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The Influence of Higher Education on The Levels of Professionalism in The New Jersey State Police

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THE INFLUENCE OF HIGHER EDUCATION ON LEVELS OF PROFESSIONALISM IN THE NEW JERSEY STATE POLICE

By

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ABSTRACT

Citizens and visitors of the Great State of New Jersey clearly have the right to expect that enlisted members of the New Jersey State Police perform their duties and serve with the utmost respect and professionalism. In order to do so, the New Jersey State Police needs to establish a clearly defined criteria and parameters by which professionalism is to be defined and measured.

 Allegations of racial profiling and a 1999 Federal Consent Decree would serve as the genesis for sweeping organizational change within the New Jersey State Police and establishing stringent criteria for the manner in which they investigate and police their own.

The purpose of this study was to explore the influence of higher education on the level of professionalism demonstrated by enlisted members of the New Jersey State Police in the performance of their respective duties as related to the number of Office of Professional Standards investigations classified as substantiated.

This study was designed to provide a cross sectional analysis of data compiled from the New Jersey State Police Office of Professional Standards (OPS) and Organizational and Employee Services Bureau (OESB). These reports provided information pertaining to the number of investigations classified as substantiated, as well as, the number and levels of education attained by the enlisted members of the State Police. This study also provided a pre and post test analysis of key variables comparing data from the first year of the Consent Decree (2000) and the first year of full compliance with regards to Office of Professional Standards policy and operations (2005).
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Next I would like to thank the members of my family. Their support has been unwavering throughout this endeavor. I shall always remember Pop’s advice to persevere as the cream always rises to the top.

Finally and foremost, I would like to thank my darling wife, Beverly. She has endured this process with the utmost support, understanding, and compassion. Without her I could not have achieved this remarkable feat.
DEDICATION

To the Men and Women of the New Jersey State Police

Who Have Served the Outfit with the Utmost Professionalism.
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Chapter I

INTRODUCTION

Citizens and visitors of the great state of New Jersey clearly have the right to expect that enlisted members of the New Jersey State Police perform their duties and serve with the utmost respect and professionalism.

The American Heritage Dictionary defines profession as: "An occupation or vocation requiring training in the liberal arts or the sciences and advanced study in a specialized field." American Heritage further defines a professional as: "One who has an assured competence in a particular field or occupation."


Police Education. On the surface this is a logical fundamental strategy for improving the police service, yet the idea of college for police officers has evoked an amazing amount of emotion and debate. The controversies center on the benefits of higher education, its impact on policing, the effect on minority recruitment, how to validate college as a legitimate occupational necessity, the best type of education experience for policing, and the quality of educational programs. (p. i)

The authors go on to state: "Policing has been called the "unprofessional profession." Officers are entrusted with expansive powers and have broad discretion in the exercise of those powers. Police officers must wear many "professional" hats to
perform their duties with skill and success, including those of information processor, community organizer, crime analyst, counselor, "street corner politician," arresting officer, school liaison, and community leader" (p. liii).

In the textbook edited by John Kleinig (1996), *Handled with Discretion-Ethical Issues in Police Decision Making*, a compilation of writings by a host of contributors attempted to address the issues of powers exercised by police officers and their inherent abuses. Kleinig wrote in his introduction:

Criticisms of the way in which police exercise their authority are neither new nor uncommon. Police are vested with considerable formal (de jure) and physical (de facto) power, and that power may be drawn upon in circumstances that are both complex and pressing. It is not surprising, therefore, that their decisions should attract public scrutiny and even criticism. (p.1)

Kleinig continued on to cite researcher and author Kenneth Culp Davis, whose two works, *Discretionary Justice: A Preliminary Inquiry*, and *Police Discretion*, addressed a critical component of police authority, discretion. Kleinig writes, "In what is probably the most widely quoted characterization of official discretion, Davis states that 'a public officer has discretion whenever the effective limits on his power leave him free to make a choice among possible courses of action or inaction'" (p.2).

One of the contributing writers in Kleinig's text, Howard Cohen, draws the two elements of police discretion and police objectivity into the realm of police professionalism. In his chapter, Cohen describes the "Professional Model" of policing:

The professional model of policing is generally regarded as the dominant development in the organization of police agencies in twentieth-century America.
George Kelling and Mark Moore identify it as a police strategy that characterized thinking of police administrators and theorists from the 1920s to the 1970s. They characterize professional policing as chiefly focused on crime control. They associate this function with a centralized organization, preventative patrol tactics, and rapid response, and with an officer demeanor that is dispassionate, impersonal, and remote from the public.

A widely acknowledged version of a professional police department is the Los Angeles Police Department under the leadership of Chief William H. Parker. Gerald Woods, in *The Police in Los Angeles: Reform and Professionalization*, characterizes Parker's notion of professionalism through the following elements:

- A military model of command;
- Emphasis on crime suppression rather than crime prevention;
- Adoption of modern management principles, including the use of research and planning to achieve goals;
- Careful selection and training of personnel;
- No tolerance for corruption;
- Insulation from political machines; and
- An overriding commitment to the public order through force.

The ideal officer on this model is a person of high integrity — calm, polite, and humorless. Peter Manning describes the officers who function best in this role as "invisible, indirectly available, impersonal and specialist. (pp. 95-96)"
If ever there were a time for the New Jersey State Police to demonstrate its organizational professionalism, it is now. The Division of State Police has been under a considerable amount of scrutiny following allegations of a practice commonly referred to as *racial profiling*.

During a period of time in the mid to late 1990s there were numerous allegations of racial profiling leveled against the New Jersey State Police. As a result, the Office of the Attorney General prepared two significant reports: "The Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling" (April 20, 1999) and "The Final Report of the State Police Review Team" (July 1999), both of which addressed a plethora of issues concerning virtually all aspects of operations within the Division of State Police.

In the "Interim Report," written by then Attorney General John J. Farmer, Jr. and First Assistant Attorney General Paul H. Zoubek, it is reflected that "... We note at the outset that the great majority of state troopers are honest, dedicated professionals who are committed to enforcing the laws fairly and impartially. No information that we have reviewed contradicts this conclusion, and nothing in this Interim Report should be read as suggesting otherwise" (p. 3).

In a paper titled "Overview, Highlights and Action Steps of the Final Report of the State Police Review Team," however, Attorney General Farmer and First Assistant Attorney General Zoubek (1999) further recognized that "... While it is evident that the Division generally performs admirably in pursuing its law enforcement mandates, it appears to have done so in a manner that has severely undermined its support in
significant portions of the State’s law-abiding citizenry and that does not pay sufficient attention to the workplace conditions of its members and employees” (p.1).

The founding Superintendent of the New Jersey State Police, Colonel H. Norman Schwarzkopf, clearly understood the importance of instilling the value of professionalism within the organization when he issued General Order #1 on December 5, 1921:

It shall be the duty of the members of the New Jersey State Police to prevent crime and pursue and apprehend offenders. Members should bear in mind that the prevention of crime is of greater importance than the punishment of criminals. The force individually and collectively should cultivate and maintain the good of opinion of the people of the State by prompt obedience to all lawful commands, by a steady and impartial line of conduct in the discharge of its duties and by cleanly, sober and orderly habits and by a respectful bearing to all classes. (p.1)

The premise set forth by Colonel Schwarzkopf was relevant then and remains intact in today’s age and society. So much so that Attorney General Farmer and First Assistant Zoubek cited this order in their “Overview, Highlights and Action Steps of the Final Report of the State Police Review Team.”

During the course of the proud eighty-five-year history of the New Jersey State Police, every Trooper has acknowledged the importance of General Order #1 and has embraced the reputation and respect that such an order has afforded them as a member of the organization. To further reinforce the importance of abiding by such strict standards, one needs to understand the New Jersey State Police Core Values in performing duties constitutionally and with compassion: The New
Jersey State Police is committed to protecting the public and preserving the peace. To that end, we pledge to enforce the laws and protect all impartially and without prejudice. We will use compassion and abide by the constitution to uphold the rights of all citizens and do so in a manner which exemplifies our code of Honor, Duty, and Fidelity.

**HONOR** - Always act with the utmost integrity and be honest and truthful. Enforce the laws equally and without bias. Hold yourself and other members to the highest ethical standards.

**DUTY** - To protect and serve the public, prevent crime and apprehend offenders. Insure the highest quality service to the public. Perform our duties honorably and accept the responsibility to carry them out. Our devotion to duty will never waiver.

**FIDELITY** - Faithfully uphold the traditions of the New Jersey State Police. Strive to embody the principles under which we were founded. Maintain pride in yourself and the organization. Insure that the code of HONOR, DUTY, AND FIDELITY are your core values. (p.2)

How does an organization develop and maintain such high standards and expectations? One possible answer is through the higher education system. Theories have been presented with the belief that if police officers possess a higher level of education, they would in turn demonstrate actions that could be translated into perceived higher levels of professionalism.

The value and importance of an educated police officer is not a recent phenomenon. Such beliefs date back into the early twentieth century.
Authors Michael Caldero and John Crank (2000), in their text *Police Ethics-The Corruption of Noble Cause*, refer to August Vollmer as the "patriarch of police professionalism" and explain his efforts to improve police professionalism. The authors go on to describe Vollmer's concepts of the characteristics a police officer should possess:

The Vollmerian idea that officers should be committed to police work have increasingly characterized recruitment and hiring practices. Professional police officers were those who believed in the importance of their work, who believed in service to their communities and were committed to a contribution of police to society... Vollmer sought an officer that was highly educated, committed to police work, skilled in the latest technologies. This vision of police professionalism is grounded in the moral rightness of the fight against crime. It is a moral commitment of service to the country and to the welfare of the nation. (pp. 69-70)

In the text, *Police Professionalism - The Renaissance of American Law Enforcement*, Thomas J. Deakin (1988) describes the birth and impact that education has had in the chapter titled "Academic Beginnings."

American police college education, as opposed to recruit or in-service training of officers already employed, began in California in the late 1920s at the instigation of Berkeley police chief August Vollmer. This serving police chief, who had only a grade school education himself, in association with academics at the Berkeley campus of the University of California, had a profound effect on police education. Over half a century, Vollmer's pioneering led to police
executives of larger departments in this country who are, in the main, college graduates, many with advanced degrees. (p. 197)

Deakin continues on to cite Chief Vollmer’s “vision of a minimum requirement of a B.A. degree for police recruits and began its reality by hiring college students for police service in Berkeley. He believed that police service ‘would be measurably improved’ if there were a degree requirement for each officer . . .” (p.198).

In her text, Academic Professionalism in Law Enforcement, Bernadette Jones Palombo (1995) reflects upon the successes of Chief Vollmer’s theories. Palombo relates to the performance of officers and how their professionalism is accepted by the public.

This discussion has suggested that patrol officers who enter policing with some level of college education perform better in their probationary field training periods than those who do not. Additionally, those officers with some college, who continue their education at some point in their law enforcement careers, possess values and characteristics different from the others. In line with the Christopher Commission reasoning, these attitudes are translated into subsequent officer performance in regard to citizens, in a more positive rather than in a negative manner. (p. 219)

Palombo’s studies and observations clearly reflect educated officers typify the Trooper that Colonel Schwarzkopf had sought to develop when he issued Order 1 in 1921. Lynch (as cited in Palombo, 1995) has acknowledged however that:

Higher education may not be a panacea for the myriad of administrative and management problems within the police organization itself. However, higher
levels of education can assist a police officer on patrol to become a more “astute social observer,” posing choices of action more clearly, weighing alternatives to decisions, and critically discussing and examining the recommendations and solutions of others. (p. 219)

Unlike many law enforcement agencies, all men and women of the New Jersey State Police are required to complete a rigorous training program prior to taking their Oath of Office. Upon completion of this pre-service training, the newly appointed troopers are required to acknowledge their duties and responsibilities according to Rules and Regulations and Standing Operating Procedures (SOPs).

Many of the Division’s Standing Operating Procedures may sound harsh to the uninitiated. The following firm words serve as the introduction of the New Jersey State Police Standing Operation Procedure number B10, Internal Investigative and Disciplinary Procedures; Classifications, Processing, and Adjudications (2002, 2006):

Members of the New Jersey State Police must set an example for law enforcement and be held in high regard by all citizens. As law enforcement officers, the public justifiably expects members of the State Police to act with integrity, reliability, and trustworthiness. In order to have and maintain such esteem, members must acknowledge, uphold, and revere our core values: Honor, Duty, and Fidelity. Any member who is unwilling to identify with these values and whose conduct is fundamentally at odds with such values, should not and cannot remain a member of the division. (SOP B10, 2002)
The New Jersey State Police Office of Professional Standards Internal Investigations and Disciplinary Process Annual Report 2000 explained the complaint process as follows:

The New Jersey State Police accepts, reviews, and responds to all complaints received from the public. These include anonymous complaints, complaints from third party witnesses and complaints from parties not directly involved in the incident from which an allegation arises. Notwithstanding the occurrences of citizens requesting to withdraw a previously made complaint, the investigation is continued with or without the assistance of the citizen making the complaint. The investigative process assesses the propriety of all conduct during the incident in which the alleged misconduct occurred. If during the course of an investigation there is an indication that misconduct occurred other than that alleged, the Division also investigates the additional potential misconduct to its logical conclusion. (p. 7)

When such a complaint of misconduct is filed, it becomes a reportable incident. Standing Operating Procedure B10 defines a reportable incident as: "... any behavior, performance, or non-performance that may violate Division of State Police rules, regulations, procedures, applicable criminal and civil laws, and the United States or New Jersey constitutions" (p. 2).

Once such an incident has been reported, the accused member has the responsibility to respond in a professional matter. SOP B10 (Section 1.C) clearly states:

When mistakes are made or Rules and Regulations are violated, all members of this division shall be expected to candidly acknowledge such
mistakes or violations when brought to the member’s attention. Under no circumstances shall less than complete candor be acceptable. Members can expect that anything less than the truth in communications with supervisors, personnel within the Office of Professional Standards (OPS), and personnel from the Office of State Police Affairs (OAG) will result in severe discipline, up to and including termination. (p. 2)

Despite the quantity and quality of pre-service and in-service training that is provided to each member there is one factor that cannot be prescribed by SOP or Rule, and that is human nature. Whether or not a trooper performs his/her duties to the best of their ability, there are times that others may interpret actions as improper. Such an interpretation may come from an individual or group from within the organization or from outside of the organizational structure.

