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The Impact of Texas Commission on Law Enforcement Officer Standards
and Education (TCLEOSE) Certification on Small Municipal and County
Level Agencies in the Texas Panhandle

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ABSTRACT

Training is an important issue for all law enforcement agencies. The ability of small and rural agencies to meet required state training mandates, and to provide necessary specialized training, has been a specific concern for some time. It was hypothesized that smaller agencies have a difficult time meeting standards and providing additional specialized training to officers.

To examine this issue a survey of law enforcement agencies in the Texas Panhandle region was conducted. The survey focused on training budgets, the level of specialized training attained and resource sharing. It was discovered that all agencies responding to the survey had adequate budgets to provide mandated and specialized training, even though budgets and the degree of specialized training varied among agencies. Municipal departments tended to have higher training budgets and a higher degree of specialized training than county agencies. In addition, all agencies responding indicated that they would be willing to share training resources as a means of maximizing potential gains.

It is concluded that all agencies responding to the survey have adequate resources to provide required and supplemental training. Failure to obtain training goals is most likely due to the misallocation of resources. Therefore, agencies that are struggling to meet and improve training need to review their operating procedures for possible revision. Responsible and creative training management could provide a number of benefits, to include: better trained officers, reduced liability; better service to the public; and improvements in recruitment and retention.

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Introduction

One major problem facing Police Administrators in America is training (Trautman, N. E.,1986). Beginning with the formation of the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) in 1965, the state of Texas mandated that police officers must meet specified licensing requirements. The State made certification mandatory in 1969 but neglected to establish a provision to provide funding for this mandatory training. This lack of funding provision places a hardship on county and local governments to provide for this training.

This research paper focuses on nine municipal and county law enforcement agencies. Information regarding training budgets, personnel and specialization of these persons is collected via a survey.

This research should demonstrate that police officers in small municipal departments generally lack formal or advanced specialized training. It should also show that most small departments have limited funds to provide this training. More importantly the research conducted should prove that the dilemma of keeping officers trained for the future lies with the departmental supervisors and leaders. They must effectively budget and lobby their city council for approval of the budget proposed for training. They must use innovative ideas to provide specialized and in-service training to their officers, and show that the failure to do so will result in constant turn over of employees.

Review of the Literature

Nationally most local police departments are small; about half of the Nation's departments employ fewer than 10 commissioned officers. Ninety one percent of all local police departments maintain fewer than 50 sworn officers, and 90 percent of the Nation's police departments serve a population under 25,000. (Falcone, Wells and Charles, 1992) Precisely what is meant by the term "small department"? The truth is "... No typology of police departments by size exists. Therefore no common definition of small town or rural police exists. (Sims, 1988) An observation from the writer of this report that there is no common denominator in the explanation of small town or rural police agencies other than one owns perception of what is small town and rural to them. For the purposes of this research paper, the term "small department" is defined as any municipal or county law enforcement agency staffing less than 30 commissioned officers.

The lack of funding to provided to these small institutions for the training mandated by the Texas Commission on Law Enforcement Officer Standards and Education has created several problems. Budgets tend to be the limiting factor for providing the required and/or specialized training. However, when ill-equipped officers are placed into the field, a secondary problem of civil liability can arise. (Gradstaff vs. City of Borger, 1985)

Throughout the literature studied, the limited budgets, the quality of training (trainers and facilities), and human resources are the common denominators. These three factors can lead to serious liability.

The liability issues of a small agency can be far reaching. In the case of Grandstaff vs. Borger (1981) there were six officers from the Borger police department'

involved in a wrongful death suit. A ranch hand been mistaken for a fugitive, when he did not show his hands he was shot and killed. Through out the suit and its appeals several references were made to the indifference and failure to train its officers. The civil right suits brought under 42 U.S.C. 1983 are increasing on a daily basis; while the majority of them are routinely dismissed, many police administrators and municipalities have found paying large sums of money for judgments involving their personnel. In the case of *Grandstaff vs. Borger* the sum was six million dollars awarded. This payout crippled the city of Borger for several years affecting pay, equipment and the betterment of the community. This court decision also found that the City of Borger was ". . . grossly negligent in providing training.. ."(*Grandstaff vs. City of Borger*, 1985) of their officers.

