

# **The Effect of Collective Bargaining on the Use of Innovative Police Policy**

Kyle Christopher Veatch

Faculty Sponsor: Dr. Steve Wilson

## **Abstract**

**While there have been numerous studies examining certain aspects of the effects of collective bargaining, there have yet to be any empirical studies on the effects of collective bargaining on the use of police policy. This study looks to address this issue by examining the impact of collective bargaining on the use of three currently innovative police policies: early warning systems, civilian review boards, and the use of in-car cameras. Using data from the 2003 Law Enforcement Management and Administrative Statistics (LEMAS) survey, we look at municipal agencies with over 100 officers. Using bi-variate analyses we compare each of the three dependent variables to the independent variable, collective bargaining. Our study found significant findings for the use of civilian review boards and the use of in-car camera systems. Our study found that agencies engaged in collective bargaining were less likely to use the given program. This is important because no study has yet to examine the use of collective bargaining and its effect on policy use. Future studies should look closer at these types of issues using more complex analyses.**

## **Introduction**

Since the formation of police unions there have been changes in the way that new policies and procedures are developed. In many police departments, for instance, managers are no longer the exclusive decision makers. More commonly, agreements are negotiated with union representatives. For example, guides to implementing early warning systems state that union representation should be present as early in the planning stages as possible to avoid possible conflicts (Walker, 2003).

The process by which police management and union representation meet and negotiate on topics that will affect officers is known as collective bargaining. Collective bargaining in police agencies primarily focuses on economic benefits and employee working conditions (Bell, 1981).

Recent studies show that over 70% of police organizational leaders use collective bargaining (Kadleck, 2003) and that collective bargaining can have a positive effect on incentive pay and police wages (P. Feuille & Delaney, 1986; Wilson, Zhao, Ren, & Briggs, 2006; Zhao & Lovrich, 1997). Interestingly, police unions have made it increasingly difficult for management to decide what decisions are negotiable because “it is [still] the employees who ultimately determine the extent of management’s rights” (Bell, 1981, p.297).

While there have been a variety of studies on the effects of collective bargaining and economic outcomes (P. Feuille & Delaney, 1986; Wilson et al., 2006; Zhao & Lovrich, 1997), there are fewer studies that examine collective bargaining and the use of particular polices, or more considerably, current innovative\* policies. This may be due, at least in part, because many innovative policies have just recently been put into place within the last two decades. A recent publication from the Community Oriented Policing Services (COPS) (2006) states that there have yet to be any nation-wide studies on the

---

\* For the purpose of this study we will use Roberg’s definition of innovation, being “the development and use of new ideas and methods” (2000 p.159).

broader effects of labor relations and how it affects change and reform in police agencies, outlining the importance of this study.

This study looks to examine the relationship between collective bargaining and three current innovative police policies: early warning systems, civilian review boards, and the use of in-car cameras. Early warning systems have been a major trend for agencies in the last decade and have been scrutinized by union representatives because of the amount of change required in department policy and disciplinary procedures (Walker, 2005). Civilian review boards have had a long history of resistance from agencies and are still currently one of the most debated topics in police policy (Walker & Bumphus, 1992). The use of in-car cameras also requires a change in department policy and disciplinary procedures, things that unions most often resist (Bell, 1981). While previous studies have shown that unions are likely to resist any change that may affect officers (Bell, 1981; Walker & Katz, 2004), in recent years the federal government has brought many departments to civil court, forcing development of a number of programs through consent decrees.

By looking at data from the 2003 Law Enforcement Management and Administrative Statistics (LEMAS) survey, this study will examine the impact of collective bargaining on three currently innovative police policies: early warning systems, civilian review boards, and the use of in-car cameras.

### **Defining innovative policing**

Since this study examines how collective bargaining has an influence on innovative police policies, a definition for innovative policing is needed. While there is no single definition for innovative policing because of the constant change in police practices, there are still a variety of police programs that are new to the field. A 2001 study by Colvin looks at innovative strategies involving community policing and the use of mobile computing terminals in police cars. This example illustrates the use of innovative systems as not only technological advancements in the field of policing, but also new organizational systems for patrolling. For the purposes of this study we will be looking at three methods of innovative policing: citizen review boards, early warning systems, and the use of in-car camera systems.

