

## **Still Some Surprises, After All These Years**

*by Michael J. Lindsay - 2/17/10*

I would like to share with you some interesting findings I recently gleaned from a basic class on several issues concerning law enforcement professionalism. Having been off the street for many years, I regularly poll new officers on issues, their attitudes and current street techniques.

Recently, we had the perfect combination of events that allowed for a close examination of a few issues rarely discussed in our basic course in any depth.

The first and most important occurrence that made such a session possible was that in 2009 we enrolled the smallest basic class in our history—15 officers. Dividing a class this size into discussion groups is very workable; dividing a class of 120 students into such groups is not.

I had, coincidentally, just completed a lesson plan that addresses some of these issues when we unexpectedly found that we had a couple of open hours the day before their graduation.

This lesson plan called for dividing the class into three roundtable discussion groups. Each group had a lead officer to present their thought. The audience (the rest of the class) could then ask questions, pose hypothetical situations, or voice disagreement with the comments made by the panel.

The issues for discussion were summarized in an article (reproduced below) that was issued to the members of the first panel. The other two groups were assigned equally troublesome issues that were touched upon within the article. These discussions revealed some typical “new officer” perspectives but also a couple of surprises that I will share later.

The article reproduced below was written with the purpose of narrowly focusing these discussions but also to irritate a few panel members in hopes of generating a more lively dialog. This article is somewhat pessimistic, but it was designed to be that way specifically for this exercise.

### **Is Police Professionalism Slipping?**

*A couple of years ago, a state senator, James Arnold from La Porte County, gave me a photocopy of an article he had taken from a national newspaper titled “Police brutality cases up 25%, union worried over dip in hiring standards”, U.S.A. Today, 12/18/07.*

*He had gone out of his way to give me this article so I knew he thought it important. Senator Arnold is not uninformed about such issues. He was a career law enforcement officer, shift commander, sheriff, prosecutor’s investigator and criminal justice educator at the college level. I also noticed at that time that at least one major law enforcement agency in the state had deemphasized its hiring requirement that recruits have the equivalent of an associate degree.*

*Being one of the “old dogs” I know from personal observation that we experienced a lot of progress professionally during the 1960s and 1970s. It was during this period that a lot of money and resources were funneled into the system that enabled officers among other things to be reimbursed for taking college courses. This is also the time when the Law Enforcement Assistance Administration was a dynamic entity within the U.S. Department of Justice and the time when the National Advisory Commission on Criminal Justice Standards and Goals was active (1971 – 1973).*

*Progress during the 1980s continued. During these years, the courts were also busy establishing practice standards for law enforcement. Then during the late 1990s and after 9/11, the courts took more of a hands-off approach. Today, we are beginning to see the pendulum swing back.*

*The Indiana Supreme Court has dictated that certain confessions must be video recorded to be admissible as evidence. The U.S. Supreme Court recently made a surprising shift on a vehicle search rule that most thought was settled law, *Arizona v Gant*, No. 07-542, 556 U.S. \_\_\_\_ (2009).*

*During the past five or six years, the Indiana state legislature—primarily at the insistence of several special interest groups—has mandated that the police take training in some rather specific areas. This was not the case in the years just prior to this period.*

*Likewise, the Law Enforcement Training Board has been asked over the past several months to revoke a record number of law enforcement certificates for officers who have been convicted of felonies ranging from as little as DUI to Mail Fraud, Money Laundering, and Distribution of Drugs (one of which was recently sentenced to 17 years in federal prison).*

*According to the article mentioned at the beginning of this paper, the federal government has had a substantial increase (25%) in the number of complaints of brutality (excessive force) for the seven year period of 2001 through 2007 compared to the previous seven years.*

*The article also reports that federal prosecutors were able to obtain a 53% increase in the conviction rate during this same period, perhaps indicating that jurors (i.e., the public) are more than ever willing to believe that police officers commit crimes.*

*There is no doubt that law enforcement has developed professionally in the tactical areas over the years and continues to develop at a fairly rapid rate in these areas today. Things like advanced SWAT maneuvers, gaze patterns for gauging dangerous situations and deception, and Horizontal Gaze Nystagmus for determining a level of intoxication certainly are examples of law enforcement exploring new, complex areas.*

*Nonetheless, the areas of advanced legal training, ethics, report writing, restrained use of force and career development as well as the establishment of professional standards are examples of issues that have become more important in recent years but apparently have not been satisfactorily addressed by law enforcement, at least as perceived by the public.*

*Consequently, it has seemingly become necessary for the public to mandated these areas for police attention either through legislation via special interest groups or through civil suit (with the courts' blessing) to attain the levels of sophistication necessary for the police to function in a modern society.*

— *Michael J. Lindsay*

Are these beliefs unfounded or at least somewhat misdirected? Is the profession backsliding? What should we be doing to take our next steps professionally?