There is not much published as to specific training for small agencies, other than the repeated notion that it should be a very necessary part of a small agency. While most of the literature researched surfaces the issues of budget, human resources and training quality, they do not truly answer the question as to how a small agency, no matter how rural, can effectively train there employees to save them from liability issues and create professionalism among it officers. While the liability issues may only arise sporadically in a small law enforcement organization, the issues are still there and will not go away with out proper training in police work as well as departmental policy and procedures. Ignoring training in a small or rural area will only cause a supervisor and his personnel litigation grieves as well as emptying the coffers of his city or county. (del Carmen, 1991). Liability issues are the single most important reason for a small city to train its officers. Given the major influence that budgeting, human resource issues, and training quality have on training, each warrants further individual recognition.

Budgeting

Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) mandates 40 hrs every two years for all certified officers. The small city department must adequately budget funds. The budgeting process must include several items when considering a training budget. Travel, housing, food and tuition all must be considered when setting a budget for the training year.

Travel, food and lodging can destroy the budget for training in a small city or a rural county sheriffs office. Departments that choose to send officers 300 to 1000 miles from home to train must consider there specialized training carefully or deplete there funds.

An observation of this writer is it currently costs \$125.00 a day for an officer to attend an external training seminar. This covers the cost of travel, food and lodging if the mode of transportation is a motor vehicle. (NOTE: Using commercial airways could increase the cost dramatically.)

Training cost varies greatly from one department to another. In a 1988 survey Robert G. Phillips states, "One fourth of the agencies surveyed budgeted \$725.00 or less annually for training, while another fourth budgeted between \$725.00 and \$2500.00. From 6% to 8% of a police department's efforts should be funneled into training. (Phillips, 1988) Given the current costs for external training, it behooves a department to seriously consider the cost benefit of training an employee in the requested training area.

Training Quality

The researched literature identified several causes of poor training quality.

Among them are the following:

- 1) Incomplete or Non-Practical Training Topics
- 2) Poor Instructors
- 3) Poor Training equipment and facilities or complete lack thereof
- 4) Continuing education

Often, police training curricula may not cover major areas of human relations and communication such as rape, internal communication, victim/witness control, basic communication with citizens, adult and juvenile behavior, and bizarre behavior, such as a citizen mowing his lawn at midnight simply to annoy his neighbors. (McBride, Lynch and Thibault 1979). This incomplete or non-practical training content does very little to prepare the law enforcement agent for the reality of police work. TCLEOSE has pushed for this deficiency to be remedied by mandating 40 hours of training every two years where the following items are covered: sexual assault, cultural diversity, child abuse and special topics such as domestic violence. (TCLEOSE 2000)

Training programs often recruit instructors pulled from the field, and command staffs. While these individuals have often spent large numbers of years on the job, their knowledge of current research, or other contemporary findings is limited. Other training efforts rely on academic professionals who are more than equipped to talk about the current research findings of specific topics but lack the professional work experience to relate those findings to the field. Without the relation of theory to practice, most law enforcement trainees are left unfulfilled. One way to circumvent this training quality

problem would be to strike a balance between the field officer and the academicians in training the young officers.

Lack of and/or quality in a training facility can also lead to ill-equipped law enforcement agents contributing to increased liability for the department. In rural communities where facilities are limited, training may take place in the basement of jails, gyms or auditoriums. These types of environments can provide limited comfort and reduce attention span of the participants. Isolated and secure facilities for training such as multiple weapons training (including gas) and defensive driving training skid-pads are needed. Small departments tend to have very limited access to these type facilities. With changing technology, it could be possible to increase attention span and knowledge retention if access to multimedia equipment was readily available. (Trautman, 1986)

Lastly, not providing continuing education services for officers can also lead to an increased liability. Times change and departments could minimize the impact of this contributing liability factor by offering continuing education to their officers every six months to a year to keep him current and to give him confidence in the job he is doing. (McBride, Lynch, Thibault, 1979)

Human Resources

Small communities tend also to suffer from human resource concerns. These constraints are a large problem for smaller departments. For example, if a department plans to send an officer away for a week of specialized training, it is faced with the question of how resource the officers' duties and responsibilities. In many small department the answer is to continue working short handed, or take calls on their off duty

time. Some departments are able to pay overtime for officers to cover the shifts while other officers are away for training. Unfortunately this reverts back to the problem of budgeting. When money budgeted for overtime is depleted to cover the additional expense of overtime, the training budget is at risk. To pay for the additional overtime, a department could tap into the training budget. This limits the further training requirements of the department.

