Public Administration in Criminal Justice Organizations

By Arthur D. Wiechmann

Included in this preview:

- Selections From the Book
- Copyright Information
- Table ofContents
- Chapter 2 Preview
- Chapter 10 Excerpt
- Author Biography
- Author Resume
- Training and Certifications
- Publications

For additional information on adopting this book for your class, please contact us at 800.200.3908 x71 or via e-mail at info@universityreaders.com
Arthur D. Wiechmann retired from the Fullerton, California police force in 2004 after 29 years in patrol, traffic, investigation, and crime scene investigation functions; he was a sergeant for 14 years. Art has a BA in Criminal Justice and an MA in Social Science from California State University, Fullerton. He is a graduate of the Supervisory Leadership Institute and the Delinquency Control Institute. He is a nationally certified Drug Recognition Expert Instructor. Since 1994 Art has been a member of the faculty in the Division of Politics, Administration, and Justice at CSU Fullerton. He is also an adjunct faculty member at Fullerton College. He has published 10 articles on community-oriented policing, supervision, and management.

Another Publish Your Works™ title by Arthur D. Wiechmann:

**The Police Function**

Copyright © 2007 by Arthur D. Wiechmann
All rights reserved. Published 2007
11 10 09 08 07 1 2 3 4 5

Printed in the United States of America

ISBN: 0-9763162-6-9 (cloth)

Cover design: Fabián Chow
# TABLE OF CONTENTS

## CHAPTER ONE

**Management Theory**  1

- Classical Organizational Theories  2
- Human Relations Theory  20
- Systems Theory  29
- Situational Approach  36

## CHAPTER TWO

**Organization and Structure**  41

- Transition of Police Management  42
- Organizational Concepts  44
- Mission Statements, Policies, and Procedures  48
- Management Functions  62
- Management Skills  71
- Management Roles  74
- Private versus Public Management  78
- Environmental Factors  82
CHAPTER THREE

Group Dynamics 87

Definition of Groups 88
Types of Groups 90
Occupational Socialization 92
Group Commitment 98
Group Dissent 104
Groupthink 106
Prescriptions to Prevent Groupthink 109
Managing Work Groups 112

CHAPTER FOUR

Employee Motivation 116

Motivation Defined 116
Types of Theories: Content and Process 119
Content Theories 121
Process Theories 133
Management Responsibilities 141
CHAPTER FIVE

Leadership Principles  149
  Leadership Defined  152
  Styles of Leadership  156
  Continuum of Leadership  160
  Participative Management/Leadership  164
  Leadership Theories  172

CHAPTER SIX

Decision Making  184
  Four-Step Decision Making Process  185
  Rational versus Non-Rational Decision Making  189
  General Principles of Decision Making  192
  Group Decision Making  194
  Effective Decision Making Rules  201
  Improving Criminal Justice Decisions  206

CHAPTER SEVEN

Program Implementation  210
  Street-Level Bureaucrats  212
  Program Sabotage  215
CHAPTER EIGHT

Organizational Development 217

Definition of Organizational Development 217

Management Approaches to O.D. 222

Four-Step Change Process 231

Intervention and Development Techniques 233

CHAPTER NINE

The Budget Process 247

Introduction 247

Purposes of a Budget 250

Definitions of Terms 250

Budget Formats 252

Strategies and Political Games 261

Four-Step Budget Cycle 265

CHAPTER TEN

Civil Liability 269

Three Areas of Liability 270

Reducing and Preventing Liability 276

Supervisory Responsibilities 284
CHAPTER ELEVEN

Recruitment, Selection and Promotion  298

Social Environment   298

Problems with Public Sector Recruiting   303

Legal Considerations   305

Promotional Testing   309

Traditional Test Methods   310

Modern Promotional Methods   316

CHAPTER TWELVE

Training and Development   321

Reasons for Training   322

Drawbacks in the Training Process   324

Benefits of Training   326

Management Concerns   329

Training Needs Assessment   331

Training Alternatives   334

Adult Learning   338

Employee Development   345
CHAPTER THIRTEEN

Organizational Ethics 352

Values 354
Ethics 357
Ethical Relativism 359
Integrity 361
Principle versus Preference 361
Ethical Problems in Law Enforcement 363

