

From Language to Action: Modal Verbs as Decision Triggers in Police Policy

Theodore L. Bremer Jr.

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Abstract

Police policy is commonly treated as a descriptive or compliance-oriented instrument, yet its primary operational function is to guide decision-making at the point of action. This paper advances the argument that modal verbs within police directives function as decision-control signals that communicate obligation, discretion, and expectation, thereby structuring officer behavior under operational conditions. Drawing on legal interpretation theory, cognitive load theory, and policing research, this study develops a cross-domain framework demonstrating that modal verbs are not neutral linguistic elements but critical components of policy functionality.

The central hypothesis is that inconsistent or imprecise modal verb usage in police policy language distorts perceived obligation levels, increasing cognitive load and interpretive variability, resulting in inconsistent execution and weakening both supervisory control and legal defensibility. Legal scholarship has long recognized that distinctions between mandatory and permissive language, such as “must” and “may,” carry substantive interpretive consequences (Scalia & Garner, 2012). At the same time, modern drafting authorities emphasize that unclear or inconsistent modality introduces ambiguity that undermines enforceability and comprehension (Office of the Federal Register, 2017). These legal insights are reinforced by cognitive research demonstrating that ambiguity increases working memory demands and shifts decision-making from rapid recognition to slower interpretive processing (Sweller, Ayres, & Kalyuga, 2011; Kahneman, 2011).

Within the policing context, officers operate under conditions of time pressure, uncertainty, and high cognitive demand, relying heavily on heuristic and recognition-based decision-making processes (Klein, 1998; Alpert et al., 2004). Under such conditions, policy language that fails to provide clear decision signals forces interpretive processing, increasing the likelihood of variability in action across similarly situated officers. This variability has direct organizational consequences, reducing consistency in directive application, complicating supervisory evaluation of compliance, and weakening accountability mechanisms. It also has legal implications, as the clarity of policy guidance is central to evaluating institutional liability and the adequacy of training and supervision under established jurisprudence (*Monell v. Department of Social Services*, 1978; *City of Canton v. Harris*, 1989).

This paper synthesizes legal, cognitive, and organizational theory to demonstrate that modal verb usage constitutes a system-level variable in police policy design. It proposes a standardized modal language framework in which specific verbs are consistently mapped to defined levels of obligation and discretion, thereby reducing ambiguity and improving decision reliability. By reframing modal verbs as operational decision triggers rather than stylistic choices, the study establishes a foundation for both policy reform and the development of machine-assisted tools capable of evaluating and generating policy language aligned with human cognitive architecture.

Introduction

I. INTRODUCTION

Police policy occupies a central position in the governance of officer conduct, functioning not merely as documentation of organizational standards but as the primary mechanism through which decision-making is structured and constrained in operational environments. Within contemporary policing scholarship, policy is often evaluated in terms of compliance with legal standards, accreditation requirements, or administrative completeness; however, this emphasis has obscured a more fundamental question concerning how policy language translates into action at the point of decision. Organizational theory has long established that formal rules and procedures serve as instruments for reducing uncertainty and guiding behavior within complex systems (Simon, 1947; March & Simon, 1958). In policing, where officers routinely operate under conditions of time pressure, ambiguity, and risk, the effectiveness of policy depends not on its existence but on its ability to communicate clear, actionable guidance that can be applied consistently across personnel and situations (Lipsky, 1980; Mastrofski, 2004).

Despite the centrality of policy to organizational control, existing literature has largely treated policy language as a neutral vehicle for conveying substantive rules rather than as an independent variable affecting decision-making outcomes. Research on police discretion has focused extensively on situational, attitudinal, and organizational determinants of officer behavior (Worden, 1989; Klinger, 1997), while legal scholarship has emphasized the substantive content of policies in evaluating institutional liability and compliance (Walker, 2005). Parallel work in legal drafting has examined the clarity and interpretability of statutory and regulatory language (Tiersma, 1999; Kimble, 2006), yet these strands of research have not been systematically integrated to examine how specific linguistic features within police policy, particularly modal verbs, shape the perception and execution of directives in practice. As a result, a critical gap persists: the absence of a framework that treats policy language itself, and the signals it conveys, as a determinant of operational consistency and organizational accountability.

This paper addresses that gap by advancing a conceptual shift: modal verbs within police policy language are not merely grammatical devices but function as decision-control signals that communicate levels of obligation, discretion, and expectation at the point of action. In legal interpretation, distinctions between mandatory and permissive language, such as “must” and “may,” carry substantive consequences for how rules are understood and applied (Scalia & Garner, 2012), while modern drafting guidance emphasizes that imprecise modality introduces ambiguity that undermines clarity and enforceability (Office of the Federal Register, 2017). When embedded within police directives, these linguistic distinctions operate as cues that shape how officers interpret what is required, allowed, or preferred in a given situation. Framed in this way, modal verbs constitute a functional interface between written policy and human decision-making, and their consistency or inconsistency directly affects how policy is translated into action.

The central hypothesis guiding this analysis is that inconsistent or imprecise modal verb usage in police policy language distorts perceived obligation levels, increasing cognitive load and interpretive variability, resulting in inconsistent execution and weakening both supervisory control and legal defensibility. This hypothesis reflects an interdisciplinary synthesis in which ambiguity in linguistic signals is understood to impose additional cognitive demands on decision-makers, particularly under conditions of uncertainty and time pressure (Sweller, Ayres, & Kalyuga, 2011; Kahneman, 2011). Within policing, where officers frequently rely on recognition-based decision strategies rather than extended analytical reasoning, the need for clear and stable decision cues is especially pronounced (Klein, 1998; Alpert et al., 2004). When

modal language fails to provide such cues, officers must engage in interpretive processing to determine the strength of obligation associated with a directive, introducing variability not only in understanding but in subsequent action.

