Operational Assessment of the Wichita Police Department

An Independent Review

FINAL REPORT

March 10, 2023

Confidential – Prepared for Use by Counsel

JENSEN HUGHES

March 10, 2023

Donte Martin
Assistant City Manager
City of Wichita
455 N. Main, 13th Floor
Wichita, Kansas 67202

Dear Mr. Martin:

Please find attached the final report detailing the results of Jensen Hughes's independent assessment of the Wichita Police Department.

This report provides a detailed assessment of the seven key areas we were asked to review, including 1) Management and Organization, 2) Promotional Processes, 3) Organizational Culture, 4) Code of Conduct, 5) Internal Affairs and Discipline, 6) Best Practices for Citizen Review Boards, and 7) Relationships Between the WPD, Human Resources and Law Department Regarding Disciplinary Actions.

Based upon our assessment review and analyses, the report then provides a series of Findings and Recommendations for each of these assessment areas.

We place enormous value on the trust that you have extended to us in this matter and look forward to supporting your requirements in the future.

Sincerely,
Jensen Hughes

Robert Davis
Global Service Line Leader
Security Risk Consulting

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Executive Summary

Strategic Context: The Need to Conduct this Assessment

Pursuant to an investigation in 2021, the Sedgwick County Sheriff's Department discovered text messages with offensive language regarding race and discriminatory images that had been exchanged between a county sheriff's deputy and Wichita Police Department (WPD) officers who were assigned to the department's Special Weapons and Tactics Team (SWAT). Most of the messages occurred between 2018 and 2021. The Sheriff's Department informed WPD, which then began its internal investigation to determine if those messages violated WPD policy. The WPD's investigation resulted in sustained charges in late 2021 against some of the involved employees, with one case resulting in a written reprimand and other cases resulting in non-disciplinary education, coaching and mentoring.

As part of its oversight process, the Wichita Citizen's Review Board (CRB) reviewed the case and the discipline imposed involving 12 WPD officers. The CRB, which does not have the authority to change discipline, found the conduct of the involved officers violated WPD policy, specifically Conduct Unbecoming Of An Officer, and that accountability warranted more significant sanctions than had been imposed by the police department. The CRB and others expressed concern that the original investigation of the incident and the sustained charges against the individuals involved resulted in a non-disciplinary resolution of education, coaching and mentoring.

The CRB also provided several recommendations for the department, including recommendations to identify more clearly unacceptable conduct within written policy; train officers on what is expected of a WPD officer; continue an ongoing dialogue on racial bias, use of force and related training; engage in efforts to build "public confidence," including a focus on internal training; develop training protocols to address officer affiliation or support for groups that advocate or are aligned with activities and beliefs inconsistent with the public service obligation of WPD officers; evaluate ways to expedite reviews of officer misconduct; review WPD's training on Brady/Giglio issues[1]; and review the disciplinary process, especially related to the Fraternal Order of Police's (FOP) involvement in or influence over that process.

In Brady v. Maryland, the United States Supreme Court held that prosecutors must provide exculpatory information to defense counsel, and in Giglio v. United States, it extended the holding to include information suggesting a witness may not be credible. Many law enforcement agencies and district attorneys' offices have created Brady lists – lists of officers whose disciplinary or testimonial history must be disclosed if they are called to testify.

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1 https://www.nacole.org/understanding_brady_and_giglio

As a result of the information disclosed by the CRB, the City Manager's Office convened a separate committee[2] to review the investigation conducted by the WPD and the report of the CRB, concluding that the incident warranted the imposition of higher levels of discipline for some of the officers involved in the incidents and other recommendations noted above.

The release of the CRB report, the news coverage and the follow-up actions by the city exposed some internal strife within the WPD and Wichita's city management. Various accusations and concerns surfaced about inappropriate interference in police matters by some city departments, including accusations about improper influence of the Fraternal Order of Police.

The police chief at the time of the incidents left the department early in 2022. His departure was followed by the appointment of two interim police chiefs before the city completed its police chief search and hired a new police chief in late November 2022, after this assessment had started.

The context of the investigation and subsequent reviews of the texting scandal, including the imposition of higher discipline, plus the follow-up accusations between the WPD and various city entities led to the City of Wichita to seek an independent third-party review of the department and its relationship with city management.

Assignment: What you Asked Us to Do

We were asked to conduct a cultural and operational assessment of the WPD and provide a written assessment report containing observations, findings and recommendations for policy, procedure and structural changes to the police department to ensure it is using best practices and sound policies in all phases of its work.

In alignment with the Scope of Work in the Request for Proposals, this assessment focused on the following key areas:

+   A thorough evaluation of current WPD culture, including the breadth and depth of any biased attitudes that might exist within the department.

+   Creation of a Code of Conduct on the standards of conduct that reflect favorably on WPD employees and the department, including duty to intervene and to report violations of WPD's standards of conduct.

+   Establishment of personnel policies and training that defines the extent and scope of accountability for off-duty officer conduct, particularly conduct that jeopardizes the public's trust and confidence in the Department, including but not limited to social media and private messaging policies.

+   Establishment of a public confidence program that focuses on building trust through dignity and respect.

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2 Committee members included the Assistant City Manager, City Attorney, Human Resources Manager, Deputy City Attorney, Assistant City Attorney, Chair CRB, Senior Human Resources Specialist and a member of outside counsel.

+ Development of policies that address police officer affiliation with groups that support racial bias, discrimination, hate speech and other activities contrary to the rule of law and the public service obligation of the officer.

+ Identification of best practices to enhance the effectiveness of the Citizen Review Board.

+ Identification of behaviors and practices that would create possible Brady/Giglio issues for police officers, with appropriate training developed on this topic.

+ A review of WPD's internal police discipline policies and recommendations for appropriate changes, which also addresses the FOP's involvement in administrative investigations and disciplinary outcomes.

+ A study/evaluation of community engagement with a focus on WPD interaction with diverse populations in the community, including but not limited to minority populations, faith-based organizations, youth, the homeless and the LGBTQ+ community.

+ Recommendations of essential functions for the police officer position consistent with best practices. This includes distinguishing certain required skill sets, such as the ability to (i) testify on behalf of prosecutors and (ii) ability to police free of bias and misconduct that jeopardizes the public trust.

+ A review of the relationship and the policies and processes that guide interactions between WPD, the Human Resources Department and the Law Department regarding disciplinary actions and recommendations for the implementation of best practices.

+ Assessment and evaluation of the promotional process in Wichita Police Department, including best practices and recommendations.

Methodology and Approach: A Highly Integrated Process

During this engagement, the Jensen Hughes assessment team performed the following tasks.

+ Reviewed and assessed the WPD's organization, command structure, mission, values and cultural environment.

+ Reviewed departmental policies, orders, directives, staffing and deployment, and training information.

+ Conducted on-site reviews of police operations, officers' and supervisors' activities, including ride-alongs, in-service training sessions and community meetings.

+ Implemented and analyzed a department-wide survey to gather member perceptions related to various aspects of internal organizational justice.

+ Conducted over 90 interviews with department stakeholders, including:
    − Police chief and command staff.
    − WPD supervisors, patrol staff and civilian staff.
    − City officials.
    − Citizen Review Board members.
    − Community members.
    − Business community members.

Key Findings

1. **Members of the WPD care about their community and believe the community supports them.**

    Interviews of WPD employees and internal survey results indicate there is a high level of commitment to the community and a perception that, in general, the community is supportive of the police department. While officers want to embrace a community policing philosophy, due to perceptions that they do not have enough staff members assigned to patrol, officers are concerned with their inability to respond effectively to calls for service.

2. **The current organizational environment has diminished the level of trust between rank-and-file officers and command staff.**

    The results of our surveys and interviews of department members reveal rank-and-file officers perceive matters relating to disciplinary proceedings, promotional processes or adherence to standards of ethical behavior are not always handled in a fair and equitable manner. This may be the result of unclear policy, misapplication of policy, or the lack of transparency and communication in decision-making.

3. **The inability of the chief to choose his executive command staff directly can make implementing needed organizational changes difficult.**

    In any organization, the leader, who is ultimately responsible for organizational performance, should have final decision-making authority on who composes the leader's leadership team. The police chief needs to surround himself with members of his executive team who share similar values, philosophies and vision for the police department. Historically, agency leadership attempted to make structural, philosophical and mission-oriented changes that were not fully embraced by department personnel.

4. **The WPD's promotional processes are guided by written policies that include the participation of community members as assessors for candidate interviews, which promotes transparency and community trust. The policies and practices, however, are structured in a way that removes the incentive for candidates to prepare for the test.**

    The WPD currently includes members of the community to assist in evaluating candidates for promotion through the oral interview phase of the selection process. This effort to enhance transparency and fairness in the process is commendable and can assist the agency in achieving its goals of increasing public trust and diversity among the ranks of the department.

The processes for promotion to positions of detective, sergeant and lieutenant are transparent, but not enough people apply for promotions to make the processes competitive. If the number of candidates applying for promotion is under a given threshold, there is no need to study for the test because there is no minimum passing score set for the exam.

5. **The WPD is allowed to skip persons on the promotional list with justification, but department policies and procedures do not provide objective criteria for the department to consider.**

There are no objective criteria on which to base a denial for promotion, except for candidates currently serving a reckoning period for a sustained complaint of serious misconduct. All that is required by policy and the FOP Memorandum of Agreement is an employee is informed why they were bypassed. Setting specific bypass criteria can reduce perceptions of favoritism in the selection process as well as increase trust and transparency in the selection process. It is vitally important that selection decisions are fair and free of bias to increase the legitimacy of those selected for promotion.

6. **While the WPD values promoting persons with investigative experience to supervisory positions, criteria for eligibility for promotion to sergeant deter applicants from applying.**

Many department members believe officers need to have investigative experience prior to being promoted to sergeant so they know how to handle crime scenes in the field. Only those members of the department who currently hold the rank of detective are eligible to take the sergeant promotional exam. This limits the personal and professional growth of seasoned officers who are not interested in being a detective, but otherwise would be good candidates for the role of a patrol supervisor. Organizationally, there is a need to increase the number of experienced sergeants; however, the current promotional system provides minimal incentives for detectives to promote to sergeant due to the current Monday through Friday work schedule for detectives.

7. **Newly promoted supervisors are provided with minimal if any leadership or supervisory training.**

The WPD does not have a formal mentorship or leadership development program, nor does it adhere to a formal supervisory training program for new or existing supervisors. Leadership and supervisory training will assist the agency's ability to think strategically and transform WPD from a procedure-driven organization to a mission-driven learning organization. Such transformation is necessary to improve the morale and culture of the WPD and to build internal and external trust. Career and leadership development programs are important to department members and can contribute to their effectiveness and increased retention. First-line supervisors are the backbone of any police department's patrol operations and should be afforded the opportunity to participate in training to enhance their skills.

8. **Changes to the Citizen's Review Board (CRB) over the past several years have improved its ability to review the operations of the WPD, particularly its review of complaint investigations, but enhanced transparency would increase community engagement and increase the CRB's credibility.**

   Currently, when the CRB meets they hold their meetings on a weekday between 4:00 p.m. and 6:00 p.m. Many in the community are working during these hours and are not able to attend. Moreover, hosting meetings and soliciting community input into the practices of the WPD in the very building that houses many officers of the WPD may have a chilling effect on attendance by some residents.

   CRB membership by persons perceived as having a conflict of interest undermines the credibility of the CRB. However, the City's ordinance establishing the CRB does not require the disclosure of any potential conflicts of interest, real or perceived. The credibility of the CRB is paramount to achieving the City's intent to improve relationships between the community and the WPD and engage the community in collaborative problem-solving with the police department.

   The CRB has not developed a formal written strategy that outlines the goals and objectives by which they will carry out their responsibilities, particularly as it relates to improving police-community relations and review of complaint investigations. Moreover, the CRB does not provide regular reporting on its activities in an annual report. The absence of a written strategy and documentation of the CRB's activities has caused many members of the community and the WPD to question the purpose and value of the CRB.

9. **The Department's policing strategy is not guided by a written strategic plan that outlines each member of the department's role and responsibility for crime prevention, crime suppression, law enforcement and community engagement activities.**

   A strategic approach to the administrative and operational challenges facing the WPD needs to be a priority. The ranks of the department are filled with willing, capable individuals that lack a sense of direction that a clear mission focus and strategic plan will provide. The creation of a values-centered mission with achievable, actionable goals will assist with reorienting individual perspectives toward a shared sense of purpose. Without a plan, there is no consensus on what community policing is, how it should be implemented, who is responsible for it or how outcomes should be measured.

10. **Lines of communication between the WPD and other City Departments are unclear and lead to the perception of a lack of cooperation between them.**

   Communication between the WPD, the City Manager's Office, the Law Department and Human Resources needs to happen more frequently and regularly. The lack of consultation on matters of discipline, strategy and policy has created an atmosphere of mistrust and lack of coordination. The conflicts created by the lack of communication erodes the public trust not only in the police

department but in City governance in general. Roles, responsibilities and expectations should be clarified and reviewed periodically to address this issue.

11. The internal investigations and disciplinary processes are perceived as highly punitive, rather than corrective in nature.

Many WPD employees perceive that punishment is not imposed fairly and not everyone in the agency is held to the same standard. This has created a culture of fear, which decreases organizational commitment and trust. Efforts to make processes more transparent, timely and corrective in nature will positively impact the morale within the agency and serve to prevent misconduct rather than reacting to it.

12. The culture within the WPD exacerbates the problematic trend in the recruitment and retention of police officers.

Recruitment and retention difficulties are plaguing police departments nationwide. While this is a national trend, WPD leadership must address this issue to stay competitive and attract talent from a shrinking candidate pool. Negative publicity and an unhealthy work environment are making it exceedingly difficult to fill vacancies within the WPD. Members of the WPD speak openly about their unhappiness working within the agency, yet they still express their desire to remain in policing, causing some to seek employment elsewhere. The morale issue needs to be addressed by creating an environment internally that values its employees, is perceived as fair, procedurally just and welcoming to potential recruits from all segments of the population.

13. Some department members perceive efforts seeking diversity, equity and inclusion (DEI) in recruitment, promotions and assignments have resulted in under-qualified people in certain positions.

Within WPD, some believe DEI efforts have been politically motivated and have resulted in underqualified individuals getting into the department or being put into positions they are not otherwise qualified for. This perception adds to the feeling of unfairness within the department. In addition to continuing to affirm and advance its DEI efforts, the WPD should clarify and publish minimum standards to ensure all persons hired, assigned or promoted are viewed as capable of performing their prescribed function. Minimum passing scores for promotional exams can help in this respect by demonstrating that anyone promoted possesses the knowledge necessary to perform their jobs. Moreover, setting a standard can raise the relatively low test scores achieved historically on WPD's written promotional exams. Creating a standard can increase the acquired knowledge throughout the agency for those selected for promotion.

Management and Organization

Department Organization

The Wichita Police Department (WPD) is led by a police chief who is appointed by and reports to the city manager. The WPD is divided into three major Divisions – Field Services, Investigations and Support Services – each of which is overseen by a deputy chief who reports to the police chief.

Field Services Division

Field Services is the largest division, with a total of 486 commissioned personnel and 27 civilian staff members. This division is divided into five Bureaus – Patrol North, Patrol East, Patrol South, Patrol West and Traffic – each of which is led by a captain.

The four patrol bureaus are responsible for providing first responder patrol services for the respective geographic areas. The captain of each bureau is the bureau commander responsible for the direction and management of employees in the bureau 24 hours per day, seven days per week. The captains' hours are flexible depending on operational needs, but they usually work from 8 a.m. to 5 p.m. Monday through Friday and are always on call.

Each patrol bureau operates four watches:

Watch	Begin Time	End Time
First	7 a.m.	5 p.m.
Second	11 a.m.	9 p.m.
Third	5 p.m.	3 a.m.
Fourth	9 p.m.	7 a.m.

A lieutenant oversees each of the four watches. Lieutenants are assigned work on weekdays only. As such, no lieutenants work in the city on the weekends. Sergeants are also assigned to the different watches and oversee officers and share the same off days of their subordinates. Sergeants and officers provide services 24 hours per day, seven days per week.

Beat coordinators, sometimes referred to as community policing officers, are fully commissioned Wichita police officers. Generally, one beat coordinator is assigned to each of the nine beats in a patrol bureau. Their purpose is to facilitate the beat team's response to issues that affect quality of life and coordinate activities to solve public safety problems using all available resources. Beat coordinators generally work from 11 a.m. to 9 p.m. and have weekends off, but they are allowed flexible work schedules to respond to community needs. Beat coordinators are also responsible for numerous other activities, including reviewing and verifying crime trends, providing timely beat crime

analysis information to bureau commanders, and attending or arranging for beat team members to attend relevant community and neighborhood meetings.

Each bureau also has Community Response Team (CRT) officers whose mission is to identify and address neighborhood crime trends, aggressively investigate violent crime and provide other support at the bureau commander's discretion. CRT officers work four 10-hour shifts that run from 5 p.m. to 3 a.m. Shift times are also flexible, based on department needs. Among other things, Field Services CRT officers are assigned to beats for communication and dissemination of intelligence and are expected to coordinate with beat coordinators and patrol officers to investigate neighborhood crime trends that require enforcement action.

Finally, Field Services also includes canine officers, school resource officers, bicycle patrol units, civilian police service officers and civilian support staff. The Field Services Standard Operating Procedures, dated Nov. 5, 2019, provide additional details regarding Field Services functions.

Investigative Services Division

Investigations is the second largest WPD division, with 155 commissioned and 34 civilian staff. Investigations has three bureaus – Crimes Against Persons, Property Crimes and Special Investigations – each of which is led by a captain. The Standard Operating Procedures (SOP) for the Crimes Against Persons bureau that was shared with us is dated September 2009, and the SOP for the Property Crimes Bureau's Technical Services Section was dated February 2016. No SOPs for the Property Crimes or Special Investigations bureaus were shared with us.

The Crimes Against Persons bureau is further divided into Homicide/Robbery, Sex Crimes/Domestic Violence, Gangs/Felony Assault, and the Exploited and Missing Child Unit (EMCU). Uniform patrol officers may be called upon to support the Gang unit. Each of these units is led by a lieutenant.

The Property Crimes bureau includes the following sections: Auto Theft/Larceny, Burglary/Financial Crimes, and Technical Services. The Technical Services Section includes the following units: Crime Scene Investigations, Latent Prints, Photography, and Property and Evidence. Special Investigations includes an administrative section, narcotics section, vice section and community response team.

Most detectives assigned to the Crimes Against Persons bureau work 8 a.m. to 5 p.m., Monday through Friday. While the WPD previously had a Night Investigations Section led by a lieutenant, no detectives are currently assigned to night duty.

Support Services Division

The Support Services division is divided into three bureaus – Administrative Services, Records and Training – each of which is led by a captain. Support Services has the largest number of civilian staff, with 142 civilians and 32 commissioned staff. The Administrative Services bureau provides fiscal and information support to the WPD, including managing public information listed on the website;

processing budget documents, payroll and personnel actions; and processing and providing statistical information on crime data. The Records bureau is responsible for data entry, filing incident reports and criminal cases, and providing field officers and investigators with information. Finally, the Training bureau includes functions related to pre-employment screening and testing, recruit training, and in-service training.

Department Budget

WPD's 2023 adopted general fund budget is $108,062,640, compared with a revised budget of $103,238,262 in 2022. The 2023 budget authorizes 912 positions, of which 886 are general fund full-time positions and 15 are grant-funded full-time positions.[3] The vast majority of those positions are for commissioned officers from the rank of police officer through police chief.

At the time of this report, the WPD employed 704 commissioned personnel and 208 professional staff members.

Title	Number of positions
Chief	1
Deputy Police Chief	3
Captain	11
Lieutenant	34
Sergeant	70
Detective	118
Officer	467

Recommendations

The arrival of the new chief of police provides an opportunity to make changes to WPD's command structure that will be helpful in creating an internal support network that will assist him in moving forward and benefit the department overall.

One change we recommend is creating the position of assistant chief. We suggest the chief identify an individual who most closely shares his philosophy/values on policing and can most effectively support his efforts to implement organizational changes. The assistant chief should be able to assume operational and administrative command of the police department in the chief's absence, as well as represent the department at engagements that the chief's schedule cannot accommodate.

To coincide with the newly created position of assistant chief, the chief should be granted the authority to assign and reassign people serving as assistant chief or deputy chiefs. Since the new chief has been affiliated with the WPD for a short time, he may come to learn that individuals assigned to these positions may not be the right person at the right time to assist him in achieving his

3 https://www.wichita.gov/Finance/BudgetV1/00%20Adopted%20Budget%202023-2024%20ONLINE.pdf

desired vision for the agency. Leading an organization the size of the WPD cannot be done alone. It is essential that the chief be provided with the ability to surround himself with competent supporters to champion his efforts.

In addition to these command-level structural changes, we recommend making two operational changes. First, the department should consider restoring a night detective unit. Currently, detectives are assigned 8 a.m. to 5 p.m., Monday through Friday; there are no detectives at night who can respond immediately to the scene of a crime. Further, sergeants are the highest-ranking supervisors available to respond to active incidents or to answer questions from patrol staff, the public or the media on weekends. The department provides for an on-call "acting duty-chief" on weekends, but having a ranking supervisor immediately available is beneficial. WPD should consider changing the schedule to ensure a high-ranking command officer, a lieutenant or higher, is always working in the field to provide guidance to sergeants and to respond to high-profile or potentially volatile incidents. This will aid in mustering the resources necessary to handle these types of events appropriately and in facilitating appropriate information sharing up the chain of command so the executive command staff stays abreast of developments in a timely manner.

Administratively, we recommend the WPD renew the practice of updating SOPs in accordance with Policy 107. The policy requires that SOPs be reviewed and updated annually. We found no evidence SOPs have been updated annually, with some showing review dates as far back as 2009 and the most recent dated 2020. Even if these SOPs are not changed from year to year, the department should document that they have been reviewed annually to maintain appropriate records.

Rec. #	Management and organization
1.1	Create the position of assistant chief to be the second in command at WPD.
1.2	Grant the authority to the WPD chief to assign and reassign people serving as assistant chief or deputy chiefs.
1.3	Restore the night detective unit to ensure that detectives are available to respond immediately to crime scenes.
1.4	Consider changing schedules to ensure a high-ranking command officer, a lieutenant or higher, is always present on duty to provide guidance to sergeants and to respond to high-profile or potentially volatile incidents.
1.5	Renew the practice of reviewing and updating SOPs annually in accordance with Policy 107 and ensure the review of SOPS is documented.

Promotional Process

Promotional processes are an essential staffing element in police agencies. Selection of the appropriate personnel for key supervisory and leadership positions directly impacts organizational effectiveness, efficiency, and the perception of both external and internal procedural justice and legitimacy. For these reasons, it is critically important agencies take care to develop clear, merit-based processes to select for promotion candidates who possess the necessary knowledge, skills and abilities to perform successfully in roles of increasing responsibility and complexity. In addition to technical abilities, agencies should make every attempt to ensure candidates demonstrate behaviors consistent with accepted community standards, stated organizational values, and the organization's vision and mission.

Methodology

This assessment of the Wichita Police Department's promotional processes consisted of a thorough review of departmental documents, including:

+ Policies and procedures
+ Relevant job descriptions and vacancy postings
+ Assessment tools and methodologies
+ Candidate demographic data
+ Eligibility requirements
+ The collective bargaining agreement with the Wichita Police Department's Fraternal Order of Police
+ Assessment scores and final candidate rankings.

In addition to the internal document reviews, we conducted interviews with internal and external stakeholders to understand clearly the perceived strengths and weaknesses of operational processes currently in place. Interview subjects included:

+ Departmental personnel of various ranks
+ Community members
+ Employees from various city departments.

General Description of Wichita's Promotional Process

The Wichita Police Department conducts promotional processes for the ranks of detective, sergeant, lieutenant, captain and deputy chief. The processes established for the first three promotional ranks are governed by *Wichita Police Department Policy 216*, "*Promotions to Detective/Sergeant/ Lieutenant.*" To be eligible for any promotional examination, officers must have 27 approved college credit hours in criminal justice, or related fields, from an accredited university or must be actively enrolled in required classes and scheduled for completion by December 31st of the year ending

immediately before the test. After meeting this initial eligibility threshold, each rank has additional requirements that must be met to participate in a promotional process.

For the rank of detective, officers must meet one of the following criteria:

1. Three years of experience and a baccalaureate degree.
2. Three and one-half years of experience and 60 college credit hours.
3. Four years of experience and 27 college credit hours.

To be eligible for the rank of sergeant, candidates are required to hold the rank of detective and meet one of the following:

1. Four years of experience, and a baccalaureate degree.
2. Four and one-half years of experience and 60 college credits.
3. Five years of experience and 27 college credits.
4. Fifteen years of experience and two years at the rank of detective.

Lieutenant candidates must currently hold the rank of sergeant and satisfy one of the following:

1. Five years of experience and a baccalaureate degree.
2. Five and one-half years of experience and 60 college credits.
3. Twenty years of experience and three years at the rank of sergeant.

Once candidates are determined eligible to compete for one of the ranks listed above, they must apply through City Human Resources and sit for a written examination. The written exam is prepared by an outside vendor and consists of 100 multiple-choice questions. Upon completion, the score sheets are sent back to the vendor for scoring. Once the results are tabulated, the written test score is combined with several other assessment items to give each candidate a final score. The written exam constitutes 50% of the final score for detective, 45% of the final score for sergeant and 40% of the final score for lieutenant.

