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The Impact of Agency Accreditation or Certification on Police Misconduct

Robert Ellis Rodriguez
Walden University

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Walden University

College of Social and Behavioral Sciences

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Rob Rodriguez

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Walden University
2020

Abstract

The Impact of Agency Accreditation or Certification on Police Misconduct

by

Rob Rodriguez

MPSA, Columbus State University, 2016

BS, Wilmington University, 2014

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Administration

Walden University

November 2020

Abstract

Law enforcement executives have created and implemented department policies and procedures to mitigate misconduct within their agencies, yet there is currently no method to quantify the effectiveness of these measures. The purpose of this exploratory study was to understand whether written directives, policies, and procedures of nationally accredited or state-certified law enforcement agencies impact reports of police misconduct. Data were collected from 8 Georgia law enforcement agencies: 4 that were nationally accredited or state-certified and 4 that did not hold such status. The data were compiled into 8 categories based on their accumulative number of misconduct incidents per agency and analyzed utilizing an independent sample *t*-test. During this exploratory study, the data analyzed provide some evidence that suggests national accreditation or state-certification does promulgate accountability through adherence to standards, but the relationship was not statistically significant. Superficially, nationally accredited or state certified agencies experienced a higher percentage of incidents of misconduct being unfounded or not sustained at 38% as compared to 6% with non-accredited or certified agencies. This information offers social change implications for the law enforcement profession and opens opportunities for future research about the utility of accreditation or certification. The foundational construct of law enforcement policies, their context, the include changes over time, and contributes to reshaping how law enforcement services are provided to reduce the number of incidents of misconduct.

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Dedication

In dedication to all my brothers and sisters who wear, have worn, and will wear the badge. Law enforcement is the practical application of doing the right thing, at the right time, in the right manner, and in the right way. Never end the fight!

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Chapter 1: Introduction to the Study

Introduction

Many law enforcement officers across the United States consider their profession a proud brother/sisterhood veiled in honor and selfless service. Yet, the law enforcement profession has recently found itself at the center for a heated national debate over alleged brutality and targeted attacks that have led to mistrust across the United States (Covey, 2013; Eithel, D'Alessio, & Stolzenberg, 2014; Harris, 2014; Kinnaird, 2007a, 2007b). Individuals who publicly support this perception suggest that law enforcement officers' mistrust stems from recent incidents of police-citizen encounters where the application of force has resulted in the serious injury or death of citizens. The events where force was applied have led the same anti-law enforcement supporters to further suggest that law enforcement executives have actively engaged in covering up these acts of misconduct or violations of departmental policies and procedures (Eithel et al., 2014; Harris, 2014; Kinnaird, 2007a, 2007b).

The foundational issue to be considered is whether there is a nexus between officer misconduct and violations of departmental policies and procedures designed to prevent these actions. However, leaders of law enforcement agencies have developed processes and mechanisms to screen and select applicants who do not show a history of willfully engaging in this type of behavior (Piquero & Wolfe, 2011). There are still instances where individuals are selected for the position who intentionally engages in misconduct incidents (Piquero & Wolfe, 2011). In this study, I scrutinized police

misconduct and law enforcement accreditation or certification to determine if a relationship exists between them.

Background

The law enforcement profession is not dissimilar from any other profession and as such, there are employees (officers) who do not consistently embody principles of service to others. Throughout U.S. history, there have been numerous incidents where law enforcement officers have willfully engaged in incidents of misconduct. Most notably, law enforcement officers working with organized crime during Prohibition in the 1920s and the Los Angeles Police Department's Rampart scandal in the late 1990s are illustrations where law enforcement officers have willfully engaged in misconduct (Covey, 2013).

The incidents of misconduct in the United States in which officers were viewed as operating in a manner that is counterintuitive to the mission of law enforcement have appeared to increase dramatically in recent years. As a result of incidents such as the Rampart scandal, law enforcement executives recognized that law enforcement agencies must take proactive steps to mitigate the perception that officers are actively engaging in incidents of misconduct (Covey, 2013). After the 1965 Watts riots in Los Angeles, the United States Department of Justice's Law Enforcement Assistance Administration was commissioned the International Association of Chiefs of Police, the Police Executive Research Forum, the National Organization of Black Law Enforcement Executives, and the National Sheriff's Association in 1973 to research standards or guidelines for the operations of law enforcement agencies (The Commission on Accreditation for Law

Enforcement Agencies [CALEA], 2019). Law Enforcement Assistance Administration staff examined this issue for four years before recommending the creation of the Commission on Law Enforcement Accreditation (CALEA). In 1977, law enforcement executives from four major law enforcement organizations established CALEA. The International Association of the Chiefs of Police, National Association of Black Law Enforcement Executives, the National Sheriff's Association, and the Police Executive Research Forum collaborated as the brain trust of CALEA to develop the initial best practices of the law enforcement profession. The best practices that CALEA developed have become the blueprint for the policies and procedures that serve as guidelines for departmental personnel within law enforcement agencies. The policies and procedures establish guidelines and best practices to prevent incidents of misconduct (CALEA, 2019).

As indicated in the introduction of this study, there are numerous studies that have identified the need for law enforcement agencies to have established policies and procedures as well as evidence that misconduct occurring within the law enforcement profession is primarily mitigated by the implementation of policies and procedures (e.g., Fodera, Alifano, & Savelli, 2005). Yet, the lack of empirical research on the true impact of departmental policies and procedures on incidents of misconduct, or the relationship between policies and procedures and misconduct, creates a vacuum in the knowledge necessary for law enforcement executives to effectively deliver law enforcement services to the communities they serve. This gap directly affects the quality of life, the perception

of law enforcement within communities, and the effectiveness of the enforcement bureau of the U.S. criminal justice system.

Problem Statement

The law enforcement profession is at the center of a highly contested national debate in the United States. Current researchers have uncovered a direct nexus between police misconduct and social reform issues such as police corruption, brutality, the unlawful application of force, the perception of an actual targeting of minority populations, and civil rights violations (Eithel et al., 2014; Harris, 2014; Kinnaird, 2007a, 2007b). Although most active law enforcement officers' conduct and actions are above reproach, according to experts (Covey, 2013, Harris, 2014, Kinnaird, 2007a, 2007b), there are law enforcement officers who have developed a distinctive pattern of violating departmental policies and procedures.

Researchers who have conducted empirical studies have identified that U.S. law enforcement executives have implemented directives within their agencies to establish guidelines for the best practices of the delivery of law enforcement services. Although Franklin (2017) illustrated how the perception of law enforcement agency executives routinely covering up or will overlook incidents of misconduct has resulted in a general distrust of the law enforcement profession in the United States. Loader (2016) analyzed data that suggest that law enforcement agencies' ability to gain and maintain the public's trust is essential to the delivery of law enforcement services to the communities being serviced.

For this study, the problem was that there was no discernible method of quantifying the effectiveness of the mitigation of departmental policies and procedures on incidents of misconduct. Law enforcement executives have primarily mitigated incidents of police misconduct through the development and implementation of departmental policies and procedures (Chanin, 2017). However, the primary mitigation method employed by law enforcement executives to combat the issue of police misconduct is the creation and application of standard operating policies and procedures that outline the best practices of the profession.

Current research shows that the phenomenon of police misconduct is localized to three areas: (a) individual officers and their morals and values, (b) the culture of the agency, and (c) environmental factors (Eithel et al., 2014; Harris, 2014; Kinnaird, 2007a, 2007b). Harris (2014) and King (2009) found that law enforcement officers who become employed with an agency where the culture of accountability is not valued, or where a lack of accountability is the norm, have a higher rate of engaging in incidents of misconduct. An agency that does not apply policies and procedures effectively or consistently leads to individual officers, regardless of their morals and values, being highly susceptible to voluntarily engaging in a misconduct incident (Eithel et al., 2014; Harris, 2014; Kinnaird, 2007a, 2007b).

Finally, the gap found with the current research is not why misconduct is occurring. Rather, it is if the mitigation strategy of departmental policies and procedures has any preventative effect on this occurrence. The authors of numerous empirical studies have outlined wrongdoing and their ethical considerations (e.g., Chain, 2017;

Covey, 2013; Fitch, 2011); however, the actual impact of department policies and procedures on law enforcement misconduct incidents is unknown, based on my review of the literature.

Purpose of the Study

The purpose of this exploratory study was to discover if written directives, policies, and procedures of law enforcement agencies that are nationally accredited or state-certified have a preventative effect on police misconduct as opposed to those agencies that are not. The primary focus of this study was on examining the relationship between the subculture of police misconduct and the written directives of a law enforcement agency. I sought to determine if there is a statistically significant difference in the mitigation of misconduct in agencies that have applied these promulgated policies and procedures and those that have not. Another aim of this research was to provide law enforcement executives with quantifiable data on the effectiveness of their mitigation strategies regarding police misconduct.

Research Question

The research question (RQ) for this exploratory study is:

RQ: Comparing law enforcement agencies that are nationally accredited or state-certified and those who are not, is there statistical significance to suggest that accreditation or certification impacts the number of validated misconduct incidents?

The research question for this study speaks directly to the governance of law enforcement agencies and their ability to reduce the number of validated incidents of police misconduct based on their participation in national accreditation or state-

certification. In order to empirically validate this question, this research question was tested the theoretical framework, the *policy feedback theory*. Specifically, an examination of law enforcement agencies who possess national accreditation or state-certification along with their number of reported incidents of misconduct as compared to law enforcement agencies that do not hold accreditation or certification and its nexus with the social responsibility of the law enforcement officers, how they are governed, and how this may influence the political of law enforcement accountability.