Methodology

It was hypothesized that municipal agencies of less than 30 sworn officers generally run into problems funding the required training mandated by TCLEOSE and furthermore that the practice of resource sharing with respect to training could decrease the burden of funding. To test this hypothesis, a survey was composed to capture budget and training information from small and rural municipal and county departments. The survey consisted of written questions to gather statistical information from each law enforcement agency surveyed. A total of 30 agencies were polled by faxing the questionnaire to the departments. Out of the thirty departments surveyed eight agencies responded, yielding a 27% response rate. All of the departments surveyed were within the confines of the Texas panhandle.

The information was analyzed by comparing the average training budgets per officer from municipal agencies to county level agencies. This stratification by type of agency was also performed for the rates of specialized training and for the responses to the willingness of the agency to share human resources.

Findings

Table 1 demonstrates the total training budgets and the average training budget per officer for all the surveyed agencies. This table shows that the largest average training budget per officer originate from the municipal rather than the county level agencies. The table also identifies the range of average training budget per officer as ranging from \$357.14 to \$1385.71.

Table 1: Average Training Budget per Officer

Type of Agency	Total Training Budget	Total Number of Commissioned Officers	Average Training Budget per Officer
County	\$5400.00	11	\$490.91
County	\$5400.00	11	\$490.91
County	\$5000.00	14	\$357.14
Municipal	\$4000.00	6	\$666.67
Municipal	\$16000.00	25	\$640.00
Municipal	\$9700.00	7	\$1385.71
Municipal	\$11000.00	20	\$550.00
Municipal	\$8000.00	8	\$1000.00
Overall Totals	\$645000.00	102	\$5581.34

Table 2 demonstrates the rate of specialized training for all the surveyed agencies. This table shows that the highest rates of officer specialization tend to originate from the municipal rather than the county level agencies. The range of specialization rates observed is from 0.00% to 87.50%.

Table 2: Officer Rate of Specialized Training

Type of Agency	Total Number of Commissioned Officers with Specialized Training	Total Number of Commissioned Officers	Rate of Specialized Training
County	0	11	0.00%
County	6	11	54.55%
County	2	14	14.29%
Municipal	3	6	50.00%
Municipal	12	25	48.00%
Municipal	5	7	71.43%
Municipal	6	20	30.00%
Municipal	7	8	87.50%
Overall Totals	41	102	40.20%

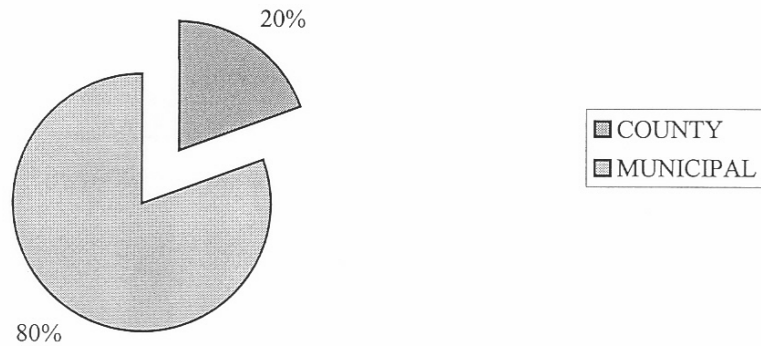
Table 3 contains the results to the survey questions concerning an agencies willingness to share human and other resources with respects to training. This data demonstrates that 100% of those offices surveyed responded positively to the notion of sharing training with other agencies. The table also shows high-level ideas for implementing such collaborative measures.

Table 3: Responses to Willingness to Share Human and Other Resources and the Methods of such Sharing

Type of Agency	Answer to would you consider sharing training?	Methods of implementing the shared training.
County	Yes	Share training facilities and/or training personnel.
County	Yes	No response
County	Yes	Share training facilities and/or training personnel.
Municipal	Yes	Leverage areas of expertise in other departments and combine funding.
Municipal	Yes	Cooperative agreements with other municipal or county agencies.
Municipal	Yes	Share training facilities and/or training personnel.
Municipal	Yes	Cooperative agreements with other municipal or county agencies.
Municipal	Yes	Cooperative agreements with other municipal or county agencies.

