

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

**Boots on the Ground:
A Study in Preventing Police Desertion**

**An Administrative Research Paper
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ABSTRACT

Police desertion is relevant to contemporary law enforcement because it addresses the difficulty faced by police executives in maintaining sufficient operational staff to execute the law enforcement mission (during a protracted crisis), either man-made or natural. Hurricanes, earthquakes, terrorist attacks, and any other large scale event poses unique, long-term staffing issues for any agency. Police executives should accept this reality and plan for a percentage of their staff not responding to or remaining on-duty for extended periods of time.

The purpose of this research is to identify if any ethical (value) or policy weaknesses exist which negatively impact operational capability and the need for human capital preplanning. Specifically, do the line officers understand the expectations of their community and their agency in such a crisis? Do the policies permit the agency to implement duty requirements outside of the normal schedule? Further, this research will explore the importance of preplanning for personnel needs. Without staff, a police agency will find it difficult to meet the needs of the community. More importantly, the loss of confidence and trust from the community can have a long term impact on the police agency.

The method of inquiry used by the researcher included: a review of existing police administration and management books, a review of articles (in print and available on the internet), policy reviews, a survey distributed on a national level to a large law enforcement community (using internet police forums) as well as other Law Enforcement Management Institute of Texas (LEMIT) participants, and personal interviews.

The researcher discovered potential weaknesses in the way an agency communicates expectations to staff, policy weaknesses (which can hamper discipline), and a general lack of planning for the needs of a staff at the onset of or during a long term crisis.

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INTRODUCTION

The problem or issue to be examined considers whether or not police desertion or absence from duty during a large scale crisis can be minimized or eliminated by actions taken by police executives. The review will focus on poorly worded or vague agency mission statement or standards of conduct, will seek to identify policy weaknesses that impact discipline, and determine what drives officers to abandon their posts and communities, risking disciplinary action and termination.

The relevance of police desertion to law enforcement was most recently evidenced by the impact of Hurricane Katrina on the New Orleans Police Department (NOPD) and the resulting public image disaster. It is generally believed by the community and media the police will report to, and remain in, the danger zone regardless of the officer's personal situation or family needs. Most agencies routinely operate with an existing staff shortage of varying degrees due to attrition or a raise in their authorized ceiling on staff. They are not capable of fully implementing emergency action plans when confronted with an unanticipated staffing shortage caused by a failure of existing staff to report for or remain on duty.

The purpose of this multi pronged research is first to propose to police executives the need of all agencies to address the manner they communicate the community and agency expectations of behavior to their staff. Secondly, it should prompt a review of existing department policies on emergency call up of staff, reporting for work, and who is authorized to implement emergency plans. Third and finally, the purpose of this research is to prompt police executives to implement annual preplanning requirements for all critical staff to ensure availability.

The research question to be examined focuses on a number of areas relating to mission statements, agency policies, and staff perception. Beginning with an agency mission statement, the research attempted to determine if agencies had within their mission statement or elsewhere, clearly identified the expectations of the officer(s) in the event of an emergency, or if such clarification was necessary. The research then attempted to determine if the survey participants perceive their agencies to have an existing means (policy) of ordering them to return to and remain at work when not scheduled for duty. In an attempt to identify human capital issues, the research addressed whether the agencies have taken any actions to ensure availability for call back and if officers perceive an agency role or requirement to address their personal needs. This was followed by a specific attempt to identify if there was any one issue that would cause the survey respondents to not report for duty, and if so, were there any actions which could be undertaken to minimize or eliminate it.

The intended method of inquiry will involve a variety of means intended to provide as global of a perspective as is possible. The inquiry includes a review of various police management or police administration books, journals and published articles both in print and on the internet to identify existing research and conclusions which have relevance. In an attempt to create as broad a base as possible, a survey published on a number of police internet forums to over one thousand participants and to LEMIT participants will be initiated. This will minimize geographic and agency size or type bias. To further ensure as broad base of information, personal interviews will be conducted to clarify and elaborate on any identified issues as needed.