This analysis proceeds by situating modal verb usage within a unified framework that integrates legal interpretation, cognitive processing, and organizational control. It begins by examining how legal and drafting authorities define and distinguish expressions of obligation and permission, then develops a cognitive account of how such distinctions are processed under operational conditions. The paper then situates these dynamics within the context of police decision-making and organizational behavior, demonstrating how linguistic ambiguity propagates through the system to produce variability in action. Building on this foundation, it advances a standardized modal framework designed to restore clarity at the point of decision and strengthen both supervisory oversight and legal defensibility.

The implications of this framework extend beyond drafting practice. If modal verbs function as the primary carriers of obligation and discretion, then their standardization becomes a necessary condition for policy reliability rather than a stylistic preference. In this sense, variability in modal usage introduces not merely linguistic inconsistency but systemic instability, as officers confronted with similar situations may derive different conclusions regarding what action is required, permitted, or expected. By treating modal language as a controllable design variable, the analysis repositions policy development as an exercise in engineering decision signals that must remain stable across contexts, personnel, and time.

II. THEORETICAL FRAMEWORK

Legal Interpretation of Modal Language

Police policy does not exist outside the broader legal system, and the meaning of modal verbs is shaped in part by how courts and legal authorities interpret language that conveys obligation and discretion. Within legal interpretation, distinctions between mandatory and permissive terms are treated as substantive rather than stylistic, with words such as “must” and “may” carrying different operative effects depending on context (Scalia & Garner, 2012). Courts have repeatedly emphasized that these distinctions influence how rules are applied, particularly when determining whether an action is required or left to discretion. At the same time, legal scholarship has recognized that the interpretation of modal verbs is not always stable, especially when terms like “shall” are used inconsistently or without clear intent, leading to disputes over whether a provision is mandatory or directory (Tiersma, 1999). This instability underscores the importance of precision in drafting, as ambiguity in modal usage can produce divergent interpretations even within formal legal settings, where interpretive tools are well developed.

Legal drafting authorities have responded to this instability by advocating for greater precision and standardization in the use of modal language, particularly through the preference for “must” to express obligation. The Office of the Federal Register directs drafters to avoid “shall” because it can be interpreted as either mandatory or predictive, instead recommending “must” as the clearest expression of obligation and “may” for permission. This shift reflects a broader movement toward plain language in legal and administrative writing, which seeks to reduce ambiguity and improve interpretability without altering substantive meaning (Kimble, 2006). Importantly, these reforms are not grounded in stylistic preference but in the recognition that imprecise language can undermine the enforceability and application of rules. When applied to police policy, this insight suggests that inconsistent modal usage does not merely affect

readability but alters how directives are understood and executed, thereby introducing variability into systems that depend on consistent interpretation.

This emphasis on precision reflects a broader jurisprudential principle: the effectiveness of any rule depends on the clarity with which it communicates the conditions of obligation and discretion. When modal language fails to establish a stable distinction between what is required and what is permitted, the rule itself becomes susceptible to competing interpretations, even before it is applied in practice. In statutory and administrative contexts, such ambiguity often necessitates judicial interpretation to resolve disputes over meaning; however, in police operations, these interpretive burdens are shifted to officers in real time, without the benefit of deliberative analysis or authoritative clarification. The result is that inconsistencies in modal usage function as latent ambiguities embedded within the policy itself, carrying forward into operational environments where they shape decision-making under conditions far less controlled than those contemplated in formal legal interpretation.

Cognitive Load and Decision-Making Theory

If modal verbs operate as carriers of obligation and discretion, their effectiveness depends on how they are processed by human decision-makers under operational conditions. Cognitive load theory provides the foundational framework for understanding this process by establishing that working memory is limited in capacity and that performance degrades when tasks require the processing of ambiguous or complex information (Sweller, 1988; Sweller, Ayres, & Kalyuga, 2011). Within this framework, a critical distinction emerges between recognition-based processing, in which individuals rapidly identify and respond to familiar cues, and interpretive processing, which requires additional cognitive resources to resolve uncertainty. When policy language clearly signals the level of obligation associated with an action, it allows for rapid categorization and response; however, when modal language is inconsistent or imprecise, officers must engage in interpretive processing to determine what is required, thereby increasing cognitive load at the point of decision.

This distinction aligns with dual-process models of cognition, which differentiate between fast, automatic processing and slower, effortful reasoning (Kahneman, 2011). Under conditions of time pressure and uncertainty, individuals rely primarily on rapid, intuitive processes that depend on clear and stable cues rather than extended analysis. In policing contexts, where decisions must often be made within seconds and under significant stress, the availability of such cues becomes essential for effective performance. Ambiguous modal language disrupts this process by introducing uncertainty into what should otherwise be a straightforward classification task, forcing a shift from rapid recognition to slower interpretive reasoning. This shift not only increases the likelihood of delay but also introduces variability in how different officers interpret the same directive, as each must resolve the ambiguity based on individual judgment rather than shared understanding.

The implications of this shift become clearer when viewed through the lens of recognition-primed decision-making, which explains how experienced practitioners make rapid judgments in complex environments by matching situational cues to learned patterns (Klein, 1998). Under this model, effective decision-making depends on the availability of clear, reliable signals that can be quickly categorized and acted upon without the need for comparative analysis of alternatives. When modal verbs function consistently as indicators of obligation, discretion, or expectation, they provide precisely such signals, allowing officers to map policy language directly onto action. Conversely, when these signals are inconsistent or weakened by vague qualifiers, they fail to trigger established decision patterns, requiring officers to construct meaning in real time.

This introduces both delay and variability, as different individuals may interpret the same ambiguous directive in different ways, undermining the consistency that policy is intended to produce.

