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# CHANGING POLICE PERFORMANCE OBJECTIVES

Jenkins, Gary M., Jr.

Monterey, CA; Naval Postgraduate School

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**NAVAL  
POSTGRADUATE  
SCHOOL**

**MONTEREY, CALIFORNIA**

**THESIS**

**CHANGING POLICE PERFORMANCE  
OBJECTIVES**

by

Gary M. Jenkins Jr.

December 2022

Co-Advisors:

David W. Brannan (contractor)  
Carolyn C. Halladay

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**CHANGING POLICE PERFORMANCE OBJECTIVES**

Gary M. Jenkins Jr.  
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Submitted in partial fulfillment of the  
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES  
(HOMELAND SECURITY AND DEFENSE)**

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## ABSTRACT

In the last decade, there has been an effort to reform police practices, defund police agencies, and decriminalize certain offenses. In addition, in an effort to reduce police-citizen encounters, agencies nationwide have changed some primary offenses to secondary, meaning law enforcement could not create an encounter solely for that offense, such as one non-functional headlight. This recent legislation changes police functions and requires agencies to modify how they evaluate officer effectiveness. This thesis looks at different police evaluation methods to determine what measures can be used for success. Two agencies were used as case studies; their methods, which included qualitative and quantitative metrics, were examined, as were the research and opinions of other police scholars. Ultimately, the present study found there is no single method of conducting police evaluations, and that more than one model may be successful. This thesis found that training for first line supervisors is essential as they have the most predominant role in the mentoring and evaluating the routine patrol officer. Another key finding is that effectiveness does not necessarily mean enforcement; effectiveness can include presence and community engagement. To measure effectiveness, agencies and supervisors must dedicate time to documenting how often and the manner in which evaluations were conducted. Finally, agencies must constantly evolve their evaluation systems to match their communities' needs.



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## LIST OF ACRONYMS AND ABBREVIATIONS

CALEA	Commission on Accreditation for Law Enforcement Agencies
DOJ	Department of Justice
DUI	driving under the influence
PERF	Police Executive Research Forum
QR	quick response
VCU	Virginia Commonwealth University

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## EXECUTIVE SUMMARY

In the last decade, law enforcement has come under increased scrutiny from the public as a result of the deaths of Michael Brown, George Floyd, Breonna Taylor, among others. As a result, many politicians and civil organizations have called for law enforcement reforms across the country. Some of these reforms included civilian oversight boards to review the use of force and evaluate the agencies providing service to their communities. This proposed reform process raises the issue of how police supervisors evaluate their officers and how communities consider the agencies that provide the service.

This thesis examines different methods for evaluating officer performance to determine which metrics and criteria should be considered and how they should be weighted to encourage and reward effective policing in the broadest sense. This thesis examines two agencies, the Virginia State Police and Idaho State Police, as case studies. In addition to analyzing the departments' respective methods, the research included interviews with executive leadership of both agencies to gain a better understanding of their processes. The research found that these two agencies conduct their evaluation processes differently. The Virginia State Police agency uses predominantly quantitative metrics while the Idaho State Police agency uses predominantly qualitative data. The research also analyzes scholarly articles and previous theses to define what "effective" means in relation to police work, specifically at the patrol officer level.

The research indicates that agencies must be flexible in how they evaluate their officers. When determining performance outcomes, the communities' needs must be incorporated into the evaluation process. Based on the two case studies, this research finds that professionalism is a key component and, therefore, can be incorporated as its own category; in reality, professionalism should be included in every performance outcome. Having effective and accurate evaluations are important for agencies to maintain credibility with the communities in which they serve. It is important that the agencies' goals evolve to meet the community's needs. Both agencies examined for this research have instituted strategic plans prioritizing customer service and community engagement. The two case studies also show there are multiple methods by which to conduct successful evaluations



from the agency and officer perspectives. In both agencies, communication is essential so that supervisors can stay apprised of their officers' activities.

The analysis shows that to make the evaluations meaningful, leadership must ensure that first line supervisors are well-trained and provided detailed documentation to give accurate evaluations as well as provide guidance for future performance. In addition, for an agency to be effective, leadership must identify what must be evaluated, what the community needs, and how the agencies can meet the community's needs, with confidence and trust from those served.

Quantitative metrics do have value, as they can be used to analyze crime, crash rates, etc., and then apply resources to those areas. These metrics do not necessarily have to be evaluated at the officer level and can be used more at the agency or divisional level. For evaluation purposes, at the officer level, importance should be placed on professionalism, community interaction, and determining if their agency is having a positive impact generally.

All police agencies are unique, and one size does not fit all when it comes to performance measures and evaluation systems.<sup>1</sup> Officer evaluations should have components that allow the officers an opportunity to set their own goals. The goals should align with the mission of the agencies and communities they serve. Agencies should closely monitor the number of officers assigned to each first line supervisor as this has a direct impact on the supervisor's ability to accurately evaluate them.

When determining what makes an officer effective, supervisors should consider qualitative and quantitative components. Such components may include community engagement, which specifies examples of not only what the officer did but also how successful and professional they are in the process. The goals should align with the mission of the agencies and communities they serve.

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<sup>1</sup> Shannon Branly et al., *Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook* (Washington, DC: Department of Justice, 2015), 4, <https://www.valorforblue.org/Clearinghouse/299/Implementing-a-Comprehensive-Performance-Management-Approach-in-Community-Policing-Organizations--An-Executive-Guidebook>.

Finally, the evaluation process must be constantly reviewed and modified for effectiveness. Community needs evolve and so should police response. For officers to be effective, they must have a positive impact on their community. Performance objectives will vary in jurisdictions and can even vary within departments. Leadership must stay abreast of changing climates and ensure first line supervisors are trained to correctly manage their officers.

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# 1. INTRODUCTION

In the last decade, law enforcement has come under increased scrutiny from the public with the deaths of Michael Brown, George Floyd, and such other controversies as the shooting of Breonna Taylor. As a result, people called for law enforcement reforms across the country. Some of these reforms included civilian oversight boards to review the use of force and evaluate the agencies providing service to their communities. The Commonwealth of Virginia, which revised many primary offenses to secondary violations, made such reforms. It modified the laws governing the execution of search warrants to constrain law enforcement and decriminalize marijuana.<sup>1</sup> Proponents of these changes believe this downgrading of offenses will reduce the number of encounters between police and minority drivers.<sup>2</sup>

This reform process raises the issue of how police supervisors evaluate their officers and how communities consider the agencies that provide the service to them. According to one journal, more than 75 percent of law enforcement agencies conduct a formal evaluation at least once a year.<sup>3</sup> Traditional methods have used metrics, including summonses issued and arrests made.<sup>4</sup> The Virginia State Police follows this standard, evaluating its officers on enforcement efforts, the number of traffic stops, summons issued, crashes investigated, and arrests made. Other things included, to a lesser extent: public speaking (safety talks), liaisons with other agencies, court preparation, and reports. In a current trooper's employee work profile, on which the trooper receives an evaluation, the category involving good public interactions receives a weighting of only 5 percent.<sup>5</sup> For

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<sup>1</sup> Peter Dujardin, "Va. Lawmakers Pass Bill to Reduce Traffic Stops, Outlaw Some Marijuana Searches," *Police1*, October 12, 2020, <https://www.police1.com/legal/articles/va-lawmakers-pass-bill-to-reduce-traffic-stops-outlaw-some-marijuana-searches-dKpk6PjWkvdQaA5a/>.

<sup>2</sup> Dujardin.

<sup>3</sup> David Lilley and Sameer Hinduja, "Officer Evaluation in the Community Policing Context," *Policing: An International Journal of Police Strategies & Management* 29, no. 1 (2006): 3, <https://doi.org/10.1108/13639510610648467>.

<sup>4</sup> Virginia State Police, "Department of State Police Employee Work Profile" (North Chesterfield, VA: Virginia State Police, February 5, 2020).

<sup>5</sup> Virginia State Police.

example, there is no defined quantity to decide what number of summonses warrants a higher rating. That discretion is left to the supervisor; however, the examples demonstrate reliance on traditional metrics far more than productive work with the public.

The Texas Department of Public Safety currently uses similar metrics but considers different items, too. For example, it gives credit to school visits, safety talks, and motorist assists.<sup>6</sup> Additionally, a warning receives equal weight to a summons issued in its evaluation system. Thus, officers are not incentivized to have enforcement as their main method of operation so not every encounter results in a punishable offense, which may improve public-police relations and ultimately trust.

Although law enforcement has its methods to evaluate officers' effectiveness, so do communities. One of the recommendations from the 2015 *Final Report of the President's Task Force on 21st Century Policing* was that "law enforcement agencies should establish a Serious Incident Review Board comprising sworn staff and community members to review cases involving officer-involved shootings and other serious incidents that have the potential to damage community trust or confidence in the agency."<sup>7</sup> Thus, law enforcement recognizes the value of community input.

Besides oversight committees, surveys represent another method for agencies to better understand how communities evaluate officer effectiveness. The Fairfax Police Department surveyed its community in late 2020–early 2021 and found that the top three issues were "trust/engagement with the community, burglaries/theft (to include car break-ins), [and] more personal connections with police officers serving [their] neighborhood."<sup>8</sup> Review boards, surveys, and evaluations may gauge officers' involvement with the community.

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<sup>6</sup> Texas Department of Public Safety, "Texas Highway Patrol Monthly Report Set" (Austin, TX: Texas Department of Public Safety, September 2021).

<sup>7</sup> President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Service, 2015), 22, <https://www.ojp.gov/ncjrs/virtual-library/abstracts/final-report-presidents-task-force-21st-century-policing>.

<sup>8</sup> POLIHIRE, *Community Survey Results: Chief of Police, Fairfax County, Virginia* (Fairfax County, VA: Fairfax County Government, 2021), [https://www.fairfaxcounty.gov/topics/sites/topics/files/assets/documents/pdf/fairfax\\_police%20chief%20survey%20v3%20-%20final.pdf](https://www.fairfaxcounty.gov/topics/sites/topics/files/assets/documents/pdf/fairfax_police%20chief%20survey%20v3%20-%20final.pdf).

All three of these methods are valid and agencies may choose to use all three or just one. For example, it may not make sense to have a review board for a police agency consisting of just 10 officers. In this instance, enough feedback could be garnered through surveys of those they encountered.

## **A. RESEARCH QUESTIONS**

What are the most effective methods for law enforcement agencies to evaluate their officers' effectiveness? How can community involvement be incorporated in the evaluation process to ensure agency goals align with the needs of the community being policed?

## **B. LITERATURE REVIEW**

This literature review examines the definition of effectiveness, particularly in evaluating police agencies and their officers. It also examines the strengths and drawbacks of the traditional arrest metric to assess police officers and how communities view their police agencies.

Agencies use different methods to measure effectiveness, but each method has drawbacks. Police agencies may find this true in seeking to stem crime without divulging their practices or cooperating partners. According to a Center for Homeland Defense and Security thesis by Christopher Bagby, "performance is connected to the rise and fall of criminal behavior and officers' productivity—that is, the number of arrests or citations issued during a target period."<sup>9</sup> But the emergence of community policing goals changes traditional metrics used to measure and evaluate officers' performance, making them no longer relevant.<sup>10</sup> Yet, according to Officer Luke Bonkiewicz from the Lincoln (Nebraska) Police Department, agencies vary considerably in measures of productivity.<sup>11</sup> He argued that traditional models of measuring metrics on arrests and enforcement efforts face several

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<sup>9</sup> Christopher R. Bagby, "Beyond Reform: Better Policing through Systems Thinking" (master's thesis, Naval Postgraduate School, 2021), 12, <http://hdl.handle.net/10945/67098>.

<sup>10</sup> Lilley and Hinduja, "Officer Evaluation in the Community Policing Context."

<sup>11</sup> Luke Bonkiewicz, "The IMPACTT of a Patrol Officer: Evaluating Productivity Metrics," National Institute of Justice, July 13, 2020, <https://nij.ojp.gov/topics/articles/impactt-patrol-officer-evaluating-productivity-metrics>.



threats. Officers who believe performance is based solely on arrests may seek opportunities to make arrests, even when not warranted. Although these performance outcomes may influence the officer's actions, no statistics show officers are bending the rules of law, such as creating the probable cause to make an arrest. Bonkiewicz further opined that performance reviews should weigh positive community outcomes, such as reduced property crime. Thus, each measure of performance may have unintended outcomes and strengths.

To establish performance for police officers, scholars lay out their duties but not ways to evaluate their accomplishments. Malcolm Sparrow, a professor from Harvard University, cited Herman Goldstein's eight functions of the police that he believes are a reasonable basis for modern law enforcement.<sup>12</sup> These functions include preventing threats, providing aid, protecting constitutional freedoms, and creating a feeling of security.<sup>13</sup> None of the eight categories had any metrics on arrests or enforcement. But Anton Maslov argued that traditional counting of arrests can be problematic for several reasons.<sup>14</sup> He claimed arrest data is not uniform, and specific circumstances requiring many arrests, such as protests or large-scale events, can skew the arrest data. Gordon Graham contended public safety agencies should do away with performance evaluations altogether because no one takes them seriously and routinely overrate officers so that supervisors may avoid complaints.<sup>15</sup> Although abandoning evaluations would be a drastic approach, few advocate keeping traditional models of just tracking the number of traffic stops, encounters, and arrests as performance measures.

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<sup>12</sup> Malcolm K. Sparrow, *Measuring Performance in a Modern Police Organization*, New Perspectives in Policing (Washington, DC: National Institute of Justice, 2015), 10, <https://www.ojp.gov/pdffiles1/nij/248476.pdf>.

<sup>13</sup> Sparrow, 10.

<sup>14</sup> Anton Maslov, *Measuring the Performance of the Police: The Perspective of the Public* (Ottawa, Canada: Public Safety Canada, 2016), <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2015-r034/index-en.aspx>.

<sup>15</sup> Gordon Graham, "Performance Evaluations for Public Safety: Sowing the Seeds of Risk?," *Lexipol* (blog), August 8, 2018, <https://www.lexipol.com/resources/blog/performance-evaluations-for-public-safety-sowing-the-seeds-of-risk/>.