Theoretical Framework

I employed the policy feedback theory (PFT) as the study's theoretical foundation. According to Weible and Sabatier (2018), the PFT is the framework that illustrates how and why or even if the policy is actually "policymaking" (p. 103). Initially noticed within the scholarly community in the late 1980s, the PFT applies four specific types of inquiry or "streams" (p. 107) that establish the manner of examination. I examined the research problem by evaluating how particular policies affected vital portions of governance through the utilization of four streams: (a) the meaning of citizenship or a sense of belonging to a particular group, (b) the form of governance, (c) the power of groups, and (d) any political agenda and definitions (Weible & Sabatier, 2018, p. 107). A more comprehensive explanation of the theoretical foundation and its application in this study is provided in Chapter 2.

Nature of the Study

Using an exploratory design framework, I examined if there is a relationship between the agencies that possess national accreditation or state-certification and the

incidents of police misconduct. Specifically, what impact, if any, does possessing accreditation or certification have on incidents of police misconduct. Additionally, it may be assumed that policies and procedures and accreditation or certification have a symbiotic relationship; this study was designed in part to determine if this relationship is present. Finally, my objective was to determine if a relationship could be established between possession of accreditation or certification and the number of reported incidents of police misconduct.

Definitions

Before ascertaining any potential relationship between law enforcement agencies that possess national accreditation or state-certification and incidents of police misconduct or violations of the policies, the lexicon associated with discussions of police misconduct, departmental policy and procedures, and misconduct violations must be defined. The definitions associated with this research are as follows:

Accreditation: The standard of outlining the best practices for law enforcement agencies. These standards are the framework for policies and procedures and are administered nationally through CALEA (CALEA, 2019).

Certification: The standard of outlining the best practices for law enforcement agencies. These standards are the framework for departmental policies and procedures and are administered at the state level through the Georgia Association of Chiefs of Police (GACP, 2019).

Citizen complaints: Officially documented allegations of misconduct submitted by a citizen.

Complaint: A statement presented in writing or orally that describes a situation that is perceived to be unsatisfactory or unacceptable to the citizen.

Exonerated: An official declaration of absolution from any wrongdoing or culpability.

General orders: A manual that contains a law enforcement agency's policies, procedures, directives, and regulations.

Inconclusive: A state that occurs when investigative leads have been exhausted, and there is insufficient evidence to either prove or disprove the allegations of the complaint.

Internal affairs division/Unit: A unit within a law enforcement agency that conducts investigations of alleged violations of criminal law or violations of department policies or procedures by members of the department.

Police misconduct: Improper actions taken by police officers in their official duties. This definition is inclusive of all misconduct incidents.

Policy: A course or principle of action adopted by a government, party, business, or individual.

Policy failure: A situation that occurs when the policy or procedure does not properly address the policy, procedure, or allegation(s) that led to the conduct. An investigation will reveal if the failure in the policy/procedure may have contributed to the conduct.

Policy manual: A manual that contains a law enforcement agency's policies, procedures, directives, and regulations.

Policy violation: An act of doing something that is not allowed or failing to what is required by policy, procedure, directive, or regulation.

Procedure: An established or official protocol that directs action in specific situations.

Public trust: Confidence or belief that law enforcement officers will act in a manner consistent with the standards of conduct and ethics expected of public servants.

Regulation: A rule or directive made and maintained by an authority.

Standard operating procedure manual (SOP): A manual that contains a law enforcement agency's policies, procedures, directives, and regulations.

Sustained: A situation that occurs when the allegation(s) of the complaint or investigation is supported by sufficient evidence to conclude that any violation(s) of the policies or procedures did occur.

Unfounded: A situation that occurs when the allegations contained in the complaint have been proven to be false.

Violation of law: An act of doing something that is not allowed by civil or criminal law, ordinance, or statute.

The independent variable used in this study was the agencies participating in this study and their status of accreditation or certification. The policies and procedures of these agencies are written directives that outline the action(s) of the employees of the agencies based on the best practices of the law enforcement profession as well as local, state, and federal criminal and civil statutes. Conversely, the dependent variable for this study consisted of the violation of departmental policy/procedure or the acts of

misconduct. Violations of departmental policies and procedures or the act of misconduct are incidents where law enforcements operate outside of the enumerated policies and procedures for a law enforcement agency. Incidents of police misconduct or violations of departmental policies and procedures may be determined by multiple factors, including the officer involved, departmental policy, the type of incident or situation, the circumstances surrounding the incident or situation, and the other individuals involved in the incident.

Significance of the Study

The delivery of law enforcement services is a pillar of this country's democracy and must maintain this ability to effectively stand in the gap between crime, chaos, and civilized society. Once law enforcement agencies lose their ability to maintain control, there will be a shift in the balance within our communities, and chaos will ensue. The significance of this study has the potential to be profound and create positive social change by bringing about reform in the delivery of law enforcement services in this country. This study provided evidence that can assist in the prevention of incidents such as the recent riots stemming from the alleged police misconduct in the shooting of Michael Brown in Ferguson, MO, the choking death of an Eric Garner during an arrest for selling illegal cigarettes in New York, and the in-custody death of Freddie Gray in Baltimore, MD (Solomon, 2015). Finally, the gap found with the current research is not why the misconduct is occurring; instead of the mitigation strategy of departmental policies and procedures has any relationship, preventative or otherwise, on this singularity. Although numerous empirical studies outline misconduct and their ethical

considerations, the actual impact of department policies and procedures on law enforcement misconduct incidents is almost non-existent.

When examining the implications of social change, the potential for social change is profound. The impact of social change can be seen in areas such as the safety of the citizens within our communities and the social climate. Initially, law enforcement is a profession that is designed to ensure the safety and security of the citizens residing within a specific geographical location. If law enforcement agencies are allowing their officers to commit acts of misconduct or violate policies of the department, these acts and violations can directly affect the delivery of services provided and potentially result in innocent citizens getting injured, killed, and sheer chaos allowed to occur. There is a nexus between the social climate of our communities and law enforcement agencies that possess a systemic issue with police misconduct. The law enforcement officer is a public servant and is often seen as a direct representation of the governing body within our communities. Additionally, the delivery of law enforcement services is a public service that is predicated on the trust invested in law enforcement officers by the public. Law enforcement officers who commit acts of misconduct or violate the policies and procedures of a department erode the trust of the people and create the perception of an "us" versus "them" mentality.

In sum, law enforcement executives have a fiduciary responsibility to ensure the safety and security of the citizens within their communities. Decision-makers no longer have the luxury of not understanding the nexus between their policies and procedures and the incidents of misconduct or violations of policies as it directly affects the delivery of

the services provided by taxpayers. This study offers law enforcement agencies and local governments empirical data that can shape the effectiveness of law enforcement in providing their citizens the ability to pursue life, liberty, and the pursuit of happiness safety as well as reducing the costs passed onto taxpayers for these services.

Assumptions

For this study, there are four assumptions that were identified. The first assumption is that law enforcement officers understand the difference between right and wrong. This assumption is based on the premise that law enforcement officers enter into the profession with the cognitive recognition that as adults, they gained the individual understanding acts are morally, ethically, and legally wrong and those actions which are not. The second assumption is that both the nationally accredited or state-certified law enforcement agencies as well as those who do not hold such accreditation or certification have a written directive system, policies, and procedures, and each officer has been trained on their agency's policies. The third assumption is all incidents of misconduct or violations of the policy are accurately reported and documented regardless of the agency's accreditation or certification status. The fourth assumption is that all the data provided by the police department accurately reflects what occurred during the specified periods and that no data has been lost or misplaced.

Scope and Delimitations

In this study, I examined secondary/historical data from the participating law enforcement agencies. Specifically, this study analyzed historical data from law enforcement agencies pertaining to incidents of misconduct and violations of their

policies and procedures. This exploratory research study has three criteria that will need to be met to ensure that the limitations will prevent accurate data from being collected. First, law enforcement agencies must be willing to participate in the study through the cloak of anonymity, and all eight agencies have agreed to participate. Secondly, this study relied on secondary/historical data or historical data collected from the participating agencies. The specific secondary/historical data collected from each law enforcement agency consisted of the number of reported incidents of misconduct for the calendar years of 2018 and 2019. This data was specific to the number of incidents of report misconduct or violations of the department policy and included all incidents reported by the agency. In addition, the data was compiled into 8 categories of misconduct or violations of the policy, whether the agency supplying the data was nationally accredited or state-certified, if the department had a written directive system, and if their officers were training on the agency's policies and procedures.

By examining secondary/historical data from each of the departments participating, with their identity being masked, this study will remove apprehension from providing accurate data and responses to the researcher. All three criteria are making it worthy of the research.

Limitations

Each empirical study has some form of limitations, challenges, and barriers, and this study was not any different. This exploratory study did not allow this researcher to control for any factors or specific groups in this study as the data collected was not

designed for any external control or manipulation (O'Sullivan, Rassel, Berner, & Taliaferro, 1999b).

