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# Effect of Administrative Practices on Law Enforcement Officers' Emotional Intelligence Performance

Iberkis Faltas  
*Walden University*

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# Walden University

College of Social and Behavioral Sciences

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Iberkis M. Faltas

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## Review Committee

Dr. Anne Hacker, Committee Chairperson,  
Public Policy and Administration Faculty

Dr. Jessie Lee, Committee Member,  
Public Policy and Administration Faculty

Dr. John Walker, University Reviewer,  
Public Policy and Administration Faculty

Chief Academic Officer  
Eric Riedel, Ph.D.

Walden University  
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Abstract

Effect of Administrative Practices on Law Enforcement Officers' Emotional  
Intelligence Performance

by

Iberkis M. Faltas

MA, American Military University, 2013

BS, University of Phoenix, 2011

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

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## Abstract

Between 2001 and 2017, the Civilian Complaint Review Board (CCRB) received 295,616 allegations of police misconduct involving New York Police Department (NYPD) officers' use of force, abuse of authority, discourtesy, and offensive language (FADO). The purpose of this study was to explore the influence of administrative disciplinary actions on officers' emotional intelligence and performance in relation to citizen complaints of police misconduct. The central research question addressed how administrative practices influence law enforcement officers' behavior in relation to emotional intelligence-based performance. The theoretical construct for this study is based on the emotional intelligence theories of Bar-On, Goleman, and Mayer, DiPaolo and Salovey which suggest that individuals, including police officers, are responsible for their emotional intelligence and conduct. A qualitative analysis of citizen allegations of police misconduct of the NYPD was conducted using documents from the CCRB and Office of the Inspector General for the NYPD. Each complaint was evaluated using a thematic-based analysis. The findings suggested that the NYPD's low disciplinary rate might have influenced FADO behavior, revealing patterns and practices of racial, ethnic, and social stereotyping, and a lack of compliance with department policies. Recommendations include officer and administrator training on emotional intelligence practices and restructuring department policy processes which can lead to positive social change by helping law enforcement agencies engender trust with their communities and eliminate patterns and practices related to social bias, profiling, and racial stereotyping.

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Intelligence and Behavior

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## Dedication

All this hard word is dedicated to the loves of my life: Anderson Reyes, Arickson Reyes, and Erickson Reyes. I am a lost soul without all of you in my life.

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## Chapter 1: Introduction to the Study

### **Introduction**

Law enforcement officers are public servants who have taken the responsibility to protect their communities. Some of the organizational issues challenging contemporary policing practices in the United States include the law enforcement agency's disciplinary processes related to the officers' behavior. Also, the reinforcement of organizational policies and processes targeting specific challenging behaviors, and the relationship between law enforcement officers and their communities. These issues include the New York Police Department (NYPD) police officers' inappropriate use of force, abuse of authority, discourtesy, and the use of offensive language (FADO), as well as social bias, social profiling, discrimination, racism, untruthfulness, violations of the agency's rule of conduct, failure to follow orders, failure to file the proper paperwork related to their performance, and lack of candor (Civilian Complaint Review Board [CCRB], 2001, 2015).

The administrative practices of a law enforcement agency have the purpose of improving officers' and community's quality of life. However, White (2014) demonstrated that some law enforcement administrative practices not always have the intended effect on the behavior of the officers or the intended response from the community. For example, researchers have suggested that some of the NYPD's policies and regulations, such as defining and establishing the appropriate use of force, following the rules established by the NYPD Patrol Guide, and police-oriented approaches, might



not have the expected influence on the police officers' behavior, and their relationship with the community (Eterno, 2015; Eterno & Silverman, 2010; Fridell & Lim, 2016; Hall, Hall, & Perry, 2016; Jefferson, 2015; Passavant, 2015; Peters & Eure, 2015b; White, 2014).

The history of behavior of some law enforcement agencies in the United States, including the NYPD, has been a challenging and intriguing topic for many scholars in the field of social and behavioral science. Many researchers have been focused on examining the organizational behavior of law enforcement agencies to understand some of the behavioral issues affecting the department (Andreescu, Keeling, Vito, & Voinic, 2012; Book & Stein, 2011; Jiao, 2010). In their findings, Andreescu et al. (2012), Book and Stein (2011), and Jiao (2010) also identified patterns and practices of a police culture that may have influenced the overall cultural performance of the officers. Other studies have shown significant cultural issues, including a cynical approach toward the citizen, solidarity among officers, trustworthiness, and collaboration between officers and the community, as well as social cognition, lack of neutrality, perception, performance, and behavior (Kaariainen & Siren, 2012; Mercadillo, Alcauter, Fernandez-Ruiz, & Barrios, 2015).

In New York City (NYC), the Civilian Complaint Review Board (CCRB) is an independent agency responsible for investigating civilians' complaints filed against NYPD police officers. The CCRB was created in 1953 to investigate allegations of police misconduct related to the officers' FADO behavior. In 1953, the CCRB administrative

structure was composed of three deputy police commissioners who were responsible of reviewing civilians' complaints against the officers. After reviewing these reports, the deputy commissioners reported their findings to the police commissioner in charge, who would made recommendations for disciplinary actions against the officers. In 1966, an organizational restructuring of the CCRB appointed four private citizens to the CCRB's board, a decision that was opposed by the NYPD and the NYPD Patrolmen's Benevolent Association (NYC PBA). The NYC PBA is the largest municipal police union in the united states and the world. As a result, the CCRB was composed of police executives and nonuniformed members of the NYPD who investigated citizens' complaints, making recommendations for disciplinary actions after their findings (CCRB, 2001).

In 1987, the NYC Council voted to restructure the CCRB as a mixed board, including members of the NYPD and private citizens. However, in 1993, the CCRB became independent from the NYPD under NYC Local Law No. 1. The CCRB was composed of 13 private citizens representing the diversity of the NYC's population. These 13 private citizens oversaw citizens' complaints of FADO police misconduct filed against NYPD police officers and had full authority to investigate officers' misconduct involving FADO (CCRB, 2018). Currently, the CCRB stills investigate and mediates allegations of FADO police misconduct between NYPD and the citizens. Between 1991 and 2017, the CCRB received approximately 410,680 allegations of police misconduct (CCRB, 2001, 2006, 2011, 2018). Although the mission of the CCRB is to protect citizens from irregular police practices involving FADO, the CCRB's staff is also

responsible for examining and investigating each allegation with the purpose of protecting NYPD police officers from unfounded or falsified accusations and citizen retaliation. The CCRB investigations are impartial and their recommendations for disciplinary actions are made directly to the NYPD commissioner (CCRB, 2001, 2006, 2011, 2018).

For this research, I proposed to explore the CCRB reported FADO misconduct using an emotional intelligence-based performance theoretical framework. Emotional intelligence relates to the individual's ability to make decisions, have self-control, follow direction and guidance, manage stress, solve conflicts, communicate with others, and work in teams. Also, emotional intelligence relates the individual's ability to be flexible and to adapt to harsh environments, as well as other essential skills such as commitment, perception, awareness, and workplace performance (Bar-On, 2006, 2012; Goleman, 2012; Mayer, Caruso, & Salovey, 2016). Research has shown that the performance and behavior of law enforcement officers could be influenced by their emotional intelligence competencies, especially when performing under the high demanding influence and pressures of law enforcement jobs (Chronopoulos, 2015; Multi-Health Systems, 2011). Additionally, individuals' emotional intelligence can be influenced by professional education and development, which are enhancing professional skills needed to perform in high-profile jobs (Boyatzis & Taylor, 2002; Joseph, Jin, Newman, & O'Boyle, 2015).

Understanding the skills and abilities related to an individual's emotional intelligence competency may help law enforcement officers improve performance, solve

problems, make decisions, and build trust within their communities, in addition to improving the commitment and well-being (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016; Multi-Health Systems, 2016). Emotional intelligence information is found in the environment and can be used to improve performance and build trust (Mayer et al., 2016; Rivers et al., 2012). Bar-On (2012) and Goleman (2012) emphasized that individuals can use their emotional intelligence competencies as tools to control impulse, work in teams, manage stress, adapt, be aware of personal biases, commitment, and acquire a positive outlook, which can also help to improve quality of life, behaviors, and performance in the workplace.

In this research study, I sought to explore the effect that the NYPD administrative practices have on the emotional intelligence-based performance of police officers in relation to FADO behavior, as it was reported by the CCRB from 2001 to 2017. In addition to the CCRB reports, I also used data from the Office of Inspector General for the NYPD (OIG-NYPD). The OIG-NYPD is an independent agency that also investigates allegations of police misconduct, as well as administrative policies and regulations with a direct impact on the citizens. The OIG-NYPD is in charge of investigating issues related to corruption, fraud, waste of resources, and abuse of power in the NYPD (Peters & Eure, 2015b; see also Appendix B).

This research is important because law enforcement officers who are aware of their emotional intelligence competencies are likely to be aware of what trigger their behaviors, actions, and performance. In fact, emotional intelligence theories have been

used to improve organizational practices, performance, and to promote workplace success (Brackett, Rivers, & Salovey, 2011). Research has shown that emotional intelligence has helped organizations, including law enforcement agencies, to find ongoing dysfunctionalities in organizational practices, employee development, and the effectiveness of their management and leadership methods (Brackett et al., 2011; Multi-Health Systems, 2011; Rivers et al., 2012).

### **Background**

The NYPD is one of the largest police departments in the United States. The NYPD was created in 1845 with a bureaucratic military structure that still rules the agency's leadership structure (Balko, 2014; Hall, 2011; Ivković, Haberfeld, & Peacock, 2015). Since its beginning, the NYPD has built a history of organizational structure, procedures, and operational strategies that made the department one of the most respected law enforcement agencies in the world (Nussbaum, 2012). The NYPD was created to enforce the law and protect the citizens. However, in its beginning, the agency's performance and actions were linked toward more political favors, than protecting the citizens, or enforcing the law (Balko, 2014). The NYPD lacked a policy-based organizational structure, appropriate procedures within its constitutional boundaries, and policies that established the officers' appropriate use of force (Balko, 2014). These issues have posed a challenge for the NYPD despite that art. 8, §13 of the New York Constitution and the NYPD Patrol Guide (2013) have established the rules for police

officers' use of force. However, NYPD inappropriate use of force is a problem still affecting the agency's performance with a negative impact on the community.

Excessive or inappropriate FADO has a negative effect on the officers and the trust of the community. Between 1845 and 1855, the NYPD had to overcome many challenges related to community policing and the overwhelming public distrust of the community (Balko 2015; Ivković et al. 2015). However, the literature showed that police officers' FADO behavior is still a problem affecting the NYC community. Although the department's operational structure is focused on crime reduction, community relations, and the development of police officers' abilities to improve performance and accountability, between 1991 to 2017, the CCRB received approximately 410,680 citizens' complaints of FADO police misconduct, which represents approximately 24,158 complaints per year. After reviewing the data, I found that many of the officers with substantiated allegations of FADO complaints had incurred in social biases, stereotyping, and social profiling, including the use of derogatory remarks against the victims' race, ethnicity, gender, and physical disability (Balko, 2014; CCRB, 2001, 2005, 2010, 2017; Nussbaum, 2012; Peters & Eure, 2015a).

Throughout the decades, the NYPD have created many policies and procedures to regulate the department's organizational and operational structure. Initially, NYPD's administration made numerous attempts to implement different rules and regulations to establish the bureaucratic structure of leadership and administrative practices (Walker, 2012). Many of these regulations were intended to establish organizational procedures

and policy standards for norms of policing. Other NYPD policies have been focused on legal duties and balance of power, which never provided the expected organizational and social results (Peters & Eure, 2015a; Walker, 2012). Consequently, the literature showed that many NYPD police officers are still struggling to comply with the department's policies and written guidance, which seem to be further damaging the trust between the police department and the community (Peters & Eure, 2015b).

The NYPD was one of the first law enforcement agencies in the United States to introduce professional policing strategies to build their relationship with the community. Professional policing includes building the officers' ability to make decisions and ethical judgments according to actions, maintaining a professional positive image and keeping internal corruption under control (Newburn, 2015). Professional policing helped the NYPD to overcome other external challenges that included an increasing crime rate, public suspicion, and public distrust (Ivković, et al., 2015). However, the CCRB and the OIG-NYPD reports show that many NYPD police officers are still struggling to maintain a well-balanced structure of professional policing (CCRB, 2015; Peters & Eure, 2015b). According to the CCRB reports from 2001 to 2017, many NYPD police officers exhibited implicit biases, prejudices, social profiling, racism, and lack of emotional intelligence competencies. According to ex-Police Commissioner Bratton, these police behaviors were some of the reasons why the department was not delivering on its promises of mutual respect with the community (NYPD, 2015).

Although the CCRB focuses on investigating allegations of FADO police misconduct and making disciplinary recommendations to the NYPD, the OIG-NYPD focuses on the how the NYPD enforces policies and procedures related to officers' misconduct. Some of these policies include the officers' abuse of authority and inappropriate use of force. In recent reporting, the OIG-NYPD recommended the NYPD executive officials revise internal policies to better address and clarify the officers' use of force, chokehold, and body-worn cameras (Peters & Eure, 2016). Additionally, the CCRB (2015) and the OIG-NYPD (2015) also recommended a closer review of the agency's policies as well as the officers' awareness and regulatory practices. The CCRB and OIG-NYPD recommendations were based on 410,680 allegations of police misconduct filed between 1991 and 2017. From those allegations, the CCRB found that between 2001 and 2017, there were more than 100 thousand substantiated complaints against the NYPD police officers, which means that the CCRB found approximately 5,883 substantiated allegations of FADO police misconduct per year.

By statute, social, and ethical responsibility, NYPD police officers must learn how to deconflict challenging situations as they arise. The use of force must be a self-discretionary action depending on the situation and condition of the issues (Peters & Eure, 2015a). Police officers have the responsibility to deescalate hostile and antagonistic situations as well as to address any possible injuries that the victim had sustained during a conflict (Peters & Eure, 2013). As such, the OIG-NYPD suggested that police officers



must be held accountable for implementing deescalating strategies that can help the officers to manage challenging situations successfully.

However, police officers' discretionary decisions to manage difficult situations still should be under the scope of NYPD policies and the NYPD Patrol Guide. In 2014, Balko argued that the NYPD's initial lack of policing structures, organizational implementations, and lack of enforcement of rules and regulations has established a culture of behavior in the NYPD. But according to searches related to the NYPD history of policies and regulations, using John Jay College of Criminal Justice Lloyd Sealy Library (2016), the NYPD has always been subjected to administrative policies and regulations. The New York General Municipal Law § 209-q (2) (a) and the Constitution of the State of New York art. 8, §13 established many responsibilities of the NYPD police officers. However, there is a gap in knowledge related to NYPD policies that hold officers fully accountable of their FADO behavior. It is the responsibility of the NYPD to establish and follow the implementation of policies and discretionary practices focused on reducing conflicts arising during service.

Literature has shown that many NYPD policies and regulations have not had the expected results within the department or the community. For example, the OIG-NYPD reported raising issues associated with NYPD's policies, such as body-worn camera, the use of chokehold, the appropriate use of force, community policing, and performance (CCRB, 2015; Peters & Eure, 2015a). OIG-NYPD officials explored possible failures in the department's operational and administrative procedures. However, in public policy,

the implementation and enforcement of policies and regulations is as much the responsibility of the agency as it is the discretion and responsibility of the street-level bureaucrats, which in this instance are NYPD police officers (Hall, 2001).

The literature also showed that NYPD has a history of misconduct that could be influencing the current relationship between the agency and the community. Some scholars have highlighted the possibility of NYPD organizational practices to have been passively influencing the behavior of police officers (Chronopoulos, 2015; Jiao, 2010; Menchin, 2012; Passavant, 2015; Wooff, 2015). For example, Wooff (2015) found common practices within in the NYPD's organizational structure that may have affected the law enforcement officers' behavior such as policy structuring issues and bureaucratic challenges like police culture and leadership.

Finally, the literature suggested that NYPD's organizational structure and leadership could also be influencing officers' compliance with policies and regulations associated with FADO. Many researchers have found concurrent patterns of a police culture that might suggest that NYPD managerial and operational practices could have been influencing the officers' actions (Brunetto et al., 2012; Lambert, 2015; Lerman & Waver, 2013; Passavant, 2015; Vitale, 2015). Although it is essential for police officers to develop organizational practices, and follow regulations when exercising discretionary actions, it is also important that police officers develop their emotional intelligence practices. These emotional intelligence practices include self-control, decision-making, problem-solving, perception, awareness, and communication. Emotional intelligence

competencies are essential abilities that can build social awareness, improve communication, team-building, stress management, and social and organizational responsibilities, including awareness of implicit biases, and social and racial profiling (Brunetto et al., 2012; Lambert et al., 2015; Thau et al., 2015).

### **Problem Statement**

Between 2001 and 2017, the CCRB received an average of 17,390 FADO allegations of police misconduct per year. The highest number of FADO complaints were received between 2003 and 2009, with an average of 21,697 FADO allegations per year. The highest number of FADO complaints ever reported was received in 2007, with 27,687 FADO allegations of police misconduct. These FADO allegations were related to abuse or inappropriate use of force, abuse of authority, discourtesy, and the use of inappropriate language against the citizens. In addition to the FADO allegations, between 2014 and 2015, the City of New York received 15,000 lawsuits against NYPD police officers (Peters & Eure, 2016). These lawsuits cost the City of New York more than \$202 million. In addition to the 15,000 lawsuits, in 2014 alone, an NYPD police officer was sued 28 times, costing the city an extra \$884,000 in settlements, before the NYPD administration decided to remove the officer from street duties, assigning the officer to desk duties.

These issues are social problems because law enforcement officers' behavior influences their community. Police officers' behavior influence citizens' trust and their ability to rely and depend on the law enforcement agency. Further, social biases,

stereotyping, racism, and social profiling from street-level bureaucrats have a negative impact in social equality, causing further social imbalance. The literature showed limited reporting on the circumstances that could be influencing the FADO behavior of the NYPD officers. Further, there might be the possibility that NYPD administrative practices have a direct effect on the officers' FADO behavior.

### **Purpose of the Study**

The purpose of this research was to explore NYPD disciplinary practices and officers' performance, based on the CCRB reports of FADO police misconduct and the OIG-NYPD reviews of NYPD policies and practices associated with FADO. This data can provide meaningful insight on the cognitive connections between administrative processes, street-level bureaucrats' performance, and emotional intelligence competencies such as decision-making, problem-solving, conflict management resolutions, communication, relationships, teamwork, resilience, and adaptability (Alfes, Shantz, Truss, & Soane, 2013; Bar-On, 2012; Boyatzis, 2011; Cherniss & Goleman, 2011; Nordin, 2011; O'Boyle, Humphrey, Pollack, Hawver, & Story, 2010; Vigoda-Gadot & Meisler, 2010). As researchers have demonstrated, emotional intelligence influences performance, flexibility, decision-making, problem-solving abilities, social responsibilities, and many other cognitive abilities that may control performance (Atak & Ceylan, 2015; Bar-On, 2012; Goleman, 2012; Matthews, Zeidner, & Roberts, 2012; Mayer et al., 2016; Petrides & Furnham, 2015).

This study is important because inappropriate and unprofessional police performance have a negative impact on societies, which can influence citizens' antagonistic responses toward police officers. Currently, citizens' responses toward NYPD police officers seems to be filled with frustration, despair, anger, and discouragement (CCRB, 2016; Sugarman, 2010). It is important to explore the root of the problem. As previous studies have suggested, some of the NYPD's administrative approaches to officers' misconduct may have influenced recidivism, which could link administrative practices with FADO police misconduct and emotional intelligence-based performance (Brunetto et al., 2015; Chronopoulos, 2015; Lerman & Weaver, 2013; Passavant, 2015; Sugarman, 2010; White & Kane, 2013). These findings could provide the framework needed to promote social changes and to improve the relationship between law enforcement officers and their communities.

### **Research Question**

The following research question guided this research: How do administrative practices influence law enforcement officers' FADO behavior in relation to emotional intelligence-based performance?

### **Theoretical Framework**

The theoretical framework used in this research was based on Bar-On's (2012), Goleman's (2012), and Mayer, DiPaolo, and Salovey's (1990) emotional intelligence theories, as they are related to FADO behavior and performance in the workplace. Street-level bureaucrats are individuals who represent all levels of the government. Some street-

level bureaucrats, such as police officers, have the additional responsibility of enforcing the law, implementing policies, and following regulations specifically related to their agencies and communities (Lipsky, 1971). Hupe and Hill (2007) explained, as it was previously argued by Day and Klein (1987) and Pollitt (2003), that street-level bureaucrats are individuals that must be accountable for their actions. It is the officers' decision to enforce their agency's rules and regulations, establish routines, cope with the uncertainties of their jobs, and effectively become the enforcers of public policies.

Emotional intelligence-based performance refers to a set of abilities and skills necessary for public administrators. Emotional intelligence indicates the relationship between performance, behavior, leadership, organizational procedures, and commitment to organizational processes (Nordin, 2011). Emotional intelligence influences a person's ability to perceive, implement, and enforce organizational processes (Nordin, 2011). Emotional intelligence also helps individuals to understand and process emotional data found in workplace environments, and use that information to enhance performance, make decisions, and solve problems (Bar-On, 2012). Nordin (2011) also suggested that emotional intelligence has a significant influence on individuals' acceptance of organizational policies, regulations, and operations.

Organizational and administrative structure is essential for any organization, regardless of the sector. An analysis of an organization's policies, processes, procedures, leadership, and management practices must be conducted regularly to determine the organization's and individuals' performance (Caruso & Salovey, 2004). Most public

service jobs involve high demands and intense emotions (Guy & Lee, 2013). These jobs should include periodic analytical assessments of the employees' emotional intelligence-based performance. The analytical assessment should be the baseline to determine what, why, when, and how organizational changes are needed. The assessment should also provide a baseline determine employees' performance, motivations, interpersonal skills, and social patterns in the workplace (McCleskey, 2013).

In contemporary societies, emotional intelligence has become the focus of organizational development. Many researchers have realized that emotions play an essential role in the workplace environment, performance, and behaviors (Kunnanatt, 2004; Khalili, 2012; Thory, 2015). Emotional intelligence influences performance and the integration of organizational changes as well as leadership and management strategies, motivations, cooperation, commitment, and quality of life in the workplace (Boyatzis, 2011; Cherniss & Goleman, 2000; Goleman, 2012; Mayer et al., 1990; Nordin, 2011).

Emotional intelligence guides individuals to use the emotional data in their environment to make decisions, solve problems, and guide communication and relationships. Goleman and Cherniss (2001) grouped important emotional intelligence competencies into four frameworks of emotional capabilities: self-awareness, social awareness, self-management, and relationship management. Those competencies were further grouped in two groups emotional intelligence cognitions (self-awareness and social awareness), two emotional intelligence regulations of personal competencies (self-

awareness and self-management), and two social competencies (social-awareness and relationship management). Goleman (2012) also expanded the idea of emotional intelligence competencies to include emotional self-awareness, self-control, adaptability, positive outlook, and achievement concentrations as well as social responsibilities such as empathy, organizational-awareness, influence, conflict-management, teamwork, mentoring, and inspirational leadership in the workplace.

Contemporary professionalism is focused on the well-being of people, as much as it is the focus for goals and return investments of the organization. Researchers have demonstrated that in many fields of study—including public policy and administration, human resources, health, and law enforcement fields—emotional intelligence is an essential ability needed to perform on the job (Al Ali, Garner, & Magadley, 2012; Annel, Lindfords, & Sverke, 2015). In fact, previous scholars have suggested emotional intelligence as a tool to predict performance. However, the organization as much as the individual should also be responsible for integrating educational practices to enforce the emotional intelligence of its employees.

The responsibility of the organization must go beyond operational practices. Organizations should analyze their internal policies and procedures to ensure their legitimacy and accountability (Beckley, 2014; Brunetto et al., 2012). In law enforcement organizations, internal policies and procedures can have an unexpected effect on the officers' behavior and performance, as internal policies and administrative process may influence job satisfaction, engagement, thinking, turnover, and retention. In these



situations, it is essential to enhance the influence of emotional intelligence and their ability to cope with changes, as it can be used to improve self-awareness, communication, and wellness in the workplace (Johnson, 2016; Nordin, 2011).

New social developments bring both unique social values and a new set of challenges, especially when the community's role is as important as the performance of law enforcement officers. Social changes also bring a new set of social expectations and problems (Holden, 2010). As a result, police officers are confronted with new standards to perform within their agencies and communities (Hall et al., 2016; Lipp, 2015). These standards could influence officers' behavior; for example, research has shown a significant relationship between job performance, emotional intelligence, and criminal investigators' cognitive abilities that influenced their behavior (Ono, Sachau, Deal, Englert, & Taylor, 2011). The continued allegations of police misconduct shadow officers' accountability as well as their relationships with their communities, which add to the stress of high performance jobs. Empirical studies on law enforcement officers' assignments and responsibilities have shown that occupational stress management could affect both officers' ability to cope and their resilience during challenging situations (Spalek & Rawe, 2014). These studies were grounded by Emotional intelligence theories, which have shown that emotional intelligence could affect individuals' behaviors and their ability to cope with challenging stressful situations (Bar-On, 2012; Goleman, 2012).

### **Nature of the Study**

A qualitative analysis helped me explore NYPD processes and NYPD police officers' FADO behavior as they were reported by the CCRB and OIG-NYPD between 2001 and 2017. A qualitative study helps the researcher to create an in-depth analysis of activities, events, and processes associated with one or more individuals, or one or more organizations (Creswell, 2014; Stake, 1995; Yin, 2015). When using a qualitative method, the cases could be bounded by activities and times, where the researcher can collect data sustained over a specific period (Creswell, 2014; Stake, 1995; Yin, 2015).

In this research, I wanted to establish the relationship between emotional intelligence competencies and behavior with the activities of street-level bureaucrats such as law enforcement officers and organizational practices. Annell, Lindfors, and Sverke (2015) and Aremu, Pakes, and Johnston (2011) explained that although an emotional intelligence assessment should not be considered a unique qualifying or disqualifying factor for job, emotional intelligence is a valuable performance analytical tool. Additionally, organizations can combine an emotional intelligence assessment with selection criteria that could help to determine an individual's ability to effectively adapt to organizational changes, implementations, and practices (Annell et al., 2015; Aremu et al., 2011). This could also help determine an individual's ability to enhance his or her professional and organizational development, performance, relationships, and team work in the workplace. Finally, this could help to determine an individual's ability to build stronger relationships with internal and external stakeholders and policymakers, build

social awareness, and build communities relations not only in public service specific practices but also in law enforcement communities.

Due to changing professionalism in modern society, new procedures, policy practices, and professional development are directly influenced by an individuals' emotional intelligence competencies (De Angelis, 2016; Farnia & Nafukho, 2016). Some of these competencies may include learning and training, which are justified with the application of emotional intelligence competencies including communications and constructive conflict resolution practices. Further, in organizational policies, regulations, changes, and practices, emotional intelligence has a vital role in individuals' behaviors and interrelationships in the workplace. In a study on the implications of public skills to develop policies in the labor and education sectors, researchers demonstrated that cognitive social intelligence skills were essential for policymakers (Cunningham & Villaseñor, 2016). This data shows that policies could be influenced by the policymaker's beliefs, interpretations of the facts, personality, as well as the advocacy for diversity and leadership (De Angelis, 2016; Forgeard, Jayawickreme, Kern, & Seligman, 2011; Schuck, 2014).

Emotional intelligence can be used to guide performance, behavior, thinking, and actions. In law enforcement environments, researches have demonstrated that knowledge, awareness, and management of emotional intelligence skills and abilities can be used to predict job performance, training, and job functionality within the organization, as well as relationships, mainly due to law enforcement officers' continuous human contact (Al Ali

et al., 2012; Mayer, Salovey, & Caruso, 2008). Additionally, studies have suggested that emotional intelligence could be used as a predictor to pursue a positive alignment between law enforcement officers' behavior and the underlying cognitive mechanisms, grounding the understanding and prevention of challenging behaviors in police culture (Blumberg, Giromini, & Jacobson, 2015).

Police culture may not be the only circumstance influencing the relationship between many police departments and local communities. For example, the relationship between the NYPD and local communities has been hindered by a lack of trust between both groups (Peel, 2015). For the NYPD, it is essential to rebuild trust, dependability, partnership, and cooperation with communities (Peel, 2015). According to Spalek and O'Rawe (2014), it is important to rebuild this trust because, according to the New York General Municipal Law, section 209-q (2) (a) and article 8, section 13 of the Constitution of the State of New York, police officers are in a position of power over the individuals in their communities. They are trained to follow their judgment and training when responding to surrounding threats (Worrall, 2013). However, there is the possibility that law enforcement officers might subconsciously respond to an uncertain threat and miss the facts of the situation (Worrall, 2013). Emotional intelligence competencies are abilities that could provide police officers with an additional set of skills required in high emotional performance and stressful jobs (Al Ali et al., 2012).

This research arose from watching current social conflicts negatively affecting many law enforcement agencies and their communities around United States. The idea of

conducting a qualitative research study on NYPD organizational processes and policies and officers' emotional intelligence competencies emerged from exploring CCRB reports of the citizens' FADO allegations of misconduct against NYPD's police officers and the OIG-NYPD analysis of some NYPD regulations. The CCRB and the OIG-NYPD are two organizations with the sole responsibility of overseeing some of the NYPD policies, regulations, and practices, as well as police officers' actions linked to citizens' FADO allegations of police misconduct. The CCRB is an independent agency in New York with the responsibility of investigating, mediating, and recommending actions against NYPD police officers based on allegations of excessive use of force, abuse of authority, offensive use of language, and discourtesy (CCRB, 2016). The OIG-NYPD is also an independent agency with the responsibility of investigating, researching, studying, auditing, and making recommendations for NYPD policies, operations, reforms programs, and practices (OIG-NYPD, 2016).

Organizational practices and emotional intelligence may also be connected cognitively. Chronopoulos (2015), Jiao (2010), and Sadri (2012) suggested that the NYPD's organizational practices, including recruitment and development—as well as the influence of law enforcement officers perceived emotional intelligence competencies—might affect their abilities to make decisions, solve problems, and relate to others. Further, emotional intelligence accounts for 80% of an individual's performance in the workplace (Aremus et al., 2011; Goleman, Boyatzis, & McKee, 2013). Emotional intelligence enhances human resource practices, diversity and multiculturalism inclusion,

internal and external integration, policies, organizational regulations and changes, the effectiveness of interrelationships, management, leadership practices, and communications (Bar-On, 1997; Barsade, 1998; Cherniss & Goleman, 2012; Farnia & Nafukho, 2016; Gardner, 1987; Goleman, 1998; Goleman et al., 2013; Hess & Bacigalupo; Khalili, 2012; Kunnanatt, 2004; Mayer et al., 1990; Njoroge & Yazdanifard, 2014; Rahman, Uddin, & Rahman, 2016; Thorny, 2016; Tyagi, Dhar, & Sharma, 2016).

I revised approximately 60 CCRB and OIG-NYPD reports from 2001 to 2017 (see Appendix B). These reports help explore NYPD administrative practices used to solve citizens' FADO allegations against police officers. These administrative practices could have influenced police officers' emotional intelligence competencies such as decision-making, problem-solving, communication, and stress management, as well as officers' actions and performance.

### **Definition of Terms**

*Abuse of authority:* Refers to abuse of police power to intimidate or otherwise mistreat a civilian and includes improper street stops, frisks, searches, the issuance of retaliatory summonses, and unwarranted threats of arrest (CCRB, 2002).

*Accountability:* The willingness or obligation to accept personal responsibilities or to be accountable for personal actions and behavior (CCRB, 2002).

*Charges and specifications:* The most serious disciplinary measure. This involves lodging formal administrative charges against the subject officer who, as a result, may

face loss of vacation time, suspension, or termination from the police department (CCRB, 2003).

*Command discipline:* A command discipline is imposed directly by the subject officer's commanding officer and may vary based on the seriousness of the misconduct, the officer's disciplinary history, and the officer's performance record. The penalties associated with command discipline range from an oral warning and admonishment to a forfeiture of up to 10 days of vacation or accrued time (CCRB, 2003).

*Community policing:* A philosophy that promotes organizational strategies to support systematic usage of partnerships, problem-solving tools, and techniques, and to proactively attend to public safety issues associated with the community's behavior (United States Department of Justice & United States Attorney's Office Northern District of Illinois, 2017).

*Competency:* Individuals' cognitive and noncognitive capabilities or abilities (Boyatzis, 2011).

*Discourtesy:* Refers to inappropriate behavioral or verbal conduct by the subject officer, including rude or obscene gestures, vulgar words, and curses (CCRB, 2003).

*Emotional intelligence competencies:* Human behaviors, skills, and abilities such as perception, emotional control, self-management, problem-solving, interpersonal effectiveness, self-awareness, social awareness, social skills, motivations, and self-control (Aghdasis, Kiamanesh, & Ebrahim, 2011; Aremus et al., 2011; Boyatzis, 2011).

*Emotional intelligence:* Although there are multiple definitions for emotional intelligence, an analysis indicated a common conceptualization: Emotional intelligence is a set of interrelated abilities and skills that can predict human behaviors and determine how effectively individuals can understand, express, and manage the emotional demands, problems, and pressures in their environment, while still using the perceived emotional data to make decisions, solve problems, regulate mood, enhance motivation and performance, build stronger interrelationships, perceive emotions in self and others, and use that information to facilitate thinking and behavior (Aghdasis et al., 2011; Aremus et al., 2011; Boyatzis, 2011; Goleman et al., 2013; Mayer, et al., 2008; Petrides, 2010).

*Exonerated:* The subject officer was found to have committed the act alleged, but the subject officer's actions were determined to be lawful and proper (CCRB, 2003).

*Force:* Refers to the use of unnecessary or excessive force, up to and including deadly force (CCRB, 2003).

*Instructions:* A subject officer's commanding officer instructing him or her on the proper procedures with respect to the substantiated allegations. They can also involve an officer being sent for in-service training or police academy presentations. Instructions are considered the least punitive disciplinary measure because they do not result in formal proceedings, though the recommendation is noted in the officer's CCRB history (CCRB, 2003).

*Interpersonal relationships:* The ability to develop and maintain relationships characterized by trust and compassion (Multi-Health Systems, 2011).



*Law enforcement officer:* An officer, agent, or employee of the federal, state, or local government authorized by law to prevent, detain, or investigate criminal violations (Department of Justice, 2016).

*Mood:* Pervasive affective components or generalized feelings not related to a specific event (Mayer et al., 2008).

*Offensive language:* Refers to slurs, derogatory remarks, and/or gestures based upon a person's sexual orientation, race, religion, ethnicity, gender, or disability (CCRB, 2003).

*Police officer:* A person who is responsible for enforcing the law, investigating, and deterring crimes, and who has the power to make arrests (NYPD Patrol Guide, 2013).

*Resilience:* The individual capacity for emotional recovery and to overcome difficulties and adversities, and self-actualization (Maulding, Peters, Roberts, Leonard, & Sparkman, 2012).

*Self-awareness:* An individual understanding and recognizing his or her emotions (Multi-Health Systems, 2011).

*Self-expression:* The ability to express feelings (Multi-Health Systems, 2011).

*Self-management:* The ability to understand and handle feelings (Goleman, 1998).

*Social awareness:* The ability to handle relationships while being aware of personal and others' feelings, concerns, and needs (Boyatzis, 2011).

*Street-level bureaucrats:* Government employees with direct interaction with citizens as a regular responsibility of their jobs (Lipsky, 1971).

*Stress management:* Individuals' ability to manage stress, and cope with the emotions associated with changes in their environment, while keeping calm and resilient about the unknown immediate or distant future (Multi-Health Systems, 2011).

*Substantiated:* An allegation in which there is a sufficient credible evidence to believe that the subject officer committed the act charged in the allegation and committed misconduct (CCRB, 2003).

*Unfounded:* An allegation in which there is sufficient credible evidence to believe that the subject officer did not commit the alleged act of misconduct (CCRB, 2003).

*Unsubstantiated:* The weight of available evidence is insufficient to substantiate, exonerate or unfound the allegation (CCRB, 2003).

### **Assumptions**

Research studies are subject to possible weaknesses associated with the researcher's background. The assumptions and limitations of a study are actions, realities, and potential weaknesses that could be relevant to the research but are out of the control of the researcher (Simon & Goes, 2013). In this study, it was assumed that the implementation of emotional intelligence continuing education development is an essential tool to improve law enforcement officers' performance and their relationship with the community, which could help police officers to adapt to organizational policies, practices, and changes in addition to becoming socially receptive and aware, eliminating potential bias and prejudgments, and improving their overall relationship with their community. There was also an assumption that emotional intelligence could improve law

enforcement officers' adaptability to policies and regulations as well as their well-being and relationships with the organization's management and leadership.

Finally, it was assumed that emotional intelligence is the most important skill for street-level bureaucrats, public servants, and public administration, and it is needed for assessing, analyzing, and constructing policies that include the needs of all stakeholders in an organization such as gender, culturalism, decision-making, social responsibilities, and interpersonal relationships (Cunningham & Villaseñor, 2016; De Angelis, 2016; Schuck, 2016). Emotional intelligence benefits human resource practices, including hiring, training, development, leadership and management strategies, stakeholders' performance, and organizational changes (Arnatt & Beyerlein, 2014; Bar-On, 2012; Boyatzis, Good, & Massam 2012; Chatterjee & Kulakli, 2015; De Angelis, 2016; Goleman, 2012; Johnson, 2016; Vito & Vito, 2015).

### **Scope and Delimitations**

Besides enforcing the law, law enforcement officers' responsibilities with the community also includes safety, security, reliability, and trust. However, between 2001 and 2017, the CCRB received an average of 17,389 FADO allegations of police misconduct annually. I reviewed the CCRB allegations of FADO misconduct and OIG-NYPD investigations related to FADO misconduct (see Appendix B) to explore if NYPD lack of administrative disciplinary actions could have influenced the officers' emotional intelligence-based performance.

The scope of this research was limited to the CCRB and OIG-NYPD reports. The scope was also limited by the comparative analysis of the police officers' allegations of misconduct as it was reported by the CCRB. Emotional intelligence competencies may influence law enforcement officers' behaviors and actions, including their problem-solving abilities, decision-making, communication, conflict management resolutions, leadership, stress management, self-control, and self-awareness.

A qualitative thematic analysis of the CCRB and OIG-NYPD reports provided me relevant information on the issue under investigation. The CCRB and OIG-NYPD reports contained information relevant to NYPD police officers' performance, their compliance with the agency's policies, and their relationship with the community. The Bar-On's (2012) and Goleman's (2012) emotional intelligence theories provided the foundation for analyzing officers' performance, decision-making, perception, expressions, social responsibility, conflict management, social awareness, stress management, and adaptability, as it was reported by the CCRB and OIG-NYPD.

I chose NYPD police officers as the population for my study because of the need to improve the relationship between police departments and the communities around the country. The NYPD is a massive agency and provided the appropriate scope for my investigation, including factors related to demographics, multiculturalism, age, education, gender, diversity, establishment, and social challenges. Finally, the CCRB produces continuous reporting on NYPD police officers' behavior based on citizens' FADO

allegations of police misconduct, and the OIG-NYPD also provides analytical reporting on NYPD policies and regulations with a direct impact on the community.

### **Limitations**

This research study was subject to potential limitations. The limitations of a study are the weaknesses that could affect the study and are out of the control of the researcher (Simon & Goes, 2013). Many researchers have implemented emotional intelligence theory of performance to examine the cognitive and noncognitive connections between performance, organizational policy, administrative processes, and organizational changes (Al Ali et al., 2012). However, there is a possible limitation on using emotional intelligence as an assessment to determine the best performers within law enforcement groups due to an embedded police culture (Anell et al., 2015).

