY LEVEL OF GENERAL EDUCATION BY POLICE/NON-POLICE ORIENTATION

Rule of Law	General Education															
	Police								Non-Police							
	High		Medium		Low		Total		High		Medium		Low		Total	
	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
High	20	26.3	25	18.7	26	23.4	71	22.1	20	37.0	32	32.0	13	28.3	65	32.5
Medium	34	44.7	67	50.0	60	54.1	161	50.2	25	46.3	50	50.0	23	50.0	98	49.0
Low	22	29.0	42	31.3	25	22.5	89	27.7	9	16.7	18	18.0	10	21.7	37	18.5
Total	76	100.0	134	100.0	111	100.0	321	100.0	54	100.0	100	100.0	46	100.0	200	100.0

NOTE: 145 missing cases.

Conditional Gamma = -.05

Conditional Gamma = .10

Zero-Order Gamma = .03

First-Order Partial Gamma = -.01

The conditional gamma for the non-police group showed a low positive association between the primary variables.

The overall relationship between general education and rule of law score, when controlling for police/non-police orientation, is shown by the partial gamma $-.01$. The difference between this value and the zero-order gamma revealed the differential effect of police/non-police orientation upon the association between the primary variables (general education and rule of law). Again, this effect was slight.

Summary

The analysis of data produced results which do not support the research hypothesis; therefore, the null hypothesis, which supposes no relationship between higher levels of education and higher rule of law scores, cannot be rejected.

The values obtained from the analyses were so small as to preclude any appreciable indication of direction beyond that shown in tables 7 and 8.

CHAPTER V

SUMMARY AND CONCLUSIONS

This study examined the effect of college education on law enforcement students' attitudes toward rule of law. The observance of due process, where the protection of citizen rights is stressed, is an important requirement to prevent the abuse of discretionary power. Education has been viewed as the principal means by which the internalization by police of democratic legal values would be accomplished.

Previous studies attempting to verify the positive effect of education on police attitudes and behavior have met with mixed results. College educated police officers were found to be less authoritarian than fellow officers with no college.⁵⁹ A comparison of senior and freshman law enforcement students showed the former group to be less

⁵⁹Sparling, reviewing Smith, Locke, and Walker, "Authoritarianism in Police College Students."

dogmatic and less punitive,⁶⁰ and, in other research, college educated officers were found to be more likely to utilize a non-arrest alternative than were non-college officers.⁶¹ Another study concluded that neither police science students nor police became less authoritarian, more understanding of the courts, or less ethnically prejudiced as a result of exposure to college education.⁶² A comprehensive study in 1972 found only weak relationships between higher education and egalitarian attitudes.⁶³

Finally, three studies performed from 1972 to 1974, showed either a lack of association or a negative association between level of education and attitude towards rule of law. These results are consonant with those obtained in the study at hand. As can be seen by reviewing the results, the largest gammas obtained, while maintaining a substantial N, were quite low. Nevertheless, tables 7 and 8 show that controlling for police/non-police orientation provided differing directional tendencies which held for both law

⁶⁰ Ibid., reviewing Guller, "Higher Education and Policemen."

⁶¹ Finckenauer, "Higher Education and Police Discretion."

⁶² Weiner, "Educated Policeman."

⁶³ Smith and Ostrom, "The Effects of Training and Education."

enforcement and general education. The non-police oriented students displayed a very slight positive increase in their attitude towards rule of law as their educational level increased. The police oriented students displayed an opposite tendency. In seeking a plausible explanation for these results, the obvious question is, what is different about these two groups? Upon examination, several important differences are to be found--most notably, the basic attitudes which have led the students to pursue their respective specializations in the criminal justice field.

Those students who are police oriented are anticipating a career in which they will become adversaries of those who are in trouble with the law. In pursuing their specialization, they will take a greater number of courses of a police science nature, and will have more interaction with in-service police students. Those students who are non-police oriented are preparing for a career in which, as correctional employees or probation/parole officers, they attempt to engender a cooperative relationship with offenders. Besides the strong likelihood of having a very different attitude than their police-oriented counterparts, these students are exposed to a curriculum which includes

a greater number of courses designed for the future counselor. Such a curriculum tends to encourage a more liberal stance.

With regard to another facet of attitudinal predisposition, it is not necessary to document the assumption that students who attend schools which demand a high level of intellect, and are somewhat liberally oriented, are different from students who attend schools which must offer open enrollment and include vocationally-oriented curricula. To the extent of this difference, and the extent to which the academic programs reflect this difference, generalizations of results are limited.

