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Performance Appraisals: A Review of Huntsville Police Department Policy

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#### ABSTRACT

Formal performance appraisals are a staple in policing. They affect many vital aspects, including salaries, promotions, employee development, training assessment, and liability issues. The purpose of the research is to inform the administration of the Huntsville Police Department as to the state of the agency's performance appraisal system. A survey is utilized to compare Huntsville's system with that of similar law enforcement agencies. Characteristics which reduce liability in performance appraisals are noted, including written standards communicated to employees, rater training, objective behavior-based evaluations, and periodic reviews of appraisal systems. Types of rating instruments are examined, with behaviorally anchored rating systems noted as the preferred method. Factors relating to the effectiveness of the rater are critical to the success of an appraisal system. Discussion centers on common rating errors, rater training, proper documentation, and the use of multiple raters to improve efficiency. It is recommended that Huntsville develop and implement a behaviorally anchored rating system, institute rater training, increase documentation through supervisors' use of employee performance journals, and utilize multiple raters in the evaluation of patrol officers.

#### Introduction

It is human nature for man to pass judgment on others. Similarly, in the work setting, performance appraisals of employees occur almost universally. Most police agencies conduct periodic formal performance appraisals. The results of these appraisals may be used for various purposes, including merit salary increases, promotions, employee development, and the assessment of training needs. It is an unfortunate fact that few agencies are satisfied with their appraisal system, and it is ironic that few make the improvement of their system a priority. Salaries represent 80-90% of most departmental budgets (Whisenand and Rush 203). If salary increases depend on performance appraisals, logic should dictate that it is worthwhile to devote resources to improving and insuring the accuracy and efficiency of the performance appraisal process. At its best, a performance appraisal system can provide a strong foundation for agency growth. Problems in the system, however, can lower morale, decrease productivity, and ultimately erode the integrity of the organization.

The purpose of this research is to provide information to the administration of the Huntsville Police Department regarding the state of its performance appraisal system. A comparison of Huntsville's system to other Texas law enforcement agencies' will be made to identify variations and identify areas for improvements.

The research will indicate areas, which, if implemented, will improve the likelihood of the system standing up to legal challenge. It will then examine the types of rating instruments available. Finally, issues concerning the accuracy and efficiency of the rater will be examined.

This research will be beneficial specifically to police supervisors and administrators who want to review their evaluation process. It will also benefit any corporate manager in the same process.

The information used will be from various sources, including books, journals, case law, departmental manuals, and personal interviews.

The intended outcome of the project is to provide the Huntsville Police Chief with information on which to base revision of the department's current policy concerning performance appraisal. The outcome of such a revision should include improved morale, more effective supervision, and increased employee growth and productivity. The ultimate outcome is measured by an increase in the degree of integrity in the agency.

#### Legal Context

Formal performance appraisals are utilized almost universally in the workplace. Almost as universal, ironically, is dissatisfaction among managers with their current appraisal system. A recent survey revealed that 90 percent of the chief executive officers of Fortune 500 companies said that their performance appraisal system was not doing its job (O'Leary 46). Underlying this widespread concern with appraisal effectiveness is a great anxiety created by litigation and legislation dealing with appraisal issues. While no appraisal system is immune to legal challenge, the risk of legal difficulties can be minimized if basic good management practices are followed (Grote 330).

The most significant legislation in the area of performance appraisal is the Civil Service Reform Act of 1978. While it does not apply to private sector employers, it serves as a sound, straightforward model to the private sector because of the attention it gives to performance appraisals (Grote 329). One requirement from the legislation is that the employer set performance standards based on critical elements of the job and put these standards in writing. A performance appraisal must be based entirely on the individual's actual performance of the critical elements of the job. It must not include any controls, such as the requirement to rate on a bell curve, that prevents fair

appraisal of employee performance in relation to the performance standards. Another requirement is that the appraisal must provide information that can be used for making decisions regarding the training, rewarding, reassigning, promoting, reducing in grade, retaining and removing employees. The Act also requires that appraisal systems encourage employee participation in establishing the performance standards (Public Law 95-454).