While there are a variety of meanings for innovation, Roberg (2000) states innovation as “the development and use of new ideas and methods” (p.159). Innovative policies can be supported from a variety of sources including government funded operations, consent decrees, and as this study looks to examine, police unions. For example, Colin (2001) examines innovative technology in the SFPD funded by a COPS MORE grant in 1995. Colin’s study examined the use of mobile computing terminals and if their presence would save officers time so they could increase their use of community oriented policing tactics. In this case, innovative technology was used to increase productivity in local law enforcement. Another example of innovation can be found in consent decrees. In these cases, the federal government feels additional programs are needed to improve a particular agency and brings these issues to civil court. In 1997, the Pittsburgh Bureau of Police fell under a consent decree in which one of the main implementations was to be an early warning system to monitor officer activity (Davis, Henderson, Mandelstam, Ortiz, & Miller, 2005). Likewise, in April 2000, New Jersey

law enforcement was placed under a decree which included the “use and installation of Mobile Video Recorder[s]” (Cronin, 1999, p.18) was decided.

This study looks at innovative police practices which are currently being implemented in a variety of agencies across the country, because of this; there is currently limited research on some innovative techniques. This study looks to add to the body of knowledge on currently innovative techniques and their relation to police unions and collective bargaining.

### **The effects of collective bargaining on police policy**

The study of police unions has interested scholars since their implementation. There have been a variety of studies examining various components of collective bargaining and how it affects police practices, yet there are currently no studies examining the broader effects of labor relations and how it affects the implementation of policy (COPS, 2006). A recent collection of articles by the U.S. Department of Justice outlines many of the problems in labor relations and why it is so difficult to implement new policy facing police unions. For example, a new police chief in the Detroit Police Department has come under much scrutiny from union officials after attempting to implement a number of changes in the department to become “more professional, disciplined, and innovative” (Wilkison, 2006, p.65).

Disputes often arise over changes that may affect officers in the organization. Management believes it is their job to operate their department as smoothly as possible, and union representatives believe they should have a say in policy changes that affect the officers (Bell, 1981). It is this “reduction of status [that] tends to produce negative attitudes towards labor negotiations and the union employees” (Bell, 1981, p.299). Unions also tend to put up fights against the implementation of a variety of programs including: “civilian review boards, lateral entry, changes in department policies, disciplinary procedures, and promotion procedures” (Walker & Katz, 2004, p.108). This is because union officials believe they should have a direct say in any changes that directly affect the individual officers (Bell, 1981). For example, one article documents the conflict in Seattle between the police department and the Office of Professional Accountability (OPA) (Dawdy, 2003). As a civilian who oversees hundreds of internal investigations and civilian complaints, the union was able to bargain control of who sits on the OPA review board. This is a unique example of how a union is able to negotiate with existing legislation that deals with accountability (Dawdy, 2003). While the OPA is fighting for more control over certain investigation practices, the OPA and the union still have a “bumpy relationship” in this fight for power in the SPD.

While conflict between labor and management has existed since the implementation of unions, conflict is something that unions need to survive. It is in the very nature of unions to distrust any change that may occur, and union leaders are often seen more positively by the other members if they are involved in conflict with management (Hoover, Dowling, & Blair, 2006). It is regretful that these conflicts between labor and management often hinder the use of innovative polices sought to better the agency (Hoover et al., 2006; Walker, Alpert, & Kenney, 2000).

An examination of federal consent decrees shows that a number of municipal organizations are being forced to implement new programs that the federal government feels are important enough be brought to court. For example, a 2005 study examines the changes in the Pittsburgh Police Department after a consent decree was filed. The first

major change was “the creation and maintenance of an automated early warning system” (Davis et al., 2005, p.9). Officers claimed they felt alienated in the reform process, especially when the Justice Department failed to interview union officials or officers during the reforms (Davis et al., 2005). Also, in 1999 a consent decree with the New Jersey Police Department also included a clause to force the implementation of mobile video recorders in all law enforcement vehicles (Cronin, 1999).

One of the limitations of these studies is that there has yet to be a study using the latest data. Kadleck’s (2003) study used data from the 1993 LEMAS survey and only examines data involving the use of collective bargaining. Recent studies have yet to examine collective bargaining and how it affects modern trends in policing (Magenau & Hunt, 1996; Walker, Alpert, & Kenney, 2000). The current literature available on the effects of collective bargaining seems to focus on economic factors such as wage and employee incentives (Wilson et al., 2006; Zhao & Lovrich, 1997). With over 70% of law enforcement agencies using collective bargaining (Kadleck, 2003) and an increase in innovative law enforcement policies, this study looks to compare the two factors.

#### *Civilian review boards*

The use of citizen review hearings is not a new idea in law enforcement. The history of citizen review starts in the 1920’s as a response to police brutality, and again briefly after World War II (Walker, 2001). Both of these periods featured a decline in citizen review. The program took a turn for the worst after the two cities with the largest civilian review programs, New York and Philadelphia, appeared to give up on civilian oversight. It was not until the 1970s that law enforcement saw a revival of citizen oversight because of cases of police brutality and civil rights. Now currently 80 percent of all large agencies have some form of oversight (Walker, 2001). Yet there is still quite a bit of controversy as citizen oversight has had opposition since its creation. A study by Carter and Sapp (1993) examines collective bargaining agreements from 1981 to 1991 and found that clauses “limiting the jurisdiction of third-party entities, increased from 8 to 14 percent” (p. 27). While citizen oversight may have limitations, many citizens believe in its important benefits. Finn (2001) also found that the quality of individuals is more important than the structure of the oversight committee. For example, Greene (1999) found that only a small portion of CCRB complaints are ever sustained, and even those rarely resulted in disciplinary action.

