OFFICERS ARMED WITH DEGREES:

DOES EDUCATION SHIELD LAW ENFORCEMENT OFFICERS FROM

COMPLAINTS?

by

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SIGNATURE PAGE

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ABSTRACT

This research explores how higher education among law enforcement officers may influence liability. Research in the area of police officer educational level and liability is sparse, with most comparing education with performance or other measurements. More specifically this thesis investigates complaints among police officers by level of education. In particular, the focus is on law enforcement officers with baccalaureate and more advanced degrees and their liability rates when compared to those with high school diplomas or GEDs. This study will examine criminal, civil, and administrative complaints that were filed against degreed and non-degreed law enforcement officers from a police department in Mahoning County, Ohio. These proceedings will then be analyzed to determine whether the degreed officers have a reduced risk of criminal, civil, and administrative liability. The central hypothesis is that degreed officers will have a lower rate of complaints sustained (in other words found guilty) when officially complained of wrongdoing in 1) criminal, 2) civil, and 3) administrative proceedings. The primary variables will be complaint type, education level, and complaint outcome. The importance of this research is that it will assist law enforcement administrators to address departmental liability risks and provide potential options for reducing liability.

DEDICATION

In loving memory of my father,

George J. Villone

Although your death was untimely, the love and guidance you provided increased in

value when "just a phone call away" was replaced with recollections of your words.

These words I now realize helped shape my life.

You are very much missed, but never forgotten.

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Mere words cannot express my heartfelt appreciation for the following individuals, who each in their own unique way, have brought me to this high point in my life:

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For all of my friends, who I will refrain from naming in the event you have changed your perception of our relationship, I'm back!

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Chapter 1

Introduction/Problem Statement

In this thesis, data are evaluated from a township police department in Mahoning County, Ohio. The main focus of the thesis is how education may influence liability for law enforcement officers. The purpose of this chapter is to provide a summary of multiple studies concerning current educational requirements in law enforcement. Additionally, background information will be provided as to why this focus on education and law enforcement officer liability was chosen.

Bureau of Justice Statistics on Local Police Departments

In April of 2006, the United States Department of Justice, Bureau of Justice Statistics released a report on local police departments. The study represented data from a 2003 questionnaire which originally targeted to 3,179 state and local law enforcement agencies. Due to reasons out of the researcher's control, such as agency closure or outsourcing, the final mailing totaled 3,154 agencies. The researchers divided the agencies surveyed into two groups. One group is described as self-representing agencies (SR), and the other group is described as nonself-representing agencies (NSR).

The SR agencies included 955 law enforcement agencies with 100 or more sworn officers, with Texas constables and special jurisdiction agencies being excluded, as of 30 June 2000. There were 49 primary state law enforcement agencies, 574 local police departments, and 332 sheriffs' offices included as SR agencies. The NSR agencies, which were a representative sample of agencies with fewer than 100 sworn personnel nationally, supplemented the SR agencies in the study. The researchers report using a stratified random sample based on the number of sworn personnel, type of agency (local police or sheriff), and the size of the population served. There were 1,539 local police departments, and 660 sheriffs' offices ending with a total of 2,199 NSR agencies surveyed (Bureau of Justice Statistics 2006).

The Law Enforcement Management and Administrative Statistics (LEMAS) questionnaire, used by the Bureau of Justice Statistics, had a total of 2,859 agencies responding. This gave the LEMAS questionnaire a response rate of 90.6% (Bureau of Justice Statistics 2006).

This researcher took note of how many people work for local police departments, which according to the Bureau of Justice Statistics reports comprise about 581,000 fulltime employees nationally. Over 450,000 of those employees are sworn personnel. Since the last totals released in 2000 by the Bureau of Statistics, there have been an additional 4,000 non-sworn and 11,000 sworn personnel added to the ranks of local police departments (Bureau of Justice Statistics 2006). While the report by the Bureau of Justice Statistics released on local police departments in 2006 has over 70 questions with corresponding tables, this researcher will look closer at Table 1 (which is labeled by the BJS as Table 16), titled minimum educational requirement for new officers in local police departments, by size of population served, 2003. This educational information will help draw a clearer picture of how higher education is of low priority when trying to attract police recruits, which is contrary to what the National Advisory Commission on Criminal Justice Standards and Goals stated in Standard 15.1.

The Bureau of Justice Statistics report reveals that 98% of local police departments had some form of an educational requirement for police officer recruits. What is surprising is that only 1% of the local police departments required a four year college degree. A two year college degree was only required in 9% of the local police departments according to the survey conducted by the Bureau of Justice Statistics in 2003. This low percentage of local police departments requiring either a two or four year degree led this researcher to investigate further into published recommendations of educational requirements for police officers, and whether a relationship existed between higher education and officer liability.

Table 1

Minimum Educational Requirements for New Officers in Local Police departments, by

		Percentage of agencies requiring a minimum of –			
Population	Total	High	Some	2-Year	4-Year
Served	with	School	College*	College	College
	Requirement	Diploma	U	Degree	Degree
	•				
All sizes	98%	81%	8%	9%	1%
1,000,000 or more		72%	18%	7%	1%
5000,000-999,000		72	13	9	5
250,000-499,999	99	84	8	4	3
100,000-249,999	98	81	13	3	2
50,000-99,999	100	76	17	6	1
25,000-49,999	99	77	10	11	1
10,000-24,999	99	82	7	9	1
2,500-9,999	99	83	7	9	
Under 2,500	97	82	6	9	0
Note: Numbers may not add to total because of rounding.					
*Non-degree requirements.					
Less than 0.5%					

Size of Population served, 2003. (BJS Table 16)

(Bureau of Justice Statistics 2006)

Efforts Toward Professionalism

The field of law enforcement has a long history of efforts geared toward professional improvement and advancement. In the United States, it was during the early 1900s that August Vollmer recognized the need for formal police training. Vollmer, the Chief of Police in Berkeley, California who introduced formal training in 1908, also encouraged his men to attend college classes at the University of California (Swanson, 2008).

In 1956, the International Association of Chief's of Police (IACP) conducted a survey on 4,000 police departments. The IACP found no pre-service training was given to 85% of all officers. The job skills required were instead given in the form of on-the-job training (Conser, 2008).

It becomes quite clear in the nearly 50 years since Vollmer endorsed formal police training for those in law enforcement, not many in the field followed his words of encouragement. However, mandatory minimum training was finally established in the late 1950s and early 1960s. The training unfortunately was being pursued at the individual state level. The classroom hours required in each state have varied widely. Examples of the variance can be found in data from 2000 where the Beaufort County Sheriff's Department in South Carolina required 320 minimum hours, compared to the 1320 hours required by the Atlanta Police Department in Georgia (Conser, 2008).

In 1967, the President's Commission on Law Enforcement and Administration of Justice issued recommendations for law enforcement education standards. The commission recommended that "the ultimate goal of all police departments should be that all personnel with general enforcement powers have baccalaureate degrees," and "police departments and particularly larger departments should take immediate steps to establish a minimum educational requirement of a baccalaureate degree at an accredited institution for all major administrative and supervisory positions" (Task Force on Police, 1967, p.126-27). Approximately six years later, in 1973, the National Advisory Commission on Criminal Justice Standards and Goals stated in Standard 15.1 that every police agency should, no later than:

- 1975, require as a condition of initial employment the completion of at least 2 years of college education.
- 1978, require as a condition of initial employment the completion of at least 3 years of college education.
- 1982, require as a condition of initial employment the completion of at least 4 years of college education.

The recommendations of the National Advisory Commission on Criminal Justice Standards and Goals (1973, p.369) concerning the aforementioned specific educational requirements never became a national reality. This researcher is particularly interested in the application of these recommendations to the Mahoning Valley, the area of my upbringing located in north east Ohio, and encompassing the City of Youngstown and its many suburb cities and townships. Although the Mahoning Valley has yet to adopt these standards across the board, a look at the Mahoning Valley from a personal viewpoint can shed light on the topic.

Background

My interest in higher education and how it impacts police officer liability stems from my background as a police officer in a suburb of Youngstown, Ohio. In 1979, the blue collar city of Youngstown was still producing steel products from the many steel mills located along the Mahoning River. Having graduated high school in June at the age of 17, I was limited in my employment options. Working in the steel mill was the first choice of many graduates because of the high pay. This choice was immediately eliminated by my father who discouraged this path, forecasting that the steel mills were on their way out. Just as many high school students worked, played sports, and went to school, I too needed gas money for those long awaited weekends.

My employment position during this time was as a stock boy at a local grocery store. Performing stock duties had introduced me to the many patrons who chose to shoplift their groceries instead of the more traditional mode of paying at the register. It was at the grocery store that the produce manager asked for assistance in the identification and apprehension of these law violators. To put it mildly, the adrenaline rush from arresting a shoplifter was one of the most exhilarating events I had experienced at work to date. This introduction to retail security led me to apply to a local department store for the position of plain clothes security officer. I was hired, but advised I would have to work in the company's parking deck until I reached the age of 18. Following the longest month of my life, patrolling a parking deck, I began my training as a plain clothes security officer.