Police Decision-Making and Discretion

Police decision-making is inherently discretionary, shaped by situational variables, organizational expectations, and individual judgment. Foundational research has demonstrated that officer behavior cannot be explained solely by formal rules, as decisions are influenced by context, experience, and perceived priorities (Worden, 1989; Klinger, 1997). However, the presence of discretion does not eliminate the role of policy; rather, it defines the conditions under which policy must operate. Directives are intended to structure discretionary space by delineating what actions are required, what actions are permitted, and what actions are preferred under typical conditions. The effectiveness of this structuring depends on the clarity with which these distinctions are communicated, as ambiguity in policy language expands interpretive latitude beyond what is intentionally authorized. In this sense, modal verbs function as the primary mechanism through which discretion is bounded, signaling to officers not only what they can do, but the degree to which they are expected or required to act.

Within operational environments, the exercise of discretion is further shaped by cognitive and situational constraints that limit the feasibility of extended deliberation. Officers routinely encounter rapidly evolving circumstances in which decisions must be made with incomplete information and under time pressure, conditions that favor reliance on simplified decision rules and heuristic processing (Alpert et al., 2004; Mastrofski, 2004). Under such conditions, policy does not function as a text to be interpreted in full but as a set of cues that inform immediate action. When those cues are clear and stable, they can be incorporated into routine decision-making patterns; when they are ambiguous, officers must reconcile competing interpretations in real time, often defaulting to personal judgment or local norms. This dynamic amplifies the impact of modal inconsistency, as even minor variations in perceived obligation can lead to divergent actions across officers facing similar situations.

This dynamic reflects a central tension in policing: the necessity of discretion coexisting with the requirement for organizational consistency. While discretion allows officers to adapt to situational complexity, it also creates the potential for variability that policy is designed to constrain (Lipsky, 1980). The effectiveness of this constraint depends on the clarity with which policy communicates the boundaries of acceptable action. When modal verbs are used inconsistently, they introduce ambiguity into these boundaries, effectively expanding discretionary space beyond what is formally authorized. This expansion is not the result of deliberate policy design but of linguistic imprecision, yet its consequences are operationally significant. Officers interpreting the same directive may reach different conclusions about whether an action is required, permitted, or merely advisable, leading to inconsistent application that undermines both the reliability of policy and the predictability of organizational behavior.

Organizational and Control Systems Theory

Within organizational theory, formal rules and procedures function as mechanisms for reducing uncertainty and coordinating behavior across complex systems (Simon, 1947; March & Simon, 1958). In high-reliability environments, the effectiveness of these mechanisms depends on the clarity and consistency with which directives communicate expected actions, as even minor ambiguities can propagate into significant variability when applied across multiple actors and contexts (Perrow, 1984). Police organizations exhibit many of the characteristics of complex,

decentralized systems in which front-line personnel must translate general rules into specific actions under conditions that cannot be fully anticipated in advance. As a result, policy language must operate not only as a statement of organizational intent but as a functional interface that allows for consistent interpretation and application across distributed decision-makers.

This requirement aligns with sensemaking theory, which emphasizes that individuals construct meaning from organizational cues when navigating ambiguous situations (Weick, 1995). In the absence of clear signals, actors rely on prior experience, local norms, and situational interpretation to determine appropriate action, leading to variability that may diverge from formal policy intent. Within this framework, modal verbs serve as critical sensemaking cues by indicating the strength and nature of expected behavior. When these cues are consistent, they support shared understanding across the organization; when they are inconsistent or imprecise, they introduce ambiguity into the sensemaking process, increasing the likelihood that different individuals will arrive at different interpretations of the same directive. This divergence is not merely theoretical but manifests in operational outcomes, as the meaning constructed from policy language directly informs action.

A similar dynamic is captured in the literature on street-level bureaucracy, which highlights how front-line officials translate formal rules into practice through discretionary judgment under conditions of constraint (Lipsky, 1980). In this context, policy does not operate as a self-executing command structure but as a framework that must be interpreted and enacted by individual officers. The degree to which this enactment aligns with organizational intent depends on the clarity and stability of the signals embedded within the policy. Modal verbs, as the primary indicators of obligation and discretion, therefore play a central role in shaping how policy is operationalized. When these indicators are inconsistent, they introduce variability at the point of interpretation, which is then amplified through practice as officers rely on individualized understandings of what the policy requires, permits, or recommends.

III CONCEPTUAL AND VARIABLE DEFINITION

Modal Verbs as Decision Variables

Modal verbs in police policy must be defined not as grammatical constructs but as **functional variables** within a decision system, each corresponding to a distinct level of obligation that governs action. In conventional linguistic analysis, modal verbs express modality in terms of possibility, necessity, or permission; however, in the context of police directives, these distinctions take on operational significance by determining how officers interpret and execute instructions. The verbs “must,” “may,” and “should” represent three analytically distinct categories that map directly onto mandatory action, discretionary authority, and expected practice, respectively. This mapping is not merely semantic but behavioral, as each category triggers a different form of response at the point of decision. When these mappings are stable and consistently applied, modal verbs function as reliable decision signals; when they are inconsistent, the underlying relationship between language and action is disrupted, producing variability in both interpretation and execution.

The distinction among these modal categories can be formalized along an obligation spectrum that defines the degree of constraint imposed on officer behavior. At one end of this spectrum, “must” denotes a non-discretionary requirement, signaling that an action is mandatory and subject to binary evaluation in terms of compliance. At the opposite end, “may” denotes permissive authority, indicating that an action is authorized but not required, thereby preserving officer discretion within defined boundaries. Positioned between these poles, “should”

establishes a default expectation, signaling that a course of action is preferred under typical conditions but allowing for deviation when justified by circumstances. This tripartite structure provides a stable framework through which policy language can communicate varying levels of obligation in a manner that is both interpretable and enforceable. However, the effectiveness of this framework depends on consistent usage; when modal verbs are applied inconsistently or supplemented with vague qualifiers, the clarity of the obligation spectrum is diminished, and the signals it provides become less reliable.

