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EDITORIAL MISSION STATEMENT

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The editorial mission statement of the *Journal of Colorado Policing* is to provide a resource of information among law enforcement professionals. The journal serves as a professional forum for the dissemination of original research, legal updates, training strategies as well as best practices and literature reviews. The journal incorporates the expertise of both practitioners and academics to achieve those goals. Promoting the publication of peer-reviewed research and providing sound advice from practitioners for law enforcement within the state of Colorado are the journal's main goals.

The editorial board of the *Journal of Colorado Policing* considers for publication the following types of articles:

Original Research: Research articles of interest to the members of the Colorado Association of Chiefs of Police are welcome.

Commentaries: Short papers of a philosophical nature addressing important issues, innovative training strategies, and best practices are invited. The journal welcomes the thoughts and comments of the association's members and its other readers.

Literature and Book Reviews: The journal publishes literature and book reviews of well-documented manuscripts on pertinent topics and newly available texts within the discipline.

Legal Updates: Pertinent reviews of legal cases and articles addressing legal issues are published as well.

Letters to the Editor: Relevant letters are published, with authorship, on important topics.

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Letter From the Editor

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Dr. John Reece

In previous issues, I announced Colorado Mesa University's (CMU) new Master of Arts in Criminal Justice Leadership and Policy (MACJLP) degree program. The MACJLP has received its final approval and accreditation from the Higher Learning Commission and will commence classes in the fall 2021 semester with a *Leadership in Criminal Justice* course in the first mod and *Public Policy Analysis* course in the second mod. We are now accepting applications for MACJLP. To apply to the program, visit https://cmuconnect.coloradomesa.edu to create an account and apply online.

The MACJLP degree program is a total of 33 credit hours and is designed for the working professional. The program will be completely online. Students will be able to complete the degree remotely with no on-campus or residency requirement. The program will run in an accelerated format, with each course being only 8 weeks long. That means a student could complete the program in as little as 2 years, while taking only one course per mod (i.e., two courses in each fall, spring, and summer semester), which keeps the workload manageable for working professionals.

The MACJLP degree program is designed for developing and established leaders throughout the criminal justice community. The coursework covers topic areas such as management and administration, leadership, budgeting, policy analysis, ethics, criminological theory, program development and evaluation, strategic planning, critical issues in corrections, and legal issues in in criminal justice. The admissions requirements for the program include:

1. An earned baccalaureate degree from an accredited institution.
2. A 3.0 or higher undergraduate grade point average (GPA).
3. Two years of professional experience in a criminal justice discipline is preferred, but not required.

The program does not require candidates to complete the graduate record examination (GRE). Students without a criminal justice or criminology-related undergraduate degree may be required to take leveling courses, such as an undergraduate Introduction to Criminal Justice or Criminology course, to prepare them for acceptance into the program. We expect a webpage describing the program to available on the CMU website soon.

Additionally, I would like to remind you that CMU's Bachelor of Arts and Bachelor of Applied Science (with POST) undergraduate criminal justice degrees can now be completed fully online, making it more convenient for working professionals to attain their bachelor's degree.

Please feel free to pass this information along to your officers and staff, and to contact me at joreece@coloradomesa.edu for more information about the MACJLP degree program.

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ORIGINAL RESEARCH

Factors in Employee Motivation: Expectancy and Equity Theories

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Motivating employees to produce is a prime concern for managers and executives in every organization, and law enforcement agencies are no exception. Thorndike's law of effect suggests employees will repeat actions that result in a favorable outcome, while actions that result in a negative consequence is unlikely to be repeated. Skinner's reinforcement theory suggests that by controlling the nature of the result of an action, through positive or negative reinforcement, the person controlling the reinforcement could affect the behavior of the individual. Reinforcement theory has its detractors, but Vroom's expectancy and Adams's equity theories are widely considered to be amongst the most respected theories regarding employee motivation.

Motivating employees is a prime concern for managers and executives in every organization. How that is accomplished and whether managers can even directly affect employee motivation are the prime questions. Researchers are determined to identify the process and elements of employee motivation; however, the study of human motivation is difficult because motivation cannot be directly observed. This leaves researchers to only make inferences about observed employee behaviors and not the underlying motivations that cause them (O'Neil & Drillings, 1994).

Can Managers Affect Employee Motivation

Throughout the years, researchers have had differing opinions on whether managers can directly affect employee motivation or whether they can only entice employees to self-motivate (Bassett-Jones & Lloyd, 2005). In the early 1900s, behavioral researcher Edward Thorndike posited a behavior theory he called the law of effect. The law of effect described how a person's motivation is subconsciously affected by positive and negative outcomes (Buford & Kindner, 2002). Thorndike suggested, all things being equal, when a person's action receives a favorable result that person is likely to repeat that action; conversely, an action that results in a negative result or consequence is unlikely to recur (Cooper-Twamley & Null, 2009).

B. F. Skinner (1965) wrote that Thorndike's law of effect is not, in fact, a theory, but "is simply a rule for strengthening behavior" (p. 81). In other words, it is simply cause and effect. Skinner expanded on Thorndike's law by presenting his own theory. Skinner's reinforcement theory posits the idea that by controlling the nature of the result of an action, through either positive or negative reinforcement, the person controlling the reinforcement could affect the behavior of the individual.