Regardless of whether or not human nature can be prescribed by SOP or regulations, education may play a significant role in developing a more professional police officer and law enforcement agency. It must be remembered that the notion of developing a more professional police officer or organization through higher education is not a recent phenomenon.

Statement of the Problem

Both law enforcement managers and the public whom they serve have set new standards of accountability and professionalism for police officers. As a result, many law enforcement organizations have incorporated entry level requirements that include, but are not limited to, college level education. Various agencies may require full degrees,
while some may merely require a specific number of credit hours. Still others may require a combination of college credits and/or military, prior police, or work experience.

The New Jersey State Police has vacillated between a strict college degree requirement, to the hybrid requirement of college and/or prior police/military experience, and/or a sound employment record. As a result, the organization has created different standards for a paramilitary organization which has traditionally preferred uniformity.

The New Jersey State Police website, (www.njsp.org/recruit/qual.html) stipulates the following minimum qualification under the education category for State Police applicants:

An applicant must have (1) a bachelor’s degree, signifying completion of the undergraduate curriculum and graduation from an accredited college or university or, (2) alternatively, an associate’s degree or have completed 60 college credits from an accredited college or university, plus at least two years of satisfactory employment or military experience indicating the maturity of the applicant. (NJSP, 2007, ¶ 4)

The fact that the Division of State Police has recognized and embraced “the maturity of the applicant” seems to imply that there is presumption that organizational professionalism can be enhanced by maturity.

One constant, however, has been that the Office of Professional Standards (OPS) continues to investigate internal affairs complaints/reportable incidents made against members of the State Police, regardless of rank, age, gender, race, color, creed, and/or level of education.
The Purpose of the Study

The purpose of this study is to explore the influence of higher education on the level of professionalism demonstrated by enlisted members of the New Jersey State Police in the performance of their respective duties, as related to the number of OPS investigations classified as substantiated.

Research Questions

1. What influence did the 1999 Consent Decree have on the level of professionalism demonstrated by enlisted members of the New Jersey State Police as measured by the number of substantiated internal affairs complaints/reportable incidents?

2. What influence did having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process have on the number of substantiated internal affairs complaints/reportable incidents?

3. What influence did the 1999 Consent Decree have on levels of education of enlisted members of the New Jersey State Police?

Definition of Terms

In this study, the following terms have been identified and defined in The United States District Court for the District of New Jersey, *Joint Application for Entry of Consent Decree* (1999), the dissertation, *Higher Education in Law Enforcement and Perceptions of Career Advancement* (Heinrich, 2000), and S.O.P. B10 (New Jersey State Police, 2006) as:

*Active Member*: A sworn member who is currently employed by the New Jersey State Police (Heinrich, 2000).
Advancement: promotion to the next rank within the organization (Heinrich, 2000).

Advanced Educational Degree: A Master’s Degree, Law Degree, Educational Specialist Degree, or a Doctoral Degree (also referred to as higher educational degrees) (Heinrich, 2000).

Bureau: The largest function of a section comprised of smaller units (Heinrich, 2000).

Civilian: Means any person who is not a state trooper (Heinrich, 2000).

Complainant: Means any person who files a complaint against a state trooper or the State Police (Consent Decree, 1999).

Complaint: Includes an allegation by a civilian or state trooper that a state trooper engaged in any form of misconduct (Consent Decree, 1999).

Detective: Non-uniformed members who perform investigative duties (Heinrich, 2000).

Enlisted Member: A sworn member of the New Jersey State Police holding a rank (Heinrich, 2000).

Exonerated: Where preponderance of the evidence shows that the alleged conduct did occur but did not violate State Police rules, regulations, operating procedures, directives or training (S.O.P. B10, 2006).

General Road Duty Trooper: A uniformed member who performs patrol and investigative duties (Heinrich, 2000).

Insufficient evidence (formerly unsubstantiated): Where there is insufficient evidence to decide whether the alleged misconduct occurred (S.O.P. B10, 2006).
**Intervention**: refers to a non-disciplinary interaction between a State Police supervisor and a state trooper initiated by the supervisor to enable or encourage the trooper to undertake a modification of his or her conduct. It is intended to be a mechanism to promote best practices for trooper conduct. It is not intended, and should not be interpreted, to be any form of disciplinary action (Consent Decree, 1999).

**New Jersey State Police (NJSP)**: A Division of state government under the Department of Law and Public Safety responsible for the enforcement of laws and protection of the citizens of the State of New Jersey (Heinrich, 2000).

**Office of Professional Standards**: The unit within the New Jersey State Police that is responsible for investigating allegations of misconduct and violations of rules and regulations and standard operating procedures (S.O.P. B10, 2006).

**Rank**: The established grades within the New Jersey State Police, Trooper, Troopers I and II, Sergeant, Staff Sergeant, Sergeant First Class, Lieutenant, Captain, Major, Lieutenant Colonel, and Colonel. It should be noted that equal grades exist in detective positions below the rank of lieutenant, Detective, Detectives I and II, Detective Sergeant, and Detective Sergeant First Class. It should also be noted that the Colonel is a position appointed by the Governor (Heinrich, 2000).

**Standing Operating Procedures**: Govern policies and procedures which further delineate the day to day operations of the Division (Heinrich, 2000).

**State Trooper**: Means any law enforcement officer employed by the State Police including supervisors (Consent Decree, 1999).
**Substantiated:** A preponderance of the evidence shows that a member violated State Police rules, regulations, protocols, standard operating procedures, directives or training (S.O.P. B10, 2006).

**Superintendent:** The commanding officer of the Division of State Police, holding the rank of Colonel (Heinrich, 2000).

**Supervisor:** Means a state trooper with oversight responsibility for other State Police Troopers (Consent Decree, 1999).

**Troops:** A geographical function within the Field Operations Section that incorporates offices and stations where general patrol duties are conducted (Heinrich, 2000).

**Unfounded:** A preponderance of the evidence shows that the alleged misconduct did not occur (S.O.P. B10, 2006).

Limitations of the Study

This study will provide a cross sectional analysis of data collected. A pre-test analyzed data collected in the year 2000 and prior to the full implementation of revised Office of Professional Standards practices established as a result of the 1999 Consent Decree (US Department of Justice, 1999). A post-test analyzed data collected from the year 2005, the first year of full implementation of the revised Office of Professional Standards practices (NJSP, 2005). This study did not, however, explore the possibility that enlisted members with higher levels of education were more likely or capable of masking their lack of professionalism due in part to their seniority and/or experience.

Additionally, this study reviewed only data of those enlisted members of the State Police with higher education degrees. It did not specifically address those members who
possessed only a high school education (minimum standard for employment) or who had completed a number of college credits less than that required for a degree.

Significance of the Study

The role and importance of education within the New Jersey State Police, and law enforcement in general, has been recognized for decades. The level of professionalism that troopers and police officers must exercise on a daily basis is clearly documented. The need to have a better educated and more professional trooper has been a goal of the New Jersey State Police for many years. A further goal of the State Police is to minimize the number and seriousness of allegations, both externally and internally, against enlisted members of the Division.

Kenneth W. Heinrich III (2000), in his dissertation *Higher Education in Law Enforcement and Perceptions of Career Advancement*, addressed the issue of college level requirements for hiring and promotional purposes within the State Police:

When the NJSP adopted the policy of requiring a four-year degree for admission into the organization in 1993, it took a positive step toward professionalization. Other agencies in the state followed by implementing college before admission. However, recent changes in educational requirements for hiring and promotion have created confusion among members of the Division who have advanced education degrees. (p. 12)

Heinrich builds upon the relationship between a trooper’s level of education and the effect that such education has in regards to internal affairs complaints/reportable incidents. Heinrich states: “Research seems to indicate that there is a positive correlation
between higher education, fewer disciplinary actions, and fewer citizen complaints” (p. 25).

Organization of the Study

This dissertation consists of five chapters:

Chapter I contains historical data on the relevance of higher education in law enforcement, the purpose of the study, the statement of the problem, and three research questions. Also outlined in this chapter is the significance of the study, definition of terms, limitations of the study, and the organization of the study.

Chapter II provides a review of the literature related to higher education and law enforcement, higher education and State Police hiring, the vital elements of the 1999 Consent Decree, and higher education and State Police internal affairs complaint process.

Chapter III is the research and methodology section. It describes the design of the study, and the specific methods used to collect and analyze the data.

Chapter IV illustrates the findings of the study through quantitative tables and explanations.

Chapter V presents a summary of the study and draws conclusions from the results. Recommendations for further study and research are also included.

A reference list and appendices follow Chapter V.
Chapter II

REVIEW OF RELATED RESEARCH AND LITERATURE

The purpose of this chapter is to review the research and literature on higher education as it relates to professionalism within the New Jersey State Police. The purpose of this study is to explore the influence of higher education on the level of professionalism demonstrated by enlisted members of the New Jersey State Police in the performance of their respective duties, as related to the number of OPS investigations classified as substantiated.

This chapter is presented in a manner that addresses each of the research questions in a sequential and technical fashion.

Introduction of the 1999 Consent Decree

Literature pertaining to Research Question 1, What influence does the 1999 Consent Decree have on the level of professionalism demonstrated by members of the New Jersey State Police as measured by the number of substantiated internal affairs complaints/reportable incidents will be presented in a very structured manner. The structure and manner in which this information is presented will provide a comprehensive understanding of the implications of the 1999 Consent Decree and the influence that it has had on the members of the New Jersey State Police.

Allegations of Racial Profiling

The concept of this study has emerged as the result of recent accusations of gross mismanagement of the New Jersey State Police. Specifically, the lack of leadership and accountability that was born out of accusations of racial profiling in 1998, by road duty troopers at various assignments throughout the state. As a result of these allegations, the
State of New Jersey has entered into a Consent Decree to address practices and procedures of the State Police as they relate to motor vehicle stops and Internal Affairs Investigation procedures.

More important, however, the Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling, written by former Attorney General Peter Verniero and former First Assistant Attorney General Paul H. Zoubek (1999), recommended "Interim Procedures Concerning Internal Affairs Investigations of Selective Enforcement Allegations."

Verniero and Zoubek state:

Subject to the release of future reports and recommendations of the Review Team, the Superintendent should develop a comprehensive Standard Operating Procedure for handling all complaints involving allegations of racial profiling, selective enforcement or disparate treatment of minorities. The revised procedures should be designed to ensure the full and fair investigation of such complaints with a view toward enhancing public confidence in the objectivity, professionalism and integrity of the internal affairs process. In the interim, all allegations of discriminatory practices should be reported promptly to the Review Team and a deputy attorney general should review the complaint before the internal affairs investigation is commenced. The Standard Operating Procedure should further provide that no internal investigation of any complaint, whether lodged by a private citizen, or a State Police member, alleging "racial profiling," selective enforcement, or any form of disparate treatment of minority citizens should be administratively concluded (whether by means of finding of sustained,
not sustained, or unfounded) until the investigation results have been reviewed by
the Division of Criminal Justice (p. 108-109). Although the recommendations of
the “Interim Report” addressed specific allegations (i.e., racial profiling), the
entire New Jersey State Police Internal Investigative and Disciplinary Procedures;
Classification, Processing, and Adjudications Standard Operating Procedure
(B10) was revised, replacing the former SOP dated 3/15/96. (p. 108)

On July 2, 1999, former New Jersey State Attorney General, John J. Farmer, Jr.,
and First Assistant Attorney General, Paul H. Zoubek, presented the Attorney General’s
“Final Report of the State Police Review Team.” The report was the result of former
Attorney General Peter Verniero’s request for a comprehensive review of the State
Police. The report identified an array of deficiencies that existed within the State Police
involving matters such as hiring practices, promotional practices, workplace issues,
diversity within the division, and the internal affairs and discipline procedures. The
review was “a cooperative effort involving the State Police, OAG and the Police
Executive Research Forum (“PERF”) . . .” (p. 5).

Within the Final Report the Review Team (1999) concluded:

The current State Police standard of a four-year college degree is
consistent with good police practice, professionalism, and maturity.

PERF concluded, however, that the use of the substitution of two years of military
or police service for two years of college academic work was not an equivalent
qualification and therefore not appropriate for continued use. (p. 27)

In the article, “Higher education and policing: Where are we now”, written by
*Strategies and Management*, the authors address the issue of higher education as a *bona fide* occupational qualification:

As the PERF study of police executives reported (Carter et al., 1989), one of the primary reasons departments had not embraced higher educational requirements more vigorously was the dilemma of not being able to validate such a requirement for the job, thus opening the department to a court challenge. Establishing higher educational requirements as a *bona fide* occupational qualification (BFOQ) for police work could be an important step in facilitating the use of advanced education as a minimum entry-level selection criterion. (p. 479)

The authors further explored the impact that such a *bona fide* occupational qualification may have on the recruiting and hiring of minorities. They addressed these concerns in the article:

Some data, however, exist to suggest that requiring a bachelor’s degree may have an adverse impact on race. Decker and Huckabee (2002) explored the effect of raising educational requirements to a bachelor’s degree by analyzing recruit information from the Indianapolis Police Department over four years. They concluded that almost two-thirds (65 percent) of successful candidates overall would have been ineligible, and 77 percent (30 of 39) of African-American applicants did not have degrees... While it appears, at least in this instance, that a college degree requirement had an impact on race, it also had an impact on the overall applicant pool, which is likely to occur when departments are attempting to improve the quality of their personnel by raising standards. (p. 480)
Such effects on recruiting and hiring are broadly recognized and remain a persistent problem area for law enforcement agencies small and large. Establishing and maintaining a degree requirement, however, have not prevented academics from remaining resolute on their beliefs of the benefits of higher education. In a *USA Today* article entitled “Law Enforcement Agencies Find it Difficult to Require Degrees” Johnson (2006) offers the following:

In a series of essays in The Police Chief magazine, 13 police officials and academics recently urged departments to raise education standards -- and to not be deterred by concerns they make it too difficult to fill the ranks. “Police officers need the (college) degree, not only for what it brings to individual officers and their departments, but also for what the degree brings to policing,” Robert Friedmann, a criminal justice professor at Georgia State University, wrote in an essay. (Johnson, 2006, ¶ 17)

In a companion report entitled, “A Report on Discriminatory Practices Within the New Jersey State Police” (NJ Legislative Black and Latino Caucus, 1999), minority members of the New Jersey State Legislature identified similar recommendations to enhance the investigations of complaints against enlisted personnel.

