

**The Bill Blackwood
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**Incentivizing Law Enforcement Service to Improve Community
Involvement and Professionalism**

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ABSTRACT

Law enforcement agencies across the country have experienced a significant decline in qualified applicants. It is believed that this is partially due to an improved economic climate, where the labor market and open private sector positions have become more appealing than that of a career in law enforcement (Police Executive Research Forum, 2019). As such, this has created a challenge over the last decade to restaff following the force reduction that took place between 2009-2011, exacerbated by the high-profile police use-of-force encounters publicized since 2014 (Police Executive Research Forum, 2019, p. 13).

By 2029, it is projected that law enforcement will gain 40,000 new positions (Bureau of Labor Statistics, 2020), in addition to the existing vacancies caused by a large amount of retirements and attrition due to burnout (Police Executive Research Forum, 2019, p. 13). This means the next ten years are critical if serious action is not taken to recruit and retain the next generation of quality police officers.

With these challenges, agencies have reduced their hiring standards in order to fill their open positions in contrast to the community outcry for more educated and professional police. However, if more incentive is placed on public service, namely law enforcement, in the form of educational benefits, perhaps more well-educated people would show interest in the profession. Considering rising tuition costs, and large student loan debt, it is difficult to recruit someone to a career that pays statistically less than the private sector. However, if tuition was free and individuals could receive a quality education of their choosing in exchange for service to their community, agencies could improve the hiring pool to meet the societal demands.

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INTRODUCTION

For over a century, the majority of the studies, governmental agencies, and research participants have demanded that law enforcement agencies increase the hiring standards, but offer little to no means by which to accomplish this task. The results are reduced standards, less educated, and, in a number of cases, less professional police officers deployed into the community. These people likely have a passion for the work and the vast majority want to do good, but having formal education tends to have a more positive impact on the performance of police work (Stickle, 2016, p. 12).

In this era, and with the challenges to come, incentivizing a law enforcement career is paramount to attract a broader pool of potential applicants. One of the ways to do this is to follow the example of the United States Military recruiting models. Offering a variety of voluntary programs to pay for college on a contractual basis, and programs to forgive the student loan debt for those already serving would increase the number of potential applicants and encourage longevity respectively. Every program enacted in this vein is intrinsically flawed, disenfranchises more than they include, or were not properly funded and maintained to ensure success and yield lasting results.

It is crucial that the government reviews the current state of affairs regarding public safety, public demands, the existing applicant pool, and the overwhelming evidence of the need for more education and training for police officers. Higher education is valuable, but, in many cases, too expensive. If the government and the community want to require higher education in an effort to solve critical issues, then all higher education should be tuition free for all police officers.

As the culture of law enforcement continues to change, so do the expectations of the community and local governments. Law enforcement has developed into a catchall for sociological, criminological, victimological, and psychological problems rather than “law enforcement.” As a result, police officers are tasked with the expectations to exhibit the ability to counsel, mediate, advise, protect, enforce, help, etc. The reality is that job demands, public perceptions, and expectations continue to change. Society expects an arbitrarily high-level of professionalism when a majority of the law enforcement agencies across the country require a low level of education such as a High School Diploma or GED (McFarlin, 2020). It begs to reason, the less life experiences one has, the more difficult it is to have critical thinking skills or problem-solving skills as a majority of law enforcement work requires.

This is not to suggest those with only a high school education cannot be successful, but encouragement for aspiring police officers and existing police officers to continue to educate themselves and become more well-rounded is the foundation by which law enforcement organizations can continue to improve vicarious interactions and adapt to everchanging societal expectations. However, it is difficult for organizations to encourage employees to continue their formal education, when the tuition costs are so high and salaries are generally so low.

According to Powell and Kerr (2020), across the country the average cost for the academic year 2020-2021, is approximately \$11,171 for in state public universities, and \$41,411 for private universities for an undergraduate degree. On average, over the last 20 years, college tuition across the country has increased 212% and 144% respectively (Boyington & Kerr, 2020). What this means is, in order for people to obtain a college

education, more people will have to borrow money and increase the estimated 1.5 trillion-dollar student loan debt, which now affects approximately 43 million Americans (Naimon et al., 2020) and enter the life cycle of student loan repayment. Additionally, they can defer their educational endeavors over a longer period of time in an effort to pay out of pocket while working, forgo higher education all together, or look for opportunities where their education would be paid for in return for a commitment to an institution or organization.

