

**THE BILL BLACKWOOD
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

Detecting and helping possibly disgruntled Officers:

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

by
Francisco I. Ortegon

McAllen Police Department
McAllen, Texas
August, 1996

*final approved
PWW*

#1453

TABLE OF CONTENTS

SECTION	PAGE
Abstract	
Introduction	1
Historical, Legal or theoretical Context	2
Review of Literature or Practice	4
Discussion of Relevant Issues	7
Conclusion / Recommendations	10
Bibliography	12

ABSTRACT

These days employers are becoming aware that, often by bad publicity and the loss of big amounts of money in law suits, that violence in the workplace can be one of the unintended consequences of their actions or the lack of it.

The purpose of this paper is to show the need for a policy in the McAllen Police Department that deals with the prevention and intervention on possibly violent employees in order to avoid violence in the workplace. This violence may take forms ranging from verbal threats to homicide and suicide. In order to obtain the information used in this article, federal publications as well as business ones were consulted for the information.

The conclusion of this article is that in order to avoid violence at work employers need not to worry only about employees who exhibit a change on behavior patterns, but be able to put in preventive measures in the hiring process as well.

Introduction

The purpose of this research paper is to show the need for a policy in the McAllen Police Department that deals with prevention and intervention of violence in the workplace. Violence takes many forms ranging from verbal threats to homicide and suicide. Not only are the officers involved in these incidents affected, but also their families and the community as well.

The specific areas to be examined in this research paper are first, the prevention of violence. These would include the steps taken to avoid incidents of violence at work and detection and intervention of violence. These are steps taken when the officer has been identified as a possible problem or has already been involved in a violent incident.

The sources for this research paper are articles from professional journals from police magazines and business associations, periodicals and books dealing with psychology and human behavior. Interviews with subjects who have knowledge or experience on this matter will also be used to complement this project.

The intended audience of this research paper is the supervisors in the McAllen Police Department and the Personnel Department who are involved directly with Police Officers and Police applicants.

The intended outcome of this research paper is to show the need for a policy on preventing violence at the workplace and its contents. The policy will include steps for prevention that include the hiring and screening process of a potential employee, and intervention that include the steps to be taken once an incident took place.

Historical, Legal or Theoretical Context

"Workers experience another bloody year" (Bridger 1), is the title of a federal publication explaining what has occurred in The Postal Service this year. "New York police officers from 1950 to 1967 were twice as likely as the general population to commit suicide; as the general population... In addition this suicide rate is twice as high as physicians and bartenders" (Clinton, 68). This was a title found in a police journal. Finally the Federal Almanac reads as follows:

August 1983, Johnston, S.C. "Postmaster fatally shot. Two employees and a police officer wounded. Former letter carrier P.B. Smith sentenced to life" (Federal Times 15).

March 1985, Atlanta. "One supervisor and one clerk killed. Another clerk wounded. Clark Stephen Brownlee charged with murder." (Federal Times 15).

November 14, 1991, Royal Oak, Michigan. "Four employees killed. Four wounded and three injured escaping the building. Thomas McIlvane, a fired letter carrier, shoots himself fatally." (Federal Times 15).

August 29, 1995, Palatine, Ill. "Two clerks wounded. Co-worker Dorsey Thomas charged with attempted murder." (Federal Times 15).

Toufexis in her article: "Workers who fight firing with fire," states that last September the National Institute for Occupational Safety and Health issued recommendations designed to prevent workplace violence. In California three bills have been introduced into the state legislature that will monitor employer safety measures more closely. However the impetuous for action is the increasing number of claims filed against companies for failure to protect workers (Toufexis 25).

Companies face other kind of lawsuits for negligence in hiring, retaining and promoting violent workers. "The defense that employers used to have, that a violent employee acted out of

the scope of his responsibilities, has been eroded," observes Karen Kienbaum (Toufexis 25).

Corin studied some guidelines about what legal responsibilities a company has to screen out employees who may turn violent? In an interview with Joan Arkensein he found out that if an employee gets violent, the company may be sued for negligent hiring and retention. The former, negligent hiring, says that you should have known before you hired the worker that there was a problem, Arkensein explains. The latter, negligent retention, says that there were clues along the way. The employers' responsibilities vary with the job. For instance, if you are managing an apartment complex and you are giving the superintendent keys to people's homes your responsibility is considerable (Toufexis 25).

For the past 20 years a San Francisco law firm has practiced employment law. Three years ago, workplace violence cases grew so dramatically that the 250 member firm formed a task force of 25 to focus on violence, not only to litigate, but to help corporate clients address violence issues in their own organizations (Dykeman 11).