In addition to the written test scores, the candidates are awarded points for their performance on an oral board interview, seniority, investigative experience, or overall experience where applicable, in accordance with the scale below.

Category	Detective	Sergeant	Lieutenant
Seniority	15%	10%	10%
Investigation Experience	0%	10%	0%
Overall Experience	0%	0%	10%
Interview	35%	35%	40%
Written Exam	50%	45%	40%

There are no minimum cut-off scores for eligibility throughout the assessment process; however, the number of candidates invited to sit for the assessment interview is determined by policy. In the case of the detective interviews, officers scoring in the upper 50% of the candidate pool or a minimum of 40 officers will receive an invitation to interview. The criteria for sergeant and lieutenant candidate interviews is set at the upper 70% of the candidate pools or a minimum of 20 participants.

The interview panels are formed by the Training Bureau Commander in accordance with WPD Policy 216. The composition of the interview boards consists of six individuals, one of whom must be from the rank of the position being sought, in accordance with the FOP Memorandum of Agreement Article 12, and one must be a community member from outside the department. The Training Bureau Commander will designate one member of each panel to be the chairperson responsible for administering the interviews. The chief of police and the human resources department review and approve the final interview panel list. The Memorandum of Agreement requires all members be notified of their score within 24 hours of the completion of the interview.

The interviews consist of six structured questions and one practical exercise. Each candidate is allotted 25 minutes to answer the questions and complete the exercise. Interviewers individually score the candidates on a scale of 1-9 for each question. The scoring sheets contain rating criteria to assist interviewers in determining their candidates' scores. The rating criteria outline specific themes the candidate should touch upon in their responses. It should be noted that all interviewers receive training on the interview process prior to participation.

The final eligibility lists for promotion consist of composite scores listed in rank order and are valid from March 1st until the last calendar day in February of the following year. When vacancies are to be filled, the number of candidates on the list for consideration will include the number of open promotions plus three additional people. Candidates from that list will be chosen to fill the vacant positions. Management reserves the right to bypass an eligible candidate for promotion on the list, provided the city notifies the candidate in writing of the specific reasons for the bypass. The provisions for bypass are governed by consistent language in both WPD Policy 216 and the FOP Memorandum of Agreement, Article 12.

> "If a candidate is passed over for promotion, the City shall inform the employee in writing of the specific reason for the decision within thirty days. The City will give items for suggestions the employee can work on to improve their opportunity for promotion…"

Article 12(b)(1) of the Memorandum of Agreement between the Fraternal Order of Police and the City of Wichita further requires notification of an employee bypass for promotion be given in person. This additional notification has no impact on the spirit of the agreement but adds an additional notification requirement not included in Department Policy 216 (K)(4).

The relevant sections of the FOP Memorandum of Agreement and WPD Policy that govern promotions are both silent with respect to specific criteria that justify bypassing an employee for promotion. WPD Policy does state that an employee serving a reckoning period for "D" or "E" penalties will be placed on the current promotional list upon the expiration of the employee's

reckoning period. The reckoning period is a determined time interval where the employee serves a quasi-probationary term. As it stands, employees subject to penalties for "A", "B", or "C" as a result of a sustained policy violation are eligible for promotion. Additionally, there does not appear to be any mechanism that automatically disqualifies an employee from promotion for specific Code of Conduct violations.

Generally, promotional decisions are an inherent management right. Management is free to set the rules for promotions unless specific provisions are governed by city ordinance, civil service regulations or collective bargaining agreements. To further inject the feeling of transparency and fairness into the current promotional processes, WPD should consider providing additional guidance and criteria for justifying bypassing an employee for promotion. By doing so, the city, WPD management, employees and members of the public will develop shared behavioral expectations for individuals being promoted within the WPD. Suggestions for developing a more comprehensive Code of Conduct for WPD is discussed in a separate area of this assessment.

Promotions for the positions of captain and deputy chief fall outside the purview of existing Wichita Police Department Policies and Procedures and are subject to rules established by the chief of police and the city's human resources department. No documents were reviewed related to any recent promotions to those positions; however, we learned through multiple interviews that the process generally consists of an oral board interview made up of various community stakeholders and an interview with the chief of police. Candidates are assessed and ranked based on their performance, but none of the rankings are made available to the candidates or the public. The chief of police retains final promotional authority over the positions of captain and deputy chief.

Data

Written test score data were analyzed to identify the overall performance of promotional candidates on the knowledge-based examination. As noted, the test was prepared and scored by an outside vendor. The test was prepared based on a job-task analysis for each exam category to establish the content validity of the testing instrument. The tables below illustrate the written test scores for the promotional processes administered in 2019, 2020 and 2021.

Detective Exam

Year	Applicants	High score	Low score	Average score	Cut-Off	Total <70%	Eligible <70%
2019	66	83	48	63.27	61	78%	65%
2020	63	80	44	65.69	62	68%	52%
2021	58	79	37	60.93	60	86%	80%
Average	**62.33**	**80.67**	**43**	**63.3**	**61**	**77%**	**66%**

The table above illustrates a slight decrease in the number of applicants applying for the position of detective since 2019, but that number may be attributed to the reduction in patrol staff over the past three years. The high scores are relatively consistent over time; however, the total number of applicants scoring under 70% on the test has increased significantly. Of greater concern is the number of candidates determined to be eligible for promotion based on the contractual mandate of including a minimum of 40 candidates for promotional consideration. Of the 40 candidates whose written scores and seniority points made them eligible for promotion, an average of 66% of them did not score 70% on the knowledge-based test over the three exam periods. While no minimum passing score has been established for the written test by the department, having significantly more than half of the eligible candidates score less than 70% on a validated knowledge test should be more closely examined to determine if lack of training or test preparation is contributing to low candidate scores.

Using 2021 as an illustration of the magnitude of the problem, ten of the 18 officers promoted in that year scored below 70% on the exam. This does not automatically mean those candidates will perform poorly or are incapable of learning through on-the-job experience, but the knowledge-based test should measure the applicant's acquired knowledge to perform the job prior to promotion. To further make the point, the 40-officer eligibility cut-off scores were below the statistical average test score of all test takers. While the inclusion of additional assessment components has value, a level of baseline knowledge is necessary. Seniority should supplement that knowledge, not supplant it.

Sergeant Exam

Year	Applicants	High score	Low score	Average score	Total <70%
2019	13	87	58	70.53	53%
2020	15	93	61	75.4	26%
2021	10	81	63	74.2	10%
Average	**12.67**	**87**	**60.67**	**73.38**	**30%**

Although not as dramatic as the results from the detective exam analysis, the small number of applicants for the position of sergeant creates a similar concern. Five of the 11 candidates promoted to sergeant in 2019 scored below 70%. Of greater concern with the sergeant exam is the consistent inability to have the contractual minimum of 20 officers sit for the examination. In theory, the current process could result in promoting a candidate who has demonstrated a limited grasp of the knowledge necessary to perform the duties of the position. This could be caused by having vacancies greater than, or equal to, the number of candidates. Since there is no disqualifying score for the written test or composite score, all a candidate would need to do to gain a promotion is meet the eligibility standard outlined in WPD Policy 216; four years of experience and a baccalaureate degree, and have a vacancy become available. The motivation to study and prepare for the promotional test is significantly diminished in this scenario. Possible evidence of this can be seen by the drop in the average test scores from the detective exam to the sergeant exam; however, there may be other

factors at play, such as increased test difficulty or highly qualified candidates choosing not to sit for the exam due to their desire to remain a detective.

Lieutenant Exam

Year	Applicants	High score	Low score	Average score	Total <70%
2019	14	93	63	70.71	50%
2020	9	99	65	74	33%
2021	8	89	68	76.12	25%
Average	**10.33**	**93.67**	**65.33**	**73.61**	**36%**

Like the sergeant exam, the number of applicants for the position of lieutenant has decreased over time. In the three years reviewed, the department was unable to get the minimum number of 20 applicants called for in WPD Policy 216. The same situation is created; if the number of vacancies exceeds the number of candidates, one could be selected for promotion regardless of their performance in the process. As an example, in 2021 three of the nine sergeants promoted to lieutenant scored below 70% on the test.

Personnel Demographics

Rank	B/M	B/F	H/M	H/F	A/M	A/F	W/F	W/M	Nat M	Total
Deputy			1					3		4
Capt.	2							7		9
Lt.	3				1		1	26		31
Sgt.	6				3	1	7	53		70
Det.	1		4	2	4		10	86		107
Ofc.	29	7	34	8	10	3	68	246	3	629
Totals	**41**	**7**	**39**	**10**	**18**	**4**	**86**	**421**	**3**	**629**
Staff %	**5.26%**	**1%**	**5.34%**	**1.37%**	**2.46%**	**0.54%**	**11.79%**	**71.46%**	**0.41%**	**99.95%**

B/M-Black Male, B/F-Black Female, H/M-Hispanic Male, H/F-Hispanic Female, A/M-Asian Male, A/F-Asian Female, W/F-White Female, W/M-White Male, Nat/M-Native Male.

Wichita Police Department personnel demographic data were examined to gain an understanding of the demographic makeup of the department as relates to the presence of members of diverse populations within the various ranks of the department. The table above highlights the number,

gender and race of individuals at each level of the department hierarchy. Understanding the breadth and depth of diversity within the agency will help identify the possible presence of promotional assessments that may have a disparate impact on certain employee groups within the agency.

For the purposes of this analysis, representation at different ranks by race and gender is not being compared to the population of Wichita at large, but rather the internal population of the department. The broader assessment of demographic representation city-wide is beyond the scope of the analysis of the promotional processes. Obviously, diversity that is representative of the greater community may have an impact on the overall number of employees ultimately promoted and should be addressed in the appropriate forum.

For the ranks of the department to be reflective of the department's population, the following race/gender distribution among the ranks would need to be present.

Equitable Demographic Distribution

Rank	B/M	B/F	H/M	H/F	A/M	A/F	W/F	W/M
Deputy Chief								4
Captain							1	8
Lieutenant	2		2		2		3	22
Sergeant	4	1	4	1	2		8	50
Detective	6	1	6	1	3		13	77

Native Male category was omitted due to statistically insignificant representation in the current employee population. An increase in Native American employees will require revisiting the rank distribution within the department.

Using this illustration as a guideline, the Wichita Police Department would have 16% of ranks above patrol officers occupied by people of color, 12% occupied by women and 72% occupied by white males. As recruitment efforts increase the presence of diverse officers within the department, the demographic rank distribution should be monitored to reflect those changes.

Of those currently holding a rank above patrol officer, 13% are officers of color, 8% are women and 79% are white males. For the ranks of the department to be reflective of its population, WPD would need six additional persons of color and nine additional women to be promoted. Efforts should be made to ensure the subjective assessment portions of the promotional processes are free from bias as a potential means to close the relatively small gap that exists and make the roster of ranking officers reflective of the demographic makeup of the police department. It should be noted, based on department demographics, black males currently represent 22% of captain positions, 33% of lieutenant positions and 8.5% of sergeant positions. This may be indicative of attempts to increase diversity within the department; however, other groups are underrepresented. Attention should be given to the low level of diversity at the rank of detective. Since promotion to detective is required for

all other promotions, looking to the future, it will be difficult to maintain a diverse command staff with such low representation of minorities at the detective level. The department should take steps to develop relevant minimum criteria for all promotions beyond those currently defined in department policy and the collective bargaining agreement. This should help minimize the perception that unqualified individuals may be promoted for the sole purpose of diversity.

Analysis

Our document reviews and stakeholder interviews identified several areas worthy of discussion associated with the promotional processes in the Wichita Police Department. The issues to be discussed are not based on the perceptions or statements made by any singular stakeholder. They are being highlighted here as they were recurring themes that cropped up throughout the interviews across the entire spectrum of interview subjects.

In general, interviewees said they are satisfied with the promotional processes in place for the ranks of detective, sergeant and lieutenant. This satisfaction stems from the fact that the processes are clearly articulated and codified through policy and the FOP contract. The only skepticism noted about these processes was in who is chosen to sit as interviewers on the oral board panel. A review of the documents provided demonstrated that much thought goes into deciding who from the community is chosen to participate as interviewers. It is evident that efforts are made to diversify the participants so as to reflect the community at large. Additionally, there is evidence that shows the interviewers received instruction and training on how the interviews should be conducted. This includes examples of the themes and issues they should be looking for when identifying what would be considered a model answer to the oral board questions. The interview questions are developed by academy training staff and vetted by command staff to ensure they consist of job-specific, relevant content.

The level of faith and satisfaction present regarding the promotional processes for the first three ranks is not present when discussing promotions for the ranks of captain and deputy chief. There is a sense among some department members that who is to be promoted to these command-level ranks is pre-determined based on favoritism, interference from city hall, or influence by the FOP. While no documented evidence of these allegations was available, the pervasive negative perception must be addressed. Perhaps the greatest cause of skepticism is the fact that there is no codified process for these ranks documented in policy. As far as the interview subjects were concerned, candidates participate in the oral boards and interviews but are never informed of how any rankings are made, if any. This has a significant negative impact on morale, as employees see this as being fundamentally unfair. It also creates an environment of fear and distrust, as future potential leaders are afraid to run afoul of command staff believing it will prevent them from being promoted in the future. It is for this reason many feel professional disagreement and debate is stifled, often leading to sub-optimal decisions being made on operational and administrative issues.

One major organizational obstacle identified that is related to the promotional process is the requirement that officers must serve in the rank of detective to be eligible for promotion to the rank of sergeant. Department members have mixed opinions about this issue. Some feel the skills necessary to become a sergeant are gained through experience as a detective. Sergeants are sometimes required to draft warrants, have enhanced investigative skills and manage crime scenes since detectives generally do not work on nights or weekends. Others feel the positions of detective and sergeant create two separate and distinct career paths; an officer may have no desire to work in an investigative unit but would welcome the opportunity to take on the role of a patrol supervisor. It may be possible to develop a training program that would provide patrol officers who are not detectives with the necessary skills to operate effectively as patrol supervisors. One solution may be to have newly appointed sergeants, without experience as detectives, work a pre-determined rotation through the appropriate investigative units.

The lack of experienced patrol sergeants was brought up on multiple occasions and is directly related to the requirement to first hold the rank of detective. While this does not pertain specifically to the promotional process, it is worthy of discussion. Once an officer is promoted to detective, they are assigned to a Monday through Friday schedule with nights and weekends off. What appears to be happening is once in these positions, many of the agency's most experienced officers choose to stay there, rather than being promoted to sergeant and going back to a regular patrol schedule. An analysis of the tenure of those promoted to detective was done to see if there was any validity to this perception. Additionally, the average time spent as a detective before promoting to sergeant was examined. It was discovered that the average tenure of current detectives is approximately 14 years. That is not inclusive of the minimum three years of service necessary to be eligible for promotion to that rank. Interestingly, the average length of time spent as a detective before promoting to the rank of sergeant is approximately four years. What this means is the average detective has a minimum of 17 years of experience, while the average detective who promotes to sergeant has seven years of experience. To further illustrate this point, 33% of the current detectives have at least 20 years of experience and 48% have at least 10 years of experience.

Evidence suggests the agency values seniority and experience since officers are given points for both during the promotional process. However, there seems to be a disconnect; officers are rewarded for seniority and investigative experience, but the department and the city does not fully realize the benefits since many of the department's most experienced people occupy lower-level, non-supervisory positions. The disconnect is that the department recognizes seniority for promotions, but then has a system that perpetuates keeping some of their most senior, experienced personnel in the agency at the rank of detective. There is little incentive for them to promote to supervisory positions. This could also prove to be problematic moving up the ranks to the positions of lieutenant and captain. In short, the convenience of the current work schedule of detectives may be negatively impacting organizational effectiveness, efficiency and performance. It may also be stunting the growth of potential future leaders and cheating young officers from the opportunity to work with those who could serve as good role models and mentors.

The final area of concern is that there are no prerequisites for promotion, other than time-in-grade and educational requirements set forth in policy. Candidates for promotion are not required to take any supervisory or leadership training at any point throughout their careers. The processes in place may measure job-related knowledge, but there is no evidence that suggests it measures leadership ability. More importantly, the processes measure knowledge but do not set minimum standards for acquired knowledge necessary to perform successfully as supervisors and administrators. When ranking candidates for promotion, they are ranked against each other and not against a minimum standard of proficiency.

Best Practices

Promotional processes can have both positive and negative effects on a police organization. Procedures for selecting applicants for promotion should be transparent, merit-based and as objective as reasonably possible.[4] The Wichita Police Department's promotional processes for the ranks of detective, sergeant and lieutenant are generally supported due to their transparency based on department policy and the FOP collective bargaining agreement. Further faith is placed in the process by securing an outside vendor to develop the written examination based on a complete job task analysis. It would be beneficial for the organization to develop and publish the promotional processes for the ranks of captain and deputy chief. As noted, pervasive perceptions exist that the processes in place for these positions are unfair.

The fundamental perception of fairness in the promotional processes can be directly linked to the overall perception of organizational procedural justice and legitimacy. As noted by the Department of Justice, many law enforcement agencies are experiencing difficulties in retaining personnel.[5] The Wichita Police Department is experiencing these very same retention and recruitment issues. It has been reported that there is a shortage of patrol personnel because of a significant number of employees leaving the agency and the difficulty in recruiting their replacements. Some of this attrition may be linked to job satisfaction and perceived unfairness attached to some aspects of the promotional processes. By providing enhanced transparency about promotional processes, encouraging mentoring relationships, and increasing professional development opportunities, employees should develop a greater sense of organizational trust and commitment, thereby reducing turnover.

Another way to increase internal feelings of organizational justice is to make sure promotional processes are not designed in a manner that negatively impacts diversity among the ranks of the agency. When community members see an agency with diversity throughout the organization, it serves to help build trust within the community. The Task Force on 21st Century Policing identified the need for law enforcement personnel that reflect the communities they serve. Tangentially, the promotional process can serve as a tool not only to retain valuable employees but help recruitment efforts within the community. This is vitally important in terms of recruiting members of diverse

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4 "Law Enforcement Best Practices: Lessons Learned from the Field."
5 Equal Employment Opportunity Commission, ""Advancing Diversity in Law Enforcement."

communities. Clear opportunities for advancement can influence interest in law enforcement careers.[6] Wichita Police Department promotional statistics show the demographic makeup of the various ranks within the department closely reflects that of the internal employee population. By further closing that gap, an increased sense of organizational legitimacy can be achieved both internally and externally.

Further trust in the promotional processes can be established by the department demonstrating that the characteristics necessary for successful performance at the supervisory level are being used to establish the ranking order of candidates eligible for promotion. WPD's current practice of using an outside vendor to develop the written examination is a good practice and is consistent with Federal Law, U.S. Code § 2000e-2.[7] This law requires testing that has an adverse impact on minority candidates is "job-related to the position in question" and "consistent with business necessity." The department should make sure any questions used in the oral board interviews are consistent with that standard, since the oral board score is combined with the written test and other elements to develop a composite score for the promotional candidates. Because they are using these scores to create a rank-ordered list, failing to validate the interview questions may lead to a legal challenge of the promotional process if there is an appearance of a negative disparate impact on minority candidates. Agencies can minimize errors associated with the subjective interview process by providing candidates with the specific wording of questions, creating a structured interview, and limiting probing questions.[8] The documents reviewed show WPD does structure their interview questions, but there is no indication that the questions used have been validated.

Part of the promotional processes includes awarding points for seniority and investigative experience. These points are added to the overall composite scores for candidates that are used to rank their eligibility for promotion. Although this practice is codified in policy, the department should be cautious in applying seniority and experience points in this fashion. Unless evidence can be provided to support the notion that these factors do indeed lead to better job performance, their use may be problematic. If the agency has not historically had success in minority recruitment, minorities and women would not have been afforded the same access to those seniority and experience points. It is of the utmost importance for WPD to ensure each applicant is assessed in a manner that is valid, reliable, fair and legally defensible.

A recurring theme throughout the interviews was a feeling of unfairness regarding disciplinary matters, assignments and selection for special assignments. This is associated with the promotional process because employees feel this happens due to the lack of leadership skills possessed by some officers promoted to supervisory positions. A review of the assessment tools used in the promotional processes did not reveal any attempt at measuring leadership skills or abilities.

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6 Wilson, *Police Recruitment and Retention for the New Millennium.*
7 "Law Enforcement Best Practices: Lessons Learned from the Field."
8 "Law Enforcement Best Practices: Lessons Learned from the Field."

Per departmental policy, the sources for questions on promotional tests include, but are not limited to:

+ WPD Policies and Regulations Manual

+ City of Wichita Human Resources Policy

+ City of Wichita Administrative Regulations

+ Wichita City Code: Titles 4,5, and 11

+ Kansas Statutes Annotated Chapter 21 and 22

+ Study Guide prepared and distributed by the WPD Training Bureau or contracted vendor

+ Significant Court decisions identified in training and WPD Policy

+ Current Memorandum of Agreement between the City of Wichita and the Fraternal Order of Police (FOP)

+ Current Memorandum of Agreement between the City of Wichita and the Service Employees International Union

+ Any mandatory in-service training class.

It does not appear the WPD has embraced the importance of leadership skills as they relate to promotions. In contrast, WPD is organized along hierarchical, classic management lines. These types of organizations generally have difficulty dealing with commonly experienced internal problems, which can negatively impact morale.[9] Replacing the military model of leadership development with behavioral competency development may be more effectual in leadership and agency performance.[10]

Among the documents provided for this review was a copy of the Wichita Police Department "Supervisor's Manual." The issue date on the manual was October 5, 2011, which means at some point, there was an interest in leadership development. The manual specifically calls for a two-week orientation to be administered by the watch commander, with oversight from the bureau commander. Unfortunately, the orientation consisted of little more than a checklist to document progress in the orientation process. Included in the manual was a list of good leadership practices, such as: work together toward a common goal; be a seller not a teller; be tolerant of honest mistakes; lead by abilities and not your rank; never speak disparagingly about people; and avoid petty meaningless criticism. Based on numerous interviews, behaviors that run counter to these principles are common within the supervisory ranks of the department. WPD would be well served to make good leadership behaviors part of the daily culture of the organization, and not simply a checklist contained in a manual. This could be accomplished by instituting formal leadership training and a professional development policy.

Research demonstrated officers want improvements in how their future leaders are chosen and in the leadership styles superiors exhibit. Currently, there is no pre-promotion or post-promotional

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9 Hans Toch, "Police as Change Agents."
10 "Increasing Organizational Leadership Through the Police Promotional Process."

leadership training offered to officers eligible for promotion. Providing such training should assist the agency in promoting individuals best suited to take on those positions. Minimizing the feeling that the current processes do not necessarily pick the best candidates for promotion would do much to increase the morale within the police department and address negative cultural issues identified previously in this report. The agency would benefit from enhanced efficiency and performance, the individual promoted will achieve a greater sense of job satisfaction and subordinates will realize an increased sense of procedural justice. Moreover, preparing employees for positions of increasing responsibility aids in succession planning for future organization operational continuity. WPD would benefit from exploring testing processes that demonstrate desired leader behavior. The desired organizational behaviors of future leaders should be based on clearly identified organizational values consistent with the strategic plan of the agency.

Recommendations

Rec. #	Promotion Recommendation
2.1	Include the promotional processes for the ranks of captain and deputy chief in WPD Policy 216.
2.2	Partner with outside sources to assist in conducting validation studies for all promotional processes and assessment instruments.
2.3	Consider setting minimum scoring standards for eligibility for promotion.
2.4	Develop supervisory and leadership training for those eligible to participate in promotional processes.
2.5	Mandate post-promotional training for all officers promoted who have not attended supervisory or leadership training.
2.6	Publish and distribute criteria for the selection of members of oral board panels.
2.7	Consult with labor counsel on the internal development of assessment tools that safeguard against negative disparate outcomes for minority candidates.
2.8	Develop a committee consisting of a cross-section of internal and external stakeholders to seek input on appropriate promotional criteria.
2.9	Develop a career development program that will better prepare patrol officers to test for promotion to sergeant.

Organizational Culture

Police organizations face many challenges in their efforts to provide services to the public. They are operating in unprecedented times as the country works through political divisions, economic challenges, racial tensions, recruitment challenges, and the persistent fear and anxiety present in the wake of a worldwide pandemic. Despite the many challenges, the police are expected to serve their communities professionally, fairly and impartially. Public discourse about the state of policing across the country is at an all-time high. These discussions often center on police misconduct, excessive force, alleged discriminatory practices, rising violent crime rates, and fractured relationships between the police and the communities they serve. As communities try to identify and address the causes of the problems facing police agencies, there is a movement to assign causation for all that is wrong with policing on the intangible concept of culture.

Every organization has a culture, or a persistent, patterned way of thinking and behaving relative to the required tasks of the organization and the relationships between its members.[11] It is important to define exactly what is meant when discussing culture, specifically the culture of the Wichita Police Department (WPD), to determine if cultural elements are present that negatively impact the operations of the department, the internal and external relationships within the police department, and the health and wellness of employees and community stakeholders. It is important to note some shared features of police culture are more prevalent among police officers; however, one unified police culture does not exist for all agencies.[12]

Methodology

We conducted over 90 interviews of departmental employees and community stakeholders to gather information that inform the findings and recommendations for this section of the report. Interviewees were asked specific questions to elicit responses about the culture of the WPD. The responses were analyzed to develop recurring themes. Additionally, we conducted a confidential internal department survey of sworn personnel from all ranks and civilian professional staff that yielded qualitative and quantitative responses to questions related to individual perceptions of the organizational culture and climate. No members of the WPD command staff or City of Wichita officials have access to data that may identify personnel who participated in the survey, nor do they have the ability to know how individuals responded to the survey or interview questions.

