

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

**Command Staff for Mid-Sized
Police Departments: Reducing Liabilities,
Increasing Efficiency**

**An Administrative Research Paper
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ABSTRACT

Command staffing for mid-sized police departments is important to contemporary law enforcement because it reduces liabilities and improves efficiency. Law enforcement agencies across the nation are seeing an increase in civil suits because of improper supervision. Without the proper policies in place, the line officers have no guidance. The efficiency of the department depends on the proper personnel being in place to conduct the research needed to give direction to the department.

The purpose of this research is to provide information on the benefits of increasing the command staff of a mid-sized police department. This paper will determine what the public feels is most important to them when it comes to their law enforcement agency. The method of inquiry used by this researcher was a review of articles, books, a personal interview, and a survey of 100 people across Southeast Texas. This particular area in law enforcement has not been studied very often. This research also used a court case to outline the need for proper supervision and policies. A personal interview of a police chief that had just completed a restructure and put into place a five-year plan further outlined the need for a command staff.

The research discovered that by implementing the proper sized command staff, the department would lower its liabilities and improve its efficiency. By adding additional command staff, the department will have personnel in place to review policy and make changes according to current court cases. The department's efficiency in keeping up with current trends in law will lower its liabilities. No department will ever eliminate all liabilities, but the reduction can save the taxpayers money in their communities over a period of time.

TABLE OF CONTENTS

	Page
Abstract	
Introduction.	1
Review of Literature	2
Methodology	5
Findings	6
Discussions/Conclusions	8
References	10
Appendix	

INTRODUCTION

This research paper will examine the importance of developing a command staff in the mid-size police department. It is understood that the law enforcement institute is funded by the public and is in existence for the community that it serves. It is important to understand that the public funds departments, they should run efficiently and with limited liability.

Since laws change day-by-day, policies and directives also have to change. Without proper management staff in place, the department tends to fall behind. Management staff must be in place to research, review, and administer policy. A command staff will have both managers and supervisors. Supervisors are used to monitor the rank and file, while managers are used to administer policy and directives. Departments, today, need both supervisors and managers to run efficiently.

The purpose of this research is to examine the command staff of mid-size police departments and how effectively they run with the staff they have. The research will also examine the liabilities that exist when the proper supervision is not in place. This paper will create the understanding needed to identify a department running at the best of its abilities with fewer liabilities

This research will be gathered, and the concept of the command staff for a mid-sized police department will be explored, through the use of books, articles, personal interviews, and surveys. The issue of the command staff has not been given the attention that most other areas in law enforcement have been given. In the recent past, there has been a change noticed in law enforcement departments that additional supervision is needed.

The intended outcome or anticipated findings of this research will be for law enforcement to be able to find the liabilities that exist within their agency. It is further intended that law enforcement will make the necessary changes to meet today's standard in operation. The field of law enforcement will benefit from the research because they will be able to identify problem areas. Further, it is expected that this research will help assist in showing a need for the proper command staff. It is important for departments to find the liabilities that exist. It is also important for law enforcement to have an efficient department.

REVIEW OF LITERATURE

In researching the chain of command for a mid-sized police department, it is important to understand where the structure came from. Many police departments embrace and resemble a paramilitary structure. The rank structure is that of a pyramid, with authority decreasing as it descends (Donerner & Dantzker, 1999).

This research will focus on mid-sized or medium sized, police departments. Using the definition provided by The Commission for Law Enforcement Agencies (CALEA), a small department is defined as having between one and 24 sworn officers. Further, CALEA defines a medium department as having between 25 and 74 sworn officers, and a large department has 75 or more sworn officers (CALEA Records, 1997).

When working within the chain of command, orders and directives normally flow from the top of the chain to the bottom. The chief and his inner circle of administrators formulate policy, rules, and regulations. A department without the proper amount of administrators exposes itself to liabilities (Donerner & Dantzker, 1999).

Today's police departments are run like a corporation. Like a corporation, as the department grows, so must the layers of the department. Police leaders and their

managers must research and draft appropriate policies. The failure to do so does not excuse them from being responsible for employee misconduct. Further, this failure opens the door for their department and themselves to civil liabilities (Donerner & Dantzker, 1999).

In recent history, lawsuits filed by members of the public against police departments have been increasing. The Texas Police Chiefs Association was surveyed in 1995. Over a three-year period, 630 lawsuits were filed against departments in Texas. The number one suit filed was because of excessive use of force. Tied into the suit was inadequate training and inadequate supervision. In the same three-year period, 5% of the suits were based solely on inadequate supervision. When damages were awarded in these suits, they ranged from \$400,000 to \$950,000. The damages were more likely awarded when suits reached a settlement outside of court. Over 4.5 million dollars were lost to settlements outside of court (Vaughn, Cooper, & del Carmen, 2001).