The anticipated findings of the research will indicate the law enforcement community has failed to communicate the principle of duty effectively to staff. Specifically, the expectations of the community served and the agency leaders will not have been effectively communicated to the staff through agency issued ethics and value statements or by other means. This will further demonstrate agency leaders have not reviewed or addressed policy weaknesses regarding reporting for duty to accommodate emergencies. Since many agencies do not plan for large scale, resource intensive and protracted events, they have not addressed staffing as a critical component. As an adjunct component to planning for staffing needs, the findings will identify a lack of mandatory preplanning requirements of their staff. This would necessitate staff identify and address critical personal issues which include they develop family action plans in the event of an emergency, and address in advance all issues in order to ensure their availability.

The field of law enforcement will benefit from the research or be influenced by the conclusions because the citizens we protect have the right to expect vital public safety services will continue during and post a large scale disaster or terrorist event. As agencies operating at the local level, we must meet the minimum expectation of being able to provide essential services, unassisted by the federal government, for a period of time. If we fail to take affirmative actions to deal with this scale of an event, regardless of how remote the possibility, this will constitute negligence on the part of police executives. By ensuring we express the proper values to our staff, eliminating policy weaknesses which eliminate or hamper the discipline process, and doing all we can to

assist our staff in meeting their personal needs, we create a climate which will permit them to effectively meet the needs of the community.

REVIEW OF LITERATURE

This research was prompted by the national impact caused by the widely reported police desertion in New Orleans, LA. (NOLA), during Hurricane Katrina (2005). Police agencies have always prepared for emergencies but generally have incorporated idealistic circumstance in their planning. Specifically, agencies have counted on being at normal staffing levels at the onset of a crisis, and being able to maintain or increase staffing through call backs and other means such as mutual aid agreements.

In an Associated Press (AP) article posted on USA Today, (09/27/2005), citing the resignation of the New Orleans Police Department (NOPD) Chief of Police, “earlier in the day, the department said about two hundred and fifty police officers, roughly fifteen percent of the force, could face discipline for leaving their posts without permission”. In the same article, a police lieutenant, Lt. David Benelli, who is head of the police association, identified a key issue leading up to the desertion of staff, “but we also know there were officers who had to make critical decisions about what to do with their families.” Later, in another AP article appearing on FOX NEWS, on October 30, 2005, acting Police Superintendent Warren Riley identifies a policy issue as part of the disciplinary process. Specifically, “the regulation says that if you leave the job for a period of fourteen days without communication, you can be terminated” (Fox News, 2005). This link between existing police policy, its application against a disaster scenario, and the level of absence, leads one to the realization of policy not meeting

reality when it is outside of the normal day to day agency operation. Officers presumably knew the policy, its impact, and still made an ethical choice to leave.

Various police authors on police management have described the needs of police executives to address issues including value or mission statements which communicate the expectations of the community and the agency. A.J.P. Butler wrote, "What is police work trying to achieve? There should be a vision and understanding shared by all staff about the purpose of their work"(p. 28). In order to fully develop the mission statement and communicate the values to our staff, one must identify first the needs of the community. Butler went on to write (page 83), "establishing from the public what they want the police to do and how it should be done is a key component of the policing style in Britain" (p. 83). Our failure to take seriously the value of an agency mission statement is described well by R. Holden that in order "to provide competent service, a law enforcement administrator must first know what service is to be provided" (p. 20). Here Holden supports Butler's contention that police executives must identify their mission, however, Holden further identifies three failings of management. The failure to identify the mission, failure to train, and inadequate policies all lead to a failure in an agency's ability to deliver the service.

In a recent publication, Delone (2007) cites "the value and purpose of mission statements are that they serve as a steadfast guide for the activities of organizational members" (p. 220). This reinforces the need of an agency to communicate to all levels of an organization the expectations or desired behavior. In his research Delone (2007) noted that after 9/11, only one in fifty of the major police departments in the U.S. had updated their mission statement to include a reference to terrorism. Washington D.C.

Metropolitan Police Department was cited for having included the term specifically as part of their law enforcement duty to the community. This update to the mission statement communicates to the community and the staff that this is a modern reality which the department must be prepared to face.

Dunham & Albert (1997) states, "duty issues are almost always a conflict between doing one's duty and personal interest" (p. 341). Though they were addressing a topic on ethical dilemmas more akin to gratuities, police discretion, and honesty, the statement is appropriate in the context of this research. Police officers at the time of a catastrophe will face a critical personal and professional challenge, duty to one's community or to one's family, who will come first? If the organization does not communicate the expected behavior and organizational ethos, this adds to the officers' conflict with duty. The officer should have resolved this internal conflict prior to being confronted with an actual event.