Other limitations associated with conducting a qualitative study were related to personal biases. One of the challenges of conducting this research was to demonstrate that my personal and cognitive biases were not included and that this report has been conducted with the upmost ethical considerations. The exploratory nature of a qualitative research study requires a clear interpretation of the data (Creswell, 2014). The researcher's skills in researching and analyzing data are also essential. Finally, the researcher must evaluate possible ethical considerations of a qualitative research, including conflict of interest between the researcher and the agency under investigation, the validity of the documents, the authority and jurisdiction of the agency that produced the documents, and possible misrepresentation of the data (Anderson, 2010).

### **Significance**

Law enforcement officers are street-level bureaucrats in a position of power over citizens. Researchers have demonstrated that emotional intelligence can positively contribute to enhancing performance and policies in law enforcement environments (Ali et al., 2012). Emotional intelligence can also be applied to reduce corruption and enhance social interaction between police officers and the community (Aremu et al., 2011). Emotional intelligence is essential in organizational changes because it helps police officers cope with the organizational challenges and adjust to new changes (Bar-On, 2012; Multi-Health Systems, 2011).

Finally, in law enforcement environments, police officers often deal with challenging emotional situations. Using emotional intelligence as one theoretical framework could contribute to future strategies to help police officers understand and adjust to challenging emotional situations, as well as to deal with the everyday demands of a high-performance job. This study might help police officers manage their emotional intelligence competencies, which could also help them gain the trust and cooperation of citizens.

### **Summary**

Improving the relationship between law enforcement agencies and local communities should be the responsibility of all policymakers, street-level bureaucrats, and public servants. Exploring NYPD police officers' behavior based on the CCRB and OIG-NYPD reporting was the primary focus of this research study. This qualitative study

was concentrated on describing officers' emotional intelligence competencies to create a meaningful understanding of the nature of the problem. I explored the behavior of the officers, based on citizens' allegations of police misconduct and officers' actions. While Chapter 1 included the problem and significance of conducting this study, Chapter 2 provides a more detailed overview of the problem as it has been explained by scholars in the field.

## Chapter 2: Literature Review

### **Introduction**

This literature review includes scholarly literature related to one of the largest police departments in the United States. It was focused on the NYPD's history, policies, behavior, operational procedures, and human resource practices. It helped expand on the theoretical foundation for this study, which was based on emotional intelligence theory. This chapter is organized in three sections. The first section provides a comprehensive review of emotional intelligence theory. Goleman's (2012) model and Mayer et al.'s (1990) model are compared with Bar-On's (2012) emotional intelligence mixed model and Petrides's (2000) conceptualization of emotional intelligence trait-based model. I reviewed each theories' weaknesses, vulnerabilities, and scientific validations to determine which one would be the most appropriate to support my study.

The second section of this chapter includes shows how emotional intelligence can influence organizational changes. I explain how street-level bureaucracy is closely associated with the conceptualization of emotional intelligence competencies and practices in public service. This section also includes an exploration of the conceptualization of emotional intelligence competencies as it can influence individuals' emotional intelligence skills and abilities such as self-awareness, decision-making, problem-solving, stress management, communication, and work-based and social interrelationships.



The third section is focused on law enforcement officers' behaviors and actions. It includes information on the NYPD's implementation of policies and procedures such as body-worn cameras, stop-and-frisk, and community policing strategies (Peel, 2015; Peters & Eure, 2016). This section also includes discussion on aspects of the NYPD's history of behaviors and their implemented reforms, followed by a synthesized summary of the NYPD's organizational structure, community policing challenges, contemporary practices of policing, and the cultural rationale that might affect law enforcement officers' behaviors and actions.

The main goal of this literature review was to analyze aspects and characterizations of street-level bureaucrats, as it was related to emotional intelligence performance, and the influence that organizational process may have on officers' behaviors and actions. Emotional intelligence may influence law enforcement agencies' operational procedures and policy implementation, as it is directly related to the individual's performance. In addition, this chapter includes the validity of applying emotional intelligence methods and conceptualization frameworks, with a focus on current challenges affecting police officers' reliability and their relationships with the community.

### **Literature Search Strategy**

To develop the foundation framework for this research study, the analysis of the scholarly literature included peer-reviewed academic studies relevant to emotional intelligence, public policy, administration strategies, management, leadership,

organizational learning, organizational intelligence, organizational development, and law enforcement, as well as official reporting from the NYPD, CCRB, and OIG-NYPD. The scholarly literature research process included searches in local libraries, online academic libraries, such as the Walden University online library, John Jay Lloyd Sealy Library, University of Phoenix's online library, and American Military University's online library. I conducted additional searches using online databases such as EBSCO, SAGE Business Premier, Pro-Quest, Google Scholar, and Stanford Encyclopedia of Philosophy. Multiple scholarly searches were conducted using the following subject-based specific inquiries, Boolean operators, and advanced search structuring:

- “Emotional intelligence” AND “Street-level bureaucrats”
- “Emotional intelligence” AND “Public administration”
- “Emotional intelligence” AND “Human resources” AND “Performance”
- “Emotional intelligence” AND “NYPD”
- “Emotional intelligence” AND “NYPD” AND “Public policy”
- “Emotional intelligence” AND “Problem-solving” AND “Police”
- “Law enforcement culture” AND “Emotional intelligence” AND “Problem-solving”
- “NYPD culture”
- “NYPD” AND “Emotional intelligence”
- “NYPD” AND “Emotional intelligence” AND “Change theory”
- “NYPD” AND “Public administration” AND “Emotional intelligence”

- “Organizational changes” AND “Emotional intelligence”
- “Public policy” AND “Emotional intelligence”
- “Street-level bureaucrats”
- “Street-level bureaucrats” AND “Emotional intelligence”
- “Street-level bureaucrats” AND “Public administrator” AND “Emotional intelligence”

The literature reviewed for this chapter ranged from publications dated 1859 to 2016. The oldest work included in this literature review was Bain’s (1859) dissertation work, *The Emotions and The Will*. This research also included contemporary conceptual and theoretical studies supporting the initial contextual framework implemented by Bain, which was developed subsequently by other scholars. Finally, the scholarly literature was organized and analyzed with the assistance of qualitative software such as Thomson Reuters EndNote Web-based application software and reference manager, and NVivo software, and manual coding. Additional electronic applications included Microsoft Office Word and Excel.

### **Theoretical Foundation**

Street-level bureaucrats working in high-performance jobs, such as law enforcement environments, must be aware of their emotional competencies to be able to implement policies and perform at their full potential. Emotional intelligence assessments are tools that organizations could use to enhance individual self-awareness and to improve and change organizational behaviors (Multi-Health Systems, 2011). Recent

scholarly works have showed the intrinsic relationship between human intelligence and emotional intelligence (Ferguson, 2014; Kaufman, 2012). Despite the scholarly works that have shown that IQ represents human intelligence, recent studies found an intrinsic relationship between human intelligence and emotional intelligence, as it was associated with personal and professional success, survival, and development (Aremus et al., 2011).

Modern professionalism seems to be more focused on the individual emotional intelligence competencies than it is on an individual's IQ. For example, Aremus et al. (2011) explained that a person's IQ comprises 4 to 20% of human success. The authors built on the work of Bar-On (2012), Barsade (1998), Gardner (1987), and Mayer et al. (1990) and emphasized that emotional intelligence comprises 80% of human intelligence (Aremus et al., 2011). Further, Sternberg (2012) explained that human intelligence encompasses emotional intelligence with three sets of essential cognitive skills: analysis, creativity, and practicability. Although IQ seems relevant to human development and success, the literature indicated that emotional intelligence abilities and skills might be equally important for individuals' success and development in the workplace.

The literature showed extensive academic research on emotional intelligence. Three major emotional intelligence theories stood out. (1) Mayer, DiPaolo, & Salovey's (1990) four-branched ability model highlighted four essential skills: perceiving emotions, using emotions to facilitate thinking and thoughts, understanding emotions to enhance relationship and performance, and managing emotions to promote professional and personal goals. (2) Goleman's (1998) mixed model emotional intelligence theory of

performance which focused on skills such as self-awareness, self-management, social awareness, and social skills. Goleman's (1998) centered on the individual's skills and competencies needed to influence and drive leadership, teamwork, and performance in the workplace. (3) Bar-On's (2006) emotional intelligence theory focuses on a set of competencies and skills interrelated between the individual's personal and social competencies to impact behavior and actions.

Emotional intelligence is an essential ability needed for resilience, endurance, and performance in a workplace surrounded by pressure, tension, mental and emotional strains, anxiety, hassle, hostility, and social validation. The fundamental framework of perception gives individuals the ability to adapt to their environments with an open mind and self-awareness while developing their abilities to understand their and other's emotions (Crane & French, 2016; DeBusk & Austin, 2011). Individuals can build stronger relationships and performance in their workplace when they are able to understand their emotional intelligence competencies, which includes learning how to recognize emotional responses. For instance, in the workplace, policymakers, managers, and leaders use behavioral and emotional data to create policies, build organizational regulations, create human resources processes, and employment development strategies (Caruso & Salovey, 2004; Di Fabio, Palazzeschi, & Bar-On, 2012; Fiori, 2009; Forgeard et al., 2011; Gooty, Gavin, Ashkanasy, & Thomas, 2014). These works contained a similar idea that the logical pragmatism that emotional data provides essential information about individuals' behavior, personality, self-management, and other skills and abilities to

individuals to manage and make decision, and other behaviors during challenging situations.

Emotional intelligence is not a new concept in social and behavioral science. The concept of emotional intelligence has been around since 1800s with the work of Bain (1859) and Day (1877). However, in the 1990s, the conceptualization of emotional intelligence theory expanded significantly. For example, Bain and Day pointed out the influence of emotions as intellectual attributes of the mind and mechanism to retain performance. Day also emphasized the intimate connection between sentiments and intelligence, which explained the conveniently practical distribution of personal emotions to explore individual's conception in respect to oneself.

Behavior seems to be connected and driven by emotional responses to the environment. In 1877, Day explained the cognitive interconnections between sentiments and intelligence as they were associated with social, patriotic, and religious practical sentiments. Day explanation of social sentiments could be related to Goleman's (2012) and Bar-On's (2012) emotional intelligence competencies, including integrity (self-awareness), fairness, humanity, and justice (social awareness), condolence and compassion (empathy), and patriotism and politeness (self-management). Additionally, Bain (1859) indicated that a person's intellectual characteristics and actions were influenced by the person's feelings. In 2012, Goleman and Bar-On respectively emphasized the influence that emotional intelligence could have on a person's decisions,

relationships, communication style, perception, stress management, and other emotional intelligence skills. (Appendix A)

In the United States, the 1990s represented a period of substantial increase in openminded multiculturalism. It was in the 1990s when scholars in the field of social and behavioral science emphasized the influence and benefits of using cognitive and noncognitive emotional intelligence data to behave in the workplace (Goleman, 2012; Mayer et al., 1998). Emotional intelligence provides an individual resilience and the ability to manage destructive emotions, relationships in the workplace, self-efficacy, optimism, and job capabilities (Goleman, 2012; Joseph, 2015). Goleman further elaborated on the fact that emotional intelligence became a measurement of human quality to perform, standardizing the conceptualization of emotional intelligence as an essential quality for being hired and promoted.

### **The Four-Branch Ability Model**

The emotional intelligence ability model was introduced in the 1990s. It was focused on using emotional intelligence information found in the environment to drive and understand behavior and performance. Mayer et al.'s (1990) emotional intelligence ability model focused on perceiving emotions, using emotions to facilitate thoughts, understanding emotions, and managing emotions in oneself and others. In 2016, Mayer et al.'s analysis of their model included reasoning on the following abilities: emotional intelligence as mental abilities, problem solving abilities, a broad cognitive association between cognitive intelligence and emotional intelligence, and information processing.

Emotional intelligence ability model showed a common core validity influencing an individual's performance, which explained emotional intelligence as the ability to perceive, recognize, describe, and express emotions, using the emotional data found in the environment, and using that information to make decisions (Mayer et al. 2008, 2016). The emotional intelligence ability model focuses on emotional data and the use of that information to guide thoughts and behavior. The ability model is connected to the individual's aptitude, perception, and cognitive abilities that regulate and manage emotions (Khalili, 2012; Mathews, Zeidner, & Roberts, 2012; Walter, Humphrey, & Cole, 2012). The four-branch ability model developed in 1997. It focused on the intellectual understanding and applicability of emotions found in cognitive abilities (Meisler, 2013). The four-branch ability model was developed with the purpose of discovering the underlying characteristics of performance and behavior resulting from the unification of emotions and intellect (MacCann, Joseph, Newman, & Roberts, 2014).

In public administration, public servants take information from their surroundings to make decisions and build policies. The four-branch ability model is relevant because in public administration and public policy, for example, Vigoda-Gadot and Melsler (2010) noted that public policymakers extract their information from people's behavior. Hess and Bacigalupo (2011) also explained that emotional intelligence can be applied to identify the human patterns fundamental to making quality and logical decisions. Lastly, Meisler (2013) cited the work of many empirical studies, such as that of Day and Carroll (2004), Hess and Bacigalupo (2011), Hur et al. (2011), Camuffo et al. (2012), Gignac et



al. (2012), Kidwell et al. (2011), and Zampetakis et al. (2009), which showed that the four-branch ability model has an effective, positive contribution to organizational development, organizational organization, management, service orientation, team effectiveness and performance, as well as personal and team decision-making procedures. Although Mayer et al.'s (2016) four-branch ability model concentrates on the abilities to manage and understand emotions, Goleman's mixed model of emotional intelligence theory of performance is focused on the individual's emotional skills and competencies. This research study was focused on the theoretical frameworks of emotional intelligence ability and mixed models.

### **Emotional Intelligence Theory of Performance**

In organizational practices, self-control and self-awareness means the difference between an outstanding public administrator and an outstanding organization. Self-control and self-awareness are two essential abilities for building policies and leverage in human resources, management, and leadership practices. Goleman's (2012) emotional intelligence theory of performance focused on individuals' skills and capacity to self-manage, to be self-aware of his or her emotions, to use that information to build and manage relationships, and to be socially aware of his or her environment, which Goleman believed would translate into job success. In law enforcement organizations, a well-managed relationship with the local community is essential because it reinforces the collaboration between the agency and the community.

The development of emotional intelligence competencies, such as problem-solving and decision-making, is essential for law enforcement officers. In 1998, Goleman's theory of emotional intelligence highlighted competencies identified in individuals with outstanding performance. In 2012, Goleman's emphasized that individuals' cognitive and non-cognitive skills, such as self-awareness, self-regulation, self-management, social skills, empathy, team-work, and motivations are essential to perform in the workplace. Davis (2011) also emphasized that emotional intelligence focuses on the individuals' skills that would help them to adapt to their surroundings, as well as the inclusion of social, and personal emotional facts. These emotional facts have a cognitive influence on individual's ability to make decisions and solve problems.

Trust and dependability are also essential abilities for public servants and policy-makers. Goleman's (1998, 2012) theoretical framework concentrated on competencies such as trust, communication, and conflict management. The framework of Goleman's emotional intelligence theory of performance shows four essential competencies: Self-awareness, self-management, social awareness, and relationship management. It also includes other individuals' aptitudes and capabilities, such as self-confidence, empathy, service orientation, organizational awareness, self-control, conscientiousness, adaptability, drives to achievements, initiative, team performance, leadership structure, adaptation to changes, building bonds between teams, and collaboration. These emotional intelligence skills are innovative capabilities that lead individuals to build a more

profound organizational commitment, organizational awareness, and performance excellence in their workplace (Goleman et al., 2013).

Between 1990 and 2016, many scholars have studied the influence of emotional intelligence on management and leadership performance. Although Goleman's emotional intelligence model focused on individuals' competencies, other emotional intelligence models focus on interpersonal skills, adaptability, organizational intelligence, and education (Bar-On, 2012; David, 2011; Mayer et al., 2016). The literature showed a common pattern in Goleman's and Bar-On's emotional intelligence models. For example, both emotional intelligence models can be applied to assess how individuals manage the demands and pressure of the workplace and social demands, which can be outlined by identifying how individuals respond to challenges, stress, teamwork, and performance (Ono et al., 2011).

Goleman's (1998, 2012) emotional intelligence model is applied widely in professional environments and organizational settings. It has been applied to evaluate management and leadership practices, employees' and organization's performance, and teamwork (Boyatzis, Good, & Massa, 2012; Coetzee & Harry, 2014; Farnia & Nafukho, 2016). In 1998, Goleman's model focused on self-awareness, self-regulations, social awareness, and relationship management. By 2012, Goleman's model has evolution to include adaptability, achievement orientations, self-control, conflict management resolution, inspirational leadership, teamwork, and organizational awareness.

Personality and emotional intelligence are also cognitively interrelated. Lee (2013) explained that the emotional intelligence mixed model, as it was previously posited by Bar-On (1997), Goleman (1998), Goleman et al. (2013), is a combination of the emotional intelligence ability model and emotional intelligence trait model developed by Petride and Furnham (2000). Lee, in agreement with Petride and Furnham also explained that the emotional intelligence trait model was first determined by exploring individuals' behaviors, and other competencies, such as self-reporting, and self-perceived abilities. In fact, Khalili (2012) explained that emotional intelligence mixed model depends on socio-emotions resulting from examining personality traits, which validates Goleman's (1998; 2012) emotional intelligence model. The next section is focused on exploring Goleman's emotional intelligence model, as it can be applied to the field of public policy and administration, human resources, employment development, resilience, and retention.

### **Emotional Intelligence in the Workplace**

The literature shows a consensus that emotions influence individuals' decision-making processes and problem-solving abilities in all fields, including law enforcement and public administration. In public administration and public policy for example, policymakers extract an incredible amount of information from people's behavior and other conditions in their environments, essential to make decisions and write laws (Vigoda-Gadot & Meisler, 2010). Vigoda-Gadot and Meisler wrote that public administrators' thinking must be based on systematic rationality, and strong logical

reasoning to guide decisions, and create regulations and policies. In fact, scholars such as Boyatzis (2011), Joseph et al., (2015) and Ono et al., (2011) emphasized that emotional intelligence enhances thinking, which leads to a better assessment of situational needs when making decisions, and solving problems. The emotional intelligence mixed model focuses on the integration of non-cognitive and cognitive skills, traits, and abilities. Joseph et al. (2015) and Vigoda-Gadot and Meisler (2010) described non-cognitive skills that influence individuals' emotional intelligence skills. These skills were stress management, the facilitation of thoughts, impulsivity, and performance. As a result, in 2015, Joseph et al. emphasized that the relationship between the emotional intelligence and job performance can be predicted by measuring individuals' emotional intelligence abilities.

Other areas of organizational functionality related to emotional intelligence skills and abilities include team work and team functionality. Walter et al. (2012) and Chatterjee and Kilakli (2015) indicated that Goleman's mixed model was a legitimate predictor of organizational awareness, teamwork, collaboration, employment development, leadership, selection, and promotions. In their research, Walter et al. and Chatterjee and Kilakli concluded that the emotional intelligence mixed model was a tool that could be integrated into organizational and management business decisions, because it can predict emotionally intelligent behavior, organizational performance, training, leadership effectiveness, and transformational leadership strategies. Also, the relationship between emotional intelligence and human resource practices can help the progress

organizational improvement. Farnia and Nafukho (2016) explained that the implications of emotional intelligence in human resource practices, such as organizational and employment development, enable organizational development and performance, enhance workplace productivity, engagement, flow of communication. Emotional intelligence also helps individuals to build on their conflict resolution abilities, and other essential workplace practices, including recruitment and training.

I used emotional intelligence theories to explore the impact that organizational procedures, management, and leadership practices have on law enforcement officers' FADO behavior, as well as on the officers' resilience, organizational commitment, decision-making, problem-solving, and conflict management resolution ability. Bar-On's (2012) emotional intelligence model measures the individual's self-regard, self-awareness, emotional assertiveness, independence, self-actualization, empathy, social responsibility, interpersonal relationship, stress management, flexibility, tolerance, impulse control, adaptability, problem-solving, and general mood. Although many emotional intelligence models seem to overlap in the analysis of some abilities and skills, each model discussed in this research has its area of expertise, focus, and purpose.

### **Literature Review Related to Key Concepts**

#### **Emotional Intelligence Competencies: A Brief History**

In social and behavioral science, emotional intelligence explores the individual's cognitive and non-cognitive skills and abilities of behave and perform in different environments, including high profiled challenging and the work environment in the

workplace. These emotional intelligence conceptualizations are focused on issues associated with the workplace and behavior such as social and self-awareness, perception and understanding of emotional behavior, stress management, and performance (Bar-On, 2012; Caruso & Salovey, 2004; Goleman, 2012; Mayer et al., 2016). Although emotional intelligence is relatively a new topic in the field of social and behavioral science, academics have been exploring its concepts since 1859. Bain was a philosopher professor at University of Aberdeen, Scotland, between the years of 1860-1880. Bain was known to investigate and practice the science of the mind (Graham, 2002, 2015). Bain's inquiries of the mind lead the professor to investigate the cognitive connection of the mind, feelings, and human's volition. The professor found that emotions and intellect were linked by the intellectual attributes of emotions. Consequently, emotional intelligence developed. Anderson (2014) explained emotional intelligence as the cognitive and non-cognitive skills and abilities linking the power of the mind, with feelings, and behavior. These abilities are important skills much needed for public servants, still level bureaucrats, and policymakers. Street-level bureaucrats, civil servants, public administration, managers, leaders, and policymakers are required to use the information in their environment to make decisions and create policies.

In 1877, the American Philosopher Henry Noble Day applied the contextualization of emotional intelligence to the study of interconnected relationship between feelings and emotions. Day (1877) and Vito and Vito (2015) found that the individual's mental process is dominated, most likely by the cognitive interconnections

between feelings and intelligence. Their conceptualization establishes that emotional intelligence is necessary to establish communication and apply impartial judgements. Applying these findings in a law enforcement environment, emotional intelligence incorporates the abilities and skills much needed to read and understand individuals, groups, and communities, regardless of the situation, building trust, while influencing others (Spalek & Basia, 2014).

Human responses and behaviors are influenced by knowledge, experience, and actions. In 1921, Myerson, a professor of Clinical Psychiatry at Harvard Medical School, wrote that individuals' experience and knowledge are aptitudes that could influence individuals' responses and behaviors. Within the same emotional intelligence contextualization, Thorndike (1920) explained that emotional and social intelligence provides the individual with the ability to comprehend, understand, and manage human relations. Using the same framework, Peel (2015) explained that in a law enforcement environment, the officers' relationships with their team should be maintained because it influences them with trust and reliability.

Understanding social behavior is essential for law enforcement communities. Sechrest and Jackson (1961) and Walker and Foley (1973) examined predictors of abilities and interpersonal skills variances attributable to the concept and complexity of social intelligence. They studied ways of measuring social intelligence when they found that human interactions were an essential factor to construct with predictive and differential accuracy. They found three essential abilities: human relations, social



intelligence, and academic intelligence. The academics also found that social intelligence was significantly associated with individuals' understanding of others, judgments, stimuli, problem-solving, cognitive complexities, social effectiveness, and performance.

The ability to solve problems and think logically is a cognitive attribute of human nature. Scholars have applied Thorndike's concept of social and emotional intelligence reaching to the same consensus, implying that emotional intelligence is also the ability to think logically, understand, and manage relationships (Anderson, 2014; Chatterjee & Kulakli, 2015; Ferguson, 2014; Njoroge & Yazdanifard, 2014). Gardner (1987) expanded on the conceptualization of emotional intelligence by explaining that it was an ability to solve problems, to understand people, motivate them, and to use that knowledge to improve performance. In high-performance and challenging environments, emotional intelligence abilities are essential to maintain a rational behavior, make critically instant decision, and to understand when decisions might be influenced by cognitive implicit biases.

Emotional intelligence and cognitive intelligence complement each other. Though the focus of Gardner (1987) was to study the cognitive developmental models of intellectual competencies, Gardner understood the concept of emotional intelligence, as it was noted in the work of Bar-On (2012). Bar-On explained that intelligence is the foundation of intrapersonal intelligence, which builds in emotional competencies. Research shows that emotional intelligence improves human development, leadership, and organizational strategies, as these are qualities that every policymaker, public

servant, and public policy practitioner must have (Anderson, 2014). In the 1990s, emotional intelligence was increasingly conceptualized. The next several sections show the work of multiple scholars, such as Bar-On, (2006, 2012), Goleman (1998, 2012), Mayer et al., (1990), and Mayer et al., (2008, 2016) who developed three profound theoretical frameworks on emotional intelligence.

### **Scholarly Construct**

In the field of public administration, research shows that organizations need the support of their employees for the successful implementation of organizational policies. In fact, emotional intelligence abilities, and specific skills, such as self-awareness, perception, self-management, regulation, and the understanding of emotions are essential attributes for the successful implementation of organizational of policies, regulations, and organizational changes (Goleman et al., 2013; Mayer et al., 2008; Petride, 2010). The cognitive competencies of emotional and social intelligence are essential characteristics for public services because emotional intelligence is fundamentally associated with an employee's commitment, performance behavior, decision-making, problem-solving abilities, open-mindedness, perception, and engagement during policy implementation, organizational changes, and organizational procedures (Brackett et al., 2011; Bird, 2014; Boyatzis, 2011; Nordin, 2011). I used emotional intelligence as the theoretical framework for this study because of the essential relationship between emotional intelligence and the field of public administration and street-level bureaucrats.

## **Emotional Intelligence in Public Administration**

Emotional intelligence has been one of the fastest growing theoretical framework in social science since the 1990s. Scholars have been studying the rapid development of emotional intelligence in different fields, such as academic, private, non-profit, and public sectors (Dues, 2013; Farnia & Nafukho, 2016). Although some academics believe in the fast development of emotional intelligence as a tool for training, hiring, building stronger teams, and leadership practices (Joseph et al., 2015; Rahman et al., 2016), others such as Cavazotte, Moreno, and Hickmann (2012) suggested that emotional intelligence was one of the most controversial constructs in academia.

Other scholars have also challenged the significance of the cognitive and non-cognitive relationship of emotional intelligence and cognitive intelligence. For example, Farnia and Nafukho (2016) challenged the cognitive and non-cognitive interconnection between emotional intelligence and leadership strategies. Their reasoning for challenging validity of emotional intelligence practices included external factors, such as a conceivable lack of validity to measure emotional intelligence in incremental conditions and environments, within specific populations and locations. In 2013, De Angelis explained that information might not be the same as conceptualized knowledge, and that it could be applied to emotional intelligence as data, because individuals pose the cognitive abilities to perceive, analyze, interpret, and integrate emotional data into action.

The correlational relationship between emotional intelligence, organizational culture, knowledge management, policy practices, self-management, job-commitment,

career adaptability, proactive personality, and human resources practices have been validated. These have not only been validated by the work of Bar-On (2006, 2012), Goleman (1998, 2012), and Mayer et al., (2008, 2016), but also with the work of Coetzee and Harry (2014), and Jafri, Dem, and Choden (2016) who emphasized the connections between emotional intelligence, employee creativity, and employee adaptability. Also, Raman, Sambasivan, and Kumar (2016), in agreement with and Jafri's et al. finding, highlighted the influential correlation between emotional intelligence and personality in the workplace, which also supports Goleman's emotional intelligence-based performance theory. The above authors' finding confirm the positive and significant contributions that emotional intelligence has on frontline employees in the public sector. In addition, the authors also agree on the influence that emotional intelligence has on adaptability, creativity, organizational climate, personality, and career development.

Emotional intelligence competencies not only influence the individual's personality and functionality in the workplace, but also individuals' performance. Emotional intelligence has an essential influence the ability to make decisions, manage conflicts, and the ability to judge, reason, understand others (Epstein & Duberstein, 2012; Joseph et al., 2015). De Angelis (2013), Cunningham and Villaseñor (2016), Forgeard et al., (2011) and Kaufman (2012) agreed with the previous statement. They explained that in the public service and high profiled job environments, people need to learn about their conceptions, skills, and abilities. Emphasizing that, during times of policy and organizational uncertainties, an emotionally intelligent-balanced individuals, with high

level of interpretation, integration, knowledge, and problem-solving capabilities, can take over the responsibilities of any organization successfully.

Societies are in constant evolution and so are people. Current employment practices, especially when searching for public servants and street-level bureaucrats, leaders and organizations should include emotional intelligence, which will help with recruitment practices, strategies for policy selections, training, and the enhancement of job performance and achievement (De Angelis, 2013; Gounev, Dhekova, & Bezlov, 2012). The authors also suggested that in the public sector, sometimes, the competencies to perform a job should not be always be the main criterion to recruit individuals for a determined position. Emotional intelligence is also necessary to develop and enhance performance, and work in teams.

Emotional intelligence has been expanding in all fields of study. Guy and Lee (2013) found that emotional intelligence has a direct impact on emotional labor, positive relationships at work, and job satisfaction. Brunetto et al., (2012) also found that emotional intelligence could be directly associated with organizational commitment and performance, including in law enforcement organizations. In a similar study, Ono et al., (2011) also found that emotional intelligence measurements could be utilized as indicators or predictors of law enforcement personnel's performance. Directly associated was military leadership. Anderson (2014) explained, as it was cited in the work of Gottfredson (1997) and Sternberg and Kaufman (1998 that, within any law enforcement environment, emotional intelligence could provide ways to solve problems, think, and

perceive situations for fast responses, even in situations where intense emotions could be involved.

Emotions are an important part of decision-making and problem-solving in all aspects of human life. De Angelis (2016) explained, as it was previously defined by Halal (1998), Salovey and Mayer (1990), Goleman (1998), and Emmons (2005), that in new public management, problem-solving reasoning, and problem-solving assessments should not only be inclusion of rational intelligence. These skills should also include emotional intelligence. They explained that emotional intelligence facilitates thinking, and helps individuals deal with the demands and pressures of their environment while influencing policymakers' decisions and final reports. In a more organizational context such as leadership, management performance, organizational politics, law enforcement, and non-profit organizations, Cavazotte et al., (2012), and Vigoda-Gadot and Meisler (2010) explained that emotional intelligence can be considered a relevant predictor of personal success, which is a necessary ability for managers' and leaders' performance.

Research also shows that emotional intelligence competencies are essential abilities to reason logically and make decisions. In a recent study, De Angelis (2013) explored knowledge management theories and organizational intelligence models with the purpose of examining the relationship between knowledge management, organizational intelligence, and organizational culture. De Angelis found that there is an intrinsic relationship between the way individuals make decisions and solve problems. De Angelis explained that emotional intelligence influences the individual's observation,

analytical abilities, and perception, which also influence the way of reasoning about the data found in any environment.

Additionally, emotional intelligence was found to be essential when working with different cultures. For example, emotional intelligence allows individuals to understand the cultural barriers of working in the public sector, such as gender, sexual orientation, ethnicity, and physical disability (De Angelis, 2016; Tomažević, Seljak, & Aristovnik, 2014; Yang & Guy, 2015). Emotional intelligence in public service environments is an important skill to develop leadership capabilities, interpersonal skills, interpersonal relationships, and collaborations (O'Leary, Yujin, & Gerard, 2012). It has a significant influence on the role of public administrators, emotional labor, and the way public servants deal with job-burnouts because emotional intelligence combines intellectual and emotional intelligence to enhance thought, and make decisions (Vigoda-Gadot & Meisler, 2010; Guy & Lee, 2013).

Leaders must find ways to implement organizational changes and social development in the workplace. Organizational, administrative, and managerial practices must always be developing in public service organizations (Cunningham & Villaseñor, 2016; Silvia, 2011). Cunningham and Villaseñor, and Silvia found that in the public sector, hierarchical and bureaucratic practices are always shifting away from being intrinsically organizational, toward a more collaborative, communication, and customer service-oriented approach. For example, Cunningham and Villaseñor (2016) and Tummers (2011) argued, as it was previously discussed in Gottfredson's (1997) analysis,

that decision-making, communication, moral transparency, problem-solving, and socio-emotional abilities were powerful predictors of performance.

The performance and behavior of public servants are under constant scrutiny from the public. Concurrently, some scholars argued that decision-making, problem-solving, and emotional skills, and abilities are necessary skills to encourage public servants to find the underlying cause and meaning of the problems influencing public servants' performance (Binz-Scharf, Lazer, and Mergel, 2011; Willis, 2011). In contemporary practices, academic studies showed that individuals' intellectual and managerial competencies and capacity to perform on the job should not be the main factors to consider (De Angelis, 2016; Dues, 2010; Goleman, 2012; Goleman et al., 2013). Scholars agree that critical thinking, recruitment, retention, logic, teamwork, problem-solving skills, and human relations are essential skills for organizational and individuals' development, leadership, and management in the workplace (Bird, 2014; Cavazotte et al., 2012; Cunningham & Villaseñor, 2016; Ferguson, 2014; Glodstein, 2014; Spalek & Rawe, 2014; Orazi, Turrini, & Valotti, 2013).

Communication and internal relationships within the organization are also attributes that every person in a position of power must master. Leaders should be able to commit to effective communication (Li-Ren, Hsiu, & Yu-Fu, 2012). When evaluating an individual's ability to perform in a position of power, the person's ability to use his or her emotional intelligence competencies, such as empowering resources, intuitiveness, high levels of emotional management, self-awareness, emotional resilience, and motivation,



must also be considered (De Angelis, 2016; Goleman et al., 2013; Higgs & Lichtenstein, 2011).

Problem-solving and decision-making abilities are in fact, emotional intelligence competencies that every public servant must improve to enhance their performance in the workplace. Other important emotional intelligence abilities include conflict management resolution, interpersonal skills, relationships, and self-management, (Dues, 2013; Kelman & Mayers, 2011). For example, in the field of conflict management and resolution, some of the essential characteristics helping individuals to focus on conflict resolution practices are decision-making and problem solving (Dues, 2013). Also, perception, empathy, logical thinking, rationality, perception, emotional awareness, and bias-less cultural awareness. (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016) The literature showed that, an important trait dominating the ability to solve conflicts relies on emotional intelligence, and the individuals' ability to perform, make decisions, build relationships, and use their information in the environment to help them to solve problems during conflicts (Dues, 2013; Caruso & Salovey, 2004; Mayer et al., 2016; De Angelis, 2016; Goleman, 2012).

When working in any organization, to achieve performance and operational excellence, leaders need the cooperation of their employees, working together as a team. To ensure employee cooperation and organizational performance, leaders must also enhance employees' vision, create powerful ideas, and help others to work effectively in any environment (Chatterjee & Kulakli, 2015). Raman et al. (2016) argued that

contradicting work behaviors in public sector employees, such as profiling, low performance, verbal abuse, misconduct, and corruption, can have a negative impact on front-line government. These behavioral issues could reflect negatively on the public and the public could perceive that the street-level bureaucrats' behaviors are supported by their administration.

Erratic or challenging behaviors from public servants compromise the trust and cooperation of the public. These behaviors also include the conduct of law enforcement officers. Challenging performance, like those discussed above, can have severe implications for the employee and the agency. In the public sector, lack of performance, or challenging behaviors could result in the loss of millions of dollars in government funds (Raman et al., 2016). In the United States, for example, police officers are paid by state funds, which is money provided by taxpayers, to support government programs. Losing millions due to inappropriate challenging behavior, and misconduct is unacceptable, which is why emotional intelligence education should become a mandatory education for public servants (Buettner & Grimm, 2016; Raman et al., 2016).

### **Emotional Intelligence in The Public Sector**

The person's personality traits, when uncontrolled, could represent a negative, counterproductive issue for the team and the public. Job performance can establish the cognitive connections between personality traits, and emotional intelligence competencies among front-line employees in the public sector (Raman et al., 2016; Petrides et al., 2010). Frontline employees in the public-sector deal with organizational

changes, organizational development, team building, and teamwork, which is why their emotional intelligence is one of their most valuable skills, including competencies that would provide the employees with self-guidance and structure (Caruso & Salovey, 2004).

In today's societies, emotional intelligence is a necessary ability to develop reasoning, judgment, and behavior, while maintaining self-awareness and emotional balance. Emotional information from self and others can be used to subtract relevant information about a person's performance (Caruso & Salovey, 2004). For example, Caruso and Salovey also explained that emotional data extracted from any individual could have relevant information about the person's core performance, and the person's ability to plan, think critically, or adapt. Also, emotional intelligence is important for emotional regulations and resilience, as well as the understanding of organizational changes, unpredictable situations, and the application of functional policies and regulations (Haver, Akerjordet, & Furunes, 2013).

Organizational policies are driven by the behavior of the employees and other relevant factors that would either, mandate or restrict organizational processes and individuals' behavior and performance. The performance of street-level bureaucrats is challenging because public agencies are mostly under the scrutiny of the public. The negative behavior of public servants has a negative impact on their agencies and their relationship with the community. John (2012) and McConnell (2016) analyzed the approaches to public policies with the purpose of understanding what influenced policy failure in the public sector. McConnell found that some of the challenges affecting public

policy failure was associated with the organization's internal and external factors such as individuals' approaches, institutional structures, weak leaders, social contradictions, or problems within the structure of the policy itself. Other factors that could also have a negative impact on policies and regulations, leading to policy failure are the perception of the policymakers, and their interactions and experience with the organization (John, 2012; Lee & Vaughn, 2010; McConnell, 2016).

Some other factors influencing policy failure could be related to social conflicts, self-interest, poor competencies, lack of training, judgments, corruption, and biases. Also, problem-solving skills, desynchronized goals, perceptions, decision-making, authoritative decisions, relationship management, dependency awareness, and power-structured interest (John, 2012; Lee & Vaughn, 2010; McConnell, 2016). The scholars also suggested that others issues related to public policy failure, administrative breakdown, and lack of decision-making strategies, including in the field of law enforcement, could be associated to the organization's inability to provide labor-specific trainings.

Decision-making processes, in general, could impact the functionality of any organization, and its procedures, such as human resource, leadership-bureaucracy, and management practices. A review of McConnell's (2016) study shows that it was aligned with the constructing framework found in Hess's and Bacigalupo's (2013) studies, where they analyzed the effect that emotional intelligence has on leaders, from the contextualization of organizational development. Although both researchers were focused on different fields in the public sector, both examined individuals' abilities to make

decisions and solve problems. For example, Hess and Bacigalupo found that individuals' emotional intelligence ability impacts the way they assess decisions. They argued that individuals' emotional intelligence impacts the way people make decisions, regardless of the sector, affecting the outcome of the policy (Hess & Bacigalupo, 2013). Research has shown that emotional intelligence can enhance the quality of decisions (John, 2012; Johnson, 2016). It influences behavior, performance, relationships, and the improvement of perception, not only for public administrators, but everyone in general, including the high-profile and challenging field of law enforcement (John, 2012; Johnson, 2016; Phillips & Sobol, 2012).

### **Emotional Intelligence in Human Resources**

Human resources comprise the human capital of any organization. Employee satisfaction is essential for job retention (Glodstein, 2014). Studies showed that employees who were aware of their emotional skills were most likely to experience higher job satisfaction (Glodstein, 2014). It seems that emotional intelligence plays an essential role in the development of human resources practices (Mishra, 2012). Martin (2015) demonstrated that emotional intelligence is essential for the establishment and development of relationships in professional environments.

In fact, studies have demonstrated that the quality of the performance of an individual could be measured with the application of a myriad of emotional intelligence tools (Guys & Lee, 2013; Misha, 2012) such as the Mayer-Salovey-Caruso-Emotional Intelligence Test (MSCEIT), (Joseph, Jin, Newman, & Boyle, 2015; Maul, 2012; Rivers

et al., 2012), Bar-On's Emotional Quotient Inventory (Hopkins & Yonker, 2015; Maulding et al., 2012), and Wong's Emotional Intelligence Scale, (WEIS) (Neil et al., 2016; Walter et al., 2011) to name few emotional intelligence measurement tools.