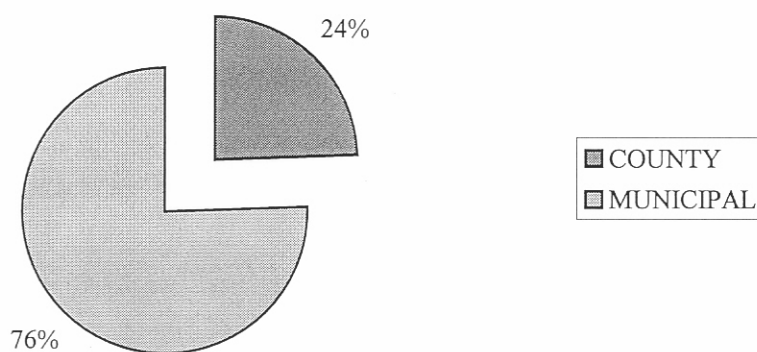
The following figure demonstrates the percentage of the total budgets that are accounted for by municipal and county agencies. The data displayed demonstrates that of the total budgets reviewed, 80% of the budget is attributed to municipal agencies while only 20% originates from county level organizations in the Texas panhandle.

Figure 1: County vs. Municipal Budgets as a Percentage of the Total Budgets of all Surveyed Agencies



The following figure demonstrates the results of stratifying the number of specialized officers as a percentage of the total number of officers surveyed. The data displayed demonstrates that of the total number of officers surveyed, 76% of those that are specialized, originate from the municipal agencies surveyed while the remaining 25% are accounted by county level agencies in the Texas panhandle.

Figure 2: County vs. Municipal Rates of Specialized Training as a Percentage of the Total Number of Surveyed Agencies



Conclusion

The data displayed in this research paper clearly disproves the first part of the hypothesis that states “.. .municipal agencies of less than 30 sworn officers generally run into problems funding the required training mandated by TCLEOSE...”. Table 1 demonstrates that the largest training budgets originate from the municipal agencies rather than county level agencies. The original hypothesis stated above, was developed through personal observations of this writer and the interpretation of the literature reviewed. It was believed that the mandated training by TCLEOSE in conjunction with the lack of funding provisions to provide this training, combined to place an undo hardship on the municipal governments. This assumption was negated by the interpretation of the data displayed in Figure 1. The percentage of the average training

budget per officer is higher in the municipal agencies rather than at the county level agencies. This does not explain the personal observations that lead to the initial hypothesis posed. Upon further reflection, one explanation of this discrepancy between expected and actual results could be explained by misappropriations of funding at the municipal level. Such misappropriations may include specializing the work force in areas that are unnecessary at the municipal level. Table 2 and Figure 2 work to support this potential explanation. These data demonstrates that rates of specialization are higher at the municipal level than at the county level. Further research is required to determine if the specializations identified are actually necessary for the agency or are instead extraneous expenditures. The survey conducted in this research paper was not designed to gather information as to the need for the area of specialization but rather only if any specialization existed.

The second part of the proposed hypothesis stated”. . . that the practice of resource sharing with respect to training could decrease the burden of funding.”. While this aspect of the hypothesis is an economically sound principal, the data simply demonstrates that there is an overwhelming willingness of agencies to cooperate with one another to provide training. The data does not indicated either a decrease or and increase in any associated monetary funds. Further investigation is required to provide information as to whether such cooperative efforts will in fact save agencies any money at all. Additionally, the data presented in Table 3 shows that while there is a desire to work collaboratively with other agencies, those same agencies did not propose solid methods of resource sharing that could lead to beneficial results. Rather, they simply yielded

high-level, lofty suggestions like “.. .Share training facilities and/or training personnel.” and “.. .Cooperative agreements with other municipal or county agencies.”.

In conclusion, while the above mentioned findings support the notion that municipal and county level organizations could pool training budgets and increase specialized training in county level agencies through collaborative efforts, the data also identify the need to establish clear and fair measures to carryout such collaborative training efforts in the Texas panhandle.

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