Police may resist civilian reviews boards because they claim civilians are unable to understand police culture, and that decisions are better left to internal investigations (Roberg et al., 2000). Yet civil rights activists argue that external agencies are able to conduct more thorough investigations because they are not part of police subculture (Walker, 2005).

A study conducted in 2002 was used by Hoover (2006) in an article outlining traditional problems with labor relations. Responding to “perceived problem areas,” only in the area of civilian review boards did more than one-tenth of police chiefs respond to this as a serious problem area. Later in the publication, the city of Austin, Texas is examined as the union officials and police management argue over the creation of a civilian review board. In this case the union circumvented police management and decided to side with the city to help create the oversight process, after the city helped raise wages for officers (COPS, 2006).

Examining previous research has shown that police unions will likely resist the use of policies which conflict with officer's duties, because of this we hypothesize that agencies engaging in collective bargaining will be less likely to use civilian review boards.

#### *In-car camera systems*

The use of in-car cameras is another method that has evolved as the need for police accountability has developed. The first use of in-car cameras appeared in the 1960's, but it was not until the 1980's when technology allowed for more portable methods of recording video that the use of in-car cameras began to expand (COPS, 2004). While the need for more camera systems was apparent, many agencies found themselves unable to afford the costly equipment. In 2000 the Department of Justice COPS program began to offer grants to expand the use of in-car cameras. The COPS program has provided more than 5,000 systems since the year 2000 and has awarded over \$21 million in grants (COPS, 2003).

In 2003 the International Association of Chiefs of Police evaluated the use of in-car cameras and found a variety of benefits including: increased officer safety, improved accountability, and enhanced performance and professionalism (COPS, 2004). The use of cameras was mandated for New Jersey in a year 2000 consent decree (Colvin, 2001) and has seen a growth in popularity in other states in recent years.

While many factors determine the use of cameras including size of the agency, ability to receive grants, and available funds, the use of in-car cameras offers management another level of supervision which gives them the ability to control street level officers, which is necessary to change the police organization (Walker, 2005).

The popularity of in-car cameras has grown considerably in just a few years. A year 2000 survey found that only 11% of agencies used an in-car camera system, while a year 2003 survey found this number now over 72%, because of programs such as COPS (COPS, 2004).

While the number of agencies using in-car cameras is rising, their implementation brings many changes to the agency, which is traditionally criticized by unions. Because of this we hypothesize that agencies engaging collective bargaining will be less likely to use in-car camera systems.

#### *Early warning systems*

Early warning, or early intervention, systems have quickly become a major focus in law enforcement within the last decade. A year 2000 survey showed that approximately 27% of agencies surveyed had some type of early warning system and another 11% were in the planning stages (Walker et al., 2000). Early warning systems work on the theory that a few "rotten apples" are the core of a majority of departmental problems. Early warning systems use automated systems to identify a variety of factors that let supervisors seek out officers who might be having issues. Walker (2005) claims that early intervention systems are "an important new innovation in police management" (p. 133).

So far there has been little opposition to the implementation of EW systems. One survey showed only 16% of management had any initial opposition to the implementation, but also stated that most opposition had faded after implementation of the program (Walker, 2003). Early warning systems have also been required by consent decrees, including the Pittsburgh consent decree (Davis et al., 2005).

Early warning systems have shown a number of effects on individual officers. A study conducted in 2000 found that EWS had three distinct effects on agencies: changing the behavior of officers, changing behavior of supervisors, and changing the standards of accountability (Walker et al., 2000). The same study also found a successful reduction in citizen complaints and a reduction in use of force. While opposition to EW systems seems to be only initially, as with other programs, studies show that having union representation early on in the decision making process is the best way to avoid any issues (Walker, 2003).

The change required to administer an early warning system is often not welcome by collective bargaining agents, which is why we hypothesize that agencies engaging in collective bargaining will be less likely to use early warning systems.

#### Summary

While collective bargaining has been the topic of numerous research designs, the number of studies that look at the relationship between collective bargaining and policy use is very few. Another difference between this study and previous studies is that our study looks to use current data found in the 2003 LEMAS survey. Much of the previous research was based off of previous versions of the survey, giving the current study more up to date results.

