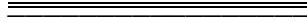
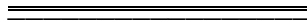


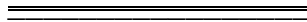
**The Bill Blackwood
Law Enforcement Management Institute of Texas**



Best Practices In Law Enforcement Promotional Processes



**An Administrative Research Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**



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ABSTRACT

Top practices for law enforcement promotional processes are relevant to contemporary law enforcement because there is a need for accountability and certain educational, experience, and licensing requirements to move up the ranks of a law enforcement agency, regardless of the size of the agency. A system of standards must be put into play or the profession may be hindered from gaining the respect of other professions that have a higher standard.

The purpose of this research is to show the differences or lack of requirements among police agencies for high command level positions, such as police chief or command staff positions in law enforcement agencies in Texas. The purpose of this research will be to recognize that a police chief in Texas, regardless of the agency size, should meet certain educational and experience requirements, similar to an attorney or doctor. The researcher discovered that there is no uniform standard of education and requirements to move up the ranks in law enforcement, including becoming a police chief in Texas.

There are police chiefs in some Texas jurisdictions that are not as qualified as other officers in other jurisdictions simply because of varying requirements on education and experience between agencies. One police agency may require a college degree to be employed, while a different agency may not. For example, Arlington Police Department requires a college degree (City of Arlington, n.d.), while the Mesquite Police Department does not (City of Mesquite, n.d.) Certain agencies require tenure in lower levels of rank prior to be promoted to the next rank, while other agencies may not. The discrepancies in requirements could lead to one chief having completely different or

fewer requirements all together than the chief in the jurisdiction who has these requirements in place. To be a chief of police in Texas, an essential job requirement should be the candidate's knowledge of law enforcement management skills.

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INTRODUCTION

Someone once heard the phrase, "If you think education is expensive, wait till you see what ignorance will cost you." Throughout history, standards and norms have been placed on certain professions within society. Educational and licensing requirements are in place for most professions in society. Doctors must attend college and medical school, lawyers must attend college and law school, and nurses must be college educated and licensed as registered nurses. A mailroom worker does not become the chief executive officer of a Fortune 500 company simply because they have worked there longer than anyone else. They must possess certain skills, obtain certain training, and have college degrees. A cafeteria worker at a major university does not have the ability to advance through the ranks to become a tenured professor unless they have completed the necessary education, residency, and student teaching.

One of the most important and influential professions in society, that of a police officer, has gone under the radar in the lack of higher education. This could be the sole reason that law enforcement has been stuck between being classified as a profession versus being classified as a vocation. If college degree requirements were to be put into effect across Texas, it would level the playing field and create a uniformed standard in all departments. The city of Boca Raton Florida considered instituting a college education requirement and found that "Requiring every officer in the Boca Raton Police Department to have a college degree would have major implications on the education level" (Comottor, 2007, p. 24). The city also found that "Instituting this policy option means that all of the officers would be on equal footing in terms of educational background and that the department as a whole would be very highly educated"

(Comottor, 2007, p. 24). The problem the research will address is the discrepancy in promotional processes among police agencies, the subjective versus objective promotional process, as well as the lack of requirements for promotions within different law enforcement agencies.

Within this research, the purpose of it will be to show the lack of requirements for higher education within the law enforcement community. The research will be an attempt to set a standard to raise the bar for executive and command level management positions in the law enforcement sector. The research will be available to the state licensing committee to help establish certain education, experience, and licensing criteria for advancement through the ranks, regardless of law enforcement agency; this process is similar to the United States military.

The methods of research for the proposed problem will be interviews conducted by both personal and telephone interviews and an examination of the Texas Government Code, Civil Service Section. Additionally, the methodology includes written and electronic data on educational requirements in law enforcement and a review of certain law enforcement agency promotional policy and procedures. A research study was also conducted and was dispersed to over 22 law enforcement agencies.

The intended outcome of the research will show that certain educational experiences and certifications should be in place prior to the opportunity to test for management level positions within law enforcement. The research will expose both professional as well as nonprofessional promotional qualifications and the lack thereof within the law enforcement community. The goal of this research is the realization of law

enforcement agencies to adopt a higher professional standard in management level positions, similar to the private and academic sectors of employment.

