

LAW ENFORCEMENT MANAGEMENT INSTITUTE

EMPLOYMENT OF NON-SWORN PERSONNEL IN THE MANAGEMENT
OF POLICE AGENCIES: A COMPARATIVE PERSPECTIVE

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EMPLOYMENT OF NON-SWORN PERSONNEL IN THE MANAGEMENT
OF POLICE AGENCIES: A COMPARATIVE PERSPECTIVE

For several years, the writers of police administration textbooks have advocated the employment of non-sworn personnel in such jobs as police dispatcher, records clerk, jailer, etc. Today, it is common in most police agencies in the United States to find that these positions are staffed by civilian employees. Recently, however, there seems to have developed a trend toward "civilianizing" what usually would be thought of as management positions in the police department.¹ This paper will (1) compare this trend with similar trends in other types of organizations, (2) discuss the positive and negative aspects of this practice as reported by police managers in a recent survey, and (3) discuss the extent of this practice in sixteen police agencies across the state of Texas and the southwestern United States.

Colleges and Hospitals

For a number of years, college administrators came from the ranks of experienced college professors, and hospital administrators came from the ranks of experienced physicians. The philosophy seemed to be that the best person to manage a

college would be someone who had taught in a college for a number of years and the best person to manage a hospital would be someone who had several years experience practicing medicine in a hospital. Over the years, however, college administration and, particularly, hospital administration have become career fields separate from those of professor and health care practitioner. That is, additional training and expertise are usually required today for college professors to rise through the ranks to become college presidents and for physicians to become hospital administrators. The reasons for this change are several.

According to Peter Seldin, "directing an institution of higher education now means facing a series of unrelenting demands. . . . The tendency toward administrative specialization has accelerated as has a more businesslike approach."²

He goes on to say:

Today's academic administrator is expected to know how to handle budgetary and fiscal matters, to be able to deal with government agencies, courts, and trustees, and to be expert at collective bargaining and public relations. The administrator is also expected to shine in managerial skills, organizational strategy, budget analysis, and human relations. The new breed of academic administrator is variously referred to as a politician, a business executive, an orchestra conductor, a zoo keeper, a super entrepreneur, and a dispensing machine operator.³

Regarding hospitals, Everett A. Johnson and Richard L. Johnson report that, until the late 1930's, most hospitals were created almost exclusively with the patient's care in mind and with little regard for profitability. Administrative

matters (financial, personnel, plant and equipment) were handled by the governing board. The day-to-day supervision of the hospital was conducted by a physician or nurse administrator, who generally was interested only in the condition of the patient and not that of the hospital's financial statement.⁴ According to MacEachern, "Florence Nightingale [the famous English nurse] was truly the first hospital administrator," and her primary task was not to cure the hospital's ills but those of the patient.⁵

Today, physicians who take on hospital administration roles "find themselves facing many challenges, not the least of which is their lack of formal training in management. Their clinical training does not prepare them to be professional managers of complex organizations."⁶

According to Seldin, the same holds true in the college setting:

The core problem, of course, is that most [college] administrators have not received training in the skills demanded of them. They lack the knowledge, the preparation, and the requisites for effective administration.⁷

Consequently, many colleges and most hospitals have adopted the practice of hiring professional managers to administer their institutions. This is particularly so in the area of financial management, but it also is beginning to carry over into the personnel administration function and other areas in which special knowledge, skills, and abilities are required.

Police Agencies

In the police context, there has traditionally existed the idea that the best person to run a police department is someone who has considerable experience as a police officer in that department, sometimes regardless of his or her skills and abilities as a manager. Becker lists several advantages of promoting from within the agency: ability to maintain a particular image, high morale (due to no outside competition for promotions), low personnel turnover, and greater control over tradition, philosophy, and goals.⁸

Unfortunately, many of the conditions which led colleges and hospitals to demand administrators with managerial training (financial deficits, cutbacks, consumer demands for better service) are now at work (and have been for some time) in police agencies. Consequently, police management demands skills other than those required of the police officer.