11 Wilson, J.Q., *Bureaucracy : What Government Agencies Do and Why They Do It.*
12 "Council on Police Reforms & Race, Council Findings and Recommendations."

Wichita Police Department Culture

If culture is defined as common norms, values, beliefs and behaviors of individuals within an organization, the current internal culture in the WPD is unhealthy, and at times toxic. However, this observation should not be taken as an indicator of a lack of ability, intelligence, drive or pride exhibited by the individual members of the agency. On the contrary, on an individual level, many excellent, dedicated police officers work for the WPD. For instance, as presented in Appendix A, 94.9% of survey respondents agreed or strongly agreed with the statement, "I am committed to making the department successful," and 87.3% said the department's goals are important to them. While respondents are comfortable expressing their commitment to the agency, they do not feel the agency is equally committed to them. When assessing organizational development, only 11.9% said they agree or strongly agree that WPD is adequately developing personnel for the next step in their careers. Additionally, only 17.5% said they feel that decisions on promotions and special assignments are made based on objective criteria. Further, only 27.1% of the department reported feeling that mandatory training they receive is sufficient to allow them to perform their jobs effectively.

The difficulty in the development of a positive work culture likely stems from an organizational inability to harness the individual strengths of the members of the department to work for a common purpose and the lack of a common set of organizational values. When asked if they generally support the direction that management is taking the organization, only 19.3% of respondents agree or strongly agree that they support the current direction of the department. Through interviews with personnel, it appears that the lack of support may come from not knowing if a clear and specific agency direction exists.

Evidence of the lack of shared values includes the fact that most interviewees struggled to come up with a description of the overall culture within WPD. While trying to come up with answers, many of the interviewees prefaced their responses with phrases like:

> "I'm not a complainer, but…",
> "I really do love my job, but…",
> "We really have a great bunch of officers, but…"

These remarks indicate individuals were struggling to come up with the correct words to describe their feelings or emotions. When individuals were able to come up with responses, they often used terms such as "broken," "dysfunctional," "horrible" and "negative" in their descriptions. These words are associated with feelings of fear, uncertainty and mistrust.

While survey respondents and interviewees struggled to answer direct questions about the culture of their agency, the presence of the feelings identified above became clear when responding to questions on specific operational practices of the department, including promotional processes, duty assignments, disciplinary processes, relationships between the department and other city government units, and diversity. The responses correlated with the six signs that an organization's

culture is potentially problematic that were highlighted in a 2019 Harvard Business Review article.[13] These signs are identified as:

1. Inadequate investment in people
2. Lack of accountability
3. Lack of diversity, equity and inclusion
4. Poor behavior at the top
5. High-pressure environments
6. Unclear ethical standards.

Throughout our assessment, interview and survey responses pointed to various conditions within the agency that align with these signs of organizational turmoil. Examples of the negative responses associated with each topic are contained in the corresponding sections of this report.

On an encouraging note, when they were asked about the relationship between themselves and their peers and their perceptions of the relationship between the agency and the public, the responses were generally positive. Survey responses indicate that WPD officers are typically more cynical in their attitudes toward the media, other sectors of the criminal justice system and politicians than they are toward members of the community. This is another indication that organizational dynamics are the source of the feelings of dysfunction, as relationships outside of the political arena, the criminal justice system and the media appear not to be impacted by the internal operations of the police department. Further evidence of the perception of positive community relations is that 80.4% of WPD sworn personnel said they feel that enforcement-focused strategies should be less of a priority than community-based strategies and problem solving. This is encouraging when compared to the 52.3% of officers who believe increasing investigative stops and the 35.1% who believe increasing searches of people and cars should be a mid-to-high priority for the department.

The WPD is structured on a traditional quasi-military model, which relies on strict internal regulations and rank structure to influence and control behavior. In these types of organizations, procedures are heavily relied upon for control despite their inability to guarantee adherence to prescribed organizational culture and conduct.[14] Due to the uncertain nature of police work, no set of procedures or regulations can guarantee the delivery of specific outcomes. This is not to say the WPD does not need policies or rules; rules and policies are necessary to provide a structured framework for the organization, but these rules should not be the sole driver for decision-making or performance assessment. The type of work required to achieve desired outcomes is often not readily visible to the supervisors, command staff and the public.

Officers feel that only when there is a negative outcome are decisions or behaviors scrutinized. Their routine behaviors are not judged until something goes wrong. This creates ambiguity and confusion for officers in the performance of their duties. This ambiguity likely contributes to the feelings of fear and mistrust that permeate the fabric of the organization. This sentiment was seen in the survey responses, as demonstrated by the quote below.

13 Clayton, "6 Signs Your Corporate Culture Is a Liability."
14 Jermier and Berkes, "Leader Behavior in a Police Command Bureaucracy."

> "I feel confident in my ability to make a legal, moral, and ethical decision on a call or stop; however, I also feel that even if the decision was correct, if the outcome does not fit the personal opinions of leadership, I will be investigated and punished. I feel the department expects perfection from officers who have to make split second decisions and will punish them for not being perfect."

Consistent with many other police agencies, the WPD mirrors what is known as a "soft bureaucracy."[15] There is a façade that symbolizes what key stakeholders expect while hiding beneath its veneer is a subset of practices that do not adhere to officially stated organizational norms and behaviors. As an example, only 29.1% of respondents agree or strongly agree that personnel are treated with respect during formal disciplinary investigations. However, most alarming in this construct is the fact that only 15.9% of respondents agree or strongly agree that the disciplinary process is fair, and only 16% of respondents feel that personnel who consistently perform poorly are held to account.

The pattern in the responses suggests feelings of accountability within the WPD are ubiquitously absent, both in terms of people being appropriately held accountable and through a process that is perceived as fair and effective. This sentiment was seen in the survey responses, as demonstrated by the quote below.

> "All of our supervisors need to receive proper training, and the sergeants and lieutenants need to be given the discretion to properly manage their subordinates."

In organizations where conditions such as these are present, leaders are often unable to impose organization-wide conformance with official rules and stated culture. In the case of the WPD, there does not appear to be an officially stated culture, nor is there confidence that the officially stated rules apply equally to everyone. A majority, 79.4%, of survey respondents agree or strongly agree there is an ethical code that guides behavior and tells them right from wrong; however, only 13.1% of respondents agree or strongly agree leaders and managers practice what they preach. This sentiment was seen in the survey responses, as demonstrated by the quote below.

> "Discipline is not equally distributed, and it is dependent upon who you know well and have you done anything to rock the boat or anger them as of late."

What drives any semblance of conformity to a shared culture is a strong sense of task-related cohesiveness and interdependence necessary for the completion of required duties. The enhanced levels of cohesion exist within the individual patrol bureaus and specialized units: employees demonstrate much greater commitment to their units than they do to the organization as a whole. The level of unit-level cohesion may at times be detrimental to the efficiency and effectiveness of department operations. For example, some patrol officers and supervisors often expressed displeasure with members of specialized units because they feel they are doing all the work when community police officers, community response team members and detectives are not available to assist with answering calls for service. There is no clear understanding of the roles and contributions

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15 Wilson, J.Q., *Bureaucracy : What Government Agencies Do and Why They Do It.*

each unit makes to the overall policing strategy for the city because no one is certain of what that strategy is.

Much of the peer-group interdependence may be attributable to the high call volume that patrol personnel are called upon to handle with diminished resources. Officers generally trust their co-workers and immediate supervisors and rely on them to get the necessary work done. Many employees feel that command decisions on personnel assignments and deployment contribute to the current unmanageable workload. There is a substantial organizational undercurrent that executive command staff does not care about the rank-and-file employees. Evidence of this perception is illustrated in survey responses submitted by patrol officers regarding the perception that loyalty to others in WPD should be a top priority – officers in patrol agreed with this statement at a significantly higher rate than other respondents.

Related to peer-group interdependence are the reported instances of counterproductive workplace behaviors. Specifically, 59.6% of respondents reported they sometimes or frequently hear others tell people outside of the WPD that it is a lousy place to work. A little over half, 54.3%, reported hearing someone insulting another about the individual's job performance. Further, 29.8% said they feel that others do not regularly report problems to prevent things from getting worse, and 32.6% of people reported that they do not take on additional tasks to help others unless they are asked. These issues, taken together, are indicative of an organization that may be risk-averse out of fear of retribution.

During interviews, a significant number of senior employees stated, at this point in their careers, they are not worried about disciplinary sanctions. There is a sense of, "If they don't like the way I do things, I'll leave." This lack of organizational commitment is evidenced by the high level of turnover the department is experiencing. It is also seen in the survey data that show a decrease in the perceived accountability of the organization and commitment to the organization over time, instead of increasing as time in-service increases. Basically, the longer someone is employed, the worse they feel about the agency. This also holds true for the concept of organizational justice (see Figure 19 in Appendix A). Employees are seemingly choosing to leave because they do not like how they are treated. These employees seem to view their work through a task-orientation lens. Unfortunately, viewing police work through that lens may dehumanize the public who they are supposed to be serving. This can lead to decreased public trust, the perception that officers do not care about people and a lack of job satisfaction among employees.

The general theme emerging from the discussions around culture within WPD is that employees like being police officers, but they do not like working in this organization. A disturbing number of officers claim that they would leave if they could. Some state that they love the City of Wichita, and that is the only reason they are staying. While the number of dissatisfied employees is concerning, there is hope because many are waiting for positive organizational change with the hiring of the new police chief. There is an opportunity here for leadership to develop and nurture a newfound sense of organizational commitment within the ranks of the WPD. This can be done by engaging employees in the development of the department's strategic plan and eliciting feedback from field units related to the implementation of the plan.

Due to public scrutiny of the WPD in the wake of the SWAT texting scandal, a particular interest of the assessment is to determine the presence of biased attitudes towards members of other groups (racial, ethnic, gender, gender-identity, sexual orientation and politically) within the WPD. Overall, 65.5% of respondents indicated they never see this type of behavior within the organization. However, 9.3% of respondents said they sometimes or regularly see this type of behavior within the organization, and 25.2% said they rarely see these behaviors. The point to be emphasized here is that almost 10% report that they see these types of biased attitudes or behaviors frequently, while another 25% of respondents said they happen rarely. In either case, it exists at a frequency that needs to be addressed but is not as ubiquitous as other problematic attitudes and behaviors described throughout this report.

When addressing bias in broader terms, 2.3% of respondents said they agree or strongly agree that they do not easily trust others who are different from them, and only 1.4% agreed or strongly agreed that they dislike interacting with people who are different from them. Again, this is encouraging; however, when compared to questions concerning ethnocentrism (i.e. perception that your cultural group is superior to others), the picture changes slightly. When asked if their personal culture should serve as a role model for other cultural groups, 14.3% strongly agreed or agreed with that premise, while another 40.3% took a neutral position. While these results do not necessarily mean that respondents treat people unlike themselves negatively or differently, it may be an indicator of underlying implicit bias. In essence, what may be inferred here is there is a feeling that people should be more like the respondent, from their perspective. This has the potential to manifest as unconscious negative treatment of those who are different. A promising strategy for addressing unconscious bias is to debrief incidents and interactions in a non-disciplinary fashion to ask why actions were taken and what, if anything, could be done differently in the future. WPD should also continue to engage with diverse community groups and create opportunities to work together collaboratively on community concerns.

Recommendations

To develop a shared positive organizational culture, WPD leadership should take immediate steps to develop a clear set of organizational values as the basis for much-needed organizational change. Organizational values should reflect what is important to the organization and describe how department members should go about their work. As an example, if WPD establishes regard for human life as a value, all behaviors, goal, objectives, and strategies must take that into consideration in all aspects of its operation. If fairness is an espoused value, all decisions, processes, and interactions should be done with fairness in mind. Having values creates the opportunity to discuss the appropriateness of actions taken by individual employees and the department.

This does not mean that establishing a set of values will automatically fix all the department's problems. There is a bilateral relationship between values and culture. Values influence organizational culture, and organizational culture influences the interpretation of the meaning of those values by members of the agency. This means that values cannot just be stated, but rather must be

modeled and supported by the organization's leadership and behaviors. The prior administration attempted to make changes by developing organizational values for the WPD, but these changes were never fully embraced. The reason for this is that it appears changes were made before the culture had time to accept and internalize the values. The new chief should be cautious in this respect. Acceptance of change is more readily achieved if the intended organizational values become part of the lived experience for all members of the department. This is done by celebrating individuals who demonstrate organizational values through actions, language and deeds.

WPD should also invest in a comprehensive training program that is geared toward specific organizational strategies and outcomes, especially in the areas of supervision and leadership. Training in those areas is necessary to ensure that those promoted to leadership roles understand what is necessary to implement positive organizational change and to develop commitment among agency employees.

Rec. #	Organizational Culture
3.1	Develop supervisory and leadership training directly related to performance management and accountability strategies to enhance the perception of fair and equitable treatment of employees. Doing so usually translates into more equitable interactions between department and community members as well, since department members tend to treat people the way they themselves are being valued and treated.
3.2	Create, publish and disseminate an overall policing strategy that illustrates individual and unit roles in its implementation.
3.3	Engage employees in the development of the strategic plan to help enhance employee buy-in and create an environment that encourages suggestions and feedback.
3.4	Recognize employees that go above and beyond to assist other employees or units.
3.5	Publish examples of employees demonstrating acts consistent with organizational vision, mission, and values.

Code of Conduct

For the efficient and effective operation of any organization, there should be a clear understanding of the behaviors expected of all employees. Police officers often find themselves in situations where they may experience internal conflict when deciding the appropriate actions to take during ambiguous, rapidly developing situations. It is precisely during these times that officers may make decisions based on their personal values and personal and professional experiences. Because everyone possesses a unique set of personal values and experiences, it is extremely important for a police agency to develop a Code of Conduct to set expectations to guide individual behavior and thus shape organizational culture.

The Code of Conduct should be developed to support the vision, mission, values and Code of Ethics of the organization. Policies and standard operating procedures should, in turn, be developed to support the defined Code of Conduct. These documents combined form the foundation of an organization's culture. To build a culture that sets high moral and ethical standards consistent with the rule of law, and the preservation of human rights and dignity, organizations need to provide appropriate training, and accountability mechanisms (i.e., supervision and discipline) to ensure adherence to the standards established.

Methodology

The assessment team conducted in-person and virtual interviews with a cross-section of Wichita Police Department employees of all ranks, including civilian personnel and external stakeholders. The purpose of the interviews was to listen to the individual experiences and perceptions of the interview subjects to determine if any recurring themes emerged that are related to potential code of conduct issues. Specific questions about department disciplinary processes, overall agency culture and perceived areas of improvement provided insight into behavioral expectations within the Wichita Police Department.

In addition to the interviews, the following related agency documents were reviewed to determine consistency with current best and promising practices, including those outlined in the International Chiefs of Police Standards of Conduct model policy and the Center for Policing Equity's guidance provided in their publication titled White Supremacy: How Law Enforcement Agencies Can Respond.

+ Administrative Regulation 1 – Code of Conduct

+ Administrative Regulation 3 – Professional Conduct

+ Various Wichita Police Department Training Materials and Lesson Plans

+ Wichita Police Department 2021 Strategic Plan

General Description

Guidance on behavioral expectations and general conduct of the members of the Wichita Police Department is codified in the Wichita Police Department Policy Manual by Administrative Regulations 1-5.

+ **Regulation 1:** Code of Ethics/Definitions

+ **Regulation 2:** Disciplinary Code and Penalty

+ **Regulation 3:** Professional Conduct

+ **Regulation 4:** Weapons and Use of Force Requirements

+ **Regulation 5:** Administrative Personnel Regulations

In addition to the rules, regulations and policies that pertain to conduct within the department, there are specific sections within the Memorandum of Agreement between the City of Wichita and the Fraternal Order of Police Lodge #5 that speak to conduct issues. These are found in Article 13 of the contract which deals with Disciplinary Procedures and Article 7, which discusses additional compensation for officers awarded as Code of Conduct Standard Differential Pay. We are assuming that this reference to a Code of Conduct is referring to the WPD policy on Professional Conduct. If this is the case, the title of the policy should be changed for consistency to avoid confusion.

An area of concern is none of the regulations identified in the policy that deals with conduct contain a clearly defined purpose or policy statement as illustrated in the IACP Model Policy for Standards of Conduct. This holds true for many other policies reviewed for other sections of this assessment. Many of the policies in the current WPD Policy Manual are not actually policies but lists of rules and procedures. The purpose of the policy manual is to empower the staff; it is important to recognize not every possible scenario can be identified, nor a procedure be developed, to cover all potential police activities. Employees should be allowed the latitude they need for making decisions in unusual circumstances. Attempting to control or influence behavior through procedural lists does not provide the context necessary for officers to understand how following them relates to the organization's mission and values.

Policies should communicate the mission, values and guiding principles of an organization. This assists officers in making appropriate decisions when encountering situations where policies or procedures are not able to address a specific issue. The International Association of Chiefs of Police Best Practices Guide for Developing a Police Department Policy-Procedure Manual[16] offers the following definitions for the terms "policy" and "procedure":

+ **Policy** – A course or line of action adopted and pursued by an agency that provides general guidance on the department's philosophy on identified issues.

+ **Procedure** – A detailed description of how a policy is to be accomplished. It describes the steps to be taken, the frequency of the task and the persons responsible for completing the tasks.

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16 "BP-PolicyProcedures.Pdf."

Not understanding the difference between the two terms creates confusion for employees because it is impossible to craft a procedure for every situation an officer may encounter in the performance of their duties. There will be times when specific procedures cannot be followed due to limited resources, environmental concerns, equipment malfunctions or other safety issues, but an officer's conduct may still satisfy a clearly stated policy. If officers understand the general purpose behind a policy, and the values of the organization, there is a greater likelihood their behaviors will still be within policy even if specific procedures are not available or followed. Embedding the organizational values throughout the manual will encourage desired behaviors by officers and support a strong and consistent value system throughout the department.[17] For example, a policy on internal investigations would have fairness incorporated into the policy statement if it is identified as an organizational value. Likewise, a use of force policy would include discussion on the sanctity and preservation of life if these were organizational values.

Each policy not having a stated purpose and a guiding policy statement also has a negative impact on the agency's disciplinary process, which will be covered in greater detail under another heading in this report. As currently constructed, officers are disciplined for violating "policy" when they violate a "procedure." This creates a situation where following a specific procedure that is not guided by a policy can create outcomes that are not consistent with the mission, values or goals of the department. Lack of clear behavioral expectations creates ambiguity that often results in an officer doing what they believed was the right thing to do, only to find themselves on the receiving end of a negative disciplinary action because a specific procedure was not followed.

Regulation 1.1 – Code of Ethics

The Wichita Police Department states:

> "As a member of the Wichita Police Department, I will uphold the Department's reputation for ethical behavior, honesty and integrity. I will not engage in activities that otherwise may bring discredit upon the Department, the greater law enforcement community or myself. Honesty and integrity are of utmost importance in the performance of my official duties as well as in my private life. All confidential information obtained during the performance of my official duties will not be shared except in the performance of my official duties.
>
> My fundamental duty is to serve the citizens of our community, to safeguard lives, property and to protect the innocent against deception. I will be responsive to the behavior that leads to crime and fear of crime. I will be dedicated in the performance of my duties. I will enforce the law courteously and appropriately. I will exercise sound and reasonable judgment in all circumstances.
>
> I will respect differences and recognize that unique skills, knowledge and background

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17 "BP-PolicyProcedures.Pdf."

bring strength to our community. I will consistently strive to problem solve in collaboration with and for the betterment of my community. I am receptive to innovative ideas that effectively address community issues.

I accept my position as a symbol of community trust and recognize my service to others. I will strive to develop and enhance partnerships with citizens to positively affect the quality of life in our community."

IACP Model Policy Guidance suggests that agencies must clearly define what is and is not acceptable conduct. Regulation 1 is a good first step in establishing acceptable behavior expectations. The Code of Ethics contained within the policy manual is a general statement and applies to members of the police department. Because there is no stated purpose preceding the Code of Ethics, it gives the appearance of a stand-alone document. Nothing exists that makes it clear it is intended to guide the behavior of the members of the organization. We recommend the WPD develop a purpose and a policy statement for the document. By doing so, every reader should understand why the Code of Ethics exists and to whom it applies. For example:

+ **Purpose:** The purpose of the Code of Ethics is to establish baseline behavioral expectations, general duties, core values and organizational performance standards for members of the Wichita Police Department.

+ **Policy:** It is the policy of the Wichita Police Department that all members will receive training on WPD Code of Ethics and acknowledge they understand its content and meaning. It is understood this code applies to the performance of all other procedures and duties outlined within this manual.

Placing the importance of the Code of Ethics at the beginning of the manual sets the tone and expectations for all behavior and is the foundation for a positive organizational culture. It can also serve as a benchmark for all other policies and procedures developed in the future, as all policies and procedures must adhere to the stated expectations.

Regulation 2 – Disciplinary Code/Penalty

Regulation 2 provides guidance on the application of penalties for disciplinary infractions by members of the WPD. Like *Regulation 1 – Code of Ethics*, there is no clearly stated purpose or policy to guide this regulation. It does state the regulation "…shall be a guide for disciplinary action in the interest of uniformity and fairness." While not explicitly identified as the purpose, this statement does infer the policy's purpose and goes on to require all penalties recommended by supervisors shall be within the prescribed limits set forth in the regulation. For uniformity throughout the policy manual, WPD should consider adopting the practice of separating the purpose and the policy consistent with the example provided in the previous section.

Regulation 2.2 provides a matrix for disciplinary infraction penalties. All infractions are coded as either A, B, C, D, E or F violations, with F violations being the most serious. For each infraction type, there is a range of possible penalties based on the severity of the infraction and the frequency of occurrence. A reckoning period is defined as a period in which an employee is expected to have a

record free from a similar type of offense that resulted in a sustained misconduct complaint. During the reckoning period, employees are not eligible for promotion or certain specialized unit assignments. A subsequent sustained complaint while an employee is already in a reckoning period restarts the clock and moves the end date of the reckoning period according to the last sustained finding.

Penalty Code	First Offense	Second Offense	Third Offense	Reckoning Period
A	Reprimand	Reprimand to 3 days	1- to 5-Day Suspension	1 year
B	Reprimand to 3-Day Suspension	1- to 5-Day Suspension	3- to 15-Day Suspension	1 year
C	1- to 5-Day Suspension	3- to 15-Day Suspension	5- to 30-Day Suspension	2 years
D	1- to 15-Day Suspension	5- to 30-Day Suspension	15- to 30-Day Suspension to Dismissal	2 years
E	15-Day Suspension to Dismissal	Dismissal	–	3 years
F	Dismissal	–	–	–

An in-depth assessment of the disciplinary process will be undertaken in a separate section of this report. The matrix is shown here to illustrate the wide range of possible penalties for policy or procedural violations. It is proper to have a range within each level of infraction, which allows for transparency and discretion in the discipline process. It can become problematic, however, when the employees feel the penalties are not applied in a fair manner. For officers to buy in to a code of conduct, there must be a feeling of procedural justice throughout the process. Through interviews with personnel, the internal survey conducted, and a review of qualitative comments provided at the end of the survey, there is a perception within the agency that the penalties for rule violations are not applied in an equitable manner. The undercurrent sense of unfairness is contributing directly to the pervasive feeling of mistrust within the organization. A consistent theme surfaced; officers do not feel as though some members of the organization are held to the same standards as others.

WPD should consider tightening the range of possible penalties for each level of infraction. For example, it may be advantageous to make the possible penalty for a first offense in the "B" penalty range from a reprimand to a 1-day suspension, a "C" penalty range from a 3-day suspension to a 5-day suspension, a "D" penalty range from a 7-day suspension to 10-day suspension, and an "E" range from a 15-day suspension to a 20-day suspension. Doing so would reduce the perception of unfair imposition of penalties by reducing the range between the minimum and maximum for each category of offense. It would also be wise to create opportunities for remedial training within the ranges of possible sanctions. Regulation 2 leans heavily on discipline, however it clearly states,

"Coaching and Mentoring is not discipline but is a proactive way for supervisors to guide employees away from potential work-related deficiencies." As coaching and mentoring is not a disciplinary option, it should be used as a learning tool and not used as factor in consideration of promotions and assignments. Without being shown what appropriate behavior is, or how a rule or policy will be interpreted, little is done to increase the chances that future infractions will not occur. Applying discipline without explaining why a behavior is inappropriate has little impact. This is another reason why internalizing a Code of Conduct is of the utmost importance.

Regulation 3 – Professional Conduct

Regulation 3 provides guidelines for duties, responsibilities and prohibited behaviors for members of the Wichita Police Department. The contents of this policy are consistent with language usually contained in an agency Code of Conduct and in many instances mirror the IACP Standards of Conduct Model Policy. WPD should decide if they want to refer to this policy as Professional Conduct or Code of Conduct. Either way, the title decided upon should be consistent throughout all documents used by the agency and with the provisions in the FOP MOA. Regulation 3 is broken down into broad sub-categories that contain more specific behavioral requirements and prohibitions. Each required behavior or prohibition is assigned a penalty designation, as described in Regulation 2, for failing to meet the prescribed standards.