Conversely, there were challenges and barriers associated with this study. This study examined incidents of police misconduct and if there is any relationship with the accreditation or certification status of a law enforcement agency. In probing incidents of a sensitive nature, there may be a reluctance to be completely forthcoming as the information in this study could be potentially embarrassing to the agency and individuals that were involved. Therefore, the limitations of this study will be based on two aspects, (1) the participating agencies providing data, and (2) the inability to determine any of the causal factors that led to the engagement in the misconduct or violation of departmental policy(ies).

Initially, I examined the reported incidents of misconduct and violations of the department's policies and procedures participating in this study. Secondly, the disclosure of this sensitive information is not only embarrassing to both the agency and the officer-involved and thus creating a lack of trust with the law enforcement agency or the officer as well both simultaneously.

Summary

The current national debate regarding the misuse of authority by law enforcement officers, based on recent incidents of misconduct, has initiated the demand for legitimacy within the law enforcement profession. Establishing if policies and procedures are sufficient or if their existence has any impact or mitigate whether law enforcement officers decide to engage in incidents of misconduct is profound and must be examined.

Although there are numerous empirical studies centered on the importance of having an effective written directive system for law enforcement agencies and that police misconduct is contrary to the trust and authority invested into our officers by the public; however, very little data exist regarding their relationship.

This study has added to the limited body of knowledge on the effectiveness of the policies and procedures promulgated by law enforcement agencies and their relationship to incidents of police misconduct. The following chapter will identify the current scholarly research available regarding the relationship between police misconduct and law enforcement policies and procedures and will determine a gap in the existing literature that this study may fulfill.

Chapter 2: Literature Review

Introduction

Police misconduct is nothing new to the law enforcement profession. It has been as an issue that law enforcement executives have been forced to address for decades now with several empirical studies (e.g., Chanin, 2017; Covey, 2013; Fitch, 2011; King, 2009; Kinnaird, 2007a, 2007b) suggesting that effective law enforcement agencies have well-established policies and procedures to govern the actions of their officers. Departmental policies and procedures are designed to ensure that officers deliver law enforcement services equitably and by the framework of the best practices of the profession (CALEA, 2019; Fodera et al., 2005). This is evident with the creation of CALEA in 1979 as a result of a needs assessment conducted by the International Association of the Chiefs of Police, National Association of Black Law Enforcement Executives, the National Sheriff's Association, and the Police Executive Research Forum (CALEA, 2019). The intent was to develop and implement a set of standards, or best practices, for the law enforcement profession (CALEA, 2019).

The need for standards became evident after a series of events such as corruption during Prohibition, numerous allegations of the lack of impartiality based on the socioeconomic status of an individual, the President's Commission on Law Enforcement and Administration of 1968, and the Watts riots in California ("The President's Commission," 1966). Some scholars have found a reduction in incidents of police misconduct in agencies that have published policies and procedures (Fodera et al., 2005), while others have suggested that there are a higher number of incidents of police

misconduct and agencies that employ policies and procedures (Harris, 2014; King, 2009; Kinnaird 2007a, 2007b). However, there is little to no available research on what, if any, impact the policies and procedures of law enforcement agencies have on officers and their decision to violate established policies. I sought to address this question directly and determine if there is a nexus between agency policies and procedures and incidents of police misconduct.

Literature Search Strategy

The concept of law enforcement officers being involved in incidents of misconduct is not a new phenomenon; however, determining if there is a nexus between police misconduct and departmental policies and procedures is a new area of study. For this study, I searched several scholarly and electronic databases to identify any scholarly articles, studies, and publications pertaining to the topic of police misconduct and agency policies and procedures. I searched databases such as SAGE Journals, ProQuest's general database, ProQuest's Criminal Justice Database, and Google Scholar to identify all current empirical research relevant to this study. Google Scholar was also used to find nonempirical research, such as news articles on current events and media reports, that might provide relevant information on the research topic. The search terms used for this study were *police misconduct, origins of misconduct, departmental policy and procedures, standard operating procedures, the impact of policies and procedures, police misconduct statistics, alleged brutality, brutality and misconduct, citizen complaints against police, and police-citizen encounters.*

I uncovered 52 articles, periodicals, books, and court cases similar to the research topic ranging in years from 1961 to 2020; however, only 44 were utilized in this study. The older sources were used within the theoretical framework section and to assist in developing the lens through which to view the RQ. Most of the research available was narrowly focused on one topic, misconduct or policies and procedures independently.

Theoretical Framework

The theoretical foundation that served as the framework for this study was the policy feedback theory (PFT) as enumerated in Chapter 1. In the late 1980s, historical institutionalists suggested this analytical approach for studying policies and politics, suggesting that policies possess a symbiotic relationship with an institution and its infrastructure (Weible & Sabatier, 2018). Specifically, PFT allowed me to identify if social norms, culture, and similar interests are affected or influenced by internal policies and procedures (see Weible & Sabatier, 2018).

Although considered to be a new theory within the realm of the political science community, PFT is a framework that is designed to shape politics through policies (Weible & Sabatier, 2018). The PFT was not designed by one scholar, rather a collective group of scholars came together as a collective body and developed the framework for this theoretical construct; however, Dr. Theda Skocpol is credited with coining the term *policy feedback theory* (Weible & Sabatier, 2018). Early research suggested that PFT's primary impact was exhibited within groups of organizations and whether policy(ies) affect such individuals for the benefits of veterans or the argument over welfare services (Goss, 2010). Although Skocpol did not develop this theoretical construct, she postulated

that once a policy is created or developed, it has the ability to affect or influence various organizational culture and infrastructure (Weible & Sabatier, 2018; Amenta & Elliott, 2005; Skocpol, 1992). Skocpol's position regarding PFT is consistent with empirical research that suggests that once a policy has been established, that policy will have a direct effect on future governance internally as well as externally (Weible & Sabatier, 2018; Amenta & Elliott, 2005; Skocpol, 1992).

Within the law enforcement profession, a dynamic yet latent subculture exists regarding the ethical considerations to violating departmental policies or engaging in incidents of misconduct (Eithel et al. 2014; Harris, 2014; King, 2009). In this context, the PFT provided the most advantageous lens for this investigation. Through the application of the PFT, I was able to examine if departmental policies and procedures affect the social responsibility within the law enforcement profession, how law enforcement officers are governed if there is any power within the classes of officers within the agency, and whether these policies define or expose any identifiable agendas within the officer ranks or within the agency itself. By using PFT, I was able to explain how departmental policies and procedures deliberately target a certain population from a macro perspective, creating the impact associated with learning and the change in the social norms within the law enforcement community.

As previously discussed, the law enforcement profession has a subculture, and employing PFT creates an existential nexus with incidents of misconduct and a law enforcement agency's policies and procedures. To further solidify my position, Amenta and Elliott (2019) illustrated this concept by explaining that by creating policy(ies), can,

and in most cases, effect change. PFT allowed me to scrutinize what impact, if any, does accreditation or certification have on police misconduct. The construct of PFT provides the ability to identify and research if law enforcement agencies, as a group, or officers, as a group, display any change(s) in public opinion (Amenta et al., 2019; Skocpol, 1992).

Specifically, in the late 1980s, PFT began to emerge as a new theoretical framework which focused on how social policies affected the governance of society. PFT has four elements: (a) the meaning of citizenship or a sense of belonging to a particular group, (b) the form of governance, (c) the power of groups, and (d) any political agenda and definitions that establish the manner of examination how policies may shape the course of the political climate any future policy development. In addition, for this study identifying the benchmarks of this framework can be established when the introduction of a new policy or policy implementation, such as accreditation or certification, can produce a (1) new form of governance or (2) when the implementation of a new policy may alter the course of the manner in which new policies are developed (Amenta et al., 2019; Skocpol, 1992; Weible & Sabatier, 2018).

By applying this framework to this study, I was able to determine if empirical evidence was present to establish a relationship between reported incidents of police misconduct and agencies that hold accreditation or certification and the agencies that do not hold such status. Particularly, this study uncovered that accredited or certified agencies unfounded or unsubstantiated 38% of all reported incidents of misconduct to violations of the policies as opposed to the 6% unfounded or unsubstantiated by the agencies that did not possess either national accreditation or state-certification. This data

suggests, empirically, that nationally accredited or state-certified law enforcement agencies create a form of governance as well as the manner that new policies will be development within these agencies as opposed to their counterparts – thus solidifying the application of the framework for this study.

Officers who are employed with accredited or certified law enforcement agencies are members of a subculture within the law enforcement profession that are familiar with and have committed to the guidance of the standards. Additionally, these standards effect manner in which therefore creates the political climate of their agency. For this study, through examining the relationship between nationally accredited or state-certified law enforcement agencies and agencies that do not possess accreditation or certification. (Amenta et al., 2019; Skocpol, 1992; Weible & Sabatier, 2018). PFT is a social construct

Finally, employing this theoretical construct allowed me to apply the results of this research to both the public's opinion of law enforcement, law enforcement executives, and community leaders. Conversely, a similar application of the policy feedback theory has been utilized in several hot button topics, most notably the policy application of the Affordable Care Act (ACA, also referred to as "Obamacare"). As with the debate over ACA, Lerman and McCabe (2017) describe how policies will directly political outcomes. Additionally, Lerman and McCabe further explain how policies become the driving force for the development of a new understanding, which leads to political positions. These political positions form the foundation of new social norms.

In sum, PFT is a theoretical frame construct that affords researchers to examine an issue or phenomenon where the application of policy, policy development, application,

and its implementation can affect the infrastructure of organizations while influencing the governance of the organization and those being governed.

