

THE GEORGIA

# POLICE CHIEF

FALL EDITION | 2023

ACCENTING PROFESSIONAL LAW ENFORCEMENT THROUGH TRAINING



>> GACP President 2023-2024

**CHIEF MARK SCOTT**

*AMERICUS POLICE DEPARTMENT*



# Our Mission: Serving Those Who Put Themselves In Harm's Way

No Restriction ~ No Exclusion Survivor Benefits designed to protect First Responders and their families.




The First Responder Task Force serves as the 'boots on the ground' for the Armed Forces Benefit Association (AFBA) and are the sole distribution channel bringing AFBA member benefits to your agency. On 9/11, when 414 First Responders were killed in the line of duty, it shed light on the exclusions & restrictions buried in the fine print of many for-profit insurance policies. Families were denied or delayed payments due to exclusions such as "Acts of War", "Acts of Terror", "Hazardous Duty", and "Line of Duty." After 9/11, AFBA's survivor benefits were extended to include First Responders because they contain ZERO exclusions or restrictions.

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\*The \$5,000 survivor benefit is paid when a line of duty death occurs. Line of duty is defined as AFBA members who are Emergency Service Providers to include law enforcement, firefighters, and emergency medical services providers who are killed while involved in operations at or responding to/from the scene of an incident. If death occurs otherwise, outside of a suicide, the beneficiary will receive a \$2,000 benefit.

 [FirstResponderTaskForce.com](http://FirstResponderTaskForce.com) Follow "First Responder Task Force"   Proud Founders of FRBA First Responder Benefit Association (FRBA) is our nonprofit founded to fill the gap of financial hardship that can often burden families of fallen First Responders. FRTF funds ALL administrative and operational expenses so that 100% of public donations go directly to aiding the families in need. Learn more at [FRBA.org](http://FRBA.org).

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## PRESIDENT'S MESSAGE

*Chief Mark Scott*  
GACP President &  
Americus Police Department



I'd like to start by saying thank you to our awesome staff at GACP for putting together yet another record-breaking Summer Conference in Savannah. Before being elected to the board I had no idea how much work goes into our two annual training conferences. We had 698 members attend the Savannah conference and 168 vendors. Everyone seemed to enjoy the fellowship and networking opportunities. We have come a long way. I attended my first GACP Training Conference somewhere around 1998. It was a great experience, but the quality of training back then was nothing like it is today. Our association provides some of the best law enforcement training in the entire country thanks to the hard work of our staff and the members of the Training Committee.

As I mentioned, I attended my first GACP conference over 25 years ago. Back then, I was a newly promoted lieutenant with the Thomasville Police Department. Our chief, John W. Perry, was a past president of the association and believed strongly in the value of training. He enrolled all his supervisors as GACP members and encouraged us to attend advanced leadership training outside of our local area. As a result, I was able to attend the FBINA in 1998 and the Georgia Command College in 2008. I encourage all our members to actively recruit new members by encouraging your supervisors to join GACP and attend training events. Take your young and upcoming leaders to your District meetings and introduce them to your peers. GACP membership has steadily increased by 24% over the past five years, but we can do better. The more our membership grows, the stronger our association will become and the better equipped our leaders of tomorrow will be.

One of our long-term goals as an association is to be more involved with our state legislators on issues that affect law enforcement. To that end, we have hired a lobbying firm, Freeman, Mathis, and Gary to represent our interests at the state capital and to keep us informed of relevant legislative issues. We all received an email from Director Ayers declaring August as Meet Your Legislator Month. We were all encouraged to make a point of scheduling time to meet the senators and representatives from our area and get to know them. Local legislative contacts are key to having an impact on the things that happen or don't happen under the Gold Dome. If you haven't reached out to your local legislators, please do so and maintain contact with them. If we all work together, we can make sure that the voice of Georgia Law Enforcement is heard in Atlanta.

In closing, the Police Executive Research Forum (PERF) recently released a study entitled Responding to the Staffing Crisis: Innovation in Recruitment and Retention (August 2023). In the introduction to the article, PERF President, Commissioner Michael Harrison of the Baltimore (MD) Police Department writes,

*Next to violent crime, this is the most important thing that all of us are facing. We're facing it in our large departments, small departments, mid-sized departments, urban, suburban, and rural. We all are dealing with the same thing, because we're all competing for a small number of qualified applicants.*

I think it's clear that staffing shortages are a crisis we are all facing in Georgia, particularly in rural cities and counties. The article identifies intense public scrutiny of the police and a generally negative attitude toward the police profession as a major root cause of the shortage of police applicants.

If we're going to fill our vacancies, we have got to change the narrative in the State of Georgia. Policing is a noble and honorable profession. What we do makes a difference in people's lives every single day. Our officers are under appreciated and under paid, but they still suit up every day and work their shifts, serving the public with honor and integrity. I love being a cop! I am proud to put on my uniform every day and join the thousands of other law enforcement officers across this state in selfless service to our communities. This is the message that we must get to our young people graduating

high school and college. Law Enforcement is a great career! No job is more rewarding or more important than keeping our communities safe. We will be working with GACP Staff and community partners across the state to get this message out there. Look for an increasingly strong presence on social media and potentially on traditional media over the coming months as we work to get our message out to the public and encourage job seekers to consider a career in law enforcement. I believe in our profession, and I believe that we can change the narrative.

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## FROM THE DESK OF THE EXECUTIVE DIRECTOR

*A.A. Butch Ayers*  
GACP Executive Director

Once again, our recently concluded Summer Training Conference exceeded all previous attendance records with 698 attendees and 168 exhibitors. This was made possible by your interest and support! Thank you to everyone who planned, assisted, presented at, and attended the conference. Mark Scott was sworn in as our new President, and two new members, Tony Lockard and Michael Persley, joined the Executive Board as 4th Vice President and Chairman of the District Representatives, respectively.

As part of our efforts to increase our effectiveness and influence with the Georgia Legislature, we have contracted with the firm Freeman, Mathis & Gary to serve as our lobbyists. Another part of this effort was the appearance of legislators at the Summer Training Conference. Georgia Congressman Buddy Carter, Georgia House Speaker Jon Burns, and Georgia Senate Public Safety Chairman John Albers attended portions of the conference. But we can't do it alone. It is important that every police chief reaches out to their local legislator and establishes a good rapport. Ideally, this should be done BEFORE the legislative session begins in January.

We are looking forward to seeing everyone at the 2024 Winter Training Conference in Columbus on January 16 – 19, 2024.

Respectfully,

A.A. "Butch" Ayers



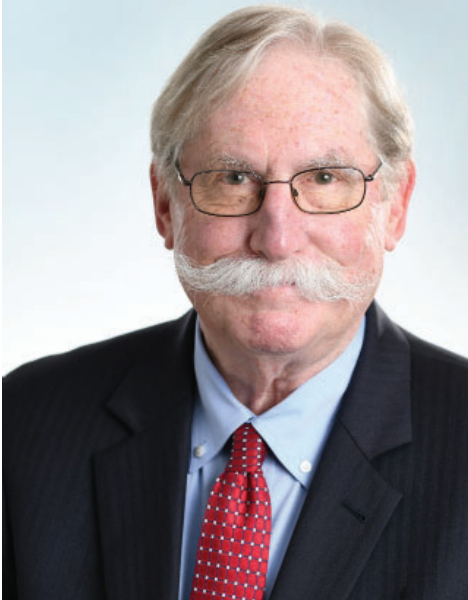
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## CHIEF COUNSEL'S CORNER

>> Police Officers as Expert Witnesses

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Law enforcement officials are often called upon to offer expert testimony covering a dizzying array of subject matters. These topics include accident reconstruction, use of force, ballistics, high-speed pursuits, digital forensics, bloodstain patterns, and a multitude of others. In recent years, Georgia law regarding the admissibility of expert testimony has become more rigorous. As the law now stands, particularly with a Georgia Supreme Court decision in August of this year, Georgia courts must apply the federal standard regarding admissibility of expert testimony in all civil and criminal cases. In a nutshell, the standard requires not only a showing that a proposed expert possesses sufficient qualifications, but also that the opinion testimony (1) is based on sufficient facts; (2) is supported by a reliable methodology; and (3) would help the trier of fact to understand the evidence.

Although this standard has been applied in federal courts for the past thirty years, its use in Georgia has developed more recently. When the General Assembly enacted an entirely new evidence code that became effective on January 1, 2013, it adopted the federal standard – but only for civil cases. A much more lenient rule was applied to criminal cases, and courts would presume that the opinions of experts were always admissible. That rule required only that “a person must have been educated in a particular skill or profession; his special knowledge may be derived from experience as well as study.” *Hollis v. State*, 359 Ga. App. 249, 252, 857 S.E.2d 254, 258 (2021) (affirming trial court’s decision to allow detective to testify as an expert in cell phone tower data analysis even though he had previously testified that he did “not have expertise in cell phone tower

analysis"). That generous rule, which had been set forth in O.C.G.A. § 24-7-707, was repealed and rendered ineffective on July 1, 2022. Since that date, the Georgia evidence code has adopted the federal standard for all criminal cases, just as it does to nearly all civil cases. O.C.G.A. § 24-7-702(a). A law enforcement official called upon to offer expert opinion testimony should adhere to the law's requirements and limitations because a court's finding that an expert has overreached or offered insufficiently grounded opinions can resurface in future cases where the expert seeks to offer such testimony.

### ***Lay Opinions v. Expert Opinions***

Not all opinion testimony requires a witness to be qualified as an expert, even under the new evidence rules. Lay witnesses can offer opinion testimony when it is (1) rationally based on the perception of the witness; (2) helpful to a clear understanding of a relevant factual issue; and (3) not based on scientific, technical, or other specialized knowledge. O.C.G.A. § 24-7-701(a). Typical subjects of permissible lay opinion testimony include "the appearance of persons or things, identity, the manner of conduct, competency of a person, degrees of light or darkness, sound, size, weight, distance, and an endless number of items that cannot be described factually in words apart from inferences." *Tampa Bay Shipbuilding & Repair Co. v. Cedar Shipping Co.*, 320 F.3d 1213, 1222 (11th Cir. 2003) (quoting Fed. R. Evid. 701, Advisory Committee Note, 2000 Amendments). On the other hand, "[l]ay opinion testimony cannot provide specialized explanations or interpretations that an untrained layman could not make if perceiving the same acts or events." *Great Lakes Ins. SE v. Wave Cruiser LLC*, 36 F.4th 1346, 1358 (III) (B) (11th Cir. 2022) (citation and punctuation omitted). The relevant distinction between lay and expert witness testimony is that lay testimony "results from a process of reasoning familiar in everyday life," while expert testimony "results from a process of reasoning which can be mastered only by specialists in the field." Fed. R. Evid. 701, Advisory Committee Note (citation omitted).

### ***Golden Peanut and the Retirement of the Investigating Officer Rule***

Until this summer, Georgia courts routinely allowed investigating officers to testify as experts in automobile collision cases based on the presumption that an investigating officer is presumptively qualified to do so: "There can be no doubt a police officer with investigative experience on automobile collisions is an expert." *Jefferson Pilot Life Ins. Co. v. Clark*, 202 Ga. App. 385, 392, 414 S.E.2d 521, 527 (1991) (reversing trial court's exclusion

of patrolman's testimony regarding causation of an automobile collision). As the Georgia Supreme Court has recently made clear, this rule can no longer be sustained under the current evidence code's adoption of the federal standard. "For the reasons that follow, we hold that when an investigating law enforcement officer provides expert testimony, the officer is subject to the same inquiry as all witnesses who offer expert opinion testimony and, therefore, the trial court abused its discretion in failing to conduct a full, three-prong analysis under *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (113 S.Ct. 2786, 125 L.E.2d 469) (1993)." *Miller v. Golden Peanut Co., LLC*, No. S22G0905, 2023 WL 5337865 (Ga. Aug. 21, 2023).

In *Miller*, the court held that when an investigating law enforcement officer provides expert testimony, the officer is subject to the same inquiry as all witnesses who offer expert opinion testimony. That inquiry is set forth in O.C.G.A. § 24-7-702(b) ("Rule 702"):

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise, if:

- (1) The expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (2) The testimony is based upon sufficient facts or data;
- (3) The testimony is the product of reliable principles and methods; and
- (4) The expert has reliably applied the principles and methods to the facts of the case.

The burden of laying the proper foundation for the admission of the expert testimony is on the party offering the expert, and admissibility of the testimony must be shown by a preponderance of the evidence. Courts engage in a three-part inquiry to determine the admissibility of expert testimony under Rule 702. Specifically, the court must consider whether (1) the expert is qualified to testify competently regarding the matters he intends to address; (2) the methodology by which the expert reaches his conclusions is sufficiently reliable; and (3) the testimony assists the trier of fact, through the application of scientific, technical, or specialized expertise, to understand the evidence or to determine a fact in issue.

This rule is not confined to the hard sciences; it applies equally to the admission of non-scientific expert testimony. *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 148 (1999). And so, it has become common in Section 1983 cases alleging police misconduct for parties to offer experts in the general area of “police practices,” and more specific sub-areas such as use of force and high-speed pursuits. Although there is no shortage of highly-qualified individuals who could opine on various law enforcement matters, it remains the court’s responsibility to test the methodology and helpfulness of a proposed expert’s testimony as it is tailored to a specific and relevant question.



A law enforcement officer need not possess an advanced academic degree in order to qualify as an expert. Rather, the text of Rule 702 recognizes that any combination of knowledge, skill, education, work experience and specialized training may be sufficient. That being the case, “if the witness is relying solely or primarily on experience, then the witness must explain how that experience leads to the conclusion reached, why that experience is a sufficient basis for the opinion, and how that experience is reliably applied to the facts.” *United States v. Frazier*, 387 F.3d 1244, 1261 (11th Cir. 2004) (cleaned up). Whatever the source of the witness’s expertise, the qualifications must correspond to the subject matter of his proffered testimony. “The issue with regard to expert testimony is not the qualifications of a witness in the abstract, but whether those qualifications provide a foundation for a witness to answer a specific question.” *Berry v. City of Detroit*, 25 F.3d 1342, 1351 (6th Cir. 1994).

### *Reliable Methodology*

Although a proposed expert's qualification is a threshold requirement, a court's focus under Rule 702 is the soundness of his proposed testimony. Even when a proposed expert is qualified to render an opinion, a court must still determine "whether the reasoning or methodology underlying the testimony is scientifically valid . . . and whether that reasoning or methodology properly can be applied to the facts in issue." *Daubert v. Merrell-Dow Pharmaceuticals, Inc.*, 509 U.S. 579, 592-93 (1993). In other words, a proposed expert cannot present opinions and conclusions without first demonstrating that they are reliably grounded in sound methodology and principles. *United States v. Frazier*, 387 F.3d 1244, 1261 (11th Cir. 2004) ("If admissibility could be established merely by the ipse dixit of an admittedly qualified expert, the reliability prong would be, for all practical purposes, subsumed by the qualification prong."). An expert's testimony must also be grounded in some factual basis, and so courts will exclude opinion testimony that is "wholly speculative or conjectural." *Nat'l Emergency Med. Servs., Inc. v. Smith*, 368 Ga. App. 18, 29, 889 S.E.2d 162, 171 (2023).





Bearing in mind the diversity of expert testimony, trial courts have “considerable leeway in deciding in a particular case how to go about determining whether particular expert testimony is reliable.” *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 152 (1999). Regardless of the specific factors considered, proposed testimony must be supported by appropriate validation such as “an accepted body of learning or experience in the expert’s field, and the expert must explain how the conclusion is so grounded.” See Fed. R. Evid. 702, Advisory Committee’s Notes, 2000 Amendments.

### *Helpfulness to the Trier of Fact*

Last but certainly not least, an expert’s testimony must assist the trier of fact, through the application of scientific, technical, or specialized expertise, to understand the evidence or to determine a fact in issue. Even the testimony of a qualified and respected expert can fail on this element of the test.

While there is no blanket prohibition on expert testimony which touches on an ultimate issue of fact to be decided by the jury, there are limits on the degree to which a law enforcement officer can “help” the jury. An expert who is paid a princely sum for her testimony may be tempted to advocate for the party who hired her, but courts routinely prohibit experts from telling the jury what result to reach: “Proffered expert testimony generally will not help the trier of fact when it offers nothing more than what lawyers for the parties can argue in closing arguments.” *United States v. Frazier*, 387 F.3d 1244, 1262–63 (11th Cir. 2004). Similarly, experts are barred from telling the jury which witnesses are to be believed. O.C.G.A. § 24-6-620 (“The credibility of a witness shall be a matter to be determined by the trier of fact, and if the case is being heard by a jury, the court shall give the jury proper instructions as to the credibility of a witness.”); *United States v. Beasley*, 72 F.3d 1518, 1528 (11th Cir. 1996) (expert testimony “concerning the truthfulness or credibility is inadmissible” because it “invades the jury’s province to make credibility determinations”).

Another point of friction is the degree to which an expert’s testimony can touch upon legal issues, because instructing the jury on the law is within the sole province of the trial judge. See, e.g., *Myers v. Bowman*, 713 F.3d 1319, 1328 (11th Cir. 2013) (holding that the question of whether an officer committed a constitutional violation is a “pure question of law” which is “not a matter subject to expert testimony”); *Feliciano v. City of Miami*

Beach, 844 F. Supp. 2d 1258, 1266 (S.D. Fla. 2012) (precluding expert from testifying as to whether defendant exhibited deliberate indifference to the rights of citizens). When an expert offers an opinion relevant to applying a legal standard such as probable cause, the expert's role is "limited to describing sound professional standards and identifying departures from them. *Jimenez v. City of Chicago*, 732 F.3d 710, 721 (7th Cir. 2013). See also *Washington v. City of Waldo, Fla.*, No. 1:15cv73-MW/GRJ, 2016 WL 3545909, at \*5 (N.D. Fla. Mar. 1, 2016) (noting an expert may testify to relevant investigative practices and tactics but cannot state an opinion that the arresting officer in fact lacked probable cause).

### *Conclusion*

Everyone has opinions. But not all opinions are admissible in court. It is the judge's responsibility to act as a gatekeeper, ensuring that only reliable and relevant expert testimony reaches the jurors' ears. An investigating officer will no longer be exempt from the specific inquiries under Rule 702. If a court fails to faithfully perform this function, jurors can be too easily carried away by unsound testimony that nevertheless carries the imprimatur of a court's "expert" designation. See, e.g., *United States v. Frazier*, 387 F.3d 1244, 1263 (11th Cir. 2004) ("[E]xpert testimony may be assigned talismanic significance in the eyes of lay jurors, and, therefore, the district courts must take care to weigh the value of such evidence against its potential to mislead or confuse."). It will be the responsibility of the testifying officer and the civil attorney or prosecutor presenting his testimony to ensure compliance with the evidentiary requirements. Meeting the rigorous standards of Rule 702 not only ensures that a law enforcement official's testimony will be admitted by the court, but also that his testimony will reflect well upon the agency and sustain his reputation for credibility.



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- IDENTIFY AND COMMUNICATE TRIAGE AREAS AND HELICOPTER LANDING ZONES.
- PLAN STAGING AREAS FOR CONTINGENCIES.

# AROUND THE STATE

## DISTRICT NEWS

### District 1

On July 6, 2023, Governor Brian P. Kemp ordered the flags of the United States and the State of Georgia to be flown at half-staff on the State Capitol building and in Crisp County on Monday July 10, 2023, in recognition of ***Crisp County Sheriff's Office Deputy, Tyee Browne***, who was killed in the line of duty on July 5, 2023.

***Keith Jackson*** was named as the ***Homerville Police Chief*** on June 8, 2023.

***James Clifford Mock*** was named as the ***Acting Police Chief*** for ***Hazlehurst Police Department*** on July 11, 2023. Chief Mock has served with the department for three years. He previously served as the Blackshear Police Chief for 23 years. Chief Mock succeeds ***Ken Williams*** who accepted a position with the Georgia State Patrol.

### District 2

***Police Chief John Letteney*** and the ***Thomasville Police Department*** were presented the Meritorious 'Gold' Award for 20 years as a state certified agency.

### District 3

***Michelle Hollis*** with the ***Hogansville Police Department*** was named as ***GACP's District 3 Outstanding Administrative Assistant of the Year*** at the Annual Administrative Assistant's Conference on September 27, 2023.