It is well documented that administrative decision-making can impact civil litigation. At the middle of this is training and supervision. The Texas Police Chiefs Association was surveyed and asked what the best way was to reduce civil lawsuits. The response was to review and update policies. The chiefs were further asked how often their policies were reviewed. The response was that 56% reviewed annually, 13% reviewed quarterly, 12% reviewed biannually, 7% reviewed monthly, 2% reviewed weekly, and 5% never reviewed their policies. The chiefs responded to the survey and indicated that they thought treating people fairly was the number one way to avoid

litigation. They further expressed that better supervision and training would reduce the exposure to civil litigation (Vaughn, Cooper, & del Carmen, 2001).

In a personal interview with Chief Robert Gracia, he stated that adding to the command staff reduces the liabilities of the department and adds to the efficiency of the department. By adding personnel, this ensures that each person has the time necessary to concentrate on his or her job duties (R. Gracia, personal communication, April 22, 2008). Breaking down the responsibilities allows for the personnel to concentrate and focus on the task at hand. The public trusts that administrators will provide the community with the most effective and efficient department that they can operate.

In 1997, the United States of America filed suit against the City of Steubenville in Ohio. The suit was settled without court proceeding by both parties agreeing upon a Consent Decree. The Decree cited that the city and the department were liable for the conduct of their officers and further stated that the city condoned the behavior of the officers through inadequate policies and failure to train, monitor, supervise, and discipline police officers. The decree required the department to appoint a supervisor to oversee training. The department must also appoint an administrator to review policies and procedures. This decree stated that not only must the policies be reviewed, but an outside auditor must also approve all policies within 90 days. The decree went on to address other issues within the department in the areas of the hiring process, the promotional exams, and the overall department efficiency. The Steubenville Police

Department avoided the lawsuit by the government because they settled and signed the decree that forced them to put together a chain of supervision, which required the department to run more efficiently (Zealey, 1997).

New problems have developed over the past 75 years that the old structure of police hierarchy has been in place. Under the old structure, police supervisors ensured that officers followed strict guidelines set out by policy. The problem is that the policy failed to update because of staff limitation. The line officer has their hands tied, and it takes a supervisor to make the decisions that are needed. It has been argued that this old structure has been the downfall of team policing that was created in the 1970s. With the proper structure of a department, the policies can be reviewed and updated as the laws dictate (Birzer, 1996).

METHODOLOGY

In order to conduct the research, this paper will utilize magazine articles, department evaluations, court cases, books, personal interviews, and surveys. This research will help identify the need and importance for having a proper command staff in place. This paper will further identify national and local trends in staffing. The articles will focus on the issue of reduced liabilities and department efficiency. Data will be collected from a survey of 100 people across Southeast Texas to determine what the public deems to be important to them. Because law enforcement works directly for the community, it is important to determine what the community feels is the most important for their law enforcement agency. The data collected from the survey will also examine the top three areas of importance. The data collected will see if there is a correlation between what the public deems important and what research shows. A personal

interview of a police chief who recently completed a restructure of his department will be conducted. The information to be obtained is regarding why he restructured his department and what benefit the restructuring is to the department and to the community they serve. By comparing the data from books, court cases, surveys, and an interview, it may be possible to pinpoint a trend that shows the need for a larger command staff, which will help the department run efficiently and will help lower the liabilities that law enforcement is exposed to. Staffing is an important part of any profession, but it can be even more important in a field charged with protecting the safety of society.

FINDINGS

In researching this topic, a survey was conducted of 100 citizens across Southeast Texas. On March 15 and 16, 2008, a regional dance competition was hosted at the Stafford Centre for Performing Arts, and citizens from across the region were present at this competition. The purpose of this survey was to determine what the citizenry felt was most important to them when it came to their law enforcement agency. The survey listed five items, and the citizens were asked to rank the five items from most important to the least important in their opinion. This survey was conducted with 52 females and 48 males. The overall findings showed that 43% thought that proper training was the most important, 35% felt that response time was the most important, and 22% felt that reduced liabilities and efficiency was the most important. It was interesting that out of the 43 persons that indicated that proper training was the most important, 33 of them were males, and 10 were females. Out of the 35 persons who indicated that response time was the most important, all were females. When it came to

reduced liabilities and efficiency, 15 males thought it was most important, and seven females thought it was most important. The issue of proper training directly ties into reduced liabilities and efficiency.