Key Variables

Perceived obligation level refers to the degree of necessity an officer attributes to a directive based on its linguistic formulation. It is the immediate, action-relevant interpretation of whether a rule requires compliance, permits discretion, or establishes a preferred course of action. Because officers typically encounter policy through brief references, training summaries, or embedded cues within operational guidance, perceived obligation is often formed through rapid categorization rather than extended textual analysis. Modal verbs are central to this process, as they provide the primary signal through which obligation is inferred. When modal usage is consistent, perceived obligation aligns closely with organizational intent; when it is inconsistent or imprecise, officers may misclassify the strength of a directive, treating mandatory actions as optional or interpreting discretionary guidance as required. This misalignment constitutes the first point of distortion in the relationship between policy language and behavior, setting the stage for downstream variability in decision-making and execution.

Cognitive load, as applied in this context, refers to the mental effort required to interpret and apply policy language at the point of decision. Under cognitive load theory, tasks that require additional processing beyond recognition impose greater demands on working memory, reducing efficiency and increasing the likelihood of error (Sweller, Ayres, & Kalyuga, 2011). In policing environments, where decisions are often made under time pressure and with incomplete information, even small increases in cognitive demand can have measurable effects on performance. When modal verbs clearly signal the level of obligation associated with a directive, they allow officers to categorize the rule quickly and act accordingly. By contrast, when modal usage is inconsistent or combined with vague qualifiers, officers must allocate cognitive resources to interpreting the intended meaning of the directive, shifting from rapid recognition to slower, effortful processing. This shift not only delays decision-making but also introduces variability, as different individuals may resolve the ambiguity in different ways based on experience or situational perception.

Interpretive variability refers to the degree to which different officers derive different meanings from the same policy language, particularly with respect to the level of obligation associated with a directive. This variability emerges when linguistic signals fail to provide a stable and shared understanding of whether an action is required, permitted, or expected. In organizational settings, variability in interpretation is often a precursor to variability in behavior, as individuals act based on their understanding of the rule rather than the rule itself (Weick, 1995). Within policing, where officers operate with a high degree of autonomy, even minor differences in interpretation can produce significant divergence in action across similar situations. Modal inconsistency amplifies this effect by weakening the reliability of the signals that officers use to categorize directives, increasing the likelihood that different individuals will construct different meanings from identical language.

Execution consistency refers to the degree to which officers apply directives in a uniform manner across comparable situations, producing stable and predictable organizational

outcomes. It is the behavioral manifestation of aligned interpretation, where shared understanding of policy language results in similar actions by different personnel under similar conditions. Organizational theory emphasizes that consistency in execution is a prerequisite for reliable system performance, particularly in environments where coordination and predictability are essential (March & Simon, 1958; Perrow, 1984). When modal verbs clearly and consistently signal the level of obligation associated with a directive, they support this alignment by enabling officers to map language directly to action. However, when modal usage is inconsistent or ambiguous, the pathway from interpretation to execution becomes unstable, increasing the likelihood that officers will act differently despite being governed by the same policy. This divergence undermines the capacity of the organization to produce consistent outcomes and erodes the functional reliability of policy as a control mechanism.

Supervisory control refers to the capacity of organizational leadership to evaluate officer behavior against established policy standards in a consistent and objective manner. Effective supervision depends on the existence of clear, stable criteria against which actions can be assessed, allowing supervisors to determine whether conduct aligns with required, permitted, or expected practices. When modal verbs are used consistently to signal levels of obligation, they provide these criteria by establishing unambiguous thresholds for compliance. Under such conditions, supervisory evaluation can operate as a structured comparison between observed behavior and defined expectations. However, when modal language is inconsistent or imprecise, these thresholds become unclear, complicating the process of determining whether an officer's actions constitute compliance, acceptable deviation, or violation. This ambiguity introduces subjectivity into supervisory review, reducing the reliability of internal accountability mechanisms and weakening the organization's ability to enforce standards consistently across personnel.

Legal defensibility refers to the extent to which a police directive can be relied upon to demonstrate that the department has established clear, comprehensible, and enforceable standards of conduct. In litigation and administrative review, the adequacy of policy is often evaluated in terms of whether it provides sufficient guidance to govern officer behavior and to support claims of proper training and supervision (Walker, 2005). When modal verbs clearly and consistently distinguish between mandatory duties, discretionary authority, and expected practices, they contribute to this clarity by defining the contours of acceptable action in a manner that can be articulated and defended. Conversely, when modal usage is inconsistent or ambiguous, the directive may fail to establish a stable standard against which conduct can be measured, increasing the likelihood that it will be viewed as vague or inadequately instructive. This vulnerability is particularly significant in the context of institutional liability, where the ability to demonstrate clear policy guidance is central to assessing whether the organization has met its obligations in training, supervision, and operational control (*Monell v. Department of Social Services*, 1978; *City of Canton v. Harris*, 1989).

IV. ANALYTICAL FRAMEWORK

Modal Verbs as Decision Triggers

The analytical framework developed in this paper treats modal verbs as deterministic decision triggers that translate policy language into action by signaling the level of obligation associated with a directive. Under this model, each modal category corresponds to a distinct behavioral response pattern: "must" signals mandatory action requiring immediate compliance, "may" signals discretionary authority requiring situational evaluation, and "should" signals a default course of action that may be overridden with justification. This mapping transforms modal verbs

from linguistic descriptors into operational mechanisms that structure how officers move from reading policy to executing decisions. The effectiveness of this system depends on the stability of the mapping between language and response; when modal usage is consistent, officers can rapidly classify directives and act accordingly without additional interpretation. When it is inconsistent, the reliability of these triggers is compromised, requiring officers to reconstruct the intended level of obligation in real time, thereby increasing cognitive load and introducing variability into the decision process.