Like other policies reviewed, Regulation 3 has no connection to any specific policing strategy, mission, values or code of ethics. This regulation is designed as a checklist of behaviors, either required or prohibited, with associated penalties for violations. There is nothing to add context to why a behavior is required or prohibited. For officers to internalize the desired behaviors, they need to understand why behaviors are required or prohibited. Ensuring that employees understand why something is done is a core component of organizational justice and speaks to neutrality, respect and trustworthy motives. Without that connection, the behaviors are abstract, they have no context, and officers will have to rely on their personal values to drive their behavior. WPD should develop a clear purpose for codifying the expected behaviors identified in this regulation. Additionally, a policy statement needs to accompany this regulation, stating that all members will adhere to the standards set forth in the regulation, and provides guidance for expected behaviors in situations where there is no policy or regulation. For example, the IACP Standards of Conduct Model Policy reads:

> "Officers shall follow this agency's mission and values statement, oath of honor, and code of ethics. If an officer experiences an ethical conflict with these items, they should consult a supervisor for further clarification."

A statement such as this also serves to remind an officer that they need not make a judgment call in a vacuum. Supervisors will be there to support them in solving perceived ethical dilemmas. The regulation covers a wide variety of topics, such as court appearance/testimony, grooming standards, flag/funeral protocol, general duty responsibilities, handling of evidence/property and other

such process-driven activities. For the purposes of this assessment, we focused more on behavioral issues than process issues related to rules.

Sections of Regulation 3 provide guidance for several vital conduct-related areas:

3.2 – Conduct Unbecoming an Officer Prohibited
3.3 – Contact with Citizens
3.4 – Cooperation
3.5 – Criminal Conduct Prohibited
3.6 – Discrimination Prohibited
3.16 – Misconduct Prohibited.

The regulations listed above are consistent with similar conduct-related rules and regulations found in most police departments across the country and in IACP Model Policy Guidance. In some instances, however, these regulations are very general in nature, which leads the enforcement of the regulations to be very subjective. For example:

+ **Regulation 3.201:** "Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or officer."

+ **Regulation 3.202:** "Each member of the Department shall conduct themselves in such a manner to reflect most favorably on the department whether on or off-duty."

+ **Regulation 3.203:** "All members of the Department shall exercise diligence, intelligence, and an interest in the performance of their duties without discrediting the Department."

Violation of any of these three regulations subjects officers to a "D" penalty, which ranges from a 1–15 -day suspension and carries a two-year reckoning period in a sustained misconduct complaint. Because of the subjectivity of the violation of these rules, the perceived subjectivity of the application of these rules by command staff, and the wide range of possible sanctions, officers do not feel punishment is meted out equitably. It is difficult for officers to adhere to a code of conduct where the expectations and prohibited behaviors are so ambiguous. It is impossible to create a regulation for every conceivable behavior; therefore, some flexibility and subjectivity of code of conduct regulations is appropriate. However, an effective way to reduce some of the ambiguity is to define specifically prohibited behaviors and not rely on the general category of "Conduct Unbecoming" as a catch-all for undesirable officer actions. During our assessment, we heard from city officials and community stakeholders that "Conduct Unbecoming" was purposefully used to conceal the nature and depth of egregious allegations pending internal investigation by PSB.

A good example of this practice can be found in Regulation 3.208, which discusses the initiation of traffic and pedestrian stops made by Wichita Police officers. It states:

> "The initiation of traffic/pedestrian(s) stops must be based on reasonable and articulable suspicion or actual violation of the law committed by the occupant(s) of the vehicle or pedestrian(s). Safety reasons alone may justify the stop if the safety reasons are based upon specific and articulable facts. 'Racial or other biased-based policing' means the unreasonable use of race, ethnicity, national origin, gender or religion by a law enforcement officer in deciding to initiate an enforcement action. It is not racial or other biased-based policing when race, ethnicity, national origin, gender or religion is used in combination with other identifying factors as part of a specific individual description to initiate an enforcement action."

What is good about this example is it goes far beyond simply saying officers shall not initiate unlawful traffic or pedestrian stops. It clearly describes what makes a stop unlawful, which removes the ambiguity and subjectivity from the regulation. WPD should examine its Professional Conduct Regulations and, where appropriate, add more specificity to the required or prohibited practices.

For example, **Regulation 3.202** – "Each member of the Department shall conduct themselves in such a manner to reflect most favorably on the department whether on or off-duty." This regulation should contain language tying expected conduct to stated organizational values. Example:

> "Each member of the Department shall conduct themselves in a manner to reflect our organizational values of fairness, respect for human dignity, truthfulness, integrity, and reverence for human life."

Because the SWAT texting scandal was one impetus for the outside assessment of the police department, a close examination of Regulation 3.6 – Discrimination Prohibited is appropriate. Under this regulation, section 3.601 says the following:

"Members of the Department shall not discriminate against any person or organization as the result of racial, ethnic, religious, sexual, political, or personal prejudice. Notice of any official action in regard to this regulation will be forwarded to the Support Services Division Commander, who is the designated Wichita Police Department EEO Officer.

a. Discrimination is defined as a failure to treat all persons equally where no reasonable distinction can be found between those favored and those not favored.

b. Members of the Department shall not use racial or gender-based disparaging language, threats or epithets."

In addition to department policy, WPD employee conduct is also governed by City of Wichita Administrative Policy 3.3, which prohibits discrimination, harassment, intimidation, and insult. It defines discrimination as:

> "Any slur, joke, or demeaning and derogatory language or behavior, whether written or spoken, against a person because of their race, sex, color, religion, national origin, ancestry, physical or mental disability, familial relationship, or age, marital status, or veteran status can be considered discriminatory harassment, intimidation, or insult. Although sexual orientation is not a protected class, harassment based on sexual orientation is also prohibited."

The policy goes on to state:

> "It will be a violation of this policy for any person employed by the City to harass, intimidate or insult, as defined above, any other City employee. The city of Wichita will not tolerate such discriminatory harassment, intimidation, or insult and will vigorously enforce this policy. City employees who violate this policy will be promptly and severely disciplined".

The City's policy on discrimination is cited directly in WPD Policy 225 – Social and Electronic Media. Section D(2) prohibits department members from posting anything that is in violation of City of Wichita Administrative Regulations on sexual harassment (A.R. 3.2) and prohibitions on discriminatory harassment, intimidation, and insult (A.R. 3.3).

Policy 225 recognizes that inappropriate or unauthorized internet postings can have a negative impact on the City of Wichita and the Wichita Police Department. Information that brings the WPD into disrepute has a corresponding effect on reducing public confidence and trust. For these reasons, WPD employees are prohibited from posting, transmitting, reproducing, or disseminating digital media to the internet, or any other private or public forum, which would violate department policies.

The Center for Policing Equity recommends prohibiting the use of racist and other discriminatory language, jokes, statements and gestures and also suggests rules for conduct unbecoming explicitly prohibit discrimination and the use of racial epithets. Further, the IACP recommends the department's definitions of conduct unbecoming should prohibit behavior, whether on or off duty, that discriminates intentionally on the basis of race, religion, ethnicity, gender, gender identity, sexual orientation, disability or any other ground of discrimination.

Violation of WPD regulation 3.601 carries an "E" penalty, which ranges from a 15-day suspension to termination and a three-year reckoning period. Tightening of this regulation will remove the defense of "even if in poor tastes or judgment, it was a joke" from any future violations of this rule, as the specific behaviors will be clearly prohibited in writing. WPD should consider adding language that prohibits the telling of jokes that use racial, or gender-based disparaging language or images. They should also consider assessing an "F" penalty for this type of serious misconduct, resulting in a termination, which could serve as an outward showing of the agency's commitment to creating an anti-discriminatory environment and culture.

Regulation 4 – Weapons/Use of Force Requirements

The scope of this assessment does not include a review of the use of force by members of the Wichita Police Department. Since the use of force is often related to officer conduct and is a sensitive issue locally and nationally, we conducted a review of this regulation.

Consistent with the regulations examined thus far, Regulation 4 does not begin with a stated purpose or a clearly defined policy statement. Instead, it opens with quoting state statute K.S.A. 21-5227, which authorizes officers to use force while making arrests. The inclusion of statutory authority is appropriate, as it is important for officers to understand what legal authority they act under when using force. One section of the statute states:

> "A law enforcement officer, or any person whom such an officer has summoned or directed to assist in making a lawful arrest, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. Such officer is justified in the use of any force which such officer reasonably believes to be necessary to effect the arrest and the use of any force which such officer reasonably believes to be necessary to defend the officer's self or another from bodily harm while making the arrest."

The statute is clear in stating an officer need not retreat or desist from efforts to make lawful arrests when the use of force is justified. By not including a purpose or policy statement, officers simply know when they can use force and that they do not have to retreat or desist from efforts to make a lawful arrest. What is missing is guidance informing officers that sometimes retreat or de-escalation is an appropriate action to take in certain situations and that the force applied must also be necessary. The statute also speaks to "reasonableness" when it comes to making use of force decisions. Again, WPD would be wise to consider developing purpose and policy statements that can help guide officers in understanding how the department defines reasonableness and to state the agency's position on de-escalation and tactical retreat when appropriate. The purpose and policy would be well placed at the beginning of the regulation as to set the tone for how the department expects officers to use force when carrying out their duties.

There is language in Regulation 4 that speaks to the Department's recognition and respect for the value and special integrity of each human life; however, it is buried in a paragraph following the state statute. Nowhere in the policy language is there any mention of the duty of officers to intervene when witnessing another officer engaging in what appears to application of excessive force, which does not reflect the officer's current training. Constructed in this manner, the regulation tells officers what they are allowed to do by law before it is explained to them why they use force and the expectation set by the agency on how it wants department members to use force. It also does not offer guidance to officers on when they should stop another from using force and misses the opportunity to reinforce the current training on this topic through policy. WPD should consider including language such as this in purpose and policy statements proposed above to be consistent with current best practice and department training regarding the use of force. Examples of appropriate language can be found in the IACP National Consensus Policy on Use of Force or the Police Executive Research Forum's Guiding Principles on Use of Force.

Regulation 5 – Administrative Personnel Regulations

Regulation 5, Administrative Personnel Regulations, addresses topics such as use of department vehicles and equipment, department correspondence, political activities and labor unions. Relevant to the discussion on code of conduct is training, which is covered by Regulation 5.11 – Training Requirements.

Under section 5.11, it states all recruits shall attend recruit school and maintain a minimum composite grade of 70%. Section 5.1102 requires recruits to adhere to Wichita/Sedgwick County Law Enforcement Academy Rules and Regulations. A connection between the academy rules and regulations and any sort of code of conduct or code of ethics of the police department is missing. Expected conduct, and other cultural norms, begin forming during the initial recruitment process and the training academy. According to IACP guidance, the focus on ethics should begin with the selection and hiring process.[18] Adherence to the Code of Ethics is not contained in any of the recruitment materials or academy regulations reviewed. WPD should consider adding adherence to the agency code of ethics as well as all other pertinent department policies and regulations while attending the academy.

Similarly, sections 5.1103 through 5.1105 discuss requirements for officer in-service training. There is no mention throughout those regulations connecting training content, expected officer behavior while attending training or the conduct of the trainers with the WPD Code of Ethics or Regulation 3 – Professional Conduct. Agencies must always promote ethical conduct by all officers. Yearly in-service training provides an excellent opportunity to reinforce this notion to all members of the agency on an annual basis.

The process of socializing organizational members to a culture requires consistent reinforcement of an agency's mission, values and ethics. By not weaving these pieces throughout the fabric of the policy manual, little is done to create a cohesive agency culture. WPD may want to consider a complete review of its policy manual. That review should include revisions that bring consistent language throughout the document that sets expectations, reinforces the mission of the agency and defines organizational values. It should be designed in a manner that consistently reinforces why the regulation or policy exists, general guidelines to define what needs to be done and specific procedures on how to do it. This is achieved by including elements of the Code of Conduct and the Code of Ethics in the purpose and policy statements of each individual policy.

Training is an essential part of developing and maintaining a code of conduct for a police agency. Policies alone cannot drive behavior if officers do not have the knowledge, skills, abilities, and desire to perform as expected by the agency and the public. To understand better what type of training members of the WPD receive, or had available to them, we conducted an inventory of the current training curricula at the Wichita/Sedgwick County Law Enforcement Academy.

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18 International Association of Chiefs of Police, "Standards of Conduct."

In addition to traditional police-related trainings, like firearms, use of force and defensive tactics, the Wichita Police Department Training Division provides training in many topics directly related to officer conduct. Some pertinent examples are:

+ De-escalation and Crisis Intervention

+ Communication

+ Community Trust and Involvement

+ Community Interaction

+ Community Policing

+ Community Caretaking

+ Thinking Critically

+ FBI Color of Law/Hate Crimes

+ Ethics

+ Juvenile Intervention & Prevention Strategies

+ Resilience

+ Communicating with Suicidal People in Crisis

+ Police Response to Mental Health Crisis

+ Duty to Intervene.

The content of all the courses listed demonstrated the agency is investing a significant amount of time and effort in providing training that promotes a positive culture within the police department and reinforces the existing Code of Ethics. One highlight, however, is the training sessions are presented, in most instances, as stand-alone topics; what is missing is an integration of topics. All the topics listed above are related, and whenever possible, efforts should be made to reinforce lessons learned from other classes in each class presented. This integration helps internalize the lessons learned and transforms them from simply being class material to an internalized pattern of behavior. This process promotes good decision-making and demonstrates understanding of appropriate application of skills, laws, and situational awareness.

One area of training that is doing a good job integrating topics is WPD's use of force training and defensive tactics training. As much as possible, trainers have developed classes that integrate firearms, de-escalation, taser, motor vehicle stops/patrol procedures and other "hands-on" tactical training with each other, as well as judicious skill-based training like Duty to Intervene and Communication that does not require the officer to go "hands-on." Whenever possible, they conduct scenario-based training for officers to demonstrate their understanding of theoretical course matter, make appropriate decisions, then apply the appropriate skills.

There is no evidence showing a lack of training is the cause of any perceived code of conduct issues within the Wichita Police Department. Quite the contrary; the foundation for appropriate conduct is delivered through a robust training curriculum that underscores the importance of discipline, appropriate behavior and community relations. The evaluation of course delivery and instructional methods was beyond the scope of this assessment, therefore, no assessment of the quality of the training was undertaken. The course content reviewed was relevant, up to date and vetted for appropriate content. If conduct problems exist, they are likely due to a culture that does not support officers acting in a manner consistent with the training they receive, or the quality of course delivery is lacking. These are supervision and accountability issues, not a training content issues. At present, there is no required training for supervisors to offer guidance on how to handle accountability issues. We recommend the WPD develop and institute first-line and mid-level supervisory and leadership training to address this performance gap.

Recommendations

It is imperative that law enforcement agencies develop a Code of Conduct that is not only understood, but followed, by every member of the organization. It cannot simply be a list of rules but must be a living document that creates the identity of the agency. Without personal integrity, the Code of Conduct will have little impact on individual behavior or organizational culture. A conscious decision to do the right thing and acceptance of responsibility for one's actions are indispensable in achieving high levels of professional conduct.

The development of a Code of Conduct starts by promoting ethical policing. Employees of the Wichita Police Department should be required to follow each item in the Code of Ethics in Regulation 1, consistent with the IACP Guidance on Standards of Conduct.[19] This should be stated in the form of a policy statement at the beginning of the regulation. The ideals set forth in that document should be the foundation for guiding decision-making in all situations. In the absence of specific rules, the agency's stated ethical standards should reduce the occurrence of officer misconduct.

Currently, the WPD does not have a Code of Conduct but has Regulation 3 – Professional Conduct. Whereas the Articles concerning discipline in the FOP employment contract refer to a Code of Conduct, it is suggested that a new Code of Conduct be written to replace Regulation 3. The reason for this is that much of the organizational strife within the WPD is driven by unclear expectations and ambiguous rules. Clarifying and making a connection between the Policy Manual and the FOP contract will assist in the process of understanding and internalizing expected behaviors. Additionally, all policies and regulations should be reviewed to ensure they have a clearly written purpose and policy statement.

Prior to writing a new Code of Conduct, the agency should develop new vision, mission, values, goals and objectives statements. Developing behavioral standards should not be done in a vacuum, nor should they simply be a restatement of what other agencies have done in the past. Conduct should

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be driven by where the agency wants to be in the future, what functions it can realistically perform now, the core values of the organization and the individual tasks that need to be accomplished. During this assessment, two different mission statements and value statements were discovered. One was documented in writing in the agency, the other on the WPD website and on strategic planning documents. It is unclear which, if either, is currently in effect. The existence of these conflicting documents is likely another source of organizational ambiguity.

When developing these new foundational constructs, WPD should ensure its organizational vision, mission and values are consistent with, and supportive of, those of the City of Wichita. One of the problems observed through this assessment was that there is a significant divide between the WPD and other units of local government. It should be understood by members of the Department that they are a part of the City Government and not a stand-alone function. WPD should consider forming a working group consisting of department leadership, rank-and-file members, civilian members, representatives from city government and community stakeholders to assist in drafting the new vision, mission and values statements. This process will go a long way in re-establishing broken trusts, forging new relationships and developing a sense of understanding of the role of the WPD in the greater community.

Once the new statements are created, the Professional Conduct Regulations can be revised. By first establishing clear vision and mission statements, it can give greater context for understanding the meaning behind the specific rules outlined in policy. It helps to reduce ambiguity because a focal point will exist to provide clarity when interpreting the meaning of established rules and regulations. Values, codes of conduct and ethical standards are important guides; however, it is also important the WPD makes clear what is acceptable behavior in highly sensitive areas of law enforcement operations.

Codes of Conduct often contain provisions that put some limitations on personal liberties, like freedom of association and freedom of speech. While the WPD should take great care in respecting those individual rights of employees, courts have held that law enforcement work has distinctive features distinguishing it from other types of employment.[20] It is recognized that certain types of conduct are harmful to the efficient and effective operation of a law enforcement agency. Because of this, some employee conduct may be curtailed, limited or modified in some manner to maintain the trust of the public. When developing the new Code of Conduct, WPD should be sure to prohibit employees from joining or participating in any organization that advocates, incites or supports criminal acts or criminal conspiracies consistent with the guidance provided by the Center for Police Equity and the IACP. Additionally, it should be clearly stated that officers cannot have any association with groups that promote hatred or discrimination toward racial, religious, ethnic, or other groups or classes of individuals.

Institutionalizing the Code of Conduct should begin during pre-employment screening and qualification. WPD should consider requiring candidates to indicate they understand, and are willing to adhere to, the agency's Code of Ethics and Code of Conduct prior to offering employment.

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Emphasis should be put on maintaining a professional image, self-respect and organizational pride. This emphasis should be consistent throughout the academy experience and carried into an applicant's employment.

The agency has a responsibility to ensure all officers are periodically retrained on the Code of Conduct and Code of Ethics. It is recommended WPD codify that requirement within its policy manual.

If a new code of conduct is developed, leadership must take steps to re-establish trust within the agency or it will become yet another document with no meaning. Symptoms of mistrust in an organization include:

+ Increased Staff Turnover

+ Command and Control Management

+ Silo Mentality

+ Reluctance to Take Risk

+ Loss of Commitment and Deteriorating Morale

+ Elevated Feelings of Staff Vulnerability

+ Reduced Communication

+ Rampant Rumors/Gossip.

Unfortunately, signs of all these elements were present during our personnel interviews and exhibited in the survey of members of the Wichita Police Department. For example, one survey respondent said that "Morale is certainly at an all-time low. In part due to staffing but largely due to command level policy/[decision] making. There is very little trust and respect of command by line-level personnel." More detailed descriptions of examples of these behaviors will be addressed in specific sections of this report. It is worth mentioning here because, without organizational trust, the Code of Conduct is meaningless.

Other parts of this report recommend that department leadership examine the promotional processes, disciplinary process, and staffing levels and assignments. During those examinations, it would be wise to elicit input from employees to demonstrate their voices have been heard and they matter. Additionally, efforts to increase communication within the organization, both vertically and horizontally, is necessary to begin the rebuilding process. This communication should be used to reinforce the vision, mission, values and Code of Ethics of the Wichita Police Department so their contents become everyday, lived language within the organization.

Rec. #	Code of Conduct Recommendation
4.1	Review and revise policies and regulations, as needed, to ensure each policy contains specific purpose and policy statements.
4.2	Consider narrowing the ranges of penalties for sustained misconduct violations and develop an audit process to analyze fairness in disciplinary actions.
4.3	Codify the use of coaching and mentoring as a disciplinary tool in WPD Policy Regulation 2 – Disciplinary Code/Penalty.
4.4	Align the language in WPD Policy Regulation 3 – Professional Conduct with FOP MOA language in Article 7 regarding Code of Conduct Standard Pay for consistency.
4.5	Add specific language to Regulation 3.201 – Conduct Unbecoming to include specific prohibited behaviors.
4.6	Revise Regulation 3.205 to include language requiring officers to immediately report misconduct to a supervisor.
4.7	Continue to utilize scenario-based training to make connections between individual training topics and look for opportunities create training that integrates knowledge, skills, and tactics.
4.8	Consider reinforcing the Code of Ethics at yearly In-Service Training.
4.9	Revise Regulation 4 – Use of Force to include defining reasonableness and de-escalation in the purpose and policy statements.
4.10	Create a policy requirement in Regulation 4 – Use of Force that clearly establishes an officer's duty to intervene in cases of excessive force.

Internal Investigations and Discipline

Police legitimacy is a concept that speaks to people's willing acceptance of and cooperation with the lawful authority of a police agency. It is strongly tied to the perceived level of fairness exercised by police authority and applied processes.[21] This level of fairness is described in the literature as procedural justice. For an agency to be perceived as procedurally just, it should demonstrate four basic principles:[22]

+ Fairness in processes
+ Being transparent in actions
+ Providing opportunity for parties to be given a voice
+ Being impartial in decision-making.

The concept of procedural justice is applied both externally through an agency's dealings with the public and internally with members of the organization.

Since the issue of police misconduct has a profound impact on both internal and external perceptions of procedural justice, it is imperative that agencies fully investigate all allegations of misconduct. When a complaint against an officer is proven to be true, the agency needs to apply the appropriate disciplinary measures to correct the negative behavior. When internal investigations are conducted in a procedurally just manner, members of the public and members of the department are likely to feel more respected, understand why decisions were made, be more accepting of the outcomes and less likely to challenge the decisions.

Methodology

We reviewed Wichita Police Department (WPD) internal documents and compared them to best and promising practices developed by the International Association of Chiefs of Police (IACP)[23] and the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS).[24] The internal document review consisted of an examination of the following sources:

+ **Wichita Police Department Policy 901** – Administrative Internal Investigations

+ **Wichita Police Department Policy 902** – Criminal Investigations Involving Department Employees

+ **Fraternal Order of Police Contract Article 7, section 6** – Code of Conduct Differential Compensation

+ **Fraternal Order of Police Contract Article 13** – Disciplinary Procedures.

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21 Tyler and Nobo, Legitimacy-Based Policing and the Promotion of Community Vitality.
22 Haas, N.E., Van Craen, M., Skogan, W.G., & Fleitas, D.M., "Explaining Officer Compliance: The Importance of Procedural Justice and Trust inside a Police Organization."
23 "BP-InternalAffairs.Pdf."
24 "Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice."

In addition, we interviewed department personnel and community stakeholders and asked them questions about their experiences and perceptions of the internal affairs and disciplinary processes in the WPD. Information was also gathered from an internal agency survey that elicited quantitative and qualitative responses related to these processes.

Policy 901 – Administrative Internal Investigations

The stated purpose of WPD Policy 901 is to establish standard procedures for the investigation of complaints or allegations of misconduct against employees of the agency in a fair, impartial and complete manner. Moreover, the policy is meant to safeguard the rights of the accused, exonerate the innocent and ensure the confidentiality of the Professional Standards Bureau (PSB) files. This purpose is followed by a clear policy statement that requires investigation of all alleged or suspected acts of misconduct and all incidents involving the discharge of a firearm.

The policy statement makes it clear that complaints received by a supervisor or commanding officer, whether from members of the department or a citizen, must be investigated. These complaints can be received orally, in writing or by phone correspondence. Also, all incidents observed by supervisors or initiated by the Chief of Police warrant an investigation. We recommend WPD revisit the policy statement to address two minor issues.

The first issue is that the policy, as written, states incidents received from citizens must be investigated. The policy does not require an investigation if the reporting party is not a citizen. It appears that the term "citizen" is used generically; however, WPD should be aware that this may be interpreted as non-citizens not having the right to have a complaint investigated. The policy should be written to be inclusive of any person who may have occasion to file a complaint.

The second issue concerns how complaints are transmitted. The policy says complaints made orally, in writing or by phone must be investigated. This should be broadened so there is no misunderstanding of when a complaint needs to be investigated. The COPS Office Guidelines for Internal Affairs advise taking complaints orally, in writing or in some other reasonably intelligible form. The point is to make it as simple as reasonably possible for anyone, including an arrestee, to present a complaint without unnecessary burden.[25]

Section IIIA of the policy discusses the confidentiality of complaint documents. According to this section, all completed documents concerning complaints of misconduct shall be considered confidential. Once filed with the PSB, said documents may not be viewed, copied or removed without the consent of a Deputy Chief or the Chief of Police. Employees may receive a copy of an internal investigation in which they are the subject upon signing a protection order or agreement. An employee can view their PSB file during business hours by contacting the PSB Commander. It should be noted that according to this policy, a document that is not "completed" would not be considered confidential. WPD should remove the requirement for a document to be completed before deeming it

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confidential. There are many reasons why a form or a statement may not be completed in one sitting; therefore, all the information contained in any documents related to an internal investigation should be considered confidential for the purpose of protecting the rights and privacy of all parties involved.

