



Navigating narrow straits: Leadership development of municipal managers of non-policing law enforcement services

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ABSTRACT

As municipal governments continue to use non-police law enforcement (NPLE) personnel in pursuit of public safety strategies, managers tasked with overseeing such staff are typically those without experience in the intricacies of law enforcement, public disorder, and the justice system. Non-police law enforcement calls for the use of very special skills, knowledge, and abilities not typically experienced in other areas of municipal operations. Managers, regardless of their profession, can effectively manage NPLE when afforded the opportunity to learn the law enforcement perspective, understand the stressors placed on enforcement staff, and be educated in the judicial requirements of municipal and provincial enforcement. Municipalities should refrain from placing staff under a manager strictly for ease and convenience. Further, the services provided should operate with proper oversight. Managers must be appropriately experienced in leading staff and operations involving complex and human-centred portfolios. This study outlines the issues faced by managers tasked with overseeing NPLE and provides a snapshot of the current professional structure of NPLE leadership in the province of Alberta, Canada.

Key Words Peace officers; bylaw officers; non-police law enforcement; municipal governance; management; municipal enforcement.

INTRODUCTION

In a time of declining publicly funded resources, of roles that are undergoing complex changes, and of the offloading of services traditionally provided by provincial and federal bodies, non-police law enforcement (NPLE) duties are being provided across not only first responder services but also social or community services. As such, leaders need to arrive at the position with a diverse set of skills and have a vision for the future (Woo et al., 2020; McCreary, 2020; Hataley & Leuprecht, 2019; Kuppler, 2016). Today's local government qualifications for municipal professionals are comprehensive in preparing local government leaders for the tasks associated with local governance portfolios. It is becoming common in the municipal public safety industry to assign leaders who do not possess the professional skills of the industry, arguing that leaders do not require operational experience or training to lead such teams. However, for those tasked with overseeing the municipality's municipal enforcement staff, it can be an onerous learning curve, especially if the manager has no

direct experience in law enforcement management. As NPLE staff contribute directly to community safety, ensuring that the leadership of such services is skilled at managing the intricacies involved in enforcement of community standards and safety is a significant challenge.

This research sets out the current state of NPLE leadership and the best practice approach to preparing municipal managers for the role they will play and the need for cross-functionality. The value in such research is the potential to lead to the creation of a model for human resource professionals to use in assessing candidates for positions tasked with managing NPLE, ensuring that they possess the unique leadership skills required, and the development of training regimens for managers with no direct experience to better equip them to manage public safety professionals.

Evolution of Non-Police Law Enforcement

In the private sector, it is common for security departments to be positioned in portfolios that have little influence beyond physical security responsibilities, such as Facilities Management.

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To cite: Young, D. R. (2022). Navigating narrow straits: Leadership development of municipal managers of non-policing law enforcement services. *Journal of Community Safety and Well-Being*, 7(1), 3–9. <https://doi.org/10.35502/jcswb.221>

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SG PUBLISHING Published by **SG Publishing Inc.** **CSKA** Official publication of the **Community Safety Knowledge Alliance**.

This is understandable, due to the nature of securing buildings and properties using patrol tactics and electronic security and CCTV (closed captioned TV) systems. However, more security staff are being tasked with responsibilities in human resource management (conducting investigations involving staff, access control responsibilities, dignitary protection, and threat assessment and management). The industry has moved on, placing an ever-increasing professional responsibility on security personnel. However, the structure and placement of protective staff remain almost an afterthought with respect to the influence the professionals have within the organization due to the positioning of its leadership and the qualifications the leader holds for the skill set.