The decision-trigger model can be understood as a structured sequence in which language serves as the initiating stimulus for action. Upon encountering a directive, the officer first identifies the modal verb, which functions as a categorical signal indicating the level of obligation. This signal is then mapped to a corresponding response pattern, execution, evaluation, or default action, before being translated into behavior within the operational context. When modal usage is stable, this sequence proceeds rapidly and with minimal cognitive effort, as the mapping between signal and response has been internalized through training and experience. However, when modal verbs are used inconsistently or are combined with qualifiers that obscure their meaning, the sequence is disrupted at the point of signal recognition, forcing the officer to engage in interpretive processing to determine the intended level of obligation. This disruption introduces delay and variability, as different individuals may resolve the ambiguity in different ways, thereby weakening the consistency of policy application.

Cognitive Processing Model

The cognitive processing model extends the decision-trigger framework by specifying how modal signals are translated into action under conditions of limited cognitive capacity. Drawing on cognitive load theory and dual-process models of reasoning, the model distinguishes between **recognition-based processing**, in which individuals rapidly categorize stimuli using learned patterns, and **interpretive processing**, in which individuals must actively analyze and resolve ambiguity (Sweller, Ayres, & Kalyuga, 2011; Kahneman, 2011). In the context of police policy, consistent modal usage enables recognition-based processing by providing stable cues that can be immediately mapped to corresponding action categories. In contrast, inconsistent or imprecise modal language disrupts this mapping, forcing officers to shift into interpretive processing to determine the intended level of obligation. This shift imposes additional cognitive demands at precisely the moment when cognitive resources are already constrained, increasing the likelihood of delay, error, and divergence in decision-making across individuals.

This distinction can be further specified by examining how modal ambiguity alters the allocation of cognitive resources during decision-making. Under recognition-based processing, the identification of a modal signal and its associated response occurs as a single, integrated step, allowing the officer to proceed directly to action with minimal deliberation. However, when modal language is inconsistent or qualified by vague conditions, this integration is disrupted, and the decision process is decomposed into multiple steps requiring additional evaluation. Officers must first interpret the intended strength of the directive, then assess how that interpretation applies to the current situation, and finally determine an appropriate course of action. Each of these steps consumes cognitive resources and introduces opportunities for divergence, particularly when officers draw on different experiences or assumptions to resolve ambiguity. As a result, modal inconsistency not only increases cognitive load but also alters the structure of the decision process itself, shifting it from rapid categorization to contingent reasoning that is inherently more variable.

Breakdown Mechanism

The breakdown mechanism explains how inconsistencies in modal verb usage propagate through the decision system to produce variability in action. This mechanism begins at the point of linguistic input, where modal verbs are expected to function as stable signals of obligation. When these signals are clear and consistently applied, they enable a direct mapping from language to behavior, supporting uniform interpretation across officers. However, when modal verbs are used inconsistently, either through substitution, mixing of categories, or the addition of vague qualifiers, the signal becomes degraded, introducing uncertainty into the interpretation of the directive. This degradation represents the initial point of failure, as it prevents officers from reliably categorizing the directive according to its intended level of obligation. Once this categorization is compromised, the effects extend through subsequent stages of the decision process, affecting both cognition and action.

This initial signal degradation produces a cascading effect that reshapes the decision pathway from a stable, recognition-based sequence into a variable, interpretive process. When officers cannot rely on modal verbs to clearly indicate whether an action is required, permitted, or expected, they must reconstruct the intended meaning of the directive using contextual cues, prior experience, and situational judgment. This reconstruction is inherently uncertain and may differ across individuals, particularly in environments where time constraints limit the opportunity for deliberate analysis. As a result, the same directive may yield multiple interpretations, each of which appears reasonable to the officer applying it. This divergence is not a failure of individual judgment but a consequence of weakened decision signals, demonstrating how linguistic imprecision at the policy level translates into variability at the operational level.

The final stage of the breakdown mechanism occurs at the point of execution and subsequent review, where the variability introduced during interpretation manifests as inconsistent behavior across officers and complicates efforts at supervisory evaluation. Once different interpretations of a directive have been formed, they are translated into action, producing observable differences in how similar situations are handled. These differences, in turn, undermine the ability of supervisors to assess compliance, as the ambiguity in the underlying policy makes it difficult to determine whether a given action aligns with organizational expectations. Over time, this dynamic can lead to the normalization of divergent practices, as officers and supervisors adapt to the variability introduced by unclear policy language. In this way, modal inconsistency does not merely affect individual decisions but reshapes the operational environment, weakening the directive's capacity to function as a coherent and enforceable control system.

V. CORE ANALYSIS

Modal Inconsistency as Signal Failure

The analysis begins from the premise that modal verbs are intended to function as stable indicators of obligation within policy language, and that their effectiveness depends on the reliability of the signals they convey. When a directive employs modal verbs consistently, each instance reinforces a shared understanding of how obligation is expressed, allowing officers to interpret similar constructions in the same way across contexts. However, when modal usage varies without a corresponding change in intended obligation, such as alternating between "shall," "must," and "should" to describe similar requirements, the signal becomes unstable. This instability forces officers to infer meaning rather than recognize it, introducing uncertainty into the interpretation of directives that are intended to be clear and actionable. From an analytical perspective, this constitutes a form of signal failure, in which the communication system embedded within policy language no longer produces consistent outputs from identical inputs.

This failure is amplified when modal verbs are combined with qualifiers that obscure or contradict the level of obligation they are intended to convey. Phrases such as “when feasible,” “as appropriate,” or “if possible” frequently appear alongside otherwise mandatory constructions, creating internal tension within the directive itself. For example, a statement that appears to impose a requirement may be simultaneously weakened by language that introduces conditional discretion, leaving officers uncertain as to whether compliance is expected in all cases or only under certain circumstances. This internal inconsistency disrupts the integrity of the signal by embedding multiple, competing interpretations within a single sentence, thereby undermining the directive’s ability to communicate a clear standard of action. Rather than clarifying expectations, such constructions shift the burden of interpretation onto the officer, increasing variability in how the directive is applied in practice.