The report by the Caucus states:

The Attorney General’s complete and dismal failure to monitor and supervise the State Police where issues of race and gender discrimination are concerned requires the establishment of the Office of the Independent Prosecutor. This office shall be established in, but not of, the Department of the Treasury. The Independent Prosecutor’s jurisdiction shall include, but not limited to, the
investigation and prosecution of both civil and criminal violations involving any member of the State Police. (p. 17)

The Black and Latino Caucus also made recommendations requiring "sensitivity/diversity training for all employees" and identifying the need for the State Police to enroll in a national accreditation program. The recommendation for accreditation states:

The State Police shall enroll in the national accreditation program conducted by the Commission of Accreditation for Law Enforcement Agencies, Inc. (CALEA). This organization shall require that the State Police participate in an extensive assessment of their current policies to ensure that those policies comply with nationally recognized standards for recruitment, promotion, personnel, and disciplinary practices. (p. 24)

One would believe, therefore, that the Black and Latino Caucus was directing the State Police to become more professional in managing all facets of operations. In the Caucus' recommendations pertaining to the recruitment, hiring, and promotional practices of the State Police, however, the following seems quite ironic:

The State Police shall eliminate the four-year college degree as a criterion for hiring; higher education requirement shall be limited to serving as . . . for promotion only. The United States Justice Department found that the four-year degree requirement was not job-related with respect to road troopers. Therefore, the degree requirement should not be used as a qualification for hiring. The 1975 consent decree specifically prohibited the four-year college requirement. Soon
after the consent decree was dissolved, the State Police re-instituted the four-year college requirement.

A four-year college degree shall be utilized as a criteria for promotion, because it is job related. However, the four-year college requirement shall not be utilized as a requirement for hiring. (p. 26)

In subsequent paragraphs, the Caucus outlined their promotional criteria for the State Police. None of them identify the aforementioned 4 year college degree requirement, contrary to their own recommendations.

Ironically the Commission on Accreditation for Law Enforcement Agencies (CALEA, 2006) clearly states in their Standards for Law Enforcement Agencies (Standard #33 - Training and Career Development):

Training has often been cited as one of the most important responsibilities in any law enforcement agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, training fosters cooperation and unity of purpose. Moreover, agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training. (p. 33-1)

The CALEA Standard 33 further addresses the training and career development component as it relates to level of education. The standard states:

So that agencies can deal effectively with law enforcement problems in an increasingly complex and sophisticated society, there should be parallel increases in the level of education and training required for law enforcement officers.
Higher education, by itself, is not an absolute answer in achieving improvement in law enforcement agencies. However, officers who have received a broad general education have a better opportunity to gain a more thorough understanding of society, to communicate more effectively with citizens, and to engage in the exploration of new ideas and concepts. (p. 33-1)

The National Research Council of the National Academies set out to review research on police policy and practices from 2000-2003. In the text, *Fairness and Effectiveness in Policing the Evidence*, the council addressed the issue of education within the chapter entitled, “Explaining Police Behavior: People and Situations” and subtitled, “Experiences of Officers”. The council reports:

Proposition 13: It is widely believed that higher education improves officer behavior, and, as a consequence, much effort has been invested over the years in raising education levels. The evidence reviewed by the committee does not permit conclusions regarding the impact of education on officer decision making. Prior research has not employed strong measure of police behavior and performance; it has not taken into account the content of the education; and it has not controlled for the effects of many other influences on behavior and performance. (p. 139)

The text provides the following information with regard to recent hiring practices:

“The proportion of departments serving large cities that require new officers to have at least some college climbed from 19 to 37 percent between 1990 and 2000; the proportion requiring at least a 2-year degree increased from 6 to 14 percent during that period” (p. 139).
Throughout this area of research, the National Research Council (2004) cited the fact that, “Several reviews of the literature have concluded that evidence on the effects of higher education on police performance is weak and mixed . . .” (p. 140).

The Council reiterates their observations of research:

Given the methodological limitations of past research on the effects of higher education on police practice, it is not surprising that the results and the effects generally weak. Even when relationships are found, researchers have not been able to distinguish how much of the effects of higher education are due to changes imparted by the educational experience and how much are due to the selection and screening involved in getting accepted into a college program (such as intelligence, initiative, wealth, family background, and knowledge, skills, and abilities acquired before college. Other limitations of existing research on the effects of college education are numerous. Almost all studies measure the quantity of higher education that officers receive but ignore the content of that education. Does the student’s curriculum make a difference (e.g., majoring in criminal justice versus other majors, a theory-focused curriculum versus an applied experiential one)? (p. 141)

Edward J. Lyskey (2001) summarized the importance of the role of education as it applies to professionalization in his dissertation, *Higher Education and Early Retirement in the New Jersey State Police*. Lyskey specifically addressed the issue of ethics which equates, in many ways, to the reduction of internal affairs complaints. Lyskey stated:
Ethics is an essential part of the law enforcement profession. All levels of law enforcement view ethics as the cornerstone of the decision-making process. The range of areas involved move from the recruitment process and the moral qualities demanded of recruits to veteran officers and the high departmental standards that they should adhere to. (p. 29)

The 1999 Consent Decree

The "Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling," prepared by former Attorney General Verniero and First Assistant Attorney General Zoubek, made it abundantly clear that professionalism within the New Jersey State Police must be improved:

In light of our independent responsibility to set sound law enforcement police, we need not wait for a court order before we propose those steps that we deem to be necessary and appropriate to ensure strict compliance with all constitutional rights, to enhance the professionalism of the New Jersey State Police, to restore full confidence of New Jersey's minority communities in the integrity of the State Police, and to announce in no uncertain terms that disparate enforcement of the law is intolerable and unacceptable. (p. 12)

Perceptions of members of the New Jersey State Police are often formulated based upon brief interactions. Opinions or perceptions of Troopers may be formed by members of the public stopped for a motor vehicle violation, a short conversation in a dining establishment, or during a presentation being given to a community or civic organization. The importance of perceptions is addressed by Verniero and Zoubek in the Interim Report:
Our findings and our proposed remedial steps are based in part on statistics compiled and provided by the New Jersey State Police that document actual practices and procedures. We think it important to add, however, that law enforcement policy cannot be divorced from public opinion and public perceptions. The New Jersey State Police, no less than any other law enforcement agency, must remain responsive to public needs and expectations if it is to achieve its ultimate mission to protect and to serve.

The phenomena of racial profiling and other forms of disparate treatment of minorities that we describe in this Report are not just a matter of perception; the evidence we have compiled clearly shows that the problem is real. Even so, perceptions concerning the magnitude and impact of the problem vary widely, and these opinions matter, especially to the extent that the success of law enforcement effort to reduce and respond to crime depend to a large extent on each agency’s ability to maintain trust and confidence of the community it serves, and to enlist public support for its anti-crime efforts. (pp. 56-57)

Verniero and Zoubek established a series of "remedial steps" in their conclusion of the Interim Report, which specifically address the issue of professionalism:

Ultimately, the cornerstone of this system is to enhance professionalism through enhanced accountability. The comprehensive system we propose will send a strong message that racial profiling and other forms of disparate treatment of minorities will not be tolerated, but, as importantly, will provide an opportunity to demonstrate conclusively that the overwhelming majority of state troopers are,
indeed, dedicated professionals who perform their sworn duties with integrity and honor. (p.90)

Although most of the focus up to this point has been directed at disparate treatment of minorities, the problems concerning professional conduct by members of the State Police were not limited to the minority community. In the Final Report of the State Police Review Team, Former Attorney General Farmer and First Assistant Zoubek (1999) acknowledge findings by the review team that identified internal problems as well. The report states:

The Review Team also reviewed various records and files, internally and externally-generated complaints and anecdotal information provided by persons within and outside of the agency. These sources of information suggested that troopers have concerns about the operation of the State Police as a workplace which went beyond the matters the Review Team had initially been asked to review.

The Review Team also focused on allegations of race and gender discrimination within the State Police. These include allegations of sexual harassment, hostile work environment and disparate treatment in promotions and assignment and other matters on the basis of race or gender. These concerns and the tendency of administrative and court discrimination complaints, and the filing of new ones, caused the Review Team to expand its inquiry to examine the status of the State Police's implementation of the Department Policy Against Discrimination, Harassment and Hostile Environment in the Workplace. (p.6)
The higher levels of professionalism incorporated by members need to be extended and practiced within the organization, as well as outside. As Farmer and Zoubek indicated, the internal stakeholders were being hurt in much the same way that the external stakeholders were.

The question should be, therefore, how does one define professionalism within such a diverse agency as the New Jersey State Police? Once defined, how does one quantify levels of professionalism? One answer might be to develop a comprehensive Internal Affairs (Office of Professional Standards) system that is committed to investigating complaints from both outside and within the organization. The importance of such a system was identified by Attorney General Farmer and First Assistant Attorney General Zoubek (1999) in the “Final Report of the State Police Review Team”:

When it comes to internal affairs, the process by which we seek to ensure integrity in law enforcement, the way we police the police, we believe the goals are simple and clear:

1. Citizen reports of police misconduct must be thoroughly, objectively, and expeditiously investigated to their logical conclusion, and

2. Citizen reports of police misconduct must be investigated in a manner which protects, not violates, the rights of the accused police officers.

Both the public and the police themselves have legitimate expectations when it comes to the conduct of internal affairs. The citizens of this State rightfully expect that police officers will be both skilled and just. When the
conduct of officers leads citizens to believe that the police are lacking on either count, confidence will quickly erode.

Likewise, police officers rightfully expect that their actions will be judged through a lens which recognizes that they occupy a job so often characterized by a need for initiative and difficult decisions. Every day they work, police officers ask themselves, “Should I get involved?” When officers lose confidence that they will be judged fairly, there will be an effect on the way they do their jobs. We need police officers who get involved; we can be certain that no one is served when officers engage in fewer and fewer opportunities to get involved.

Law enforcement executives have an obligation of equal importance to both the officers they lead and the public they serve. That obligation requires that they take whatever steps are necessary to meet both internal affairs goals. The recommendations forwarded in this Report suggest what we believe are the steps that should be taken. We are confident that these steps will advance the process by which citizen complaints are accepted, investigated and resolved. At the same time, we are confident that these steps will help ensure that this is not done at the expense of either the constitutional rights or simple “fairness” rights of those police officers who serve this State well. (pp. 68-69)

As a result of the exhaustive research and findings in both the Interim and Final Reports of the State Police Review Team, a Joint Application for Entry of Consent Decree was filed in the United States District Court for the District of New Jersey, citing the United States of America as the Plaintiff and the State of New Jersey and the Division of State Police of the New Jersey Department of Law and Public Safety as the

The Consent Decree identified 134 benchmarks by which to measure the activities of the State Police in accordance with the requirements established under the agreement.

The Introduction portion of the Consent Decree provides an overview and explains the purposes of the decree. Item 11 reads:

The United States and the State agree that in order to promote law enforcement integrity, avoid misconduct, promote community support for the State Police and its troopers, and promote the use of effective, sound policing techniques, the State will continue its efforts, as outlined in the Interim Report and Final Report, to achieve and maintain good practices and procedures for trooper supervision and management. (p.7)

The following is a list of key elements pertaining to the identification, investigation, and classification of reported misconduct by members. The Consent Decree has listed this information under the heading of, “Misconduct Investigations, Analyses, and Resolutions” and has established the following sub-headings and subsequent criteria:

Public Information and Outreach

59. The State shall make complaint forms and informational materials available at State Police headquarters, all State Police stations, and such other locations around New Jersey as it may determine from time to time . . . The State Police shall prohibit state troopers from discouraging any civilian from making a complaint. (p. 18)
Receipt of Misconduct Allegations

61. Civilians may initiate a complaint or otherwise provide feedback regarding the State Police performance in person, by mail, by telephone (or TDD), or by facsimile transmission. The State Police shall accept and investigate anonymous complaints and complaints filed by civilians other than the alleged victim of misconduct. The State shall not require that a complaint be submitted in writing to initiate a misconduct investigation. (p. 18)

The Professional Standards Bureau (Office of Professional Standards or OPS)

The Investigations Component

70. The State Police shall provide for a Professional Standards Bureau, the purpose of which shall be to protect the professional integrity of the Division of State Police and to fully, fairly, and expeditiously investigate and resolve complaints and other misconduct investigations . . . (p. 20)

Misconduct Investigations

73. A misconduct investigation shall be initiated pursuant to any of the following:

a. The making of a complaint . . . ;

b. a referral pursuant to paragraphs 37 or 65;

c. the filing of a civil suit by a civilian alleging any misconduct by a state trooper while on duty (or acting in an official capacity);

d. the filing of a civil suit against a state trooper for off-duty conduct (while not acting in an official capacity) that alleges racial bias, physical violence, or threat of physical violence; and

e. a criminal arrest of or filing of a criminal charge against a state trooper. (p. 20)
Evaluating and Resolving Misconduct Allegations

81. The State shall make findings based on a “preponderance of the evidence” standard. (p. 21)

84. The State shall continue to resolve each allegation in a misconduct investigation by making one of the following dispositions:

a. “Substantiated,” where a preponderance of the evidence shows that a state trooper violated State Police rules, regulations, protocols, standard operating procedures, directives or training,

b. “Unfounded,” where a preponderance of the evidence shows that the alleged misconduct did not occur;

c. “Exonerated,” where a preponderance of the evidence shows that the alleged conduct did occur but did not violate State Police rules, regulations, operating procedures, directives or training; and

d. “Insufficient evidence” (formerly “unsubstantiated”), where there is insufficient evidence to decide whether the alleged misconduct occurred. (p. 22)