REVIEW OF LITERATURE

Alexander (2008) stated that law enforcement officers are the most important professionals in a democratic society. Currently, a peace officer in Texas can have an 8th or 9th grade education, pass the General Education Equivalency Test, and, after the basic police academy, rise all the way to the rank of chief of police without any more formal education. The Law Enforcement Management Institute of Texas (LEMIT) and the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) are both proactive in law enforcement training. The LEMIT programs, as well as a few others, are giving corporate level education to Texas police officers. Making LEMIT a requirement is one option the state could institute for promotional standards. The researcher cannot cite TCLEOSE requirements to become a police chief because none exists. Other professions, such as the occupation of attorney in the state of Texas, are examples of professions where there are more stringent educational requirements.

In Texas, in order to be a lawyer, one must complete a bachelor's degree from an accredited university. Afterwards, they must attend law school. After the completion of law school, they attempt to take and pass the state bar exam. Once they do, they become a licensed lawyer in Texas. However, if they want to become a specialized lawyer, such as in family law, they must obtain additional schooling and training to be "specialized" or certified by a board of legal specialization in this area (Texas Board of Legal Specialization, 2008).

Becoming a peace officer in Texas is a similar process, except the fact that one does not have to have any college. Officers have to complete a basic peace officer academy, and then they can sit and attempt to pass the state peace officer exam. Once officers do, they can become a licensed Texas Peace Officer. However, an officer's education and training can stop there, and they never have to obtain anything other than continuing education training to move up the ranks to a command level position. The state licensing agency, The Texas Commission on Law Enforcement Officers Standard and Education, leaves promotion and command level positions up to local governments.

If the state licensing board instituted certain requirements rather than leaving it up to the local agencies, this could raise the standard and unify the qualifications throughout the state. It also weeds out the officers that do not wish to work hard to obtain these credentials. The researcher will propose that, right now, in Texas, there are many officers that are voluntarily attending LEMIT and working on their education in hopes to one day become a police chief. The profession should no longer rely on the "good old boy" system. One cannot become a doctor, lawyer, or the Governor of Texas without certain educational requirements, and one should not be able to become a police chief without any either. The police chief is more or less the CEO, or chief executive officer, of a law enforcement agency. The research will show that education comparisons of a CEO and a police chief are not comparable.

The researcher believes that a big fallacy in the law enforcement community is that the majority does not realize that the general public does not see them as a profession like they see themselves. Comparing law enforcement credentials to other

professional standards in other occupations is nothing new: "Established professions such as physicians and attorneys require a substantially higher education and/or training standard than does law enforcement" (Trautman, 1988, p. 8). In fact, lawyers have been surprised when officers begin to testify and the lawyer discovers officers are educated. Justin K. Hall, a defense attorney in Texas stated, "I've sparred with some pretty good witnesses in my day; and you're right, there are plenty of cops who have a lot experience testifying in court. If I can't score any points, I won't keep them on stage very long. You just have to know when to quit" (J. Hall, personal communication, February 12, 2009).

As early as 1916, August Vollmer, commonly known as the father of modern policing, stated that police officers should have college degrees (Travis, 1995). The profession is going on close to 100 years since this was first proposed. Although some strides in the education of law enforcement have been made in general, in this country, most police officers do not have a college degree or the degree they do have is not required for them to have their law enforcement job. Less than 5% of local police departments with more than 100 officers require four-year degrees, said Louis Mayo, Executive Director of the Police Association for College Education (as cited in Johnson, 2006). One possible way to raise this percentage would be for the state to have mandatory education requirements to become a police officer and to move up through the ranks in law enforcement.

According to the army manual, there are certain requirements that must be maintained to promote to each rank. There is no handing out of stripes and gold bars because of the "good old boy" system. There are certain requirements for promotion set

in place, such as time in grade, written tests, oral interview boards, etc.

(www.goarmy.com). Raymond Fosdick, a lawyer that investigated police misconduct and profession progression problems within police agencies, addressed this system by stating the problem was "That many unskilled, unfit, and uneducated police executives were in place in many departments" (as cited in Champion, 2001, p. 85). Fosdick further pointed out that the presence of the uneducated police executives "Significantly hindered progressive reform efforts to improve departmental efficiency and effectiveness" (as cited in Champion, 2001, p. 85).