This pattern of signal degradation also manifests in the substitution of modal verbs that convey different levels of obligation without a corresponding change in policy intent. When terms such as “may,” “should,” and “must” are used interchangeably to describe similar actions, the distinction between mandatory and discretionary behavior becomes blurred, weakening the categorical boundaries that structure decision-making. In such cases, officers may interpret optional guidance as mandatory or treat required actions as discretionary, depending on how the language is perceived in context. This inconsistency is particularly problematic because it does not arise from an explicit policy decision to alter levels of obligation but from linguistic variability that introduces unintended ambiguity. As a result, the directive ceases to function as a stable decision system, and instead becomes a source of interpretive variability that undermines both operational consistency and organizational control.

Cognitive Consequences

The signal failures produced by modal inconsistency have direct cognitive consequences at the point of decision, where officers must translate policy language into action under conditions of constraint. As established in the theoretical framework, consistent modal usage supports recognition-based processing by providing stable cues that can be rapidly categorized and acted upon. When these cues are degraded, the cognitive process is altered: officers can no longer rely on immediate classification and must instead engage in interpretive reasoning to determine the intended level of obligation. This shift increases cognitive load by requiring additional processing steps at a moment when cognitive resources are already limited, particularly in dynamic or high-risk situations. The result is not merely slower decision-making but a qualitative change in how decisions are made, as the clarity of the directive is replaced by a need to resolve uncertainty through individual judgment.

This increase in cognitive load has measurable effects on decision performance, particularly in environments characterized by time pressure and incomplete information. When officers must allocate cognitive resources to interpreting policy language, those resources are no longer available for assessing situational variables, evaluating risks, or coordinating responses. Cognitive load theory predicts that such resource competition reduces overall task efficiency and increases the likelihood of error, especially when multiple demands are present simultaneously (Sweller, Ayres, & Kalyuga, 2011). In practical terms, this means that ambiguity in modal language does not remain confined to the domain of interpretation but extends into the quality of operational decision-making itself. Officers operating under increased cognitive load may delay action, overlook critical information, or adopt simplified heuristics that vary across individuals, further contributing to inconsistency in how directives are applied.

This effect is compounded by the variability inherent in interpretive processing, as officers rely on individualized frameworks to resolve ambiguity when clear signals are absent. Under such conditions, cognitive load does not increase uniformly but interacts with prior experience, training, and situational perception to produce divergent interpretations of the same directive. Some officers may resolve uncertainty conservatively by treating ambiguous guidance as mandatory, while others may default toward discretion, particularly in contexts where competing demands are present. This divergence reflects the absence of a shared cognitive anchor, which consistent modal usage would otherwise provide. As a result, the combination of increased cognitive load and individualized interpretation produces not only slower decisions but also systematically different decisions across personnel, reinforcing the link between linguistic inconsistency and operational variability.

Operational Consequences

The cognitive effects of modal inconsistency manifest directly in operational outcomes, where variability in interpretation translates into variability in action. When officers derive different understandings of the same directive, they apply that directive differently in practice, producing divergent responses to similar situations. This divergence is not random but structured by the underlying ambiguity in the policy language, as officers rely on their individual interpretations of what is required, permitted, or expected. In environments where consistency is essential for coordination, predictability, and fairness, such variability undermines the reliability of policy as a governing mechanism. The directive no longer produces a uniform pattern of behavior but instead generates a range of acceptable actions, each grounded in a different interpretation of the same rule.

This variability also disrupts coordination across units and shifts, where consistent interpretation of policy is necessary for coherent collective action. In multi-officer or multi-unit responses, differences in perceived obligation can lead to misaligned actions, as some officers may treat a directive as mandatory while others approach it as discretionary. Such misalignment increases the likelihood of fragmented responses, delays in execution, and conflicts in tactical approach, particularly in situations requiring rapid coordination. Over time, these inconsistencies can become embedded within local practices, as officers adapt to the variability by relying on informal norms rather than formal policy language. This shift from formal guidance to informal standardization represents a degradation of policy authority, as the directive's role as a unifying framework is supplanted by decentralized interpretations that vary across personnel and context.

The cumulative effect of these dynamics is a reduction in the predictability of organizational outcomes, as similar inputs no longer produce similar responses. Predictability is a foundational requirement for effective policy systems, enabling both internal coordination and external accountability. When modal inconsistency disrupts the relationship between directive language and officer behavior, it weakens the organization's ability to anticipate how policies will be applied in practice. This unpredictability has implications not only for operational effectiveness but also for public trust, as inconsistent application of policy can be perceived as arbitrary or unfair. In this way, the operational consequences of modal inconsistency extend beyond individual decisions to affect the broader performance and legitimacy of the organization.

Supervisory Consequences

The operational variability produced by modal inconsistency directly constrains the effectiveness of supervisory oversight by undermining the clarity of the standards against which officer

conduct is evaluated. Supervisory control depends on the ability to compare observed behavior to clearly defined expectations, determining whether an officer has complied with, deviated from, or violated a directive. When modal verbs consistently signal levels of obligation, this comparison can be conducted with relative precision, as the threshold for compliance is explicitly embedded in the language of the policy. However, when modal usage is inconsistent or ambiguous, these thresholds become uncertain, forcing supervisors to interpret both the directive and the officer's actions in tandem. This dual interpretation introduces subjectivity into the evaluation process, reducing the reliability of supervisory judgments and increasing the likelihood of inconsistent outcomes across similar cases.