In a very short time I was making arrests for shoplifting, and becoming friendly with the police officers who came and transported these individuals to jail. Intrigued with the stories told by these police officers I began taking classes in the Ohio Police Officers Training Academy. The best analogy for this jump from private to public service would be a drug user looking for their next high. There was, with the utmost certainty, more action in a police officer's daily tour of duty than in a month's worth of tours as a security officer. This led to applying to the Struthers Police Department in the late summer of 1980. The first part of 1980 was spent in basic training for the Ohio Army National Guard, and Military Police Academy, at Fort McClellan, Alabama. The benefits of enlistment to the military were twofold. First, it would give the opportunity for police training in the military. Second, the enlistment bonus carried an educational supplement for state universities. Following my return from the military training I was hired by the City of Struthers as a reserve police officer. While no monetary compensation came with the position, an enormous amount of field experience was gained.

In addition to my employment ventures, and the start of a military obligation, I began attending Youngstown State University in the fall of 1979. At that time, Youngstown State University offered a 2 + 2 program in the Criminal Justice Department. The student would first complete two years in Police Science Technology receiving an associate's degree. The student would then continue for two additional years, and upon completion receive a bachelor's degree in criminal justice. This program seemed very obtainable, and focused on the love of my life, law enforcement. What I did not expect was the negativity projected from the older officers in the police department. Conversely, my co-workers at my retail security job did not offer the same objections, and were even somewhat supportive. As I grew in the retail security field over the next few years a managerial employment opportunity became available in another large department store, and I was hired as a Loss Prevention Manager. Looking back at the process I recall meeting with the Vice President of Loss Prevention at the home office in Pittsburgh, Pennsylvania. The Vice President told me a short story of his life experience that

included working as a Pittsburgh police officer, and returning to college to finish his degree to get out of police work. He said he enjoyed working on the police department, but it was hard to pass up a six figure position where no one wants to shoot you. This conversation at the time gave me the feeling that I was being degraded for pursuing a career in law enforcement, and I did not forget his words.

Within two years I was hired full time with the City of Struthers Police Department. The Struthers Police Department hiring process gave military bonus points, but there was no bonus for a college degree or even having any college hours. As college education appeared to have no value to anyone in the police department, or to any of the city officials, my college plans were put on hold. Promotional opportunities in the police department were strictly done through civil service examination, and required no higher education. This did not stop me from continuing my education by attending every inservice training seminar that I felt was valuable. Following my promotion to Captain, and becoming second in command within the department, I was still looking to continue my police education. This led me to the Police Executive Leadership College, governed by the Ohio Chiefs of Police Association, which is college accredited through Ohio University. During my tenure as Captain I began to see a duality in what cities, townships, and villages were looking for educationally in their police officers, and what scholars, educators, and even parents have recommended. This led me to question higher education and what it can actually contribute to the law enforcement profession. More specifically, I wondered whether higher education impacts police officer liability in criminal, civil, and administrative proceedings.

Entering the field of law enforcement during the late 1970s and early 1980s ironically provided a unique opportunity. The opportunity came by way of bridging the gap between the post WWII police officers and those children of parents from the 60s generation. Those officers who began their careers in the 50s had a no nonsense approach when training a rookie police officer. There was no room for questioning their authority or the practices they followed. These officers were not to be questioned and certainly were not interested in a rookie's opinion. After having spent approximately 15 years on the department, I began to take notice of the new rookie officers being hired and their vocal opposition to the standards and practices being followed. There were many points being made by these rookie officers of the 1990s that projected the undertones of having experienced some form of higher education. Once again, the question of whether higher education may impact liability came to mind.

Summary

With local law enforcement boasting nearly 600,000 employees nationally, it is very surprising that only 1% of those local police departments require a four year degree. When looking at the statistics gathered by the Bureau of Justice Statistics in 2000 compared to those gathered for the 2003 report, it was noted that non-sworn personnel grew in number by 4,000 employees. When looking at sworn officers in local law enforcement their number grew by 11,000. There appears to be growth in the field of law enforcement, yet the educational requirement for employment appears not to be a priority for initial employment.

The following chapter contains detailed discussion targeting research on higher education in law enforcement, from the 1960s President's Commission on Law Enforcement to a current study on problems predicting and measuring academy success. The research questions and hypotheses of this thesis will also be presented.

Chapter 2

Literature Review

National Advisory Commission on Criminal Justice Standards and Goals

Although many areas of law enforcement have been well studied, the impact that higher education has on criminal, civil, and administrative liability proceedings is virtually nonexistent in scholarly research. This may be due in part to reports such as those released by the President's Commission on Law Enforcement. In 1967, the President's Commission on Law Enforcement and Administration of Justice suggested the eventual goal for law enforcement should be for all personnel with general enforcement powers to have baccalaureate degrees, and recommended immediate steps for all supervisory and executive positions to require a baccalaureate degree or higher. As referred to earlier, in 1973 a report was released by the National Advisory Commission on Criminal Justice Standards and Goals (1973, p.369) that contained recommendations for law enforcement education. In Standard 15.1, Educational Standards for the Selection of Police Personnel, it was recommended that by 1982 every police agency shall require the completion of at least 4 years of education as a condition of initial employment (National Advisory Commission on Criminal Justice Standards and Goals, 1973, p.369).

If the general consensus on higher education in law enforcement is one that unquestioningly accepts higher education as its standard, this may explain the lack of research in the area of the impact that higher education has on criminal, civil, and administrative liability. The first area of this thesis will cover research closely related to the impact higher education has on criminal, civil, and administrative liability, and then review the specific research that documents the impact higher education has on criminal, civil, and administrative liability.

Rise of Degreed Programs

In 2004, Roy Roberg and Scott Bonn researched higher education and law enforcement asking the question, "Where are we now?". Roberg and Bonn (2004) report that, in the 1960s, there were two events that occurred, which significantly changed the future of higher education in law enforcement. The first event was a dramatic increase in the crime rate, and the second was rioting that was taking place in the nation's ghetto areas. These events prompted government action pressured by citizen outcries for steps to be taken to stop this new surge of crime. Some of the benefits resulting from this rise in crime came in the way of a focus on crime prevention and the educational opportunities for law enforcement personnel in both associate and bachelor degree programs (Roberg and Bonn 2004). Roberg and Bonn (2004) state that there were over 700 community colleges and almost 400 four-year colleges in 1975, as compared to 22 similar programs in 1954, showing a dramatic increase in programs offered for law enforcement education.

The authors then discuss validating higher education for policing. Roberg and Bonn (2004) express concern for the slow progress in the establishment of higher education standards, when there is an increasing number of college educated officers on the streets of our nation. Roberg and Bonn (2004) point out two common reasons as to why educational standards have not been raised in most police departments:

1. Fear of being sued because a college requirement could not be validated quantitatively to show job relatedness.

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2. Fear that college requirements would be discriminatory toward minorities.

Roberg and Bonn (2004) state that sufficient evidence, both empirical and experiential, exists to support a valid argument for police departments to require a college degree for initial employment and that:

- The benefits provided by higher education, combined with social and technological changes, the threat of terrorism (along with civil rights issues) and the increasing complexity of police work, suggest that a college degree should be a requirement for initial police employment.
- If educational and recruitment policies are appropriately developed, a higher education requirement should not adversely affect minority recruitment or retention.

Roberg and Bonn (2004) take the position that law enforcement officers, over a period of time, should possess a bachelor's degree based on their research findings.

Good Recruit and Good Cop

In 2010 Billy Henson, Bradford W. Reyns, Charles Klahm, and James Frank published research titled "Do Good Recruits Make Good Cops? Problems Predicting and Measuring Academy Street-Level Success." This study looked at 486 police officers from a Midwestern police department. The study used data from 1996 to 2006 and essentially found that the greatest predictor of police officer success was placing high on the civil service exams. Police officer success was measured by utilizing police academy test scores and on the job performance ratings. The researchers also report that higher education was not related to police officer success following their academy training. One of the variables used in the study was the number of complaints filed against individual officers. The complaint variable indicated that an overwhelming majority were filed by citizens, however, some complaints may have been filed internally (Henson & Reyns et.al.). Henson & Reyns et.al. (2010) report that the only variables related to complaints were gender, age, and military service, and that the younger officers and those with military service had more complaints filed against them. Henson & Reyns et.al. (2010) also found that although higher education is often thought to be an attractive attribute for a new police recruit, education was not related to any of the measures of success.

Education and Discipline

Dr. Scott A. Cunningham, the Chair of the Police Administrative Committee of the IACP conducted research in 2009 that compared police officers' education and discipline administered. Cunningham (2009) reviewed discipline received by law enforcement officers in the State of Florida between 1997 and August 2002. The data in the study were gathered from The Criminal Justice Standards and Training Commission (CJSTC). The CJSTC is the organization that has been afforded total supervisory authority over Florida's law enforcement and correctional personnel. Cunningham (2009) reports that the CJSTC creation and authorization by Florida State Statue grants oversight for all aspects of training, certification, and hiring setting out minimum standards for agencies and sworn personnel in the state. In addition to the individual officers employing department administering discipline, the CJSTC also has the ability to discipline officers. In most cases the CJSTC sanctions are the same as those meted out by the employing agency (Cunningham 2009).