Government and academic authors criticize the classic methods of evaluating police effectiveness. A document from the U.S. Department of Justice (DOJ) held that systems for evaluating police should reflect the community’s goals and emphasize quality over quantity, the latter of which represents traditional policing.<sup>16</sup> Likewise, a journal from the University of South Carolina echoed this belief stating, “traditional police departments measure their performance only in terms of productivity by counting the number of arrests, number of citations, the amount of contraband they seize, the number of calls for police service, average response times, etc.”<sup>17</sup> Although officers may be efficient in these efforts, such activities may not effectively reduce crime and improve the quality of life.<sup>18</sup> In 1999, former Attorney General Bill Lockyer of California agreed with this by saying that the danger in overvaluing quantitative data will lead to policing by numbers and undervaluing qualitative outcomes.<sup>19</sup> He gave an example of this with the traditional performance system failing to recognize an officer who takes the time to convince a burglary suspect to “enroll ... into drug treatment and cuts the red tape to get him in.”<sup>20</sup> In this way, traditional metrics entirely neglect what may be the most significant outcomes of community policing.

Community involvement in evaluation is another method to ensure the mission of public safety. In 2016, the DOJ awarded a grant to the National Association for Civilian Oversight of Law Enforcement to guide civilian oversight for its practitioners.<sup>21</sup> According

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<sup>16</sup> Community Policing Consortium, *Understanding Community Policing: A Framework for Action* (Washington, DC: Bureau of Justice Assistance, 1994), <https://www.ojp.gov/pdffiles/commp.pdf>.

<sup>17</sup> Geoffrey P. Alpert, Daniel Flynn, and Alex R. Piquero, “Effective Community Policing Performance Measures,” *Justice Research and Policy* 3, no. 2 (2001): 79–94, <https://doi.org/10.3818/JRP.3.2.2001.79>.

<sup>18</sup> Alpert, Flynn, and Piquero.

<sup>19</sup> Robert Trojanowicz and Bonnie Bucquerou, “Toward Development of Meaningful and Effective Performance Evaluations,” in *Community Oriented Policing and Problem Solving: Now and Beyond*, ed. Bill Lockyer (Sacramento, CA: California Attorney General’s Crime and Prevention Center, 1999), 190, <https://www.ojp.gov/pdffiles1/Digitization/179935-179940NCJRS.pdf>.

<sup>20</sup> Trojanowicz and Bucquerou, 190.

<sup>21</sup> Michael Vitoroulis, Cameron McElhiney, and Liana Perez, *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability* (Washington, DC: Office of Community Oriented Policing Services, 2021), <https://cops.usdoj.gov/RIC/Publications/cops-w0951-pub.pdf>.

to Peter Finn, no single model of citizen oversight prevails, but four types of oversight systems exist.<sup>22</sup> They consisted of

- Type 1: citizens investigate allegations of police misconduct and recommend findings
- Type 2: police investigate allegations and develop conclusions; citizens review and make recommendations
- Type 3: complainants may appeal police findings to citizens who review and provide their findings and recommendations
- Type 4: auditors investigate the process by which the police accepts and investigates complaints.<sup>23</sup>

Udi Ofer, an attorney and director of the American Civil Liberties Union of New Jersey, believed these boards should go even further, having the power to not only investigate complaints and civil rights violations and recommend discipline but also audit department policies and practices to ensure compliance with civil rights.<sup>24</sup> In 1994, Bill Lockyer introduced a similar model when he convened a 26-member Policy Council on Violence Prevention that represented diverse professional, ethnic, and political backgrounds.<sup>25</sup> The council recommended a paradigm shift in several areas including “instead of risk, [look] at how they could help communities, our youth, and our families to be resilient”; “instead of problem solving, [look] at positive development”; “instead of looking at deficiency, look at where people are competent”; “instead of looking at

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<sup>22</sup> Peter Finn, *Citizen Review of Police: Approach and Implementation* (Washington, DC: National Institute of Justice, 2001), <https://www.ojp.gov/pdffiles1/nij/184430.pdf>.

<sup>23</sup> Finn.

<sup>24</sup> Udi Ofer, “Getting It Right: Building Effective Civilian Review Boards to Oversee Police,” *Seaton Hall Law Review* 46, no. 4: 1033–62, accessed March 6, 2022, <https://scholarship.shu.edu/shlr/vol46/iss4/2/>.

<sup>25</sup> California Attorney General’s Crime and Violence Prevention Center, “Community Policing: A Key Role in Violence Prevention,” in *Community Oriented Policing and Problem Solving: Now and Beyond*, ed. Bill Lockyer (Sacramento, CA: California Attorney General’s Crime and Prevention Center, 1999), 169, <https://www.ojp.gov/pdffiles1/Digitization/179935-179940NCJRS.pdf>.

remediation, look at empowerment” and “instead of looking at people as problems, look at them as resources...particularly [when] looking at youth.”<sup>26</sup>

In a Community Oriented Policing Services article, Vitoroulis, McEllhiney, and Perez advocate that before creating or revising a civilian oversight system, the stakeholders need to use the principles of effectiveness to judge pluses and minuses.<sup>27</sup> They list 13 principles for effective civilian oversight:

1. Independence...
2. Clearly defined and adequate jurisdiction and authority...
3. Unfettered access to records and facilities...
4. Access to law enforcement executives and internal affairs staff...
5. Full cooperation...
6. Sustained stakeholder support...
7. Adequate funding and operational resources...
8. Public reporting and transparency...
9. Policy patterns in practice analysis...
10. Community outreach...
11. Community involvement...
12. Confidentiality, anonymity, and protection from retaliation...
13. Procedural justice and legitimacy...<sup>28</sup>

James Hudson objected that boards are not held to the same standards as courts and do not provide procedural safeguards.<sup>29</sup> He argued further that civilian oversight ultimately may cause officers to feel paralyzed to avoid accusations of improper conduct.<sup>30</sup> Most of the research argued for review boards in some fashion, and Olugbenga Ajilore believed in their potential to enhance public safety and renew trust in the police.<sup>31</sup> But the goals, methods, and proper use remain contested in the evaluation of the police.

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<sup>26</sup> California Attorney General’s Crime and Violence Prevention Center, 170.

<sup>27</sup> Vitoroulis, McEllhiney, and Perez, *The Evolution and Growth of Civilian Oversight*.

<sup>28</sup> Vitoroulis, McEllhiney, and Perez, 12–15.

<sup>29</sup> James R. Hudson, “Police Review Boards and Police Accountability,” *Law and Contemporary Problems* 36, no. 4 (Fall 1971): 515–38, <https://scholarship.law.duke.edu/lcp/vol36/iss4/6/>.

<sup>30</sup> Hudson.

<sup>31</sup> Olugbenga Ajilore, “How Civilian Review Boards Can Further Police Accountability and Improve Community Relations,” Scholars Strategy Network, June 25, 2018, <https://scholars.org/brief/how-civilian-review-boards-can-further-police-accountability-and-improve-community-relations>.

### C. RESEARCH DESIGN

This thesis examines different methods for evaluating officer performance to determine which metrics and criteria should be considered and how they should be weighted to encourage and reward effective policing in the broadest sense. It uses scholarly articles and previous theses to define what “effective” means related to police work, specifically at the patrol officer level. Specifically, this thesis explores two state agencies to examine the different methods used, what works, what needs improvement, and what can be deleted.

For the first example, I studied my current agency, the Virginia State Police, which reviews its troopers quarterly and administers a final evaluation at the end of the year, which the trooper’s immediate supervisor (sergeant) conducts, and their supervisor (first sergeant) reviews.<sup>32</sup> The research examined the documents used in the evaluation process and interviewed the director of the Bureau of Field Operations to discuss the evaluation process and understand the department’s goals. I replicated this model for the second case study, the Idaho State Police. Both cases focus on a typical officer/trooper who has been on the job two to 10 years and is not in a specialty—in essence, the regular street officer.

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<sup>32</sup> Virginia State Police, “Department of State Police Employee Work Profile.”

## II. CASE STUDY: VIRGINIA STATE POLICE

This chapter analyzes the performance methods of the Virginia State Police. The chapter outlines the procedures and documentation in the Virginia State Police evaluation process and examines the Virginia State Police performance methods, focusing on the evaluation categories and their respective weightings used to determine overall performance. It further considers the quantitative and qualitative measures applied and includes feedback from the Virginia State Police director of the Bureau of Field Operations, Lieutenant Colonel Matthew D. Hanley. The chapter concludes by showing that the Virginia State Police still uses a great deal of quantitative data in its evaluation process. The chapter demonstrates the need to add qualitative data, but the unusually high ratio of troopers to first line supervisors (sergeants) provides a challenge. Although quantitative data can be informative, the inclusion of more qualitative data could provide a more well-rounded evaluation.

### A. BACKGROUND

The Virginia State Police is nationally accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA) and has maintained its accreditation since 1986.<sup>33</sup> CALEA represents a gold standard of police accreditation. CALEA verifies that an agency voluntarily meets a professional set of standards.<sup>34</sup> CALEA was created in 1979 as a credentialing authority working with four law enforcement executive associations: the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriffs Association, and the Police Executive Research Forum (PERF).<sup>35</sup> These organizations

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<sup>33</sup> Commission on Accreditation for Law Enforcement Agencies, Inc., “CALEA Client Database,” Commission on Accreditation for Law Enforcement Agencies, Inc., accessed October 11, 2022, <https://calea.org/calea-client-database>.

<sup>34</sup> “About Us,” Commission on Accreditation for Law Enforcement Agencies, accessed April 12, 2022, <https://calea.org/about-us>.

<sup>35</sup> Commission on Accreditation for Law Enforcement Agencies.

work to ensure best practices in training and procedures and that reaccreditation occurs every four years with the updates included.

There are 458 standards that must be met include, but are not limited to, ethics, use of force, duty to intervene, supervisory responsibility, community involvement, record retention, and recruitment processes.<sup>36</sup> Additionally, to achieve accreditation, agencies must comply with the following set of mandates:

- Comprehensive and uniform written directives that clearly define authority, performance, and responsibilities
- Reports and analyses to make fact-based and informed management decisions.
- Preparedness to address natural or man-made critical incidents
- Community relationship-building and maintenance
- Independent review by subject matter experts
- Continuous pursuit of excellence through annual reviews and other assessment measures<sup>37</sup>

CALEA standards apply equally to any agency that wants its accreditation. CALEA states that such accreditation allows agencies to have “increased community advocacy, staunch support from government officials, stronger defense against civil lawsuits, reduced risk and liability exposure, and greater accountability within the agency.”<sup>38</sup> CALEA-accredited departments are allowed outside, independent review of their policies and practices. Through CALEA accreditation, the Virginia State Police achieves a high level of professionalism.

The Virginia State Police is a large agency with a commensurately large number of vacant positions.<sup>39</sup> Of the 2,158 of the sworn allotment, 1,238 are trooper positions assigned to area offices responsible for conducting daily patrols and responding to calls for

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<sup>36</sup> Commission on Accreditation for Law Enforcement Agencies.

<sup>37</sup> “What Is Accreditation,” Commission on Accreditation for Law Enforcement Agencies, accessed October 11, 2022, <https://calea.org/what-accreditation>.

<sup>38</sup> Commission on Accreditation for Law Enforcement Agencies, “About Us.”

<sup>39</sup> Virginia State Police, “Virginia State Police Staffing Report” (North Chesterfield, VA: Virginia State Police, August 4, 2022).

service.<sup>40</sup> As of August 31, 2022, there were 251 vacancies throughout the ranks of the Virginia State Police.<sup>41</sup> With this large shortage in personnel, first line supervisors often must fill in for the role of the trooper, making them less effective as supervisors.

The Virginia State Police Department is included as an example because of the agency's willingness to participate in information sharing and executive leadership's willingness to participate in the research. This case study of the Virginia State Police focuses on the average trooper working the road with no specialty duties or supervisory responsibilities. This category of personnel represents those who have the most interaction with the public.<sup>42</sup>

The Virginia State Police is a full-service law enforcement agency. This designation means the department is not responsible for traditional highway patrol functions alone.<sup>43</sup> This is important to understand as their evaluations are based on its full-service status, not just interstate safety, and enforcement. The department includes three primary divisions: the Bureau of Criminal Investigations, the Bureau of Field Operations, and a Bureau of Support Services. Road troopers in Virginia State Police work directly under the supervision of a sergeant(s) who fall under an area commander. These supervisors normally possess the rank of a first sergeant. Troopers fall under the Bureau of Field Operations. There are seven field divisions in the Bureau of Field Operations, which are geographically spread across the state, and include Richmond, Culpeper, Appomattox, Wytheville, Chesapeake, Salem, and Fairfax.<sup>44</sup> The divisions are further organized into

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<sup>40</sup> Virginia State Police, "Virginia State Police Bureau of Field Operations Position Tracker" (North Chesterfield, VA: Virginia State Police, August 31, 2022).

<sup>41</sup> Virginia State Police.

<sup>42</sup> Department of Justice, "Police-Community Relations Toolkit: Importance of Police-Community Relationships and Resources for Further Reading," Department of Justice, accessed October 3, 2022, <https://www.justice.gov/crs/file/836486>.

<sup>43</sup> A trooper's responsibilities can vary greatly. Highway safety is often primary and includes traffic enforcement and responding to crashes. Other responsibilities may include community relations, but some have specialties such as being on a tactical team, search and recovery, or an instructor. Some areas of the state will only have interstate responsibility, meaning that the city or county that the interstates intersect normally handles their calls for service. In more rural areas, a trooper may take on more of a community officer responding to calls for service and having an increased presence in schools and community events.

<sup>44</sup> "Office Locations," Virginia State Police, accessed October 3, 2022, <https://vsp.virginia.gov/sections-units-bureaus/office-locations/>.



areas, and there are 49 area offices. The breakdown in areas is significant as each area is unique and must prioritize components of public safety within its boundaries, which will vary in the different jurisdictions around the state.