This ambiguity also complicates the documentation and justification of supervisory decisions, particularly in contexts where discipline, corrective action, or performance evaluation is required. When policy language does not clearly establish whether a behavior was required or discretionary, supervisors must rely on interpretive reasoning to explain why a given action constitutes compliance or deviation. Such reasoning may vary across supervisors, leading to inconsistencies not only in outcomes but in the rationale used to support those outcomes. Over time, this variability can erode confidence in supervisory processes, as officers perceive enforcement as contingent on individual interpretation rather than stable organizational standards. The result is a weakening of accountability structures, as both supervisors and officers operate within a framework where expectations are not consistently defined or applied.

The consequences extend beyond individual supervisory actions to the integrity of the organization's accountability system as a whole. When modal ambiguity prevents the establishment of clear compliance thresholds, it becomes difficult to maintain consistent disciplinary practices, as similar conduct may be evaluated differently depending on how the underlying directive is interpreted. This inconsistency undermines the principle of uniform enforcement, which is essential for both internal fairness and external legitimacy. Moreover, it limits the organization's ability to identify patterns of noncompliance, as variability in interpretation obscures whether deviations reflect individual misconduct or ambiguity in the policy itself. In this way, modal inconsistency not only complicates individual supervisory decisions but also weakens the systemic capacity to monitor, evaluate, and correct behavior across the organization.

Legal Consequences

The effects of modal inconsistency extend into the legal domain, where the clarity of policy language is central to evaluating institutional responsibility and the adequacy of guidance provided to officers. In litigation and administrative review, courts and oversight bodies examine whether a department has established clear, comprehensible standards capable of governing officer conduct and supporting claims of proper training and supervision (Walker, 2005). When modal verbs are used consistently to distinguish between mandatory duties, discretionary authority, and expected practices, they contribute to the articulation of such standards by defining the conditions under which specific actions are required or permitted. This clarity enables the organization to demonstrate that it has provided meaningful guidance to its personnel and established enforceable expectations for conduct.

Conversely, when modal usage is inconsistent or qualified by vague language, the directive may fail to establish a stable standard against which conduct can be evaluated, increasing vulnerability in both litigation and administrative review. Courts assessing institutional liability often examine whether policies provide sufficiently clear guidance to prevent constitutional violations and to support adequate training and supervision, particularly under doctrines

associated with *Monell v. Department of Social Services* and its progeny. Where policy language blurs the distinction between required and discretionary actions, it becomes more difficult for an organization to demonstrate that officers were provided with clear instructions or that deviations from policy can be meaningfully identified. This ambiguity can weaken arguments that misconduct resulted from individual failure rather than deficiencies in policy design, thereby increasing exposure to claims that the organization failed to establish or communicate adequate standards of conduct.

This vulnerability is reinforced in the context of failure-to-train and failure-to-supervise claims, where the adequacy of policy guidance is evaluated in conjunction with the department's training and oversight practices. Under standards articulated in *City of Canton v. Harris* and later refined in *Connick v. Thompson*, liability may arise when deficiencies in training or policy reflect deliberate indifference to constitutional rights. Ambiguous modal language complicates this analysis by obscuring whether officers were provided with clear directives regarding required conduct, making it more difficult to demonstrate that the department established and communicated adequate standards. In this way, modal inconsistency does not merely introduce interpretive variability at the operational level but also weakens the legal position of the organization by undermining the clarity and enforceability of its own policies.

VI. SYNTHESIS

The preceding analysis demonstrates that modal verb usage operates as a system-level variable linking legal interpretation, cognitive processing, and organizational control within police policy. Across these domains, a consistent pattern emerges: the clarity of obligation signals embedded in language determines how directives are interpreted, how decisions are made, and how actions are evaluated. Legal scholarship establishes that distinctions between mandatory and permissive language carry substantive consequences for interpretation and enforceability; cognitive research demonstrates that ambiguity increases processing demands and shifts decision-making from recognition to interpretation; and organizational theory shows that unclear rules produce variability in behavior across distributed actors. When these insights are integrated, modal verbs can be understood as the primary mechanism through which policy communicates actionable expectations, with their consistency or inconsistency shaping outcomes at every stage of the decision process.

This integration supports a unified explanatory model in which modal verbs function as **decision triggers within a linguistic control system**, and inconsistency in their use produces a cascading series of effects that degrade policy performance. At the point of language, inconsistent modality distorts perceived obligation levels, weakening the reliability of the signal communicated to the officer. This distortion increases cognitive load by requiring interpretive processing, which in turn produces variability in how directives are understood and applied. That variability manifests operationally as inconsistent execution across officers and contexts, undermining coordination and predictability. It further propagates into supervisory processes, where ambiguity complicates the evaluation of compliance, and into legal contexts, where unclear standards weaken the organization's ability to demonstrate adequate guidance and control. In this model, modal inconsistency is not an isolated drafting issue but a systemic failure mechanism that links linguistic imprecision to organizational and legal outcomes.

VII. IMPLICATIONS

Policy Design

The analysis establishes that modal verb usage is not a peripheral drafting concern but a central determinant of policy functionality, requiring a deliberate and standardized approach to language design. If modal verbs operate as decision triggers that structure how officers interpret and act upon directives, then their consistent application becomes a necessary condition for reliable policy performance. This implication shifts the focus of policy development from the accumulation of substantive content to the engineering of clear and stable decision signals, ensuring that each directive communicates obligation, discretion, and expectation in a manner that can be consistently recognized and applied. Under this framework, the adoption of a standardized modal protocol, where specific verbs are exclusively associated with defined levels of obligation, serves as a corrective mechanism that reduces ambiguity at the point of interpretation and strengthens the alignment between organizational intent and operational execution.