The evolution of the public sector's version of security staff has resulted in the bylaw officer. Historically, bylaw officers were hired and swore an oath to the municipality alone, due to the very narrow scope of practice of enforcing municipal bylaws. This industry has evolved as well, moving the role from bylaw officer to special constable, and Canadian municipalities benefit from the services of NPLE with a broader scope of practice, with the inclusion of select provincial enforcement authorities. As recently as 2021, Alberta embarked on pilot projects with the addition of select Criminal Code authorities for its municipalities' Community Peace Officers. The significant difference between private sector security and public sector security is the requisite knowledge of the law and court requirements. Non-police law enforcement staff are more likely to be involved in more complex investigations and have a stronger onus of proof placed upon them due to the public nature of the office of peace officer. As the role has progressed to a larger scope of practice, the public has not been adequately educated about this evolution.

The nature of NPLE roles in a municipal government setting is such that it is reasonable to expect management will be civilian. However, as with private security services' placement, it is regular practice to place NPLE in municipal portfolios with leaders who may not have the requisite knowledge of the criminal justice and court systems in which NPLE operates. It is the intention of this article to illustrate both the issues with civilian leadership of NPLE and how to prepare such leaders for the task of effectively leading these highly skilled and potentially contentious roles. One mitigating model of municipal placement of NPLE is that of the protective services portfolio. This model typically includes fire services and NPLE and is most often led by the Fire Chief. This is reflected in the finding that over one in five of the respondents had NPLE personnel overseen by fire professionals. This model provides leadership that is experienced in emergency operations and is conducive to the paramilitary bearing seen in NPLE. The ethos of highly personal connection, necessity of team communication for mental health well-being, legal implications of operational activities, highly specialized skill sets, and the value of the role of prevention over quantifiable outcomes of the role are often built-in qualities of Fire Chiefs by nature of their profession. Non-police law enforcement teams typically are operationally supervised by senior members, either experienced NPLE or former police members. However, it is rare to have a NPLE team as its own portfolio, due to the small numbers of staff and the staffing constraints of rural municipalities.

Civilian management of NPLE can have a significant impact on community safety and well-being. Managers

who lack knowledge in the public safety industry are at risk of a gamut of liabilities in the delivery of community safety services. Issues such as privacy rights, Charter rights, application of municipal and provincial legislation as it pertains to entry onto a property and property seizure, use of force, lawful arrest, and the provincial police/peace officer legislations and program policies and procedures, as well as the additional mental health issues, all impact the well-being of citizens when interacting with NPLE personnel. It is not sufficient to leave the responsibility of overseeing personnel to operational supervisors; managers must have knowledge of these areas in order to drive oversight and to ensure policy and procedure align with public safety and community well-being.

Contemporary public safety management calls for a shift away from traditional police leadership based on the specific expertise of the police manager. As this research has demonstrated, most NPLE services fall under the supervision of civilian managers, who tend to be traditional municipal professionals in fields such as human resources, planning and development, or facilities management. Policing leadership styles are not to be expected in civilian municipal government leaders; however, municipal managers can benefit from learning how to manage NPLE personnel effectively in light of the very specific work done by such staff. This move to contemporary leadership models can be applied by municipalities that provide NPLE, such as bylaw and Peace Officer/Special Constable services. Leadership research supports the need for effective human resources, training, team development, and performance management in general. The application of these theories and philosophies can provide NPLE team leaders with a map that can serve in their own development. I would argue that forward-thinking human resources selection and training for staffing leadership roles with NPLE services is possible and believe that advocacy for specialized vetting of applicants to such roles is vital for peak public service performance.

In addition to learning how to apply the leadership tenets valued by NPLE staff, managers who oversee NPLE services will benefit from evolving away from the traditional manager role. Non-police law enforcement works more effectively with leaders who can embrace the uniqueness of leading such a service. Teams, regardless of the profession, create their own realities and control their own destinies. This must include the leader, and simply expecting the leader to manage without the input of the team or its engagement in the development and implementation processes will be counterproductive. Kuppler considers that "the good employee of the future is a learning person who's constantly able to overcome his or her own obsolescence because things will change more rapidly. Rather than firing people and getting a new crew in, we may have to figure out how to make do with the talent we've got and make a fetish out of retraining rather than an occasional tragedy" (2016, para. 16). Anyone tasked with overseeing a NPLE service must meet the requirements and be open to learning the style of leadership that will drive performance in the unique NPLE environment. In addition to providing legitimacy in the eyes of the NPLE team members, this also ensures the civilian manager can provide oversight of NPLE personnel when violations of the law occur that are attributable to the member. It behooves the manager to understand the parameters within which NPLE operates and the boundaries