The research showed that "Many officers with higher education, frustrated by a lack of promotional opportunity, often left police service before retirement" (Stojkovic, 1998, p. 22). The entire law enforcement community in Texas could benefit from this research. For example: a captain in one agency who contacts captain in another agency to discuss tactical deployment can be assured that he is talking to a true peer, someone who has met the same requirements as he/she to obtain the rank of captain. Trautman (1988) stated, "Considerable resistance has been given by those steadfast in continuing with an insecure and unproductive manner of thinking. Those administrators who refuse to propel their agencies toward highly standardized and proficient operations are obstacles to the making of a profession" (p. 8). He is stating that police executives that are not working towards higher standards are hindering the ones that are. Trautman (1988) also stated, "many capable officers become unnecessarily frustrated due to the limited number of staff openings(promotions)," and "many of any agency's top performers will resign due to the lack of advancement potential" (p. 8).

METHODOLOGY

The research question to be examined will be whether or not there are adequate prerequisites in place in Texas for a peace officer to move up the ranks in law enforcement. The researcher hypothesizes that there are inadequate requirements for peace officers to promote in Texas. The method of inquiry used by the researcher included: a review of articles, Internet sites, journals, and a survey distributed to 23 survey participants, and telephone interviews. The instrument that will be used to measure the researcher's findings regarding the subject of top practices in law enforcement promotional processes will include a survey to law enforcement agencies in Texas and telephone interviews. The size of the survey will consist of five questions, distributed to 50 survey participants from Texas. The response rate to the survey instrument resulted in 23 returned surveys. The information obtained from the survey will be analyzed by the researcher.

The researcher will test the accuracy of some of the survey results by actually calling three of the agencies from which officers had submitted the written survey. The researcher will test the results to see if the requirements for certain positions that were marked on the written survey actually exist in reality. The perception of certain qualifications, such as having a degree for a captain position may or may not actually exist, but the agency did have a captain with a degree, which may be why the submitting officer checked this off as a requirement for that particular rank level. In the three agencies that the researcher will call to compare the results, it will be tested as to whether the three showed to have lower requirements for certain positions than were recorded on the survey. The researcher will also test to see if the requirements for

certain positions such as chief of police are left entirely up to the city manager, and if they are, whether they were subject to change each time they have a police chief opening.

FINDINGS

The researcher conducted a survey with a sample of 22 police agencies in Texas, which varied in size from six officers to 350 officers. The problem or issue examined by the researcher considered whether or not promotional processes in law enforcement in Texas are adequate. The research has shown the discrepancies, the wide range of differences, and the loosely defined requirements that are in place to move up the ranks in police agencies in Texas.

The purpose of this research was to encourage the law enforcement community in Texas to recognize and put a stop to the lack of requirements needed to hold a top level position in any law enforcement agency in Texas. The research question that was examined focused on the vast differences in educational, experience, training, and supervisor experience to promote in law enforcement agencies in Texas up to and including becoming a police chief.

The researcher hypothesized that if TCLEOSE made licensing requirements that officers must fulfill prior to be promoted to certain positions, regardless of size of the police agency, then rank would be uniform throughout the state of Texas, similar to that of the U.S. military. The researcher discovered that only one in 22 departments, or less than 1%, required a college degree to be a police officer in their department. Four in 22 required some college hours, but two of those four waived the college in lieu of any

police experience. That would show that, in the sample, roughly 10% of departments required any college at all.

The researcher also collected college requirements from the same sample for the promotion to the ranks of sergeant, lieutenant, captain, and chief of police. Other than civil service requirements that require an officer to have two years of service credit at the next lower rank, there were no requirements for education. There were no clear requirements for promotion for education, licensing, tenure, or training between the ranks of entry-level police officer and chief of police. Only one in 22 agencies sampled stated that some college was a prerequisite for promotion. That is still the same 10% that required the college hours for entry level.

One statistic worth mentioning is that only seven of the 22 sampled agencies stated a college degree was a requirement to be the police chief of their organization. Roughly, only 30% of police chiefs are required to have a bachelor's degree, and only one of the 22 sampled agencies required a graduate degree from the CEO of their police agency.

