

POLICE UNION INFLUENCES ON DISCIPLINE

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ABSTRACT

POLICE UNION INFLUENCES ON DISCIPLINE

By

Ralph A. Olmos

The dramatic growth of police unionism in recent years has, for the first time in the police service, imposed the problems of participatory management on police administrators. The review of the literature in this area reveals that research concerning the implications of police unionism is inadequate.

This study, through the means of in-depth surveys of two urban police departments, is exploratory research into the effects of unionism on police discipline. Three major questions are: (1) what effect, if any, has the imposition of union intervention had on the chief's authority? (2) If sanctions are less severe, is it because the administrators have been intimidated? (3) If there is any appreciable difference in discipline, has it been in the substantive nature of the rules or rather in procedural differences?

By studying some of the general dimensions of change in administrative disciplinary practices, the study attempted to gain some insight in generating ideas for more specific types of research.

The data from the two sets of interviews indicate that police employee organizations have, to a certain extent, challenged the chiefs' traditional authority and that the imposition of a police union does cause the chief to examine his prerogatives more closely before he acts, and to exercise a greater amount of care insofar as the due process rights of his men are concerned. It also shows that most of the union induced changes in discipline have involved the procedures rather than the rules.

Significant side issues which emerged from this study were: (1) black police organizations; (2) civilian review boards. There is strong evidence indicating the black police groups are fast becoming "a third world" force in law enforcement opposed to both the administrators and the regular employee associations.

One of the surveyed departments has had a civilian trial board in operation for over 35 years. The imposition of discipline by this civilian board compares quite favorably with the second department where there is no civilian involvement. The data suggest that further research is needed to examine the relative merits of civilian imposed discipline.

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A THESIS

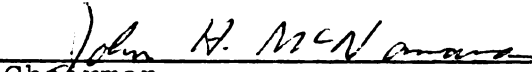
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CHAPTER I

INTRODUCTION

In recent years there has been a marked increase in police unionism. The police are displaying a propensity toward banding together for the purpose of engaging in bargaining relationships with their employing agencies, through means of labor union affiliation, or through local autonomous employee organizations.

It is reasonable to assume that this trend is having a certain effect on police wages and general working conditions, but if it is true, as Dr. Daniel R. Kruger suggests, that, "In addition to being economic institutions, unions are social, educational and political institutions as well,"¹ then it may be equally reasonable to assume that police unionism is having political and social ramifications on law enforcement generally. More specifically, policemen could use the collective strength of their organizations to challenge the traditional autocratic power base of the police chief and bring about changes in the working

¹Daniel H. Kruger, Associate Director and Professor, Dept. of Labor and Industrial Relations, Michigan State University, From comments made in a personal interview.

relationship between chief and patrolmen--ostensibly in the democratization of that relationship.

The Problem

Conflict is inherent in the union-management relationship. Indeed it is necessary if both the union and management are to survive.² Union leadership that is in constant agreement with management will not likely remain in office for long, and management which accedes to every union demand will soon find itself bankrupt. Even though public bargaining does not have the same market place constraints that exist in the private sector, the leadership of public employee associations has the mission of winning benefits for its membership while government officialdom is charged with providing services to the public at reasonable rates of taxation. And although police unions may have certain unique features, the labor-management conflict phenomenon generally holds true.

In discussing areas of labor-management conflict in the private sector, Sumner H. Slichter coined the term, "industrial jurisprudence," to describe that part of collective bargaining which introduces civil rights and

²Clark Kerr, "Management of Industrial Conflict in Society," The Pacific Spectator, Vol. VIII, No. 4 (Autumn 1954), p. 22. (Kerr maintains that without conflict, management will also lose its institutional identity.)

grievance relief into the rubric of union concern and responsibility.³ In the police service, one of the principal facets of industrial jurisprudence or human relations is the question of discipline.

In the police service, discipline, that is, the means of obtaining order, compliance and morale within the department, has been traditionally imposed through negative means. The police officer who violates the rules is usually punished, and it is the chief of police, generally, who has the authority and responsibility for imposing the punishment. Forms of discipline can include oral or written reprimand, loss of days off, suspension from duty without pay and finally dismissal.

The advent of the police employee association, with its attendant political and financial strength has made it feasible and practical to contest disciplinary action, even if it involves less serious forms of punishment. The employee organization assumes this obligation (the investigation and review of discipline) as part of membership benefits. Most police associations employ, or have access to, labor attorneys who assist at grievance proceedings and disciplinary trial boards. As Hervey Juris states, "The most obvious challenge to traditional personnel management practices is the negotiation of grievance

³Harold W. Davey, Contemporary Collective Bargaining (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1959), p. 7.

procedures whereby superior officer implementation of regulations can be effectively subject to review by an employee who believes his rights have been violated."⁴

What effect does this and will this have on the chief's power to control or influence the behavior of his men in relation to the ability of the employee association to effectively review or contest his methods of control? Will the chief be able to continue receiving quasi-military obedience, or will he be forced to modify his posture to reach an accommodation with the organizations that represent his men?

Hypothesis

Discipline--its philosophy, procedures and related sanctions--provides a wide area of conflict between the administrator and union leaders. Both parties can display their relative strengths; the chief in trying to impose his authority over those patrolmen who have violated the rules, and the union in trying to demonstrate the benefits of membership by examining and reviewing the chief's actions. The frequency and results of these contests have a strong bearing on how the union membership (patrolmen) perceives the comparative status of their chief and their union leadership. These contests will also bear upon how the chief perceives his own authority. Simply knowing that

⁴Harvey A. Juris, "Implications of Police Unionism." Law and Society Review (November, 1971), p. 8.

his action may be challenged and may generate conflict with the union, a conflict in which he may have to yield, may cause the chief to examine his prerogatives more closely before he acts.

The following study will examine the dimensions of change in administrative authority where there is police union activity. Major questions are: (1) what effect, if any, has the imposition of union intervention had on the chief's authority? (2) If sanctions are less severe, is it because the unions have forced improvement in the processes or because the administrators have been intimidated? (3) If there is any appreciable change in discipline, has it been in the substantive nature of the rules or rather in procedural differences?

By studying the general dimensions of change in administrative disciplinary practices, this study hopes to gain some insight into the overall implications of police unionism on the administrative power structure and to generate hypotheses for more specific research in the future.

Definition of Terms

To avoid confusion, certain key terms and phrases will be defined according to their usage in this text.

Union

For the purposes of this research the terms "union," "employee association" and "employee organization" will be used interchangeably. A standard definition of "labor union" is, ". . . an organization of workers formed for the purpose of advancing its members' interests in respect to wages and working conditions."⁵ There are striking differences among various types of union organizations, but whether referring to groups of tradesmen, factory workers or professional associations, the main thrust of these groups is directed toward promoting the economic interests of their memberships. This study will broaden the definition to include the concept that, ". . . a union is a political, social, educational and welfare institution as well."⁶ In varying degrees an employee association will serve part or all of these diverse needs of their membership.

It would be helpful to place police associations into a more specific niche for definition purposes, but available research does not yet indicate exactly what direction police unionism will take. That is, will it be more professionally oriented such as the teachers' groups, or will it take a more traditional trade union approach?

⁵Webster's Seventh New Collegiate Dictionary (Chicago, Illinois: R. R. Donnelley & Sons, The Lakeside Press, 1967), p. 471.

⁶Kruger, op. cit., personal interview.

Discipline

Discipline will be regarded as a system to obtain order, to promote adherence to prescribed standards of conduct and behavior, and to obtain compliance to the policies of the administrator as well as to the mission of the department. It includes a body of rules, with their corresponding rewards and punishments, and the procedural machinery for dispensing these rewards and punishments.

Mediation-Arbitration

Mediation-Arbitration, while often used interchangeably, are actually two distinct processes. According to Webster, mediation is, "Intervention between conflicting parties to promote reconciliation, settlement, or compromise."⁷ Arbitration is defined as, "The hearing and determination of a case in controversy by a person chosen by the parties or appointed under statutory authority."⁸ This study defines arbitration as the process whereby a person or group of persons hear both sides of a case in controversy and then make a determination either by compromising between the opposing points of view or deciding in favor of one or the other.

⁷Webster's Seventh New Collegiate Dictionary, op. cit.,
p. 526.

⁸Ibid., p. 45.

In labor disputes arbitration can be binding or advisory. In the case of binding arbitration, both sides are bound beforehand to accept and abide by the decision. In advisory arbitration, also known as fact-finding, either or both sides are free to accept or reject the arbitrator's judgment.⁹

Mediation is similar to arbitration but lacks the finality or authority of the latter. Mediators act more in the role of peace makers, attempting to promote reconciliation, settlement, or compromise. A mediator would be analogous to a marriage counselor whereas an arbitrator is similar to the judge in a divorce court.

Grievance Procedure

This is a formal process whereby an employee can contest an action or decision by management concerning either interpretation of the collective bargaining agreement, or an alleged violation of the agreement.¹⁰ Although grievance procedures can take many forms, the usual practice is that the last step of appeal calls for arbitration by a third party.

⁹According to Dr. Kruger, op. cit., this is technically and legally the case. In practice, however, advisory arbitration is usually accepted. There is a significant amount of ethical and financial pressure to accept an advisory decision even though it may be perceived as moderately unfavorable by one of the parties.

¹⁰Management can also invoke grievance proceedings against the union for alleged contract violations.

Collective Bargaining

The term collective bargaining is defined to cover the negotiation, administration, interpretation, application, and enforcement of written agreements between employers and unions representing their employees, setting forth joint understandings as to policies and procedures governing wages and other conditions of employment. It is more than just across-the-table bargaining in that it provides a mechanism for continuous organized relationships between management and unions.¹¹

¹¹Davey, op. cit., p. 6.