Section IIIB identifies WPD Form 325-203 (Compliment/Complaint Form) as the preferred means by which to document a complaint of misconduct against an employee by a citizen. When an individual appears in person, a supervisor or PSB Investigator interviews the subject and allows them to document their complaint on the Compliment/Complaint Form. The policy also allows for the investigator to complete the form for the individual.

Once the Compliment/Complaint Form is completed, the complainant is asked to sign the form. If the complainant refuses to sign the form, the investigator is to note that refusal on the form, but the investigation will proceed regardless.

When a complaint is made by phone, Section IIIB(a) dictates how it is to be handled. According to the policy, the complainant should be encouraged to schedule a time to speak with an investigator and complete the Compliment/Complaint form. Investigators are permitted to interview the complainant over the phone and complete the form but are required to read it back to the complainant so that they can acknowledge the accuracy of the content. This acknowledgement needs to be documented on the form by the investigator.

The investigator also has the option of mailing a Compliment/Complaint Form to the complainant to complete, sign and return either in person or by mail. A letter from a complainant is considered a complaint document and does not require the submission of a Compliment/Complaint Form. There is also a version of the Compliment/Complaint Form available on the WPD website.

Policy 901 Section IIIB is consistent with best and promising practices for receiving complaints from the public. It affords multiple ways for an individual to lodge a complaint, and although they encourage a signed form, it is not required. The only area of concern with this section is under Section IIIB(f), prohibiting anyone except the complainant from being in the room during the complainant interview. As stated earlier, best practice is to have procedures in place that are not burdensome to the complainant. Additionally, the complaint process should not dissuade, discourage, dishearten or intimidate complainants or give them cause for fear. Depending on the person involved and the nature of the complaint, it is feasible that some individuals may not be comfortable being alone with the investigator during the interview. WPD should consider removing this prohibition from its policy. The decision whether to allow anyone in the interview room with the complainant should be evaluated on a case-by-case basis, not a blanket prohibition and with the consent of the complainant.

To ensure employees are adhering to the policy, we recommend that language be added to prohibit employees attempting to dissuade potential complainants from filing a complaint or attempting to convince a complainant to withdraw a complaint. The policy should affirmatively state that if an employee attempts to do either of the above, they will be subject to discipline.

Section IIIC of the policy governs authority and responsibilities associated with internal investigations. By policy, it is the responsibility of each supervisor and/or commander to initiate investigations themselves and to not seek higher authority for the initiation of an investigation. Any complaints of misconduct reported directly to the PSB may be investigated by them or referred to the Bureau Commander of the member who is the subject of the complaint if the complaint is a minor alleged violation of WPD Policies and Regulations. Referring some internal investigations back to the Bureau Commanders is a recommended practice. It may, however, become problematic if there is a perception that there is no organizational standard to make that decision. Such is the case currently in the WPD.

One of the recurring themes that arose throughout the personnel interviews was that too many minor infractions were investigated by PSB that would be more appropriately handled at the bureau level. Officers expressed the feeling that if PSB investigates them, they are going to find them responsible for something, even if it was not related to the initial complaint. Some also felt the decision to relegate an investigation back to the bureau level was dependent on who the alleged offending officer is and their relationship with command staff. The perception is if an officer is part of the "in crowd" the complaint will be handled as a minor complaint and sent back to the bureau. If not, the complaint is considered more serious and handled by the PSB. To eliminate this perception, we recommend the agency clarify what complaint types are appropriate for investigation at the bureau level. That list should include things such as discourtesies, traffic citations and enforcement, preventable traffic crashes, minor performance issues, alleged minor unreasonable uses of force, or willful/reckless/intentional misconduct.

Providing more guidance on appropriate bureau-level investigations will provide transparency in the decision-making process and increase a sense of procedural justice. It also puts the investigation in the hands of a supervisor who is more familiar with the environment, the officer's usual work conduct, and the appropriate level of discipline that is likely to correct and prevent inappropriate behavior on the part of an individual officer. Moving more investigations to the Bureau Commanders also frees up resources for the PSB, allowing them to focus on more serious complaints. By reducing the caseload handled by the PSB, investigations handled by them could be completed in a timelier manner.

Many interviewees complained the internal investigations take too long, causing undue stress on the officers. Section IIIC requires internal investigations to be completed within a reasonable time frame but offers no guidance on what is considered reasonable. The policy simply states that clarification on the definition of a reasonable time frame, if needed, should be obtained from the investigator's Division Commander or the PSB Commander. The IACP's Internal Affairs Best Practice Guide [26] suggests status notifications should be provided to the complainant and the subject officer every 30 days. The COPS Office Internal Affairs guidance suggests agencies should complete internal affairs investigations within 180 days unless extreme circumstances make that time frame unrealistic. WPD should consider adopting both practices into its Administrative Internal Investigations Policy. Doing so will accomplish several things. It will demonstrate the agency recognizes that employees experience stress while awaiting the disposition of their case and that efforts are made to mitigate that stress.

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26 "BP-InternalAffairs.Pdf."

This is beneficial for the overall wellness of the individual officer involved and the long-term health of the organization. Stress is the cause of costly errors that impact the effective operation of a police agency. Swift resolution of internal affairs investigations is also valuable to the development and maintenance of public trust. The perception of police legitimacy increases when community members are notified their complaints have been investigated promptly and thoroughly.

Once the department receives a complaint, the employee named in the complaint must be notified in writing of the existence and nature of the complaint. Upon the conclusion of the investigation, the PSB Commander is required to notify the employee, their supervisor and the Chief of Police that the investigation is completed and assign one of four possible dispositions to the complaint. The complaint dispositions per policy are:

+ **Unfounded** – Allegation(s) is (are) false or not factual.

+ **Exonerated** – The incident occurred but was lawful and proper.

+ **Not-Sustained** – Insufficient evidence exists to either prove or disprove the allegation.

+ **Sustained** – An allegation is supported by sufficient evidence to justify a reasonable conclusion of guilt.

The dispositions identified in Section IIID(2) are consistent with best practices, and the WPD should continue to use them. Some agencies have found additional dispositions can be helpful when employee actions may not rise to the level of a policy violation but are not consistent with the mission or values of the agency. This can be particularly helpful in identifying problematic behavioral patterns that if left unchecked, may lead to future policy or regulation violations. For example, the Los Angeles Police Department uses the disposition of "Actions Could Have Been Different" for behaviors deemed to be less than ideal but not necessarily misconduct.[27] This disposition is used to coach, mentor or train employees, instead of taking no documented action on potentially problematic behaviors.

Disciplinary actions taken as a result of a sustained complaint can be a reprimand, change of work assignment, suspension without pay for one to 30 days, demotion in rank or grade, or dismissal from the agency. Additionally, WPD uses "Coaching and Mentoring" to address behavioral and performance issues; however, it is not codified within Section IIIF(1), as it is not considered "discipline." The proper use of "Coaching and Mentoring" should be described within the policy to demonstrate that all corrective action need not be punitive. Doing this will also afford the agency the opportunity to show official action was taken to address less than ideal behaviors and to take steps to ensure the use of this disposition is consistent and equitable. Numerous employee interviews uncovered the belief that the use of "Coaching and Mentoring" is not applied consistently within the department. Some officers receive "Coaching and Mentoring," while others receive official disciplinary sanctions for committing similar offenses. This has a negative impact on the perceived internal procedural justice and contributes to the atmosphere of fear and mistrust within the department.

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Section IIIH of Policy 901 requires the department to notify an employee who has been investigated of the disposition of the finding following the investigation by the department unit that conducted the investigation. Investigative reports stemming from the investigation remain in the PSB and are not made part of the employee's personnel file. Only copies of suspension notices are forwarded to the Human Resources Director.

The Administrative Internal Investigations Policy allows employees to appeal disciplinary decisions in accordance with the Fraternal Order of Police Lodge #5 (FOP) Memorandum of Agreement (MOA) or the City of Wichita Human Resources Manual.

Policy 902 – Criminal Investigations Involving Department Employees

Complaints alleging possible criminal misconduct by employees should be separated from administrative complaints, classified as a criminal investigation and handled according to a policy specific to conducting criminal investigations. WPD Policy 902 codifies the procedures for handling criminal complaints against agency employees. The stated purpose is "…to establish standard procedures for investigating allegations of criminal misconduct involving a member of the Wichita Police Department." What is missing from the policy is a clear policy statement that offers general guidance on the application of the policy. It goes directly from a statement of purpose to outlining the procedures for how the department will handle allegations of criminal conduct.

We recommend WPD develop a policy statement that clearly says handling an Administrative Internal Investigation is separate and distinct from the handling of a criminal conduct allegation. Additionally, it should be made clear the disposition of the criminal case does not necessarily determine the outcome of an administrative case. This is mentioned in the body of the policy; however, this distinction would be better placed at the beginning to add clarity and transparency to the process. Based on employee interviews, there appears to be some confusion in this area. A complaint heard on several occasions is that officers are sometimes cleared through an administrative investigation, yet the department proceeds to present the case to the District Attorney's Office or the U.S. Attorney's Office to make a determination on the filing of criminal charges. Some employees view this as another example of how the agency does what it can to target specific officers.

During a criminal investigation, an employee's work status is determined by the Chief of Police in consultation with the employee's chain of command. The determination of the nature of appropriate work assignments while under investigation should consider what is in the best interest of the department and the employee, according to the policy. WPD should consider adding language that takes into consideration the best interest of the public, as well as language tying the work status decision to the department's Code of Ethics and its mission and values. Tying the decision to these guiding documents demonstrates the decision is not made arbitrarily but is based on documents that form the foundation of the agency's Code of Conduct.

The Chief has the option to assign an employee under criminal investigation to:

+ **Regular duty** (no restrictions).

+ **Restricted duty** (this may involve temporary assignment in another bureau/division).

+ **Suspension with pay** (the employee may be directed to stay home during their normal working hours/days).

+ **Suspension without pay** (City of Wichita Substance Abuse/Testing Policies).

An employee may be placed on paid leave or unpaid leave if leave time such as vacation, personal holiday or well days are not available for up to six months. Due to the length of time some investigations take, interviewees report it is not uncommon for a duty status described above to go beyond six months. This is another example of the importance of completing investigations within a 180-day timeframe.

To ensure transparency and further the perception of procedural justice, the Chief should explain how they reached the decision regarding the duty status of the employee. Employees or members of the public may not agree with the Chief's decision, but at least there is an explanation for how and why the decision is made. This presents the Chief with an opportunity to demonstrate an attempt to remain objective and to inject fairness into the process.

If an employee is found guilty of or pleads guilty to a misdemeanor that occurred at work, against another employee or against the City, or to a felony, WPD policy requires that individual's employment must be terminated. At the conclusion of the criminal investigation and all court proceedings, the Chief will determine if an administrative investigation will be conducted by the PSB.

FOP Contract

Two articles in the MOA between the FOP and the City of Wichita deal with code of conduct issues. Article 7 section 6 addresses Code of Conduct Standard Differential Compensation and Article 13 deals with Disciplinary Procedures.

Article 7 section 6 of the MOA establishes additional compensation for officers, detectives and sergeants in the WPD because, "The City of Wichita recognizes that Police Officers, Detectives, and Sergeants are held to a high Code of Conduct Standard, while on and off duty." The Code of Conduct standard is established through the WPD's Policy and Procedure Manual, which includes discipline for violations of policies and regulations that do not apply to other employees of the city. Currently, eligible employees receive an additional $2 per hour of compensation after three years of service. In 2024, this rate will increase to $2.25 per hour. The additional compensation is considered "regular pay" and is used in calculating overtime pay rates and salary calculations concerning the Police and Fire Retirement System.

Officers subjected to any disciplinary actions, after a sustained complaint, that carry a "C" penalty or higher will have their Code of Conduct Standard Differential Pay suspended according to the following schedule:

Penalty Type	1st Offense	2nd Offense	3rd Offense
C	N/A	2 Months	4 Months
D	2 Months	4 Months	6 Months
E	4-12 Months	N/A	N/A

The contract also allows employees to forego Code of Conduct Standard Differential Pay in lieu of a disciplinary suspension. For every two months of pay forfeited, the employee may reduce the length of their suspension by one day. For example, if an officer agreed to give up one-year of Code of Conduct Standard Differential Pay, they could nullify a six-day disciplinary suspension and remain at work. It appears the officer would still be eligible to work overtime or paid details.

Article 7 section 6 may be problematic for several reasons. From an organizational culture perspective, it sends the wrong message. One would expect police officers would adhere to a specific code of conduct by virtue of their position of public trust. Offering incentive pay to behave in accordance with policies and regulations implies the city is paying a premium for officers not to engage in behavior that is prohibited by policy or regulation. This does little to engender public trust.

From a fiscal perspective, the city is paying eligible officers approximately $4,160 each, not including overtime, every year for following department policies and regulations. If every sergeant, detective and officer is eligible, the cost of these payments to the taxpayer is $2.7 million. This is a large sum of money to pay for expected behavior. This also does not consider the long-term cost associated with higher pension costs due to the increase in the officers' regular rate of pay. Under normal conditions, fiscal considerations are not part of a discussion on conduct issues. Because of the agency-wide agreement on the lack of personnel resources available to respond to calls for service, it is mentioned here to illustrate how future contract decisions such as this may negatively impact service delivery.

Although it is unclear if or how many officers take advantage of the opportunity to forfeit Code of Conduct Standard Differential Pay in lieu of a disciplinary suspension, the city may want to consider negotiating that provision out of the contract. From a public perception perspective, it is unlikely that finding an officer responsible for misconduct and allowing them to remain on duty will be accepted. Even though the officer in question sees a monetary loss, they will remain in contact with the public, which gives the appearance nothing is being done to address the inappropriate behavior.

As an example, if an officer received a sustained complaint for violating Regulation 3.6, which prohibits discrimination, as a class D offense they could receive a punishment of up to a 15-day suspension. If the officer chooses, they can forfeit their differential pay and remain on duty. A situation such as this does not consider the negative impact it may have on people impacted by misconduct or the community in general. At the very least, it creates poor optics.

Article 13 of the FOP contract outlines the agreed-upon disciplinary procedures for employees accused of misconduct. According to the MOA:

> "Misconduct occurs when an employee, by act or omission, neglects duty, fails to execute a lawful order, violates published departmental regulations, fails to follow departmental policy, or commits a public offense. Disciplinary action is either corrective or punitive administrative action and includes the following:
>
> c. A documented verbal counseling and/or
>
> d. Demotion, suspension or dismissal, which shall be considered "major disciplinary action."

Once a complaint of misconduct is filed against an employee, the PSB is responsible for conducting the administrative investigation. PSB may delegate this function to a supervisor holding the rank of lieutenant or above.

Employees subject to a misconduct complaint must be notified in writing within four business days from the date of the initial complaint. The notification is required to inform the employee of the alleged misconduct and the specific rule, regulation, policy or law violated. Additionally, PSB must provide the employee with the names and addresses of all witnesses and all other material facts known to the city and its employees.

Prior to an employee attending an administrative interview related to the alleged misconduct, the contract allows the employee to inspect the records of the PSB investigative file. These files usually contain the complaint, witness statements and all other evidentiary material that may be used in the final disposition of the investigation. This provision in the contract also states the employee who is the focus of the investigation shall be interviewed after all other witnesses unless the Chief of Police and the FOP President agree to a different order for the interviews.

It is not a common practice to allow an employee who is the focus of an administrative investigation to review the entire investigative file prior to being interviewed. Customarily, the employee is provided all that information through discovery after the investigation has been completed, including their interview. Knowing the content of the investigative file should have no bearing on the employee's account of any alleged incident or behavior. Viewing the contents of the file could taint the testimony given by the employee during the administrative interview. It serves no good investigatory purpose. It would allow the subject under investigation to construct a story that may discredit or nullify any of the evidence. The disciplinary process should be designed to gather facts, determine what took place

and decide whether the employee engaged in misconduct. Allowing employees to view the PSB case file before the interview is counterproductive to that process.

If at the conclusion of an administrative investigation, an employee receives any sort of disciplinary sanction, the department is required to provide the entire Professional Standards file to the FOP, if requested, to determine if a grievance will be filed. In cases involving demotion, termination, and "E" and "F" penalties, all statements contained in the file are required to be transcribed and reviewed by the department before disciplinary sanctions are imposed. All letters of discipline issued to an employee have to be provided to the FOP, and access to the employee's personnel file must be granted.

Section 6 of Article 13 gives an employee the option of forfeiting accrued vacation days in lieu of an unpaid suspension not to exceed 10 working days. Like the ability of employees to forfeit Code of Conduct Standard Differential Pay, the practice of allowing employees to forfeit vacation in lieu of a suspension may prove to be problematic. Minimizing the impact an imposed sanction has on the employee does little to reinforce the desired behavioral change. It creates a disconnect between the penalty and the behavior of the individual because the employee may not personally experience any adverse effects by forfeiting leave time if they have accrued a significant amount of time. This practice may also create negative public perception by giving the appearance the employee was not held accountable for their transgression.

Article 13 section 10 addresses the removal of officers from selective unit assignments. According to this section, Commanders can consider documented poor work performance, behavioral problems or fitness evaluations as cause for removing an employee from their assignment. Additionally, an employee can be removed for any sustained "D" or "E" penalty code violation. WPD may want to consider adding mandatory removal provisions. There may be certain violations, for specific assignments, that would render an employee incapable of remaining in that position. Currently, this provision of the contract states the employee may be removed. This level of discretion opens the possibility of perceived preferential treatment when certain employees are allowed to remain in a position, while others have been removed for a similar infraction.

Section 10 also allows employees on work improvement plans to stay in specialty units, but they are only allowed to participate in training sessions. They cannot act in an operational capacity. Only after an employee is placed under two work performance improvement plans within a 24-month period will they be removed from their assignment and not be allowed to return.

Section 11 contains a provision that acts as a de-facto statute of limitations to filing misconduct complaints for "A" and "B" penalties. If there is no evidence of an employee attempting to conceal an infraction, an employee cannot be disciplined for an "A" infraction after 12 months of the alleged occurrence. For "B" infractions, the time limit for a complaint is 18 months. WPD should consider revisiting this section. It is understood that the employment contract is in place to protect the employees; however, just because the misconduct was not discovered 12 or 18 months in the past, it does not erase the fact that an employee committed an infraction. Allowing an employee to avoid responsibility for misconduct damages the sense of internal procedural justice for all other members

of the organization who choose to behave appropriately. It also denies the employee and the agency an opportunity for growth that may prevent future misconduct. If the misconduct involves a member of the public, not holding employees accountable for misconduct erodes the public trust. WPD should consider investigating all allegations of misconduct but impose time limits on when disciplinary action can be taken. This way, the improper behavior does not go unaddressed due to the function of passing time.

The articles relevant to discipline in the FOP contract do little to aid in the promotion of or the adherence to a Code of Conduct in the WPD. There is value in the fact that they clearly spell out what misconduct is; however, it speaks to adhering to a Code of Conduct that does not exist. WPD currently has a policy titled "Professional Conduct" that is substantively the same but inconsistent with the language contained in the MOA. This may cause confusion. Without an actual Code of Conduct to refer to, the articles have little merit.

More troubling are the provisions in the contract that seemingly allow employees to either avoid responsibility for misconduct or, at a minimum, reduce the corrective impact imposed disciplinary sanctions may have on them. Removing the provisions that allow trading vacation for suspension, offering Code of Conduct Standard Differential Pay and the ability to forfeit that pay in lieu of a suspension should seriously be considered for renegotiation. While these articles may seem to benefit the individual, they contribute to the overall feelings of unfairness and inequity within the disciplinary process that many employees claim exist in the department.

Recommendations

The current WPD Policies and related FOP MOA articles are generally in line with best practices as recommended by the IACP and the COPS Office guidance on internal investigations. Some subtle language changes and additions have been recommended to bring clarity and consistency to the processes. Due to the climate of mistrust and fear within the WPD, leadership may want to consider taking this opportunity to try to change the internal perceptions of its employees about the processes, and the application of the processes, that are prevalent when it comes to internal investigations and discipline.

Department members' overall perception, and our assessment team's observations, are that the systems are based on a punitive model of discipline. When violations of policies or regulations occur, employees receive some form of punishment. According to survey data, 29.5% of respondents agree or strongly agree that the department helps personnel with coaching rather than punishment. The implication here is that 70.5% are either neutral or disagree that the department helps employees through non-punitive measures. Depending on the situation, punitive sanctions may be appropriate. The theory behind imposing punishment is that it will deter further misconduct and may provide the benefit of observational learning to employees who have not committed violations. When they see a fellow employee punished, the belief is it will deter them from committing the same infraction. The problem facing the WPD is there is a perception that these punishments are not handed out

equitably. There is an appearance that some employees receive punishment for certain behaviors, while others do not. This perception, if true, reduces the impact that observational learning may have on behavior because employees are unsure of what behavior is allowed and what is not. When some employees are punished for things and other employees are not, the perceived legitimacy of the organization is compromised, resulting in a lack of trust and a reduction in individual commitment to the organization.

WPD leadership should consider exploring nonpunitive measures to resolve disciplinary and performance issues and use them when appropriate. Traditionally, when transgressions occur, the agency seeks to find the appropriate penalty that fits the seriousness of the violation. WPD currently uses a disciplinary matrix to aid in this process. An alternative way of thinking about discipline is to look at the cause of the misconduct and develop a strategy to remove that cause. For example, a policy violation might happen due to an error in thinking or judgment, a lack of training, or a misunderstanding of the reasons behind the existence of a policy or rule. Situations like these are perfect for the application of this new approach.

Using an interactive process helps identify the error in thinking on the part of the employee that led to the inappropriate behavior. Identifying the problematic thinking provides a starting point for leadership to develop a strategy that is likely to allow the employee to understand better why their errant thinking led to the problematic behavior. It then leads the employee to come up with a solution to change their thinking. This change in thinking can be transferred to all situations in which the relevant principles, not just the rules, apply.[28] From an organizational perspective, the agency benefits from real behavioral change based on learning and hopefully enhances feelings of fairness and commitment on the part of the employee. This will also aid in the reestablishment of trust between the rank and file and command because it signals to the employee that the agency cares about them and wants to retain them, instead of punishing them and trying to oust them.

A suspension or other punitive action does not necessarily lead to improved thinking or change in behavior for most employees. The process of punishment is linear. It assumes a clear cause-and-effect relationship between the behavior exhibited and the punishment received. The connection between the behavior and the punishment is not always clear, especially in environments where the imposition of punishment is ambiguous. Discipline should be thought of as a systematic, integrated process that recognizes behavior is caused by multiple factors and does not necessarily stem from malicious intent on the part of the employee. The culture of the WPD will benefit significantly by developing nonpunitive means to train, remediate or otherwise involve officers in constructive activities to reorient their conduct in accordance with the organizational values of the agency. An example would be to have an officer participate in a community service project in lieu of punishment. Activities such as this bring a sense of restorative justice into the disciplinary system of the organization. Employees are afforded a positive way to give back to society to make amends for violating their trust.

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28 "Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice."

Related to matters regarding discipline in the department, several issues regarding the department's approach toward Brady/Giglio were brought up as items of concern. Some interviewees alleged that some violations were purposely labeled as violations which would subject the involved officer to being placed on the Brady/Giglio list. On the other hand, concern was raised that in some instances, the discipline was labeled as "conduct unbecoming of an officer" rather than a violation that would trigger Brady/Giglio, avoiding placing an officer on the Brady list.

WPD Policy 905 requires personnel to report any information on sustained findings of misconduct related to truthfulness or racial bias, criminal convictions involving acts of dishonesty, and present allegations of misconduct under investigation to the Professional Standards Bureau (PSB). The PSB is responsible for notifying the prosecutor of any potentially incriminating material.

Currently, the City's Law Department, the Sedgwick County District Attorney's Office, the U.S. Attorney's Office and a representative of WPD's Professional Standards Bureau meet monthly to review a spreadsheet of all open complaint cases against WPD officers to determine whether there are indications of potential Brady/Giglio issues. While regular review for potential Brady/Giglio issues is a good practice, this practice is not currently memorialized in WPD policy. Memorializing this in policy will provide guidance to WPD and others and will also provide transparency to department members regarding Brady/Giglio, the types of behaviors that impact an officer's credibility, the implications of misconduct, and the processes of the WPD and the City.

Rec. #	Internal Investigation/Discipline Recommendation
5.1	Include language in Policy 901 to include the use of coaching and mentoring as part of the disciplinary process.
5.2	Revise language that refers to citizens throughout Policy 901 to include community members who may not be citizens.
5.3	Consider revising Policy 901 IIIA to ensure all documents contained in PSB investigative files are considered confidential. Currently, incomplete documents within the files do not appear to have that protection.
5.4	Consider removing the prohibition of allowing individuals other than a complainant to be present during the department's interview of the complainant.
5.5	Clarify the types of misconduct investigations that can be conducted at the bureau level and develop criteria for deciding when investigations would be handled better at the field level.
5.6	Adopt the policies of completing internal investigations within 180 days and providing investigative status reports to complainants and subject officers every 30 days.
5.7	Develop a policy statement for WPD Policy 902 that specifies that Administrative Internal Investigations are separate and distinct from Criminal Conduct Investigations and disposition of a criminal case does not necessarily determine the outcome of an administrative case.
5.8	Make efforts to re-negotiate the provision of the FOP MOA that allows officers under investigation to review the PSB case file prior to sitting for an administrative interview.
5.9	Negotiate specific A, B, and C misconduct violations that will trigger removal from specialty assignments. Currently, only D or E violations are cause for removal from assignments.
5.10	Design disciplinary actions that are non-punitive in nature for less serious violations of policy or regulations to promote an organizational learning environment, such as remedial training, participation in relevant community events and partnering with mentor officers.
5.11	Amend Policy 905 to require PSB to provide monthly data to the City's Law Department regarding all open complaint cases to determine whether there are indications of potential Brady/Giglio issues.

