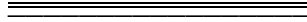
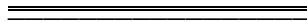


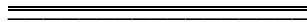
**The Bill Blackwood
Law Enforcement Management Institute of Texas**



New Era of Policing: Thinking Outside the Box



**A Leadership White Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**



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ABSTRACT

Within the law enforcement community, it is widely known that all of the actions, or lack thereof, of agencies worldwide are being scrutinized 24 hours a day, seven days a week by the communities in which they serve. As a result of this scrutiny, it is imperative that law enforcement agencies everywhere change their way of policing in order to maintain or gain the respect of the public and break down barriers that are created daily using old policing methods. As Grogan (2012) explained, “the past culture of secrecy exhibited by most law enforcement agencies combined with less than ethical behavior exhibited by a small minority contribute greatly to the distrust of the police in many communities” (para. 2).

Law enforcement agencies must start thinking outside of the box and becoming transparent with their communities, while also maintaining accountability within their departments. Long gone are the “good ole boy” days, and to truly have the support and respect from citizens, only ethical behavior should be acceptable. Utilizing the largest media platforms, such as social media, can allow agencies to routinely interact with the public on a much larger scale, giving the appearance of transparency.

Administrators must utilize creative thinking and modify their policing methods to what is most appropriate for the community of individuals they serve. This can be accomplished utilizing technology, including social media, as a way of both providing accountability and transparency. Agencies should be more flexible, maintain better accountability, and encourage officers to have ownership in the changes within their departments.

TABLE OF CONTENTS

	Page
Abstract	
Introduction	1
Position	3
Counter Position	7
Recommendation	10
References	12

INTRODUCTION

Law enforcement today is at a crossroads. Throughout history, several changes have occurred within the law enforcement community. There have been different styles, such as community oriented and problem solving policing, as well as the traditional method of being a reactionary force. It is incumbent that police agencies rethink how they are policing and come to the realization that new methods or modernizing an existing approach is needed. No longer can an agency administrator survive effectively by continuing to police in a "status quo." The days of police agencies being successful without implementing modern technology and methods are over.

In order to talk about change, a historical reflection regarding the police needs to be made. The premise behind most modern community policing models is based upon the not-quite-so-modern adage that "the police are the people, and the people are the police." This came from Sir Robert Peel who, while serving as British Home Secretary in 1829, created the Metropolitan Police based upon his nine "Peelian Principles" to earn the title of "The Founder of Modern Policing" (Wasilewski & Olson, 2012).

Even though law enforcement has always been paramilitary in nature with its hierarchy and uniforms, it also has evolved into a much more militarized establishment. The clear distinction of the differences between military and law enforcement was established in law and set the boundaries by which military is able to intervene with local police. That law, the Posse Comitatus Act of 1878, "makes it illegal to use the military in domestic law enforcement unless expressly authorized by Congress or the U.S. Constitution" (Faaborg, 2015, p. 1). This is important in establishing authority over specific situations and allows local and state police to handle matters that are within

their bounds. If situations arise that are more challenging, or require more manpower, such as during natural disasters, Congress can enact the military to deploy and authorize military personnel to take control of the situation.

With the recent spike in officer deaths at the hands of criminals and the officer involved shootings of citizens, the issue of community policing or militarization becomes even more blurred. Special weapons and tactics (SWAT) units have become popular and are commonplace in both large and small agencies. Military style equipment has been meted out to these agencies as well, via the federal funded 1033 program. While the 1033 program can be a lifeline for agencies with small budgets, red flags must be raised stemming from the equipment granted. Small agencies have been supplied with mine resistant ambush protected (MRAP) vehicles. As Johnson County (Indiana) Sheriff Doug Cox, who has a MRAP, stated, "We don't have a lot of mines in Johnson County...My job is to make sure my employees go home" (Echols, 2014, para. 6).

While it is true that officer safety is paramount, it becomes an issue of concern when these small agencies use the equipment inappropriately. Misapplication of the equipment could lead to alienation between the police and the community. According to Wasilewski and Olson (2012), the 'Us vs. Them' mentality "builds walls between cop and citizen, fosters mutual distrust, diminishes respect for the rule of law, and generally gets in the way of effective policing" (para. 9).