Because a Virginia State trooper's primary responsibility is to maintain highway safety, performance evaluation relies heavily on quantitative metrics. The metrics mainly consist of highway safety, including enforcement data and crash investigation. But these metrics may not apply to every trooper because their job description can vary depending on where they are assigned within the commonwealth. This variance poses a challenge for supervisors in developing an evaluation to determine what makes the trooper effective for the community served. The Virginia State Police applies many quantitative metrics in its performance metrics including quarterly evaluations, which are almost entirely quantitative with the exception of a small comments section. This evaluation, which is given three times throughout the year, is used to make up the final evaluation. Relying on primarily quantitative data can be problematic as it does not fully encompass what a trooper does routinely and may not capture their impact on the community or public safety. Houston Police Chief Timothy Ottmeier and Senior Research Associate Mary Wycoff say quality should also be included, and in regard to quantitative outputs, outcomes must ideally match the desired objective.<sup>45</sup>

The Virginia State Police area offices vary greatly in size and responsibility. Some offices are primarily responsible for interstate highways, while others are extremely rural; a divergence of assignments that requires troopers to not only to handle traffic and roadways but also to respond to calls for service as would a local police department.<sup>46</sup> Varying needs within different jurisdictions across the commonwealth require different

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<sup>45</sup> Timothy N Oettmeier and Mary Ann Wycoff, "Personnel Performance Evaluations in the Community Policing Context," in *Police and Policing: Contemporary Issues*, ed. Dennis J. Kenney and Robert P. McNamara, 2nd ed. (Westport, CT: Praeger, 1999), 48, [https://www.policeforum.org/assets/docs/Free\\_Online\\_Documents/Community\\_Policing/personnel%20performance%20evaluations%20in%20the%20community%20policing%20context.pdf](https://www.policeforum.org/assets/docs/Free_Online_Documents/Community_Policing/personnel%20performance%20evaluations%20in%20the%20community%20policing%20context.pdf).

<sup>46</sup> Depending on the area of the state, a trooper's responsibilities can vary greatly. For example, Northern Virginia troopers normally only patrol the interstate, conducting traffic enforcement and responding to crashes. In a more rural part of the state such as Amherst County, a trooper may have the more traditional role of a community police officer responding to calls for service and having a presence in local schools, and community events.

standards for performance evaluation. For example, a trooper whose only responsibility is interstates should have an evaluation that is heavily weighted toward highway safety, while a trooper assigned to a rural area would have more weight given to community engagement and criminal investigations if, say, they were responsible for handling burglaries. However, based on the current evaluation method and how the department might more effectively respond across these diverse areas and community needs, additional improvements could be made.

## **B. PERFORMANCE EVALUATION METHODS**

The Virginia State Police has demonstrated an ongoing effort to include diverse community groups in its policies, procedures, and performance measures, captured in a new strategic plan that was developed and released in 2022.<sup>47</sup> This document outlined the department’s vision, mission, values, and culture. Like most, if not all state- level law enforcement agencies, the Virginia State Police conducts annual evaluations of its personnel. The evaluations follow the rank structure within the department. Sergeants serve as first line supervisors. These sergeants conduct annual performance evaluations with the troopers they supervise at the end of each performance cycle. These performance cycles run from October 25 of one year to October 24 of the next.<sup>48</sup> Sergeants evaluate troopers on their performance in a number of areas during this 12-month period.<sup>49</sup> Each year is evaluated independently. The strategic plan identifies a modification to the current evaluation document by adding a category for leadership.<sup>50</sup> It also identifies supervisor training in the execution of performance management as a prioritized item. This chapter focuses on the evaluation system as it stands currently.

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<sup>47</sup> “Virginia State Police Strategic Plan,” Virginia State Police, January 2022, <https://vsp.virginia.gov/wp-content/uploads/2022/08/2022AugustVSPStrategicPlan.pdf>.

<sup>48</sup> “Policy Number: 1.40--Performance Planning and Evaluation,” Department of Human Resource Management Policies and Procedures Manual, August 1, 2001, [https://web1.dhrm.virginia.gov/itech/hrpolicy/poll\\_40.html](https://web1.dhrm.virginia.gov/itech/hrpolicy/poll_40.html).

<sup>49</sup> Virginia State Police, “Department of State Police Employee Work Profile.”

<sup>50</sup> Virginia State Police, “Virginia State Police Strategic Plan.”

According to Lieutenant Colonel Matthew Hanley, the director of the Bureau of Field Operations, the process by which troopers are evaluated and the criteria used has not changed much over the last 15–20 years. Hanley noted one exception during the period that allowed area commanders to change Employee Work Profiles within their areas of command.<sup>51</sup> For example, an area commander may reduce the weighting given to highway safety and increase one in the public liaison category if they have a trooper assigned who is very active in public speaking at local schools and churches.

### **1. Quarterly Evaluations**

In addition to the annual evaluations, supervisors complete quarterly evaluations with their assigned troopers for the first three quarters of the year using a separate format.<sup>52</sup> These quarterly evaluations provide opportunities for supervisors to review the progress of their troopers and provide feedback as they see necessary.<sup>53</sup> During these meetings, sergeants rate their troopers on respective metrics. These quarterly evaluations allow the sergeant to explain what the individual trooper needs to improve upon to achieve a higher rating.

The intermittent quarterly evaluations can be beneficial to the department and individual trooper if conducted correctly. Otherwise, they are potentially problematic to one or both parties. Troopers receive their performance expectations during these quarterly evaluations for the upcoming performance cycle; at the same time, they receive a review from the prior year.<sup>54</sup>

The quarterly documentation form (SP-257) is an Excel spreadsheet that documents the trooper’s activities including enforcement activities, court appearances, and liaison

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<sup>51</sup> Matthew D. Hanley, Interview with Lieutenant Colonel Matthew D. Hanley Director of the Bureau of Field Operations Virginia State Police, April 20, 2022.

<sup>52</sup> The evaluations for the first three quarters are completed on VSP form, (SP-257).

<sup>53</sup> Virginia State Police, *Virginia State Police Manual* (North Chesterfield, VA: Virginia State Police, 2012).

<sup>54</sup> Virginia State Police, “Quarterly Documentation” (North Chesterfield, VA: Virginia State Police, August 1, 2003).

activities, safety talks, and public speaking.<sup>55</sup> The spreadsheet displays numbers of summons, arrests, hours worked, etc., all in exclusively quantitative data. The SP-257 breaks down hours worked and activities performed.<sup>56</sup> Thus, a supervisor documents how much time each trooper actively engages in some type of activity. However, the form has to describe how well the trooper performed those activities, in that tiny box called “comments.”

Another component to documenting trooper activities is through a stress indicator log. Although not part of the formal evaluation process, supervisors must keep a stress indicator log on all those under their supervision.<sup>57</sup> This form documents sick leave, use of force incidents, complaints, and other disciplinary and significant issues. This form is an important document for supervisors to monitor the overall well-being of the troopers assigned to them, as excessive use of sick leave or an increased number of use of force incidents could be an indicator of a larger problem.

## 2. Annual Evaluation

The annual evaluation differs from the quarterly evaluation in that the trooper receives an overall rating for the year. By contrast, the quarterly evaluation is essentially a progress report. Supervisors evaluate troopers on several categories, but ultimately, they make an overall rating in one of five categories from highest to lowest: extraordinary contributor, major contributor, contributor, marginal contributor, and below contributor.<sup>58</sup> An extraordinary contributor is defined in the state police manual as an employee who is “characterized by exemplary accomplishments throughout the performance cycle and performance that considerably and consistently surpasses the criteria of the job function.”<sup>59</sup> An employee who receives extraordinary as an overall rating receives 40

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<sup>55</sup> Virginia State Police.

<sup>56</sup> Virginia State Police.

<sup>57</sup> Virginia State Police, *Virginia State Police Manual*.

<sup>58</sup> Virginia State Police.

<sup>59</sup> Virginia State Police.

hours of recognition leave, which equates to a paid week off.<sup>60</sup> A major contributor is defined by the manual as an employee who is “characterized by strong performance of basic job duties, accented by numerous extra efforts which exceed basic job requirements.”<sup>61</sup> An employee who receives major as an overall rating receives 20 hours of recognition leave.<sup>62</sup> A contributor meets the standards and measures as outlined by their supervisor. A marginal contributor is a “rating recognizing marginal job performance not quite at the ‘Contributor’ level but demonstrating the capability to improve with additional training.”<sup>63</sup> Any employee who receives below contributor is not meeting the function of the job and must go on a “needs improvement” plan.<sup>64</sup> Failure to meet the expectations of a “needs improvement plan” will lead to demotion or termination.<sup>65</sup>

Annual evaluations of troopers provide an overall rating based on weighted categories. The eight categories are detailed in Table 1 and “include promoting highway safety; investigating crashes and criminal activity; completing and filing reports; providing instruction and guidance, maintaining public liaison and cooperating with other agencies; maintaining equipment and professional standards; being a tactical field force member; and handling issued.”<sup>66</sup> Each broad category is then broken down further into “measures for core responsibilities.” Overall ratings given for each particular category encompass a subset of descriptors. Based on the rating achieved in each category, and how much weight (percentage) associated with each category the trooper then receives an overall rating.

Table 1 details the categories and related duties. Each core responsibility has a percentage associated with it, meaning when the overall evaluation is given, a determination must be made what rating they received in each category. For example, for an employee to receive a rating of extraordinary contributor, they must receive an

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<sup>60</sup> Virginia State Police.

<sup>61</sup> Virginia State Police.

<sup>62</sup> Virginia State Police.

<sup>63</sup> Virginia State Police.

<sup>64</sup> Virginia State Police.

<sup>65</sup> Virginia State Police.

<sup>66</sup> Virginia State Police, “Department of State Police Employee Work Profile.”

extraordinary rating in categories that add up to at least 70 percent out of the total 100 percent.<sup>67</sup>

Table 1. Virginia State Police Employee Work Profile: Categories and Duties<sup>68</sup>

<b>%Time</b>	<b>Core Responsibilities</b>	<b>Measures for Core Responsibilities</b>
30%	Promote Highway Safety	<ul style="list-style-type: none"> <li>• Patrols highways, conducts special enforcement projects (e.g., checking details, directed patrol, selective enforcement), assist motorists, store vehicles, provide traffic control.</li> <li>• Take appropriate enforcement action of traffic and DUI laws.</li> <li>• Present cases in court in accordance with policy and guidelines in a professional manner.</li> <li>• Demonstrates the skill to analyze and solve problems. This refers to the gathering of information, anticipation of problems, weighing of consequences, and soundness of decisions.</li> </ul>
24%	Investigate Crashes	<ul style="list-style-type: none"> <li>• Respond to crashes.</li> <li>• Conduct thorough investigations and initiate appropriate action consistent with law and Department rules and regulations.</li> </ul>
15%	Investigate Criminal Activity	<ul style="list-style-type: none"> <li>• Initiate and conduct thorough criminal investigations in accordance with established procedures and guidelines with emphasis on Operation Alert techniques.</li> <li>• Present all court cases in accordance with policy and guidelines</li> </ul>
15%	Complete and File Reports	<ul style="list-style-type: none"> <li>• File required reports and forms within established deadlines which are accurate, legible, and contain required information.</li> <li>• Effectively expresses ideas orally or in writing as required to perform the job.</li> </ul>
5%	Provide Instruction, Guidance, Maintain Public Liaison and Other Agency Cooperation	<ul style="list-style-type: none"> <li>• Promote good public relations.</li> <li>• Strive to promote a cooperative work environment with other law enforcement agencies and provide agency assists as needed.</li> <li>• Increase public awareness by presentation of safety and crime prevention programs or participation in public awareness projects.</li> <li>• Effective working relationships are established with supervisors, co-workers, clients, and/or customers.</li> </ul>

<sup>67</sup> Virginia State Police, *Virginia State Police Manual*.

<sup>68</sup> Adapted from Virginia State Police, “Department of State Police Employee Work Profile.”

%Time	Core Responsibilities	Measures for Core Responsibilities
5%	Maintain Equipment and Professional Standards	<ul style="list-style-type: none"> <li>• Maintain all equipment and uniforms in satisfactory condition.</li> <li>• Demonstrate ability to operate and maintain these items appropriately as trained.</li> <li>• Maintain personal appearance.</li> <li>• Successfully complete all required recertifications.</li> <li>• Attendance and punctuality are performed at the expected level.</li> <li>• Ensures proper safety practices are followed and unsafe actions are properly addressed and corrected.</li> </ul>
5%	Tactical Field Member	<ul style="list-style-type: none"> <li>• Maintains all TFF equipment issued.</li> <li>• Completes quarterly and yearly trainings.</li> <li>• Maintains weapon certifications.</li> <li>• Responds to TFF assignments.</li> <li>• Responds to TFF searches.</li> <li>• Assist Sergeant with maintenance of weapons on TFF van.</li> </ul>
1%	Use of all issued charge cards (i.e., Small Purchase Card, Special Sworn Charge Card, Voyager Card, Travel Card, and GOLD Card)	<ul style="list-style-type: none"> <li>• Annually complete cardholder training on proper card usage, security, and procurement guidelines, electronically, within the Department of Human Resource Management's Learning Center.</li> <li>• Compliance as required by Executive Order Number Thirty-Five (2019).</li> </ul>

Area commanders (first sergeant) have the autonomy to change the percentages based on area needs. For example, an area that covers predominantly interstate responsibility may have an increased percentage for promoting highway safety compared to an area that covers mostly rural areas that may have more responsibility in handling local calls such as domestic disturbances, trespassing events, etc. The percentages in the categories are significant in that to achieve a higher rating, a trooper must be excelling in highway safety, which is made up mostly of enforcement data and criminal enforcement.

