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BOOK SMARTS:

Protecting Your Officers and Your Agency
Through Education and Training

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Many law enforcement officers are knowledgeable of Sir Robert Peel, the former Prime Minister of Great Britain who was not only instrumental in creating the Metropolitan Police Force but also first spoke of a professional police force. Others are acquainted with August Vollmer, the so-called father of modern American law enforcement, and his contributions—establishing the first bicycle patrol, the first centralized records system, and a call box network; training officers in marksmanship; requiring officers to have a college degree; and persuading the University of California to teach criminal justice. Still others will recall the Wickersham Commission, which in 1931 gave national recognition to the need for increased educational standards for law enforcement.

However, the real impetus for increased training and education of law enforcement officers came about in the 1960s. In the wake of widespread dissatisfaction over escalating crime rates, police relations with minority citizens, and police handling of civil rights and anti-war

protests, the 1967 *Report of the President's Commission on Law Enforcement and the Administration of Justice* offered better-educated law enforcement officers as a vehicle for change. The 1960s saw the establishment of numerous state law enforcement training agencies as well as college criminal justice educational programs, the latter frequently a result of the availability of Law Enforcement Education Program (LEEP) funds from the Omnibus Crime Control and Safe Streets Act of 1968.

While the vast majority of law enforcement managers strongly supported increased training and education for their officers, subsequent judicial intervention empha

sized the absolute necessity of such efforts. In *Monell v. New York City Dept. of Social Services*, 436 U.S. 658 (1978), the United States Supreme Court decided that a municipality can be found liable under Title 42, United States Code, § 1983 where the municipality itself causes a constitutional violation. The Court concluded that a local government may be sued under § 1983 for an injury inflicted by its employees or agents when execution of a government's policy or custom, whether made by its lawmakers or by those whose edicts or acts may fairly be said to represent official policy, inflicts the injury that the government as an entity is responsible.

In *Tennessee v. Garner*, 471 U.S. 1, (1985), the United States Supreme Court spelled out when law enforcement officers could use deadly force. This decision not only required law enforcement agencies to train their officers in the proper use of force but also provided civil rights attorneys direction in their wrongful death claims against law enforcement agencies in their § 1983 actions.

The question then became, **“Was failure to train a ‘policy’ that is actionable under 42 U.S.C § 1983?”** In *City of Canton v. Harris*, 489 U.S. 378 (1989), the United States Supreme Court held that that the inadequacy of police training may serve as the basis for § 1983 liability only where the failure to train amounts to deliberate indifference to the rights of persons with whom the police come into contact.

The last two decades have seen an increase in advocacy groups with their demands that law enforcement officers receive specific training on a wide variety of issues from domestic abuse, suicide, dealing with mentally impaired individuals, racial profiling, and cultural diversity. In addition, federal legislation has mandated training in areas as diverse as minority recruitment to

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sexual harassment. There has been a corresponding increase in litigation not only in the area of employment law but also in areas that may be termed “special relationships” such as ensuring that an arrestee is not suicidal or that domestic violence protective orders are enforced.

Within the current economic climate, many cities and counties are confronted with declining revenues. Unfortunately, the first budget item most departments cut is training. Training is often considered affordable in good times but something that will not be missed when dollars get tight. Such actions are not in an agency's long term productivity or financial interest.

Training Within Your Agency

The essence of the United States Supreme Court's decision in *Monell* was that the policy of a city or county that resulted in injury to an individual could be the basis for liability. *Monell*, along with *City of Canton v. Harris*, placed great pressure on law enforcement agencies to address policy issues. Therefore, law enforcement agencies must have rules, regulations, training, supervision, and structured accountability to guide and control the broad discretionary power of their officers.

Law enforcement managers develop policy and procedures to control risks. While all officers must know and understand their agency's policies and procedures, frequently the least experienced officers are those on patrol in a high crime area. **Managers and supervisors must constantly train all of their officers on agency policies and procedures and provide insight into decision making in critical situations.** There should be ample documentation of this training.

Larger law enforcement agencies have developed sophisticated programs where a field training officer

works with new or probationary officers. These field training officers are expected to be role models who provide work direction, assist with actual field behavior, and provide a limited amount of supervision to the new officer. **Regardless of agency size, some type of formal mentoring or field training program should be implemented.** Research has documented that a mentor may prove crucial to a new hire's successful transition into an organization and, further, that mentoring benefits not only the newly hired officer but the mentors and the organization as a whole.

Training and development programs are developed within an agency for a variety of reasons: to train about specific topics, to improve performance in a given area, to assist individuals in mastering new technologies and methods, and to enhance the agency's image.

While small to medium size departments cannot be expected to purchase training materials on a continuing basis, adequate free materials are available to meet most of these needs. The Criminal Justice Institute has an extensive library with numerous books, programs, and videos available on loan. The Internet is another resource that can be utilized to research selected topics and access websites hosted by entities such as the International Association of Chiefs of Police, National Sheriff's Association, National Organization of Black Law Enforcement Executives, National Alliance of Gang Investigator's Association, and the Narcotics Officers' Association Coalition. These websites are illustrative of organizational websites that can provide invaluable information to law enforcement training officers. In addition, every department has certain individuals who have developed specialized law enforcement skills that may prove worthwhile in the training of others.

Larger agencies frequently do not wish to address specialized training needs and small agencies often cannot afford the cost of these programs. While there are some tremendous training and educational opportunities available at institutions such as the Northwestern University Center for Public Safety at Evanston, Illinois, or the FBI National Academy program at Quantico, Virginia, these can either be extremely expensive or offer limited availability for attendance by Arkansas law enforcement officers. While it is not the purpose

of this paper to promote the Criminal Justice Institute at Little Rock, there are few states that offer their law enforcement officers the quantity and quality of free specialized educational and training programs such as those available in Arkansas. **It is incumbent upon law enforcement managers to take advantage of the many computer, forensic, management, and other programs available through this Institute.**

The Role of Higher Education

As early as 1829, Sir Robert Peel made reference to the need for a professionally trained police force, while August Vollmer proposed in 1916 that law enforcement officers have college degrees. One of the recommendations of the President's Commission on Law Enforcement and the Administration of Justice in 1967 was that all police personnel with general enforcement powers have baccalaureate degrees. The issue of higher education still generates debate because there are so many truly outstanding law enforcement officers without any higher education.

It is a fact that the educational level of the police has increased along with the educational level of the general public over the years. There are more individuals who enter the law enforcement profession with a college de

The most frequent instances in which the police have been sued for failure to train, in order of frequency, are:

- **Lethal and non-lethal force**
- **Failure to protect**
- **Emergency vehicle operations**
- **False arrest and unlawful detention**
- **Medical care**
- **Arrestee/detainee suicide**
- **Search and seizure issues**

gree or some college experience. On a personal note, some of the most impressive officers with whom you will come in contact not only have outstanding law enforcement skills but have also actively sought out opportunities to improve their education.

The goal of education is to broaden one's values, habits, and skills, improve critical thinking, develop research skills, and improve decision making. The real goal of law enforcement is simply exceptional policing. The world is becoming increasingly complex with numerous demands being made on law enforcement to make moral, ethical, and legal decisions in frequently extremely ambiguous and sometimes dangerous situations. It is incumbent upon law enforcement administrators to assist officers who seek out educational opportunities designed to improve their ability to analyze situations, exercise independent judgment, and to make critical decisions. The future of law enforcement as a profession demands no less.



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