

THE BILL BLACKWOOD
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS

Proposed Educational Criteria
for the Harris County Sheriff's Department

A Policy Research project
Submitted in Partial Fulfillment
of the Requirements for the Professional Designation
Graduate, Management Institute

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November 1996

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ABSTRACT

As a result of a settlement of a recent lawsuit against the Harris County Sheriff's Department, a new class of employees was created. Prior to the lawsuit, all employees were trained and licensed as peace officers for the department. The new class of employee that was created was that of a civilian jailer. With this separation, it created an opportunity to reevaluate the educational standards for becoming a licensed peace officer with the Harris County Sheriff's Department.

The method used in the research of this project is the review of legal opinions, studies on the issue and surveys on the practices of other departments.

Based on the research, it will be recommended that the Harris County Sheriff's Department change its educational criteria for licensed deputy sheriff from that of a high school diploma or G.E.D. to a minimum of 60 college hours with a "c" average. It will recommended that all current licensed officers with the department be grandfathered into the requirement, but must meet the requirement for any promotion or transfer. This policy would also allow the civilian jailer to qualify to be licensed once they meet this requirement.

Introduction

The purpose of this research is to set the educational requirements for becoming a deputy for the Harris County Sheriff's Department. At the present time, the educational requirement for the department is a high school diploma or a G.E.D.. The issue to be examined is whether this requirement should be raised to sixty college semester hours. This issue has been raised as a result of the settlement of a lawsuit. The lawsuit centered around the passing score of the reading comprehension test given to applicants. In the settlement of the lawsuit, two passing scores were established. The higher score allows the applicant to become a licensed deputy and the lower score created a new class of employee, that of a civilian jailer. With this position now in place, an opportunity has been created to separate the law enforcement aspects of the department from the detention aspects of the department. With this separation, an opportunity exist to reevaluate and improve the requirements for our licensed peace officers.

The intended audience of this research is the Sheriff of Harris County and his command staff. With their approval, this recommendation will then be presented to the Harris County Civil Service board.

The sources of information that will be to used in this research are legal opinions, studies on the issue, job analysis

and a survey of the practices of other departments.

The intended outcome of this project is the recommendation that the Harris County Sheriff's Department raise educational requirements for becoming a licensed deputy from a requirement of a high school diploma or G.E.D. to that of a requirement of having a minimum of sixty college semester hours.

Historical and Legal Context

Although organized police departments have more than a one hundred and fifty year history, it was not until the 1910's that any employment criterion was set. The criteria was first set by August Vollmer, the chief of police at the University of California, Berkley. Chief Vollmer stated the "criteria for selection were simple and direct: high intelligence, sound nerves, good physique, sterling character, fast reaction time, good memory and the ability to make accurate observations and correct decisions" (Stinchcomb, 14). In 1918, Chief Vollmer began to exclusively hire college graduates as police officers.

The next major changes in employment standards were recommended in the 1960's. In 1965, the International Association of Chiefs of Police Council on Police Education and Training was formed. In their report, they stated " in view of changing conditions that require flexibility, basis theory, and broad

understandings, it is concluded that a wide spectrum of higher education must be available" (Stinchcomb, 15). With this report, formal education and hiring standards were started around the country.

In 1965, the Texas Commission of Law Enforcement Officers Standards and Education was formed and it was given the authority to require minimum qualifications in 1969 (Texas Advisory Commission, 2). At this time a high school diploma or G.E.D. became required to be licensed as a peace officer in the State of Texas.

The next major step in police education came in a 1967 report by the President's Commission on Law Enforcement and Administration of Justice. " In its report, the Commission expressed the belief that a college education would provide substantive knowledge and interpersonal skills that would significantly enhance an officer's ability to provide high quality, as well as equitable and efficient, service to the public" (Carter,Sapp, 8). As a result of this report, the Law Enforcement Education Program (LEEP) was created. With LEEP, applicants could obtain college grants that were repaid by years of service to a police department. In 1990, the issue of police education was again raised by Congress with the passage of the Police Recruitment and Education Program. This bill provided an opportunity for students to receive loans for college that would be repaid through years of service to a police department.

Through these different acts and commissions it is easy to

see "there has been a steady effect throughout the twentieth century to improve the quality of police and police service in this country through increasing the education level of police officers. There has been increasing recognition that post-secondary education is the most beneficial means for achieving this end" (Minnesota POST, 9).