Law enforcement has become aware of conflict in legal opinion regarding one's duty to the community. Dunham & Albert (1997) describe negligence torts and the increased use to sanction police agencies for failing to carry out their duties and damage to the citizen. Most often local, state, and federal governments remove themselves from these legal actions by claiming sovereign immunity. In many cases the courts have ruled the government and police do not have a legal duty to protect individual citizens from criminal attack (*Warren vs. District of Columbia*, 1981). It is not clear if the courts will rule similarly when confronted with citizen claims resulting from a crime of violence or employee legal actions regarding the need to plan, and the failure to plan, causing harm, such as termination of employment. In today's litigious society

police executives should anticipate litigation and undertake a review process to minimize legal exposure or liability.

A panel of experts for the International Association of Chiefs of Police (IACP) completed research post the attacks of 9/11 on combating and preparing for domestic terrorism. In their review they identified the law enforcement role, ensuring public safety, but failed to provide guidance on how to define it. While discussing planning and preparing, the report clearly identifies the need for policy development, training, securing mutual aid agreements, and other important operational issues. The report does not address the most important component of the plan. For instance, “in an emergency, the public looks to law enforcement to respond and mobilize staff, equipment, and resources to deal with it” (IACP, 2001, p.10). Similar to other publications, articles, and books, the key component – staff – is lacking. Too often the review of available literature glosses over the staffing issue and continues to blindly assume everyone will report for duty, regardless of the circumstances. This IACP report discusses nuclear, biological, and radiological weapon attacks and does not provide guidance to the reader on how to help ensure their staff will report for duty and in the minds of some, abandon or somehow risk the safety of their families.

Various police agency policies were reviewed as part of the literature for this project. Though each was different in format, they were inherently similar in context. Most described some form of absent without leave (AWOL) as failure to report to or remain on duty, similar to Madison, WI., Hawaii, and Minneapolis, MN., police departments. In most circumstances there was evidence of a policy statement which included provisions for emergency call up of staff. In some cases this provision existed

but appeared to be an attempt to define it from the perspective of budget impact, specifically overtime. Minneapolis P.D. policies as well as the University Of Texas Code Of Conduct, included language which clearly required off duty officers to be subject to recall to duty by a superior officer. A model policy (2001) developed by the State of New Jersey for use of local/county agencies more clearly states, "Suspension of leave: Any vacation leave, scheduled day off or other leave of absence may be suspended when an emergency which could not have been reasonably foreseen is declared by appropriate department authority" (p.20). A key to this model policy is the clear communication to the employee of an obligation to report when ordered regardless of their duty status. In an emergency there should be no question by the employee as to the ability of a supervisor to recall them regardless of their duty status.

The aftermath of the landfall of Hurricane Katrina on New Orleans has forced NOPD to update and revise their policies (J. Scott, personal communication, July 3, 2007). Their new policy has various stages of alert and recall to duty. A key provision is the communication that all personnel are subject to recall including those on sick leave or workman's compensation status (light duty) which will help leverage resources. In the words of Scott, "if you are injured or on light duty, you can at least answer the radio." Officers must complete an annual personal evacuation plan which must be presented to supervisors. In this plan the employee has the opportunity to declare family issues which would impact them such as caring for parents, spouses or children with serious medical problems, or other issues. Further, the employee must identify how they will manage these issues if they are placed on alert and must evacuate. A key

component is the employee must identify where they will evacuate their families to and be prepared to enact this with little notice.

A more thorough after action review disclosed NOPD lost seven percent of their workforce due to sixty resignations, forty five terminations, and two suicides (Anderson, 2006). It should be noted this seven percent is in addition to the shortage that existed prior to the hurricane. Further, citing the Disaster Research Center report, Anderson states, "The five main changes to department structure identified, if planned and trained for, would facilitate disaster response. These include 1) changes in task priorities, 2) shifting personnel within the organization, 3) shifting and recalling field personnel, 4) additional non department personnel absorbed, and 5) normal tasks reduced or delayed." The need for addressing the mission, policy update, and the ability to recall and maintain personnel has clearly been identified and supported by the literature.