### District 4

On September 27, 2023, ***Tonga Thomas*** with the ***Eatonton Police Department*** was named as ***GACP's District 4 Outstanding Administrative Assistant of the Year*** during the annual Administrative Assistant's Conference.

# AROUND THE STATE

## District 5

**Scott Ebner** was named as the **Glynn County Police Chief** on March 20, 2023. Chief Ebner retired as a Lieutenant Colonel in 2022 after serving 27 years with the New Jersey State Police.

**Christopher Hamilton** was named as the **Jesup Police Chief** on August 14, 2023. Chief Hamilton has served with the department for 13 years, with last two years as captain.

**Charles Crews** was named as the **Brantley County School Police Chief**. On July 20, 2023. He replaced **Shawn Lawrence** who resigned on July 18, 2023.

## District 6

On July 23, 2023, **Director Michael Sarhatt** and the **Chatham - Savannah Counter Narcotics Team** were awarded Re-Certification under the Georgia Law Enforcement Certification Program. The task force was also presented with a Meritorious "Silver" award for 10 years as a state certified agency.

**Chief Devin Doyle** and the **Georgia Ports Authority Police Department** were awarded State Certification at the Summer Training Conference on July 23, 2023.

**Chief Charles 'Ashley' Brown** and the **Pooler Police Department** was awarded Re-Certification under the Georgia Law Enforcement Certification Program on July 23, 2023.

The **Statesboro Police Department** led by **Chief Michael Broadhead** was awarded Recertification under the Georgia Law Enforcement Certification Program.

**Jeri Varnum** with the **Garden City Police Department** was named as **GACP's District 6 Outstanding Administrative Assistant of the Year** at the Annual Administrative Assistant's Conference on September 27, 2023.

# AROUND THE STATE

## District 7

**Terrie Bly** with the **Thomson Police Department** was named as **GACP's District 7 Outstanding Administrative Assistant of the Year** at the Annual Administrative Assistant's Conference on September 27, 2023.

## District 8

The **Carrollton Police Department** and **Chief Joel Richards** were presented with Meritorious "Gold" Award for 20 years as a state certified agency during the Summer Training Conference on July 23, 2023.

The **Rome Police Department**, led by **Chief Denise Downer-McKinney**, was presented with the Meritorious 'Gold' Award for 20 years as a state certified agency.

On August 31, 2023, **Chief Michael Turner** and the **Hiram Police Department** were awarded recertification by the Joint Review Committee.

## District 9

**Patrick Girvan II** was named as the **Cumming Police Chief** on June 28, 2023. Chief Servin has 12 years of law enforcement experience and has served with the department for three years.

On July 1, 2023, Governor Brian P. Kemp appointed GACP **Life Member Bruce Carlisle** as a **Department of Corrections Board Member**.

**Chief Bruce Hedley** retired from the **Lilburn Police Department** on July 3, 2023. Chief Hedley had 34 years of law enforcement experience and served as the Lilburn chief for 15 years.

**Glenn Kalish**, who is the Assistant Chief with the Stockbridge Police Department served as the **Interim Police Chief** for the **Lilburn Police Department** from July 3, 2023, until September 1, 2023.

On September 14, 2023, **Chris Dusick** was named as the **Lilburn Police Chief**. Chief Dusick has served with the police department for 12 years.

# AROUND THE STATE

**Dennis Bell** was named as the **Comer Police Chief** on July 14, 2023. He replaces **Cherilyn Olivia Bell** who resigned on July 13, 2023.

On August 21, 2023, **Jeffery L. Clark** was named as the **University of Georgia Police Department Police Chief**. Chief Clark had served as Major for the past two years. Prior to joining UGA Police, he served with the Athens Clarke County Police Department for more than 23 years where he rose to the rank of Deputy Chief. He succeeds **Phillip "Dan" Silk** who was promoted to Associate Vice President for Public Safety.

**Lavonia Police Chief Shane Edmisten** and the **Lavonia Police Department** were awarded with Re-Certification under the Georgia Law Enforcement Certification Program during the Summer Conference on July 23, 2023.

On July 23, 2023, **Lumpkin County Sheriffs Office**, led by **Sheriff Stacy Jarrard** were awarded Re-Certification under the Georgia Law Enforcement Certification program. The department was also presented with a Meritorious "Silver" Award for 10 years as a state certified agency.

**Towns County Sheriff's** Office, led by **Sheriff Kenneth Henderson**, was awarded Certification under the Georgia Law Enforcement Certification Program on July 23, 2023.

**Chief Jerry Saulters** and the **Athens - Clarke County Police Department** were presented with a Meritorious "Gold" Award for 20 years as a state certified agency on July 23, 2023.

**Brian Quinlan** was named as the **Interim Chief** for the **Chamblee Police Department**. Chief Quinlan as served with the department for 22 years.

**Chief Bruce Hedley** was awarded **Life Membership** by the GACP Executive Board on August 25, 2023.

On August 31, 2023, the **Lilburn Police Department** was awarded Recertification by the Joint Review Committee.

On September 14, 2023, **Chris Dusick** was named as the **Lilburn Police Chief**. Chief Dusick has served with the police department for 12 years.

**Sheena Wright** with the **Cleveland Police Department** was named as **GACP's District 9 Outstanding Administrative Assistant of the Year** at the Annual Administrative Assistant's Conference on September 27, 2023.



# AROUND THE STATE

## District 10

**Kevin Digou** was named as the **Chattahoochee Hills Police Chief** on July 1, 2023. Chief Digou began his law enforcement career in 2002 and has served with Chattahoochee Hills for the past seven years.

On Wednesday, July 5, 2023, **Connie Sampson** was named as the **Interim Chief** for the **Griffin Police Department**.

**Jeffery Little** was named as the **Acting Chief** of the **Southern Crescent Technical College Police Department** on July 7, 2023.

On August 2, 2023, **Chief James Morgan** resigned from the **Jackson Police Department**. Chief Morgan has over 46 years of law enforcement experience and served as the Chief for the past 8 ½ years.

**Chief Cassandra Jones** and the **Union City Police Department** were awarded Re-Certification under the Georgia Law Enforcement Certification Program at the Summer Training Conference on July 23, 2023.

**Interim Chief Philip Bradford** and the **Covington Police Department** were presented with the Meritorious "Gold" Award for 20 years as a state certified agency during the Summer Training Conference on July 23, 2023.

The **Rockdale County Sheriff's Department**, led by **Sheriff Eric Levett**, was presented with the Meritorious "Gold" Award for 20 years as a state certified agency during the Summer Training Conference on July 23, 2023.

**Lemuel Mercado** was named as the **Southern Crescent Technical College Police Chief** on September 1, 2023. Chief Mercado has 24 years of law enforcement experience and has served with the department for the last 14 years.

**Brandy Hicks** with the **Lake City Police Department** was named as **GACP's District 10 Outstanding Administrative Assistant of the Year** and **GACP's Outstanding Administrative Assistant of the Year** at the Annual Administrative Assistant's Conference on September 27, 2023.

# AROUND THE STATE

On September 14, 2023, **Georgia Department of Public Safety Commissioner, Chris Wright** announced his retirement effective September 30, 2023. Colonel Wright has served with the Georgia State Patrol for 29 years, with the last three as the commissioner. Governor Brian Kemp announced that **Lt. Colonel William "Billy" Hitchens III** will serve as the next **DPS Commissioner and Colonel of the Georgia State Patrol** effective October 1, 2023.

## District 11

On July 12, 2023, Visualcapitalist.com named the **City of Johns Creek** and **City of Milton** as two of the 100 safest communities in the United States.

On July 15, 2023, Governor Brian P. Kemp announced the appointment of **Assistant Director Christopher "Chris" Hosey** as the **Director of the Georgia Bureau of Investigation** following a unanimous vote by the Bureau of Public Safety. Director Hosey's appointment took effect on August 1, 2023.

On July 23, 2023, **Chief Brandon Gurley** and the **Brookhaven Police Department** were awarded Re-certification under the Georgia Law Enforcement Certification Program.

**Chief Marshal Jamie Gianfala** and the **Cherokee County Marshal's Office** were awarded Certification under the Georgia Law Enforcement Certification Program.

On July 23, 2023, **Director Michael Sarhatt** and the **Chatham - Savannah Counter Narcotics Team** were awarded Re-Certification under the Georgia Law Enforcement Certification Program.

On July 23, 2023, **Chief Stuart VanHoozer** and the **Cobb County Police Department** were awarded Re-Certification under the Georgia Law Enforcement Certification Program.

The **Decatur Police Department**, led by **Chief Scott Richards**, was awarded Recertification under the **Georgia Law Enforcement Certification Program**

## AROUND THE STATE

on July 23, 2023. The department was also presented with a Meritorious 'Gold' Award for 20 years as a state certified agency.

**Interim Police Chief Connie Sampson** and the **Griffin Police Department** were presented with a Meritorious 'Gold' Award for 20 years as a state certified agency on July 23, 2023.

**Chief Bill Westenberger** and the **Kennesaw Police Department** were awarded Re-Certification by the Joint Review Committee on August 31, 2023.

**Vickie Buttry** with the **Johns Creek Police Department** was named as **GACP's District 11 Outstanding Administrative Assistant of the Year** at the Annual Administrative Assistant's Conference on September 27, 2023.

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# AROUND THE STATE

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**Bottom Row (Left to Right):** Chief Jason Guest, Social Circle Police Department; Major Bryan LaVoie, Albany Police Department; Chief Kem Pugh, Donalsonville Police Department; Director Casey L. Cope, Brooks County School Police Department; Assistant Chief Josh Smith, Columbus State University Police Department; Chief Investigator Felicia Fortson, Western Judicial Circuit; Captain Chandra M. Brownlee, Hampton Police Department; Deputy Chief Kimberly Lucas, Conyers Police Department; Major Thornell King, Georgia State Patrol; Assistant Chief Jason Seaward, Kingsland Police Department

**Middle Row (Left to Right):** Chief Carlos F. Crosby, Graham Police Department; Chief Investigator Gordon Campbell, Waycross Judicial Circuit; Captain Barry Woods, Dalton Police Department; Chief Scott Ebner, Glynn County Police Department; Deputy Director Jason Jones, Georgia Insurance and Safety Fire Commissioner Criminal Investigations Division; Deputy Chief Roderick Graham, Columbus Police Department; Acting Chief Nigel Lange, Georgia State Inspector General's Office; Chief Ashley Jones, Ocilla Police Department; Acting Chief Leon Mckinney, Odum Police Department; Chief Kevin Digou, Chattahoochee Hills Police Department; Chief Jerome Turner Jr., Columbus Airport Dept of Public Safety

**Top Row (Left to Right):** Deputy Chief Michael Carlson, Dunwoody Police Department; Chief Brandon Criss, Forest Park Police Department; Chief Keith Jackson, Homerville Police Department; Chief Matt Bannister, Lake Park Police Department; Director Ken Morrow, Georgia Composite Medical Board; Captain Bryan Hunter, Byron Police Department; Captain Dwayne Black, Suwanee Police Department; Chief Billy McDaniel, Pendergrass Police Department; Chief Investigator Bryan Kimbell, Georgia Office of the Attorney General, Human Trafficking Unit; Chief Investigator Shane Prince, Columbia County District Attorneys office



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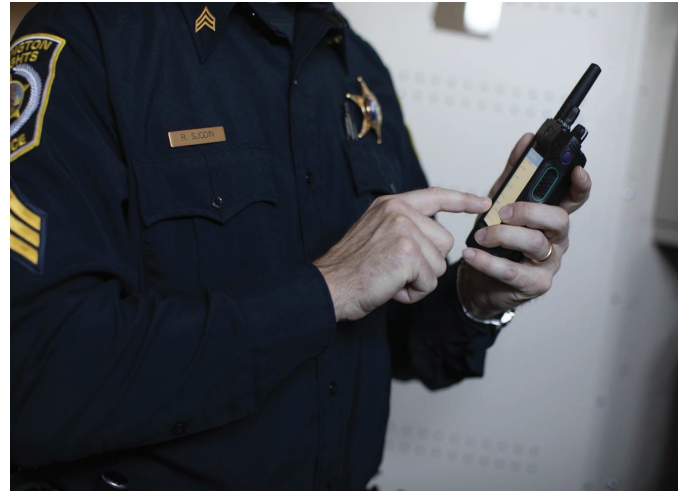
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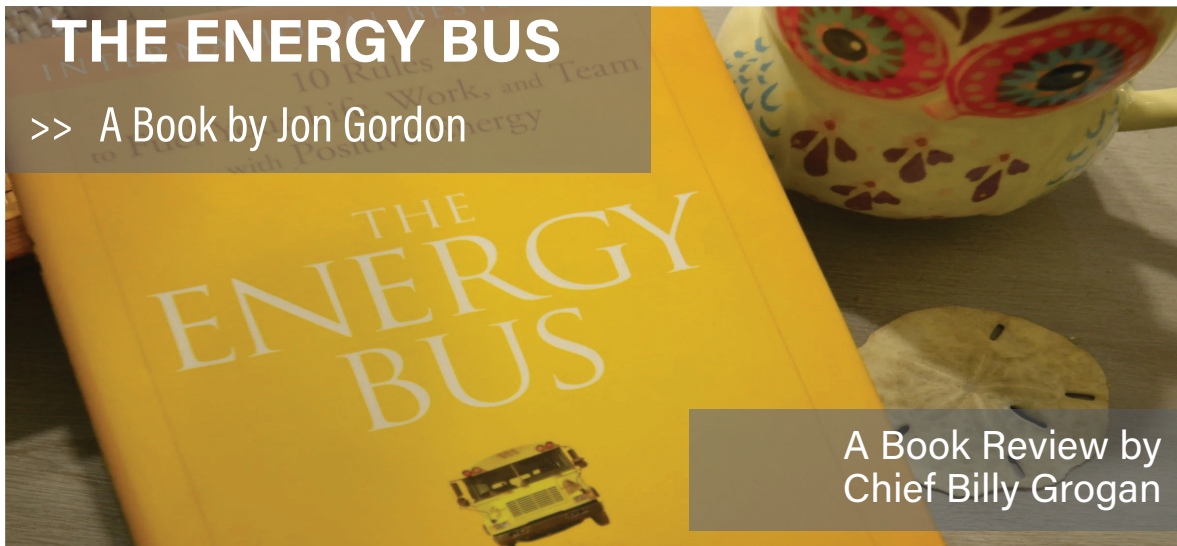
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# BOOKS AND BADGES



I previously reviewed *The Power of Positive Leadership* by Jon Gordon. He mentioned *The Energy Bus* multiple times in that book, so I thought it would be a good one to read.

*I was right!*

*The Energy Bus*, written by Jon Gordon, is a captivating and inspiring book that aims to transform individuals and organizations by harnessing the power of positive energy. While it may not be specifically targeted at law enforcement, its principles and lessons are highly applicable to the challenges faced by those in law enforcement. In this book review, I will explore how *The Energy Bus* can help law enforcement professionals navigate the demands of their profession, build stronger teams, and maintain a positive mindset in the face of adversity.

*The Energy Bus* tells the story of George, a fictional character facing numerous challenges in his personal and professional life. After several setbacks, George embarks on a transformational journey when he meets Joy, a unique bus driver. Joy introduces George to ten essential rules for creating and sustaining positive energy, which she calls "*The Energy Bus*."

Gordon weaves an engaging narrative with practical advice, offering readers valuable insights into overcoming negativity and developing a positive outlook. The book emphasizes the importance of taking personal responsibility for one's attitude and actions and the power of gratitude, optimism, and purposeful living.



Law enforcement professionals face immense stress and challenging situations daily. *The Energy Bus* encourages individuals to cultivate resilience by maintaining a positive mindset and focusing on solutions rather than dwelling on problems. It teaches law enforcement officers to acknowledge their emotions while actively responding positively, ultimately enhancing their ability to handle adversity and bounce back from setbacks.

Law enforcement leaders play a crucial role in shaping the culture and morale within their departments. The book emphasizes the importance of leading by example and radiating positive energy. By demonstrating optimism, empathy, and gratitude, law enforcement leaders can inspire their teams and foster an environment where officers feel supported and motivated to give their best.

*The Energy Bus* emphasizes the significance of having a clear sense of purpose and direction. Law enforcement professionals can benefit greatly from defining their personal and professional purpose, providing a compass guiding their actions and decisions. Additionally, by aligning their work with their values and goals, officers can find renewed passion and fulfillment, even during challenging times.

Effective teamwork is essential in law enforcement, where collaboration and trust are crucial for success. *The Energy Bus* highlights the importance of building strong relationships and creating a positive team culture. Law enforcement professionals can foster a supportive and cohesive team environment that enhances overall effectiveness and morale by promoting open communication, mutual respect, and a shared sense of purpose.

Law enforcement is an ever-evolving field, constantly facing new challenges and demands. *The Energy Bus* equips individuals with strategies to navigate change and adversity successfully. It encourages law enforcement professionals to embrace change as an opportunity for growth and to approach difficult situations with a solutions-oriented mindset. The book emphasizes the power of resilience, adaptability, and a positive attitude in overcoming obstacles and achieving long-term success.

Law enforcement agencies thrive when they establish positive relationships with their communities. *The Energy Bus* encourages officers to adopt a proactive approach to community engagement by fostering empathy, active listening, and genuine connections. Law enforcement professionals can bridge the gap between themselves and the

community by radiating positive energy and embodying a servant-leadership mindset, ultimately promoting trust, understanding, and cooperation.

It is worth noting that while *The Energy Bus* offers valuable insights and practical advice, it is not a one-size-fits-all solution. Law enforcement professionals must also be mindful of their profession's unique complexities and demands. Therefore, the book's principles should be integrated into existing training and development programs, supported by ongoing coaching and mentorship, to ensure their practical application in real-world law enforcement scenarios.

Law enforcement leaders can be seen as the bus drivers responsible for guiding their teams on the journey toward success. *The Energy Bus* emphasizes the role of leaders in setting the tone, creating a positive culture, and inspiring their teams. Like skilled bus drivers, law enforcement leaders must steer their teams in the right direction, ensuring everyone is onboard and motivated. By embodying the principles of positivity, purpose, and resilience, leaders can effectively drive their teams to success.

In conclusion, *The Energy Bus* by Jon Gordon is a thought-provoking and empowering book that offers valuable lessons and practical strategies for law enforcement professionals. By embracing the principles of positivity, resilience, purpose, and effective teamwork, law enforcement officers can navigate the challenges of their profession with renewed energy and a sense of purpose. This book serves as a valuable resource for individuals looking to enhance their personal and professional growth while positively impacting their communities through their work in law enforcement.



*Chief Billy Grogan has over 40 years of law enforcement experience and has served the last 13 years as the Chief of Police. Previously, Chief Grogan served as Deputy Chief in Marietta Police. He is a graduate of the FBI National Academy, Georgia Command College, and the Georgia International Law Enforcement Exchange (GILEE). He holds a Masters Degree in Public Administration from Columbus State University.*



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## A NATIONALLY REPRESENTATIVE STUDY OF LAW ENFORCEMENT SHIFTWORK AND HEALTH OUTCOMES

Elizabeth A. Mumford, Poulami Maitra, Weiwei Liu, and Bruce G. Taylor

Research has linked shiftwork to a variety of physical side effects for workers including increased accidents, cognitive impairment, and strokes. Studies focused on police officers working schedules other than dayshift found they were at a higher risk for long-term injuries, absenteeism, and poor performance. These studies typically focused on specific agencies or convenient sites to conduct evaluations. In addition, no studies have been conducted to evaluate the different effects on male and female officers.

To address these gaps in research, this study was conducted “to identify the health outcomes associated with police officers who had a history of working a rotating shift or were currently worked rotating shift assignment.” Second, researchers sought to determine if shift assignments were equitably distributed as it related to different agencies and socio-demographic characteristics. To accomplish this a national representation of 2,867 officers, composed of municipal, county, state police/highway patrol and the Bureau of Indian Affairs participated in a survey from August 2017 to February 2019. Survey questions were designed to evaluate the impact of shift work on nine criteria including:

- *SLEEP QUALITY VITAL EXHAUSTION*
- *PHYSICAL HEALTH PERCEIVED STRESS*
- *MENTAL HEALTH SUICIDE RISK*
- *PREVIOUS/CURRENT ROTATING SHIFT ASSIGNMENT*
- *COVARIATES RELATED TO HEALTH*
- *OUTCOMES IN ALL MODELS*
- *COVARIATES IN CURRENT ROTATING SHIFT MODEL*

# RESEARCH

## A NATIONALLY REPRESENTATIVE STUDY OF LAW ENFORCEMENT SHIFTWORK AND HEALTH OUTCOMES

Once the data was evaluated, researchers did not find evidence to suggest officers' assignment to rotating shifts was based on gender, education, or race/ethnicity. It was suggested that differences based on age and rank may be the result of having more experience or being promoted to positions that did not require those assignments. At the same time, agencies that had experienced budget cuts were more likely to be utilizing rotating shifts.



