THE TRANSITION FROM BUREAUCRACY TO PERFORMANCE MANAGEMENT IN LAW ENFORCEMENT AGENCIES

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Abstract:
This paper aims to show an elaborated management system that helps law enforcement managers to improve performance through an ongoing process of establishing desired outcomes, building performance standards, then collecting, analyzing and reporting on streams of data to improve individual and collective performance. Leaving behind the traditional bureaucratic approach we look forward to draw a performance management model, which is more rational than the traditional command-control model and may increase consistency in police management. Law enforcement agencies should implement a variety of important organizational changes. These changes are supposed to occur in different substantive domains, including the culture, behavior, and structure of police organizations. The paper presents a literature review, which identifies that the bureaucratic model of policing may no longer be functional for policing post-modern society and inconsistent with modern governance principles. A more democratic heteronomous model of leading law enforcement agencies, where management determines the broad philosophical principles and co-ordination of tasks while the practitioner makes localized decisions, may improve organizational effectiveness. The implementation of the principles espoused in this paper may improve the legitimacy of law enforcement agencies in heavily fragmented societies, reduce deviant behavior by police officers while increasing job satisfaction, support restorative justice issues for victims, and assist the maintenance of public order.

Keywords: bureaucracy, performance management, law enforcement, organizational theory

Theoretical foundation

Law enforcement units are complex government agencies that come in different forms with a mix of tangled responsibilities (Bayley, 1985; Goldstein, 1977) and they are organized along bureaucratic lines (Weber, 1946). The apparent benefits are “rationality, predictability, impersonality, technical competence and authoritarianism” (Nigro and Nigro, 1973, p. 97). In spite of that, the efficiencies and “scientific principles” advocated by Taylor (1911), Weber (1946) and some forward-thinking theoreticians of the time, never reached their full potential theory vs. practice within law enforcement professional era. The Weberian model of bureaucracy may be expanding ineffective for current demands of management applied within law enforcement area. The internal passive opposition is creating barriers between the management and practitioners in the organization and is not
assisting the capability to connect with the divergent communities in an increasing unstable and fluid world. The law enforcement organization has to either “spinoff” responsibilities to single issue entities or to create an elastic responsive structure to meet the needs of the community.

The field of law enforcement agencies will require more self-direction by the managers and practitioners than the existing rigidly bureaucratic model allows. The concept of self-direction is more appropriate to meet the needs of the community and the reduction of the standard “flashpoints”. Spenner (1988, p. 75) highlighted that self-direction reduced authoritarian responses and made the execution officer more self confident and responsive to standards of morality. The officer involved self-directed duties become less authoritarian, less self-deprecatory, less fatalistic, and less conformist in his ideas while becoming more self confident and more responsible to standards of morality. The notion of self-direction can only arise when bureaucracy is decreased and the organizational culture becomes internalized by the individual. The practitioner officer is not different from the citizen that he serves in that there is a requirement for meaning to be attributed to the work being undertaken. Peters and Waterman (1982) discussed that the need for meaning within the work environment was so strong that most people would give great latitude to the organizations that supplied it.

The success of the law enforcement organizations may depend upon the construction of the organization into cooperative teams of autonomous working groups, where the individual is less constrained by the prescriptive dictates of a central hierarchical bureaucracy.

**Traditional bureaucratic approach**

A part of law enforcement agencies operates in fields lacking a clear relationship between structures/activities and outcomes, where the best means to achieve the organizational goals are not clear delineated. Lipsky (1980) writes that this is the element that distinguishes public service bureaucracies from business organizations. Law enforcement system is a complex of agencies under the governmental control that come in various forms with an amalgam of intricate responsibilities and is organized along bureaucratic lines (Weber, 1946). According to Frederick Taylor’s Principles of Scientific Management (Taylor, 1911), employees are not paid to think, but to follow their superior’s orders – right, wrong or indifferent (Stinchcombe,1980). The management issues of the old bureaucratic system are an amalgam of underdeveloped technical core and the outmoded command and control management style along with some contemporary issues such as role complexity and rising egalitarianism. As an overview, the technical core of an organization is the work performed by the actors involved, where technology is used to produce the desired outcomes. Technology incorporates the intellectual and physical capital, tactics and strategies used by the agency to process raw materials toward a particular outcome – in law enforcement agencies, raw materials are information, citizens, victims, offenders, and places. My experience is that desired outcomes in such agencies are often not operationalized, leaving the agency with a very poor understanding of how to apply technology to execute its responsibilities. Most of the time subject to political meddling or budget constraints, the agency’s task environment is subject to limitations and changing priorities, including power relations that are necessary to sustain the environment (Moore, 1995). The task environment includes environmental details that emerge with the work of the agency or shape its structure and function including citizens, social and physical attributes of the community and other components of the criminal justice system. The undefined loose-knit operational style that emerge in this environment leaves officers and managers to choose an individual course of action as they go along, perhaps counting
on intuition, perceptions and experience, instead of a pre-determined formula supported by
data and technology. This is the product of “feigned” bureaucracy (Bradley et al., 1986) that decreases many officers to “casual, lackadaisical, offhand, ad hoc and lowly motivated” employees (Punch, 1983, p. xii).