of how the work is to be done in line with appropriate directives provided by the governing bodies, including municipal policies and procedures and provincial guidelines and legislated authorities. The manager will be better equipped to provide proper NPLE service to the public and support the goals of the municipality in a professional manner, as well as to provide effective support for the NPLE and to effectively represent the activities, accomplishments, and methods employed by the NPLE to executive management, municipal council, and to the public at large.

Beyond team dynamics and oversight, the role of community safety is changing due to the expansion of authorities granted to municipalities with respect to law enforcement. Local government education programs provide learning opportunities regarding municipal law surrounding responsible governance, the legalities of zoning, the planning and development of communities, and bylaw creation and enforcement. However, as evidenced in Alberta since the dissolution of the special constable program and its rebirth under the peace officer program, the managers of NPLE are now leading staff whose authorities transcend municipal bylaw, involving further exposure to public safety hazards and increasing the need to understand both provincial and criminal law and the intricacies of the court handling of such investigations. In rural areas, it is atypical to encounter a municipal manager of corporate security, and the default for this responsibility falls on whoever oversees the NPLE. It is vital for municipalities to embrace the need for additional qualifications for any manager who will oversee NPLE, or to provide additional professional development for existing managers.

METHODOLOGY

This study uses a content analysis in order to identify the placement of managers overseeing NPLE in non-metropolitan municipalities. The sample of municipalities was limited to Alberta, as Alberta is a province with robust municipal enforcement and authorizes municipalities to employ peace officers under the Alberta Public Security Peace Officer Program. Further, the sample of 138 municipalities was selected based upon populations of fewer than 100,000. Population information was taken from the Government of Alberta Municipal Affairs Population List (Government of Alberta, n.d.) The 2016 census data was used based upon the 2017 – 2019 census statements that in the event that municipalities did not conduct a recent census, the 2016 federal census data would be included as the current municipal population. It was decided to assess all municipalities in the sample on the census in which all municipal populations were reported as accurate to that time. Sources for information included the Alberta Association of Community Peace Officers, LinkedIn, and individual municipality websites. Information was gathered through a combination of foreknowledge of NPLE employers, the listing of authorized employers of NPLE on the Alberta Association of Community Peace Officers' website, and general internet searches for municipalities with municipal enforcement services. Chief Administrative Officers (CAO) were contacted via e-mail requesting information about the organizational placement of those responsible for overseeing NPLE,

the title of the overseeing manager, and the professional background of the person holding the position. Where available, municipal representatives provided job descriptions for managers overseeing NPLE personnel, which were examined for elements consistent with domain experience. Thirteen job descriptions were provided and analyzed for the presence of NPLE-related requirements, with focus being placed on the job duties, and the experience required. Job descriptions were assessed as having duties consistent with enforcement when there were explicit requirements for bylaw development and duties consistent with managing operations associated with bylaw enforcement/municipal enforcement staff (NPLE). Job descriptions were further assessed as having required experience consistent with enforcement when they explicitly listed past experience in a law enforcement role or previous management of municipal enforcement (NPLE).