CHAPTER II

REVIEW OF THE LITERATURE

Prior to examining specific aspects of the effects of unionism on police discipline it has been necessary to acquire a certain background knowledge. The review of the literature then, for this study shall be divided into three areas: (1) Collective bargaining in the private sector; (2) Collective bargaining in public employment; (3) Police unionism in general. The continuity and sequence of these classifications coincide with the logical development of ideas from the general to the more specific. This review then, will center on: Books and articles concerning the mechanics, dynamics and processes of collective bargaining; sources which discuss collective bargaining and unionism in public employment; and literature concerning collective bargaining and unionism in the police service.

Before beginning the discussion of the above mentioned area, the writer would like to note parenthetically that [most of the standard texts and sources on police administration in use today are out of date in their treatment of police organizations and union activities.]¹ Perhaps the reason

¹Two of the most popular texts of this type, Municipal Police Administration (Chicago, Illinois: International City

there is such a dearth of material on unionism and collective bargaining in law enforcement, is that students of police administration did not anticipate that police chiefs would be faced with these problems.] Nevertheless, in order to gain insight into the intricacies and dynamics of collective bargaining processes, it was necessary to turn to sources outside the criminal justice field.

Sources on Collective Bargaining Generally

There is a great deal of literature on trade unionism, the labor movement in general and collective bargaining in the private sector. It is almost impossible to read any

Managers' Association, 1961), and; O. W. Wilson's, Police Administration (New York: McGraw-Hill Book Company, Inc. 1963), admonish police administrators to exercise great care about which type of association they permit their officers to join (P 179, Wilson). One passage in Municipal Police Administration advises that recognizing the proper type of employee association can afford the police chief certain advantages, one of which is, ". . . to give administrative officials opportunity to educate employees, or their representatives, regarding management problems and thus build employee appreciation of the reasons why requests cannot always be granted" (p. 162). Wilson's remarks are much in the same vein. He, too, sanctioned membership in certain kinds of approved organizations, but viewed union activity as a definite threat to effective law enforcement.

This same philosophy is expressed in another well-known text, A. C. Germann's, Police Personnel Management (Springfield, Illinois: Charles C. Thomas, Publisher, 1958). "Police membership in a labor union would imperil the impartiality of law enforcement, no matter how scrupulous the intent of the individual patrolman or the union. It would imperil discipline, which is as necessary to a police department as to an army" (p. 199).

newspaper or periodical without finding some reference to labor and its problems. Faced with a selection problem due to an abundance of sources, Michigan State University's School of Labor and Industrial Relations suggested two basic references: Contemporary Collective Bargaining,² and a monograph entitled, "Management of Industrial Conflict in Society."³

Davey introduces the various forms of collective bargaining; explaining the economic, political and social dynamics of unionism and how they relate to collective bargaining. He also discusses appropriate union terminology and illustrates techniques and procedures used in collective bargaining.

The Clark Kerr article concentrates on the social implication of collective bargaining and how it helps manage conflicts between labor and management. Kerr feels that conflict ". . . is more than an expression of irrationality or ill will," (p. 1) it is essential to survival as both management and labor lose their identities without some form of disagreement. Viewing the scene from a sociopsychological perspective, Kerr explains how collective bargaining keeps conflict within manageable proportions and provides the impetus for change and improvement in labor relations.

²Davey, op. cit.

³Kerr, op. cit.

Sources on Unionism and Collective Bargaining
In Public Employment

In Public Management at The Bargaining Table,⁴ the authors discuss some of the aspects that differentiate public employment from the private sector. This work provides a bridge from general labor problems into more specific issues such as: the interrelationship of legislative bodies to their bargaining representatives; the problems of financing bargaining agreements in the absence of market place mechanisms; and the very critical issue of strikes in public employment--an issue that is quite relevant to the labor movement in law enforcement.

A more recent text which views public employment bargaining from an historical and political perspective is, Collective Bargaining in Public Employment.⁵ This work traces the development and progress of public unionism by occupational groups with major sections separately devoted to federal employees; state, county and municipal employees; teachers; and police-firefighters. The authors also discuss strikes and impasse procedures. They also make some interesting predictions as to what the future holds for public employment.

The problem of finding suitable alternatives to the strike in settling impasses in public employment is treated

⁴Mary L. Hennessy and Kenneth O. Warner, Public Management at The Bargaining Table (Chicago, Illinois: Public Personnel Association, 1967).

⁵Edward Clifford Koziara, J. Joseph Loewenberg and Michael Moskow, Collective Bargaining in Public Employment (New York: Random House, 1970).

extensively in two sets of essays edited by Herbert L. Marx, Jr.⁶ It contains an article by Everett M. Kassalow which describes the growth of trade unionism in public employment.⁷ Another essay by Henry G. Marsh takes a negative stand against compulsory arbitration in public employment impasses on the grounds that it defeats honest collective bargaining efforts.⁸ An article by Jack Stieber advocates limited use of the strike in public employment for certain non-essential occupations.⁹

The second collection of essays is from the Michigan Law Review. In one article, Russell A. Smith outlines the findings of recent government task force reports on developing legal machinery for regulating collective bargaining and settling impasses.¹⁰ In another article in this collection, Charles M. Rehmus discusses the serious problem of obtaining monies to finance increased benefits won by public employee

⁶Herbert L. Marx, Jr., ed., Collective Bargaining for Public Employees (New York: H.W. Wilson Co., 1969).

⁷Everett M. Kassalow, "Trade Unionism Goes Public," Public Interest (Winter, 1969), pp. 118-122.

⁸Henry G. Marsh, "Compulsory Arbitration: A Pandora's Box," Michigan Municipal Review, 41:227+.S. (1968).

⁹Jack Stieber, "A New Approach to Strikes in Public Employment," Business Topics (Autumn, 1967).

¹⁰Russel A. Smith, "State and Local Advisory Reports on Public Employment Labor Legislation: A Comparative Analysis," Michigan Law Review, Vol. 67, No. 5 (March, 1969), pp. 891-918.

organizations.¹¹ In "Strikes and Public Employment," by Theodore Kheel, the author outlines the problems in settling disputes by arbitration rather than by strikes.¹² Included in this essay is the question of whether third parties (bargaining agents) can lawfully bind legislatures, and what effect this has on public policy and taxation. Kheel suggests that the answers may lie in improving the bargaining processes and encouraging collective bargaining to the fullest extent.

In another essay in this series, Arvid Anderson writes about the legal implications of strikes in public employment.¹³ Anderson points out that the precedent for regulating or forbidding public strikes has been set in the private sector where strikes affecting the public welfare have long been controlled by law. The author also points out that the theory of governmental sovereignty is still very much alive and cites the recent Supreme Court decision in Gardner v. Broderick as an indication that the High Court may be quite willing to constrain police

¹¹ Charles M. Rehmus, "Constraints on Local Governments in Public Employee Bargaining," Michigan Law Review, Vol. 67, No. 5 (March 1969), pp. 919-930.

¹² Theodore Kheel, "Strikes and Public Employment," Michigan Law Review, Vol. 67, No. 5 (March 1969), pp. 931-942.

¹³ Arvid Anderson, "Strikes and Impasse Resolution in Public Employment," Michigan Law Review, Vol. 67, No. 5 (March 1969), pp. 943-970.

unionism should the unions engage in action against the public interest.

Although the strike is an integral part of trade unionism, generally, job actions and strikes in public employment are proscribed by law. Nonetheless, public employee strikes are not unknown and government officials often hesitate to impose legal sanctions against their striking employees.¹⁴

The recognition that legal restrictions are ineffective in preventing strikes is the theme of an informative essay by Edward R. Lev in which he calls for the establishment of a federal public employee mediation board as part of a broad legislative program that would also require government agencies to bargain with legally constituted employee associations.¹⁵ The author points out that there are still close to 10 million unorganized public employees who represent about 600 million dollars in revenue for unions. Lev asserts that it is evident that many of these employees will be organized in the near future and that it is vital that suitable machinery is established to deal

¹⁴Recent examples of this were the Postal Worker's strike and police walkout in New York. Although it is a felony for a federal employee to strike and the New York Taylor Act provides penalties against strikers, not one employee was charged in either case.

¹⁵Edward R. Lev, "Strikes by Government Employees: Problems and Solutions," Journal of The American Bar Association, Vol. 57 (August, 1971).

with them. Lev also proposes that all public strikes be forbidden in favor of binding arbitration and cites the following reasons: (1) The public should not have vital services interrupted by strikes, as strikes really do not decide what is a fair benefit level, but only demonstrate which side is prepared to go the furthest; (2) in spite of rhetoric to the contrary, unions really do not want strikes as they are costly and bring severe hardship on members as well as the union treasury (p. 777). Lev mentions that local governments should be entitled to federal financial assistance if they cannot meet the costs of the arbitrated settlement.

The Emerging Law of Labor Relations in Public Employment,¹⁶ provides a thorough overview of the background and development of labor law as it applies to public employment. Hanslowe discusses the doctrine of sovereignty in relation to collective bargaining and traces the evolution of this doctrine into its present day meaning. He also discusses such milestones as the Lloyd-LaFollete Act of 1912 which offered legal guidelines under which federal employees could organize in limited fashion; the Executive Orders of 1962 which have since guided labor relations with federal employees; and the Taylor Act of New York which in

¹⁶ Kurt L. Hanslowe, The Emerging Law of Labor Relations in Public Employment (Ithaca, New York: Cayuga Press, 1967).

1967 set up a Public Employment Relations Board (PERB) designed to deal exclusively with labor relations in the public sector.

Sources on Collective Bargaining and Unionism
In The Police Service

One of the early sources which deals exclusively with the problems of police unionism is the 1958 pamphlet, Police Unions.¹⁷ Although this work is largely a propaganda vehicle opposing unionism, it is interesting to view it from a comparative standpoint with later IACP publications.

The central theme of the 1968 IACP convention was police unionism. Not surprisingly, a substantial portion of the 1968 IACP Yearbook contained reprints from that corresponding convention. One such article which received wide attention was Donald D. Pomerleau's, "Police Management-Employee Relations Revisited."¹⁸ Pomerleau took a somewhat conciliatory approach to the problem:

. . . we and our subordinates have not listened, nor have we provided our personnel with a means to seek redress for the real or imagined problems. The old autocratic and dictatorial approach to problem solving has come under severe criticism, and rightfully so.¹⁹

¹⁷ Police Unions (Washington, D.C.: International Association of Chiefs of Police, 1958).