According to V. A. Leonard:

The administration of a police department is a technical undertaking, requiring not only successful experience as a policeman, but also special talent and a number of peculiar skills that are not acquired in the course of ordinary police training and experience.⁹

Most police agencies in the United States use a closed personnel administration system in which lateral entry is prohibited in the sworn ranks.¹⁰ Consequently, the pool of talent from which to choose managers is somewhat limited. To overcome this problem, several writers have recommended

that agencies begin to employ civilians in positions which have traditionally been filled by sworn supervisors. According to Wilson and McLaren:

At the higher levels of department management, specialists will be required to direct planning, finance, personnel, data processing, and public information. . . . The necessary skills for the accomplishment of these specialized tasks are not usually found in the ranks of the police force. When civilians are employed to fill these positions, they should remain on civilian status. The chief will then have greater freedom to appoint or dismiss these assistants and to use their talents and training to the fullest extent. It should be established as policy that a qualified police officer who wishes to be employed in such a specialized field should resign his police civil service status and enter civil service as a civilian.¹¹

Weston has written the following regarding civilian employees:

The challenge is to develop a program that (1) feeds qualified civilians, persons with no prior police field experience, into all levels of the department's job classification plan, and (2) secures acceptance of this civilianization program from the police officer rank and file and the local police employee group.¹²

And Bouza went even further:

There is nothing to prevent civilians from assuming supervisory positions over sworn personnel. This is a commonplace of most large police organizations today.¹³

Vanagunas and Elliott reported the results of a 1973 survey of 493 police departments in the United States. The research showed that the greatest use of civilian personnel was in the function of legal counsel, followed by data processing, equipment maintenance, and personnel. In six percent of the departments surveyed, the Chief of Police was considered a civilian position.¹⁴

Vanagunas and Elliott went on to list two questions to be answered in deciding whether to "civilianize" a certain position:

1. Does the job in question potentially require the invocation of police powers of arrest and force or is [it] otherwise by law restricted to sworn personnel?
2. Does the job indispensably require considerable police work experience?

According to Vanagunas and Elliott, if the answer to both questions is no, then the position should be civilianized.¹⁵

Most recently, the Commission on Accreditation for Law Enforcement Agencies, Inc., in its Standards for Law Enforcement Agencies, has made it an optional requirement for accreditation that positions not requiring sworn personnel be specified as civilian positions and staffed accordingly.¹⁶ The Commission went on to say that "those positions common to other governmental agencies and requiring skills other than those of sworn officers should be designated as civilian."¹⁷

Positive and Negative Aspects

As part of the research for this paper, twenty-four police departments across Texas and the southwestern United States were surveyed regarding the employment of non-sworn personnel in management positions. Sixteen agencies responded, as indicated in Table 1.

Table 1.--Survey Respondents

<u>Texas</u>	<u>Oklahoma</u>
Amarillo PD	Oklahoma City PD
Austin PD	
Dallas PD	<u>Arizona</u>
El Paso PD	Tucson PD
Ft. Worth PD	
Lubbock PD	<u>California</u>
Midland PD	Los Angeles PD
Odessa PD	
San Angelo PD	
San Antonio PD	
Texarkana PD	
Tyler PD	
Wichita Falls PD	

The departments were asked to answer the following three questions:

1. What do you feel are the positive aspects of employing non-sworn personnel in management positions in your agency?
2. What do you feel are the negative aspects of employing non-sworn personnel in management positions in your agency?
3. What is your department's policy/practice regarding the employment of non-sworn personnel in management positions?

Positive Aspects

The positive aspect listed most often by the survey respondents (nine out of sixteen) was that non-sworn personnel hired for specific management positions most likely would come to the job already possessing those skills required for the job. As mentioned above, many departments employ non-

sworn personnel in the position of legal advisor. The cost of sending a sworn officer to law school is completely outside the limits of most police department budgets. While many police officers in the United States do attend law school on their own time, and many do rise through the ranks to become legal advisors for their departments, most police departments find it more cost effective to hire non-sworn personnel for these positions. And the same holds true for employees involved in data processing functions of the department. The amount of training required of a systems analyst is tremendous, and most police agencies with complex data processing systems would prefer to hire someone who already possesses the required skills than to attempt to train a sworn officer already on the force.