While conducting research on employee motivation in the late 1970s, Bandura, (as cited by Bassett-Jones & Lloyd, 2005), echoed Skinner's belief when he wrote that employees are goal seekers who look for positive reinforcement; "thus, if ... organisation[s] provide such [positive] reinforcement through the Grafting of appropriate rewards, ... high-motivation results" (p. 931). Conversely, O'Neil and

Drillings (1994) believed reinforcement theory is wrong. They stated individuals, whose behavior is being reinforced, must make at least four conscious decisions or assumptions about the effect the reinforcer can have on their subsequent actions (O'Neil & Drillings, 1994). They argued the mere fact individuals must make any such conscious decision or assumption, negates reinforcement theory (O'Neil & Drillings, 1994). Victor Vroom's expectancy theory has no such subconscious requirement.

Expectancy Theory

Expectancy theory is based on the idea people will try to maximize the rewards they receive for their efforts. According to Vroom, employee motivation is based upon two elements: (1) the belief the employee's effort will be rewarded and (2) the value the employee places on the reward to be received (Buford & Kindner, 2002). The first element of employee motivation is referred to as beliefs, while the second is called a valence. Beliefs are divided into two categories. The first is called expectancy (i.e., expectancy 1) and second is called instrumentality (i.e., expectancy 2).

Expectancy 1

Expectancy 1 is an employee's belief his/her effort will lead to performance and can be positive or negative in nature (Vroom, 2005). A positive expectancy, or high-effort expectancy, can be described as the belief hard work will result in better performance (Tyagi, 2010). A positive expectancy will motivate employees because they will believe their effort will result in better performance. A negative expectancy, or low-effort expectancy, can be described as the belief that no matter how much effort is expended only poor performance will result (Tyagi, 2010). Consequently, a negative expectancy will not motivate employees because they will believe their increased effort is pointless because their performance will not be positively affected. The implication of expectancy 1 for managers is that they must work to reinforce high-effort expectancy in their employees by selling and demonstrating the idea their increased effort will result in increased performance.

Expectancy 2

Instrumentality (expectancy 2), on the other hand, is an employee's belief their performance will result in an outcome (Vroom, 2005). Just like expectancy 1, expectancy 2 can be positive or negative in nature. A positive instrumentality, known as a high-instrumentality condition, can be described as the belief increasing performance will lead to a positive outcome or reward (Tyagi, 2010). A positive instrumentality will motivate employees because they will believe their improved performance will provide them with a desired outcome. A negative instrumentality, known as a low-instrumentality condition, can be described as the belief no relationship exists between performance and outcome (Tyagi, 2010). As a result, a negative instrumentality will not motivate employees because they will not believe their effort will result in a positive outcome. Similar to expectancy 1, the implication of expectancy 2 for managers is to reinforce the high-instrumentality condition in their employees by positively rewarding increased performance, whether extrinsically or intrinsically.

Valence

According to Vroom (2005), the second element of employee motivation is referred to as a valence. A valence is defined by Vroom (2005) as the value (i.e., importance) an employee assigns to an outcome or reward. Valences, as expectancies, can be positive or negative in nature. If employees place a positive value on an expected outcome, it will tend to increase their motivation; conversely, outcomes assigned a negative value are less likely to increase employee motivation (Buford & Kindner, 2001). Valences are particular to the individual, so the implication for managers is they must address each employee's valence separately. To be successful in motivating employees, managers must individually identify each employee's valences, crafting the employee's outcomes and rewards based upon those valences the employee believes are positive in nature.

Vroom's expectancy theory is considered by many to be the most respected theory in motivation (Buford & Kindner, 2002); however, it does have some weaknesses. The first, and perhaps most significant weakness, is the application of the theory is quite complex, making it difficult for managers to effectively use on a day-to-day basis. According to Buford and Kindner (2002), "critics note that human decision makers are incapable of processing the information required to know all alternative outcomes, their likelihood of occurrence, or their desirability" (p. 78). Second, employees have to believe they possess the skills needed perform well. If they do not believe they are capable of achieving a positive outcome, they will not be motivated by the possibility of it. Third, managers must create links between performance and outcomes that are clear to see and must be effectively communicated to employees. Finally, as was touched on earlier, managers must ensure outcomes and rewards are crafted to be meaningful to employees. This is accomplished by clearly and individually identifying each employee's valences.

Equity Theory

While Vroom's expectancy theory endeavors to explain the elements behind employee motivation, J. Stacey Adams's equity theory addresses an extremely important qualifier for employee motivation. Through equity theory, Adams explores the importance of the relationship between the effort an employee puts forth and the reward received for that effort. In other words, it suggests employees will perceive an inequity if the reward they receive does not, in their estimation, equal the effort they exerted (Adams, 1965). An inequity can also exist when employees feel another employee undeservedly receives the same reward without having put forth a level of effort equal to theirs.

Adams' equity theory is illustrated as a ratio equation where self-outcomes divided by self-inputs must equal the other person's outcomes divided by their inputs. This equation helps to illustrate an essential part of equity theory. It helps to explain that two, or more, employees' outcomes and inputs do not need to be equal; however, the ratio must be equal. For example, one employee may receive less reward than another, but as long as the employee believes the reward received by each employee was equal to their level of performance, an inequity will not be perceived.

