

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

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**Assessing the Need for a Structured Field Training Program  
for the Small Agency**

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**An Administrative Research Paper  
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## Abstract

Small police departments face situations that are unique in that unfilled positions can have a greater impact, percentage wise, than do those in larger departments. One open position may be as much as a twenty percent reduction in manpower in these departments. Filling that patrol position as soon as possible and getting that officer on the street sometimes overrides the known long term benefit of an established training program. The purpose of this paper is to show that an established field training program(FTP) is as beneficial to the small department. A literature review and a survey of departments serving a population of less than 10,000 was done to determine the current use of FTPs and demonstrate the benefit to any department. Research shows that departments with as few as 5 officers are successfully using FTPs. The benefits are obvious to use of an FTP: reduced civil liability, standardized training, and better employee performance. The constant call for a professional department from today's society, no matter what size, will be answered by the use of and FTP

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## INTRODUCTION

The small law enforcement agency faces challenges every day that are specific to small agencies. Budget restraints and manpower issues are factors that can have the potential to have a greater impact on the small agency than the larger agency. The '80s brought on the need to do more with less for everyone and police departments were not exempt. According to a recent US Department of Justice Report, seventy-six percent of the law enforcement agencies have eleven or less sworn officers (Reaves & Goldberg, 2000). Times in Texas have changed from when a new hire was issued a gun and badge then had a year in which to complete the police academy. The State of Texas requires over 500 hours of training and many agencies require training beyond this in a Field Training Program (FTP). Sir Robert Peel suggested in the early 1800s that "training of the proper persons is at the root of efficiency".. The community served expects trained police officers. The courts expect trained police officers. Failure to produce trained officers can result in civil and possibly criminal litigation. Our society has become more litigious and police departments are viewed as having deep pockets. At the very least, the public perception of the police department can be negative. The lack of structured training programs for newly hired officers is detrimental to any department.

The purpose of this research is to assess the need for a structured FTP for an agency serving a population under 10,000 and it will demonstrate the FTP can provide legal protection for the officer and department. Also to show that implementing a structured FTP in these small agencies is advantageous not only to the department, community, but also to the officer.

The questions then are: Is there a need for a field training program in these smaller agencies? Can the smaller agency reap the same benefits from an FTP as the larger agencies? The research method will include a literature and publication review. Sixty law enforcement agencies in this category will be surveyed and these results included. The survey will determine if, and what type of FTP is being utilized and if not, the reasons why. It is expected that the survey will show a majority of these agencies do not have a structured FTP. It is believed the main reason will be economic based. The police chief in Buffalo (New York) has been quoted as needing to cut the FTP from fourteen to four weeks due to lack of funding and street level manpower shortages (Westmoore, 2004).

It is believed that the research will prove invaluable for the officer, agency, and community. The better trained officer is more efficient and responsive to the community being served. Law enforcement officials are able to use the FTP as a tool to not only produce better trained officers but to provide protection, both internally and externally, to civil litigation. Public perception of a department can be improved by fielding a better trained officer.

## **REVIEW OF LITERATURE**

Published literature on FTPs seemed to become more prevalent in the early 1970s. The President's Commission on Law Enforcement and Administration of Justice, published in 1967, was a catalyst for FTPs. This may have been in conjunction with the period of civil unrest that occurred during that time. The establishment of the San Jose Model for an FTP occurred in the early 1970s. This was done in response to training academies becoming more of an academic oriented training and not a practical "hands

on” type training. Saunders wrote that if no FTP is available, then the recruit will only be exposed to a variety of experiences without gaining a significant understanding of them. It allows for a systemic approach that reduces the likelihood of retaining unqualified officers, reduces the possibility of personal biases, improves effectiveness of the officer, and quality of service (Unsminger & More, 1990). The FTP allows for a standardized system not only to rate the recruit but to also provide him with quality field training. It also allows the recruit to gain knowledge, skills, and ability (Unsminger & More, 1990).