It seems many agencies have lost sight of the founding principles on which Peel meant for law enforcement to operate. Therefore, police administrators must use extreme caution when deploying this type of equipment. Militarization is not the answer. Community oriented policing, the partnership between agency and community, must be

maintained but expanded. Administrators should think outside the box, to include being open-minded and less resistant to change, which will effectively ensure transparency and accountability.

Police administrators should strive to find and use the newest technology that is available today, think of new ways to incorporate the technology in daily operations, and find innovative ways to educate the public. A competent administrator should not be afraid to make changes within their agency which will either immediately or eventually benefit employees. These changes could result in some pushback, but in the end, it is necessary for the progressive movement of any law enforcement agency.

POSITION

In light of highly publicized incidents of police use of force, police administrators should become more transparent. There are several incidents in which an agency either failed or was perceived to have failed to be transparent after a critical incident. There are numerous articles on the internet calling for more transparency and accountability by the police.

Transparency means being held accountable for one's actions, whether those actions are good or bad. Transparency sends a message to the public that the police agency stands behind its mission, vision, and values. It sends the message that good or bad, for better or worse, the agency understands the public demands a reputable police department that will do the right thing, all the time; if not, then the agency will answer for the wrongdoings.

With law enforcement being scrutinized 24/7 and the media helping to build walls between law enforcement and certain populations, the need for transparency is more

crucial now than ever before. Additionally, “the past culture of secrecy exhibited by most law enforcement agencies combined with less than ethical behavior exhibited by a small minority contribute greatly to the distrust of the police in many communities” (Grogan, 2012, para. 2). With the media having such a hold on society, it only takes one unethical example to be highlighted for the nation to become enraged and incorrectly assume that all police officers and agencies contribute to such misconduct.

In order to preserve the public’s image of every law enforcement agency, it is crucial for each to establish internal procedures that require administrators to provide both accountability and transparency to avoid misconduct which can become very costly during litigation. Martinelli (2006) stated, “This transparency preserves the department's public image. Police administrators must be fair, but vigilant, in their efforts to combat noble cause corruption in order to defend their agencies against allegations of organizational tolerance for misconduct in court” (p. 149).

The City of Aransas Pass (Texas) Police Department is an example of an agency being transparent and accountable. Aransas Pass Police Chief Eric Blanchard, upon assuming command of the department, received complaints of corruption, cover-ups, bribes, and cases that were not managed properly. Chief Blanchard implemented the use of Taser Axon-Flex body worn cameras by all sworn officers and the recorded video confirmed the rumors and the officers were terminated (Burger, 2015).

Another important reason administrators should be open to change is that opinions are often formed using social media. Social media is a powerful tool and comes in many forms including, but not limited to, Facebook, Snapchat, Twitter, and Instagram. Billions of people utilize social media multiples times a day and therefore by

utilizing that platform, it can help a department build a trustworthy relationship with the community, allow departments to engage with the community, and allow the department heads to have a larger platform with which to reach different populations. Social media can also help a department by “providing a forum for people to ask questions and for you to share tips you otherwise wouldn’t share, and spread knowledge quickly and with minimal effort that could protect your community, help catch suspects, find missing persons, etc.” (Burger, 2013).

There are numerous stories of agencies who have used social media in positive ways. The City of Rosenberg (Texas) Police Department is one example of the positive impact that social media can have. For instance, in January 2014, Sgt. Ariel Soltura was videotaped on his dashcam playing a quick game of football with a child who was playing alone outside. The video was publicly released on social media and immediately went viral, with over 4,000 shares in the first 24 hours. As a result of the viral video, Sgt. Soltura was interviewed by multiple media sources and emphasized that he was just doing his part in community policing, which officers take part in every day (Wrigley, 2014).

The City of Aransas Pass also takes full advantage of social media and has attained positive results. Chief Blanchard felt that the preceding police administration had isolated itself from the media. Therefore, Chief Blanchard created a website immediately upon his appointment. He has also initiated the use of a daily blotter that gives the media general information, short narratives concerning departmental arrests, and a list of people who have been arrested (Burger, 2015).