This study looks to be the first to look at collective bargaining and current policy use. Because of the lack of previous research on this topic, there is not currently a model to compare our hypothesis to, but after examining the literature on collective bargaining and labor relations, we hypothesize a significant negative relation between collective bargaining and each of the variables: early warning systems, citizen review boards, and in-car cameras.

#### **Brief history of police unions**

Police organizations have come a long way since the days when police chiefs acted almost as “virtual dictators,” who make every administrative decision with no input from rank and file (Walker, 1983). While today it is not uncommon for police chiefs to seek the union’s opinion for a variety of new policies, the road to their negotiation has been long and bumpy.

The first attempt at police unionization happened in the early 1900s with the creation of organizations such as The Fraternal Order of Police (FOP) in 1919 (Walker, 1983). The initial reasons behind unionization were primarily economic factors that were driven by the First World War. Inflation caused a decline in police salaries which prompted officers to seek union support (Walker, 1983). Many of these attempts went unsuccessful at first, and it took nearly half a century for any attempts to be fruitful. It was not until the 1960s that union efforts started to become successful.

The early 1900s brought in an era of political control by which many police agencies were influenced mainly by political contributors (Roberg et al., 2000). Yet the professional era brought many positive changes for the law enforcement career as a result from a change in both politics and American society. In 1893 the International Association of Chiefs of Police (IACP) began efforts to professionalize not individual officers, but police departments as a whole (Roberg et al., 2000). Because of the professionalism movement, many officers began to feel more separated from the chiefs as many changes were being made. These factors helped lead to the use of police unions to help administer changes (Roberg et al., 2000).

The 1960s were declining times for police work (Walker, 1983). Salaries were as not attractive as other professions and most police forces were under staffed. Also, poor police management frustrated employees who were controlled, for the most part, by chiefs (Walker, 1983). The new generation of police officers was unable to sit quietly in this atmosphere and began to worry about the lack of professionalism in the police career. Because of these reasons, and positive feedback from both the courts and the public, police unionization started to become a reality with collective bargaining in the late 1960s (Walker, 1983).

The police professionalism movement was a major turning point in the fight for unionization in policing. The push to policing becoming a career instead of casual labor influenced officers to respond differently towards their problems (Walker, 1977). This movement also gave many officers a common goal which began the formation of many police organizations that would later serve as the stepping stones for modern police unions.

By the 1960s police unions were becoming more common (Juris & Feuille, 1973). The Fraternal Order of Police grew to 194 lodges in 1959 and the National Conference of Police Associations (NCPA) held a conference in Washington D.C. in 1953 to help facilitate the cooperation between local organizations and unions officials.

Today, because of the wide variety of locally run police forces in the United States, police unionism is fragmented. While over 70% of officers are involved in some type of union activity (Kadleck, 2003), a majority of this figure comes from large municipal police organizations, meaning smaller organizations are less likely to be involved in collective bargaining (Walker, 1983). Also, because there is no national police union, there are a number of local police unions that flourish in different areas of the country. Because police salaries are controlled at a local level, there is limited support for a national police union, although there are groups such as the IBPO and NUPO who have tried unsuccessfully to form a national police union (Walker, 1983).

While there are currently a wide variety of police unions, operating both locally and nationally, all of them share the same motivation as police officers half a century ago, which is to have “a voice in organizational policymaking, and professionalization of the police career field” (Bell, 1981, p.300). While the motivation behind police unions is well documented, scholars are still researching areas that police unions and collective bargaining may have an effect on.

## **Methodology**

The data used for this study was collected from the 2003 Law Enforcement Management and Administrative Statistics survey. This section will include a description of the survey in which our data was derived, a description of the sample, operationalization of the variables, and a description of the unit of analysis.

### **Source of data**

The Law Enforcement Management and Administrative Statistics (LEMAS) survey is conducted by the U.S. Department of Justice, Bureau of Justice Statistics once every 3 years (U.S. Dept. of Justice, Bureau of Justice Statistics, 2006). This study will analyze the results from 2003 survey. June 30, 2003 was the date used for all survey questions in this study. The 2003 survey was distributed to 3,154 state and local agencies from all 50 states (U.S. Dept. of Justice, Bureau of Justice Statistics, 2006). The original

data set includes information from state police, local law enforcement, and sheriff's departments. The survey collects information from agencies which employ 100 or more officers as well as a nationally representative sample of self-representing agencies with fewer than 100 officers (U.S. Dept. of Justice, Bureau of Justice Statistics, 2006). The unit of analysis for this study is municipal law enforcement agencies employing over 100 officers as defined by the 2003 LEMAS survey.