¹⁸ Donald D. Pomerleau, "Police Management-Employee Relations Revisited," The Police Yearbook 1968 (Washington, D.C.: International Association of Chiefs of Police, 1968).

¹⁹ Ibid., p. 43.

Another outgrowth of the 1968 IACP convention was a joint report by three police chiefs, Curtis Brostron of St. Louis, Donald D. Pomerleau of Baltimore, and Charles F. Pegg of East Lansing, Michigan.²⁰ The report stated that unionism was becoming a potent force in the police service, and it expressed the hope that policemen would organize into autonomous independent organizations rather than affiliate with labor unions:

The objective of labor unions are, by definition narrow in scope, immediate in nature and almost entirely non-altruistic in outlook. There is a definite lack of evidence to indicate that any police union has ever gone on record in defense of raising the educational requirements for police officers or for any other phase of professionalization. The advancement of social or professional goals is definitely not an important part of union programs, and it is quite likely that, if police unionization were to become the rule rather than the exception, the struggle for professional status would deteriorate into a struggle for immediate financial betterment.²¹

After observing two years of increased militancy by police organizations, Commissioner Pomerleau expressed an altered view of police organizations:

In my opinion, employee organizations as they exist today represent the greatest deterrent to the professionalization of law enforcement. Many of my contemporaries share this view.²²

²⁰Curtis Brostron, Charles F. Pegg, and Donald D. Pomerleau, Report of The Special Committee on Police Employee Organizations (Washington, D.C.: International Association of Chiefs of Police, 1969).

²¹Ibid., p. 19.

²²Donald D. Pomerleau, "On Union," Police Yearbook of 1970 (Washington, D.C.: International Association of Chiefs of Police, 1970), p. 104. In his remarks, Pomerleau

The New York State Police was the first State Law Enforcement Agency to obtain a collective bargaining contract. This came about under the authority of the state's Public Employment Relations Board (PERB), an agency created under the Taylor Act of 1967. In 1969, William E. Kirwan, superintendent of the New York State Police, published a pamphlet which outlined the background, development and results of these negotiations.²³ Kirwan's information should be of interest to police administrators as a guide to what can be expected in dealing with employee groups.

"Dealing with Police Unions," is a collaboration between a police administrator, Robert Igleburger and an academician, John E. Angell.²⁴ This article is a handbook to guide chiefs in coexisting with their employee groups. It promotes the concept that, through the use of information, training, techniques and strategies, the chief can effect a relationship with the union through a position of relative strength and understanding. The article advocates the

had been referring to New York's PBA stand against Mayor Lindsay's reform efforts, FOP President John Harrington's remarks about lack of official support for the police, and the many "flu" epidemics that had been occurring around the country.

²³ William E. Kirwan, The New York State Police: History and Development of Collective Negotiations (New York: New York State Police, May, 1969).

²⁴ John E. Angell and Robert M. Igleburger, "Dealing With Police Unions," The Police Chief (May 1971), pp. 50-55.

abandonment of traditional autocratic approaches to employee relations while trying, at the same time, to prevent the debilitation of the chief's role as leader of the department.

More recently, the academic world has become interested in the problems of police employee relations, and one researcher who is heavily committed to this area is Dr. Hervey A. Juris of Northwestern University. In his monograph, "Police Personnel Problems, Police Unions, and Participatory Management," Juris discusses the issue of job enrichment through collective bargaining as one possible solution for upgrading the police.²⁵

Juris also engaged in extensive research to determine the contemporary legal status of police organizations and police collective bargaining. In 1970 he published, "The Legal Status of Municipal Employee Organizations," which reported the results of his surveys and investigations.²⁶ The work contains data on various categories of police groups, the types of bargaining relationships they engage in, and what their status is under the various state laws.

In his most recent paper, Juris discusses the social and economic implications of police unionism, attempting to

²⁵Hervey A. Juris, "Police Personnel Problems, Police Unions, and Participatory Management," Proceedings of the 22nd Annual Meeting of The Industrial Relations Research Association (Reprint No. 135, 1969).

²⁶Hervey A. Juris and Kay B. Hutchison, "The Legal Status of Municipal Employee Organizations," Industrial and Labor Relations Review (Reprint No. 130, April 1970), pp. 352-366.

analyze what direction police collective bargaining will take in light of current social and political developments.

The paper argues that:

. . . police unionism is an established institution in the society and that there is a need for both police executives and public officials to consider now how they intend to approach this new power center. It will be suggested that there exists a sufficiently large body of experience which should be examined before legislative bodies adopt guidelines for institutionalizing the relationship.²⁷

The Police Rebellion, is a collection of essays which view police unionism not only as a struggle for economic power, but also as an expression of militancy toward a basically hostile society.²⁸ In the first section of the book the author, Bopp, examines the social circumstances which have motivated policemen to organize. The second part of the work is a diversified collection of essays and articles offering various perspectives on the political implications of police unionism; the last part presents several case studies of recent conflicts and job actions involving police organizations. Included in this section is "Black Versus White in The Station House," by Robert A. Jones, which examines the increasing polarization between black and white officers; a situation which has generated

²⁷ Juris, "The Implications of Police Unionism," op. cit.

²⁸ William J. Bopp, ed., The Police Rebellion: A Quest for Blue Power (Springfield, Illinois: Charles C. Thomas Publisher, 1971).

the growth of all black police organizations as separate power bases within police departments.

Summary

Until recent years police patrolmen did not have their own institutional identity. Generally it was the administrators who acted as spokesmen for law enforcement. With the coming of the 1960's, the social climate plus increased concern for "law and order" created a favorable climate for the police to develop their own power bases apart from their administrators. The evolution of police social and fraternal groups into bargaining organizations was a concurrent development.

In relatively few years police organizations have caused considerable impact on law enforcement, and it is the recognition of this impact that is now generating research of police unionism. Early studies and publications were geared to combat the growth of this phenomenon. Now that police unionism is an accomplished fact, research is taking a more constructive direction. Academicians as well as law enforcement people are now engaging in extensive studies trying to determine existing effects and potential effects of the new police militancy. The size and complexity of our society demand that we have a clear understanding of our law enforcement machinery. Although research on police employee relations can now be described as embryonic, the

problem is beginning to receive the increased attention it demands.

CHAPTER III

RESEARCH METHOD

The research for this study was initiated in a pilot study of two police departments similar in size and structure to the departments which were selected for the actual survey. Several interviews were conducted with the administrative personnel and employee association officials from both departments. During these interviews, the pilot study respondents were encouraged to express their views on what they felt were pertinent issues and problems concerning police unionism. They were also asked what they felt were important questions for inclusion in a survey of this type, and accordingly what information would they hold to be of value. The suggestions and ideas obtained from these pilot interviews were incorporated into the survey questionnaire.

The actual data for this study was obtained from in-depth interviews of the personnel of two medium-sized police departments located in an industrial, midwestern state. Included were the administrators, union officials and police officers.

The first purpose in surveying these departments was to establish what types of relationships, both formal and

informal, existed between the employee association and the administration. Secondly, the study examined the effects of the relationships on administrative discipline. The surveys concentrated on perceptions of authority rather than trying to measure, statistically, the actual changes in the chief's authority. This decision was based upon two considerations. First, the researcher's experience as a police supervisor raised strong doubts about the validity of written records concerning discipline and punishment. Second, it was felt that in terms of actual impact on how people interact, the perception of a situation often has an equal or greater effect on behavior than the impact of the actual or "real" situation.

Sampling Procedure

The two departments selected for this study were chosen primarily because they have employee organizations which are legally constituted and have collective bargaining agreements which include provisions for grievance procedures. Three population strata from each department were interviewed in depth. They were: (1) administrators; (2) union officials; (3) selected police personnel. The third category was further stratified to include: the internal investigators; five middle management people; four detectives and/or youth officers; and twelve uniform patrolmen.

It was decided that for the purpose of delimiting focus and working within the resources available for this

study, only medium-sized departments would be utilized. A working definition of "medium-size" are those departments that employ more than one hundred but less than one thousand sworn officers. Aside from the question of resources, the larger departments such as Detroit or Chicago present their own special problems and might be viewed as distinct cases unto themselves. The sheer size of these organizations makes them difficult for one researcher to survey and analyze. Conversely, departments with less than one hundred officers might be overly intimate and informal in their labor-management relations, thereby not allowing the researcher to achieve his research goals.

Data Collection

All the respondents in the survey were interviewed personally. Additional time was spent questioning the administrators and union officials. The interviews were conducted in face-to-face fashion using a written interview schedule as a guide.¹ All the responses were recorded according to the appropriate question number. Identical formats were followed in every interview and each respondent was invited to expand or comment upon his replies. It is felt that many years of operational police experience enabled the researcher to establish rapport with the respondents and obtain satisfactory results with the interviews.

¹A copy of the interview schedule can be found in the appendix to this study.

The first series of interviews was conducted at department "A". The chief of "A" had been contacted beforehand and an appointment arranged. After the interview with chief "A", permission was obtained to interview the assistant chief (he has charge of operations), the internal investigator, five supervisors (three sergeants and two lieutenants, all line supervisors), four detectives (two of whom are youth officers), and twelve patrolmen. Arrangements were also made to interview the vice-president of the FOP. The president of the FOP was also interviewed on a subsequent return trip to city "A".

It was explained to all respondents that the researcher was a graduate student engaged in a study of police unionism. They were also advised that permission had been received to conduct the survey, but they were not obligated to participate unless they wished to do so. It was also mentioned that the researcher had been a police officer for over nine years, and that great care would be taken to insure anonymity. The mention of the researcher's police experience had a definite beneficial effect in "breaking the ice." There were no refusals to engage in the interviews, and generally, the respondents appeared to be relaxed and willing to express their views freely.