Literature Review Related to Key Variables and/or Concepts

Historical Background

Interestingly throughout the history of this country, there have been notable incidents where the actions of law enforcement officers were challenged for their legitimacy. In many cases, law enforcement policies and procedures are a direct result of the action or lack thereof of a law enforcement officer, such as a violation of a process or an individual's right. Two notable examples outlining how policies and procedures were established as a result of a challenge to the practices of law enforcement at that time were *Miranda v. Arizona* and *Mapp v. Ohio*. In these incidents, officers associated with the agencies in these cases committed a violation of the law and departmental policies resulting in the ruling of the court (Dempsey et al., 2019). Specifically, in *Miranda v. Arizona* (1966), detectives from the Phoenix Police Department violated the suspect's constitutional rights when he was forced to confess to committing rape. This forced confession is an incident of police misconduct, and the Phoenix Police Department did not have any policies or procedures to prevent this from occurring (*Miranda v. Arizona*, 1966).

Conversely, in *Mapp v. Ohio*, officers of the Cleveland Police Department participated in an incident of police misconduct when the officers illegally discovered evidence of Mapp's involvement in criminal activity when they illegally searched Mapp's

residence for a bombing suspect (*Mapp v. Ohio*, 1961). As with *Miranda v. Arizona*, the Cleveland Police Department did not have any mechanism to prevent incidents of misconduct. As a result of law enforcement, as an industry, it has been forever changed how law enforcement delivers its services. This study will identify if established policies and procedures have had impacted any misconduct within law enforcement.

Departmental Policies and Procedures

When examining policies and procedures, the current research available in this specific focus is limited and is generally included in other areas such as police misconduct, ethics, and the culture of an agency. Although, a review of the current scholarly literature has revealed that law enforcement is a dynamic profession that is comprised of situations they can range from one end of the spectrum to the other, with millions of variables that present themselves once or in several incidents (Fodera, Alifano, & Savelli, 2005). Additionally, Fodera et al. (2005) explain that law enforcement officers, by the sheer nature of the profession, will engage in situations that are highly litigious in nature, such as special weapons and tactics, vehicle pursuits, undercover operations, and high-risk warrant service. These types of services delivered by law enforcement agencies demand agencies that have some form of guidelines and procedural steps. Conversely, Jiao (1998) examined those law enforcement agencies and the development of effective policing policy models. From an empirical approach, this study identifies that effective law enforcement agencies throughout the county employ some form of a written directive system. Additionally, one interesting aspect this study

presented was regardless of the model of policing an agency may employ, such as community-oriented policing, professional, and other similar models (Jiao, 1998).

Based on the research of Fodera et al., (2005) and Jiao (1998), supports the argument that by the very nature of the services delivered by law enforcement agencies, the development of well-constructed policies and procedures are not a luxury, rather a requirement.

Donner (2019) and Feys et al. (2018) postulate that law enforcement agencies can create a paradigm shift and increase accountability within law enforcement agencies through the application of policies and procedures. According to Perry (2013), one of the arguments presented is that these incidents of violence may not have been occurred if the law enforcement executives implemented a written directive system. The overlapping consistent theme becomes apparent that well-development policies and procedures, when employed by law enforcement agencies can create a form of governance that may prevent incidents of misconduct or violations of departmental policies from occurring. Specifically, Orrick (2004) suggested that agencies should construct their policies and procedures based on the best practices of the law enforcement profession to ensure not only professional integrity but reduce the potential for exposure to litigious situations.

Just as it was suggested in Donner (2019), Feys et al. (2018), Perry (2013), and Orrick (2004), CALEA (2019) presents that the best practices of the law enforcement profession are based on policies and procedures. CALEA (2019) argues that policies and procedures create a systematic outline for the delivery of effective and professional law enforcement services. The foundation for the establishment of CALEA is the creation of

standards or the best practice of delivering law enforcement services throughout communities within this country. Additionally, the available research confirms that each of the CALEA standards is directly associated with a specific policy or procedure (CALEA, 2019). CALEA was established in 1979 after the DOJ commissioned a study to determine what were the best practices that law enforcement agencies should employ within their agencies to provide the most effective service to their respective communities. During its initial debuted, CALEA identified over 1400 standards as the best practices for law enforcement agencies. This was a voluntary program where law enforcement agencies could participate in adhering to these standards through subjecting themselves to an assessment by a CALEA assessor to achieve certification their compliance with the promulgated standards (CALEA, 2019).

The initial standards consisted from what steps officers should take in responding to calls for service to what type and color undershirts should be worn with their uniforms. Although, over time these standards became antiquated, and required CALEA to evaluate, re-evaluate, and scrutinize the standards to ensure that law enforcement agencies were operating with the most current information available to ensure compliance. Since CALEA's inception, CALEA has created four type of accreditation: Law Enforcement, Communications, Training Academy, and Campus Security. The law enforcement accreditation has two tiers: Tier 1 consisting of 483 standards and is typically pursued by mid-size to large agencies and Tier 2 which consists of 188 standards which is generally sought after by smaller law enforcement agencies. There is no difference in the accreditation status between Tier 1 and Tier 2; Tier 2 allows the

smaller agencies to omit standards that do not apply to their organization such as the standards related to an Air Unit or Mounted Patrol (CALEA, 2019).

In Perry's (2013) white paper, Perry argues that the conduct and professionalism of a law enforcement officer and the agency in which he or she is employed can only be measured by the application of standards-based on policies and procedures. Continuing, Perry (2013) suggests that departmental policies and procedures were designed to provide law enforcement personnel and their agencies with the blueprint for integrity. Specifically, Perry postulates law enforcement agencies with a developed written directive system are less likely to be subjected to corruption, a lack of trust from the constituents in which they serve, internal discipline problems, incidents of misconduct, and/or excessive use of force violations (2013).

Additionally, Perry (2013) submits that accountability is a foundational component of establishing a professional law enforcement organization. Law enforcement agencies and their personnel have an enormous amount of trust and responsibility invested in them. Law enforcement agencies select and hire individuals with a certain education, specific traits, and characteristics bring an internal accountability system that is intrinsic; however, Perry (2103) hypothesized that a law enforcement agency with a policy and procedure manual creates an accountability system for all employees regardless if they are in possession of the aforementioned education, traits, and/or characteristics.

Perry's research is consistent with the research uncovered by Orrick (2004) when he published his Best Practices for Developing a Police Department Policy Manual.

Although Orrick's publication primarily addresses a how-to guide in the construction of departmental policies and procedures, Orrick offers, based on his research, that law enforcement agencies with well-constructed policies and procedures provide effective law enforcement services provided the policies and procedures are followed by the agency and its personnel.

The current research associated with the policies and procedures of law enforcement agencies provide the existential foundation for PFT. This research congeals the construct of the theoretical framework for this study. Earlier in this chapter, I raised Skocpol's position regarding PFT and its application with governance. Skocpol presented the concept that once a policy is developed and promulgated, that policy will have an effect on the governance and future governance both within the organization and outside of the organization (Weible & Sabatier, 2018; Amenta & Elliott, 2005; Skocpol, 1992).

Police Misconduct

Law enforcement and the delivery of law enforcement service today is the evolution of the initial law enforcement platform developed in London, England, by Sir Robert Peel in the early 1820s, who is considered to be the father of modern law enforcement (Jenkins, 1999). Interestingly, as cited in Jones (2004), Sir Robert Peel argued that law enforcement organizations would not be able to conduct or provide law enforcement services within their communities without the approval of the citizens themselves (p.30). Peel's argument that the trust of the public is paramount to the law enforcement profession and is based on that of the trust invested in the profession by the communities in which they serve is still applicable today.

Considering Sir Robert Peel's position on the importance of trust that must be maintained by law enforcement agencies, an examination, and understanding of a major contributor, police misconduct, to the erosion of that trust should be established. Police misconduct or the perception of misconduct has ignited a national debate demanding reform. Solomon (2015) captures this perception through his examination of the recent incidents across the United States, where law enforcement intervention has sparked the national debate regarding what level of trust should be invested in law enforcement agencies.

Considering that both Jones (2004) and Solomon (2015) presents research on the manner in which law enforcement services are, or will be, delivered and the perceptions of those receiving the law enforcement services. In Jones (2004), the argument is simple; the trust invested in law enforcement by the community being served is paramount. Whereas in Solomon (2015), Solomon addresses the recent incidents where the public has demanded criminal justice reform, citing a lack of trust in law enforcement. Specifically, Solomon further postulated that the communities being serviced by law enforcement had developed the perception that law enforcement is targeting a particular demographic and thus resulting in a lack of trust (2015). Both Solomon (2015) and Jones (2004) create a platform for the need for police accountability. By utilizing PFT, this platform can be established and applied for law enforcement executives when developing a written directive system for their agency.

According to Fitch (2011), police misconduct is essentially based on two factors (1) the selection of officers and (2) how these officers will rationalize behavior.

Continuing, Fitch argues that once an officer engages on the path of violating the department's policies and procedures, even the most minor standards, the officer will be more inclined to engage in more serious incidents of misconduct, even criminal acts (2011) although some research would submit that factors such as race are predicting factors for officers to engage in misconduct. Weitzer and Tuch (2004) studied this argument.