Beginning with the 3,154 agencies, the sample size was decreased to only agencies that contained 100 or more officers. Once we removed all other agencies that contained less than 100 officers, our sample size decreased to 873 agencies. All other agencies not municipal were also taken out, leaving a sample size of 617. Finally, agencies that met The Commission of Accreditation for Law Enforcement Agencies (CALEA) standards at the time the survey was conducted were also removed. Agencies that were accredited by CALEA at the time surveyed were removed from the study because early warning systems are a requirement for CALEA accreditation. After the removal of these agencies, the final sample size was 348.

### **Dependent Variables**

The dependent variables are operationalized from the corresponding responses in the 2003 LEMAS survey. The measure for early warning systems is represented as a "computer-based performance monitor" with a value of 0 equaling no use of the system, while a value of 1 equals the use of an early warning system. Research on early warning systems show many agencies show initial hostility to using the system. For example, a survey administered to the Pittsburgh Police Department showed a majority of officers not agreeing with the changes implemented by a consent decree, which had a main focus on implementing an early warning system in the police department (Davis et al., 2005). A number of consent decrees are also forcing agencies to implement early warning systems. This may be because of unions increased resistance towards a change in current policy. Because of previous research which suggests that unions do not favor programs which affect municipal officers' career, such as performance reviews, we believe to find a negative and significant relationship between early warning systems and the use of collective bargaining.

The measure for citizen review boards was operationalized as the corresponding entry in the LEMAS survey in which a value of 0 represents the agency not using a "civilian complaint review board," while a value of 1 equals the use of a review board. Research on civilian review boards has shown that while a majority of agencies have some form of oversight (Walker, 2001), and that unions do not favor additional oversight from civilians (Carter & Sapp, 1993). We expect to find a negative and significant relationship between citizen review boards and the use of collective bargaining.

The measure for the use of in-car cameras was collected from the LEMAS survey by combining the responses to multiple questions pertaining to the number of vehicles used in question 45 of the survey. We then calculated the number of total vehicles used in the agency. Once that number was obtained we created a ratio between the total number of vehicles and the response to question 48, the number of video cameras in patrol cars. The resulting data was multiplied by 100 to create the percentage of vehicles in the agency that are equipped with video equipment. While we were unable to find any research that suggests police unions would be against the use of in-car cameras, we

expect to find a negative and significant relationship between the use of in-car cameras and the use of collective bargaining.

### **Independent Variable**

The independent variable was operationalized as the entry in the LEMAS survey for which a value of 0 represents the agency not using collective bargaining for sworn officers, while an entry of 1 represents use of collective bargaining for sworn officers. Because unions often favor a direct influence on polices that may affect the employees, we expect to find a significant relationship between the independent variable and the three dependent variables.

### **Analytical Approach**

For this study we began with descriptive statistics of each variable to analyze measures of central tendency and variability from the mean. Descriptive analysis is used when we want to “describe and summarize observations” (Proctor & Badzinski, 2002, p.3). Central tendency measures the average value for each variable, or how the scores cluster together. The mean can be found by adding up the scores and dividing the sum by the total number scores in the data. Measures of variability show how values are distributed away from the mean. The variance represents the average of the squared deviations from the mean. The standard deviation can be found by taking the square root of the variance. By taking the square root of the variance, the standard deviation is changed to the same scale of measurement as the mean (Proctor & Badzinski, 2002).

To test the hypothesis we will use two types of bivariate analysis. Chi square tests will be done on the dependent variables of civilian review boards and early warning systems, and a t-test will be done on the use of in-car cameras. Chi square tests are appropriate when the variables are nominal, as in this study the variables are nominal because the response to the questions is either 0 or 1. For the third variable, in-car camera use, we will be using a t-test to analyze the data. T-tests are used when the independent variable is dichotomous and the dependent variable is continuous. The data for this variable is continuous because we have created a percentage of cars that contain cameras using data from the LEMAS survey.

### **Findings**

The descriptive statistics analyzed in the study can be seen in Table 1. The sample sizes for each variable are not consistent because of agencies that did not answer those specific questions on the survey. Chi Square tests were conducted on the two nominal variables, civilian review boards and early warning systems. A t-test was conducted on the continuous variable, percent of cars with cameras. The results of the tests can be found in Tables 2 through 4.

**Table 1: Descriptives of all variables used in study**

|                                | Mean  | Std.<br>Deviation | Min  | Max   | n   |
|--------------------------------|-------|-------------------|------|-------|-----|
| <b>Independent Variable</b>    |       |                   |      |       |     |
| Collective Bargaining          | .79   | 0.408             | 0.00 | 1.00  | 348 |
| <b>Dependent Variables</b>     |       |                   |      |       |     |
| Use of early warning system    | 0.23  | 0.424             | 0.00 | 1.00  | 338 |
| Use of civilian review board   | 0.18  | 0.385             | 0.00 | 1.00  | 339 |
| Percent of cars with cameras** | 18.00 | 20.306            | 0.00 | 97.56 | 226 |

\*\*Calculated with numbers from LEMAS survey

The independent variable, collective bargaining, uses a minimum value of 0 and a maximum value of 1. This represents the entry method for the survey where 0 represents the agency not using collective bargaining. The mean score was .79 (SD=0.408) meaning, of the sample, a majority used collective bargaining, which agrees with previous research that over 70% of large agencies use collective bargaining (Kadleck, 2003).

