

Professional Police and Centripetal Accreditation

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In the popular television series *The Wire*, a Baltimore cop named Jimmy McNulty boasts, “A patrolling officer on his beat is the one true dictatorship in America.” For McNulty, police officers answer to no one but themselves. They do what they need to, whether shirking from work they don’t value or relentlessly pursuing targets that don’t matter to anyone else. McNulty sees himself as his own boss. So what would he say if the Baltimore Police Department became accredited by a national organization that requires agencies to comply with four hundred and sixty-three explicit directions, submitting detailed proof of compliance along the way? The Commission on Accreditation for Law Enforcement Agencies (CALEA) offers just that, and despite the substantial investment of time and money that the process requires, dozens of agencies voluntarily sign up every year. It seems the McNultys of American police departments never made it very far up the chain of command.

CALEA issues a challenge to traditional models of police administration. It contends that an outside body, drawing on years of accumulated experience and expertise, can provide a more effective managerial model than whatever an agency develops on its own. Although it costs thousands of dollars to become accredited (depending on agency size), many law enforcement executives choose CALEA without any kind of legislative mandate. A list of written standards constitutes the core of the program, and a CALEA appointed group of assessors ensures adherence to them through the process of reaccreditation. Every agency that becomes CALEA accredited is held to these standards; they must provide “proofs” of compliance if they hope to become reaccredited. This kind of testing is meant to have a substantive effect on the day-to-day business of a department, since complying with CALEA standards means the proactive

creation of new written directives. While departments have typically created new directives as the result of emerging problems (reactively), CALEA attempts to prevent problems from occurring in the first place, by drawing on the varied experiences of a wide range of law enforcement executives.

This shift toward proactive policing parallels the historical development of law enforcement in its reform era. When the positive pursuit of order maintenance, efficiency, and community policing replaced subservience to local political entities, police departments found more scientific and professional ways of managing themselves. By exploring the historical ramifications of past police reforms, the organizational consequences of accreditation will become more apparent. CALEA also represents the first time that a non-profit corporation, distinct from any branch of federal government and unaffiliated with any popular movement, has become central to the development of law enforcement protocol. More than even major Supreme Court decisions, modernizing reformers, or new policing trends, CALEA guides an agency's standard operating procedure with explicit direction.

Reformers of the past used the word "professional" differently from the Commission, which also explicitly invokes the term. In promising that accreditation "facilitates an agency's pursuit of professional excellence," CALEA appeals to a certain notion of belonging to a select group of practitioners that is bigger than any one agency, as well as tapping in to the reform era legacy of efficiency and a clear chain of command (CALEA 2007). Although only chief executives decide to undergo accreditation, the interconnected pursuit of innovation that drives CALEA's program allows the Commission to claim that affiliated agencies are more professional overall than those that

aren't accredited. This study will explore the contradictions inherent to this kind of bureaucratic professionalism, considering whether CALEA can really have its professional cake when only executives are doing the eating.

I will show that accreditation's organizational and procedural impact is best described as "centripetal:" its central pull comes from innovative policies developed by a large group of experienced practitioners (Teodoro 2007, 60). While no single authority controls accredited departments, these agencies freely converge toward the broadly accepted processes included in assessment. Attendance at national conferences, the experience of assessing other departments, and democratic policy formulation are each a part of the centripetal force of accreditation. The structure of accreditation is comparable to contemporary professions, where individuals act in accordance with an outside group of practitioners – the differences, however, hinge upon which people hold the ability to act.

I contend that CALEA's accreditation program emphasizes executive professionalism as a means toward centripetal policymaking: by decentralizing reform through an optional professional network, innovative departments are able to share widely supported policies, while the role of subordinates never comes into question. I will consider CALEA's place in the history of police reform and how it uses two meanings of the word "professional" to appeal to law enforcement executives. I argue that executive professionalism allows police agencies to enjoy the benefits of centripetal innovation without disrupting the chain of command, but only if the department adopts the reform era's "professionalism" of hierarchal allegiance. Police accreditation is not compatible with workplace democracy because the policies it generates come from

executive practitioners only. At the same time, however, accreditation helps protect American democracy, both by proactively standardizing police policy and encouraging the adoption of effective innovations.

How Accreditation Works

In general, accreditation programs measure the ability of an institution to operate according to certain standards or expectations. Fred Pinkham (1955) describes a process of “setting standards” and then “judging the institutions in light of those standards, and publishing a list of the institutions and programs which are judged to comply satisfactorily with the criteria” (65). Accreditation is common in higher education, but newer organizations like the Center for Public Safety Excellence and the American Correctional Association have begun assessing other public institutions, such as fire departments and prisons.

CALEA was created in 1979 “through the joint efforts of law enforcement’s major executive associations” (CALEA 2007). These include the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriff’s Association, and the Police Executive Research Forum. According to David Carter and Allen Sapp (1994), CALEA was a response to “a recognized need for some type of policy-related initiative at a national level” (196). In 1973, six years before the Commission was founded, the National Advisory Commission on Criminal Justice Standards and Goals had “provided explicit language on goals and standards for the entire criminal justice system” (1994, 196). This early attempt to codify law enforcement standards coincided with a shared concern that “if [police executives] did not takes some form of action to institutionalize more controls, legislation would

occur that would mandate and monitor police activities” (1994, 196). The fear of congressional intervention prompted executives to create their own criteria for accountability. By engaging law enforcement executives through mainstream professional associations, the non-profit corporation gained legitimacy among connected departments and access to experienced administrators.