The most associated court case addressing the need for field training programs is *City of Canton v. Harris* (489 U.S. 378, 109 Supreme Court, 1197). This case, heard by the US Supreme Court, ruled that a city may be held liable for failure to train its employees properly. The Court required that training be adequate, and amongst other things that it evaluates adult learning experiences (TCLEOSE, 2004). It also held that officers be trained in core duties (Peters & Brave, 1993 ). This training should be in the form of a written policy and should include a written record for documentation. Chapter 42 of the United States Code Section 1983 liability does not imply that a governing body is automatically responsible for an employee’s action or lack thereof. What it does do is make the plaintiff show that the employee was acting under policy. One of the areas covered in a structured FTP is policy. It is important to have a written set of policies to train the recruit with. More importantly, the commitment of the chief executive officer of the department is imperative for the success of an FTP. An example of this could be given from *County Commissioners v. Brown*, 117 S.Ct. 1382 (Nelson, 1997). Brown pleaded that injuries received from the actions of a deputy sheriff were a “policy” set by the sheriff based on the fact the sheriff hired the deputy. Brown contended that the

deputy was hired despite having misdemeanor convictions that would have been shown in a background investigation. There are two types of direct liability involved in training. Direct liability is the result of an action by the person. Vicarious (indirect) liability is the action of a person taken based on training that was negligent. Other examples of negligent actions include the following; negligent hiring, negligent retention, negligent assignment, negligent entrustment, and negligent supervision. There are other types of negligence but these are the most common. Poor initial training leads to lack of confidence which in turn leads to negligent admission and negligent retention (Haider, 1990). All of these can be overcome with a quality FTP.

Civil liability is not confined to actions of a department to the public; it can also come from within the department. *Fadhl v. Police Department of the City and County of San Francisco*, 741 F.2d 1163, 1166 CA9, 1984 showed the need for documentation in termination proceedings. *Fadhl* charged that her dismissal was based on her sex. Due to strong documentation, the court held that she was terminated based on her lack of response to training. Had the evaluations not been documented, the outcome may have been different. A similar reference can be seen in *Kidd v. Illinois State Police*, No. 89 C 8504, 1997WL 361140 (N.D. Ill). Other court decisions include *Popow v. City of Margate* (D.C., N.J. 476 F Supp.1237) and *Owen v. City of Independence*, 445 U.S. 622, 1980. In *Popow v. City of Margate*, a lawsuit, filed over a deadly force incident, proved costly to the City. Margate, a largely residential area, had not provided officers with firearms training in urban settings or lowlight conditions. The City contended that additional training was too costly. The Court ruled that the City was negligent in providing training. While *Popow* is not directly related to the FTP, it does set a

precedent in determining liability for training issues (Blaz, 2004). In 1994, the City of Lombard Illinois was sued for wrongful termination by a probationary police officer. The ability of the City to show daily training evaluations and the overall quality of the FTP was instrumental in showing objectivity, thereby exonerating the Department (Kutzke, 1999).

So what is the ideal FTP? The most familiar FTP is the San Jose model. This was developed in 1972 by officers with the San Jose Police Department (SJPD). The program was developed in response to an officer involved traffic accident and the subsequent lawsuit that followed. The officer was relatively new to the SJPD and despite performing poorly, was released from training and placed on the street. The officer had below average ratings in the training program and, due to inadequate documentation, was not terminated. The officers who developed the SJ model built it on the idea that the FTP is a behaviorally based training progress. It is important that the FTP be tailored to the individual agency (Bevering, 1999). The selection of the Field Training Officer (FTO) is the base of the program. The selection process should be rigorous. A FTO candidate should have the personal and professional desire to be an FTO. This author has heard numerous times, “forget what you learned in the academy, I’ll show you how it’s done on the street.” If the FTO is has a poor attitude, or is not capable of performing the tasks required of the assignment, the recruit will be affected and the poor attitude or lack of skills will be carried on to the next generation of officers. Character traits such as high morals and ethics, patience, and communication skills are all needed. The FTO should also be an exemplary officer. FTO should be trained in the tasks of training, coaching, and evaluating. Because of the additional expectations of



the FTO, this author believes that additional compensation should be made for the assignment. The FTP also allows the agency to identify undesirable traits of the recruit that may not have been apparent during the interview process. This can allow the agency to keep an individual from realizing that he is not happy in his job and the community and the agency from having to contend with less than acceptable performance and a bad attitude later in the recruit's career. The low morale exhibited by this type of officer is contagious. This should also be a consideration in the FTO selection process. As stated previously, the commitment of the chief executive officer of the agency is necessary for the success of the FTP. This includes termination of the recruit upon recommendation of the review board. It makes fiscal sense to cut the losses and potential liability. Tough, sometimes not politically correct, decisions need to be made. Once again, a structured FTP is imperative. The practice of standardized recruit testing is a vital part of policy and procedure training. This is an absolute way to determine the level of knowledge the recruit has of these topics and if the recruit comprehends the training. It removes questions of discrimination against any particular recruit as they are all taking the same test. An interesting note to this is that under the Texas DPS FTP, the FTO also takes the test. An assignment to different FTOs allows the recruit to gain different understandings of the different situations that the recruit is exposed. Each person learns in a different way just as each trainer trains in a different way. Also, it makes the recruit conform to the objectiveness of the FTP rather than finding out what satisfies one particular FTO. The review board displays objectiveness to the entire process. The board can perform a dual role; one of checks and balances

and reviewing the entire process (Kaminsky, 2002). The board also has the opportunity to get feedback from the recruits themselves.