Looking at the dependent variables, for use of early warning systems we found a mean score of .23 (SD=0.424), where the minimum and maximum scores are 0 and 1, with 0 representing not using the system. The use of civilian review boards had a mean of .18 (SD=0.385), also using the same 0 to 1 scale. The number of agencies that responded to these two questions on the survey was nearly identical, 338 and 339 agencies. The percentage of cars that contained video equipment for each agency is represented as a percentage. The minimum value was 0 percent with a maximum value of 97.56 percent of cars having cameras. The mean score was 18 (SD=20.306), meaning on average 18 percent of cars contained video equipment for the sample. The sample size for this variable was less than the previous with only 226. This number is smaller because any agency that did not answer all of the questions used to calculate the percentage of cars with cameras, could not be included.

The use of civilian review boards (Table 2) was found significant when analyzed with the independent variable, collective bargaining, with a probability value less than .05. Significance refers to the sample statistic not being due to sampling error, meaning there is at least a 95% possibility that the sample statistic is not due to sampling error and therefore truly reflects the population. Of the agencies that did not use civilian review boards, 91.5% did not use collective bargaining, and 79.5% of agencies that did not have a civilian review board did use collective bargaining. Supporting our hypothesis, agencies that used collective bargaining were less likely to use civilian review boards. Specifically,

of the agencies that engaged in collective bargaining, only 20.5% had civilians that review complaints against officers.

**Table 2: Chi Square Test on Civilian Review Boards**

| Civilian Review Board* |   | Collective Bargaining |              | Total |
|------------------------|---|-----------------------|--------------|-------|
|                        |   | No                    | Yes          | No    |
| No                     | N | 65                    | 213          | 278   |
|                        |   | <b>91.5%</b>          | <b>79.5%</b> |       |
| Yes                    | N | 6                     | 55           | 61    |
|                        |   | <b>8.5%</b>           | <b>20.5%</b> |       |

\* Indicates a significant finding with  $p < .05$

The use of early warning systems (Table 3) was not found significant when analyzed with the independent variable, collective bargaining. Of agencies that did not use early warning systems, 83.1% of those did not use collective bargaining, and 74.9% did use collective bargaining. While chi square tests did not show a statistically significant association between collective bargaining and the use of early warning systems, the results of the study are in the right direction. Of the agencies that engaged in collective bargaining, 74.9% did not use early warning systems to identify problem officers.

**Table 3: Chi Square Test on Early Warning Systems**

| Early warning system |   | Collective Bargaining |              | Total |
|----------------------|---|-----------------------|--------------|-------|
|                      |   | No                    | Yes          |       |
| No                   | N | 59                    | 200          | 259   |
|                      |   | <b>83.1%</b>          | <b>74.9%</b> |       |
| Yes                  | N | 12                    | 67           | 79    |

The use of in-car cameras (Table 4) was calculated using a t-test apposed to chi-square analysis because the variable was recalculated to become a continuous variable. The percentage of cars that contained cameras was calculated with data obtained from the LEMAS survey, as described in the previous section. The results found that agencies engaged in collective bargaining had fewer cars containing cameras than agencies that did not engage in collective bargaining. The difference was also statistically significant. Supporting our hypothesis, 15.5% of cars had cameras in agencies that used collective bargaining while nearly 25% of cars had cameras in agencies that did not engage in collective bargaining.

**Table 4: T-test on Percentage of Cars with Cameras**

|  | Collective Bargaining | N | Mean | Std. Error Mean |
|--|-----------------------|---|------|-----------------|
|  |                       |   |      |                 |

|                                     |     |     |                |          |
|-------------------------------------|-----|-----|----------------|----------|
| <b>Percent of cars with cameras</b> | Yes | 166 | <b>15.4941</b> | 1.46973* |
|                                     | No  | 60  | <b>24.9434</b> | 2.89543* |

\* Indicates a significant finding with  $p < .05$

## Discussion and Conclusion

As unions have developed over the years and more agencies are engaging in collective bargaining, more power is being taken away from management officials and put in the hands of union representatives (Bell, 1981). A number of studies have examined the effects collective bargaining, and so far a majority of these studies have been limited to examining monetary and benefit related issues within the agency (P. Feuille & Delaney, 1986; Wilson et al., 2006; Zhao & Lovrich, 1997). The need to examine other aspects of labor relations, specifically implementing change to police policy, has even been brought up by recent authors (COPS, 2006). Not only this, but a majority of the studies do not use national data sets, as many studies are often case studies or region based.