Lastly, police administrators should operate on the concept of thinking outside the box. When agencies think outside the box, methods and ideas are endless. It all starts with the imagination. Administrators should be willing to entertain any idea that carries with it positive results and is not unethical or unlawful. Once the administrator has been presented with the idea and probable outcomes, he or she will need to decide if the method or idea is suitable and acceptable in the agency's community. These ideas could include the utilization of current technology in proactive operations, any changes that will improve morale in the department, and finding and using operative methods to educate the community.

The City of Aransas Pass Police Department has been very successful by thinking outside the box. Chief Blanchard is known for his creative way of thinking. He takes community-oriented and problem-oriented policing to a new level. He has a genuine concern for his personnel and community and he implements ideas to reflect this.

One of the ways Chief Blanchard implemented problem-oriented policing was the use of the bait theft program. This program utilizes GPS technology in an effort to combat property theft in the community. The GPS device is placed somewhere inconspicuously in an item that has been frequently stolen by criminals in the community. The item is then placed in a target location. If the item is taken, a signal is sent and received by a monitoring division within the department. The signal is tracked to where the item and subsequently, the offender, is located. The stolen item is recovered and/or the suspect is arrested. The program has been very successful for the city. Chief Blanchard related a story about a suspect who was arrested using this

program, was released on bond, and proceeded to take the same bait item again that week (E. Blanchard, personal communication, April 1, 2016).

Chief Blanchard also knows that the agency cannot be successful if the morale in the department is low. Chief Blanchard believes that happy personnel will be productive personnel. One way he improves morale and demonstrates the concept of thinking outside the box is by creating and encouraging the use of a relaxed personnel policy in regards to dress and grooming. According to the City of Aransas Pass Police Department policy, officers are authorized to wear department approved polo style shirts and black BDU style (Battle Dress Uniform or military style) cargo pants or shorts (City of Aransas Pass Police Department, 2016a). Officers may also have facial hair including goatees and beards if approved by the chief of police or his designee (City of Aransas Pass Police Department, 2016b). According to Chief Blanchard, all sworn officers are currently approved to have facial hair and are not required to cover up tattoos on normally exposed areas of the body (i.e. forearms, calves, etc.) (E. Blanchard, personal communication, April 1, 2016). These policies are an extreme break in law enforcement tradition. However, the policies improve officer morale while simultaneously moving the agency closer to reflecting its community, which successively makes officers appear more approachable.

Lastly, Chief Blanchard uses a burglary report card to educate the public on their susceptibility to vehicle burglary and theft. Officers, during slow periods of their shift, will conduct foot patrol in commercial parking lots. If they discover a vehicle that is unlocked or has valuables in plain view, the report card will be issued with a failing grade and placed on the vehicle. According to Chief Blanchard, citizens sometimes will

become complacent and it is the department's attempt to educate them on the importance of taking self-action to safeguard their property. Chief Blanchard maintains the stance that "most criminals are opportunistic and will take advantage of any situation in which they find an easy target" (E. Blanchard, personal communication, April 1, 2016).

COUNTER POSITION

There could be many reasons why a police agency would not implement a new approach. The easiest answer would be that police administrators simply do not want to move away from tradition. Tradition is a large part of the mystique of law enforcement and has a storied history. Police administrators may tend to get wrapped up in that mystique and do not wish to make changes. Police culture also plays a large role.

Take, for instance, the police uniform. Johnson (2005) wrote, "The police uniform is a tradition as old as the field of law enforcement itself. In 1829, the first modern police force, the London Metropolitan Police, developed the first standard police apparel" (para. 3). Traditional uniforms include dress-style shirts and pants with creases. The footwear worn is usually dress-style black shoes. If a hat is issued, it could be eight-point or round and incorporates a badge ("Tactical vs. Traditional," 2012). It could be stated the traditional style uniform makes officers more approachable and is non-threatening. Johnson (2005) stated, "Most people can identify a police officer by the official police uniform. When citizens on a busy street are in need of help, they scan the crowds of pedestrians looking for the distinctive uniform of a police officer" (para.1). Some administrators may feel that anything other than a traditional uniform will portray

their officers as being unprofessional. In the article, "Tactical vs. Tradition" (2012), it is written, "Others object to tactical uniforms on other grounds. To them, the tactical uniform presents a "militarization-of-the-police" appearance. Officers should be perceived as community servants, they say" (para. 12).