ANALYSIS

A total of 138 municipalities were selected for the sample, and e-mails were sent to Chief Administrative Officers. Of the 137 initial contacts made, four respondents stated that their municipalities did not employ NPLE staff, and 92 responses were received indicating the employment of NPLE. An analysis of the respondents ($n = 92$) was conducted. As shown in Figure 1, the respondents' municipality types were classified as a village (1), town (47), city (10), county/municipal district (30), and specialized municipality (4). The populations ranged from 795 to 98,044, based on Government of Alberta census data, using the latest census (Government of Alberta, n.d.). The managerial titles of those responsible for NPLE were varied; however, as shown in Figure 2, the professional backgrounds of the target managers were categorized as Administration (56.5%), Fire (20.6%), Police (9.7%), Police/NPLE (7.6%), NPLE (3.2%), and Unknown (2.1%). The Administration category captured numerous non-enforcement portfolios, such as Chief Administrative Officers, planning and development, recreation and community services, legislative services, and public works. As such, the sample shows that 75% of municipalities'

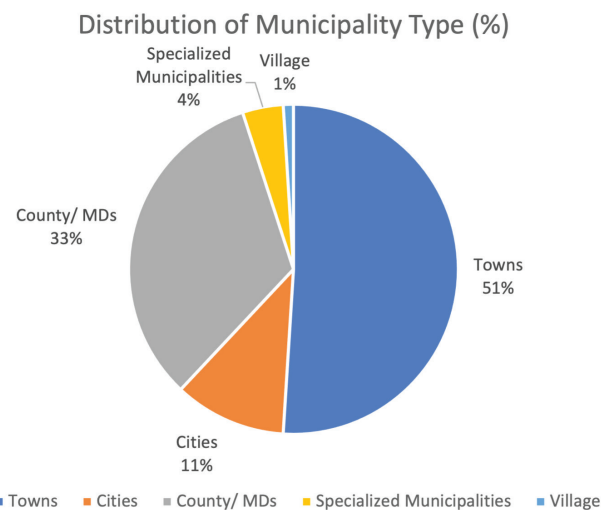


FIGURE 1 Distribution of municipality type. MD = county/municipal district.

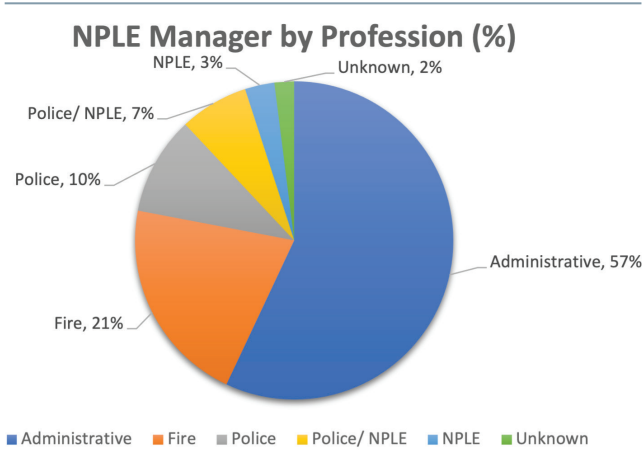


FIGURE 2 NPLE manager by profession. NPLE = non-policing law enforcement.

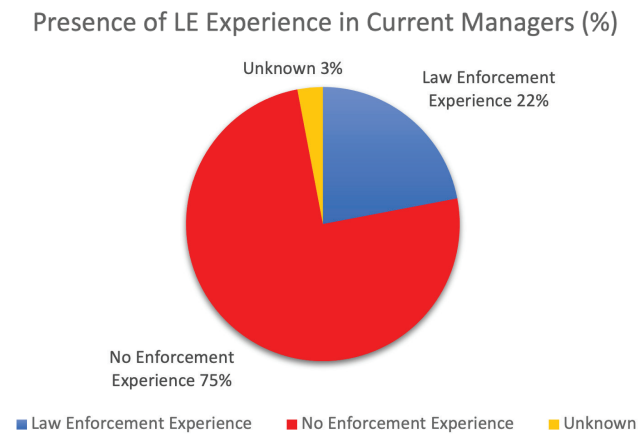


FIGURE 3 Presence of law enforcement experience in current managers.