According to Cunningham (2009), the data gathered from 1997 through August 2002 was used to match discipline administered with the disciplined officer's educational level. Cunningham (2009), further states that if education had no impact on discipline, then the types and overall amounts of discipline expected at each educational level would be consistent with the educational levels of the corresponding officer (i.e., if bachelor's degree level personnel made up 50% of the law enforcement personnel in Florida, one would expect that approximately 50% of the discipline would be imposed on bachelor's degree level personnel).

Table 2, taken from Dr. Cunningham's (2009) report, illustrates the Florida law enforcement officers' education level as of August 2002. In August 2002, there were 42,910 sworn law enforcement personnel in total. Because exact sworn personnel totals were not available for the exact date of discipline, the 2002 figure of 42,910 was used in all comparisons. The 2002 figure of 42,910 sworn law enforcement personnel is believed by Cunningham (2009) to be a lower number then what was actually used throughout the comparisons. It was Cunningham's belief that based on the figures, a positive bias was created by using the lower 2002 figure of 42,910 sworn law enforcement personnel. This positive bias would tend to keep the percentage differences between officers' educational level and discipline lower, when compared to the number of officers. Cunningham (2009) states that this positive bias would not exaggerate the outcome, but tend to minimize the differences. A brief look at Table 2 quickly reveals that nearly 58% of the sworn law enforcement personnel only possess a high school diploma or graduate equivalency diploma (GED). Over 15% of Florida's sworn law enforcement personnel possess an associate degree, 24% possess a bachelor's degree, 2% master's degree, and less than 1% possess a doctorate degree.

 Table 2: Educational levels of Florida Law Enforcement Officers (8/02)

Level	Number of Officers	Percentage
High School/GED	24,800	57.795
Associate Degree	6,777	15.793
Bachelor Degree	10,364	24.152
Master's Degree	867	2.020
Doctorate Degree	102	.237

Cunningham (2009) notes that fractional levels of education are not represented and if "some" college was notated those officers were listed as high school unless enough hours were documented to properly classify them in the next level. Although it is not specifically noted, this researcher believes Cunningham (2009) to be addressing the college hours as established by an accredited college or university. An example of this accreditation would be Youngstown State University, which is located in Youngstown, Ohio. Youngstown State University is accredited by the North Central Association of Colleges and Schools and The Higher Learning Commission (U.S. Department of Education). At Youngstown State University, to be eligible for graduation with a baccalaureate degree one must successfully complete a minimum of 124 semester hours (2009-10 YSU Undergraduate Bulletin, p.44). Additionally, at Youngstown State University, to be eligible for graduation with an associate degree, one must successfully complete a minimum of 64 semester hours (2009-10 YSU Undergraduate Bulletin p.44). Therefore, when addressing the issue of credit or semester hours, a reasonable example would be to move an officer's educational level from high school to the associate degree level if the officer had the minimum hours required for that degree level.

According to Cunningham (2009), the Florida CJSTC issued the following levels of discipline from 1997 through August 2002:

- Reprimand
- Probation
- Suspension
- Revocation
- Voluntary Relinquishment

Cunningham's (2009) report, as shown in Table 3, shows the percentage and frequency of all discipline by educational levels. Also note that the percentage of officers used in the study remains the same as depicted in table 2.

Table 3: Disciplinary Actions Versus Educational Levels.

Degree	Number of Disciplinary Actions	Percentage of Disciplinary Actions	Percentage of Officers
High School/GED	544	74.828	57.795
Associate Degree	89	12.242	15.793
Bachelor Degree	87	11.966	24.152
Master's Degree	6	.825	2.020
Doctorate Degree	1	.137	.237

Cunningham (2009), reports in Table 3 that law enforcement personnel who possess a high school or graduate equivalency diploma accounted for more discipline for their comparative representation in the law enforcement pool compared to personnel at other educational levels. Cunningham (2009) continues by stating that each successively higher level of education reveals less discipline than that level exists in the population.

Education and Performance

Due to the lack of research focusing on higher education and the rate that officers are subject to liability, this researcher also will look at the relationship between higher education and police performance. Two researchers from Radford University, Scott M. Smith and Michael G. Aamodt, used data from 299 police officers from the state of Virginia in twelve different municipal police departments to determine the relationship between education and police performance. The data were originally obtained through a survey instrument mailed to 40 police chiefs. Supervisors were asked to use evaluations to measure the performance of officers. Public relations skills, response to training, communication skills, report writing skills, decision making ability, and commitment to the police department were also measured utilizing supervisory evaluations (Smith and Aamodt 1997). Correlations were found between education and most measures of performance. They also report finding a correlation between overall performance and education. The number of times the officer required discipline, the volume of arrests, and the number of accidents were the only measures that were not to be significantly related to education (Smith and Aamodt 1997). What caught the attention of this researcher was that Smith and Aamodt (1997) found that the benefits of a college education do not

become apparent until police officers gain experience. Another grabbing finding of this research was that those officers possessing only a high school diploma had a decrease in overall performance after five years of experience (Smith and Aamodt 1997).

Smith and Aamodt (1997) report in the results of their research that some of the educational groups had small sample sizes; therefore, those who had attended graduate school were grouped with those possessing bachelor's degrees, and those with more than two years of college were grouped with those who possess associates degrees. Smith and Aamodt (1997) also state that in an attempt to observe the effects of experience, those officers with five or more years experience were placed into the high experience category, and those officers with four or less years of experience were placed into the low experience group.

In Smith and Aamodt (1997) Table 4, the researchers report correlations between education and most measures of performance. More importantly, Smith and Aamodt (1997), note a correlation between overall performance and education. The variables for the number of times the officer required discipline, the volume of arrests, and the number of accidents were the only objective measures that were not significantly related to education (Smith and Aamodt 1997).
 Table 4. Correlations between education and experience and performance.

Performance Dimension	Education	Experience
Communication Skills	.35***	023
Public Relations Skills	.22***	.02
Report Writing Skills	.25***	10
Response to New Training	.29***	09
Decision Making Ability	.20***	.12
Volume of Arrests	.03	16**
Level of Commitment	.17**	04
Overall Performance	.24***	02
Number of Times Requiring Discipline	01	.13*
Number of Accidents	.08	02
* p<.05		
** p<.01		
***p<.001		

Smith and Aamodt (1997).

In addition to the two researchers from Radford University, Scott M. Smith and Michael G. Aamodt, other research that was reviewed and also found to have merit when looking at educational standards was published by Lawrence W. Sherman, Larry T. Hoover, and Glen D. King. A study titled "The Quality of Education" was authored by Lawrence W. Sherman, who is an assistant professor in the Graduate School of Criminal Justice, State University of New York (SUNY) at Albany. Sherman at the time of publishing was the executive director of the National Advisory Commission on Higher Education for Police Officers, and authored this study with contributions from 11 others who range from esteemed positions in academia and law enforcement, to a doctoral student.

Four Basic Problems in Law Enforcement

The author Sherman (1978) notes in his writings that he followed the works of August Vollmer (1936), who is still revered by those studying criminal justice in 2010. Sherman (1978) believes there are four basic problems that police departments in the United States have suffered since the mid 19th century, which are:

- 1. A multitude of interest groups have expected the police to accomplish different and often conflicting objectives.
- 2. The police never had adequate methods for meeting some of their most important objectives.
- 3. Police officers themselves are the problem. Objectives are not met some of these officers who commit crimes themselves.
- 4. Although, in general, public esteem for the police has been gradually improving for a half century, officers in the United States have always encountered a great deal of hostility in their contacts with individual citizens (Sherman 1978).

Sherman points out that two of the most important objectives of policing are the control of serious crime, and the resolution of conflict. Sherman believes that police departments in the United States have failed to accomplish these objectives, but not due to lack of ability or laziness. Instead, this failure reflects the inadequacy of methods available to the police for accomplishing their objectives. Sherman continues by stating that blaming the police for failing to control crime is like blaming doctors for failing to control cancer, and in both cases adequate methods may never be found (Sherman 1978). While the major issues associated with modern policing seem difficult to overcome, this set of authors has put together over 40 recommendations on the quality of police education. The premise of these recommendations is based on the idea that more and better education may be the way to generate the qualities needed in police officers to produce a new role for the police institution (Sherman 1978).

The following are just a few of the recommendations presented throughout the research that are just as significant now as they were in 1978:

- All college programs focusing on issues in policing and criminal justice should provide a broad education that is useful for many careers and for living through an uncertain future, if only because half of all pre-service graduates of these programs do not enter police employment (Sherman 1978).
- Police education programs at the undergraduate level should give greater emphasis to the major issues in doing police work and less emphasis to issues of police management and supervision. Very few police officers will become managers or supervisors, and a specialized curriculum should reflect that fact

by stressing the enormous complexity, power, and importance of the police officer's job (Sherman 1978).