The researchers found 33.6% of respondents had never worked rotating shifts while 46.9% worked rotating shifts in the past and the remaining 19.5% were currently working rotating shifts. Officers with at least an associate degree and live with someone reported better quality sleep. Working a second job or having longer work hours was associated with poorer quality sleep. Males reported lower 'vital exhaustion' than females. Officers married or living with a partner were associated with higher emotional well-being with 64% lower odds of being suicidal than those who were living alone.

When compared with officers who never worked rotating shifts, officers who previously were assigned to rotating shifts were 40% more likely to be diagnosed with high blood pressure. In addition, they were 177% more likely to be diagnosed as diabetic and had 40% greater odds of experiencing high cholesterol. Interestingly, they found no differential effects of rotating shifts assignments by gender.

When other factors were controlled, no statistically significant relationship was found for persons who currently work or previously worked rotating shifts and any perceived stress, emotional well-being, or suicide risk.

In closing, this study represents the 'first nationally representative effort' to evaluate the impact of working rotating shifts on law enforcement officers. The authors suggest the assignment to rotating schedules may be "reflective of agency staffing needs or officer choices". In the end, researchers suggested agency leaders consider the implications of rotating shifts on officers' health prior to as well as after retirement. Given the potential for 'long-term health effects of shiftwork', organizational leaders should track and assess officers who worked rotating shifts and consider alternatives to mitigate the potential consequences for officers' health.



*Elizabet A. Mumford, Poulami Maitra, Weiwei Liu, and Bruce G. Taylor, "A National Representative Study of Law Enforcement Shiftwork and Health Outcomes", Journal of Occupational and Environmental Hygiene, (2021) Vol. 18, No. 4-5, pp 192 - 202.*

# Concerns of Police Survivors



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## POLICE CHIEF CULTURE

>> A View from the Top



Jason R. Ingram, Eugene A. Paoline III, Alexia R. Rockwell, and Andia M. Azimi

Police executives' perspectives shape the culture of police organizations through the priorities, policies, and reward systems they implement to reinforce expected behaviors. Despite this, there has been little research to assess the impact of chief executives on an agency's culture. This study was designed evaluate two issues. First, researchers sought to identify how the chiefs' predominant orientations toward service delivery impacted the culture. These orientations included:

Law Enforcement: "Officers use of legal authority and the importance placed on using the law to address crime."

Order Maintenance: Emphasis is placed on "addressing physical and social disorder".

Community Policing: Value is placed on "officers interacting and working with citizens" as well as using problem solving to address non-crime issues.

Procedural Justice: "Treating citizens fairly and with respect, listening to people, explain decisions to people, and protecting basic rights".

The prioritization of one or more of these roles establishes the department's expectations and performance measures.



The second purpose was to identify how the relevant community demographics may impact the orientations that are utilized. For example, other studies have found officers assigned to racially diverse areas “held more favorable views toward order maintenance while officers in areas with higher violent crime were less favorable toward order maintenance.” By linking these characteristics between the predominate perspective of the chief (i.e. order maintenance) with the community’s characteristics (i.e. poverty rates), communities can make more informed decisions with matching the community’s needs and selection of a police executive.



This study utilized survey data from 450 local/municipal police chiefs in Texas. The survey contained items to measure chief’s views on how officers should engage in different actions to determine the chiefs’ predominant orientations. Demographic data was also collected on chiefs’ gender, race, age, education, military experience, and experience as chief. Collectively, the group’s ages ranged from 28 to 73 with the average being 53. Eighty-five percent had some college education and 23% had military experience. Forty-seven percent were promoted up to the position from within the department. Collectively, the group had an average of 28 years of experience and six years as the chief.

Second, researchers collected U. S. Census Bureau data on jurisdiction's characteristics for each chief who participated in the survey. More particularly, census data was collected on "racial composition, poverty, residential stability, and police staffing."

Based upon the chiefs' survey responses, they were classified in one of five group profiles.

*Service-Oriented* chiefs composed the largest category with 33%. This group favored community policing approaches and procedural justice.

*Peace-Keepers* made up 25% of the respondents and focused on order maintenance while also supporting community policing and de-emphasizing law enforcement. As a group, these chiefs possessed more years of law enforcement experience than the other four groups.

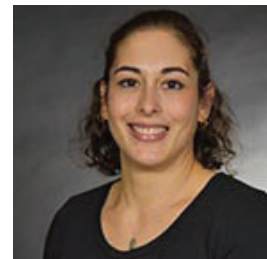
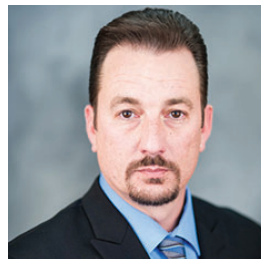
*Law And Order Professionals* composed 20% of the chiefs. While this group had above average support for each orientation, they placed the greatest emphasis on law enforcement and order maintenance. Sixty-two percent of the group had a high school diploma or some college and was less likely to have a graduate certificate or higher.

*Lay-Lows* comprised 15% of those surveyed and did not place importance on any of the four orientations. This group was most likely to have been promoted from within the department and were more likely 'to do what had always been done.' Interestingly, the researchers noted other studies have found internally promoted chiefs were more likely to be involuntarily removed from their position.



Traditionalists consisted of the final 8% of those surveyed and placed greater emphasis on law enforcement than the other roles. It was suggested chiefs with fewer officers may have to prioritize law enforcement because they do not have sufficient staffing to participate in non-traditional activities.

In closing the researchers gave some guidance on how practitioners, policymakers, and researchers could use this research to better reform agencies and change the status quo by targeting change at the executive level. For example, candidates with a service orientation, and to some level peacekeeping, may better reduce the aggressive crime fighting approaches that erode public trust and confidence in the police. In other cases, communities concerned with the status quo should consider hiring an outside candidate. Elected and appointed leaders may reflect on candidates' attributes to better identify those individuals who may 'fit' better with their communities' needs. Similarly, individuals seeking a chief executive position, may use the findings and recommendations to better evaluate a community and its police department's organizational culture, to better identify what will be expected of them, whether it can be achieved, and if they have the requisite skills.



*Jason R. Ingram, Eugene A. Paoline III, Alexia R. Rockwell, and Andia M. Azimi, "Police Chief Culture: A View from the Top", Police Quarterly, Vol 26: 2, pp. 245 - 273.*

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## PROSECUTORIAL DISMISSALS AS TEACHABLE MOMENTS (AND DATABASES) FOR THE POLICE

Adam M. Gershowitz

Police officers in the United States arrest approximately 11 million persons each year. Most of these are warrantless arrests. This requires officers to use 'their best judgement' to determine who to arrest and release. Once an individual is arrested, prosecutors decide if a case moves forward or is dismissed. While most officers exercise good judgment when making an arrest, large numbers of cases are dismissed by prosecutors. In many cases, the officers did nothing wrong. Rather, witnesses recant their testimony, die, or cannot be found. In other cases, charges are dismissed in exchange for testimony against others or prosecutors decide saddling the defendant with a criminal conviction would be 'unjust or unnecessary.' At the same time, prosecutors often dismiss cases because the officers did not develop sufficient evidence to support the elements of the crime. Unfortunately, when this occurs, most prosecutors do not provide officers with any feedback on the factors they consider when making these decisions or how officers could improve the likelihood of cases moving forward.

Several approaches have been implemented to minimize the likelihood of officers making unnecessary or improper arrests. One approach is to provide increased training to make more informed decisions. Another approach would be to require officers to obtain prosecutorial approval prior to making an arrest. Both of these options are time consuming and costly. This article suggests prosecutors should be required to inform officers when a case is being dismissed and the reasons for the dismissal (e.g., insufficient evidence) and how to address similar situations in the future. In addition, prosecutors should create a database of dismissals to identify officers with elevated numbers of case dismissals.

The implementation of this type of database would identify problematic issues related to officers making arrests. For example, some departments evaluate officers by the number of arrests that are made with no consideration of the outcomes. However, highlighting officers with elevated dismissal rates would pressure police leaders to hold these individuals accountable and take the necessary corrective action. Because of this, it is incumbent police agencies consider this approach even when prosecutors do not.

This essay also identified instances when an officer should not have made an arrest. These include:

1. Good Faith Errors: Officers are trying to perform properly, but simply do not have sufficient legal training to develop the requisite evidence to support all of the elements of the crime.
2. Contempt of Cop – These arrests most commonly involve ‘resisting arrest’ or ‘evading’ related charges.
3. Arrests Being Made to Demonstrate a Police Presence or Gather Information/Evidence – These arrests often occur when officers are trying to demonstrate a strong police presence.
4. Arrests Made for their Own Benefit – These are the most concerning and occur when agencies track arrests, but not convictions, and the information is subsequently utilized when making performance evaluations, pay raises, and promotions. In other cases officers are paid overtime for appearing in court.
5. Matter of Justice – In these cases, the officers were not wrong, but the prosecutor feels it is in society’s best interest to dismiss the case.

It was noted that researchers know large numbers of cases are dismissed, but there has been no study completed to break down the number of cases dismissed for police error or unjustified arrests. Despite this, the author considered the number to be “substantial”

Information flow is a problem throughout the criminal justice system. This issue exists between police officers and prosecutors. In particular, cases are being dismissed because of wrongful or unnecessary arrests. Departments, and subsequently officers, need to know the mistakes being made to ensure they are not repeated. This exchange would lead to “teachable moments” to improve individuals’, and subsequently, departments’ performance.

While some prosecutors across the country engage in these processes, they are typically the rare exception than the rule. In those cases where prosecutors do share the reasons for cases being dismissed, the information that is shared varies with each. In some instances, notification is made when the officer made a mistake so they can improve their decision making and performance. Others notify officers when they ask to be informed or were in court when the dismissal occurred. One prosecutor’s office reported they do not notify the officer because most of the time the decision is not based on a mistake by the officer.

The author proposed several “Best Practices” for prosecutors to implement that would improve communications regarding cases being dismissed:

1. Establish a formal policy requiring officers to be notified in all cases of a dismissal, even though they did nothing wrong. While some do not make the notification because there is no requirement to notify, others are hesitant to engage in ‘difficult conversations.’
2. Communications of dismissals should include the reasons for the dismissals. While the reason may be insufficient evidence, this does not provide enough information for the officer to improve. The specific reasons should be articulated. This is specifically important in cases involving a dismissal resulting from a ‘matter of justice.’ In these cases, it is important for officers to know why prosecutors will not move forward.
3. Information of why cases are dismissed should be placed in the database and aggregated so it can be evaluated.

There are a variety of benefits for charges being dismissed. Prosecutors are often aware of “problem officers who produced poor written reports, make questionable arrests, or engage in problematic searches and interrogations.” This database will enable prosecutors to provide critical feedback to improve the quality of arrests. In other cases, this information should be communicated to the officers’ supervisors and in some cases command staff. Communicating this information will help the department’s leaders to identify:

- Problem officers in need of training or disciplinary action
- Precincts or units within the department performing poorly when compared with the rest of the department
- Officers who do not understand the elements of particular crimes that must be identified
- Crimes the prosecutor will dismiss ‘out of a sense of justice’ that officers should be reluctant to make an arrest.

The author also addressed the potential concern prosecutors may have with the database being subject to the Brady doctrine. This doctrine requires prosecutors to provide the defense with exculpatory evidence or any information that may impeach an officer’s testimony. For the information in the database to fall within Brady, it ‘must contain impeachable evidence for the particular officer in question.’

To facilitate the categorization of case dismissals, five options are suggested:

1. Case dismissed for insufficient evidence to prosecute for [Crime X].
2. Case dismissed because the officer misunderstood the elements required to prove [Crime X].
3. Case dismissed in the interest of justice.
4. Case dismissed because the search did not satisfy the fourth amendment requirements.
5. Case dismissed because of police misconduct, specifically [explanation].



Unlike other states, particularly those with collective bargaining agreements, public employees' personnel files in Georgia are subject to open records requests.

If the prosecutor knows or should have known officers engaged in misconduct that led to charges being dismissed, that information must be provided to the defense. This begs the question if the prosecutor was aware of this misconduct, why would they not notify the agency and demand an internal or criminal investigation? If sufficient evidence is developed, the agency should terminate the individual.

In closing, the criminal justice 'non-system' suffers from terrible communications issues. Every problem that individuals, agencies, and systems experience are a result of previous decisions. This easy-to-read essay addresses the issues surrounding arrests not being prosecuted. It provides police leaders a good understanding why cases are often dismissed by prosecutors.

The author also presents a strong argument for the development of a database that would track case convictions and dismissals, identifications of the reasons for the dismissal, and the benefits of such a program. In particular, it provides valuable feedback on issues related to lack of understanding and intentional wrongdoing. It also offers agencies the opportunity to initiate strategic actions to improve officers' performance and create a more efficient criminal justice system.



Adam M. Gershowitz, "Prosecutorial Dismissals as Teachable Moments (and Databases) for the Police", [The George Washington Law Review](#), pp. 1525 – 1551, Vol. 86, No. 6, (November 2018).



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## FACTORS FOR FAIR AND DEFENSIBLE DISCIPLINARY DECISIONS



Major Trent Lindgren

Employee discipline is one of the most contentious and least enjoyable parts of being a law enforcement executive. When we are initially trained in policework, we are fed a healthy portion of civil and criminal liability for our actions involving the public. As we progress in our career, it becomes apparent that public lawsuits against the agency are a small portion of what keeps our legal teams busy. We are more often sued by current and former employees than by members of the public. Freeman, Mathis, & Gary LLP report, "It is estimated that over 80% of all employment lawsuits arise from termination or disciplinary proceedings." Most of the lawsuits we face are from our own people. It's no wonder that we dread disciplinary actions. Given a choice, most of us would rather be involved in a running gun battle than a disciplinary action with one of our people. Employee discipline is unusually stressful and draining in a way that fighting crime is not - but it doesn't have to be that way.

In 2020, the U.S. Equal Opportunity Employment Commission (EEOC) received 67,448 charges of workplace discrimination which resulted in \$439.2 million for victims through settlement and litigation. These settlements are significant when you understand that only about 15% of wrongful termination suits are won by the plaintiff. Winning an employment lawsuit may be difficult for the plaintiff, but it is highly lucrative just to file a complaint in hopes of a settlement. The average settlement of a wrongful termination is approximately \$40,000. This is not from a sustained EEOC complaint, but from filing a civil suit once an EEOC claim is denied. Attorneys encourage employees to sue because they know it is usually cheaper for organizations to settle than it is to battle in court.

Given the legal and political climate, law enforcement executives have no choice but to become more competent at handling discipline to protect the organization and the taxpayers from the high costs of employment lawsuits. Becoming skilled at rendering judgment and acting in disciplinary situations is a matter of knowing employment law, your policy, and the factors that courts will consider when examining your actions. Fortunately for us, these factors have a name – The Douglas Factors. Once you understand and consider these factors, your decisions become much clearer, and your actions become more defensible. The Douglas Factors give you the facts and circumstances you should consider when rendering judgment, and by showing you what information you will need to learn to appear thoughtful, considered, and fair rather than vengeful and capricious.

The Douglas Factors were derived from the 1981 case *Douglas vs. Veterans Administration* (5 M.S.P.R. 280). The U.S. Merit Systems Protection Board still considers these factors today. In federal cases involving employee misconduct, each of the factors must be considered by supervisors who are tasked with determining the consequence or penalty for the misconduct. Used properly, these factors help managers ensure they have complete and accurate information regarding any allegation of misconduct before rendering judgment. For employees subject to discipline, the factors help clarify the questions management will ask, and assist them in creating a coherent response. Applying the Douglas Factors ensures a consistent process is followed that is transparent to the employee. Here are the Douglas Factors in brief: (source <https://www.opm.gov/policy-data-oversight/employee-relations/reference-materials/douglas-factors.pdf>)



Factor 1: "The nature and seriousness of the offense, and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated;"

This factor helps determine how the severity of the offense relates to the employee's job, and if it was intentionally or inadvertently committed. The more severe the harm and intentional the act was, the harsher the penalty needs to be.

Factor 2: "the employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position;"

This factor makes an allowance for the status of the offender. A police chief and a police officer committing the exact same offense will be judged differently because misconduct by senior employees has a higher impact on the organization. People in positions of authority are held to a higher standard because they should know better based on their experience.

Factor 3: "the employee's past disciplinary record;"

Factor 3 allows us to consider all other discipline an employee has been involved in. We've all had those employees who will break every rule at least once and rely on the table of penalties to save them. The courts acknowledge here that someone who breaks many rules is a problem employee and this can be considered in deciding the current issue. Discipline should be both corrective and progressive.

Factor 4: "the employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability;"

Even superstar employees have bad days. When these employees have bad days it says the least about the overall character of their service. An exemplary employee of 20 years should be afforded more consideration than an employee of 6 months all other factors being equal.

Factor 5: "the effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon supervisors' confidence in the employee's work ability to perform assigned duties;"

This factor is particularly relevant to supervisors because supervision in law enforcement is a position of extreme trust. If the executive cannot trust the judgment, decision-making, or character of a supervisor, the trust has been damaged. Paramilitary organizations cannot function without faith in supervision. Similarly, a person working in finance who steals money cannot be trusted to handle money in the future.

Factor 6: “consistency of the penalty with those imposed upon other employees for the same or similar offenses;”

Paying particular attention to Factor 6 ensures discipline is viewed as reasonable by all the audiences for that discipline. Decisions in line with precedent allow the individual, the other members of the organization, and the public to see discipline as reasonable and fair. It also ensures that employees who commit similar offenses will have a good idea of the consequences of their actions.



Factor 7: “consistency of the penalty with any applicable agency table of penalties;”

If you have a table of penalties in your discipline policy, you need to adhere closely to it. The problem with a table of penalties is that they often take away discretion in rendering judgment in prescribed situations. Table of penalties are usually constructed with escalating discipline for subsequent repetition of a specific offense but fail to account for general problematic behavior. (See Factor 3). Use your table of penalties and the parameters it sets out for discipline. Any decision outside the table will be seen as either excessive or lenient.

## Our authority does not come from our badge - it comes from the trust of the public

Factor 8: “the notoriety of the offense or its impact upon the reputation of the agency;”

Our authority does not come from our badge – it comes from the trust of the public. We are empowered by them to act on their behalf. It is therefore critical that our actions are supported by the public. When officers behave in ways that undermine our reputation and damage our connection to our community, we must deal with them swiftly. If we hear about mistakes from our people, we can help minimize the damage to the organization’s reputation through our response. If we see our misdeeds on the evening news, the damage will increase significantly. As the harm to the agency’s reputation increases, so should the punishment.

Factor 9: “the clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been warned about the conduct in question;”

Considering this factor forces us to slow down and ensure the employee was trained properly and clearly understood the expectations of the situation in which the misconduct occurred. Accountability is an important tool, but equipping must take place first. If an employee clearly knew better, act accordingly. If the employee did not know better, training and a lesser form of discipline are likely appropriate.

Factor 10: “the potential for the employee’s rehabilitation;”

How will you know their potential for rehabilitation? Likely through their response to being told they behaved improperly. An employee who listens to the feedback and accepts responsibility is likely a good candidate for rehabilitation. An employee who argues and tries to blame others for what happened is not likely to correct their behavior. One of the primary reasons to punish bad behavior is to prevent it from happening again. Someone who owns their behavior will also own the solution to the problem they caused. An employee who deflects and blames others for their own mistakes will likely repeat their previous mistake because, in their mind, they did nothing wrong.