NPLE staff are overseen by managers with no law enforcement experience as shown in Figure 3. Table I shows that towns are least likely to employ NPLE managers with a law enforcement background at 19%, but all other municipalities are more likely to employ law enforcement professionals in such a role: counties/municipal districts at 27%, cities at 20%, specialized municipalities at 25% and the sole outlier is villages at 0% due to only one village being included in the sample.

Analysis of the job descriptions (*n* = 13) reflected the findings of the analysis of the staffed roles. Of the job descriptions, only nine (69.2%) included bylaw development and oversight

of NPLE staff in the duties and responsibilities requirements, while only four (30.2%) required law enforcement experience/ education/ or previous NPLE supervisory experience.

DISCUSSION

Those municipal managers without direct enforcement experience are equipped with the appropriate general leadership skills necessary for managing, regardless of the profession. However, there are two main areas requiring attention with respect to civilian management of NPLE: specialized knowledge and legitimacy. Managers have a particular skill set, regardless of the technical skill of the team being led. In order to develop and maintain trust, senior leadership calls for certain qualities, typically a mix of education, training, and experiences that are conducive to building faith in the leader. It can be argued that an experienced manager can exercise established business practices and leadership skills in such a manner as to develop the trust and support of their NPLE teams, arriving at a mutually beneficial relationship with the team and fostering the development of the team's expertise, thus enhancing the team's performance (Hataley & Leuprecht, 2019; Cavanaugh, 2017).

However, Lee (2018) discovered that there is a relationship between modern management principles and a growing dependence on the technical skills of workers. This supports the argument that managers can lead NPLE effectively, as long as they embrace the technical skills of the team and apply appropriate leadership principles aligned with contemporary management principles. Lee's research leads him to conclude,

If workers with technical skill create more value to the firm, by contributing to organizational change objectives and ultimately firm performance, firms that implement modern management practices would more likely increase the demand for technical workers relative to the other occupational skill groups. (2018, p. 341)

The second matter in question is the legitimacy of the civilian manager in the eyes of the rank and file. During the 2007 reorganization of the RCMP leadership, Bill Elliott (a civilian) was appointed to the role of RCMP Commissioner. According to Hataley & Leuprecht,

much of the RCMP's membership took exception to a civilian leader with no prior experience in uniform. So visceral was the reaction that several senior members of the RCMP chose to leave the force, rather than serve under Elliott's leadership. (2019, para. 1)

TABLE I Comparison of municipality type and managers with law enforcement (LE) experience

Municipal Type	Total	With LE Experience	%	Without LE Experience	%	Unknown	%
City	10	2	20	7	70	1	10
County/municipal district	30	8	27	22	73	0	0
Specialized municipality	4	1	25	3	75	0	0
Town	47	9	19	36	77	2	4
Village	1	0	0	1	100	0	0

In their research of direct entry to ranking positions to the police service in the United Kingdom, Hoggett et al. (2018) found that, within policing organizations, the individual traits or characteristics of leaders did not overly concern junior officers, nor the style of leadership; the lack of police experience was the main concern. While there are political issues to take into consideration with the exodus of senior leadership, the appointment discussed above illustrates the question of legitimacy of placing a manager in place who lacks the technical skills required of those under such leadership. According to Cavanaugh (2017, p. 22), “Leadership transitions are inevitable and disruptive.” The decision to install a civilian leader can be legitimate when efforts are made by the organization to properly place the suitable person in the role, or alternatively to provide learning opportunities that would provide for the specialized NPLE knowledge. Taylor et al. (2002) found that legitimacy can be created through the credentialing and education of managers. This supports the argument that civilian managers of NPLE can achieve legitimacy if they are selected based upon their ability to learn the role and develop an understanding of, if not the actual, technical skills of those under their management.