METHODOLOGY

The research question to be examined considers whether or not police executives should develop or review their mission statements, modify their policies, and develop plans to ensure the availability of their staff. Further, the research will attempt to identify the most important employee issue which would cause them to fail to report for duty or abandon their community.

The researcher hypothesizes most law enforcement agencies have not redefined their missions, especially to account for large scale natural disasters or domestic terrorist attacks. If agencies have not adapted their mission statements, how do they communicate the needs of the community and the agency to the employee? It is suspected agency policies do not adequately or clearly permit recalling an employee to

duty regardless of their off duty status. Many policies are suspected of only addressing failure to report for duty when scheduled or viewing call back from a financial perspective and addressing it as a matter of compensation. Correspondingly the agencies have been active in emergency planning but have been using an assumption of their operating strength based upon the misguided belief personnel will report for duty. Research will show most agencies have not taken any proactive steps to assist their staff in planning for these situations and developing strategies to take care of the employee's family.

The method of inquiry will include a review of police management books, published articles both in print and on the internet, police executive organizations such as the IACP, a survey distributed to LEMIT Module 1 and Module 2 participants, a survey posted on two internet police forums, and personal interviews.

The instrument that will be used to measure the researcher's findings regarding the subject of Police Desertion will include a two part survey. The first will target officers and supervisors in attempt to identify basic agency data and what the respondents perceive as the most important issue regarding their availability for duty. The second will be designed to clarify any issues unresolved from the first survey and to address mission statements, agency policy issues, and preplanning for personnel.

The size of the first survey will consist of eleven questions, distributed nationally using internet police forums in order to engage as large of an audience (over five hundred target audience) as possible and attempting to obtain a national view versus a regional or state view point. This same survey will be sent to LEMIT Module 1 (Class

69) participants as well. Both of the first surveys will target small (under fifty officers), medium (fifty to one hundred), and large (over one hundred officers) agencies.

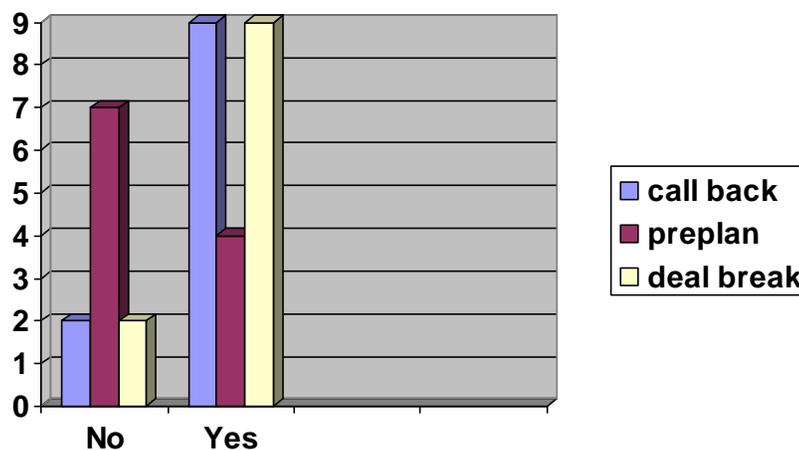
The response rate to the first survey instrument resulted in over twelve hundred officers (including LEMIT Module 1) viewing the survey, with a return rate of approximately one percent. The size of the second survey will consist of seven questions, distributed to the participants of LEMIT Module 2 (Class 70) which has eighteen participants. The response rate to the second survey instrument resulted in a return rate of seventeen or ninety four percent. The information obtained from the survey will be analyzed by identifying and comparing the common values and attempting to quantify them. Once a value can be defined and graphed, it will be used to validate the author's hypothesis.

FINDINGS

A large coastal police department received early warning of a large hurricane and enacted their emergency action plan. After Hurricane Katrina made land fall, nobody could believe the constant stream of media reports on police desertion while crime ran rampant through the city. The nation was shocked by the reports of officers fleeing the city and exposed the professions weakness, an assumption of duty above all else on the part of staff.

Police executives throughout the nation should have taken stock of their agency's values, policies, and emergency action plans to determine if they were also vulnerable to such an event. It does not appear based on the survey results that agencies took any action.