DISCUSSIONS/CONCLUSIONS

The study of top practices in law enforcement promotional processes in Texas is relevant to contemporary law enforcement because it provides a solution to the “good old boy” system and provides a suggestion to the TCLEOSE governing body to make licensing requirements for certain command level positions prior to being able to promote to those positions. Benefiting from this research could be law enforcement officers that are willing to work towards these requirements prior to applying for administrative positions could benefit from this research. The researcher is familiar with

the common adage, “The only place that success comes before work is in the dictionary.” This should be a true statement in the law enforcement community. The public should be given what is expected of law enforcement officers, which is highly trained, highly educated, and highly skilled executive police managers. Until law enforcement managers become educated and professional, the agencies that they lead and manage will not. The research showed from the results of the survey that outside, unbiased assessment centers could be used in the agencies to aid in the promotional process. Requirements for college education from TCLEOSE would level the playing field for promotions and police chief positions. Many of the most educated, and perhaps the best police officers on the street, are leaving police work because they cannot get a fair shake at promoting after they have worked so hard to do so by educating themselves. Less experienced, less educated, and less trained officers that already hold higher positions should not be in charge of the promotional process.

The research proposes that it is time for the state licensing authority to take this out of the hands of the individual agencies. TCLEOSE must step in with rank requirements and career track programs. Over time, with the implementation of more professional standards, law enforcement in Texas will truly become known as a profession, not simply a vocation. It is important to continue to push for these proactive changes until they are changed. The researcher concluded from the findings that stricter guidelines are needed to set the standard for promotions up the rank ladder in law enforcement agencies in Texas.

The research showed that police officers and police administrators in Texas with formal higher education are still in the minority. The purpose of the research was to

point out this fact and make the information available to the licensing agencies as well as individual law enforcement agencies and officers. The findings of the research did support the hypothesis. The reason(s) why the findings supported the hypothesis are due to the lack of requirements throughout different agencies in Texas, with no uniformity to standards in education, experience and training. Limitations that might have hindered this study resulted because the vast amount of information that could be obtained could not be physically obtained by one researcher, such as the fact that technically every law enforcement agency in Texas could have been contacted and all would have provided different data on their promotional requirement or the lack thereof, as most seem to have. Another aspect that possibly hindered the survey was that the responses to the questions were from officers and what they perceived were certain requirements, and many of them admitted some of these requirements were not actually written in policy.

The researcher is proposing a solution to the problem of under-qualified peace officer's becoming police chiefs in Texas and holding other command level positions. Much like becoming a police officer, the researcher is proposing that certain prerequisites be put in place for certain ranks in law enforcement. For example, if a police officer wants to become a police sergeant, he/she must meet the minimum state requirements for becoming a licensed sergeant. This not only gives the peace officer career goals and objectives to work towards, but also raises the standard of qualifications at each rank.

Based on the research of departments that do have educational requirements in place, the following proposal would be similar to those agencies: one example would be

the Arlington, Texas police department.(City of Arlington, n.d.). To become a basic Texas peace officer, one must complete the basic police academy and meet current TCLEOSE licensing requirements. To promote to corporal and/or sergeant, an individual must have two years of paid full-time experience, possess an intermediate peace officer license, and complete 30 semester hours of college from an accredited institution of higher learning. Under the current TCLEOSE system, the licenses of basic, intermediate, advanced, and master hold no mandatory meaning. Departments promote people with basic peace officer licenses over people with master peace officer licenses because they are allowed to. Further, one can basically obtain all of the levels of licensing by simple attrition, which is basically staying employed.

In order to promote to the rank of lieutenant, an individual must have at least four years of experience, hold an advanced peace officer license, and have 60 semester hours of college. For the rank of captain through assistant chief, a minimum of eight or more years full time police officer experience, four years supervisor experience at a TCLEOSE rank of, at least, corporal/sergeant, 90 hours of college, a master peace officer license, and must complete their bachelors degree within two years of being promoted. Finally, to be the chief executive officer of a law enforcement agency in Texas, a police chief or sheriff must possess ten or more years as a full-time peace officer, six years of supervisory experience, a master peace officer license, and a college degree.