Factor 11: “mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter;”

If there are things happening in an employee’s work environment or in their personal life that are causing them unusual stress, they are likely to behave in ways that are out of character. Checking with the employee to see if these issues are affecting their performance shows you understand what role these stressors play in hindering judgment. It also shows that you are considering how the person’s circumstances may have impacted their behavior. A sick spouse, financial problems, health issues, or a hostile coworker can all put us on edge and influence us to behave in ways we ordinarily would not.

Factor 12: “the adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.”



Sometimes we have rules and consequences for violating them that are no longer relevant to how our organization currently functions. There are times when an employee discipline issue will show you that you need to update your policies and procedures. In these cases, it’s wise to consider if a lesser punishment will achieve the result you are after. This factor along with Factor 10 allow you to consider if you can achieve the desired outcome with an alternate or lesser punishment. There may be a case where counselling or training will be more effective at correcting the problem than any punishment.



Discipline is challenging when you are trying to figure out what to do on a case-by-case basis with incomplete information. A good way to minimize the difficulty is to know that you are going to follow the same process every time you are forced to consider punishing an employee. Having a consistent process makes your decisions defensible in court and transparent to your team. The Douglas Factors give you that process and communicate specifically to your team what information you will consider when rendering judgment. Taking the time to address each of the factors will slow you down so that you are less likely to make decisions when you are angry or upset. It is almost impossible for your decision to be unreasonable if you appropriately consider each factor because the law allows you discretion in rendering judgment. Where we get in trouble is when we consider only part of the picture, or different parts, each time we render judgment. Following the Douglas Factors takes the guesswork out of discipline and give you a defense against accusations of favoritism, vengefulness, or wrongfully targeting employees.

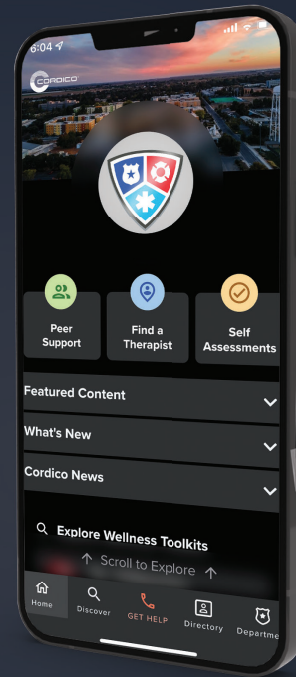


*Major Trent Lindgren is a U.S. Army Veteran with a B.S. in Communications from Kennesaw State University and a Master's in Public Administration from Columbus State University. Major Lindgren is a graduate of the Northwestern School of Police Staff and Command as well as the Georgia Command College. He began his law enforcement career at Atlanta PD in 2001 and moved to the Alpharetta Department of Public Safety in 2005 where he currently serves as a Major over Police Services. Major Lindgren is a POST Certified Instructor and serves as a regular instructor for GACP Chief Executive Training Course.*



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## FORCE MULTIPLIERS: INTELLIGENCE ANALYSTS AND DIGITAL FORENSIC INVESTIGATORS

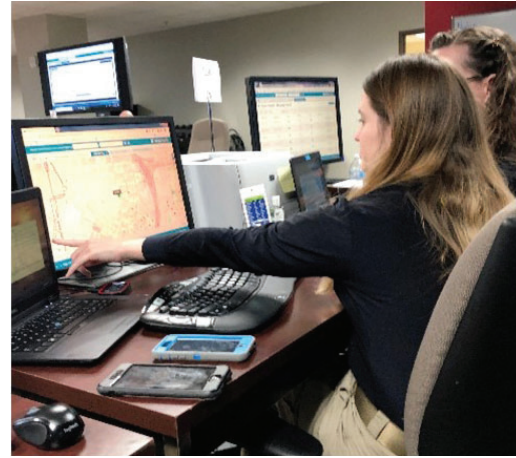
>> Leveraging Non-Sworn Investigative Support Roles in Criminal Casework

By Meredith Bailey, Lisa Arnold

*As policework increasingly relies on intelligence gathered from online platforms and digital forensics, non-sworn investigative support plays a critical role. Criminal Intelligence Analysts (CIAs) and Digital Forensic Investigators (DFIs) pursue unique investigative leads and trends behind the scenes of front-line investigators. Their work product and knowledge supply a foundation for their respective agency's operational mission. This article will highlight how non-sworn investigative personnel, specifically Analysts and DFIs, engage in casework and respond to requests for assistance from other agencies. Authors (Meredith Bailey and Lisa Arnold) reviewed best practices and lessons learned from how GBI has coordinated non-sworn investigative support (whether remote or in-person) in light of conflicting demands or scant resources.*

### **INTRODUCTION**

Non-sworn or civilian investigative professionals play a critical role in modern law enforcement. Although they do not possess the power to arrest or the ability to enforce laws, these specialists are increasingly relied on to solve high-profile cases, support command post operations, and allocate limited resources. Specifically, Criminal Intelligence Analysts and Digital Forensic Investigators (DFIs) are two highly specialized civilian investigative positions the GBI and other public safety stakeholders are prioritizing as they adapt and modernize their agencies.

*CRIMINAL INTELLIGENCE ANALYSTS (CIAS)*

Analysts work in tandem with Investigators and various partners to gather valuable information from various sources and develop actionable intelligence to advance an investigation or identify threats and vulnerabilities. CIAs most often offer both tactical support to criminal investigations as well as strategic analysis for specific subject matters like human trafficking. CIAs help identify or locate suspects, witnesses, or associates as well as map phone records or develop timelines and link analysis charts for more complex criminal organizations.

An essential part of analysis is the development of written intelligence products that synthesize information from multiple sources. In addition to developing intelligence on specific criminal cases, analysts are often called upon to develop briefings or reports in response to incidents of state or national significance. During these times of rapid lead development, (such as violent civil unrest or a major case) there can be multiple sources of information and presumptuous (even inaccurate) media reporting. Analysts often serve as conduits for providing accurate information to command staff or leadership personnel in a position to act during such events. Analysts are capable of producing brief synopses of intelligence and open-source information regarding an incident. These products allow GISAC to clarify media reports and provide command staff or state leadership with accurate and timely information.



### *DIGITAL FORENSIC INVESTIGATORS (DFIS)*

Digital forensic investigators (DFIs) help retrieve information from computers and other digital devices. DFIs process all types of digital media, including computers, cell phones, tablets, etc. The retrieved data can then be used as evidence in criminal cases or to develop critical leads for investigative follow-up. DFI support is not limited just to GBI offices but extends to other law enforcement agencies who request help in all areas of digital forensics.

During any given investigation, digital forensic investigators (DFIs) are called upon to provide technical support, on-scene

forensic processing during search warrants and comprehensive digital examinations, as it relates to the furtherance of criminal investigations, and expert testimony. Most of these investigations include crimes against children, violent crimes, and murder. DFIs spend countless hours combing through digital artifacts, typically from numerous electronic devices, and are tasked with assembling an easy-to-follow roadmap in a highly technical area of expertise. Part of the success of the digital forensic program is the partnership that DFIs have created with their sworn counterparts. They are often called upon to answer technical questions, to develop best practices for preserving digital evidence, and to explain the types of digital information available on electronic devices seized during an investigation. They work in tandem with these agents, to include those operating on local, state, and federal levels, and in many cases, provide critical evidence to secure convictions.

**BETTER TOGETHER**

DFIs and Analysts are heavily relied upon for their knowledge in the digital realm and regarding criminal trends and tactics, but a full picture cannot be developed without a steady and comfortable flow of communication with and between other investigative personnel. Cultivating these partnerships can significantly enhance an agency's ability to evolve and effectively train and prepare their investigators. Analyst personnel are critical on the front-end of an investigation, developing insight into subjects of an investigation as well as for effective prosecution prep (through mapping and in-depth analysis). DFIs are invaluable on search warrants involving large volumes of digital devices because they can conduct onsite previews to rule out or triage evidence that is (or isn't) pertinent to the case. DFIs can also extract data from devices, assist with obtaining data from the cloud, enhance photographs or video footage, and isolate other digital evidence. DFIs and analysts often work in conjunction with one another, with CIAs mapping or analyzing data a DFI successfully extracted from a mobile device.



*As an example, an Internet Crimes Against Children (ICAC) Agent is investigating an IP-address exchanging child sexual abuse material (CSAM). The IP-address resolves to a local residence. Criminal Intelligence Analysts can identify residents at the home, people who may have regular access to the home (and its internet connection), as well as insight into whether minor children are present and potentially vulnerable to abuse. Agents and investigators can more safely prepare to execute warrants at the home and interview potential suspects with the CIA's analytical insight. DFIs often go on search warrants to triage and preview mobile devices and hard drives onsite. They look to find evidence of a*

*crime (in this case, possession of CSAM), as well as clear or rule out devices or technology that otherwise would have to be tagged as evidence. Once back in the lab, DFIs can continue their work extracting or recovering digital evidence to further the Agent's investigation (to include a user's search history and online activity). Similarly, CIAs can do a deep dive into search warrant returns on a subject's social media activity or phone records to support the Agent's investigation. Their work product serves to strengthen the Agent's investigation all the way through trial.*

In addition to direct investigative support, Analysts and Digital Forensic Examiners are depended upon for their knowledge and innovation, and they are routinely included in decision-making processes. This has included the implementation of new software, technology upgrades, and contributions to improvements in changes in best practices and standard operating procedures. Chiefs and other law enforcement executives should consider reviewing what (if any) policies and procedures they have for digital evidence and social media-based investigations. For instance, does your agency have internal retention policies for digital evidence? Do you have dedicated personnel tasked with managing this data? How does your agency differentiate handling physical evidence versus digital evidence or work product? How do your investigators distribute results to prosecutors or defense attorneys for reviewing evidence? If you have personnel conducting online investigations, do they have covert or undercover accounts to ensure they are not making their personal social media pages vulnerable to doxing or discovery during these searches?



### **REQUESTING ASSISTANCE**

Analysts are embedded in all 15 of the GBI Field and Specialty Offices as well as the Regional Drug Enforcement Offices. To get in touch with the analyst assigned to your respective jurisdiction, send an email to [generalinfo@gbi.ga.gov](mailto:generalinfo@gbi.ga.gov) or contact your local GBI Investigative Office.

All digital forensic requests for GBI assistance are submitted to Magnet ATLAS, which is a web-based

system used to track these requests statewide (see callout box for detailed instructions). Once an Investigator creates an ATLAS account, they will submit a New Case Request. The relevant submission form(s) can be completed and uploaded, along with any necessary search authority documents (if applicable), and anything else that may be beneficial for the Digital Forensic Investigator tasked with processing evidence. This process is different than the GBI Crime Lb.

Once the case is submitted, it will be accepted to the waitlist. When the designated lab (Decatur or Augusta) is ready to accept the evidence for processing, the DFI Manager that covers the Area of Responsibility (AOR) for the submitting agency will contact the case agent listed on the request. They will set an appointment for evidence submission, as no evidence will be accepted without an appointment.

*The GEORGIA CYBER CRIME CENTER (G3C) is an investigative work unit of the Georgia Bureau of Investigation. Headquartered in Augusta, G3C is responsible for conducting cyber-crime investigations involving for-profit, intrusion, stalking/harassment, and network intrusions involving the use of cyber technology. To accomplish this mission the G3C is staffed with GBI Special Agents, Digital Forensic Investigators, and supervisory and administrative support staff. G3C is located in the Georgia Cyber Center on the Nathan Deal Campus for Innovation and consists of investigative workspace, two digital forensic labs, and classroom space dedicated to the education of law enforcement on the methods and technologies involved in modern cyber-crime.*

<https://investigative-gbi.georgia.gov/investigative-offices-and-services/specialized-units/georgia-cyber-crime-center-g3c>



**Once cases are accepted to the waitlist, the investigator/requestor will maintain custody of the evidence until such a time they are notified that staff are ready to accept evidence for forensic processing. At that time, the DFIs will schedule an appointment for drop-off.**

Cases are handled in a three-tier system:

- Tier 1 - Immediate danger to public safety (human trafficking, kidnapping, terrorism, murder or assault cases with an active fugitive, etc.)*
- Tier 2 - Digital evidence is critical to an investigation but there is no immediate danger to the public.*
- Tier 3 - Digital evidence is part of a routine investigation.*

If a case is exigent (i.e., tier 1), OR involves an Apple device that is ON and needing unlock, submit the request via Magnet ATLAS and then call the GBI CEACC Unit at 404-270-8870.

## **OUTLOOK**

Through significant personal effort and dedication, the work produced across the network of analysts, digital forensic investigators, and other civilian support staff in Georgia has directly resulted in investigative successes not just within Georgia law enforcement but nationally and internationally as well. The dedicated personnel driving these programmatic successes in a myriad of initiatives or priorities are increasingly recognized by national organizations like the International Association of Chiefs of Police (IACP) and the National Network of Fusion Centers.

Analysts' ability to leverage open source and limited resources can be a true force multiplier for assigning patrols, assessing events, or directing investigations. DFIs technological expertise and insight can find the digital needle in the proverbial haystack of modern casework.

The collective effort of both sworn and civilian personnel to achieve results and solve cases is the foundation of effective law enforcement teams. The community aspect gives each member (whether sworn or civilian) a purpose and an opportunity to contribute their respective skills towards meaningful work. The unique brotherhood within law enforcement is increasingly inclusive of non-sworn investigators and professionals as we work to protect our officers and our communities.

## ATLAS ACCOUNT DIGITAL EVIDENCE CASE SUBMISSION

*All requests for digital forensic processing must first be added to our waitlist. To submit a New Case Request, please first create an ATLAS account using the following link:*

<https://gbi.casedata.info>

**Click “Sign Up” to create a new account.**

*Please use Google Chrome to avoid browser issues.*

**Once you have created an account, you can submit your case request. We require a completed submission form to be attached, in PDF form, with every submission.**

Three submission forms are available upon request:

- *Apple Device Submission: for Apple devices (specifically unlock and extraction)*
- *Digital Evidence Submission: all other mobile devices and general digital evidence (i.e., computers, laptops...)*
- *Video Evidence Submission: DVR submissions and video enhancements*

*For iPhones, we request one form per device as there is a section for specific device information (model / IMEI) and suggested passcodes.*



*Meredith Bailey is a Supervisory Criminal Intelligence Analyst with the Georgia Bureau of Investigation assigned to GISAC, the Georgia Fusion Center, for the past 13 years. She has her bachelor's and master's degrees in criminal justice from Georgia State University. As a field analyst, her primary assignments included support to counterterrorism efforts, internet crimes against children, and human trafficking. While she now supervises a team of analysts, Meredith still oversees a variety of GISAC's special project, research, and report-based initiatives.*

*Meredith serves on the analyst council for the National Fusion Center Association (NFCA) and is the Vice President of her local International Association of Law Enforcement Intelligence Analysts (IALEIA) Chapter. She is a member of the Georgia Association of Women in Public Safety and the International Association of Chiefs of Police (IACP). Since receiving her Instructor Certification from the Georgia P.O.S.T Council in 2015, Meredith dedicates several weeks a year to teaching other analysts and investigators. She developed courses on open-source intelligence tactics, effective intelligence analysis and briefing skills, and human trafficking subject matter.*



*Digital Forensic Program Manager (DFPM) Lisa Arnold began her career with the Georgia Bureau of Investigation (GBI) 11 years ago as a digital forensic investigator and has provided digital forensic assistance for investigations of child sexual exploitation, child abuse and molestation, fraud, theft, and homicide. In her current role, she manages the daily operations of the Digital Forensic Lab located at GBI Headquarters.*

*DFPM Arnold also directs several initiatives focused on growing the GBI's digital forensic initiative. These efforts require her to coordinate various tasks and responsibilities, including managing budgets and personnel; establishing standard operating procedures; overseeing policy compliance and audits; implementing forensic technology; and reporting case data metrics. In addition to her forensic work directly contributing to the arrests of child predators, DFPM Arnold's broader efforts to advance the role of digital forensics have served future generations.*



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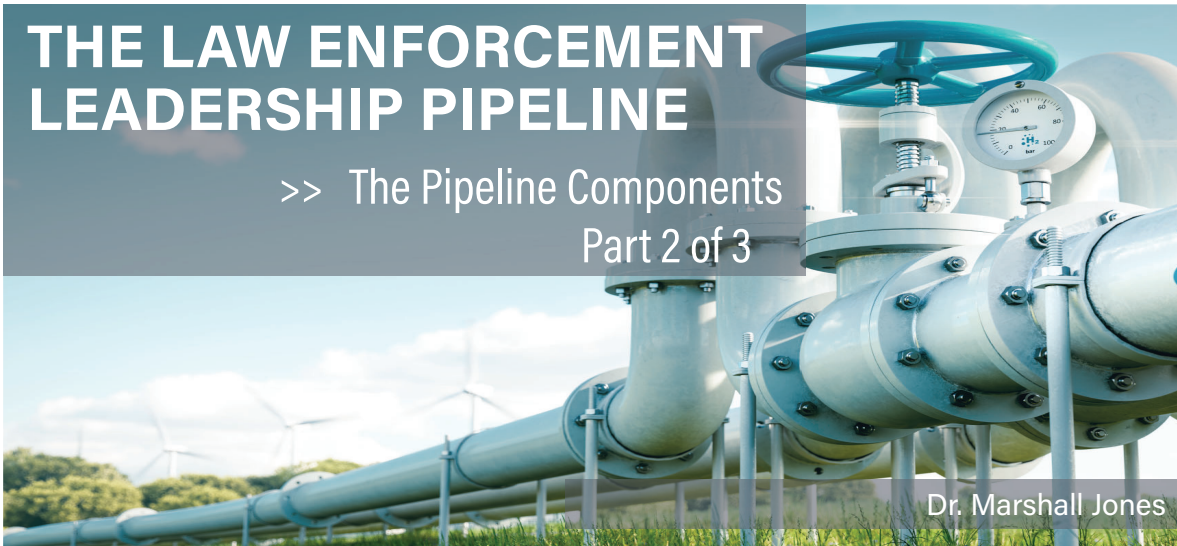
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## THE LAW ENFORCEMENT LEADERSHIP PIPELINE

>> The Pipeline Components  
Part 2 of 3

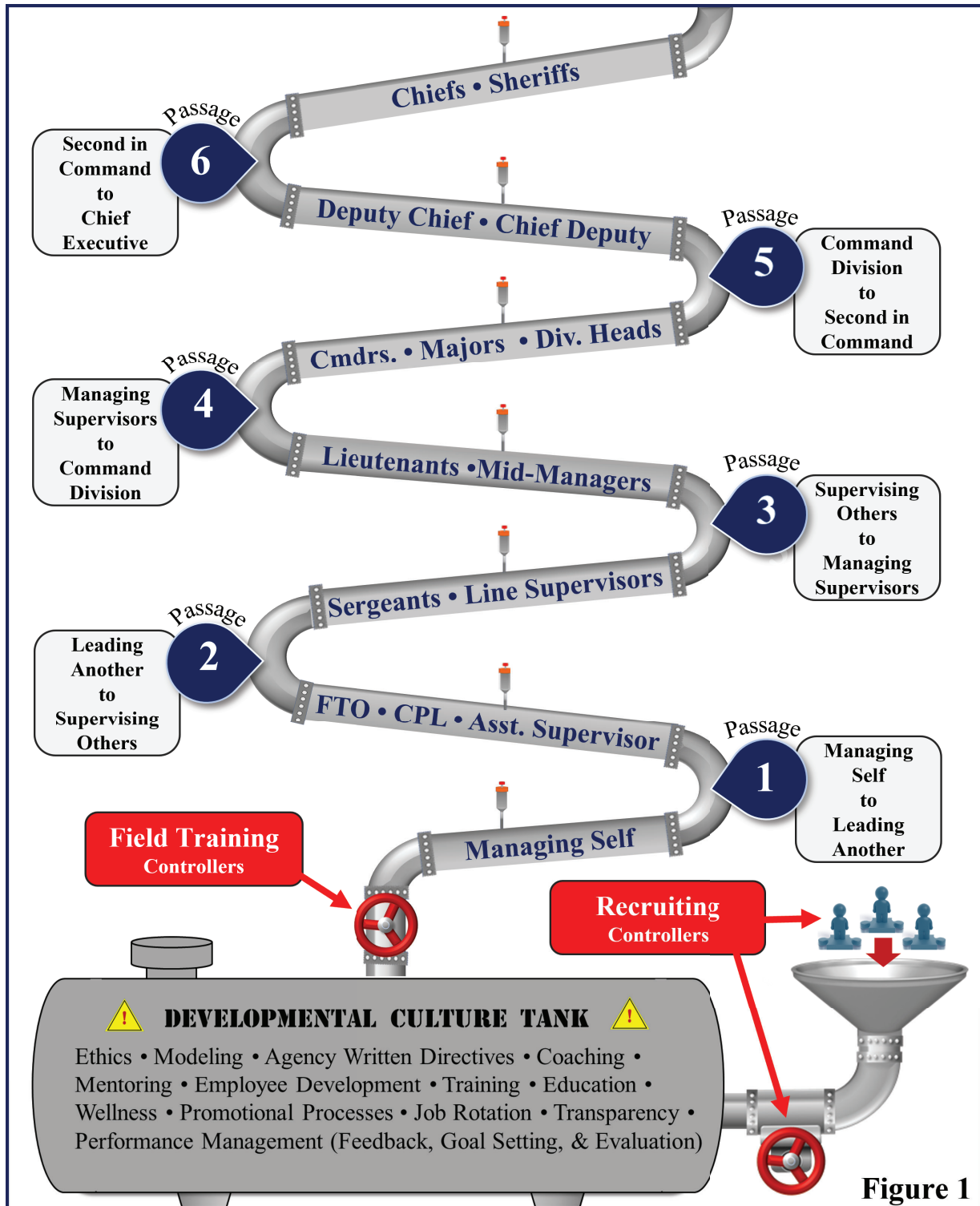


We continue our series on the Law Enforcement Leadership Pipeline (LELP) model of follower and leader development. In part one of this three-part series, we reviewed the model for how individuals develop as they progress through the pipeline. It helps us recognize the importance of development, growth, and experience as agency members mature and advance in their careers. We also explored how important the pipeline's developmental model is as it relates to retention.