APPENDIX 367

BIBLIOGRAPHY 377
CHAPTER TWO

Organization and Structure

Topics

- Transition of Police Management
- Organizational Concepts
- Management Functions
- Managerial Skills
- Managerial Roles
- Public versus Private Management
- Environmental Factors

Introduction

In the previous chapter, theories and designs of organizations were presented. This chapter will follow up with the functions and principles that make organizations run.

Organizations are not stagnant. They constantly evolve and change due to:

*Changes in the outside environment*: Societal attitudes, mandates, legal decisions and other uncontrollable variables force organizations to change.
Dynamics within: Changing attitudes in the work force culture can have an effect on organizational development over a period of time.

Law enforcement is a very good example of how organizations have evolved and changed over a long period of time. This transition of police management approaches is typical of how organizations evolve due to uncontrollable incidents or situations in the outside environment.

**Transition of Police Management**

**Political Era**

Prior to the turn of the last century, (pre-1900) many high-level appointments into police departments were made by political leaders. These political appointments resulted in a high amount of political control, which resulted in corruption and unethical conduct.

(In most cities, the police department is the largest department, with the largest budget, the most power, and usually a very high profile. For a city politician to have control over this department because of the appointments that he made, was important for his professional survival and power).
The political era of policing was known for corruption and bribery. Police departments were a very open system, but not in a good way. They were open to the control of politicians because of the political appointments in high-level positions, and they were open to bribes by organized crime. There was just too much undue influence from the outside environment.

Reform Era

After the turn of the 20th century, police managers made efforts to professionalize their departments. They became more organized and tried to isolate themselves from political influence and corruption. To do this, they became a very closed system, by necessity. This caused them to become very isolated from the public, but the removal of corruption was a priority at the time.

Police departments adopted bureaucratic characteristics, with very rigid structures, a clear chain of command, and a much more organized structure. They moved away from individual discretion (to reduce corruption) and instituted many rules and regulations, which was important for the control that they needed to reform.

Although detaching themselves from the community was not ideal, at the time, it was necessary to accomplish the change.
**Community Policing Era**

The reform approach worked through the 1940’s and 1950’s, but law enforcement problems changed a lot in the 1960’s with civil unrest and increased responsibilities. Law enforcement managers realized that a closer relationship with the public would reduce fear and improve problem solving. So, by the 1970’s, the police moved back to a more open system. This move was in the form of Community Policing, which involved building a relationship with the community and getting people to become actively involved in law enforcement efforts.

**Comments about this transition**

Over a period of several decades, police organizations moved from an open system to a closed system, then back to an open system. This type of change takes time, requiring major changes in organizational culture and attitudes. It was the outside environment, and its effect on the organizations, that prompted the organizations to evolve. This history of evolution is an excellent example of how organizations evolve and change, and why.

**Organizational Concepts**

The typical criminal justice organizational structure is a pyramid shape, with most of the department members at the bottom. (See appendix A). This type of structure is a typical bureaucratic structure,
Another challenge that police supervisors have is that the subculture that police officers are immersed into is contrary to the concept of treating offenders well; it’s not cool. So… supervisors must retrain officers to believe that this new strategy is cool. A personality change by the officers is not required, only a change in behavior by way of a different attitude to reach the goal of successful prosecution and reducing their liability exposure.

Supervisors must also make sure that officers understand that they do not have absolute authority over others. Routine consensual encounters can turn into detentions without the officer realizing it, which can then result in a civil rights violation, resulting in liability exposure.

**Example:** Officers commonly make contacts with individuals by asking for their consent to do so. Usually, the officer says something to the effect of “Hey, can I talk to you for a minute?” Almost always the individual consents. The process becomes so routine that officers, if they are not careful, can get lulled into a false sense that they can talk to anyone they want anytime they want.