The latter is observed when looking at the amount of people who join the military straight out of high school. Many young people are enticed by the opportunities offered to them as a member of the armed forces, even if only for a short time. For example, the Montgomery G.I. Bill (MGIB), the Yellow Ribbon Program, and for those in Texas, the Hazlewood Act, was designed to cover the cost of tuition for military veterans who have served in an active-duty status for as little as 181 days amongst a variety of other stipulations (Texas Education Code, Ch. 54, 2013). The premise of education incentives is very attractive. It is an overarching theme in military recruiting, and these benefits do not supersede one another, nor do they restrict the recruit from obtaining their desired educational path (i.e. trade schools, undergraduate & graduate degrees).

In the case of a high school graduate whose desire is to later become a police officer, (s)he will have 3 to 4 years after high school graduation to meet the minimum age eligibility requirements (21 years old), provided they graduate between 17-18 years old. If that time is spent furthering their education and obtaining a degree, it is reasonable to believe that person will have a better understanding of intricacies of the vast cultural, environmental, and emotional aspects of the field. However, people

expect greater incentives to acquire such skills, coupled with the debt, in order to enter a career field for average wages. Again, this theory is proven by looking at the military recruiting and retention strategies.

Several programs established for tuition assistance, tuition free courses, or loan forgiveness are typically very restrictive, do not affect personnel who have already dedicated several years of service to their respective agencies, and/or do not give credit for time served. This does not encourage existing police officers to continue their education. They do not reward officers for dedication to their country and communities, and, in general, this minimizes the opportunity to engage in educational endeavors that broadens the scope of knowledge and understanding.

The Bureau of Labor Statistics (2020) projects a 5% growth in law enforcement officers (LEOs) between 2020-2029, which equates to over 40,000 new positions. With this in mind, the struggle many law enforcement agencies (LEAs) already face with recruiting and retention, in concert with the public outcry for better trained, more educated, professional police officers, becomes even more difficult. With the media and political driven climate that frequently villainize the profession, and the intrinsic dangers and personal risks of the job, LEAs have to find a legitimate method to encourage and recruit people who want to serve their country and community the same as those who choose to serve in the United States military. In order to accomplish this, federal and state governments should make higher education tuition free for all police officers in order to incentivize the recruitment and improve longevity.

POSITION

Higher education improves and builds communication skills, cultural awareness, and critical thinking skills. In college, no matter the degree program or institution, it is generally accepted that an individual will take some form of English, math, social sciences, philosophy, communications, and history courses to satisfy most entry level degree requirements. Of course, depending on the degree plan, one will likely take psychology and some form of criminal justice related coursework, especially if interested in the field of law enforcement.

Communication skills, among other “soft skills”, are not as prevalent in the current applicant pool as they were in previous generations (Pittaro, 2018), likely because the current generation of young people have grown up in a digital era where a majority of interaction is done via digital mediums. For example, routine activities such as buying groceries or ordering food can be done without the need for direct human interactions. In the field of criminal justice, all officers must interact with other people from various backgrounds and cultures. In many cases, these interactions may become tense and can escalate or rapidly deteriorate without warning (Pittaro, 2018). Because of this, it is imperative officers possess effective communication skills. These skills range from active listening, empathy, rapport building, conflict resolution, and understanding of non-verbal communication or body language. These topics are discussed as part of the police academy, however there is not enough time for cadets to become proficient due to the time restrictions.

Research has also shown the overall university experience and the totality of higher education, especially in disciplines outside of criminal justice, provide the learner

improved cultural awareness, resulting in more ethical conduct, better problem-solving skills, and better tactics at resolving tense situations, which ultimately translates to improved community relations and agency legitimacy (Paterson, 2011, p. 288-289).

The profession and the community expect an officer to possess these basic skills to navigate through a variety of difficult tasks and influence behavior in a professional manner, with the goal to minimize complaints and use of force issues wherever possible. Not surprisingly, studies indicate that officers with higher levels of education are involved in fewer use of force incidents, and receive fewer citizen complaints (Terrill & Mastrofski, 2002, p. 238). No matter the discipline-specific or “major” courses, college, in general, builds higher levels of individual skills in the realm of critically assessing a problem and coming to an appropriate conclusion, even without “critical thinking” related courses (Huber & Kuncel, 2016 p. 457-458).

History shows a societal outcry for improvements in police professionalism across the country and around the world for over a century, and the overarching theme of research and governmental recommendations suggests that in order to accomplish this task law enforcement organizations must improve training and educational requirements. In fact, in 2015, the Final Report of the President’s Task Force on 21st Century Policing stated, “To build a police force capable of dealing with the complexity of the 21st century, it is imperative that agencies place value on both educational achievements and socialization skills when making hiring decisions” (p. 51).