According to Adams (1965), such perceived inequities cause tension which motivates employees to work to restore equity. The level of employee motivation that results from such a perceived inequity will be based upon the magnitude of the perceived inequity. With this in mind, it can be postulated a perceived inequity can have either a positive or negative effect on an employee's motivation. For example, an employee who believes an insufficient reward was given may lower productivity to a level believed equal to the reward; conversely, an employee who feels too much reward was given may increase productivity to equal the level of the reward received. Notwithstanding the previous example, Adams's (1965) findings suggest it is more likely employees will reduce, rather than increase, productivity in an effort to restore equity.

Generally, in an effort to restore equity, employees will change their behavior in one of four ways: (a) alter inputs, (b) alter outputs, (c) rationalize the situation, and/or (d) leave the job (Buford & Kindner, 2002). Altering inputs refers to employees increasing or decreasing productivity based upon whether they feel they perceived inequity is beneficial or not. Altering outputs refers to employees taking action to alter the nature of the outcomes, which could include filing a grievance with their employer or filing a lawsuit to correct a statutory inequity. Rationalizing the situation refers to when employees attempt, whether consciously or subconsciously, to change their perception of the inequity, thus negating the inequity's motivating effect. Finally, employees may feel there is nothing they can do to affect the perceived inequity and will, in turn, separate themselves from the situation by changing jobs or moving to a new employer.

Unlike the complexity of expectancy theory, equity theory is simple and easy for managers to grasp. The only real weakness when considering equity theory is that each employee's perception of equity is as varied as the employee's personality, and life experience. When dealing with employees, and addressing their perceived inequities, managers must keep in mind that, for the employee, their perception is reality, regardless of whether the manager agrees the inequity exists. This does not mean managers must always alter outcomes to please employees. They must, however, still address the employee's perceptions to mitigate the possible negative effect the perception can have on the employee's motivation.

Conclusion and Recommendations

Researchers have endeavored for many years to determine the inner workings of employee motivation, but such research may never be able to explain the complexities of human motivation. Vroom's expectancy theory and Adams's equity theory have their own strengths and weaknesses, and varying degrees of acceptance in the research and management communities. Yet, they provide important insight into the elements of employee motivation. When considering the broader management implications of expectancy and equity theories, it is recommended managers at all levels develop a working understanding of both theories. Despite the fact the sheer complexity of expectancy theory makes it difficult for managers to use on a daily basis, it is an important concept for them to understand. Conversely, while it is equally important for managers to have a grasp of equity theory's concepts, it is vitally important managers consider equity in their daily activities and, perhaps most importantly, when designing and implementing employee rewards programs due to the significant negative effect perceived inequities can have on employee motivation and, ergo, productivity.

References

Adams, J. S. (1965). Inequity in social change. In Berkowitz, L. (Ed.), *Advances in experimental social psychology* (Vol. 2, pp. 267-299). Academic Press, Inc.

Bassett-Jones, N., & Llyod, G. C. (2005). Does Herzberg's motivation theory have staying power? *The Journal of Management Development, 24*(10), 929-943. http://dx.doi.org/10.1108/02621710510627064

Buford, J. A., & Kindner, J. R. (2002). *Human resource management in local government: Concepts and applications for HRM students and practitioners.* South Western.

Cooper-Twamley, S., & Null, J. W. (2009). E. L. Thorndike and Edward Brooks: Two views on mathematics curriculum and teaching. *American Educational History Journal, 36*(1), 191-206.

O'Neil, Jr., H. F., & Drillings, M. (Eds.). (1994). *Motivation: Theory and research*. Lawrence Erlbaum Associates, Inc.

Skinner, B. F. (1965). *Science and human behavior*. The Free Press.

Tyagi, P. K. (2010). Expectancy theory and social loafing in marketing research group projects. *The Business Review, Cambridge, 14*(2), 22-27.

Vroom, V. H. (2005). On the origins of expectancy theory. In K. G. Smith & M. A. Hitt (Eds.), *Great Minds in Management* (pp. 239-258). Oxford University Press.

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ORIGINAL RESEARCH

Business Administration v. Public Administration

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Introduction

What is the difference, if any, between business administration and public administration? Many students as well as some practitioners believe the two disciplines are essentially the same. Similarities do exist between the academic disciplines of business administration and public administration. In fact, many of the fundamental facets of public administration were originally grounded in the private business arena. Managers working within both disciplines are tasked with designing programs, meeting established goals, managing subordinates, and prudently allocating scarce resources. Even though public administration is guided by democratic values and ideals, the aforementioned similarities are primarily managerial functions, and, for that reason, the disciplines are often confused. Moreover, some assume if differences do exist, they are relatively minor, and effective administrative practices that work in one setting will clearly work in the other.

The confusion of distinguishing the two disciplines is exacerbated by the fact that, in contemporary society, there are few services traditionally provided by private business that are not provided by public entities, and vice versa. Privatization, the transfer of governmental assets to private ownership, has occurred in prisons, schools, and local services in many jurisdictions across the United States. Furthermore, governmental entities now own and operate traditional business organizations such as professional football teams. Non-profit organizations such as Blue Cross/Blue Shield and the American Red Cross can compound the confusion. Organizations like these are not truly voluntary. They pay staff salaries and have been known to achieve significant earnings.