After years of making these consensual contacts, when “asking” for consent, the requests sound more like “Hey, come here.” And suddenly, a consensual contact becomes a detention. Without probable cause to detain the individual, the detention becomes a federal civil rights violation. This could
subject the officer and agency to civil liability, and expose the officer to federal prosecution.

The police have no authority without a combination of facts. When certain facts are present, the police have authority to detain or arrest. So, without this authority or power, (because the facts necessary to establish probable cause are not present), police officers must rely on human relation skills to be effective.

Example: A Supreme Court decision regarding a case involving detentions makes it clear how important it is for officers to use consent whenever possible, such as when they lack sufficient facts to detain an individual.

Officers received a radio call that a man sitting at a bus bench at a certain location is armed with a handgun. The caller did not give their identity, and it was not known how the caller knew this information. Officers arrived at the location and observed a man fitting the description given by the anonymous caller. The subject was detained, and a gun was located on his person.

The Court stated that the information that the officers had was not sufficient for a detention. (If there had been additional information, such as an identified caller, and how the caller knew the subject was armed, this could have helped the facts problem). So, in situations like this, officers must rely on consent. The officers could have contacted the subject and
asked him for permission to search him. Efforts such as this can lead to more successful prosecutions, and can prevent Supreme Court decisions which can negatively affect the efforts of law enforcement.

So… officers should try to make voluntary contact with subjects when the officer has nothing more than investigative curiosity, with no reasonable suspicion or probable cause.

To make matters even more challenging for police supervisors, the “contempt of cop” theme is the most likely cause in a majority of civil liability cases.

**Contempt of Cop:** When an individual shows contempt for an officer or his authority through their insolence, the way officers who do not properly manage their anger “get even” is to arrest the subject with questionable probable cause, or to use too much force when the hostile suspect resists arrest.

The officer’s anger creates liability exposure for himself and for his department. So they have to accept that there are situations where they will have no authority, and there will be situations where their judgment will be impaired if they allow themselves to get angry or personally involved in an incident.
Additionally, they must accept that ordering people to talk, sit down, shut up, whatever, does not illicit a cooperative attitude that can lead to admissions and confessions.

**Three Components of Managing Liability**

**Human relations training**

- **Officers** must be skilled in the art of anger management.

- **Supervisors** have to help officers to manage their own anger and manage the anger of the suspect.

- **Management** must consider the anger management issue during the selection of personnel.

**Knowledge of authority**

It is the responsibility of police supervisors to make sure that their officers are properly trained in the law and in the policies of the organization to prevent liability exposure, such as probable cause and search and seizure.

**Skills and equipment**

There are several reasons that a situation which the police are involved in can evolve from using no force to using deadly force.
These are situations in which force could have been prevented, and these are also situations that the officer has control over, (as opposed to the size and strength of the suspect, or other uncontrollable factors).

- **Lack of tools or equipment**

  If an officer is not properly equipped to deal with a violent confrontation, he may be forced to use more force than would have been necessary if he had the proper tools. For example, some detectives only carry a firearm, and maybe handcuffs. Often, they do not carry chemical agents or batons. So, if they get in a fight with a larger and stronger suspect, they must resort to their firearm to win the fight.

- **Lack of skill or training**

  Officers need continual and on-going training in specific weapon skills, including firearms, baton, and other less-lethal weapons. If they lack the proper skill in the use of a weapon, such as a baton, they will have to use more force than would be necessary if they had the skill to use the weapon properly.

- **Lack of physical conditioning**

  If a police officer is in a fight, and the officer is in poor physical condition, he will likely not be able to hold his own. An officer
who maintains a high level of fitness is much more likely to be able to control a combative suspect. A lesser conditioned officer may have to resort to weapons to get him out of trouble.

- Fear

Fear is a powerful force. When someone, even a police officer, is in fear for his life, he will resort to any means necessary to protect himself, which would include using weapons that he has at his disposal.