- Colleges should rely on a core of full-time faculty to staff their police education programs and should rely much less on part-time faculty. In no case should part-time faculty be employed for more than 25 percent of a program's annual credit hour production. Although some part-time faculty can make valuable contributions to a police education program, an overreliance on part-time faculty produces inadequate faculty participation in institutional governance and advisement and counseling of students (Sherman 1978).
- Police departments should place less emphasis on educating the recruited and more emphasis on recruiting the educated. The organization, policies, and practices of police departments should be modified to make better use of educated personnel. By failing to recruit college graduates more extensively, police departments ensure that their educated personnel will acquire an education filtered by the occupational perspective of full-time police work, which probably reduces the impact of college on the students. Those college graduates who are recruited often leave police work early, possibly out of dislike for the current authoritarian atmosphere of most police departments. The chicken-and-egg dilemma of designing police departments to make good use of educated personnel and of attracting more college graduates, can be solved only when both are done simultaneously (Sherman 1978).

It is quite apparent that Sherman and the many contributing authors believe that higher education in law enforcement is the key to solving many of the complex issues of the modern police organization.

The Quality of Police Education is very focused on the topic of education in law enforcement. The overall purpose of the study is clear in the fact that the authors believe in higher education, and that higher education has a very distinct place and purpose in law enforcement. The authors present many facts and opinions when looking at the reasons why higher education has a rightful place in law enforcement, including studies such as the Kansas City Preventive Patrol Study in 1972.

The *Quality of Police Education* is essentially timeless in the review of facts that should lead most readers to understand the importance of higher education in law enforcement. The recommendations spread throughout the book are all very interesting and can easily raise one's awareness of specific issues in higher education that pertain to law enforcement. One of the noteworthy issues is the public's perception of law enforcement as a 24/7 operation that is there for whatever the public demands. These types of misconceptions need to be addressed if law enforcement is going to be raised to the level of a profession, instead of being viewed as an occupation.

Educational Standards

The research by Hoover (1975) consisted of an examination of the basis for raising educational standards in law enforcement, an analysis of educational standards, an account of investigative reports that significantly impact improvement efforts, as well as a clarification when looking at curriculum models relevant for criminal justice personnel. Hoover (1975) reports that the purpose of the research is to determine the educational levels of police recruits in the United States, the influence of the efforts to raise these levels, and the influence of certain factors affecting college educated recruits' choice of a particular agency for employment. Hoover (1975) continues by pointing out that in order to obtain a national sample four states that possessed national characteristics were selected for inclusion in the study which are California, Michigan, New Jersey, and Texas.

When looking at raising educational standards in law enforcement Hoover (1975) points to the Kansas City Preventive Patrol Study, and also personnel motivational research. As was suspected by many of those in the field of criminal justice, motorized patrol without any targeted outcome was bringing about very little in the way of crime control. If the Kansas City study is to be recognized, it would be in the best interest of those in criminal justice to adjust their patrol operations. Overall, options in the area of patrol operations are nearly limited to only the reallocation of resources to target specific offenders or classes of offenses (Hoover 1975). However, patrol operation could be positively impacted by raising the educational standards that can focus on a targeted outcome, and the motivation of personnel.

While still looking at raising educational standards in law enforcement Hoover (1975) also examines the last 10 to 20 years worth of motivational research, which indicates there are three aspects of employment that will contribute considerably to the motivation of personnel. The first of the three, Hoover (1975) points out is management style that changes the focus from the supervision of processes to supervision of goal attainment. In

goal attainment, for example, Hoover (1975) explains that a patrol officer is given additional authority such as counseling both adult and juvenile offenders as well as increased investigative authority. The once routine patrol task is given new direction towards more complex tasks. The second aspect is referred to as participative management. In participative management those persons involved, when given the opportunity, participate in decisions that affect policy and procedure. With participative management, research indicates that motivation is increased considerably and therefore so is productivity. Hoover (1975) states that the third aspect has roots in both goal attainment and participative management; however, it is unique from both aspects. Research indicates that when specific employment opportunities are provided such as complexity of tasks, and responsibility is added, productivity increases. The end result is coined as job enrichment (Hoover 1975).

When all three aspects are looked at cumulatively, there is a distinct message that resonates the need to significantly change the patrol officer's task. Hoover (1975) indicates that there is a need to assess police performance by the measurement of the attainment of objectives, rather than adhering to rules and regulations to delegate discretion to the patrol officer, and involve them in the policy making process while dramatically expanding the responsibilities given the patrol officer. Hoover (1975) states that when the research findings from the Kansas City Preventive Patrol Study are combined with motivational research the result is a model of police role that is no longer one of a craft person, but involves professional skills (Hoover 1975).

Issues with Previous Employment

Hoover (1975) states there is little doubt that closely monitoring the patrol division would be a daunting or nearly impossible task. Most communications between the patrol officer and the supervisor are done by two-way radio under normal conditions. This type of supervision allows for large blocks of free time that a patrol officer fulfills with personal business, personal relationship matters, bar hopping, or just plain idleness. Because of the impossibility of closely monitoring patrol officers, one must rely on the internalization of certain values by the patrol officer if the citizens are to expect officer activities to be directed toward crime reduction efforts. Hoover (1975) explains that police officers are desired to have the value system of professionals who are self motivated practitioners of their occupation. The reality of this scenario is that the majority of police agencies are characterized by a labor versus management psychological attitude among patrol officers. As Hoover (1975) points out, most patrol officers have worked at some other job prior to joining the police department and in most cases that other employment did not involve a position requiring a college degree. The behavioral norm that accompanies this type of employment is one that allows for free time whenever a supervisor is not watching, while also being normal to use this time for anything but moving toward the goals of the company. As Hoover (1975) explains, anyone who does otherwise at the company is considered a rate buster, and whenever one recruits officers from these scenarios they get exactly what one would expect, a rate buster. Hoover (1975) continues by stating that if we are looking for self motivated achievement from police personnel, then we must draw personnel from an employment

pool which does not perceive the goals of management as existing only to be subverted whenever it is possible to do so (Hoover 1975).

Hoover (1975) states that better motivated and inherently more productive personnel are some of the primary rationales that can be offered for educational upgrading. The police recruits must be ready to replace the factory worker union mentality with an educated perspective in the field of law enforcement. This transformation will allow for job enrichment as described by Hoover (1975), as well as applying a time efficient method of looking at the reduction of crime.

Police Educational Characteristics and Curricula is about the lack of educational standards in law enforcement. The author, Larry T. Hoover, ties a multitude of studies and history into making his case for the educational needs in policing. The information contained in Hoover's writings is relevant for the patrol officer, college student, police administrator, as well as college professors. Hoover lays out his work in five major categories. The first is recommendations for educational upgrading, including a consensus agreement on upgrading the police, and using education as the key to professionalism. Second, is the rationale for collegiate standards, and additional rationales for educational upgrading, which includes resolving difficulties in demonstrating better performance, applying collegiate ability to the crime problem, and defining the police role in diversity and discretion. The third category focused on police educational background characteristics, including ascertaining studies, research, and progress to date. This category also included current educational levels of police recruits, employment patterns of police recruits with collegiate backgrounds, the impact of law enforcement education programs, the impact of police cadet programs, the impact of

agency characteristics, education and anticipated tenure, and the impact of academic programs in law enforcement and criminal justice. The fourth category, the nature of law enforcement curricula, includes present deficiencies, a systemic approach, a liberal arts orientation, and the centrality of theory. The final category addresses a model criminal justice curriculum that includes program requirements, a program variation for in-service personnel, and the meaning of a model.

Hoover (1975) notes that his research survey of 2,635 netted a return of 1,941 surveys producing a return rate of 74 percent. With a substantial return rate, and given the topics concerned in the survey, Hoover (1975) adds considerable credibility to the fact that law enforcement personnel perform at higher levels when holding baccalaureate degrees, when compared to those possessing only high school diplomas.

National Advisory Commission

In 1979, the Police Foundation allied with the Law Enforcement Assistance Administration's Office of Criminal Justice Education and Training, in an effort to sponsor a national symposium on higher education for police officers. The symposium was in direct response to a report released in 1978 by the National Advisory Commission on Higher Education for Police Officers. The report released by the commission had motivated a great deal of debate as it was harsh, concise, and steadfast. It was the hope of the organizers that the symposium would give both detractors and supporters a complete opportunity to be heard. Over 500 academics, police practitioners, public officials and others concerned with higher education for police officers attended the symposium. A publication was subsequently released covering the issues discussed at the symposium. The book, *Proceedings of the National Symposium on Higher Education for Police Officers*, is divided into seven chapters, or what could be called panels of discussion. While each chapter offers insight gleaned from the symposium, several specific chapters directly related to this researchers thesis have been chosen for review here.