Other than the chiefs and captains, all respondents were selected by chance and were interviewed in a variety of ways. Some of the interviews were conducted in squad

cars, some to patrolmen waiting to come on duty, but for the most part the researcher remained in the report room and spoke with the men who came in to write their reports during their tour of duty.

The same basic procedures were followed in department "B." The supervisors were interviewed in their offices and the report writing room was again utilized to interview the patrolmen. There were no refusals to be interviewed, and again, the respondents were friendly and open in their conversation.

Analysis of The Data

For the purpose of making comparative analyses, the responses from each department were grouped into sets such as: administrators, union officials, and patrolmen. In this way comparisons concerning interdepartmental as well as intradepartmental population sets are possible, i.e., patrolmen from department "A" might have the same views as patrolmen from department "B," but differ with the opinions expressed by their own managerial personnel.

The responses from all the interviews have been compiled into respective tables with appropriate comments added for necessary clarification.

CHAPTER IV

SURVEY FINDINGS

City "A": Background Information

"A" is an industrial city of approximately 200,000 population. Its economy is largely dependent on its automotive factories. During a prolonged automotive strike which occurred in 1971, the city was so adversely affected that the police department seriously considered the possibility of lay-offs.

Like many urban, industrial areas, "A" is experiencing considerable racial strife, and the racial polarity of the city is dramatically reflected in the police department. Of the 368 sworn personnel, in a city that is 35% black, there are 11 black officers; this has become a political issue in the city.

Although promotions come slowly in department "A" (the average age of the supervisors interviewed was 43), morale appears to be good as reflected by the high standard of physical appearance.¹ Almost all the men

¹There has been a freeze on promotions in department "A" for the past 5½ years. There has also been a phasing out of certain promotional classifications due to budget restrictions.

interviewed are from working class backgrounds. Many of their fathers were (and are) employed at the automobile plants in "A" as laborers or assemblers.

The chief of department "A" has almost 24 years of service. He was appointed chief about nine years ago after having worked his way up "through the ranks." He holds a Master's degree in police administration and was quite active in The Fraternal Order of Police (FOP) prior to becoming chief.

At present the department requires that an applicant must have two years college training to be eligible for service. This has proven to be an impediment to recruiting more black policemen. The administration is attempting to hire more blacks, but neither it nor the FOP is willing to agree to a waiver of the college requirement; in spite of strong pressure from community groups and some governmental agencies. The demand for compromise has been advanced under the concept of "affirmative action." This is a very volatile issue within the police department, and the FOP is strongly committed to resist this program.

As a result of this stand, all but one of the 11 blacks on the department have withdrawn from the FOP and have formed their own group, the Society of Afro-American Policemen (SAAP). The president of SAAP is attached to special duty at city hall where he serves as Ombudsman for the city. It is his task to receive, process and

investigate all citizen complaints against police officers. There are no black officers of superior rank, however, there is a black detective (detective is a civil service rank).

During his interview, the president of SAAP alleged that the department has a double standard of justice, with blacks being punished more often and more severely than white officers. He also claimed that the chief often uses the FOP as an excuse for inaction on racial issues.² This respondent also recounted several street incidents involving confrontations between white and black officers. In some instances the black officers were charged with interfering with the white officers. According to its president, SAAP provided legal aid in successfully defending these black officers against the charges.

The organization which is the bargaining agent for the patrolmen and detectives and enjoys almost 100% membership, is the Fraternal Order of Police (FOP). The FOP has national and state lodges which receive per capita payment from every member. However, for all practical purposes, a local lodge is autonomous with its own leadership, by-laws and policies. The Lodge in "A" was

²The SAAP president claims that the chief resists pressure from citizen groups by stating that he would like to accommodate them, but the FOP has his hands tied.

organized many years ago, but it wasn't until the mid 1960's that it evolved into a union-like organization. Superior officers are still able to maintain membership in the lodge (most of them do), but they are not part of the bargaining unit.³ Although there is no written contract, all agreements between the FOP and the city have been incorporated into city ordinances.

Present agreements call for binding arbitration on all impasse matters excluding discipline. The FOP is currently opting for this right and the [chief is strongly resisting as he feels that discipline is not negotiable nor a working condition.] The FOP does have the prerogative of providing representation for its members who are charged for hearing before the police trial board. The trial board consists of three to four officers of superior rank who act as a quasi-legal tribunal. The chief may prefer charges against any officer for alleged misconduct or rules violation, and then direct him to appear before the trial board. Members are arbitrarily selected by the chief and they advise him as to their findings. The chief may accept or reject the recommendations of the trial board as he sees fit, although in practice he usually abides by their decisions.

³Sergeants, lieutenants and captains maintain their own bargaining unit which is a sub-division of the same FOP lodge that the patrolmen and detectives belong to.

In punishments involving dismissal or suspension from duty of 29 days or more, there must be an automatic appeal to the civil service commission which has the power to uphold or overturn decisions by the chief and/or trial board. After appeal to the civil service commission, the charged officer may then carry his case to the circuit court. In cases involving suspension of less than 29 days, the charged officer has the option of appeal to the commission. In commission hearings or in court appeals, the FOP provides legal counsel for its members although the organization's executive body may refuse to furnish counsel should it feel that the member's cause has absolutely no merit. The FOP also provides representation, in the form of an official from the association, to assist a member should he be called in front of the police trial board.

The question was raised during the course of the interviews as to whether or not transfers were used as a form of discipline. There was strong disagreement between the FOP officials and the administration, with the former claiming that they are and the latter asserting they are not.

City "B": Background Information

"B" is a community of approximately 90,000 people, with an economy largely dependent upon its automotive

plants. About 30% of the population is black; this city also has had its share of racial problems, largely centering around the issue of busing.

The police department has 167 sworn officers, 12 of whom are black. The bargaining group is an independent Police Officers' Association (hereinafter referred to as the POA). For the past four years the POA has operated as a closed shop with all detectives and patrolmen required to pay dues (there is close to 100% voluntary membership, however). There is also an FOP lodge, but it serves strictly as a social and fraternal organization.

The 12 black officers have their own SAAP chapter which is not as militant as the similar group in "A" city. The main thrust of the SAAP in "B" is directed at recruiting more black officers from the community. The members of SAAP also belong to the POA, and look to the association to represent them in bargaining and legal disputes.

The relationship between the POA and the administration in "B" is more institutionalized than in "A", and the organization is more firmly established. The POA has a collective bargaining contract, but like "A", there is no provision for binding arbitration on disciplinary matters. There are, however, some unusual provisions in the contract. For example, detectives are not required to work evenings nor midnights. Should the services of a

detective be required during those hours, he is "hired back" and must be paid a minimum of six hours. (All "hired-back" officers receive a minimum of six hours pay at their regular hourly rate even if their services are required for only a few minutes.) Another provision of the contract allows each officer the privilege of having a union steward present during reprimands by a superior officer. If the reprimand occurs during the steward's day off, then the steward is called in, and receives a minimum of six hours pay.

As a result of negotiation with the POA, city "B" has also instituted what is termed the "4-40" work week. All operational personnel work ten hours per day, four days per week. Each officer has three days off each week, selected by seniority.

The POA began its operations in the mid 60's as an off-shoot of the FOP lodge. At present there is a power struggle taking place within the association. The current vice-president was elected on a platform of promoting professionalism and increasing discipline. He is planning to challenge the incumbent president in the coming election. If successful, the vice-president intends to change the focus of the POA from the current trade union model to a more professionally oriented association. He claims to have popular support for this concept among the membership of the POA.

Patrolmen in "B" are not as dependent upon their association for protection in disciplinary matters as are those in "A". City "B" is obliged to provide legal assistance to any patrolman against charges which originate outside the department, i.e., citizen complaints.⁴ On complaints originating within the department (charges against a patrolman or detective by a superior officer or the chief), the association is obligated to provide legal defense for the officer.⁵

The chief of department "B", who is in his late forties, has spent his entire career of 26 years with this department, and has been chief for the past nine years. He has completed advanced training courses for administrators although he has no college degree. The chief's power to discipline is restricted; serious charges being handled through a civilian trial board which has been in operation for 35 years. The chief is empowered to require that an officer work up to 10 of his regular days off, without pay. These minor punishments are subject to review by an inquiry board of police officers. An inquiry board for a patrolman is comprised of a patrolman, a detective,

⁴This lack of dependency on the association for legal aid is ironic to a certain extent as it was the association which gained the legal representation benefit for its members.

⁵Unlike the FOP lodge of department "A", the POA is obligated to defend its members regardless of how little merit the case may have.

a sergeant, a lieutenant, and a captain. It has an advisory role, but in practice the chief usually abides by its recommendations. For more serious offenses, the chief is obliged to refer a case to the civilian trial board. The board is appointed by the city commissioners and contains seven members. It is legally empowered to dismiss or suspend police officers and its decisions are final, subject to review by the circuit court.⁶

Citizen complaints against police officers are handled by the sergeant who heads police-community relations. He is charged with investigating every complaint and submitting a report to the chief and the civilian trial board. The board has the option of settling the case by negotiation (with the consent of all parties involved), refusing to hold a hearing due to lack of evidence, or to conduct a full hearing into the matter and impose judgment. Any citizen can initiate a complaint against a police officer by submitting a signed affidavit to the police department or the civilian trial board.

⁶There is a difference of opinion on what grounds a case may be appealed to the circuit court. The administration claims that a civilian trial board's decision can only be appealed on technical grounds (legal error, etc.), while the POA claims appeal can be on any grounds. Evidently the ordinance is worded ambiguously and the situation has not yet been tested in court.

Promotions are more plentiful in department "B" than in "A" with more youthful detectives, sergeants and lieutenants in evidence. Morale in the lower ranks and the upper echelon appears to be good, but there is a noticeable morale problem in middle management. This could partly be explained by the fact that the chief enjoys a very good relationship with the union and has developed his labor-management skills to a high degree, but the every day operational problems of working within the framework of a restrictive union contract seems to have fallen on the shoulders of middle management.