85. The State shall not close any misconduct investigation without rendering one of the dispositions identified above. Withdrawal of a complaint or unavailability of the complainant or the victim of the alleged misconduct to make a statement shall not be a basis for closing an investigation without further attempt at investigation. The State shall investigate such matters to the extent reasonably possible to determine whether or not the allegations can be corroborated. (p.22)

Disciplinary Procedures
88. The State Police shall discipline any state trooper who is the subject of a substantiated misconduct adjudication or disposition regarding: (a) prohibited discrimination; (b) an unreasonable use of force or a threat of force; (c) an intentional constitutional violation; (d) an intentional failure to follow any of the documentation requirements of this Decree, (e) an intentional provision of false information in a misconduct investigation or in any report, log, or transmittal of information to the communications center; or (f) failure to comply with the requirement of paragraph 69 to report misconduct by another trooper. (p. 22)

Although the Consent Decree did not specifically identify a benchmark with regards to formal and/or higher education, it did address the need and importance of training as it pertains to professionalism. Item 100 reads:

The State Police shall continue to train all recruits and troopers in cultural diversity, which shall include training on interactions with persons from different racial, ethnic, and religious groups, persons of the opposite sex, persons having a different sexual orientation, and persons with disabilities; communication skills; and integrity and ethics, including the duties of truthfulness and reporting misconduct by fellow troopers, the importance of avoiding misconduct, professionalism, and the duty to follow civilian complaint procedures and to cooperate in misconduct investigations. This training shall be reinforced through mandatory annual in-service training covering these topics. (p. 24)

Independent Monitor's Reports

In addition to the 134 benchmarks identified within the 1999 Consent Decree, a mechanism to track the progress of compliance was established. Such a mechanism was
established in the form of an independent monitoring team (IMT). Dr. Gerard LaSalle (2006), in an article entitled, “Complying With a Consent Decree”, describes the function of the independent monitoring team that was formed to address the 1999 Consent Decree between the United States Department of Justice and the State of New Jersey:

The IMT measures the nature and extent of compliance by the police department and issues periodic reports available to the public. This article will detail the nature of the consent decree in New Jersey, how the Attorney General’s Office, through its Office of State Police Affairs (OSPA) investigative staff serving as a liaison, assist the NJSP in complying with the terms of the decree; and how the IMT functions and interacts with the OSPA to ensure that New Jersey is successful in instituting remedial safeguards to prevent a recurrence of the situation that necessitated the decree. To ensure that the NJSP not only maintains the reforms that were brought about by the Consent Decree, but also surpasses them, NJSP has contracted with the Commission on the Accreditation for Law Enforcement Agencies, Inc. (CALEA®) to earn their accreditation by adhering to their high standards. (LaSalle, 2006, ¶2)

The term compliance is best defined in a report titled “Monitor’s Fourteenth Report, Long-term Compliance Audit, Civil Number 99-5970(MLC)” prepared by the Independent Monitoring Team in June, 2006:

For the purposes of this monitoring process, “compliance” consists of two components: Phase I compliance and Phase II compliance. Phase I compliance is viewed as the administrative piece of compliance. It entails the creation of policy, procedure, rule, regulation, directive or command to “comply” as required by the
text of the decree. Phase II compliance deals with the implementation of a specific policy and requires that the police must, by matter of evidence, be followed in day-to-day operations of the New Jersey State Police. It may entail the provision of training, supervision, audit, inspection, and discipline to achieve the implementation of a specific policy as designed. In commenting on the State's progress (or lack thereof) in achieving the Phase II compliance for a specific task, the monitoring team may comment upon the efficacy of training supervision, audit, inspection and discipline as applicable to that task. (p.3)

In describing the "progress toward compliance" the report of the IMTs states:

During the last reporting period, the State has achieved 100 percent compliance with all tasks outlined in the consent decree—well beyond the requirements established by the monitors and the parties for effective compliance with the requirements of the decree. These new compliance levels continue to be, in the monitor's opinions, directly attributable to a focused and clear leadership mandate, emanating from the Office of the Superintendent, placing compliance efforts among the top goals of the agency, and an aggressive, continuing effort to review 100 percent of field operations activities related to the consent decree. Continued cooperation with, and support from the Office of State Police Affairs has focused the State's compliance efforts, with remarkable effects observed again this reporting period in training, supervision, MAPPs, and inspections and audit processes. (p. 4)

In reviewing the compliance level associated with the Internal Affairs/Office of Professional Standards and disciplinary process, the IMT reported:
In April of 2004, based on 30 months of compliance with tasks articulated in the decree related to internal investigations of allegations of trooper misconduct, the parties jointly petitioned the Court, asking that the elements of the decree related to the Office of Professional Standards be removed from further monitoring. The monitors supported that petition based solely on the State’s performance levels over the preceding 30 months. As a result of the petition, the Court removed all but two components of the decree’s requirements from continued monitoring (Tasks 87 [timelines for completion of internal investigations] and 90 [requirements for appropriate discipline]). Since April of 2004, the monitors have found the State to remain in compliance with these two remaining tasks, based upon a review of “course of business” documents relating to internal investigations’ timelines and outcomes. This constitutes more than four years of compliance in the area of internal investigations of trooper misconduct. (p. 9)

The Office of Professional Standards Investigative Process


Unlike the comparably routine issues of discipline that might arise in connection with employees in other departments of state government, the discipline of state troopers implicates not only the proper conduct of those
engaged in the most significant aspects of law enforcement, involving the public
safety and the apprehension of dangerous criminals, but also have the overall
effectiveness, performance standards, and morale of the State Police. As such,
discipline of state troopers involves the most profound and fundamental exercise
of managerial prerogative and policy. (p.8)

Although the 1999 Consent Decree was agreed upon on December 30, 1999, it
would take some time for recommendation and mandates to be incorporated and
institutionalized. It has been clearly documented that the State Police Disciplinary
Process required major revamping as previously cited. Part of this process required that
the Division of State Police create a more efficient internal affairs unit and report all
activities associated with the unit.

As a result of the Consent Decree, under former Superintendent Colonel Carson
J. Dunbar Jr., the Office of Professional Standards (OPS) was created in the year 2000.
In the 2000 OPS Annual Report Colonel Dunbar wrote:

    . . . Through OPS we hope to ensure that we maintain the “good opinion of
the people of the state.’ Reviews conducted to date by the Federal monitor and
the Office of the Attorney General have reinforced my opinion that we are on
track in our efforts.

On March 1, 2000, the state police established a new discipline policy for
personnel of this Division. It is anticipated that the effects of this policy will be
seen during this year as year 2000 cases progress through the system. This report,
which is only the second of its kind, is a great improvement over what was
released last year. It is my intent to make this an annual report available for
review by the public. We believe that demonstrating what we do to police ourselves will in fact aid in “maintaining the good opinion of the people of the state.” Just as we have put into place new personnel and new policies in an effort to strengthen our internal affairs system, it is my belief that the disciplinary policy of March 1, 2000 will bring about additional change in the conduct of our personnel. (p.3)

In further acknowledging the impact of the March 1, 2000 implementation of a new discipline system, Colonel Dunbar proceeds to cite the fact that:

During each of the last three years the State Police has issued approximately 400,000 summonses or been involve in some type of negative encounter with the public. Further, the issue of “Racial Profiling” and concerns regarding this issue have impacted on the opinion of the citizens of this state. Despite these factors the State Police has received only 469 complaints from outside this agency. While at the same time the State Police has received 537 letters of compliments on its complaint form, 854 letters of appreciation, 29 toll-free hotline calls and 4 e-mail messages, in each case the State Police was praised for the work they do on a daily basis. (p.4)

The year 2000 proved to be a tremendous launching point for the implementation of the benchmarks and performance measures contained within the 1999 Consent Decree. These measures resulted in an expected increase in Office of Professional Standards complaints.

The 2000 Office of Professional Standards Annual Report (NJ State Police, 2000) provides a brief comparison of complaints filed against state police member from
previous years. The report states: “During the year 2000, 584 complaints were received and processed by this unit compared with 353 complaints in 1999 and 223 complaints in 1998. This represents a 65% increase in the number of complaints received in the year 2000 over those received in the year 1999” (p. 9).

This increase in complaints may be reflective of the improvements made to the disciplinary process in accordance with the numerous benchmarks and performance measures in the Consent Decree, as well as, the increased public awareness of the complaint process.

With regard to public information and outreach as cited in performance measure 59 which addresses public access to the complaint process, the Consent Decree states: “The State shall make complaint forms and informational material available at State Police headquarters, all State Police Stations, and such other locations around New Jersey as it may determine from time to time . . .” (p. 18).

The Office of Professional Standards 2000 Annual Report addresses the extraordinary efforts of the Division of State Police to ensure compliance:

The increase in the number of complaints may be attributed in some part to the media attention that the State Police has received. Additionally, an aggressive outreach campaign was initiated in late 1999 educating the public as to how to make a complaint against or submit a compliment for a member of the Division. Posters and signs describing the complaint process have been placed in every State Police facility and state operated highway service area. Additionally, every on-duty member interacting with the public carries informational brochures and compliment/complaint forms which must be provided to anyone who objects
to the troopers conduct. Also, during 1999, the State Police instituted and advertised the toll free hot line available twenty-four hours which goes directly to the Office of Professional Standards. Finally, the Office of State Police Affairs within the Office of the Attorney General, external to the State Police, accepts and investigates complaints and provides an alternative to citizens concerned about complaining directly to the State Police. Each of these initiatives has given the Division and the citizen significantly more opportunities to provide feedback, compliments or complaints about the operation of the Division and its personnel. Therefore, an increase in the number of complaints is a logical outcome of these efforts. (p.9)

As previously noted, performance measure 61 of the Consent Decree required that “Civilians may initiate a complaint or otherwise provide feedback regarding the State Police performance . . . and The State Police shall accept and investigate anonymous complaints . . .” (p. 18). The 2000 Office of Professional Standards Annual Report reaffirms this particular component of the Consent Decree; “The New Jersey State Police accepts, reviews and responds to all complaints received from the public. These include anonymous complaints, complaints from third party witnesses and complaints from parties not directly involved in the incident form which and allegation arises” (p. 18).

Performance measure 85 of the Consent Decree states: “The State shall not close any misconduct investigation without rendering one of the dispositions identified above . . . The State shall investigate such matters to the extent reasonably possible to determine whether or not the allegations can be corroborated” (p. 22).
The disciplinary process introduced and reported in the OPS 2000 Annual Report clearly reflects the implementation of performance measure 85. In fact the new disciplinary process extends the investigative element to a higher level than required under the Consent Decree. The Report reads:

... Not withstanding the occurrence of citizens requesting to withdraw a previously made complaint, the investigation is continued with or without the assistance of the citizen making the complaint. The investigative process assesses the propriety of all conduct during the incident in which the alleged misconduct occurred. If during the course of the investigation there is an indication that misconduct occurred other than the alleged, the Division also investigates the additional potential misconduct to its logical conclusion. (p.7)

In the years that followed the implementation of the discipline process borne from the 1999 Consent Decree, numerous organizational changes occurred. One of these was the institutionalization of a new Standing Operating Procedure (SOP) B.10. This SOP restructured the internal affairs component of the Division in accordance with the Office of the Attorney General's Report (Farmer, 1999), along with the subsequent signing of the 1999 Consent Decree. The implementation of this SOP is addressed in the Office of Professional Standards 2005 Annual Report (NJ State Police, 2005):

In 1999, the Attorney General’s Office conducted a review of the Division’s disciplinary system. As a result of this review, the Internal Affairs Bureau was reorganized and the Office of Professional Standards was established. The investigative and adjudication functions were transferred from the Division Staff Section and placed under the control of a major reporting directly to the
superintendent. During 2001, the Division Standard Operating Procedure that governs the Office of Professional Standards was completely revised and the new policy was adopted in January 2002. This revision ultimately resulted in the formation of two distinct bureaus within the office. (p.7)

This much needed overhaul is reflective of performance measure number 70 of the 1999 Consent Decree, which states, “The State Police shall provide for a Professional Standards Bureau, the purpose of which shall be to protect the professional integrity of the Division of State Police and to fully, fairly, and expeditiously investigate and resolve complaints and other misconduct investigations . . .” (p.20).

The institutionalization of the new discipline process, and successes associated with the SOP, are addressed by the current Superintendent of the Division of State Police, Colonel Joseph R. Fuentes, as he writes in the 2005 OPS Annual Report (NJ State Police, 2005):

All complaints against members of the New Jersey State Police are fully investigated and pursued to their logical conclusions. The Office of Professional Standards conducts thorough, fair and impartial internal investigations and oversees the disciplinary system. In April 2004, the tasks relating to the internal affairs reform were removed from the Consent Decree due to the Office of Professional Standards maintaining substantial compliance with the terms of the Decree for a two year period. This milestone set a new standard for the entire Division. (p.5)
The 2005 Office of Professional Standards Annual Report (NJ State Police, 2005) provides a comparison of OPS complaints reported over a 4 year period beginning in 2001 and concluding in the year 2005:

During 2005, 1,088 total incidents were reported and classified compared to 1,058 in 2004, 1,062 in 2003, 952 in 2002, and 886 incidents in 2001. This represents a 2.8% increase in the number of reportable incidents received in the year 2005 over those received in the year 2004; while the total number of the Division’s enlisted personnel increased 7.6% for the same period. (p.12)

As indicated by Colonel Dunbar in the 2000 OPS Annual Report (NJ State Police, 2000), Colonel Fuentes also attributed the increase in the number of reportable incidents to the “Division’s continued aggressive outreach campaign initiated in late 1999 educating the public as to how to make a complaint against or submit a compliment for a member of the Division” (p.12).