In addition to using emotional intelligence tools to measure the individual's quality of performance, emotional intelligence in human resources practices could help individuals to communicate and understand the role of emotions in customer service-oriented and emotional labor jobs (Aghdasi, Kiamanesh, & Ebrahim, 2011; Gabriel et al., 2016) and other internal issues such influencing gender inequality in the workplace (Thory, 2013). Therefore, Glodstein (2014), Goel and Hussein (2015) suggested the implementation of emotional intelligence tools for additional job-screening strategies to increase human capital with personnel who are capable of better balancing life and work demands. In addition, Zheng et al., (2015) agreed with Glodstein (2014), suggesting that an emotional intelligence pre-employment screening process could help with the acquisition of employees with higher emotional intelligence abilities, which can provide higher job satisfaction standards, employee retention, interpersonal skills, and a robust team-communication infrastructure.

### **Emotional Intelligence in Law Enforcement**

The last five years have been socially challenging for law enforcement agencies in the United States. Research shows that agencies and police officers around the US have been challenged with issues such as racial bias, stereotyping, profiling, abuse of authority, discourtesy, excessive use of force, use of offensive language, and misconduct

(CCRB, 2015; Hall et al., 2016). It seems the trust and respect between local communities, law enforcement agencies, and police officers need to be reestablished (NYPD Community Affairs Bureau, 2015). The literature research indicates that these issues might not only be affecting law enforcement officers and their agencies' relationship with communities but also the relationship between the police officers and the agency, affecting their behavior and actions (Johnson, 2016; Estrada, 2014; White & Kane, 2013).

Law enforcement officers have a split second to make a decision that can change their lives and the lives of others. Studies show that the emotional intelligence of a police officer could impact the police officers' decisions, work outcomes, retention, job satisfaction, commitment, and employment turnover (Brunetto et al., 2012). Some scholars, including Johnson (2016) and White (2014) argued that the agency's culture could set the tone of perception and acceptance in law enforcement organizations. Other scholars believe that sometimes, the agency's implementation of policy and regulations have unintended consequences leading to unpredictable behaviors (White, 2014). This is one of the reasons why it is important to consider the members of the organization when making policies and regulations that would have an equivalent effect on the organization and its people.

Management—first line and executive management—as well as leaders, operational supervisors, and first line supervisors should have the same behavioral responsibility and respect for the organization's culture, procedures, and practices. Keane

and Bell (2013) and Prenzler, Porter, and Alpert (2013) suggested that the ever-present bureaucracy of law enforcement agencies and operational strategies might have resulted in unintended consequences with unpredictable behaviors. It is important that every member of the organization understand how their emotional intelligence could influence their behavior. The literature has shown that emotional intelligence skills affect behavior, drive performance, and influence organizational procedures, including recruitment, development, retention, team talent, teamwork, productivity, innovation, policymaking, and employees' morale (Goleman, 2001).

In fact, it seems that emotional intelligence and job satisfaction have an intrinsic connection. Academics Al Ali, Garner, and Magadley (2012) explored the connection between job performance and emotional intelligence, focusing on law enforcement-based organizations. They explored significant correlations among decision-making and personality traits from a law enforcement contextual framework. Their finding agrees with Aremu's et al. (2011) findings that indicated in a law enforcement environment, emotional intelligence enhances the performance of the police and the integrity of the officers, subsequently affecting their actions and decisions.

Emotional intelligence is data in everyone's environment. Scholars in the field of social and behavioral science emphasized that emotions are data (Caruso & Salovey, 2004; Forgeard et al., 2011; Jafri et al., 2016). Blumberg et al. (2015), and Ono et al., (2011) explained that emotions are facts that could provide information that could help to determine people's ability to interact with others. The authors also explained that



emotional intelligence could predict job performance, decision-making, and challenging or harmful behaviors. Though research indicates that emotional intelligence skills and abilities could be implemented in most fields of study, in law enforcement environments, emotional intelligence separates individuals who can perform in emotionally intense and high-risk performance jobs (Guy & Lee, 2013).

Individuals with high emotional intelligence are most likely to succeed in work performance and in their ability to build stronger relationships in the workplace and with external communities. Highly emotionally intelligent police officers are essential for organizational commitment, resilience, and the prevention of job-turnover (Brunetto, et al., (2012). Also, research shows that for police officers, their emotional intelligence abilities might play an essential role in building public trust, preventing corruptive behavior, integrity, decision-making, and ethical behavior (Blumberg et al., 2015). Aremu et al. (2011) stated that emotional intelligence is relevant for any field of study involving continuing social interactions.

In fact, emotional intelligence seems to be equally important to IQ. Aremu et al. (2011) emphasized, as it was previously showed by the academic work of Bar-On (1997), Barsade (1998), Gardner (1987), and Salovey and Mayer (1990), that emotional intelligence counts for 80% of the intelligence of a person. Further, scholars and professionals in the field suggested that the emotional intelligence of law enforcement officials might be affected by culture, sub-culture, and internal and external integrations of their environment (Tyagi et al., 2016). Therefore, Gabriel, Cheshin, Moran, and Van

Kleef (2016) indicated that the enhancing of human resources practices, policies, and regulations might be a recommended practice to ensure employees have the needed emotional intelligence skills and abilities for service interaction.

Summarizing this section, the literature presented many arguments about the applicability of emotional intelligence skills and abilities in many fields, including the fields of public policy and administration. The academic investigations of the emotional intelligence contextual framework included organizational learning and other organizational factors such as working conditions, organizational support, and environmental conditions influencing human behavior (Sugarman, 2012; Tomažević et al., 2014). The literature offered multiple arguments on the emotional intelligence attributes identified in public servants' performance, such as decision-making and the use of emotional intelligence to achieve organizational goals (Hess & Bacigalupo, 2013).

Other arguments in the literature included the implications of emotional intelligence in job satisfaction and other public servant responsibilities, which include public policy, effective forecasting of work performance, human resources practice and pre-employment screening strategies (Glodstein, 2014; Hoerger, Chapman, Epstein, & Duberstein, 2012). An overview of the current literature indicated that public sector issues could be the result of internal factors within the organization's culture and sub-culture, such as organizational structure, procedures, and policy failures (Cunningham & Villaseñor, 2016; John, 2012; Lee & Vaughn, 2010; McConnell; 2016; Tummer, 2011).

In the public sector, there were other factors that could have impacted the emotional intelligence of public servants. Those issues included poor management, appropriate training, poor performance, and challenging behaviors (Lee & Vaughn, 2010; McConnell 2016). A review of the literature indicated that emotional intelligence could also influence the stress management, behavior, skills, and abilities of policymakers, managers, leaders, and public servants. Emotional intelligence could affect the individuals' ability to solve problems. In addition to influencing the individual's ability to solve problems, emotional intelligence also influences the individual's ability to make decisions, relate to others, and perform to their full potential (Caruso & Salovey, 2004; Dues, 2013; Hess & Bacigalupo, 2013; Kelman & Mayers, 2011; Tummer, 2011).

The next section explored the relationship between organizational procedures, culture, and the police officers' behavior from an emotional intelligence point of view. The literature review focused on the police officers' emotional intelligence skills and abilities, as it has been academically proven that emotional intelligence could influence behavior and performance such as decision-making, problem-solving, policymakers, stress management, resilience, and interrelationships, as well as the improvement of organizational procedures toward the achievement of organizational excellence.

### **Police Officers' Behavior**

This section of the literature review is focused on the NYPD, the largest police department in the United States. As of November 27, 2016, the NYPD has approximately 34,500 uniformed police with the responsibility of protecting more than 8.5 million

residents and 56 million visitors a year (Department of City Planning, 2016; NYC-NYPD, 2016; Nussbaum, 2012). From 1845 to 2015, the NYPD implemented many strategic and organizational policies. Some of these implementations were driven by the agency's need for reorganization, as well as the need to improve the department's relationship with the community (Nussbaum, 2012; White, 2014). The literature showed the NYPD shared a culture of beliefs, values, and collective intentionality that seemed to keep the team unified while providing the emotional support necessary for the officers to continue doing their jobs (Schweikard & Schmid, 2013).

In a law enforcement culture, the police officers are bound by a shared goal to protect each other. The shared culture and mindset provides police officers a common purpose, vision, communications, and empowerment that bound the team together (Johnson, 2016; Kotter, 2013, Mercadillo et al., 2015). Though some scholars, such as Estrada (2016), Shim, Jo, and Hoover (2015), and Thurman and Giacomazzi (2014) believe the police culture, such as the NYPD culture represent an obstacle for the departments and its community policing, others such as Beckley (2014), Goodman-Delahunty, Beckley, and Martin (2014), Ivković et al. (2015), and Scaramella, Cox, and McCamey (2011) believed their culture provided them with the emotional support and understanding they need.

In developing the conceptual framework for this research study, the review of the literature, associated with the history and behavior of the NYPD indicated the NYPD might have behavioral performance issues. Some of those issues were also found in the

behavior and performance of other police departments and law enforcement communities, including the Chicago Police Department. Those issues could be affecting the police officers' community policing and interrelationship strategies with local communities. Chapter one highlighted the work of many scholars that have focused their research on studying law enforcement communicates, such as the NYPD's history of organizational behavior and performance. The scholars found the NYPD patterns of challenging practices, and transgressions of mistrust and misconduct dating from 1863 throughout 2016, averaging NYPD scandals every 20 years, highlighting the police officers' profiling practices, social partiality, lack of moral authority, abuse of power, corruption, and misconduct (Andreescu et al., 2012; Brunetto et al., 2012; CCRB, 2016; Chronopoulos, 2015; Cook, 2015; Jiao, 2010; Walker, 2012; White, 2014). Their research suggested that the NYPD continues with practices of abuse of power, profiling, use of offensive language, and discourtesy which is having a negative impact in the community.

In fact, the CCRB (2015) officials reported that from January 2014 to June 2015, civilian complaints of police misconduct involved 9,789 on-duty police officers. An examination of the report indicated that from the 9,789 civilian reports, 5,209 police officers were identified, leaving 4,580 police officers that could not be identified during the CCRB investigations. An OIG-NYPD report also indicated that during fiscal year 2014, the City of New York received 15,000 lawsuits against NYPD costing the city more than \$202 million. Further, an NYPD police officer alone received 28 lawsuits

costing the city approximately \$884,000 in settlements (Peters & Eure, 2015c). A review of both, the CCRB and the OIG-NYPD reports have shown that NYPD police misconduct could be representing a social problem because the inappropriate behavior and performance of few police officers, is having a negative impact on the agency as a whole, also affecting the community trust in the agency and the officers.

### **Organizational Practices**

Other law enforcement policies, while successful, might have a questionable implementation. This literature review also includes documents from the CCRB and the OIG-NYPD associated with the police officers' excessive or unnecessary use of force, discourtesy, abuse of authority, and offensive language (CCRB, 2015, 2016). Within this contextualization is also included other policies, such as community policing, body-worn cameras, chokeholds, and broken windows policies (CCRB, 2015, 2016; Peters & Eure, 2015a). In addition to the NYPD policies, regulations, and administrative practices, I also reviewed literature that was specifically associated to emotional intelligence competencies within law enforcement community. Scholars in the field of social science behavior argued that emotional intelligence abilities and skills are associated with organizational development, organizational change, employee's performance and behavior, management, team's performance, leadership, decision-making behavior, problem-solving ability, conflict management resolution, and policymaker's decision and behavior (Campbell, 2012; Dues, 2013; Johnson, 2016).

The literature shows that the NYPD has a history of bureaucratic challenges. NYPD's history of challenging behavior seemed to have started right after its establishment in 1845, when official training on policies, regulations, and public defense was not yet implemented (Balko, 2014). During that time, police officers' protective strategies were not focused on the community or crime prevention, but rather on patronage and politics (Spalek & O'Rawe, 2014; Ivković et al., 2015). Cook (2015) agreed that in its early years, the NYPD was focused on a more political-oriented cynical behavior, than a community-oriented behavior, which caused lack of authority, trust, and public suspicion, provoking public uncertainty on the agency. However, police performance is not solely attributed to the police officers' personality and behavior, it could also be an indicator of poor organizational and operational actions, which might also be seen by the police officers as a window of opportunity for misconduct and poor decisions (Spalek & O'Rawe (2014).

The problems between the NYPD and the community started in 1857. Since then, the NYPD had implemented many policies and reforms not necessarily intended to protect citizens. Those policies and regulations seemed to be focused on the political hurdles of internal and external bureaucracies (Nussbaum, 2012; Whalen & Whalen, 2014). Some of the NYPD's policies and reforms, including policies such as stop-and-frisk, might have the unintended consequences with the community (White, 2014; Peel, 2015). Further, it seems as if some of those policies could have caused marginal stress

between the agency, the police officers, and the communities, instead of protecting the community against crime.

In relation to emotional intelligence competencies, a review of the literature showed that emotional intelligence competencies are necessary skills and abilities to perform in highly stressful jobs. Bar-On (2012), Goleman (2012), and Mayer et al. (2016) explained that emotional intelligence could be applied in any field, to improve behavior and successfully drive performance. Also, emotional intelligence, as it is related to street-level bureaucrats, public administration, policymakers, and law enforcement, was found to be necessary to maintain reliability and a well-balanced performance in the workplace (McGarry, Cashin, & Fowler, 2012; Nordin, 2011).

### **New York City's Population**

In July 2017, the United States Census Bureau estimated the population of the state of New York was 19,849,399. An approximate 8,622,698 million citizens reside in the NYC five boroughs, Manhattan, Brooklyn, Queens, The Bronx, and Staten Island (Census Bureau, 2017). These numbers represent an increase of 5.5% since 2010. According to NYC Mayor Bill De Blasio, in 2017, NYC received 62.8 million visitors, an increase of 2.3 visitor since 2016 (Toussaint, 2018). The NYPD is not only responsible for protecting the millions of residents located in NYC five boroughs, Manhattan, Brooklyn, Queens, The Bronx, and Staten Island, but also all the visitors that enter the city every year. Taking into consideration that the NYPD seems significantly small when considering the number of people that they must protect every year, still,



research has demonstrated that the department is one of the most successful police department in the world (FBI Uniform Crime Reports, 2014; Nussbaum, 2012; Patel & Sullivan, 2012; White, Cooper, Saunders, & Raganella, 2010).

### **Organizational Leadership Structure**

Law enforcement agencies, street-level bureaucrats' behavior, leadership, and professional policing must be linked by core values, team efforts, leadership guidance, social concerns, and community protection. For example, as of 2018, the NYPD have approximately 36,000 uniformed police officers, while the city of New York has 8,622,698 residents, in addition to the 62.8 million visitors the city received in 2017 (Census Bureau, 2017; CCRB, 2018). Although it seems illogical that 36,000 police officers should be responsible for the number of people living and visiting the city of New York, the officers are still responsible for performing based on the department's guidelines, policies, and regulations. Some of the officers' most important regulations are established by the NYPD Patrol Guide, which includes guidelines from the officers' responsibility to familiarize themselves with the daily routine of the people frequenting their post, to the responsibility to promote leadership and improve the relationship between the agency and the community (NYPD Patrol Guide, 2013).

The NYPD leadership structure is constructed with a top-down bureaucratic structure. A formal bureaucratic structure is the type of administrative leadership that is hierarchical, strictly governed by rules, departmentalized, and impersonal, which in modern professional policing, not always provide realistic expectations, and could be

counterproductive (Uhl-Bien & Marion, 2009; see Webster, 1947). Additionally, the CCRB and the OIG-NYPD are responsible for overseeing the NYPD's operations, in relation to FADO and policies and regulations with a direct impact on the community. The CCRB and the OIG-NYPD are stipulated under the mandate of the NYC Council that monitors the performance, procedures, and operations of the city's agencies, including the NYPD (CCRB, 2015; Peters & Eure, 2015b).

The CCRB responsibility is to investigate citizen's allegations of police misconduct associated with specific factors, such as discourtesy, unnecessary force, use of offensive language, and abuse of authority (CCRB, 2016). The CCRB process of investigation includes hearing, investigating, and mediating citizen's allegations of misconduct. According to the CCRB, investigations of police FADO misconduct are conducted in a bias-free impartial point of view, forwarding the findings and recommendations for disciplinary actions to the NYPD police commissioner (CCRB, 2016). The OIG-NYPD is also an independent agency responsible for investigating, auditing, and analyzing NYPD guidelines, and practices (Peters & Eure, 2016). The OIG-NYPD rules under the mandate to increase public trust and safety, the protection of the citizen's rights, and build stronger relationships between the NYPD and the community. The OIG-NYPD also investigates issues related to FADO, from the perspective of enforcing established policies and regulations, and the effect that those regulations have on the agency, the police officers, and the community.

## **Organizational Policies and Practices**

A robust organizational structure is essential for the establishment of any community-oriented organization. When NYPD started in 1845, the agency lacked organizational structure which influenced the department's policy inconsistencies, misconduct, corruption, and ethical riots (Nussbaum, 2012; Walker, 2012). Research showed that the NYPD structure was limited to the review and investigation of police officers' behaviors and misconduct, creating a gap to analyze the agency's organizational policies and practices that regulated the officers' behavior that lasted for decades (Patel & Sullivan, 2012). Patel and Sullivan suggested that the NYPD needed to create external, independent offices that would oversee not only the police officer' behavior and performance, but also the organization's internal administration, policies, and managerial performance as well.

In 2013, New York City Council adopted Local Law 70 to support the creation of the OIG-NYPD. Since then, the NYPD Department of Investigation Commissioner established the OIG-NYPD, an independent agency with the responsibility to oversee NYPD operational and organizational practices. The OIG-NYPD has the authority to propose policies, regulation, and practice changes to the NYPD, with the purpose of strengthening the agency's procedures, which could improve the relationship between the agency that the community (Peters & Eure, 2016).

In relation to the NYPD organizational structure, the agency has a history of reorganization and restructuring that included many practices, policies, and regulations.

For example, in 1857, because of police officers' misconduct, uncontrollable behaviors, and abuse of power, members of the New York State Legislature agreed to abolish the municipality of the department, and replace it with a more metropolitan structure of policing (Repetto, 2012). New reforms, such as order maintenance policing, and quality of life policing helped the NYPD to be one of the first police departments to introduce modern policing practices in the U.S. law enforcement community (Ivković et al., 2015; Nussbaum, 2012; Sugarman, 2010; White, 2014).

The NYPD organizational practices, while somehow successful, still not improving the officers' performance and behavior. White (2014) argued that NYPD failed to construct a plan of action to improve the department's internal communication channel for the purpose of improving behavior and performance. Research has demonstrated that the NYPD have a historical pattern of communication failures (Peel, 2015; Prenzler et al., 2013; White, 2014). The scholars explained issues associated with police misconduct and their overall sense of resignation. They further suggested that the police officers' negative responses to internal policy may develop unintended responses from the officers, further affecting their responses toward the community. Prenzler et al. (2013) also suggested that police officers' negative responses to internal policies could elevated the rate of conflict between the officers and the community, including animosities toward the different cultural groups, intrusive police actions, hostility, and unfounded distrust that in fact, could be influencing the increase of resistance to policing practices in younger generations (Wiley, Slocum, & Esbensen, 2013).

With the decades, the NYPD has changed its way of policing with the community. Although many of the department's policing strategies has been successful, the NYPD still have a dominant bureaucratic structure. In fact, research has shown that while community policing still developing, the agency's bureaucracy style still present (Keane & Bell, 2013). Formal bureaucratic management and leadership styles sometimes could cause animosity and hostility within the department, which could be unintendedly transmitted to the community (Chronopoulos, 2015). As for the residents of New York City, NYPD crime reduction strategies, sometimes might feel as if the police officers were against the citizens, rather than protecting them (Peel, 2015).

Although some NYPD operational strategies were strongly accepted by the police officers, others may have an unintended result. Albrecht (2011) explained that some of the NYPD's operational and strategic reforms, such as community-oriented policing, have been on the brink of extinction, because of the deteriorating relationship between the NYPD and some local communities. Albrecht (2011) and Lipp (2015) explained that there were times when the NYPD's approaches to management and policing behavior during challenging situations were not balanced. For example, Lipp analyzed the NYPD's responses to situations that transpired during a citizens' protest in 2004, and during the Occupy Wall Street Movement in 2011. Lipp found that the officers' way of managing the protesters showed inadequacies, poor documentation tracking, and a lack of concern for administrative process, democratic practices, and cultural values. Lipp suggested that an independent body should undertake the responsibility to negotiate the

decisions between police officers and protesters, and as well as the decisions on operational tactics during hostiles situations.

Up to this point, the literature seemed to have been concentrated on the behavior of the police officers. The literature lacked analysis of the effect that the agency's administrative and organizational policies, procedures, processes, and reforms might have on the police officers' behaviors. The literature shows a gap to analyze the effect that organizational practices might have on the officers' misconduct (White & Kane, 2013). More study needs to be conducted to explore closely the internal factors affecting officers' behavior, including agency's size, career development, management support, independent work, organizational culture, ethical and moral values, and organizational patters. White and Kane (2013) suggested that officers' challenging behavior could be the result of organizational patterns, further affecting the police officers' performance, to the extent that it could be creating career-ending problem.

The behavior of public servants in the workplace could be subjectively influenced by the officers' perception and self-interpretation. All law enforcement community are subject to objective and subjective perceptions, when interpreting and implementing policies, regulations, and organizational patterns and practices. Individuals' behavior in the workplace could also be influenced by internal rejections to policies, without the awareness that the officers' internal rejections are being exposed externally. Jiao (2010) analyzed if the police's misconduct and corruption were the results of police environment, the department's historical traditions, organizational issues, or the actions

of the agency's internal conditions. Jiao determined that corruption control should be an internal function of the agency and not the sole responsibility of the police officers. However, while the agencies have the responsibility to create guidelines that would regulate the behavior of public servants and street-level bureaucrats, regardless, the public servant has the moral and social responsibility to treat others with respect.

The responsibility to comply with social norms and social equality is on distributed between all individuals. NYPD's administration may have failed to identify the roots of the problem when it comes to police misconduct. Jiao (2010) explained that NYPD Internal Affairs Bureau conducted a study that included approximately 1000 random test with the purpose of detecting the roots of police corruption without a clear established result. Jiao explained that each police department had a different overview on how to process the challenges the department faces, arguing that the NYPD needs to change its internal policies, and methods of investigating misconduct and corruption.

The challenging behavior of police officers could be attributed to organizational practices and internal policies. A review of the NYPD Internal Affairs Bureau report, as previously cited by Campisi (2003), confirms that police corruption could be attributed to environmental factors such as administrative, managerial, and supervisory failures. In fact, research showed that some of the NYPD's administrative and operational policies such as zero tolerance, might have been a window of opportunity for officers' abuse of power and citizens' profiling (Jefferson, 2015). Others policies, including Quality of Life and Broken Window policies, seemed to generate community disagreement and

confrontation, sparking national protests (Thompson, 2015). Other policies, such as the chokehold policy, could have been the reason for more intense confrontations between NYPD and the community, because its influence to promote violence, and the underlying implications of power and authoritarianism (Passavant, 2015).

### **Community Policing and Challenges**

Law enforcement communities need the cooperation and collaboration of the public in order to successfully establish order in the community. The literature indicated that the relationship between NYPD and the community has been shadowed by social animosities, hostilities, and distrust (Balko, 2014; Chronopoulos, 2015; United States Department of Justice & United States Attorney's Office Northern District of Illinois, 2017). For example, after WWII, the NYPD was deemed the most problematic municipal agency in NYC because patrol officers behaved unsystematically, brutalizing individuals, antagonizing citizens, profiling, and abusing their authority (Chronopoulos, 2015; Peel, 2015). Chronopoulos explained that throughout NYPD's history, many researchers have attempted to understand the challenging relationship between the community and police departments around the country, determining that the social dysfunctionality between the NYPD and the community could be the effect of problems focused on a larger power of structure involving the NYPD, civil rights movements representatives, and criminal justice systems.

Because of the amount of scandals involving the NYPD, in the 1970s, the then Mayor of New York established the Commission to Investigate Police Corruption, also



known as the Knapp Commission. The main purpose of the Knapp Commission was to investigate allegations of corruption and misconduct against NYPD (Robert, 2012). During their investigation, the Knapp Commission discovered that the NYPD, in fact, occurred in patterns of corruption (Roberts, 2012). The Knapp's research also showed that many NYPD personnel elicited millions of dollars a year in corruption pay-offs (Roberts, 2012). In addition to the Knapp report, Lee et al. (2013) explained that the Knapp Commission found that, more than half of the NYPD police officers were involved in illicit behaviors and corruption, which most likely would have a negative impact between the agency and the community.

The Knapp Commission showed some underlying issues that could have caused the behavior of the police officers. The Knapp Commission suggested that officer's behavior related to corruption and misconduct could have been the result of underlying structuring issues affecting the agency (Gounev et al., 2012). Gounev et al. suggest that these issues were related to discretion, low public visibility, managerial secrecy, status problems, and frequent contact with criminals. As a result, the Knapp report prompted many changes in the NYPD's internal procedures, reviewing the department's standards of behavior and performance, characterizing perspectives, procedures, and practices (White, 2012). However, without changing the organizational culture of the department, internally and externally, the changes imposed by the Knapp Commission were most likely to be unsuccessful, allowing the department's corruption and misconduct to continue flourishing (Richard, 2012).

The research literature showed that in the 1980s, NYPD developed multiple organizational strategies focused on deterring crimes. One of those strategies was the implementation of CompStat, an operational and managerial approach that used a combination of organizational management tools, and managerial and operational philosophies to target crime (Sugarman, 2010; White, 2014; Willis, 2011). CompStat is also applied by other law enforcement agencies, such as Austin, TX, Baltimore, MD, Los Angeles, CA, Nashville, TN, New Haven, CT, Philadelphia, PA, San Francisco, CA, San Juan, PR, Washington, DC, and Detroit, MI. Other NYPD's organizational strategies were focused on deterring crimes and improving the relationship between the agency and local communities.

Some of those strategies also had the purpose of building public trust, support, and alliance, as well as stronger relationship, because during the process, there was the possibility that the it could also strengthen the police officers' decision-making process (Willis, 2011). Willis (2011) and Chen (2015) agreed that many law enforcement community policing strategies have the purpose of developing and improving the relationship between the agency and the community. However, based on the need of stronger collaboration from the community, 1994, the US Congress approved into law the Violent Crime Control and Law Enforcement Act of 1994 that authorized the creation of the Office of Community Oriented Policing Services (COPS) under the authority of the Department of Justice (United States Department Of Justice, 2014).

COPS seemed like a much-needed strategy to overcome the animosities between law enforcement agency and the community. COPS was created with the purpose of overseeing NYPD community policing methods and partnerships, as well as NYPD management structures related to it, including management policies and policy evaluations focused on restructuring cooperation from the community (Reaves, 2015). Still, Peel (2015) reported that in 2015, the NYPD still struggled with social impairments challenges, such as biases, racial discrimination, misuse of power, and prejudices. As the result, the NYC Commissioner Bratton suggested that the NYPD undergo a thorough and complete examination of policies, reforms, practices, procedures, and internal relationships as part of a plan of action to rebuild the long-lost relationship between the agency and the community (Peel, 2015).

From its beginning, the NYPD implemented waves of reforms, changing the organization's objectives and programs many times. Some of those implementations included strategies focused on changing the NYPD's management strategies, personnel standards, training, and accountability (Walker (2012). Walker explained, as it was cited by Mastrofski and Willis (2010), that policymakers, scholars, and reformers in the field gave little attention to ensure the NYPD's reforms could become a permanent part of the police officers' culture of policing and found a lack of institutionalization, sustainability, and continuity within the law enforcement community agency.

With the creation of the OIG-NYPD came another set of eyes to monitor NYPD's implementations of operational policies and procedures. Although the OIG-NYPD has

the responsibility for overseeing the NYPD's regulations, policies, procedures, practices, and behaviors, but also NYPD policies and operations, including excessive use of force, patrol authority, and de-escalation discipline and practices (Peters & Eure, 2015c). A review of the OIG-NYPD reports showed that in 2013, NYC paid 137.2 million in settlements and judgements for lawsuits brought against the NYPD and in 2014, an NYPD police officer alone received 28 lawsuits, costing the city more than \$884,000 in settlements, before the NYPD administration decided to remove the officer from street-duties (Peters & Eure, 2015c). Between 2010 and 2014, the City of New York received 15,000-plus lawsuits and according to Peters & Eure, there was no way of currently determining which lawsuits were attributed to the legitimate use of excessive force.

The literature shows that the relationship between the law enforcement agency and the community is still suffering. The CCRB and the OIG-NYPD officials pointed that decades after implementing many reforms to improve the relationship between the NYPD and the community, the agency's issues still representing a social challenge (CCRB, 2016; Peters & Eure, 2015). In November 2015, the CCRB reported that between January 2014 and June 2015, the agency received 6,920 complaints of police misconduct, involving 9,789 NYPD police officers. The number of police officers involved in FADO misconduct showed patterns of reckless behaviors that included the officers' abuse of authority, excessive and unnecessary force, police officers' discourtesy toward the citizens, and the use of offensive language (CCRB, 2015). From the 9,789 NYPD police

officers will allegations of FADO police misconduct, the CCRB investigations uncovered that more than 5,000 were identified (CCRB, 2015).

### **Contemporary Practices of Policing**

The main responsibility of the OIG-NYPD and the CCRB is to investigate citizens' complaints against the NYPD related to FADO and policies and procedures. Those are issues linked to the NYPD's organizational operations, reforms, policies, and operational practices, including recruitment, training, and development (CCRB, 2015; Peters & Eure, 2016). The 2016 OIG-NYPD annual report included a comprehensive list of issues relevant to the NYPD, with a direct impact on the community. These issues included an overview of the police officers' appropriate use of force, the NYPD's discipline process, litigation data, mandatory training, internal and external cooperation strategies, and transparency (Peters & Eure, 2016). Concurrently, the CCRB published its 2015 report, in which they also investigated many of the NYPD's operational and administrative procedures. In their report, the CCRB officials recommended operational changes to the NYPD Patrol Guide and the way that NYPD administrative officials were assessing and evaluating issues related to police misconduct (CCRB, 2015).

However, not all the NYPD's policies and regulations had a smooth transition between the agency and the police officers. The CCRB and the OIG-NYPD reports listed an overview and analysis of four controversial NYPD policies, chokehold, use of force, body-worn camera, and policing behavior and performance (CCRB, 2015; Peter & Eure, 2015a). After a careful review of the NYPD's policies, procedures, police accountability,

and behavior, the OIG-NYPD (2016), in agreement with the CCRB (2015), provided the NYPD with 47 recommendations that proposed many changes in their operational, administrative, and performance procedure processes. Some of the recommendations were specific to the NYPD formalization of training related to the department policies and regulations, establishing a command discipline, and changes to the NYPD Patrol Guide. After the CCRB and the OIG-NYPD submit their recommendations to the NYPD Commissioner, it is the decision of the NYPD management to either accept and implement the recommendations or to reject them. Some of the recommendations included updates to the NYPD Patrol Guide and policies, which included the officers' use of force, the officers' duty-related training, increasing coordination and collaboration between the NYPD and the CCRB, transparency, the imposition of the appropriate disciplinary actions, the activation of body-worn cameras, and the standard use of language (Peters & Eure, 2016).

In the United States, societies are constantly changing and with those changes, also the behavior and acceptance of public to policies and public procedures that would affect them as a society. The literature showed that contemporary societies seem to be less resistant to antagonist behaviors, as they might have been years ago. Chronopoulos (2015) argued that the NYPD's history of misconduct was a problem because their challenging behavior might not be accepted in contemporary societies focused that are also focused on global ambitions. Jiao (2010), Menchin (2012), and Passavant (2015) have been studying NYPD's crisis of misconduct and unethical behaviors. They argued

that the department's social and organizational challenges could be an underlying problem affecting the behavior of the agency, as well as the police officers. The scholars further explained that NYPD's history of poor decision-making assessments could be a questionable exercise of cognitive automaticity control. In addition to the agency's possible challenges, as they were discussed above, Wooff (2015) also studied the NYPD police officers' behavior to determine what, in the core organizational dynamics of the NYPD, helps to shape the performance of the officers in the workplace. Wooff (2015) found multiple individualities of organizational structures such as subcultures, individuals' values, policy structuring, and other bureaucratic challenges that could shape the behavior of the police officers.

NYPD police officers work in environments with high-performance expectations, stressful, dangerous, and unexpected. While Lerman and Weaver (2013), Passavant (2015), and Vitale (2015) discussed some of the environmental factors that could be influencing the NYPD officers' misconduct, Brunetto et al., (2012) and Lambert et al., (2015) observed that the effect of operational and managerial procedures could also have an effect on the officers' emotional intelligence based-performance. Additionally, Thau et al. (2015) have been studying NYPD police officers' personality traits, as their behavior could be closely associated with the same environmental and social factors that could be impacting the department.

A gap in the literature showed that the link between the NYPD's operational, administrative and managerial procedures still needs to be explored, as it could affect the

perceived emotional intelligence of the NYPD police officers. In fact, Brunetto et al., (2012), Lambert et al., (2015) and Thau et al., (2015) emphasized that the development of the police officers' emotional intelligence is a major factor in their behavior because it might be an essential ability to promote employee' performance and social relationships. The next section will be focused on the scholarly construct surrounding NYPD culture, organizational intelligence, and the police officer's emotional intelligence, as these are linked to public policies, and administrative and operational procedures.

### **NYPD Organizational Culture**

The NYPD is one of the most diverse police department in the United States. Research showed that NYPD has high-levels of policing with a solid bureaucratic organizational structure (Nussbaum, 2012; White, 2014). Nussbaum and White explained that over the decades, the agency has struggled with many political hurdles and strategic implementations resulting from internal and external organizational crises. For example, Nussbaum explained how over the decades, the NYPD's organizational structure suffered many internal challenges, oppositions, and confrontations, including bureaucratic political hurdles, internal competitions, leadership reorganization, changes in policies, and multiple organizational changes with little to no impact to the organization's bureaucratic structure.

Throughout its history, many of the NYPD's implementation reforms also have different results from those expected by the agency. One example is the NYPD's policy, stop, question, and frisk, which was perceived by society as a profiling policy (White,



2014). This policy, White explained, seemed to have produced a negative response in the community. Although NYPD has a history of policing, policy development, diversity, leadership, and organizational structure, many of its members seem to share the same mindset, goals, intentions, beliefs, values, and acceptances, which Schweikard and Schmid (2013) argued is the result of sharing the same mind-like culture and collective intentionality. Schweikard and Schmid explained that in an organizational setting, collective intentionality is recognized and defined to uphold the behavior and attitude of the members, as a group, with the same culture, similar behavior, and therefore, similar performance.

There is the possibility that the NYPD could need to realign its internal management needs with the needs of the NYPD police officers, which could help to improve the officers' behavior, and the needs of the community. In an organizational forecast, transformational changes such as change management and organizational transformations, teams require the establishment of a common purpose, guiding coalition, and a shared vision (Kotter, 2013). Kotter further explained that transformational changes could open communication between the officers and the NYPD's management, empowerment, motivations, short and long-term goals, organizational consolidation, and institutional changes. As the NYPD built its team structure, worked together, and shared the same goal, they also accepted to participate, and be part of the changes that are currently affecting the agency negatively (Kotter, 2013).

## **Law Enforcement Culture**

A law enforcement culture links its members by loyalty, unification, and secrecy. A police culture, as well as the agency's administrative procedures could be applied to the officers' environment, as a way of measuring performance. Scholars in the field of social and behavioral science had explained that police culture empowers the officers, as the individuals' unifying beliefs, values, moral, knowledge, customs, capabilities, memes, ideas, traits, and other environmental habits acquired, developed, or transmitted to the members of societies, and its social sub-groups (Johnson, 2016; Mercadillo et al., 2015; Prinz, 2016).

In a law enforcement environment, a police culture represents a subculture of similar viewpoints and comparable-paralleled mindsets. Generations of police officers have been culturally integrated to the agency's subculture, sharing the same mindset, essential behavioral patterns, and other cultural facts that could be perceived as making the police officer either weaker or stronger (Mercadillo et al., 2015). In a law enforcement culture, police officers have the individual and shared believes that an officer's behavior could represent the team's behavior (Johnson, 2016). This general perception could inhibit police officers from acting based on their self-perceived judgments, which could prevent police officers from making their own decisions, without thinking and considering the effect and the influence of their sub-culture (Johnson, 2016). Although Johnson's research provided a more generalized definition of police culture, the

literature shows that police departments bind the police officers, almost cognitively their organizational cultures, which police officers then accept and develop in a self-culture.

As of March 2018, the NYPD has 36,000 active duty police officers. The department's size, demographics, and location make the agency a unique police force in the united states, and the world, formed by a distinctive diversified cultural background (Estrada, 2016). Estrada, as well as Shim et al. (2015), Thurman and Giacomazzi (2014), believed the NYPD's cultures influenced the police officers' behaviors and practices. They explained that because the police culture could be concealing police misconduct, it could also be reflected in a compelling culture shared with the community. Further, the scholars also argued that the NYPD's culture represents an obstacle for the implementations of police reforms, those could be perceived by the police officers, and administration's leaders, as resistance to change.

Police officer's culture could also be an underlying shared culture of protecting each other's behavior, regardless of the situation or actions. Research shows that NYPD's culture of silence exists in the department since its inception in 1845 (Balko, 2013). Balko explained that the NYPD's blue code of silence was an unwritten rule that bounded police officers to never to tell or testify against their peers, regardless of their unethical, corrupted behavior, uncontrollable use of force, or incompetent behaviors. Thurman and Giacomazzi (2014) also explained that the NYPD's secrecy culture might overlook the police officers' hostile behaviors against citizens, creating a group-culture that did not involve the community, and that showed resistance to many minority groups, and leaders

or groups trying to impose policies reforms affecting the department. Thurman and Giacomazzi also explained, as it was previously stated by Carlson (2002), that in the NYPD's culture, the police officers shared an unquestionable loyalty, views, beliefs, goals, intentions, acceptance of facts, emotions, and group performance, with a deeper sense of loyalty and commitment, stronger than any policies and regulations created either by the department or any other authority. Additionally, Johnson (2016) conducted multiple evaluation studies involving multiple overviews of the law enforcement officers' culture. Johnson focused on police officers' wellness and found that police officers' culture was meant to protect the police officers as much as it could hinder the officers because a culture of silence could prevent the officers from asking or requesting help when they could need it the most.

### **Culture of Behavior**

In any cultural setting, human' behavior defines how individuals' comport themselves with others, regardless of their environment. Peel (2015) explained that the current relationship between NYPD police officers and the community was caused because the community is lacking trust and accountability on the agency and the officers. Lipp (2015) suggested that the NYPD require a reorientation of its mission and internal balance, as well as retraining police officers in the agency's policies, regulations, and procedures. Lipp also indicated that the department needed reorientation because when dealing with challenging groups, in the context of protests, the NYPD made decisions based on their internal culture instead of the social values of a public servant. This

statement goes against the NYPD Patrol Guide (2013), which bounds police officers to offer their protection of the individual, as well as to enforce the law, which must be the priority and focus of all law enforcement officers.