LEAs are continuously urged to recruit more educated personnel to improve professionalism and agency legitimacy. Even as far back as the early 1900s, August Vollmer, Chief of Police of Berkeley Police Department 1909-1923, and “the father of

modern policing” in the United States, advocated for improved professionalism in law enforcement through higher education, and required his officers obtain a college education (Marciniak & Elattrache, 2020). Furthermore, he worked with UC- Berkley and established a Criminal Justice program in 1916 (Marciniak & Elattrache, 2020). In an effort to achieve and maintain this goal, legislators must look at the data and the citizens’ demands to find a way to comply with these obligations. Additionally, legislators must understand the expectation of the individual department or the individual officer. To continue to bear the expense will only continue to fuel the problem.

With the ever-present vacancies, turnover, and influx of retirement aged police officers vacating their positions nationwide, LEAs are facing a tremendous challenge to recruit and retain young officers. This situation is made even more difficult with the increased turnover, due to lower salaries as compared to the private sector, military opportunities and recruiting methods, and recent protests, riots, and calls to defund the police (Wilson, et al., 2010, p. 6).

While it is true most of the community respects law enforcement, it can be hard to convince potential recruits they will receive this respect as a police officer. Recently, many law enforcement encounters have been publicized and negatively portray the profession. Currently, agencies are struggling to fill vacancies within their ranks, and coupled with the negativity seen in the media and on social networking platforms, they have seen a reduction in qualified applicants. This challenge can force agencies to reduce their standards to fill those voids. If the outcry is for a more qualified,

experienced, and professional police force, then educated, professional prospects must see the incentive to enter the field.

It is incumbent upon national and state governments to enact new legislation modelled after that which is used for military recruiting and retention. Offering education incentives with contractual obligations can turn uninterested yet qualified people to the applicant pool by satisfying the immediate needs of the candidate (Wilson et al., 2010, p. 89) if they meet the total hiring standards for free education or tuition reimbursement for years of service to their community. Additionally, continuing to allow subsequent educational benefits could increase the inclination for experienced officers to stay in place and continue to pursue advanced degrees, leading to better first-line supervisors, middle managers, and department administrators. Most importantly, this concept will afford LEAs to not only attract more people to apply, but improve community involvement, competitive selection, raise standards to better fit the societal expectations, and increase longevity, which increases experience levels, and improves community interactions and legitimacy.

COUNTER ARGUMENTS

Several tuition free programs and student loan forgiveness programs already exist for police officers. In Texas, under Section 54.3531 of the Texas Education Code (rev. 2013), police officers are exempt from tuition requirements for courses pertaining to criminal justice or law enforcement, as long as the officer is enrolled in an undergraduate degree program, applies for the exemption, and only if that officer does not exceed (or cause to exceed) over 20% of the enrolled students in the class (Police Officers Enrolled in Certain Courses, 2013). Under Section 54.352 of the Texas

Education Code (rev. 2019), police officers that were disabled during the course of their duties as a police officer can receive free tuition while enrolled in an undergraduate program, and only if that officer does not exceed (or cause to exceed) over 20% of the enrolled students in the class (Disabled Peace Officers and Fire Fighters, 2019).

According to the Texas Higher Education Coordinating Board, "In June 2019, Gov. Greg Abbott signed into law SB 16 (86th Texas Legislature) authorizing the Peace Officer Loan Repayment Assistance Program (POLRAP) to provide an incentive for Texans to pursue law enforcement careers and remain on the job to help pay off their student loan debt" (Texas Higher Education Coordinating Board, 2019. para 2). This applies to full time peace officers, first appointed after September 1, 2019, who have completed 1 year of active service, and must have already completed 60 hours of higher education prior to their first appointment, and the total value of the loan forgiveness is up to \$20,000, paid out at 4,000 per year, for five years of active service (Texas Higher Education Coordinating Board, 2019).

The Public Service Loan Forgiveness (PSLF) program was enacted to forgive residual loan balances after the applicant makes 120 on time qualified payments and completes 10 years of active-duty service (Goring, 2019). With this program, there are other stipulations on the type of loans, when the loan was executed, and when repayment status began (Goring, 2019).