Legally, the employment requirement of a college education have been upheld. " For example, in Davis v. City of Dallas, the U.S. Court of appeals for the Fifth Circuit upheld as job related a hiring standard for police officers of 45 semester hours of college with at least a C average at an accredited college or university, even though the requirement had a disparate impact on minorities. The court noted that educational requirements for police officers have been consistently sustained by the courts because law enforcement is a profession with a high degree of risk and public responsibility. The court also added that under Title VII of the Civil Rights Act, employers bear a correspondingly lighter burden to show that employment criteria are job-related where the job requires a high degree of skill and the economic and human risks involved in hiring an unqualified are great" (Schofield, 29).

While state and federal agencies have consistently recommended higher education for police officers and the courts have upheld the requirement of a higher education for police officers, an effort must be made to keep this policy from being discriminative. "Civil Rights advocates profess that the use of

any education requirements are discriminatory for several reasons. One of these is that many minority members do not have the same kind of opportunities as non-minorities to complete high school, college or other degree programs because of the high cost of education and inferior schools and teachers" (Avery,Faley, 252) .

Review of Literature or Practice

While there are several studies on the effect of higher education, one of the more detailed studies is one commissioned by the Minnesota Board of Peace Officer Standards and Training in 1991. In this study, the works of several authors are cited in addressing the advantages of higher education.

The Minnesota study "found that college education increases intellectual aptitude and the ability to think critically and independently, increases general factual knowledge, decreases conservatism on public issues, and produces students who are generally more open minded, less dogmatic and authoritarian, and more confident of themselves and the abilities...That college educated persons showed strong cognitive skills, emotional and moral development and practical competence ("common sense")" (Minnesota POST, 10) .

A look at policing itself also lends itself to the need of higher educated officers. "Seventy percent of a police officer's time is spent on order maintenance and service, while only about

10% is spent on actual law enforcement. Since order maintenance and service make up the bulk of the police officer's work load, and these types of functions require the exercise of discretion and require the sound exercise of judgement . . . a college degree is beneficial for peace officers, since college has been shown to enhance the exercise of judgement and discretion (Minnesota POST, 10). The need for a more educated police officer is also mandated by the fact that" the police officer is,at a moment's notice, expected to assume the professional role of counselor, social worker, mediator, psychologist, crime analyst, community leader, lawyer and numerous others, often in unstable or dangerous settings" (Minnesota POST, 11).

In January 1996,this writer conducted a random telephone survey of the educational requirements of different size departments around the State of Texas. The educational employment requirements were as follows:

Addison Police Department	30 college hours
Amarillo Police Department	High School or G.E.D.
Arlington Police Department	Associate Degree
Austin police Department	High School or G.E.D.
Beaumont Police Department	High School
Bellaire Police Department	High School or G.E.D.
Brazoria Sheriff's Department	High School or G.E.D.
Deer Park Police Department	60 college hours
Denton Sheriff's Department	High School
Department of Public Safety	60 college hours

F.B. I.	4 year degree
Fort Bend Sheriff's Department	High School or G.E.D.
Ft. Worth Police Department	High School or G.E.D.
Houston Police Department	60 college hours
Jefferson Sheriff's Department	60 college hours or hire on as jailer with promise to obtain education
Odessa Police Department	High School or G.E.D.
Pasadena Police Department	High School or G.E.D. and 12 college hours
Stafford Police Department	High School or G.E.D.
Sugarland Police Department	30 college hours
Tomball Police Department	High School or G.E.D.
West University Police Department	High School plus Basic police license

The results of this survey showed that although study after study recommends the requirement of a college education, only 39% of these departments require some type of a college education as a employment requirement. Some of the reasons for the high number of departments that do not require higher education will be addressed in the discussion of constraints and cost/benefit analysis.

Discussion of Relevant Issues

With the creation of the position of civilian jailer an opportunity has been created to separate the detention and the law enforcement divisions of the Harris County Sheriff's Department. While separating the two divisions, an opportunity has also been created to reevaluate and improve the educational requirements of the position of a licensed deputy.