**C. THE EVALUATION PROCESS AND ANALYSIS FROM EXPERIENCE**

Two steps remain in the performance evaluation process. First, at least one month prior to the evaluation, a trooper must have the opportunity to complete a self-assessment in the same format as the formal evaluation.<sup>69</sup> The self-evaluation allows the trooper to let their supervisor know about any achievements or accomplishments not otherwise

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<sup>69</sup> Virginia State Police, *Virginia State Police Manual*.

documented. The self-evaluation is one opportunity to consider qualitative information and include it in the performance evaluation. Second, once the supervisor has received all documentation, they will then complete an evaluation. The reviewer (first sergeant) will either agree with the evaluation or recommend changes to the final evaluation. If no changes are needed it is signed and then given to the trooper.

For troopers to receive the highest rating of extraordinary contributor, they must obtain an extraordinary level in more than 50 percent of the values in the categories and receive at least one letter of extraordinary contribution within the performance cycle.<sup>70</sup> The need for over 50 percent and a letter of achievement is also necessary to receive the next -highest merit rating of major contributor. There are incentives associated with the two highest ratings in the form of recognition leave, specifically 40 hours for extraordinary and 20 hours for major contributor.<sup>71</sup>

According to Hanley, the trooper's performance evaluation is still about 80 to 85 percent based on quantitative data (summons, arrests, motorist's assists, crashes worked, etc.), but the current EWP has room to consider other criteria and given more weight.<sup>72</sup> He further noted that the department is considering several changes to the Employee Work Profile, one of which would devote one category strictly to enforcement and reduce its weighting, considerably increasing the value of qualitative measures in other categories. He indicated one of the problems with this change to the profile occurs when a supervisor is tasked with 12–13 troopers. However, the *Virginia State Police Manual* allows for a 12 to 1 ratio for supervisors to troopers in the Bureau of Field Operations.<sup>73</sup> In comparison, the Idaho State Police ratio is typically 6:1<sup>74</sup> and the Oakland Police Department is 8:1.<sup>75</sup>

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<sup>70</sup> Virginia State Police.

<sup>71</sup> Virginia State Police.

<sup>72</sup> Matthew D. Hanley, Interview with Lieutenant Colonel Matthew D. Hanley Director of the Bureau of Field Operations Virginia State Police.

<sup>73</sup> Virginia State Police, *Virginia State Police Manual*.

<sup>74</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director, April 29, 2022.

<sup>75</sup> Oakland Police Department, *Oakland Police Department Policy Manual* (Oakland, CA: Oakland Police Department, 2016).



With such a high ratio for a Virginia State Police sergeant, it may be difficult for a first line supervisors to know what their troopers are doing day to day regarding community interaction and non-enforcement –related data, and at the end of a performance cycle, often they are basing the evaluation on the data provided from weekly reports.

In my experience working as a sergeant in the Richmond City area in 2012, I directly supervised 14 troopers. This number exceeded the normal allowance permitted by policy due to a change in some positions. I found it challenging to devote an appropriate amount of time to the evaluation process and to properly document the actions of all 14 troopers on a routine basis. I did not have the time needed to attend as many of their public speaking events, court testimonies, and properly supervise their daily activities. I had to rely on quantitative measures for the majority of the evaluation process. I found the use of only quantitative data troubling because it does not always accurately reflect public safety activities. For example, I may have noted a particular trooper conducted three public safety talks, but what it did not show was Or the quality of their presentation (for future consideration as a speaker for the department) or of their command presence in dealing with the public.

At the conclusion of the Virginia State Police Employee Work Profile is a section for personal learning goals. The next section follows up with learning steps/resource needs to cite specific training courses and materials to enhance the employee’s performance.<sup>76</sup> The learning goals section allows the trooper and supervisor to develop professional goals as a team. These goals for an employee could include specialization in an area such as drug recognition or preparation for the promotional process. For example, a personal goal could be a trooper developing community engagement skills and tasks that are not enforcement related. However, the learning goals section is not given any weight in the evaluation process, so how is this measured?

In my experience, the personal learning goals section is an underutilized section. Setting personal learning goals facilitates supervisor communication with employees and assist the employees in career development. It creates an open dialogue and provides the

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<sup>76</sup> Virginia State Police, “Department of State Police Employee Work Profile.”

supervisor an additional avenue with which to keep a good working file to document the progress of the employee throughout the year. Some examples of career goals include improving skills in criminal interdiction, preparing for promotion, or becoming a better community officer. The supervisor must provide the trooper the tools necessary to accomplish these goals and they must be within the department's mission.

Also included and given at the beginning of a new performance cycle is a Code of Ethics, which outlines 14 items the employee must and must not do in the course of their duties. It must be reviewed and signed annually. Violations of the code are subject to disciplinary action.

#### **D. ANALYSIS**

The data strongly suggest that the Virginia State Police still relies heavily on quantitative data. Incorporating quantitative data is not necessarily a flawed procedure because, as Hanley points out, the Virginia State Police still use at least 80 percent of quantitative data to conduct their evaluations.<sup>77</sup> Hanley still believes that the evaluation system does its job and promotes the department's mission if implemented properly. For effective evaluations, the first line supervisor must do the job correctly. The evaluations cannot be a cut- and -paste exercise, meaning all the troopers' evaluations should be individualized, with different notes, and corresponding numbers of arrests, summons, crashes worked, etc. Gordon Graham, a noted scholar in the field, cites one challenge in the promotion process is that many officers promote into a sergeant position without really knowing what that role entails.<sup>78</sup> They are unaware that the job of a first line supervisor involves confronting and challenging their subordinates. This transition to supervisor is significant; if they are not properly trained and are unaware of the job they are taking they will not be effective, particularly in evaluating their subordinates.

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<sup>77</sup> Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

<sup>78</sup> Gordon Graham, "The Importance of the First-Line Supervisor in Public Safety Agencies," *Lexipol* (blog), February 6, 2019, <https://www.lexipol.com/resources/blog/importance-of-first-line-supervisor-in-public-safety-agencies/>.

One flaw in the Virginia State Police system of promotion is the lack of a formal documentation process to verify that a sergeant is ready to take on the role. When a trooper trainee goes through the academy and is promoted, they must complete a field training process with a checklist before being allowed to work independently. In the trainee -to -trooper process, trainees are shown how to do a task, they then do it under supervision, and then they must show they can accomplish the task independently. The training process of being told, then shown, then completing tasks also applies when a trooper promotes to special agent. The trooper must complete a checklist and work under the supervision of a field training agent.<sup>79</sup> However, when an individual is promoted to sergeant, the only requirement is the need for close monitoring by the supervisor for the first six months.<sup>80</sup> If the newly promoted sergeant fails to receive proper mentoring, they will either have to develop their own method for properly documenting subordinates' work and giving meaningful evaluations or they could fall short in the evaluation process. In the latter scenario, not only is the trooper failed but so is the public, since the troopers serving them do not understand what they should be doing in relation to enforcement and community relations.

Sergeants receive formal training on how to complete annual evaluations during a two and half week first line supervisor school. Through my experience in working at the Training Division, one challenge is the timing required to attend the school: The new supervisor needs to have nearly three weeks of availability to attend. When a promoted supervisor cannot attend the supervisor school right away, they end up conducting evaluations without being formally trained. Similarly, another aspect that needs improvement is that the training is usually conducted by a civilian member of the Human Resources Division. Although civilian members are quite knowledgeable in filling out the forms properly, the training can lack substance for sworn members to document the evaluations accurately.

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<sup>79</sup> Virginia State Police, *Virginia State Police Manual*.

<sup>80</sup> Virginia State Police.

Allowing the supervisor to use the quantitative data does give them some framework to work within when comparing troopers under their command. Although not all inclusive, a higher output generally means a trooper is working at being proactive, which can have an impact on public safety. The area commander (first sergeant) must use their authority to change the percentages in the Employee Work Profiles. For example, an interstate- only area should probably have a higher percentage in the Promote Highway Safety category compared to an area that has no interstate and is completely rural. As area offices fall within different duty posts, the breakdowns may even go further within the area with troopers having different duty posts within their office. Community objectives should be given more weight in a rural duty post as compared to an interstate only, as many of their public contacts will not be the result of an enforcement effort.

When pulling enforcement data, the supervisor must consider the context. A flaw in the current data when it comes to enforcement efforts is that there is not a geo-location associated with the enforcement efforts. For example, a sergeant may receive a report saying Trooper A wrote 700 summonses for speeding. But it would be useful to know whether those summonses were in a high crash-rate area. Currently, the only way to know the location of the summonses issued is to pull each individual summons to determine the location data. It would be beneficial if a supervisor could pull up a heat map with enforcement efforts made by a particular trooper and compare it to high -incident areas to see whether the trooper is best serving the community.<sup>81</sup>

Hanley noted that the department is in the process of implementing heat maps to predict where traffic crashes and incidents are most likely to occur.<sup>82</sup> This form of intelligence-led policing typically applies to high crime areas, but the same concept also fits highway safety.<sup>83</sup> With this data, troopers could be deployed to troublesome areas in advance and reduce incidents, creating safer highways. Hanley further advised that a

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<sup>81</sup> In this context, a heat map is a visual aid to see where there are high enforcement efforts.

<sup>82</sup> Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

<sup>83</sup> Brooking Industries Inc., “What Does Intelligence-Led Policing Mean?,” Brooking Industries Inc., September 2, 2021, <https://www.brookingindustries.com/articles/what-does-intelligence-led-policing-mean/>.

supervisor could check a trooper’s movement to ensure their visibility in high -activity areas. If a low- incident rate can be linked to their visibility even if it did not include active enforcement, that in itself could be effective policing for a trooper.<sup>84</sup> By doing this, the trooper would not have a quantitative measure to show on their weekly report other than patrol time, but they would have a positive impact on public safety.

According to the 2022 *Virginia State Police Strategic Plan*, future changes will affect the current Employee Work Profile. One of those changes concerns a description of customer service.<sup>85</sup> It will emphasize the three Cs: Courtesy, Competence, and Commitment. It says,

Courtesy is staying professional and polite. Competence is having the knowledge, skill and ability to do your job well. Commitment is having the fortitude to do things right (reports, returning phone calls, following up on leads, etc.) in a timely manner, as if it was for your own family member. Incorporating the three C’s must be part of training and rewarded by supervision. Adopt a non-adversarial “servant” mindset. Implement a formal written warning process as an alternative to the issuance of a summons. Embrace a customer service culture where performance metrics measure positive and effective public contacts. A customer service culture can be measured in the survey tool (formerly the citizen survey).<sup>86</sup>

Allowing communities to provide feedback gives them a voice to express concern or praise. For this voice to be heard, the agency must give effort to evaluate the feedback and respond when necessary.

In law enforcement, viewing those who are encountered as customers is a relatively new concept for the agency. The Virginia State Police is embracing this concept, though not all in law enforcement do. Viewing violators as a customer can be a complicated issue, as many in the police profession have been taught to have a warrior mentality.<sup>87</sup> As a police

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<sup>84</sup> Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

<sup>85</sup> Virginia State Police, “Virginia State Police Strategic Plan.”

<sup>86</sup> Virginia State Police.

<sup>87</sup> “Can Policing Effectively Combine the Warrior and Guardian Mindsets?,” Brooking Industries Inc., December 6, 2021, <https://www.brookingindustries.com/articles/can-policing-effectively-combine-the-warrior-and-guardian-mindsets/>.

officer, you must be prepared for unexpected assaults while at the same time treating everyone with respect, professionalism, and compassion. The balancing act of both being on guard and treating all citizens as customers can create conflict within the trooper and is a training issue that must be dealt with by all law enforcement.

In further developments related to the strategic plan, the Virginia State Police already administered the survey proposed.<sup>88</sup> The agency placed posters and business cards with a quick response (QR) code—which goes directly to Survey Monkey—at all locations accessible to the public. As of June 3, 2022, 273 responses have been received.<sup>89</sup> The survey consists of 18 questions that relate to if/how citizens interacted with the Virginia State Police and rating the service provided and the demographics of those surveyed. Question 7 asks, “How would you rate the professional competence of the State Police employee(s) with whom you interacted?”<sup>90</sup> Of the responses, 77.08 percent rated it as either excellent or very good, 16.67 percent rated their competence as poor. Question 9 asks, “How would you rate the overall quality of service provided to you by the State Police?” Nearly 70 percent (69.51 percent) of the respondents said excellent or very good, with 21.28 percent saying poor. Even with this small sample size, the Virginia State Police receives mostly positive feedback from the citizens served. The survey method has several flaws because no mechanism prevents one person at one extreme or the other from submitting multiple responses. This means that either one person with a lot of time, or a small group of people in a coordinated effort, could be skewing the data.

## **E. CONCLUSION**

The analysis on the Virginia State Police evaluation system covers the manner in which they currently conduct their evaluations. It does not go into great detail about what differentiates the rankings given, for example what separates an extraordinary employee versus a contributor. Additionally, it should be noted that the Virginia State Police is in the

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<sup>88</sup> Gary T. Settle, “Public Survey,” *Virginia State Police Informational Bulletin*, March 1, 2022.

<sup>89</sup> Virginia State Police, *Virginia State Police Community Survey* (North Chesterfield, VA: Virginia State Police, 2022), <https://www.surveymonkey.com/r/VSPCommunitySurvey>.

<sup>90</sup> Virginia State Police.

process of changing its priorities based on the strategic plan, and this chapter does not focus on what that may look like in the future.

The Virginia State Police system of conducting performance evaluations can be effective if done prudently by the first line supervisor (sergeant). It is still extremely reliant on quantitative metrics and could be improved if more emphasis was placed on qualitative data. It is incumbent on the supervisor to stay abreast of the trooper's activities beyond just enforcement efforts if the evaluations are to be effective rather than perfunctory. With all troopers having an in-car camera, first line supervisors must routinely review footage to monitor daily interactions with the public. Of note is the high 12 -to -1 ratio of troopers to sergeant. The research showed that most other agencies have smaller ratios. Having 12 or more troopers assigned to one sergeant can be extremely taxing for a supervisor when trying to stay abreast of their troopers' activities, especially considering sergeants have many other administrative and operational duties.