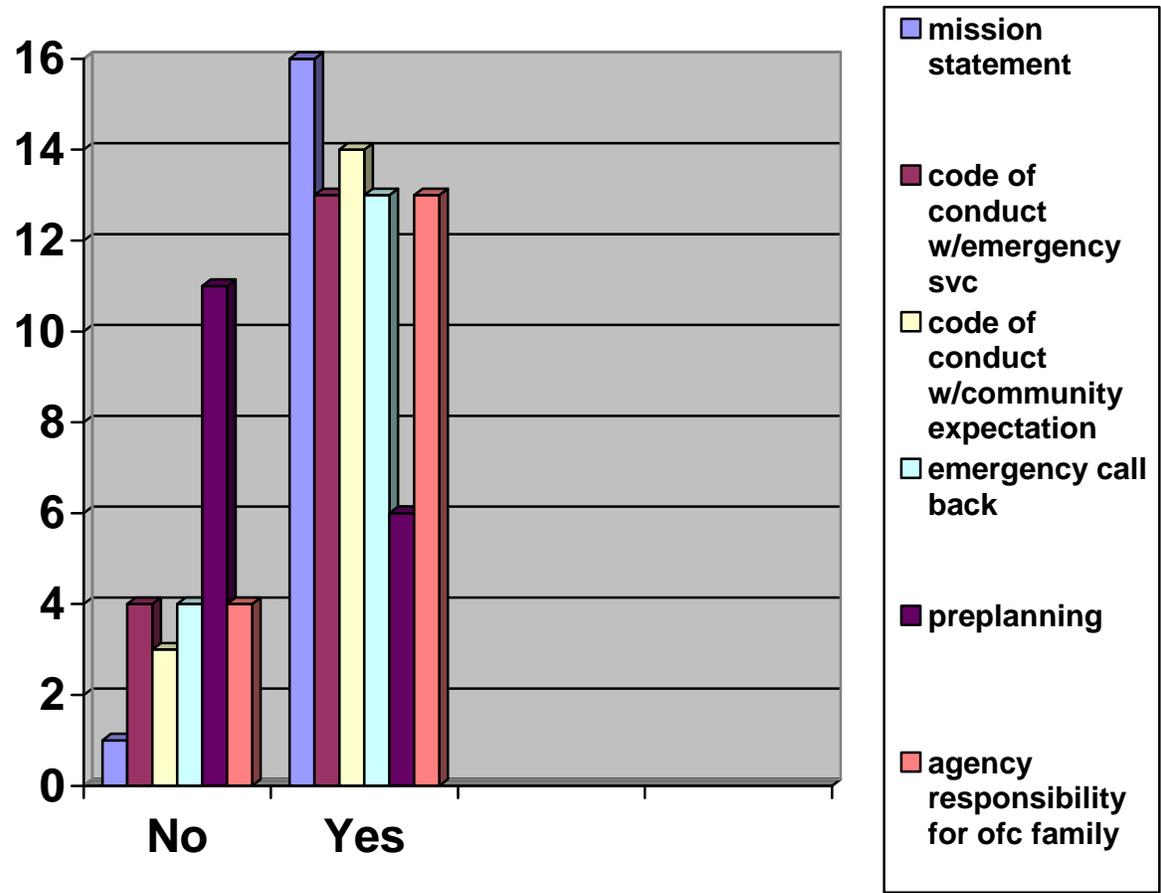
In the first survey, questions were designed to identify if agency policies included a provision for emergency call back of personnel, if supervisors had taken any proactive steps to ensure long term availability of staff for work in the event of a disaster, and what if anything would cause them to abandon their posts or not report for duty.



MODULE 1 SURVEY

The graph from the Module 1 survey represents the return of 11 survey results. The eleven represent those who completed and returned the entire survey and the many partial returns or comments were not included in the survey results. As can be seen, the majority of the officers know or perceive their agency as having a policy authorizing their call back to duty at any time. Sixty-three (63) percent cited their agency had conducted no preplanning targeting the officer, or the needs of the officer to assure their ability to report and remain at work. An even greater majority, eighty-one (81) percent cited family needs and safety as the one issue which could cause them to desert or abandon their agency.