In this second part, we explore critical agency components of the leadership pipeline that include hiring and selection processes, the “fuel tanks” that impact agency culture, and agency processes with a specific focus on field training. The interdependence of organizational dynamics with culture and leadership can be complicated. This series intends to offer a pragmatic model to help agencies explore, assess, develop, and improve processes toward a stronger culture of leadership, followership, and development.

### ***Agency Recruiting and Hiring: The LELP Talent Input***

You will notice in the LELP (Figure 1) the funnel representing potential applicants as they become new members of the agency. You also notice a control valve immediately before the developmental culture tank. In this model, that initial control valve is controlled by your recruiting and selection team and processes of your organization.



Few agencies report sustained success in recruiting new officers. In fact, most agencies also report challenges in recruiting professional staff in all areas of the agency. Some of these challenges are a result of the media and political reaction of 2020 and 2021, however law enforcement was facing challenges well before COVID and the defund the police movements. In fact, PERF (2019) completed their study in 2018 identifying a long list of threats to the law enforcement workforce. Critical to this shifting workforce interest or generational value differences, reduced military veteran application pools, and a stark reduction in generational law enforcement professionals. This shift in attraction to law enforcement careers has proven a significant hurdle for agencies to recruit and retain adequate staffing.

Law enforcement has long benefited from an applicant pool eager for a career. Recruiters simply had to announce vacancies and wait for the applications to roll in. Agencies could be super selective, test rarely, and rely on long lists of candidates who passed the testing process. Those days are over. The ability to assign anyone to the recruiter function and simply post the vacancies does not work. Policing is not alone; our comrades in the fire service, military, and healthcare face similar challenges.

Law enforcement is a “thinking person’s” career. Departments are seeking honest, hard-working individuals with good judgment, problem-solving abilities, critical thinking, oral and written communication skills. These are the same skills all good employers are seeking. Not only are we competing, with other law enforcement agencies, but we are also in competition with the military, other first responders, and a private sector much more resourced towards meeting the work-life balance, which is incredibly important to the GenZ members from which we recruit. Are the knowledge, skills, abilities, and other attributes (KSAOs) of today’s candidates in line with historical expectations but also meet the requirements of the current job of a police officer?



So, what is an agency to do? First, agencies must evaluate their recruiting plan and process. Are you doing the same thing you did five or ten years ago? If so, is it working for you? If not, continuing to do the same old thing, hoping for a different outcome, is a fool's errand. Research and best practices suggest the following strategies for improved success when recruiting law enforcement members.

### **1. Develop Your Brand**

As a profession, we must better assimilate best practices from other industries and professions, in particular, the private-sector. Marketing and branding are the lifeblood of most private sector organizations. Given the new reality we must be attentive to our agency's brand and actively market and recruit candidates. The agency brand communicated to candidates and the community of "who" you are and your purpose, is critical to attracting GenZ candidates.

Develop your brand by communicating your mission, vision, and value statements. Model the behavior that aligns with those commitments. Hold members accountable to adhere to what you stand for as an agency and the expectations of how the business of policing is handled in your agency.

### **2. Devise and Revise Your Recruiting Strategy**

Using static boilerplate templates for recruiting, or worse, not having a recruiting strategy at all, are very unlikely to produce success. Every agency is different. Recognize the advantages and disadvantages your agency offers candidates. Remember the tenants of person-organizational fit (P-O fit) and recruit candidates based on that P-O fit to your organization.

Agencies must also be flexible and quickly adjust to changing dynamics that impact successful recruiting. Agencies compete regionally and are always jockeying to be among the top agencies in a given area of pay and benefits. In these competitive environments, an agency can quickly go from the top tier to the bottom tier. Agencies with strong cultures, leadership, and mission-oriented branding can withstand fluctuations in their agencies pay and benefits as compared to with competing agencies.



Some best practices to consider when creating the agency's recruiting strategy include:

1. **Employee Referral Systems.** Ranked as among the most successful, employee referral systems (ERS) can be a force multiplier for your recruiting team while putting the impetus for recruiting good members in the hands of everyone. It is critical to think through the aspects of ERS incentives. Both LAPD and Texas DPS had robust ERSs but left room for loopholes for misuse and abuse. Both agencies fell prey to the common law enforcement response when members exploit a loophole to personal and ethical advantage. Rather than deal with the individual members and fix the policy, we have a long-standing tendency in our profession to throw out the baby with the bathwater. Both LAPD and Texas DPS are reportedly considering bringing back their ERS.

Larger agencies can budget and provide financial incentives for members who help attract and select new members. These incentives vary among departments but often include a monetary payout when a new member is hired, completes field training, and/or successfully completes probation. Agencies should also consider incentives beyond monetary. Given the current generation's value of work-life balance, agencies can consider additional time off as an option or in place of a monetary incentive.

2. **Social Media Marketing.** GenZ members overwhelmingly report that social media is their primary source of information and news. Agencies with robust and active social media presence report success in community outreach, controlling media narratives and recruiting. Agencies also report success in using GenZ members as PIOs and recruiters. Agencies can also leverage the talents of officers and share their stories of being a member of your department. Short social media videos that depict a realistic shift in the life of an officer have proven highly effective and show the personal side of policing, the good work by officers and the department, which the media does not share, and effectively communicate your agency's brand and purpose.

3. **Select and Train Recruiters.** Once upon a time, recruiting could easily be an additional or ancillary duty for officers serving in training or other staff support roles. When potential candidates were readily willing to apply and test at the agency's convenience and often do too few vacancies, we could successfully take shortcuts. Those days are over. Agencies must select willing recruiters to serve as the department's ambassadors. We also must do a better job as a profession and provide adequate training specifically focused on brand management, marketing, and the ability to analyze and track progress of recruiting plans. Some agencies have gone as far as to send staff to military recruiting schools. Our recruiters are often our first impression at job talks, job fairs, and other recruiting events in the community. Are we ensuring that we are supporting our recruiters so they can put their best foot forward?
4. **Streamlined Testing and Selection Processes.** Candidates simply do not have to wait weeks or months to find out if they passed the background check or if they're worthy to join the ranks of an agency as they did a few short years ago. The job options for good candidates are immense. Every industry and every profession seeks willing employees who can pass a background check. Successful agencies today have capitalized on expedited processes and conducting physical agility tests, initial screenings for disqualifications, and other processes that allow for a conditional offer of employment within hours of a testing process. Agencies nationwide are beginning to see increased applications and successful recruits from these expedited processes.

For example, the Gwinnett County Police Department offers candidates who successfully complete their initial testing process with a conditional offer of employment that same day. As soon as candidates with conditional offers qualify for a final offer, GCPD brings them on-board, assigns them to administrative duties, which reduces the chance they will leave for another agency or job to earn a living. You can read details on the Gwinnett County Police Department's strategy in the article *Addressing Staffing Shortages by Streamlining the Hiring Process* in this edition of the Georgia Police Chief.

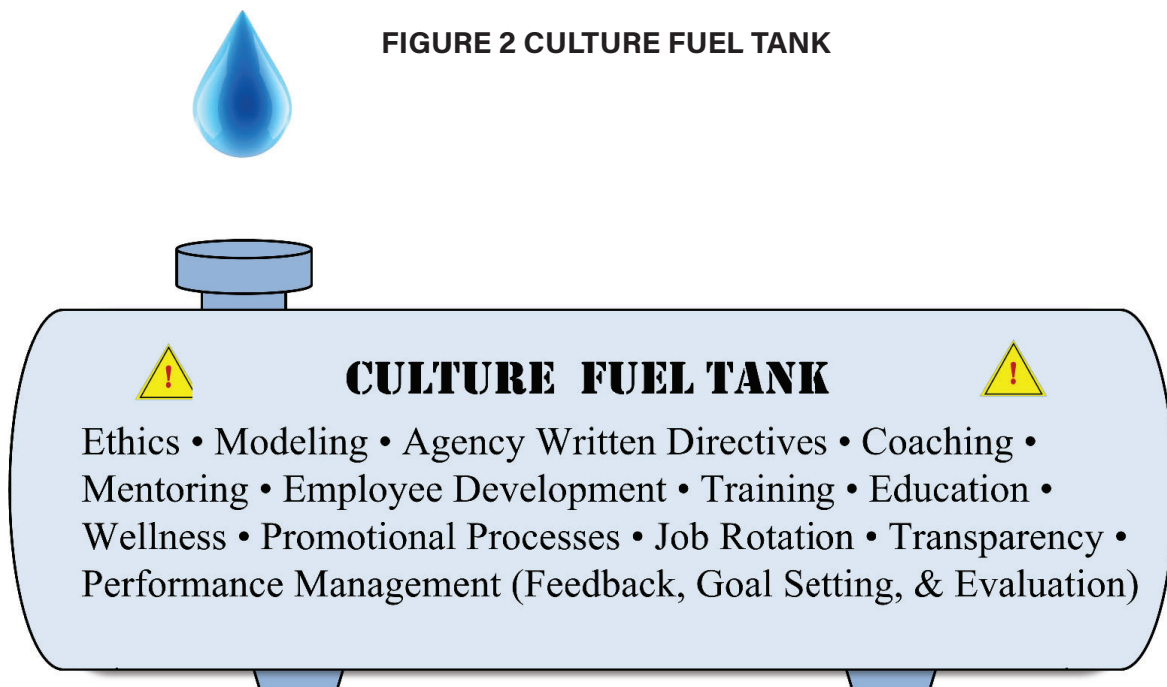
5. **Maintain Contact with Candidates.** Another strategy that leverages generational preferences is assigning an agency point-of-contact for each candidate with a conditional offer. This may or may not be a member of the recruiting team. Some agencies have part-time recruiters to help at job fairs as well as other events to serve in these critical mentoring roles. While some will argue it is handholding, it is successful. It also develops rapport and trust among potential new recruits and agencies. Military recruiters have practiced this approach for decades, and it is an emerging best practice agencies should consider.
6. **Seed and Harvest Interest.** Police Explorers, Police Cadets, High School Criminal Justice Programs, summer camps, college guest lectures, and any creative opportunity to put a motivated member of your agency in front of potential future recruits is critical to future recruiting efforts. Agency administrators often point to the time lag between the investment of time and the point of return. This is a very real practical issue. Another reality is that every day you delay planting seeds of interest and engagement with potential future applicants is another delayed day of harvesting a good candidate. The police recruiting and retention issue is not going to disappear anytime soon, if ever. Agency recruiting strategies without a seed and harvest plan will always be playing catch-up.
7. **Hire above Authorized Strength.** With agencies knowing they will lose officers throughout the year, consider implementing a program to enable agencies to hire above their authorized staffing levels. This will enable the department to bring candidates on board and train them to fill a vacancy that will inevitably occur and allow the agency to continue to meet the community's needs as well as avoid placing officers under increased pressure to work longer hours with higher workloads, another contributor to increased turnover.
8. **Professional Staff Support.** The vast majority of agencies are working shorthanded. Some agencies are 20 to 30% understaffed. This puts an increased workload in every area of the agency as well as increased expectations on your recruiting team. Add to that equation the fact that one-third of new officers will not be with the department in five years, by no fault of your own, increases the workload of your recruiting team.

Consider the importance of marketing, recruiting, testing, background investigations, and the host of other required screening and onboarding processes to arrive at and maintain adequately staffed agencies. Continuing to allocate resources to your recruiting operations based on how we have always done will lead to continued frustration and underperformance. Consider adding non-sworn professional staff to assist with background investigations and other recruiting-related and onboarding processes to free up sworn members to engage with prospective candidates and network in the community to seed and harvest.

Some agencies have partnered with outside providers to assist in various aspects of the recruiting process, including background investigations, managing polygraphs or psychological evaluations, and other time-consuming yet systematic functions.

### *Developmental Culture Tank*

The key aspect of the LELP is the developmental cultural tank. Figure 1 depicts the tank with organizational facets that include ethics, modeling behavior, agency written directives, coaching, mentoring, employee development training, educational opportunities, wellness programs, promotional processes, job rotation, transparency, and performance management systems. These represent key aspects that fuel your agency's organizational behavior and culture.



Agency employees, from the chief down to the newest officer and collective professional staff, influence and impact whether this developmental tank is a positively charged fuel tank (figure 2) where they serve as agency assets in the development and modeling of positive followership and leadership behaviors or conversely serve as a cultural septic tank (figure 3).



**FIGURE 3 CULTURE SEPTIC TANK**

What determines if your agency's developmental cultural tank contains fuel to support your members in developing good followership and leadership behaviors or is it a septic tank that works against valuable developmental opportunities? This all depends on the time and attention command staff and agency members use to evaluate agency processes and devote the time and cognitive energy to improvements and maintaining a positive pipeline.

A good place to start evaluating your pipeline is to simply ask, Are you are hopeful about the future of your agency based on your applicant pools, retention rates, and promotional candidates? Are the systems resulting in good selection and development? Are FTO, Corporal, Sergeant, and Lieutenant candidates being promoted quickly? Do you offer training for new positions prior to assignments, such as a Sergeant FTO program? Are they benefiting from strong modeling, coaching, and mentoring? As Chief, are your promotional decisions more difficult because your selection pool is rich with talent, or are you trying to decide which candidates offer the least amount of liability?

### *Agency Processes*

When we think of our agencies being fueled by our developmental culture tank, with members developing and advancing upwards through the pipeline, we can conceptualize the valves, filters, regulators, injectors, and other components to ensure the pipeline is properly pressurized and helps members advance through it. We have a tendency in policing to accept good enough, or that's how we've always done it when evaluating these processes. All too often, we are satisfied as long as we made our certification or accreditation goal, and the process seems to at least keep the status quo.

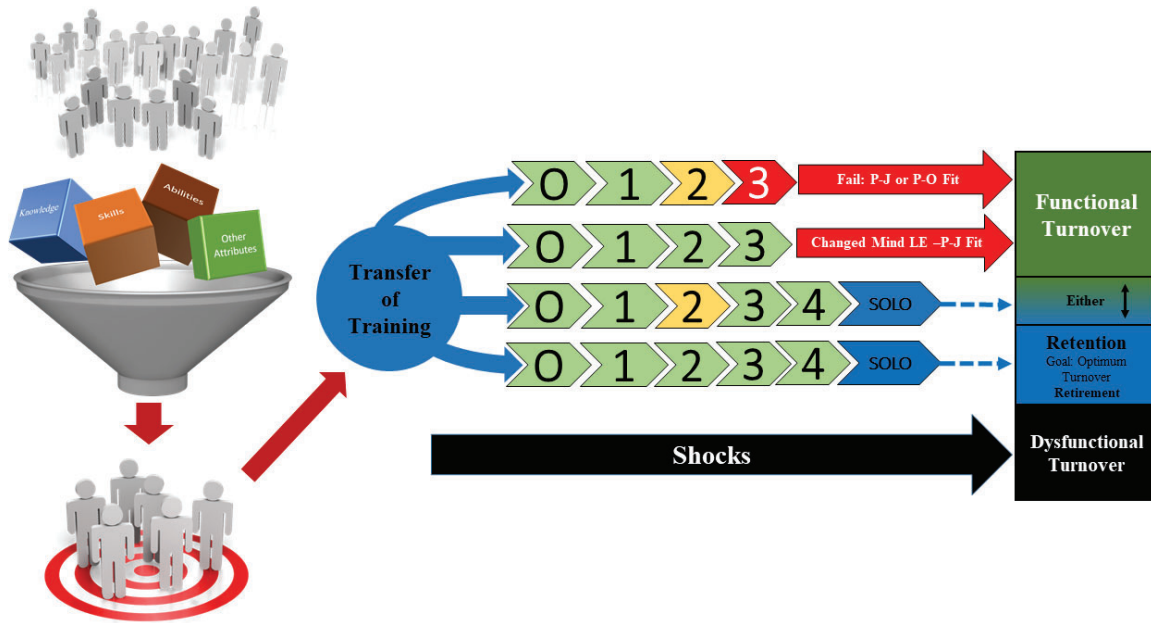
These process components are as critical to your agency's leadership pipeline as they are to any actual pipeline. They need attention, monitoring, and maintenance to keep a positive flow. These critical processes help establish and maintain expectations and standards, including field training, performance management systems, promotional processes, written directive systems, and wellness programs.

### *Field Training*

The second valve in LELP (Figure 1) located immediately above the fuel tank and is controlled by the agencies field training program and processes. The FTO's and supervisors have their hands on the control in determining if new officers in training successfully go solo and eventually meet the conditions of probation.

Field training programs and FTOs have always been recognized as a critical part of the agencies mission. Much like the renewed focus on developing and training new sergeants, field training not only offers opportunities for enhanced transfer of training success for new members, it also offers a rich opportunity for FTOs to develop critical leadership and coaching skill sets. Agencies report lack of interest among officers to become a field training officer, which really is not a new phenomena. However, with the values and expectations of GenZ members coupled with the reality a far fewer military veterans and generational cops, the critical role of the FTO has growing influence upon success and retention. Serving as an FTO is also a great developmental approach for first line supervisors.

Policing has an advantage over most professions in that most agencies deploy field training programs with daily observation reports, multiple phases, and a checkoff. In terms of feedback, both in quality, standards, and frequency, no profession does it better. This can be a strategic advantage for law enforcement given the GenZ value placement of feedback.



**FIGURE 4 JONES RECRUITING AND RETENTION MODEL**

Figure 4 depicts the Jones Recruiting and Retention Model (2019) that provides a good overview in the various processes and outcomes of field training programs. The model starts with the applicant pool entering the selection process where ideally the knowledge, skills, abilities, and other attributes necessary for a career in law enforcement get filtered resulting in candidates' selection.

After an onboarding and orientation phase, field training commences. This is actually a point of critical purpose that agencies can improve. The field training process, for law enforcement professionals, is simply a reality and constant aspect of our profession. It is easy to take the robust nature of the field training process as well as the opportunities it provides for granted. It is important to recognize law enforcement's flagship training program for new officers aligns exceptionally with broader best practices and research in the area referred to as transfer of training. Transfer of training helps determine if new officers fall into the functional turnover, dysfunctional turnover, or retention categories.

Functional turnover occurs during the field training process. This type of turnover is “functional” in the respect that the new officer does not complete the structured process designed to prepare them to go solo and therefore had the outcomes as planned for in the field training process. For instance, a new officer in field training may get remediation, but eventually fail to meet performance standards. In some cases, this is avoidable with good selection but not always. Sometimes a good candidate that looks good on paper fails to realize that potential. This would fit in to the P-J fit categories where the new officer’s KSAOs may not align with the job requirements or the P-O fit aspects of that particular officer may not be a good fit for the particular agency.