The benefits of a structured FTP have been proven. It is important to remember that the FTP should be specific for each agency and their specific situation. The FTP should be evaluated periodically to ensure that the desired results are being obtained. The standardized training gained from the FTP will allow for a better equipped police force. The structured FTP has been proven in court as shown above.

## **METHODOLOGY**

The purpose of this paper is to determine if small agencies are utilizing a structured FTP and prove the benefit of an FTP. It is believed that most small agencies do not utilize an FTP in their training that includes a written evaluation, recruit testing during the training period, training for FTOs, rotating FTOs, and a review board, or even any combination of these. It is also hypothesized that the main reason for this is budget restraints. On the opposite hand, it is believed that those departments that do include an FTP for new hires do so for civil liability. A written questionnaire (Appendix 1) was sent out to sixty Chiefs of Police in the State of Texas and the returns were analyzed. Sent along with the questionnaire was letter to the Chief of Police explaining the reason for the questionnaire and how the information would be utilized. The agencies will be randomly selected from known cities serving a population of 10,000 or less. Department size is not a selection factor. The agency addresses were obtained from the Texas City Officials Directory. A minimum of thirty returned questionnaires will be needed to complete the survey. Thirty-nine questionnaires were returned. The information gained from these questionnaires will be analyzed initially by whether the

agency has an FTP or not and the number of sworn officers. Those agencies that have an FTP will be further compared by a description of their respective FTP, benefit of having an FTP, length of the FTP, and applications specific to their FTP. The agencies who do not have an FTP will be categorized based on the reason why, and if implementation of an FTP is planned in the next year.

## FINDINGS

Sixty-five percent (39) of the surveys were returned. The survey results showed that 84% of the respondents had some type of an FTP program. The majority (53%) of agencies responding counted between six and ten sworn officers (figure 1).

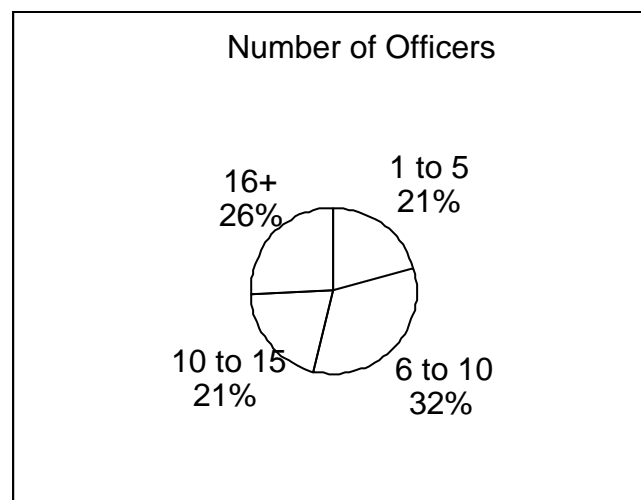


Figure 1

Survey results showed that 48% of the Agencies had a FTP that was best described as a fully encompassed program, that is; written evaluations, recruit testing during the FTP,

trained FTO's, FTO rotation, and a review board. Chiefs listed civil liability, better consistency in training, documentation of training, or other factors as reasons for having an FTP. The main benefit (87%) from the FTP given by Chiefs was a combination of these five. When asked to rate the by the most important benefit, Chiefs listed better consistency in training as the number one benefit (figure 2).

