

Photo by Jaime Lopez

# Education, not punishment, creates a better system

Agencies are starting to learn that making officers suffer for their mistakes does not lead to positive change

by Ted Hunt

**D**iscipline is one of the most important and controversial topics in law enforcement.

When the subject comes up, everyone pays close attention because it affects us all.

Most law enforcement officers from the rank and file up to chiefs and sheriffs want personnel to comply with the “book” or the “manual” or whatever it is called in your agency.

Both association leaders and management report that only a handful of officers cause the majority of disciplinary problems, which means the vast majority of law enforcement officers are rarely subject to the disciplinary system.

But what happens when a good officer makes a mistake and is hit with severe punishment, typically a suspension without pay?

It can turn a productive employee who has

a positive attitude into a bitter one who becomes angry, unproductive and patiently waits to get revenge for what he or she feels is mistreatment by the department and management.

Law enforcement agencies work hard to ensure that the best candidates are selected and that they are well trained. But even the best of us can make a mistake.

The underlying philosophy behind law enforcement discipline has long been the traditional “burn ‘em to learn ‘em” concept. That means punish the officer severely so he or she won’t repeat the same mistake.

But the reality is a suspension harms the officer’s family as much as it does the officer.

We need to ask the obvious question. Does discipline mean punishment? And is there real value in the current punishment methodology?

There are some significant differences between discipline and punishment although the two terms are often used synonymously.

*Discipline means you learn from your mistakes. Punishment means you suffer for your mistakes.*

The crux of the problem is that punishment does not work if you expect to improve performance.

A coach cannot punish athletes into world class performance. Instead, effective coaches teach, educate, and train, as opposed to punishing, which rarely if ever leads

plans to do (proposed discipline) and what was done (the misconduct). When you think about it, there is no rational link between officer misconduct and taking away that officer’s pay.

Some law enforcement organizations around the country are starting to discuss ways they can improve the disciplinary system and move away from the punishment model.

In California, Lee Baca, the sheriff of the Los Angeles County Sheriff’s Department, is undertaking an impressive effort to change the way his deputies are disciplined.

The innovative system provides an alternative to the traditional approach of suspension without pay.

Called “Education Based Discipline” or “EBD” for short, the program seeks to prevent the negative outcomes that exist with the present system, including the stigma of being ineligible for promotion and the inability to

transfer.

Sheriff Baca has been invited to speak about this new approach to discipline when he addresses the presidents of the police associations of the 50 largest cities in America at the Harvard Law School this April.

EBD is centered on the theory that people cannot be punished into excelling in life. Excellence can only be attained through learning and practice.

For example, athletes who excel usually have superior knowledge, skills and abilities which have been taught and developed by coaches. Achievement also results from a desire within the athlete to excel.

All the research available shows us that punishment

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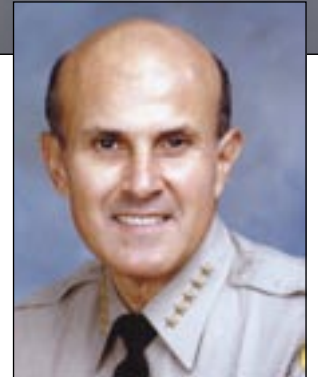
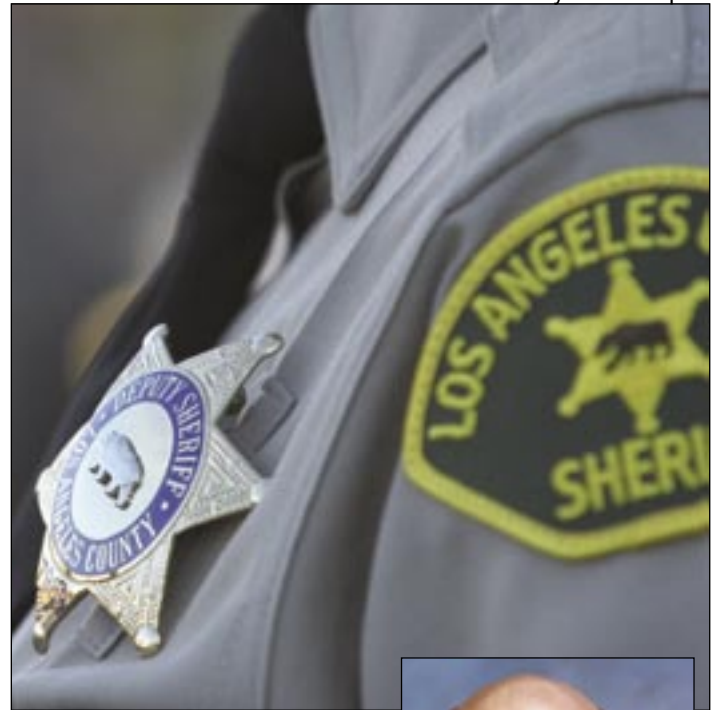
to outstanding performance.

When it comes to economic punishment, many officers find ways to avoid it. Some turn to secondary careers during the suspension period, which negates the financial burden.

Others have insurance policies which reimburse them for suspended days off, which also negates the impact of punishing by withholding pay. The most likely outcome the agency can count on from withholding pay is that the officer will become bitter and alienated from the agency.

Punishment is more focused on past misbehavior than on changing future behavior, which should be the goal of the program.

There should be a rational link between what the agency



rarely leads to that kind of performance.

Because physical and mental abuse rarely results in a positive change in behavior, education based discipline focuses on providing information and teaching new skills to the offending officer so they will be able to better handle a similar situation the next time it occurs.

One of the key things that must happen to elicit a change in behavior is to show respect to the officer, their family, and the system.

Another way to show respect is to make it clear to the offending officer that they have a choice in terms of what form of discipline they will experience.

EBD gives an officer the option of participating in behavior-focused education and training, or sticking with the traditional system of suspension without pay.

It is hoped the officers who choose the EBD approach will develop more competence, discipline, integrity, and better communication skills.

Another exciting expectation is that EBD will help reduce management-employee conflict.

Officers opting for the new system will avoid becoming bitter and unmotivated.

In addition, cash-strapped agencies and unions should see significantly reduced legal representation costs.

The next issue of *American Police Beat* will explore the education-based discipline program currently underway

Sheriff Lee Baca is making drastic changes to the disciplinary system in the Sheriff’s Department in Los Angeles County. He will be speaking about his education-based discipline program in April at the Harvard Law School when he addresses the presidents of the police unions of the 50 largest U.S. cities.

in Los Angeles County in more detail.

Topics will include what things have to be in place before you can implement the program in your own agency, how to get all the major stakeholders on board, and details about the courses, teaching techniques, and the theoretical ideas that form the basis of the system.

*Ted Hunt recently retired after 32 years with the Los Angeles Police Department. His firm Ted Hunt & Associates is a consultant to police organizations specializing in organizational development, contract negotiations, planning and budgeting. His practice includes helping rank and file associations and the management. He holds a Ph.D., from the University of La Verne. Tel: 702-949-3225 or jtedhunt@yahoo.com.*