Case law has also had a sizeable impact in shaping performance appraisal systems. Some of the issues addressed in the courts include condemning employers for a lack of appraiser training and for utilizing subjective performance standards, as well as requiring employers to communicate performance standards in writing (*Rowe v. General Motors Corporation*, 457 F.2d 348). Additionally, the courts have required appraiser training and a periodic review by the employer of the appraisal process (*Carpenter v. Stephen F. Austin State University*, 706 F. 2d 608). In an additional case, the judiciary has ruled that supervisors must be given guidance in the application of the performance appraisal instrument (*Harper v. Mayor and City Council of Baltimore*, 359 F.Supp. 1187).

While much can be gained from seeing others' faults pointed out in the court system, one can also gain from others' successes. In one study, researchers examined several cases in which employers were able to successfully defend their appraisal programs in court. They identified several common characteristics of these programs:

- Raters were given specific written instructions on how to complete the instrument.
- Job analysis was used in developing the content of the appraisal.
- Appraisals focused on observable behaviors rather than traits.
- > Performance ratings were reviewed in advance by upper management.

- Appraisers were trained in how to appraise and conduct the appraisal interview.
- The results were discussed with the employee who had been appraised.

In each case examined, although the plaintiff had established a prima facie case of discrimination, the employer utilizing an appraisal system incorporating these characteristics prevailed (Holley and Feild 59-64).

Clearly, effort must be made to attempt to remove subjectivity from the process. Even if an appraisal is clearly based on the best judgments and opinions of the supervisor, it will not be held sufficient unless it also includes definite identifiable criteria based on quality or quantity of work or specific performances supported by some kind of record (Walsh, M. 149). Also apparent is the emphasis placed on training for the evaluator. If employers do not act to bring their appraisal systems into accordance with these standards, an additional liability may accrue. Some courts have held that an employer may be negligent if it does not conduct its performance appraisals in a responsible manner (Nobile 7). While most administrators' concern with appraisals centers on a possible legal challenge from the employee, citizen plaintiffs will often attempt to establish a pattern of supervisory neglect (Walsh, W. 95). One case held that negligence is established by proving that supervisors have not engaged in an ongoing process of insuring officer capability and proper performance (Spell v. McDaniel, 864 F.2d 1380).

#### Review of Literature and Practice

In order to compare the characteristics of the Huntsville Police Department's appraisal system with those of other agencies, five other agencies were contacted and surveyed concerning their performance appraisal system (see Appendix One). Agencies participating include Abilene,

College Station, Conroe, McKinney and San Marcos. Of the six agencies, three conduct formal appraisals annually, while three conduct them on a semiannual basis.

As to the type of rating instrument utilized, all five agencies excluding Huntsville utilize a behaviorally anchored rating scale (BARS). Huntsville utilizes a free written essay with minimal guidance as to content. In loose terms, Huntsville's instrument would be considered a global rating scale (GRS). Though instruments will be discussed and defined later, it should be noted here that researchers view the GRS as having serious reliability and validity problems (Whisenand and Rush 198), while the BARS are generally regarded as one of the most accurate and consistent rating methods (Love 144).

Huntsville was the only agency in the survey group which utilized appraisals as a determiner in both pay increases and promotions. McKinney was the only other agency to utilize appraisals to determine salary increases. Of those agencies not tying salary to performance, most stated civil service limitations as the reason. While Huntsville and McKinney award merit increases for general good performance, research indicates some agencies have detailed programs offering "pay for performance", or bonuses and salary increases for employees and managers who meet specific objectives. Sunnyvale, California serves as a model for such agencies (Candelaria 21).