Table 1: Comments

Perhaps the most significant data in Table 1 concerns the answers by the administrators and union officials. It appears that the chiefs and captains (in each department both the chief and the captain in charge of operations were interviewed), feel a greater threat from the unions than the union leaders are willing to acknowledge.⁷

The reply by the internal investigator ("No challenge") of department "A" is somewhat contradictory in

⁷ This is even more evident in consideration of the fact that the union official in department "A" who answered, "appreciable challenge," qualified his answer by stating that the attempt to challenge the chief's authority had been great, but that the results have been only moderately successful.

TABLE 1.--Challenge to Chief's Authority.*

Class of Respondent	City "A"				Totals
	Great Challenge	Appreciable Challenge	Moderate Challenge	No Challenge	
Administrators	0	2	0	0	2
Union Officials	0	1	1	0	2
Internal Investigators	0	0	0	1	1
Supervisors	2	0	3	0	5
Detectives-Youth Officers	1	2	1	0	4
Patrolmen	0	3	9	0	12
TOTALS	3	8	14	1	26
City "B"					
Administrators	0	2	0	0	2
Union Officials	0	0	1	0	1
Internal Investigator	1	0	0	0	1
Supervisors	1	2	2	0	5
Detectives-Youth Officers	1	2	1	0	4
Patrolmen	2	2	4	4	12
TOTALS	5	8	8	4	25

* Question read as follows: "How would you describe the overall effect of police unionism on administrative authority? To what extent has the authority of the police chiefs been challenged?"

relation to his other answers. For example, in Table 2 he answered that it is moderately more difficult for a chief to run a unionized department; in Table 4 he replied that the union has brought about improvement in discipline procedures; and in Table 5 he answered that he felt the chief was sensitive to union reaction.

It can also be observed that by and large the patrolmen in department "B" felt that their organization presented less of a challenge to their chief than did the patrolmen of "A". Perhaps the explanation for this lies in the fact that most of the serious discipline in department "B" is handled by the civilian trial board which results in less direct confrontation between the chief and the POA.

Table 2: Comments

All the respondents from both city "A" and "B" who answered that a chief in a unionized department has a moderately or much easier task than a chief in a non-union department, had basically the same explanation for their answers. The rationale is that in a union department the chief has a clearer understanding of his position and just what his prerogatives are. The contract or agreement with the union provides definite ground rules from within which the chief can function with less misunderstanding. A paraphrased summary of the answer would be that these

TABLE 2.--Comparison of Administrative Difficulty of Chief in a Unionized Department to Chief in a Non-union Department.*

Class of Respondent	Chief in a unionized department has:					
	Much More Difficult Task	Moderately More Dif- ficult Task	Equally Difficult Task	Moderately Easier Task	Much Easier Task	Totals
City "A"						
Administrators	0	2	0	0	0	2
Union Officials	1	1	0	0	0	2
Internal Investigators	0	1	0	0	0	1
Supervisors	3	2	0	0	0	5
Detectives-Youth Officers	1	1	0	1	1	4
Patrolmen	4	4	1	1	2	12
TOTALS	9	11	1	2	3	26
City "B"						
Administrators	0	1	0	0	1	2
Union Officials	0	0	0	0	1	1
Internal Investigators	1	0	0	0	0	1
Supervisors	1	2	1	1	0	5
Detectives-Youth Officers	0	3	1	0	0	4
Patrolmen	3	4	2	1	2	12
TOTALS	5	10	4	2	4	25

* Question read as follows: "How would you compare the task of a Chief in a unionized department to one in a non-union department insofar as to the task of imposing discipline?"

respondents feel it is easier for the chief to operate within the framework of an institutionalized relationship. Many of the respondents in city "A" who answered "easier" cited the example of a nearby Sheriff's Police Department that had been plagued with morale problems until they unionized.

Generally speaking, however, most of the respondents from all the categories felt that it was more difficult for a chief to operate within a unionized department. The usual given reason for this was that constant intervention by the union makes administrative decisions more difficult to impose.

Table 3: Comments

The distribution of responses of city "A" in Table 3 are generally what might be expected. There is a definite contrast to be found in Table 3 regarding the responses of department "B". In "A" the chief and assistant chief are quite adamant in their assertion that discipline is strictly an administrative prerogative. The patrolmen, detectives and youth officers of "A" are fairly uniform in their opinions to the contrary.

In "B" the chief and captain are somewhat more conciliatory in their attitudes and there is a much greater spread of opinion in the lower ranks. Again, the fact that serious discipline is handled by an outside agency

TABLE 3.--Police Association's Right to Intervene in Disciplinary Procedures.*

Class of Respondent	Strongly Disagree	Moderately Disagree	Undecided (neutral)	Moderately Agree	Strongly Agree	Total
City "A"						
Administrators	2	0	0	0	0	2
Union Officials	0	0	0	0	2	2
Internal Investigators	0	0	0	0	1	1
Supervisors	1	0	0	4	0	5
Detectives-Youth Officers	0	0	0	2	2	4
Patrolmen	1	1	0	5	5	12
TOTAL	4	1	0	11	10	26
City "B"						
Administrators	0	0	1	1	0	2
Union Officials	0	0	0	0	1	1
Internal Investigators	1	0	0	0	0	1
Supervisors	0	1	1	3	0	5
Detectives-Youth Officers	0	0	1	2	1	4
Patrolmen	1	2	1	4	4	12
TOTAL	2	3	4	10	6	25

* Question read as follows: "It is generally agreed that police associations have the right to represent the men on matters pertaining to wages and general working conditions. However, there is some question as to whether or not disciplinary matters are working conditions are up to the discretion of the chief alone. To what extent would you agree or disagree that disciplinary procedures (including punishment) SHOULD be subject to union involvement?"

in city "B", may explain why there is less polarization of attitudes on this question.

Of added interest might be the reply of the internal investigator in department "B". Possibly he may experience some degree of frustration at the prospect of having the union intervene in cases that he has prepared with considerable effort.

The investigator in department "A" has a somewhat different role in that he must represent the interests of the citizens to a greater degree than his counterpart in department "B". This difference is expressed in a more ambivalent attitude toward the problem. As ombudsman he sees the FOP as interfering with the expectations of black citizens regarding behavior of white officers. However, he concedes that the black officers need the intervention of the SAAP to insure their due process rights in disciplinary disputes with the administration.

Table 4: Comments

Of those respondents who feel there has been a union induced improvement in discipline, the vast majority believe that the biggest improvement has been in procedures or due process.

The chief of "B" freely conceded that the union has brought about due process improvements from the standpoint of the patrolmen. Chief "B" stated that it

TABLE 4.--Union Related Improvement in Discipline.*

Class of Respondent	Rules and Regulations	Procedures (due process)	No Difference in Discipline	Total
City "A"				
Administrators	0	0	2	2
Union Officials	0	2	0	2
Internal Investigators	0	1	0	1
Supervisors	0	2	3	5
Detectives-Youth Officers	0	3	1	4
Patrolmen	0	9	3	12
TOTALS	0	17	9	26
City "B"				
Administrators	0	1	1	2
Union Officials	0	1+	0	1
Internal Investigators	0	0	1	1
Supervisors	0	1	4++	5
Detectives-Youth Officers	0	3	1	4
Patrolmen	4**	4	4	12
TOTALS	4	10	11	25

* Question read as follows: "If you think that association involvement in matters of discipline and punishment has caused improvement in discipline, then which part of discipline has improved, the actual rules and regulations--or the procedures?"

** These patrolmen answered that both the rules and the procedure had improved.

+ Union official actually answered that both the rules and the procedures had been improved, with emphasis on procedures.

++ Two of the supervisors actually felt discipline had become worse.

would be unrealistic to assert that an autocratic or paternal administrator would have as much consideration for due process as an administrator whose actions are subject to review by an employee group.

This question was also an indicator of the existence of morale problems in the supervisory ranks of "B". Four of the supervisors who were interviewed strongly stated that union imposed procedures made supervision difficult and in certain instances frustrating. They particularly cited the practice of waiting for the appearance of a union steward prior to reprimanding a patrolman stating that this often tied up patrol cars for long periods. It appears that in certain instances the supervisor may opt to ignore a situation rather than become involved in the procedural requirements.

The union official in "B" expressed agreement on this point, stating that he planned to delete this requirement from the contract should he be elected president.

Tables 5 and 6: Comments

Of the total number of 26 respondents in "A", only the chief and assistant chief felt there was no administration sensitivity to union reaction on discipline ("sensitivity" in the sense of providing for and anticipating the actions of another). The negative replies of the chief and the assistant chief do not seem to square

TABLE 5.--Administration Sensitivity to Association Reaction.*

Class of Respondent	Yes	No	Totals
City "A"			
Administrators	0	2	2
Union Officials	2	0	2
Internal Investigator	1	0	1
Supervisors	4 (1+)	0	5
Detectives-Youth Officers	4	0	4
Patrolmen	12	0	12
TOTALS	24	2	26
City "B"			
Administrators	0	2	2
Union Officials	1+	0	1
Internal Investigator	1+	0	1
Supervisors	2 (2+)	1	5
Detectives-Youth Officers	2+	2	4
Patrolmen	5 (4+)	1	10++
TOTALS	17 (10+)	6	23

* Question to Table 5 read as follows: "Giving an opinion, would you say that in matters pertaining to discipline and punishment, the administration is sensitive to possible association reaction?"

+ Felt that middle management rather than the administration is sensitive to association reaction.

++ Two patrolmen answered "no opinion" to this question.

TABLE 6.--Effect of Sensitivity.*

Class of Respondent	Quality	Quantity	Total
City "A"			
Administrators	0	0	0+
Union Officials	2	0	2
Internal Investigator	1	0	1
Supervisors	5	0	5
Detectives-Youth Officers	4	0	4
Patrolmen	12	0	12
TOTALS	24	0	24
City "B"			
Admininistrators	0	0	0+
Union Officials	1	0	1
Internal Investigator	1	0	1
Supervisors	4	0	4+
Detectives-Youth Officers	2	0	2+
Patrolmen	9	0	9+
TOTALS	17	0	17

* Question to Table 6 reads as follows: "If you do feel that the administration is sensitive to association reaction, then do you feel that this sensitivity has affected either the quality or the quantity of punishment?"