During the evolution of the overall internal affairs process, however, many policies and procedures were adjusted in order to meet the requirements of the consent decree. One major change occurred in 2002; the classifications of reported incidents was updated and explained in each of the subsequently published New Jersey State Police Office of Professional Standards Internal Investigation and Disciplinary Process annual reports. The 2005 Annual Report states:

Before January 2002, complaints that were received by the former Internal Affairs Bureau and the current Office of Professional Standards were reviewed and classified as Misconduct, Administrative, or EEO/AA Matters referred to the office for disciplinary action. In January 2002, the revised Standing Operating
Procedures ("S.O.P.") governing the classification of complaints was adopted. A fourth classification, Performance, was added. Since the adoption of the revised S.O.P., minor infractions and inadvertent procedural violations that were previously considered Misconduct are now classified as Performance Issues. In 2003, a fifth category, Compliance was added. This classification is used when the Administrative Absence Unit in the Human Resource Management Bureau detects and substantiates a violation of the Division’s sick leave policy and forwards the case to the Office of Professional Standards for adjudication and disciplinary action. (p. 14)

The report goes on to describe each of the classifications, which is important when comparing the number and types of complaints on a year-to-year and comparative basis:

**MISCONDUCT**

When incidents are reported to the Office of Professional Standards, they are placed in one of four categories after being reviewed by the Commanding Officer. If the Division receives a complaint that a trooper has committed a serious, willful, or wanton violation of the Division’s Rules and Regulations, Standing Operating Procedures, or any applicable federal or state statutes, the matter is classified as Administrative Misconduct, and an internal investigation is initiated.

**PERFORMANCE**

Performance is a category introduced in January 2002, with the adoption of the revised Standing Operating Procedure governing incident classification. When a complaint is reviewed and it is determined that an enlisted member of the
Division committed a minor infraction, the matter is classified as a Performance Issue. These matters are returned to the members' command for resolution. The command is required to assign a supervisor not in the member's direct chain of command to handle the complaint. The supervisor is required to submit a Performance Incident Disposition Report to the Office of Professional Standards through his/her chain of command detailing the corrective actions taken to resolve the issue.

**ADMINISTRATIVE**

When the reported incident does not infer a trooper has violated any of the Division's Rules and Regulations, Standing Operating Procedures, or applicable federal or state laws, the incident is classified as an Administrative matter.

**EEO/AA INVESTIGATION FORWARDED TO O.P.S. FOR DISCIPLINARY ACTION**

When the Division's Recruiting and Equal Opportunity Bureau conducts an investigation and allegations are substantiated against enlisted members of the Division, those cases are forwarded to the Office of Professional Standards for adjudication and disciplinary action.

**COMPLIANCE INVESTIGATIONS FORWARDED TO O.P.S. FOR DISCIPLINARY ACTION**

When the Administrative Absence Unit in the Human Resources Management Bureau detects and substantiates a violation of the Division's medical leave policy, it forwards the case to the Office of Professional Standards for adjudication and disciplinary action. (pp. 14-15)
Higher Education in Law Enforcement

Throughout this chapter information has been presented addressing the impact of the 1999 Consent Decree on the New Jersey State Police. There are, however, other variables that have impact on the level of professionalism of the enlisted members of the State Police and law enforcement in general, namely higher education.

In an article written by Alan T. Vodicka (1994) for *Law and Order Magazine* titled “Educational Requirements for Police Recruits” the author reports:

Research has found a positive relationship between higher education and fewer citizen complaints, fewer disciplinary actions against officers, and fewer allegations of excessive force. College-educated officers are less dogmatic and less authoritarian (Roberg, 1978). The implications of these findings are that college-educated officers have greater empathy for citizens, are more tolerant of differing lifestyles, and more respectful of citizens’ rights. (p. 92)

The United States Department of Justice Office of Justice Programs commissioned the National Institute of Justice (2004) to perform a study addressing the hiring practices of police agencies. In the report titled, “Research for Practice-Hiring and Keeping Police Officer” the following addressed the issue of higher education in the context of hiring standards:

In the current environment, some agencies may feel pressure to lower standards or expedite the applicant screening process. Although higher recruiting standards, such as requiring a college degree, may contribute to applicant shortages, agencies must consider the demands of contemporary policing - including the need to work with new technologies, conduct community policing
and problem-solving activities, and navigate complex legal rules-in determining background requirements and planning organizational strategies to attract applicants. (p.6)

In the article, "Police Officer Higher Education, Citizen Complaints and Departmental Rule Violations," written for the American Journal of Police authors Victor E. Kappeler, Allen D. Sapp, and David L. Carter (1992), delved into the issue of higher education for police officers and recognized that: "The debate on the value of higher education for police officers continues to be one of the more persistent and pervasive issues in policing" (p. 37).

The authors provided a comprehensive review of literature in completing their respective studies and cited the following findings:

While the findings of this study cannot be generalized to the entire American police population, they suggest that there may be identifiable levels of higher education with unique and differing contributions to police officer performance. . . Within its limitations, this study suggests that police officers who have completed a four-year college degree perform better in those selected areas than do the officers with two years of college. . .

Although officers with college degrees had fewer citizen-initiated complaints and fewer founded complaints for rudeness, they did not have significantly fewer department-generated complaints for violations of agency rules and procedures. (pp. 49-50)

The conclusions of the authors clearly reflect the point they made in their introduction, recognizing that this issue is truly a dynamic one as they state:
The findings at hand raise the issue of whether the college experience is more than mere attendance and completion of some course work. Skills are learned, refined and applied in college. Some skills may call for more of the college experience than others. The results lead to an obvious conclusion. More research is needed with attention to specific levels of college education. That two years of college do not give the same benefits to police performance as four years requires further verification and refinement. (p. 50)

Hugh Wilson (1999), reported the findings of his studies in the article, “Post-Secondary Education of the Police Officer and its Effect on the Frequency of Citizens Complaints”, in the Journal of California Law Enforcement:

The findings of this study of a favorable relationship between college degree status and a lower frequency of complaints suggests some other explanations not commonly addressed in previous research. First, it may be that officers with degrees tend to be the most upwardly mobile with respect to career advancement and promotion. This may account for a different working profile, which may influence favorably complaint frequency. Also, a college degree may help define an officer who views the typical line-level working environment, the one that produces the most complaints, as a temporary, part-of-the-job encountered along the way to advancement. Relative to complaint frequency, these attitudes may result in behavior modification and attitudinal differences that favor degreeed versus non-degreeed officers. If a college degree is deemed necessary to compete for promotion, perhaps officers without degrees but wanting
promotion behave differently once they realize that their advancement potential is limited. This behavior may unfavorably influence complaint frequency. (p. 8)

Wilson proceeds in addressing his findings as they related to his initial hypothesis that:

... some level of higher education would emerge as a possible predictor of a lower frequency of citizens' complaints against officers. Although the levels of statistical significance expressed in these findings are not convincing in themselves, they do convey, when accompanied by descriptive statistical illustrations, a strong inference of the favorable influence of certain levels of post-secondary education on complaint frequency. In all statistical tests but one, the favorable relationship between higher education and a lower frequency of complaints emerged. (p. 9)

The issue of higher education for police officers has been addressed by many levels within the profession. The International Association of Chiefs of Police (IACP, 1999) published a report entitled “Police Leadership in the 21st Century, Achieving & Sustaining Executive Success, Recommendations from the President’s First Leadership Conference”. In the report, the IACP recognized that the “Developing the Every Officer Is a Leader” program should remain the highest priority. The report was written by a host of leaders within the law enforcement community.

One of the areas the report addressed was that of “Workforce Characteristics,” in which the research committee recognized that:

Significant changes are occurring in the workforce. Education levels and ethnic and gender composition are the most evident. Associate, bachelor's, and
graduate degrees, particularly at the command level are rapidly replacing the high school diploma as the norm. A more educated officer corps has higher expectations for itself, of its leaders, and is noticeably more independent in thought and behavior. Today's chief must be prepared, as a matter of course, to confront requests for explanations of directions and decisions and frequent questioning of decisions. (p. 10)

The IACP clearly recognized that its leadership, and by nature of their respective positions of authority, must address the issue of education. Chief Officers must be able to understand higher education from the perspective as leaders. As such, they recognized that:

Chief executives must bring a strong foundation of education to the job. Survey contributors overwhelmingly recommend a minimum of a bachelor's degree to lead an agency of 100 employees. A third of the contributors believe a master's degree constitutes proper and adequate educational preparation to lead an agency of 100-500 employees. A distinct majority, 74%, believe a master's degree constitutes proper and adequate preparation to lead the largest agencies in the country. (p. 16)
Chapter III

DESIGN AND METHODOLOGY

Purpose

The purpose of this research was to investigate the influence of higher education on the level of professionalism demonstrated by enlisted members of the New Jersey State Police in the performance of their respective duties, as related to the number of OPS investigations classified as substantiated.

This chapter will identify the population and sample, data sources, data collection, coding of the key variables utilized, research design, data analysis, and hypotheses.

Population and Sample

The Office of Professional Standards is tasked with tracking each and every reportable incident made against a member of the New Jersey State Police, investigating the nature of the complaint, and along with the Office of State Police Affairs determining whether or not a member has violated the law, the Rules and Regulations, and/or Standing Operating Procedures.

According to the New Jersey State Police, Office of Professional Standards - Internal Investigations and Disciplinary Process Annual Reports (NJ State Police) for the years 2000 and 2005, the number of enlisted personnel within the Division has varied from a highpoint of 2,625 in the year 2000 to a highpoint of 2,997 in the year 2005, an increase of 372 enlisted members.

Data Sources

All data collected was gathered from a public database and did not involve human subjects. As such, an Institutional Review Board (IRB) non Review certification
(see Appendix A) was submitted by this researcher on March 22, 2007. The request received advisor Dr. Anthony Colella's approval on March 22, 2007. The request was subsequently approved by the College of Education and Human Services, Department of Educational Leadership, Management and Policy Department Chair, Dr. Daniel Gutmore, on March 29, 2007.

The Office of Professional Standards Annual Report (NJ State Police, 2000) for the year 2000 provided information pertaining to the number of substantiated complaints against enlisted members. The data collected from this source provided the information necessary for pre-test analysis.

The Office of Professional Standards Annual Report (NJ State Police, 2005) for the year 2005 provided information pertaining to the number of substantiated complaints against enlisted members. The data collected from this source provided the information necessary for post-test analysis.

Data collection pertaining to college degrees earned by enlisted members of the New Jersey State Police occurred in April 2007. This information was provided following a verbal request to the State Police Organization and Employee Services Bureau (OESB). The data provided a year-by-year listing of the following: college degrees earned by January 2001 (see Appendix B); college degrees earned in 2001 (see Appendix C); college degrees earned in 2002 (see Appendix D); college degrees earned in 2003 (see Appendix E); college degrees earned in 2004 (see Appendix F); and college degrees earned in 2005 (see Appendix G). All personal information/identifiers were redacted from the database.
All collected data allowed for the statistical analysis of the following research questions:

**Research Questions**

1. What influence did the 1999 Consent Decree have on the level of professionalism demonstrated by enlisted members of the New Jersey State Police as measured by the number of substantiated internal affairs complaints/reportable incidents?

2. What influence did having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process have on the number of substantiated internal affairs complaints/reportable incidents?

3. What influence did the 1999 Consent Decree have on levels of education of enlisted members of the New Jersey State Police?

**Data Collection**

The collection of the New Jersey State Police (2000, 2005) Office of Professional Standards-Internal Affairs and Disciplinary Process Annual Reports for the years 2000 to 2005 occurred in the month of April 2007. These reports were provided by virtue of public access from either the internet (electronic copy) or directly from the New Jersey State Police-Office of Professional Standards (hard copy).

A total of 584 complaints were received in the year 2000 and 413 complaints (misconduct only) were received in the year 2005. In the year 2000, 141 investigations were completed of which 28 complaints were substantiated. In the year 2005, 198 investigations were completed, of which 45 complaints were substantiated.

The collection of data pertaining to college degrees earned by enlisted members of the New Jersey State Police occurred in the month of April 2007. The aforementioned
databases/spreadsheets were provided in an electronic format in response to a verbal request to the State Police Organization and Employee Services Bureau (OESB).

In the year 2000 the New Jersey State Police consisted of 2,625 enlisted members. The enlisted personnel accounted for the completion of 1,876 college degrees (Associate, Bachelor, Master, and Post Master). In the year 2005, the ranks of enlisted members in the State Police reached a highpoint of 2,997. The number of college degrees amassed by enlisted personnel totaled 2,545.

Coding of Key Variables

Codes were assigned to the two sources of Internal Affairs/Office of Professional Standards complaints. These codes, identified as the dependent variables, depict those complaints initiated by State Police supervisors or enlisted members and citizen initiated complaints. The following codes were assigned accordingly: (a) CI to indicate that a complaint was Citizen Initiated, and (b) SPI to indicate that a complaint was initiated by State Police supervisors or enlisted members.

Codes were also assigned to the various levels of education of enlisted members and have been identified as independent variables. The degree information was captured in the data bases provided by the Organizational and Employee Services Bureau. These codes identify only the levels of higher education attained by enlisted members. They do not, however, identify the number of enlisted members who have attained college credits but have not completed degree requirements. The following codes have been assigned for educational levels: 1 indicates a member has earned an Associate’s Degree; 2 indicates a member has earned a Bachelor’s Degree from an accredited institution (regardless of field of study); 3 indicates that a member has received a Master’s Degree
from an accredited institution (regardless of field of study); 4 indicates that a member
has received a Post Master Degree (JD, PhD, EdD or EdS).

Data Analysis

This study provided a cross sectional analysis utilizing the Chi-square ($\chi^2$) test to
analyze data compiled from the New Jersey State Police Office of Professional Standards
(OPS) and Organizational and Employee Services Bureau (OESB) for the year 2000 and
the year 2005.

This study utilized SPSS software version 14.0 for Windows to provide a
qualitative analysis of data collected and categorized accordingly.

The Chi-square test provided a foundation for statistical inference which
questioned the relationship between the variables based upon observed data.