The disciplines of business and public administration are not purely academic in nature. Each discipline is simultaneously an academic field of study as well as an active field of practical application and training that is context-based. Both disciplines are applied sciences that have a multitude of pragmatic dynamics and multifaceted implications. Because of their practical orientation, business and public administration are interdisciplinary areas of study. Practical problems cannot be confined to one academic discipline; therefore, an interdisciplinary approach is needed. In addition to their core areas of study, each discipline draws upon the scientific insights of the mono-disciplinary fields of psychology, anthropology, sociology, and economics. For these reasons, the disciplines of business and public administration are truly part art, part science, and part profession.

Industrialization and scientific approaches to management necessitated the development of business administration in the United States. Business administration can be described as the general principles, systems, and practices conducted within a business, corporation, or market environment. The term “business,” in and of itself, gives a connotation of privately owned entities and operations. The business administration discipline covers a myriad of topics such as finance, accounting, marketing, business law, personnel management, and entrepreneurship.

Secondly, public administration is the management and leadership of public organizations, processes, and programs. The mere use of the term ”public” makes the explicit distinction that the discipline is concerned with broad public or governmental agendas, systems, and policies; not private business matters. The curriculum within a typical public administration academic program consists of courses such as American government, state and local government, administrative law, public budgeting, and public organization theory. When overlaps in subject matter do exist between the disciplines, one often finds that it is managerial topics such as budgeting, organizational management, information systems, and personnel management.

Public administration in the United States is a rather young field of study that began in the late 1800s as the study of government administration and as part of governmental reform efforts. Most scholars and practitioners attribute the true origins of the public administration discipline to the seminal contributions of Woodrow Wilson in 1887. Although some have recently questioned Wilson’s influence on the public administration field, there is no doubt that his essay signifies the birth of the self-conscious study of public administration in America. Wilson’s (1887) essay, The Study of Administration, was highly practical and essentially reformist in nature. The essay addressed outright corruption and inefficient practices that had become a large part of government in the late nineteenth-century. Wilson called for certain remedies within the administration of government. Wilson argued that while scholars and practitioners had focused on political institutions such as Congress and the presidency, too little attention had been given to how the government actually operates (Denhardt & Denhardt, 2008). Wilson asserted that it was becoming “harder to run a constitution than to frame one” (p. 200).

Cleveland (1989) argued, “We would do well to glory in the blurring of public and private and not keep trying to draw a disappearing line in the water” (p. 82). Undoubtedly, the fundamental management practices within any organization, business or public, have commonalities. However, the easy assumption that few, if any, differences exist between the disciplines of business and public administration is inaccurate. Sementelli (2005) surveyed collegiate business and public administration instructors throughout the United States and determined that a difference in identity exists based on the perceptions of curriculum areas. Sementelli’s research findings indicated that “public administration is empirically validated as distinct from business administration and political science” (p. 490). One must recognize that significant disparities do exist and strive to avoid an exhaustive conceptual and practical convergence of the two.

What follows is a discussion of the differences between business and public administration. Seven distinguishing factors, organization type, service verses serving, purpose and goals, decision-making processes, revenue streams, personnel management, and visibility, will each be discussed followed by a rubric that demonstrates the distinctive differences in a side-by-side “snapshot” comparison (see Table 1). A practical example is also presented in order to further solidify the distinguishing factors between the disciplines.

Table 1

Distinguishing Factors between Business and Public Administration.

Distinguishing Factor	Business Administration	Public Administration
Organization Type	• Private • Business	• Public • Government
Service or Serve	Service to: • Individuals, small groups, or organizations • Direct exchange (normally monetary payment)	Serve: • The public/citizenry on a collective basis • No direct exchange or monetary payment
Purpose and Goals	• Established internally • Clear objectives • "Bottom line" (profit or loss analysis) • Common goals	• Established externally • Ambiguous objectives • Not driven by profit margins • Human need may outweigh financial considerations • Goals often conflict
Decision-making Processes	• Primarily a private matter • May involve only one person or a small group	• Normally a pluralistic matter • May require input from many groups or organizations
Revenue Streams	• Generated by organizational costs and profits • Market loans	• Tax based (income, sales, and property taxes) • User fees
Personnel Management	• Flexible hiring and termination • Bottom line performance assessment	• Rule-based hiring and termination • Nebulous and subjective performance evaluation
Visibility	• Less visibility • Rarely open to public scrutiny • Advertising	• High visibility ("goldfish bowl") • Open to public scrutiny • Public relations

Organization Type: Public v. Private

In the early 1900s, leading figures in organizational theory postulated that academic insights as well as organizational practices applied broadly and commonly to all types of organizations, public or private. Many organizational scholars described the distinction between public and private organizations as a gross oversimplification that posed theoretical and intellectual dangers. However, the growth of the corporate sector spawned the study of business administration and the forces shaping governmental involvement in an urbanizing and modernizing America sparked the emergence of public administration. A clear distinction between private and public organizations emerged. Business administration focused on privately owned corporations and public administration focused on governmentally operated entities and organizations.

Service v. Serving

One fundamental difference between the disciplines is that business administration is concerned with the service provided to customers, whereas, public administration is concerned with serving the public in general. The American political system is reflected in the relationships between public employees and the citizens. The practitioner within each discipline will deal with some "politics," both external and internal to his or her organization. Both practitioners will be involved in reaching and maintaining agreements, persuading co-workers and others, and acting upon organizational interests.