The bureaucratic approach refers to the traditional command and control bureaucracy, which seeks to control officers’ behaviors step by step through centralized command structures that afford officers little or no voice over the way strategy is created and by placing an emphasis on output over outcome (Trojanowicz and Bucqueroux, 1990). The command-and-control culture applied in the law enforcement agencies doesn’t treat officers as intelligent, creative, and trustworthy people. They are not empowered to take decision and are mostly seen as executants of the orders received from the top superior. The output is a management structure based on conformance with regulations and overly combined with routine and appearances rather than substantive results. The performance goals are yield to oppressive rules in an effort to “pass another day” because there are not expectations of improvement or quantification of the results. Officers accept the way of least resistance and get toward laziness because they are not responsible for producing anything. Execution officers wish to be empowered and autonomous but await management’s directive on how to act and proceed. The problem is management’s directive on how to proceed is not coming due to the fact no one really knows where they are headed. The result is a group of commanders with immature personalities who issue vague orders instead of logical instructions on how to solve the problem. This is basically the bureaucratic approach in the field of law enforcement organizations.

The need for change to performance management

The identity of the law enforcement agencies is currently dependent upon highly centralized bureaucracies that are conformable with the Weberian legal rational bureaucratic model. The core units and the executive officers are tightly constrained by operating procedures dictated by a centralized command and control system. It may be considered generally unbendable and inefficient for the provision of adequate services to the modern community that is fragmented and multidimensional in all aspects. Now is evidence to imply that law enforcement practitioners are encountering an informational overload in regulations and procedures to cope with this new environment and is producing effects on informally designed practices that has its origins in myths created by the practitioners themselves. The formal bureaucratic procedures are assigned retrospectively to penalize transgressors if a practice failure is revealed. The legitimacy of the law enforcement management is harmonious undermined by delusive measures designed to show an illusion of conformity. The bureaucratic answer to a chance discovery is most of the time characterized by sanction and even more rules and regulations.

There could be two ways at the hand of the managers to deal with this phenomenon. The first is the dividing of the law enforcement agencies into individual and unconnected bureaucracies that may be more able to be managed in the current model. The other way is to reconstruct the existing system to provide for a principle led organization constructed based on cooperation and founded upon a philosophical base. The bureaucratic system may be providing a siege mentality where the execution officers and their superiors perceives that the organization and the public have a duality of purpose to undermine the ability to do the task at hand. The system may not necessarily delineate the performer officer from the rule compliant with the best practitioner, undermining morale in the operational field.
Both what represents performance and how to measure it have been a puzzling question for many years, particularly because there is small consensus about what represents performance and because measuring it is complex, technical and takes many forms. Performance is commonly designed in two shapes, either as trait dimensions that are scored subjectively by the officer’s immediate supervisor based on observed behaviors (a qualitative appraisal of communication skills, appearance, decisiveness, leadership, emotional stability, assertiveness), or as activities arising from the tasks related to the police function that are scored objectively based on the number of instances per activity.

The advantage of the performance management guidelines is that it logically connects what the law enforcement agencies intended to achieve with what they actually achieved using empirical measures, correctly enabling them to account for their performance in a public forum and develop internal dimension to deliver services. It also represents an opportunity to exploit on individual talent, where employees at every level are accountable for specific tasks instead of accountable for negligent rules.

The ability to deconstruct the current bureaucratic model may be problematic due to the old conceptions rooted in the organizations that were embedded in strict militarized mentality.

**Conclusion**

The law enforcement principles presented in this paper represents a departure point from the existing management models. The bureaucratic command and control model is an old-fashioned style that does less to respect individual talent as the primary means of achieving desired outcomes consistent with the agency’s mission. Command and control is a concept that concerns itself with authoritarianism, conformity and control at the expense of performance.

The law enforcement agencies develop their capacity to look backwards and draw out useful intelligence from the data as it forges ahead emerging strategies and tactics to sustainable outcomes. Foresight is represented in imagination and proactive management, which is the ability to forecast distinct future states in order to anticipate possible threats and vulnerabilities, improve resource allocation and enhance service delivery through scenario-based planning. Imagination exercises also helps top managers envision where the agency will be if they do not do things differently.

Top managers and superiors must take the lead in order to break from the makeshift and unsystematic management processes of the old school of bureaucracy, those driven by “management by crisis” and institutionalism and integrate performance management with existing operations. Future research in the field of law enforcement agencies should explore the relationship between performance management and citizen satisfaction and legitimacy to ensure the quantitative prospects of management straighten with Constitutional guarantees and human rights.

**References**

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