In Weitzer and Tuch (2004), police misconduct was categorized in four areas: verbal abuse, excessive force, unwanted stops, and corruption. During this study, Weitzer and Tuch examined the perceptions of race and the four areas of misconduct.

Continuing, Weitzer and Tuch identified race as a major factor in incidents of misconduct along with the socio-economical area the incidents occur within. However, Harris (2014) refutes the suggestion that the individual race of the officer is a causal factor for misconduct. Harris argues that factors such as college degrees, performance during initial law enforcement training, and the geographical assignments post-academy have a greater impact on whether an officer will be involved in an incident of misconduct or not.

In Donner (2019), Donner asserts the only effective instrument to predict future incidents of police misconduct is to examine and understand prior incidents of misconduct. Specifically, Donner argues that regardless of the steps that law enforcement agencies take to screen and vet potential applicants, there will be officers who will ultimately participate in misconduct. This is not to suggest agencies should limit the screening mechanisms employed to assess the viability of the potential applicants; rather, Donner (2019) postulates the incidents of misconduct are inevitable.

Impact of Policies and Procedures

In Covey (2013), Covey's research uncovered a nexus between the culture of a law enforcement agency and the number of incidents of police misconduct. Specifically, Covey examined the Rampart scandal within the Los Angeles Police Department. Covey postulated that even though the department had a well-written directive system, the culture within the Rampart Division was systemic; in fact, the policies and procedures were not being followed. Subsequently, small incidents of misconduct led to large incidents to the point officers were not only violating the civil right so the citizens they were sworn to protect, but the officers of the division were blatantly committing criminal acts (Covey, 2013).

According to Kinnaird (2007a), Kinnaird examined the San Francisco Police Department (SFPD) and their internal processes relating to incidents of police misconduct, citing a direct nexus with police accountability. Kinnaird's research identified that, based on the policies and procedures of SFPD, the incidents of misconduct were substantially lower than years prior. Kinnaird discovered during his research that SFPD implemented well-constructed departmental policies and procedures prescribing the expectation for conduct and behavior members of the department would employ while providing law enforcement services to their citizens. Kinnaird (2007a) concluded the reduction in incidents of misconduct within the SFPD was attributed to the policies and procedures implemented. Conversely, Kinnaird (2007b) also conducted a second, deeper examination of the well-constructed policies and procedures implemented by SFPD and their specific effect on the incidents of misconduct reported. In the second

study, Kinnaird found that the policies and procedures implemented by SFPD were instrumental in combating the causal factors of misconduct within the department.

Now, in Donner (2019), one aspect Donner suggests law enforcement executives consider that in order to mitigate incidents of misconduct, for law enforcement leaders to be successful in mitigating incidents of misconduct, executives must develop departmental policies and procedures. The policies and procedures would contain internal processes such as randomly test the integrity of the officers, develop early warning, establish citizen review committees/boards, conduct an analysis of the use of force and complaints, etc. According to Donner, departmental policies and procedures are the foundational pillars to combating police misconduct. Finally, Chanin (2017) explains in this study that the primary system designed to mitigate incidents of police misconduct are departmental policies and procedures. Policies and procedures outline a specific process for the delivery of law enforcement services to the citizens that depend on law enforcement officers to maintain order within the communities across this country.

Summary and Conclusions

The empirical research available illustrates the pervasive phenomenon of incidents of police misconduct occurring for the past several decades. Although there are competing theories as to the causation or the factors that lead to law enforcement officers engaging in incidents of misconduct, the research is detailed that police misconduct is a factor that law enforcement executives are forced to address. To compound the issue of addressing incidents of misconduct, law enforcement executives must contend with the

perception that incidents of misconduct chip-away at the trust invested in the law enforcement profession.

Conversely, the research also provides these same executives with an avenue to address incidents of misconduct – the creation of departmental policies and procedures. Most scholars agree that a well-constructed policy and procedure manual employed within a law enforcement agency is a foundational aspect of mitigating this trend of misconduct incidents; however, there is no empirical research that measures if departmental policies and procedures possess any impact on incidents of misconduct. The current data is theoretical and is suggestive, arguing that prescribed policies and procedures should reduce the number of incidents of misconduct. Empirical research is available that suggests incidents of misconduct are going to occur regardless of the mechanisms used to mitigate or prevent these incidents from occurring. If this hypothesis is correct and incidents of misconduct are going to occur, that would validate why there is no research available on the impact or relationship that departmental policies and procedures have on incidents of misconduct.

Finally, law enforcement executives throughout history have faced challenges of combating incidents of misconduct while maintaining the trust of those who they serve. The current research available confirms the necessity for this exploratory study through the construct of the PFT. Additionally, with the gap in the literature, by utilizing PFT, and new evidence provided the nexus between police misconduct and any possession of accreditation or certification as form of governance as well as the development of new policies with law enforcement agencies.

Chapter 3: Research Method

Introduction

This study aimed to establish if there is a relationship between police misconduct and law enforcement policies and procedures. I wanted to ascertain the impact one will have on the other and, more specifically, whether the relationship is symbiotic or mutually exclusive. For this study, incidents of police misconduct was the dependent variable, and the status of being accredited or certified for each of the participating law enforcement agencies was the independent variable. Based on these dependent and independent variables, I developed the following research question:

RQ: Comparing law enforcement agencies that are nationally accredited or state-certified and those who are not, is there statistical significance to suggest that accreditation or certification impacts the number of validated misconduct incidents?

Research Design and Rationale

Using an exploratory nonexperimental design, I examined if there is a relationship between the promulgated policies and procedures of law enforcement agencies and incidents of police misconduct. Through the application of an exploratory nonexperimental design, I was able to determine if there was statistical significance present to establish a relationship. Although a classic experimental design with a control group and treatment group is ideal, there are situations in which the classic design is not feasible or has ethical issues in a real-world setting (Fields, 2013; Frankfort-Nachmias & Leon-Guerreo, 2018).

For this study, I employed the PFT as the theoretical foundation for this exploratory study with correlational analysis as the research design. By using correlational analysis, I was able to identify whether a relationship existed between incidents of misconduct and law enforcement agencies that possessed accreditation or certification as opposed to those agencies who did not possess such status. Police misconduct served as the dependent variable, and whether an agency is accredited or certified is the independent variable.

This research, even though it is an exploratory study, is not dissimilar to other empirical studies and, as such, its experienced threats to internal validity. Any threat(s) to the internal validity must be addressed. Specifically, for this research, growth, and evolution within law enforcement were a threat to validity. As law enforcement agencies evolve, the historical foundation of the agency can create a threat to the validity of the data collected regardless of the manner of the research design. This is based on an incident that is not caused by the independent variable and is the proximate cause for any changes observed during the collection of any data (O'Sullivan et al., 2008; Frankfort-Nachmias & Leon-Guerrero, 2018). Significant events within the history of the participating agencies could create variations in the measured data collected in both the dependent and independent variables. Therefore, I investigated and reported all historical events to address this threat to internal validity.

The second potential threat to internal validity was the evolution of participating law enforcement agencies. The evolution of any group(s) being studied should be investigated, and the inherent changes within that organization that develop through the

course of the agency's educational and professional growth should be analyzed (O'Sullivan et al., 2008; Frankfort-Nachmias & Guerrero, 2018). An examination of the secondary/historical data over a 2-year period was necessary. I obtained demographic data for the agencies for each year investigated to determine if there were any significant differences.

Methodology

I obtained the data for this study from eight law enforcement agencies within the state of Georgia. The agencies participating in this study will not be identified by name but rather by LEA 1, LEA 2, and so forth. I met with the chief executive officer and chief of police from each agency and received written permission to use their agency in this study.

Each law enforcement agency has a written directive system and represents a small, medium, or large metropolitan agency. Four of the agencies are nationally accredited by CALEA or state-certified through the State of Georgia's State Certification Program administered by GACP; the remaining four agencies did not hold any level of accreditation or certification. I conducted an independent sample *t*-test to compare these two distinct groups to determine if there were differences between the agencies that are not accredited or certified and those that are. I collected secondary/historical data provided by the participating agency. For this study, the specific secondary/historical data collected from each law enforcement agency consisted of the number of reported incidents of misconduct for the calendar years of 2018 and 2019. This data was specific

to the number of incidents of report misconduct or violations of the department policy and included all incidents reported by the agency.

Procedures for Use of Secondary or Archival Data

For the study, I collected the number of reported incidents of misconduct for the calendar years of 2018 and 2019 to provide evidence for the scientific conclusion(s) reached. Frankfort-Nachmias and Leon-Guerreo (2018) indicates that secondary/historical has been used for research for more than 100 years and that it can be beneficial to the researcher provided the reliability of the data collected. Each of the participating agencies is required to maintain records on their policy and procedure development, implementation and training, and any revisions to said document. Conversely, each agency is also required to maintain records on all incidents of report misconduct or violations of departmental policies and procedures regardless of the incident stems from use of force incidents, citizen complaints, self-reported incidents of misconduct, citizen-reported incidents of misconduct, the unintended discovery of incidents of misconduct, offender injuries during arrests, officer injuries during arrests, and total citizen encounters for the time periods to be investigated. Incidents of misconduct or violations of the policy could have been originated from aforementioned areas and categorized in the dependent variable.

The data compiled by the participating agency was delivered to this researcher via email. This researcher did conduct follow-up questions regarding the data collected through telephone, email, or virtual online platform such as Skype®, Zoom®, or another

virtual based meeting platform. This is due to the Coronavirus situation that is currently requiring social distancing as a preventative measure to reduce the virus spread.