The NYPD's culture has been an intriguing phenomenon for many scholars in the field of social and behavioral science. In fact, the literature has shown that many scholars have been studying NYPD's culture of behavior for decades. Albrecht, (2011), Balko (2014), Chronopoulos (2015), Jiao (2010), Nussbaum (2012), and Sugarman (2010) have been studying the development of the NYPD culture and behavior for years. The literature revealed an NYPD culture with a common cognitive denominator of habits, conduct, practices, knowledge, and beliefs, embedded in the police officers' behavior for more than 100 years. Nevertheless, Guajardo (2014) argued that the NYPD's contemporary diversity and the integration of a multicultural environment forced the agency to implement a new management style and new community policing practices. Guajardo further explained that fellow police officers could perceive NYPD policies and procedures as discouraging and discriminatory, which could also be reflected on the officers' performance with the community, and either their acceptance or rejection to the department's policies.

NYPD problems of performance and behaviors affect many more than just the department. Police misconduct, especially related to FADO, has an unpredictable impact in the community. In 2015, NYPD Commissioner Bratton started the process of redrafting some of the NYPD's policies and procedures because they were affecting the

department, as well as the citizens (NYPD, 2016). Also, in 2015, the OIG-NYPD analyzed 179 CCRB cases on NYPD police behavior, determining that the police officers escalated challenging situations when using inappropriate language to communicate with citizens. This police behavior is unacceptable because the NYPD Patrol Guide (2013) clearly specifies that police officers have the responsibility of de-escalating situations instead of otherwise, police officers are bound by social and moral responsibilities to their community. Further, according to emotional intelligence theory, this behavior shows that the police officer could have low emotional intelligence competencies, essential to read their environment, make decisions, and perform on stressful situations (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016).

The NYPD was created to protect the citizens of New York City. Jefferson (2015) explained that the NYPD police officers are agents of social welfare and therefore, they need to be aware of their decisions, to consider and integrate a changing environment, including a more diversified and continuously developing culture. In addition, the OIG-NYPD also recommended the NYPD to attend training and practices that would include de-escalating strategies, detentions, and approaches to ways of policing without the use of force, or policing-bias. Commissioner Bratton proposed a plan of action to rebuild the trust of NYPD and the communities (NYPD, 2016). Bratton also proposed to rebuild the relationship between the agency and the police officers because current practices had a negative impact on the way that police officers behaved at work, and the way the police officers related to people (NYPD, 2015). Commissioner Bratton had three goals. One

goal was to ensure that the community of New York Community felt respected. Bratton's second goal was that those police officers felt respected by their supervisors, and colleagues, as well as the citizens, and finally, that the external agencies focused on overseeing some of the most relevant challenges affecting the NYPD as a whole (NYPD, 2016). Commissioner Bratton retired from the NYPD in September 2016.

### **Regulations and Cultural Framework**

The main responsibilities of NYPD police officers are to enforce the law, protect the citizens and the city. The NYPD Patrol Guide (2013) clearly describes the behavior and responsibilities of NYPD police officers, associated with many situations. The NYPD Patrol Guide also provides the police officers with a list of behaviors that the officers must follow, including respect for other's culture and gender. Additionally, the NYPD Patrol Guide outlines the exclusion of inappropriate behaviors and emphasizes on the police officers' responsibility to report witnessed biased-frisk practices, social discrimination, display of offensive behavior, and harassments. The Patrol Guide also provides the police officer with the responsibility to de-escalate and be reasonable, as well as the use of techniques that would prevent conflictive situations that could represent a threat. NYPD police officers are agents of social welfare (Jefferson, 2015). They must implement operations and practices that enhance respect and fairness in the community, and a well-balanced organizational way of policing to promote social balance and internal justice (Beckley, 2014).

In any organizational structure, it is essential to outline a clear and objective set of policies, regulations, and expectations, if the administration wants to reach organizational excellence. The NYPD should empower, recognize, and distinguish the behaviors and performance of its members, as well as ensure the cooperation and collaboration of their team. Beckley (2014) explained that policies and regulations could make police officers feel as if they did not have the protection of their own organization, giving them a sense of insecurity and a sense of undervaluation. Commissioner Bratton suggested that the NYPD police officers might not feel respected by their supervisors, communities, or colleagues (NYPD, 2015). Those emotions, Beckley (2014) stated, as it was previously argued by Goodman-Delahunty, Beckley, and Martin, (2014), led the police officers to bond and create a culture of silence to protect each other's behavior. When the NYPD police officers felt, their agency was not protecting and supporting them. Beckley (2014) explained that the police officers might feel that protecting each other is more important than reporting corruptive behaviors, misconduct, unethical actions, or any other type of behavior that their fellow police officers might display regardless of the conditions.

The NYPD blue wall or code of silence, is a culture of solidarity that might have unintended consequences on the police officers and the community. Research shows that NYPD's culture of silence prevents police officers from proactively addressing misbehavior (Lee et al., 2013). In the NYPD's culture code of silence, Ivković et al. (2015) argued that, the police officers who tells about another officers' behavior could be retaliated and expelled from the group's unification. At the same time, Scaramella et al.



(2011), who cited the work of Inciardi (1990) explained that the NYPD code of silence is a culture that provides police officers with unification and support, shared attitudes, and values, in addition to a shared view and understanding of their environment. The police culture of silence provides officers with a camaraderie and support that Shim et al. (2015) highlighted was much needed, but often denied because of the nature of the police officers' work.

### **Summary**

This chapter comprised a summary of the research of many scholars who have analyzed the history and organizational strategies of several police departments around the United States and the world. Many scholars have also focused on analyzing NYPD's organizational reforms, policy implementations, behavior, and performance (Andreescus et al., 2012; Book & Stein, 2011). Also, the CCRB and the OIG-NYPD have investigated thousands of citizens' complaints and allegations of misconduct against its police officers' FADO performance (CCRB, 2016; Peters & Eure, 2016). The CCRB and OIG-NYPD reported thousands of FADO police misconduct and other issues in reference with the agency's policies, reforms, behaviors, and practices.

Based on their investigations and findings, the CCRB and OIG-NYPD made recommendations for changes to many of the NYPD's policies and regulations, including policies such as stop-and-frisk and body-worn camera reforms. These are policies that, according to the CCRB and OIG-NYPD, need to improve in order to build community policing strategies, focusing on rebuilding the agency's relationship with the

communities (CCRB, 2015; Peters & Eure, 2015a). Some of the OIG-NYPD recommendations to the NYPD included increasing coordination and collaboration between the department and the CCRB access to citizens' complaints files. NYPD should conduct qualitative reviews of legal claims and other process filed against the NYPD. The OIG-NYPD also recommended interagency collaboration and working groups to improve litigation, coordination, and information exchange.

In relation to the theoretical framework applied in this research, the literature showed that in the field of public policy and administration, management, leadership, policymaking, and human resources practices, emotional intelligence competencies are essential skills and abilities for the professional development, and performance of the individual, as well as the organization (Bar-On, 2012; De Angelis, 2016; Goleman, 2012; Mayer et al., 2016; Nordin, 2011). The literature also indicated scholars in the field of social behavioral science have agreed that policymakers and public servants could use the emotional intelligence data found in their environment to make decisions, solve problems, improve relationships, conflict management, to motivate others, work in team, improve performance, and more (Bar-On, 2012; Due, 2010; Goleman, 2012; Joseph et al., 2015; Mayer et al. 2016).

The literature showed that three significant theoretical frameworks had been widely applied to support the investigation of organizational processes, performance, and another type of behaviors associated with high-profile jobs (Jacobs et al., 2013; Nordin, 2011). For example, Goleman's (1998) emotional intelligence theory of performance,

Mayer's et al. (1990) four-branch ability model, and Bar-On's (1997) model of emotional intelligence have been applied in public administration and law enforcement environments to explore the behavior and performance of the organization, as well as its employees (Aremu et al., 2011). The literature also provided a comprehensive synopsis regarding the social issues currently affecting law enforcement communities, including NYPD police officers' behaviors. The most relevant problems associated with the behavior of the NYPD police officers were related to the officers' abuse of force, abuse of authority, discourtesy, and the use of offensive language (CCRB, 2015). These behaviors, in relation to the theoretical framework, suggested that some of the NYPD police officers with multiple allegations of FADO complaints could have low emotional intelligence competencies, which could represent a social problem when considering the social implications that it could have in the community.

In contemporary societies, emotional intelligence competencies are essential for the management of behavior, relationships, and adaptability in the workplace (Goleman, 1998; Mayer et al., 1990). Emotional intelligence helps public servants, public administrators, policymakers, and police officers' officials to adjust their mindset, and to promote leadership, changes, equality, motivation, performance, and productivity in the workplace (Cherniss, 2010, 2012). Chronopoulos (2015) and Sadri (2012) suggested that the internal operational process and procedures of the NYPD could be affecting the behavior of the police officers, and as a result, their relationship with the communities. There is an essential cognitive connection between emotional intelligence, performance,

behavior, and organizational practices (Boyatzis, Due, 2010; Good, & Massa, 2012; Cote, Decelles, McCarthy, Van Kleef, & Hideg, 2011; Goleman, 1998; Petrides & Furnham, 2015). Further, the literature related to emotional intelligence had shown scientific evidence demonstrating that emotional intelligence can be applied to enhance decision-making, thinking, communication, performance management, development, and team performance (Goleman et al., 2013; Chenail & Goleman, 2001; Petrides & Furnham, 2015).

Although the literature has shown the positive correlations between emotional intelligence, and organizational performance, the literature showed limited research on specific organizational factors, such as human resources practices, policies, regulations, organizational changes, and managerial practices that could be affecting negatively, the emotional intelligence competencies of individuals, specifically, the emotional intelligence of law enforcement police officers. Aremus et al. (2011), Arnatt and Beyerlein (2014), Bell and Eski (2015), Berking, Meier, and Wupperman (2010), Blumberg et al. (2015) suggested that emotional intelligence competencies are skills and abilities influencing operational performance, as it could also be affecting the emotional intelligence of the police officers.

Finally, during the literature review, I found limited research specifically related to the influence that NYPD's operational procedures, hiring and human resources practices, disciplinary actions, policies, regulatory guidance, and bureaucratic leadership could have on the emotional intelligence of the police officers. These are organizational

processes that could be impacting officers' behavior, decision making assessments, problem-solving abilities, resilience, motivation to follow guidance, and relationship with the community. The following chapter has a detailed analysis of the methodology applied to collect and analyze the data used in this study. The data was used to explore and to create an in-depth logical understanding of the relationships between the officers' behaviors and organizational practices, as it was reported by the CCRB and the OIG-NYPD, using an emotional intelligence theoretical framework to explore the officers' FADO performance.

## Chapter 3: Research Method

### **Introduction**

The purpose of this qualitative study was to explore the effect that organizational policies, regulations, and administrative practices may have on law enforcement officers' behavior, decision-making, and problem-solving skills. Previous studies showed that individuals' emotional intelligence competencies could drive behaviors and actions such as decision-making, communication, expression, conflict management, stress management, problem-solving, self-awareness, social awareness, and perception in the workplace (Bar-On, 2012; Bird, 2014; Caruso & Salovey, 2004; Cunningham & Villaseñor, 2016; Goleman, 2011).

This chapter includes the method of inquiry applied in this research. It also includes the research design, sample, population, method of data collection, data management, method of analysis, limitations, and possible ethical issues. The research question guiding this research was: How do administrative practices influence law enforcement officers' FADO behavior in relation to emotional intelligence-based performance? The goal of this study was to analyze the impact that NYPD administrative practices may have on police officers' FADO behavior in relation to emotional intelligence-based performance. I explored the actions of police officers as they were reported in the CCRB FADO allegations of misconduct, and their possible connection to the agency's operational policies, practices, and procedures. I also explored how the emotional competencies of an individual can impact behaviors and competencies

essential to street-level bureaucrats including organizational awareness, adaptability, conflict management, social awareness, decision-making, problem-solving, motivations, resilience, and communication.

Emotional intelligence is an essential ability for street-level bureaucrats, including policymakers, public and civil servants, and public administrators. Emotional intelligence practices are intrinsically associated with the performance of management and leadership during organizational changes (Goleman, 1998, 2012; Goleman et al., 2013; Hess & Bacigalupo, 2013; Mayer et al., 2008, 2016). Additionally, studies have also shown that there is a harmonious coexistence between emotional intelligence and the mission of public administrators, as the performance of the individual can influence human resources management practices and procedures as well as employees' development (Atak & Ceylan, 2015). This study provided an analysis of the cognitive link between organizational practices, emotional intelligence, and performance. In this research, I also explored the emotional intelligence competencies of police officers from the perspective of the officers' actions as reported by the CCRB and OIG-NYPD (see Hughes & Terrell, 2012).

### **Research Design and Rationale**

Human understanding, compliance, adaptability, relationship management, social and organizational awareness, as well as other cognitive and noncognitive abilities are essential to creating and following the organization's policies, guidelines, and procedures. Emotional intelligence competencies such as self-perception, decision-

making, stress management, social responsibilities, adaptability, emotional self-control, organizational awareness, conflict management, and relationship management are driven by an individual's capacity to understand and implement learning experiences to their rational thinking and problem-solving abilities (Multi-Health Systems, 2011). This research helped me to explore law enforcement officers' performance based on emotional intelligence theories and the effect that administrative practices may have on their performance. I also explored some of the NYPD policies and procedures based on the OIG-NYPD reports, exploring the impact NYPD administrative practices may have on police officers' emotional intelligence competencies, as these competencies can affect retention and job satisfaction (Chronopoulos, 2015; White & Kane, 2013).

In this chapter I describe the data collection strategy applied to integrate different components of the study. I elaborate on the methodology, data collection, data analysis, structuring of the information, and possible ethical issues. A qualitative research method was applied to examine issues related to a particular social group (Creswell, 2014). The data for this study were collected using archived documented data related to the perceived emotional intelligence of NYPD police officers, their performance, and the NYPD organizational process. Conducting a qualitative study allowed for the exploration and analysis of data while creating a meaningful understanding of the CCRB process and the NYPD administrative practices.

An empirical exploration of NYPD police officers' emotional intelligence competencies based on their performance and the agency's processes as they were



reported by the CCRB and the OIG-NYPD from 2001 to 2017 was relevant because it was where the literature showed the biggest gap. In the final section of this chapter I elaborate on the character and role of the researcher and other potential issues, including potential bias and conflicts of interest.

### **The Role of the Researcher**

I explored the academic literature on issues associated with law enforcement officers' behavior and citizens' trust. The purpose of reviewing academic literature was to determine what had been explored and what needed to be explored in association with law enforcement officers' emotional intelligence competencies, performance, and the agency's administrative practices associated with the officers' behavior. I was responsible for conducting this research study from the review to the literature, data collection and analysis, as well as writing the final report detailing my observations and findings (see Creswell, 2014).

I have more than 10 years of experience conducting research and analysis of sensitive data as an intelligence research analyst and a law and policy research analyst. I have analyzed vast amounts of information, conducting interviews, finding patterns and trends, and writing reports to document my findings and conclusions, as well as any gaps in the data. My experience also includes the collection and analysis of qualitative data, which according to Creswell (2014) and Yin (2015) are important qualities and skills when conducting qualitative research studies.

### **Researcher's Bias**

The researcher is the most important instrument in this research. The researcher's background is equally important because it can influence the research such as the interpretation of the information and the final narrative (Antonakis & House, 2014). Researchers should review and reread the data, including the notes and observations, as a technique to ensure that the researchers' personal perspective is not included in the final report (Chenail, 2011). Finally, researchers should also position themselves in the position of the study, remember to reflect upon personal points of view and context, and remember that their recommendations can improve social changes and the lives of many in society (Chenail, 2011; Creswell, 2014).

I applied Chenail's (2012) strategies during the data review process. During the review process, I segmented the information in different chunks of data, stopping and analyzing the data from different perspectives to ensure that the analysis did not include biases from my personal experiences. As a person who has been involved in different law enforcement environments, I analyzed the data from different perspectives, considering the analytical review from a personal viewpoint and sometimes a professional view. These processes helped me to be more aware of potential biases during the final analysis and written process.

During the analysis, I avoided embracing my personal perspective on the issues. Researchers should conduct a bias-free analysis, without favoring any side, place, or cultural preferences, disregarding personal bias or preferences during data analysis

(Creswell, 2014). I proposed to conduct a research study where my knowledge and overview of the phenomenon, as well as my beliefs and perception were not included. I conducted the data verification process by moving back and forth between the data and interpretation, constantly reviewing and comparing the information for validation process (Klenke, 2016). My analysis was driven by a need to make sense of the information that I had collected (Binz & Lazer, 2011; Wooff, 2015). My years of experience analyzing raw qualitative data allowed to use manual coding techniques, in addition to a coding software, for additional validation of the data.

### **Methodology**

This qualitative research strives to create an in-depth understanding of the connections between administrative processes, law enforcement officers' performance, and their relationship with the community. This analysis was focused on exploring the NYPD police officers' FADO misconduct, as it was reported by the CCRB, and determine how the NYPD disciplinary practices may have influenced the officers' performance. This research also explored the officers' emotional intelligence competencies, using an emotional intelligence theoretical framework to analyze the officers' actions.

A qualitative method was appropriate for this research because a significant amount of the literature showed a quantitative method of analysis. I used the qualitative and quantitative information in the data, to focus on officers' actions as those were reported by the CCRB and OIG-NYPD. The reported FADO police misconduct provided

important and meaningful information related to the officers' performance, and as their performance may be impacting the community (Moustakas, 1994). Also, qualitative methods of inquiry allow to explore social problems and create a deeper understanding of the phenomenon by rationalizing on the singularities and possible influences on the individuals' performance (see Creswell, 2014).

### **Population**

I used 60 reports from the CCRB and the OIG-NYPD from 2001 to 2017 (see Appendix B). The CCRB annually data had approximately 200-265 pages. The OIG-NYPD documents were qualitative studies conducted on specific issues related to the NYPD. Some of these issues included the officers' inappropriate use of force, behavior, performance, policies, and NYPD application of disciplinary actions. I used documents from 2001 to 2017 because those documents were publicly available. I also used documents from the CCRB and the OIG-NYPD because these two agencies are the only two organizations with the responsibility to report on NYPD issues with specific attributes and criteria needed to answer the research question guiding this research study (Mack, Woodsong, MacQueen, Guest, & Namey, 2011; Onat Kocabiyik & Kulaksizoglu, 2014). Also, the documents were selected based on the main characteristics of the research question which related to the officers' reported FADO behavior. These characteristics provided essential insights to this research and the social problems affecting the NYPD police officers and the community (see Mack et al., 2011).

## **Sample Size**

The sample size used in this research was relevant because it helped me to create a balanced validated study. The samples and size of the population in a qualitative study could be determined by the evaluation, the collection of the quality information (Sandelowski, 1995). It is not a specific number of documents or cases required to determine the validity of qualitative research (Creswell, 2014). However, researchers must ensure that implicit bias or preferential standards do not influence the selection and sample size of the data but on the needs and requirements of the research (Creswell, 2014; Sandelowski, 1995; Wertz, 2005).

I explored that that was available publicly. The data was collected from the CCRB and the OIG-NYPD from 2001 to 2017 (see Appendix B). The CCRB has been responsible for investigating NYPD FADO police misconduct since 1953. The OIG-NYPD was assigned the responsibility to investigate issues associated with NYPD's corruption, waste, and abuses since 2013. The CCRB reports on data that includes investigative process, findings, allegations, substantiated complaints, statistics reports, and recommendations for disciplinary actions when the officers have been found guilty of FADO. The CCRB receives, hears, investigates, makes relevant findings, mediates, prosecutes, and makes recommendations for actions to the NYPD Commissioner. OIG-NYPD reports on investigations related NYPD operations, programs, policies, and practices, as well as investigations related to FADO. OIG-NYPD reports had between 35 to 100 pages of data. The sampling documents provided the validations for this

investigation, responded to the research question, and corroborated the analytical report presented in chapters 4 and 5. Finally, the number of documents was determined based on the access and availability of the documents, and information saturation (Creswell, 2014; Wertz, 2005).

### **Data Collection**

For data collection, I reviewed approximately 60 reports from the CCRB and OIG-NYPD between 2001 and 2017 (see Appendix B). Each document contained the CCRB and OIG-NYPD rigorous investigative processes related to allegations of FADO misconduct and NYPD policy procedures associated to FADO. Each report had detailed encounters of FADO between citizens and officer's. It also included annual statistics of FADO complaints and allegations, CCRB mediation processes between officers and citizens, recommendations for disciplinary actions toward officers with substantiated allegations of FADO misconduct, and NYPD administrative processes toward officers with substantiated allegations of FADO. Each report included the victim's demographic information, such as race, gender, and age. It also included the officer's race, gender, education, rank, and location. Each document was publicly available on the CCRB and OIG-NYPD websites (see Appendix B).

### **Data Analysis**

Emotional intelligence can provide valuable information related to performance in the workplace. It is linked to high performance personnel, ongoing functioning, team development, stress management, decision-making, problem-solving, general mood,

flexibility, impulse control, and social responsibilities (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016). In this study, I reviewed FADO information related to officers' abuse of authority, discourtesy, and use of offensive language toward individuals' gender, race, and ethnicity, and analyzed based on emotional intelligence-based performance.

I conducted the analysis of the data using a thematic-based approach. Saldaña (2013) analyzed and applied the work of Andrews et al. (2008), Polkinghorne (1995), Cortazzi (1993), Daiute & Lightfoot (2204) and Freeman (2004) to explain that qualitative method of coding can apply literary elements and analysis to deeply explore human actions holistically. I then examined the data and actions, pinpointing facts, recording patterns, and examining themes linked to the research question and theoretical framework within the data.

The proposed coding explored documented actions and organization's processes aiming to explore the conditions, as those were reported by the CCRB and the OIG-NYPD (Saldaña, 2013). A preliminary review of CCRB and OIG-NYPD reports lead to the main coding cluster showed in Appendix A. Finally, I focused on exploring NYPD police officers' actions and the organization's administrative responses to police officers' actions, and the recommendations of the CCRB.

### **Issues of Trustworthiness**

I collected and reviewed information from trusted sources, such as peer-review academic sources and state public databases. I reviewed documents specifically related to law enforcement and NYPD challenges. Some of those challenges included issues related

to organizational and social problems, policies' implementations, development, behavior in the workplace, and community policing. However, most of the literature, which was analyzed in chapter 2, seemed based on quantitative methods. The literature showed a gap in qualitative analysis that focused on analyzing how law enforcement agencies' policies and administrative practices could be influencing police officers' misconduct, and their challenging relationships with the community.

I reviewed qualitative and quantitative data to create a systematic a qualitative document examining how NYPD administrative practices could be influencing police officers' misconduct toward NYC citizens (Trueb, 2012). The exploratory, investigative, and analytical nature of the qualitative method allowed me to conduct a detailed methodological analysis of the issues, as it was reported by the CCRB and the OIG-NYPD. Overall, with this research project, I attempted to explain the effect that an agency's operational processes, policies, regulations, and administrative practices have on its employees' emotional intelligence competencies, such as communications, teamwork, decision-making, adaptability, conflict management, decision-making, problem-solving, and organizational and social awareness (Bar-On, 2012; Goleman, 2011; Smith & Firth, 2011).

### **Structure of a Qualitative Research**

Qualitative research has been widely applied to describe and explore police behavior and actions. During the literature review, I also found that many scholars applied emotional intelligence theories to understand police officers' misconduct (Aremu



et al., 2011). According to Creswell (2014), qualitative research was designed to study the actions of individuals or organizations, presenting the information in a comprehensive chronological or non-chronological way. Qualitative studies guide the reader through the issues under investigation and the core idea of the study (Creswell, 2014). Creswell also suggested that qualitative research helps the researcher to organize ideas and keep the attention under the umbrella of specific issues. I collected, organized, and documented the data, using two databases that allowed me to tabulate and code the information for further analysis. Yin (2015) suggested that all the documents collected to create a qualitative research analysis should be added to a database where the researcher is able to tabulate the material and any other note collected during the document analysis process.

### **Ethical Procedures**

Ethical considerations are essential in any research study, but even more so in qualitative research using secondary document data. The quality considerations of this research are associated with the reliability, validity, and trustworthiness of the researcher. Any ethical and quality considerations arising unexpectedly during the research process were documented and shared with the members of the board overseeing this dissertation process. The quality of this study is also validated by the quality of the documents, the sources, and the rigorous, systematic analytical process, maintaining the authenticity of the information, and avoiding plagiarism and falsification (Creswell, 2014).

## Summary

In this chapter, I explained the research method, the data collection process, the population, the ethical considerations, role of the researcher, and potential biases. This study aimed to explore the actions of NYPD police officers, as they were reported by the CCRB, as well as some of the NYPD policies as the OIG-NYPD analyzed them. The purpose was to explore the effect that the organization's policies and administrative processes have on the emotional intelligence competencies of NYPD police officers and their relationship with the NYC community.

Bringing awareness to how important it is to develop emotional intelligence competencies for street-level bureaucrats is essential. Emotional intelligence influences the organization and individuals' actions, such as their decisions, conflict management, communication, social responsibility, relationships, stress tolerance, problem-solving, decision-making, and self and organizational awareness. All those competencies are essential to a healthy workplace environment, as well as organizational policies and regulations. The literature reviewed for this dissertation study showed that the link between NYPD administrative practices and the effect it has on law enforcement officers' misconduct is under analyzed. I explored, analyzed, and created a comprehensive report based on the reports from the CCRB and the OIG-NYPD between the 2001 and 2017 (see Appendix B). This study uncovered patterns and trends documented in Chapters 4 and 5 that must be addressed to promote further social changes and improve the relationship between law enforcement agencies and their communities.

## Chapter 4: Results

### **Introduction**

The CCRB is an external agency responsible for investigating citizens' allegation of FADO police misconduct. The OIG-NYPD also investigates issues related to FADO allegations of police misconduct as well as issues related to NYPD corruption, fraud, and the officers' waste of taxpayer money. Since 1953, the CCRB has published yearly reports documenting the number of allegations of FADO police misconduct as well as the investigative process used to determine the number of allegations with substantiated evidence against the officers. After these investigations, the CCRB would made recommendations for disciplinary actions to the NYPD commissioner. The NYPD commissioner is the person with the sole discretionary authority to enforce the recommendations for disciplinary actions received by the CCRB. Additionally, the OIG-NYPD conducts additional investigations on issues associated with the CCRB reports and on NYPD policies and administrative practices with a direct impact on the officers' FADO performance.

The purpose of this study was to explore the potential influence of NYPD administrative practices on police officers' emotional intelligence-based performance in relation to the CCRB FADO reports. I explored publicly available data in the CCRB and OIG-NYPD websites. (Appendix B) Each CCRB report had an average of 200 to 265 pages and the OIG-NYPD reports had an average of 22 to 89 pages of data.

This chapter includes explanations of relevant information from the data, which is related to the NYPD police officers' FADO behavior, NYPD administrative practices associated with the officers' FADO behavior, and how that information was related to the officers' emotional intelligence-based performance. Table 1 shows the results of a thematic analysis organized by themes and code explored in this research. Finally, themes, patterns, and/or discrepancies found in the data are also discussed and supported by the evidence found in the CCRB and OIG-NYPD reports.

The data in this chapter is organized based on the relevance and frequency of the issues related FADO. I will also discuss relevant patterns and practices associated with the officers' FADO behavior and performance, as those patterns are linked to emotional intelligence-based performance. I found some of the essential characteristics associated with the cultural identification of the victims and officers involved in FADO allegations, such as race, gender, age, rank, and education. Finally, I reviewed NYPD administrative practices, as it was reported by the CCRB and OIG-NYPD, as well as some of the recommendations provided by the CCRB and OIG-NYPD. Some of the recommendations for changes and implementations were related changes in procedures related to FADO and other misconducts, such as training in policies and procedures, implementation on process for better accountability and determination of performance, and other issues directly associated with the officers' FADO behavior.

### **Setting and Demographics**

My population of interest was the NYPD police officers in the rank of police officers as defined by the NYPD Patrol Guide (2013). I chose the NYPD because it is one of the oldest and largest police departments in the United States. I chose the rank of police officers because they are the NYPD population with the most contact with the community. I explored documents from the CCRB and the OIG-NYPD because both agencies had the authority and mandate to oversee the NYPD processes and performance specifically related to FADO police misconduct. For example, the CCRB has the mandate to investigate citizens' allegations of FADO police misconduct, and the OIG-NYPD has the mandate to investigate issues related to NYPD's operations, policies, and practices that have a direct impact on citizens' rights and liberty. The OIG-NYPD also investigates citizens' allegations of corruption, fraud, and officers' waste of resources against NYPD police officers. Finally, I chose to work with documents from the CCRB and the OIG-NYPD because the CCRB and the OIG-NYPD are organizations composed of civilians and have the purpose of promoting impartiality during their investigations.

The CCRB hears, investigates, mediates, and makes recommendations for actions against officers involved in allegations of FADO misconduct. Upon receiving an allegation of police misconduct, the CCRB interviews the victim(s), as well as the officer(s) involved in the allegation(s). Each investigation the CCRB completes is conducted in a nonadversarial manner, entirely by a team of professional investigators composed entirely of civilians with years of experience in the field (CCRB, 2018). After

completing their investigations, the CCRB sends their findings to the NYPD commissioner. The OIG-NYPD also investigate issues related to police misconduct with a team of approximately 40 investigators, including board-attorneys, policy analysts, data analysts, auditors, and other professional staff. They also interview the victim(s) and the officer(s) involved in allegations, gather facts, and report their findings and recommendations to the NYPD (OIG-NYPD, 2018). For this dissertation, I explored approximately 60 documents from the CCRB and OIG-NYPD. Appendix B has a list of every document I reviewed from the CCRB and OIG-NYPD and how to access the document from the agencies' public websites.

### **Data Collection**

On May 19, 2017, Walden University Institutional Review Board (IRB) issued approval number 0438368 that authorized me to conduct this study. During the data collection process, I reviewed data approximately 60 reports from the CCRB and OIG-NYPD published between 2001 and 2017 (Appendix B). Each document reported the CCRB process to investigative FADO's complaints and allegations of police misconduct. Each report had detailed encounters of FADO between the citizens and the offices, including the type of force, abuse of authority, language, and discourtesy used against the victim. The reports also included annual statistics of FADO complaints and allegations, CCRB mediation processes between the officers and the citizens, recommendations for disciplinary actions toward officers with substantiated allegations of FADO misconduct, and statistics on the NYPD administrative processes toward the officers with

substantiated allegations of FADO. Each report included demographic data about the victims, such as race, gender, age, and location. The reports also included data related to the officers' race, gender, education, rank, and duty-location. Each document was publicly available on the CCRB and OIG-NYPD websites. Appendix B provides a listing of the sources of data for additional information on the reports.

After a comprehensive review, I determined the amount of data to be appropriate because of saturation and repetitiveness in patterns and practices. The data in the reports were focused on citizens' allegations and complaints of FADO police misconduct, the OIG-NYPD's analysis of the NYPD operational policies and practices associated with the police officers' FADO misconduct, and the NYPD disciplinary actions toward the police officers with substantiated allegations of FADO misconduct. I reviewed the CCRB reports of FADO allegations are complaints between 2001 and 2017 and found that between 2003 and 2010, the numbers of complaints and allegation were the highest. For example, the number of complaints between 2003 and 2010 increased to 168,903 or an average of 21,113 per year. Meanwhile, the average number of reports between 2001 and 2017 was 14,079 per year. Although the increase of allegations in 2003 and 2004 was attributed to the advance of technology, the reasons for the increase in allegations between 2003 and 2017 is a gap in the literature and a recommendation for further research.

I reviewed the qualitative and quantitative data available in the CCRB and OIG-NYPD reports. The purpose of using both qualitative and quantitate data was to maintain

the appropriate balance between validation and verification and prevent information bias (Trueb, 2012). Although I briefly discussed other allegations of police misconduct found in the CCRB and OIG-NYPD reports, the in-depth analytical framework was focused on emotional intelligence indicators such as communication and social responsibility which are related to the use of offensive language; use of racial slurs, derogatory ethnic slurs, offensive sexual remarks; and decision-making, impulse control, problem-solving, self-awareness, social-responsibility, social skills, political awareness, and self-management, which are related to FADO allegations (Appendix A). These are emotional intelligence performance indicators directly related to emotional intelligence competencies (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016). Finally, the CCRB and the OIG-NYPD reports are demographically restricted to the NYPD police department and the NY five boroughs of Manhattan, Brooklyn, Queens, The Bronx, and Staten Island.

### **Data Analysis**

In this section, I explain the process I applied to analyze the data. I initiated the analysis of data by organizing the CCRB and the OIG-NYPD reports by issues related to FADO based on its relevance to this study. The data showed relevant links between the officers' FADO behavior and performance; for example, lack of social awareness when using racial and ethnic derogatory slurs against citizens (CCRB, 2001, 2006, 2011, 2017). In qualitative analysis, there is no set protocol (Reissman, 2008). Therefore, I started by hand-coding the CCRB and the OIG-NYPD reports using a thematic analysis approach. The final coding included the officers' performance, both as it was perceived by citizens



and reported and investigated by the CCRB. The coding revealed officers' inappropriate use of force. Those issues included actions such as chokeholds, dragging and pulling, pushing, shoving, and throwing, beating, punching, kicking, and kneeling the victims, slapping, and fighting, the use of nightstick, gun, radio, flashlight, and another blunt instrument as a club, the use of shields and vehicles as weapons, and the illegal use of pepper spray.

The coding revealed that officers' abuse of authority was the most reported allegation of police misconduct against the NYPD police officers (Appendix D). Actions related to abuse of authority included, frisk and search without the appropriate reasons, questioning and stopping the victims without the appropriate reasons, strip search, vehicle stop without the appropriate reasons, entering premises, and searching without the appropriate evidence or reasons, threat to use inappropriate force, threats to damage property, threats to arrest and summons without the appropriate reasons, searching premises without a warrant, and refusals to process civilians. Officers' inappropriate use of force was the second most reported allegation of police misconduct against the NYPD police officer. Issues related to inappropriate use of force included pointing their guns to the victims without a justifiable reason, using their nightstick as club, using their gun as a club, using their police shield or vehicle inappropriately against the victims, chokehold, pepper-spray, hit against inanimate objects, other blunt instruments such as a club, handcuffs too tight, nonlethal restraining devices, and the inappropriate use of animals against the victims. Although the CCRB and OIG-NYPD did not list the specific words

and language that police officers used against victims, the coding revealed that the officers used inappropriate gestures, demeanor, and tones against the victims was the fourth most reported allegation of police misconduct against the NYPD police officers. In relation to the officers' use of offensive language against the victims, the coding revealed that the officers' used of racial slurs, derogatory ethnicity slurs, offensive sexual remarks, offensive remarks toward individuals' physical disability, and slurs toward the victims' sexual orientation is the third most reported allegation of police misconduct against the NYPD police officer within the authority of the CCRB (Table 1).

Table 1

*Results of Thematic Analysis*

Theme	Frequency
Abuse of Authority	$f = 65,860$
Officers unlawful or illogical threats of force (verbal or physical) force	$f = 9310$
Officers' failure to "show" search "warrant" to frisk locations	$f = 9035$
Officers unlawful or illogical stop and frisk of the victims of FADO	$f = 6480$
Officers refusal to obtain medical treatment against the victims	$f = 3478$
Officers unlawful threats to arrest the victims of FADO	$f = 4854$
Officers unlawful "Stop and Question"	$f = 5185$
Officers refusal to show arrest warrant to the victims of FADO	$f = 5284$
Officers unlawful searches or entrance of locations and/or premises	$f = 2732$
Officers refusal to provide their name and/or shield to the victims upon request	$f = 432$
Inappropriate or unnecessary use of force	$f = 32,674$
Officers inappropriate or unnecessary use of "physical force" against the victims of FADO	$f = 9520$
Officers use of their police "shield to harm" the victims	$f = 2207$
Officers use of an animal to "intimidate and/or harm" people	$f = 2118$
Officers use of "nonlethal restraining" device as force against the victims	$f = 1899$
Officer use of force in to hit victims against "inanimate object"	
Officers use of their "vehicle as a weapon" against the victims	
Officers use of a "gun as club" against the victims	
Gun Pointed and gun fired	$f = 2548$
Officers inappropriate use of "Chokehold" regardless that NYPD Patrol Guides prohibit its use	$f = 620$

*(table continues)*

Theme	Frequency
Discourtesy	$f = 3,876$
Officers use of other type of offensive words against the victims of FADO	$f = 2838$
Officers' illogical and discourteous behaviors and actions against the victims of FADO	$f = 1038$
Officers' wrongful or illogical demeanor and/or tone when approaching victims of FADO	$f = 289$
Officers inappropriate and unfitting use of vulgar gestures against the victims	$f = 197$
Offensive Language	$f = 1,513$
Officers use of offensive, inappropriate, and derogatory language related to the victims' gender identity or orientation	$f = 551$
Officers use of offensive, inappropriate, and derogatory language related to the victims' sexual orientation	$f = 311$
Officers use of offensive, inappropriate, and derogatory language related to the victims' ethnicity	$f = 307$
Officers use of offensive, inappropriate, and derogatory language related to the victims' religious identity	$f = 155$
Officers use of offensive, inappropriate, and derogatory language related to the victims' race	$f = 97$
Officers use of offensive, inappropriate, and derogatory language related to the victims' physical disability	$f = 92$
Education (Emerging)	$f = 325$
"education of officers" whose complaints have been substantiated (emerging)	$f = 325$
Race of the Victims of FADO (Emerging)	$f = 1,732$
FADO against Black Victims	$f = 1,732$
Disciplinary actions (Emerging)	$f = 1,562$
NYPD lack of disciplinary actions against officers with substantiated FADO allegations (emerging)	$f = 1,562$
Gender of the victims	$f = 571$
Age of the victims	$f = 1,830$
Rank of the officers	$f = 179$

In summary, the following 10 themes were extracted from the data based on the frequency and relevance to answering the research question and the application of the theoretical framework, as well as relevant emerging patterns:

1. Officers abuse of authority  $f = 65860$
2. Officers inappropriate or unnecessary use of force against the victims of FADO  $f = 32674$
3. Officers discourteous behavior and usage of inappropriate hand gestures  $f = 3876$
4. Officer use of offensive language and derogatory remarks against the individuals' race, ethnicity, sexual orientation, gender, and physical disability  $f = 1513$
5. Education of the officers with substantiated allegations of FADO police misconduct  $f = 325$
6. Race of the victims of FADO complaints  $f = 1732$
7. NYPD administrative practice  $f = 1562$
8. Gender of the victims  $f = 571$
9. Age of the victims  $f = 1,830$
10. Rank of the officers  $f = 179$

Each theme will be discussed later in the chapter. Those themes were entered into NVivo and therefore, the data was systematically prepared for additional analysis, and connection with the theoretical framework. The analytical approached to organizing and

coding the data allowed the emergence of new themes and patterns. As it can be seen in Table 2, the education of the police officers and NYPD disciplinary approaches against officers with substantiated FADO allegations seen to have a systematic influential effect on the officers' FADO performance.

Table 2 shows the main themes linking the officers' emotional intelligence-based performance, FADO, and NYPD administrative practices.