CALEA’s website lists the organization’s central objectives very clearly: “Strengthen crime prevention and control capabilities, formalize essential management procedures, establish fair and nondiscriminatory personnel practices, improve service delivery, solidify interagency cooperation and coordination; and increase community and staff confidence in the agency” (CALEA 2007). Although these goals are broad, they take substantive form in the standards manual, a list of 463 directives, policies, plans, and procedures. A typical standard reads, “22.3.2 A written directive describes the agency’s policy regarding general health and physical fitness for sworn employees” (CALEA 2006, 22-5). Every standard is followed by non-binding commentary – an explanatory note that clarifies what exactly would be expected for proof of compliance, “how you might do it,” to quote an assessor – and finally, a note detailing which size classification of agencies need comply. Flexible requirements allow CALEA to accommodate many different kinds of agencies: even departments as small as the Dunbarton, New Hampshire police department, with only three sworn officers, can become accredited. At the same time, a sprawling organization like the California Highway Patrol, comprising 11,156 personnel, is also CALEA approved.

The assessors that carry out both initial accreditation and reaccreditation (every three years) come from various accredited agencies. Because these officers come from

different states than the agency they assess, their analysis of the “proofs” is less susceptible to regional bias. Indeed, an experienced assessor described to me the advantages his own department enjoyed as he returned from an “on-site.” After observing several innovative procedures at a far away agency, he was able to relay similar policies to his own department, noting: “I bring a lot of stuff back to our organization.”¹ At least 29 regional Police Accreditation Coalitions also exist; non-profit corporations separate from CALEA that link all accredited agencies in a given geographic area. These networks and associations are critically important for the growth of executive professionalism, which depends upon personal contact and communication to stay relevant.

The History of Police Reform

Throughout the twentieth century, local politicians, the Supreme Court, and local communities each reshaped the obligations of American police departments. The results of these efforts show how conflicting priorities both strengthened and refashioned law enforcement administration, as well as the limits of police authority.

George Kelling and Mark Moore (1988) trace the development of law enforcement from a “political era” of ties between police and politicians through the “reform era” of 1930-1970, and eventually toward the era of community policing (2). Before the reforms, “American police derived both their authorization and resources from local political leaders, often ward politicians” (3). These police departments were entirely beholden to local officials, providing social services and maintaining a close reciprocal relationship, one that sometimes included electoral intervention (on behalf of incumbents). Police also “enjoyed the support of citizens,” serving as a delivery

mechanism for basic services and guardians of the political order. However, in the 1950's and 60's, administrative reformers who advocated "law, especially criminal law, and police professionalism" as the source of "police legitimacy" transformed police departments (1988, 5). The corruption, discriminatory practices, and a total "lack of organizational control" that characterized the political era were attacked (4). Scholars began to consider police discretion "lawless, arbitrary, and hence undemocratic" (Dubber, 2008, 116). Instead of a reactionary, decentralized police force whose legitimacy rested on political support, the reformers advocated bureaucratic hierarchy, legal authority, and crime control. In short, they sought to create a dependable, bureaucratic institution in the service of democratic ideals. Deciding whose ideals to serve was another matter.

David Sklansky (2008) follows a similar story. He shows that it was the Supreme Court, throughout the 1920's and 30's, which "began to confront the kinds of search-and-seizure issues that have come to constitute such a large part of criminal procedure law" (34). As surveillance and car stops became a critical part of policing, and the discretionary power of the officer grew, the demand for "police professionalism" also increased. The definition of "professional" is difficult to pin down when discussing police and I will return to the debate on its usage. For historical purposes, Sklansky's definition is adequate: "professionalism meant politically insulated police departments organized along hierarchal, quasi-military lines, with strong commitments to efficient operations, centralized command, technological sophistication, well-trained personnel, and high standards of integrity" (35). Keeping police and politicians separate was a critical part of reform, and it brought an end to Kelling and Moore's political era.

Efficiency, hierarchy, centralization, and training were the cornerstones of the new “reform era,” and the resulting institutions remained local but no longer partisan. It became an age of “scientific crime fighting” and “motorized patrol” (Skogan 2004, 131). However, while the administration and technologies of many law enforcement agencies changed, communities were also changing.

The reformers were guided by popular consensus, a concern that limited the extent of possible reform. While the Warren Court instituted the *Miranda* doctrine and the *Terry* rules, the decisions have been criticized “as more about symbolism than substance” (Sklansky, 2008, 52). A series of commissions were set up in the late 1960’s “to investigate the causes of urban riots and campus unrest,” but observers have characterized them as “exercises in pluralist political theater” (52). Most of all, however, demographic shifts, the war on drugs, and cultural changes each challenged police departments in new ways. Kelling and Moore put it bluntly: “the reform strategy was unable to adjust to the changing social circumstances of the 1960’s and 1970’s” (9). Since reform age innovation improved administrative hierarchy and departmental technology, police agencies had become better equipped to engage with typical law enforcement challenges. To an extent, however, they no longer knew what to expect. While squad cars were outfitted with the latest in radio technology, the foot patrol officers critical for maintaining order had been withdrawn.