On the surface, the opportunities for LEOs to receive educational incentives are already in place, coupled with some type of longevity requirement to encourage individuals to look into a career in law enforcement. However, the very nature and specific text of the two aforementioned Texas Education Code sections deprives

potential candidates and existing officers of opportunity. First, if an officer becomes disabled as a result of an on-duty injury, they would only be eligible for work toward an undergraduate degree. For those that already paid for their degree prior to a career-ending injury, they cannot receive any benefit for their dedication to their community, resulting in this protracted loss. No matter the years given back to the community, this program is restricted to an undergraduate degree under this law (Disabled Peace Officers and Fire Fighters, 2019).

Secondly, as an existing police officer, (s)he can earn any degree of their choosing, but the only classes that qualify for a tuition exemption are criminal justice and law enforcement related courses. Moreover, there is minimal knowledge of this law and most schools do not offer this information up front; therefore, if the individual fails to request it, they will not receive the benefit (Peace Officers Enrolled in Certain Courses, 2013). Nowhere in these laws are there real incentives to entice an officer to embark on a college degree. The written law also sends the message that dedicated officers who sustained a debilitating injury in service to his/her country, state, and/or community cannot continue to build on their education and careers if they already have an undergraduate degree.

The most recent legislation in Texas pertaining to the recruitment and retention of new LEOs, is the POLRAP. There are major issues with this program as it is limited to officers initially sworn in after September 1, 2019, and only covers up to \$20,000 over a five-year period “[...] contingent on available funding” (Texas Higher Education Coordinating Board, 2019, paras. 3-5). If it is the intent of the State of Texas to entice and retain police officers to improve struggling departments, they must also focus on the

officers who are already employed and dedicating their lives to their community. While it is not possible for the state to retroactively repay all those ever to wear the badge, everyone already in place deserves to improve their standing and education, otherwise LEAs will continue to experience staffing challenges. Furthermore, to specifically state this new program is “contingent upon available funding” (Texas Higher Education Coordinating Board, 2019, para. 5), indicates another failure of government to properly fund necessary programs. This infers that the State of Texas wants to incentivize public service, but there is a chance an applicant will not qualify, or the program will likely fail due to lack of proper funding.

Lastly, the PSLF program, requires 10 years of public service and 120 on-time qualifying payments toward the loan (Goring, 2019). From its inception, this program has been difficult to navigate. Many loan servicing agencies are either uneducated about the program or have had a history of being deceptive to their borrowers, and most borrowers are not even aware that qualified public service time only counts while in repayment status (Goring, 2019). This program is loan specific; therefore, in order to “qualify” for the program, the borrower can only claim certain types of federal loans. No matter how many years of service someone has already provided to their community, unless they knew in advance to only utilize specific types of education loans, they may not qualify for assistance. Additionally, the 10-year active service requirement does not start until repayment status begins; therefore, prior service time does not count. Even more alarming, in 2017, 99 percent of all PSLF applications were denied, even after meeting the ten year and 120 payment requirements, due to these not being considered

as qualifying payments (Goring, 2019). The intent of the program itself has merit, but the execution of the program fails current LEOs, and, therefore, lacks incentive.

No substantial evidence exists that higher education is necessarily indicative of better performance levels compared to other officers with only a high school diploma or GED (Edwards, 2019, p. 607). A study conducted in 2006 showed that a majority of officers, at that time, did not feel a college education was necessary (Edwards, 2019, p. 612). Studies also indicate an officer with a college education is still capable of possessing a poor attitude or personality not consistent with professional policing standards (Edwards, 2019, p. 607), but those with underlying performance issues also exist in other career fields.

However, there is a mountain of evidence to indicate officers who have gone to college are more professional, humanistic, and possess stronger communication skills (Carlan & Byxbe, 2000, p. 243). Additionally, higher education improves the value of training and understanding in law enforcement, which leads to the improvement of the LEO's abilities on the street (Paterson, 2011, p. 294).

RECOMMENDATION

For over 100 years, research, academics, and governmental organizations throughout the United States have presented proof that through education, communities will be able to employ more culturally aware, articulate, and analytical police officers. Higher education is extremely important to the citizens and necessary for improving professionalism in law enforcement (Marciniak & Elattrache, 2020 p. 437-439), and helps in bridging the gaps between LEOs and the community.

Across the country, LEAs are struggling to fill the open positions they have and must also prepare for the new positions to come. The hiring pool is dwindling, due to lack of interest and various disqualifiers, leading agencies to lower their standards to fill their ranks. Better incentives can improve longevity and increase a competitive pool of more qualified, highly educated professionals to join the ranks of law enforcement. If the government expects LEAs to meet the demand, then all police officers should have access to free tuition in exchange for their service or have access to loan forgiveness as an appreciation for their dedication.

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