This study examined currently innovative police policy and how agencies engaged in collective bargaining may affect the use of these programs. Using national data from the 2003 Law Enforcement Management and Administrative Statistics (LEMAS) survey, we examined collective bargaining and three currently innovative police polices: early warning systems, civilian review boards, and the use of in-car cameras. Our hypothesis was that agencies engaged in collective bargaining will be less likely to use these innovative polices. Our hypothesis was based off a number of case studies, consent decrees, and previous findings that unions often resist any change that may affect the individual officers (Bell, 1981; Davis et al., 2005; Dawdy, 2003; Sadd & Grinc, 1996; Walker 2005) For example, union officials in Detroit, Michigan were resistance to change when a new police chief attempted to change a number of policies within the organization (Wilkison, 2006).

Our findings show a statistically significant link between collective bargaining and the use of civilian review boards and the use of in-car camera systems, which supports our hypothesis that agencies engaged in collective bargaining are less likely to use these innovative policies. While the use of early warning systems was not found to be statistically significant, the results from the analysis are in the right direction as the other dependent variables. These findings agree with previous literature that says unions have an influence on many decisions previously left only to police supervisors (Bell, 1981).

These findings also support changes that have been on-going in the law enforcement community. A number of agencies are being forced to implement a number of programs through civil court cases resulting in consent decrees. For example, New Jersey was forced to implement in-car camera systems after a consent decree in 1999 (Cronin, 1999). Additionally, in 2001 the CALEA made early warning systems a requirement for accreditation (Walker, 2005). Our findings show that unions engaging in collective bargaining are less likely to use innovative policies. If unions are restricting the use of these systems, other agencies (the CALEA) or the federal government may feel they need to intervene and support the implementation of additional policies.

Since there has yet to be any previous data examining this topic, there are a number of limitations of this study. While this study is the first to look at the effects of

collective bargaining on the use of innovative police policy, only bivariate analyses were conducted on the variables. While statistically significant results were found for two of the dependent variables, no controls were used for outside factors that may have an effect on the findings, such as region, race, and budgeting factors.

While the results of the study were found using bivariate analyses, important recommendations for further research have been found. Since the body of knowledge for collective bargaining and police agencies pertains mainly to monetary and financial benefits, and “there does not appear to be any research, literature, or training disseminated nationally on the broader subject of implementing change or reform in a law enforcement agency” (COPS, 2006, p. xvi), this study examines an aspect of collective bargaining that had previously been un-examined. There is a need for more research on this topic, specifically using multivariate analyses to avoid spuriousness. Because unions will continue to play an important role in the decision making process, it is important to examine what types of policies may be left unused because of resistance from police unions. Also, as new policies become popular in the law enforcement community, new studies should be conducted to find if similar results can be found.

The focus of this study was to examine collective bargaining and how agencies that engage in collective bargaining may be less likely to use currently innovative policies. To answer the questions we examined a nationwide data set and looked at three currently innovative police policies: early warning systems, civilian review boards, and in-car camera systems. The findings suggest that agencies engaged in collective bargaining are less likely to use two of the policies studied. While these are important findings that have been previously unexamined, there should be future studies looking at similar topics. As unions continue to expand to more agencies, the effects that collective bargaining may have on future policies is an important topic that should be the focus of future studies.

## References

- Bell, D. J. (1981). Collective bargaining - perspective for the 1980's. *Journal of Police Science and Administration*, 9(3), 296-305.
- Carter, D. L., & Sapp, A. D. (1993). A comparative analysis of clauses in police collective bargaining agreements as indicators of change in labor relations. *American Journal of Police*, 12(2), 17.
- Colvin, C. (2001). *Evaluation of innovative technology: Implications for the community policing roles of law enforcement officers*. (Document No. 205641). U.S. Department of Justice. Retrieved September 28, 2006, from the NCJRS Web site: <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=205641>
- COPS. (2003). *COPS In-Car Camera Grant Program*. Retrieved November 21, 2006, from <http://www.cops.usdoj.gov/mime/open.pdf?Item=746>.
- COPS. (2004). *The Impact of Video Evidence on Modern Policing: Research and Best Practices*. Retrieved October 31, 2006, from <http://www.cops.usdoj.gov/ric/ResourceMain.aspx?RID=404>.
- COPS. (2006). *Police labor-management relations (vol. I): Perspective and practical solutions for implementing change, making reforms, and handling crises for managers and union leaders*. Retrieved October 25, 2006, from <http://www.cops.usdoj.gov/ric/ResourceMain.aspx?RID=249>.
- United States v. State of New Jersey and Division of State Police of the New Jersey Department of Law and Public Safety. (1999). Retrieved September 21, 2006, from <http://www.nj.gov/oag/cdstatus-11.02.05.pdf>
- Davis, R. C., Henderson, N. J., Mandelstam, J., Ortiz, C. W., & Miller, J. (2005). *Federal Intervention in Local Policing: Pittsburgh's Experience with a Consent Decree*. Retrieved February 16, 2006, from <http://www.cops.usdoj.gov/ric/ResourceMain.aspx?RID=90>.
- Dawdy, P. (2003, October 8). Watchdog on a leash. *Seattle Weekly*. Retrieved September 19, 2006, from <http://www.seattleweekly.com>
- Feuille, P., & Delaney, J. T. (1986). Collective bargaining, interest arbitration, and police salaries. *Industrial & labor relations review*, 39(2), 228.
- Finn, P. (2001). *Citizen Review of Police: Approaches and Implementation*. (NCJ 184430). Retrieved April 07, 2006, from the NIJ Web site: <http://www.ojp.usdoj.gov/nij/pubs-sum/184430.htm>
- Greene, J. A. (1999). Zero tolerance: A case study of police policies and practices in new york city. *Crime and Delinquency*, 45(2), 171-187.