Best Practices for Citizen Review Boards

Civilian oversight of law enforcement has served a vital role in enhancing police accountability and improving the public's confidence and trust in law enforcement. The most common type of civilian oversight body, representing almost 62% of civilian oversight entities in the United States, is review-focused models.[29] Review models are less costly and rely upon volunteers typically appointed by government officials. The authority of a review-focused oversight body is to review completed complaint investigations for quality and thoroughness. Some may have the authority to accept complaints, return a completed case to the law enforcement agency for further investigation, review policy and hold public meetings.

The second most common and most expensive oversight model is that which has investigative authority. These oversight agencies typically employ full-time personnel carrying out in whole or in part the internal affairs functions of the associated law enforcement entity. The third most common, yet steadily gaining in popularity, oversight model is that which has the authority to perform audits. Audit-focused civilian oversight bodies employ full-time personnel; however, they are generally less expensive than the investigative model. Audit-driven oversight bodies vary significantly with some having investigative authority; however, primary to their mission is addressing systemic issues impacting the complaint investigation process, including intake, investigative quality, timeliness, consistency and disposition. Increasingly, municipalities are departing from the previously mentioned oversight models and creating hybrid civilian oversight bodies that include varying aspects of each of the above models to meet the needs germane to their community more effectively.

Methodology

As part of our assessment of best practices to enhance the effectiveness of Wichita's Citizen's Review Board (CRB), we reviewed the following documents:

+ Enabling legislation creating and amending the CRB
+ CRB meeting minutes
+ Complaint data
+ CRB reports
+ Civilian Oversight best practice literature.

In addition to the above, to obtain a better understanding of the operations of the CRB, we conducted numerous interviews. Persons interviewed included:

+ Members of the CRB
+ Department members
+ Community stakeholders
+ Wichita government officials.

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29 Civilian Oversight of Law Enforcement: Report on the state of the Field and Effective Oversight Practices, Office of Community Oriented Policing Services, 2021

General Description of Wichita's CRB

The Wichita Citizen's Review Board was first established by ordinance in October 2017[30] and amended in April 2022. Through this amendment, the city council approved several significant amendments noted below that did not exist in the 2017 legislation:[31]

+ The CRB may issue a written report of the Board's findings and recommendations following the review of a Professional Standards investigation. Pursuant to the Kansas Open Records Act, this report is considered an "open record."

+ The mayor, city council and city manager may appoint members to the CRB. The mayor and city council appoint seven members while the city manager may appoint six members. Previously, all members were appointed by the city manager.

+ The CRB may review post-discipline investigations[32] as far back as five years from the date of discipline or completion of the investigation. Previously, review by the CRB was limited to post-discipline investigations within one year of discipline or closure.

+ The CRB is provided a discipline summary of the involved officer(s) in any post-discipline investigation under review.

+ Complainants will be notified if their post-investigation becomes the subject of review by the CRB.

+ The CRB will provide written notification of the results of their review, along with a copy of any written report issued, to the complainant, involved officer, the chief of police, WPD's Professional Standards Bureau, the city manager, the mayor and the city council.

+ In addition to the chief of police, the CRB will notify the mayor, city council and the city manager of any practices or training issues discovered during their post-discipline investigation review.

CRB's primary purpose is to "improve relations between law enforcement and the community and be available to provide community perspective on policy, programs and priorities of the department."[33] The CRB aligns closely with a civilian review-focused oversight body.

CRB's Activities

The CRB holds public meetings once a month at 4:00 p.m., typically at City Hall. During interviews with CRB members, it was noted that on at least one occasion the CRB held its monthly meeting at a local community venue. Notice of meeting dates, the agenda and corresponding meeting minutes are publicly available on the WPD's webpage. Agenda items vary but include an opportunity for public

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30 Ord. No. 50-603
31 Ord. 51-729
32 As defined in Ord. 51-729 post discipline includes any administrative, civil or criminal investigation of officer misconduct that has been concluded, including any and all appeals, grievances or other remedies available to the officer have been exhausted.
33 Id

comment, a staff report update from WPD, policy discussion and an executive session period. Executive sessions are closed meetings wherein the CRB reviews and discusses WPD-completed personnel complaint investigations and the imposed discipline, if applicable. At the conclusion of the executive session, the CRB returns to open session and announces the results of their review, which may include that the CRB takes no action, that it will issue a written report or make recommendations to the police chief on the actions and outcomes of what occurred during Executive Session. It should be noted that the executive session may include a discussion of personnel matters, aspects of which must be kept confidential by law. The minutes of CRB meetings, including non-confidential information from the executive session, are posted on WPD's website. CRB monthly meetings are also streamed on the WPD YouTube channel.

Completed complaint investigations may be reviewed by the CRB at the request of the complainant or selected by a member from a monthly spreadsheet prepared by the WPD of all completed complaint investigations. This spreadsheet includes the complaint number, date received, allegation/force type, a summary of the outcome, whether the complaint was internal/external and the date of completion. The CRB has elected to focus its case reviews upon those complaint investigations involving the use of force (UOF), conduct unbecoming of an officer and conduct that impugns the integrity of the WPD. In advance of the date on which the identified case will be reviewed by the CRB, members receive a written summary of the completed investigation, drafted by a supervisor within the subject officer's chain of command or the PSB, and if applicable, the involved officer's discipline history. However, all identifying information of the involved officer and complainant, where the review has not been at the request of the complainant, is redacted. During closed sessions, members view available body-worn camera evidence, obtain clarifying information from the WPD supervisor and, if necessary to reach a decision, the CRB may request to extend their review to speak with other WPD personnel, review additional evidence and/or acquire additional information.

Recently, the CRB made three noteworthy changes to its process for reviewing concluded case reviews. First, the CRB wanted to ensure the complainant requesting their case be reviewed had the opportunity to speak directly to the members and, with the consent of the Wichita legal department, complainants are now allowed to speak directly to the members during the executive session.[34] Secondly, the CRB found the summary description of the complaint outcome drafted by the WPD within the monthly spreadsheet did not contain enough detail to enable them to identify complaint cases for review that involved UOF, conduct unbecoming of an officer or integrity. Assessment interviews revealed that while the CRB selected the texting complaint investigation for review that, in part, triggered this assessment, the summary description of that incident on the monthly report in no way characterized the seriousness of that allegation.

The CRB has now convened an ad-hoc sub-committee of three members to conduct a preliminary review of member-selected cases to identify those involving the UOF, conduct unbecoming of an officer and/or related to officer integrity for full review by the entire CRB. This new process, which includes reviewing a written summary of the completed investigation and review of video evidence, if available, enables the CRB to have insight into the nature of more complaint investigations while also

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34 Complainants are not permitted to be present during member deliberations.

increasing the total number of complaint investigations that will be subject to review. The CRB has advised that notice of sub-committee meetings will be made public; however, these meetings are considered a personnel review matter and thus deemed confidential. Finally, the CRB now receives a spreadsheet of newly opened complaint investigations that specifically target one of the three focus areas. Receipt of this spreadsheet of open cases will enable the CRB to request those cases at the conclusion of the investigation more effectively.

The CRB also reviews WPD policy. The selection of a given policy is currently incident driven. Often, the CRB will request the review of a specific policy following a citizen complaint or a police-related incident that has become a matter of public concern. For instance, the CRB requested the review of the WPD vehicle pursuit policy following a vehicle pursuit that ended in a fatality. Other policies reviewed by the CRB in recent years have included the review of WPD's juvenile arrest policy, use of force policy and, specifically, an officer's duty to intervene policy, which was reviewed in the aftermath of the death of George Floyd. Following the CRB's review, members may have additional discussions with the WPD to address any questions or request additional information or data. In the event the CRB makes any corresponding recommendations, they will bring that to the attention of the WPD as well as make that announcement during the board meeting.

Analysis & Best Practice

The CRB serves as an advisory body to the chief of police and the city manager and to assist the community in its relations with the WPD. As described in their enabling legislation, the CRB operates as a review board and has the authority to review completed complaint investigations for quality and thoroughness, hold public meetings, review police department policy and training, educate and engage the community and assist the City and WPD with community outreach and communications related to police-community relations. While no two civilian oversight bodies operate the same,[35] the scope and authority of the CRB is consistent with common practices associated with a civilian review board. However, within this scope of authority, the CRB has opportunities to expand upon its community engagement, community outreach and overall effectiveness.

Currently, when the CRB holds meetings at City Hall they begin at 4:00 p.m. and conclude at 6:00 p.m. While there was an instance wherein the CRB held one monthly meeting at a community-based site, that has not been a consistent practice. Several persons with whom we spoke noted the time and place of CRB meetings is challenging for many community members, particularly those most impacted by negative police encounters. Engagement with as many community members as possible at CRB meetings serves as an ideal vehicle in which to capture community perspective and generate opportunities to improve relations between the community and WPD while also providing education and transparency of WPD policies and practices. Implementing a meeting schedule that hosts CRB meetings throughout the city at local meeting places, such as churches, neighborhood community centers and other community-based organizations, in addition to City Hall, is a positive method of increasing community outreach and relations with the WPD.

35 Civilian Oversight of Law Enforcement, Report on the State of Field and Effective Oversight Practices, 2021

During our assessment we became aware that prior to the creation of the CRB, the City Manager's Review Board existed and was charged with the review of WPD police misconduct cases. Established by administrative regulation, the City Manager's Review Board afforded "the complainant an opportunity to appeal any finding to a review committee, provide a process for the review of police activity by the city manager and seek a better understanding of community issues related to policing and develop an active citizen/police partnership in the prevention of crime,"[36] among other things. The purpose of the City Manager's Review Board and the Citizens' Review Board is very similar in nature but diverges significantly in the method by which members are selected, namely the City Manager's Review Board is appointed exclusively by the city manager, with he/she serving as Secretary to the Board. We recommend the City review this administrative regulation to determine if the City Manager's Review Board should be repealed, as its purpose appears to be redundant to the CRB.

The City and the CRB have been thoughtful to ensure its members are aptly prepared to take on the responsibilities associated with serving on the CRB. As established in Ordinance, members of the CRB must complete the WPD's Citizen's Police Academy, complete racial profiling training presented by the Kansas Attorney General and participate in training on the open meetings and open records act for the State of Kansas. We commend the City for expanding the method of member selection to include the ability of the mayor and city council to appoint members to the CRB, in addition to the city manager. Having members who represent all sections of the city is imperative to the Board's ability to ensure its members represent the diversity of the city and provide the community perspective of all its residents. However, in reviewing the eligibility criteria for membership, we noticed there is no proscription against conflict of interest or that members be required to disclose a potential conflict of interest. Key to the credibility of any board is the assurance that each member acts in the best interest of the Board and its constituents. Persons doing business with the City while also serving as a member of the CRB may be perceived as having a conflict of interest and thus may undermine the credibility of the CRB. The City should ensure current and future members of the CRB do not have a conflict of interest and should amend its legislation to require members to disclose all potential conflicts of interest for review and consideration if that member should be barred from membership.

During our assessment, we engaged members of the CRB, the WPD and community stakeholders who expressed a lack of understanding of the purpose of the CRB or believed their purpose should be expanded. Some expressed the purpose of the CRB is or should be to investigate citizen complaints and/or to receive periodic updates from the WPD on open complaints. We also heard from some who reported the CRB was designed to be an advocate for complainants and they should accept citizen complaints from members of the public and educate the community on police policy. The enabling ordinance states the primary purpose of the CRB is "improve relations between law enforcement and the community and be available to provide community perspective on policy, programs and priorities of the department."[37] The current activities of the CRB are in many respects consistent with its stated purpose. For instance, the CRB currently receives a monthly report of all newly opened complaint investigations that includes the general nature of the allegation; they review

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36 Administrative Regulation 5.2, Public Safety, Procedures for Appeals and Review of Alleged Police Misconduct as
   Conducted by the City Manager's Review Board, November 20, 2010, revised November 20, 2014
37 Ord. 51-729

concluded complaint investigations on behalf of complainants; and WPD policy discussions during CRB meetings provide the community greater understanding of the WPD's policing practices. The CRB has not, however, developed a written strategy or methodology for carrying out its stated purpose nor provided regular reports highlighting the work of the CRB.[38] The CRB would also benefit from being deliberate in its outreach to members of the community and with the officers and personnel of the WPD. CRB's stakeholders include the members of the community and the members of the WPD. A positive relationship between the CRB and all of its stakeholders supports its mission to improve the relationship between the WPD and its community. Development of a strategic plan that addresses engagement and messaging with all stakeholders, and that requires periodic reporting of the CRB's activities and outcomes, would improve relations between the WPD and the community, as well as increase awareness and understanding of the CRB's purpose, activity and outcomes.

The method for selecting completed complaint investigations for review by the CRB has evolved and improved over time. Members also expressed they found the information currently received from the WPD and the access they have to WPD personnel enables them to assess adequately the sufficiency of the investigation and any corresponding discipline. The creation of the *ad hoc* sub-committee charged with conducting a preliminary review of select concluded complaint investigations will result in the CRB reviewing more cases and will increase the likelihood that cases selected for review by the full board include those related to the three focus areas: complaints involving the use of force, conduct unbecoming of an officer and those that involve officer integrity. However, the written summary provided in the monthly spreadsheet of newly opened and concluded complaint investigations prepared by the WPD continues to lack sufficient detail for members to assess the seriousness of the complaint and to determine if it falls within one of their focus areas. The WPD should provide a more robust summary of the origin and nature of the complaint or include a copy of the completed complaint form.

Consistent with many civilian review boards, the CRB is a wholly voluntary board that relies exclusively upon the resources of the WPD to carry out its duties under the ordinance and corresponding administrative responsibilities. The National Organization of Civilian Oversight of Law Enforcement (NACOLE) notes inadequate resources have been the downfall of many oversight organizations, affirming that "[p]olitical stakeholders must ensure that their support of civilian oversight includes a sustained commitment to providing adequate and necessary resources … [and] can signal a commitment to reform that may lead to greater cooperation from law enforcement executives and unions."[39] The CRB needs a dedicated budget and staff person so it can expand its community outreach efforts; develop its public reports; host its own virtual platform to stream its monthly meetings; and maintain its own website for its minutes, agenda, public reports and other relevant information to fulfill its mission.

38 In August, 2021 a draft written report highlighting the "activities and accomplishments" of the CRB from January 2018 – June 2021, was presented during the August 2021 CRB meeting.
39 Civilian Oversight of Law Enforcement, Report on the State of Field and Effective Oversight Practices, 2021

Recommendations

Rec. #	Citizen Review Board Recommendation
6.1	Schedule monthly meetings during non-business hours and at community-centric locations throughout the city.
6.2	Review and repeal, if applicable, Administrative Regulation 5.2, Public Safety, Procedures for Appeals and Review of Alleged Police Misconduct as Conducted by the City Manager's Review Board.
6.3	Ensure members of the CRB do not have a conflict of interest and expressly state within the ordinance that members are required to disclose potential conflicts.
6.4	Develop a written strategic plan that includes engagement with and messaging aimed at building positive relationships with the members of the WPD and the Wichita community.
6.5	Direct the WPD to provide a detailed summary of the origin and nature of the complaint within the monthly spreadsheets of open and concluded complaint investigations or a copy of the completed complaint form precipitating the investigation.
6.6	Provide dedicated funding to support the mission and administrative needs of the CRB.
6.7	Issue a yearly written report inclusive of relevant data that highlights the board's activities and outcomes.

Relationship between the WPD, the Human Resources Department and Law Department regarding disciplinary actions

Policing is one of the largest components of a municipal budget and may be one of the highest risk functions of local government; however, police chiefs and city managers and/or their staff members do not always have the best relationships. In some instances, there are formal and informal communication barriers that foster distant relationships and a breakdown of collaboration and trust. Police chiefs sometimes express concerns that city managers can micromanage police departments, while city managers may state police chiefs can be intimidating and not team players. Moreover, because of the police chief's influence, they may be willing to go around the city manager to get things done. As both are jointly responsible for public safety in their community, it is important for them and members of their leadership teams to develop relationships grounded in open communication and trust.

The police department constitutes 39.1% of Wichita's General Fund Budget and 42% of its full-time general fund positions, by far representing the largest cost of any Wichita department. Considering all budget sources, the WPD constitutes 16.3% of the budget and 29.3% of all full-time positions. Additionally, policing comes with higher liability risks than other municipal functions, and the public is much more aware of issues in policing and instances of misconduct by officers than it is of issues for other city departments and their employees. For those reasons, both the city manager and the chief of police should be working collaboratively to ensure public safety and to hold the police department and employees accountable to the public. The importance of this relationship cannot be understated. A breakdown of the relationship between the police department and city management can result in poorly evaluated decisions, increased liability and ineffective risk management processes, and a loss of public trust in the police department and city management in general.

It is important to note the police department, while they have a unique role in city government, is still a part of city government. The first step in analyzing the role of a city manager in relation to the city's departments is a review of the Wichita Code of Ordinances. The city manager's role and relationships are defined in several of Wichita's Code of Ordinances.

Section 2.08.010 creates the Office of City Manager as follows:

> "There is created the office of city manager. The office of city manager shall consist of such deputies, assistants and other employees as may be necessary for the efficient operation of said office. The office of city manager shall be responsible for carrying out the duties and obligations of the city manager as set forth in state statutes, city ordinances, policies and regulations. In addition, the city manager's office shall be responsible for carrying out the duties as may be assigned to the office by the city manager."

Section 2.08.220 states:

> "The directors of the administrative departments enumerated in Section 2.08.120 shall be responsible to the city manager for the administration of their respective departments in accordance with approved departmental policies, plans and procedures. The staff within each such department shall be responsible to their respective department heads for the administration of the activities and services of their respective divisions and for the supervision of the personnel assigned to such divisions."

According to Section 2.08.120, those departments include the police department and police chief and the law department, director of law and city attorney.

Further roles of the city manager include the administration of affairs and business of the city and seeing that the laws and ordinances of the city are enforced (Section 2.08.080); appointing and removing all heads of departments and all subordinate employees of the city (Section 2.08.090); the discipline of all appointive officers of the city, including reviewing the affairs of any department or the conduct of any officer or employee (2.08.100); and directing an officer of administration which shall be responsible for personnel management, public affairs and information, legislative activities, data processing and community facilities management (2.08.130).

Human Resources (HR) has a role in the termination and discipline for all city departments. HR does have a role in discipline, but the city's Human Resources Manual states that for discipline regarding union-represented employees, the appropriate Memorandum of Understanding is applicable. As such, the Memorandum of Agreement (MOA) by and between the City of Wichita and the Fraternal Order of Police Lodge 5, which represents sworn officers of the department, describes the city manager's and HR's roles in the grievance process.

Article 14 of the MOA states, in part:

> "c) Should the grievance not be resolved by the Department Director, the employee and/or the F.O.P. representative may appeal the Department Director's decision to the Employee Relations Officer within ten (10) workdays of the receipt of the Department Director's written decision. The Employee Relations Officer shall require the Department Director to submit a letter setting forth specific reasons for the Department Director's decision. This letter must be submitted to the Employee Relations Officer within 10 workdays of his receipt of the appeal."

Section 6 of Article 14 further states:

> "The city manager shall render a decision within 20 workdays of receipt of the Grievance Board's recommendation and his decision is final. In the event the city manager reverses or modifies the recommendation of the Grievance Board, he shall provide to the Grievant and the F.O.P., in writing, the reason(s) for his actions and the specific finding(s) upon which his actions were based. If the city manager does not render a decision within this time, the decision of the grievance board becomes final."

The role of the department of law is also defined in Section 2.08.150 of the Wichita Code of Ordinances:

> "The department of law shall consist of the city attorney as director of law, and such staff as may be necessary to carry on the work of the department. The department shall be responsible for handling the legal affairs of the city in accordance with this Code and other ordinances of the city and the laws of the state. The city attorney shall in person or by deputy attend all cases wherein the city is a party in all courts, and shall in person or by deputy attend all official meetings of the city council, and render legal services to all of the departments and officers of the city as may be required."

Finally, Policy 108 of the Wichita Police Department Policy manual acknowledges the role of the city manager as follows:

> "The chief of police, subject to the authority and direction of the city manager, is responsible for the administration of the personnel policies, procedures and regulations of the Wichita Police Department, as contained in the WPD Policies and Regulations Manual."

Additionally, Policy 207 discusses the role of the HR director, noting that a police department employee complaining of a discrimination violation may use the department's grievance procedure, the department's complaint process or file a complaint with the City's human resources specialist. Additionally, Policy 216 discusses the role of human resources in reviewing and monitoring written promotional exams, reviewing oral interview board composition and questions, and verifying promotional eligibility lists. While the department of law is expected to work closely with the City Manager's Office and the WPD, it has not traditionally played a major role in disciplinary actions, but it would be appropriate to clarify situations where it should be involved.

It is clear from the Wichita Code of Ordinances and the WPD's Policy Manual that the WPD, the City Manager's office, the city's Human Resources Office and the Department of Law are expected to work closely with each other to respond to the needs of the people of Wichita. Ultimately though, the responsibility falls upon the city manager to ensure every city department runs effectively and efficiently to meet the needs of the residents of the city.

One of the reasons for the city seeking this assessment was a perception from WPD personnel and others that the city manager was inserting himself inappropriately into WPD operations, especially as related to discipline. Another perception expressed was the city's Human Resources director had an inappropriate relationship with the Fraternal Order of Police, which allegedly resulted in favorable contract terms during negotiations with the FOP. The nature of the relationship allegedly led to discussions about potential discipline outside of the WPD's disciplinary process and the City's MOA with the FOP. Conversely, some interviewees perceived the police chief was ignoring or not listening to the HR director or city manager for advice on discipline. Differences of opinion showed themselves at a July 2022 press conference where the city manager disagreed with the interim police chief and increased the interim police chief's disciplinary action against some officers involved in the texting scandal from an eight-day to a 15-day suspension.

While the texting scandal was the highest-profile incident where interviewees raised concern about the city manager's role, department members expressed other concerns about the disciplinary process and the role of the HR director or city manager. For example, department members said they were concerned that the city manager demanded the reopening of a case that had resulted in the imposition of discipline the city manager thought was too light for the circumstances. They said the city manager demanded the case be reinvestigated, and harsher penalties be imposed. Some interviewees and survey respondents indicated some employees were recommended for termination for various policy violations, but the City Manager's Office or Human Resources overturned those decisions. Specifically, 11.9% of respondents feel that upper management and the union have a good working relationship, and 4.0% feel that the organization has a good working relationship with the City Manager's Office. They felt like this was detrimental to the department and its morale. Conversely, several interviewees and survey respondents alleged the police command staff members issue harsher discipline, knowing that it could likely be reduced by the city manager on appeal anyhow.

The perception of dysfunctional relationships between the city manager, HR and the police department was not limited to departmental employees. External stakeholders expressed similar concerns; some felt the city manager and HR interfered with department discipline, while others felt the police department was not cooperating with the city manager and HR. Regardless, the relationship does not appear to be working well. The argument may be that both perceptions are correct, or incorrect, based on specific cases examined. The point here is that relationships need to be repaired to restore public trust in all the involved departments.

Overall, several interviewees perceived the mayor or the city manager want to have more control of the police department than any other department in this city. Many expressed they feel like they do not have the support of the mayor or city manager. They clearly indicated they would like to see the city manager, mayor, local prosecutors and WPD be on the same page regarding matters involving the police department.

Summary

As described earlier, the city manager is the chief executive officer of the city and has an important role in ensuring all city agencies, including the police department, are operating in accordance with the city's vision, mission, values and strategic goals and objectives. The city manager, and the Human Resources director on the city manager's behalf, has a role in making sure the city's personnel rules and union contracts are followed and providing the required framework for the appeals process. The role of the police chief in the disciplinary process is to ensure a complete, fair and transparent investigation into any alleged police misconduct. The chief of police is ultimately the final adjudicator of disciplinary matters within the police department and either directly recommends or approves disciplinary action. However, the responsibilities of the police chief and the city manager/HR director are distinct. Neither the city manager nor the HR director should be directly involved in the investigative process or initial recommendations or implementation of discipline. Yet the city manager does have the authority to overrule the ultimate disciplinary actions the chief intends to take, particularly during any appeal process, and it should be recognized that the chief operates "subject to the authority and direction of the city manager."

The perception of members of the police department indicates concern about the role of the city manager and HR director in the affairs of the police department. To help address this perception, every effort should be made to ensure clear lines of responsibility are maintained and transparent in any disciplinary process. These roles and responsibilities should be periodically revisited to ensure the best interests of the city and the members of the police department are always considered for the purpose of maintaining effective and efficient operations. Additionally, disciplinary matters often cross into maintaining effective risk management practices. When applicable, the city's risk management process should be consulted to ensure appropriate policies, rules and procedures are reviewed/improved to mitigate potential exposure in future incidents.