However, it is the public administrator who will deal with politics in the true sense of the term.

In business administration, products and services are furnished to customers based on personal needs and wants. Customers are normally individuals, small groups, or organizations. A business practitioner wants the customer to be happy and strives for business transactions to be repeated. These are usually "quid pro quo" transactions that come in the form of monetary exchange. Public administration, on the other hand, is concerned with serving the public on a collective basis. The public administration practitioner wants to efficiently and effectively serve a community and/or his or her constituents and may not strive for repeat transactions, such as police/citizen encounters. Except for some publicly administered services (e.g., trash collection, water, sewage, etc.), the visible and direct exchange of money is not as common as it is in the business administration arena.

Purpose and Goals

Organizations operating in the business sector often have a "bottom line." The bottom line is established by determining if a business made a profit (a surplus of revenue over costs) or incurred a loss. Internal measures and operational standards are normally created, established, and maintained within the business organization. For instance, if a business recognizes that it is not making a profit in a particular geographical area, it will likely leave the area completely. If a business determines that employee bonuses or some other cost is harming profits, the business will likely cut such expenditures. This profit orientation allows for the organizational goals and objectives to be rather clear.

Most organizations operating in the public sector are not profit driven; however, there are some exceptions in terms of government corporations (e.g., Amtrak, United States Postal Service, etc.). Profit or loss is not the primary criterion for which most public agencies measure success or failure. In fact, some public organizations may hold a monopoly on certain services provided to the public. This creates a need in public administration for the steadfast commitment to public service to trump personal needs, agendas, or power. In addition, because of the accountability to taxpayers and other community entities, public administrators must constantly divide their attention between means and ends. Public administrators must concern themselves with substantive results as well as the means by which the results will be achieved. Furthermore, conflicting incentives among stakeholders is more prevalent in public administration. Elected officials, community members, and other leaders can contentiously debate what should be done, why it should be done, and how organizational goals will be achieved.

Whereas private businesses set their own goals, public organizations are obligated to pursue goals established and evaluated by external entities such as legislative bodies. In public administration, human needs may outweigh financial concerns or obligations. For instance, a fire department, albeit maintaining fiscal responsibility, will not leave a particular geographical area or community because the costs associated with fighting fires and providing life-saving medical services are too great. Although businesses cannot overtly discriminate against individuals or groups, they have no true obligation to be impartial. Public organizations must be impartial. Furthermore, given the ambiguous mission of some public organizations (e.g., protecting the quality of the environment), service objectives can be much harder to specify and quantify. The question in public administration becomes: when has the public or individual citizen been adequately served and how can service quality be measured?

Decision-making Processes

In a mixed economy such as the United States, decisions about goods and services are made by both business and government. Businesses decide upon the amount of products to produce and the means to produce them. Public entities determine how to collect and allocate public funds. Decision-making in business administration is primarily a private matter. Decisions can be made by one individual (CEO) or small groups (Board of Directors), whereas, decision-making in public matters may require the participation of several individuals, diversified groups, boards or commissions, and multiple organizations. One business executive, Michael Blumenthal, who later served in the public administration arena as the United States Secretary of the Treasury, described the decision-making process in government as follows:

> If the President said to me, you develop an economic policy toward Japan, the moment that becomes known there are innumerable interest groups that begin to play a role. The House Ways and Means Committee, the Senate Finance Committee, and every member of them and every staff member has an opinion and seeks to exert influence. Also, the Foreign Relations Committee, the oversight committees, and then the interest groups, business, unions, the State Department, the Commerce Department, OMB, Council and Economic Advisers, and not only the top people, but all their staff people, not to speak of the President's staff and the entire press. (Blumenthal, 1983, p. 30)

Many others who have worked in both government and business have commented on the sharp differences between the disciplines. Several have commented that the pluralistic nature of decision-making in government makes managing in the public sector much more difficult. In addition, once decisions are made, the public sector has distinctively tighter time schedules. If time schedules are not met, the agency can be subjected to public scrutiny and criticism. For example, a major automaker like Ford may take up to ten years to produce an acceptable vehicle that is ready to enter the marketplace, whereas, a government organization, say the Environment Protection Agency (EPA), may only be given sixty days to implement emission requirements and regulations on the entire automotive industry.

Revenue Streams

Businesses generate revenue by selling products and services to willing customers; public organizations generate their revenue primarily through taxation (i.e., income taxes, property taxes, and taxes on goods). Federal government functions are funded primarily by income taxes. State governments rely most on funds created by taxes on goods and services, while the majority of local government funding comes from sales and property taxation.

Besides levying taxes, government can generate revenue by charging user fees for public products and services. Both business and government can manage revenue by borrowing from financial markets. Businesses rely upon voluntary arrangements to achieve profit and fund additional programs. The government has coercive power to force the citizenry to finance public operations and programs. Because government conducts regulatory activities and can impose fines, public administrators are obligated to adhere to electoral and constitutional constraints.