Table 2

*Results of Thematic Analysis in Relation to Theoretical Framework*

Theory: Emotional Intelligence-based Performance	Officers' Performance FADO	NYPD Administrative Practice
Self-management	Abuser of force	The highest percentage of police officers involved in the CCRB had no college degree
Stress management	Abuse of authority	
Self-control	Discourtesy	
Adaptability	Use of offensive language	The second population with the highest percentage of CCRB allegations had undergraduate degree
Flexibility		
Stress-tolerance		
Decision-making	Intimidation	The Fourth population with the highest percentage of CCRB allegations had associate degree
Problem-solving	Mistreatment	
Impulse-control	Social and racial profiling	NYPD Low rate disciplinary actions
Conflict-management	Bias	NYPD no disciplinary actions
	Retaliation	Lack of complete understanding of the law and departmental guidelines
	Unwarranted threats to arrest	Lack of discipline to follow the NYPD patrol guide
Communication	Rude gestures	Training, and Supervision
Self-expression	Obscene gestures	Accountability and transparency issues
	Vulgar words	Police officers not taking complaint reports
	Bulgar curses	Disciplinary process is complex, multi-tiered, and inconsistent
Social awareness	Between 55% to 65% of victims were Black	
Social responsibility	Derogatory slurs	
	Derogatory gestures	
	Derogatory remarks against victims' race, ethnicity, religion, gender, and physical disability	

For instance, the officers' use of force might be related to specific circumstances where the law enforcement officers were faced with unpredictable circumstances (Bar-On, 2012). For example, the officers' decision-making, judgement, and problem-solving abilities with facing unpredictable situations such as in protests or concentrations, when officers were found to use horses to physically push people away during concentrations or protests, or the decision to use chokeholds, although chokeholds the 2013 NYPD Patrol Guide prohibits the use of chokeholds (CCRB 2003, 2015). Regardless, in 2014, a police officer inappropriate used a chokehold might have contributed to the death of Erin Gardner in 2014 (CCRB, 2015; Peters and Eure, 2015a). In addition, the social responsibility and awareness needed for police officers' decisions to deal with people with mental disability or illness. For example, in 2016, an officer, who had not yet received the department's training on how to handle people with mental disability responded to an emergency call and was involved in the shooting of Deborah Danner, an African-America woman with a history of schizophrenia (Peters & Eure, 2017c).

While the data might not show that specific circumstance, regardless, law enforcement officers must show their ability to react with minimal aversiveness toward the victims (Multi-Health Systems, 2011). Further, under the issue of force, the CCRB (2002) reports showed that "Since 1998, the percentage distribution of force, abuse of authority, discourtesy, and offensive language allegations has remained fairly consistent" (p. 19). By 2006, the issues related to inappropriate force increased by a 70% (CCRB, 2006). Between 2007 and 2011, the CCRB reported that "The majority of allegations

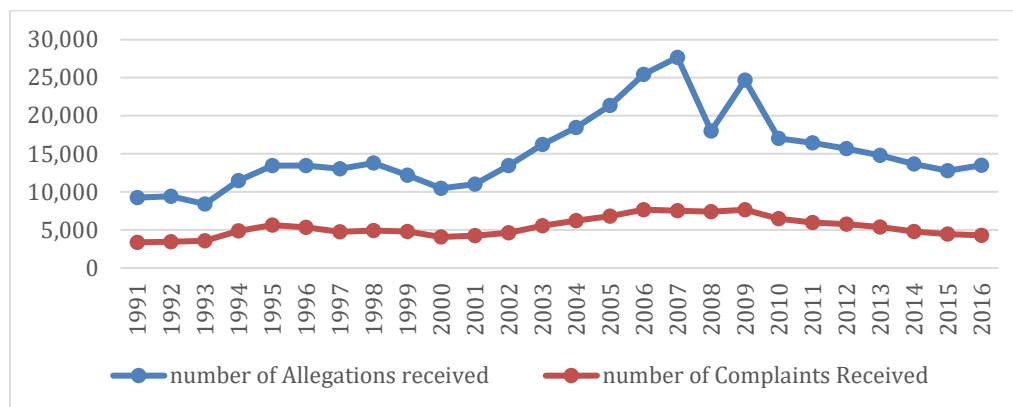


involved the improper use of force, including physical force, use of a nightstick, use of a vehicle, use of a blunt instrument as a club, chokehold, handcuffs too tight, use of an animal and pepper spray” (CCRB, 2011, p. 4). In 2017, the CCRB reported that,

In the Force category, the designation of “Physical Force” remains the most common allegation. This refers to an officer’s use of bodily force such as punching, shoving, kicking, or pushing. In 2017, “Physical force” accounted for 74% of all the Force category allegations. (CCRB, 2018, p. 16)

For a better understanding of the data, after reviewing the CCRB reports, I grouped the number of FADO complaints and allegations from 1991 to 2017 in a comprehensive table (Figure 1), which shows the number of FADO complaints and allegations received per year. Figure 1 shows the average number of FADO allegations and substantiated complaints that the CCRB received each year, from 1991 to 2016. For example, Figure 1 shows that the lowest number of FADO allegations and complaints were received in 1993, with a total of 8,406(y) allegations and 3,570(y) substantiated complaints. It also shows that the year with the highest number of FADO allegations and complaints was 2007, where the CCRB received 27,687(x) allegations and 7,549(x) substantiated complaints of FADO police misconduct. When comparing these two numbers, the result shows that in 2007, citizens’ allegations of FADO police misconduct increased almost a staggering 330% (*P*). Further, the number of substantiated complaints also increased more than a 211% (*P*) [Equation:  $x / y * 100 = P\%$ ]. While in 2003, the CCRB attributed the increase of allegations and complaints to the improvement of

technology, in 2010, the number of complaints against the NYPD started to decrease, while technology continues advancing. The specific reason for the increase of allegations and complaints still a gap in the data and a recommendation for further research.



*Figure 1.* Number of citizens' allegations and complaints received between 1991 and 2016.

In regard to officers' abuse of authority, "Abuse of police powers to intimidate or otherwise mistreat a civilian and can include improper street stops, frisks, searches, the issuance of retaliatory summonses, and unwarranted threats of arrest" (CCRB, 2018). Officers' discourtesy refers to "Inappropriate behavioral or verbal conduct by the subject officer, including rude or obscene gestures, vulgar words, and curses" (CCRB, 2001, p. 22). In 2017, officers' discourtesy and use of profanity against citizens still "Accounting for 85% of those allegations" (CCRB, 2018, p. 15). However, the data showed that from 2001 to 2017, officers' use or racial derogatory remarks, which refers to the use of "Slurs, derogatory remarks, and/or gestures based, upon a person's sexual orientation, race,

ethnicity, religion, gender, or disability” still accounting for a high number of allegations (CCRB, 2001, p. 22; CCRB, 2018, p-5).

To code the data and relate those findings with the theoretical framework, officers’ performance, and NYPD administrative practices, I followed Atrides-Stirling (2001)’s thematic approach of analysis. This approach helped me to find relevant interconnected patterns within the data (Table 2). I also applied the recommendations of Saldaña (2013), who applied the work of Andrews et al. (2008), Polkinghorne (1995), Cortazzi (1993), Daiute & Lightfoot (2204) and Freeman (2004) in coding qualitative research. The scholars explained that the coding of qualitative research could apply literary elements to conduct an in-depth exploration of humans’ actions holistically. I applied their thematic approach of analysis to explore the actions of the NYPD police officers holistically, as those actions were reported by the CCRB, pinpointing patterns, and examining themes within the data.

I also applied Saldaña’s (2013) thematic approach to code findings related to emotional intelligence factors, such as communication, repetitive behavior, decision-making, impulse-control, and social responsibilities. I identified and transcribed my findings detailing specific themes and patterns relevant to the performance and emotional intelligence competencies of the NYPD police officers, as well as the operational practices and processes of the department. Finally, I outlined emerging themes and patterns showing the relationship between the police officers’ FADO behavior and the theoretical framework.

In relation to citizens' allegations of FADO misconduct, the data revealed that the victims shared relevant demographic characteristics, such as including race and gender. I applied Attride-Stirling's (2001) method to create a global theme of words and phrases frequently used in the reports, such as abuse of force, inappropriate use of force, abuse of authority, discourteous behavior, use of offensive language, use of derogatory language, race of the victims, rank of the officers, providing false statement during an open investigation, education of the officer involved in allegations and substantiated FADO complaints, and refusal to provide name and shield number. Those phrases and words were relevant to create the final coding linking the theoretical framework and research question guiding this study (Table 2). The coding allowed me to determine that some of the most relevant issues were related the victims' race and ethnicity. The CCRB reports showed a concerning 55% to 69% of race-related FADO allegations consistently toward Blacks (CCRB, 2001, 2006, 2011, 2018). The reports also showed that the demographic data collected by the CCRB continues to indicate that most victims of police misconduct, when compared with NYC population, include a disproportionately high number of Black men (CCRB, 2002; 2006, 2011, 2016). Another relevant issue found in the data, connecting FADO misconduct and emotional intelligence-based performance were associated with the officers' providing false statements to the CCRB during active investigations. The officers' refusal to provide their names and shield and officers' failure to properly record their FADO encounters indicates poor social-responsibility (see Appendix A). Emotional intelligence competencies related to social responsibly includes

acting responsible, having a social consciousness, and “Showing concern for the greater community” (Multi-Health Systems, 2011, p-36; Bar-On, 2012).

Figure 2 shows total number of FADO allegations and complaints receive between 2001 and 2017. It also shows the number of allegation and complaint on each FADO. The data shows that citizens’ allegations and CCRB substantiated complaint has been growing steadily, with some of the numbers showing an increase of almost 330%. In their reports, the CCRB explained that they could not determine the specific reasons for the staggering increase of FADO complaints between 2003 and 2010 (CCRB, 2004, 2011). The lack of information associated with the increase of FADO allegations and complaints between 2003 and 2010 is a gap in the data and a recommendation for further research.

Data Analysis	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2,017	Total
Force (F)	2,153	4,465	5,053	5,558	6,264	7,718	8,288	8,057	7,479	3,273	2,903	2,895	2,879	2,431	2,114	1,801	1,758	75,089
Abuse of Authority (A)	2,436	6,044	7,488	9,185	11,051	13,265	14,652	13,781	12,371	4,031	3,631	3,480	3,136	2,897	2,850	3,034	3,243	116,575
Discourtesy (D)	1,767	2,606	3,207	3,231	3,515	3,807	4,024	4,079	4,147	2,737	2,561	2,356	2,065	1,818	1,532	1,414	1,432	46,298
Offensive Language (O)	315	374	494	500	529	662	723	731	683	466	451	447	421	429	369	352	365	8,311
number of Allegations received	11,024	13,474	16,241	18,474	21,359	25,452	27,687	17,986	24,680	17,024	16,454	15,683	14,804	13,671	12,773	13,511	15,319	295,616
number of Complaints Received	4,260	4,616	5,568	6,210	6,796	7,669	7,549	7,395	7,664	6,467	5,969	5,742	5,388	4,777	4,462	4,283	4,487	99,302

Figure 2. Number of FADO between 2001 and 2017.

### Evidence of Trustworthiness

The CCRB and the OIG-NYPD are two independent agencies with authority to investigate NYPD misconduct. The CCRB has the mandate to investigate citizens’ allegations of FADO police misconduct, and the OIG-NYPD has the mandate to investigate issues related to FADO, as well as NYPD policies and operational practices related to others police misconduct. The CCRB investigators are supervised by senior officials with at least 15 years of investigative experience in federal agencies, such as the

Internal Revenue Service (IRS), Drug Enforcement Agency (DEA), Department of Homeland Security (DHS) and the Federal Defenders of Pennsylvania (CCRB, 2001). The CCRB provide its investigators with intense training on the CCRB's jurisdiction, rules, regulations, interviewing techniques, research, document collection and analysis, the police department structure, and the police patrol guide and procedures. Additionally, the CCRB investigators are trained on legal principles governing the police officers' use of force, search, seizure, discourtesy, police academy's training class, and the Internal Affairs Office of Professional Development. (CCRB, 2001).

While I found minor differences in the number of FADO allegations reported by the year, the differences in numbers were irrelevant to the significance of the information. Further, the CCRB argued that the minor differences on the numbers of allegations varied based on the total of investigations closed by the end of the fiscal year, and the number of investigations closed by the time of the report. In addition to the CCRB teams of investigators, attorneys, analysts, auditors, and professional support staff assisting with the investigations' review process, the CCRB also uses additional technology, such as videos, Complaint Tracking Systems (CTS), electronic filing, the 311-phone system, and mediation methods between the police officer and the citizen.

The credibility and trustworthiness of the data were previously discussed when addressing the consistency of the research process, which included data collection, the source of information, coding process, the use of qualitative and quantitative data, and the presentation of the results. To maintain the accuracy of the qualitative analysis, I applied

a triangulation technique that included comparing the qualitative data with the statistical representation of the same data. For this research study, I compared the qualitative reports with the statistic representation of the data, while also creating a Microsoft Excel Workbook based on the qualitative representation of the data. To review the documents, I also applied manual coding, and used a qualitative data analysis software, as well as other software applications to create the tables and figures included in this dissertation.

In relation to transferability when using secondary documents, I applied an in-depth descriptive method of transferring data that could be applicable because of its uniqueness, population, and condition. Transferability is described as the method of using information that has been subjected to external validity and its findings apply to study other situations, and population because of the uniqueness, location, and conditions (Yin, 2015). For example, in the context of transferability when using secondary documents, the CCRB and OIG-NYPD are the only two organization in NYC with authority to investigate FADO allegations of NYPD police misconduct. The CCRB and OIG-NYPD conduct rigorous investigations, with highly capable investigators, before determining substantiated complaints, and making recommendations for disciplinary actions. Because of the nature of the reports, the information is not subject to environmental or cognitive changes. I explored the information in the CCRB, and the OIG-NYPD reports and explained the performance of the police officers, in a context that was meaningful and understandable. The connection between performance and organizational practices was established because the information was not subjected to human memories, human

constructions, illusory, assuming surfaces, presumptions, and perceptions (Saldana, 2013). I only reviewed documents from the CCRB and the OIG-NYPD to prevent the use of falsified information, wrongful evidence, plagiarism, and information-bias (Saldana, 2013).

In relation to dependability, I applied self-auditing process. I stopped reviewing the information, waited few hours or days, and reviewed the review of the data again. This process helped me to identify irregularities. I maintained strict consistency during the process of collection and analysis the data, taking notes of changes, emerging trends, and patterns, as well as a regime of self-revising the analytical memos to ensure that the information was clearly documented, and that my personal bias was not included in the final report. I checked for personal bias by reading the information multiple times and ensuring that my personal views and opinions were not included in the final report. All findings included in this research were based on the facts and evidence presented in the CCRB and OIG-NYPD reports. I explained every process, creating a comprehensive report in simple language to ensure that the information is accessible and understandable to everyone.

## **Results**

The research question driving this study was: How do administrative practices influence law enforcement officers' FADO behavior in relation to emotional intelligence-based performance? The results will be presented in the following order: Abuse of authority, use of force, discourtesy, offensive language, race, education, gender, age of



the victims, rank of the officers, NYPD administrative disciplinary process, and recommendations.

To answer the research question, I reviewed approximately 60 reports from the CCRB and the OIG-NYPD, between 2001 and 2017 (Appendix B). I also reviewed the qualitative and quantitative data in the reports for validation and proper interpretation, so the conclusion accurately reflects the findings (Yin, 2015). Each CCRB and OIG-NYPD investigation is conducted impartially, focusing on protecting the victims' rights, as well as the officers' integrity. The CCRB reports showed that between 2001 and 2017, the citizens reported approximately 295,616 allegations, and 99,302 complaints of FADO police misconduct (Figure 2). The citizens' allegations become complaints after the CCRB had fully investigated those allegations, making positive findings of FADO misconduct (CCRB, 2018).

Additionally, the CCRB reports showed that throughout the years, the NYPD disciplinary actions against the officers with substantiated allegations of police misconduct has been significantly low (CCRB, 2005, 2016). After the CCRB finds substantiated allegations of FADO police misconduct, the CCRB makes recommendations for disciplinary actions to the NYPD commissioner, who has the discretionary authority to enforce, dismiss, or apply a lesser discipline than the one recommended by the CCRB to the officer involved in FADO complaints (CCRB 2002, 2006, 2018). From 2001 to 2015, the reports showed that the NYPD had, relatively, a low percentage of disciplinary actions against the officers involved in substantiated

allegations of FADO police misconduct (CCRB, 2018). As a result, the OIG-NYPD had, multiple times, recommended that the NYPD “Increase coordination and collaboration between NYPD and CCRB to refine the disciplinary system for improper uses of force, provide transparency with respect to the Police Commissioner’s disciplinary decisions” (Peters & Eure, 2015b, 2017). From 2015 to 2017, the NYPD disciplinary actions have shown a slight increase, from a 70% in 2015 to a 73% in 2017 (CCRB, 2018).

### **FADO Complaints and Allegations ( $f = 103,923$ )**

FADO complaints and allegations are NYPD police officers’ use of inappropriate and/or excessive force, abuse of authority, discourtesy, and use of offensive language toward the citizens of NYC. The significant distinction between FADO complaints and FADO allegations is that a complaint of FADO police misconduct could include “Multiple allegations against one or more officers” (CCRB, 2013, p. 6). Regardless, the CCRB investigates each allegation of FADO misconduct independently, breaking the total numbers of complaints and allegations individually in each report (Figure 2). FADO police misconduct and other issues related to the NYPD police officers’ behavior and performance is a concern. For example, in 2012, NYPD Commissioner Kelly reported that the NYPD has internal policies regulating officers’ use of force, explaining that the department goes

further than the [state] law in its effort to control the use of force by its personnel...Emphasizing that only the amount of force necessary to overcome resistance will be used, and excessive force will not be tolerated (Patrol Guide

203-11). Specially regarding the use of deadly physical force necessary to protect human life (Patrol Guide 203-12) (Kelly, 2012, p. 7).

However, the OIG-NYPD found that “In 2014, certain communities in New York City continued to express concerns about policing in the city and raised the discourse surrounding police accountability to levels not seen in decades” (Peters & Eure, 2015b, p. 3). Similarly, in 2017, the OIG-NYPD explained that,

Its first comprehensive report on NYPD use of force [was] on October 1, 2015. The Report’s findings and recommendations covered a wide range of issues: trends in demographic and force data, force reporting by officers, de-escalation, training, and discipline for excessive force. OIG-NYPD found a lack of discipline imposed on officers involved in substantiated force allegations—even when the Department was provided with evidence that excessive force was used. Among other findings, OIG-NYPD found an inability to track use-of force encounters by officers and a failure to instruct and employ de-escalation tactics properly. The policy does not expressly define “force” when it is used by an officer, but it does define “force” when used against an officer (Peters & Eure, 2017b, p. 28).

The fact that some NYPD officers might have multiple complaints of FADO police misconduct, it could be an indicator that the officer might be lacking essential emotional intelligence competencies necessary for law enforcement officers to perform on their job. Some of those emotional intelligence competencies could be related to communication,

flexibility, adaptability, decision-making, impulse control, problem-solving, and political awareness (see Appendix A).

The CCRB reports revealed that approximately a 60% of the NYPD police officers have received at least one FADO complaint (CCRB, 2018). Figure 1 shows the numbers of allegations that the CCRB received between 1991 to 2016. The number of allegations against the police officers' FADO misconduct was approximately 402,159 by 2017 (CCRB, 2018). From the 402,159 citizens' allegations, approximately 295,616 allegations were received between the years 2001 and 2016. From these allegations, approximately 144,148 allegations were found to be complaints of misconduct against the NYPD police officers. Figure 2 also shows that the highest number of FADO allegations were received between 2005 and 2009. However, the CCRB or OIG-NYPD did not report the organizational or environmental factors that could have contributed to the increase of FADO allegations during those years. In fact, the CCRB (2010) explained that the reason for the increase in allegations and complaints between 2005-2009 was unknown.

These CCRB reports revealed that the most substantiated FADO complaints were citizens' allegations of abuse of authority. Figure 2 also shows that the second most substantiated complaints of FADO were against the police officers' inappropriate or unnecessary use of force. The third most substantiated allegations were the police officers' discourtesy, and the fourth most reported allegations of FADO police misconduct were the police officers' use of offensive language against the citizens' race,

ethnicity, or gender orientation. There are “Substantive issues concerning the patterns of complaints about force, abuse of authority, discourtesy, and offensive language” (CCRB, 2015, p. 8) against the NYPD police officers’ performance. The frequency and significance of those FADO allegations might be indicators of emotional intelligence-based performance issues, as those performances are related emotional and social functioning, such as decision-making, problem-solving, impulse-control, interpersonal associations, social-responsibility, emotional self-awareness, and communication (Bar-On, 2012; Goleman, 2012; Multi-Health Systems, 201). Those FADO allegations and complaints are not only affecting the department but also the community of NYC.

**Abuse of authority (f = 65,860).** The CCRB defines abuse of authority as the “Police powers to intimidate or otherwise mistreat a civilian and can include improper street stop, frisks, searches, and unwarranted threats of arrest” (CCRB, 2004, p. 4). In 2001, the CCRB reported that the police officers’ “Abuse of authority allegations continue to be the largest subcategory of all allegations (43.6%), as they have been since 1998” (CCRB, 2001, p. 1). From 2003 to 2007, officers’ abuse of authority grew almost a 50%. “Abuse of authority (alleging improper stops, frisks, searches, or other police actions) make up a dramatically disproportionate amount of the increase” (CCRB, 2007, p. 5). From 2005 to 2010, abuse of authority allegations grew almost a 100%. From 2012 to 2017, abuse of authority still made the most reported allegation of misconduct against NYPD police officers. “In the abuse of authority category, allegations of stop, question, frisk, and/or search make up the largest portion of all allegations” (CCRB, 2012 p. 6) and

“The most common types of allegations are Abuse of Authority allegations” (CCRB, 2018, p. 15). Throughout 2001 and 2017, abuse of authority represented the citizens’ complaints with the most allegations of FADO misconduct against the NYPD police officers. In fact, in 2016, the CCRB reported that “The uptick in allegation counts seen in 2016 comes almost entirely from Abuse of Authority allegations” (CCRB, 2016, p. 15). Within the police officers’ abuse of authority, the four predominant allegations were the police officers’ threat to arrest, premises entered and searched without showing warrants, the police officers’ refusal to provide their name and/or shield numbers, and the police officers’ unfounded threats to use unnecessary force against the citizens.

**Force ( $f = 32,674$ ).** The police officers’ inappropriate and unnecessary use of force was the second FADO misconduct with the most substantiated complaints (Figure 2). The CCRB (2004) explained that “Force refers to the use of unnecessary or excessive force, up to and including deadly force” (p. 4). The data showed that between 2001 and 2016, within officers’ inappropriate or excessive use of force, the four allegations with the most substantiated complaints were the police officers’ use of unnecessary or inappropriate use of physical force, gun pointed, the officers’ inappropriate use of pepper spray, and the officers’ use of the officers’ nightstick as a club (CCRB, 2001, 2006, 2011, 2018). One of the most significant findings was related to the racial demographics of the victims of abuse of force. The CCRB stated that

The significant findings were that Blacks were substantially more likely to have filed complaints for a street stop than Whites, and that force was used

significantly more often to effect stops against Blacks in instances where a complaint was filed (CCRB, 2001, p. 17)

The data also revealed that the police officers' inappropriate use of force seems to be a concerning problem within the NYPD police officers, regardless that NYPD Patrol Guide clearly establishes the officers' use of discretionary limitation on the use of force against the citizens. For instance, in 2005, the CCRB reported an increase in abuse of authority complaints, indicating that it "Rose an 80%" from 2002 to 2005 (CCRB, 2005, p. 19). In 2010,

In the Force category, the CCRB designation of "physical force" remains the most common allegation by far. This refers to the officer's use of bodily force such as punching, shoving, kicking, and pushing. In 2010, 71% of all allegations in the Force category, altogether 4,184 allegations, were physical force (CCRB, 2010, p. 5).

In 2014, the CCRB reported some of the cognitive factors that might be affecting the police officer's use of force. The CCRB indicated that "In 62 of 73 substantiated allegations, officers used more force than was warranted. Although appropriate force was justified in 11 of the allegations, the force used was found to be excessive and therefore improper" (CCRB, 2014, p. xii). Regardless of the situation, police officers have the responsibility of making discretionary decisions of the use of force based on the NYPD Patrol Guide. While Kelly (2012) reported that NYPD officers used the amount of force

necessary to overcome resistance and that excessive force will not be tolerated in the department, in 2017, the OIG-NYPD found that NYPD

Lack of discipline imposed on officers involved in substantiated force allegations—even when the Department was provided with evidence that excessive force was used. Among other findings, OIG-NYPD found an inability to track use-of force encounters by officers and a failure to instruct and employ de-escalation tactics properly (Peters & Eure, 2017b, p. 26).

Further, the CCRB (2014) affirmed that police officers' use of force rest on the authority and accountability of the police officer. In fact, the NYPD Patrol Guide (2013) provides the guidelines on the officers' discretionary decisions when using force.

However, by 2017, the CCRB still reported that,

more than half (58%) of allegations closed were allegations of an Abuse of Authority. These types of allegations have increased in proportion over the last four years. Force allegations are the next most common at 24% of all allegations closed in 2017 (CCRB, 2018, p. 16).

Some relevant factors found in the CCRB reports suggested that that some police officers seem to lack impulse-control, stress management, self-awareness, self-regulation, and social-responsibility (see Appendix A). For example, the CCRB found that while investigating the citizens' allegations against the police officers' inappropriate use of force, "In the reviewed cases, officers frequently allowed their emotions to fuel their use of force beyond what was appropriate" (CCRB, 2014, p. xii). One of the most



controversial issues related to the officers' use of force is the use of chokeholds. After the death of Erin Gardner in 2014, the OIG-NYPD opened multiple investigations on the officers' use of chokeholds. The OIG-NYPD found that the NYPD Patrol Guide prohibits the police officers' use of chokehold against the citizens.

Section 203-11 of the Patrol Guide, which governs "Use of Force," explicitly and unequivocally prohibits members of the New York City Police Department ("NYPD") from using "chokeholds" in their interactions with the public:

Members of the New York City Police Department will NOT use chokeholds. A chokehold shall include, but is not limited to, any pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air. (NYPD Patrol Guide § 203-11)

In relation to NYPD police officers' use of force, the OIG-NYPD also found that the NYPD Patrol Guide of 2013, explicitly and unequivocally prohibits the use of chokeholds by members of NYPD (Peters & Eure, 2015d). Because of Mr. Garner's death in 2014, the OIG-NYPD also investigated NYPD policies, practices, and procedures surrounding the officers' use of force, specifically the officers' use of chokeholds. The OIG-NYPD investigated cases from 2009 to 2014 and found that in reviewing these cases, OIG-NYPD highlighted how NYPD's disciplinary process is complex, multi-tiered, and often delivers inconsistent results. OIG-NYPD also noted an apparent disconnect in the approaches by which CCRB and NYPD reviewed and evaluated the same cases (Peters & Eure, 2017a). This type of disconnection in

disciplinary procedures might influence officers' lack of commitment to follow policies, which are also emotional intelligence indicators related to political awareness, collaboration, self-regulation, and flexibility (see Appendix A).

**Discourtesy ( $f = 3,876$ ).** Discourtesy was the third FADO allegations with the most substantiated complaints (Figure 2). The CCRB (2004) explained that "Discourtesy refers to inappropriate behavioral or verbal conduct by the subject officer, including rude or obscene gestures, vulgar words, and curses" (p. 4). Analysis of the data revealed that the most common allegations and complaints were related to officers' discourtesy, and use of offensive words, followed by actions, demeanor, and tone, and inappropriate gestures against the victims. In 2001, the CCRB reported that discourtesy "Allegations have remained at 19.9% of total allegations for 2000 and 2001" (CCRB, 2011, p. 31). From 2001 to 2005, discourtesy allegations and complaint had a growth of approximately 10% compared to previous years. However, in 2006, "Discourtesy and offensive language categories fell to the lowest levels in the five-year reporting period" (CCRB, 2006, p. 56). The reasons for the decrease in allegations and complaints related to discourtesy remain unknown. However, the CCRB explained that

Since discourtesy allegations (which also include "demeanor/tone" and "action/gesture") usually involve little in the way of documentary or corroborative evidence, the rate at which the board cannot come to a decision as to the merits of the allegation is higher than in all allegations (CCRB, 2016, p. 57).

In 2003, the CCRB reported that from all FADO allegations, “Discourtesy and offensive language categories remained fairly constant” (p. 16). Analysis of the data showed that discourtesy was a FADO allegation with a constant leveled in reporting (Figure 2). In 2010, “In the Discourtesy category, the discourteous “word” category is most common, making up 94% of Discourtesy allegations. A small portion of allegations each year also involve discourteous “gestures,” “actions” or “tone” (CCRB, 2010, p. 7). Further, the data showed that in 2015, the OIG-NYPD investigated 10 cases where the CCRB substantiated FADO allegations that included the police officers’ discourtesy against the citizens. On their report, the OIG-NYPD revealed that in fact, the police officers involved in citizens’ allegations of discourtesy used rude language against the victims (Peters & Eure, 2015a). That information aligned with the CCRB (2015) report that indicated that “Among discourtesy allegations, “word” accounted for 87% of all discourtesy allegations” (p. 30). In addition, according to the CCRB report of 2017, the patterns have not changed, showing that “The most common Discourtesy allegation was “word” (e.g., profanity), accounting for 85% of those allegations” (CCRB, 2018, p. 15)

**Offensive language ( $f = 1,513$ ).** The police officers’ use of offensive language was the lowest FADO allegation and complaint against NYPD police officers. The CCRB (2001) explained that “Offensive language refer to slurs, derogatory remarks, and/or gestures based upon a person’s sexual orientation, race, ethnicity, religion, gender, or disability” (p. 6). The data revealed that the police officers’ use of offensive language

has been steadily low between 1997 and 2016 (Figure 2). In 2001, the use of offensive language decreased, showing that “Language allegations, which have been decreasing steadily since 1997, declined by 3.3%” (CCRB, 2001, p. 31). In 2001, most of offensive language allegations or a 75% involved remarks about the victims’ race and ethnicity (CCRB, 2001).

The data also revealed that between 2001 and 2016, the CCRB received an average of 496 citizens’ complaints a year related to the officers’ use of offensive language (Figure 2). However, the relevance of the police officers’ use of offensive language was found on the numbers of allegations, but on the intent and purpose of their behavior. Analysis indicated that the police officers’ use of offensive language was focused primarily on the citizen’s race and ethnicity. In fact, the data showed that in 2017, from an 85% of the profanity discourtesy words used by the police officers, a 40% of those words were against the victims’ race, an unacceptable performance for a civil servant. (CCRB, 2018). In 2001, the CCRB reported 367 allegations of offensive language used against the victims. Within those allegations, the majority or a 75% of the words used by the officers “Involved remarks about race or ethnicity” (p. 18). In 2002, the CCRB reported that “The most common offensive language allegation filed was the same as it has been since 1998: the racial remark” (p. 20).

During 2003, 78% of offensive language allegations involved race or ethnicity. Since 2000, the majority of race related offensive language complaints have consistently been Black slurs. However, in 2003, the percentage of race-related

allegations involving Black slurs rose conspicuously, from 57% in 2002 to 74% in 2003 (CCRB, 2003, p. 17).

Analysis of the CCRB reports indicated that in 2017, patterns of the police officers' use of race-related allegations against the citizens still predominant (Figure 2). In fact, data from the CCRB and the OIG-NYPD reports confirmed that from 2001 to 2017, the most common use of offensive language involved the victims' race, ethnicity, and sexual orientations (CCRB, 2001, 2006, 2011, 2018). In 2008, the CCRB indicated that "By far, the most common Offensive Language allegations [were] those regarding the complainant's race and ethnicity" (p. 13). Those reports related to officers' use of offensive language are relevant because, from 2001 to 2017, the CCRB data showed that between a 55% to a 68% of the victims involved in allegations and complaints of FADO misconduct were Black (CCRB, 2001, 2006, 2011, 2017). Meanwhile, U.S. Census (2017) showed that the current NYC population is composed of 69.9% Whites, 17.7% Blacks, 19.0% Latinos, and 8.9% Asian. The correlation between the number the number of Black victims and the number of NYC Black citizens in concerning.

### **Race ( $f = 1,732$ )**

The CCRB reports revealed that between 1997 and 2017, the race with the most allegations of FADO allegations and complaints was Black (Figure 3). Figure 3 shows the racial demographics of the victims of substantiated FADO allegations. Figure 3 also indicates that Black victims average between a 55% to a 68% of the victims of FADO misconduct. In 2001, "Of the race-based offensive language allegations, 121, or 60.8%

were Black slurs, 32 or 16.1% were Latino slurs, and 9 or 4.5% were White slurs”

(CCRB, 2001, p. 18).

In 2001, Whites comprised 17% of all alleged victims where the race was known.

This is lower than the White population of New York City, which stands at 35.0%

according to the 2000 Census. At the same time, the percentage of Black alleged

victims is substantially higher (51.2%) than the demographic representation of

Blacks in the New York City population (24.5%) (CCRB, 2001, p. 15).

In 2006, the racial dominance of Blacks within the FADO allegation and complaints

continued:

In 2006, 58% of the alleged victims in CCRB complaints were black, a five-year

high and four percentage points above the five-year average. This percentage is

more than double the 25% of the New York City population that is black. By

contrast, the proportion of white alleged victims in 2006 complaints was 14%, a

five-year low and less than half of the 35% of the New York City population that

is white (CCRB 2006, p. 21).

In fact, Figure 3 shows that in 2009 and 2010, Blacks averaged 65% of the victims of

FADO complaints. Meanwhile, the US Census Bureau (2017) indicated that the

predominant population of the NYC was White, as shown in Figure 4. Figure 4 shows

that the between 1997 and 2016, the White population of NYC averaged 33%. The Black

population of NYC averaged a 24%, and the Latino population averaged a 27%.

In 2010, the data showed the same patterns,

In 2010, 70% or 386 of all Offensive Language allegations involved the use of racially offensive terms. In 2010, 66% of the alleged victims in CCRB complaints involving stop, question, frisk, or search were African-American, an increase from an average 63% (CCRB, 2010, p. 8 & 10).

The CCRB reports also revealed a significant difference between the demographics of the victims and the demographics of the NYC population. For example, analysis of the reports indicated that the race of the alleged victims with the most complaints against the NYPD police officers was Black, followed by Latinos and Whites.

While the race of alleged victims in CCRB complaints differs from New York City's population, the subject officers have historically reflected the racial makeup of the Police Department. This trend continued in 2010 when 50% of subject officers were white, and whites are 53% of the Department; 17% of subject officers were black, while black officers are 16% of the Department; 29% were Latino, while Latinos make up 26% of the Department; and 4% were Asian, while Asians make up 5% of the Department (CCRB, 2010, p. 10).

The data showed that substantiated complaints for black victims is even greater than any other racial demographics, they make up 63% of all victims whose allegations were substantiated (CCRB, 2001, 2002, 2004, 2005, 2006). However, the CCRB reports from 1997 to 2016 showed that the predominant population in NYC were White, Latinos, and Blacks respectively. The CCRB also revealed that the race with the highest complaint of FADO allegations between 2001 and 2016 was Black, with an average of 54% of

allegations. Analysis of the CCRB reports indicated that the average Black population in NYC between 2001 and 2016 was 23%. Further, the current average percentage of the Black population in NYC between is 17.7 %. The CCRB reported,

The characteristics of alleged victims in terms of race and gender have been consistent over time. In 2016, individuals who self-identified as black made up over half (53 percent) of alleged victims, while according the 2010 census, black residents make up only 25.5 percent of the city's population (CCRB, 2016, p. 19).

In relation to the race of the police officers with substantiated allegations of FADO misconduct, Figures 3 and 4 shows that the racial demographics of the victims, racial demographics of NYC, and racial demographics of the NYPD differ significantly. Figure 4 shows the racial demographics of NYC from 1997 to 2016. While Figure 3 shows that between 1997 and 2016, the average percentage of the Black victims of FADO allegations was a 56%, Figure 4 shows that the average demographics of Blacks in NYC during the same period was a 24% (CCRB, 2001, 2006, 2011, 2018). The data showed that Black victims of FADO complaints composed double the amount of the citizens residing in NYC.

Additionally, the Black population in the NYPD averaged a 15% (Figure 4). Figure 5 shows the average percentage of the NYPD demographics between 1997 and 2016. The data in Figures 3, 4, and 5 revealed that, while the NYC predominant population was white, the predominant population of the victims of FADO was Black. Meanwhile, most of the police officers with substantiated allegations of FADO police



misconduct were Whites. In 2017, the data showed that the racial patterns and practice related to FADO allegations still the same. “In 2017, individuals who self-identified as Black made up more than half of alleged victims, while, according to 2016 census estimates, Black residents make up only 24% of the city’s population” (CCRB, 2018, p. 18).

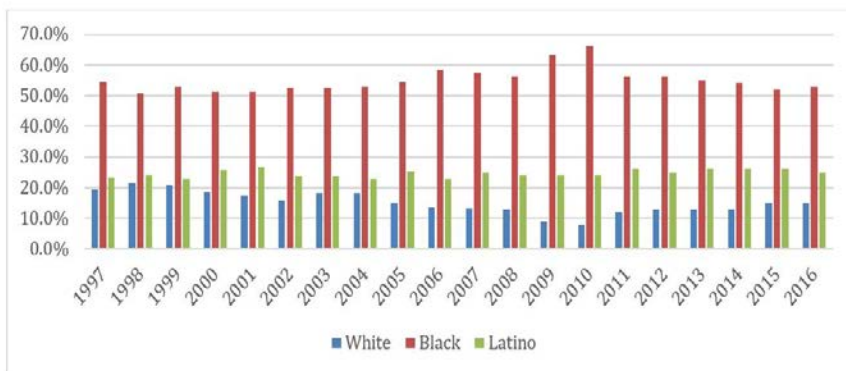


Figure 3. Race of alleged victims.

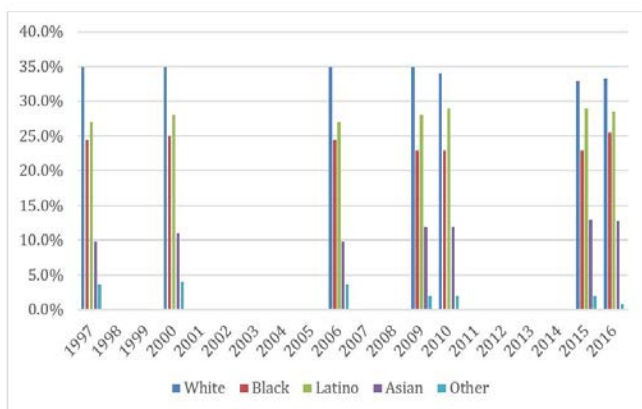
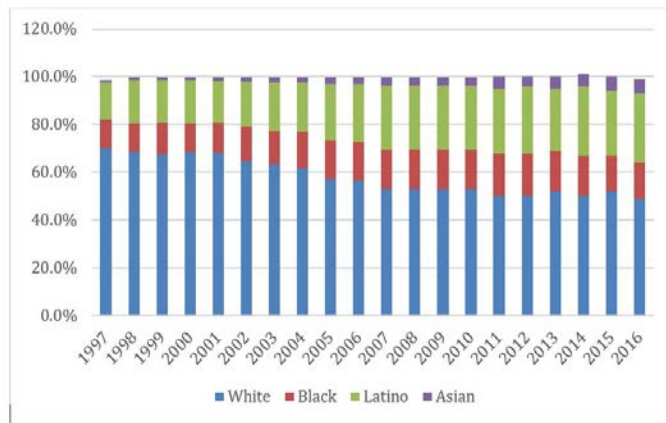


Figure 4. NYC racial demographics.



*Figure 5.* NYPD police officers' demographics.

### **Education ( $f = 325$ )**

In 1994, the NYPD changed its education requirements when hiring police officers. Before 1994, the NYPD required police officers to have either a high school diploma or a General Educational Development or GED diploma. After 1994, the NYPD required police officers to have at least, a minimum of 60 college credits, or a high school diploma and have served in the U.S. Armed Forces:

A high school diploma or GED equivalent, plus 60 college credits with a 2.0 GPA from an accredited college or university OR 2 years of full-time active military service in the United States Armed Forces with an honorable discharge and have a high school diploma or its equivalent (CCRB, 2018)

After reviewing all CCRB reports from 2001 to 2017, the data showed that the background education of the officers with substantiated complaints of FADO police misconduct was closely related to the education demographics of the NYPD (CCRB, 2001, 2006, 2011, 2018).