In conclusion, the Virginia State Police evaluation forms with modifications can be effective at documenting whether their trooper are effective. In my experience, the personal learning goals section of the Employee Work Profile seems underutilized. Consideration should be modified to give it weight in the overall evaluation process. If this falls within the guidelines of the strategic plan, this could be an opportunity to incentivize troopers to develop themselves and have buy- in within the agency and their goals. Reducing the span of control for troopers for which one sergeant is responsible would be beneficial, but this reduction would necessitate a reduction in trooper positions or additional sergeant positions allocated by the legislature. The Virginia State Police is currently in transition as outlined by their strategic plan and statements by Lieutenant Colonel Hanley. By making customer service a focus and adding more qualitative information to the quantitative data already collected, they can have successful performance evaluations and measures.

### III. CASE STUDY: IDAHO STATE POLICE

This chapter overviews the Idaho State Police evaluation system. This case study focuses on the average trooper working the road without specialties or supervisory responsibilities as in the previous chapter. This type of trooper routinely works shift work, responds to calls for service, and promotes highway safety through enforcement; this rank was selected as they have the most interactions with the public.<sup>91</sup>

The chapter first provides a brief background on the organizational structure of the Idaho State Police. It then outlines how they conduct performance evaluations and the documentation used. An analysis of their method follows this outline. This chapter concludes by showing the Idaho State Police methods as wholly qualitative in nature and incorporating few, if any, quantitative measures. It shows how the Idaho State Police considers three things: professionalism, promoting responsible government, and customer focus, are the keys to what makes an effective trooper in Idaho. This evaluation system allows for subjective information but presents challenges as to determine what data will be used to fill out the evaluation. This aspect is different than the previous case study, which uses a great deal of known quantitative data for their evaluation process.

#### A. BACKGROUND

The Idaho State Police is a full-service agency providing services in patrol, investigations, forensics, and alcohol beverage control.<sup>92</sup> This study focuses on patrol services, which encompasses six patrol districts, each of which is under the command of a captain. The Idaho State Police provides a ready comparison with the Virginia State Police because it uses a much more qualitative system in its evaluation process. Also, by contrast, the Idaho State Police is also a much smaller agency, with an authorized 495.25 full time

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<sup>91</sup> Department of Justice, “Police-Community Relations Toolkit: Importance of Police-Community Relationships and Resources for Further Reading.”

<sup>92</sup> “History: Idaho State Police History and Description of Services,” Idaho State Police, accessed April 25, 2022, <https://isp.idaho.gov/history/>.



positions<sup>93</sup> about a quarter of Virginia State Police billets. The Idaho State Police Uniform section comprises six districts covering Coeur d’Alene, Lewiston, Meridian, Jerome, Pocatello, and Idaho Falls.<sup>94</sup> This is also similar to the Virginia State Police, which is broken down into seven divisions.

## **B. PERFORMANCE EVALUATION METHOD**

As with most agencies, the Idaho State Police conducts an annual evaluation. The evaluation period is from January 1 to December 31 and is the same for all employees, meaning all evaluations are conducted during the same period. The Idaho State Police conducts its evaluations on a form that presents four overall ratings: exemplary performance, solid sustained performance, achieves performance standards, and does not achieve performance standards.<sup>95</sup> In the Idaho State Police performance system, the supervisor prepares the evaluation and it is reviewed annually by a first-level reviewer (lieutenant). A rating of exemplary or does not achieve performance standards receives a second level of review by a captain.<sup>96</sup> Essentially, if a trooper receives the highest or lowest overall rating, it automatically gets reviewed at a second level.

Rather than having weighted categories, the Idaho State Police evaluation rates three categories equally.<sup>97</sup> Those categories are professionalism, promoting responsible government, and customer focus. Each category then breaks down expectations for each rating within that category. The information in Table 2 is from the Idaho State Police staff performance evaluation, which describes the characteristics their agency is looking for in their troopers.

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<sup>93</sup> Idaho State Police.

<sup>94</sup> “Welcome to the Idaho State Police,” Idaho State Police (State of Idaho), accessed April 25, 2022, <https://isp.idaho.gov/>.

<sup>95</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation” (Meridian, ID: Idaho State Police, 2021).

<sup>96</sup> Idaho State Police, “Idaho State Police Procedure” (Meridian, ID: Idaho State Police, January 2022).

<sup>97</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

Table 2. Idaho State Police Staff Performance Evaluation<sup>98</sup>

Performance Expectations	
Professionalism	This performance expectation evaluates the employee’s competence in quality of work, dependability, adaptability/flexibility, confidentiality, and respect for others.
Promoting responsible government	This performance expectation evaluates the employee’s competence in [the following dimensions]: dependability, productivity, efficiency, work environment, safety and adaptability to change.
Customer focus	This performance expectation evaluates the employee’s competence in customer service, conflict resolution, interpersonal skills, and communication

The Idaho State Police form identifies traits within these three categories that employees must possess. They have four categories of exemplary performance, solid sustained performance, achieves performance standards, and does not achieve performance standards.<sup>99</sup> In comparison, the Virginia State Police offers five rating options.

Professionalism, is a category that should be used in every modern police department working to meet community objectives. Professionalism is also listed as part of the vision in the *Idaho State Police Strategic Plan*, stating they are an agency that “is built upon the professionalism of their employees.”<sup>100</sup> Incorporating the evaluation of trooper professionalism could be accomplished by assigning its own evaluative category as the Idaho State Police have done. Another approach might include incorporating aspects of what the department feels make up professionalism in an officer, in the other categories being evaluated. For the Idaho State Police, professionalism includes evaluating the employee’s “competency of work, dependability, adaptability/flexibility, confidentiality, and respect for others.”<sup>101</sup>

<sup>98</sup> Adapted from Idaho State Police.

<sup>99</sup> Idaho State Police.

<sup>100</sup> Idaho State Police, “Idaho State Police Strategic Plan: FY2021-2025” (Meridian, ID: Idaho State Police, 2021).

<sup>101</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

Professionalism is an aspect of the evaluation process that is routinely included in some manner by all agencies. The Idaho State Police has taken the approach of making professionalism its own category. Scholars Christopher Stone and Jeremy Travis said “there are many definitions of professionalism and some debate about what it means for policing to be a profession.”<sup>102</sup> The Idaho State Police define professionalism as “competence in quality of work, dependability, adaptability/flexibility, confidentiality, and respect for others.”<sup>103</sup> In comparison, the Chesterfield County Police Department sees professionalism as prompt, knowledgeable, and thoughtful execution of our duties.<sup>104</sup> Having Professionalism as its own category allows the supervisor to evaluate the officer in all their actions as to how they interacted with the public, peers, and supervisors.

The second category is promoting responsible government. In my experience and research of other agency evaluation methods, the category of promoting responsible government is unique to the Idaho State Police. While important, using this as one third of the evaluation process for a patrol officer seems high, as much of the performance outcomes are related to budget concerns and being prudent with resources. In comparison, while not exactly the same, the Virginia State Police has a category related to using charge cards within policy, and it only accounts for 1 percent of the evaluation.<sup>105</sup> In my opinion, this category as currently weighted should be more prominent in supervisory evaluation processes. It has been my experience that a typical road officer is only responsible for expenditures relating to their vehicle and uniform maintenance. While it is important to manage these expenditures, it should only account for a fraction of an officer’s time.

Customer focus, the third category, is a relatively new concept within the law enforcement community. Virginia State Police includes it as a goal in their strategic plan, while the Idaho State Police takes it a step further by having it account for one third of the

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<sup>102</sup> Christopher Stone and Jeremy Travis, *Toward a New Professionalism in Policing* (Washington, DC: National Institute of Justice, 2011).

<sup>103</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

<sup>104</sup> Chesterfield County, “Chesterfield County Employee Development Form Platoon Officer Form” (Chesterfield County, VA: Chesterfield County, March 2019).

<sup>105</sup> Virginia State Police, “Department of State Police Employee Work Profile.”

performance evaluation. Reviewing the identifiers within the category for an exemplary rating, one stands out: – “Influences, persuades and negotiates towards consensus.”<sup>106</sup> This shows that their category goes beyond just customer service as we often think of it, as in “the customer is always right.” It goes toward verbal de-escalation, which has been a great emphasis put on by law enforcement and communities alike in recent years.<sup>107</sup> Additionally, as with the first two categories, the Idaho State Police kept the category very broad, allowing the supervisor a great deal of leeway in how they evaluate their officers.

The frequency in which first line supervisors meet with their officers is important to the evaluation process. The Idaho State Police policy recommends that supervisors meet with their employees consistently, preferably on a quarterly basis, to discuss employee performance; however, the policy does not mandate such meetings.<sup>108</sup> Lieutenant Colonel William Gardner of the Idaho State Police stated that the department rarely uses quantitative data in its evaluation process.<sup>109</sup> According to Gardner, their method works for their department, and it gives supervisors the latitude to tailor the document to the employee.<sup>110</sup> He said this latitude allows for managing different employees in different ways. This latitude is a creative method for conducting police evaluations, which if used correctly can be effective. However, for this method to be effective, Garner said the supervisor must stay abreast of their officers’ activities and properly document those activities.

In addition to the performance evaluation system, the Idaho State Police has a strategic plan that works in concert with the evaluation categories. The strategic plan is made up of a mission, vision, values, and four defined goals.<sup>111</sup> Some of the plan’s attributes include advocating, serving, and protecting the constitutional rights of people in

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<sup>106</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

<sup>107</sup> Office of Justice Programs, “De-Escalation Training: Safer Communities and Safer Law Enforcement Officers,” *Office of Justice Programs Blogs* (blog), September 6, 2022, <https://www.ojp.gov/news/ojp-blogs/de-escalation-training-safer-communities-and-safer-law-enforcement-officers>.

<sup>108</sup> Idaho State Police, “Idaho State Police Procedure.”

<sup>109</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.

<sup>110</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.

<sup>111</sup> Idaho State Police, “Idaho State Police Strategic Plan: FY2021-2025.”

Idaho; being transparent; community engagement, customer service, leadership, and fairness <sup>112</sup>

Overall, the Idaho State Police does not include quantitative data in their evaluation metrics, but Gardner did provide one example of when quantitative data could be considered: driving under the influence (DUI) enforcement. He said that a trooper could be counseled if that individual had no DUI arrests; quantitative data matters in the reduction of fatal crashes. Gardner advised that public outreach, officer presence, and enforcement could result in such reductions. Gardner further advised that a large part of the evaluation stems from the Idaho State Police Employee Development Plan, which includes a category on the protection of lives.<sup>113</sup>

The Idaho State Police Employee Development Plan is developed by the employee with their supervisor. The goals seek to develop the employee with objectives that also must state how they align with the Idaho State Police Strategic Plan.<sup>114</sup> It stated, “the goals and objectives must be work related, consistent with the ISP Strategic Plan and of sufficient importance to the accomplishment of the mission that the time and resources be expended are reasonable investments.”<sup>115</sup> This framework gives the guidelines and makes the employee development plan credible.

The number of officers assigned to one supervisor is important when determining a method of evaluation. Gardner stated that within the Idaho State Police, a sergeant can have as many as six or seven troopers assigned to them. Given the smaller number of employees, supervisors should in theory have more time to devote to each employee to properly document their activities and review their actions. Gardner noted the trooper’s evaluation is almost completely subjective, and that it is important for the sergeants to monitor their troopers throughout the year.<sup>116</sup> This number is significant, as it is half as

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<sup>112</sup> Idaho State Police.

<sup>113</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.

<sup>114</sup> Idaho State Police, “Idaho State Police Employee Development Plan” (Meridian, ID: Idaho State Police, September 28, 2012).

<sup>115</sup> Idaho State Police.

<sup>116</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.

many as the previous case study, where the span of control for a Virginia State Police sergeant can be 12 to 1.<sup>117</sup> An agency of supervisor with a larger span of control is more likely to rely on quantitative outputs.

### C. ANALYSIS

The Idaho State Police performance system for troopers is very subjective, which allows the supervisor to put a great deal of information in the evaluation. For example, in the professionalism category, they could go into great detail how a trooper represented the agency in appearance and demeanor throughout the year, generally and specifically with examples. If done correctly, this latitude can be beneficial and give the supervisor the opportunity to incorporate quantitative data if they choose so.

Stone and Travis defined four elements of new professionalism: accountability, legitimacy, innovation, and national coherence.<sup>118</sup> Stone and Travis explained what the evaluators mean by national coherence, stating that there are approximately 20,000 individual police departments, but in the past three decades “policing has begun to develop features of a coherent field of professional work.” Stone and Travis say old professionalism was the method of policing in the 1960s and 1970s and was seen as antithetical to community policing.<sup>119</sup> They stated that this older method stifled innovation.<sup>120</sup> The Idaho State Police system appears to agree with them, as the department put a priority on professionalism and included innovation as markers within their individual categories.

The Idaho State Police uses another category not often evaluated in law enforcement: customer focus. Customer focus rates the employee’s competence in customer service, conflict resolution, interpersonal skills, and communication.<sup>121</sup> Lieutenant Colonel William Gardner affirmed customer service as a priority when discussing how community interactions/relations weigh into their performance measures. He stated that this was not

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<sup>117</sup> Virginia State Police, *Virginia State Police Manual*.

<sup>118</sup> Stone and Travis, *Toward a New Professionalism in Policing*.

<sup>119</sup> Stone and Travis.

<sup>120</sup> Stone and Travis.

<sup>121</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

exclusive to troopers' interaction with the community but also their dealings with coworkers.<sup>122</sup>

The concept of customer service as a police practice concept does have some detractors. Lieutenant Jim Glennon of the Lombard, Illinois, Police Department said the problem with treating all citizens as customers is that in the service industry, the customer is always right, which is not the case in police work.<sup>123</sup> He says police officers should treat most people they encounter with dignity and respect, but they are not customers. On the surface, this point has some validity, as it is hard to envision treating a wanted violent felon, who may have just killed someone or harmed a child as a customer.