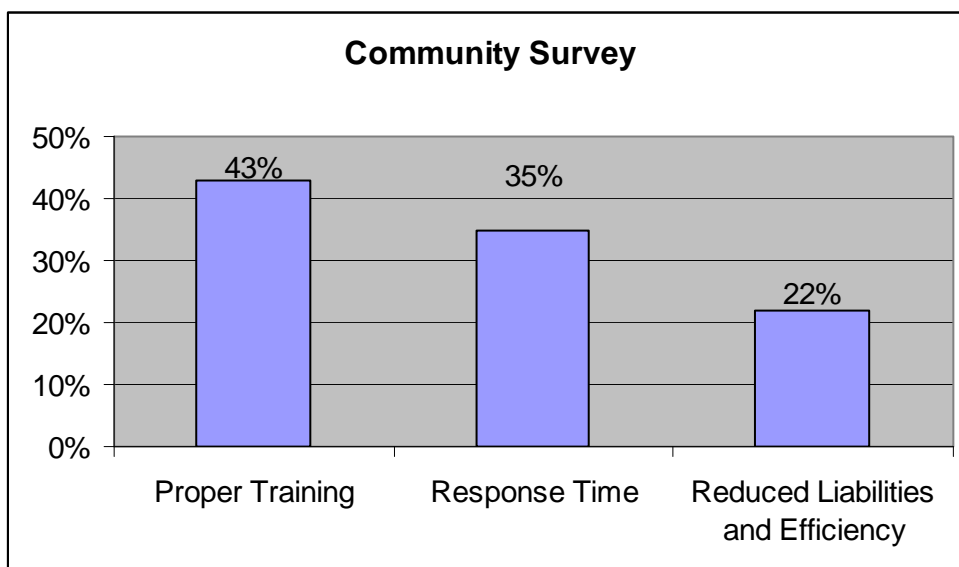


Figure 1. Participant percentages of what citizens thought most important from police officers.

Now the code enforcement division has sworn officers who can act in a law enforcement capacity when needed. Chief Gracia added two lieutenants to his command staff. He added one that was assigned officer standards and another for code enforcement. This freed up the patrol lieutenant to concentrate on patrol issues, which increased the efficiency of patrol. Chief Gracia stated during the interview that he made a presentation to his City Council and informed them that this would not make the number of calls for service drop. Research showed that by adding additional officers and supervisors, the calls for service would increase. When manpower is added, the number of self-initiated calls would increase; therefore, this would increase the total number of calls for service. Chief Gracia emphasized that while the calls increased, the

quality of life would also increase. The restructuring of the department would cost the department additional money up front, although this would save the department money in the long run. The department would be able to lower its overtime because the need for additional staffing would be met. Chief Gracia stated that by adding the additional personal to his command staff, it allowed for each division to be successful and did not set any of them up for failure. (R. Gracia, personal communication, April 22, 2008.

DISCUSSION/CONCLUSIONS

In closing, there have been great strides made in the effort to train officers in various areas to reduce liabilities. The current trend in law enforcement is to reduce liabilities and for departments to run efficiently. Departments must start to look at themselves and how the department administrators run the department.

Throughout this paper, examples are given for reasons to add additional supervisors and to add additional administrators. The adding of these positions is proven to reduce department liabilities and to add to how efficiently the department's operations are carried out. Administrator jobs are to ensure that the policies for the department are reviewed and revised as needed. If the proper amount of administrators are not on staff, the department's efficiency will be reduced because there is no one in place to ensure that the proper policies are followed. When efficiency is reduced, the liability is increased. Department administrators need to continue to provide guidance to the rank and file by administering policy and procedures.

The survey that was conducted of persons from the community indicated that the public is concerned about officers receiving the proper training. The females surveyed wanted the officer to arrive on the scene as quick as possible. The females stated that

it makes them feel better just knowing that the officer is there. The males in this survey stated they thought that a better-trained officer would know what to do in any situation. The correlation between training and reduced liabilities runs together. An officer with the proper guidance and training lower the possibility of a lawsuit. Officers look to the administration of their department to guide them and to be an example of what is not just accepted, but what is right.

REFERENCES

- Birzer, M. L. (June 1996). Police Supervision In The 21st Century. *FBI Law Enforcement Bulletin*, 65(6), 6-10.
- Donerner, W.G., & Dantzker, M.L. (Eds.). (1999). *Contemporary Police Organization and Management Issues and Trends*. Boston: Butterworth-Heinemann.
- Mastrofski, S. D. (May 2007). Police Organization Management Issues For The Next Decade. *National Institute Of Justice*, (218584), 13-15.
- Zealey, S. (1997) *U. S. Department of Justice*. Steubenville Police Settlement. Retrieved March 8, 2008, from <http://www.usdoj.gov/crt/split/documents/steubensa.htm>
- Vaughn, M. S., et al. *Crime & Delinquency*. *Sage Publications*. Retrieved February 21, 2008, from <http://cad.sagepub.com/cgi/content/abstract/47/1/3>

APPENDIX

Community Survey 2008

When it comes to your Law Enforcement Agency please rank 1-5 what is the most important to you.

- _____ Response Time
- _____ Proper Training
- _____ Reduced Liabilities & Efficiency
- _____ Appearance of Officers
- _____ Community Relations