The requirement of a college education is not new to law enforcement. As early as 1918, Chief Vollmer required his officers to have a college degree. Through the years, we have been presented with studies that recommend the requirement of better educated peace officers. In 1931, the Wickersham Reports saw the need for college educated officers. In 1967, the President's Commission on Law and Administration of Justice issued a report backing a college education of police officers and the report lead to the creation of LEEP. In 1973, The National Advisory Commission on Criminal Justice Standards and Goals issued a report supporting college educated officers. In 1990, the Congress addressed this issue and passed the Police Recruitment and Education Program to establish loans for college students which were to be repaid by service to a police department. The central theme of all these studies was that a better educated officer makes a better officer.

The requirement of a college education as employment criteria has also been upheld in court. In 1985, the Fifth

Circuit of Appeals ruled in favor of the City of Dallas in the case of Davis v. Dallas. In the ruling the court upheld the requirement of 45 semester college hours as an employment requirement of the Dallas Police Department.

With the adoption of higher educational requirements, the Harris County Sheriff's Department has an opportunity to offer its community better officers and a better department. This is especially important with the current shift to community policing. "Under community policing, line-level officers are given broader responsibilities and are charged with performing their jobs in more creative and innovative ways . Officers are urged to be proactive and are given broader discretion. The knowledge and skills officers are required to have under community policing appear to be tailored specifically to a college education" (Carter, Sapp 10).

As discussed earlier, only 39% of the departments surveyed in this research required some type of a college education. The results of this survey may be explained with the constraints of implementing this policy. The first constraint is merely economic. The cost of hiring and retaining someone with a college education will be higher, due to the fact that the department will have to compete with private business. The cost will not only be in salary but the added cost of actively recruiting qualified candidates. Along with the cost, "another recruitment problem (is) looming on the horizon. The percentage of the population between 16 and 24 years old will shrink from 30

percent of the labor force in 1985 to 16 percent in the year 2000" (Osborn 21).

Another constraint is that not everyone is supportive of requiring a college education for police officers. "Among these concerns are the following:

1. Many good officers do not have college degrees;
2. Many poor officers do have college degrees;
3. A degree requirement will negatively affect minority recruitment;
4. Officers with college degrees will get bored by police work;
5. Officers with degrees will expect preferential treatment;
6. College educated officers will cause dissension within the ranks;
7. Skills necessary to performing effective police service can be attained by inservice training;and
8. Police departments can not effectively recruit college graduates" (Minnesota POST 18).

These concerns however do not offset the benefits of a college educated officer. In addition there are some cost benefits to requiring a college education. In a survey of police executives the "respondents found college educated officers to be better at writing reports, better at interpersonal communication with members of their community, more apt to use discretion wisely, more sensitive to minority issues, to have fewer disciplinary problems and generated fewer citizen

complaints. (Minnesota POST 18).

There is also a cost benefit with the amount of actual work hours. Data from the National Longitudinal Survey of Youth, showed by age 27, individuals with 1 to 3 years of college education have, on average, worked more weeks than high schools graduates (Veum, Weiss 11). This increased work amount can be explained by studies that show that better educated officers "take less sick time, get fewer injuries, and have less accidents" (Minnesota POST 15).

Conclusion/Recommendations

The purpose of this research is to set the educational requirements for becoming a licensed deputy for the Harris County Sheriff's Department. This issue is relevant because of the fact that with the settlement of a lawsuit, a new class of employees was created, that of a civilian jailer. This new position has started a separation of the department into sworn and non-sworn divisions. With this separation, it has also created an opportunity to reevaluate the standards of becoming a licensed deputy with the Harris County Sheriff's Department. The issue examined is whether a college education should be added as a requirement to become a licensed deputy.

Based on the research conducted by this writer, college educated officers are more open minded, have greater factual knowledge, have stronger cognitive skills and have greater

emotional and moral development. In addition to these assets, the benefits include fewer disciplinary problems and fewer citizen complaints. College educated officers also use less sick time, have fewer injuries and are involved in fewer accidents.

It is recommended that The Harris County Sheriff's Department change its educational criteria for licensed deputy from the requirement of a high school diploma or G.E.D. to a minimum of 60 college semester hours with a "c" average. It is recommended that all current licensed peace officers with the department be grandfathered into the requirement, but must meet the new requirements for any promotions or transfers. It is also recommended that employees be assisted with shift assignments to allow them to further their formal education in order to meet the requirements to advance from civilian jailer to licensed peace officer or to advance in rank.

With this recommendation, the Harris County Sheriff's Department can legally increase its educational criteria for its licensed peace officers while giving incentive to its civilian jailers to complete their education to qualify to become licensed deputy sheriffs.

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