Other scholars agree with the concept of customer service in law enforcement. Graham said, "every contact made by every public safety employee is an opportunity to let our public know there is a police department or a fire department or a 911 dispatch center that responds to calls and if the involved employee can't handle it, they find someone who can, and they follow up to make sure things got taken care of."<sup>124</sup> He advised this is further exacerbated in a time when law enforcement is under the microscope. This view of customer service is shared by the Idaho State Police, and it appears the Virginia State Police is moving toward this concept with their strategic plan.

To obtain the highest level in the evaluation, exemplary performance, the Idaho State Police appears to seek and then evaluate leadership qualities as an essential aspect of the given area. The leadership quality is indicated in the evaluation as a demonstrated element, such as representing the agency in meetings. While the agency seeks exemplary performers, the employee who achieves performance standards is on the same playing field as an exemplary performer. If a trooper wishes to be considered for promotion, they must meet achieve performance standards. On occasion and if legislation allows it, there may be bonus money

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<sup>122</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.

<sup>123</sup> Jim Glennon, "Debunking the Myth of 'customer Service' in Law Enforcement," *Police1*, accessed May 27, 2022, <https://www.police1.com/patrol-issues/articles/debunking-the-myth-of-customer-service-in-law-enforcement-Trw9WOxPHSAw20hV/>.

<sup>124</sup> Gordon Graham, "The Importance of Customer Service in Public Safety," *Lexipol* (blog), June 23, 2021, <https://www.lexipol.com/resources/blog/not-your-jurisdiction-its-still-your-job/>.

for the highest rating, but these bonuses are not guaranteed. In short, whether an employee receives an exemplary performance rating or achieves performance standards, they are able to seek promotion.

The Idaho State Police Employee Development Plan has more structure for employee development than the small category that the Virginia State Police utilizes within their Employee Work Profile. In Idaho, Gardner placed significant importance on an employee development plan, but like Virginia, this is not weighted in the performance evaluation itself. Without including it in the overall evaluation process or incentivizing it in another manner, it is probable that without self-motivation, the employee will not put much emphasis on this.

#### **D. CONCLUSION**

The Idaho State Police is in the minority because it does not use quantitative data; however, the supervisor has the latitude to incorporate such metrics into the evaluation. Based on the way the evaluation is written, the supervisor must provide extensive documentation to support the rating given. According to Gardner, the Idaho State Police's span of control is 7 or 6 to 1,<sup>125</sup> which seems to be attainable for observation and evaluation purposes. The Idaho State Police does not have mandatory meetings in between evaluation meetings, but according to Gardner they are strongly encouraged and necessary if the personal goals are going to be reached.

One aspect that seems somewhat unclear in the Idaho State Police evaluation system is how the three categories are weighted. If a trooper were to receive a different rating in each category there is no official guidance details (on?) what the overall evaluation should be. This ambiguity could leave a supervisor unclear on how to proceed or an employee contesting the rating.

As Gardner said, if a supervisor takes the time to meet with their employees throughout the year and consistently document and review their activities their evaluation method can work. They are looking for a customer-service-oriented type of policing, and their evaluation system and agency goals mirror that goal.

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<sup>125</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.



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## IV. COMPARATIVE ANALYSIS

The present research finds that agencies must be flexible in how they evaluate their officers. When determining performance outcomes, the communities and their needs must be incorporated. Based on the two case studies, this study finds that professionalism is a key component and it can be its own category, but in reality, professionalism should be included in every performance outcome. The case studies also show that leadership must ensure that first line supervisors receive training and detailed documentation to give accurate evaluations as well as to make the evaluations meaningful and provide guidance for future performance. Finally, for an agency to be effective in evaluating its effectiveness, leadership must identify what must be evaluated, what the community needs, and how the agencies can meet the community needs, with confidence and trust from those being policed.

The evaluation systems may vary, but the officers have opportunities for self-reflection and supervisors and agencies can weigh in on their officers' goals. Communication between officers and their supervisors is essential as well as communication between agency leaders and their communities. In addition, there are multiple ways to measure success in evaluation systems, and they do not all need to be uniform nor should they be.

### A. THE IMPORTANCE OF EVALUATION SYSTEMS

The research found that the agencies contacted used some form of annual evaluation. However, evaluation systems are only as effective as the documentation and feedback given by the supervisor conducting the evaluation, and an article from Police1 supported this finding, saying performance feedback is a critical component of effective leadership.<sup>126</sup> The need for feedback is so important that Gordon Graham proposed the idea of eliminating performance evaluations altogether in very blunt, all-caps terms: “DO

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<sup>126</sup> “Digital Edition: What Cops Want in 2022,” Police1, February 28, 2022, <https://www.police1.com/police-products/body-cameras/articles/digital-edition-what-cops-want-in-2022-CkFK0jUZrpFOUjeR/>.

AWAY WITH PERFORMANCE EVALUATIONS. BURN ALL THE CURRENT RECORDS. BURN THE BUILDING WHERE THE CURRENT RECORDS EXIST. DO AWAY WITH THEM.”<sup>127</sup> Graham stated that he actually loves performance evaluations “so long as they are taken seriously.”<sup>128</sup> He argued that public safety agencies often make four major mistakes in their performance evaluation systems, each of which is relevant in light of the cases used here.<sup>129</sup>

Graham said the first mistake is that agencies use the same or a similar evaluation system year after year.<sup>130</sup> The second is that agencies often overrate employee performance. The third is that agencies reward mediocrity, which leads to other employees being less motivated as they see peers receiving the same ratings for less work. The fourth is that incorrectly conducting evaluations builds a case for retaliation claims. These mistakes make it difficult for agencies to defend themselves when a problem arises.<sup>131</sup>

Graham says a solution is for performance evaluation systems to include:<sup>132</sup>

- meaningful job descriptions
- identified objectives for each job
- a process to ensure employees are meeting these objectives
- a process to collect and analyze data regarding an employee’s performance
- goals for the next reporting period
- a validated rating system<sup>133</sup>

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<sup>127</sup> Graham, “Performance Evaluations for Public Safety.”

<sup>128</sup> Gordon Graham, “Performance Evaluations: Worth The Risk?,” accessed October 5, 2022, <https://info.lexipol.com/performance-evaluations-wp>.

<sup>129</sup> Graham.

<sup>130</sup> Graham.

<sup>131</sup> Graham.

<sup>132</sup> Graham.

<sup>133</sup> Graham.

Graham advocated for three overall ratings: “Meets Standards, Exceeds Standards, and Doesn’t Meet Standards.”<sup>134</sup> Neither of the case studies are in line with Graham’s recommendation: the Idaho State Police Evaluation System has four categories, and the Virginia State Police has five. There are pros and cons for having more or fewer overall ratings; having fewer categories can simplify the evaluation process. Yet additional categories provide management the opportunity to elevate an employee who is not at the exceptional level but still goes above the requirements of their job. However, having more categories does create ambiguity and requires precise documentation to differentiate between adjacent categories.

## **B. SIGNIFICANT DIFFERENCES**

Comparing these two case studies allows for analysis to see which methods work within the agencies and where improvements could be made. The Virginia State Police and Idaho State Police evaluation system have similar formats in their respective annual evaluation forms, yet their formats and forms also reflect notable differences that are important for determining the effectiveness of their officers. Both agencies have categories that contain a ranking structure but those categories have different verbiage. For example, the top ranking on a category for the Virginia State Police is “extraordinary contributor” while for the Idaho State Police it is called “exemplary performance.” Another difference is that the Virginia State Police evaluation form has five rankings while the Idaho State Police evaluation form has four. The difference is that the Virginia form has a category for a marginal contributor, whereas the Idaho form does not have a comparable option. Both forms feature rankings that range from achieves performance standards to does not achieve performance standards, which, as the final ranking, requires the employee to go on an improvement plan.<sup>135</sup> The extra category of marginal contributor is significant, as the marginal ranking allows the supervisor to put the employee on notice that if they drop one more ranking, they will be required to go on a performance plan and, in the Virginia State Police evaluation system, can lead to termination.

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<sup>134</sup> Graham.

<sup>135</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

Other differences between the agencies includes the fact that the Virginia State Police *mandates* quarterly meetings between the first line supervisor and troopers, while the Idaho State Police agency *encourages* such meetings.<sup>136</sup> By not mandating the quarterly meetings, or any meeting for that matter, the Idaho State Police trusts that their supervisors will stay informed of their officers on their own or through other methods. Larry Coutts and Frank Schneider advocated for a continuous performance-based feedback process.<sup>137</sup> They also said for the evaluation system to be effective, these meetings must not only take place but also include meaningful and objective feedback and employees be given the option to challenge or rebut the evaluation.<sup>138</sup> They believed that giving the employee an opportunity to speak increases the likelihood that they will accept the evaluation.

A third difference in the two case studies is the nature of the data included in the annual performance evaluation, which demonstrates how the different departments evaluate their officer's effectiveness. The Virginia State Police system includes quantitative metrics such as arrest data, crashes worked, and numbers of public liaison activities, whereas the Idaho State Police requires written qualitative information about the trooper. The Idaho State Police format is simplified, containing only three categories,<sup>139</sup> compared to the Virginia State Police trooper's Employee Work Profile, which has eight categories.<sup>140</sup> The three categories for the Idaho State Police are weighted equally; in contrast, each category is given a different weight in the Virginia State Police System. Having eight categories allows the Virginia State Police to evaluate their officers in a more detailed method. The Idaho State Police method allows for more generalized evaluation but would put more onus on the supervisor to include detailed records without having readily available quantitative metrics.

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<sup>136</sup> Virginia State Police, *Virginia State Police Manual*.

<sup>137</sup> Larry M. Coutts and Frank W. Schneider, "Police Officer Performance Appraisal Systems," *Policing: An International Journal of Police Strategies & Management* 27, no. 1 (January 1, 2004): 67–81, <https://doi.org/10.1108/13639510410519921>.

<sup>138</sup> Coutts and Schneider.

<sup>139</sup> Idaho State Police, "Idaho State Police Staff Performance Evaluation."

<sup>140</sup> Virginia State Police, "Department of State Police Employee Work Profile."

A fourth difference is the span of control of sergeants to officers. The Idaho State Police system has 6 to 7 officers assigned to a particular sergeant, allowing that sergeant to dedicate more time to each individual officer. Virginia State Police system has 12 troopers assigned to a sergeant, which may necessitate the use of quantitative data as supervisors do not have time to dedicate to each trooper's qualitative outputs. By having a smaller span of control of sergeants to troopers, the Idaho State Police seems advantageous from a supervisory aspect, but from a financial aspect it is more fiscally responsible to assign more troopers to one sergeant, especially when the number of positions an agency is allocated is legislated.

### **C. SIGNIFICANT SIMILARITIES**

Signally, both agencies allow flexibility in how their officers are evaluated, which allows for supervisors to rate officers on the criteria that best suits them. In the Virginia case study, the first sergeant (reviewer) has the authority to change the weighted categories allowing for the employee work profile to fit the needs of the area and community served. The Idaho State Police evaluation is nearly completely subjective, allowing for a great deal of flexibility regarding what information is put into the evaluation and how the officer is rated. Allowing flexibility in the evaluation process, either in the employee work profile in the Virginia State Police method, or by allowing for general categories with subjective analysis in the Idaho State Police allows for officers to be rated on their strengths where they devote most of their time.

The two case studies have several measures that appear to be effective in their processes. The case studies also showed that communication in the process is essential. Demonstrating these areas of successful measures and methods to have continual communication are key components to the evaluation process.

#### **1. Successful Measures in the Evaluation Processes**

The Idaho and Virginia State Police models both plot avenues to success according to their leadership, but they rely on the supervisor taking the time to accurately complete the review. Based on my experience and the research, leadership and the evaluation process

must become a priority for executive leadership within police organizations, whether through policy or practice.

Allowing officers to set their own goals for upcoming performance cycles can be successful if used correctly. Coutts and Schneider say performance appraisals should allow for the supervisor and the employee to promote individual and organizational goals.<sup>141</sup> These goals can include education, training, community involvement, or paths to promotion. Allowing employees to have input on their careers is likely to create buy-in and could lead to loyalty within an agency. Both of the agencies researched in this thesis have employee input in their performance plan. An area for improvement in the Virginia State Police model would be to add employee input as a component to the quarterly evaluations. The dialogue created would be an opportunity for the sergeant to check on the status of the career goal and see what support a trooper needs to accomplish the goal.

## **2. Communication in the Evaluation Process**

We don't train supervisors for the critical conversations that they have with our own people. Those conversations about expectations and performance are crucial to everything that we do as police agencies.

—Minneapolis Police Chief Janeé Harteau<sup>142</sup>

As both Lieutenant Colonel Hanley and Lieutenant Colonel Gardner mentioned, a key to having successful productive evaluations is allowing the supervisor enough time to effectively monitor their officers' performance. Tasking a supervisor with evaluating too many employees may lead to the evaluation process becoming a cut -and -paste exercise out of necessity—not want—to meet established deadlines. In a survey conducted by Police1, of 2,376 responses, 54 percent of police officers said they did not receive constructive performance feedback from their supervisor.<sup>143</sup> These results show that either supervisors are tasked with too many officers or other duties that they do not have time to provide feedback or they have not been trained how to properly do so.

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<sup>141</sup> Coutts and Schneider, "Police Officer Performance Appraisal Systems."

<sup>142</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*, 38.

<sup>143</sup> Police1, "What Cops Want in 2022."

According to one guideline on performance management, sergeants often serve as the most critical role in ensuring procedural justice are carried out on a daily basis.<sup>144</sup> Their role can be challenging as they are often pulled to many other responsibilities administratively and operationally. Branly et al. list six steps to have constructive conversations.<sup>145</sup>

#### Keys to Successful Communication about Performance

1. Conversations (both formal and informal) between supervisors and employees should be timely and frequent. Do not delay in addressing an issue or needed change in behavior.
2. Messages should be clear, honest, and consistent.
3. Give the employee opportunities to speak openly. Dialogue involves more than one person.
4. Supervisors should provide consistent feedback, including constructive criticism and praise for a job well done when appropriate.
5. Supervisors should ask employees what they can be doing to help the employee perform better or grow.
6. If documenting verbal exchanges, ensure that both parties review and agree on the final document.<sup>146</sup>

These suggestions seem simple, but in my experience they have often been overlooked. Having difficult conversations with employees on how they can improve does not always come naturally to individuals and agencies must be willing to train and mandate their employees to do so.