The dawn of community policing brought the agency of the officer back into the equation. Although the reform era’s formalized chain of command ensured that the rules were followed, “problem solving is hardly the routinized and standardized patrol modality that reformers thought was necessary to maintain control of police and limit

their discretion” (Kelling, 1988, 10). As discretion became recognized as paramount to the actual work of policing, community support became the criteria for legitimizing the choices it allowed. Sklansky (2008) defines community policing as “the now ubiquitous set of arrangements through which police departments consult with groups outside law enforcement – with the police deciding when to consult, with whom, and about which subjects” (158). This marked something of a return to the political era; again local concerns became the primary police imperatives. But reforms had reduced the corruption and disorganization of the previous regime.

Now the police function was conceived as “order maintenance, conflict resolution, problem solving through the organization, and provision of services ... [it] emphasizes crime control *and prevention* as an indirect result of, or equal partner to, the other activities” (Kelling 1988, 11, authors’ italics). By decentralizing to a degree – allowing street level officers to participate as consultants in the development of new initiatives, for instance – community policing freed the flow of information. A decrease in bureaucratic barriers and greater “management by values” allowed officers to work according to “philosophical standards of behavior” (Carter 1994, 201). Focusing on “consultative” strategy making rather than top down direction seemed to make departments more responsive and effective (Kelling 1988, 13). Sklansky describes a “shift from police professionalism to community policing,” as part of the process of “reconciling law enforcement with the principles of a democratic society” (2008, 189). Indeed, many scholars were optimistic that community policing marked a step in the right direction for more effective law enforcement. At the dawn of the community policing era, Kelling and Moore claimed, “policing, which was moribund during the 1970’s, is

beginning a resurgence” (1988, 14). This newest reform, however, would not become a panacea for policing.

Community policing replaced the insularity of policy development in a closed agency with policy development informed by a closed community. Critics have pointed out that the concept rests on the notion that “communities exist, that they have coherent views and interests, and that law enforcement and the criminal justice system more generally, can and should reflect those interests” (Sklansky 2008, 86). The devil is in the details: deciding which parts of the community are capable of providing useful feedback, who speaks for whom, and who is being excluded are each serious challenges for even the most accessible departments. James Thatcher (2001) explains that “when police open new conduits” to groups in the community, they “unwittingly create the need for more complex strategies of practice, especially new strategies for responding to conflicting values” (793). Finding good strategies is difficult. Although community policing might appear to engage with a democratic public, its effective implementation requires especially foresighted administration.

Police accreditation emerged in the 1980’s partly to meet this need. As a non-profit corporation formed by various law enforcement executives, CALEA had the experience necessary to draft standards that would not merely return to the reform era’s deterministic centralization. Instead, accreditation returned only to “professionalism,” remaking the reformers’ tightly controlled hierarchy as a code of standards, meant to prepare officers to face any contingency. Accreditation emphatically demands that the agency find its own way through the program, and it relies upon national, centripetal associations rather than isolated, professional (in the historic sense) regimes. By adapting the reform era’s

proactive, rules-driven approach without a closed agency and its bureaucratic baggage, CALEA attempts to streamline and decentralize reform and innovation. Accreditation allows individual departments to reach others through the continual processes of re-assessment, attendance at CALEA conferences, and participation in the assessment of other agencies.

CALEA and community policing seem to mesh. In a study of police management, David Carter and Allen Sapp (1994) note “the respondents felt that neither management by values nor community-based policing were in direct conflict with accreditation” (203). By constructing a “positive guidepost, giving direction for organizational needs and accountability,” accreditation gives agencies the framework for meeting the needs of their communities (203). However, Carter and Sapp also highlight the important role of the agency, which must continuously reassess itself if the standards are to remain effective. Terry Gingerich and Gregory Russell (2006) concur, suggesting further, “the department wide team-effort of securing and maintaining accreditation produces a greater receptiveness among officers to a department’s general policies and procedures, including those associated with community policing.” The paperwork necessary for providing proof of compliance serve to familiarize officers with the rules in a deadline driven environment. Because the “on-site” assessment is essentially a test of the department’s success in implementing CALEA standards, subordinate officers are directly responsible for making sure the department earns a passing grade.

It would be presumptuous to claim that CALEA has ushered in a new “era” of American policing. While there are currently 601 accredited agencies in the United States, and an additional 152 in the process of self-accreditation, there are more than

17,876 police agencies in the country². Since CALEA emphasizes the fact that “Any police dept., sheriff’s office, DPS, state or federal law enforcement” can be accredited, it is clear that continued growth is an organizational priority (CALEA Hampton 2009). However, there is no legislative mandate to accredit, and agencies come to CALEA of their own volition. Thus everything is up to the executives; those who wish to join a community of like-minded practitioners are able to do so, but there is no mandate to begin.