The results of the Module 2 LEMIT survey were more telling and clarified key issues.



This survey was designed to identify if weaknesses existed in agency mission statements and how expectations were communicated to the officers. Additionally, the survey included agency preplanning a second time and clarified family as an issue by assessing if agencies had a role in helping to ensure an officer's family is secure.

The first item measured was agency mission statement. This area focused on whether one existed, whether it supported availability and emergency call back, and if it communicated the agency and community's expectation they will, regardless of the scope, duration, and/or danger report to and remain on duty. Results indicate the majority of all the respondent's agencies have a mission statement and it conveys

according to their perception, the officer's need to be available for duty and the needs of the community.

The second major measurement of this survey was if their agency policies permitted the ability of the agency to call back in the time of an emergency, all employees. Again, the majority of respondents felt their policies communicated this requirement.

The third measurement of this survey was to confirm a finding from the first survey, a lack of agency driven, organized preplanning to ensure the ability to have sufficient staff. Clearly preplanning by agencies was not routinely done as is evidenced by sixty-four (64) percent of the respondents.

The fourth measurement of this survey was to confirm a finding from the first survey, were there issues which contribute and lead to employees' choice to desert or abandon their community? Seventy-six (76) percent, an overwhelming group, identified family as a key issue and one which the agency should have some responsibility for. The survey did not specify the level of responsibility the agency or unit of government should assume, however afforded a free text opportunity in an attempt to elicit opinions. Most of the respondents felt they should be permitted an opportunity to secure their families and a minority added issues such as organized evacuation, placement in safe areas, food and lodging should be addressed. The key to this response is a majority felt it was an organizational requirement to do this as opposed to an individual requirement.

DISCUSSION/CONCLUSIONS

The problem or issue examined by the researcher considered whether or not there were contributing factors that led to or contributed to the loss of officers during a

large scale disaster or terrorist attack. The purpose of this research was to identify the key issues or problem areas and to formulate strategies which would permit the police executive an opportunity to incorporate into these strategies into their policy and planning functions.

The research question that was examined focused on a variety of organizational issues and human resource issues. First, the survey attempted to identify if there were policy weaknesses among the agencies surveyed. The policy focus was on the clear communication of the agency's ability to recall, at any time, an officer regardless of their duty status. A second issue for the survey involved the agency mission statement and if it clearly communicated the community and agency expectations as it relates to disaster and terrorist incidents. A third issue focused on agency preplanning. This was designed to elicit if the agencies were initiating an organized preplanning phase with employees. Such planning would identify family issues such as elderly care or an ill spouse, and force the employee to address personal evacuation plans and identify ways to meet their family's needs while they continued to serve the community. The fourth and final issue for the survey was designed to identify if there was a consistent issue or theme which would when left unaddressed, impact the employee's decision making process and their willingness to report for duty.

The researcher hypothesized from the onset that agencies failed post the 9/11 terrorist attack and Hurricane Katrina to update their mission statements. This tool which is designed to communicate a community, agency, and officer's mission and values, was believed to have remain unchanged. Additionally, the hypothesis supposed a weakness in policy regarding emergency call back of personnel existed throughout

the state and nation. Compounding the inability to call personnel back was the suspicion agencies have not instituted preplanning requirement on the part of staff to address family medical and evacuation needs in the event of a large scale disaster or terrorist attack.

The researcher concluded from the findings that officers' perception of the mission statement and policy appear to meet the minimal needs. Survey respondents indicated as a majority, their mission statements adequately communicated the community and agency expectations, as it related to emergency call back of personnel and the duty to remain regardless of the danger. The findings indicate a clear failure on the part of police agency leadership to update their emergency action plans and incorporate human resource planning. Specifically, agency leaders are not requiring employee's to conduct any family planning as it relates to the employee's ability to respond to and remain on the scene of a protracted incident. More importantly, the findings identified family and the needs of the family, as an ethical dilemma for the officer which would clearly impact their decision making process.