The chapter titled, "What is the Purpose of Higher Education?" is of particular relevance. Glen D. King (1979), Executive Director of the International Association of Chiefs of Police, states that he is much more concerned with what the *Quality of Police Education* fails to say, than with the conclusions to which it comes. King (1979) states his disapproval with title of the book, describing it as ill chosen, and that the book and the study on which it is based seem less concerned with the quality of education than with the identification of the perceived past and present shortcomings. King (1979) also points out that there are many issues that are obvious throughout our educational institutions such as available jobs that match graduates' fields of study, vocational training's increased popularity, educational programs' reduction in quality, and high school graduates' lacking crucial academic skills.

Johannes F. Spreen (1979), President of the American Academy for Professional Law Enforcement, states that higher education for police officers still needs to have a vocational and professional orientation, so that a student graduating with an associate, bachelors, or masters degree in criminal justice can come into a policing career and start contributing to a department in a practical capacity. This would include working in areas such as reorganizing a specialized unit, budget development, or traffic surveys. Spreen (1979) believes that criminal justice students should have a general academic liberal arts foundation. However, possessing a two year, four year, or graduate degree with just a lot of narrowly focused theory is not essential to the police agencies who hire these students with these types of degrees. Spleen (1979) continues by stating that the students will not find these degrees very valuable, unless they just want the piece of paper or want to leave the field of policing in a short period of time. While many, including those in criminal justice, seem to get caught up with the old training vs. education issue, a movement away from the 'either-or' perspective needs to take place. A combination of both areas with a focus on providing the in-service police officer, as well as the criminal justice student, with a realistic and practical education that can be used by the professional practitioner and police agency, should be the goal. Business schools were developed by colleges to provide this type of education, and criminal justice education could benefit from this type of plan as well (Spleen 1979).

The next area of the book looked at was the chapter titled, "How Should Police Departments Use Educated Officers?" Renault A. Robinson (1979), Information Officer for the National Black Police Association, states that the major argument behind trying to improve the service is a good one; however, this cannot be accomplished with the one prong of education alone. The majority of those involved in policing are concerned with police effectiveness, but can they get the job done? This focus is on what exists today, not with what we would like to see. Robinson (1979) states that he had the opportunity to work in the vice squad, and that having a college degree would not have assisted him in obtaining that position, just as many of those in attendance at the symposium have worked in the planning division and having higher education had nothing to do with planning in most major departments. Robinson (1979) explains that he is not against higher education, while there is a place for it in cities with millions of citizens where the department needs someone with computer skills to plan beat patterns, the basic services needed by the citizens are rendered by patrol officer. The patrol officer must possess the necessary ability to get along with people, and Robinson (1979) believes this quality cannot be measured in terms of a college degree and that college educations cannot be used as criteria for effective police work however, college-trained officers are great in certain functions. Moreover, the police have never really been about delivering service, or about serving and protecting unless it was around the mayor's house or the major business district (Robinson 1979). The real issue is about the concern for where crime is the highest, and where officers are the most ineffective, but instead discussions revolve around a college degree when the real issue is preventing violent crime. (Robinson 1979).

The *Proceedings of the National Symposium on Higher Education for Police Officers* is specific in content aimed at higher education for police officers. While there are opposing views, it gives the reader the opportunity to look at the many arguments for and against higher education for police officers. The target audience for this book is broad in the fact that anyone remotely touched by criminal justice, or actual policing, can benefit from the content. The majority of the material presented is from leaders in their respective fields. Those leaders include academics, as well as practitioners, giving a balanced mix of opinion and perspectives.

The *Proceedings of the National Symposium on Higher Education for Police Officers* offers the reader a window into the thoughts of those who research, and possibly control the future of mandatory entry level requirements for education in policing. After reading

this work, this researcher find that there is a legitimate school of thought that detracts from my view that entry level requirements for patrolman should include a four year degree.

Summary

The research of Cunningham (2009), as well as the research of Smith and Aamodt (1997) that found a correlation between overall performance and education, helps to support my hypothesis that higher education reduces the rate of liability in law enforcement.

In this thesis I hypothesize that:

- Higher education in law enforcement is related to less criminal liability.
- Higher education in law enforcement is related to less civil liability.
- Higher education in law enforcement is related to less administrative liability.

This research is guided by the belief of nearly every parent who tells their child they need a college education. Inevitably, the child will question the parent's response, asking why a college education is necessary. In most cases the parent can only offer the traditional answers. The answers to this question can range from the belief that it will make you a more well rounded person, to the fact that college graduates receive higher paying jobs. While these answers may be true, most persons desire compelling information or some form of statistical support when they are paying college tuition. This research is designed to help provide positive support as to whether or not a college education is a benefit to those employed in the field of law enforcement.

Chapter 3

Methodology

Research Hypothesis and Research Questions

This thesis includes data collected from a township police department in Mahoning County, Ohio. The main hypothesis to be tested relates to how education may influence liability for law enforcement officers. More specifically, three research questions are posed to guide this thesis:

- Is higher education related to less criminal liability?
- Is higher education related to less civil liability?
- Is higher education related to less administrative liability?

Content analysis will be utilized of personnel files created by a police department in Mahoning County, Ohio. Content analysis allows the researcher to take advantage of existing data. By using existing data, the researcher can eliminate or reduce some types of more lengthy preparation. An example of this would be a survey design. If this researcher were to use a questionnaire to obtain the data, one of the issues would be developing and testing the questions. The researcher would then have to distribute the questionnaire, allow time for the return of the questionnaire, and then enter the necessary data. This design would take a very long time and possibly require some type of funding for photocopying and mailings. Overall, when there is existing data available, it is efficient to make use of it. The following variables comprise my data set: rank, age, years of experience, complaint, disposition, and educational level. Each variable will be discussed in the *measures* section below.

Reliability and Validity

When looking at reliability, this researcher looked at the case consistency, as all the cases between 2005 and 2009 were documented formal complaints received and investigated by the internal affairs division of the township police department for that time period. Each case will be checked for consistency and the inclusion of all descriptive information, which will be compared to the other cases in the study, checking for uniformity as well as standardization in details.

Citizen complaints are not a unique phenomenon in the field of law enforcement. Having 26 years of experience in law enforcement, as well as being in law enforcement administration, this researcher found it to be a common practice for citizens to complain in reference to an officer's conduct. There was approximately one complaint per week lodged by a citizen. However, there was also a common practice for these same citizens to leave the complaint unsettled when asked to formalize the complaint. This researcher, through experience, estimates that only 1 in 10 complaints from citizens ever reach the level of a formal investigation concerning an accused officer's actions. This researcher believes that most citizens in this situation are looking for a way to vent their anger or frustration. Once they have accomplished this form of release, the citizens feel relieved, feeling their voices were heard, and a formal complaint is not pursued. When a formal complaint is filed, the complaint is taken seriously by police administrators and fully investigated.

In reference to the police department's standards, not only in complaint investigation, but in total operations, the department is CALEA (Commission on Accreditation for Law Enforcement Agencies) accredited. CALEA can be described as a primary method for an agency to willingly display their commitment to excellence in law enforcement. These standards, which the Law Enforcement Accreditation Program base their foundation upon, reflect the most up to date philosophies and experience of researchers as well as law enforcement practitioners (CALEA). With this township police department having CALEA accreditation, it reinforces the reliability of the data that will be used in this thesis.

This researcher also looked at validity. By looking at validity, the researcher guages how honest or accurate the complaints filed against the officers are. This researcher, having over 10 years in police administration, treats initial complaints from citizens as being honest and accurate until proven dishonest or inaccurate to eliminate any bias in the investigation. In reference to the cases used in this study, this researcher believes that upon initial receipt of the complaint, no immediate dishonesty or inaccuracies were detected and the complaint was then forwarded to the internal affairs division for further investigation.

Variables

The dependent variable in this thesis is police officer *liability*. There are three types of liability investigated. The first type is criminal liability. Criminal liability is described as a violation of federal, state, or local law. Examples of criminal liability can range from disorderly conduct to homicide. The second type of liability is civil liability. Civil liability is a legal obligation stemming from a private wrong. An example of this may be when a police officer acts beyond the scope of duties and another person or person's property is injured or damaged. The third type of liability is administrative. Administrative liability is a violation of departmental rules and regulations. An example of administrative liability may be officer insubordination.

Any one of the three types of liability being looked at can come with a penalty from either the department or the government or in some cases both. It is hypothesized that liability will be influenced by educational level. Police officer liability is identified in this thesis as formal complaints filed and investigated by the internal affairs division of the police department chosen for this research.

There are only two outcomes from the internal affairs investigations. One outcome of the investigation is a sustained decision and the other is an unfounded decision. In a sustained decision, the officers being investigated are found guilty of the charge and therefore assume liability for their actions. In an unfounded decision the officers would be cleared of any wrongdoing and therefore assume no liability. This research will then measure the difference in those cases being sustained, and the educational level of the officer or officers involved. The data were selected using at least three criteria. First, when looking at the selection of police departments, this researcher wanted to stay within Mahoning County as multiple visits to the police departments were anticipated. Second, although the data are available given they are public record, the departments that have computerized data were sought out over others because it reduces the amount of time needed to analyze the data. Third, the department (s) selected needed to be large enough to provide at least thirty cases to analyze.