"Violence in the workplace can be depicted in a three-layer pyramid," cautions Mathison, a lawyer in the firm. "At the very tip is homicide, the biggest problem for women and the second biggest for men" (Dykeman 12). The middle and larger layer represents physical assaults. Surveys place the annual number at two million, 60 percent of which are committed by non-strangers. The bottom layer reveals the base of the problem: threats, intimidation, and violence. "One of four American workers is threatened in such a way [that] they could qualify for treatment," says Mathison. As confirmation of this discomfort, Mathison refers to a 1994 Gallup Poll showing that two-thirds of the American workers do not feel safe at their workplaces (Dykeman 12).

Review of Literature or Practice

The first issue to be considered is the avoidance workplace violence, despite what form it takes, is prevention. Pre-employment screening and background checks can alert employers to job candidates who might be prone to violence behavior at work (Anonymous 21).

Brady in his article "Tips to prevent workplace violence" states that before hiring an employee, a thorough check of all work history should be made in all applicants. Also, a review of all employment history, references, driving records, criminal history and military history should accompany the check. (Brady 17). The U.S. Postal Service, which in recent years has become the locus of several on the job massacres, 34, since 1986, did not spot a special designation on the military discharge of Thomas McIlvane, a former clerk who killed four workers at Royal Oak, Michigan, facility three years ago. If it followed up, it would have revealed that in a fit of anger he had run over a noncommissioned officer's car with a tank (Toufexis 51).

Kinney of Monroe, N.C., a consultant and author on workplace violence, says "most perpetrators are white males. These men are not well anchored with families, with social institutions. There is a sense of failure, compared with their fathers. Often there has been some history of drugs or alcohol, which I think is very important." (Barrier 127).

The second part of preventing workplace violence comes with the detection and intervention of a possible disgruntled employee. Mathison tells us that most disgruntled employees come from dysfunctional family environments or have been exposed to cultures that place a value on violence. When they enter the workplace, their methods of dealing with conflict are not consistent with what the workplace can tolerate (Dykeman 13).

Managers should learn to recognize characteristics of a person likely to commit violence.

A potentially violent person: is often a white male, 35 to 40 years old; is a loner with poor interpersonal skills; has a migratory job history; blames others (spouse, employer, government), and sees himself as a victim; has a frequent problem in accepting authority or direction; owns guns or has a preoccupation with the military; sees his job as his sole sense of identity; harbors anger or resentment that does not dissipate; expresses inflexible positions on right or wrong on an issue; uses alcohol or drugs (Dykeman 13).

If someone is distracted at work -- let us say that a worker has broken up with his girlfriend, and is not paying attention -- that is a performance issue. Yet let us say a worker is not bathing and not changing clothes. That could be a symptom of a serious problem. Ackerstein says, "You cannot treat that just as a performance problem, first because it is not humane, and second, because you may be charged with discrimination under the ADA (American Disabilities Act). The employee may decide you should have recognized their problem. (Corin 38).

It is the employer who must assume responsibility for the violence and stress that arise within the workplace. To help prevent workplace violence an organization must apply the following components: Early identification and non punitive access to medical and mental health resources, training managers in the identification of troubled employees, support from the company for reporting early signs of trouble, pro active process to handle downsizing, layoffs and terminations and clear rules and expectations for behavior in the workplace (Braverman Mark + Braverman Susan R. 45-46).

Stratton, Director of Psychological Services for Los Angeles County Sheriff's Department, says in his article, "Police stress part II, Considerations and suggestions.", that the

first level of police stress is increased tension and aggressiveness, and emotions are exaggerated. Worry is often accompanied by minor body and sexual dysfunctions. The second one is an experience by the officer of feelings of anxiety and uselessness that get covered up by what may be seen as superior performance. The third level is characterized because the aggression is outward. Violence acts against animals take place often and "evil" must be destroyed wherever it shows. At the forth level the officer will show severe blowouts and tantrums, and there is no longer an attempt to live up to expectation. At the fifth and last level, the officer will become depressed, schizophrenic or paranoid. Suicide may be the result. Above all, warns Dr. Stratton, be aware of an abrupt change in behavioral patterns (Stratton 73).

The last step in preventing workplace violence is intervention. This step will take place when the employee has been identified as potentially dangerous or a crisis has taken place.