On the Word “Professional”

Andrew Abbott (1988) writes that “the existence of a single, identifiable national association is clearly a prerequisite of public or legal claims” of “professional organization” (83). CALEA is national, and it maintains continued growth throughout America and the world. Like other professional organizations, CALEA follows the “formalities of professionalization – association, journal, code” with its conferences, monthly publication (*CALEA Update*), and code of standards (Abbott 23). But if the organization of CALEA mirrors that of the traditional professions (medicine, law and engineering, for example), its members might see themselves as different kinds of professionals.

A curious contradiction emerges when attempting to define police professionalism. David Sklansky (2008) writes that in the reform era, “by professionalism they emphatically did not mean that police officers should have substantial latitude to exercise trained judgment in matters of importance, nor did they mean that police officers should regulate themselves collectively in the manner of a guild” (37). When police professionalism was the rallying cry of reform, it never meant

any kind of autonomy for the officers. Loyalty to the chain of command was the hallmark of the police professional. But the reform era's definition of police professionalism does not have a contemporary counterpart. In his classic *Bureaucracy* (1989), James Q. Wilson argues that the professional is defined by adherence to "the standards of the external reference group," that is, the "organized groups of fellow practitioners located outside the agency" (60). For instance, an architect that adopts environmental friendly building practices in accordance with the priorities of The American Institute of Architects would be behaving as a professional. But if a cop allows a drug offender to escape because of the officer's private affiliation with NORML (the National Organization for the Reform of Marijuana Laws), his supervisors would call him anything but professional.

Wilson would call the reform era "professional" police officer the very definition of a bureaucrat, in that his "occupational incentives come entirely from within the agency" (60). Divergence from the strict chain of command and operating procedures that structure the agency would be the antithesis of reformist professionalism, though that is exactly the kind of latitude that Wilson's professionals might enjoy. To contrast the bureaucratic reform era agency with an association of labor market professionals, it is useful to consider Anthony Downs (1967) description of the key characteristics of bureaucratic organizations:

1. A hierarchal system of formal authority.
2. Hierarchical formal communications networks.
3. Extensive systems of formal rules.
4. An informal structure of authority.
5. Informal and personal communications networks.
6. Formal impersonality of operations.
7. Intensive personal loyalty and person involvement among officials, particularly in the highest ranks of the hierarchy. (49)

Down's list squares perfectly with the "hierarchical, quasi-military lines, with strong commitments to efficient operations, centralized command, technological sophistication, well-trained personnel, and high standards of integrity" that reform professionalism came to represent (Sklanksy 2008, 35). Of course, the discretion involved with the actual practice of police work can be difficult to resolve within the specificity of bureaucratic directives. When an officer's life is in immediate danger, it is unlikely that he or she will first consult the rulebook on how to proceed. Still, each of Downs' basic organizational propositions took shape in the administration of reformed police departments in the 50's and 60's. The only difference was that Downs called these kinds of agencies bureaucratic, while police departments preferred to call themselves professional.

Contemporary scholarship has addressed this discrepancy. After clearly establishing the current definition of labor market professionalism, James Wilson (1989) reflects:

For many years the dominant doctrine of police professionalism was based on the view that the police administrator had to get control of his department to prevent corruption or abuse of authority and to bring to bear on the crime problem the methods of rapid response, scientific investigation, and complete record keeping. This led police managers to treat their departments as if they were production agencies: Officers were asked to follow closely standardized procedures, keep careful records of what they did, stay close to the police radio always to be on call, and generate statistical evidence of their productivity (160).

Clearly, the doctrine of reform professionalism is about following the directions of a specific executive, and not comparing the policies of other agencies. Getting control of one's own department was the essential criterion for being called a professional. So if this conception of professionalism is a historical phenomenon, does it have any bearing on the language of contemporary law enforcement? Interestingly enough, the very

bureaucratic phrases “standardized procedures” and “careful records” recall CALEA’s own daunting list of directives and the submission of carefully documented “proofs.”

David Sklansky (2008) writes that “great legacy of police professionalism” as it was manifested in the reform age is that “law enforcement agencies run their own shops, largely free from outside interference” (Dubber 134). This kind of insularity is characteristic of bureaucracies, but antithetical to professional organizations. “Outside interference” is what makes professionals professional: following “occupational incentives outside the agency” allows individuals to participate in innovative policy adoption (Wilson 1989, 60). While Sklansky’s description refers to the corrupting influence of political involvement, his assessment of the reform era’s legacy is telling. The eventual development of community policing was a response to the closed, technologically driven departments of the reform era. Because reformers neglected to address the social changes occurring in their communities, their efficient, bureaucratic agencies were unable to respond to emerging challenges.

So what does it mean to be a police professional today? Steven Brint (1994) argues that because they are labor market phenomena, “the essential characteristics of professions as a form of organization, therefore, have nothing to do with public service, ethical standards, or collegial control, however often these ideals and practices may grow up in support of the profession’s claims to distinction” (23). If reform professionalism meant that the loosely structured political era agencies were dismantled in favor of modernization, de-politicization, and hierarchal control, contemporary notions of professionalism are silent about the same substantive concerns. To be a professional one must demonstrate loyalty to the standards of practitioners outside one’s own agency.

There are no normative or functional qualifications. Professionalism describes how an agent acts, but it does not mean that they need to act in a certain way. Thus even a very professional police department might not serve its community or American democracy with efficacy – it all depends on the kind of innovation that is sought.