Analysis

In the first phase of the analysis, descriptive statistics, such as the mean, median, and mode, are used to estimate the central tendency of the data. By using central tendency, this researcher is able to describe the appropriate average (i.e. mean) year, age, and years of experience. By using the median, this researcher will be able to describe the middle or exact center of the series of numbers in the data (i.e. for officer rank and education). The median can help to determine if more officers in the data possess a bachelor's degree than a master's degree. When looking at the mean and the median together, it will allow the researcher to determine if the data are normal or whether the data are skewed. The mode allows the researcher to determine the value that is the most frequent category for each nominal variable in the data set (i.e. complaint type and outcome).

This researcher had to find a sample that would allow the use of statistics that provide evidence to address the question: Are law enforcement officers with higher education related to less liability than those without higher education? This can be solved by gathering data from a township police department in Mahoning County, Ohio. Table 5 will reveal demographic data, as well as complaint types and outcomes of the data sample.

In the second phase of the analysis, cross-tabulations and Pearson's chi-square were conducted to explore possible relationships between age, years of experience, rank, complaint type, outcome, and educational level. SPSS version 17 was used for this purpose.

Summary

This thesis utilizes content analysis to gather data from a township police department in Mahoning County, Ohio. The data gathered covered a five year period commencing in 2005 and running through 2009. The data included police officer rank, age, years of experience, complaint type, complaint disposition and educational level. Descriptive and comparative statistics were conducted, as well as cross-tabulations, and chi square tests. The next chapter will discuss the results of the analysis.

Chapter 4

Results

This thesis focused on the relationship between police officer educational levels and how they relate to police officer liability. Data for the research were gathered from a township police department from Mahoning County, Ohio over a five year period. The period began in 2005 and ran through 2009 and included police officers rank, age, years of experience, complaint type, complaint disposition and educational level. The core question guiding this thesis is how does education influence liability.

This core question is then specified by three research questions which guided the analysis:

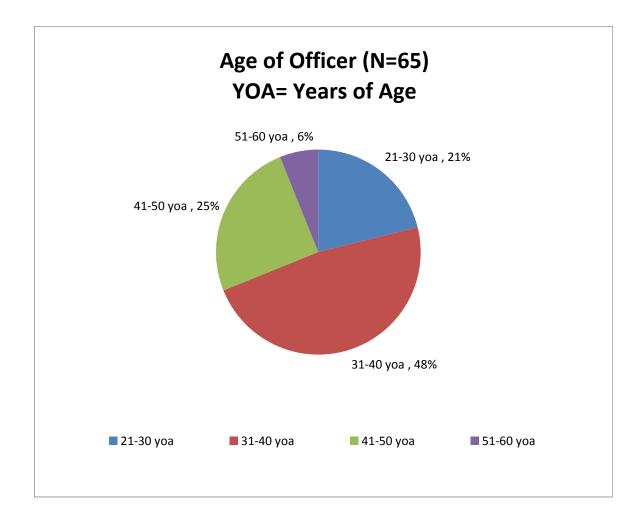
- 1) Is higher education related to less criminal liability?
- 2) Is higher education related to less civil liability?
- 3) Is higher education related to less administrative liability?

The results are divided into two sections. First, an overall summary of the sample is provided. Next, the findings are presented relative to each of the hypotheses for the research questions.

	Median	Mean	Ν	%
Age (years)	34	36.6		
21-30			14	21
31-40			31	48
41-50			16	25
51-60			4	6
Years Experience	8	10.5		
1-10			41	63
11-20			17	26
21-30			5	8
31-40			2	3
Rank				
Patrol Officer			49	75
Sergeant			11	17
Lieutenant			3	5
Captain			2	3
Educational Level				
High School/GED			7	11
Bachelor's Degree			52	80
Masters Degree			6	9
Complaint Type				
Civil			9	14
Criminal			19	29
Administrative			37	57
Complaint Outcome				
Sustained			15	23
Unfounded			50	77

Table 5. Profile of Sample (N=65)

The profile of the data sample (Table 5) was organized around descriptors taken from the 65 cases used in the research study. As pointed out in the methodology chapter, the unit of analysis in this data set is a formal complaint on an officer between 2005 and 2009 that the internal affairs division processed. It is possible that more than one complaint is included with respect to a single officer. The following sections will detail each of these six descriptors. Table 6. Age of Officer (N=65)



The age of the officers was broken down into 4 groups. The group of officers ranging from 21 years of age to 30 years of age contained 14 officers or 21% of the total group. The group of officers ranging from 31 years of age to 40 years of age contained 31 officers or 48% of the total group. The group of officers ranging from 41 years of age to

50 years of age contained 16 officers or 25% of the total group. The group of officers ranging from 51 years of age to 60 years of age contained 4 officers or 6% of the total group. The group of officers ranging between 31 and 40 years of age was the largest group, and nearly represented half of the officers in the sample.

Years of Experience

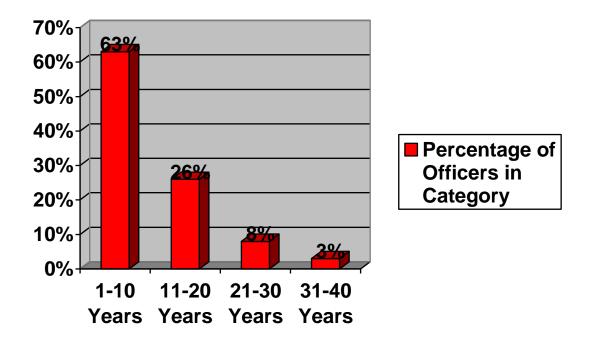
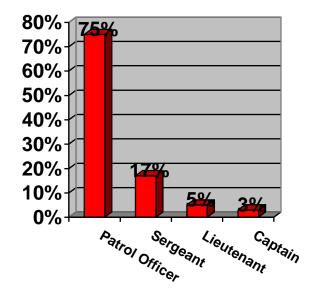


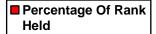
Table 7. Years of Law Enforcement Experience (N=65)

The years of experience possessed by the police officers in the dataset were broken down into four groups. The group of officers ranging from 1 year of experience to 10 years of experience contained 41 officers or 63% of the total group. The group of officers ranging from 11 years of experience to 20 years of experience contained 17 officers or 26% of the total group. The group of officers ranging from 21 years of experience to 30 years of experience contained 5 officers or 8% of the total group. The group of officers ranging from 31 years of experience to 40 years of experience contained 2 officers or 3% of the total group. The group of officers with 1 year of experience to 10 years of experience was the largest group and represented well over half of the officers in the sample group.

Officer Rank Structure

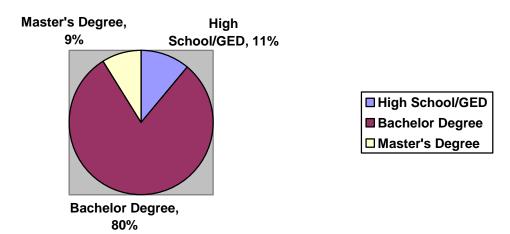






The rank held by the police officers in the dataset was broken down into four groups. The group of officers holding the rank of patrol officer contained 49 officers or 75% of the total group. The group of officers holding the rank of sergeant contained 11 officers or 17% of the total group. The group of officers holding the rank of lieutenant contained 3 officers or 5% of the total group. The group of officers holding the rank of captain contained 2 officers or 3% of the total group. The group of officers holding the rank of patrol officers was the largest group representing 75% of the department's police officers. *Officers' Educational Level*

Table 9. Officer Level of Education



The educational level held by the police officers in the data set was broken down into three groups. The group of officers that possessed the educational level of a high school diploma or graduation equivalency diploma (GED) contained 7 officers or 11% of the total group. The group of officers that possessed the educational level of a bachelor's degree contained 52 officers or 80% of the total group. The group of officers that possessed the educational level of a master's degree contained 6 officers or 9% of the total group. The group of officers that possessed a bachelor's degree was the largest group and represented over three quarters of the sample of complaints in this thesis.

In 2010, the entire police department from which these complaint data were obtained was made up of 19% of its officers having less than a college degree and 81% having a bachelor's degree or higher. Data were not available for the years between 2005 and 2009 nor were the available to distinguish between a bachelor's degree or master's degree.