⁺ The difference in total number of responses between Table 5 and Table 6 is because those who responded "no" to the first question did not answer the second question.

with the situation as it exists within department "A". The overall mood of the interviews with both the chief and the FOP officials of "A" indicate a pronounced adversary relationship with each side quite sensitive to the reactions of the other.

In "B" almost everyone agreed that the chief was not sensitive to union reaction, but again there was a strong indication of problems in middle management. The implication is that the chief of "B", through his situation as well as his skill and finesse, has developed a good working relationship with the POA, but somewhat at the expense of his middle management.

Table 7: Comments

This table indicates that there may be less of a direct relationship between the union and morale in department "B". The question of middle management morale arises in "B" while there is nothing to suggest this type of problem in "A".

The relationships between the administration and the FOP in "A" are still in flux and the labor-management struggle may be responsible for an increased emotional level on the morale issue.

In "B" these relationships appear to be more stabilized and institutionalized, and the chief is more willing to deal with POA on egalitarian terms. The result

TABLE 7.--Effect of Association Involvement on Morale.*

Class of Respondent	City "A"			Totals
	Good for Morale	Bad for Morale	No Effect on Morale	
Administrators	2	0	0	2
Union Officials	2	0	0	2
Internal Investigators	1	0	0	1
Supervisors	4	0	1	5
Detectives-Youth Officers	4	0	0	4
Patrolmen	11	0	1	12
TOTALS	24	0	2	26

Class of Respondent	City "B"			Totals
	Good for Morale	Bad for Morale	No Effect on Morale	
Administrators	1	(1)+	1	2
Union Officials	1	0	0	1
Internal Investigator	0	1	0	1
Supervisors	2	3++	0	5
Detectives-Youth Officers	2	0	2	4
Patrolmen	8	0	4	12
TOTALS	14	4	7	25

+ One administrator answered that involvement can have mixed results although he felt it was basically good for morale.

++ These respondents were answering in terms of middle management morale.

* Question to Table 7 read as follows: "What effect do you think that association involvement in disciplinary proceedings has on morale?"

is that in "B" each side may feel less threatened by the other and the union, because of this lack of threat, is not the paramount factor in morale.

The captain of operations of "B" qualified his negative answer by adding that the union has caused some problems with the sergeants and lieutenants in terms of morale. He also noted that some of the procedures (such as the shop steward system) has caused a certain loss of efficiency. However, he did feel that in general terms the POA has effected an improvement in the morale of the patrolmen.

Table 8: Comments

As regards the issue of membership benefits, there appears to be a greater concern with financial matters in department "B". Sixty-eight percent of the patrolmen and detectives of "A" opted for protection as their prime union benefit, while in "B" 62.5% felt that financial benefits were foremost.

The interviews indicated that this might be explained by the fact that the patrolmen in "B" exhibit much less concern about outside threat. Their city has adopted an ombudsman-like role in dealing with citizen complaints and is willing to provide for the legal defense of the patrolmen when they get into these types of difficulties. Additionally, serious discipline on "B" is

TABLE 8.--Comparison of Membership Benefits.*

Class of Respondent	Wages-Fringe Benefits	Protection When in Trouble	Equally Important	Totals
City "A"				
Administrators	2	0	0	2
Union Officials	0	2	0	2
Internal Investigators	1	0	0	1
Supervisors	5	0	0	5
Detectives-Youth Officers	1	3	0	4
Patrolmen	3	8	1	12
TOTALS	12	13	1	26
City "B"				
Administrators	0	0	2	2
Union Officials	0	0	1	1
Internal Investigator	1	0	0	1
Supervisors	4	0	1	5
Detectives-Youth Officers	3	0	1	4
Patrolmen	7	2	3	12
TOTALS	15	2	8	25

* Question read as follows: "What do you think is the most important part of association membership, the wages and fringe benefits or the protection and help you receive when you are in trouble?"

handled by an outside agency (the civilian trial board), which means that the chief of "B" need not be as concerned by pressure from various citizen groups when police brutality cases arise. The brunt of such outside pressure loses much of its effectiveness when it is divided seven ways between the members of the trial board.

On the other hand, the chief of "A" must bear the full weight of citizen pressure when controversial cases arise. In these situations he must be politically sensitive to the demands of the community while at the same time provide support and leadership for the men of his department. The patrolmen are sophisticated enough to comprehend the situation and thus they place a high value on the legal help the union provides.

Table 9: Comments

During the interviews with department "A", the issue of "personalities" repeatedly arose; "personalities" in the sense of allowing subjective emotions to interfere with the administration of justice within the department. In many cases this issue was tied to the question of including peers on the police trial board proceedings. Unlike department "B", there is presently no peer group representation on these boards. Many respondents felt that the inclusion of peers might alleviate some of the "personality" problems.

TABLE 9.--Recommended Changes in Discipline.*

Class of Respondent	City "A"							Totals
	No Change	Eliminate Trial Board Direct Discipline	Uniformity in Enforcing Discipline	Include Peers on Trial Board	Update and Revise Rules	Clarify Trial Board Procedures		
Administrators	2	0	0	0	0	0	2	
Union Officials	0	1	1	0	0	0	2	
Internal Investigators	0	0	1	0	0	0	1	
Supervisors	2	0	1	2	0	0	5	
Detective-Youth Officers	0	0	0	2	2	0	4	
Patrolmen	2	0	4	4	0	2	12	
TOTALS	6	1	7	8	2	2	26	

Class of Respondent	City "B"							Totals
	No Change	All Police Trial Board	Mixed Police Civilian Trial Board	Uniform Enforcement of Discipline	Stricter Enforcement of Rules	Eliminate Incident Board		
Administrators	0	1	0	0	0	1	2	
Union Officials	0	0	0	0	1	0	1	
Internal Investigators	0	1	0	0	0	0	1	
Supervisor	0	2	1	0	0	2	5	
Detective-Youth Officers	0	3	1	0	0	0	4	
Patrolmen	0	6	2	2	0	0	(11)+	
TOTALS	1	13	4	2	1	3	(24)+	

* One Patrolman indicated that rather than be forced to work regular days off for minor violations the men should be suspended instead. This response was not included in the above table for reasons of space.

* Question read as follows: "If you had the power to change any part of the discipline procedures or policies of your department, what would you change?"

The answers of the respondents in "B" centered around the civilian trial board. Sixty-eight percent of all those interviewed in "B" wanted to eliminate the civilian board (the civilian trial board has been in operation for over 35 years). Of the four who answered that they would like a mixed police and civilian board, three actually wanted an all police board, but felt that realistically a mixed board would be the most they could expect. None of "B's" respondents, however, could cite any instance wherein the board had been too harsh with patrolmen. Several men stated they wanted to abolish the board because it was too lenient.

Several respondents, including the internal investigator of "B", felt the main fault of the civilian board was that it is too informal in its operation. It was pointed out that rarely did all seven members appear for hearings, and that the hearings are run rather loosely. The most typical criticism was that civilians don't understand the problems of the police, and because of this they are not in a position to judge police.

Due to its relevance to this study as well as its topical relevance to law enforcement, a great deal of time was spent discussing the civilian trial board of city "B". Because of its importance and controversial nature, several pages of remarks are devoted to the civilian board in the concluding chapter of this study.

Table 10: Comments

This question regarding outside recruitment of administrative personnel as well as the questions in Tables 11 and 12 were included in the survey to attempt to gain some insight into attitudes regarding professional concerns. The proposals in these questions are based on often mentioned recommendations to help professionalize the police.

In the main, this proposal elicited very negative responses. The usual explanation for the rejection was that only a man who has worked his way up through the ranks can thoroughly understand the problems of enforcing the law. Others stated that it was the goal of every dedicated policeman to be a chief and that it wasn't fair to give the top jobs to outsiders, bypassing the career men within the department.

Table 11: Comments

The concept of lateral recruitment and promotion was explained in detail to each respondent along with the remark that it was a recommendation of the President's Task Force.⁸ The responses from both departments were very unfavorable.

⁸Lateral recruitment is a concept which allows for mobility of police officers from one department to another without losing seniority or pension credit. Under the present system, in most jurisdictions, should an officer

TABLE 10.--Hiring Policy for Managerial Personnel.*

Class of Respondent	City "A"				Neither Approve Nor Disapprove		Total
	Strongly Approve	Moderately Approve	Moderately Disapprove	Strongly Disapprove			
Administrators	0	2	0	0	0	2	
Union Officials	0	0	0	0	2	2	
Internal Investigators	1	0	0	0	0	1	
Supervisors	0	0	0	0	5	5	
Detectives-Youth Officers	1	1	0	0	2	4	
Patrolmen	2	1	0	1	8	12	
TOTALS	4	4	0	1	17	26	
City "B"							
Administrators	0	0	0	0	2	2	
Union Officials	0	1++	0	0	0	1	
Internal Investigators	0	0	0	0	1	1	
Supervisors	1+	0	0	1	3	5	
Detectives-Youth Officers	0	0	0	2	2	4	
Patrolmen	0	0	1	3	8	12	
TOTALS	1+	1++	1	6	16	25	

* At highest level of management only.

++ If they are from a field that is related to law enforcement in some way, i.e., professor of criminology, lawyer, etc.

* Question read as follows: "In Europe it is common for police agencies to recruit managerial personnel from other walks of life. What is your position regarding this practice?"