The Chi-square test was utilized to provide a nominal measurement of the
specific categories previously identified and coded. The Chi-square test compared the
relative frequencies for the following categories: Type of Initiation (State Police Initiated
Complaints and Civilian Initiated Complaints); Education Level (Associate Degree,
Bachelor Degree, Master Degree, and Post Master Degree) in the years 2000 and 2005.
Chapter IV

RESULTS OF THE STUDY

Introduction

The purpose of this study was to explore the influence of higher education on the level of professionalism demonstrated by enlisted members of the New Jersey State Police in the performance of their respective duties, as related to the number of OPS investigations classified as substantiated.

This chapter contains the findings of the study which were based upon the data analysis derived from: the New Jersey State Police Office of Professional Standards Internal Investigations and Disciplinary Process Annual Report 2000; the New Jersey State Police Office of Professional Standards Internal Investigations and Disciplinary Process Annual Report 2005; and educational data provided by the New Jersey State Police Organization and Employee Services Bureau. All data collected from these resources has been reported in this chapter.

Background Information

During calendar year 2000 the number of enlisted personnel within the New Jersey State Police reached a highpoint of 2,625. Information in Table 1 reflects the following information as provided in the New Jersey State Police Office of Professional Standards Annual Report 2000:

Of the 584 complaints received and processed in 2000, 469 were initiated by members of the public, and 115 were initiated internally. Of the complaints initiated by the public, 266 or 57% were initiated by citizens who had been arrested (56) or issued a motor vehicle summons (210) by a member of the State
Six complaints were initiated as a result of an allegation of off-duty conduct relating to domestic violence. The remaining 197 or 42% of the externally initiated complaints were by citizens who were not arrested nor had they received any type of motor vehicle summons. . . (p. 10)

Of the 469 citizen initiated complaints in 2000, 174 have been resolved. During the intake phase 67 were closed by investigation and/or review of mobile video recordings of the incidents where the evidence showed that there were no violations of State Police policies or procedures. In addition, 107 investigations were completed. Of the 107 completed investigations, 10 (9.3%) resulted in a substantiated finding. Investigation continues into 295 citizen complaints.

Of the 115 complaints initiated by State Police supervisors or members in 2000, 34 investigations were completed. Of the 34 completed, 18 (52.9%) resulted in substantiated findings. Eighty-one of these complaints are pending investigation. (p. 18)

Table 1


<table>
<thead>
<tr>
<th>Status</th>
<th>SP Initiated (Code SPI)</th>
<th>Civilian Initiated (Code CI)</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Complaints</td>
<td>115</td>
<td>469</td>
<td>584</td>
</tr>
<tr>
<td>Completed</td>
<td>34 (19.69%)</td>
<td>107</td>
<td>141</td>
</tr>
<tr>
<td>Substantiated</td>
<td>18</td>
<td>10 (80.31%)</td>
<td>28</td>
</tr>
<tr>
<td>Pending</td>
<td>81</td>
<td>295</td>
<td>376</td>
</tr>
<tr>
<td>Closed by Investigation and/or Review of Mobile Video Recordings</td>
<td></td>
<td>67</td>
<td></td>
</tr>
</tbody>
</table>
During calendar year 2005 the number of enlisted personnel within the New Jersey State Police reached a highpoint of 2,997. Information in Table 2 reflects the following information as provided in the New Jersey State Police Office of Professional Standards Annual Report 2005:

In 2005, of the 413 total misconduct complaints, 286 (69%) were initiated by members of the public and 127 (31%) were initiated internally. Of the misconduct complaints initiated by the public, 152 (53%) involved citizens who had been arrested or issued a motor vehicle summons by a member of the State Police. In addition, the Office of Professional Standards received 277 reportable incidents which were classified as Performance Issues; 251 (91%) of these complaints were initiated by members of the public and 26 (9%) were initiated internally. . . (p. 15)

Of the 286 citizen initiated investigations, 104 (36%) remain active, 22 (8%) are in the review process or pending discipline, 136 (48%) have been completed, and 24 (8%) have been suspended pending court action or other administrative action. Of the 136 completed, 18 (13%) resulted in substantiated primary or secondary allegations.

Of the 127 complaints initiated by State Police supervisors or members, 35 (27.5%) remain active, 23 (18%) are in the review process or pending discipline, 62 (49%) have been completed and seven (5.5%) have been suspended pending court action or other administrative action. Of the 62 completed, 27 (43.5%) resulted in substantiated primary or secondary allegations. (p. 22)
Table 2

*New Jersey State Police Office of Professional Standards 2005 Annual Report*

<table>
<thead>
<tr>
<th>Status</th>
<th>SP Initiated (Code SPI)</th>
<th>Civilian Initiated (Code CI)</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Complaints</td>
<td>127 (30.75%)</td>
<td>286 (69.25%)</td>
<td>413 (100.00%)</td>
</tr>
<tr>
<td>Completed</td>
<td>62</td>
<td>136</td>
<td>198</td>
</tr>
<tr>
<td>Substantiated</td>
<td>27</td>
<td>18</td>
<td>45</td>
</tr>
<tr>
<td>Pending</td>
<td>76</td>
<td>150</td>
<td>226</td>
</tr>
</tbody>
</table>

In reviewing this data it must be noted that in the year 2005 there were a total of 1,088 total complaints made against enlisted members of the State Police. Due to the previously cited changes in incident classifications, however, only 413 of those complaints were identified as “Misconduct”.

Table 3 provides a 5 year breakdown of incident classifications as reported in the New Jersey State Police Office of Professional Standards Internal Investigation and Disciplinary Process Annual Report 2005 (p.15).

Table 3

*Five Year Breakdown of Incident Classifications*

<table>
<thead>
<tr>
<th></th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Misconduct</td>
<td>642</td>
<td>391</td>
<td>414</td>
<td>407</td>
<td>413</td>
</tr>
<tr>
<td>Performance</td>
<td>262</td>
<td>300</td>
<td>232</td>
<td>277</td>
<td></td>
</tr>
<tr>
<td>Administrative Issues</td>
<td>239</td>
<td>294</td>
<td>340</td>
<td>414</td>
<td>398</td>
</tr>
<tr>
<td>Compliance</td>
<td>2</td>
<td>4</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>EEO / AA Investigations Forwarded to O.P.S. for Discipline</td>
<td>5</td>
<td>5</td>
<td>6</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Totals</td>
<td>886</td>
<td>952</td>
<td>1,062</td>
<td>1,058</td>
<td>1,088</td>
</tr>
</tbody>
</table>
Codes were assigned to the two sources of Internal Affairs/Office of Professional Standards complaints. These codes, identified as the dependent variables, depict those complaints initiated by State Police supervisors or enlisted members and citizen initiated complaints. The following codes have been assigned accordingly: (a) CI to indicate that a complaint was Citizen Initiated, and (b) SPI to indicate that a complaint was initiated by State Police supervisors or enlisted members.

Codes were also assigned to the various levels of education of enlisted members and have been identified as independent variables. The degree information was captured in the data bases provided by the Organizational and Employee Services Bureau. These codes identify only the levels of higher education attained by enlisted members. They do not, however, identify the number of enlisted members who have attained college credits but have not completed degree requirements. The following codes have been assigned accordingly: 1 indicates a member has earned an Associate’s Degree; 2 indicates a member has earned a Bachelor’s Degree from an accredited institution (regardless of field of study); 3 indicates that a member has received a Master’s Degree from an accredited institution (regardless of field of study); 4 indicates that a member has received a Post Master Degree (JD, PhD, EdD or EdS).

For the purpose of analysis, several tests were conducted by entering each of the coded variables into the SPSS program to perform a qualitative analysis using the Chi-Square ($\chi^2$) Test. The first set of variables was categorized by the source of the substantiated OPS complaints (State Police Initiated or Civilian Initiated) and by year (2000 and 2005). These variables were then used to determine if any statistically significant differences occurred between the expected and observed counts. Only those
cells that produced a standard residual (SR) of 2 were analyzed as being meaningful to this research.

Addressing Research Question 1

What influence did the 1999 Consent Decree have on the level of professionalism demonstrated by enlisted members of the New Jersey State Police as measured by the number of substantiated internal affairs complaints/reportable incidents?

There were no items with statistically significant differences with regard to the total number of substantiated OPS cases when comparing the years 2000 and 2005 (see table 4).

Table 4

Frequency Table of Substantiated OPS Complaints for the Years 2000 / 2005

<table>
<thead>
<tr>
<th>Year</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid 2000</td>
<td>28</td>
<td>38.4</td>
<td>38.4</td>
<td>38.4</td>
</tr>
<tr>
<td>2005</td>
<td>45</td>
<td>61.6</td>
<td>61.6</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>73</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

There was an observed count of 28 substantiated cases in the year 2000 with an expected count of 31.4 (a difference of -3.5). There was an observed count of 45 substantiated cases in the year 2005 with an expected count of 41.5 (a difference of 3.5) (see tables 5&6).

Table 5

Observed and Expected Frequencies of Substantiated OPS Cases for 2000 and 2005
<table>
<thead>
<tr>
<th>Year</th>
<th>Observed N</th>
<th>Expected N</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>28</td>
<td>31.5</td>
<td>-3.5</td>
</tr>
<tr>
<td>2005</td>
<td>45</td>
<td>41.5</td>
<td>3.5</td>
</tr>
<tr>
<td>Total</td>
<td>73</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 6

Type of Initiation (OPS Complaints) for the years 2000 and 2005 Cross tabulation

<table>
<thead>
<tr>
<th>Type of Initiation</th>
<th>State Police Initiated</th>
<th></th>
<th>Year</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Count</td>
<td>Expected Count</td>
<td>2000</td>
<td>2005</td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>18</td>
<td>17.3</td>
<td>27</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td></td>
<td>24.7%</td>
<td>37.0%</td>
<td>61.6%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>.2</td>
<td>-.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civilian Initiated</td>
<td>Count</td>
<td>Expected Count</td>
<td>10</td>
<td>18</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10.7</td>
<td>17.3</td>
<td>28.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>13.7%</td>
<td>24.7%</td>
<td>38.4%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-.2</td>
<td>.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>Count</td>
<td>Expected Count</td>
<td>28</td>
<td>45</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>28.0</td>
<td>45.0</td>
<td>73.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>38.4%</td>
<td>61.6%</td>
<td>100.0%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Statistical analysis revealed $\chi^2 = .684$, $p = .408$, $df = 1$, with a Standard Residual (SR) of <2 for each of the categories (see tables 7&8).

Table 7

Chi-Square Tests Type and Total Number of Substantiated OPS Complain

<table>
<thead>
<tr>
<th>Chi-Square Tests</th>
<th>Value</th>
<th>df</th>
<th>Asymp. Sig. (2-sided)</th>
<th>Exact Sig. (2-sided)</th>
<th>Exact Sig. (1-sided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi-Square</td>
<td>.134b</td>
<td>1</td>
<td>.714</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continuity Correction</td>
<td>.014</td>
<td>1</td>
<td>.906</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Likelihood Ratio</td>
<td>.135</td>
<td>1</td>
<td>.714</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fisher's Exact Test</td>
<td></td>
<td></td>
<td></td>
<td>.807</td>
<td>.455</td>
</tr>
<tr>
<td>Linear-by-Linear Association</td>
<td>.132</td>
<td>1</td>
<td>.716</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N of Valid Cases</td>
<td>73</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

a. Computed only for a 2x2 table
b. 0 cells (.0%) have expected count less than 5. The minimum expected count is 10.
Table 8

Chi-Square Statistics Indicating That There is No Statistically Significant Differences

<table>
<thead>
<tr>
<th>Test Statistics</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>.584</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>.408</td>
<td></td>
</tr>
</tbody>
</table>

\[ a. \quad 0 \text{ cells} \ .0\% \text{ have expected frequencies less than} \]
\[ 5. \text{ The minimum expected cell frequency is} \ 31.5. \]

There were 28 substantiated OPS cases in the year 2000 with a highpoint number of 2,625 enlisted personnel. In the year 2005 there were 45 substantiated OPS cases with a highpoint number of 2,997 enlisted personnel. Although the number of substantiated OPS cases increased in percentage compared to the population from 1.0% to 1.5%, the total population (enlisted members) increased by 12.5%.

Therefore, based upon the overall growth in the number of enlisted members and the statistical analysis addressing Research Question 1, it can be concluded that the increase in the number of substantiated OPS cases is not statistically significant, and the 1999 Consent Decree had no significant influence on the number of substantiated internal affairs complaints/reportable incidents.

Addressing Research Question 2

What influence did having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process have on the number of substantiated internal affairs complaints/reportable incidents?

There were no items with statistically significant differences with regard to the number of substantiated OPS cases based upon the type of initiation (State Police Initiated or Civilian Initiation) when comparing the years of 2000 and 2005 (see table 9).
Table 9

*Frequency Table of Total Substantiated OPS Complaints based on Type of Initiation*

<table>
<thead>
<tr>
<th>Type of Initiation</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid State Police Initiated</td>
<td>45</td>
<td>61.6</td>
<td>61.6</td>
<td>61.6</td>
</tr>
<tr>
<td>Civilian Initiated</td>
<td>28</td>
<td>38.4</td>
<td>38.4</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>73</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

There was an observed count of 18 substantiated State Police Initiated cases in the year 2000 with an expected count of 17.3. There was an observed count of 27 substantiated State Police Initiated cases in the year 2005 with an expected count of 27.7. There was an observed count of 10 substantiated Civilian Initiated cases in the year 2000 with an expected count of 10.7. There was an observed count of 18 substantiated Civilian Initiated cases in the year 2005 with an expected count of 17.3 (see tables 10, 11, 12 & 13).