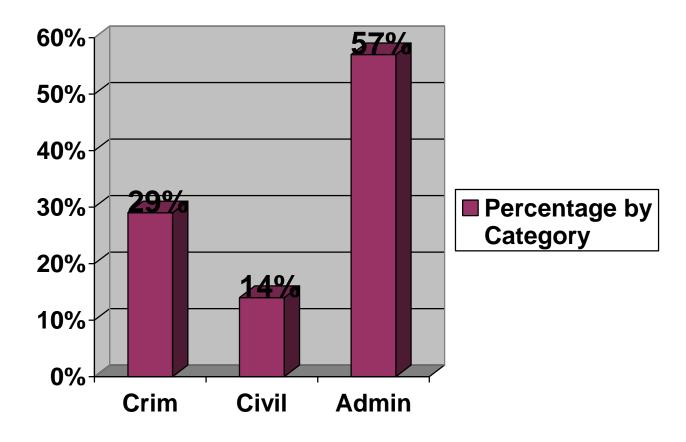


Table 10. Complaint Type (N=65)

The complaints received by the Internal Affairs division of the police department chosen for this thesis were broken down into three categories. Those three categories are: criminal, civil, and administrative liability. Examples of criminal liability can range from disorderly conduct to homicide. A violation of federal, state or local criminal laws fall into this category. The second type of liability is civil liability. Civil liability can be described as a legal obligation stemming from a private wrong. An example of this may be when a police officer acts beyond the scope of his duties and another person or person's property is injured or damaged. The third type of liability is administrative. Administrative liability can be described as a violation of departmental rules and regulations. An example of administrative liability may be officer insubordination. The criminal liability category contained 19 official complaints or 29% of the total. The civil liability category contained 9 complaints or 14% of the total. The administrative liability category contained 37 complaints or 57% of the total. The administrative liability category was the largest category with well over half of all the official complaints filed.

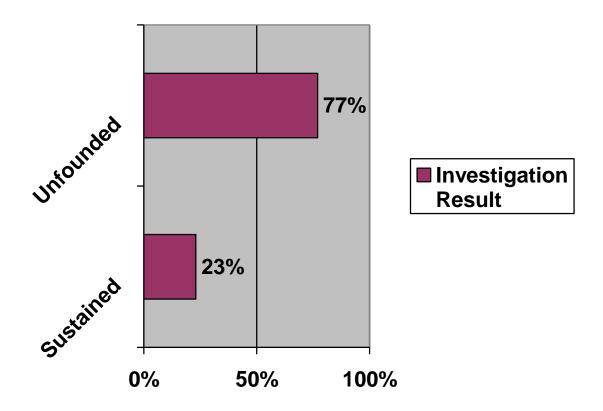


 Table 11. Complaint Outcome (N=65)

Following the investigation of a complaint by the Internal Affairs Division, a result was rendered. The result of the investigation was either sustained or unfounded. In a sustained result, the officers were found guilty or negligent in their actions. This result could then take the form of some punishment up to and including being fired from their employment as well as criminal or civil charges being filed against the officers. If the investigation result was unfounded, the officers were cleared of any wrongdoing. There were 15 cases that were sustained, which constituted 23% of the complaints filed. There were 50 cases that resulted in being unfounded or 77% of the complaints filed. The unfounded complaints were the largest category with nearly three quarters of the cases investigated.

Complaint Type

Education

Education Categories (p=.166)			
Complaint Type	< College	Bachelor's Degree	
	Degree	and Higher	Total
Criminal	1 (14%)	20 (35%)	21 (32%)
Civil	0 (0%)	3 (5%)	3 (5%)
Administrative	6 (86%)	35 (60%)	41 (63%)
Total	7 (10%)	58 (90%)	65

The second section of the results addresses how education may relate to liability. The expectation is that more education relates to less liability. As Table 12 indicates, in two out of three types of liability, higher educated police officers have more liability. Specifically, the officers possessing a high school diploma or Graduation Equivalency Diploma (GED), totaled seven (10%) investigated complaints overall. Those complaints were broken down into the following three categories: 14 percent (n=1) were criminal complaints, 0 percent (n=0) were civil complaints and 86 percent (n=6) were administrative complaints. More than three quarters of the complaints investigated by officers possessing less than a bachelor's degree fell into the administrative category.

Similarly, officers who possessed a bachelor degree or higher had more than half of their investigated cases in the administrative category.

Findings from the Pearson Chi Square test of significance revealed there were too few cases for a minimum expected count. Therefore, chi square could not be interpreted in order to test for a dependent relationship between education and complaint type. However, a Yates test revealed a relationship did not exist between complaint type and educational level. The obtained p-value from the Yates test was greater than the alpha of ten percent (p=.166), implying that there was no support for the hypothesis. It was determined, from these results, that no support was present for the hypothesis that education and liability were dependent on one another.

Of the different complaint types, it was anticipated that higher educated officers would be most likely to have administrative liability because due to their increased schooling they are more likely to question authority. The results show that 35 of the cases, or 60%, investigated by officers with higher education were in the administrative category.

	Education Categories (p=.072)			
Disposition of Case	< College	Bachelor's Degree		
	Degree	and Higher	Total	
Unfounded	6 (86%)	44 (76%)	50 (77%)	
Sustained/Found Guilty	1 (14%)	14 (24%)	15 (23%)	
Total	7 (10%)	58 (90%)	65	

Table 13. Disposition of Case and Education Cross-tabulation

Disposition of Case

Education

The second hypothesis tested was that more education should be related to a lower chance of having the complaint sustained. Overall, there was support, but most likely in the direction opposite of what was anticipated.

The officers possessing a high school diploma or Graduation Equivalency Diploma (GED), totaled seven investigated complaints overall. Those complaints were broken down into the following two categories: 14 percent (n=1) were sustained/found guilty and 86 percent (n=6) were unfounded complaints. More than three quarters of the complaints investigated by officers possessing less than a bachelor's degree fell into the unfounded category. Similarly officers who possessed a bachelor degree or higher had a total of 58 cases investigated. More than three quarters of their investigated cases were in the unfounded category with 76 percent (n=44), and 24 percent (n=14) being sustained/found guilty category. When the percentage of officers with a high school diploma or GED are compared to the officers with a bachelor's degree or higher it was found that those possessing a bachelor's degree or higher had 10% more sustained cases.

Findings from the Pearson Chi Square test revealed again that, there were too few cases for a minimum expected count and this was not interpretable. A Yates test revealed a relationship did exist between disposition of case and educational level. The obtained p value from the Yates test was less than the alpha of ten percent (p=.072) indicating that there was support for the research hypothesis. However, it appears to be in the direction opposite of what was anticipated. Specifically, this cross-tabulation shows that those complaints with officers who have a higher level of education have a greater probability of having a guilty outcome.

	Education Categories (p=.107)			
Position (Rank)	< College Bachelor's Degree			
	Degree	and Higher	Total	
Patrol Officer	6 (86%)	43 (74%)	49 (75%)	
Sergeant	1 (14%)	10 (17%)	11 (17%)	
Lieutenant	0 (0%)	3 (5%)	3 (5%)	
Captain	0 (0%)	2 (3%)	2 (3%)	
Total	7 (10%)	58 (90%)	65	

Table 14. Position (Rank) in Department and Education Cross-tabulation

Position (Rank)

Education

The officers possessing a high school diploma or Graduation Equivalency Diploma (GED), totaled seven officers overall. The officer position or rank is broken down into

the following four categories: 86 percent (n=6) were patrol officers, 14 percent (n=1) held the position of sergeant, 0 percent (n=0) were lieutenants, and 0 percent (n=0) were captains. More than three quarters of the officers being investigated that possessed less than a bachelor's degree held the position of patrol officer. When looking at officers who possessed a bachelor degree or higher nearly three quarters held the rank of patrol officer with 74 percent (n=43). Sergeants were at 17 percent (n=10), lieutenants 5 percent (n=3), and captains 3 percent (n=2).

Findings from the Pearson Chi Square test revealed there were too few cases for a minimum expected count of five and these are not interpretable. A Yates test revealed a relationship did not exist between position (rank) in the law enforcement department and educational level. The obtained p value from the Yates test was greater than the alpha of ten percent (p=.107), implying that there was no support for the research hypothesis. It was determined from these results that officer rank is not related to level of education.

Complaint					
Туре	Education				
• •	Less Than BS/A	BS/A	Masters	Ν	
Criminal	1 (14%)	18 (35%)	1 (17%)	20 (30%)	
Civil	0 (0%)	3 (5%)	1 (17%)	4 (7%)	
Administrative	6 (86%)	31 (60%)	4 (66%)	41 (63%)	
Totals	7 (11%)	52 (80%)	6 (9%)	65	

Table 15. Complaint Type and Education

Table 15 is an extension of what was reported in table 12. However, table 15 has taken the bachelor degree and higher section of table 12 and broken it down into two categories. The two categories are bachelor degree and master's degree. This separation of bachelor and master's degreed officers was done to determine if there was an increase or decline in the complaint type category.

Overall, it was found that all three of the levels of officer education had the highest concentration of cases in the administrative liability complaint type. This was able to further support the anticipation that higher educated officers would have the highest representation in this complaint category. However, it was not anticipated that high school/GED educated officers would also have their highest concentration of cases in the administrative liability category.

Of the criminal complaints that were investigated 1 (n=20) complaint was filed against an officer possessing less than a bachelor's degree. There were 18 (n=20) criminal complaints filed against officers who possessed a bachelor's degree, and 1 (n=20) filed against an officer possessing a masters degree.

