



## WHY OFFICERS AND AGENCIES FAIL: A CASE FOR RESILIENCY IN POLICING

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©2014 **Brian Nanavaty**, PATC Legal & Liability Risk Management Institute (LLRMI.com)  
*(with Lieutenant David Hoffmann, Indianapolis Metropolitan Police Department, Office of Professional Development and Police Wellness)*

**(Author's note: It is not the intention of this article or the author to compare officers who fail to complete their careers due to professional failure (i.e. intentional acts such as criminal activity or repeated violations of policies or procedures) with officers facing serious psychological or emotional challenges. Violating one's sworn oath by committing a criminal act is complicit while suicide involves an element of mental distress. The use of the words "fail" and "failure" are used only to describe an officer's inability to complete his or her career in a healthy condition, and the failure of agencies to provide the means and resources to assist officers to achieve self-actualization in their personal and professional lives. The authors sympathize with the families, friends and peers of every officer we lose during the police journey).**

The field of law enforcement is at a crossroads when it comes to addressing issues of an officer's long-term personal and professional health. The current organizational response to an officer who is failing typically involves one or more of the following options: (1) tolerate the officer's negative behavior or performance; (2) refer the officer to an employee assistance program (EAP); (3) discipline the officer; or (4) recommend termination. Other than a referral to EAP, these responses are designed as a stop-gap to ignore/avoid the issue, to punish the officer or to protect the organization, but they fail to serve the long-term personal and professional needs of the employee or the true needs of the organization.

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While agencies prioritize efficient and effective crime strategies and delivery of services, they have neglected to accept the challenge of hiring and sustaining officers who can successfully arrive at retirement personally and professionally whole. Police organizations seem to grudgingly accept they will lose a certain number of officers along the course of their career to performance failings, criminal violations or worse: officer suicide. Agencies are really doing very little to identify a methodology for the organization's role in employee self-actualization and survival.

The embarrassing and criminal behavior of former law enforcement officers Chris Dorner, the LAPD officer who went on a shooting rampage and later committed suicide, and Justin Volpe, the NYPD officer sentenced in 1999 to 30 years in prison for the indefensible assault on Abner Louima, are sad reminders that no agency is immune from the challenge of rogue individuals penetrating their ranks. Unfortunately, while leaders of agencies bang their fists on their desks and repeat their refrain that "bad apples" like Dorner and Volpe are anomalies in our profession, many American police departments have the next generation of "bad apples" growing on the branch, even today. More disheartening is the fact most agencies are doing little if anything, of a proactive nature to minimize the odds of hiring or producing the next Dorner or Volpe. The inability or unwillingness on the part of leaders of agencies to "police" their own profession guarantees the negative and embarrassing headlines, million dollar civil payouts and the familiar themes of unmanageable risk and liability will continue.

Equally as challenging to organizations as the "bad apples" who fail- are our distressed brothers and sisters in law enforcement who take their own lives during their service tenure or after their policing career is over. Estimates available through various sources including *Badge of Life* report the ratio as over two times as many officers take their own lives compared to officers who are killed by felons. Is it possible police agencies hire individuals who do not have the emotional or mental capacity nor the necessary social or family support systems to develop the proper foundation needed to survive a 30- year career in law enforcement? Do we simply accept the loss of officers to suicide as one of the inevitable results of a stressful or untenable career...or the cost of doing business?

We should first ask what creates law enforcement nightmares like Chris Dorner or Justin Volpe. How did we accept into our agencies the countless number of officers who have disgraced our badge over the past century of modern American policing? What goes so wrong in our officer's personal or professional lives to make them think their only option is suicide? To answer these difficult questions we should first attempt to determine if rogue officers and officers who harm themselves were: (1) products of a stagnant and deficient police hiring and support system, (2) whether life's challenges

or the rigors of police work contributed to their finality, or (3) whether their failure was the result of an undetected struggle or a flawed character trait.

If agencies were willing to perform a forensic audit of an employee's history when an officer resigned or was terminated, or committed suicide, they would likely discover the failure could fall into one of two categories- the recruit who was hired with an undetected active or dormant issue waiting for an opportunity or event to blossom into crisis, or the veteran officer- assumed to be a good hire- who fails at some point during his or her career due to a character, personal, and/or professional issue- and the lack of police support systems.