Agencies are increasingly reporting new officers quitting during the field training program, even though they may have no reported performance deficiencies. We coined this, changing their minds about law enforcement. The likelihood of the new officer changing their mind can be decreased with a good realistic job preview, required ride-alongs, and pre-field training mentoring. This type of turnover is also considered functional and falls within the P-O fit category.

Agencies ultimately seek retention as witnessed when transfer of training works and officers proceed through the field training program and seamlessly go solo to automatically complete conditions of probation. This can include officers who may need remedial training during the process but ultimately meet performance standards to go solo.

Dysfunctional turnover occurs through what are considered “shocks” or unanticipated separation from the agency. Shocks include poor relationships with supervisors, especially if supervisors treat officers unfairly or poorly, unanticipated external job offers, the unplanned exit of an employee (Lee and Mitchell, 1994). New versions of shocks that agencies cannot anticipate is the trend of good performing officers to simply resign, usually within the first five years of their career in law enforcement. This is an artifact of career and work values of GenZ members. The added challenge of officers leaving with the first five years is the increasing trend that they leave the profession rather than historically going to another agency (PERF, 2019).



### *Actionable Steps to Improve Retention*

There are the proactive steps agencies can take to improve retention through more focused strategies regarding transfer of training and framing remedial training.

### *Leader-Coach FTO Model*

The most significant change an agency can make is transitioning from the historical **evaluator-trainer FTO model** to a **leader-coach FTO model**. The historical evaluator-trainer model is the FTO serving as a gate keeper for the agency by watching, evaluating, and reactively training on errors. This is a “prove yourself” model that most command staff members recall from their rookie days. This worked, once upon a time, when new candidates were plentiful and law enforcement could be very selective.

Today calls for a leader-coach model. This shifts the FTO’s perspective from a “prove it” to the “show me” model that resonates with GenZ preferences and values. This also aligns with tenants of successful training transfer of “tell-show-do” by a coach and mentor. This model also recognizes serving as a FTO provides the first opportunity to supervise in the leadership pipeline. FTOs, as leaders, develop critical skills and appreciation for the importance of leader-member-exchange (LMX) between supervisors and officers. The impact of positive leader-member-exchange (LMX) is one-fifth of training outcomes and one-third of office training satisfaction in training outcomes (Brunetto et al., 2017).

### *Framing Remedial Training*

Most of us can remember new officers in training hitting the wall, getting in their own way, and otherwise succumbing to a self-fulfilling prophecy of field training failure. Law enforcement once had the luxury of allowing new officers to simply fail out and replace them with another new candidate. While the costs, both financially and operationally were high, the process generally it worked. Today is a new day. Agencies report changing and even lowering hiring standards amidst the critical shortage of willing candidates who can pass a background check (PERF, 2019).

GenZ Members are a strategic advantage in that they prefer to be trained and provided feedback, and desire to understand the purpose in their work and mission. These are areas agencies can leverage enhanced transfer training outcomes if we examine historical ways utilize pre-FTO training and remedial training.

Multiple studies (Jones, 2019) speak to the importance of how we label training and its purpose. No officer in training that wants to get the memo that they are being paused in field training with the clock starting on remedial training. Additionally, agencies are usually bound with the time limit on how much time “remedial” training can occur before a failure to meet probation outcome.

### *Reducing the “Remedial Training” Time*

What we label training matters. “Remedial” means something to new officers. It impacts their confidence and can lead to self-fulfilling prophecies of failure. Considering this does not equate to coddling, it reflects the reality that we need to lead and coach success rather than evaluate and train and hope for success.

The leader-coach FTO model offers opportunities to minimize the need to pause the field training process for remediation. While not eliminating a need for remedial training, the leader-coach FTO model has successfully addressed performance shortfalls immediately and efficiently. Good FTOs have always jumped calls and looked for opportunities to expose their trainees to situations to gain experience. Sometimes shifts will rely on trainees to carry a heavy load and calls that generate police reports.

These opportunities to jump calls continue to be great opportunities for FTOs to evaluate and observe, they often come at the expense of taking time to provide immediate feedback and conduct developmental training on the spot. Our calls for service will always take priority, FTOs with a leader-coach mindset are more likely to take the time to address issues rather than to put it off for later in the shift or the next day. The shift also requires agency support and can require a shift in expectations from road sergeant and shift mates.

### *Pre-Field Competency Training*

Research (Jones, 2019) suggests report writing remains a critical fail-point for officers failing to complete field training. It should be no surprise given the current high school reading and test scores, the commonplace of texting and social media shorthand, and use of AI for editing. Expecting a new officer in training to keep up with all the demands of on-the-job training and work on catching up with the writing skills necessary for successful report writing is a high demand.

An alternative approach is to assess and address any report writing issues prior to commencing field training. This can be as simple as having new hires watch episodes of COPS or body cam videos and write reports. These can be reviewed for completeness and accuracy to establish a baseline level of proficiency. Proficiency may be established in one day, or a week, or longer. The new officer is not permitted to proceed to the next stage of orientation or start field training until the base level of proficiency is met. This is important to skill development and the confidence a new officer can be successful.

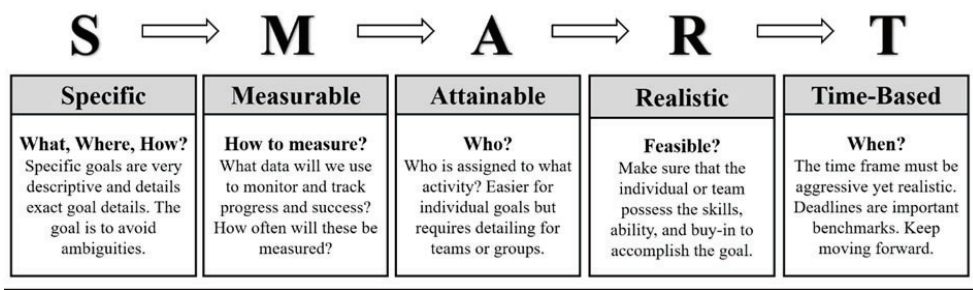
**Performance Management Systems**

If you are in an agency that has a solid performance management system you have an advantage. A good performance appraisal is part of an overall performance management system that includes regular feedback sessions and goal setting. These systems help ensure supervisors are providing critical developmental feedback and setting goals with followers receiving clear understandings and expectations. Clear and reinforced expectations are critical to strong performance and development (Jones and Blackledge, 2021).

Some agencies report being forced by their city’s HR to utilize a generic general employee performance review. If your agency does not have a law enforcement specific performance review, supervisors can ensure they are providing feedback, meaningful performance review, and critical goal setting.

A key aspect of proper rating requires two key elements that address both the legal guidelines and general fairness. First, the system is based on clearly described, and observable standardized behavior. This behavior must be clearly operationalized with descriptions that articulate meaningful performance related to the position, not just results of outcomes. Second, the supervisor is routinely and physically present to accurately report on this observable behavior firsthand (Jones and Blackledge, 2021).

**FIGURE 5 SMART GOAL SETTING**



A well-established best practice is the SMART (figure 5) model of goal setting. This model is powerful served as a great framework for joint discussions on developing and attaining goals. Research (Foss and Lindenberg, 2013) found organizational commitment toward objectives when there is broad participation in goal setting with rewards linked to goal achievement. These goals should be challenging, but achievable. These can be used for work performance and production as well as developmental goals, such as college, training, or healthy habits. The SMART strategy to achieving goals can be used for short term or long-term goals and align with work values and preferences of GenZ members.

### *Promotional Processes*

Another often overlooked process critical to the law enforcement leadership pipeline are they actual promotional processes and expectations that they convey. There is a big difference between preparing for promotional processes versus preparing to be promoted. And intentional and thoughtfully designed leadership pipeline can increase candidate success in both.

Are the agency's promotional exams simply multiple-choice questions that require rote memorization and ample time to study? Are the processes robust and actually test decision making required of individuals performing in positions candidates are seeking? Are the qualifications and expected performance criteria well established and adhered to over time? Ultimately, are agency leaders happy with the outcomes the promotional process in terms of the candidates selected and their performance in the promoted rank?

If you answered "no" to some or all the above questions, you need to reevaluate your promotional processes. These processes communicate what is important to the agency. Additionally, candidates should be studying materials that help them and their job proficiency regardless of their promotional process outcome. Agency written directives, statutes, case law, contracts, and relevant city or county directives to their hopeful position should comprise the majority of the process. Agencies deploying multiple choice exams as the only scoring mechanism will find themselves promoting people who are good at taking tests, but fail at the problem solving and other leadership aspects of the position. Additionally, testing on a popular leadership book may very well not meet with the KSAOs of the job.

Agencies must also be mindful of weights placed the various components of the process. For instance, some agencies award points for seniority, educational achievement, or performance reviews. If it is not calculated correctly, this weighting can push the candidate with the lowest score to the top of the list resulting in an unintended consequence of the least prepared candidate being promoted. While some agencies are locked in with contractual language, it is important to review and discuss as every agency member should help at the best qualified and prepared candidates are promoted.

### *Written Directives*

Do you have agency members asking for guidance on important aspects of their jobs without written directives? Are you spending a large amount of time on dealing with exceptions to policies? Do you find policy and practice disconnects during promotional process development, accreditation, or certification reviews? Do you know you have policies that your agency does not follow in practice?

Think of written directives as a solid framework for problem solving for your agency. If you invest in developing, maintaining, and training on contemporary policies and procedures you save countless hours of reinventing a wheel or dealing with issues repeatedly without consistency of application.

The age of AI and generational preferences for digital content can provide an advantage in managing your written directives or a liability if you are not proactive. Leverage these to take the burden off mid-managers and supervisors throughout the sworn and professional staff ranks. It will likely equate to fewer calls from staff at 3:00 a.m. when they can't find a policy on the "thing that does not happen often, but when it does, we need a policy now" event.

### *Wellness Programs*

Taking care of our people is a time-honored goal of policing. The acknowledgement of mental health issues, including PTSD, among police officers in recent years has helped establish wellness programs to deal with the effects, and stigma, of mental health and wellness needs for officers, professional staff, and their families.

Line-supervisors and mid-managers play a critical role in recognizing potential wellness related issues, facilitating appropriate conversations, and being fully aware and capable to bring the resources available. We also cannot underscore the importance of ensuring

your people get enough sleep to cognitive function, especially doing high stress and ambiguous situations, as paramount (Jones and Blackledge, 2021).

A structured wellness program is critical to creating and maintaining readily available mental health and other wellness resources. Most agencies have Employee Assistance Programs (EAP) but officers, professional staff, and their families often provide feedback that the providers are not “culturally competent” to policing. This poses a major barrier for agencies, as it can be a struggle to get our people to go in the first place, and a poor experience can exasperate the situation.

Agencies must network and identify providers that do have a foundation for working with cops and families. In situations where there are limited providers that can “speak cop”, then collaborate with other agencies and invite interested practitioners to do ride-alongs, attend training, and get to know the agency and its mission.



We can also leverage available training for peer-counselors and establish internal resources. These can lead to strong programs and a network of resources. Trainings can be offered for an array of issues, to include mindfulness, personal fitness, and resilience. Robust programs are including training in personal finance and financial literacy classes.

A critical key to a successful wellness program is to have champions within the agency, with both sworn and professional staff, in identifying resources and building credibility within the agency. If you have an established program, support those accountable to expand their networks and constantly monitor for additional resources and opportunities.

If you do not have a formal program, you should start one. Find best practices and speak with agencies that have good programs. Start somewhere. Find an internal champion. Provide training on the importance of agency members looking out for one another and seeking assistance. It is not only the right thing to do, but it is also a critical part of developing a culture of leadership critical to retention and wellbeing.

### *Conclusions*

There is no magic pill for our recruiting and retention problems. There is no quick fix for the growing impact of poor supervision and leadership on officers and professional staff. Working shorthanded impacts wellness of our people. Improving these situations requires attention, time, and resolve to chip away at making improvements and changes. Involving the entire agency in assessing and developing strategies is a force multiplier and naturally leads to improved buy-in from agency members. The LELP can serve as a model to help frame the components critical to a strong culture for developing leadership and followership, which is the ultimate key to retention.

Our third and final part of the law enforcement leadership pipeline series will explore the various passages of the law enforcement leadership pipeline along with actionable interventions that can increase development.



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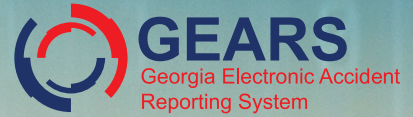


**Dr. Marshall Jones leverages experience from law enforcement, consulting, coaching, training, and applied research to explore leadership, organizational, recruiting, and retention issues. He is the co-author of the book *Law Enforcement Leadership, Management, and Supervision* published by Blue360 Media.**





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## LICENSE PLATE READERS

>> Powerful Crime-Fighting Tools

Chief Dan Flynn (ret.)

On May 3, 2023, a crazed gunman shot five victims in a medical facility in Midtown Atlanta. The suspect fled the bloody shooting scene in a known vehicle, whereupon Atlanta police began an intense manhunt. As breaking news of the mass shooting quickly spread, many Georgians reacted, first with horror over the violence in Georgia's largest city, then with grief for the shooting victims. Soon horror and grief turned to fear of the shooter who was still on the loose in the community.

With the assistance of multiple police departments, the manhunt continued over the next several hours until the suspect was finally captured in neighboring Cobb County. The news media reported that the successful search was due to multiple Metro Atlanta police agencies working in coordination while using modern police communications technology including license plate reader cameras. Fears of a crazed gunman on the loose soon turned to curiosity about license plate reader cameras.

License plate reader cameras (LPRs) are known locally by the popular brand name; "Flock" cameras. Police departments have been using them for several years, working with the Flock company to refine their effective application for public safety. Throughout the Atlanta shooting manhunt, police used strategically placed stationary Flock cameras focused on traffic lanes to read the license tag numbers of passing vehicles, then automatically checking each tag against multiple criminal justice and publicly available databases.

The databases rapidly scanned by the LPRs include BOLO (be on the lookout) files from multiple police agencies, stolen-vehicle files, the state sex offender registry, and lists of missing persons, as well as terrorist watch lists and other criminal justice databases. When there is a match between the tag of any passing vehicle and any of the databases, the system immediately transmits the information to the local 9-1-1 dispatch center and all patrol cars in the vicinity so they can narrow their searches.

LPR camera technology is amazing, but cameras alone cannot apprehend dangerous suspects. Boots-on-the-ground police officers, guided by sound police policies, are necessary parts of the overall strategy to track and apprehend suspect(s). The officers must follow careful felony stop procedures to stop the vehicles identified by the LPRs and get the occupants safely under control.

Once the occupants of a suspect vehicle have been secured, the officers meticulously verify the LPR messages for accuracy to be sure they have the correct vehicle and suspect(s). They must also follow legal procedures to compile probable cause to take any further actions such as conducting searches, seizing weapons and contraband, or arresting suspects. Technology never supplants an officer's responsibilities or anyone's constitutional rights.

Notwithstanding accomplishment of their goal of capturing wanted suspects, police departments must meet important preliminary requirements before using LPR technology. First there must be seamless interagency police cooperation. When suspects drive, they tend to move quickly through one police jurisdiction to another, like the Atlanta shooting suspect. Therefore, it is important for police departments to maintain collaborative relationships in advance to set the stage for sharing data and coordinating joint searches in intense situations. Proudly, that kind of collaboration is the standard for the police departments in Cobb County and as a direct result, they experience high success rates.

Second, in addition to the human factor, another key to the effectiveness involves strategic placement of fixed LPR Cameras. It is a very dynamic process based on changing habits and patterns in the travel routes of the criminal element. Officers need to be predictive, not only in placing and adjusting LPR camera locations, but also in calculating the movement of vehicles based on direction and average travel speed from the location of a camera hit. Smart officers tend to wait near those spots to intercept wanted vehicles.

One final benefit of LPRs is that they are not limited to use by the police. Private organizations and businesses that have venues with vehicular traffic, like subdivision homeowners' associations, often elect to pay for and install their own LPR cameras. There is, however, one caveat, they must coordinate with their local police. Only the police have online access to most databases LPRs use and therefore only the police can receive and respond to hit information. Nonetheless, the police are happy to oblige since it helps accomplish their mission of serving and protecting as well.

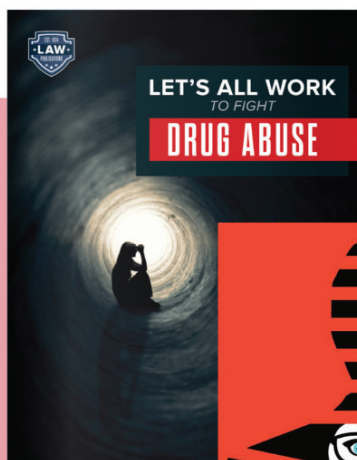
LPRs are amazing crimefighting tools and they are most effective in the hands of communities that collaborate to prevent and solve crime.



*Chief Dan Flynn (Ret.) served as the Marietta Police Chief for 14 years. Prior to joining Marietta, he served as the Chief of the Savannah and Savannah-Chatham Metropolitan Police Departments. He also moved up in the ranks of Miami-Dade Police Department to the rank of Major. He holds Bachelor and Masters degrees in Public Administration as well as post-graduate certificates from the University of Miami and George Washington University. Chief Flynn is a graduate of the FBI National Academy and Senior Management Institute for Police.*

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The infamous incident of the death of George Floyd at the hands, or the knee, of Minneapolis police officer Derek Chauvin is well known. The effects of that death were felt throughout the United States in protests, marches, rioting, and other demonstrations of civil unrest. In fact, there were protests on an international basis over this act of deadly force. Its effects remain with us today.

On May 25, 2020, officers of the Minneapolis Police Department (MNPD) responded to a call of someone attempting to purchase items using counterfeit money. Four officers, Derek Chauvin, Thomas Lane, Alexander Kueng, and Tou Thao responded to the scene. George Floyd was identified as the subject of the complaint, and officers took him into custody. Chauvin was pictured in the incident with his knee on the back of Floyd's neck with Floyd face down on the ground and with his hands handcuffed behind his back. There is no report of Floyd's active resistance to arrest at the time. In fact, the video recordings of Floyd's arrest as well as statements of those nearby and observing demonstrate that Floyd cried out several times, "I can't breathe, I can't breathe!" Ultimately, Floyd lost consciousness and died from asphyxiation. All four responding officers were fired by MNPD the next day.

The death of George Floyd and the national outcry in the aftermath of that incident launched an investigation into MNPD by the US Department of Justice (USDOJ). The report concluded that "a pattern or practice of conduct that deprived people of their

rights under the Constitution and federal law” existed. It is beyond the scope of this brief article to present rebuttal of every allegation raised by the DOJ against the MNPD, or to respond to every example of reporting bias, “junk science,” and plain factual error and omission in the DOJ report. It is the intent of this rebuttal to respond to significant errors and statements of conclusions in the DOJ report. Beyond that, it is presented with the intention to give law enforcement administrators accurate information to give to line officers and personnel that might be discouraged by this report from continuing in an honorable law enforcement career by opting out into another profession.

Police commissions that investigate allegations of police misconduct are nothing new. The Wickersham Commission of 1929-1931 investigated, among other things, the use of pain compliance techniques by police to gain information on criminal activity during the Prohibition Era. The Kerner Commission of 1967 was initiated by then President Lyndon Johnson into the factors that led to racial unrest and rioting. Its report was issued one month before the assassination of Dr. Martin Luther King, Jr. on April 4, 1968. The Christopher Commission, officially known as the Independent Commission on the Los Angeles Police Department, was formed by then Mayor Tom Bradley after the Rodney King incident.

On April 21, 2021, just eleven months after the Floyd incident, the DOJ initiated an inquiry into the allegations of misconduct on the part of the MNPD. On June 16, 2023, the DOJ published its findings in an 89-page report. It stated, “The Department of Justice has reasonable cause to believe that the City of Minneapolis and the Minneapolis Police Department engage in a pattern or practice of conduct that deprived people of their rights under the Constitution and federal law.” (p.1)

The report found that MNPD uses excessive force, including unjustified deadly force and other types of force (pp.9-18), unlawfully discriminates against Black and Native Americans in its enforcement activities (pp.31ff), violates the rights of people engaged in protected speech as well as the media and press (pp.48-51), and discriminates against people with behavioral health disabilities when responding to calls for assistance” (pp.57ff).