TABLE 11.--Lateral Recruitment and Promotion.*

Class of Respondent	City "A"				Neither		Total
	Strongly Approve	Moderately Approve	Approve Nor Disapprove	Moderately Disapprove	Strongly Disapprove		
Administrators	2	0	0	0	0	2	
Union Officials	0	0	0	0	2	2	
Internal Investigators	1	0	0	0	0	1	
Supervisors	0	0	0	1	4	5	
Detectives-Youth Officers	1	2	0	0	1	4	
Patrolmen	1	0	0	3	8	12	
TOTALS	5	2	0	4	15	26	
City "B"							
Administrators	0	0	0	1	1	2	
Union Officials	0	0	0	0	1	1	
Internal Investigators	0	0	0	0	1	1	
Supervisors	1	0	1	1	2	5	
Detectives-Youth Officers	0	0	0	2	2	4	
Patrolmen	0	0	1	4	7	12	
TOTALS	1	0	2	8	14	25	

* Question read as follows: "The Task Force Report: The Police, recommends the implementation of lateral recruitment and promotion in the police service as a means of 'professionalization.' What is your position regarding this recommendation?"

Several officers stated that it was important that a policeman should have a thorough knowledge of the community where he works, and that this wasn't possible with lateral recruitment. Many respondents were quite defensive in their explanations, stating that it would not be right to have a stranger from another city promoted over them. (The mention of the fact that they could go elsewhere and be promoted did not alter the negative response.)

The chief of department "A" had warned that the term "lateral recruitment" might be taken as a pseudonym for "affirmative action" and because of this might meet with a negative reaction. Several patrolmen did indicate that they felt lateral recruitment was some type of "gimmick" or "trick" to force departments to hire more blacks.

Table 12: Comments

The concept of three classes of police officer was explained fully to each respondent who was not familiar

wish to work for another police agency, he must begin again as a recruit at the lowest level of pay, and he must relinquish any pension credit he has earned with his previous department.

Similarly, lateral promotion would allow any policeman within a particular geographic district (a state for example), to take promotion examinations for any police department within that district. Under present conditions a patrolman, sergeant, lieutenant or captain may be promoted only within his own department.

TABLE 12.--Three Classes of Police Officer Concept.*

Class of Respondent	City "A"				Neither Approve Nor Disapprove		Strongly Disapprove	Total
	Strongly Approve	Moderately Approve			Approve	Disapprove		
Administrators	1	1			0	0	0	2
Union Officials	0	0			0	0	2	2
Internal Investigators	1	0			0	0	0	1
Supervisors	4	1			0	0	0	5
Detectives-Youth Officers	2	2			0	0	0	4
Patrolmen	5	2			1	2	2	12
TOTALS	13	6			1	2	4	26
City "B"								
Administrators	0	0			0	1	1	2
Union Officials	0	0			0	0	1	1
Internal Investigators	0	0			1	0	0	1
Supervisors	0	1			1	1	2	5
Detectives-Youth Officers	0	0			0	2	2	4
Patrolmen	0	1			1	2	8	12
TOTALS	0	2			3	6	14	25

* Question reads as follows: "The Task Force Report also recommends the implementation of the 'three classes of police officer' concept (the concept is thoroughly explained to respondent). What is your feeling on this concept?"

with it.⁹ As the figures indicate, the response was more favorable in department "A", than in "B". This is not surprising in light of the fact that "A" is employing a modified version of this system. There are between 30 and 40 Community Service Officers (CSO's) in department "A". They are employed in handling minor complaints on a follow-up basis and are also used for parking control. The CSO's on "A" are a type of cadet or apprentice policeman, most of whom are attending college.

Most of the respondents in "B" who felt negative about this concept were somewhat vague in their reasons. However, the chief and several of the supervisors stated that they felt there was an inherent flaw in the plan: that is--many calls that begin as minor or nuisance calls can quickly evolve into something very serious. "Trigger" incidents in riots have been of a minor nature, and it is not unknown for homicides to begin over simple arguments between neighbors. The chief conceded that much of the patrolman's time is occupied by these nuisance or minor

⁹The Task Force Report: The Police, recommends that law enforcement agencies employ three levels of police personnel: (1) The police agent would be the most highly trained and educated. He would be responsible for major crimes, family crisis, crowd confrontation, etc. (2) The police officer would handle less serious crimes, engage in routine patrol and handle traffic enforcement, excluding parking. (3) The community service officer would handle parking control, nuisance calls and minor complaints, i.e., loud radio, missing children. The CSO's would be cadets or apprentice policemen and would pass into the rank of police officer after completing their period of apprenticeship.

type calls, but he feels that he wants the insurance of having an experienced officer handle these calls, in case they should develop into more serious incidents.

Table 13: Comments

There was little variation between departments on this question. The mean for "A" was 5.15 and the mean for "B" 5.4. The distribution from all categories hovers near the middle ground of equal concern.

These figures would be more significant if they could be compared with the means of other occupational groups such as school teachers and factory workers to see how the police would compare with these other groups as regards professional concerns.

TABLE 13.--Where Should Union Efforts be Concentrated?"

Professional Concerns	0	1	2	3	4	5	6	7	8	9	10	Financial Concerns
City "A"												
Administrators	-	-	-	-	1	1	-	-	-	-	-	
Union Officials	-	-	-	1	-	1	-	-	-	-	-	
Internal Investigators	-	-	-	-	-	1	-	-	-	-	-	
Supervisors	-	-	-	-	1	-	1	2	-	-	1	
Detective-Youth Officers	-	-	-	-	2	-	1	-	-	1	-	
Patrolmen	-	1	-	-	4	5	1	1	-	-	-	
TOTALS	0	1	0	1	8	8	3	3	0	1	1	T = 26
City "B"												
Administrators	-	-	-	-	-	2	-	-	-	-	-	
Union Officials	-	-	-	-	-	1	-	-	-	-	-	
Internal Investigators	-	-	-	-	-	-	-	1	-	-	-	
Supervisors	-	-	-	-	1	2	-	1	-	-	1	
Detective-Youth Officers	-	-	-	1	1	1	1	-	-	-	-	
Patrolmen	-	-	-	2	2	5	-	1	1	-	1	
TOTALS	0	0	0	3	4	11	1	3	1	0	2	T = 25

* Question read as follows: "As a matter of opinion please place a numerical value on what you think the primary concern of a police employee association should be. The choice is between professional concerns such as raising educational standards or improving the quality of the training program, or concentrating its efforts on the improvement of wages and working conditions. A value of "0" means that you feel all the association's efforts should be spent on professional concerns. A value of "10" means that you think all the association's efforts should be on improving wages and working conditions. A value of "5" would mean that you feel efforts should be equally divided between both. Please choose a value from "0" to "10"."

CHAPTER V

SUMMARY AND CONCLUSIONS

Summary

The primary purposes of this study were to examine some of the dimensions of change in administrative authority as regards discipline where there is police union activity, and to generate ideas for more specific research regarding the implications of police unionism on administrative power. Three questions implicit in the study were:

(1) what effect, if any, has the imposition of union intervention had on the chief's authority? (2) if discipline sanctions are less severe, is it because the unions have forced improvement in the processes or because the administrators have been intimidated? (3) if there is any appreciable change in discipline, has it been in the substantive nature of the rules or rather in procedural differences? This chapter will first answer these three questions based on data received from departments "A" and "B". It will then discuss some other implications of the research and make recommendations regarding the findings.


Question One

The administration of department "A" does feel that the union (FOP) has challenged its authority (see Table 1) and the patrolmen of "A", for the most part, believe that the administration is sensitive to possible FOP reaction (see Tables 5 and 6).

The authority problem in "B" centers around the middle management rather than the chief (see Tables 5 and 6). The supervisors appear to experience the greatest difficulty in making the department "run" on a daily basis, within the framework of the union contract.

Although both associations "A" and "B" have agreements which call for arbitration as a last step in grievance proceedings, the question of discipline is presently excluded from arbitration. Both groups do, however, have other areas of intervention in discipline, and "A" is attempting to obtain binding arbitration on this issue.

The principal areas of union involvement in discipline are: the representation that the employee organization (FOP) provides at police trial boards of department "A", and the similar representation by the POA for the police incident boards of department "B". The FOP also provides formal legal assistance for the men of "A" for hearings in front of the civil service commission



and appeals to the circuit court. In "B", through a POA gained benefit, the city provides legal counsel for policemen who face civilian trial board hearings. In situations where the city does not provide this aid (complaints that arise internally as opposed to external citizen complaints), the POA is obligated to furnish legal aid for its members.

In department "B" the labor-management conflict appears to be more subdued than in "A", primarily because the chief of "B" has never had the same degree of disciplinary power that the chief of "A" enjoyed prior to unionization. The more serious discipline cases are adjudicated by the civilian trial board, and this board does not have personal, daily authority interaction with the men of "B". It would appear then, that the advent of the union (POA) in "B" has not caused any significant alteration in the relationship between the men and the chief. This is not to say that there has been no challenge to administrative authority. The fact that the POA has induced the city to provide legal aid for its members is a good indication that it has had an effect on management's authority generally, if not the chief's specifically.

Question Two

After reviewing the survey of both departments, it was concluded that the term "less severe" was not the most accurate means of describing what has occurred concerning

the severity of sanctions. Perhaps a more accurate appraisal of the situation is the proposition that greater care is exercised in seeing that procedures are strictly adhered to and the severity of the punishment fits the nature of the offense.

It was also felt that the term "intimidated" is too strong to be used in describing the cause of the above proposition. The overall general effect of union involvement in disciplinary proceedings is that they have become subject to review and scrutiny by a third party (the union). This "watchdog" effect gives the individual officer moral support and a greater degree of confidence in the proceedings (see Table 7).

On the other hand, the superior officers who sit in judgment on these various trial boards, must realize that their actions are subject to review by the union and that the union can exert pressure should it conclude that a superior officer did not act in concert with the facts.

Perhaps the situation is best summarized by the chief of "B" when he maintains that it is unrealistic to assume that an autocratic or paternal chief will have as much consideration for the individual rights of his men than an administrator whose actions are subject to review by an employee organization.

It would, however, be stating the case too strongly to say that the realization by an administrator that his

actions are subject to review is indicative of intimidation until more evidence is in.