Training and Implementation

The adoption of a standardized modal framework has direct implications for training, as it allows policy interpretation to be taught as a structured system of decision signals rather than as a matter of contextual reading. When modal verbs are consistently mapped to defined levels of obligation, officers can be trained to recognize these signals and associate them with specific response patterns, reducing the need for interpretive reasoning under operational conditions. This approach aligns with recognition-based models of decision making, in which repeated exposure to stable cues enables rapid categorization and action (Klein, 1998). By contrast, inconsistent modal usage prevents the formation of such patterns, forcing officers to rely on individualized interpretation that varies across personnel and situations. Standardization therefore enhances not only comprehension but the development of shared cognitive frameworks through which policy is understood and applied.

Supervisory Systems

Standardization of modal language also has significant implications for supervisory systems by restoring clarity to the criteria used to evaluate officer conduct. When modal verbs consistently signal levels of obligation, supervisors can assess actions against clearly defined thresholds, distinguishing between required behavior, permissible discretion, and expected practice without resorting to interpretive judgment. This clarity supports more consistent documentation, as supervisors can articulate the basis for their evaluations in terms of explicit policy standards rather than inferred intent. It also improves comparability across cases, allowing similar conduct to be evaluated using the same criteria regardless of the supervisor or context. In the absence of such standardization, supervisory review remains contingent on individual interpretation of ambiguous language, increasing the likelihood of inconsistent outcomes and undermining the reliability of accountability mechanisms. By aligning modal usage with defined evaluative categories, policy language can function as a stable reference point for both oversight and enforcement.

Technology and AI

The standardization of modal language creates a foundation for the development of computational tools capable of evaluating and generating policy language with a high degree of consistency. Because modal verbs can be mapped to defined levels of obligation, they provide a structured set of features that can be identified, classified, and assessed through automated analysis. This enables the design of systems that can review existing policies for inconsistencies in modal usage, flag ambiguous constructions, and recommend revisions

aligned with a standardized framework. Unlike general grammar checking, such systems operate at the level of decision logic, evaluating whether language accurately conveys the intended level of obligation and supports consistent interpretation. In addition to auditing, the same framework can guide the generation of new policy language by constraining the use of modal verbs according to predefined rules, ensuring that directives produced through automated or assisted drafting adhere to the same standards of clarity and consistency. In this way, modal standardization not only improves human interpretation but also enables machine-assisted policy design and evaluation, extending the impact of the framework beyond traditional drafting practices.

VIII. LIMITATIONS

The analysis presented in this paper is subject to several limitations that define the scope of its conclusions and identify areas for further research. First, the focus on modal verbs as decision variables necessarily isolates one dimension of policy language while holding others constant, including sentence structure, terminology, and overall document organization. Although modal usage plays a central role in signaling obligation and discretion, it operates within a broader linguistic system, and variability in other aspects of policy design may interact with or amplify the effects identified in this study. As a result, the findings should be understood as addressing a critical but partial component of policy functionality rather than a comprehensive account of all factors influencing directive interpretation and execution.

A second limitation concerns the absence of direct empirical measurement linking modal inconsistency to observed variations in officer behavior. The analysis relies on well-established theoretical frameworks from legal interpretation, cognitive science, and organizational theory to construct a causal model, but it does not include field-based data demonstrating the magnitude of these effects in practice. While the mechanisms identified are strongly supported by interdisciplinary literature, the extent to which modal standardization improves execution consistency, supervisory outcomes, or legal defensibility remains an empirical question. Future research should incorporate experimental and observational methods to test these relationships in operational settings, examining how variations in policy language influence decision-making under realistic conditions and across different organizational contexts.

A third limitation arises from variability across jurisdictions, agencies, and legal environments, which may affect both the interpretation and application of policy language. Police organizations operate under differing statutory frameworks, judicial precedents, and administrative requirements, all of which influence how directives are drafted and enforced. While the analytical framework developed in this paper is designed to be broadly applicable, the specific implications of modal standardization may vary depending on local legal standards and organizational practices. Additionally, existing policy systems often contain legacy language and embedded inconsistencies that may complicate the implementation of a standardized approach. As a result, the transition from conceptual model to applied reform may require adaptation to agency-specific conditions, including legal review, training adjustments, and phased integration within existing policy structures.

IX. CONCLUSION

This paper has argued that modal verb usage in police policy language constitutes a fundamental component of organizational control, operating as a system of decision signals that shape how directives are interpreted and executed. By integrating legal interpretation, cognitive theory, and organizational analysis, the study demonstrates that modal verbs are not neutral

linguistic elements but functional variables that determine how obligation, discretion, and expectation are communicated at the point of action. The central hypothesis has been supported through a structured analysis showing that inconsistent or imprecise modal usage distorts perceived obligation levels, increases cognitive load, and produces interpretive variability, resulting in inconsistent execution and weakened supervisory control and legal defensibility.

The analysis further demonstrates that these effects are not isolated to individual decision points but propagate across the organizational system, affecting coordination, accountability, and the capacity to defend policy in legal contexts. When modal verbs are used inconsistently, they introduce ambiguity that disrupts recognition-based decision-making, expands discretionary space beyond intended boundaries, and complicates the evaluation of compliance. These dynamics weaken the reliability of policy as a control mechanism, as similar directives no longer produce consistent interpretations or outcomes across personnel and situations. In contrast, the standardization of modal language restores the stability of decision signals, enabling clearer mapping from policy to action and supporting more consistent application of directives in practice.

Ultimately, the findings support a reconceptualization of policy design as the construction of a decision system in which language must be engineered to align with human cognitive processes and organizational requirements. Within this framework, the standardization of modal verbs emerges as a necessary condition for ensuring that directives communicate clear, actionable expectations that can be consistently interpreted, applied, and enforced. By treating modal language as a controllable design variable rather than a matter of stylistic preference, police organizations can improve the reliability of policy implementation, strengthen supervisory oversight, and enhance their ability to demonstrate clear and defensible standards of conduct. This shift not only addresses the specific problem of modal inconsistency but also establishes a broader foundation for integrating linguistic precision into the design of effective and accountable policy systems.

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