Sample and Population

In this study, the entire population of each department and whether their agency is nationally accredited or state-certified or not was used. The participating department provided the number of reported incidents of misconduct for the calendar years of 2018 and 2019. This data was specific to the number of incidents of report misconduct or violations of the department policy and included all incidents reported by the agency. For this study, and random samples of the data are not available. Each department individually manages the data for their department in yearly totals for all officers.

The eight law enforcement agencies were divided into two separate groups: Group 1 (Accredited) will consist of all the agencies that are either nationally accredited or state-certified, and Group 2 (Non-accredited) will contain those agencies that do not hold accreditation or certification. Additionally, the eight law enforcement agencies will serve as the unit of analysis. The dependent variable will be incidents of police misconduct and measured as continuous variable. In contrast, the independent variable will be agencies who are accredited or certified and is categorically measured.

In this study, I examined and collected data from each law enforcement agency participating in this study. Specifically, I examined and collected the preceding two years to determine if statistical significance is present. This study employed a nonprobability purposive sample for the two years examined. I was deliberate and subjectively selected the time period to be examined during this study (Frankfort-

Nachmias & Leon-Guerreo, 2018). Creswell (2008) suggests that nonprobability samples are not the most advantageous in exploratory quantitative studies; however, this method sampling can be employed.

Data Analysis Plan

This study employed an independent sample *t*-test to compare the incidents of misconduct between two specific groups, law enforcement agencies who hold national accreditation or state certification, and those agencies who do not to establish a scientific conclusion. The comparison and contrasting of these agencies will be accomplished through an independent sample *t*-test and other descriptive data examined during this study. The independent *t*-test is an inferential statistical analysis designed to determine a statistically significant difference between the means in two unrelated groups is present (Frankfort-Nachmias & Leon-Guerrero, 2018).

To conduct this analysis, the eight law enforcement agencies were divided into two separate groups. Group 1 (Accredited) contained the four law enforcement agencies that were either nationally accredited or state-certified, and Group 2 (Non-accredited) consisted of the four law enforcement agencies that did not possess either national accreditation or state certification.

Once both groups were established for analysis, the total number of incidents of misconduct for all the nationally accredited or state-certified agencies was totaled and entered into the data set. The same procedure was completed for the agencies that do not possess accreditation or certification. Finally, when all the data was entered, utilizing

SPSS, an independent *t*-test analysis was conducted, and the results will be discussed in detail in chapter 4.

Summary

This study consisted of the examination of eight law enforcement agencies throughout the state of Georgia. Four of the agencies will be nationally accredited, through CALEA, or state-certified, through GACP, and four law enforcement agencies that do not hold any form of accreditation or certification. Each agency will be examined to determine if the agency employs a written directive system, are the employees provided with any training on these policies and procedures and did the agencies experience incidents of misconduct.

Chapter 4: Results

Introduction

The purpose of this exploratory study was to discover if written directives, policies, and procedures of a law enforcement agency that is nationally accredited or state-certified provide any evidence to suggest a preventative effect on police misconduct as opposed to those agencies that are not. I examined if there was a statistical relationship between the written directives of a law enforcement agency and incidents of misconduct. The data collected and analyzed may help law enforcement executives to measure the effectiveness of best practices and policy development as a mitigation strategy for incidents of police misconduct. The research question that guided this study is:

RQ: Comparing law enforcement agencies that are nationally accredited or state-certified and those who are not, is there statistical significance to suggest that accreditation or certification impacts the number of validated misconduct incidents?

Data Collection

For this exploratory study, I employed an exploratory, descriptive design. By using this design, I was able to identify whether there was an association between incidents of misconduct and law enforcement agencies that hold accreditation or certification and those agencies who do not possess such status. Police misconduct served as the dependent variable, and policies and procedures functioned in the role of the independent variable.

Eight law enforcement agencies within the state of Georgia were selected to participate in this study. Four of the participating agencies were either nationally accredited through CALEA or state-certified through the GACP; the other four agencies were not. Four of the agencies were both nationally accredited through CALEA, three were both nationally accredited and state-certified, one was only certified through GACP, and the remaining four held neither national accreditation nor state certification. Each participating agency was asked to provide the number of police misconduct incidents for 2018 and 2019 for the following types of misconduct:

- neglect of duty
- insubordination,
- dishonesty or integrity violations,
- vehicle pursuits,
- use of force incidents,
- off-duty incidents,
- criminal violations, and
- miscellaneous violations.

Miscellaneous violations included being tardy, not turning in the required paperwork, being rude on a traffic stop, and so forth. Minor policy violations are not mutually exclusive and can be numerous. As such, these violations were consolidated into one measurable variable.

In addition to the described data points, each law enforcement agency provided the following data pertaining to the number of complaints for the following in 2018 and 2019:

- number of internal complaints,
- number of external complaints,
- number of complaints sustained, and
- number of complaints unfounded.

The agency initially identified the number of sworn officers employed within their agency, their accreditation or certification status, and if their department actively utilized policies and procedures in the form of a standard operating procedure manual or similar instrument. The participating agency demographics are shown in Table 1.

Table 1
Participating Agency Demographical Information

| Agency | Number of sworn officers | Nationally accredited | State certified | Standard operating procedures manual |
|--------|--------------------------|-----------------------|-----------------|--------------------------------------|
| LEA 1 | 214 | Y | Y | Y |
| LEA 2 | 26 | Y | N | Y |
| LEA 3 | 34 | Y | Y | Y |
| LEA 4 | 541 | Y | Y | Y |
| LEA 5 | 7 | N | N | Y |
| LEA 6 | 17 | N | N | Y |
| LEA 7 | 12 | N | N | Y |
| LEA 8 | 139 | N | N | Y |

Note. Y = yes; N = no.

This secondary/historical data used in this study were collected, recorded, and maintained by each of the participating agencies as a normal course of business practice. The data collected was presented in yearly totals for the data points to be analyzed. The data points specifically related to incidents of misconduct are illustrated in Table 2. No individual agency, officer, supervisor, and citizen were identified.

Table 2

Total Number of Incidents of Misconduct for 2018 and 2019

| Agency | Neglect of Duty | Insubordination | Dishonesty | Vehicle Pursuits | Use of Force | Off-Duty Violations | Criminal Incidents | Minor Violations |
|--------|-----------------|-----------------|------------|------------------|--------------|---------------------|--------------------|------------------|
| LEA 1 | 23 | 3 | 1 | 2 | 1 | 3 | 1 | 53 |
| LEA 2 | 0 | 0 | 1 | 1 | 2 | 0 | 0 | 2 |
| LEA 3 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 7 |
| LEA 4 | 38 | 10 | 7 | 1 | 38 | 8 | 7 | 221 |
| LEA 5 | 2 | 0 | 0 | 5 | 10 | 2 | 0 | 4 |
| LEA 6 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| LEA 7 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| LEA 8 | 0 | 0 | 3 | 2 | 5 | 1 | 0 | 7 |

Results

This exploratory research study was designed to examine if there is a nexus or relationship between incidents of police misconduct and the application of policies and procedures by agencies who are nationally accredited or state-certified as compared to those agencies that do not hold accreditation nor certification. I compared the agencies participating in this study by conducting an independent *t*-test. I conducted an independent *t*-test to determine if there was any statistical significance was present (Frankfort-Nachmias & Leon-Guerrero, 2018).

Prior to conducting the independent t -test, the descriptive statistics were identified and are shown in Table 3. When examining the size of the participating agencies $N = 8$; the total violations offered $N = 8$, $M = 60.0000$, $SD = 112.54459$. Finally, I observed the violations from a Per Capita perspective as well and determined $N = 8$, $M = .3537$, $SD = .52459$.

Table 3
Descriptive Statistics

| | N | Minimum | Maximum | Mean | Std. Deviation |
|--------------------|---|---------|---------|---------|----------------|
| Incidents | 8 | 3.00 | 330.00 | 60.0000 | 112.54459 |
| Viol_Per_Capita | 8 | .06 | 1.64 | .3537 | .52459 |
| Valid N (listwise) | 8 | | | | |

The independence t -test is used to determine, through comparing the means between two groups, typically unrelated, with the same unrelated continuous variable. Additionally, the independent t -test will determine if police misconduct and the impact of national accreditation or state certification through the application of policies and procedures are dependent upon each other (Frankfort-Nachmias & Leon-Guerrero, 2018; Field, 2013). For this analysis, the p-value was set .05. I conducted an independence t -test utilizing the data contained in Table 2.

An interdependent t -test analysis was conducted to compare incidents of police misconduct, the dependent variable, and if the law enforcement agency was nationally accredited or state-certified, the independent variable. There was no statistical significance present determined in the scores for agencies that are nationally accredited or

state-certified, Group 1, (M=108.0000, SD=152.67613) and for law enforcement agencies that do not hold accreditation or certification, Group 2, (M=12.0000, SD=10.03328) conditions; $t(1.255) = 6, p = .256$. The data confirms there is no significance present.

Although the data revealed there was no statistical significance present, this may be attributed to the two contributing factors: (1) the small sample size of only 8 law enforcement agencies, and (2) one of the law enforcement agencies, LEA 4 was significantly larger than the other participating agencies and as such may have skewed the results during analysis. Conversely, in addition to the contributing factors listed above, the data also revealed that during the Levene's Test for Equal Variance, $F=.048 < .05$ established that variance was not equal while conducting this analysis.