In spite of the emphasis placed by the courts and researchers on rater training, only three of the six agencies provide ongoing training. Two other agencies utilizing BARS had initial training of supervisors upon implementing the appraisal system, but do not provide continued training or training for new supervisors. According to related literature, training in the use of the instrument and the appraisal interview is critical. As one author noted, the most perfect evaluative instrument is rendered meaningless in the face of supervisory ineptitude, misunderstanding, or mischief (Bopp 65).

Another area of concern among experts is the fact that, although rating is acknowledged to be a highly fundamental and critical task of a police supervisor, in many cases the raters are not rated on their own willingness or ability to rate. This means a paramount dimension is being missed in terms of assessing a supervisor or manager's performance (Whisenand and Rush 204). Three of the agencies surveyed evaluate raters on their rating skills.

Only two agencies have any periodic evaluation of their appraisal system. In order to stand up to legal challenge, monitoring is necessary to insure that there is no discrimination against protected classes and no discrimination occurs in personnel decisions which are based on data provided in the performance appraisals (Grote 334). An additional purpose is to identify instances of supervisory rating error and the reasons for them in order for corrective measures to take place (Walsh, W. 103).

Another characteristic recommended by experts, but seldom utilized, is the addition of self evaluation to the appraisal process. Only two agencies used some form of self appraisal. Researchers believe that employees who are trained and involved in the appraisal process analyze their work more accurately and direct less anger and frustration toward their supervisors or the organization. Such employees also require less supervision and make greater contributions to the organization (Candelaria 20). If utilized, it is recommended that an optional performance pre-evaluation form be completed by the employee and submitted to his supervisor prior to the appraisal conference. The form, if completed, should be attached to and submitted with the evaluation (Cameron 56).

A more controversial issue is that of peer appraisals. While none of the agencies involved in the survey utilize peer appraisals, the Abilene Police Department had previously attempted to include such input in the process. The agency discontinued the practice because the input was not

viewed as substantive. Nevertheless, research indicates that peers can contribute accurate and unique information regarding the performance of fellow workers (Love 143). Studies have shown several methods of peer assessment significantly corresponded with supervisor rankings and were not biased by friendship (Love 145). Although these methods, if properly implemented, have proven to be accurate, reliable, and free from bias, they were not well liked by the officers participating in the studies. This attitude is attributed to a resistance to change, particularly since such practices are largely untried in police agencies (Love 147).

A final characteristic of the appraisal process is that of reverse appraisals, a manner of obtaining confidential input from employees to be used in evaluating their supervisor. Such information, if gathered and weighted carefully, can be used to yield significant benefits in terms of giving employees a voice in the workplace, improving supervisor's skills, and improving agency efficiency (Roberts 25). Abilene was the only agency which uses reverse appraisals.

#### Discussion of Relevant Issues

After having examined issues in literature and practice, the first major focus centers on the types of rating instruments available. A valid appraisal process requires that the agency select an appraisal method which best meets its purpose. While numerous variations exist, most will fit into one of the groups discussed below.

The most basic form of instrument is the free written essay, which is currently utilized by Huntsville. This method makes it virtually impossible to compare ratings, both of the raters and the ratees. The United States Army, which has conducted extensive research in the area of performance appraisal, found this method of little value for ratings, but an excellent source of anecdotes, noting that the rating often tells more about the supervisor than the employee (Balch 42).

Two methods which are grouped together here due to similarities are the forced choice methods of ranked order and paired choice. Ranked order involves assigning each employee a numerical ranking from highest to lowest for specific traits and overall evaluation. In paired choice, every ratee is compared to every other ratee and a judgment is rendered. The number of judgments for an individual determines his ranking. In the latter method, the number of judgments required is raised by an exponential function of the number of individuals being rated (Balch 42). While both of these methods have demonstrated a relatively high reliability coefficient, they are both time consuming and seemingly would dictate that all employees must be rated simultaneously. As research has indicated that accuracy suffers when more than ten individuals are rated at one sitting, experts recommend that appraisals be done systematically rather than simultaneously (Balch 44).