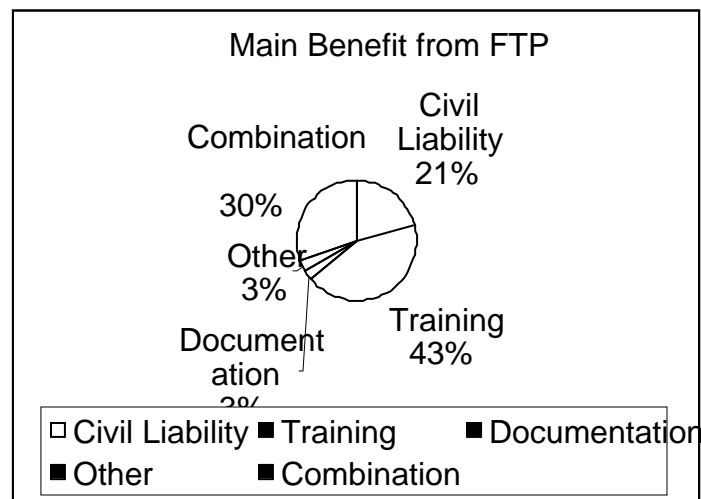


Figure 2

Overall 28% stated that they gave feedback to the training academies that produced the recruit. Interestingly, three of these had no FTP. 51% of respondents stated that they had used written evaluations to terminate recruits. Out of the six agencies not using an FTP, five stated that they were not planning to implement a training program in the next year. The number one reason given by agencies for not having an FTP was lack of manpower (66%). An interesting point here is one of these agencies has 16 or more sworn officers. One of the respondents stated that budget restraints do not allow them to have an FTP. The other respondent stated no need for an FTP.

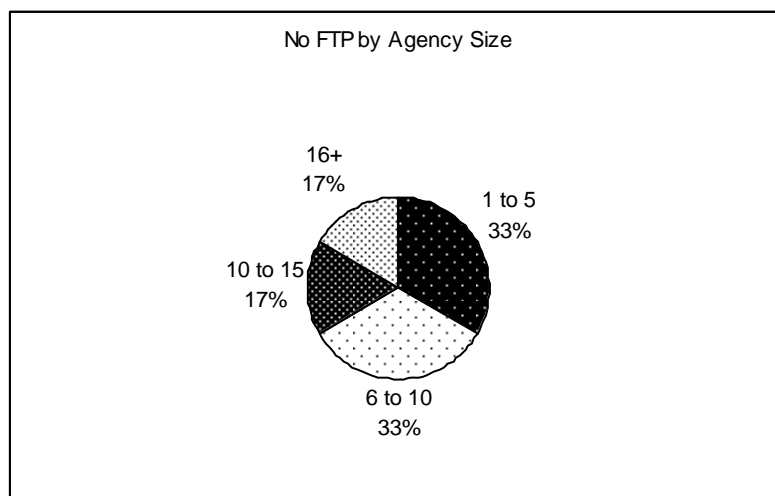
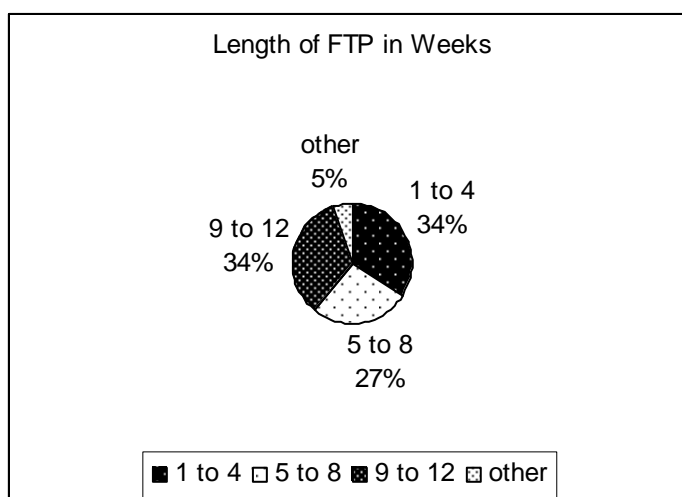


Figure 3

Six out of the eight questionnaires returned from agencies with 1-5 sworn officers stated they had no FTP (figure 3). 84% of the agencies with sworn personnel between 6-10 officers had an FTP and 87% of the agencies with 10-15 sworn personnel had an FTP. 90% of the agencies with the largest number of sworn personnel (10-16) had an FTP. One-third of the respondents stated that their FTP was between 1-4 weeks in length. Five to fourteen weeks was also given by 1/3 of the Chiefs.

Figure 4



Twenty-six percent listed their FTP as being between 9 and 12 weeks (figure4). Chiefs stated that training was the number one reason for having an FTP. Fourteen of the Chiefs stated that civil liability was either the main reason or one of a combination of reasons for having an FTP. Of these fourteen, six were departments with more than 16 sworn officers. It is believed that even though Chiefs listed training as the greatest benefit of an FTP, this training will result in better trained officers thereby reducing civil liability.