If law enforcement agencies do not want to require degrees for entry level or promotions within the department, the researcher suggests that points be awarded for education within the ranks. For example, this can be seen being done in many agencies

across the country. The Portsmouth, Virginia police department has a seemingly effective and fair way to give credit to officers with degrees during the promotional processes. Ten additional points on the written promotional test are given to any officer with an associate's degree, and 20 points are awarded to officers with bachelor's degrees. This does not guarantee the promotion, but it gives them points which could lead to an advantage. This, in turn, gives motivation to officers without degrees to pursue them if they wish to promote (City of Portsmouth, n.d.).

REFERENCES

- Alexander, J. (2008, Apr. 28). *Constitutional Laws*. LEMIT Module II. Texas Woman's University, Denton, Texas.
- Champion, Dean J. *Police Misconduct in America; a reference handbook*. ABC-CLIO, 2001. p. 85.
- City of Arlington, Texas. Requirements for police officer applicants. Retrieved February 10, 2008 from <http://www.arlingtonpd.org/index.asp?nextpg=recruiting/require.asp>
- City of Mesquite, Texas. Requirements for police officer applicants. Retrieved February 10, 2008 from <http://mesquitelpolicevideo.com/policeofficer.php>.
- City of Portsmouth, Virginia*. Promotion Procedures for Sworn Personnel. Retrieved May 8, 2008, from www.portsmouthva.gov/ppd
- Johnson, Kevin. (September 17, 2006). Police Agencies find it harder to require degrees. USA Today. Retrieved April 27, 2009 from: http://www.usatoday.com/news/nation/2006-09-17-police-education_x.htm
- Stojkovic, S., Kalinch, D., & Klofas, J. (1998). *Criminal justice organizations: Administration and management* (2nd edition). Belmont, CA: West/Wadsworth Publishing Co.
- Trautman, N. (1988). *Law Enforcement-The making of a Profession*. Springfield, IL. Charles C. Thomas Publishing.
- Travis, J. (February 1995). An address to the forum on the police and higher education, University of Illinois [online].

Available: wysiwyg://52http://register.aspensys.com/nij/speeches/police.htm.

Texas Board of Legal Specialization. Texas State Bar. Retrieved May 8, 2008, from

<http://www.tbls.org/Default.aspx>

Author Unknown, 2008.

U.S. Army, Retrieved May 11, 2008 from

http://www.goarmy.com/about/ranks_and_insignia.jsp

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APPENDIX

ANDREW HAWKES
LEMIT/LEADERSHIP COMMAND COLLEGE

LAW ENFORCEMENT PROMOTIONAL PROCESS SURVEY

Agency: _____

Number of Sworn Personnel: _____

Civil Service: _____yes _____no

Outside Assessment used for promotions? _____yes _____no

1. Minimum requirements in the following areas for entry level police officer:
College Hours: _____none _____0-30 _____30-60 _____90 or more _____Bachelor Degree
Experience: _____0-2 years _____2-5 years _____5-1- years
Check here if no guidelines in above categories: _____

2. Minimum requirements in the following areas for promotion to sergeant:
College Hours: _____none _____0-30 _____30-60 _____90 or more _____Bachelor Degree
Experience: _____0-2 years _____2-5 years _____5-1- years
Check here if no guidelines in above categories: _____

3. Minimum requirements in the following areas for promotion to Lieutenant:
College Hours: _____none _____0-30 _____30-60 _____90 or more _____Bachelor Degree
Experience: _____0-2 years _____2-5 years _____5-1- years
Check here if no guidelines in above categories: _____

4. Minimum requirements in the following areas for promotion to Captain:
College Hours: _____none _____0-30 _____30-60 _____90 or more _____Bachelor Degree
Experience: _____0-2 years _____2-5 years _____5-1- years
Check here if no guidelines in above categories: _____

5. Minimum requirements in the following areas for promotion/hire to Chief:
College Hours: _____none _____0-30 _____30-60 _____90 or more _____Bachelor Degree
Experience: _____0-2 years _____2-5 years _____5-1- years
Check here if no guidelines in above categories: _____

ADDITIONAL COMMENTS _____