Personnel Management

Private and public agencies face risk and liability exposure on a daily basis. Employee error is the primary threat to the overall operations of both. Moreover, each can face severe consequences if poor personnel management is revealed. Some businesses do not incorporate performance assessments in their management process. When they do, businesses can assess the performance of the entire company, a specific organization, top executives, managers, and staff by determining whether or not set goals were achieved. Since most businesses are profit-oriented, profit is often the baseline measure of an organization's performance as well as that of its managers and staff. Underperformance can be readily identified if it is impacting the businesses' "bottom line." One would be hard pressed to find a public organization that does not utilize regular employee assessments and evaluations.

Public administrators can be evaluated on nebulous terms. Management's assessment of employee performance is often subjective. How can one's effectiveness in satisfying a citizen or garnering political support be accurately evaluated? Performance measures and appraisals in the public sector have been criticized, by the public and practitioners alike, for lacking objectivity, value, and genuine meaning.

Hiring and termination practices are more flexible in the private business sector. Hiring and termination practices in the public sector are more rule-based and legalistic. The public administrator must be exceedingly mindful of equal opportunity and affirmative action. Private business need not be overly concerned with these issues. However, the flexible practices in the business arena are currently in flux due to emerging workplace legislation that is applicable to private business.

Visibility

Public administrators operate in a democratic society; therefore, they are much more visible to the public than their counterparts in private business. One rarely hears about matters involving private business. The visibility of private business normally comes through advertising strategies. Public organizations try to be visible through positive public relations.

Governmental work in the United States is open to regular and constant scrutiny by the citizenry and the media. Donald Rumsfeld, who worked in the business sector and then in government as the United States Secretary of Defense, asserted, "In government, you are operating in a goldfish bowl. You change your mind or make a blunder, as human beings do, and it is on the front page of every paper" (Rumsfeld, 1983, p. 36). Such scrutiny can restrict open discourse regarding public policy issues. Conversely, the media can aid public leaders and organizations by rapidly communicating information (e.g., Amber Alerts and public service announcements). The press is not near as likely to afford the private business sector these types of luxuries. Public administrators must realize that governmental decisions and operations need to be visible to the citizenry and at the same time be subject to the interests, criticisms, and control of the public.

References

Blumenthal, W. M. (1983). Candid reflections of a businessman in Washington. In J. L. Perry, *Public management: Public and private perspection*. Mayfield Publishing.

Cleveland, H. (1989). *The knowledge executive*. Plume Publishing.

Denhardt, R. B., & Denhardt, J. V. (2008). *Public administration: An action orientation* (6th ed.). Thomson Wadsworth Publishing.

Rumsfeld, D. (1983). A politician turned executive surveys both worlds. In J. L. Perry, *Public management: Public and private perspection*. Mayfield Publishing.

Sementelli, A. (2005). Examining the utility judgments of public and business administration instructors and understanding their professional identity. *Journal of Management Development*, *24*(5), 490-505.

Wilson, W. (1887). The study of administration. *Political Science Quarterly*, *2*, 197-222.

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COMMENTARY

Defensive Tactic Reviewed: The 21-Foot Principle

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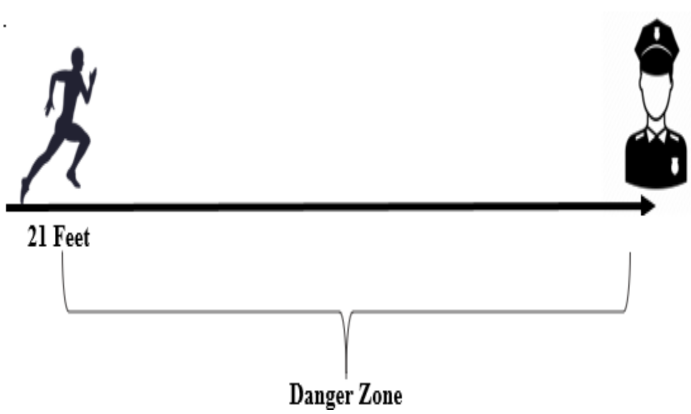
To better prepare officers, a common training tactic against edged weapons in assault situations is called the "21-foot principle," created by Lieutenant John Tueller in the 1980s at the Salt Lake City Police Department (see Figure 1).

Figure 1. 21-Foot Principle created by Dennis Tueller indicating the Danger Zone, which is 21 feet, the minimum distance needed to react, draw, and fire one's weapon twice center mass in response to a charging assailant with a knife.



The principle prepares law enforcement officers (LEOs) for how far away a charging assailant with an edged weapon must be to give them the time needed to draw and fire their handgun (Martinelli, 2014). Tueller (1983) first determined how long it took for an average officer to draw a handgun and discharge two center-mass shots (~1.5 s). After trial and error, researchers determined a healthy male can travel 21 feet in about 1.5 seconds, the same time it took the average officer to complete the handgun draw and discharge. The "Danger Zone" is any distance that will not permit a LEO sufficient time to complete the action of drawing and firing a handgun in response to a charging threat, thus potentially putting the LEO at risk for a knife injury or even death. As one trains and becomes more efficient with one's handgun draw and reaction time, the Danger Zone can decrease, enabling the LEO to potentially respond at closer distances (e.g., 18 or 15ft) (Tueller, 1983). Although the 21-foot principle has been dogma in police training for decades, it has not been subject to peer-review and should be examined to determine if its aspects still hold true almost 40 years later.