Recommendations

Rec. #	Relationship between the WPD, the Human Resources Department and Law Department Regarding Disciplinary Actions
7.1	The City Manager and Police Chief should establish clear guidelines and expectations of the disciplinary process that identifies their respective roles and framework for communication and decision-making. The City Manager should provide the Chief of Police with his expectations for employee accountability, leadership and communication in the disciplinary process.
7.2	At the conclusion of serious disciplinary investigations and before the recommendation/imposition of discipline, the Police Chief and City Manager should formalize a process to allow the Chief of Police to communicate their intentions to the City Manager and Human Resource Director. The purpose of this communication is not to influence the outcome of the investigation, but to notify and establish coordination on adverse personnel actions that will have larger-scale ramifications for the City and potentially involve additional legal proceedings.
7.3	The City Manager and Police Chief should create a policy to minimize the outside influence in the disciplinary processes and maintain the confidentiality and integrity of the process. If allegations of unfair practices or interventions are made, they should be immediately investigated.
7.4	The Police Chief should regularly brief the City Manager on employee accountability efforts and important disciplinary matters to ensure organizational and community values are being maintained. Moreover, consultation with the City Manager provides a process for the City Manager to evaluate the Chief's performance in employee accountability and organizational leadership.
7.5	Decisions regarding employee discipline should not generally be made in public forums. If the situation requires such disclosure, the Chief of Police and City Manager should reach a consensus on the methodology for the public disclosure that does not present discord between City officials. Elected officials should also be shielded from any insinuation that the disciplinary process is political or influenced by outside sources.
7.6	The Police Chief and City Manager should develop protocols for consultation with the City Attorney's Office or other outside counsel when conflicts arise or if the City's legal footing is in question regarding any disciplinary matters. Often legal counsel can resolve the issue(s) and provide clear direction on what is in the City's and employees' best interest, as well as that of the community.
7.7	The Police Chief should arrange for regular communications with the City Manager, Human Resources Director and City Attorney's office to ensure clarity and consistency with the established roles, expectations and processes involved in handling disciplinary matters and to propose necessary changes as needed.

Keys to Moving Forward

The City of Wichita commissioned this organizational cultural assessment following the revelation of the texting scandal and the public scrutiny that subsequently ensued. Through our work, we have identified a path forward that focuses on changing the culture within the WPD and building trust among its members, the Wichita community, WPD's stakeholders, and specifically, the city's legal and human resources departments and the City Manager's office. Changing WPD's culture and building trust, internal and external to the department, does not happen overnight; purposeful efforts by the chief, command staff, WPD staff and city management are required to improve trust within the police department, with other city departments and with the community. The recommendations in this report provide a roadmap for improving WPD's internal organization and processes and will help to increase the public's confidence in the WPD.

As indicated earlier, department members have expressed concern about the department's direction, and some described internal turmoil and distrust between upper management and the rank and file. While these issues were exacerbated by recent events, many informed us these management concerns have existed for several years and through several administrations. Department members expressed hope that conditions at WPD will improve with the hiring of a new police chief. In fact, we heard positive accounts about the new chief's approach to the role, which appears to be encouraging to many officers. Besides the recommendations contained earlier in this report, the WPD needs to make efforts to improve its communications internally and externally. This is best accomplished through the development of a comprehensive communication strategy. Publishing the strategy will help reset expectations, describe communication processes and procedures, and serve as an accountability tool for leadership.

A comprehensive communications strategy will also depend on the WPD supporting the department's public information function. The department's public information office is currently staffed by three sworn patrol officers and is not guided by a formal communication strategy. The WPD should consider providing advanced training that is available for police public information officers and/or replacing or mixing those officers with professional media specialists managed by a sworn supervisor, developing an internal and external communications strategy as discussed above, and charging the public information office with guiding the implementation of that strategy.

Internally, the communications strategy would help ensure department members can provide input and receive important and timely information about policing strategies, internal movements and transfers and other issues the department is confronting. It may also serve as a platform to reinforce agency values by recognizing and celebrating individual and unit efforts that exemplify desired organizational behaviors. This internal communication strategy should also provide a mechanism for all department members to express their concerns and issues without fear of retaliation from the chief and command staff.

The department's external communication strategy should focus on engaging with the community; specifically, members of the community experiencing the highest levels of police contact, those who

reside in communities that have a high level of police complaints and/or police contacts that result in the use of force. Outreach to communities most impacted by police engagements to talk about the department's strategies, determine community needs and address community problems creates opportunities to build partnerships based on trust, confidence and shared goals to improve public safety in Wichita. This will help bolster collaborative problem identification and cooperative development of solutions to address community and agency concerns. The external strategy should not only include a two-way communication loop with community members, the Racial Profiling Advisory Board and the Citizen Review Board, but also should focus on positive accounts of what WPD officers are doing every day. This will provide an opportunity to give voice to these groups and others who have been highly critical of the police department, to build community trust and to dispel some negative beliefs about WPD.

The WPD should review its overall policing strategy to clarify the role of specialized units and clearly define the relationship between specialized units and patrol staff. Patrol officers and others expressed concern about a disconnect between patrol and the roles of Community Policing Officers and Community Response Teams. This disconnect is a by-product of the failure to communicate internally the department's overall strategy and the roles its members should play in effecting that strategy, and to prioritize how and when department leaders should interact with other department units, particularly patrol. We encourage WPD to explore opportunities for these groups to work together to develop common goals/outcomes with a focus on the agency's overall mission instead of just individual units' tasks.

While a thorough review of WPD's community policing activities was beyond the scope of our assessment, we reviewed the structure of community policing in the WPD's Bureaus and listened to interviewees' perspectives of community policing. Although efforts to assign officers to community policing activities may be laudable, WPD's community policing efforts do not appear to be guided by a coherent department-wide strategy, and those officers assigned to community policing reportedly rarely respond to calls for service. We recommend the WPD develop a comprehensive written community policing strategy that guides the entire department and clearly incorporates patrol and other department functions into a community policing approach toward addressing crime and disorder in the community.

Additionally, the WPD should consider revamping its community policing efforts to include increasing the number of civilian staff and decreasing the number of sworn staff specifically assigned to handle administrative functions such as setting up community meetings and events. This can free up time for patrol officers, who feel they are constantly running from call to call, to participate in more community policing activities and community engagement. This strategy can help the department improve its relationship with the community, especially those underserved populations, and ensure all department members are working together toward a common set of department goals.

The WPD should also address the schedules of WPD detectives. Detectives generally work daytime hours during the week, not on evenings and weekends when most crime is occurring. We heard numerous examples of crime victims and witnesses waiting days for a response from a detective. This is not very problematic, as it erodes public confidence, hinders cooperation during investigations

and reduces investigative efficiency. The work schedule and delayed response to incidents where detective expertise is needed also have an impact on the number of persons seeking promotion to sergeant. Because of this favorable schedule, some of the agency's most experienced detectives do not seek promotion to the rank of sergeant. Their expertise as field supervisors would aid greatly in the development of young patrol officers and help prepare officers for promotion to the rank of detective. Having night detectives will also reduce the burden on patrol sergeants who have to handle serious crime scenes, which at times may be more appropriate for a detective.

Related to the response to serious crime scenes and critical incidents, WPD should make appropriate scheduling changes to ensure a high-level command officer of the rank of lieutenant or higher is on duty on weekend nights to oversee high-profile or potentially volatile situations. This change will aid in mustering the resources necessary to handle these types of events most appropriately, as well as facilitate appropriate information sharing up the chain of command so the executive command staff stays abreast of developments in a timely manner. It will also provide an opportunity to mobilize the Public Information Office (PIO) function more efficiently so the agency can accurately communicate and provide context to events as they unfold instead of defending them after the fact.

For any chief to implement organizational change as called for in these recommendations, WPD should consider adjusting any restrictions on the ability of the police chief to ensure he or she can select those serving as a deputy police chief on his leadership team at any time, adjusting assignments as necessary. While deputy chiefs may have the technical competence to perform their basic duties, this does not necessarily equate to the ability to implement a shared organizational philosophy and values. A police chief needs to have confidence in, and support from, the men and women they select for these command-level positions. We recommend the WPD and city manager review the rules and regulations regarding assigning and reassigning deputy chiefs and consider providing more flexibility to the police chief to choose his or her leadership team.

First-line supervisors have a key role in ensuring department accountability and leading department members forward toward a common vision and goals. WPD should prioritize the development of a comprehensive professional development program focusing on first-line supervision for new sergeants as well as advanced leadership training for mid-level supervisors and executive command staff. WPD supervisors appear to be technically capable of accomplishing assigned law enforcement/policing functions; however, they struggle with handling personnel issues and interpersonal relationships, which appears to be a major driver for the internal morale problems facing the agency. As discussed earlier in this report, the management culture of WPD appears to many to be management by fear rather than a culture of true leadership. While the degree to which this may be accurate is arguable, what is true is that the perception throughout the department is strong, and implementation of a comprehensive professional development program can be the first step in changing the perceived management culture from one of fear to one of increased employee motivation, job satisfaction and performance.

Leadership programs, like the IACP Leadership in Police Organizations course move participants through the process of understanding personal strengths and weaknesses as leaders. It then introduce them to understanding various behavioral theories to help understand why subordinates

sometimes act in ways contrary to department expectations. Leading small groups within larger organizations is the next area of study undertaken before finally taking a holistic view of leading an entire police department. The program closes with lessons and advice on how to lead the environment where the organization exists. Trying to engage in organizational or cultural change without progressing through the process of understanding each of the organizational components addressed is difficult. It is highly recommended that WPD identify resources to provide such training and move swiftly with implementation. Other examples of such courses are the National Academy, hosted by the Federal Bureau of Investigation; the Senior Management Institute for Police (SMIP), hosted by the Police Executive Research Forum; and the Southern Police Institute's Command Officer Development Course.

The recommendations outlined in this report represent the roadmap to improving the policing practices and outcomes of the WPD and their relationship with the community they serve. These recommendations are key to changing the culture of the WPD and its relationship with the public they serve. Implementation of these recommendations will help instill public confidence in the WPD. Establishing the mission, values and guiding principles of the WPD in collaboration with representatives from city government, civilian and commissioned members of the WPD, and community stakeholders will go a long way to re-establishing trust, forging new relationships and developing a sense of understanding of the role of the WPD in the greater community.

Additionally, the WPD must ensure its Code of Conduct expressly prohibits employees from joining or participating in any organization that advocates, incites or supports criminal actors or criminal conspiracies, promotes hatred or discrimination toward racial, religious, ethnic, or other groups or classes of individuals. Nothing undermines public trust more than the belief and fear, real or perceived, that they will not be treated fairly or will be judged by the color of their skin, gender, sexual orientation or religion.

Furthermore, the relationships between the WPD and its partners with City government must be repaired to ensure the best interest of the public and the members of the WPD are always considered for the purpose of maintaining effective and efficient operations and risk management practices.

Finally, as mentioned earlier, organizational change as recommended in this report will not happen overnight. The WPD should strongly consider enlisting the assistance of WPD department members throughout the ranks, as well as community stakeholders, to help the department develop a formal and written strategic plan to assist in implementing the report's recommendations WPD and the City choose to implement. This will provide an opportunity to leverage the resources and knowledge of WPD employees and community members, provide leadership opportunities throughout WPD's ranks, improve department morale by providing them an opportunity to have a say in the direction of the department, and help to improve trust in the community.

Appendix A: Analysis of WPD Organizational Climate Survey

Data

We created a survey of Wichita Police Department (WPD) personnel that covered various historically important topics in police organizations. Many of the items from the survey came from surveys developed by the National Police Research Platform, which collected data from more than 25,000 police officers and professional staff members (i.e., nonsworn) at police agencies around the United States.[40] Additionally, we added a subset of items from the Counterproductive Work Behavior Checklist.[41] This instrument measures the behavior of employees that stems from and recreates toxic organizational climates. The valence for some items was changed from negative to positive to present a more neutral assessment of the organizational culture. Finally, we also included items from the Generalized Ethnocentrism Scale.[42] Measures of ethnocentrism assess "…an individual's cultural, racial, and/or ethnic ingroup-outgroup distinction in conjunction with a cognitive and affective orientation that places the ingroup in a position of centrality and superiority."[43]

Finally, participants were given the opportunity to write a narrative response at the end of the survey telling us anything else they felt was important about the organization. In total, 59 items on the survey were sent to sworn personnel within the WPD. The professional staff within the WPD received a survey with a subset of the items (n = 51, 86.44% similar) from the survey used for the sworn personnel. Differences between the two surveys were those items related to enforcement of the law and other operational priorities of the organization were omitted from the professional staff survey. We also had limited demographic information on the participants that could be linked to their survey responses. This information was provided in the official department roster and consists of their current rank, hire date, race/ethnicity and gender.[44]

The surveys were developed and deployed through an electronic survey platform that was not controlled by WPD or anyone within the City of Wichita. The surveys were distributed through individualized links sent through employees' official email addresses provided by the city. Separate collectors were used for the sworn and professional staff. We worked with the City of Wichita Information Technology team to ensure survey links would pass through spam filters. We distributed the surveys to personnel on Monday, November 28, 2022, and sent automated reminders every three days to those who had not yet responded to the survey. All email communications had instructions that respondents should direct their colleagues to contact the research team if they did not receive a link to the survey. Additionally, Chief Sullivan sent out two department-wide announcements

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40 McCarty, W.P., Skogan, W.G., Alderden, M., Cordner, G, Fridell, L.A., Mastrofski, S.D., McDevitt, J. Law Enforcement Organizational (LEO) Survey. *Phase Two Report.* National Institute of Justice; National Police Research Platform.

41 Spector, P. E. (1975). Relationships of organizational frustration with reported behavioral reactions of employees. *Journal of Applied Psychology*, 60, 635-637.

42 Neuliep, J. W. (2002). Assessing the Reliability and Validity of the Generalized Ethnocentrism Scale, *Journal of Intercultural Communication Research*, 31, 201-215.

43 Neuliep, 2002, p. 2007.

44 Optimally, we would present information on each racial/ethnic group in the WPD roster. However, the number of responses for some racial/ethnic groups was so small that it made making valid comparisons difficult and risked exposing the identity of some respondents.

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encouraging staff to participate in the survey. The links were generated so a person could only respond to the survey once using the unique link sent to their email address.

The survey was sent to 632 sworn personnel, with four emails bouncing back from the initial send. Of the 628 emails delivered, 472 were opened and 430 sworn personnel answered at least some portion of the survey — all but nine were complete responses. This means the response rate for the sworn personnel was 68.4%.[45] Similarly, the survey was sent to 198 professional staff members, all of which were successfully delivered. Of these surveys, there were 99 responses, with two partial responses. The response rate for the professional staff was 50.0%, using the same calculation method as the with sworn personnel survey. The raw data has never been released to anyone outside the consulting team, and all identifying information on the responses has been removed from the data sets analyzed here. The demographic profile of the respondents is presented in Table 1 below.

	Professional Staff		Sworn Personnel	
	Department Roster	**Respondents**	**Department Roster**	**Respondents**
Personnel Type				
Professional Staff	23.0%	18.5%	--	--
Sworn	--	--	77.0%	81.5%
Gender				
Female	66.2%	74.2%	16.7%	14.3%
Male	33.8%	25.8%	83.3%	85.7%
Race/Ethnicity				
Asian	2.5%	2.1%	3.7%	2.8%
Black/African American	10.5%	9.4%	7.2%	5.2%
Hispanic/Latino	9.5%	5.2%	7.2%	5.2%
Other Racial/Ethnic Group	2.9%	2.0%	1.3%	0.8%
White	74.6%	81.3%	80.6%	86.0%
Length of Employment				
Less than 3 years of service	36.7%	23.7%	19.6%	10.3%
3-5 years of service	13.9%	12.4%	12.6%	11.0%
6-9 years of service	13.9%	25.7%	12.9%	14.5%
10-14 years of service	8.5%	7.2%	8.4%	9.1%

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45 Calculated using Response Rate 2 of the American Association of Public Opinion Research response rate calculator. Additional information can be found at: https://www-archive.aapor.org/AAPOR_Main/media/publications/Standard-Definitions20169theditionfinal.pdf.

15-19 years of service	6.5%	7.2%	12.7%	15.5%
20-24 years of service	7.0%	8.3%	14.1%	17.6%
25-29 years of service	8.0%	9.3%	12.4%	15.0%
30+ years of service	5.5%	6.2%	7.2%	7.0%
Rank/Assignment				
Officer	--	--	64.3%	55.0%
Detective	--	--	17.5%	20.4%
Sergeant	--	--	11.2%	15.2%
Lieutenant	--	--	5.0%	6.6%
Command Staff	--	--	2.0%	2.8%

Table 1. Demographics of WPD compared to those Surveyed.

Methods

Assessing the individual items from the survey is problematic for two reasons. First, there are so many items that assessing each will likely affect our ability to present the trends and implications of the survey responses clearly. Second, the items capture various subdomains of larger latent constructs that are more important than the specific granular detail measured by the items. For example, respondents were asked to rate several dimensions indicative of organizational justice within the WPD. These dimensions represent the level of organizational justice but do not exhaustively capture all potential instances of organizational justice. Therefore, to reduce the number of items under consideration, we subject all the survey responses to dimension-reduction techniques (i.e., factor analysis) that will identify various dimensions that have been captured. Ultimately, we created 14 latent constructs from the items using principal axis factoring techniques.[46] This process attempts to combine items into singular measures that are unidimensional (i.e., measure one common underlying trait) and produce reliable measures (i.e., adequate inter-item consistency). The constructs, items composing the constructs, the descriptive statistics, the factor loading coefficients (λ) and scale reliability coefficients (α) are listed in Table 2. Factor loading coefficients should be greater than or equal to |0.30|, which was true of all the items in the scales. This value suggests the relationship between the measured underlying construct and the particular item is sufficiently strong to assume unidimensionality.

Additionally, the coefficient alpha value, which measures how reliably the items in the scale measure the same construct, should be greater than or equal to 0.60. There are only three instances in which this did not occur. In one, cynicism toward other institutions, the metric was close (i.e., $\alpha = 0.5715$), and this measure is based on a validated measure of cynicism. The organization cooperates with outside entities is the second instance where the coefficient alpha falls just below the 0.60 threshold. Again, like the previous instance, this is very close to the threshold, and the items speak to the same

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46 Furr, R.M. (2022). *Psychometrics: An Introduction* (4th Edition). Thousand Oaks, CA: Sage.

construct. Additional information from the open-ended responses and the interviews with WPD staff suggested these items should be combined. Specifically, the responses suggested that WPD as an organization had various challenges working with the union and the city manager's office — and many referenced challenges with both. Finally, we see a much lower coefficient alpha for perceptions that the organization does not listen to its members. Further investigation into the items in this construct suggests these items are largely dependent on who the person is (i.e., their position, length of time working for the organization and the perceived quality of their direct supervisor). Therefore, we again combined these items for clarity and simplicity.

In addition to the 14 latent constructs, six items were included as single-item indicators. This means that a single item represented these six constructs. While not ideal from a psychometric perspective, this often happens when there are items that tap dimensions differently or when a limited number of items measure a specific construct. After the constructs were identified, we created scores for the constructs to visualize the perspectives of organizational members. We intentionally created mathematical averages for the scales here for three reasons. First, it allows us to present the scores in a way that is more easily understood in the context of the original anchors used to collect the data (i.e., strongly disagree to strongly agree). Second, it allows us to compare results across constructs more easily, especially with single-item indicators on a very different scale than the constructs if other score methods were used. Finally, because the professional staff did not necessarily respond to all items in a construct, this allows us to estimate a consistent metric that can be compared across groups. The drawback to this method is that it assumes each item equally contributes to the latent construct score used, which is not true. After all, looking at the variation in the λ values indicates this is false. Where possible, in the analyses, we show how these differences in the items for each factor play out.

Item	Mean (M)	Standard Deviation (SD)	Factor Loading (λ)	Coefficient α
Organizational Commitment				
I am strongly committed to making the department successful.	4.55	0.72	0.70	
The department's goals are important to me.	4.24	0.81	0.72	
In general, I support the direction that top management is taking WPD.	2.42	1.14	0.43	0.6135
In this organization, we view failure as an opportunity for learning and improvement.	2.61	1.03	0.31	
Organizational Ethics				
The leaders and managers in this organization "practice what they preach."	2.15	1.07	0.55	0.7037

Item	Mean (M)	Standard Deviation (SD)	Factor Loading (λ)	Coefficient α
There is a clear and consistent set of values that govern the way we do our job.	3.10	1.18	0.74	
There is an ethical code that guides our behavior and tells us right from wrong.	3.95	1.03	0.61	
Organizational Accountability				
Personnel who consistently do a poor job are held to account.	2.23	1.07	0.47	
The department helps personnel with coaching and counseling rather than punishment for minor mistakes.	2.69	1.13	0.69	0.7734
Personnel are treated with respect during formal disciplinary investigations.	2.82	1.12	0.75	
At WPD, the disciplinary process is fair.	2.36	1.05	0.74	
Organizational Development				
WPD adequately develops personnel for the next step in their careers as leaders.	2.06	1.03	0.64	
Decisions on promotions and special assignments are based on merit and objective performance standards rather than personal biases.	2.36	1.10	0.61	0.6700
The mandatory training we receive is sufficient to allow me to perform my job effectively.	2.57	1.16	0.53	
The Organization Listens to Members				
I am encouraged to share my ideas about ways WPD can improve.	2.63	1.19	0.44	
The organization often dismisses my experiences and opinions. (Reverse Coded)	2.83	1.07	0.44	0.4538
The Organization is Unbiased				
People in WPD are treated the same regardless of who they are (e.g., race, ethnicity, gender, sexual orientation, gender identity, political affiliation, etc.).	2.66	1.34	--	--
Organizational Justice				
Before making decisions, WPD leaders gather complete and accurate information.	2.08	0.97	0.81	0.9043
Decisions are made in a fair and unbiased manner.	2.24	0.97	0.85	

Item	Mean (M)	Standard Deviation (SD)	Factor Loading (λ)	Coefficient α
Rules are applied consistently across personnel within the organization.	2.06	1.01	0.75	
The Command Staff treats staff with dignity and respect.	2.59	1.18	0.77	
The reasons for decisions are truthfully conveyed to staff.	2.11	1.01	0.79	
Before making decisions that affect people, leadership solicits input from line-level staff.	1.82	.94	0.72	
Organization Cooperates with Outside Entities				
The union and upper management have a good working relationship, even if they don't always agree.	2.27	1.04	0.56	
The organization and the City Manager's Office have a good working relationship, even if they sometimes have differing views.	1.78	0.92	0.56	0.5982
Quality Supervision				
My supervisor is supportive when things get tough.	4.13	1.02	0.88	
My supervisor treats their subordinates with respect.	4.18	1.03	0.89	
My supervisor is quick to act when subordinates deviate from rules and standards.	3.80	1.06	0.73	0.8992
My supervisor tries to get employees committed to the WPD's goals.	3.86	1.00	0.82	
Cynicism Toward Other Institutions				
In general, the media treat the police unfairly.	3.73	1.04	0.47	
Police officers could do a better job if politicians weren't always getting in the way.	4.04	0.93	0.60	
Police officers make a lot of arrests that go nowhere because prosecutors and judges aren't serious about punishing criminals.	3.68	1.12	0.48	0.5715
Cynicism Toward the Community				
Most in the community trust WPD to do the right thing. (Reverse Coded)	2.30	0.92	0.83	
The relationship between the WPD and the community is very good. (Reverse Coded)	2.46	0.91	0.84	0.6881
The public doesn't understand what it means to be a cop.	4.12	0.83	0.38	

Item	Mean (M)	Standard Deviation (SD)	Factor Loading (λ)	Coefficient α
The department is effective at working with citizen groups to resolve local problems.	2.56	0.96	0.41	
Police officers have reasons to be distrustful of most citizens.	2.34	0.97	0.35	
Loyalty to Other WPD Personnel is a Top Priority				
Loyalty to other officers should be one of our highest priorities.	2.97	1.04	--	--
Counterproductive Workplace Behaviors				
Heard others tell people outside the organization what a lousy place WPD is to work.	2.68	0.97	0.42	
Others report problems to prevent things from getting worse. (Reverse Coded)	2.19	0.73	0.32	
Others take on additional work without being asked. (Reverse Coded)	2.13	0.84	0.30	
Heard others insulting someone about their job performance.	2.65	0.88	0.58	0.6615
Heard someone make fun of someone's personal life.	2.03	0.89	0.64	
Personnel are willing to help any coworkers in need of assistance. (Reverse Coded)	1.55	0.70	0.44	
Seen someone play a mean prank to embarrass someone at work.	1.59	0.74	0.42	
Seen Instances of Bias in Organization				
Heard others make jokes about others because of who they are (e.g., race, ethnicity, gender, sexual orientation, gender identity, political affiliation, etc.).	1.46	0.73	--	--
Enforcement Focus				
Increase the number of arrests for Part I crimes.	3.22	0.90	0.52	
Increase street stops and contacts.	2.60	1.09	0.84	0.7963
Increase the number of searches of cars and people.	2.21	0.97	0.84	
Community Focus				
Reassure citizens and make them feel safer.	3.40	0.72	0.75	
Increase citizen satisfaction with police services.	3.25	0.80	0.74	0.7590
Be more responsive to the needs of crime victims.	3.17	0.83	0.58	
Discomfort with Cross-Cultural Interactions				

Item	Mean (M)	Standard Deviation (SD)	Factor Loading (λ)	Coefficient α
I do not easily trust people who are different from me.	1.74	0.83	0.75	
I dislike interacting with people who are different from me.	1.51	0.73	0.77	0.6906
I have many friends from other various cultural groups. (Reverse Coded)	1.80	0.85	0.40	
Ethnocentrism				
My culture should be a role model for other cultural groups.	2.42	1.13	--	--
Restricted by WPD Policies				
How restricted do you feel by your department's rules and regulations?	2.26	0.98	--	--
Freedom to Perform Work				
How much freedom (within policy) are you given to make decisions at WPD?	2.74	0.66	--	--

Table 2 Descriptive Statistics and Psychometric Information for Survey Items by Construct

Results

We present the results from the analyses here in five steps. First, we show the general trends that exist in the data overall for all members of the WPD. Second, we compare the differences between sworn and professional staff. Third, we compare the results between demographic groups (i.e., race/ethnicity and gender). Fourth, we dig into the results of the sworn personnel in more detail. Specifically, we look at how assignment and length of employment affect these results. Finally, we turn to some basic analyses of the textual comments provided by participants.