The use of the term “professionalism” to describe police agencies has been historically applied differently from the labor market. So when an accrediting body like CALEA insists that its program will “facilitate the pursuit of professional excellence,” the application of the word is unclear. Because CALEA’s standards are designed to “formalize essential management procedures, establish fair and nondiscriminatory personnel practices, improve service delivery, solidify interagency cooperation and coordination,” it appears that the organization is engaged with reform-era professionalism. However, the structure of CALEA, which encompasses and links a variety of different agencies and their Chief Executives, shares the centripetal form of other contemporary professions.

Theory: Centripetal Innovation through Executive Professionalism

The Captain of a mid-size, CALEA accredited, suburban police department who also serves as an assessor observes, “everybody does things the same, so there’s not a lot of outside the box thinking. Problems that you have, you know, you ask your neighbor and they have the same problem as you. But then you go over to the state a couple states away, and you see how they do things, and it’s like, why didn’t we think of that?”³ This officer’s experience with accreditation shows how CALEA facilitates centripetal innovation. Not only do the standards themselves derive from the various experiences of different law enforcement executives, but the participatory element of accreditation also

brings supervisors into contact with those from totally different regions. The continuous nature of re-assessment and conference attendance ensures that agencies are made aware of practitioners outside one's own department – critical to the contemporary definition of professionalism. But at the same time, only a small number of officers directly participate in these processes; the rest just provide the “proofs.”

I argue that CALEA accreditation provides a unique kind of professional advantage to its clients. Although it does not grant the officers of participating agencies the freedom to act in defiance of their own rules (and in favor of the standards shared by the CALEA community), it frees the executives of participating agencies to change their own rules. By establishing a network of professional executives, capable of instituting its program through the chain of command, police departments enjoy the benefits of centripetal innovation without fundamentally changing the role of subordinates. Only Chief Executive Officers can be characterized as professionals, in the contemporary sense of the term, because they make the decision to turn to an outside body of fellow CEOs and practitioners in pursuit of innovative policy. However, CALEA also uses the historic sense of “professional” to appeal to notions of progress, efficiency, and fairness that resonate with departments looking for a substantive backbone. The standards provide this backbone.

Centripetal motion is a particularly apt way to conceptualize the process of accreditation, as it implies constant movement around a core that is also constantly changing (as new elements are drawn to the center). The number of CALEA standards has changed over the years, beginning with 944 in 1983, dropping to 897 by March 1994, and eventually falling to the current total of 463.⁴ These standards are reexamined three

times annually at CALEA Conferences, with a “top-to-bottom review” about every five years (CALEA 2006). The Standards Review & Interpretation Committee, open to all participants, discusses proposed revisions to the existing book of standards (currently in its 5th edition). Anyone is technically allowed to present a standard for consideration, but the standards manual notes, “law enforcement practitioners are the primary source” of new initiatives (CALEA 2006). The composition of the Commission itself also changes, but it is always composed of eleven law enforcement officials and ten experts (usually scholars, politicians, or consultants), each on three-year terms. This variation is important because it allows new voices to be heard – assuming that a commission is more democratic than a single executive. It also ensures that only those standards that earn approval from a broad base of experienced executives and criminal justice experts make it to the core of the program.

Manuel Teodoro writes that professions are “centripetal political forces” because their members “converge toward widely accepted policies that reflect widely accepted democratic values” (Working Paper, 19). For accreditation to qualify as centripetal there should be broad support for its standards among not only the accreditation authorities, but also those who are assessed. The best indicator of this support is the number of agencies who voluntarily initiate the process, which increases annually. CALEA also develops relationships with “flagship agencies,” departments that have successfully attained accreditation at least twice consecutively. These agencies are encouraged to display an exhibition at one of the three annual CALEA conferences, which allows “conference attendees to network with staff from seasoned accredited agencies, thereby serving as a resource to newly accredited agencies” (CALEA 2009). Thus new agencies become a

part of centripetal policymaking through the network of supervisors and executives that CALEA highlights.

Law enforcement executives are professionals in a labor market. For ambitious executives, the implementation of widely supported innovation becomes a useful qualification. Studying executives who choose to pursue CALEA accreditation, Teodoro (2009) explains “a link between public administration career ambition, mobility, and professional accreditation” (18). The CEOs who want to establish a reputation for excellence freely decide to take part in accreditation procedures. Because CALEA treats executives like professionals – that is, it gives them the option to run their departments with the input of fellow executives – CEOs who sign on earn a distinct advantage in a market where professionalism is not the norm. Those executives who ignore CALEA do not have the same qualifications as those that do because they do not have access to the Commission’s professional network.

James Wilson, writing in 1968, struggled with the definition of a police officer. Although reform had begun to bring bureaucratic standards to law enforcement agencies, Wilson thought that an officer was:

not a bureaucrat in that he does not and cannot apply general rules to specific cases – there are no general rules, and thus his discretion is wide... On the other hand, the patrolman is not a professional – there is no organized group of practitioners (as there is with doctors or physicists) who can impart to him by education certain information and equip him by apprenticeship with certain arts and skills that will make him competent to serve a ‘client’ when the latter cannot be the sole judge of the quality of the service he receives. (414)

CALEA is a client for law enforcement executives just as much as accredited agencies are clients for CALEA. While the Commission is not, in a larger sense, the “sole judge” of an agency’s ability to provide its service, accreditation standards are the universally

approved “arts and skills” of law enforcement. Because the accreditation system depends on the assessments of fellow sworn officers from different regions, the quality of program implementation is based on shared expectations of sufficient proof. These expectations might differ from those of a community, but the “arts and skills” that are put into place are clearly imparted by an “organized group of practitioners.” Instead of relying on a vague idea of the general public or its welfare to decide whether to award accreditation, CALEA becomes a limited client, well equipped to judge the “quality of the service” offered by police.