Question Three

A substantial portion of the men in both departments feel that their union caused some improvement in discipline, and that this improvement has been primarily in the procedures rather than the rules (see Table 4 which also indicate there was slightly more emphasis on rules in "B"). There was also consensus that union involvement in discipline had been beneficial for morale although the men in "B" were not as dependent upon their association for moral support (see Table 7).

The interviews with the union leaders point out that they are most concerned with promoting impartiality rather than attempting to change regulations. This concern for procedural matters is reflected by the expressed desire of many patrolmen to eliminate the "personality" elements in discipline (see Table 9). It appears that both the union leadership and the membership are prepared to live with the existing rules, provided they are administered fairly.

In examining the three preceeding questions, it appears that the participatory management effect of unionism has brought about change in the administration of discipline in both departments, both procedurally and attitudinally. the changes are not as pronounced in "B", but this may be

explained by the fact that the civilian trial board's involvement in discipline is responsible for a much lower-keyed type of conflict between the chief and his employees' association.

One very crucial factor in the collective bargaining agreements of both departments is the legal status of discipline. The question of whether discipline is a working condition, subject to binding arbitration, or an administrative prerogative is in doubt throughout the state in which these two departments are located. It seems reasonable to predict that this issue will necessitate legal adjudication before it is resolved. At present, both the administrators and the unions are well aware of the importance of this issue and each is strongly resisting the other's efforts in this area.

Other Implications of the Study

There are other issues which emerge from this study as being worthy of further consideration and research. Among these, two assume added significance topically and socially: they are--the black police officers associations and the civilian trial board. The black organizations are gaining importance as separate power bases in the law enforcement schema and the concept of civilian review has, for several years, generated as much controversy as any issue in the police service.

Black Police Organizations

The survey of department "A" and to a lesser extent, department "B", indicates that black policemen are following the model of blacks generally by forming their own power bases rather than rely upon white demonated organizations to gain concessions for them.

In department "A" the polarity between the white and black officers is dramatic and complete. The issue of affirmative action has severed the department racially, and, in fact, triggered the birth of the Society of Afro-American Policemen (SAAP). White policemen are allowed to join SAAP, but are not permitted to vote, (to date, no white officer has taken advantage of this arrangement). SAAP has gone to the community for support and has managed to raise enough money to provide for legal defense of its members. In department "B", the SAAP is described as a social organization whose primary concern is to recruit more blacks to the department.

Even a brief examination of the black organizations in "A" and "B" suggest the need for administrative expertise and understanding. Additionally, it calls for study on at least two important questions: (1) are black police organizations in fact legal? (2) Are these groups actually accomplishing their stated goals? That is, do they promote racial equality within the police department and the community, or do they inadvertently promulgate a

tacit type of racism? In other words, by banding together in a restrictive fashion, do the black groups allow the administrator to alleviate himself of his true responsibility toward his black officers? Does this racial grouping give the administrator a moral and legal excuse for treating his black policemen as a "special problem," or "something different?"

This study would argue that black police groups which deny equal membership rights to white officers are, in fact, illegal. Why then do administrators permit their existence? Is it because they are fearful of reaction should they attempt to disband them, or does it serve to the advantage of the administrator to have these groups in operation?

Civilian Trial Board

Even the most casual observer of the police scene knows that the concept of civilian review or trial boards has been a highly volatile issue for several years. The PBA in New York and the FOP in Philadelphia were able to scuttle the civilian review boards in their respective cities, and many similar plans have been thwarted by police associations around the country.

Department "B" is somewhat unique in the sense that it has had a civilian trial board in operation for 35 years. The board is composed entirely of non-police personnel. There are seven members, each being appointed by one of

the seven city commissioners. Any police officer who is charged with an offense that could result in suspension or dismissal must appear in front of this board. Aside from the possibility of an appeal to the circuit court, the judgment of the board is final. The most serious punishment the chief can impose without going to the civilian board is to require an officer to work up to ten of his regular days off, without pay.

Of the 26 men who were interviewed in department "B", 17, or 68 per cent stated they would like to see the board either eliminated or changed in some way (see Table 9). When questioned in detail, not one of the respondents could cite an instance where the board had been unfair or too severe. In fact, four men felt the board was too lenient.

After completing several of these interviews, the researcher began to feel that many of the men were responding the way policemen were "supposed to" respond. It is almost traditional for policemen to be opposed to civilian involvement in police affairs. The rationale expressed by most of the men of "B" is that civilians don't understand the problems of the police and therefore are in no position to judge. Interestingly enough, the men of "B" have no specific criticism of the civilian board, while many of the men of "A", are unhappy with the discipline they receive in which there is no civilian involvement (see Table 9). This table indicates that seven men from "A:", including a union official,

wanted more uniformity in enforcing discipline, while only two men from "B" expressed concern about uniformity.

Department "B" offers an unusual opportunity to study the problem of civilian involvement in policing the police. It may be that when properly implemented, civilian trial boards do work, perhaps even quite well. In any case, this is a matter that is topical and relevant today and should be explored further.

Conclusions

In relative terms, the development of police unionism has come about rather suddenly. In our fast moving society it is not unusual for events to out-pace technology, and police-employee relations is a good example of this type of gap.

The contrast between chief "A" and chief "B" offers a valid argument for training in labor management skills. Chief "B", while he has no formal college training, has acquired an accurate appraisal of current police-employee relations and has trained himself to cope with these new developments with a minimum of conflict. Chief "A", while possessing a master's degree in police administration, still adheres to traditional ground rules and experiences a much greater degree of conflict than does chief "B".

In an era when police organizations are fast becoming a potent political factor in law enforcement, most police

administration texts are at least 10 years out of date. While much more research is needed concerning the legal, economic and social implications of police unionism, the first step toward resolving some of the conflict must lie in training and educating police administrators and police union leaders in labor-management skills. Trial and error learning, while it may be dramatic, is costly and inefficient. In this regard, it is suggested that advantage be taken of the available training facilities offered through the resources of the federal government, the large labor unions and many universities. This would be a valuable first step in helping to close this "knowledge gap."

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APPENDIX

APPENDIX

SURVEY QUESTIONNAIRE

Question 1.

How would you describe the overall effect of police unionism on administrative authority? To what extent has the authority of the police chiefs been challenged?

1. Great challenge _____
2. Appreciable challenge _____
3. Slight challenge _____
4. No challenge _____

Question 2.

How would you compare a chief in a unionized department to one where there is no union?

- ___ 1. Chief in a union department has a much more difficult time imposing discipline.
- ___ 2. Chief in a union department has a moderately more difficult time imposing discipline.
- ___ 3. Chief in a union department has an equally difficult time imposing discipline.
- ___ 4. Chief in a union department has a moderately easier time imposing discipline.
- ___ 5. Chief in a union department has a much easier time imposing discipline.

Question 3.

It is generally agreed that police associations have the right to represent the men on matters pertaining to wages and general working conditions. However, there is some question as to whether or not disciplinary matters are working conditions or up to the discretion of the chief. To what extent would you agree or disagree that disciplinary procedures (including punishment) should be subject to union involvement?

- ☐ 1. Strongly disagree
- ☐ 2. Moderately disagree
- ☐ 3. Undecided or neutral
- ☐ 4. Moderately agree
- ☐ 5. Strongly agree

Question 4.

If you think that association involvement in matters of discipline and punishment has caused improvement in discipline, then which part of the discipline has improved, the actual rules and regulations or the procedures?

- ☐ 1. Rules and regulations.
- ☐ 2. Procedures (due process).
- ☐ 3. No difference in discipline.

Question 5.

Giving an opinion, would you say that in matters pertaining to discipline and punishment, the administration is sensitive to possible union reaction?

☐ Yes. ☐ No.

Question 6.

If you do feel that the administration is sensitive to union reaction, then do you feel that this sensitivity has affected either the quality or quantity of punishment?

____Quality

____Quantity

Question 7.

What effect do you think that union involvement in discipline proceedings has on morale?

____1. Good for morale

____2. Bad for morale

____3. No effect on morale

Question 8.

What do you think is the most important part of association membership, the wages and fringe benefits, or the protection you receive when you are in trouble?

____1. Wages and fringe benefits.

____2. Protection

____3. Equally important

Question 9.

If you had the power to change any part of the discipline procedures or policies of your department, what would you change?

Explain _____

Question 10.

In Europe it is common for police agencies to recruit managerial personnel from other walks of life. What is your position regarding this practice?

- ☐ 1. Strongly approve
- ☐ 2. Moderately approve
- ☐ 3. Neither approve nor disapprove
- ☐ 4. Moderately disapprove
- ☐ 5. Strongly disapprove

Question 11.

The Task Force Report: The Police, recommends the implementation of lateral recruitment and promotion in the police service as a means of "professionalization." What is your position regarding this recommendation? (Explain concept of lateral recruitment.)

- ☐ 1. Strongly approve
- ☐ 2. Moderately approve
- ☐ 3. Neither approve nor disapprove
- ☐ 4. Moderately disapprove
- ☐ 5. Strongly disapprove

Question 12.

The Task Force Report: The Police, also recommends the implementation of the "three classes of police officer" concept. What is your feeling on this? (Explain concept to respondent.)

- ____ 1. Strongly approve
 ____ 2. Moderately approve
 ____ 3. Neither approve nor disapprove
 ____ 4. Moderately disapprove
 ____ 5. Strongly disapprove

Question 13.

As a matter of opinion, could you please place a numerical value on what you think the primary concern of a police association should be. The choice is between having the association concentrate its main efforts on professional concerns such as raising educational standards or improving the quality of training, or--concentrating its efforts on the improvement of wages and working conditions. A value of "0" means that all the association's efforts should be spent on professional concerns. A value of "10" means that all the association's efforts should be on improving wages and working conditions. A value of "5" would mean that you feel efforts should be equally divided between both. Please choose any value from "0" to "10".

0	1	2	3	4	5	6	7	8	9	10
Professional Concerns				Equal Concern		Financial Concerns				

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