A traditional method of appraisal in policing is the use of global rating scales, so designated because they define the qualities of levels to be assessed and the levels of such qualities in broad, global terms. An example of a global rating scale may be seen in Appendix Two. These types of instruments are extremely vulnerable to errors which reduce reliability (Whisenand and Rush 198).

A more advanced method is the performance domain rating scale, which is job-related and involves the rater gauging the frequency of proper performance. An example of a performance domain scale is found in Appendix Three. This method can improve reliability, but can become error prone if comments are not included by the rater (Whisenand and Rush 200).

In recent years, behaviorally anchored rating scales (BARS) have been developed and are growing in use, as indicated by the aforementioned survey. By design, such instruments treat job performance as multidimensional, and use actual instances of behavior to illustrate effective and ineffective performance. An example of a BARS category is shown in Appendix Four. A properly implemented BARS is viewed as having high reliability and validity and incorporates all the

benchmarks of an effectiveness measure (Whisenand and Rush 201).

While the experts seem to agree that some instruments are better than others, they also strongly agree that factors relating to the effectiveness of the rater are much more critical than those concerning the type of instrument being utilized. Surveys have indicated that the top reasons given by workers for the ineffectiveness of their appraisals all center on shortcomings of the manager in the rating process (Longnecker and McGinnis 13). If people were perfect, there would be no need to evaluate. Neither employees nor supervisors are immune to error, and rater error has a significant impact on the appraisal process.

One of the most common errors by raters is that of recency. If a supervisor does not keep comprehensive notes on a subordinate's activities during an evaluation period, there will be a tendency to emphasize the most easily recalled behavior, which is usually the most recent behavior. Another error is the halo effect, or the tendency to judge a person on the basis of one factor deemed important by the rater. The error of central tendency occurs when a supervisor refuses to use the scale extremes and clusters all his subordinates at or near the middle range. Additional errors include bias, leniency, and constant error, which results when a supervisor grades consistently hard or easy (Bopp 65).

One way to lessen errors in the appraisal process is to train the raters. Agencies with a legitimate desire to make the system work will inform raters of the obstacles to effective evaluations so that supervisors may avoid common pitfalls. Additionally, all performance evaluation systems need a guide or manual. Without a set of common definitions, instructions, and procedures, the entire process is apt to suffer problems of ambiguity and integrity. In addition to training in the process, raters should also receive training in the form of critical constructive input from management. If raters are rated on their rating ability, they will put more effort into the process

(Whisenand and Rush 204).

Another method of reducing rater error is for supervisors to keep an up-to-date journal on each of their employees. This documentation is viewed as mandatory to an effective appraisal process. Journal information can be used both to improve objectivity and to protect the supervisor against claims of bias or improper behavior. It is recommended that the supervisor set aside a specific time each week to update the journal (Sachs 39). San Marcos Police Department supervisors are required to keep employee journals with two-year retention.

A final method to reduce error is to utilize multiple raters in the appraisal process. For example, an employee's current supervisor, most recent past supervisor, and another supervisor from the same shift could complete forms, with the current supervisor coordinating efforts and conducting the appraisal interview. The advantages from multiple raters include enhanced objectivity, improved clarity, more information, and greater acceptance on the part of the ratee (Whisenand and Rush 203).

The cost of implementing or upgrading an appraisal program can vary greatly. Some agencies hire consultants or contract, with a company to provide forms and training for employees. For other agencies, the main cost consists of a time commitment to develop and effect change. With personnel costs accounting for a significant portion of the police department budget, and with the potential costs resulting from legal challenges, the cost of improving the performance appraisal process is insignificant in comparison to the cost of using an ineffective system.