Although subordinate officers are not included in professional decision-making, they benefit from centripetal policy innovation. To quote a Captain and assessor from a mid-size department, “ultimately I think that most officers, I would think that [for] most departments that are in the process, the officers would have, you know, would feel that it’s ultimately for their benefit, it increases their professionalism.”⁵ This conclusion comes after a discussion of hiring policies, describing how CALEA standards ensure that departmental politics and unsavory practices, such as playing favorites, are minimized. It is important to understand the officer’s usage of the word “professionalism” – in this context he is referring to the fair, efficient organization and effective policy outcomes that are widely supported by law enforcement executives. His usage is closer to the reform era definition of the term. The Captain is not claiming that the officers have a say in the process, or that they have the ability to choose which parts of accreditation to adopt. The rules are still handed down from on high, but with CALEA, they originate in a more open environment.

Discussion: Professional Police Administration

If chief executives seeking accreditation are the first generation of true police professionals, the relationship between the police and society may be changing. By examining how accreditation affects the workplace of certified agencies, I will suggest that organizational culture can become linked with CALEA, while the labor market plays a larger role in individual officers' priorities. I will consider workplace democracy – how CALEA affects rank-and-file officers, and then turn to a discussion of policing in the American democracy. By looking at the politics of CALEA both inside and outside the agency, the impact of executive professionalism and centripetal accreditation will become more apparent.

Pride in an agency's accredited status is a constitutive element of the accreditation program. When I spoke with the Accreditation Manager at a mid-sized Sheriff's office about the process of CALEA implementation, he explained, "The point is, you want to get to a point where this isn't a yearly merit badge. You know, 'I gotta turn in my yearly proof,' or whatever. You want this to become a way of life. This is how we do business... I don't have to beg you for it, I go to that file and pull it out, there it is."⁶ If simply learning all the rules were the secret to accreditation's advantages, departments would most likely purchase just the \$45.00 book of standards instead of spending thousands more on official approval.⁷ But it is the process of self-assessment, "on-site" assessment, and final approval by the commission that counts. CALEA's centripetal policy innovations need to play a part in a department's definition of itself: the agency's organizational culture.

John Brehm and Scott Gates explore the functional preferences of subordinate officers in *Working, Shirking, and Sabotage* (1997). They show that “the chain of command looks to be a weak mode for principals – ultimately, democratic publics – to influence the performance of bureaucratic agents” (196). In direct refutation of the reform era’s emphasis on hierarchal control, they write that the “overwhelming evidence of our book indicates that the bureaucrat’s own preferences have the greatest effect upon performance” (196). Thus the organizational culture – how an officer perceives his or her agency and its objectives – has direct bearing on that officer’s preferences and performance. CALEA is very clear that no transformation will take place without full cooperation and managerial introspection on behalf of the agency. And because police officers work “in accordance with the dictates of an intuitive grasp of situational exigencies,” the subtle ways that officers perceive themselves matters a great deal (Bittner, 1970, 131). Only by making compliance “a way of life” can a department fully utilize accreditation.

CALEA’s training manual for new Accreditation Managers suggests to the agency’s Chief Executive Officer that he or she “announce your goal of accreditation,” and “say it early – say it often.” The selection of an Accreditation Manager is integral to the success of the process, and CEOs are encouraged to find someone with “agency knowledge, writing skills, attention to detail” and an “analytical, tenacious” concern for their administrative duties (CALEA Hampton 2009). Beginning the process by creating this position and ensuring that the decision to accredit is well publicized is important in shaping the rest of the process. When the Accreditation Manager solicits proof of compliance from various officers, they will either see it as additional unwelcome

paperwork or a better way of doing business. It depends upon how CALEA has been represented in the agency. Real innovation requires subordinates to find the value in what they do. Otherwise executive professionalism has no advantage: if only the CEOs believe in CALEA, the department will not employ the centripetally developed policies that accreditation provides.

The manager I spoke with who worked for a medium sized sheriff's department described the initial decision to accredit: "We probably started looking at this back in '99. And this is my sheriff's idea. It's a tough sell. It's a tough sell. It involves a lot of change. Old-timers especially old-time cops, they don't like change. Additional standards and policies, nobody likes 'em."⁸ It is difficult to gauge whether resistant officers take accreditation seriously because the main method of assessment – written proof of compliance – does not capture the breadth of an officer's discretionary power. While a street level officer might demonstrate proof of compliance one day, he or she might act in flagrant defiance the next. Future studies of police accreditation should focus on the degree to which CALEA's organizational culture changes the functional preferences of accredited officers. If every member of an accredited department truly makes the standards their "way of life," executive professionalism is enough.