Of those officers possessing less than a bachelor's degree, 14% (n=20) of the complaints investigated in their category were criminal complaints, 35% (n=20) of the criminal complaints were associated with the category containing officers who possessed a bachelor's degree, and 17% (n=20) were associated with the category containing officers possessing a masters degree.

Of the civil complaints in the category containing those officers with less than a bachelor's degree, 0% (n=4) complaints were filed, while those possessing a bachelor's degree had 6% (n=4), and those that possessed a masters degree had 17% (n=4) filed for their respective categories.

Of the administrative complaints in the category containing those officers with less than a bachelor's degree, 86% (n=41) of the complaints were filed, while those possessing a bachelor's degree had 60% (n=41), and those that possessed a masters degree had 67% (n=41) filed for their respective categories.

Officers possessing less than a bachelor's degree had more than three quarters of their complaints filed in the administrative category. Officers possessing a bachelor's degree had over half of their complaints filed against them in the administrative category, and those possessing a master's degree had slightly less than three quarters of their complaints filed in the administrative category.

Complaint					
Outcome	Education				
	Less Than BS/A	BS/A	Masters	n	
Unfounded	86% (6)	75% (39)	83% (5)	77% (50)	
Sustained/Guilty	14% (1)	25% (13)	17% (1)	23% (15)	
Totals	10% (7)	80% (52)	10% (6)	65	

Table 16. Complaint Outcome and Education (N=65)

Table 16 is an extension of what was reported in table 13. However, table 16 has taken the bachelor's degree and higher section of table 13 and broken it down into two categories. The two categories are bachelor degree and master's degree.

Of those officers possessing less than a bachelor's degree, 86% (n=50) of the complaints were unfounded in their category, and 14% (n=15) were sustained/guilty. Of those officers who possessed a bachelor's degree, 75% (n=50) of the complaints in their category were unfounded, and 25% (n=15) were sustained/guilty. Of those officers possessing a master's degree, 83% (n=50) of their cases unfounded, and 17% (n=15) of their cases were sustained/guilty.

Of those officers possessing less than a bachelor's degree, over three quarters of their cases were unfounded. Of those officers possessing a bachelor's degree three quarters of their cases were unfounded, and those officers possessing a master's degree over three quarters of their cases were unfounded.

Table 17. Outcome Comparisons by Education Level

Outcome	Education Less Than BS/A BS/A and Masters			
	Less Than DS/T	DS/IX and Wasters	1	
Complaints Investigated	10%	90%	65	
Complaints Sustained/Guilty Outcome	7%	93%	15	
Total Police Officers in Department for 2010	19%	81%	48	

As shown in table 17, of those officers with less than a bachelor's degree, they represent 10% (n=65) of the officers investigated within the police department. These same officers had 7% (n=15) of the department total of 15 sustained/guilty complaints. Of those officers with a bachelor's degree and higher, they represent 90% (n=65) of the officers investigated within police department. These same officers had 93% (n=15) of the department total of 15 sustained/guilty complaints.

Summary of Findings

Analysis of the findings did not overwhelmingly support the hypotheses of this thesis. In this dataset complaints are not related to education, if anything more education appears to be related to a greater likelihood of liability/complaints. Also, the data suggests that complaints with officers who have a higher level of education appear to have a greater probability of having a guilty outcome.

The final chapter will review the major findings of this thesis and discuss the contributions of the thesis. The major strengths and limitations will be discussed, as well as recommendations for future research in the area of higher education and police officer liability.

Chapter 5

Conclusions and Discussions

This thesis utilized content analysis to examine the relationship between higher education and police officer liability. The main hypothesis tested in this thesis asserts that higher education will shield officers from liability. More specifically, the three research questions that were posed to guide this thesis are:

- Is higher education related to less criminal liability?
- Is higher education related to less civil liability?
- Is higher education related to less administrative liability?

The expectation that higher education would lower chances of police officers getting complaints was not supported. To the contrary, the data appear to show that the opposite is the case.

Findings for research question #1, that higher education related to less criminal liability, was not supported through the statistical analysis of the research data. Findings for research question #2, that higher education related to less civil liability was not supported through the statistical analysis of the research data. Findings for research question #3, that higher education related to less administrative liability was not supported through the statistical analysis of the research data.

Strengths

This thesis was an exploratory study of how higher education relates to police officer liability. One of advantages of this research is that it provides a fresh view into whether a bachelor's degree should be a prerequisite to a career in law enforcement. There is existing research that includes education as a variable when looking at different aspects of law enforcement. However, when concentrating on education as it relates to liability the research is limited. At the very least, this research can add to existing research providing a clearer picture and helping to establish higher education's value in law enforcement.

This thesis will add to the existing knowledge concerning higher education and how it relates to lessening police officer liability and in the overall advancement of the field of study. This research addresses the knowledge and understanding of scholars, academics, and law enforcement administrators concerning higher education and how it relates to the lessening of police officer liability.

Limitations

The limitations of this research were recognized early during the collection of data. While the data used in this research were found to be highly reliable and valid, limitations were found when trying to obtain data from other law enforcement agencies during preliminary investigations. The law enforcement agencies pursued that did not have computerized data also had restrictions on access to personnel records, as well as additional requirements making data collection nearly impossible. There were also issues concerning compliance with union contracts and the permissions for accessibility to personnel records.

The collected data were found to be unevenly split with regard to educational levels. With the uneven split of data coupled with the total number of cases being limited to 65, statistical analysis was also limited.

The outcome variable, liability, is one dimension of an officer's performance. The reason why this researcher focused on liability is that it is believed to be a trigger for other, more detrimental consequences of poor policing.

The depth of the retrieved data also presented a challenge. There was no way to determine when the officers received their education, whether during or prior to their law enforcement career. There was also no control for law enforcement experience, which prior research says is influential. An analogy of this could be found by looking at accident investigations. While there may be support for which driver was at fault in an accident, it would be difficult to determine the total miles an operator has driven prior to the accident.

This research found that support did not exist for how higher education relates to the lessening of police officer liability. However, it did become apparent that there was support for those officers who possessed less than a bachelor's degree and how it relates to the lessening of police officer liability. If a relationship exists between a high school level education and how it relates to the lessening of liability, then future researchers may want to concentrate on this area. This finding is contradictory to what governmental studies, such as the Presidents Commission of Law Enforcement, recommend for the future of policing. This would also include those police departments that already require a bachelor's degree prior to being hired. Therefore, more research is needed to justify the commission's recommendation.

Future researchers may also want to explore why those officers with less than a bachelor's degree had lessened amount of liability. Henson & Reyns et.al. (2010) reported that the only variables related to complaints were gender, age, military service, and that younger officers and those with military service had more complaints filed against them. Some possible answers may lie in work ethic and the interaction with citizens. Smith and Aamodt (1997) found correlations between education and most measures of performance. Research should investigate police officers over time in order to gauge the impact of education relative to their career path and performance. The less

contact an officer has with the public would presumably lower the chance that one of these citizens would file a formal complaint. Future research needs to take into account how much exposure police officers have with the public in order to gauge their risk of liability.

Summary

The findings of this research failed to support the main hypothesis which proposed that education would lessen liability for law enforcement officers. More specifically, the three research questions that were posed to guide this thesis were:

- Is higher education related to less criminal liability?
- Is higher education related to less civil liability?
- Is higher education related to less administrative liability?

This finding may lead future researchers to further investigate how those police officers that possess less than a bachelor's degree may have lessened liability.

While the anticipated support for higher education was not realized, this thesis focused on one of the possible methods looking at liability and how it relates to higher education. Much attention is needed to understand the connection between the two.

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APPENDIX A

Research Hypotheses

- Higher education in law enforcement is related to less criminal liability.
- Higher education in law enforcement is related to less civil liability.
- Higher education in law enforcement is related to less administrative liability.
- Higher education is related to a lower chance of having a guilty complaint outcome.

APPENDIX B

Variables Utilized to Operationalize Research Hypotheses

- 1. Complaint Type and Educational Level
- 2. Disposition (Outcome) of Case and Educational Level
- 3. Position (Rank) in Department and Educational Level
- 4. Sustained (Guilty) Outcomes and Educational Level

APPENDIX C

Human Subjects Committee Approval Letter (Attached)

February 2, 2010

Dr. John Hazy, Principal Investigator Mr. Edward Villone, Co-investigator Department of Criminal Justice UNIVERSITY

RE: HSRC Protocol Number: 82-2010 Title: Police Officers and Higher Education: Does Higher Education Have a Positive Impact on Performance?

Dear Dr. Hazy and Mr. Villone:

The Human Subjects Research Committee has reviewed the abovementioned protocol and determined that it is exempt from full committee review based on a DHHS Category 4 exemption.

Any changes in your research activity should be promptly reported to the Human Subjects Research Committee and may not be initiated without HSRC approval except where necessary to eliminate hazard to human subjects. Any unanticipated problems involving risks to subjects should also be promptly reported to the Human Subjects Research Committee.

The HSRC would like to extend its best wishes to you in the conduct of this study.

Sincerely,

Peter J. Kasvinsky Dean, School of Graduate Studies Research Compliance Officer