This first panel was told to address the questions posed at the end of the above article. The second panel focused on the news media and its relationship with law enforcement when addressing such issues while the third panel addressed issues in the article having to do with future directions in law enforcement.

All three groups generated good discussions. A questionnaire was then provided to each officer that inquired about certain issues discussed by the panels.

The predictable areas that came out of these questionnaires and exercises had to do with what new officers perceive to be the most important issues for them. Perhaps the most predictable response of these was that new officers believe the most important goal for their development as a true profession is to continue their training in the tactical skills, i.e., firearms, S.T.O.P.S., physical tactics, EVO, etc.

We regularly see this same result in our end-of-course evaluations at the Academy when asking what training the students believe should be stressed in future basic courses.

Academy instructors have long wrestled with what types of classes are best included in the basic curriculum as opposed to what types are best taught at the local department level, knowing that every subject cannot be taught to a veteran's level of sophistication in a basic course.

To this point, it has always been assumed that intermediate and advanced tactical training is more aptly presented at the local department level. Not only do local departments have a better chance of practicing like they work in the field, but new officers clamor for this type of training and will arguably participate in substantial numbers if offered.

It is also felt by many academy instructors that subjects like criminal law, cultural awareness, human behavior, report writing, ethics and the like must be taught at the Academy because the likelihood of these subjects being presented in any depth at the local department after graduation is slim. Consequently, we end up with the type of basic curriculum we have today.

Nonetheless, it was obvious—and surprising to this author—that the students in this class did not feel comfortable (even on the day before graduation) being released to handle these types of tactical calls on their own. These students stated that rather than being overdosed on this type of training, these [perceived] shortcomings in tactical training should be immediately addressed by their departments when they return home.

Another surprising response—to this author—was that no one in any of the groups or the audience was offended that the article (presented to them for discussion) alleged that we are allowing all of the other professional areas within our occupation to deteriorate.

No one argued that these observations were unfounded, bias, misdirected or inaccurate, or had a political agenda. It seemed that these officers believed that these observations on the non-tactical areas of law enforcement may be correct, but so what!

Similarly, no one was upset that law enforcement might be quickly progressing towards a military model (as compared to the community oriented policing model so often touted in the media). There was also open acknowledgement of the “us against them” perspective, even after having just completed 15 weeks of cultural awareness, human behavior, dealing with autism and like classes.

No one was dismayed that outside organizations like special interest groups or the media had identified a number of areas in which law enforcement allegedly needs work, and no one seemed upset that we have the federal government, the courts, the legislature and politicians dictating our training and operational standards.

Although it seems somewhat inconsistent, nearly all members thought that discussions of these higher-level issues are proper for a basic course. Some thought that these issues should be exposed early in the course; other thought the end of the course more appropriate.

In order to distill what seem to be some very inconsistent results from these exercises, one probably needs to take a big view. Officers are very receptive to examining these issues early in their careers—perhaps even early in the basic course—and early exposure is necessary according to these officers for reflection and for the development of these ideas.

Even though this class was saying that the seeds for professional thought need to be planted early, this exercise seemed to show that one should not expect to harvest the fruits from these seeds until several years in the future, if then.

The most immediate concern for the officers in this class is to receive more tactical training—either at the Academy or from their departments through FTO programs and the like.

Whether these attitudes and observations square with reality is another question. These are, after all, new officers who, on average, have less than one year of street experience. Still, their observations on the profession may be prophetic and foretell the future if these attitudes endure through the first several years of their employment.

Will law enforcement organizations continue to become increasingly oriented towards military tactics and mindsets? Will these officers eventually recognize the importance of the more academic skills like negotiation, interviewing, report writing and advanced law study? Will officers in the future recognize that they need to satisfy legislators, the media, special interest groups and the public as well as the law in order to maintain the support needed for continued

advancement? Will the very definition of what it means to be a professional police organization change?

If nothing else, these discussions show that this author can still be surprised, even after all these years.

If you work in a unique segment of law enforcement and would like to tell others about your responsibilities, department or training please submit an article to the Journal.

To submit an article, contact [ILEA Deputy Director Mike Lindsay](#).