Table 4

Group Statistics

| | Group | N | Mean | Std. Deviation | Std. Error Mean |
|-----------|-----------|---|----------|----------------|-----------------|
| Incidents | Accred | 4 | 108.0000 | 152.67613 | 76.33806 |
| | Nonaccred | 4 | 12.0000 | 10.03328 | 5.01664 |

Note: $N = 4$ for individual groups

In examining the data and its correlation to the RQ, the data analyzed during this study did not establish statistical significance. Table 5 provides an illustration of this data.

Table 5
Independent T-Test

| | | Levene's Test for Equality of Variance | | t-test for Equality of Means | | | | | 95% Confidence Interval of Difference | |
|-----------|-----------------------------|--|------|------------------------------|-------|-----------------|-----------------|-----------------------|---------------------------------------|-----------|
| | | F | Sig. | t | df | Sig. (2-tailed) | Mean Difference | Std. Error Difference | Lower | Upper |
| Incidents | Equal variances assumed | 6.103 | .048 | 1.255 | 6 | .256 | 96.000000 | 76.50272 | -91.195452 | 283.19542 |
| | Equal variances not assumed | | | 1.255 | 3.026 | .298 | 96.000000 | 76.50727 | -146.29062 | 338.29062 |

N = 8 Georgia Law Enforcement Agencies

After completing the independent *t*-test examination, I conducted an analysis of the data to what the average number of complaints received by nationally accredited or state-certified agencies and those who do not hold such status. Specifically, I determined, based on the total number of complaints received, what the average of the internal and external complaints received, respectively. According to this analysis, on average, nationally accredited or state-certified law enforcement agencies experienced 54.25 internal complaints and 47 external complaints. Conversely, non-accredited or certified agencies averaged 12 internal complaints and 9.5 externally during the research period.

Tables 6 and 7 provide a visual representation of this analysis.

Table 6

Average Internal Versus External Complaints

| | Total Complaints | Average Internal | Average External |
|------------------------------------|------------------|------------------|------------------|
| Accredited/Certified Agencies | 432 | 54.25 | 47 |
| Non-Accredited/ Certified Agencies | 44 | 12 | 9.5 |

N = 8 Georgia Law Enforcement Agencies

Finally, I conducted a simple analysis to determine if there was any evidence to determine if nationally accredited law enforcement agencies possessed a higher or lower number, on average, of complaints that were reported during the period examined. The same analysis was conducted for those agencies that did not possess any status of accreditation or certification. Table 7 provides a representation of this data.

Table 7

Average Complaints Sustained Versus Unfounded

| | Total Complaints | Average Sustained | Average Unfounded |
|------------------------------------|------------------|-------------------|-------------------|
| Accredited/Certified Agencies | 432 | 43 | 38.75 |
| Non-Accredited/ Certified Agencies | 44 | 13.75 | 6 |

N = 8 Georgia Law Enforcement Agencies

Summary

This chapter provided the results and analysis of the data collected during this study. The data provided for this study was collected by the participating agencies for the years 2018 and 2019 as a standard business practice. In this study, police misconduct served as the dependent variable—the independent variable the agency's status as being accredited or certified. The purpose of the research was to determine if the independent variable was significantly impacted by the dependent variable.

The RQ, Comparing law enforcement agencies that are nationally accredited or state-certified and those who are not, is there statistical significance to suggest that accreditation or certification impacts the number of validated misconduct incidents was determined to not be statistically significant $.256, p > .05$.

Although the data did not reach statistical significance, the data provided interesting facts that cannot be overlooked. Nationally accredited and certified agencies possessed a higher number of reported complaints as their non-accredited or certified counterparts; however, nationally accredited certified agencies possessed a higher number of complaints that were not sustained and unfounded as opposed to the law enforcement agencies that were not nationally accredited or state-certified. In Chapter 5, I will further discuss and interpret the results, consider the limitations of the study, and offer recommendations for additional research.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

Over the past decade, the U.S. law enforcement profession has been at the apex of a contentious national debate concerning police misconduct and the idea that law enforcement officers are able to engage in incidents of misconduct with impunity (Eithel et al., 2014; Harris, 2014; Kinnaird, 2007a, 2007b). This is evident in the numerous allegations of brutality and targeted attacks by law enforcement officers that have created the perception of mistrust and blatant cover-up by law enforcement executives across this country (Covey, 2013; Eithel et al., 2014; Harris, 2014; Kinnaird, 2007a, 2007b). Incidents such as the choking death of an Eric Garner during an arrest for selling illegal cigarettes in New York City, the in-custody death of Freddie Gray in Baltimore, Maryland, and the death of Michael Brown in Ferguson, Missouri, has forced law enforcement executives to reimagine the manner in which they can maintain the trust of the public (Solomon, 2015). The concept of earning and maintaining the trust of the public is not new to law enforcement executives. Perceived and actual incidents of police misconduct have plagued the law enforcement profession for decades and led to events such as the Watts riots of 1968, the 1968 President's Commission on Law Enforcement and Administration of Justice Report, and the President's Commission on 21st Century Policing (Franklin, 2017; Hinds, 2007).

Based on this recognition of the importance of ensuring that officers do not actively engage in incidents of misconduct as well as maintaining the trust of the public, law enforcement leaders from four law enforcement organizations came together and

created CALEA in 1977 (CALEA, 2019). CALEA nationally accredits law enforcement agencies based on their application of policies and procedures based on best practices, thus solidifying the importance of policies and procedures within law enforcement agencies. In this study, I examined the impact of departmental policies and procedures on incidents of police misconduct.

Interpretation of the Findings

The results of this exploratory study indicated that RQ was not statistically significant. The data analysis revealed that law enforcement agencies held that (1) national accreditation or state certification had a larger number of reported incidents of misconduct during the time frame studied than agencies that did not hold either, (2) nationally accredited or certified law enforcement agencies possessed a higher number, on average, of internal complaints as opposed to their non-accredited or certified counterparts, and (3) nationally accredited, or state-certified agencies held a higher number, on average, of complaints/violations that were later determined to be unfounded and not sustained than those law enforcement agencies without said accreditation or certification.

Specifically, nationally accredited or state-certified agencies reported 432 incidents of misconduct as compared to a total of 44 incidents of misconduct reported by law enforcement agencies that did not hold accreditation or certification. Although the number of incidents of misconduct reported were significantly higher in agencies that held national accreditation or certification as opposed to those agencies that did not, this can be explained through the application of accreditation or certification. Law

enforcement agencies that hold national accreditation or certification voluntarily enter into a contract with CALEA to hold themselves accountable to a set of standards that outline the best practices of the law enforcement profession (CALEA, 2019).

Agencies participating in CALEA accreditation or state certification subject themselves to hundreds of standards, with all these standards being associated with the best practices and legitimacy. This level of scrutiny has a direct nexus with accountability and legitimacy as a law enforcement agency. Furthermore, the CALEA and state certification standards require that every complaint or incident of misconduct be reported (CALEA, 2019; GACP, 2019) regardless of the complaint or alleged violation appears to be frivolous. The intent of the standards is to provide guidance for law enforcement executives to ensure that their agency(ies) do not selectively choose what incidents are reported to the agency. Therefore, in order for the agencies that are accredited or certified to remain accredited or certified, they must adhere to the letter of the standard and subject themselves to the scrutiny of any potential incident of misconduct or violation of departmental policy and procedures. The intense public scrutiny of incidents of misconduct or policy violations in conjunction with the high number of reported incidents of misconduct suggests that these agencies are committed to transparency and accountability.

Conversely, the data revealed that nationally accredited agencies reported a higher number, on average, of unfounded or sustained complaints. The data indicated that nationally accredited agencies unfounded 38.75% of the complaints, both internal and external, where agencies that did do not hold accreditation or certification only

unfounded 6% of the complaints reported. This finding can be attributed to the requirement that nationally accredited or state-certified agencies thoroughly investigate any and all complaints received into the agency (CALEA, 2019; GACP, 2019). Agencies that do not hold accreditation or certification are not bound by standards and may choose not to consider certain complaints received by their agency as an authentic complaint resulting in no actual investigation.

What the data does not indicate is the level of accountability that law enforcement is subjected to daily. Although the independent *t*-test did not reach significance, this analysis may have been skewed based on the (1) research sample size and the (2) the availability and willingness of law enforcement agencies in Georgia to participate in this study. Georgia currently has approximately 1100 law enforcement agencies registered with the Georgia Peace Officers Standards and Training Council; however, only 681 of the 1100 law enforcement agencies are active and providing law enforcement services within their respective communities. Interestingly, out of the 681 Georgia law enforcement agencies that are active, only 140 agencies are state-certified, resulting in only 21% of the state's law enforcement agencies actively participating in the best practices as established by CALEA and GACP. Conversely, there are only 45 Georgia agencies that hold national accreditation out of the 681 active law enforcement agencies. Therefore, only .07% of Georgia law enforcement agencies possess national accreditation through CALEA (CALEA, 2019; GACP, 2019).

The data did, however, uncover during this study enumerates that agencies that possess national accreditation or state certification are more likely to report incidents of

misconduct or violations of departmental policies as a measure of compliance with the standards of certification or accreditation. Although the higher number of reported incidents of misconduct or violations of the policies may appear to be counterintuitive at face value, it demonstrates the agency's commitment to transparency and accountability.