## **DISCUSSION/CONCLUSIONS**

The influence of field training is even more profound than recruit school. (Saunders, 1970 ) The facts supporting the benefits of an FTP in any agency have been presented above. There is not an exemption in the court system for agency size in legal proceedings. It was originally hypothesized that a majority of law enforcement agencies were not utilizing an FTP and that these agencies would list budget constraints as the main reason. The departments that answered the questionnaire proved that the use of an FTP is higher than was anticipated. For those agencies not utilizing an FTP, the number one reason given was lack of manpower. It was initially hypothesized that budget restraints would be the reason given for not utilizing an FTP. The lack of personnel however, may be budget related. However, department size did not appear to affect the use of a structured FTP. Another benefit to a structured FTP may be in the area of officer complaints. The numbers of citizen complaints against officers are

reduced if officers receive a more quality training (Simmons, 2002). It can be said that a structured FTP is the basis for this training.

Kaminsky (2002) wrote that the use of FTPs can be hazardous. Issues such as evaluating recruits more than training them, programs that are too short or long, inexperienced FTOs, and personality conflicts may contribute to the failure of an FTP. It does appear that using the guidelines discussed in this paper can help resolve these potential problems. Each agency should tailor the FTP to its specific needs. Based on the responses given by smaller agencies utilizing an FTP, they have managed to do this and improved their training overall.

The benefits for the agency are numerous. They include an evaluation that is accepted, reduces lawsuits from negligence issues, cost effective in the sense of identifying training deficiencies and allows for dismissal of unqualified recruits, and allows for the standardization of training in the agency amongst its officers. The FTO benefits by displaying leadership skills that may lead to promotions, is motivated by being included in the departments future, and becomes a more competent officer. The phrase of "those who teach, learn" is applicable in this situation (Kaminsky, 2002). The trainee also benefits from this program. A standardized training agenda, positive role models, and the realization of why things are done a particular way all benefit the trainee under a structured FTP.

There will always be department heads that will never implement an FTP. Maybe it is because the agency has not been sued or the department head does not feel that he and his agency may benefit from implementation. Unfortunately, these executives may never realize the benefits listed, or not. The department that does

utilize a structured FTP will reap the benefits as described throughout this paper and more.

In conclusion, the small agency can benefit from a structured FTP. It has been shown that small agencies, even those with fewer than 5 officers, have been able to utilize a structured FTP. The tailoring of a structured FTP to each agency is a must. As stated earlier, 76% of police departments in the United States have 11 or fewer officers. The costs of such a program are nominal when one looks at the benefits gained. These costs can quickly be dwarfed by a civil litigation award. The community served expects better trained police officers. It is up to the department to meet these expectations.



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## Appendix 1

- 1) Do you currently have a Field Training Program(FTP)?  
☐ Yes ☐ No
- 2) If **not**, do any of the following reasons apply?  
☐ Lack of Manpower(A) ☐ Budget Restraints(D)  
☐ No Written Program/Policy(B) ☐ No Trained FTO's(E)  
☐ Do Not Need(C) ☐ Other \_\_\_\_\_(F)
- 3) Of the above listed reasons, what is the number one reason, why not?
- 4) If **yes**, what best describes your FTP?  
☐ A short orientation, map, and car keys  
☐ Pairing the Recruit with another officer on the shift to be worked?  
☐ A written evaluation for a specific time period?  
☐ Written evaluations, Recruit Testing during the FTP, FTO training  
Different FTO assignments, Review Board
- 5) If **yes**, do you see benefit in the following areas?  
☐ Civil Liability ☐ Better Documentation  
☐ Better Consistency in Training ☐ Other \_\_\_\_\_
- 6) Of the above, what is the number one reason you have an FTO program?
- 7) If **yes**, how long is the FTP?(please mark the closest)  
☐ 1-4 weeks ☐ 5-8 weeks  
☐ 9-12 weeks ☐ Other \_\_\_\_\_
- 8) Does your Department give feedback to the training academies that produce your recruits?  
☐ Yes ☐ No
- 9) Do you monitor your FTO's and their evaluations?  
☐ Yes ☐ No
- 10) Do you monitor your recruits and address deficiencies through additional training?  
☐ Yes ☐ No
- 11) Have you used the FTP evaluations to terminate a recruit for not responding to training?  
☐ Yes ☐ No
- 12) If you **do not** have a structured FTP, do you plan to implement such a program within the next year?  
☐ Yes ☐ No