#### Conclusion / Recommendations

This research has endeavored to provide information to the administration of the Huntsville

Police Department as to the state of the agency's performance appraisal system in relation to others

in the state. Performance appraisals affect policing in many vital aspects, including salaries,

promotions, employee development, training, and liability issues. Examined were characteristics required to minimize the risk of a successful legal challenge, types of rating instruments available, and issues concerning the accuracy and efficiency of the rater. Huntsville's current policy was compared to that of several similar law enforcement agencies. The evidence suggests that significant change is necessary to Huntsville's performance appraisal system to increase effectiveness and reduce liability.

First, it is recommended that Huntsville utilize input from supervisors and subordinates to develop appraisal standards and a behaviorally anchored rating system. This system should include appropriate evaluation instruments, self pre-evaluation forms, reverse appraisal forms, and a manual. Plans for implementation should include appropriate training for raters, as well as familiarization training for all employees and a timetable for periodic review of the system.

Next, it is recommended that supervisors begin the practice of keeping employee journals for documentation in order to reduce error and increase input for evaluation. For the patrol division, it is recommended that multiple raters be used. As Huntsville patrol officers rotate shifts periodically and supervisor shifts overlap those of subordinates, it will be easy to obtain input from multiple supervisors.

Finally, it is recommended that patrol supervisors complete evaluation forms prior to a monthly supervisor's meeting and set aside time during the meeting for discussion and comparison of the ratings. This will help bring any rating errors to light and force the rater to defend his ratings to other supervisors. To this end, this forum will serve as a form of continued training in performance appraisal.

These changes, if realized, would greatly enhance the appraisal process at a minimum of cost. Employees desire constructive, substantive input on their performance. Police agencies need

accurate appraisals for responsible management of human resources. The public, through litigation, demands it. Knowledge of who are good employees and who are not does exist. Reasonable effort should be expended to insure a sound performance appraisal system is developed and implemented.

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## APPENDIX ONE

## Performance appraisal survey of law enforcement agencies.

	Abilene P.D.	Coll.Station P.D.	Conroe P.D.	Huntsville P.D.	McKinney P.D.	San Marcos P.D.	
Frequency of formal appraisals	Annual	Semi-annual	Semi-annual	Annual	Annual	Semi-annual	
Type of rating instrument	BARS	BARS	BARS	Free written essay	BARS	BARS	
Tied to salary/promotions	No	No	No	Salary Promotions	Salary	No	
Raters trained on ongoing basis	No	Yes	Yes	No	No	Yes	
Raters evaluated on rating abilities	Yes	Yes	No	No Yes		No	
Program evaluated periodically	Yes	Yes	No	No	No	, No	
Self appraisal utilized	Yes	No	No	No Yes		No	
Peer appraisal utilized	No	No	No	No	No	No	
Reverse appraisal utilized	Yes	No	No	o No No		No	

## APPENDIX TWO

An example of a global rating scale.

	es department of personnel Ormance evaluation
(m/Qit) mail	Employee majorage class majorage blacks. Darig
RATE OUTSTANDING  FACTOR COMPETENT  FACTOR UNSATISFACTORY  Chees ag very Offichals	Ort for lost  Use COMMENTS space to describe employee's strengths and weak- nesses. Give examples of work well done and plans for improving  performance.  (focus reings of Bessislactory, Improvement Booled or Outsteading ment in  substantiantal by comments.)
I. QUANTITY	-
2. QUALITY	
D, WORK HABITS	
FERSONAL RELATIONS  Gening whong with fetter employees meeting and bandling the public Personal appearance	
ADAPTABILITY  Performance in new situations Performance with minimum instructions Performance with minimum instructions	
S. OTHER	
7. SUPERVISORY ABILITY topicy for Department of the Control of the	(Commun Committee) as anacros shoot
Godershap   Making decisions     Favrice and Imperitably     Approachaphing     Approachaphing     Approachaphing on disclose address programs	OVER-ALL EVALUATION  WHATIMACIDET MATERIAL COMPETENT OVERLASHING
SIGNATURES OF REPORTING OFFICERS  The reduct to decide or the securitation and or resources. It resources as and proper of the profession a performance.  Earlie	Appen de une de proposes  Appen de
Seri et all series de la company de la compa	The speech has been described with the

## APPENDIX THREE

An example of a performance domain scale.