The uniform itself does not make a professional police officer. The conduct and how the officer represents himself and the department does. Whether that officer is wearing a traditional style uniform or a tactical or "soft uniform" does not make the difference. On the other hand, the practicability and comfortability of the uniform does make a difference as to how an officer feels while performing his duties. According to one article, "In general, the tactical uniform is perceived as more practical for the physical aspects of policing. Police officers now have more everyday gear to carry, and that means officers need to be able to accommodate that on their uniform" ("Tactical vs. Traditional", 2012, para. 8). The uniform will only be seen as being militaristic if the police agency allows those officers who wear tactical uniforms to act as such.

Another reason why administrators would resist change is the police culture. Part of this culture is the infamous "blue wall of silence," but the police have always been secretive in their actions. The community knew little about what the police did, and the police believed the citizens and the police department were better off this way (Grogan, 2012). Historically, police have refused or delayed the release of certain types of information. The integrity of an investigation would be one such reason for this.

While it is understandable that the integrity of an investigation is important, not all information about an incident needs to be protected. In extremely high profile police incidents, it is in the best interest for agency administrators to provide information about

the event in a timely manner. There are many instances where law enforcement agencies have been criticized for failing to release information. An example of a delayed response in releasing information would be the shooting incident in Waco, Texas, on May 17th, 2015, which resulted in nine deaths, 20 wounded, and 177 arrests of rival motorcycle clubs members (Witherspoon & Messer, 2015). In this incident, it took over a month for police to release limited information. This has resulted in the police receiving significant criticism from local and national media outlets.

In an August, 2014 USA/Pew Research Center Poll, only 39% of people who were polled had “a great deal of confidence in local police officers to do a good job enforcing the law; 36% said they had a fair amount of confidence” (“Few Say,” 2014, para. 8). The poll indicated that the majority of individuals have at least a fair amount of confidence in police officers in their communities to not use excessive force on suspects (“Few Say,” 2014). This startling figure should be enough to convince administrators to be more transparent. When agencies are more transparent, there are considerably fewer misperceptions being made by media, thus assisting in alleviating any notion of a police “cover-up.”

In order for the police to gain lost credibility, transparency and accountability will need to increase nationwide. The police can still withhold information that is crucial to an investigation while providing information that is not pertinent to the integrity of the case. A little insight into the investigation could satisfy the public and media until more information can be released. Releasing information may help an agency’s investigation of the incident as well as giving them credibility. Undoubtedly, avoiding public criticism should not be the main objective of law enforcement agencies if it impedes operations

during critical incidents and investigations. Nonetheless, reducing negative opinions and improving the relationship between officers and citizens by making inconsequential changes should be an end-goal for every agency.

RECOMMENDATION

Based on the research shown, it is clear police administrators need to adapt to the changing times in law enforcement. Agencies should be transparent and accountable to the public they serve. The police culture of “us vs. them” is no longer sustainable. Administrators need to effectively change the mindset of the officers within the department. Change is not easy, especially when it involves police organizations. The mindset has to come from the top and filter down. Administrators need to make transparency and accountability part of their vision. It is a good idea to form a committee and allow officers to be part of the planning process; this will allow officers to have some ownership on the decision making process. If the agency does not have a public information officer, administrators should create the position and train this person accordingly. Public information officers can be an agency’s lifeline.

Agencies should utilize technology, creativity, and imagination in their favor. As examples have shown, there are different ways to use technology. There are officers in every department who are technologically advanced and could be a good source to use in the implementation and upkeep of a social media page. Administrators should allow these officers the freedom to be innovative and let them take ownership of the program.

Lastly, administrators should be less rigid and more flexible. Even though tradition is very important in policing, it is time to begin thinking outside the box. For agencies to implement this strategy, administrators must allow flexibility in their dress

codes and grooming standards and allow the department to be a true reflection of the community. Administrators should remember that a happy officer is a productive officer and consider the effects of these changes on personnel. Once again, they should allow officers to take ownership of the implementation.

Change does not come easily. Thinking outside the box may be looked upon by neighboring agencies with disgruntlement. Even so, change is inevitable, and every department will have to make changes to how they are conducting business. In order to be a premier law enforcement organization, administration will need to catch up to the times. Administrators should be making every effort to be progressive. Officers and the community will appreciate the changes.

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