The most recent assessment of the 21-foot principle determined a person could travel the 21 feet in about 1.5 seconds, however it took officers on average 1.8 seconds to draw and discharge a single bullet at a silhouette (Sandel et al., 2020). Of the 50 officers studied, only 38 hit the charging assailant (Sandel et al., 2020). The study examined how different tactic maneuvers affected if the LEO got hit by the knife wielding assailant. Of the LEOs who did not move from their spot when the assailant charged them from 21 feet away, 33 percent were struck by the knife, compared to 25.6 percent who made a 45-degree movement towards the charging assailant, 7.7 percent who backpedaled away, and 5.3 percent who sidestepped. Ultimately, the researchers concluded that 21 feet is an unsafe distance for officers to have enough time to draw and fire from the stationary position taught by Tueller (1983). Sandel et al. (2020) determined that based on the average time for LEOs to draw their handguns (~1.8 s) and the pace at which the assailant ran (~9 to 10 mph), for 95 percent of LEOs to avoid being hit by the knife prior to firing their handgun, a distance of 32 feet would be needed.

Edged weapon attacks affect LEOs worldwide. The Federal Bureau of Investigation reported 9,586 assaults from edged weapons between 2007-2016 against on-duty LEOs (Federal Bureau of Investigation, 2018). Many close-quarter assaults against LEOs can be classified as an ambush (International Association of Chiefs of Police, 2013). It has been reported charging males travel around 9 to 10 mph when ambushing an officer with a knife or blunt object (Sandel et al., 2020; Tueller, 1983). Observed by Vickers (2007), it takes 0.46 to 0.70 seconds to process and react (i.e., make a tactical maneuver and draw and handgun) to a charging assailant with a lethal weapon. Within that time, the charging assailant has already covered around 7 to 10 feet. Following a threat, it can take officers 1.68 to 1.94 seconds to draw and fire their handgun (Campbell et al., 2013), which would require an assailant to be around 30 feet away when charging at a speed of 9 to 10 mph.

Overall, the 21-foot principle training standard set by Tueller (1983) does not seem to be supported by current research (Sandel et al., 2020), and actually puts over a third of LEOs in danger at 21 feet. Though the suggestion that 32 feet is the optimal distance from a knife-wielding assailant to ensure 95 percent of LEOs can successfully draw their handguns and fire prior to getting stabbed, that finding was extrapolated and requires direct examination to clearly establish that standard. More empirical evidence is needed to further justify or challenge the 21-foot principle and establish updated safety standards for officers, not only when training for edged-weapon ambushes at far distances, but also in close-quarters combat situations.

References

Campbell, A., Roelofs, A., Davey, P., & Straker, L. (2013). Response Time, Pistol Fire Position Variability, and Pistol Draw Success Rates for Hip and Thigh Holsters. *Human Factors, 55*(2), 425-434. https://doi.org/10.1177/0018720812453466

Federal Bureau of Investigation. (2018). *LEOKA Report* https://ucr.fbi.gov/leoka/2018/topic-pages/officers-feloniously-killed

International Association of Chiefs of Police. (2013). *Ambush Fact Sheet.* https://www.theiacp.org/sites/default/files/2018-08/IACP_Ambush_Fact_Sheet.pdf

Martinelli, R. (2014). Revisiting the "21-Foot Rule." *Police: The Law Enforcement Magazine.* https://www.policemag.com/341203/revisiting-the-21-foot-rule

Sandel, W., Martaindale, H., & Blair, J. P. (2020, May 31). A scientific examination of the 21-foot rule*. Police Practice and Research*, 1-16. https://doi.org/10.1080/15614263.2020.1772785

Tueller, D. (1983). How Close is Too Close? *SWAT*. http://www.theppsc.org/Staff_Views/Tueller/How.Close.htm

Vickers, J. N. (2007). Perception, cognition, and decision training: The quiet eye in action. *Human Kinetics.*

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LEGAL UPDATE

Perez v. People
Colorado Supreme Court No. 19SC356
Decided February 8, 2021

Philip J. Baca, Esq.
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Legal Proposition

The *Miranda* rule is not absolute. In some circumstances, officers may question a suspect in custody without first offering *Miranda* warnings. One such circumstance involves the public safety exception.

Facts

Police officers stopped a vehicle in which Perez was a passenger. As the officers approached the car, they noticed the occupants acting as though they were concealing something. As a result, one officer approached the driver-side door while the other approached the passenger-side door. The officers observed Perez acting nervously, and Perez initially refused to interact with the officer on his side of the car. Ultimately, Perez provided that officer with a name. When the officer discovered that no such name existed in a police database, he asked Perez to step out of the vehicle.

Perez got out of the car and immediately fled. The officer followed on foot. Perez jumped fences, running through residential backyards. He crossed a busy street, and in the parking lot of a liquor store, attempted to steal an occupied car. When the occupant refused to get out of the car, Perez ran into the liquor store. At that point, the officer lost sight of Perez. But after an employee of the liquor store indicated that Perez had run to the back of the store, the officer regained sight of Perez as he exited the back door.

Backup officers arrived for help during the foot chase. The officers caught up with Perez in a residential backyard. Perez resisted arrest, throwing punches and broke an officer's nose before he was handcuffed and arrested. Officers searched Perez for weapons and found two live shotgun shells in his pocket. Without giving Perez *Miranda* warnings, an officer immediately asked, "Where's the gun?" Perez responded that he "threw it away." The officer again asked Perez about the location of the gun. This time, Perez's response was unintelligible. Officers stopped their questioning. Later officers discovered a short shotgun in the stopped vehicle, lodged between the center console and the passenger seat. The shotgun was capable of firing live shells found on Perez.