Fear is removed when an officer is confident, which occurs when the officer is properly equipped, trained, and conditioned. Self confidence can even prevent physical confrontations. Officers have more confidence in facing these situations when they are prepared.

**Personal observation:** The cops who are the most prepared, (in good physical condition, mentally ready, and skilled with their weapons), seem to be involved in fewer use of force incidents. Perhaps it is because the suspects can sense the self-confidence that the officer has, and because it looks like he spends more time in a gym than a donut shop.
After 29 years in the Law Enforcement, Art wanted the second half of his life to be as challenging and fulfilling as the first half. He found this... first with sailing a 36 foot sailboat, then with writing textbooks and novels.
There is no greater calling than that of public service, especially in the field of criminal justice in which lives are protected, communities preserved, and laws enforced. It is the members of this profession who, because of their high personal and professional ethics, are able to maintain order and justice in a chaotic society.
<table>
<thead>
<tr>
<th><strong>TRAINING</strong></th>
<th><strong>CERTIFICATES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supervisory Leadership Institute</strong>&lt;br&gt;State Commission on Peace Officer Standards and Training (1996)</td>
<td>State Commission on Peace Officer Standards and Training</td>
</tr>
<tr>
<td><strong>Drug Recognition Expert Instructor Course</strong>&lt;br&gt;Los Angeles Police Department (1993)</td>
<td></td>
</tr>
<tr>
<td><strong>Problem-Oriented Policing Supervisors Course</strong>&lt;br&gt;Police Executive Research Forum (1995)</td>
<td></td>
</tr>
<tr>
<td><strong>F.B.I. Physical Fitness Instructor Course</strong>&lt;br&gt;Federal Bureau of Investigation (1992)</td>
<td></td>
</tr>
<tr>
<td><strong>Basic Supervisory Course</strong>&lt;br&gt;State Commission on Peace Officer Standards and Training (1992)</td>
<td></td>
</tr>
<tr>
<td><strong>Delinquency Control Institute</strong>&lt;br&gt;University of Southern California (1990)</td>
<td></td>
</tr>
<tr>
<td>Publication</td>
<td>Publication Details</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>“Developing Officer Leadership Skills for Successful Problem Solving,”</td>
<td>publication pending</td>
</tr>
<tr>
<td>“Broken Windows Theory Revisited,”</td>
<td>publication pending</td>
</tr>
<tr>
<td>“Criminal Profiling is not Racial Profiling,”</td>
<td>publication pending</td>
</tr>
<tr>
<td>“Implementing Problem-Solving Policing: A Supervisory Perspective,”</td>
<td>COPPS: Now and Beyond, California Attorney General’s Office, July 1999</td>
</tr>
<tr>
<td>“Redefining Training,”</td>
<td>Community Policing Exchange: March/April, 1996</td>
</tr>
<tr>
<td>“A Supervisory Perspective on Community Policing,”</td>
<td>Community Policing Exchange: July/August, 1995</td>
</tr>
<tr>
<td>“How to Ace the Sergeant’s Exam When You Are the Underdog,”</td>
<td>The California Peace Officer. December, 1993</td>
</tr>
<tr>
<td>“How to Ace the Sergeant’s Exam Even If You Are the Underdog,”</td>
<td>Peace Officer’s Research Association of California, Law Enforcement News: March, 1994</td>
</tr>
</tbody>
</table>
Public Administration in Criminal Justice Organizations

Author: Arthur D. Wiechmann

University Readers is a different kind of publisher; if you decide to adopt, you can order through your customary channels, or directly from us. The advantages of ordering directly from University Readers include 24/7 online ordering, fast turnaround, free 20% digital download upon purchase, order through your regular channels, drop ship to your department, bookstore, or school, no out-of-stocks, & no price markups!

For additional details, please contact Becky Smith at 800.200.3908 ext. 18 or via email at bsmith@universityreaders.com. You can also view more information online at www.universityreaders.com/publish/wiechmann2.