Table 10

*Frequency Table of Year 2000 Substantiated OPS Complaints based on Type of Initiation*

<table>
<thead>
<tr>
<th>Type of Initiation - 2000</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid State Police Initiated</td>
<td>18</td>
<td>64.3</td>
<td>64.3</td>
<td>64.3</td>
</tr>
<tr>
<td>Civilian Initiated</td>
<td>10</td>
<td>35.7</td>
<td>35.7</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>28</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>
Table 11

*Frequency Table of Year 2005 Substantiated OPS Complaints based on Type of Initiation*

<table>
<thead>
<tr>
<th>Type of Initiation - 2005</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid State Police Initiated</td>
<td>27</td>
<td>60.0</td>
<td>60.0</td>
<td>60.0</td>
</tr>
<tr>
<td>Civilian Initiated</td>
<td>18</td>
<td>40.0</td>
<td>40.0</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>45</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Table 12

*Observed and Expected Frequencies of Substantiated OPS Cases for 2000 and 2005*

<table>
<thead>
<tr>
<th>Year</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid 2000</td>
<td>28</td>
<td>38.4</td>
<td>38.4</td>
<td>38.4</td>
</tr>
<tr>
<td>2005</td>
<td>45</td>
<td>61.6</td>
<td>61.6</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>73</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Table 13

*Type of Initiation (OPS Complaints) for the years 2000 and 2005 Crosstabulation*

<table>
<thead>
<tr>
<th>Type of Initiation * Year Crosstabulation</th>
<th>Year</th>
<th>2000</th>
<th>2005</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Initiation</td>
<td>State Police Initiated</td>
<td>Count</td>
<td>18</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Expected Count</td>
<td>17.3</td>
<td>27.7</td>
<td>45.0</td>
</tr>
<tr>
<td></td>
<td>% of Total</td>
<td>24.7%</td>
<td>37.0%</td>
<td>61.6%</td>
</tr>
<tr>
<td></td>
<td>Std. Residual</td>
<td>.2</td>
<td>-.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Civilian Initiated</td>
<td>Count</td>
<td>10</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Expected Count</td>
<td>10.7</td>
<td>17.3</td>
<td>28.0</td>
</tr>
<tr>
<td></td>
<td>% of Total</td>
<td>13.7%</td>
<td>24.7%</td>
<td>38.4%</td>
</tr>
<tr>
<td></td>
<td>Std. Residual</td>
<td>-.2</td>
<td>.2</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>Count</td>
<td>28</td>
<td>45</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td>Expected Count</td>
<td>26.0</td>
<td>45.0</td>
<td>73.0</td>
</tr>
<tr>
<td></td>
<td>% of Total</td>
<td>38.4%</td>
<td>61.6%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
Statistical analysis revealed $\chi^2 = .134$, $p = .714$, $df = 1$, with a Standard Residual (SR) of <2 for each of the categories (see table 14).

Table 14

Chi-Square Tests Type and Total Number of Substantiated OPS Complaints

<table>
<thead>
<tr>
<th>Chi-Square Tests</th>
<th>Value</th>
<th>df</th>
<th>Asymp. Sig. (2-sided)</th>
<th>Exact Sig. (2-sided)</th>
<th>Exact Sig. (1-sided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi-Square</td>
<td>.134(^a)</td>
<td>1</td>
<td>.714</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continuity Correction(^a)</td>
<td>.014</td>
<td>1</td>
<td>.906</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Likelihood Ratio</td>
<td>.135</td>
<td>1</td>
<td>.714</td>
<td>.807</td>
<td>.455</td>
</tr>
<tr>
<td>Fisher's Exact Test</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linear-by-Linear Association</td>
<td>.132</td>
<td>1</td>
<td>.716</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N of Valid Cases</td>
<td>73</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^a\) Computed only for a 2x2 table
\(^b\) 0 cells (.0%) have expected count less than 5. The minimum expected count is 10.

There were 18 substantiated OPS cases in the year 2000 that were State Police Initiated and 10 in the year 2005. The Standard Residual for the State Police Initiated cases was .2 and -.1 for the years 2000 and 2005 respectively. Both below a Standard Residual of 2, indicating that there is no statistical significance in the Chi-Square Test.

There were 10 substantiated OPS cases in the year 2000 that were Civilian Initiated and 18 in the year 2005. The Standard Residual for the Civilian Initiated cases was -.2 and .2 for the years 2000 and 2005 respectively. Both below a Standard Residual of 2, indicating that there is no statistical significance in the Chi-Square Test.

Therefore, based upon the statistical analysis addressing Research Question 2, it can be concluded that having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process is not
statistically significant and has not influenced the number of substantiated internal affairs complaints/reportable incidents.

Addressing Research Question 3

What influence did the 1999 Consent Decree have on levels of education of enlisted members of the New Jersey State Police?

For the purpose of this analysis, each of the variables was coded for input into the SPSS program and to perform a qualitative analysis using the Chi-Square (χ²) Test. The first set of variables was categorized by the Education Level of the enlisted members of State Police by year (2000 and 2005). These variables were then used to determine if any statistically significant differences occurred between the expected and observed counts. Only those cells that produced a standard residual (SR) of 2 were analyzed as being meaningful to this research.

There was one item with statistically significant differences with regard to the Educational Level of enlisted members, specifically the increase in the amount of enlisted members who had attained a Master Degree in the period from the year 2000 to the year 2005 (see tables 15&16).

Table 15

*Frequency Table of Educational Level of Enlisted Members Year 2000*

<table>
<thead>
<tr>
<th>Education Level - 2000</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associale Degree</td>
<td>385</td>
<td>20.5</td>
<td>20.5</td>
<td>20.5</td>
</tr>
<tr>
<td>Bachelor Degree</td>
<td>1283</td>
<td>68.4</td>
<td>68.4</td>
<td>88.9</td>
</tr>
<tr>
<td>Master Degree</td>
<td>189</td>
<td>10.1</td>
<td>10.1</td>
<td>99.0</td>
</tr>
<tr>
<td>Post Master Degree</td>
<td>19</td>
<td>1.0</td>
<td>1.0</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>1876</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>
Table 16

*Frequency Table of Educational Level of Enlisted Members Year 2005*

<table>
<thead>
<tr>
<th>Education Level - 2005</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associate Degree</td>
<td>439</td>
<td>17.2</td>
<td>17.2</td>
<td>17.2</td>
</tr>
<tr>
<td>Bachelor Degree</td>
<td>1693</td>
<td>66.5</td>
<td>66.5</td>
<td>83.6</td>
</tr>
<tr>
<td>Master Degree</td>
<td>387</td>
<td>15.2</td>
<td>15.2</td>
<td>99.0</td>
</tr>
<tr>
<td>Post Master Degree</td>
<td>26</td>
<td>0.1</td>
<td>0.1</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>2545</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

There was an observed count of 189 Master Degrees attained by enlisted members in the year 2000 with an expected count of 244.4. There was an observed count of 387 Master Degrees attained by enlisted members in the year 2005 with an expected count of 331.6. (see table 17).

Table 17

*Enlisted Members Education Level for the Years 2000 and 2005 Crosstabulation*

<table>
<thead>
<tr>
<th>Education Level * Year Crosstabulation</th>
<th>Year</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2000</td>
<td>2005</td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>Associate Degree</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>385</td>
<td>439</td>
<td>824</td>
<td></td>
</tr>
<tr>
<td>Expected Count</td>
<td>349.7</td>
<td>474.3</td>
<td>824.0</td>
<td></td>
</tr>
<tr>
<td>% of Total</td>
<td>8.7%</td>
<td>9.9%</td>
<td>18.6%</td>
<td></td>
</tr>
<tr>
<td>Std. Residual</td>
<td>1.9</td>
<td>-1.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bachelor Degree</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>1283</td>
<td>1693</td>
<td>2976</td>
<td></td>
</tr>
<tr>
<td>Expected Count</td>
<td>1262.8</td>
<td>1713.2</td>
<td>2976.0</td>
<td></td>
</tr>
<tr>
<td>% of Total</td>
<td>29.3%</td>
<td>38.3%</td>
<td>67.3%</td>
<td></td>
</tr>
<tr>
<td>Std. Residual</td>
<td>.6</td>
<td>-.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Master Degree</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>189</td>
<td>387</td>
<td>576</td>
<td></td>
</tr>
<tr>
<td>Expected Count</td>
<td>244.4</td>
<td>331.6</td>
<td>576.0</td>
<td></td>
</tr>
<tr>
<td>% of Total</td>
<td>4.3%</td>
<td>8.8%</td>
<td>13.0%</td>
<td></td>
</tr>
<tr>
<td>Std. Residual</td>
<td>-3.5</td>
<td>3.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post Master Degree</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>19</td>
<td>26</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Expected Count</td>
<td>19.1</td>
<td>25.9</td>
<td>45.0</td>
<td></td>
</tr>
<tr>
<td>% of Total</td>
<td>.4%</td>
<td>.6%</td>
<td>1.0%</td>
<td></td>
</tr>
<tr>
<td>Std. Residual</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1876</td>
<td>2545</td>
<td>4421</td>
<td></td>
</tr>
<tr>
<td>Expected Count</td>
<td>1876.0</td>
<td>2545.0</td>
<td>4421.0</td>
<td></td>
</tr>
<tr>
<td>% of Total</td>
<td>42.4%</td>
<td>57.6%</td>
<td>100.0%</td>
<td></td>
</tr>
</tbody>
</table>
Statistical analysis revealed $\chi^2 = 28.595$, $p = .000$, $df = 3$, with a Standard Residual (SR) of >2 for each of this category (see table 18).

Table 18

*Chi-Square Tests for Enlisted Members Education Levels*

<table>
<thead>
<tr>
<th></th>
<th>Value</th>
<th>df</th>
<th>Asymp. Sig. (2-sided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi-Square</td>
<td>28.595a</td>
<td>3</td>
<td>.000</td>
</tr>
<tr>
<td>Likelihood Ratio</td>
<td>29.145</td>
<td>3</td>
<td>.000</td>
</tr>
<tr>
<td>Linear-by-Linear</td>
<td>21.506</td>
<td>1</td>
<td>.000</td>
</tr>
<tr>
<td>Association</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N of Valid Cases</td>
<td>4421</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- 0 cells (.0%) have expected count less than 5. The minimum expected count is 15.10.

From the year 2000 to the year 2005 the number of college degrees obtained by enlisted members of the New Jersey State Police increased at each level. Specifically, the number of Associate Degrees increased by 54; the number of Bachelor Degrees increased by 410; the number of Master Degrees increased by 198; and the number of Post Master Degrees increased by 26.

Although there was an overall increase in the number of degrees, only one level had a Standard Residual greater than 2. The Master Degree level had a Standard Residual of -3.5 in the year 2000 and 3.0 in the year 2005, and is statistically significant in the Chi-Square Test.

Therefore, based upon the statistical analysis addressing research question number 3, it can be concluded that the increase in the number of Master Degrees is statistically significant and reflects the greatest amount of growth. This would indicate that the 1999 Consent Decree had a positive influence on members in the attainment of a Masters Degree.
Chapter V

SUMMARY, CONCLUSIONS, RECOMMENDATIONS

Introduction

The purpose of this chapter is to provide a summary of the study and an interpretation of the research findings based on cited literature and analyzed data. This summary will ensure that links to prior research are well established. The chapter will provide conclusions based on collected and analyzed data from Chapter IV. This chapter will provide recommendations based up these conclusions and are linked to the findings of this study.

The Research Problem

The purpose of this study was to explore the influence of higher education on the level of professionalism demonstrated by enlisted members of the New Jersey State Police in the performance of their respective duties, as related to the number of OPS investigations classified as substantiated. More specifically, the study sought to answer the following research questions:

1. What influence did the 1999 Consent Decree have on the level of professionalism demonstrated by enlisted members of the New Jersey State Police as measured by the number of substantiated internal affairs complaints/reportable incidents?

2. What influence did having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process have on the number of substantiated internal affairs complaints/reportable incidents?

3. What influence did the 1999 Consent Decree have on levels of education of enlisted members of the New Jersey State Police?
Chapter Summaries

Chapter I provided an overview and introduction to the term professionalism as it relates to the field of law enforcement. This chapter also provided insight as to the role of education in the law enforcement community. Additionally, the chapter provided a historical perspective of the New Jersey State Police and the organizational challenges that it has faced with regards to a federally mandated consent decree. These challenges, as well as the organization’s response to the consent decree served as the impetus for this study.

A statement of the problem, the purpose of the study, research questions, definition of terms, limitations of the study, significance and organization of the study are contained in Chapter I, which provided the foundation on which a full understanding and appreciation for the design of the study could be built.

Chapter II consisted of a review of related research and literature relating to the research topic. This chapter was organized and structured in a manner that provided an overview of the allegations of racial profiling by enlisted members of the State Police.

This chapter also included an overview of relevant responses to the allegations provided in the Interim and Final Reports of the State Police Review Team (1999) and the New Jersey Legislature Black and Latino Caucus (1999).

The chapter then provided a comprehensive review of significant components of the 1999 Consent Decree and the Independent Monitor’s Reports (IMT, 2006), as well as, an explanation of the New Jersey State Police Office of Professional Standards investigative process.
This chapter further introduced literature pertaining to the higher education requirements within the law enforcement field.

Chapter III introduced the purpose of the study and provided the design and methodology utilized in the study. This chapter identified the population and sample utilized and data sources. The chapter restated the research questions that were to be answered. Chapter III explained the processes of data collection and coding of key variables. Finally, this chapter identified how data was analyzed utilizing the Chi-Square Test.

Chapter IV provided an introduction of the data collected and reiterated the coding of the key variables. This chapter then explained the rationale for the utilization of the Chi-Square test for data analysis.

Each of the research questions were addressed in sequence by providing an explanation of the Chi-Square Test results, associated tables, and a summary of the significance of the respective results for each of the research questions.

Chapter V included an introduction, reiterated the purpose of the study and restated the research questions. The chapter provided chapter summaries as well as conclusions and recommendations related to key findings of this study and prior research. This chapter also provided policy recommendations and their impact.

Conclusions

This study was conducted with the purpose of determining the impact of higher education on the levels of professionalism in the New Jersey State Police. The concept of professionalism within the law enforcement community has been a source of numerous textbooks, articles, and constant research. This study has focused on one organization,
the New Jersey State Police, which has undergone close scrutiny as a result of allegations of a practice commonly referred to as "racial profiling". These allegations subsequently prompted the State of New Jersey to enter into a federally monitored Consent Decree.

The 1999 Consent Decree would ultimately serve as the genesis for sweeping organizational changes within the New Jersey State Police. One of the most prominent changes that needed to occur was the manner in which the State Police actually investigated and policed its own, namely, the Internal Affairs (Office of Professional Standards) processes within the organization.