Franklin Fire Department Battalion Chief Daniel M. Mayer made recommendations on significant changes to the evaluation process for the members of his agency.<sup>147</sup> While

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<sup>144</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*.

<sup>145</sup> Branly et al., 38.

<sup>146</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*.

<sup>147</sup> Daniel M. Mayer, "Improving Job Performance Within the City of Franklin Fire Department by Improving the Job Performance Evaluation Process" (National Fire Academy, December 2004), <https://www.hsd.org/?abstract&did=489272>.



fire departments are not police, there are many similarities that can be drawn on evaluations in these areas of public safety. Mayer recommended several changes to their process that included more frequent meetings between supervisors and employees and a reduction in the evaluation process to six months.<sup>148</sup> He also recommended that goals set up for the employee were agreed on by the supervisor and the employee. It may not be necessary for departments to change from annual evaluations to semi-annual, but more frequent formal and informal meetings do assist a supervisor with understanding what their employee/officer has been doing and to checking their mental state. Both Hanley and Gardner advocate for more interaction between the supervisor and the officer. One agency, the Brooklyn Park (Minnesota) Police Department, encourages sergeants to meet with all of their officers prior to the end of shift for a debrief on the day.<sup>149</sup> In theory, a daily meeting sounds like a good practice but it is not attainable for many agencies. In my experience, state police organizations do not conduct a shift briefing and most messages are relayed through their mobile terminal. Meeting daily may not be an option for most agencies, but regular communication is essential to for effective evaluation.

According to Lilley and Hinduja, nearly all police agencies allow for the immediate supervisor to rate the officer.<sup>150</sup> The authors argued that recent studies show having multiple raters can increase the validity of the rating process. The two case studies provide a reviewer to the evaluation process, and with span of control already an issue, adding another level to the evaluation process would be problematic.

Bonkiewicz argued that there are two main reasons for why agencies vary on how they analyze officer productivity.<sup>151</sup> One is that law enforcement specifics (data other than arrests) are difficult to establish. The second is that even if the data are available, there is not much detail about the information other than the number of arrests, citations, directed patrol hours, etc., that the supervisor can use objectively evaluate.<sup>152</sup> A method to combat

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<sup>148</sup> Mayer.

<sup>149</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*, 52.

<sup>150</sup> Lilley and Hinduja, "Officer Evaluation in the Community Policing Context."

<sup>151</sup> Bonkiewicz, "The IMPACTT of a Patrol Officer."

<sup>152</sup> Bonkiewicz.

these obstacles is to have supervisors monitor and review body or dash camera data regularly. Monitoring footage of the individual officer's actual engagement regularly would include daily interactions with the public, not just high -profile events.

Hanley noted when he was an area commander, he had his troopers fill out an additional weekly report to give information to their supervisor about any activities that were not included on the traditional weekly report.<sup>153</sup> He noted that it is difficult for the supervisor to put something together at the end of the year, but if they have a file with weekly activities, it becomes much easier. In the Virginia State Police model, there is a category for personal learning goals. Learning goals need to be included in the quarterly evaluations where the sergeant checks the progress of the goal and sees what support the trooper needs. The evaluations should include tracking the progress of the personal learning goals and adding weight in the overall end- of -year evaluation.

Branly et al. agreed: “employee motivation and job satisfaction should increase as employees are able to improve their skills, meet goals, and perform better [and] the agency is able to train and harness the talents of its employees to fill critical roles with the most qualified personnel, either to meet current needs or for succession planning.”<sup>154</sup>

#### **D. CONCLUSION**

Having effective accurate evaluations are important for agencies to maintain credibility from the communities in which they serve. It is important that the agencies goals are evolving to meet the community needs. Both agencies have instituted strategic plans prioritizing customer service and community engagement. The two case studies show also there are multiple methods in which to have successful evaluations, from the agency and officer perspective. In both instances, communication is essential so that supervisors can stay apprised of their officer's activities. Using such creative methods as the example Hanley gave when he was an area commander is one method, and allowing innovation in the processes is important, as prioritized in the Idaho State Police evaluation.

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<sup>153</sup> Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

<sup>154</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*, 7.

Quantitative metrics do have value, as they can be used to analyze crime, crash rates, etc., and apply resources to those areas. These metrics do not necessarily have to be evaluated at the officer level and can be used more on the agency or divisional level. For evaluation purposes at the officer level, importance should be placed on professionalism, community interaction, and determining if they are having a positive impact generally.

## V. CONCLUSIONS

This research sought to answer three questions: What are the most effective methods for law enforcement agencies to evaluate their officers' effectiveness? How do communities evaluate the agencies providing service? Do the goals of the agencies and communities align with each other? This chapter attempts to answer these questions, based on research and the previous two case studies.

### A. WHAT MAKES EFFECTIVE POLICE OFFICERS?

The first question this research attempted to answer was, What are the most effective methods for law enforcement agencies to evaluate their officers' effectiveness? Defining what an effective police officer is can be difficult. The definition may vary from community to community and agency to agency. Arguments have been made that both quantitative and qualitative data should be considered to best analyze an officer's performance.<sup>155</sup> The research has shown both can be successful, but the best method may be a blend where quantitative data is evaluated with qualitative measures. For example, an officer may make 400 traffic stops in a year for speeding violations. This absolute number can be given more context if the supervisor reviews the officer's camera to ensure the stops were conducted in a professional manner and looks at other factors such as location and time. If the enforcement took place in high crash areas, that would lend credence that the officer was being effective and taking preventive action.

Larry E. Capps, a retired assistant chief of the Missouri City, Texas, Police Department, identified 10 characteristics that he believes makes the ideal police officer: initiative, sense of ethics, respect and knowledge of laws, communication skills, common sense, civility, service mentality, humility, controlled temper, and a thirst for knowledge.<sup>156</sup> Both of the agencies studied for this research have some, if not all, aspects

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<sup>155</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*.

<sup>156</sup> Larry Capps, "Perspective: Characteristics of an Ideal Police Officer," FBI: Law Enforcement Bulletin, accessed October 4, 2022, <https://leb.fbi.gov/articles/perspective/perspective-characteristics-of-an-ideal-police-officer>.

of these 10 categories within their evaluation systems by having a code of ethics and touching on the other characteristics in some manner. The Idaho State Police System uses three almost completely qualitative categories to determine if their officers are effective.<sup>157</sup> In comparison, the Virginia State Police troopers' employee work profile possesses eight categories that are made up of mostly quantitative data metrics such as arrest data, crashes worked, and numbers of public liaison activities.<sup>158</sup>

These data can be useful if qualitative information is included about how the quantitative data (arrests, crashes worked, public liaison activities, etc.) were performed. In the current system for Virginia, a high output of quantitative data usually results in a high merit evaluation. Large quantitative output does not necessarily equate to a trooper effectively promoting highway safety and the department's mission. In the future, Hanley explained, using heat maps to predict where traffic crashes are likely to occur and having troopers proactively respond by being visible may be beneficial. He went on to say that by tracking a trooper's movement and ensuring they were visible and if a low incident rate can be articulated to their activities, even if it did not include active enforcement, that in itself could be an effective trooper. In the future, if this plan works, effective policing may be accomplished through less enforcement and more visibility.

Harry Hatry and John Greiner seemed to agree with this logic and argued for a management by objectives system.<sup>159</sup> In the management by objectives system, the supervisor sets specific goals for the employee and monitors the employee's progress throughout the evaluation period. The supervisor and employee discuss different types of objectives that should be a measurable and achievable within a certain amount of time. These goals could be crime related, traffic related, or community -service oriented. Examples include reducing the number of crashes at a particular intersection over a six-month period or having an officer conduct 10 safety talks at the schools within their area

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<sup>157</sup> Idaho State Police, "Idaho State Police Staff Performance Evaluation."

<sup>158</sup> Virginia State Police, "Department of State Police Employee Work Profile."

<sup>159</sup> Harry Hatry and John Greiner, "How Can Police Departments Better Apply Management-By-Objectives and Quality Circle Programs? | Office of Justice Programs," accessed July 1, 2022, <https://www.ojp.gov/ncjrs/virtual-library/abstracts/how-can-police-departments-better-apply-management-objectives-and>.

over a year when that officer only conducted two the previous year. However, in the example safety talks, it is possible the officer is not comfortable with public speaking, and, therefore, the supervisor could either mentor the officer or partner the officer with another officer who is comfortable giving such talks.

Being an effective police officer is relative to the agency's and community's goals. This means the measured data should vary by agency. The Virginia and Idaho State Police agencies both recently produced strategic plans. The Virginia State Police strategic plan produced in January 2022 said the sworn employee work profile needed revision and a reset on the evaluation process.<sup>160</sup> The work profile calls for an added category of leadership, regardless of rank, and an emphasis on community-oriented policing. The strategic plan also calls for a shift toward a culture of customer service, emphasizing three C's: courtesy, competence, and commitment.<sup>161</sup> Customer service is a category that the Idaho State Police already use in the evaluation process and is also given considerable weight.<sup>162</sup> From the agency's perspective, both Lieutenant Colonel William Gardner of Idaho State Police and Lieutenant Colonel Matthew D. Hanley of the Virginia State Police believed their methods met their Department's evaluation goals.<sup>163</sup>

## **B. COMMUNITY ENGAGEMENT IN THE EVALUATION PROCESS**

The second question the research sought to answer was, How do communities evaluate the agencies providing service? A journal produced by the DOJ states police–community relationships are important, noting that

strong relationships of mutual trust between police agencies and the communities they serve are critical to maintaining public safety and effective policing. Police officials rely on the cooperation of community members to provide information about crime in their neighborhoods, and to work with the police to devise solutions to crime and disorder problems.

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<sup>160</sup> Virginia State Police, “Virginia State Police Strategic Plan.”

<sup>161</sup> Virginia State Police.

<sup>162</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

<sup>163</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director; Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

Similarly community members' willingness to trust the police depends on whether they believe that police actions reflect community values and incorporate the principles of procedural justice and legitimacy.<sup>164</sup>

An important part of evaluation process therefore must be gaining the trust of the communities they serve. For police officers to be effective, they need to provide a sense of security to their community. While there is no way to prevent all crime through professionalism and intelligence, it may be possible to reduce crime and foster confidence among the citizens. One way to foster such confidence is incorporating community involvement into the evaluation process. Three current methods for the community to be engaged in the process are through surveys, elected legislatures, and community review boards.

Surveys are one way to evaluate feedback from communities. One DOJ report says they can be useful, but they can leave out information on citizen attitudes and underreported crimes.<sup>165</sup> The Virginia State Police method for soliciting opinion is valuable in that it provides the agency feedback on public perceptions. However, while surveys deserve some merit, they can be flawed, as one individual can take the survey multiple times, skewing the data. The Virginia Commonwealth University (VCU) Police Department has taken the step of handing out survey cards with a QR code at the conclusion of traffic stops or any lengthy interaction with one of their officers.<sup>166</sup> Once scanned they are prompted to the following questions, and there is also a prompt for users to type in written feedback.

- Does the community member know why the stop was conducted?
- Did the officer actively listen during the conversation?

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<sup>164</sup> "Police-Community Relations Toolkit: Importance of Police-Community Relationships and Resources for Further Reading."

<sup>165</sup> Deborah Weisel, U.S. Department of Justice; Bureau of Justice Statistics, and U.S. Department of Justice; Office of Community Oriented Policing Services, "Conducting Community Surveys: A Practical Guide for Law Enforcement Agencies: (385152004-001)" (American Psychological Association, 1999), <https://doi.org/10.1037/e385152004-001>.

<sup>166</sup> VCU News, "QR Codes Are Being Added to VCU Police Stop Cards, Providing an Additional Channel for Community Feedback," Virginia Commonwealth University, January 25, 2022, <https://news.vcu.edu/article/2022/01/qr-codes-are-being-added-to-vcu-police-stop-cards-providing-an-additional-channel>.

- Does the person believe they were treated fairly during the interaction?
- Was the officer professional?
- Does the victim, or survivor, know about potential resources?<sup>167</sup>

Knowing written feedback is constantly coming in from those with whom troopers interact encourages the officers to keep in mind they are under constant evaluation from the citizens with whom they are interacting and enforcing the law upon, not just supervisors. VCU Officer Christopher Clark said, “I believe it’s a great tool, and an accountability mechanism, that officers can use to help them improve in areas both professionally and personally, and as a way to enhance community relations.”<sup>168</sup> VCU Police Chief John Venuti says the surveys are transparent also for the officers who have the ability to view their own results as well as supervisors and administrators.<sup>169</sup> The surveys offer the agency an opportunity to evaluate not just its individual officers but also how their agency is perceived overall.

The second method of community engagement is working with elected officials. It has become clear with recent legislation that some communities do not want performance measured by just arrest data. Recently Virginia legislatures passed laws banning law enforcement from having quotas, joining Louisiana, Montana, and other states with similar laws.<sup>170</sup> These recent changes in legislation show the perspective of legislators, even though there is no evidence of any other agencies within the commonwealth employing a quota system. It could be argued that incentivizing quantitative numbers as a performance measure serves the same purpose.

Many jurisdictions, including the state of Virginia and the city of Philadelphia, have also changed what constitutes a primary violation—those violations that can by themselves

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<sup>167</sup> VCU News.

<sup>168</sup> VCU News.

<sup>169</sup> VCU News.