The differences cited above are suggested as possible explanations--not as conclusive reasons--for the results obtained. Certainly, there are other factors which can be cited as possibly contributing to the lack of support for the research hypothesis. These would include, but would not be limited to, the interaction of the type and number of law enforcement and general courses completed; the material presented in specific classes (texts and lectures), how it was presented, by whom, and to whom; the background and experiences of students; and the validity of the measure of the dependent variable.

As noted in the introduction, the exploration of the relationship between attitude and behavior was not within the scope of this study. It is, however, of obvious relevance to consider the nature of this relationship. Perhaps it is most significant to point out that the connection between what one believes and how one behaves is often tenuous. There is no guarantee that an officer who is biased toward certain classes of persons will behave differently toward those persons than an officer who holds no such bias. The professional standards held by the first officer may be controlling; that is, adherence to a code of conduct may be stronger than the influence of attitudinal predisposition. An antithetical situation may occur when an officer knowingly behaves in an unjust or improper manner because the officer's co-workers are doing so; despite his beliefs, which oppose such behavior, he is conforming to the group norm as expressed in overt action. The point is that individual attitudes may be unreflected in behavior because of various factors or constraints which are operating at the time when the behavior occurs. To the extent that this is so, the measurement of attitude provides a limited ability to predict behavior.

Implications for Future Research

The results of the study at hand have provided further information about the relationship between education and attitudes of students of law enforcement. This relationship will be re-examined in a more thorough future analysis of data collected from 1974 to 1978, of which the data utilized in this study are a part. This four-year study not only includes a longitudinal dimension in following criminal justice students through their entire college years, but focuses on a range of important variables which have yet to be fully explored. These variables are drawn from the demographic information sheet which is reproduced in the Appendix to this study.

Such comprehensive research, which is more painstaking and sophisticated, is felt to be necessary; a simple cause-and-effect approach does not appear to have provided the answers which have been sought. Rigorous and thorough experimental design, and a recognition of the likelihood of multi-factor causation are suggested as the response to the mixed results attained in this field to date.

Conclusion

At the 1977 Annual Conference of the International Association of Chiefs of Police, Dr. Lawrence Sherman made the following remarks concerning higher education for police officers:⁶⁴

Something is wrong with police education. What began as a dream for upgrading the police institution has become a very different reality. . . . a growing body of evidence suggests that higher education has not provided policing with the best that it has to offer. . . . There is almost no consensus about the purpose of higher education for police officers, let alone the manner in which it should be performed.

Dr. Sherman, of the Graduate School of Criminal Justice, State University of New York at Albany, and Executive Director of the National Advisory Commission on Higher Education for Police Officers, also noted that there ". . . is no consensus on the kind of curriculum that students oriented to police careers should be offered."⁶⁵ He suggested that to many educators, and even law enforcement administrators, a police science curriculum is far less desirable than a traditional academic discipline. It

⁶⁴ Lawrence W. Sherman, "Higher Education for Police Officers: Why Not the Best?" (transcription of remarks presented at the 84th Annual Conference of the International Association of Chiefs of Police, n.p., October 3, 1977), pp. 1, 8.

⁶⁵ Ibid., p. 8.

was pointed out that the LEEP program, instead of trying to attract highly qualified persons to police work, has devoted its resources predominantly to night school education for in-service personnel. "And like all part time education, the part time education of police officers is only second best; less access to faculty, to libraries, and to educational extracurricular experiences."⁶⁶ In summary, Lawrence suggests that objectives be clarified, curricula restructured, student populations reconsidered, and faculty standards tightened.⁶⁷

In reviewing the contribution of the Law Enforcement Education Program (LEEP) to the improvement of law enforcement through education, Jacobs and Magdovitz noted that from 91% to 94% of the students who were granted or loaned nearly \$200 million in LEEP funds between 1969 and 1975, were in-service personnel.⁶⁸ Their analysis of the programs which resulted from Law Enforcement Assistance

⁶⁶ Ibid., p. 10.

⁶⁷ Ibid., p. 11.

⁶⁸ James B. Jacobs and Samuel B. Magdovitz, "At LEEP's End?: A Review of the Law Enforcement Education Program," Journal of Police Science and Administration, V, No. 1 (1977), 1, from statistics provided by the Law Enforcement Assistance Administration.

Administration funding led them to conclude:⁶⁹

. . . if the purpose of the program was to combat anti-democratic tendencies in the police, LEEP should have encouraged broader liberal arts curricula instead of its haphazard acceptance of primarily vocational programs.