As police administration becomes more complex, it is expected that this phenomenon will carry over into other management functions. Many departments have a planning and research unit which, among other things, deals with statistical problems on a regular basis. It might be more cost effective to hire a non-sworn employee with extensive training in statistics and other management methodology than to create a sworn position and attempt to train the officer selected to fill the position.

According to some of the survey respondents (four), employing non-sworn personnel in management positions

broadens the pool from which to select managers and this helps to bring more progressive ideas to the upper levels of the organization. In the traditional police agency, it takes several years to rise from an entry level position to one of upper management. Over the course of time, it may be difficult to keep up with the latest concepts in management philosophy. Through appropriate use of civilian positions, it may be possible to bring younger employees to the top faster, provided they are willing to give up their sworn positions, and thereby keep the agency growing. And, by bringing civilians in from outside the agency, the department may be injected with fresh ideas and, possibly, private sector experience.

According to survey respondents, the employment of non-sworn personnel in management positions frees sworn managers to supervise operational functions. While it may not be desirable to have a police officer manage the data processing function, it is usually highly desirable to have an experienced officer manage the patrol or criminal investigation functions. By using civilian personnel to manage non-operational functions, sworn managers may be assigned where they have the greatest training and experience.

A related positive aspect mentioned by survey respondents is that a civilian employee functioning in his or her area of special expertise is not likely to be transferred

or promoted to an area in which he or she has little or no expertise. A common problem in rapidly growing agencies is that personnel move in and out of positions relatively quickly. Consequently, some employees barely begin to develop their skills for one position when they are moved to another. While this can be positive in terms of employee development, it usually has a negative impact on the effective operation of the department. By employing non-sworn personnel for specialized positions, sworn personnel would have more time to develop their skills in a given position.

Finally, a positive aspect reported by survey respondents was that it is often easier to deal administratively with a non-sworn employee than with one protected by complex civil service rules and regulations. This would apply to positive incentives (pay, benefits, etc.) as well as negative incentives (disciplinary action).

Negative Aspects

Almost all survey respondents felt increased employment of non-sworn personnel in management positions would be resented by sworn personnel. The reasons listed for this resentment are as follows:

1. The use of civilians in management positions limits opportunities for advancement in the sworn ranks.
2. Sworn officers do not trust civilians to make appropriate decisions regarding police matters.

3. Police officers don't like non-sworn personnel telling them what to do.
4. Civilians have a limited understanding of law enforcement problems.

The esprit de corps found in most police departments is very vital to the smooth provision of police services. The camaraderie experienced by most police officers is founded on the idea that the officer and his colleagues have "been in the trenches" and they know the most effective methods for getting the job done. To bring in an outsider or someone who has not worked his or her way up through the ranks is threatening for many sworn officers. According to survey respondents who currently employ non-sworn personnel in management positions, all of these concerns can be alleviated through effective communication between top management and the employees and through competent job performance on the part of the non-sworn personnel.

A special negative aspect related to those mentioned above involves sworn officers supervised directly by a civilian employee. One survey respondent mentioned the possibility that a civilian manager might have to review an officer's use of force (in an extra-duty assignment or possibly in an off-duty confrontation). While the civilian may have the expertise necessary to make a proper decision in reviewing the officer's actions, it is suggested by the respondent that the civilian supervisor be excluded from the review process.

While it was noted as a positive aspect that the use of civilians in rapidly growing departments can help to slow down the movement of sworn personnel through the various functions of the department, one survey respondent reported that the development of officers in slowly growing departments can be curtailed through this practice. Career development is an important process for police officers, and this is one aspect which the police executive must consider in deciding whether to adopt civilianization on a wide scale.