From 2003-2005, officers who had more education were underrepresented among officers with substantiated complaints, sometimes by a significant margin. By 2007, officers with an associate's degree made up a higher portion of the officers with substantiated complaints than their representation in the department. The police department increased its education requirement in 1994. Further evidence that officers newer to the force are more likely to be the subjects of substantiated CCRB cases is found when examining officers based on the year they graduated the police academy. While the CCRB had found for a number of years that officers in the classes in the early 1990s were found to commit misconduct at rates much higher than their representation in the NYPD, the disparity has now shifted to the officers who graduated between 1998 and 2003. These officers made up 31% of the officers the CCRB found committed misconduct, but only 22% of the sworn officers in the department.

(CCRB, 2008, p. 22).

Table 3 shows the average of NYPD education demographics from 1999 and 2017. The data indicate that, from 1999 to 2017, the average percentage NYPD police officers with a high school diploma was a 17%. However, the average percentage of police officers with a high school diploma, which had at least one substantiated allegation of FADO police misconduct was a 16.8%. It seems as if only a 0.2% of police officers with high school diploma did not have FADO complaint against them. The average percentage of NYPD police officers with some college but no degree was a 37.1%.

However, the average percentage of police officers with some college, but no degree, which have at least one substantiated complaint of FADO police misconduct was a 39.1%. The average percentage of NYPD officers with masters' degrees was a 1.7%. However, the average percentage of NYPD officers that have a master degree and have had at least one substantiated complaint of FADO police misconduct was with substantiated allegations of FADO police misconduct was a 1.3%.

Table 3

*Education of the Officer with Substantiated allegations of misconduct and education demographics of the NYPD*

Education Level	NYPD Education Demographics	Officers with at least one substantiated allegation of Police Misconduct
HS diploma/GED	17.0%	16.8%
College - no degree	37.1%	39.8%
Associate degree	13.0%	12.4%
Undergraduate degree	24.0%	21.0%
Post-graduate work	0.4%	0.6%
Master's degree	1.7%	1.3%
Doctorate work	0.1%	0.0%
Doctorate degree/JD	0.2%	0.1%

In 2015, the CCRB indicated that from 3,590 police officers who have received at least one substantiated FADO complaint in the NYPD,

45% have some college study without a degree, 27% have a baccalaureate degree, 13% an associate degree, 10% are high school graduates, 2% have a master's degree, 1% have high school equivalency, and less than 2% each have less than a high school education, or either possess or are working towards a master's degree, law degree or Ph.D. (CCRB, 2015, p. 19).

After reviewing the CCRB reports, I organized the data to show the yearly percentage of the education demographics of NYPD police officers from 1997 to 2017 (see Appendix C). Appendix C also includes data related to the education demographics of the police officers with substantiated complaints of FADO police misconduct during the same period. The data suggested that police officers with the most substantiated complaints of FADO police misconduct had some college but no degree (CCRB, 2001, 2006, 2011, 2018). The second group with the most substantiated allegations were police officers with undergraduate degrees (CCRB, 2001, 2006, 2011, 2018). The data also suggested that the higher the education of the police officer, less likely the officers will be the subject of substantiated allegations of FADO police misconduct.

**Gender (*f* = 571)**

The data showed that males were the gender of the victims with the most allegations of FADO police misconduct. The gender of police officers with the most substantiated allegations of FADO misconduct was also male (CCRB, 2001, 2006, 2011, 2018). For example, in 2015, approximately 18,000 police officers had allegations of FADO police misconduct, from which, a 91% were male (CCRB, 2015). Female comprises a 9% of the police officers with FADO allegations of police misconduct (CCRB, 2015). In 2001, males comprised a 47.4% of the NYC population. However, in the same year, male comprised a 68.7% of alleged victims (CCRB, 2001, p. 33). In 2006, “70% of the alleged victims in CCRB complaints were male, much higher than the 47% of the New York City population that is male” (CCRB, 2006, p. 37). In 2017, the data

showed the same patterns, suggesting that “66% of alleged victims were male, while men make up only 48% of the City’s population” (CCRB, 2018, p.18). Also, in 2017, the CCRB determined that they would not require the victims to report their genders. The CCRB implemented a “Gender nonconforming” option when complainants and victims are reporting FADO allegations, with the purpose to generate a gender-neutral communication with the complainants (CCRB, 2018, p. 18).

The CCRB reported that as of 2017, 83% of NYPD police officers with substantiated FADO complaints were male. “In 2010, consistent with past years, male officers received 89% of all CCRB complaints while making up 83% of the Department” (CCRB, 2010, p. 10). Only a 17% of the NYPD police officers with FADO allegations were female (CCRB, 2018). Still, in 2017, “Male officers accounted for 88% of the subject officers in CCRB complaints and 82% of the NYPD as a whole” (CCRB, 2018, p. 19). The data showed the same gender patterns for all CCRB reports from 2001 to 2017. The data showed that males have always comprised the bulk of the victims with CCRB allegations and complaints of FADO police officers’ misconduct (CCRB, 2001, 2006, 2011, 2018). This data is concurrent with the NYPD gender demographics as well. The CCRB affirmed that “Out of the 20,613 NYPD Officers who have at least one CCRB complaint, representing the 57% of the force, an 87% were identified as male and a 13% identify as female” (CCRB, 2018).

In addition to the CCRB, the OIG-NYPD have also investigated other issues of police misconduct related to Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ)

community. While the NYPD's implementation and Patrol Guide provide guidance on officers' interaction with the LBGTQ community, in their investigation, the OIG-NYPD found that,

some gaps in NYPD's implementation of the revisions, such as not all officers have received training on the new policies. DOI's Report also found certain flaws in the Department's ability to track Lesbian, Gay, Bisexual, Transgender and Queer ("LGBTQ")-related complaints that allege police misconduct. (Peters & Eure, 2017a).

In their report, the OIG-NYPD explained the importance of training law enforcement officers on how to handle issues related to LGBTQ communities, indicating that one of the most important protocols for the officers must be the protection and respect of the people (Peters & Eure, 2017a).

#### **Age of the Victims (*f* = 1,830)**

The CCRB reports showed that the age with the most allegations of FADO police misconduct was between 15 to 44-year-old. The second age group with the most allegations of FADO police misconduct were individuals between 15 and 24-years of age. In 2002, the CCRB reported that,

Twenty-six percent of alleged victims of known age were between 25 and 34 during the same time period, while nearly 22% were between 35 and 44. Alleged victims between the ages of 15 and 44 then, represent 78% of all alleged victims,

although the percentage of the New York City population between the ages of 15 and 44 is only 47%.

A review of the CCRB data indicated that between 2001 and 2017, there was a consistent pattern associated with the age of the victims, confirming the above data (CCRB, 2001, 2006, 2011, 2018). The CCRB has never reported the age of the NYPD police officers with substantiated allegations of FADO police misconduct.

**Rank (*f* = 179)**

The rank of the police officers is relevant because NYPD police officers, in the rank of police officers as described by the NYPD Patrol Guide of 2013 are the NYPD population with the most contact with the community. Following the rank of police officers were sergeant, detective, and lieutenant. The rank is also relevant because according to the OIG-NYPD (2015), “A supervisor, generally at the rank of lieutenant, who is responsible for implementing and maintaining integrity monitoring and anti-corruption programs within the assigned command” (p. 20).

Conversely, the data showed that police officers, in the rank of police officers were the population with the most allegations and substantiated complaints of FADO misconduct (CCRB, 2001, 2006, 2011, 2018). Additionally, in 2015, the CCRB reported NYPD ranking distribution, against whom FADO allegations of complaints were substantiated as follows: a 43% were Police officers, followed by 26% Detectives, 16% Sergeants, and 6% of Lieutenants.



**NYPD Administrative Disciplinary Process (*f* = 2,658)**

The CCRB was created in 1953 under NYC Charter Chapter 18-A, §440(a). The agency must have the trust and confidence of the people and NYPD, which is why all its investigations are conducted thoroughly, fairly, independently, and impartially (CCRB, 2001, 2016). To further establish the transparency and accountability of the NYPD, in 2013, the NYC Council established the OIG-NYPD under Local Law 70, as part of the NYC Department of Investigation. However, the only responsibility of the OIG-NYPD is to investigate, study, review, audit, and make recommendations related to the NYPD's policies, programs, and practices.

As amended by Local Law 70, the New York City Charter requires the DOI Commissioner to “investigate, review, study, audit and make recommendations relating to the operations, policies, programs and practices, including ongoing partnerships with other law enforcement agencies, of the New York City Police Department with the goal of enhancing the effectiveness of the department, increasing public safety, protecting civil liberties and civil rights, and increasing the public's confidence in the police force, thus building stronger police-community relations (Charter of the City of New York, Chapter 34, §803 (c)(1)).

While the CCRB focuses on investigating issues related to officers' use of force, abuse of authority, discourtesy, and offensive language against the citizens, the OIG-NYPD focuses on investigating issues related to policies and regulations, including force, bias, and discrimination (CCRB, 2015; Peters & Eure, 2015b). Additionally, the OIG-

NYPD has the mandate to investigate the NYPD police officers' allegations of corruptions, fraud, waste, and abuse against NYPD police officers. The OIG-NYPD is also responsible for investigating NYPD policies and processes with the purpose of protecting citizens' rights and liberties.

The CCRB investigations have the purpose of determining if the officers have been involved in the actions that they have been accused of committing. Based on the factual evidence, if the CCRB determines that the officer has been involved in FADO misconduct, they make recommendations for the appropriate disciplinary action to the NYPD commissioner. The CCRB explained that "To recommend disciplinary actions that are fair and appropriate, if and when the investigative findings show that misconduct occurred" (CCRB, 2001, p. 7). The NYPD commissioner has the sole responsibility to enforce those disciplinary actions against the officers with substantiated FADO complaints. The type of discipline that the CCRB would recommend are as follows,

- Instructions "Instructions" involve a subject officer's commanding officer instructing him or her on the proper procedures with respect to the substantiated allegations (CCRB, 2001, 2018).
- A "Command discipline" is imposed directly by the subject officer's commanding officer and may vary based on the seriousness of the misconduct, the officer's disciplinary history, and the officer's performance record (CCRB, 2001, 2018)
- The most serious disciplinary measure is "Charges and specifications." This involves the lodging of formal administrative charges against the subject officer

who, as a result, may face loss of vacation time, suspension, or termination from the police department. In 2001, board panels recommended charges and specifications for 176 officers, involved in a total of 130 complaints (CCRB, 2001, 2018).

The CCRB explained that

The responsibility for imposing discipline within the police department rests solely with the police commissioner who, even after a finding against a police officer by the CCRB and an administrative law judge, can still make new findings of law and fact. In such cases, the police commissioner must explain his findings in writing. A police officer can appeal the final adverse decisions of the police commissioner to the courts (CCRB, 2001, 2018).

However, the OIG-NYPD (2015) explained that “In practice, at least historically, the disciplinary process is complex, multi-tiered, and often delivers inconsistent results” (p. iii). Further, when comparing the number of substantiated FADO complaints to the percentage of disciplinary actions, the NYPD disciplinary process has been relatively low.

For example, if after an investigation has been completed, the CCRB determined the officer to be responsible for the FADO allegation against him or her, the CCRB then makes recommendations for disciplinary actions based on the seriousness of the complaints. The recommendation for disciplinary actions may range from changes and specifications, to command discipline or instructions. “Under New York State Civil

Service Law, officers who are subjects of CCRB investigations must be disciplined or served with disciplinary charges within 18 months of the date of the incident (CCRB, 2001, p. 24). Recommended instructions are the “Least punitive disciplinary measure” against the police officer. Instructions are disciplinary actions that could be reduced to just retraining or additional training specifically associated with the FADO allegation (CCRB, 2015). Those recommendations for disciplinary actions are sent to the NYPD commissioner.

As Peters & Eure (2015a) explained, NYPD disciplinary process is a slow and lengthy process. For example,

As of December 31, 2001, a total of 944 officers, or 61.4% of those officers (still employed by the NYPD and whose cases the department has resolved) against whom the CCRB substantiated allegations in the past five years were disciplined (CCRB, 2001, p. 16).

The data showed that since 2001, the NYPD disciplinary actions against the police officers with substantiated FADO complaints are relatively low considering the number of complaints, the severity of actions, and the impact that FADO has on the community. For example, in 1997, a 48% of the police officers that were referred by the CCRB for disciplinary action did not receive any form of punishment (CCRB, 2001). In 2001, only 944 out of 1,880 officers with substantiated allegations of FADO misconduct received some form of disciplinary action (CCRB, 2002). However, data showed that,

The overall disciplinary rate for officers with cases referred to the police department in 1997 is 47.5%. [In 2001, of] the 65 officers for which the CCRB recommended instructions, 34, or 52% received some discipline and 31 or 48%, did not. The CCRB recommended command discipline for 224 officers.

Excluding filed and pending cases, 55% of the officers received some penalty while 45% did not. Of the 296 officers for whom the CCRB recommended charges and specifications whose case have been fully resolved, 126 or 43% received discipline, while 57% did not (CCRB, 2002, p. 43).

The data showed that in 2002, NYPD disciplinary rate was a 69%. “The overall disciplinary rate for officers with cases referred to the police department in 2002 is 69%” (CCRB, 2003, p. 50). In 2003, the NYPD rate was 73.8%. In 2005, the CCRB reported that “Nearly 60% of all officers against whom the NYPD imposed discipline received instructions, the mildest disciplinary option available, double the rate of 2004” (CCRB, 2005, p. 2). In 2005,

The severity of discipline the NYPD actually imposed against officers the CCRB determined committed misconduct decreased dramatically. Nearly 60% of all officers against whom the NYPD imposed discipline received instructions, the mildest disciplinary option available, double the rate of 2004 (CCRB, 2005, p. 18).

In 2006, NYPD disciplinary rate was a 78% (CCRB, 2007). In 2007, more than a third of the CCRB cases were closed by NYPD with no disciplinary action against the police

officers with substantiated allegations (CCRB, 2008). Still, the data showed that, a 34% of the time, the department chose not to discipline the officers who are found to have committed misconduct, which increased significantly from 2006, and seems “A dramatic departure from previous years” (CCRB, 2007, p. 14). Also, in 2007, the CCRB revealed that the NYPD declined any disciplinary action against 102 of the police officers (CCRB, 2008). In 2008, the NYPD declined disciplinary actions against 86 police officers with substantiated allegations of FADO police misconduct (CCRB, 2009). In 2009, the NYPD’s disciplinary rate was as low as 61% (CCRB, 2010). The CCRB reported that in 2010, the NYPD declined disciplinary action to police officers involved in 48 cases of FADO misconduct.

In 2010, there was a notable change in the rate at which the Department declined to seek any discipline in substantiated CCRB complaints. In 2006, the Department declined to seek discipline in just 12 cases or 3%. By 2007, the rate grew considerably. In 2007, 2008, and 2009 the Department declined to seek discipline in 104, 88, and 71 cases (33%, 31%, and 27%), respectively. The trend reversed in 2010, with the Department declining to seek discipline in 48 cases (17%), a big drop from the prior three years. (CCRB, 2011, p. 16)

In 2007, the CCRB reported that “The department has continued the trend of disciplining officers with instructions, rather than more serious discipline, at a rate much higher than it did in the past” (CCRB, 2007, p. 14). Further, “In 2007 and 2008, the Department declined to seek discipline in 104 and 86 cases, respectively, a departure

from 2004, 2005, and 2006, when the Department declined to seek discipline in less than 15 cases each year” (CCRB, 2008, p. 11). Figure 2 shows that between 2003 and 2010, citizens’ allegations and complaints of FADO police misconduct doubled. In “2009, the Department’s disciplinary action rate was 61%. This percentage represents an increase of five percentage points as compared to 2008 when the percentage was 56%” (CCRB, 2010, p. 13). In 2009, “The Board recommended Charges be brought against 261 subject officers (69%), Command Discipline for 74 (20%), Instructions in 19 cases (5%), and for 23 no recommendation was made (6%)” (CCRB, 2010, p. 18). In 2012, the NYPD disciplinary rate was 71% (CCRB, 2012). “The department’s disciplinary action rate on substantiated complaints decreased in 2013 to 60%, two years after reaching its highest level of 81%, in 2011” (CCRB, 2013, p. 1).

In 2011, the CCRB reported that NYPD declined disciplinary action against 43 police officers (CCRB, 2012). However, in 2011, the data showed an increase in the rate that NYPD imposed disciplinary actions. For example, the NYPD enforced disciplinary action against 81% of the police officers referred by the CCRB, which was a “Historical high” for the department (CCRB, 2012). In 2012 and 2013, the NYPD declined to discipline 70 police officers respectively (CCRB, 2014). In 2014, the department declined to discipline 29 out of the 141 police officers (CCRB, 2015).

In 2014, the NYPD disciplinary rate fell below 50%. The CCRB explained, “Last year’s discipline rate for APU cases was below 50% in the first half of 2014” (CCRB, 2014, p. 7). However, the data showed that in 2015, after the OIG-NYPD published an

investigation on the officers' use of force, specifically on the officers' use of chokehold, NYPD disciplinary rate started to increase. In 2015, the NYPD declined to enforce disciplinary actions only to an 8% of the police officers that were found guilty of FADO misconduct. (CCRB, 2016). The data showed that in 2016, NYPD did not impose disciplinary actions only on 28 of the police officers that were referred by the CCRB (CCRB, 2017). The data also showed that from 2001 to 2017, 2016 was the year with the highest disciplinary rate imposed to the officers with substantiated FADO complaints.

In 2014, because of the death of Eric Gardner, the OIG-NYPD investigated NYPD disciplinary processes, especially those related to officers' use of force. The OIG-NYPD explored 10 substantiated cases of FADO police misconduct from the CCRB between 2009 and 2014 (Peters & Eure, 2015a). The OIG-NYPD found that while the CCRB recommended disciplinary actions in a form of administrative charges against the officers with substantiated complaints, which was the most serious level of discipline, NYPD would implement a lesser discipline (Peters & Eure, 2015a). For example, the OIG-NYPD reported that in 2013, the CCRB recommended administrative charges against six cases, based on the police officers' use of force, but "None of the substantiated cases ever went to trial before the NYPD Trial Commissioner" (Peters & Eure, 2013, p. 17). The CCRB reported that,

Instead, DAO departed from CCRB's recommendation every time. Rather than pursue the more serious Administrative Charges, DAO recommended Instructions – a lesser penalty – in four cases, Command Discipline in one case, and no



discipline whatsoever in one case. The Police Commissioner made a final determination about discipline in six of the 10 cases reviewed. All six times, the Police Commissioner rejected CCRB's disciplinary recommendation, imposing a less severe penalty than that recommended by CCRB or deciding that no discipline was warranted at all. (Peters & Eure, 2015a, p. 17).

The CCRB (2018) latest report showed that in 2017, NYPD imposed discipline on a 73% of officers that were recommended for other disciplinary actions besides charges and specifications. However, NYPD only imposed the recommended discipline only on a 42% of the cases (CCRB, 2018). Meanwhile, the numbers show that in 2017, NYPD disciplinary rate was than the 65% imposed on 2016 (CCRB, 2018, p. 4).

#### **Other NYPD Administrative Practices**

In 2015, the OIG-NYPD conducted a study on citizens' legal claims and civil suits against NYPD police officers with allegations of misconduct. The OIG-NYPD found that in the Fiscal Year 2014,

“The City has seen more than 15,000 lawsuits filed against NYPD, a 44% increase in total number, that in sum have cost the City over \$202 million. These cases result in a substantial financial burden on New York City taxpayers.”

(Peters & Eure, 2015c, p. i).

The data showed that more than 4.5 million of the NYC taxpayers' money was used “To hire 30 new attorneys and 10 new paralegals to defend the City against such lawsuits”

(Peters & Eure, 2015c, p-i). In 2014 alone, a police officer was sued 28 times before the NYPD administration decided to remove the police officer from streets duties:

In April 2014, NYPD removed an officer from street duty an officer who reportedly had been sued 28 times and had cost the City at least \$884,000 in settlements. Overall, the costs of claims related to NYPD have been the highest of any agency in the City since 2010. In 2013 alone, settlements and judgments against NYPD cost the City \$137.2 million. (Peters & Eure, 2015a, p. 3)

Meanwhile, NYC leaders decided that NYPD should remove the officer from streets duties (Peters & Eure, 2015a). It was not a decision made by NYPD administration or leadership. “The City’s response has ranged from removing the most-sued officers from the streets to allocating new and greater resources to the attorneys who must defend these lawsuits” (Peters & Eure, 2015a, p. i). Also, in 2014, “The Comptroller’s Office reported that the number of legal claims filed against NYPD had risen by 71% in the past nine years” (Peters & Eure, 2015a, p. 2). The data also showed that other allegations of police misconduct related to FADO included,

- The police officers failed to document his or her encounters properly, as required by the NYPD Patrol Guide (CCRB, 2001, 2006, 2011, 2018).
- The police officer’s failure to register the encounter on his or her memo book (Peters & Eure, 2013).
- The police officers’ making false official statements to the CCRB during open investigations. “Pursuant to Patrol Guide Procedure 211-14, an officer is required

to appear at the CCRB when summoned for an interview and must answer all relevant questions to the best of his or her knowledge” (CCRB, 2011, p. 7).

- The police officers failed to complete a stop, question, and frisk report (Peters & Eure, 2015a; CCRB, 2001, 2006, 2011)
- The supervisory police officer failure to provide proper supervision (Peters & Eure, 2015d).

In relation to how NYPD handles issues related to the LGBTQ community, the OIG-NYPD found that, “Although the NYPD has developed training on LGBTQ and TGNC (Transgender and Gender-Nonconforming) issues and the corresponding Patrol Guide provisions, not all members of the police force have received instruction on the revised protocols” (Peters & Eure, 2017a, p. 1). The OIG-NYPD also found that while NYPD has provided in-service training as needed, the impact and reach of in-service training has been insufficient (Peters & Eure, 2017c). Further, it seems that as of November 2017, the NYPD was not tracking LGBTQ-related complaints (Peters & Eure, 2015a). Although those complaints were related to officers’ bias, which violates the NYPD Patrol Guide, limiting the NYPD ability to “Detect violations of the Patrol Guide and perform internal assessments regarding the possible existence of biased policing issues and implement new training to reduce instances of discrimination” (Peters & Eure, 2017a, p. 2).

In relation to how the NYPD handled disciplinary actions, the OIG-NYPD found that while the CCRB made recommendations of disciplinary actions depending on the

severity of the complaint, and severity of harm, NYPD would impose “A lesser form of discipline” (Peters & Eure, 2015b, p. 23) against the officer. In fact, because of the cases that the OIG-NYPD investigated between 2009 and 2014 because of NYPD inappropriate use of force in the form of chokeholds, the OIG-NYPD found that,

The Police Commissioner made a final determination about discipline in six of the ten cases reviewed. All six times, the Police Commissioner rejected CCRB’s disciplinary recommendation, imposing a less severe penalty than that recommended by CCRB or deciding that no discipline was warranted at all (Peters & Eure, 2015b, p-17).

In relation to officers’ performance, in 2016, the OIG-NYPD investigated the death of Deborah Danner, a 66-year-old African-American woman with schizophrenia. The OIG-NYPD found that the police officer who fired the fatal shot was lacking training procedures related to the performance, implementation, and strategies to approach individuals with a mental crisis (Peters & Eure, 2017c). While this is not specifically related to FADO misconduct, those actions suggest NYPD’s failure to fully integrate and use training focused on everyday policing (Peters & Eure, 2017b). But, in 2015, 1,710 law enforcement officers across the United States were assaulted while handling persons with mental illness, and two officers were killed while doing so (Peters & Eure, 2017c). This particular issue is not a problem solely affecting NYPD; Although, the OIG-NYPD showed that in several cities throughout the United States, the failure to adequately

manage police interactions with the mentally ill people represents a more significant problem (Peters & Eure, 2017c).

In 2017, the OIG-NYPD found that NYPD failed to follow on the effectiveness of police implementations directly affecting the community. For example, in relation to some of NYPD policies, the OIG-NYPD found that “NYPD’s response did not commit to conducting any additional analysis of the effectiveness or community impact of C-summonses or misdemeanor arrest activity, nor did it present any new data or analysis to disprove OIG-NYPD’s findings” (Peters & Eure, 2017b, p. 7). In addition, the OIG-NYPD found numerous errors on administrative processes such as record-keeping, signature, tracking of authorization to perform. In relation to this specific issue, the OIG-NYPD recommended NYPD to implement a more “Robust, consistent, and auditable system for monitoring investigations and tracking deadlines” (Peters & Eure, 2017b, p. 14). Further, in 2017, the OIG-NYPD made recommendations to implement additional training and instruct officers how to deescalate encounters, the use of excessive force and other misconducts (Peters & Eure, 2017c).

In February 2017, the OIG-NYPD reported important key findings on the NYPD administrative processes to investigate officers’ misconduct. The OIG-NYPD found several inefficiencies in the process (Peters & Eure, 2017a). The OIG-NYPD found backlogs due to massive paper trail which are significant scenarios for potential errors, lack to follow up in dispositions, lack of interest on speaking with the CCRB or the OIG-NYPD investigators, inconsistencies on the reports, and “NYPD currently uses multiple

incompatible computer programs to log, distribute, review, and store OG case information” (Peters & Eure, 2017d, p. 11).

### **Recommendations for Changes on Administrative Actions and Procedure**

The CCRB and the OIG-NYPD documents showed that both agencies had made significant recommendations for changes in policies and procedures to the NYPD. For example, on July 17, 2001, the NYC court granted the CCRB power to make “Detailed findings and informed recommendations” within its mandates to the NYPD. Throughout the years, the CCRB made many recommendations for changes on procedures and policies. Based on the consistency on the number of FADO allegations between 2001 and 2017, there is the possibility that those recommendations for changes in procedures have not been fully implemented. In fact, data showed that since 2001, the numbers of citizens’ allegations of FADO police misconduct have been growing, showing that 2001 was one of the years with the lowest number FADO complaints (Figure 2). This inexplicable growth of citizens’ allegations of FADO complaints reached its worst in 2007 where the CCRB received 27,687 allegations of FADO police misconduct, followed by 2006 and 2009 (CCRB, 2008, 2009, 2010).

The data showed that the CCRB most common recommendations for disciplinary actions were the formalization of training and re-training on issues already described in the NYPD Patrol Guide (CCRB, 2001, 2006, 2011, 2018). Many of the OIG-NYPD recommendations were to retrain the police officers on the understanding and comprehension of the NYPD Patrol Guide as a method of improving compliance (Peters

& Eure, 2013, 2015a, 2015d). For example, the CCRB recommended, “The NYPD to reemphasize relevant Patrol Guide sections when dealing with minors, increase de-escalation training, and encourage officers to provide a basic explanation to juveniles for why they are being detained during or after their interaction” (CCRB, 2015, p. xiv). In 2014, the CCRB Board wrote that “The Board has begun to make recommendations that move away from severe punishment to less serious discipline and, most importantly, to formalized training” (p. 46). The data showed that between 2001 and 2016, the CCRB and the OIG-NYPD made many recommendations, mostly recommending changes in policies and procedures. Some of the CCRB (2011, 2014, 2018) most recent recommendations included,

- Requirements that the police officer shows no-knock search warrants to occupants upon request and after premises to be searched are secured.
- The NYPD must clarify the officers’ obligation to provide the citizens their names and shield numbers upon request.
- To enforce formalized training and command discipline for unlawful frisk and search misconduct
- The NYPD should enhance the training of officers, in particular the training of supervisors, to ensure that the police officers and supervisors adhere to the Patrol Guide strip-search procedures.
- The OIG-NYPD recommended the NYPD and the CCRB to increase coordination and collaboration.

- The OIG-NYPD recommended to reconsider and refine the NYPD disciplinary system for the police officers' improper uses of force.
- The OIG-NYPD recommended the NYPD to provide transparency with respect to the police commissioner's disciplinary decisions
- The NYPD should consider involving the NYPD Internal Affairs Bureau to investigate complaints and substantive allegations on the CCRB cases related to the police officers' use-of-force.
- The OIG-NYPD recommended that the police commissioner's disciplinary decisions to be transparent, reasoned, and in writing, especially when the recommendation has been enforced from the CCRB recommendations.
- The NYPD must to improve consistency, information sharing, and case tracking for non-FADO investigations
- The CCRB and the OIG-NYPD recommended training on NYPD procedures associated with the NYPD Patrol Guide policies and regulations
- The OIG-NYPD recommended that NYPD pursue a more data-driven approach to evaluating processes, such as the performance of the NYPD summons and misdemeanor arrests to enforce its purpose.
- The NYPD must track the nature and details of the citizens' claim for legal actions and hold the police officers accountable for their actions.
- The OIG-NYPD recommended the NYPD to enforce transparency on how the police officers serving the community are evaluated.



- The NYPD should provide clarity on how the Department uses litigation data to identify trends and patterns within the Department as a whole.

### **Summary of Results**

The research question guiding this study was: How do administrative practices influence law enforcement officers' FADO behavior in relation to emotional intelligence-based performance? The theoretical framework was based on emotional intelligence performance of the individuals as the CCRB and the OIG-NYPD reported it. Emotional intelligence can be used as a tool to enhance the social responsibilities of street-level bureaucrats, as well as their resistance to follow organizational changes and administrative procedures (Bar-On, 2012; Goleman, 2012). Finally, this qualitative study reviewed existing data from the CCRB and the OIG-NYPD, two agencies with the responsibility to oversee NYPD's FADO misconducts, as well as policies, regulations, and processes related to FADO, biases, and other misconducts.

FADO is the police officers' use of force, authority, discourtesy, and offensive language against the citizens (CCRB, 2001). The data showed a long pattern of FADO police misconduct between the years 2001 and 2017. The data showed that between 2001 and 2017, the NYPD police officers received an average of 17,518 allegations of FADO police misconduct per year. Within those allegations, the CCRB received an average of 5,926 citizens' complaints of FADO police misconduct per year (Figure 2). The highest numbers of FADO allegations and complaints were reported between 2005 and 2010, with the highest number in 2007, where the CCRB received 27,687 FADO allegations

and 7,669 complaints (Figure 2). The reason for the increase in FADO allegations is a gap in the reports and a recommendation for future research.

The data showed that the FADO allegation with the highest number of complaints was excessive or inappropriate use of force, including pointing gun, using pepper spray, and nightsticks as a club. While the police officer has the discretionary decision to use force according to the situation, the CCRB found a concerning number of substantiated allegations against the officers used of force. The OIG-NYPD also determined that there is a problem with the officers' FADO performance and other misconduct, as well as NYPD low rate of disciplinary actions against the police officers with substantiated allegations of police misconduct (Peters & Eure, 2013, 2014, 2015a, 2015b). Further, the data showed pattern of performance related to the officers' failure to document their actions. The OIG-NYPD explained that,

In cases where officers did document the use of force, they often employed generic language such as "hands on suspect," "forced victim against wall," and "force was used in handcuffing complainant in order to overcome resistance. Also, rather than clearly articulating the type, nature, and seriousness of the resistance posed by the citizen that led to the use of force, officers tended to use conclusory language such as, "force used to overcome assault," "victim attempted to assault detective," and "the detective used the minimal amount of force to subdue and restrain the defendant." (Peters & Eure, 2015d, p. 25).

Other issues related to force included officers' threat to arrest, as well as stop, question, and frisk without a legal cause (CCRB, 2001, 2006, 2011, 2018; Peters & Eure, 2015a). Within FADO allegations and complaints, the data showed that Blacks had the highest number of allegations, complaints, and substantiated complaints against the police officers from 1997 to 2018. (CCRB, 2001, 2006, 2011, 2018). Within those FADO allegations, discourtesy and use of offensive language were the last two FADO with the most allegations. However, those two seems to be extremely significant for the welfare of the community and to maintain social balance. The data showed that offensive language, included the officers' used of derogatory slurs was against the victims' racial, ethnic, and sexual orientation. "These allegations ranged from officers using crude language during routine street encounters and traffic stops to claims of officers using excessive force to remove tenants during evictions" (Peters & Eure, 2016, p. 36).

The data suggested a dangerous pattern and a threat to social equality, with a negative impact on street-level bureaucrats. For example, street-level bureaucrats are members of the government and public service with direct access and interaction with the public and the responsibility to enforce government policies (Pepinsky, Pierskalla, & Sacks, 2017). NYPD police officers, as street-level bureaucrats, have the responsibility to reduce conflicts between the department and the community. While the data showed the that citizens' FADO complaints are slowly declining, the numbers still at a concerning level. In 2016, the CCRB received 14,804 citizens complaints in 2017, the CCRB received 15,319 allegations (CCRB, 2017, 2018).

The data showed that the education demographics of the police officers involved in allegations and complaints had a concerning reassembling to the education demographics of the department (see Appendix C). From 1997 to 2017, the data showed the same educational patterns (Table 3). Table 3 showed that officers with at least one complaint of FADO misconduct had some college education with no degree. The second group of police officers with the most FADO complaints had a bachelor degree. The third group of police officers with the most FADO complaints had an associate degree. Even though NYPD changed its educational hiring requirement in 1994, the agency requires a minimum of 60 college credits at the time of hiring. The data showed that officers with some college, but no degree had been the predominant group with the most allegations and complaints of FADO misconduct, composing a 39.8% of all allegations, while the NYPD department education demographics of officers with some college but no degree is only a 37.1%.

In 2006, Cote and Miners' study showed a cognitive relationship between the individual levels of education, emotional intelligence, organizational behavior, and contra productive work performance. In a recent study, Parker, Saklofske, and Keefer (2016) found that low high school scores students were likely to have a low emotional intelligence score, "Were significantly more likely to withdraw from the university after the first year of study" (p. 190). They also found that emotional intelligence was a "Significant predictor of the successful postsecondary transition" (Parker et al., 2016, p. 190). I suggest further research to determine if the police officers' level of education has

a deeper cognitive relationship with their emotional intelligence, impacting their behavior and performance.

Findings related to the gender and age of the victims and the gender of the police officers with substantiated allegations of FADO police misconduct has been consistent throughout the years (CCRB, 2001, 2006, 2011, 2018). The police officers with the highest numbers of FADO allegations and complaints were male. The gender with the most allegations of FADO complaints was also male. However, emotional intelligence studies showed no relevant differences on the emotional intelligence of the individuals based on gender (Bar-On, 2006, 2012; Goleman, 2012; Mayer et al., 2016; Multi-Health Systems, 2011). The age group of the victims has also been a constant characteristic of the citizens' FADO complaints. The predominant age group for the victims of FADO police misconduct was between 25 and 34-year-old. The second predominant age group was individual between 35 and 44-year-old, followed by individuals between 15 and 24-year-old (CCRB, 2001, 2006, 2011, 2018).

The rank and location of the police officers with the most FADO complaints has been the same throughout the years. Data from 1997 to 2017 showed that officers with an overrepresentation of FADO allegations and complaints were on the rank of police officers, followed by detective, sergeant, and lieutenant (CCRB, 2001, 2006, 2011, 2018). This data is concurrent with the fact that the police officers in the rank of police officers are the NYPD population with the most contact with the NYC community.

The CCRB and the OIG-NYPD reports revealed that the NYPD has a relatively low rate of disciplinary actions against the police officers with substantiated allegations of FADO misconduct. This issue was constant between 2001 and 2017. For example, in 2014, the death of Mr. Gardner caused major concern in the NYC community. It resulted in the OIG-NYPD investigating NYPD officers' use of force. The OIG-NYPD also found concerning pattern on the NYPD police officers' actions and the NYPD disciplinary actions. The OIG-NYPD is concerned,

not only about the way in which NYPD has enforced the chokehold ban in recent years, but also, far more importantly, about the disciplinary process in general and interactions between NYPD and CCRB. While no definitive conclusions regarding the use of chokeholds can or should be drawn from the finite universe of cases reviewed here, OIG-NYPD's study sheds light on areas where further careful analysis and study are warranted: how discipline is determined and imposed in use-of-force cases, gaps in inter- and intra-agency communication during the investigation of use-of-force cases, and officer training regarding communication skills, de-escalation strategies, and the use of force (Peters & Eure, 2015a, p. ii)

The OIG-NYPD report reinforces the CCRB allegations regarding NYPD low disciplinary rate. The NYPD decision not to reinforce the CCRB disciplinary actions against the police officers with substantiated allegations of misconduct could be related to the NYPD organizational processes and administrative practices that are influencing the

police officers' FADO behavior. The low rate of administrative disciplinary actions and the numbers of citizens' allegations of FADO police misconduct is a poor reflection of the police officers' emotional intelligence competencies, such as self-control, self-management, social awareness and social responsibility, flexibility, adaptability, decision-making judgement, and organizational awareness (see Appendix A; Bar-On, 2012; Goleman, 2012). Finally, the NYPD has the responsibility to build on the accountability and responsibility of the department within the community. The responsibility of the organization must go beyond operational practices. The organization must revise their organizational policies and process to ensure responsibility and demand higher performance (Beckley, 2014; Brunetto et al., 2012).

### **Summary**

The primary purpose of chapter 4 was to address the research question by presenting a summary of documents available on the CCRB and the OIG-NYPD Websites, from 2001 to 2017. The data showed concerning practices of FADO police misconduct, including racial profiling, social bias, and social prejudice, with a high number of Black victims. Those specific performances and behavior were related to emotional intelligence competencies in the workplace, such as social responsibilities, decision making, self-control, adaptability, stress management, communication, conflict management, problem-solving and social awareness. Next chapter provides an interpretation of the findings, present the implications for social changes, gaps in the information, and recommendations for further research.





## Chapter 5: Discussion, Conclusions, and Recommendations

### **Introduction**

The purpose of this qualitative study was to explore the influence that NYPD administrative practices may have on the police officers' FADO behavior in relation to their emotional intelligence-based performance. Emotional intelligence-based performance includes the individuals' ability to manage conflicts, work in team, adapt, perform, social responsibility, manage stress, make decisions, solve problems, impulse control, self-awareness, social awareness, flexibility, and communication in the workplace (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016; see Appendix A). For this study, human behavior is referred in the context of human culture and situational determinants as "A person's behavior is an expression [of] what that individual's personality is given [in a] social context" (Mayer et al., 2016, p. 3), including behaviors in a workplace environment (Goleman, 2012; Maslow, 2012).

The goal of this research study was to explore and understand the performance of NYPD police officers in relation to FADO and emotional intelligence in the workplace. I explored documents from the CCRB and the OIG-NYPD from 2001 to 2017 publicly available on their websites (Appendix B). As I reviewed the data, I outlined the words and phrases that would link the officers' performance with the theoretical framework to answer the research question driving this study.

Emotional intelligence-based performance is an essential ability for law enforcement officers. Emotional intelligence competencies are required skills to function

properly when working in a high profile, demanding job such as law enforcement jobs, and it should be required for managers, leaders, street-level bureaucrats, and civil-servant working closely with the community (De Angelis, 2013; Cunningham & Villaseñor, 2016; Epstein & Duberstein, 2012; Forgeard et al., 2011; Joseph et al., 2015; Kaufman, 2012). Emotional intelligence provides individuals with the awareness and responsibility necessary to hold themselves and other responsible for their actions, as well as enhancing performance in the workplace (Barn-On, 2006, 2012; Goleman, 2012; Mayer et al., 2016).