To what degree the hiring practices of the agency, the inability of the individual to control his environment or the stress of the law enforcement experience is responsible for the officer failure is an important issue, but a secondary one. Rather than dwelling on our mistakes or assigning blame, **a priority for law enforcement leaders should be on minimizing risk by utilizing organizational and individual resiliency and using the knowledge gained from such a practice to prevent “bad apples” from ever being hired, populating an academy classroom, or if they slip through the hiring cracks, from deteriorating during the course of their career.** From a mental health perspective practicing organizational and individual resiliency creates a foundation for arriving healthy at the end of the law enforcement career. Organizational and individual resilience, once ingrained as an important part of an agency's culture, makes organizations more effective at identifying and mitigating an officer's personal and professional distress. Once resilience is accomplished the knowledge gained as “lessons learned” becomes a roadmap for repairing generations of stagnant and ineffective hiring practices.

*What is police resiliency?* In 2010, the Indianapolis Metropolitan Police Department (IMPD), an agency of over 1500 officers, (and the product of a merger a few years earlier of the Indianapolis Police Department and the Marion County Sheriff's Department), experienced what many department's realize- an unacceptable number of officers disciplined for policy violations and prosecuted for criminal offenses. IMPD also suffered the loss of two officers to suicide during that time. Due to the lack of similar hiring practices between the agencies prior to the merger, and the absence of an organizational knowledge base or coordinated process for identifying and responding to officers in distress; officers in crisis were many times not identified, treated or corrected until it was too late to salvage their careers, save their lives or protect the reputation of the agency.

In 2010, the IMPD, with the endorsement of the Fraternal Order of Police Lodge #86, implemented a two-step program aimed at first identifying officers in personal or professional distress and then responding by reducing officer malfeasance and cumulative performance or behavioral issues by providing appropriate resources. The first step of the program was the development of a performance appraisal system for supervisors to semi-annually evaluate officers in eight core areas. The second step was the creation of the IMPD Office of Professional Development and Police Wellness. The office was tasked with designing an organizational and officer resiliency program for officers identified as being in personal or professional crisis, and addressing officer distress *by providing case management*: personal and career development and wellness guidance and resources.

As designed, the development and wellness unit was tasked initially with only working with officers identified through the appraisal system or referred by the chief or the disciplinary board for serious discipline or pattern of performance issues. However, after developing a response methodology and working with dozens of officers disciplined in the first year of the program it became apparent **the larger part of the decline of officer performance was attributable not to performance issues but rather to an individual flaw or personal distress issue(s) that the officer brought to work. In fact, nearly 90% of the officers disciplined and referred to the program in the first year had underlying personal distress issues** that contributed to their poor performance or cited discipline.

An officer's personal (off duty) distress has a profound impact on his or her work (on duty) performance. That fact was proven quickly in Indianapolis and remains undisputed. The response of the IMPD Office of Professional Development and Police Wellness and its utilization of resources (organizational, educational, professional, clinical) was therefore designed to focus on helping the officer overcome personal challenges and become healthy simultaneous to addressing the officer's work-related or training deficiencies.

With the success of responding to the behavioral needs of disciplined officers it became apparent the methodology used to address the personal issues of the disciplined officers could be utilized to assist *any* officer experiencing distress. Soon, the program evolved from a disciplinary/performance based program into one focused on early personal and professional intervention *for all officers*. By the end of the second year of the program **the department experienced a 300 percent increase in officers being referred by their peers or voluntarily seeking intervention (prior to any performance issue occurring) and a subsequent 40 percent decline in disciplinary referrals to the program for remediation. Within only three years of operation, the wellness unit had intervened with over 300 officers- or 20 percent of the**

agency. By the three year mark less than 5% of officers were being referred to the program as a response to performance or discipline failure with the majority being identified by peers, supervisors or voluntarily requesting assistance prior to performance decline being noted or documented.

Look for part II of this article next week.

*Captain Brian Nanavaty is a thirty- year veteran of law enforcement, former Deputy Chief of police, and former adjunct faculty at Indiana and Purdue Universities. Nanavaty created and commands the Office of Wellness and Development at IMPD. He is an instructor for the Legal and Liability Risk Management Institute at PATC and instructs at ILEETA and other various leadership academies and conferences on the topics of police leadership, individual and organizational resiliency, officer development and wellness, and hiring Generation Y. He has recently been featured on PoliceOne.com*

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*For further information on Police Resiliency or IMPD development, wellness and mentoring programs, contact Captain Nanavaty at the PATC at 1.800.365.0119 or at [brian.nanavaty@indy.gov](mailto:brian.nanavaty@indy.gov) or [policeresiliency@gmail.com](mailto:policeresiliency@gmail.com).*