Managers should be aggressive in pursuing steps on violence prevention, however due care must be given on being consistent when dealing with it. Inconsistencies in management practices can greatly exacerbate stressful situations and even push some employees over the edge (Losey 56). A violent act can impede productivity by lowering morale, increasing absent ism, creating conflicts between labor and management and increasing the turnover rate (Voelker 3).

While it is important that companies pay attention to installing physical security devises such as cameras, videotape recorders and identification cards; training the managers and fellow employees to spot "troubled" or potentially violent persons is important (Sandler 35).

In 1982 Klein and Linden working for the Long Beach Police Department in California created the first peer counseling training program. The purpose of the program is to teach a group of peers to recognize problems and help their fellow officers. The training consists of three

days and is divided into three parts: Explanation, Demonstration and Performance, thus using the basic psychological principle of the three phase Rogerian model. Officers find this program very helpful because they find it very difficult to ask for help from an outside professional (Klein 2).

In the last year and a half the Postal service has created the Employee assistance program and a 24-hour hot line for employees to report possible problems or threats. Ann Wright, Health and Safety Manager for the Postal Service says: "We are trying to catch problems that individuals might have early enough so that we can deal with them before they get to the point at which somebody loses control" (Anfuso 3).

Discussion of Relevant Issues

General Order number 300-24 of the Houston Police Department is the creation of the "Personnel Concerns Program" for the officers of the Houston Police Department. The program was created to deal with existing or developing behavioral problems. These problems are identified by two means: Data from the computer or direct observation from the officer's supervisor.

The P.C.P. was created in June of 1993 and addresses issues such as assignments (some unusual movement), complaints, disciplinary actions, on duty injuries, productivity levels before and during the problem, discharge of firearms at work to name a few. The P.C.P. is not based on transferring an employee from one assignment to another, but on a supportive philosophy. The group consists of one assistant chief, one lieutenant, one sergeant and four police officers. The P.C.P. meets, examines the problem at hand and then gives a recommendation. This recommendation has to be approved by the chief of police. Once the recommendation is made, it

is specialized training or something else, the P.C.P. will meet once a week with the employee's supervisor to check on the progress on the officer. The P.C.P. recommendation will range from continued close supervision to dismissal. Going through, but not always in that order by an involuntary transfer, referral to professional services, restraining and disciplinary action (Nuchia 1).

General order 300-24 analyzed the behavioral problem that an employee might display. Furthermore it covers aspects such as training and close supervision before referring the employee to the services of a psychologist. According to the literature this referral often creates mistrust from the officer and a big expense for the police department.

The Peer Counseling Program in Long Beach, California is of a different nature than the one from Houston, Texas. However, it focuses in accomplishing the same thing. The program is based in the belief that the peer counselor can provide for troubled officers to ventilate and get in touch with their feelings in a non judgmental environment (Klein 1). The program works in a volunteer or referral basis and the information is kept with the officers/counselors, rather than shared with the officer's supervisors, as often happens in Houston. One of the most important parts of the training of the officer/counselors is that they are thought the difference between allowing an officer to vent his feelings and symptoms of more serious problems that go beyond their abilities and must be handled by a professional. Those problems are hallucinations, delusions and suicidal or homicidal tendencies, to mention some (Klein 2).

The similarity between The Houston Police Department's General Order number 300-24 and The Peer Counseling Program in Long Beach, California is that both programs are geared to help

the employee in a fashion where the programs act in a consulting capacity. Both programs work in a supportive philosophy as well and not on disciplinary action.

The postal service has started the employees' assistance program along with a hot line that allows employees to report fellow employees with a problem. These efforts were done with the purpose of catching problems that individuals might have before they get out of control (Anfuso, Down 3). Along with these measures, the Postal Service and other companies as well, have realized that one of the most important steps toward preventing workplace violence is a comprehensive check of an applicant during the hiring process to avoid a problem at all (Brady 17). The postal service has also realized that it is cost effective to have an employee assistance program, better applicant background checks and a hot line to avoid costly law suits for negligent retention and hiring.

Businesses, government agencies, and other employment agencies are currently trying to help employees with a problem at work before it goes out of control. All efforts from these agencies work on a positive philosophy in which focus is given toward being supportive rather than disciplinary. Employers have realized that influences outside the workplace can affect their employees to the point that they cause a problem at work and a unit, such as Houston's P.C.P. and the officers/counselors must be created that can deal with them before it causes injuries, loss of life or monetary losses.

Violanty in his article "The mystery within, understanding police suicide," states that training officers and supervisors to recognize the psychological and behavioral problems that may

happen in their careers that can lead to violence and suicide is a most to help officers deal with them properly as they take place (Violanty 23).