In the workplace, policies, regulations, and administrative practices are ways of holding employees responsible for their actions. Similarly, public organizations use policies, regulations, and guidelines to hold street-level bureaucrats and civil servants responsible for their performance. To explore the performance of the NYPD police officers, as it was reported by the CCRB, I applied Atrides-Stirling (2001) and Saldaña's (2013) thematic approach to analyzing qualitative data. First, I outlined the information to identify behaviors relevant to the NYPD police officers' performance and the overall investigative framework of this research (see Emmerling & Boyatzis, 2012).

I then organized the information based on themes and patterns found in the CCRB and OIG-NYPD reports (see Table 1). I also constructed a thematic network of relevant themes and patterns, rearranging the data, based relevance to the research question and new emerging themes. Finally, explored the data using a more specific thematic network of information, facilitating the final review and interpretation of the data, connecting

patterns and themes to respond to the research question (see Table 2). This process allowed me to analyze the data using a thematic framework to organize and explore qualitative data for coding.

After reviewing the CCRB and OIG-NYPD reports, I found consistently interconnected patterns related to the police officers' FADO performance and the NYPD administrative processes. I found that from 1991 to 2017, the CCRB received approximately 410,680 FADO allegations of police misconduct (see Figure 1). From 2001 to 2017, the CCRB received 295,616 FADO allegations of police misconduct (see Figure 2). The data indicated that each year from 2001 to 2017, the CCRB received an average of 17,518 allegations per year. The highest numbers of FADO allegations that the CCRB have ever received were between 2003 and 2010. However, from 2005 to 2009, the numbers of FADO complaints grew more than 100% when compared to the numbers of allegations received between 1991 and 2002. FADO is the officers' use of offensive, derogatory language against citizens' race, ethnicity, and sexual orientation; abuse of authority; and inappropriate or excessive use of force. More than 60% of NYPD have received at least one allegation of FADO police misconduct, a problem of concern or the community because FADO is affecting police accountability in levels that the community has not seen in decades (CCRB, 2018; Peters & Eure, 2015b).

One complaint of FADO could include multiple allegations of misconduct and more than one police officer. From 2001 to 2017, NYPD showed a history of low rate disciplinary actions toward the officers with substantiated allegations of FADO police

misconduct (CCRB, 2001, 2006, 2011, 2018). In a chokehold investigation, the OIG-NYPD found that, in 10 cases filed in the CCRB between 2009 and 2014, some of the officers involved in the complaints had multiple allegations against the officers and that NYPD had neglected to properly discipline those officers (Peters & Eure, 2015a).

The data showed that from 2001 to 2017, Blacks composed 55% to 68% of the victims of FADO complaints (CCRB, 2001, 2006, 2011, 2018). The NYC Black population average was 24% during this period. One of the main complaints in the data was the officers' use of offensive language against the citizens. The data revealed that an 87% of the officers' offensive language involved derogatory remarks and gestures upon sexual orientation, race, ethnicity, religion, gender, or disability (CCRB, 2001, 2006, 2011, 2018; Peters & Eure, 2015b, 2015d).

In addition to the CCRB statements of NYPD low rate of disciplinary actions, and because of the death of Erin Gardner, OIG-NYPD investigated 10 cases of NYPD inappropriate use of force from 2009 to 2014. The OIG-NYPD found that NYPD was in violation of the NYPD Patrol Guide of 2013, out of compliance, and that they were unable to follow the disciplinary recommendation of the CCRB (Peters & Eure, 2015a). The NYPD Patrol Guide (2013) precisely prohibited the use of chokeholds against the citizens, and Ex-Commissioner Kelly (2012) reported that the NYPD goes further than the state's requirements to control officers' use of force. However, since 1991, abuse of force is the second most reported allegation of police misconduct. In fact, the OIG-NYPD found that in cases related to abuse of force, some of the officers were repetitive officers

(Peters & Eure, 2015a). Further, the OIG-NYPD also found that one NYPD police officer that was sued 28 times, costing the NYC taxpayers \$884,000 before the officer was removed from streets' duties (Peters & Eure, 2015c). Between 2010 and 2015, the city received 15,000-plus lawsuits against the NYPD police officers, costing the taxpayers a more than \$202 million in settlements, and an additional \$4.5 million to hire 30 new attorneys to defend the city from those lawsuits (Peters & Eure, 2015c).

Emerging patterns linked NYPD low administrative practices with the officers' education and emotional intelligence competencies. The data showed officers' reluctance to provide their names and shield numbers during encounters, regardless that the patrol guide states that the police officers must identify themselves upon request. In addition to the officers who have intentionally provided the CCRB false statements during active investigations. These behaviors in the workplace contradict some emotional intelligence-based performance associated with the individuals' commitment, flexibility, self-management, self-awareness, social responsibilities, social skills, stress management, and self-regulation (see Appendix A).

Chapter 5 presents the interpretation of findings. I discuss the connections between the literature in Chapter 2, findings in Chapter 4, and application of the theoretical frameworks to respond to the research question. I also provide my interpretation of findings based on patterns and practices, as they were reported by the CCRB and the OIG-NYPD, aligning the findings with the purpose of this study, research question, and theoretical framework. Finally, I provide the limitations of the study, the

implications for social changes, gaps in the literature, and recommendations for further research.

### **Interpretation of Findings**

As civil servants, law enforcement officers must be able to commit to their agencies and communities. Emotional intelligence competency allows officers to align their performance with the goal of the agency (Goleman, 1998). Law enforcement officers must be socially responsible, aware of their decisions, understand their power and the influence it has on their problem-solving and conflict management abilities, control their impulses, and know how to communicate with others, as these skills help officers adapt to unfamiliar and unpredictable situations (Bar-On, 2006; Goleman, 1998; Multi-Health Systems, 2011).

I used emotional intelligence theory to analyze the FADO performance of the NYPD police officers because of the cognitive relationship between behavior, performance, commitment, and other skills essential to perform in stressful environments. Many of these skills are also related to the officers' ability to adapt, build interpersonal relationships, control impulses, manage emotions, perceive emotions, be politically awareness, problem-solve, and have self-awareness, self-perception, self-regulation, social responsibility, social skills, stress management, stress tolerance, team capabilities, teamwork, collaboration, and understanding of others' emotions (Bar-On, 2006, 2012; Goleman, 1998, 2012; Mayer et al., 1990, 2016). Emotional intelligence also relates to the ability to recognize cultural differences, prioritize thinking, and to use emotional data

in the environment to make decisions, create policies, manage, and lead in the workplace (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016).

My interpretation of findings was focused in the following areas. First, NYPD police officers' responsibilities associated with FADO performance, as the officers are bound by the commitment as street-level bureaucrats appointed to public positions. Second, officers' FADO performance, as these actions might be related to the officers' emotional intelligence-based performance. Third, NYPD low administrative disciplinary practices toward the police officers with substantiated allegations of FADO misconduct, as it could influence officers' FADO recidivism. Fourth, NYPD low rate of disciplinary practices that could be influencing the officers' lack of responsibility and accountability for their actions. Fifth, significant patterns related to the officers' education and possible influence on FADO behavior.

### **Previous Recommendations vs Findings**

In 2015, the OIG-NYPD conducted five additional investigations on NYPD police officers' inappropriate and excessive use of force. In October 2015, the OIG-NYPD reported that "Use of force is a defining issue in modern policing" (Peters & Eure, 2015d, p. 1). The OIG-NYPD explained that "Reasonable use of force and constitutional policing require equal treatment of all individuals, proper application of force, and accountability for the conduct of police officers" (Peters & Eure, 2015a, p. 1). In their studies, the OIG-NYPD (2015) found the following challenges directly associated with the police officers' use of force:

- The NYPD's current use of force policies are vague and imprecise. The current guides provide little guidance to the police officers on what actions constitute force.
- The NYPD's Patrol Guide (2013) does not properly and clearly instruct the officers on how to de-escalate encounters with the public.
- The current NYPD training does not adequately focus on the police officers' use of deescalation methods.
- The NYPD often failed to impose the appropriate discipline even when it was provided with factual evidence of the police officers' excessive force.
- The CCRB and NYPD had different approaches to determine how and when the police officers should be held accountable for using chokeholds.
- The NYPD largely rejected the CCRB's findings and recommendations on disciplinary actions and "mooted" the CCRB's role in the investigative process.
- The OIG-NYPD showed that the NYPD police commissioner routinely rejected the CCRB's disciplinary recommendations in substantiated cases where chokehold was used without explanation.
- An OIG-NYPD review of the NYPD chokehold cases substantiated between 2009 and 2014 rose questions regarding the effectiveness of the NYPD training on the police officers' communication skills and de-escalation tactics on issues related to FADO behavior.



The above OIG-NYPD recommendations are aligned with the findings of this research. For example, the CCRB data shows that abuse of force had highest FADO frequency ( $f = 6,673$ ) and the second most reported allegations and substantiated complaints ( $f = 151,521$ ). The OIG-NYPD found that in many of the cases that they investigated, the NYPD failed to impose the appropriate discipline against the officers who had made a poor determination to use chokeholds ( $f = 585$ ) inappropriately or have threatened people to use force ( $f = 9,310$ ) against them. The OIG-NYPD also found that the NYPD Patrol Guide does not properly guide officers on how to deescalate problems with the public, which might reflect on the officers' inappropriate use of their authority ( $f = 1772$ ) or using inappropriate language ( $f = 1,571$ ) against the citizens. The OIG-NYPD recommended the NYPD to carefully consider the applications of the CCRB recommendations for disciplinary actions, which shows a frequency of 2,658 within the CCRB data. From the perspective of emotional intelligence-based performance, the above OIG-NYPD recommendations suggest low self-control, poor-emotional intelligence awareness, poor decision-making, lack of problem-solving abilities, and poor organizational management (see Appendix B).

### **NYPD Police Officers' Responsibilities Associated with FADO Performance**

Law enforcement officers have the responsibility to perform their duties toward society objectively and methodologically, following established administrative processes and guidance, while focusing on the welfare of the community. As such, law enforcement officers have the responsibility to develop strong emotional intelligence skills that would

improve their FADO performance with the community. Emotional intelligence is a set of cognitive and learned skills that provide individuals the ability to recognize and manage workplace behaviors and performances required in high-performance jobs (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016). Emotional intelligence performance allows individuals to recognize their behavior by providing awareness; the ability to cope and perform under stressful, unpredictable situations; and the ability to be resilient in the workplace (Goleman et al., 2013; Spalek & Rawe, 2014).

Understanding emotional intelligence can help NYPD officers to understand their FADO behavior by enhancing self-awareness, impulse control, and self-regulation (see Appendix A; Bar-On, 2012; Goleman, 2012; Multi-Health Systems, 2011). Individuals' understanding of their emotional intelligence could prevent thousands of FADO allegations by reducing recidivism, as the CCRB found that thousands of police officers were repetitive FADO's offenders (CCRB, 2001, 2006, 2011, 2018). Further, improving NYPD officers' emotional intelligence can improve their misconduct. It will also protect the agency's resources, and taxpayers' money considering that in between 2010 and 2015, the city had to pay more than 207 million dollars in more than 15,000 lawsuits and legal expenses filed against the NYPD police officers' misconduct (Peters & Eure, 2015c).

An understanding of emotional intelligence could have helped the NYPD police officer who was sued 28 times in 2014 (Peters & Eure, 2015c). There is the possibility that learning about emotional intelligence competencies such as self-awareness would

have given the officer the ability to differentiate between emotions, the cause of them, and the impact on thoughts and behavior. Problem-solving would have given the officer the ability to explore the impact that his emotional state had on his judgement to solve a problem. Impulse control would have given the officer the ability to delay impulses and temptation to act, giving the officer an opportunity to do a self-examination of the situation, view the issue from a different perspective, and recognize the desires to react harshly without thinking in the consequences (Appendix A). Emotional intelligence could have helped the officer to practice self-control, impulse-control, stress management, stress-tolerance, and flexibility (Bar-On, 2012; Goleman, 2012). According to Mayer et al. (2008 and 2016), learning stress management helps individuals to develop their social responsibilities and social effectiveness, which will also help to develop a sense of self-regard associated with one's well-being, inner-strength, self-confidence, self-acceptance, and an understanding of one's perception and limitations in the workplace. Peter, Keefer, and Wood (2011) also explained that stress management helps individuals to exercise self-control and sociability, with more effective self-regulating strategies. Further, emotional intelligence provides individuals the ability to make better decisions, solve problems, and think with political awareness regarding different social groups (Goleman, 1998, 2012; Multi-Health Systems, 2011). Those are emotional intelligence abilities that can impact the officers' ability to resist or delay impulses, remain objective to avoid impulsive behaviors, ineffective attempts at solving problems, and poor performance in the workplace (Multi-Health Systems, 2011, p. 36).

Street-level bureaucrats represent their agencies. They have the discretionary responsibility to make decisions, create policies, and to enforce their authorities on behalf of their administration (Hall, 2011). Street-level bureaucrats, such as NYPD police officers also have the additional discretionary decision to exercise power and authority, as well as managing their emotions and empathy, consistently and accordingly with their roles and responsibilities (Schaible & Six, 2015; Zimmermann, 2011). Still, the data collected from 2001 to 2017 showed that officers frequently use of racial derogatory remarks against victims of FADO. Some of those derogatory remarks referred to the officers' use of slurs and/or vulgar gestures "Upon a person's sexual orientation, race, ethnicity, religion, gender, or disability" (CCRB, 2001, p. 22; CCRB, 2018, p-5). In fact, those allegations count for a 40% of all FADO allegations.

### **Officers' FADO Performance Related to Emotional Intelligence-Based Performance**

In those situations, an officer self-known emotional intelligence ability provides individuals with the ability to control their behavior and refocus on developing and maintaining social relationships "Based on trust and compassion" in their workplace (Multi-Health Systems, 2011, p. 36). It also provides individuals with the skills needed to understand other people's perspectives, concerns, and positive social interactions, setting separating personal perceptions from personal and professional bias and stereotyping (Bar-On, 2012; Goleman, 2012). Additionally, Mayer et al. (2016) explained that "An individual's personality includes motives and emotions, social styles, self-awareness, and self-control, all of which contribute to consistencies in behavior" (p. 2). Empathy and

moral value, which are two emotional intelligence competencies also enable street-level bureaucrats to recognize and respect others in our societies as their equal, creating social balances (Zimmermann, 2011).

As street-level bureaucrats, it is essential that law enforcement officers become emotionally intelligent. In high profile and stressful jobs, as those performed by law enforcement officers, a person's ability to solve problems, communicate, self-awareness, self-management, neutrally unbiased and unprejudiced perception, impulse control, conflict management resolution, adaptability, and flexibility are critical for their performance (Johnson, 2016). Those are skills needed in a workplace that is surrounded by pressure, tension, mental and emotional strains, anxiety, hassle, hostility, and social validations, as it is the job of law enforcement officers (Bar-On's, 2012; Goleman, 2012). In the data, I found that, between 1997 and 2017, the victims with the most allegations of FADO complaint were Black (Figure 3). Figure 3 shows that Blacks averaged more than a 55% of the victims of FADO police misconduct. Meanwhile, Figure 4 shows that the racial demographics of NYC, during the same period, was an average of 24%. This information showed that between 1997 and 2017, the victims of FADO complaints in NYC doubled the number of individuals with the same demographics and social characteristics. Further, in 2001, the CCRB indicated that within FADO use of offensive language, derogatory slurs against Blacks was a 60.8% of those complaints (CCRB, 2001, p. 18). In 2006, derogatory slurs against Blacks was a "58% of the alleged victims in

CCRB complaints, a five-year high, and four percentage points above the five-year average” (CCRB, 2006, p. 21).

In 2010, 70% or 386 of all Offensive Language allegations involved the use of racially offensive terms. In 2010, 66% of the alleged victims in CCRB complaints involving stop, question, frisk, or search were African-American, an increase from an average 63% (CCRB, 2010, p. 8 & 10).

In 2016, individuals who self-identified as Black made more than half of the alleged victims, with a 58% of FADO police misconduct (CCRB, 2016, p. 19). In addition, the OIG-NYPD explained that “In 2014, certain communities in New York City continued to express concerns about policing in the city and raised the discourse surrounding police accountability to levels not seen in decades” (Peters & Eure, 2015b, p. i) with approximately 60% of the NYPD police officers involved in FADO allegations (CCRB, 2018). The data suggests that the officers with multiple substantiated FADO allegations and complaints against them might be struggling to commit to their social and organizational responsibilities. Their reported FADO behavior suggests low emotional intelligence competencies, as those competencies can influence and individual performance in the workplace, as well as their responsibility and commitment with the community (Bar-On, 2012; Goleman, 2012; see Appendix B).

The behavior of the officers with multiple allegations and substantiated complaints of FADO police misconduct suggest low emotional intelligence competencies. FADO abuse of authority and inappropriate use of force, in relation

emotional intelligence competencies such as decision-making, problem-solving, and impulse control were the most allegations reported by the community (Figure 2; Bar-On, 2012; Multi-Health Systems, 2011). Collectively, those emotional competencies influence individuals' decision-making abilities, which relates to the way of using the emotional information in the workplace to make decisions without being influenced by biases or stereotyping (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016). Law enforcement officers often deal with situations where emotion, regardless if positive or negative, have an essential and influential impact either from the victims' decisions and actions, or from officers' behavior and actions influencing the performance of either party. Emotional intelligence problem-solving ability can help law enforcement officers to find solutions to problems in situations where emotions are involved. It can also influence the way that police officers use emotions to make better decisions in relation to FADO (Bar-On, 2012; Multi-Health Systems, 2011).

A low emotional intelligence is an issue in any professional field. It relates to decision-making competencies that could show as uncontrollable impulsiveness, loss of self-control, unpredictable behavior, loss of objectivity, and inability to recognize personal biases and prejudgments (Bar-On, 2012). Reality testing is another emotional intelligence competency that can enhance the officers' "Capacity to remain objectively by seeing things as they really are" (Multi-Health Systems, 2011, p. 36). Some of the most relevant issues related to FADO were officers' bias, stereotyping, racial, and ethnic profiling (CCRB, 2001, 2006, 2011, 2015; Peters & Eure, 2015a, 2015b). Reality testing

can enhance officers' ability to recognizing personal biases, analyze information objectively, by justifying and validating perceptions and thoughts, while remaining focus (Bar-On, 2012). Finally, impulse control can help officers to resist or delay impulses, drive, or temptation to act, which involve "Avoiding rash behavior and impetuous decision making" (Multi-Health Systems, 2011, p. 36).

### **NYPD Low Administrative Disciplinary Practices and Recidivism**

The NYPD police officers are given discretionary power and authority to apply the law with balanced equality and impartiality. The discretion of power allows the police officers to make decisions, weigh the factors and perspectives, and to consider the totality of the circumstances when solving problems. As it was suggested by the numbers of FADO allegations and complaints reported between 2001 and 2017, exercising discretionary power should not be arbitrarily or capriciously (Figure 2). Since 1991, the number of FADO has doubled and in some years, tripled. Emotional intelligence competencies that are related to decision-making, problem-solving, personal biases, prejudice, stereotyping, and personal experiences should be enhanced by law enforcement officers when making a judgment for action. The officers must be able to explain and support their performance with facts, as well convincing evidence, and logical reasoning.

The purpose of this dissertation was to explore how the NYPD administrative practices may influence the officers' FADO behavior in relation to emotional intelligence competencies. As an agency, the NYPD has the responsibility to make ethical judgments,



maintain a professional and positive image, maintain internal corruption under control, and properly manage conflictive hostile situations as the challenges arise (Newburn, 2015; Peters & Eure, 2015a). NYPD police officers have moral and social responsibilities that go beyond the agency. NYPD officers' behavior and performance are bound by the New York General Municipal Law, § 209-q (2) (a), Constitution of the State of New York, art. 8, §13, and NYPD Patrol Guide (2013). Those policies and regulations mandate the behavior, performance, social, and organizational responsibilities of the officers and the agency, including officers' professionalism, use of force, judgments to use authority, the obligation to identify themselves to the people upon request, and the establishment of ethical boundaries. However, the number of FADO allegations and complaints reported by the CCRB suggest a lack of compliance with the agency, as well as poor emotional intelligence performance, based on essential abilities, such as decision-making, problem-solving, impulse control, commitment, social responsibility, and flexibility among other (see Appendix B). NYPD police officers are street-level bureaucrats holding public positions. They must be responsible for following the department's policies and guidelines.

In relation to the number of FADO allegations and complaints, the CCRB investigates each allegation of FADO misconduct independently, breaking the total numbers of complaints and allegations individually in each report (CCRB, 2001, 2006, 2011, 2018). The OIG-NYPD found that "In 2014, certain communities in New York City continued to express concerns about policing in the city and raised the discourse

surrounding police accountability to levels not seen in decades” (Peters & Eure, 2015b, p. i). The data showed that approximately a 93% of NYPD police officers had received a least one CCRB complaint of police misconduct (CCRB, 2018). Most recent reporting indicated that “Around 40% of current NYPD officers have never received a CCRB complaint. Twenty percent have received one CCRB complaint, 12% have received two complaints, 8% have received three complaints, and 17% have received four or more complaints (CCRB, 2018). In fact, the data showed that abuse of authority is the largest subcategory of all FADO since 2001 until the latest report in 2017. In 2001, the CCRB reported that abuse of authority allegations had been the highest since 1998 (CCRB, 2001). From 2003 to 2007, abuse of authority grew almost a 50% (CCRB, 2007). From 2003 to 2009, FADO allegations increased between a 100% to a 330%. While in 2012, allegations about abuse of authority started to decline, it still made the most reported allegation of misconduct against the NYPD police officers (CCRB, 2012; 2017). This information represents a social problem because there is a the CCRB found that there is a substantive concern associated with the patterns of complaints about the officers’ use of force, abuse of authority, discourtesy, and offensive language (CCRB, 2015).

### **NYPD Low Rate of Disciplinary Practices and Officers’ Lack of Responsibility and Accountability**

Law enforcement agencies have the statutory and social responsibility to hold officers responsible for their actions, more so with officers who have a history of repetitive FADO misconduct. The data showed the CCRB and the OIG-NYPD concerns

about the NYPD low disciplinary rate against the officers with substantiated allegations of police misconduct. In 2015, the OIG-NYPD reported that in practice, the NYPD disciplinary process is “Complex, multi-tiered, and often delivers inconsistent results” (Peters & Eure, 2015a, p. iii; 2015b, p. iv; 2016, p. 5). In addition, the data showed NYPD patterns of applying lesser disciplinary actions against the officers with substantiated allegations than those recommended by the CCRB (CCRB, 2001, 2006, 2011, 2018). Organizational intelligence suggest that the NYPD and the officers must develop an intrinsic relationship based on the organization’s culture and use their internal information as valuable data (De Angelis, 2013). The NYPD administration should turn the CCRB and the OIG-NYPD information into valuable data and elaborate a plan that would help them to reduce the number of FADO complaints.

In 2014, because of the death of Mr. Gardner, the OIG-NYPD investigated 10 cases related to the officers’ inappropriate abuse of force. The OIG-NYPD found concerning patterns on the officers’ actions and NYPD disciplinary actions against the officers involved in the allegations (Peters & Eure, 2015a). The OIG-NYPD explained that their findings

Raises questions not only about the way in which NYPD has enforced the chokehold ban in recent years, but also, far more importantly, about the disciplinary process in general and interactions between NYPD and CCRB...

OIG-NYPD’s study sheds light on areas where further careful analysis and study are warranted: how discipline is determined and imposed in use-of-force cases,

gaps in inter- and intra-agency communication during the investigation of use-of-force cases, and officer training regarding communication skills, de-escalation strategies, and the use of force (Peters & Eure, 2015a, p. ii).

It is fundamental that the NYPD hold their FADO recidivists accountable for their actions. Currently, approximately a 57% of the NYPD police officers have had more than one allegation of FADO misconduct against the officer (CCRB, 2018). It is even more concerning that the fact that a 97% of the NYPD police officers have had at least one allegation of FADO police misconduct (CCRB, 2018). Officers must be accountable for applying discretionary practices focused on protecting citizens' rights and social equality. Law enforcement officers must reduce conflict by improving the quality of life of the citizens, hence their own (Lipsky, 1971). Emotional intelligence contributes to the quality of life of the individuals. People who have reported higher emotional intelligence competencies are most likely to have a higher quality of life (Multi-Health Systems, 2011). Those emotional intelligence indicators are connected cognitively with self-regard, interpersonal relationships, and self-actualization.

NYPD low rate of administrative disciplinary actions and the numbers of allegations and complaints of FADO police misconduct reflects poorly on NYPD administration. Organizational intelligence refers to a process where the NYPD should turn the CCRB data into "Knowledge and knowledge into action for organizational gain" (De Angelis, 2013, p. 809). In relation to the applicability of emotional intelligence competencies, the officers should be responsible for applying self-control, self-

management, social awareness and social responsibility, flexibility, adaptability, decision-making judgment, and organizational awareness (Bar-On, 2012; Goleman, 2012; see Appendix A). These are emotional intelligence competencies that will help law enforcement officers to build or restore “A sense of community in their neighborhood thereby providing the means for the cooperation of order between police representatives and citizen” (Abiola & Salako, 2017, 171).

Law enforcement officers must learn and understand their emotional intelligence competencies. The framework of emotional intelligence can help officers to translates skills, such as “Self-awareness, self-management, social awareness, and relationship management translate into on-the-job success” (Cherniss & Goleman, 2001, p. 27). The cognition of social, personal, and emotional intelligence shares a common connection. This connection relates to the concern for human, understanding of people, and the interactions between different social groups (Mayer et al., 2016). This information is essential for law enforcement officers to perform on the job, more so to the officers involved in FADO allegations. The data showed that many officers were involved in multiple allegations and complaints of FADO (CCRB, 2013). In fact, 60% of the NYPD officers in the rank of police officer have been involved in allegations of FADO police misconduct (CCRB, 2018). Learning the skills and abilities associated with emotional intelligence performance is necessary because it can result on improving the performance of the officers in the workplace, as well as building their relationship with the community (Cherniss & Goleman, 2001).

One of the most relevant findings was the police officers' continuing use of derogatory language against the citizens, including offensive remarks on citizens' racial background, ethnicity, or sexual orientation. The CCRB (2001) reported that "Offensive language refer to slurs, derogatory remarks, and/or gestures based upon a person's sexual orientation, race, ethnicity, religion, gender, or disability" (p. 6). In 2003, 78% of the offensive language allegations involved race or ethnicity slurs against Blacks (CCRB, 2003). Frequent discourtesy and offensive language, derogatory words toward the individual ethnicity slurs, offensive sexual remarks, offensive remarks toward individuals' physical disability, and sexual orientation are unacceptable for street-level bureaucrat's and civil servants (CCRB, 2001, 2006, 2011, 2018). Emotional intelligence can help officers to exercise impulse control, self-awareness, manage their streets, and cope with the responsibilities of the job, without breaking social boundaries between their responsibility at work and their responsibility with the community (see Appendix A).

### **Significant Patterns Related to Officers' Education and Possible FADO Behavior**

Another concerning issue found in the data was the unbalanced racial demographics of the victims of FADO. From 1997 to 2017, most of the victims of FADO allegations were disproportionately Blacks (Figure 3). In 2001, offensive language allegations against Black were composed of a 60.8% Black slurs, while slurs against Latinos was a 16.1% Latino slurs, and slurs against Whites was a 4.5% (CCRB, 2001). Between 2002 and 2006, the average victims of racial slurs and derogatory language were 58% Black, "A five-year high" doubling the 25% of the NYC population (CCRB, 2006).

In 2009 and 2010, Blacks averaged 65% of the victims of FADO complaints (CCRB, 2009, 2010). In 2010, 70% of all offensive language allegations involved the use of racially offensive terms. In 2010, 66% of the victims were Black (CCRB, 2010). In 2016, individuals who self-identified as Black made up a 53% of alleged victims (CCRB, 2016). While in between 2016 and 2017, the number seems to be reducing, still, “In 2017, individuals who self-identified as Black made up half (50%) of alleged victims. Meanwhile, between 2001 and 2017, the population of Black in NYC made up only a 24% of the population (CCRB, 2018).

Analyzing the previous data, in relation to emotional intelligence theory, social awareness and relationship management are essential abilities required to be adept at customer service or conflict management resolutions in the workplace (Cherniss & Goleman, 2001). Interpersonal competencies, such as empathy, social responsibilities, and interpersonal responsibilities must be developed to maintain relationships based on trust, in the workplace (Bar-On, 2012). Social biases, racial and ethnic stereotyping shows lack of emotional intelligence competencies, as those skills are essential individuals who want, willingly, to contribute to society and the welfare of others by “Acting responsibly, having social consciousness, and showing concern for the greater community” (Multi-Health Systems, 2011).

The findings suggest that some of the police officers involved in substantiated FADO allegations could be struggling to comply with the mandates and regulatory practices of the department. After I examined the responsibilities of street-level

bureaucrats, the theoretical framework of this study, and the number of substantiated FADO complaints, I argue that some of the NYPD officers involved in multiple allegations of FADO complaints could be lacking essential emotional intelligence competencies required to perform successfully in high-performance environment. Some of those responsibilities include decision-making, impulse control, problem-solving, adaptability, emotional self-control, conflict management, and the ability to understand social rules (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016).

From 2001 to 2014, the NYPD had a relatively low rate of disciplinary actions against the police officers with substantiated allegations of FADO police misconduct. “To recommend disciplinary actions that are fair and appropriate, if and when the investigative findings show that misconduct occurred” (CCRB, 2001, p. 7). The data showed that upon investigation, the CCRB recommended NYPD disciplinary actions against the officers with substantiated allegations of FADO, based on the severity of the allegation (CCRB, 2001, 2006, 2011, 2018). However, in many of the cases, the NYPD administration would either lower the recommended disciplinary actions to a lesser punishment or denied to pursue any disciplinary actions against the officers. In addition, the OIG-NYPD found that while the NYPD disciplinary process “Is complex, multi-tiered, and often delivers inconsistent results” (Peters & Eure, 2015b, p. iv), often, the NYPD would change the recommended disciplinary actions for “Least punitive disciplinary measure” (CCRB, 2015). These administrative practices might be sending the wrong message to the officers involved in substantiated allegations of FADO



misconduct. In fact, this type of organizational behavior would not be likely motivating changes in behavior and performance. Officers that would not be held responsible for their actions are likely to continue their FADO behavior. This data can be supported with the fact that at least a 57% of the NYPD police officers have had more than two allegations of FADO, a 12% more than three allegations of FADO, and more than a 17% of the officers have had at least four or more allegations of FADO misconduct (CCRB, 2018).

Based on the theoretical framework used in this study, emotional intelligence has an undisputable genetic connection with organizational processes and practices in the workplace. Emotional intelligence is a tool that could be used for “Gauging the impact and effectiveness of organizational changes and restructuring” (Multi-Health Systems, 2011, p. 5). Emotional intelligence can be used to predict job performance because it has “Practical implications for significant workplace decisions” (Cherniss & Goleman, 2001, p. 22). In contemporaneous practices of management, NYPD administrative practices and actions might suggest low emotional intelligence competency in relation to organizational and social awareness, teamwork, and achievement orientation (see Appendix A). Those NYPD actions are also related to its administration’s ability to learn, adapt, and make decisions in response to environmental conditions, based on relevant facts and knowledge (De Angelis, 2013; 2016). Conversely, I found that between 2015 to 2016, the NYPD disciplinary rate against the police officers with substantiated allegations of FADO police misconduct showed a slight increase. The reason for the increase is a gap in the data.

However, the OIG-NYPD reports suggest that those changes could be attributed to the death of Eric Gardner in 2014, the public scrutiny, and the OIG-NYPD investigations on the NYPD administrative processes that followed.

NYPD should consider including emotional intelligence learning and practices as part of their organizational processes and operational procedures. While emotional intelligence should not be a determining factor in hiring police officers, emotional intelligence could be used to guide performance and behavior. NYPD police officers have a high profile stressful job. Emotional intelligence practices could help them to manage stress, as well as to make balanced decisions, and manage conflicts with a positive outlook (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016).

NYPD administration should also consider implementing emotional intelligence learnings within their mandatory development programs. In fact, NYPD police officers should be able to apply their emotional intelligence traits when dealing with the community, regardless of the issue at hand. Police officers “Should try as much as possible to display their emotional intelligence when dealing with the public. The police should have the feeling of the public and should be proactive whenever they have contact with them” (Abiola & Salako, 2014, p. 174).

### **FADO and Emotional Intelligence**

NYPD police officers have a moral and social responsibility to the citizens. Emotional intelligence goes far beyond an individual emotional response to his or her environment. Emotional intelligence shares a common concern for the members of the

society, based on inner experiences and culture, reflecting those experiences and cultures as the foundations on how individuals relate to the world (Mayer et al., 2016). According to emotional intelligence theories, those moral and social responsibilities are linked cognitively to individuals' disposition to contribute to societies. Social responsibility is the "The ability to demonstrate oneself as a cooperative, contributing, and constructive member of one's social group" (Cherniss & Goleman, 2001, p. 108). Officers' social responsibility must help them to identify themselves with as a member of the community, as well as their willingness to cooperate with others (Bar-On, 2012). Emotional intelligence can help the officers to understand their responsibility to contribute to other's social group by acting responsible, "Having social consciousness, and showing concern for the greater community" (Multi-Health Systems, 2011, p. 36). In the context of law enforcement environments, social responsibilities are the officers' willingness to cooperate and contribute constructively as a member of the society as members of the society in question, without abusing his or her authoritarian power, or acting impulsively toward the solution of conflicts.

The individual's social responsibility must be linked to his or her social awareness. Social awareness is the individuals' organizational intuition, interest, concern, social attachments, and moral guardianship toward other members of our society (Goleman et al., 2013). Social awareness also involves acting responsible, social consciousness, and genuine concern for the welfare of the community (Multi-Health Systems, 2011). In chapter 2, the literature showed that the NYPD had a controversial

history of police misconduct in relation to the NYC community. Many allegations of NYPD police misconducts were associated with antagonism toward Blacks, including “Discriminatory racial dimensions” (Chronopoulos, 2015, p. 3), and “Racial inflammatory signs” (Thompson, 2015, p. 43) that represented a threat to the social and civil liberty of smaller groups in our society (White & Kane, 2013; Vitale, 2015; White, 2014). Racism, “Bias in police stops” (Worden, Harris, & McLean, 2014, p. 39), abuse of power, recidivism, and corruption (Andreescu et al., 2012; Gounev et al., 2012; Harris, 2012; Jiao, 2009) were also fundamental characteristics of the citizens’ complaints against the NYPD officers with substantiated allegations of FADO police misconduct.

The data showed a consistent pattern of behavior. It suggests that some police officers might have racial bias, social profiling, and racial stereotyping against Blacks. These allegations are consistent with the literature in chapter two, where it was found that some police officers have the “Chronic propensity to abuse their authority” (Worden et al., 2014, p. 240), as it was shown by the number of FADO allegations and complaints. Police officers must enforce legitimacy, transparency, and the motivations of their actions (Wills, 2011). The data showed that from 2001 to 2017, the average population of Black victims of FADO complaints was between a 55% to a 68%, more than double the number of the NYC demographics of Black citizens. In fact, these findings are supported by the fact that the officers’ use of offensive language was mostly focused on derogatory remarks against the victims’ race, ethnicity, and sexual orientation. These findings support Menchin’s (2012) argument that between 2003 to 2009, Blacks were stopped

100% more times than their demographics share in NYC. Further, Simmons (2014) also stated that an 87% of the people stopped by the NYPD under the stop-and-frisk policy were Blacks or Latinos. The CCRB data collected between 2001 to 2017 confirmed Simmons' and Menchin's allegations (Figure 3). In fact, the CCRB reports confirmed that the victims of substantiated allegations and complaints of FADO police misconduct were still overwhelmingly Blacks,

The CCRB's data show a continuing disparity between the race of complainants and the racial makeup of New York City residents at large. As in previous years, complainants are overwhelmingly black and Hispanic, with over half of all complainants being African-American, with disproportionately low numbers of complainants being white, Asian, or other (CCRB, 2009, p. 10).

These findings are a clear indication of a critical social problem because the officers' FADO performance has been constant from 1991 to 2017.

NYPD officers involved in more than one substantiated allegation of FADO misconduct might be struggling to make the appropriate decisions, in relation to the use of force, authority, and communication, which are emotional intelligence competencies (see Appendix A). In relation to the theoretical framework, this type of police behavior is contrary to the required behavior of street-level bureaucrats, as well as the essential emotional intelligence competencies necessary for high profiled stressful jobs. The facts provided by the CCRB were supported by their investigations of the citizens' complaints

and allegations of FADO police misconduct. Those findings are relevant because the police's behavior is essential to build trust, confidence, and reliance on the community.

Fortunately, to uncover those FADO issues, the data used in this dissertation study was collected using reported data from the CCRB and OIG-NYPD. In this case, interviews might have not provided as valuable information as the CCRB reports due to predominant police culture, and other cognitive factors, such as stress, fading memory, personal perceptions, or unwillingness to cooperate. In addition to those cognitive issues, the data could have been suffered from self-perception, and self-interpretation which, sometimes can lose its raw descriptive essence, tampered with pre-reflective signature (Englander, 2012). The literature in chapter 2 showed that a culture of silence or a "Blue wall of silence" could prevent some police officers from revealing or reporting misconduct against their peer, which was a valid concern (Lee & Vaughn, 2010; Newburn, 2015). While a police culture provides the police officers with a sense of protection and partnership, it can also damage the officers' reputation, as well as the integrity of the department by covering unethical and inappropriate actions. NYPD Patrol Guide (2013) specifies that officers in the rank of police officers have a moral and civic responsibility to the citizens and the organization. As such, a police culture should not allow the officers to make decisions between protecting their peer's unethical behavior, enforcing the agency's policies and regulations, and protecting the civil rights and liberties of the citizens. Police culture should embrace social balance and citizens' equality.

### **Administrative Practices**

NYPD low disciplinary actions against officers with more than one substantiated allegation of FADO police misconduct might be sending the wrong message to the officers. Policies in public organizations link organizational processes, decisions makers, specifically defined goal, and the collaboration and commitment of street-level bureaucrats and civil servants to protect the interest of the public. John (2012) explained that public policy is not just politics, elections, and the behavior of politicians. Public policy includes unlimited range choices bases on public decisions. In the public sector, organizations' officials have the responsibility to hold the employees accountable for their actions. A low rate of disciplinary actions against police officers with more than one substantiated complaint of FADO police misconduct is a problem. Police officers should be expected to justify their actions and decisions. Repetitive FADO offenders might be a reflection of poor management and lack of leadership. Further, repetitive FADO misconduct is also a lack of performance and professional policing. An organization that does not have the appropriate performance review processes in place could lead to loss of reliability and accountability, as the agency's management has the responsibility to sanction inappropriate and unethical performance (Hall, 2011).

Organizations' officials have the responsibility to hold their employees accountable for their actions. Holding officers accountable for their actions mean,

- (1) policies and procedures designed to ensure that police officers obey the law and, also, policies on treating citizens in a lawful, respectful, and unbiased

manner; (2) policies and procedures ensuring that incidents of alleged misconduct are properly reported and then investigated thoroughly and fairly; (3) policies and procedures ensuring that proven incidents of misconduct result in appropriate discipline; and (4) policies and procedures ensuring that police departments take proactive steps to prevent officer misconduct in the future (Walker, 2012, p. 59).