<sup>170</sup> “Virginia Joins 20 Other States Banning Ticket Quotas For Traffic Cops,” Good News Network, June 6, 2022, <https://www.goodnewsnetwork.org/virginia-joins-20-other-states-banning-ticket-quotas-for-traffic-cops/>.



lead to a non-consensual encounter with the police, for example, a traffic stop. Examples include defective headlights, excessively tinted windows, expired registrations, and state inspections within four months are no longer grounds for traffic stops in Virginia.<sup>171</sup> Philadelphia has enacted similar restrictions disallowing traffic stops for a single broken tail light, single headlight, and registration and inspection issues.<sup>172</sup>

The push to have fewer traffic stops may have consequences, as fatal crashes increased nationally by 24 percent in 2021, even with fewer miles being driven due to other factors.<sup>173</sup> That year, Virginia hit a 14-year high with the number of fatalities with 968 deaths.<sup>174</sup> The research is not clear whether the changing laws are the sole reason for the higher numbers, as other factors play into the higher crash rates such as the pandemic, which forced agencies to prioritize when to have contact with citizens and have fewer police officers to conduct traffic stops and be visible.

A third method for community engagement in reviewing its agencies is through review boards.<sup>175</sup> In a journal produced by the DOJ, Finn advised that while there is no single model for citizen oversight, there are four basic types of civilian review boards.<sup>176</sup>

- Type 1: Citizens investigate allegations of police misconduct and recommend findings to the chief or sheriff.

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<sup>171</sup> Dujardin, “Va. Lawmakers Pass Bill to Reduce Traffic Stops, Outlaw Some Marijuana Searches.”

<sup>172</sup> Suzie Ziegler, “Philly Bans Traffic Stops for Minor Infractions,” Police1, October 15, 2021, [https://www.police1.com/traffic-patrol/articles/philly-bans-traffic-stops-for-minor-infractions-pVXFJRkBojEQ5uaM/?utm\\_source=Police1&utm\\_campaign=5325652357-EMAIL\\_CAMPAIGN\\_2021\\_10\\_15\\_07\\_01&utm\\_medium=email&utm\\_term=0\\_5584e6920b-5325652357-83843508](https://www.police1.com/traffic-patrol/articles/philly-bans-traffic-stops-for-minor-infractions-pVXFJRkBojEQ5uaM/?utm_source=Police1&utm_campaign=5325652357-EMAIL_CAMPAIGN_2021_10_15_07_01&utm_medium=email&utm_term=0_5584e6920b-5325652357-83843508).

<sup>173</sup> Bob Harrison, “Stop, Start, or Continue? A National Survey of the Police About Traffic Stops,” *TheRANDBlog* (blog), June 30, 2021, <https://www.rand.org/blog/2021/06/stop-start-or-continue-a-national-survey-of-the-police.html>.

<sup>174</sup> Will Vitka, “Virginia Hit 14-Year High for Traffic Fatalities in 2021,” WTOP News, April 19, 2022, <https://wtop.com/virginia/2022/04/slow-down-buckle-up-virginia-hit-14-year-high-for-traffic-fatalities-in-2021/>.

<sup>175</sup> Hudson, “Police Review Boards and Police Accountability.”

<sup>176</sup> Finn, *Citizen Review of Police: Approach and Implementation*.

- Type 2: Police officers investigate allegations and develop findings; citizens review and recommend that the chief or sheriff approve or reject the findings.
- Type 3: Complainants may appeal findings established by the police or sheriff's department to citizens, who review them and then recommend their own findings to the chief or sheriff.
- Type 4: An auditor investigates the process by which the police or sheriff's department accepts and investigates complaints and reports on the thoroughness and fairness of the process to the department and the public.<sup>177</sup>

Citizen review boards can help build trust among communities and create accountability for the agencies they review. Citizen review boards can also have adverse results on the officers. Officers may view the citizen review boards as unfair because officers are judged by reviewers who are not familiar with police work.<sup>178</sup> These views may lead to less proactive policing as officers are less willing to put themselves in situations where they can be second-guessed, especially when it can have an impact on their career, hampering opportunities for promotional and transfer to preferred positions.<sup>179</sup>

Stone and Travis characterized accountability as an acceptance of obligations by an organization to account for police actions to their chain of command, their communities, legislatures, and courts. Legitimacy means the agency consents to the cooperation and support of the communities they serve. Innovation is meant to be an active investment of personnel to be adaptive to policies proven effective in other agencies and experimenting with new ideas in cooperation with the agency's partners.<sup>180</sup> Innovation is a line item in

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<sup>177</sup> Finn.

<sup>178</sup> Finn, 112.

<sup>179</sup> Finn, 121.

<sup>180</sup> Stone and Travis, *Toward a New Professionalism in Policing*.

the Idaho State Police evaluation that describes exemplary performance in professionalism as constantly looking for improvements to streamline processes.<sup>181</sup> The last portion of the new professionalism that Stone and Travis described is a national coherence. In that, they say the agencies should devote time to participating in national conversations about professional policing. They should also train their supervisors and officers in practices and theories that are applicable across the country.<sup>182</sup>

### C. RECOMMENDATIONS

All police agencies are unique, and one size does not fit all when it comes to performance measures and evaluation systems.<sup>183</sup> Officer evaluations should have components from these plans and give the officers an opportunity to set their own goals. The goals should align with the agencies' missions and communities they serve. The characteristics, identified by retired Assistant Police Chief Larry Capps, include initiative, sense of ethics, respect and knowledge of laws, communication skills, common sense, civility, service mentality, humility, controlled temper, and a thirst for knowledge.<sup>184</sup> Such characteristics may sound like common sense for a police officer, but they can be hard to measure. Northeastern University Public Safety Director Michael Davis says different officers are good at different things, and they should be given the opportunity to discuss different goals with their supervisors that line up with the agency objectives in mind.<sup>185</sup> For example Davis said, "It might be shutting down an open-air drug market, dealing with a problem of juvenile crime in the schools, or dealing with a business or residence that generates repeated calls for service."<sup>186</sup>

I agree with this recommendation and believe evaluations should be weighted toward how officers effectively impact their community. For example, an officer may have

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<sup>181</sup> Idaho State Police, "Idaho State Police Staff Performance Evaluation."

<sup>182</sup> Stone and Travis, *Toward a New Professionalism in Policing*.

<sup>183</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*, 4.

<sup>184</sup> Capps, "Perspective."

<sup>185</sup> Capps.

<sup>186</sup> Branly et al., *Implementing a Comprehensive Performance Management Approach*.

a positive impact on highway safety through safety talks at high school drivers' education programs and other community events, while not being heavy on actual enforcement. If it can be justified by documentation, then these events should be given due credit in the evaluation.

Both Hanley and Gardner believe their systems work as long as the first line supervisor takes the time to conduct the evaluation process. For the supervisor to act accordingly, supervisors must be trained on how to properly conduct evaluations and give constructive feedback. When new officers graduate from the academy, most agencies have a field training period where the new recruit works under close supervision of a senior officer. During this period, they are shown tasks, demonstrate them under supervision, then perform them independently. A similar process should be implemented for supervisors.

The frequency in which first line supervisors meet with their officers also must increase. The only way to effectively monitor, coach, and supervise is to be in regular contact with troopers to know what they are doing and what they are working on as well as the state of their mental and physical well-being. Increasing contact is difficult with the current state of police. With large numbers of shortages nationwide, sergeants are often called to handle calls for service and other tasks. According to a 2021 PERF study, between April 1, 2020, and March 31, 2021, there was an 18-percent increase in officer resignations and 45 percent increase in retirements.<sup>187</sup> These departures come with lower hiring numbers and a decrease in new hires by 5 percent.<sup>188</sup> Consistent monitoring of officers by first line supervisors is a key component of the evaluation system.

In the current system for the Virginia State Police, it is difficult for supervisors to keep abreast of their assigned troopers' day-to-day activities. Hanley offered one possible solution for keeping up with a trooper's daily activities that currently are not incorporated on the weekly statistics sheet. He recalled that as an area commander, he had his troopers

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<sup>187</sup> "Survey on Police Workforce Trends," Police Executive Research Forum, June 11, 2021, <https://www.policeforum.org/workforcesurveyjune2021>.

<sup>188</sup> Gregg Mellen, "Why Law Enforcement Is Facing Unprecedented Challenges in Hiring and Keeping Recruits," Police1, November 22, 2021, <https://www.police1.com/police-recruiting/articles/why-law-enforcement-is-facing-unprecedented-challenges-in-hiring-and-keeping-recruits-pFiTKCXrne6ccNfB/>.

fill out an additional weekly report to provide information to their supervisor about any activities that were not included on the traditional weekly report.<sup>189</sup> He acknowledged it is difficult for the supervisor to put together an evaluation at the end of the year, but if they have a file with weekly activities, it becomes much easier.<sup>190</sup> This documentation provided by the trooper gives a supervisor an opportunity to show how that trooper is effective through measures other than enforcement efforts.

Both agencies under study in this thesis have an evaluation system with an end date that is the same for all employees. Garner would like to see evaluations put on different cycles so they were not all required to be done at the same time. He would like to see evaluation periods starting with hiring dates so they would be spread out over the year.<sup>191</sup> Having individual performance dates would allow a supervisor to focus on one evaluation at a time, rather than trying to prepare six or seven or even 12 at one time.

One obstacle to individual dates for the performance cycle could be the systems in place for human resources to process evaluations. In my experience, they are all processed together within a certain timeframe, and it would require a complete change in the system to track over 2000 employees and their hire dates. Individual dates may be more feasible for smaller agencies.

Simplification of the overall rating is another item to consider. The Virginia State Police evaluation system offers five overall ratings, while the Idaho State Police system has four. Gordon Graham advocated for three: meets standards, exceeds standards, and does not meet standards.<sup>192</sup>

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<sup>189</sup> Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

<sup>190</sup> Interview with Lieutenant Colonel Matthew D. Hanley, Director of the Bureau of Field Operations, Virginia State Police.

<sup>191</sup> Interview with Lieutenant Colonel William Gardner, Idaho State Police Deputy Director.

<sup>192</sup> Graham, "Performance Evaluations."

## **D. FUTURE RESEARCH**

This thesis conducted analysis on current trends of performance management methods for street level officers, specifically of the Idaho and Virginia State Police. Future research that should be considered are performance measures for supervisors. First line supervision has a great impact on the mission of carrying out agency objectives.

A second area requiring further research is the training standards for first line supervisors. In my experience and speaking with peers, the training provided to officers when they are promoted into supervisory positions varies greatly.

A third area that needs consideration is how the political climate affects police performance objectives. In the past 12 months, there have been dramatic shifts in how legislatures want to modify policing, specifically in Virginia. This thesis discussed the push for a reduction in primary offenses, and while these changes have not been repealed, there has been a push from the current Governor Youngkin for more aggressive policing, specifically in cities identified as having high crime rates.

## **E. CONCLUSIONS**

When determining what makes the officers effective, there should be qualitative and quantitative components considered. Such components may include community engagement, which specifies examples of not only what the officer did but also how successful and professional they were in the process. There are multiple ways to incorporate professionalism into an evaluation. The Idaho State Police agency has an entire category devoted to professionalism.<sup>193</sup> The Virginia State Police agency includes it under the promoting highway safety category,<sup>194</sup> which is the most weighted category; however, an improvement could be made by adding the definition of “professionalism” to every category. For example, in the investigate crashes category, adopt the verbiage “conduct thorough, professional investigations.”

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<sup>193</sup> Idaho State Police, “Idaho State Police Staff Performance Evaluation.”

<sup>194</sup> Virginia State Police, “Department of State Police Employee Work Profile.”

While officer evaluation is and should be a locally specific undertaking, there should be certain things considered, including community engagement, professionalism, and some sort of method to develop the officer professionally. The development does not have to mean through the promotion process, as there are many highly regarded career patrol officers.

In the effort to address the second question of this thesis— How can community involvement be incorporated in the evaluation process to ensure agency goals align with the needs of the community being policed? — The research provides several possibilities, each with opportunities and flaws. The Virginia State Police has started using a survey to obtain feedback. The survey is not a perfect system, but it is a starting point. Other agencies have used citizen review boards, but these are typically used to review use of force and alleged complaints. Civilian oversight committees are controversial in some ways as they attempt to create accountability for the police but create distrust in some cases for the police for fear of being judged by reviewers who do not understand an officer’s job. This fear of being judged by laypeople can result in a reduction of police efforts, which can impact public safety.

In the two case studies, both the Idaho State Police and Virginia State Police implemented new strategic plans that outline both internal and external goals. The mission of the Virginia State Police is “Securing the Commonwealth through leadership, collaboration, and community engagement.”<sup>195</sup> The goals for the community are often relayed to police agencies through political leadership. In October 2022, Virginia Attorney General Jason Miyares also announced Operation Ceasefire, which is a separate initiative and will partner with 12 cities in a violent crime initiative.<sup>196</sup> This initiative requires agencies, including the Virginia State Police, to increase enforcement efforts in the 12 cities named. Shawn Weneta at the Virginia chapter of the ACLU believes the attorney general’s

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<sup>195</sup> Virginia State Police, “Virginia State Police Strategic Plan.”

<sup>196</sup> Tyler Arnold, “Youngkin Unveils Plan to Recruit and Keep Police in Virginia,” The Center Square, October 18, 2022, [https://www.thecentersquare.com/virginia/youngkin-unveils-plan-to-recruit-and-keep-police-in-virginia/article\\_07e7bea2-4efe-11ed-99e0-03e9a527d893.html](https://www.thecentersquare.com/virginia/youngkin-unveils-plan-to-recruit-and-keep-police-in-virginia/article_07e7bea2-4efe-11ed-99e0-03e9a527d893.html).

approach is too heavy on prosecution and too light on intervention.<sup>197</sup> In my experience and knowledge of the situation, plans to meet the goals of reducing violent crime include visibility, community events with displays, and public training events as well as enforcement efforts.

Finally, the evaluation process must be constantly assessed and modified for effectiveness. The needs of communities evolve and so should police response. For an officer to be effective, they must have a positive impact on their community. Performance objectives will vary in jurisdictions and can even vary within departments. Leadership must stay abreast of changing climates and ensure first line supervisors are trained to correctly manage their officers.

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<sup>197</sup> “AG Miyares to Bring Operation Ceasefire to 16 Partner Cities,” WVTF, October 21, 2022, <https://www.wvtf.org/news/2022-10-21/ag-miyares-to-bring-operation-ceasefire-to-16-partner-cities>.



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