The decision to accredit is often the result of bureaucratic ambition in a labor market. Teodoro (2009) explains, "accreditation confers a professional legitimacy on an agency's executive leader that gives her an advantage in a competitive labor market... Mobility and career ambition create conditions that reward not only adherence to professional standards, but also pursuit of external signals of professionalism" (19). Being the chief of police is no longer the highest rung on the ladder – Sklansky (2008)

points out, “the past several decades have seen a dramatic shift of policing responsibilities from public agencies to the private sector” (124). New private police might pay more than budget-cutting municipalities can afford to, and a private security corporation gets to choose whom it protects. At the same time, big cities looking for a talented reformer will often look outside the agency, squarely at those who display professional attributes. When executives look for ways of distinguishing themselves, CALEA appears as a widely recognizable proof of innovation. It is possible that the labor market will drive skilled CEOs away from public service, but it is more likely that increased competition will result in better executives.

Job mobility for non-supervisory officers should also be considered. Because CALEA Accreditation is something that agencies generally take pride in, its personnel identify with accreditation as a job qualification. The Captain of a mid-sized suburban department notes, “being able to say that I come from an accredited agency, you know, is certainly a feather in your cap, and makes you more valuable.”⁹ Subordinates gain from their prestigious association with the CALEA program. While patrol officers are not in direct contact with fellow practitioners, they are nevertheless a potential part of centripetal policy deployment. Further, if the subordinates at non-accredited agencies recognize the professional innovations that CALEA helps provide to peer agencies, they might call on their supervisors to initiate the program. Perhaps a non-accredited agency that hires a sergeant from a CALEA flagship agency might find itself reexamining its own standard operating procedure after learning how the new hire is used to doing business.

Democracy in the police workplace means that “rank-and-file police officers should participate collectively in the shaping of their work,” and yet it is a notion that “formed no part of the ideology of [reform era] police professionalism, and [that] plays almost no role in the ideology of community policing. It is off the agenda” (Sklansky 2008, 155). A more democratic workplace would empower street level officers through delegation, allowing them to decide how to best protect and serve. The conspicuous lack of subordinate empowerment in police departments has often been defended as necessary to police work – only a strong chain of command is thought to best serve the public and provide for officer safety. CALEA continues in this tradition. By extending professional opportunities only to executives, CALEA limits the possibilities of subordinate innovation. Sklansky (2008) writes,

by failing to encourage innovation and collective decision making among line officers, even progressive police departments may not only forfeit some of the advantage of their officer’s intelligence, but also send signals to potential recruits that law enforcement is not a field that welcomes thinkers. Those signals may make it hard to recruit the kind of applicants that most departments want. (166)

While CALEA encourages both innovation and collective decision making *at the executive level*, its directives do not change how the department values or trusts in its subordinate officers. If those officers were granted the ability to directly shape new standards, perhaps through some kind of rank-and-file review board, CALEA could conceivably shape organizational culture more effectively. The difference between consulting with subordinates and giving them the ability to make policy is important: only the latter conclusively strengthens “the attachment of the rank and file to the department’s objectives” (Sklansky 2008, 186). Workplace democracy may be a tough pill to swallow for many executives. But contemporary professionalism means the ability

to follow standards that come from outside one's own agency. If line officers are going to make CALEA their "way of life," perhaps they should be granted more agency within policy formulation.

Accreditation can also serve as a bargaining chip between competing political forces in police administration. In one agency, the police union suggested CALEA as a way of standardizing the rules after three departments merged into one. Union leaders challenged management, and an officer recalls their contention: "if you think things are running the way they should, why don't we have an independent assessment?"¹⁰ The Chief decided that CALEA's program would ease the transition into a unified department and he elected to begin self-assessment. Indeed, when any reform-minded department decides to hire a new chief, accreditation offers him or her a universally recognized method for changing the status quo. Instead of scrambling to formulate and initiate policies that please as many people as possible, why not purchase them all at once, direct from CALEA?

Because the Commission is a non-profit corporation, it is not beholden to the Department of Justice or any Federal agency for operational funding or institutional legitimacy. CALEA gets its authority from the market. Since it is an international organization capable of fundamentally changing the operating procedure of police departments and networking chief executives in new ways, it holds a powerful position in law enforcement. But it depends on continued, centripetal innovation to secure this position – if accreditation is deemed irrelevant, CALEA will simply cease to exist. Reliance upon a market that has no obligation to participate makes accreditation an exceptionally effective tool for changing the way police do business. Because CALEA

links a group of willing, interested police professionals, their inefficient local strategies are more likely to give way to the widely supported methods that accreditation delivers, while good, new ideas will be quickly drawn to the center of policymaking. These professionals are also always executives, and are thus able to implement agency-wide changes with relative ease.

Accreditation and Democratic Society

So how do accredited agencies fit into American democracy? To start, consider the first standard in CALEA's manual: "1.1.1 A written directive requires all personnel, prior to assuming sworn status, to take and subsequently abide by an oath of office to enforce the law and uphold the nation's Constitution or basic law of the land and, where applicable, those of governmental subdivisions" (CALEA 2006). It's not a big surprise. Accredited agencies still perform the same basic function as all police departments; the main difference is that they have a list of standards to turn to when a new challenge appears. Proactive policing does change the way a police department might respond to an unfamiliar threat, since it ensures that a plan is already in place for most contingencies. However, having those standards in place is likely to ensure that civil liberties are protected when an officer finds himself or herself exercising more discretionary power.