The racial demographics for the City of Minneapolis are similar to those of the national average. (US Census.gov). For the purposes of comparison in this article, the City of

Minneapolis (425,000 population) is similar in size to the City of Atlanta (498,000). (It is 63% white/non-Hispanic, 18% black, 10% Hispanic, 6% Asian, and 1.3% Native American. The report begins with a social commentary that “not everyone in Minneapolis shares in its prosperity,” which is a curious commentary in the context of reporting on an alleged law enforcement problem. MNPDP has approximately 730 sworn officers and the DOJ report catalogs the department’s demographics. The body of the report states that “during our investigation, we heard from over two thousand community members... including family members of people killed by MNPDP officers. We also interviewed dozens of MNPDP officers, sergeants, lieutenants, field training officers...city leaders, ... local leaders...and participated in fifty ride alongs.” (p.10).

The major allegations of police misuse of authority are the unreasonable use of deadly force, (p.11), unreasonable use of non-deadly force in the use of Tasers (p.16), unreasonable use of non-deadly force open hand (p.18) the failure to intervene, (p.26), and the failure to review use-of-force incidents (p.28). In support of this allegation, the DOJ report lists the following:

- 7690 cases of bodily force. This is undefined in the report but appears to mean custodial arrests where law enforcement officers used some level of open-hand force to take someone to jail that did not want to go.
- 1660 deployments of chemical irritant
- 1039 instances of unholstering a Taser and pointing it at a subject
- 564 times a Taser was actually discharged at a subject
- 197 neck restraints
- 188 uses of less-lethal devices
- 19 total officer-involved shootings.
- 11,357 total incidents in the period of review

In all of this, the DOJ “determined that MNPDP officers routinely use excessive force, often when no force is necessary...often forgoing meaningful de-escalation tactics and instead using force to subdue people.” (p.11). Regarding the 19 officer-involved shootings, the DOJ concluded “although this is number is relatively small, a significant portion of them were unconstitutional uses of deadly force.” (p.11).



To provide context, the DOJ report reviewed data from MNPDP reports from January 1, 2016 to August 16, 2022, a period of 6.5 years. It is unclear why the DOJ selected this precise date range. During this time, the MNPDP handled approximately 1.2 million calls for service. This means that all the UOF incidents selected by the DOJ amounted to:

- Three times a day when someone was forcibly taken into custody
- Approximately once every other day that chemical spray was used
- A Taser was unholstered approximately once every other day and
- A Taser was actually discharged once every four or five days or so.

For our Association's purposes, again, all these incidents by comparison would be occurring in a city approximately the size of Atlanta. It is difficult to understand any meaningful definition of "routine" abuse of police authority given these numbers. To select one item, by the DOJ's own numbers, approximately half of the time a Taser is presented toward a subject, the subject complies to the officer's orders and deployment of the Taser is unnecessary. That is a classic example of de-escalation.

There are a multitude of failures in this report. As stated, the DOJ interviewed some 2000 people. In comparison with the total population, this means that DOJ representatives interviewed less than one-half of one percent of the population. There is no acceptable definition in social science where a sampling of .5% is sufficient for conclusive data.

As we know, a police officer's report and court testimony should be based on facts, not conclusions. Yet the DOJ's conclusion statements fill this report and are too numerous to repeat here. As we also know, conclusions of fact are the realm of a jury question.

One of the most damning omissions of this report is its failure to account for the numerous times that officers like Derek Chauvin were investigated in response to citizen complaints, but those investigations and resulting disciplinary actions were stopped by union representation.

What should law enforcement do in response to this report? We need to answer its allegations with facts, and we need to remove potential criticism of our profession. It is recommended that law enforcement executives:

1. Investigate every single complaint about police misconduct, no matter its source, and do so in a timely, expeditious manner.
2. Hold every single sworn personnel accountable for their actions.
3. Screen thoroughly in the hiring process, this is the single best gatekeeper we have.
4. Training. Counter the allegations of inadequate training with planned, career-path training.
5. Standards-Insist on standards regarding police interaction with the public. Random viewing of body camera footage is an excellent tool to this end.
6. Provide supervisory-based training BEFORE thrusting one into supervisory responsibility.
7. Accountability-deal with the aberrations and misconduct when they occur and with priority,
8. Engage the community. Have them in the hiring process, promotion process, citizen-police academies, and more.
9. Public transparency. Law enforcement actions are open to public scrutiny. Why not demonstrate transparency in all that we do, especially when we are in error.



*Michael G. Wilkie, is an Associate Professor of Criminal Justice and a retired Chief of Police. He is a graduate of the 207th FBI National Academy, 26th Georgia Law Enforcement Command College, and the 17th Georgia International Law Enforcement Exchange (GILEE) delegation as well as a NRA Firearms Instructor.*



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# EXCELLENCE IN ACTION

## ADDRESSING STAFFING SHORTAGES BY STREAMLINING THE HIRING PROCESS



In 2020, law enforcement agencies across the nation were impacted by the mass exodus of officers in response to perceived lack of public support, violent protests, and defund the police initiatives. The problem was compounded by the dramatic reduction of individuals expressing interest in becoming an officer. As a result, agencies were forced to dramatically reduce or eliminate some services and transfer personnel to line positions. While some agencies continue to use traditional recruiting and selection processes, others recognized they could not address this issue without reassessing and altering their approach to recruiting, testing, and hiring officers.

The Gwinnett County Police Department has an authorized staffing level of 930 officers. At the beginning of 2023, the department had 230 vacancies equating to a 24.7% vacancy rate. To address the issue, they established a goal to staff three academy classes of 40 officers by the end of the year. To accomplish this goal, the agency implemented enhanced recruiting initiatives as well as a streamlined testing and selection process. Internal Affairs Supervisor Lt. Kristopher Lawler explained that “being a police officer is a calling, most people would not endure what officers experience each day. Individuals seeking to be a police officer are going to take the first and best offer for employment. Shortening the time to hire a candidate enables the agency to get a pool of persons they would otherwise not be able to attract.”

**“Shortening the time to hire a candidate enables the agency to get a pool of persons they would otherwise not be able to attract.”**

It is important to note Gwinnett County Police Department is one of the largest agencies in Georgia and has substantial resources and provides more services than most other agencies. Still, any agency, regardless of its size, can effectively modify the recruiting and hiring processes Gwinnett County uses to efficiently recruit and employ candidates. To be successful, however, the initiative must be an organizational priority, everyone must work as a team, and there must constant evaluation/adjustments in the processes.

### ***Recruiting Initiatives***

Lt. Lawler noted, one of its best recruiting techniques is a full-time recruiter, who is supplemented by several part-time recruiters. The full-time recruiter travels to more than 35 colleges and military career fairs around the southeastern United States. This continued presence has led to developing relationships over multiple years. As a result, the department has persons submitting applications who have been talking with the same recruiter for the four years they were in college.

Many agencies have found incumbent officers are the best recruiters. To engage every employee in the department with solving the staffing issues, the agency provides employees a bonus for each person they refer who is subsequently hired. The employee is paid \$1,000.00, with half, \$500.00 being paid at the 6th month of employment and the remainder \$500.00 being paid (at one year of employment). Employees can be compensated for recruiting up to five officers within the year for a total of \$5,000.00.

The department also utilizes a variety of other strategies that are continuously evaluated. For example, several internet job sites are utilized, but some have proven to be more effective than others. The County also entered an agreement for electronic billboards to advertise hiring events. Since the electronic billboards are used across the Metro-Atlanta area, this initiative has consistently attracted candidates from outside Gwinnett County to submit applications.

Television and radio advertisements have proven to be effective, but with inconsistent results.

### *Hiring Events*



The department attempts to host 12 to 14 hiring events a year, with one-half of these being held outside of Georgia. Some of the local events are conducted jointly with the fire service. Out-of-state locations have included Miami, New Jersey, Philadelphia, and Hilton Head. After they had a number of applicants fly from Puerto Rico to Miami to participate in a hiring event, the department scheduled an event to be held in the U. S. Territory.

It was noted events in the northeast tend to draw more candidates than other areas. Agencies in those areas are required to pull from state-wide civil service exam lists. As a result, very qualified candidates may have to wait several years before they are hired by an agency.

When planning the hiring events for the upcoming year, the schedules are created by October and refined in November and December. Even then, the schedule must be adjusted for a variety of reasons, such as on-site logistics.

Hiring events scheduled in other states require substantially more planning and are usually locked in six months in advance. Typically, 10 persons travel to out-of-state events. Everyone flies together to the venue with the exception of individuals who drive vans with all the required supplies and equipment (i.e. obstacle course, documents, computers, supplies). Interviews are done via video conferences.

**Registration** - The department schedules appointments for registered candidates to around 12:00 p.m. Candidates who register for a recruiting event bring a fully completed background booklet and successfully pass the required tests can walk out of the hiring event within 1 ½ to 2 hours with a conditional offer of employment.

Walk-in candidates are accepted at each of the events. If they do not have anything prepared prior to their arrival, it may take four to five hours to complete the process. In some cases, walk-in candidates are provided a background booklet during the orientation and run through the various testing procedures. The candidates can deliver completed background booklets 24 hours a day by placing them in a drop box located at the police department.

As applicants arrive, they are registered, photographed, and provided a folder with paperwork that must be completed. Officers/recruits are used to help candidates transition between the different positions.



**Orientation** - Candidates are led to an orientation where they are provided an overview of the department, benefits of employment as well as the various processes they must successfully complete. If a person fails at any stage in the selection process, they are removed. The individual can, however, reapply to participate at another time.

**Backgrounds** – At this stage, investigators conduct a preliminary criminal history check and a brief interview regarding drug usage and other issues that conflict with established hiring standards and would restrict them from moving forward. Persons who do not comply with the proscribed requirements are released until they are able to comply (i.e. time period since drug usage).

**Physical Agility** – Each candidate must complete the state-mandated physical agility course for entrance into the basic academy. Small groups are given an orientation of the course. After the walk thru, each candidate must successfully complete the course within 2 minutes, 6 seconds.



**Interview** – Typically, there are five interview rooms with at least two officers conducting interviews. One of the interviewers is from the internal affairs/recruiting unit. As persons arrive for the interview, they sign the register to ensure persons are taken in the order of their arrival. This ensures candidates are interviewed in the same order they arrive at the *station*.

**Conditional Offer of Employment** – Partners from Gwinnett County Human Resources are on-site to verify the individual successfully completed each exercise. If so, the candidate is offered a conditional offer of employment.

### **Post Conditional Job Offer**

Once a candidate is provided a conditional job offer, they must successfully complete:

- Polygraph Exam
- Medical Exam
- Psychological Exam
- In-depth Background Investigation, and
- Georgia POST Academy Entrance Exam.



This period typically takes approximately three months. For candidates who were offered conditional job offers during out-of-state hiring event, the County contracts with qualified personnel to perform the exams in that area.

As soon as a candidate is offered a final job offer, they are immediately brought on-board. During this time, newly hired persons are assigned to assist in a variety of locations within the department, such as evidence, fleet, training, and dispatch. In addition, they are required to do physical training as well as a couple of ride-alongs (if time permits). They are also provided additional training to help them identify what to expect when they attend the academy.

Once assigned to an academy class, each candidate must complete 24-week basic academy training followed by a 12-week field training program. The officers must also complete a 24-month probationary period.

### *Insights*

The team continually evaluates the processes and takes steps to streamline activities. As the department hosts different events, they identify new ways to improve the process.

- The events are scheduled for 8:00 a.m. to 4:00 p.m. Applicants who make a reservation are scheduled to arrive before 12:00. Staff typically stay on-site to 6:00 p.m. to complete the processes for walk-in candidates.
- Staff participating in the hiring event are notified of the event dates as far out as possible so they can make appropriate plans including childcare, family events, etc.
- Sworn officers and recruits are assigned to lead candidates as they move from one station to the next. All staff working the event are paid overtime.
- Because events may include candidates applying for different positions, such as police officers or emergency dispatchers, the individual is provided a folder that is color coded for the type of job they are seeking. This enables staff to immediately know what job the person is seeking and more efficiently guide them to the next station or to address an issue.

- When designing the flow between stations, it is important to locate stations as close as possible and in a linear design that minimizes back and forth movements. In addition, as some stations become backed up with surges, staff are transitioned to different posts to reduce the times at each event.
- Registered candidates are scheduled to arrive throughout the morning and early afternoon to manage flow of candidates, minimize the time required for candidates to be on-site, and avoid overwhelming staff working the different exercises.
- Initially, the department utilized six officers on the interview panels. To reduce the number of staff required to operate the selection process, the panels were reduced to a minimum of two officers. While three officers may be used if available, they can expand the number of panels by pulling these individuals into separate interview rooms. To ensure the interview follows approved processes, one person from the recruiting/internal affairs unit is assigned to each panel.
- It is important to note the department has not compromised its standards. Each candidate must successfully comply with established hiring standards.
- Candidates who are recruited from out-of-state locations are encouraged to travel to Gwinnett County to visit the area and meet with staff on-site. In addition, agencies in the northeastern United States are provided higher wages. Potential candidates often note the disparity in the salaries. To overcome this, the staff provide a breakdown in the differences in the cost-of-living. For example, they can obtain larger houses and apartments for what they must pay in the northeast. Income and property taxes are much lower. Officers are provided a take-home car, which is not commonly offered in the northeast. Also, the Gwinnett County School System is considered one of the best in the nation.

In closing, serving as a police officer is a calling. An overwhelming majority of law enforcement agencies are searching for quality individuals who compose a very small pool of interested candidates. Any agency, regardless of its size and resources, can modify and tailor the processes used by Gwinnett County Police to their specific needs, capability, and environment. To successfully recruit and employ the best candidates, agencies can no longer utilize extended hiring processes that take long periods of time to complete. Failure to streamline the employment processes, make recruiting and hiring an organizational priority, and aggressively employ multiple and aggressive recruiting strategies will simply result on-going mediocre results.





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## TASKED WITH ENDING A DOUBLE TRAGEDY

>> By Serving Those Who Put Themselves in Harm's Way



Nathan Wells

The mass casualty of 414 First Responders killed in the line of duty on 9/11 shed light on the fine print buried in their insurance policies. These policies denied or delayed payments for exclusions such as “Acts of War,” “Acts of Terror,” “Hazardous Duty,” and “Line of Duty” — the last two of which could affect First Responders every day. The First Responder Task Force (FRTF) was founded in response to this double tragedy, with a mission to serve those who put themselves in harm’s way. Since inception in 2010, FRTF has been driven to prevent the devastation of First Responders’ families struggling to receive benefits.


For over a decade, FRTF has been partnered with the Armed Forces Benefit Association (AFBA) — a non-profit member benefit association that was created in the basement of the Pentagon and has covered our nation’s Military since 1947. Through AFBA, this specialized coverage - once only accessible to Military personnel - was extended to First Responders after 9/11. Fast-forwarding to 2023 — the First Responder Task Force is AFBA’s “boots on the ground” and exclusive distribution channel ensuring First Responders and their families have access to no exclusion, no restriction survivor benefits.

The strength of their partnership comes from their joint unwavering commitment to provide peace, certainty, and security to those who deserve it most. Under the shared mission of serving those who put themselves in harm’s way, they’ve covered more than 500,000 First Responders and their families across 7,000+ agencies nationally. The vision of the First Responder Task Force is to reach hundreds of thousands of First Responders year-in and year-out.

### *FRTF Testimonial*

"It was September 17, 2021. Lt. John Stewart was responding to an assistance call, for someone who was in a vehicle chase. He then exited his vehicle and tried to divert the vehicle away from two individuals who were out in the yard. The driver turned his vehicle toward Lt. John Stewart and struck him head-on. When that call was made from a representative from the Task Force, I calmed down. The first thing they said was, 'First of all, we're sorry for your loss. This is how we're going to help!' The First Responder Task Force has my recommendation." – Chief Joseph Cooper, Lake City Police Department.

When serving an agency, FRTF's first task is to provide every eligible First Responder with a \$5,000 survivor benefit at no cost to the individual or the agency – paid for and provided by AFBA. This benefit is in force 24 hours a day, 7 days a week, on or off duty. All sworn, non-sworn, paid, volunteer, administrative, reserve, and other department personnel are eligible for this \$5,000 survivor benefit.



"We believe that behind every uniform is a life, every life has a story, and how we impact that story matters to us."

– Joseph Caldwell CEO of FRTF

FRTF's second task is to brief the agency regarding the additional survivor benefits now available to First Responders through AFBA. "Our job is to educate & inform, not to sell. If someone needs additional coverage, great, and if they don't need it, great. Either way, our job and commitment is to serve the First Responders in that agency with the \$5,000 benefit they deserve, issued at no-cost." – Joseph Caldwell, Chief Executive Officer, FRTF. Their commitment is evident, as over \$1,000,000 from these benefits have been carefully allocated to families who have suffered a tragic loss.

While FRTF's vision is to reach every First Responder in the nation, the sad reality is that LODDs will occur before they're able to reach all of them with AFBA survivor benefits. Many times, this leaves their families financially vulnerable when tragedy strikes. When the founders of FRTF recognizing this gap, it led to the creation of the First Responder Benefit Association (FRBA). It was founded by FRTF to fill that gap of financial hardship that can often burden families of fallen First Responders. The First Responder Task Force funds ALL of FRBA's administrative and operational expenses so that 100% of public donations go directly to aiding those families. To-date, they've hand-delivered over \$320,000 to hurting and mourning families across our nation. With an average of 21 First Responders perishing every month, their impact has just begun.

### ***FRBA Testimonial***

"FRBA helped us financially, tremendously. We met them not knowing that we would receive a donation. Without that contribution, we would have had to completely uproot our lives and change our living situation and how we went about our everyday lives. It would have drastically affected our future." – Cat Jumper, Beneficiary and daughter of Sergeant Jumper

Agency leadership can learn more about the First Responder Task Force, the resources available to their LEO personnel, and the next steps to being served with the \$5,000 no-cost survivor benefit on their website – [www.FRTF.us](http://www.FRTF.us).



***Nathan Wells is the co-founder and Chief Development Officer for the First Responder Task Force (FRTF). [Nwells@frtf.us](mailto:Nwells@frtf.us) | 864-915-9592***

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Yet, law enforcement and other first responders – the very people who need the best technology – often have not had access to it.

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FirstNet is the nationwide wireless communications ecosystem designed just for first responders and those who support their vital efforts. It grew out of the devastating losses from the terrorist attacks of Sept. 11, 2001. The attacks exposed glaring weaknesses in our communications systems. Cell service was spotty. Countless emergency response teams could not communicate. And many first responders lost their lives.

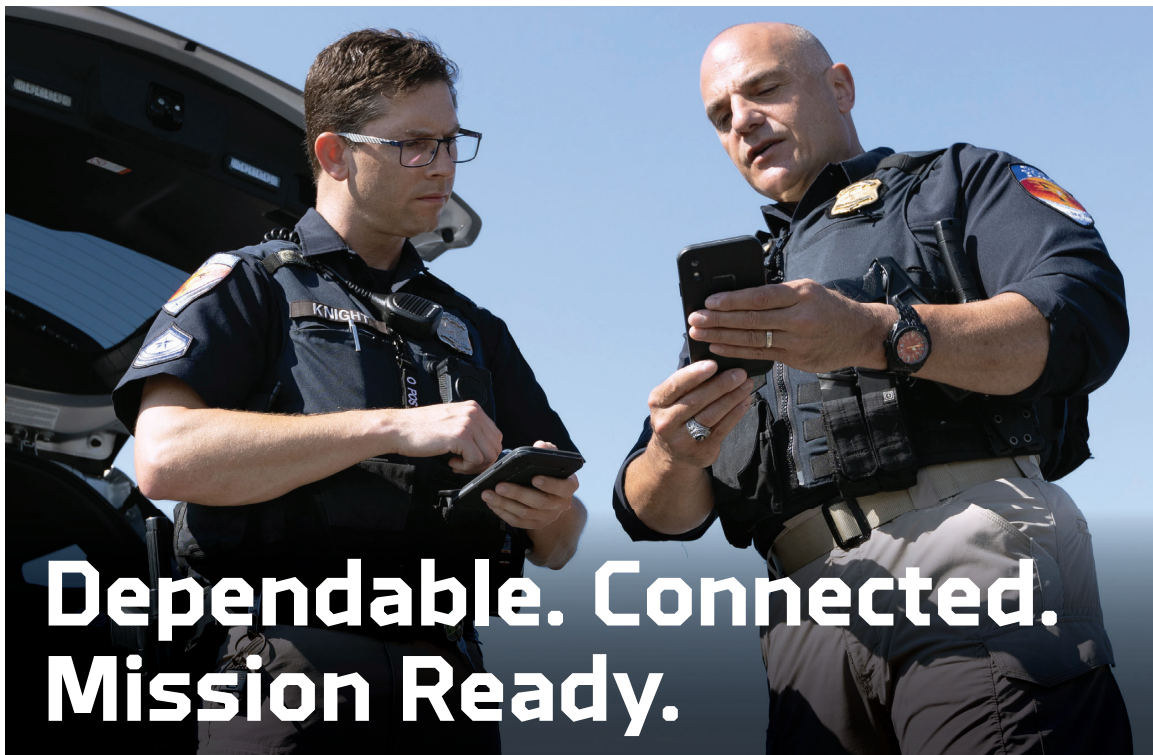
So, Congress created the First Responder Network Authority and charged it with building a nationwide dedicated broadband network – just for first responders. The First Responder Network Authority contracted AT&T to build and deliver this innovative ecosystem to give first responders access to the technology you need to keep your communities safe.