Conclusion / Recommendations

This research paper has been written to show the need for a policy in the McAllen Police Department that deals with the prevention, detection and intervention from supervisors in order to avoid violence in the workplace; despite what form it may take. This type of violence does not only affect the employee that caused it and the intended victim, but the families and people surrounding the violent employee as well.

Businesses and Government agencies have realized that creating a unit that works from a supportive philosophy and employee earned trust is important. These organisms such as Houston's PCP or the officers/counselors from Long Beach California acts on a consulting basis as the need to refer the officer to a behavioral science professional arises and is examined and fully documented.

It is this author's opinion that The McAllen Police Department would greatly benefit by creating a policy that will direct supervisors to document and closely monitor officers who display symptoms such as an abrupt change in behavioral patterns. The McAllen Police department will also benefit from creating a Policy that will create a unit that will deal with potential problem officers. This will be beneficial, as this unit will act in a consulting basis being able to save money to the Police Department if it determines that there is no need to refer the officer to a psychologist, but rather train him. It will also keep documentation, in case of a law suit.

The policy for The McAllen Police Department should be divided in two parts: first, the one

that deals with helping officers let out of steam due to frustrations, and second one that monitors the activity of officers who show a pattern of arrests dealing with assaults on police officers, being themselves the victims, resisting arrest and evading arrest. The group of officers that will be working on monitoring fellow officers will be constituted of one lieutenant, two sergeants, and four officers. This group of officers will receive training to know the difference between ventilation and a problem that has to be handled by a psychologist. This group of officers will also examine, under request from a supervisor, the performance of an officer at work when the number of arrests for resisting arrest, evading arrest and assault on a police officer begin to develop a pattern during a given rotation.

According to the pre-employment scanning, The McAllen Police Department Background Investigators need to learn if the applicant is seeking employment with the McAllen Police Department as a rewarding career or as his sole sense of identity. An applicant should be disqualified if he seeks employment to have it as a sole sense of identity.

BIBLIOGRAPHY

- Anfuso, Dawn. The Postal Service delivers violence prevention program. Personnel Journal. 73 (10) :69. October 1994.
- Anonymous, Suicide Among Police. The American Psychiatric association. Washington, D.C. 1977.
- Anonymous. Employee violence can be limited. Occupational Hazards. 57 (3) :25-26. March 1995.
- Barier, Michael. The enemy within. Nations Business. 83 (2) : 18-24. February 1995.
- Brady, Robert L. Tips to prevent workplace violence. Hr. Focus . 72 (6) :18. June 1995.
- Braverman, Mark. Braverman Susan R. Seeking solutions to violence on the job. U.S.A. Today. 122 (2588) : 29-31. May 1994.
- Bridger, Chet. Workers experience another bloody year. Federal Times. 1 - 2 April 22,1996.
- Clinton, Terry W., "Police Stress: The empirical evidence". Journal of Police Sciences and Administration. 9, 1981.
- Corin, Michael P. Defusing dangerous employees. Source Inc. 16 (10) : 124. October 1994.
- Dykeman, John B. Handling violence in the white collar workplace. Managing Office Technology. 40 (10) :40-44. October 1995.
- Federal Times. 1996 Almnac: Tracking years of violence. Washington D.C. January 1996.
- Federal Times. Postal Scene: Manager denies shooting. Washington DC. April 1996.
- Klein, Robin. "Police Peer Counseling: Officers helping Officers". Police Chiefs Journal Vol 58, # 10, 1989.
- Losey, Michael R. Managing in an era of workplace violence Managing Office Technology. 39 (2) :27-28. February 1994.

Nuchia, Sam. Houston Police Department General Orders. Personnel Concern Program, Order # 300-24. Houston, Tx. 1993.

Sandler, Howard M. Doing violence to the workplace. Occupational Hazards. 56 (10) :31-32. October 1994.

Stratton, John G. Police Stress - Part II Considerations and suggestions. The Police Chief. 25 (6) : 74-80. May 1978.

Toufexis, Anastasia. Workers who fight firing with fire. Time. 143 (17) : 34-37. April 1995.

Violanti, John M. The Mystery within: Understanding Police Suicide. F.B.I. Law Enforcement Bulletin. Washington D.C. February 1995.

Voelker, Rebecca. Postal Service Tries To Reverse Violent image Throgh Employee assistant Program Approach. Journal of the American Medical Association 275(22).