Accountability and perception are cognitively linked. For example, the employee's perception of the organization's procedures drives the employee's behavior and organizational reasoning (Raman et al., 2016). Employees who perceive that the organization is not holding them responsible for their actions, they can also perceive that they do not have the responsibility to comply with the organization's policies and regulations. Employees' perception drives their performance, turnover, motivations, job satisfaction, behavior in the workplace, and belief of common values with the organization (Coursey, Yang, & Pandey, 2012). This information is consistent with the literature in chapter 2 where I found skepticism on the NYPD administrative ability to identify police misconduct accurately (Harris, 2012). Further, accountability is the ability to link together many emotional intelligence competencies toward one goal. Those emotional intelligence competencies linked together to build accountability are commitment, communication, flexibility, impulse control, perception, political awareness, self-regard, social responsibility, team-work, and collaboration (see Appendix A).



Society expects police officers to be accountable for their actions. While the officers' use of chokeholds is strictly prohibited by Section 203-11 of the NYPD Patrol Guide, the OIG-NYPD was not able to find "One credibly extrapolates an explanation for why police officers use chokeholds, notwithstanding their ban in the Patrol Guide, from a review of these ten cases." (Peters & Eure, 2015a, p. 7). Allegedly, the NYPD has stopped internal investigations on police misconduct because they believed the investigations were bold and comprehensive, and it could publicly embarrass the department's poor management (Gounev et al., 2012; Lee et al., 2013). In addition, the NYPD history of rejecting investigations against their own, especially by external agencies (Jiao, 2009). That information is not new. For example, historical investigations, such as the Mollen Commission investigation of 1994, was known to be sloppy, sabotaged, and did not result in any form of disciplinary actions against the offenders (Lambo, 2010). In fact, "A typical reaction by police administrators to allegations of corruption is that the conundrums are limited to a few problematic officers who are isolated from the organizational context and merely operating alone" (Lee et al., 2013, p. 387). Meanwhile, as of May 1, 2017, there was one active duty police officer "Against whom 52 CCRB complaints have been made" (CCRB, 2016, p. 21).

The NYPD commissioner has the sole authority to enforce the CCRB recommendations for disciplinary actions. Still, the process involves the review and evaluations from other authorities within the department (CCRB, 2010). The NYPD has an overload of legal litigations because of issues related to the police officers' FADO

misconduct and other allegations of misconduct including chokehold cases (Peters & Eure, 2015c). Meanwhile, in 2014, an NYPD police officer was sued 28 times, costing NYC taxpayers more than \$884,000 in settlements before the NYPD leadership decided to remove the officers from street duties (Peters & Eure, 2015c). As of 2015, the police officer was still employed by the department. Additionally, in 2014, the NYPD lost an additional \$202 million in lawsuits (Peters & Eure, 2015c). Also, between 2010 and 2015, the NYPD was sued 15,000 times (Peters & Eure, 2015c). The City of New York had to allocate an extra \$4.5 million to hire 30 additional attorneys and paralegals to defend the police officers against the overload of legal litigations (Peters & Eure, 2015c).

Law enforcement officers who perceive that their administration is not holding them responsible for their actions, it is likely to perceive that they do not have the responsibility to comply with the department's rules and regulations. Perception is a cognitive trait in which a human mind is set on a conscious state based on events that induce a perceptual awareness (Crane & French, 2015). This type of behavior is also related to cultural and situational behavior (Maslow, 2012). Perception is information about one's environment; how individuals accurately identify the data, which then is used to make decisions and solve problems (Mayer et al., 2008). The perception of not being held responsible for one's actions could erroneously be perceived as low emotional intelligence because of the impact that perception has awareness, self-management, self-control, poor decision-making, and conflict management resolutions. It is likely that the perception of not been held responsible could also influence recidivist behavior as well.

For example, after investigating officers' use of force, the OIG-NYPD found that the NYPD failed to apply disciplinary recommendations and charges against many officers guilty of FADO misconduct (Peters & Eure, 2015a). In those investigations, the NYPD commissioner either imposed a lesser penalty than those recommended by the CCRB or no disciplinary action against the officer guilty of FADO complaints whatsoever.

Those findings are indicators showing that officers with multiple substantiated allegations of FADO misconduct could be struggling to follow NYPD administrative policies and practices. The NYPD Patrol Guide § 203-11 explicitly establishes the guidelines and rule of behavior, performance, and other discretionary actions that officers must follow, including the use of force, chokeholds, professionalism, and ethical standards. The NYPD Patrol Guide establishes that "Members of the New York City Police Department will not use chokeholds. A chokehold shall include, but is not limited to, any pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air" (NYPD Patrol Guide, 2013). However, use police officer inappropriate or excessive use of force is the second FADO allegation with the most allegations and complaints against the police officers. Further, those findings also show that police officers might be struggling to take responsibility for their actions. Arguably, when officers fail to provide their names and shield number to the citizens, it shows that the officer is evading to be identified. Similarly, when the officers fail to accurately document and report their actions, those are indicators suggesting that the officer is aware of what he or she is going wrong, aware of his or her performance, and the fact that he or she did not follow the standards of the department. Hence, preventing actions for further responsibilities. This

information is relevant to the police officers' emotional intelligence competencies because those actions suggest low self-management, lack of commitment, poor decision-making, lack of social and organizational awareness, and organizational intelligence.

Officers' FADO behaviors might suggest broader social problems such as bias, stereotyping, racism, and social profiling. Additional research needs to be conducted to determine the behavioral motivations of the police officers, as well as their lack of organizational commitments to the regulations associated with FADO. Based on the previous findings, I recommend the NYPD to consider implementing regular emotional intelligence learnings to help officers with more than one allegation of FADO to build stronger social and organizational commitments. Researchers have demonstrated that emotional intelligence helps individual with essential competencies much needed in a workplace surrounded by stress and pressure (Bar-On, 2012; Goleman, 2012; Spalek & Rawe, 2014). Emotional intelligence can also help law enforcement officers to build stronger relations with their communities, as many studies have shown that "Emotional intelligence and human relationship management either collectively or separately are potent predictors of organizational commitment" (Adeoye & Torubelli, 2011, p. 220).

### **Relevant Emerging Patterns**

**Education.** I found relevant patterns related to the education of the officers with substantiated allegations of FADO misconduct. This information is important because academic studies have found a positive connection between emotional intelligence, academic, and workplace performance (Martin, 2015; River et al., 2012). I found that a

45% of the police officers with substantiated FADO complaints had some college, no degree (CCRB, 2018). The second group of police officers with the most substantiated FADO allegations or 27% allegations had a bachelor degree (CCRB, 2018). The third group with the most FADO allegations or 13% allegations had associate degrees (CCRB, 2018). However, officers with the lower percentage of FADO allegations, between 1% and 3% allegations had higher education backgrounds, such as master degree, Ph.D., or JD degree. Further, the data showed that those educational patterns are closely related to the current educational patterns of the NYPD police officers. As of May 2018, the CCRB showed that a 41% of the NYPD police officers have some college, no degree. A 33% of the officers have a bachelor degree, 16% have an associate degree, 3% have a master degree, and 1% have Ph.D., JD, or higher education degree. Base on those findings, it is suggested that there could be a significant connection between the behavior of the officers, their education, emotional intelligence competencies, and FADO.

The number of FADO allegations and complaints suggests that officers involved in more than one allegation of FADO might have low emotional intelligence competencies. Those emotional intelligence competencies include self-management, decision-making, social responsibilities, conflict management, impulse control, political awareness, problem-solving, and organizational awareness (see Appendix A). Learning emotional intelligence should be required in highly stressful jobs, including law enforcement environment jobs. Implementing a knowledge-based education on emotional intelligence could help law enforcement officers to improve their and other's quality of

life by counteracting social stereotyping and subtle racial prejudice (Onraet et al., 2017; Parker et al., 2017; Shahnnavazi et al., 2018). Further, for law enforcement officers, the connection between cognitive skills such as reasoning, thinking, speaking, controlling, flexibility, information processing, and emotional intelligence competencies are relevant to perform in the workplace. Emotional intelligence is intrinsically connected to cognitive intelligence, job performance, leadership, adaptability, and problem-solving (Chatterjee & Kulakli, 2015; Coetzee & Harry, 2014; Cote & Minners, 2006; Raman et al., 2016; Sony & Mekoth, 2016). However, the CCRB and the OIG-NYPD data did not provide sufficient information to explore deeply the cognitive connections between the police officers' education, their performance at work, and emotional intelligence, as those could be related to FADO. Therefore, the connections between emotional intelligence, educational levels, and FADO performance are a gap in the data, and a recommendation for further research.

#### **Race, gender, and rank.**

**Race.** The CCRB data showed four-main racial demographics for the victims of FADO police misconduct. Those racial demographics are Black, Hispanic, White, and Asian respectively (Figure 3; CCRB, 2001, 2006, 2011, 2018). The data showed concerning practices of FADO police misconduct, including racial profiling, social bias, and social prejudice, with a high number of Black victims (CCRB, 2001, 2006, 2011, 2018). Since 1991, the racial demographic with the highest number of FADO allegations and substantiated complaints was Black. Since then, Blacks have been representing the

predominant social group with the most allegations and substantiated FADO complaints, between a 55% to a 68% of the victims of FADO. Meanwhile, during the same period, the demographic population of Blacks in NYC averaged a 24%. Those numbers show that Blacks were almost a 300% of the victims of FADO complaints.

The racial demographics of the police officers with the most allegations of FADO police misconduct were almost identical to the racial demographics of the department. This data supports allegations found in chapter 2, suggesting that NYPD police officers show traces of racial profiling and social stereotyping against Blacks (Balko, 2014; Nussbaum, 2012). From 2001 to 2017, an average of a 58% to 68% of the victims of FADO police misconduct were Blacks whereas, in NYC, Blacks averaged only a 24% of the population during the same time. Between 2002 and 2006, the average victims of racial slurs and derogatory language were 58% Black, “A five-year high” doubling the 25% of the NYC population (CCRB, 2006). In 2009 and 2010, Blacks averaged 65% of the victims of FADO complaints (CCRB, 2009, 2010). In 2010, 70% of all offensive language allegations involved the use of racially offensive terms. Most of those offensive language allegations involved racist, ethnic, and sexual orientation derogatory remarks. While there is limited reporting on law enforcement racist personalities, this data supports allegations that officers’ distinctive “reserved” personalities, such as “Suspiciousness, insularity, brutality, authoritarianism, ultraconservatism, bigotry, and racism” (Lee, Moore, & Kim, 2013, p. 387) could be influencing their performance.

In relation to emotional intelligence and racial profiling, street-level bureaucrats and civil servants have the moral and social responsibility to treat everyone in American society equally, regardless of the person's racial, ethical, or sexual background. The officers' commitment with the organization (see Appendix A) can help them to align their professional goals with the goal of the organization, and their teams (Goleman, 2012). Emotional intelligence can also help officers to be objective, voiding impulses, adapting their feelings to each situation, learning their own feelings, and recognizing issues of impartiality (Bar-On, 2012; Goleman, 2012; Multi-Health Systems, 2011). Further, self-awareness can also help officers to understand subtle racial, ethical, and sexual partialities, learning to recognize and differentiate between their personal biases and social responsibilities (Goleman, 2012; Multi-Health Systems, 2011)

**Gender.** The predominant gender of the victims of FADO complaints was male. The average percentage of the female victims of FADO complaints, between 2001 and 2017, was a 9% regardless that female averaged between a 49 to a 54% of the population of NYC. (CCRB, 2001, 2006, 2011, 2018). Further, the predominant gender of the NYPD police officers was male. Females police officers averaged between a 12% to a 15%. The predominant gender of police officers with substantiated allegations of police misconduct was also male. Female officers with substantiated allegations of FADO misconduct was a 17%. The data showed that the gender demographics of the victims and officers with substantiated complaints of FADO was similar to the gender demographics of the NYPD.



Further, the gender of the victims of FADO, and the gender of the officers with substantiated allegations of FADO is virtually the same now than it was in 2001 (CCRB, 2018).

In relation to emotional intelligence and gender difference, studies show that there is not a significant difference in the way that women and men use their emotional intelligence. While studies in chapter 2 did not show a significant difference on how gender processes the overall emotional intelligence spectrum, it has shown important differences on how gender applies emotional intelligence in different fields, such as management and leadership, social responsibilities, self-management, sociability, and job satisfaction (Arnatt & Beyerlein, 2014; Fernández-Berrocal et al., 2012; Guy & Lee, 2015; Khalili, 2012; Martin, 2015; Mayer et al., 2016; Yan & Guy, 2015). Additional research is recommended to determine the influence that gender-specific emotional intelligence has in law enforcement environments and their behavior, as it is related to FADO.

**Rank.** NYPD police officers in the rank of police officers have the most contact with the community. The data showed that officers from NYPD patrol unit were the officers with the most allegations and substantiated complaints of FADO misconduct (CCRB, 2001, 2006, 2011, 2018). The second group with the most FADO allegations and complaints were sergeants, followed by detectives. This information seems consistent with the fact that the officers with the most contact with the community are in the rank of police officers. The higher the officers' rank, higher the responsibility, and higher their

emotional intelligence-based performance. In 2015, the CCRB reported NYPD ranking distribution, against whom FADO allegations of complaints were substantiated as follows: a 43% were Police officers, followed by 26% Detectives, 16% Sergeants, and 6% of Lieutenants. The performance and actions of the individuals exposed to highly stressful environments could be influenced by their emotional intelligence competencies. In fact, the individual's emotional intelligence is linked to their leadership behavior, organizational procedures, commitment in the workplace, and organizational changes (De Angelis, 2013; 2016; Nordin, 2011). In relation to emotional intelligence, self-management is a relevant emotional intelligence skill with a significant impact on performance in the workplace, as well as one's social responsibilities (Bar-On, 2012; Goleman, 2012; Mayer et al., 2016). The CCRB reports substantiate previous allegations. Between 2001 and 2016, the CCRB received 295,616 allegations of police misconduct. From those allegations, the CCRB determined that there were 94,815 complaints. Each complaint was investigated, and the CCRB determined that thousands of police officers were guilty of the allegations. While the CCRB treated each allegation and investigation independently, they also found that within the complaints, there were multiple allegations against one police officer. This information suggesting a possible lack of organizational discipline, self-control, self-management, and self, organization, and social awareness of their behavior.

### **Discrepancies Between the Literature and Findings**

I found two important discrepancies related to the officers' FADO police misconduct. In the literature, Albrecht (2011) argued that minority civilians' complaints against police brutality and racial bias against the NYPD police officers have declined dramatically. Albrecht (2001) also stated that the negative perspective of police misconduct was attributed to the media and "Certain minority leaders" (p. 124) that were portraying an inaccurate perspective of police misconduct, opposite to the actual truth. In relation to FADO, the CCRB and the OIG-NYPD data contradicts those statements. The data showed that between 2001 and 2017, citizens' allegations and substantiated complaints of FADO police misconduct did not decline. On the contrary, the data showed that citizens' allegations and complaints of FADO police misconduct against NYPD officers increased a 100%, and in some cases, 200% between 2001 and 2017 (CCRB, 2001, 2006, 2011, 2018). Comparing the data further, in 1991 for example, the CCRB received 9,257 FADO allegations and 3,379 complaints. In 2001, the CCRB received 11,024 FADO allegations and 4,260 complaints. In 2007, the CCRB received 27,687 FADO allegations and 7,549 complaints. In 2009, the CCRB received 24,680 allegations and 7,664 complaints, and in 2010, the CCRB received 17,024 allegations and 6,467 complaints of FADO police misconduct. While in 2016 the CCRB data shows 13,511 complaints and 4,283 allegations, which is a decrease from previous years.

However, the numbers still significantly high. In the last report published in 2017, the CCRB received 15,319 allegations and 4,487 complaints. Those numbers are higher

than the number of allegations and complaints received in 2016. It is important to note that from 2009 to 2016, allegations and complaints of FADO police misconduct showed a steadily decrease (Figure 2). However, in 2017, the numbers of FADO allegations and complain stated to increase again. A gap in the CCRB and OIG-NYPD reports failed to identify the facts and reasons related to the decrease and increase of the FADO allegations. In 2003, the CCRB attributed the increase of allegations to the implementation of the City 311 system and the increasing use of technology, such as cell phones and the Internet. However, additional research is recommended to explore the facts associated with the increase and decrease in numbers of FADO allegations.

#### **CCRB and OIG-NYPD Recommendations**

Most CCRB and OIG-NYPD recommendations to NYPD were focused on changes in policies and procedures, training and retraining on organizational policies and regulations and retraining on how to interpret NYPD Patrol Guide. Other recommendations included officers' documenting all stops with the purpose of tracking their performance, accountability, and locations. Stop, and frisk was the FADO allegation under abuse of authority with the most complaints. Based on this fact, the CCRB and the OIG-NYPD recommended that the police officers should spend more time observing an individual before deciding to stop him or her (Peters & Eure, 2015b). The observations process might help the police officer to reduce or eliminate allegations of biases, stereotyping, and social profiling, by supporting their actions with real facts and evidence. Further, those recommendations are also related to specific emotional

intelligence competencies, such as officer's commitment to the agency and citizens, self-awareness, which "Includes recognizing and understanding one's own emotions. It involves the ability to differentiate between subtleties in these emotions, while being aware of their causes and the impact they have on the thoughts and actions of oneself-and others" (Multi-Health Systems, 2011, p. 35). Decision-making, which is

The way that one uses emotional information to make decision. This composite reveals how well one understand the impact emotions have on decision making, including the ability to resist or delay impulses and remain objective in order to avoid rash behaviors and ineffective attempts at problem solving (Multi-Health Systems, 2011, p. 36).

Self-control, which involves the officers' control of his or her emotions effectively and constructively (Bar-On, 2006).and perception, which

Contains information about ourselves, other people, and the world around us.

Emotions are data. We need to accurately identify how we, and others, feel and read the environment around us and learn how to use that information to make decision and solve problems. (Mayer et al., 2008)

The OIG-NYPD recommended that police officers should provide individuals a legitimate reason to stop and search them (Peters & Eure, 2016). The data showed that in more than 60% of the cases under FADO allegations, the police officer did not report a reason to stop the individuals (CCRB, 2001). The police officers must document, in fine detail their encounter with the community, as well as to provide the community with their

name and shield number upon request (NYPD Patrol Guide, 2013). The police officers not only have the responsibility to identify themselves during their encounter with the community, but also the NYPD Patrol Guide requires that the police officers provide their names and shield number upon request. Denying this information to the community might be seen as an action to evade taking responsibility for their actions. Other recommendations included an increase in coordination between the NYPD and the CCRB (Peters & Eure, 2015d). The implementation of a refined disciplinary system, to establish clear guidelines with limited loopholes (Peters & Eure, 2016). Also, the NYPD commissioner's disciplinary decisions should be reasoned, transparent, and documented. Finally, the NYPD should improve the department administrative disciplinary actions to promote trust, reliance, impartiality, and consistency in the department policies and procedures (Peters & Eure, 2015d, 2016).

### **Limitations of the Study**

When evaluating the limitations of this study, I considered the circumstances under which the data and information were collected, how the investigations on the reports were conducted, how the information was reported, and the analysis and review of the data. The citizens reported their complaints directly to the CCRB either via phone or in person. After receiving the FADO allegation, the CCRB conducts a full investigation and review of the evidence to determine the validity of the allegations. After the CCRB has determined that misconduct has been committed, the CCRB reports the information to the NYPD and makes recommendations for disciplinary actions. Further, the OIG-NYPD

also conduct full investigations, qualitative, and quantitative investigations related to NYPD regulations and policies to determined misconduct. Both, the CCRB and the OIG-NYPD are agencies independent of the NYPD. Those agencies have the mandates that give them the authority to investigate NYPD allegations of FADO police misconduct. Further, the information used in this study was publicly available and can be found on the CCRB and OIG-NYPD websites (see Appendix B). Therefore, there were not issues of limitations associated with the trustworthiness of this research.

As Maslow (2012) has previously explained, behavior, in the context of this research was used as a cultural and situational determinant of social responsibility and workplace performance. I applied emotional intelligence theory to examine officers' FADO behavior, as it was reported by the CCRB. I also used emotional intelligence as a tool that could improve performance in the workplace, as well as social awareness, organizational responsibility, problem-solving skills, conflict management, decision-making, self-management, and teamwork (Anell et al., 2015; Bar-On, 2012; Goleman, 2012; Mayer et al., 2016).

Finally, the CCRB and the OIG-NYPD data were subjected to rigorous analysis to ensure that there were not personal biases or viewpoints included in this report (Creswell, 2014; Saldaña, 2014). To prevent conflict of interests, I followed Anderson's (2010) recommendations. I used documents publicly available, retrieved from the CCRB and the OIG-NYPD Websites (see Appendix B). As I previously explained, the CCRB and the OIG-NYPD are agencies with the authority, mandate, and authority under public laws to

oversee the NYPD operations based on the specific issues of FADO discussed in this research.

## **Recommendations**

### **Related to Education**

I found relevant data that might link law enforcement officers' level of education to their emotional intelligence-based performance in the workplace. The most recent CCRB (2018) report showed the background education of the officers with substantiated allegations of police misconduct as follows: A 36% of officers with substantiated allegations of FADO misconduct had some college, no degree. A 31% of officers with substantiated allegations of FADO police misconduct had a bachelor degree. A 5 % of the officers have HS diploma, and a 2% have master's degree. Finally, less than a 1% of police officers with substantiated FADO allegations of FADO misconduct had a master or higher education degree. More need to be done to explore the influence of education in police misconduct, this information is relevant to consider for future research.

### **Related to Administrative Practices**

The data showed NYPD patterns of low disciplinary practices against officers with substantiated allegations of FADO misconduct. If the NYPD is not holding officers with FADO allegations responsible for their misconduct and actions, the officer might perceive that he or she does not have to comply with the agency's administrative processes. The NYPD must hold all officers with substantiated allegations of police misconduct accountable for their actions to prevent recidivism. It is recommended that



NYPD implement accountable practices in place to hold officers with substantiated allegations of FADO misconduct accountable for their actions. Further, it is recommended that NYPD use strategies to ensure that the organizational changes, in related to FADO police misconduct, are followed and implemented.

### **Related to Racial and Social Stereotyping**

The data showed that some officers with substantiated allegations of FADO complaints used racial profiling, social bias, and ethnic stereotyping against the citizens. While emotional intelligence assessments should not be a tool used as a determinant for employment, it should be implemented as an assessment for behavior awareness in high profile public positions. Emotional intelligence is a set of mental abilities “That relies on both the emotion and cognitive systems to enhance reasoning and solve emotion-laden problems” (River et al., 2012) which I consider is one of the fundamental responsibilities of a leader and police officers are leaders protecting the community. NYPD should create a “No-tolerance” policies to discipline bias, stereotyping, and racist behavior in the workplace. Additionally, teaching officers’ emotional intelligence could help officers to be more prepared to handle hostile situations with the community, as well as problem-solving, decision-making, impulse-control, stress-tolerance, self-management, and other emotional intelligence competencies much needed in the workplace (see Appendix A).

The data also suggest that some police officers might be struggling with their emotional intelligence competencies in the workplace. The CCRB received thousands of allegations of FADO police misconduct (Figure 2). Many officers have multiple

allegations of police misconduct against them. In fact, one NYPD police officer was sued 28 times before the NYPD decided to remove the officer from street duties (Peters & Eure, 2015c). The data suggest that the police with multiple allegations of FADO police misconduct might lack self-control during hostile situations, as well as adaptability to the NYPD policies and regulations. Implementing regular emotional intelligence learning could provide the officers with the best understanding of the organization, as well as to strengthen their conflict management resolution skills, problem-solving, impulse control, social responsibilities abilities. Finally, NYPD should implement methods to identify the needed of the organization, determine the needed changes, and provide the officers the much-needed support to ensure the continuity of and implementations of the new organizational structure.

### **Recommendations for Further Research**

Further research is recommended to explore law enforcement officers' emotional intelligence competencies and the influence it has on their performance in the workplace. The data can provide the agency with validated data on the officers' social awareness, social responsibilities, organizational awareness, conflict management, decision-making, and problem-solving competencies. It is also recommended to explore NYPD organizational practices to determine what factors lead to the increase and decrease of FADO allegations. NYPD could use the data to support future organizational changes.

### **Implications**

The data suggested racial bias, social profiling, and racial stereotyping. Social changes start by removing these types of social behavior in all public administrators, street-level bureaucrats, and civil servants. Increasing awareness, social balance, equality, and protection of citizens' right and liberties must be the primary focus of all public servants. Therefore, increasing law enforcement officers' emotional intelligence competencies can improve organizational processes, community policing, performance, and the relationship between officers and the agencies, because emotional intelligence counts for an 80% of an individual's performance in the workplace (Aremus et al., 2011; Goleman et al., 2013). Strengthening those performances is essential for a well-balanced society.

### **Conclusion**

I started this research because of the need to improve the relationship between law enforcement officers and their communities. This research aimed to explore how organizational practices could influence officers' FADO behavior in relation to their emotional intelligence-based performance. The theoretical framework supporting this study was based on Bar-On (2012), Goleman (2012), and Mayer's et al. (1990) emotional intelligence theory. I analyzed data from the CCRB and the OIG-NYPD, from 2001 to 2017. Those reports showed cultural behavior adopted within the department's culture, and patterns relevant to emotional intelligence-based performance.

Thousands of substantiated FADO complaints involving thousands of police officers is a social challenge for NYC and the NYPD.

The most relevant findings were related to the officers' education, use of offensive derogatory remarks against the citizens' race, ethnicity, and sexual orientation, the number of Black victims, and the number of NYPD officers with at least one substantiated allegation of FADO police misconduct. I found that officers with allegations of FADO police misconduct are likely to fail to comply with organizational policies, regulations, and practices. The NYPD low disciplinary rate might be associated with the behavior of the police officers with multiple FADO allegations. If law enforcement officers are not held responsible for their actions, it is likely that those officers will not perceive the wrongdoing in their performance. Hence, those officers will not understand the need to comply with the agency's policies, regulations, and processes, leading to social imbalance. The community needs emotionally intelligent law enforcement officers to build and rebuild the community trust in professional policing.

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## Appendix A: Emotional Intelligence Competencies

## Emotional Intelligence Competencies

Adaptability	Flexible in handling changes (Goleman, 1998).
Conflict-Management	The ability to negotiate and resolve disagreements (Goleman, 1998).
Commitment	Aligning with the goals of the group and organization (Goleman, 1998).
Communication	Listening openly and sending convincing messages (Goleman, 1998).
Communication	Sending clear and convincing messages (Bar-On, 2006).
Decision-making	The way that a person uses emotional information to make decision. This composite reveals how well an individual understand the impact emotions have on decision making, including the ability to resist or delay impulses and remain objective in order to avoid rash behaviors and ineffective attempts at problem solving (Multi-Health Systems, 2011, p. 36).
Flexibility	To adapt and adjust a person's feelings and thinking to new situations Bar-On, 2006, p. 21).
Flexibility	Is adapting emotions, thoughts, and behaviors to unfamiliar, unpredictable, and dynamic circumstances, or ideas. This component of emotional intelligence refers to a person's ability to adapt and tolerate the stress that accompanies change. Flexible people are agile and capable of reacting to change with minimal adverse effect; they are open to and capable of change, and tolerant to new ideas, orientations, and practices (Multi-Health Systems, 2011, p. 37).
Interpersonal Relationship	To establish mutually satisfying relationships and relate well with others (Bar-On, 2006, p. 21).
Impulse Control	To control emotions effectively and constructively (Bar-On, 2006, p. 21).

*(Appendix A continues)*

## Emotional Intelligence Competencies

Impulse control	Is the ability to resist or delay an impulse, drive, or temptation to act. It involves avoiding rash behaviors and impetuous decisions making. Impulse control entails as a capacity for recognizing and accepting a person's desire to react without becoming a servant to that desire (Multi-Health Systems, 2011, p. 36).
Managing emotions	Being reflective about self and other's emotions. Learning how to maintain, increase, and decrease emotions will help us to develop, adapt, and be able to decide and act with both, logic, and reasoning (Mayer et al., 2008).
Perceiving emotions	Emotion contains information about ourselves, other people, and the world around us. Emotions are data. Individuals need to accurately identify how we, and others, feel and read the environment around us and learn how to use that information to make decision and solve problems (Mayer et al., 2008)
Political awareness	Reading a group's emotional currents and power relationships (Goleman, 1998).
Problem-Solving	To effectively solve problems of a personal and interpersonal nature (Bar-On, 2006, p. 21).
Problem-Solving	The ability to find solutions to problems in situations where emotions are involved (Multi-Health Systems, 2011, p. 36). Problem solving includes the capacity to understand how emotions impact decision making. Problem solving neutralize emotions to enhance the process of recognizing the problem, feeling confident in one's ability to work through the problem, defining the problem, generalizing solution, and implementing a plan (Multi-Health Systems, 2011).

*(Appendix A continues)*



## Emotional Intelligence Competencies

Self-actualization	Willingness to persistently try to improve oneself and engage in the pursuit of personally relevant and meaningful objectives that lead to a reach and enjoyable life, commitment to long time goals, professional development, and do whatever it takes to persistently trying to do the best improve oneself in general (Multi-Health Systems, 2011, p. 35).
Self-awareness	Includes recognizing and understanding one own emotion. It involves the ability to differentiate between subtleties in these emotions, while being aware of their causes and the impact they have on the thoughts and actions of oneself-and others (Multi-Health Systems, 2011, p. 35). To be aware and understand one's emotions (Bar-On, 2006, p. 21).  The ability to be aware of, recognize, and understand one's emotions (Goleman, 1998).
Self-Perception	Address feelings of inner strength and confidence, persistence in the pursuit of personal relevant and meaningful goals, and an understanding of what, when, why, and how different emotions impact thoughts and actions (Multi-Health Systems, 2011, p. 35).
Self-regard	Is respecting oneself while understanding and accepting a person's strengths and weakness. Self-regards are often associated with feelings of inner strength and self-confidence. Accept a person's perceived positive and negative aspects and well as a person's limitations and possibilities (Multi-Health Systems, 2011)
Self-Regulation	Managing one's internal states, impulses, and resources (Goleman, 1998)
Social responsibility	Is willingly contributing to society, to one's social group, and generally to the welfare of others. Social responsibilities involve acting responsibly, having social consciousness, and showing concern for the greater community (Multi-Health Systems, 2011, p. 36)

*(Appendix A continues)*

## Emotional Intelligence Competencies

Social Responsibility	To identify with one's social group and cooperate with others (Bar-On, 2006, p. 21).
Social skills	Adeptness at inducing desirable responses in others (Goleman, 1998).
Stress management	Address how well one can cope with emotions associated with change and unfamiliar or unpredictable circumstances, while remaining hopeful about the future, and resilient in the face of setbacks and obstacles (Multi-Health Systems, 2011, p. 37).
Stress Tolerance	To manage emotions effectively and constructively (Bar-On, 2006, p. 21).
Team capabilities	Creating group cooperation in pursuing collective goals (Goleman, 1998).
Teamwork and collaboration	Creating a share vision and cooperation in teamwork, working with others toward shared goals (Cherniss & Goleman, 2011)
Understanding - Emotions	This ability helps individuals to communicate with others and understand why people feel the way they feel (Mayer et al., 2008).

## Appendix B: Sources of Data

Table C1

*CCRB Reports*

CCRB Status Reports Found at <a href="http://www1.nyc.gov/site/ccrb/policy/reports.page">http://www1.nyc.gov/site/ccrb/policy/reports.page</a>	No. of pages per Report
2001 Annual Report	220
2002 Bi-Annual Report	195
2002 Annual Report	236
2003 Bi-Annual Report	191
2003 Annual Report	242
2004 Bi-Annual Report	192
2004 Annual Report	214
2005 Bi- Annual Report	20
2005 Annual Report	230
2006 Bi- Annual Report	20
2006 Annual Report	230
2007 Bi- Annual Report	20
2007 Annual Report	137
2008 Bi- Annual Report	20
2008 Annual Report	36

*(table continues)*

CCRB Status Reports Found at <a href="http://www1.nyc.gov/site/ccrb/policy/reports.page">http://www1.nyc.gov/site/ccrb/policy/reports.page</a>	No. of pages per Report
2009 Bi- Annual Report	16
2009 Annual Report	36
2009 Annual Allegations Statistics	113
2010 Bi-Annual Report	16
2010 Annual Allegations Statistics Report	113
2010 Annual Report	36
2011 Bi- Annual Report	20
2011 Annual Report	36
2011 Annual Allegations Statistics Report	113
2012 Bi- Annual Report	19
2012 Annual Report	32
2012 Annual Allegations Statistics Report	115
2013 Bi- Annual Report	20
2013 Annual Report	32
2013 Annual Allegations Statistics Report	121
2014 Bi- Annual Report	24
2014 Annual Allegation Statistic Report	117
2014 Annual Report	90

*(table continues)*

CCRB Status Reports Found at <a href="http://www1.nyc.gov/site/ccrb/policy/reports.page">http://www1.nyc.gov/site/ccrb/policy/reports.page</a>	No. of pages per Report
2015 Bi- Annual Report	72
2015 Annual Report	101
2015 Annual Allegations Statistics Report	139
2016 Bi-Annual Report	55
2016 Annual Report	65
2016 Annual Statistics Report	145
2017 Semi Annual Report	62
2017 Annual Report	65
2017 Annual Allegations Statistics Report	145
Used of pepper spray report	27
Stop and frisk practices	72
Refusal to provide name and shield number	4
Recommendation for Enhance training	13
2017 Semi-annual report	62

Table C2

*OIG-NYPD Reports*

OIG-NYPD Reports Found at <a href="http://www1.nyc.gov/site/doi/offices/oignypd.page#squad10">http://www1.nyc.gov/site/doi/offices/oignypd.page#squad10</a>	No. Of Pages
2015 Annual Report	35
2015 Body-Worn Cameras in NYC: Assessment of NYPD's Pilot Program and Recommendations to Promote Accountability Report	71
2015 Lawsuits and Legal Actions against the NYPD Report	30
2015 Police Use of Force in New York City: Findings and Recommendations on NYPD's Policies and Practices Report	89
2015 NYPD's Compliance with Rules Governing Investigations of Political Activities Report	64
2015 Observations on Accountability and Transparency in Ten NYPD Chokehold Cases	45
2016 An Analysis of Quality-of-Life Summonses, Quality-of-Life Misdemeanor Arrests, and Felony Crime in New York City, 2010-2015	85
2016 Annual Report	43
2016 An Investigation of NYPD's Compliance with Rules Governing Investigations of Political Activity	76
2017 Annual Report	35

*(table continues)*

Table C2

*OIG-NYPD Reports*

	OIG-NYPD Reports Found at	No. Of
	<u><a href="http://www1.nyc.gov/site/doi/offices/oignypd.page#squad10">http://www1.nyc.gov/site/doi/offices/oignypd.page#squad10</a></u>	Pages
2017 Inefficiencies in NYPD's Handling of Complaints		22
2017 Report on the NYPD Approach to People with Mental Crisis		67
2017 Review of NYPD's Implementation of Patrol Guide Procedures Concerning Transgender and Gender Nonconforming People		42





## Appendix D: Comprehensive Coding – Aggregated Frequency Table

Themes	<i>Data set n = 66</i>
Inappropriate or unnecessary use of force	<i>Frequency f = 32,674</i>
Officers inappropriate or unnecessary use of “physical force” against the victims of FADO	<i>f = 9,520</i>
Officers use of their police “shield to harm” the victims	<i>f = 2,207</i>
Officers use of an animal to “intimidate and/or harm” people	<i>f = 2,118</i>
Officers use of “nonlethal restraining” device as force against the victims	<i>f = 1,899</i>
Officer use of force in to hit victims against “inanimate object”	<i>f = 1,728</i>
Officers use of their “vehicle as a weapon” against the victims	<i>f = 1,766</i>
Officers use of a “gun as club” against the victims	<i>f = 1,613</i>
“Gun Pointed”	<i>f = 1,351</i>
“Gun fired”	<i>f = 1,197</i>
Officers inappropriate use of “Chokehold” regardless that NYPD Patrol Guides prohibit its use	<i>f = 620</i>
Officers use of a “nightstick” as club to hit the victims	<i>f = 878</i>
Officers use of pepper spray against the victims	<i>f = 763</i>
Officers use of a “flashlight” as club against the victims	<i>f = 786</i>
Officers use of other “blunt instrument” as a club against the victims	<i>f = 294</i>
Officers use of their “radio as club” to hit the victims	<i>f = 236</i>
Officer used of handcuffs “too tight” to restraint victims	<i>f = 287</i>
Abuse of Authority	<i>f = 65,860</i>
Officers unlawful or illogical threats of force (verbal or physical) force	<i>f = 9,310</i>
Officers’ failure to “show” search “warrant” to frisk locations	<i>f = 9,035</i>
Officers unlawful or illogical stop and frisk of the victims of FADO	<i>f = 6,480</i>
Officers refusal to obtain medical treatment against the victims	<i>f = 3,478</i>
Officers unlawful threats to arrest the victims of FADO	<i>f = 4,854</i>
Officers unlawful “Stop and Question”	<i>f = 5,185</i>

*(table continues)*

Themes	Data set n=66
Abuse of Authority	<i>f</i> =65,860
Officers refusal to show arrest warrant to the victims of FADO	<i>f</i> = 5,284
Officers unlawful searches or entrance of locations and/or premises	<i>f</i> = 2,732
Officers unlawful threat of summons the victims of FADO	<i>f</i> = 3,834
Officers unlawful retaliatory arrest against the victims	<i>f</i> = 3,387
Officers unlawful or illogical threats to damage and/or seize the victim's property	<i>f</i> = 3,656
Officers retaliatory summons against victims of FADO	<i>f</i> = 2,367
Officers' improper "dissemination of the victims' medical information"	<i>f</i> = 1,622
Officers "Gun Drawn" without a logic or legal reason to approach individuals	<i>f</i> = 1,228
Officer delete relevant information about their cases from electronic devices or "information deletion"	<i>f</i> = 1,329
Officers unlawful seizure of property	<i>f</i> = 1,010
Officers refusal to provide their name and/or shield to the victims upon request	<i>f</i> = 432
Officers' "Interference" with "recording" about specific situations related with inappropriate behavior	<i>f</i> = 232
Officers refusal to "process civilian complaint" against other officers	<i>f</i> = 79
Officers unlawful strip-searched against the victims of FADO	<i>f</i> = 106
Officer inappropriate behavior causing "Property damaged"	<i>f</i> = 220
Discourtesy	<i>f</i> =3,876
Officers use of other type of offensive words against the victims of FADO	<i>f</i> = 2,838
Officers' illogical and discourteous behaviors and actions against the victims of FADO	<i>f</i> = 1,038
Officers' wrongful or illogical demeanor and/or tone when approaching victims of FADO	<i>f</i> = 289
Officers inappropriate and unfitting use of vulgar gestures against the victims	<i>f</i> = 197

(table continues)

Themes	Data set n=66
Offensive Language	<i>f</i> = 1,513
Officers use of offensive, inappropriate, and derogatory language related to the victims' gender identity or orientation	<i>f</i> = 551
Officers use of offensive, inappropriate, and derogatory language related to the victims' sexual orientation	<i>f</i> = 311
Officers use of offensive, inappropriate, and derogatory language related to the victims' ethnicity	<i>f</i> = 307
Officers use of offensive, inappropriate, and derogatory language related to the victims' religious identity	<i>f</i> = 155
Officers use of offensive, inappropriate, and derogatory language related to the victims' race	<i>f</i> = 97
Officers use of offensive, inappropriate, and derogatory language related to the victims' physical disability	<i>f</i> = 92
"education of officers" whose complaints have been substantiated (emerging)	<i>f</i> = 325
FADO against Black Victims (emerging)	<i>f</i> = 1,732
Gender of the victims	<i>f</i> = 571
Age of the victims	<i>f</i> = 1,830
Rank of the officers	<i>f</i> = 179