FirstNet is designed to keep first responders connected with the voice, text, data and video services you need. This includes prioritized connectivity and preemption capabilities, unprecedented security and a commitment to expand rural coverage. So, you can focus on what's important.

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- **Reliable coverage** – when and where you need it. More first responders rely on FirstNet than any other network for reliable connectivity<sup>1</sup>.

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- Response Communications Vehicles

### *RESPONDER WELLNESS*

FirstNet has gone beyond its commitment to build a network for public safety by creating the FirstNet Health and Wellness Coalition (FNHWC) to help support the readiness of America's first responders.

The goal of the Health & Wellness Coalition is to identify critical first responder health and wellness priorities. The group consists of over **2 dozen** public safety organizations representing over 100 responders. Together, the group is working to develop targeted strategies to support first responders, collaborate on solutions, share best practices and lessons learned to help support the health and wellness of first responders and those

who support them.

This includes the ROG the Dog animal-assisted therapy program, launched through a collaboration with Global Medical Response, to support public safety on the front lines. It consists of a group of more than 30 trained Labradoodles that specialize in animal assisted therapy for first responders. Agencies on FirstNet can request a therapy dog in the same way they request a network asset from the FirstNet fleet. And just like the fleet, the dogs are available at no additional charge.

First responders put their lives on the line every day to help others. And they deserve to have access to the latest technology. Our goal is to unite every first responder together on one reliable, highly secure wireless platform. So, first responders and those who support them can have access to the tools they need – when and where they need them.

*1 Coverage not available everywhere. Based upon AT&T analysis of 3rd party data.  
2 As of April 20, 2023 release*



***For more information Contact Kelley Adley, visit [FirstNet.com](https://www.firstnet.com) or reach out to your local FirstNet principal consultant.***

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# OFF DUTY MANAGEMENT

*Built By Officers For Officers*



## THE EXPERTS IN OFF-DUTY

Many officers and agency leaders are unaware of the physical, financial, and legal risks of working off-duty jobs.

- Vendor Pay Delinquency
- Insufficient Liability Coverage
- No Workers' Compensation
- Working Excessive Hours
- Double Dipping

*"I don't have those late night phone calls... They just log in, request three officers, and it automatically goes out."*

– Chief Michael Soelberg  
Gilbert, AZ PD

[OffDutyManagement.com](https://OffDutyManagement.com)





The job of a law enforcement officer is often stressful, demanding, and dangerous. The lifestyle and culture of law enforcement affects more than just the officers. Spouses, partners, parents, children, and companions of law enforcement officers play an integral role in an officer's health. Just as your mental and physical wellness on the job is important, your financial health is equally as important.

As of late last year, two-thirds of working adults said they are worse off financially than they were a year ago, according to a report by Salary Finance.

### ***FINANCIAL WELLNESS***

Financial wellness comes about when you have a plan that enables you to build resilience and thrive financially.

According to a 2020 Community Oriented Policing Services study from the U.S. Department of Justice, law enforcement officers across eleven different police departments showed improvements in performance, attitude, and general well-being when they took advantage of financial wellness services.

Below are several things to consider so that you and your family are financially stable and thrive for generations to come.

### *BUILD AN EMERGENCY FUND*

- Could you come up with \$2,000 within a month if an expected need arose?
- Do you agree that you have too much debt right now?
- Have you set aside funds that would cover your expenses for at least three months?



Saving money can be a challenge but having money for emergencies is crucial. Pay yourself first. Have a portion of your paycheck direct deposited into a savings account with a goal to save three to six months of expenses in case of an emergency.

Set financial savings goals. Have a vacation coming up? Need a new car? Making a major purchase? Calculate how much you will need to save and when you need the money this will help you know how much you will need to save each month to reach your goal.

### ***PRIORITIZE YOUR SPENDING***

Overspending can be easy to do in a culture where credit is the accepted norm. Being conscious of your spending is central to maintaining a healthy budget. Start by creating a spending plan. When creating a spending plan, prioritize your expenses into categories such as:

- Fixed expense such as rent or mortgage
- Flexible expenses such as utilities and groceries
- Savings to reach your savings goal, even if you start with a small deposit
- Extras like vacations, date nights, and activities with the family

Challenge yourself to track every purchase for one month to see exactly how much you spend per week. You might be surprised how much you spend on items that can be scaled back or eliminated giving you greater flexibility with your spending plan.

### ***KEEP TABS ON YOUR CREDIT HISTORY***

It is important to know how your spending habits may influence your credit history. Visit [AnnualCreditReport.com](https://www.annualcreditreport.com), a trusted “one-stop-shop” to check your credit reports from Experian, Equifax, and TransUnion– the three industry-standard credit bureaus.

Keep tabs on your credit score. Credit scores range from 300 – 850. The average score in the United States is 700. Your credit score is calculated using several variables to determine your credit risk. Each piece of a credit score carries a weight and influences your overall score.

- 10% Credit Mix: Your mix of credit cards, retail accounts and loans
- 35% Payment History: Your history in paying past credit accounts
- 30% Amount Owed: Your amount owed on credit accounts
- 10% New Credit: Opening several new credit accounts in a short period of time may represent a greater risk
- 15% Length of Credit History: The length of time since you last used a credit account



### ***MONITOR YOUR DEBT***

Salary Finance reports that:

- Nearly 8 in 10 adults in the U.S. have debt
- Seventy-six percent of people in the U.S. live paycheck to paycheck
- The average household in the U.S. owes more than \$135,000 in total debt, including mortgage, auto loan, credit card, and student debt

Debt is another critical component of a spending plan and a significant contributor to financial wellness. Not all debt is bad. Many of us cannot buy a house or car without taking on some debt. These debts can be an investment in your future. However, it is vital to evaluate the amount of debt you are capable of handling and how long it will take you to pay off the debt.

### ***REDUCE YOUR DEBT***

A heavy debt burden can impose financial risk. While you may be able to sustain a higher level of debt and a comfortable lifestyle, economic shocks can potentially place a heavy strain on your spending plan, especially in the absence of savings.

- Pay off debt with the highest interest rate first to avoid paying more than necessary
- Pay more than the minimum payment if possible
- Set payment goals and celebrate when you reach a milestone
- Evaluate the benefits of consolidating debt- you may be able to get a lower interest rate by consolidating your debt, allowing you to lessen overall debt sooner than later

### ***THE PATH TO FINANCIAL WELLNESS STARTS HERE***

At Justice Federal, we realize life has its ups-and-downs. An unexpected financial setback can make it feel like your world is caving in around you.

Our partner, GreenPath Financial Wellness, is a trusted national nonprofit with more than 60 years of helping Members build financial health and resiliency. As a Member of Justice Federal, GreenPath's services are confidential and complimentary.

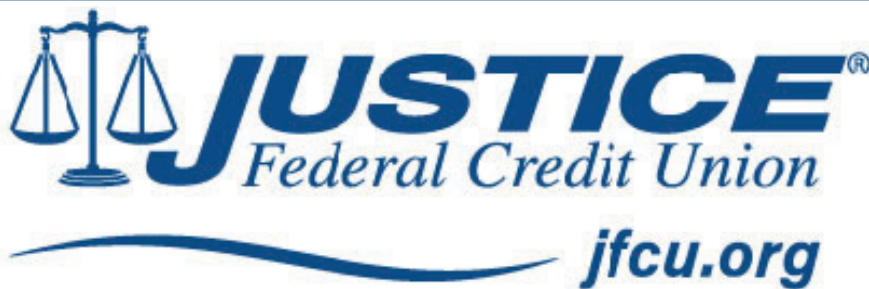
No matter what your goals may be, GreenPath can help you take control of your day-to-day financial choices to create more opportunities for achieving your dreams. Connect with a GreenPath Counselor today by calling 877.337.3399.

### **JOIN WHERE YOU BELONG**

Justice Federal has been proudly serving the justice and law enforcement community since 1935. We look forward to welcoming you and your family to our Justice family. To join or learn more about our products and services, visit us online at [www.jfcu.org](http://www.jfcu.org) or call 800.550.5328.



*As President and CEO of Justice Federal Credit Union, Mark L. Robnett leads a financially strong credit union with assets of over \$964 million. The Credit Union serves nearly 63,000 Members of the justice and law Enforcement community, with branches in the Washington, DC metropolitan area, as well as Los Angeles, Atlanta, Chicago, Miami, New York, Texas, Virginia and West Virginia.*



For more information about products and services to help you achieve financial wellness, visit Justice Federal Credit Union online at [www.jfcu.org](http://www.jfcu.org), call 800.550.5328 or email [jfcu@jfcu.org](mailto:jfcu@jfcu.org).

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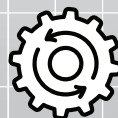
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## THE BLIND SPOTS OF OFF-DUTY PROGRAMS

Greg Porter

### *PROTECT YOUR AGENCY FROM THE OFF-DUTY BLIND SPOT*

Ongoing controversial media headlines connected to off-duty job incidents surface every week. Protecting your agency is prudent in the current social climate. If an officer from your agency was involved in an off-duty job incident, would you be able to answer the following questions quickly?

*What company was the officer working for?*

*Where was the officer at the time of the incident?*

*Will the officer be covered by liability insurance or workers' compensation?*

If providing accurate answers to these questions is difficult, your agency may be vulnerable to "The Off-Duty Blind Spot." This article briefly reviews the issues typically associated with "The Off-Duty Blind Spot" and how to alleviate and manage these types of problems for your agency.

### *LACK OF ACCOUNTABILITY & TRANSPARENCY*

Without the ability to enforce policies and procedures that govern off-duty employment, many agencies across Georgia may experience a lack of control which puts officers and agencies at risk. Common agency issues often include working too many hours within a 24-hour period, collecting pay for jobs not worked, and no pay (or paid late) for jobs. Off-duty problems may also include inequitable distribution of secondary job opportunities and insufficient managerial oversight.



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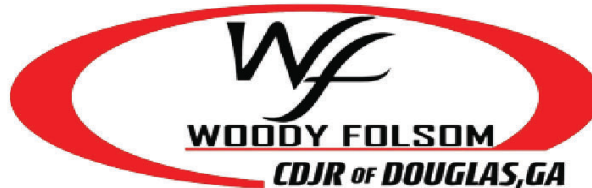
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## OFFICERS DEMAND SUPPORT. THE PUBLIC DEMANDS ACCOUNTABILITY.

>>How Do Police Chiefs Respond?

Law enforcement is facing a leadership crisis. In a recent national survey of more than 2,300 law enforcement officers, only 7% of respondents said they would recommend the job to others. Anti-law enforcement sentiment in certain communities certainly contributes to this view—63% of respondents said the “presumption that police are wrong” is one of the least satisfying elements of working in law enforcement. But a nearly equal percentage (60%) cited poor agency leadership. And more than half said their agency puts public perception before concern for its officers.<sup>1</sup>

Police chiefs, of course, answer to more than just line personnel. You must strike a delicate balance, navigating political waters, taking on challenges from community advocates with big platforms but little knowledge of policing. In many communities, trust in law enforcement is frayed—a recent Pew Research Center study revealed nearly one-third of U.S. adults have little or no confidence that police will act in the best interests of public.<sup>2</sup> While support for funding the police has largely rebounded, nearly two-thirds of respondents say police agencies are not doing a good job of ensuring officers use the right amount of force, treat racial and ethnic groups equally, and are held accountable when misconduct occurs.<sup>3</sup>

Put simply, police chiefs are caught in the middle. Their personnel feel unsupported to meet the challenges of the job and abandoned when crisis hits. And their constituents feel left out of police policy decisions and unable to hold officers accountable to behavioral standards.

Fortunately, the strategies that work to support frontline personnel also support community expectations for police: develop and maintain fair, constitutionally sound policies, reinforce those policies through contemporary training, and develop a culture of officer wellness that improves officer resiliency and decision-making.

### *How Policy Plays a Role*

Ask the average officer what they need to feel supported and “more policies” probably won’t be high on the list. But in fact, policy plays a critical role in delivering on the expectations of both line personnel and community members.

Policies support officers by laying out clear expectations and creating a foundation for fair and unbiased treatment. While the old-school policy manual typically gets a bad rap among officers, at Lexipol we’ve found three keys to engaging officers with policy. First, make it practical and written to their level. Second, make it accessible. Ditch the three-ring binder. Use technology to put the policy manual in the palm of your officers’ hands—searchable and accessible anywhere, including on the side of the road when they’re alone and unsure what to do. Third, train on policy—but in small bites, with engaging scenarios that ask the officer to apply one part of one policy to a real-world situation. At Lexipol, we call these Daily Training Bulletins, and we often hear that officers love them because they can so easily relate to them.

Sound policy management is equally important to fulfilling community expectations and supporting the needs of your residents. When you use Lexipol’s Law Enforcement Policies and Updates system, you’ll always stay up to date with the latest federal and state legislation. So as community expectations around policing change, you will be in line with those changes. Policy transparency is also key here. Sharing your policies—when they’re up to date, well-written and constitutionally sound—builds community trust and helps residents understand exactly what’s expected of the officers they encounter on the street. Sharing policies with your community members can also help them start to understand the complexities of law enforcement and the huge burden of decision making that goes into so many police/community interactions. The more they understand, the less judgmental they will be. And that in turn helps your officers to feel supported.

### *Training Is Critical Too*

With effective policies in place, your agency has a strong foundation. But many decisions

officers make are outside the scope of policy—which can leave them feeling unsure of what to do. It also creates the potential for community distrust when they look for specifics in policy and don't find them.

This is where training comes in. Officers must stay up to date on emerging technologies, evolving threats and changing community expectations. They must learn and practice de-escalation tactics, refine their investigative skills, and develop comprehensive understanding of legal concepts such as search and seizure, procedural justice and anti-biased policing.

**A robust and effective training program will lead to better officer decision-making in the field.**

For many agencies on tight budgets, online training is a cost-effective way to cover many of these subjects and address basic training requirements (e.g., sexual harassment, bloodborne pathogens), leaving more of the training budget for high-quality in-person training on more advanced topics. Lexipol's PoliceOne Academy is a full-fledged online learning management system (LMS) that helps officers develop their ability to think critically, both on the street—with courses such as Addressing Homeless Populations and Crisis Intervention in Dealing with Mentally Ill Subjects—as well as in the station, with courses such as Ethics, Social Media in the Workplace and Performance Management.

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Wellness is one of the hottest topics in law enforcement today, and for good reason. Studies show officers experience high rates of post-traumatic stress but are reluctant to ask for help because they fear repercussions for their career. Relationships, personal finances and physical health all suffer as this stress goes untreated. And too often, burnout and cynicism result—which can lead to officers leaving the profession or, if they stay, a lack of empathy and tendency to use excessive force.



Put simply, a comprehensive wellness program is no longer an option for law enforcement agencies—it's a necessity. Lexipol's Cordico wellness solution is built to help agencies develop a culture of wellness. Cordico is a mobile app featuring a complete range of self-assessments as well as continuously updated videos and guides on more than 60 behavioral health topics—all designed specifically to help officers develop healthy habits, strengthen personal relationships and improve resilience. The app includes critical crisis response resources but also goes beyond, with guidance to support physical and mental health and lifestyle management. Perhaps most important, the app is 100% anonymous, so officers feel safe accessing the resources.

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As a police chief, your job will always be complex and difficult. But you don't have to choose between supporting your personnel and meeting the expectations of your community stakeholders. With the right policies, training and wellness resources in your place, you can do both. If you're interested in learning more about how our solutions can help support your officers and your community members, contact us today—and ask about special member savings for Georgia Association of Chiefs of Police members.

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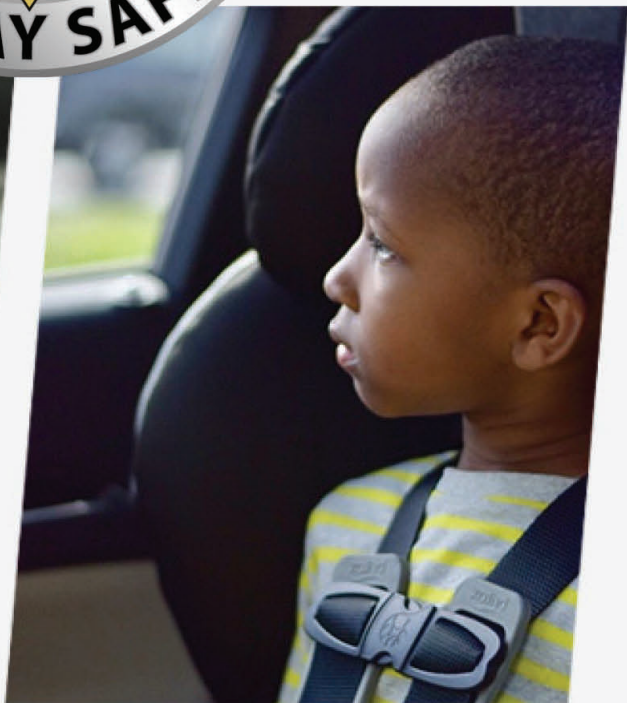
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# Harbor of Grace

## Enhanced Recovery Center



A Comprehensive Addiction Program

**A National Wellness Center for Law Enforcement and First Responders**



### Unified communication platform

In a world full of misinformation and half-truths, it's more important than ever for police officers to communicate with each other and the larger community effectively.

Our UCP solution streamlines communication between law enforcement agencies and their communities, keeping the men and women in blue safe by providing them with the information they need at their fingertips.

At the same time, citizens get instant access to important information about their communities.

Officers and citizens can access the UCP through a downloadable mobile app for iPhone and Android. Agencies manage messages and distribution via a secure back-end dashboard.



### Benefits for law enforcement

Our UCP bridges the growing gap between law enforcement agencies and the general public. Citizens can quickly receive messages about their communities, such as

- 📌 Road closures
- 📌 Weather alerts
- 📌 Safety information
- 📌 Missing pets
- 📌 Missing persons
- 📌 Other relevant information

### Benefits for citizens

Citizens can also use the UCP to access critical information about their police departments, including:

- 📌 Meeting the chief of police
- 📌 Accessing different departments
- 📌 Finding information about wanted criminals
- 📌 Searching for jobs
- 📌 Learning about local crime trends

### Current features

#### 📞 Instantly connect citizens with the police

Citizens who need to reach someone in law enforcement can use the app to contact the right person in the right department directly. All contact information for departments is located in one location within the mobile app.

#### 🗨️ Citizens can provide tips to solve cases

Citizens can report anonymous tips or offer their contact information, GPS coordinates, photos, and other relevant information to help police solve cases. Police departments can enable incoming leads from the public on specific categories to be automatically relayed to patrol officers if needed.

#### 📁 Streamline internal communication

The police department can create teams and securely broadcast information to individual officers or teams. Templates are available that can be reused as needed.

#### 📄 Hold officers accountable

Read receipts are available for compliance reasons. These ensure officers are held accountable for acting on the information they receive.

#### 🔒 Secure

Multiple layers of security ensure that all information transmitted through the app is 100% secure.

### Contact

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