The findings of the research did support the general hypothesis. The reasons why the findings only supported half of the hypothesis are probably due to the survey instrument. The two issues not clearly supported by the hypothesis involve the agency mission statement and policies as it related to emergency call back of personnel. The survey measured an employee (respondent) perception of the mission statement and the policies of their agency. The failure to obtain the mission statement and policy for subjective evaluation may have prejudiced the results indicating to the reader this is not an issue to be addressed. In the research done by Delone, (2007), there is clear

evidence large agencies in the United States have failed to update their mission statements to account for terrorism. Extrapolating this further, one can surmise that since Hurricane Katrina, agencies across the country have not addressed their mission statements to include large scale, long term natural disasters. The need and value of having a mission statement has been established as a key way of communicating important issues to the organization and the employee. Therefore the researcher finds this area in need of further clarification and research.

The findings of the research did support the hypothesis that agencies are not adequately assessing the needs of their operational employee's and forcing some form of an evacuation or long term deployment preplanning. Employee's on their own are rarely plan their vacation on a timely basis let alone plan for evacuation and the impact it will have. Since vacation is a regular occurrence, as police executives we are more likely to have an impact and change behavior here. By not requiring regular (annual) planning and employee certification to their superiors where they submit their actual needs assessment and plans, we will continue to fail in our attempts to meet the community and our employee's needs.

The findings of the research did support the hypothesis that family was the most important issue for an employee and as one respondent quoted, "family first, duty second". This clearly supports the statement listed earlier by Dunham & Albert (1997), "duty issues are almost always a conflict between doing one's duty and personal interest" (p. 341). Respondents felt not only were family safety and security the key issue for them, the agency was deemed to have a responsibility to help them achieve this. The research was not designed to qualify or quantify the specifics of this and it is

an area in need of additional research. One can draw the conclusion from some of the free text responses this will range from organized evacuation from the danger zone, providing shelter, food, and other basic needs. The philosophical belief by the officers appears to be one which has the organization assuming a leadership role on behalf of the families which will then allow the officer to focus on the protracted delivery of law enforcement service in a disaster zone.

The profession must recognize the lessons learned from NOLA and the findings of this research. These findings should motivate us to preplan situations, develop effective strategies for a variety of situations, and policies that will predict or impact employee behavior. All of these activities will benefit the community served as well as the agency. More importantly, it would be seen as a failure of leadership on the part of agency executives if we fail to incorporate these realities into our mission and agency value statements, policy, and emergency planning. The loss of community support, coupled with allegations of indifference and negligence could have long reaching implications on agency budgets and in the form of successful civil litigation. Our staff and the community will clearly interpret the lack of preplanning for their welfare as shortsightedness and indifference which will also impact the ability to recruit and retain personnel.

Limitations that might have hindered this study resulted because not only is this viewed as a large scale "what if" scenario that is not likely to occur, there is little professional research on this topic. Though agencies have begun to plan for terrorist attacks, the author believes it is viewed from a first responder, short term philosophy. The view of these attacks is not seen as asymmetrical warfare by a well established

terrorist organization using area denial weapons. When translated, this is fancy speak for a poorly organized group acting independently to gather hospital radioactive waste and using fertilizer packed into a rental van, thus creating a dirty bomb. If properly done, this type of a weapon could due to the radioactive material, eliminate the use of a section of any city for a number of years. Further, the real and perceived fear of exposure to radiation will impact first responders who must operate in the area. Panic from this type of attack is not limited to the “general public”, but to the families of our staff and the loop returns to the ethical dilemma our staff will face.

The study of police desertion is relevant to contemporary law enforcement because it is a new phenomenon that has surfaced in the 21st century. Whether it is tidal surges, weather related disasters like hurricanes and typhoons, devastating earthquakes or tsunamis, or the acts of domestic and international terrorists, as a profession, police executives are sure to face this crisis in the near future.

Police agencies in Texas and throughout the United States, regardless of their size, stand to benefit from the results of this research. Mission clarity, clear policy statements, preplanning, and caring about the needs of our employee’s, is applicable to a four man department as equally as one with three thousand.

The communities and the state of Texas will derive a benefit when organizations re-evaluate their mission statement with a view towards incorporating the community’s expectation on disaster and terrorist response. The agency staff will derive a direct benefit since this effort will establish an organizational value and communicate it to everyone. The most important element of any agency is its staff. Ultimately by police executives taking an interest in facilitating an officer’s emergency preplanning, we signal

a genuine concern that we wish to balance our law enforcement mission and one's personal needs.

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