							17
4.	CASE INVESTIGATION	Always Dies	Usually Dian	Selekum (3ran II	Nud Appli- cable	COMMENTS	
d.	Uses productive techniques in case investigations. Recognizes and carefully collects and preserves all evidence.						
b.	Prepares clear, concise, accurate and logical reports for department and court use.						
Ç.	Exhibits a professional and poised demeansr in court and functions well as an objective witness.						
d,	Maintains acceptable clearance and complaint issuance levels.						
e.	Works cooperatively and constructively with other organizations and resources.						
5.	AKKEST PROCEDURES	Ahways Doors It	Usually Does It	Seidom Does It	Not Appli- cable		
a,	Protects the safety of himself/herself and others in the apprehension process.						
ь.	Utilizes only reasonable and legal levels of force and restraint in accordance with department policy in arrest situations.						
ç.	Makes "quality" arrests which are compatible with departmental or team goals.						
d,	Respects the civil rights of persons placed in custody.						
6.	TRAFFIC CONTROL	Always Does It	Usually Does It	Scidum Doors It	Not Appli- cable		
4.	Maintains acceptable enforcement levels and relates activities to the location, time and causes of serious accidents.						
b.	Gains effective and prompt control at an accident scene and properly utilizes necessary supporting resources.						
c.	Minimizes citizen friction and complaints in traffic law enforcement.						
d.	Maintains an acceptable record of judicial support of citations issued.						
7.	CRIME PREVENTION	Always Does It	Usually Docs	Seldoni Does II	Not Appli- cable		
A.	Keeps abreast of crime problems, hazards, and prevention priorities in assigned patrol sector.						
la,	Maintains acceptable and productive levels of field activity, including "on-view" stops and arrests, which can actually impact crime levels.						
	Exercises initiative in finding and developing resources in the community to help in crime prevention.						
d.	Makes citizens aware of their crime prevention responsibilities and assists them in reducing bazards.						

#### APPENDIX FOUR

An example of an evaluation category in a behaviorally anchored rating system.

#### CRIME PREVENTION

#### Job Category A

Knowledge of effective crime prevention, such as silent slarms, security fences, lighting and random patrol; educating citizens to aid in deterring criminal activity or in aiding apprehension of suspects; maintaining security in keeping relevant information from potential criminals; being aware of trends in criminal activity; keeping an eye on potential or known criminals in the area.

The officer went to every late night gas station in his/her area to alert the attendants about a group of hold-up people who had been hitting gas stations. He/she left a description of the people, a phone number to call and detailed instructions on what to do if the persons were spotted. Because of his/her actions the hold-up people were apprehended.

When eight burglaries had occurred in a small area, the officer told a citizen that he/she would tell them how to help if they wished. The citizen organized a coffee party where the officer's tips on what to do led to the arrest of six young people.

An officer, after checking spartment house parking lots for car provlers, would make a note of any spartment that didn't have good lighting and then tell the caretaker during the day.

The officer advised a bar owner who had been burglarized to wire a bell to the back door so a bartender who lived above the bar could tell when there was a break-in.

After there had been a rash of burglaries, the officer began spending more time patrolling the area they occurred in.

While on his/her night beat, an officer observed a business with one of the windows open. Finding no evidence of a break-in, he/she failed to report the open window to the owner the next day.

A burglar who was being transported to jail asked how the officer had known he/she had broken in. The officer then explained all about silent alarms—how they worked, how to spot them, etc.——educating him/her for his/her next job.

While on patrol an officer takes his/her coffee and lunch breaks at the same time and same place every night. Re/she also patrols his/her beat in the same pattern every night.