Leadership Framework Development

A framework aimed at municipal managers tasked with leading teams of NPLE personnel is in no way a panacea of leadership. More et al. (2012) refer to Herbert Simon’s concept of bounded rationality, that managers do not always make decisions based upon the best option but choose the path of least resistance to arrive at the decision that is deemed sufficient at the time. This can be caused by lack of understanding on the part of a manager not familiar with the intricacies of teams different than those historically managed, organizational isolation, knowledge or lack thereof of the job, as well as social and psychological factors. The impact of bounded rationality is that this can also result in breeding further organizational anomie down the chain. To address bounded rationality, the addition of NPLE domain skill sets into job descriptions and hiring criteria should be considered. This will provide support for municipal executives and create a framework under which to staff the role with a person best equipped to support NPLE personnel. Domain expertise is necessary to maximize success at leading a team from outside of a manager’s professional expertise (Cavanaugh, 2017; Markman, 2017; Hoggett et al. 2018). This study shows the need for the development of a leadership framework for managers tasked with leading NPLE personnel. It is not intended to provide a framework in itself. Such a framework should mirror the cross-functional nature that the role currently reflects and the need for current certifications in local government such as Local Authority Administration (NACLAA) and Certified Local Government Manager (CLGM). Of course, these certifications are not specific to a single province, but due to the commonality of general managers being tasked with overseeing portfolios containing NPLE personnel, it is reasonable to include content in the area of legal studies, beyond the basics of bylaw development, and to expand studies of land use bylaws. Research supports the need for managers entering new leadership roles of a cross-functional nature, such as oversight of NPLE, to address skills gaps in a nonthreatening manner. They will ultimately benefit from an organization that fosters a culture

of professional development (Pynes, 2015; Cavanaugh, 2017; Woo et al. 2020). Cavanaugh calls such an approach to development a “key aspect of best practice talent management” (2017, p. 24). The challenge for municipal government organizations is that hierarchical relationships, which characterize municipal governments, are less effective at cross-functional teams (Woo et al. 2020). There exists the opportunity within these governments to insert more structural tools to ensure appropriate persons are hired who can effectively manage cross-functional portfolios. The Public Policy Forum calls for a framework that involves “a more balanced approach that redefines competencies without overcomplicating recruitment” (2017, p. 19).

The first step in the framework ideally involves the identification of competencies aligned with the leadership of NPLE roles. Standard leadership competencies built into most manager positions are expected to be effectively cross-functional with the standard roles in municipal government. The roles and responsibilities should be clearly outlined in job descriptions that include a demonstrable understanding of the law beyond the structure of municipal law that focuses on and then transcends the structural approach to law, providing for knowledge of the *spirit* of the law in its enforcement. Whether this proposed framework is to be built into the job description or to be delivered during a domain familiarization in-service training session, it is essential that the following topics be considered for inclusion in roles, responsibilities, and qualifications (education and/or experience): use of force, critical incident stress management and mental health, and evidentiary and court requirements for a broad spectrum of offences under both municipal and provincial legislation. Non-policing law enforcement personnel are required to undergo specialized training to ensure that the law is enforced legally, judiciously, and equitably, as well as being done in a manner that complies with the protections granted under the Charter of Rights and Freedoms. As such, those tasked with the management of such professionals must develop an understanding of the nature of legal authority and its limitations for a real life understanding of court processes, codified or otherwise, and the concept of social justice. Any municipal leaders, regardless of the profession, must adhere to standards that ensure the public trust. Clark et al. write that “Trust is not a static concept, as it can erode and at times it can be lost” (2017, p. 103). In the realm of municipal governance, truer words have not been written. A municipality that fails to ensure that its governance can stand up to the standard of equitable application of fairness and necessity and that enforcement personnel are appropriately managed risks a dissolution of the public trust necessary to maintain legitimacy in the eyes of the ratepayers.