Although police departments serve a distinct community, the rule of law approach that governs most departments is not well equipped to identify and engage with the many different parts of that community. Unless more democratic police agencies emerge, centripetal innovation through a network of police executives is the best way to ensure that the rights and safety of Americans are preserved. Accreditation offers a professional

body of standards that derive from the experiences of officers in many different regions. This broad-based approach is important because it ensures that local agencies are made aware of possible problems before they emerge, and that they are capable of responding with constitutional rights in mind. Insular, local approaches are less likely to preserve the fundamental laws of the land because local politicians and interest groups influence police administration, just as they did in the political era of policing.

Democracy is best served by innovative police chiefs who look outside the agency for new operating procedures. As Publius put it: “Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens” (Madison 1788, 127). By extending “the sphere” of police administration, more diverse experiences will be considered. Procedural bias at the local level would be less likely when departments rely on the widely supported standards of accreditation. While the authors of *The Federalist Papers* were concerned with political factions, administrative factions are also a danger to democracy and accreditation keeps chief executives looking outside the department.

Alexis de Toqueville warned that “the omnipotence of the majority and the rapid as well as absolute manner in which its decisions are executed in the United States [would] not only make the law unstable but have a like effect on the execution of the law and the public administrative activity” (249). He describes the “great ardor” that accompanies reform demanded by the public, but suggests, “as soon as its attention is turned elsewhere, all these efforts cease” (249). Accreditation, however, is carried out by a non-profit corporation, and thus does not depend on democratic support for its basic

functioning. No matter where the public's attention is held, CALEA will still be making new standards and seeking new agencies. Thus accreditation can serve as a stabilizing force in public administration, offering the public an easy to digest "seal of approval" while keeping the nuts and bolts of efficient law enforcement out of the majority's domain.

Conclusion

Being a professional, I would want not only to be considered a professional and documented showing that I maintain a professional agency process, but I also, you know, like I said, sleep at night knowing that my people were well trained, that I had good policies and procedures in place.

- The Captain of a CALEA accredited department¹¹

For executives, CALEA accreditation offers two different kinds of professionalism. Subordinates receive a detailed list of policies developed through centripetal consultation; a nod to the reform era ideas of centralization, efficiency, better training, and fair practices. Executives get to participate in their own kind of profession: they take their cues from fellow practitioners and pursue the best policies, made available through open discussion.

If subordinates merely pay lip service to the tenets of accreditation, the substantive advantage of the program – policy improvement – gets lost. Because executive professionalism is at odds with workplace democracy, an agency's organizational culture must reflect genuine enthusiasm for accreditation among the rank-and-file for the program to work. Returning to the example of television's *The Wire*, there is no guarantee that the McNulty's of American police departments will abide by the rules of accreditation, even in one of CALEA's flagship agencies. However, the centripetal standards that accreditation provides create a resource for officers that better

prepares them for unexpected problems. This preparation is important because it means that civil rights should be better protected and that an officer's discretionary power should not conflict with the rule of law. While officers are not professionals, trusting the professional guidance of their supervisors will make them more effective.

I have shown that a long history of police reform prefaces the rise of police accreditation. CALEA offers agencies the flexible autonomy of professionalism by combining the hierarchal, rule oriented concerns of the reform era with centripetal policy innovation guided by executives. Accredited agencies are better suited to serve their communities, and also better able to govern themselves. However, the democratic formulation of standards does not necessarily translate into workplace democracy. Thus CALEA must hope that client agencies can ensure that rank-and-file officers take self-assessment and all 463 standards seriously. While accreditation is a professionally innovative process that might develop better ways of policing, the discretionary power of street level officers means that they still have the final say when it comes to being good police.

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Notes

¹ Interview with the author, quoted under the condition of anonymity.

² The figures for accredited departments are based on CALEA's online agency search engine, accessed August 5th, 2009, at <http://www.calea.org/agcysearch/searchagcy3.cfm>. The total number of law enforcement agencies in the US comes from the Department of Justice 2004 Census of State and Local Law Enforcement Agencies, as cited in the bibliography.

³ Interview with the author, quoted under the condition of anonymity.

⁴ The decreasing number of standards is based on CALEA's own historical account and a 1994 National Institute of Justice study, available at: <http://www.calea.org/Online/Articles/Levinearticle.htm>
<http://www.jrsainfo.org/pubs/forum/archives/June94-2.html>
Accessed August 10th, 2009.

⁵ Interview with the author, quoted under the condition of anonymity.

⁶ Interview with the author, quoted under the condition of anonymity.

⁷ The 5th Edition of CALEA's Standards for Law Enforcement Agencies is available to anyone, directly through CALEA's website, for \$45.00 plus \$7.50 shipping and handling.

⁸ Interview with the author, quoted under the condition of anonymity.

⁹ Interview with the author, quoted under the condition of anonymity.

¹⁰ Interview with the author, quoted under the condition of anonymity.

¹¹ Interview with the author, quoted under the condition of anonymity.