Issue

Does the public safety exception to *Miranda v. Arizona* apply when an officer asks the arrestee, "Where's the gun?" Yes.

Court Decision

The Court of Appeals held that the public safety exception ***did not apply*** under the facts, but deemed the error harmless beyond a reasonable doubt and affirmed the convictions. Perez appealed, the Colorado Supreme Court granted certiorari, and upon review affirmed the Court of Appeals opinion and conviction ***on other grounds … that the public safety exception did apply.***

Restatement of Law

In *Miranda*, the U.S. Supreme Court held that police must inform a person of his right against self-incrimination when he is subjected to custodial interrogation. **384 U.S. at 478-79**. The Court held that such a rule is necessary to protect the Fifth Amendment right against self-incrimination because custodial interrogations create inherently coercive environments that make *Miranda* warnings necessary to remind defendants of their constitutional right. **Id. 445-58.**

The rule, however, is not absolute. In some circumstances, officers may question a suspect in custody without first offering *Miranda* warnings. One such circumstance involves the public safety exception.

The public safety exception applies if "the exigency of the circumstances warrant[s] the momentary omission of Miranda warnings." **People v. Ingram, 984 P.2d 597, 605 (Colo. 1999) (New York v. Quarles, 467 U.S. at 658 (1984).** The exception exists because, in such cases, the need to protect the public from perceived immediate danger outweighs *Miranda's* prophylactic purpose of guarding a defendant's Fifth Amendment right. (**see Quarles, 467 U.S. at 657**).

In cases involving weapons, the exception applies only where the officer's questioning **relates to an objectively reasonable need to protect the public from the immediate danger associated with a weapon. See id. at 656–57; Ingram, 984 P.2d at 605.** To determine whether officers had a reasonable concern for public safety, a court must consider the totality of the circumstances.

In sum, Quarles and Colorado law applying Quarles demonstrate that whether the public safety exception applies depends on whether, ***under the totality of the circumstances, the officer's questioning relates to an objectively reasonable need to protect the public from immediate danger.***

Questions aimed at neutralizing an immediate threat to officer safety or public safety are not subject to the requirement of pre-interrogation *Miranda* warnings.

Court Reasoning

The totality of circumstances:

- From the outset of the encounter, officers had a reasonable belief that Perez and other occupant(s) were trying to conceal something from them
- Perez provided a false name when asked and initially refused to interact with officers
- Perez attempted to avoid capture when he immediately fled upon getting out of the stopped vehicle
- Perez led police on a lengthy foot chase through a residential and commercial area
- Officers lost sight of Perez during this chase raising the possibility that Perez had discarded the firearm in an area where people could find it, creating a public safety threat
- Perez attempted to steal an occupied car from another motorist
- Perez violently resisted arrest when he was ultimately cornered, assaulting an officer
- Perez possessed two live shotgun shells when arrested and ultimately searched

- A later search of the vehicle Perez had occupied resulted in finding a short shotgun
- The shotgun was capable of firing the shotgun shells found on Perez

Bottom Line

The key inquiry here is whether the totality of the circumstances made it reasonable for the questioning officer to believe that a threat to public safety existed (which includes the officers) when the officer asked the question.

The legal standard has been and remains whether, under the totality of the circumstances, the officer's questioning relates to an objectively reasonable need to protect the public from the immediate danger associated with a weapon.

Law enforcement officers should always adhere to the constitutional rules of procedure mandated by the U.S. Supreme Court. But as any well trained and educated officer knows, there are exclusions and exceptions to the rules of search and seizure. It's best to be well versed in these rules and understand when they may apply.

Mr. Philip Baca

Mr. Philip J. Baca is the former director of the Jefferson County Sheriff's Office and Lakewood Police Department Combined Regional Law Enforcement Academy. Mr. Baca served for 15 years with the Denver Police Department in various positions, reaching the rank of lieutenant. Mr. Baca left law enforcement for approximately 7 years to practice law, during which time, he continued to develop law enforcement training programs and materials. Mr. Baca was selected as the initial Director of the Highlands Ranch Law Enforcement Academy in Douglas County (CO). Two years later, Mr. Baca went to the Jefferson County Sheriff's Office to manage its training academy and Support Services Division. While at Jefferson County, he served as the captain of the Support Services and Patrol Divisions, and as the division chief of the Criminal Investigations Division. Mr. Baca was appointed the Chief of Police in Commerce City (CO) and served in that position from 2008-2012. In 2012, Mr. Baca earned his bachelor's degree in Pre-Law/Political Science from Colorado State University, a Juris Doctor from the University of Denver, and is a member of the Colorado State Bar. Mr. Baca is admitted to practice law in all Colorado courts, the United States District Court, and the 10th Circuit Court of Appeals. Additionally, he is a graduate of the 216th Session of the FBI National Academy.

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7. Electronic submissions are required. Please email a typewritten file labeled with an abbreviated title, the corresponding author's last name, and the year (e.g., Title (Smith 2020)). Files must be saved using the .docx file extension. All articles are peer reviewed after editorial clearance.

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