In the past decade, the pendulum has swung from praise of education as the unassailable means of achieving universal upgrading of the police, to skepticism of the worth of its existence. Before we close the door on what has become regarded as a costly uncertainty, let us be sure that our disappointment over the lack of results, which have not lived up to the impossible standards assigned to them, has not caused us to overlook a more subtle, long-term positive effect. The problems and illusions of the first decade of mass college education in criminal justice has produced a frontier effect which has incited a reactionary response from an impatient society accustomed to the systematic accomplishment of goals. It would appear to be the judicious course to resist the desire to erase the cause of our disappointment; rather than dismantling what we have built, let us improve on what we have. The

⁶⁹ Ibid., p. 18.

idea of educating the criminal justice practitioner is sound--we should accept no criticism for this. What we must critically evaluate is our basic conception of education and our method of effecting it.

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APPENDIX

Instrument Package

Rule of Law Scale

(facsimile)

EASTERN KENTUCKY UNIVERSITY
Richmond, Kentucky 40475

College of Applied Arts and Technology
School of Law Enforcement

TO: Law Enforcement Students

FROM: Dean Robert Posey

The College of Law Enforcement would like to request your cooperation to help complete a research project. In our judgement, the information gained by this survey should be useful in determining how we may better meet the needs of our students. Because this study is designed for a long time period plus the need to use the computer to analyze the data, we need you to place your name and social security number in the blanks provided. In the analysis procedure this information will be grouped with individual identification impossible.

Name _____

Social Security Number _____

PART I

DEMOGRAPHIC INFORMATION

INSTRUCTIONS: Please indicate your response to the following items by placing an X in the appropriate square.
Example: ☒ X

1. Classification:

☐ 1 Freshman ☐ 2 Sophomore ☐ 3 Junior ☐ 4 Senior

2. Enter the total number of hours you have completed at Eastern Kentucky University. _____

3. Enter the total number of hours you have completed in Law Enforcement at Eastern Kentucky University.

4. Sex: ☐ 1 Male ☐ 2 Female

5. Are you a pre-service or in-service student?

☐ 1 Pre-service ☐ 2 In-service

6. If you are an in-service student, check your current occupation:

☐ 1 Police Officer ☐ 2 Correctional Employee ☐ 3 Juvenile Worker
☐ 4 Industrial Security ☐ 5 Security ☐ 6 Other (Specify) _____

7. If you are a pre-service student, what occupation do you plan to enter:

☐ 1 Police Officer ☐ 2 Correction Employee ☐ 3 Juvenile Worker
☐ 4 Industrial Security ☐ 5 Security ☐ 6 Other (Specify) _____

8. Age: (Enter your current age) _____
9. Race: ☐ 1 White ☐ 2 Black ☐ 3 Other
10. Have you completed the Criminal Law course (LEN 314):
☐ 1 Yes ☐ 2 No
11. Have you completed the Court Procedures and Mechanics course (LEN 303)? ☐ 1 Yes ☐ 2 No
12. What is your major? _____
13. If LEN major, area of emphasis:
☐ 1 General ☐ 2 Corrections

PART II

INSTRUCTIONS: Below are a series of statements which describe situations between police officers and citizens. There are no right or wrong answers; just check how you honestly feel about each item. Check only one response for each statement.

1. A person in custody should not have a right to remain silent.
☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree
2. The United States Supreme Court rules governing search and seizure present a handicap to police officers.
☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree
3. Sometimes it is O.K. for the police officer to violate United States Supreme Court guidelines.
☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree
4. A man should always be presumed innocent until proven guilty.
☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree
5. The policeman's main concern should not be the preservation of individual rights, but the prevention of crime.
☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree
6. An arrest is not a major interference with a man's basic right of liberty.
☐ Strongly Agree ☐ Agree ☐ Disagree ☐ Strongly Disagree

7. The discretionary enforcement of laws in the Bill of Rights should be carefully avoided.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
8. A policeman should protect all those engaged in the peaceful and lawful exercise of freedom of speech.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
9. Evidence gained by illegal means should not be used in a trial.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
10. Police should be required to obtain a search warrant prior to making a search.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
11. A policeman who acts by the rules of legal search and seizure will be more successful in his profession than one who does not.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
12. When questioning a suspect, police should not attempt to force an answer.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
13. Prior to questioning persons in custody, they should be warned that anything they say can and will be used against them in court.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree

14. Some of those who have violated the codes of civilized human behavior should not be entitled to certain minimum protections of the law.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree
15. Before questioning persons in custody, they should be told that they have a right to talk to a lawyer before any questions are asked.
- ☐ ☐ ☐ ☐
- Strongly Agree Agree Disagree Strongly Disagree

END