A negative aspect mentioned by two respondents is that the use of civilians for upper level positions may cost more than if an officer were used. Many of the writers mentioned earlier in this paper (Leonard, Wilson and McLaren, and others) felt that civilianization would result in somewhat smaller payrolls, and this is no doubt true at the lower levels of the department (dispatchers, clerks, etc.). At the upper levels, however, due to the added qualifications demanded by the job, it may cost more in terms of salary and benefits to employ a civilian than it would to fill the position with a sworn officer. On the other hand, the department may be willing to pay the extra cost if no officer on the force has the skills required for the position or if it was felt that any sworn officer selected would not remain in the position (due to promotion, transfer, etc.) for a reasonable period of time.

A final concern indicated by two survey respondents regarded the possibility that a civilian employee might be more mobile and less likely to stay with the department for a long period of time. The civil service system and the lack of lateral entry does tend to lock sworn managers into their departments. The civilian employee does not usually have this problem, although the job market does have an impact on the civilian's ability to change jobs frequently. The ability to keep civilian employees versus sworn employees is a valid consideration for the police executive.

Current Trends

Of the sixteen police departments responding to the survey, eight reported that they currently employ non-sworn personnel in management positions. Additionally, one department reported it is in the process of reevaluating its management positions with the intent of civilianizing certain ones.

Table 2 lists several management positions and functions currently filled by non-sworn personnel in the responding departments. In addition to those listed, one department reported that one of its five assistant director positions and several of its division-head positions are filled by civilians.

In several of the cases reported, it appears that civilianization has been a direct result of the accreditation process. In others, it appears to be simply a process of

Table 2.--Management Positions and Functions Currently Filled
by Non-Sworn Personnel

Director of Administrative Services
Legal Advisor
Chief Helicopter Pilot
Research and Planning
Financial/Fiscal Management
Budget and Accounting
Internal Auditing
Property Management
Police Equipment
Vehicle Management
Personnel Services
Building Services
Data Resources
Data Processing
Communications
Photographic Services
Crime Lab
Identification
Ballistics

employing the best-trained personnel for the job.

Conclusion

For many departments, it appears that the employment of non-sworn personnel in management positions is a viable solution to the need for specially-trained employees in key upper level jobs. To quote one respondent, employment of non-sworn personnel in management positions "appears to be a coming trend, partly because of budgetary concerns, and to a lesser extent, because of the possibility of acquiring more expertise in certain fields."

NOTES

¹For purposes of this paper, "management position" is defined as any upper-level position in the department which has a high degree of influence on department policy and decision making.

²Peter Seldin, Evaluating and Developing Administrative Performance (San Francisco: Jossey-Bass Publishers, 1988), 1.

³Ibid., 2.

⁴Everett A. Johnson and Richard L. Johnson, Hospitals in Transition (Rockville, Maryland: Aspen Systems Corporation, 1982), 85-89.

⁵Malcolm T. MacEachern, Hospital Organization and Management (Berwyn, Illinois: Physicians' Record Company, 1937), 17.

⁶Terence F. Moore and Earl A. Simenburger, The Effective Health Care Executive (Rockville, Maryland: Aspen Publishers, Inc., 1986), 177.

⁷Seldin, 145.

⁸Harold K. Becker, Issues in Police Administration (Metuchen, New Jersey: The Scarecrow Press, Inc., 1970), 83.

⁹V. A. Leonard, Police Organization and Management (Brooklyn, N.Y.: The Foundation Press, Inc., 1964), 46.

¹⁰Becker, 83.

¹¹O. W. Wilson and Roy C. McLaren, Police Administration (New York: McGraw-Hill Book Company, 1972), 249.

¹²Paul B. Weston, Police Organization and Management (Pacific Palisades, California: Goodyear Publishing Company, 1976), 334.

¹³Anthony V. Bouza, Police Administration: Organization and Performance (New York: Pergamon Press, 1973), 92.

¹⁴Stanley Vanagunas and James F. Elliott, Administration of Police Organizations (Boston: Allyn and Bacon, Inc., 1980), 73.

¹⁵Ibid., 74.

¹⁶Standards for Law Enforcement Agencies (Fairfax, Virginia: Commission on Accreditation for Law Enforcement Agencies, Inc., 1987), 16-6.

¹⁷Ibid.

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