Leadership styles must be harmonized during the development of such a framework. Non-policing law enforcement personnel benefits from leadership that tends to share certain characteristics: leadership, foresight, vision, integrity, and decisiveness. Leadership styles can be incongruent between managing administrative professionals and managing enforcement personnel. When managers are tasked with overseeing NPLE in addition to other professionals, it would benefit both NPLE personnel and the incoming manager to synthesize the command-and-control leadership styles and the collaborative styles. Non-policing law enforcement personnel value both the participative

and supportive style, but also the command-and-control style. Regardless of the leadership style used by individual managers, teams are only capable of performing at high effectiveness when being led authentically.

Pontefract provides for evidence that culture drives performance. He writes, “an engaged culture marked by high levels of involvement, consistency, adaptability, and a transparent mission” is correlated with high-level performance (2017, para. 12). When civilian management does not understand the legalities of disclosure, or the justice sought by the courts (the spirit of the law), such lack of understanding can put the reputation of the manager, and thus the future success of prosecutions, in jeopardy. In order to mitigate against such risks, trust in the skills and abilities of municipal managers must be built. Hataley and Leuprecht (2019) confirm that, in order to establish trust, senior leadership must invest in domain knowledge, typically attained through a mix of education, training, and experiences that are conducive to building faith in the leader. This mix of education, training and experiences can be provided by NPLE personnel within the municipality.

Organizations need to trust the expertise of the teams they put in place, including their NPLE teams. Municipalities are also responsible for the overall goals of public safety, and if they are employing NPLE personnel in order to directly accomplish the aspects of these goals for which they are responsible, there must be support for the expertise they bring to the organization. There has to be strategic human resource management and leadership in the executive arena to ensure that teams are supported in their pursuits of these goals. The ability to look beyond the letter of the law to understand the socio-political impact of the operations of NPLE roles and the skills necessary to support NPLE personnel in the pursuit of compliance with community standards of the municipality are important to ensure goals and priorities identified by the municipality are efficiently and effectively addressed. The intricacies of the use of force, privacy versus transparency (especially when it applies to matters that may end up in a courtroom), and the mental health and operational stresses associated with NPLE personnel can be overwhelming for civilian managers. Appropriate career and managerial development can ease struggles that arise from lack of domain experience. The stressors associated with public safety are many and are difficult to understand without previous experience of the work.

An additional competency to include in existing frameworks would be a keen awareness of the mental health crises that can arise in NPLE personnel. Both the organization and the leadership of NPLE play a critical role in the creation and maintenance of a culture that promotes health, both physical and emotional (Papazoglou et al., 2021; McCreary, 2020). McCreary calls for a change in the way organizations are operated with respect to stressor avoidance to “include better management of employee workload, improvements in job control, healthier interpersonal aspects of the workplace (including reducing bad management, bullying, harassment, and more), and improving people’s time to effectively manage aspects of their physical health (e.g., exercise, sleep, diet), among others” (para. 4). These are qualities that can be inculcated into a civilian manager if the person has been selected with the requisite skills and leadership values.

CONCLUSION

There remains a broad need for research with respect to civilian management of public safety personnel, especially within the non-professional services, such as paid on-call/volunteer firefighters, industrial paramedics, peace officers/special constables. The research presented in this study used a small sample, and covered only one province. The research in generalized management and leadership lights the way to refine approaches in human resources and professional development for those being assigned portfolios that include public safety personnel. Further research in this area can contribute positively to and strengthen contemporary public safety for municipal governments through the development of education, both incorporated into established post-secondary programs and as part of in-service training, as well as the selection process for current employers. Considering the growth of non-policing law enforcement services, it is important for today’s local governments to invest in the leadership requirements and development of leaders assigned to oversee such staff members. Whether hiring new managers with either police or NPLE experience or coaching existing managers, the organization will benefit from leadership development specific to those who work towards public safety through the guidance and oversight of NPLE staff.

CONFLICT OF INTEREST DISCLOSURES

The author has no conflicts of interest to declare.

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