- Hoover, L. T., Dowling, J. L., & Blair, G. (2006). Management and labor in community policing: Charting a course. *Police labor-management relations (vol. I)*. Retrieved October 25, 2006, from <http://www.cops.usdoj.gov/mime/open.pdf?Item=1856>
- Juris, H. A., & Feuille, P. (1973). *Police unionism*. Toronto: Lexington Books.
- Kadleck, C. (2003). Police employee organizations. *Policing: An international Journal of Police Strategies & Management*, 26, 341-351.
- Magenau, J. M., & Hunt, R. G. (1996). Police unions and the police role. *Human Relations*, 49(10), 1315-1343.
- Proctor, J. L., & Badzinski, D. M. (2002). In Davies K. (Ed.), *Introductory statistics for criminal justice and criminology*. Upper Saddle River, NJ: Prentice Hall.
- Roberg, R., Crank, J., & Kuykendall, J. (2000). In Teweles C. (Ed.), *Police & society* (2nd ed.). Los Angeles, CA: Roxbury Publishing Company.
- Sadd, S., & Grinc, R. M. (1996). *Implementation challenges in community policing: Innovative neighborhood-oriented policing in eight cities*. (NCJ 157932). U.S. Department of Justice. Retrieved September 28, 2006, from the NCJRS Web site: <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=157932>
- U.S. Dept. of Justice, Bureau of Justice Statistics. (2006). *Law enforcement management and administrative statistics (LEMAS): 2003 sample survey of law enforcement agencies* (Publication No. ICPSR04411-v1). Ann Arbor, MI: Inter-university Consortium for Political and Social Research.
- Walker, S. (1977). *A critical history of police reform*. Toronto: Lexington Books.
- Walker, S. (1983). *The police in america*. New York: McGraw-Hill Book Company.
- Walker, S. (2001). *Police accountability: The role of citizen oversight*. Belmont, CA: Wadsworth Thomson Learning.
- Walker, S. (2003). *Early intervention systems for law enforcement agencies: A planning and management guide*. U.S. Department of Justice. Retrieved October 17, 2006, from <http://www.cops.usdoj.gov/ric/ResourceMain.aspx?RID=85>
- Walker, S. (2005). In Westby J. (Ed.), *The new world of police accountability*. Thousand Oaks, CA: Sage Publications.
- Walker, S., Alpert, G. P., & Kenney, D. J. (2000). *Responding to the problem police officer: A national study of early warning systems, final report*. (NCJ 184510). U.S. Department of Justice. Retrieved October 17, 2006, from the NCJRS Web site: <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=184510>

- Walker, S., & Bumphus, V. W. (1992). Effectiveness of civilian review: Observations on recent trends and new issues regarding the civilian review of the police. *American Journal of Police*, 11(4), 1-16.
- Walker, S., & Katz, C. (2004). *The police in america: An introduction* (5th ed.). New York, NY: McGraw-Hill College.
- Wilkison, S. (2006). A radical approach to reform angers police unions. *Police labor-management relations (vol. I)*. Retrieved October 25, 2006, from <http://www.cops.usdoj.gov/mime/open.pdf?Item=1856>
- Wilson, S., Zhao, J., Ren, L., & Briggs, S. (2006). The influence of collective bargaining on large police agency salaries: 1990-2000. *American Journal of Criminal Justice : AJCJ*, 31(1), 19.
- Zhao, J., & Lovrich, N. (1997). Collective bargaining and the police: The consequences for supplemental compensation policies in large agencies. *Policing*, 20(3), 508-518.