Literature cited in Chapter II repeatedly identified an array of deficiencies in that existed within the State Police. The most notable pieces of literature cited were the in depth reports prepared by former New Jersey Attorneys General and their respective First Assistant Attorneys General. These reports, The Interim Report (1999) and The Final Report (1999) of the State Police Review Team, delved into the basis of the allegations and provided recommendations that would become key elements of the 134 benchmarks included in the 1999 Consent Decree.

These recommendations and benchmarks have served as the nexus for defining and determining the levels of professionalism in the New Jersey State Police. The definition of professionalism within the law enforcement is as diverse as the neighborhoods and communities in which they serve.

Throughout this study, numerous individual and organizational qualities were identified that defined professionalism. The literature cited has certainly reinforced the law enforcement community’s desire to establish itself and be recognized as a profession.
One of the recurring themes was that of training and/or education. Defining professionalism based on education alone has not been universally accepted within the law enforcement community. Nor has it been recognized as the expected panacea by researchers and academics.

Law enforcement continues to face an uphill battle to be recognized as a profession based upon the dynamic nature and constant evolution of the tasks that are required of its members. Societal demands and organizational needs must be met by members of the law enforcement community on a daily basis. Such demands and needs may conceivably change with little or no notice. When these changes occur, however, literature suggests that a better educated police officer will perform more successfully based upon his or her expanded knowledge and capabilities developed from their academic background.

There is an additional caveat that must be addressed in defining professionalism within the law enforcement community. One very delicate intangible is the perception of the general public and the communities in which law enforcement agencies perform their duties. These perceptions can be measured, in part, by the number of internal affairs complaints generated against an agency and its members.

For the purposes of this study, and based upon literature and studies cited in Chapter II, the definition of professionalism was explored through three variables: number of substantiated Office of Professional Standards complaints; type of initiation of these complaints (either State Police Initiated or Civilian Initiated); and levels of education of the enlisted members.
Research Question 1 asked: What influence did the 1999 Consent Decree have on the level of professionalism demonstrated by members of the New Jersey State Police as measured by the number of substantiated internal affairs complaints/reportable incidents?

This question was addressed by comparing several variables for the years 2000 and 2005. These years were chosen based upon the following: The year 2000 was the first full year in which the 1999 Consent Decree was in effect; the year 2005 was identified as the first full year in which the New Jersey State Police, Office of Professional Standards, met all requirements established under the 1999 Consent Decree.

In order to establish a baseline by which to measure any influence of the consent decree, data was collected pertaining to the number of substantiated Office of Professional Standards complaints. There were 28 such complaints for the year 2000. Also identified within the baseline was the highpoint number of enlisted personnel within the State Police for the year 2000, which was 2,625. Based upon this information it was determined that only 1.0% of the total number of enlisted personnel had substantiated complaints filed against them.

The next step was to analyze data compared to the baseline. In the year 2005, there were 45 substantiated Office of Professional Standards complaints; however the highpoint number of enlisted personnel within the State Police rose to a number of 2,997. This number represented an overall increase in the total number of enlisted personnel of 12.5%. The percentage of substantiated complaints did increase from 1% to 1.5%, or a change of 0.5%.

Based upon the statistical analysis and the overall growth in the number of enlisted personnel however, it was determined that the increase in the number of
substantiated OPS complaints is not statistically significant, and the 1999 Consent Decree had no significant influence on the number of substantiated internal affairs complaints/reportable incidents.

The second research question asked: What influence did having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process have on the number of Substantiated internal affairs complaints/reportable incidents?

As with Research Question 1, this question utilized data from the years 2000 and 2005 in order to determine if the 1999 Consent Decree had an influence on the number of substantiated cases. The difference however was that this question incorporated the origin or source of the complaints.

The statistical analysis demonstrated that although there were increased numbers in both the State Police and Civilian Initiated categories neither had a Standard Residual greater than 2, indicating there is no statistical significance. Based upon this statistical analysis it was concluded that having both an internal (complaints initiated by State Police personnel) and external (complaints initiated by the Public) complaint process was not statistically significant and did not influence the number of substantiated internal affairs complaints/reportable incidents.

There is additional significance, however, to the statistical analysis performed for Research Question 2. The 1999 Consent Decree specifically addressed the issue of public information and outreach in benchmark number 59. This was one of the benchmarks that the New Jersey State Police had successfully implemented in the year 2004. Given this fact, it can be inferred that the public had greater information and an
increase in the variety of ways by which to access the Office of Professional Standards to lodge complaints against enlisted members of the State Police.

The 1999 Consent Decree established very finite parameters in which the New Jersey State Police, Office of Professional Standards, needed to conduct business. The consent decree also re-defined how the organization needed to police itself in order to prevent repeat and future allegations of racial profiling or other improper activities.

More importantly, the consent decree identified how each enlisted member within the New Jersey State Police was expected to act in the performance of their respective duties. Each of the benchmarks within the consent decree reflected improved levels of performance. When examined more closely, it can be inferred that such improvements could ultimately lead to increased professionalism, both organizationally and personally.

Based upon this information and analysis it can be concluded that the enlisted members of the New Jersey State Police have acted in a professional manner as defined by the number of substantiated Office of Professional Standards complaints.

With regard to Research Question 3: What influence did the 1999 Consent Decree have on levels of education of enlisted members of the New Jersey State Police?

This study collected data pertaining to college degrees earned by enlisted members of the New Jersey State Police by January 2001 to and including the year 2005. The data indicates that the cumulative number of college degrees earned by enlisted members increased for each of the years and in each of the degree categories identified (Associate, Bachelor, Master, and Post Master Degrees). The data reflects an increase of 54 Associate Degrees, 410 Bachelor Degrees, 198 Master Degrees, and 7 Post Master Degrees. The percentage increases reflected a 14.02% increase in Associate Degrees, a
31.96% increase in Bachelor Degrees, a 104.76% increase in Master Degrees, and a 36.84% in Post Master Degrees.

Based upon this data, an analysis was conducted which determined that although there were increases in all categories, there was only one category with statistically significant differences, specifically, the increase in the number of enlisted members who had attained a Masters Degree in the years from 2000 to 2005.

The increase in the number of Masters Degrees reflected the greatest growth of all categories analyzed and is statistically significant. This alone would indicate that the 1999 Consent Decree had a positive influence on members in attaining a Masters Degree.

In reflecting upon the literature and data collected, the increase in the number of Masters Degrees is also significant institutionally for the New Jersey State Police. For more than 25 years the New Jersey State Police has partnered with Seton Hall University in the delivery of a graduate studies program. This program has afforded the enlisted members of the State Police an opportunity to develop a variety of leadership, management, and policy skills.

Many of the skills developed at the Master Degree level, and incorporated into such a graduate program, are commensurate with those identified in the cited literature. The educational programs offered to, attended, and completed by the enlisted members of the New Jersey State Police reflect those typically associated with a professional.

Based upon the analyzed data pertaining to substantiated OPS complaints and the levels of education attained by the enlisted members of the New Jersey State Police, it can be concluded that the impact of higher education on levels of professionalism in the New Jersey State Police has been a positive one.
Recommendations

Future Study

This study has addressed the influence of higher education on levels of professionalism in the New Jersey State Police. The findings of this study have identified the need to further explore the relationship between levels of education of enlisted members and their levels of professionalism. There are numerous questions that could and should serve as fodder for future research.

The following is a brief list of questions that deserve to be answered: Should this study terminate the evaluative and refining process of policies and procedures for the New Jersey State Police, Office of Professional Standards? Will the federal government recognize the efforts of the New Jersey State Police in its quest to meet the demands of the 1999 Consent Decree and the deserving public which they serve? Should the Division of State Police rest on its laurels in recognizing the value of higher education in establishing and maintaining its professional stature? Can the New Jersey State Police minimize the number of substantiated OPS cases by requiring its members to attain college degrees? Will the New Jersey State Police establish and implement educational requirements for the purposes of recruiting, hiring, and promoting personnel?

Based upon these unanswered questions, the following suggestions for further research are submitted.

1. It is suggested that a correlational study be conducted that examines the relationship between enlisted members of the New Jersey State Police who have Office of Professional Standards complaints substantiated and their level of education. Such a study could provide a more in depth understanding of whether or not enlisted member’s
level of education is related to their level of professionalism as defined by substantiated OPS cases.

2. It is suggested that a study be conducted to determine if there is a relationship between the duty assignment of enlisted members, their level of education, and the number of substantiated OPS complaints. Such a study could identify which variable, duty assignment or level of education, contributes more to the number of substantiated OPS complaints.

3. It is suggested that a study be conducted to determine if there is a relationship between the title and rank of enlisted members, their level of education, and the number of substantiated OPS complaints. Such a study could identify which variable, title/rank or level of education, contributes more to the number of substantiated OPS complaints.

4. It is suggested that a study be conducted to determine if there is a relationship between the source of substantiated OPS complaints (State Police or Civilian Initiated), the enlisted members level of education, and the number of substantiated OPS complaints. Such a study could identify whether or not enlisted members levels of education affect the number and severity of substantiated OPS complaints by source.

5. It is suggested that a study be conducted to determine the relationship between enlisted members levels of education and the outcome of substantiated OPS complaints. Outcome could be defined by the following discipline actions utilized by the New Jersey State Police: Counseling/Counseling Performance Notice; Written Reprimands; Summary Disciplinary Hearings; General Disciplinary Hearings; or No Further Action.

6. It is suggested that a study be conducted to determine the effects of enlisted member’s levels of education on the Office of Professional Standards investigative
process. A qualitative study could determine whether or not enlisted member’s level of education contributes to the outcome of an OPS investigation. Such a study could include interviews or focus groups of OPS investigators and supervisors.

The above recommendations all suggest that future studies and further research should be conducted in order to maintain the level of professionalism expected of the enlisted members of the New Jersey State Police. Continued research could serve as a monitoring and evaluative process that will ensure that the integrity and the spirit of the measures implemented by virtue of the 1999 Consent Decree remain intact.

Policy

It is suggested that the New Jersey State Police Office of Professional Standards should develop a policy and/or procedure that would enhance its analytical capabilities. More specifically, the Office of Professional Standards should develop a program that will provide cross-sectional analysis associated with substantiated cases. This analysis should be completed at the end of each calendar year, based upon completed OPS investigations.

It is suggested that the Office of Professional Standards should develop a collateral database with the Organizational and Employee Services Bureau that can immediately identify the level of education attained by enlisted members who have had OPS complaints against them substantiated.

As part of this policy/procedure, it is suggested that the New Jersey State Police develop a greater level of transparency and access to the data that it collects and analyzes. It is suggested that information pertaining to substantiated OPS complaints and levels of
education by enlisted members be included in the Office of Professional Standards
Internal Investigation and Disciplinary Process Annual Reports.

It is further suggested that this information be provided in a matrix format similar
to those currently utilized in the annual reports. This information could be reported in a
format consistent with the matrix utilized in the Office of Professional Standards -
Internal Investigation and Disciplinary Process Annual Report (see Figure 1).

REPORTING PERIOD: JANUARY 1, XXXX THROUGH DECEMBER 31, XXXX

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Figure 1. Matrix-Categorical summary of substantiated OPS cases associated
with educational levels.

Educational Levels:

Code 1 - Indicates a member has earned an Associate's Degree.
Code 2 - Indicates a member has earned a Bachelor's Degree from an accredited
institution (regardless of field of study).
Code 3 - Indicates that a member has received a Master's Degree from an accredited
institution (regardless of field of study).
Code 4 - Indicates that a member has received a Post Master Degree (JD, PhD, EdD or
EdS).

Implications:

The influence of higher education on the levels of professionalism in the New
Jersey State Police has been addressed in this study. It is suggested that relationships
exist between levels of education and the number of substantiated OPS complaints. Such relationships should be analyzed and reported on an annual basis.

It is suggested that the influence of these relationships may present serious implications in the New Jersey State Police. Particularly in the areas of recruiting, hiring, and promoting enlisted members. It is further suggested that, should higher education have a positive influence on professionalism then the New Jersey State Police should pursue stricter recruiting, hiring, and promotional criteria for enlisted members.

Higher educational standards, however, may have negative implications on the New Jersey State Police ability to recruit and hire a diverse workforce. This issue was previously addressed in citing the New Jersey Black and Latino Caucus Report (1999) on Discriminatory Practices Within the New Jersey State Police (1999). The Caucus expressed their concerns in writing:

The State Police shall eliminate the four-year college degree as a criterion for hiring; higher education requirement shall be limited to serving as . . . for promotion only. The United States Justice Department found that the four-year degree requirement was not job-related with respect to road troopers. Therefore, the degree requirement should not be used as a qualification for hiring. The 1975 consent decree specifically prohibited the four-year college requirement. (p. 26)

The overall influence, impact, and implications of higher education on levels of professionalism in the New Jersey State Police are clearly positive. It is suggested that in order for the State Police to maintain this level of professionalism higher education needs to become a more integral component of the recruiting, hiring, and promoting of enlisted members.
References


US Department of Justice, Civil Rights Division, State of New Jersey. (June 2006).


U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

(July 2004). Research for practice, hiring and keeping police officer.

Washington, DC: Author.


APPENDICES
APPENDIX A

IRB NON REVIEW CERTIFICATION
IRB non-review certification

Title of Dissertation: The Impact of Higher Education on Limited English Proficiency in New Jersey

I certify by my signature below, that the above indicated study does not require IRB review as a result of check of involvement with human subjects (see OHRP flow chart) and/or indicated by any or all of the following (check all that apply):

1. Historical Research
2. Public data base
3. *Proprietary data base
4. Freedom of Information
5. Right to Know - Sunshine law

Student signature: [Signature]

Advisor approval: [Signature] 2/25/07

Reviewed by:

Marty Finkelstein – Higher Ed

Daniel Gutmore – K-12

* Proprietary data that does not identify individuals
APPENDIX B

COLLEGE DEGREES EARNED BY

JANUARY 2001
### COLLEGE DEGREES

**EARNED BY JANUARY 2001**

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