The current climate surrounding law enforcement and its service delivery strategies have become the target of numerous debates and demands for action. The foundational premise of this national narrative is law enforcement accountability (Ramirez, Wraight, Kilmister, & Perkins, 2019; Feys, Verhage, & Boels, 2018; Sabel & Simon, 2016). Police accountability is not a new concept within the profession. Police accountability has been discussed for decades. Solomon (2015) presents the argument that the lack of accountability within law enforcement agencies, as well as by law enforcement executives, is the catalyst for the erosion of the public's trust in law enforcement. Similarly, Ramirez et al. (2019) postulate a comparable argument that accountability is paramount for law enforcement agencies, citing that in 2015, the trust of and with law enforcement was at an all-time low (p.412).

This exploratory study, although focused on the impact of accreditation or certification, has a direct nexus with police accountability and trust. Obama (2017) specifically argued that the public's trust plus policies and procedures coupled with training, education, authentic accountability, and governmental sponsorship would move the need and change the dynamic of the perception of law enforcement. President Obama's article provides the pillars and foundation for the theoretical construct of this study, policy feedback theory. This study was constructed on the theory that law

enforcement policies and procedures are a vital aspect of governing the misconduct of police officers. Particularly, law enforcement agencies who possess national accreditation or state certification, adhering to the best practices of the law enforcement profession, through their departmental policies and procedures, can mitigate incidents of police misconduct and thus establish legitimate accountability. Therefore, by applying PFT with the results of this study, an argument is being made that national accreditation and state certification do possess value for law enforcement agencies as they mitigate incidents of police misconduct.

To further illustrate this point, officers who are employed with agencies that hold national accreditation or state certification receive instruction upon their employment that due to the agency's accreditation or certification status, the organizational culture is such that all complaints, violations of the policy, and incidents of misconduct will be investigated in accordance with the standards. The organizational culture created by nationally accredited or state-certified agencies, coupled with the application of the standards, has a subsequent impact on incidents of police misconduct.

The data from this study solidified the application of the theoretical framework employed for this study. In addition, the data suggested that national accreditation or state-certification not only create a form of governance, but more importantly it shapes how law enforcement agencies develop new policies. Specifically, the data uncovered that accredited or certified agencies possessed a higher number of unfounded violations of departmental policies/incidents of misconduct. This suggests that law enforcement executives are aware of what standards (policies) are effective in reducing the number of

incidents and which standards need to be revisited. CALEA conducts reviews of the standards periodically for this reason and such will publish new standards in the form of editions, with new or removed standards (CALEA, 2019).

Finally, although the statistical analyses conducted in this study did not demonstrate that national accreditation or state certification has a relationship to incidents of police misconduct, this can be explained by the small sample size and apprehension by some law enforcement executives to participate in this study. Therefore, an argument could be made that national accreditation or state certification has an impact on the mitigation of incidents of police misconduct.

Limitations of the Study

When conducting empirical research, the researcher must be concerned with the limitations associated with the study. This research study was no different. Initially, I identified the inability of the research design to determine the causation of police misconduct. Although not immediately associated with the impact that policies and procedures may or may not have on incidents of misconduct, understanding the causational factors of the misconduct will provide context to the data and their results.

Growth and evolution within the law enforcement agencies participating in this study were a threat of validity. The evolution and growth of the law enforcement agencies, along with past incidents within these agencies, had the potential to create a threat to the validity of the data collected (see O'Sullivan et al., 2008; Frankfort-Nachmias & Leon-Guerrero, 2018). Significant events did occur with the participating agencies during the time period of the data that was studied. However, during this

research, there were no variations in the data collected from what was proposed and described in Chapter 3.

One of the greatest limitations experienced during this exploratory study was the climate of Georgia law enforcement during the COVID-19 pandemic. The climate was generally receptive to the concept of analyzing a mechanism that has the potential to reduce or eliminate incidents of misconduct within their agencies. Although, the thought of exposing suppositionally embarrassing incidents or incidents that may actively be investigated impacted the number of law enforcement agencies participating in this study. In addition, based on the gross disparity of Georgia law enforcement agencies that possess either national accreditation or state certification as opposed to the number of agencies that do not hold such accreditation or certification created inequity in comparing the two different groups.

Recommendations

After completing this study, further research into the impact of policies and procedures on incidents of police misconduct with nationally accredited or state-certified law enforcement agencies as opposed to agencies that do not possess accreditation or certification, both qualitative and quantitative, should be conducted. Specifically, this study revealed that incidents of police misconduct are not statistically significant; however, other data collected during this study suggest that Georgia law enforcement agencies who possess national accreditation or state certification as opposed to those law enforcement agencies that do not hold similar status are impacted in some manner.

Further research should be conducted utilizing a large sample size to determine if a scientific conclusion can be reached to determine what impact national accreditation or state certification has on the reduction or mitigation of incidents of police misconduct. In addition, based on the findings of this exploratory study, research should be expanded to examine and determine the factors of causation by officers who engage in incidents of misconduct or violations of departmental policies and procedures. Conversely, with officers being a primary factor in misconduct incidents, research would need to be conducted to determine why officers not only choose to engage in misconduct rather not, and is there a quantifiable factor(s) that could identify if there is a nexus between causal factors of misconduct and possession of accreditation or certification.

Although this study examined the macro aspect of the policies and procedures and its relationship with police misconduct, single-focused research should be conducted to determine the perceptions of law enforcement officers of agencies that hold national accreditation or state certification through a qualitative research study. Conducting a qualitative research study will only enhance the framework of this study. Gaining an understanding of how officers perceive national accreditation or state certification creates a direct link to the impact that accreditation or certification has on incidents of police misconduct.

Additionally, research should be explored in why agencies chose to voluntarily participate in the accreditation or certification process as opposed to those agencies that do not. This raises the question of what factor(s) prevent more law enforcement agencies from voluntarily participating in accreditation or certification? The current national

narrative surrounding law enforcement and the image of law enforcement, research should be steered towards a global perspective from the law enforcement community on national accreditation or state certification and what is preventing law enforcement executives from employing every tool available to maintain or regain the trust of the public?

Finally, this study presents the conclusion that police accountability and national accreditation or certification are directly connected. National accreditation and certification are a major component of accountability (CALEA, 2019; GACP, 2019), and research should be directed to what specific formula creates the foundation of accountability. By focusing research on obtaining an understanding as to the specific aspects of accountability built in national accreditation or state certification, can be harvested to be disseminated to law enforcement agencies that are not in a position to participate in accreditation or certification.

Implications

Through the application of the results of this study, the opportunity for social change is profound. Specifically, the data collected and analyzed from this study will provide social change at two levels: immediate and societal. Immediate social change will come from the presentation of this study and its results to the participating agencies. These agencies will have the data available to them to address issues within their organization to create social change not only within the agency but their community as well. Furthermore, each participating agency will have an unbiased examination of their agency and what the actual vulnerabilities are. Additionally, the GACP and the Georgia

Sheriff's Association, organizations that support and advocate for law enforcement in Georgia, now have empirical research that suggests the best practices of CALEA and State Certification through GACP and how law enforcement agencies in Georgia deliver services within their communities.

Societally, the impact on social change will result in an understanding of how policies and procedures can affect misconduct in the workplace by utilizing the PFT as the theoretical framework for this study. Skocpol authored the term *policy feedback theory* and stated that once a policy is established, that policy will directly affect future governance (Weible & Sabatier, 2018; Skocpol, 1992). This study allows law enforcement agencies, locally and nationally, to examine their infrastructure of governance and how what steps are necessary to create the most effective service delivery strategy for law enforcement services.

Finally, this study, although examined law enforcement agencies in Georgia, transcends law enforcement and can be applied to any organization that utilizes policies and procedures to regulate employee conduct. This study can be the catalysis to changing the substructure unilaterally of how employers respond to allegations of misconduct. Accountability is not exclusive to the law enforcement profession; rather, this study offers executives from any demographic with evidence that best practices and the impact of accountability in the application of governance.

Conclusion

Law enforcement has been at the center of the highly contentious national debate focused on the perception of mistrust stemming from incidents of misconduct. Recent

police-citizen encounters in Ferguson, MO, New York, and Baltimore, MD, have only intensified the outcry for law enforcement reform and calling for an end to police misconduct (Solomon, 2015). Although this is not a new phenomenon, law enforcement executives have been faced with the challenge of maintaining the trust of the communities and combating this growing sentiment for decades resulting in the U.S. Department of Justice commissioned a research study in 1973 to identify and establish the best practices of the law enforcement profession (CALEA, 2019). The results of that study led to the creation of the Commission on Accreditation for Law Enforcement Agencies (CALEA). CALEA establish standards based on a written directive system for law enforcement agencies that enumerate these best practices in the form of policies and procedures.

This exploratory research study provides empirical evidence that suggests law enforcement agencies who hold national accreditation or state certification through the application of policies and procedures does possess some impact on incidents of police misconduct, although significance was not reached. Additionally, the study revealed that police accountability is the theme of agencies that are nationally accredited or state-certified as opposed to those who do not hold such status will report a higher number of incidents of misconduct due to their commitment to legitimacy and transparency. Finally, national accreditation and state certification is a voluntary program in which law enforcement agencies can contractually participate in that will assist in their legitimacy while creating positive social change.

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