General Trends for WPD Personnel

We begin by examining the survey results on the 20 constructs for the whole department. We visually depict the department averages for each of these constructs in Figures 1-5. The constructs are grouped together with similar constructs to present a clearer picture of the implications. Further, the constructs are presented from the lowest average value to the highest average value within each figure. Starting in Figure 1, we see that perceptions of organizational commitment (i.e., those who are more committed to making the organizational successful and working towards the organization's goals) is the highest value of these constructs. The scale for organizational commitment is based on

a well-documented measure, but what is interesting here is the fact that while the scale still shows evidence of validity and reliability (see Table 1), the difference in the items is crucial. For instance, 94.9% of respondents either agree or strongly agree with the statement "I am committed to making the department successful," and 87.3% say the department's goals are important to them. Both items are key to determining organizational commitment. However, the third item asks if the respondent generally supports the direction that top management is taking the organization. For this item, only 19.3% of respondents agree or strongly agree. A similar trend is seen in the construct with the next highest mean — organizational ethics. Again, some items (i.e., "there is an ethical code that guides our behavior and tells us right from wrong") see overwhelming support from the organization's members, with 79.4% of respondents agreeing or strongly agreeing with the statement. Contrast this with an item that asks if leaders and managers in this organization practice what they preach: only 13.1% of respondents agree or strongly agree with this statement.

These are the only two constructs depicted in Figure 1 that show department members are more likely to agree with the presence of these factors than not. The remaining five constructs show progressively stronger levels of disagreement. Of particular concern when examining the results of the other factors are the three constructs with the lowest mean values across the organization. Starting with organizational development, which captures respondents' perceptions that the organization is preparing them to succeed and advance in the WPD, there are clear indications of problems. Specifically, only 11.9% of respondents agree or strongly agree that WPD is adequately developing personnel for the next step in their careers and only 17.5% of respondents feel that decisions on promotions and special assignments are made on objective criteria. Only 27.1% of the department feels the mandatory training they receive is sufficient to allow them to perform their job effectively.

A similar pattern is seen for the items that compose the organizational accountability construct. Specifically, 29.5% of respondents agree the department helps personnel with coaching rather than punishment for minor mistakes. The wording of this item is particularly important as there is a marked difference between the goals of disciplining someone for deviating from accepted standards and punishing them for the same.[47] Similarly, only 29.1% of respondents agree or strongly agree that personnel are treated with respect during formal disciplinary investigations. However, most alarming in this construct is the fact that only 15.9% of respondents agree or strongly agree the disciplinary process is fair and only 16% of respondents feel personnel who consistently perform poorly are held to account. The pattern in the responses suggests feelings of accountability within the WPD are ubiquitously absent, both in terms of people being appropriately held accountable and through a process that is perceived as fair and effective.

Finally, in Figure 1, we look at the results that the organization is unbiased in its treatment of personnel. Specifically, respondents were asked about their level of agreement with the statement "people in this organization are treated the same regardless of who they are (e.g., race, ethnicity, gender, sexual orientation, gender expression, political affiliation, etc.). Again, the results are not a

[47] Discipline is generally the process of modifying one's behavior to conform to standard. It can be positive, such as training. Punishment is a negative organizational sanction that results from not adhering to disciplinary standards. Discipline is the root of discipline - one who follows.

positive reflection of the current state of the organization. Only 34.3% of respondents agree or strongly agree with this statement. This means slightly more than one in three members of the WPD agree that everyone is treated the same regardless of their demographic or other characteristics that should be irrelevant in determining their treatment by the organization. Further, almost as many people strongly disagree (26.6%) and disagree (24.7%) with this statement as agree or strongly agree. From this data alone, it is unclear what types of disparities in treatment exist, but this pattern of responses should be generally concerning to the organization.

Figure 1. Assessment of Organizational Perspectives by all WPD Respondents

NOTE: Responses ranged from 1 (strongly disagree) to 5 (strongly agree).

Turning to the constructs presented in Figure 2, we see a similar pattern as in Figure 1. Specifically, we see respondents ubiquitously rated the quality of their supervision with fewer than 10% of respondents disagreeing with the statements that composed this construct, shown in Table 2.. We see that respondents report a relatively high degree of cynicism toward other institutions. The fact that personnel are cynical is not surprising, given that research consistently finds that cynicism develops in police officers[48], nor is it that respondents were cynical toward the media (61.1% agree/strongly agree media treat the police unfairly) or toward other actors in the criminal justice system (58.4% feel judges and prosecutors are not serious enough about crime). Nor is it surprising that officers feel politicians prevent them from effectively performing their job. However, the percentage of respondents that agree/strongly agree (72.5%) that politicians interfere with the ability to do their jobs is substantially higher than typically seen in other samples of policing. Interestingly , the respondents in WPD are significantly more cynical of these other public institutions than they are toward community members ($t_{531} = 28.12$, $p < .001$). This pattern is typically inverted and higher

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48 Langworthy, R. H. (1987). Police cynicism: What we know from the Niederhoffer scale. *Journal of Criminal Justice*, *15*(1), 17-35.

cynicism toward the community typically inhibits police agencies' abilities to effectively partner with the community to address crime and quality of life issues.

Two other areas of clear concern are organizational justice and the organization's ability to cooperate and work with outside entities effectively. The items for the organizational justice construct are again listed in Table 2. Of the six items that compose this scale, only one (i.e., command staff treats staff with dignity and respect: 26.6%) sees the percentage of personnel who agree or strongly agree above 10%. This is interesting because the remainder of the items on the scale talk about things that leaders in the organization (i.e., the command staff) would do if people were treated with dignity and respect. This item may be an anomaly driven by a quirk in the measurement (i.e., command staff is not a term used in WPD). The quirky nature of this anomalous item is reaffirmed when looking at the items that compose the organization's ability to cooperate with outside agencies. Specifically, 11.9% of respondents feel upper management and the union have a good working relationship, and 4.0% feel the organization has a good working relationship with the City Manager's Office. Organizations with strained relationships internally rarely have great relationships with external constituencies. Ergo, the one item in the organizational justice scale looks more like an anomaly.

Figure 2. Assessment of Additional Organizational Perspectives by all WPD Respondents
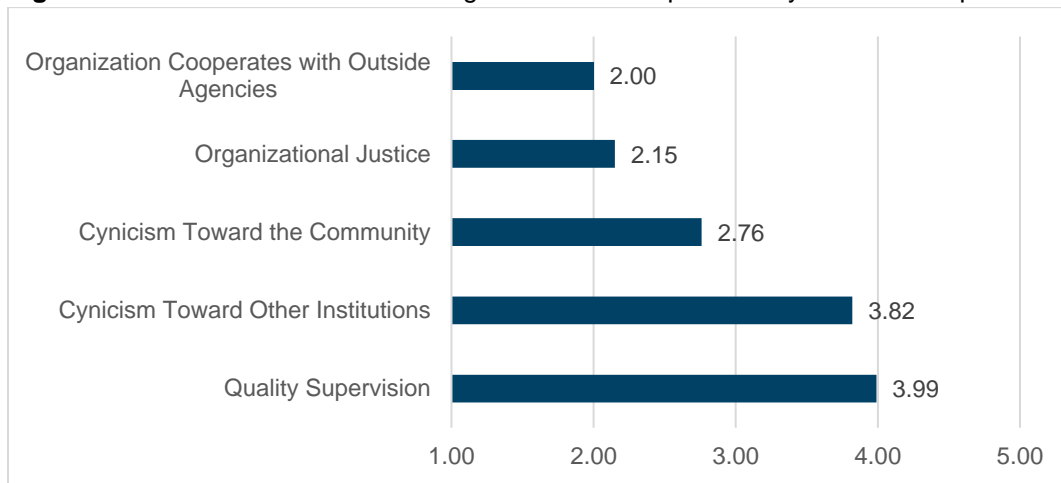
NOTE: Responses ranged from 1 (strongly disagree) to 5 (strongly agree).

Looking at the constructs presented in Figure 3, there are three distinct types of measures here, although measured on different 4-point Likert scales. There are two that asked sworn personnel only about what they thought different operational priorities should be for WPD. Generally speaking, these were broken down into community-focused strategies that focused on building positive relationships with the community and addressing their needs for things that were not directly related to the enforcement of the law or crime suppression. For each of the three items that composed this construct, 80.4% or more of sworn personnel rated these as mid or high priorities. Conversely, we see WPD's sworn personnel feel that enforcement-focused strategies should be less of a priority.

The general exception to this is 82.1% of WPD sworn personnel felt that increasing the number of arrests for Part I crimes (murder, rape, aggravated assault, robbery, burglary, larceny, motor vehicle theft, and arson) should be a mid or high priority for the department. This suggests sworn personnel want to hold offenders accountable for crimes that are known to the police, which is largely consistent with the ethos of policing. Interestingly, the other two items that compose the enforcement focus construct, which was more focused on crime suppression and investigatory stops, were identified substantially less as mid to high priorities for the department (52.3% for increasing stress stops and contacts, and 35.1% for increasing the searches of cars and people). Again, this suggests that while the sworn personnel of the WPD want to hold offenders accountable for their actions, they are less willing to use more aggressive patrol techniques that may erode the trust of the community to accomplish this mission.

Additionally, in Figure 3, we present the results from two other items that asked about how much freedom, within the bounds of policy, personnel felt they had to accomplish their job and how restricted personnel felt by organizational policies. The results indicate most personnel within the agency feel slightly (31.9%) or moderately (30.0%) restricted by the department's rules and regulations. Further, 64.8% of respondents felt they had some freedom in terms of how they performed their roles. This response category represents the logical sweet spot for employees, as other sentiments can represent problems. For instance, the 5.0% of respondents who felt they have no freedom likely feel stifled and burdened by the demands of their job. The 7.1% who feel they have complete freedom may not feel there are effective organizational rules in place to regulate their behavior. Both categories are potentially problematic, but for different reasons. Those who felt they had complete freedom were disproportionately detectives (10.2% of detective respondents) and command staff (16.7% of those ranked captain and higher). In contrast, the feelings of no freedom were consistently shared, as a percentage within rank, by all participants.

Figure 3. Assessment of Organizational Priorities and Restrictions by all WPD Respondents
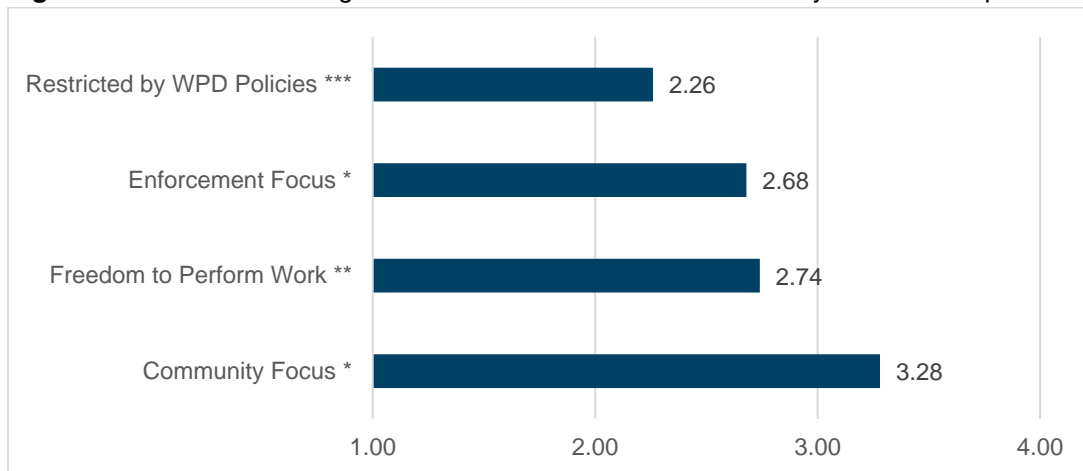
NOTE: Responses ranged from 1 to 4; for *, the response options were (1) not a priority, (2) a low priority, (3) a mid-level priority, and (4) a high priority; for **, the response options were (1) no freedom, (2) very little freedom, and (3) some freedom, and (4) complete freedom; for ***, the response options were (1) not at all restricted, (2) slightly restricted, (3) moderately restricted, and (4) very restricted.

In Figure 4, we look at instances of counterproductive workplace behaviors. Overall, the presence of counterproductive workplace behaviors based on the mean construct would be slightly more than rarely, which was the anchor for the responses scored as a two. However, some items saw substantially more variation than others. Specifically, 59.6% of respondents say they sometimes or more frequently hear others tell those outside WPD what a "lousy place" WPD is to work, and 54.3% hear someone insulting another about their job performance with the same frequency. Further, we see 29.8% of people feel others do not regularly report problems to prevent things from getting worse, and 32.6% of people do not take on additional tasks to help others out unless they are asked. Overall, these data would suggest there are some behaviors exhibited by WPD personnel that indicate a potentially toxic work environment — at least within some parts of the organization.

Additionally, in Figure 4, we show the mean response for a specific item asking about seeing others make jokes because of a person's demographic factors (e.g., race, ethnicity, gender, sexual orientation, gender identity or political affiliation). The mean response would say these behaviors are rarely viewed by members of the WPD. In fact, 65.5% of the respondents indicate they never see this type of behavior within the organization. However, given the pernicious nature of these types of behaviors within organizations, it is important to understand that 9.3% of respondents say they sometimes or regularly see this type of behavior within the organization. Further, 25.2% say they rarely see these behaviors.

Figure 4. Assessment of Frequency of Counterproductive Workplace Behaviors in WPD
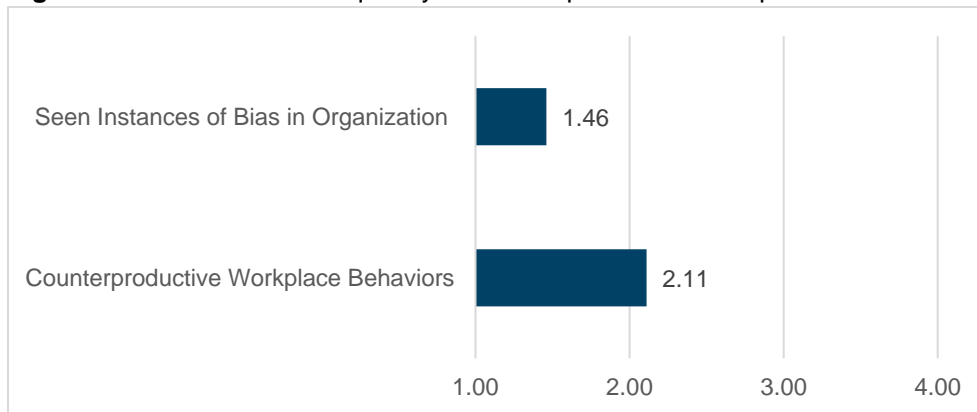
NOTE: All items were measured on a four-point scale ranging from (1) never, (2) rarely, (3) sometimes, and (4) regularly.

Finally, for this section, we look at the results presented in Figure 5. The results show the mean level responses for two constructs related to comfort and preference for interacting with others who are culturally dissimilar. The results indicate that most members of the WPD report little discomfort in interacting with others who are dissimilar to themselves. Only 2.3% of respondents agree or strongly agree with the statement that they do not easily trust others who are different from them. Only 1.4% agree or strongly agree that they dislike interacting with people who are different from them. Interestingly, there are only four respondents who agree or strongly agree with both statements.

One may infer these results are encouraging in that respondents are not uncomfortable with cross-cultural interactions, which may well be true. However, the second item here — ethnocentrism — paints a different picture. Specifically, respondents were asked if they thought their personal culture should serve as a role model for other cultural groups. In essence, asking them if they thought their culture was superior to others and something to which other groups should aspire. Generally speaking, stronger agreement with this item will suggest a person is more ethnocentric, which can potentially yield problems in forming productive partnerships and enabling effective communication with persons from other cultural groups. Here we see 14.3% of WPD respondents agree or strongly agree with the statement. Further, 40.3% of respondents take a neutral position on this topic, while 46.4% disagree or strongly disagree with the statement. Given the available data, it is unclear why the respondents chose the categories they did. Further, we see there are members of almost every racial/ethnic group that agree or strongly agree with this statement.

Figure 5. Assessment of Interacting with Others by All WPD Respondents
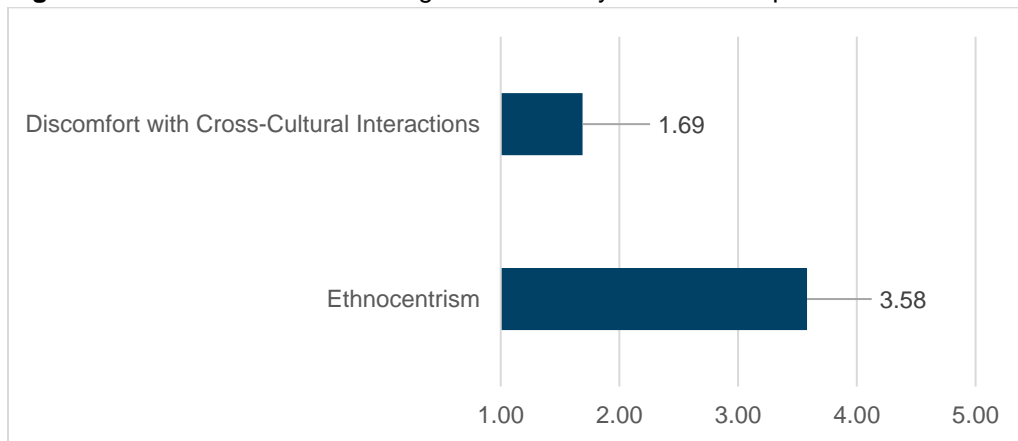
NOTE: Responses ranged from 1 (strongly disagree) to 5 (strongly agree)

Comparing Sworn and Professional Staff

We next compare the differences in the responses on the constructs for the professional and sworn staff within WPD. Recall that not all items were asked of the professional staff; the results from these comparisons indicate that of the 17 constructs that were available for comparison, only eight showed statistically significant differences. This statement means the differences in the average response value between sworn personnel and professional staff are so large that you would be unlikely to see these differences purely by chance. In other words, there is something inherently different in the experiences or views of the sworn personnel and professional staff. However, we cannot necessarily isolate the reason for these differences with the current data. The differences in the averages on the construct are computed using independent sample t-tests and for the specific items based on chi-square tests, both using the standard 95% confidence interval (i.e., we are 95% certain the differences are so large that we would expect to see them by chance). Only the results for the significant comparisons are shown in Figures 6-8.

In Figure 6, we see there are significant differences for three of the seven constructs that were originally shown in Figure 1. Specifically, we see professional staff (M = 2.82) feel there is significantly more (t 486 = 3.98, p < .001) organizational accountability than the sworn staff (M = 2.45). These differences are consistent across three of the four domains. Specifically, 19.4% of professional staff strongly disagree or disagree with the statement that the department treats personnel with respect during formal disciplinary investigations, compared with 39.7% of sworn personnel ($\chi2$ = 20.07, df = 4, p < .001). Similarly, 27.5% of professional staff and 51.0% of sworn personnel disagree or strongly disagree with the statement that the department helps personnel with coaching rather than punishment for minor mistakes ($\chi2$ = 19.70, df = 4, p < .001). Further, 41.8% of professional staff and 60.8% of sworn personnel disagree or strongly disagree with the statement that the disciplinary process is fair ($\chi2$ = 16.69, df = 4, p < .01). Taken as a whole, this seems to suggest the professional staff in WPD have fundamentally different experiences with the accountability mechanisms within the WPD. Again, the source of these differences is not identified in the current data, but the results are quite clear that there are significant differences in perceptions and/or experiences.

Similarly, we see significant differences (t 487 = 3.98, p < .001) in perceptions of organizational development for professional staff (M = 2.60) and sworn personnel (M = 2.26) in the WPD. The differences here stem from two of the three items that compose the construct. Specifically, 48.0% of professional staff, compared to 76.6% of sworn personnel, disagree or strongly disagree with the statement that WPD adequately develops personnel for the next step in their career ($\chi2$ = 31.38, df = 4, p < .001). Additionally, 44.9% of professional staff, compared to 60.7% of sworn personnel, feel that decisions on promotions or special assignments are not based on merit and objective criteria ($\chi2$ = 11.73, df = 4, p < .05).

Lastly, from Figure 6, we see professional staff (M = 3.66) report significantly higher levels of organizational commitment (t 487 = 3.56, p < .001) than do sworn personnel (M = 3.41). These differences are driven by two of the four items of this construct. Specifically, 28.6% of professional staff, compared to 61.3% of sworn personnel, disagree or strongly disagree with the direction that top management is taking the organization ($\chi2$ = 36.01, df = 4, p < .001). Additionally, 35.7% of the

professional staff, compared to 51.7% of sworn personnel, disagree or strongly disagree with the statement that WPD views failure as an opportunity for learning and improvement ($\chi2$ = 16.14, df = 4, p < .001). Again, this would suggest the expectations and experiences of the professional staff within the WPD are fundamentally different from those of the sworn personnel. The implications of the significant differences in organizational commitment are that the turnover intentions of the sworn personnel are likely significantly higher than those of the professional staff.

Figure 6. Significant Differences for Constructs Between Sworn and Professional Staff at WPD
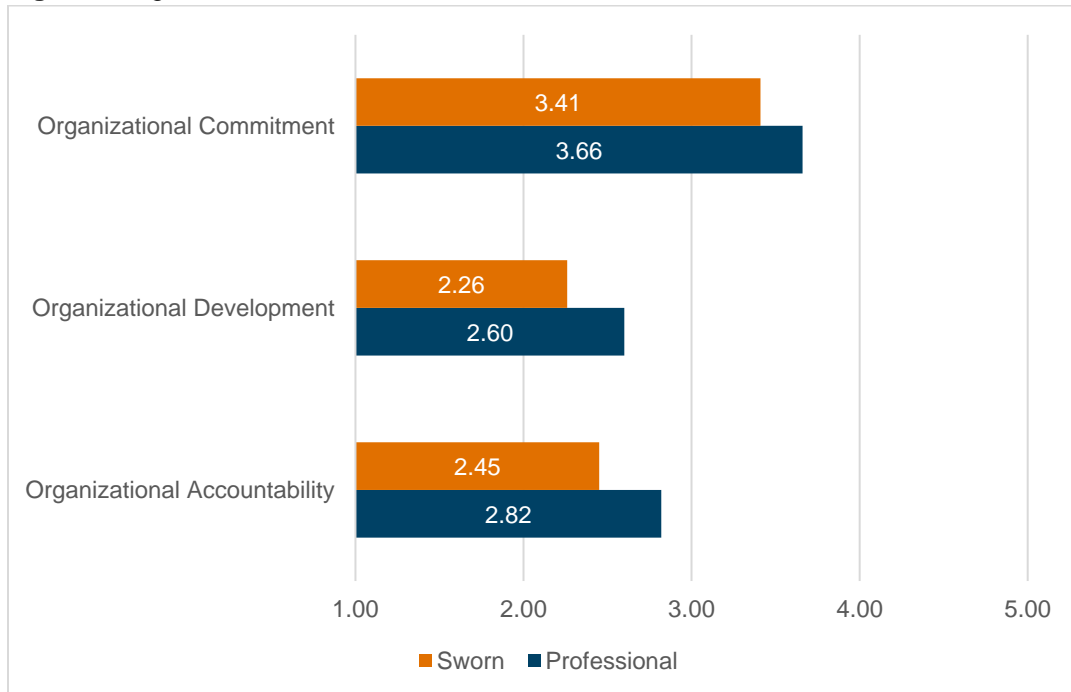
The results in Figure 7 show the four significant differences in the constructs originally presented in Figure 2. Interestingly, we see the pattern of significant differences changes a bit with these constructs. Notably, for two of the constructs (i.e., cynicism towards the community [t 487 = 6.29, p < .001] and organizational justice [t 487 = 3.98, p < .001]), the professional staff scored higher than the sworn personnel. While on the other two constructs (i.e., quality supervision [t 487 = -3.06, p < .01] and cynicism toward other institutions [t 487 = -6.37, p < .001]), the professional staff score significantly lower than the sworn personnel.

For some of the constructs presented in Figure 7, we see the differences are again driven by a few items. Specifically, the difference in cynicism toward other institutions is driven by the larger percentage of sworn personnel at 66.3%, compared to 38.1% of professional staff that agree or strongly agree the media treat the police unfairly (χ2 = 30.22, df = 4, p < .001). Additionally, 77.1% of sworn personnel, compared to 50.6% of professional staff, agree or strongly agree with the statement that police officers could do a better job if politicians did not interfere so much (χ2 = 30.81, df = 4, p < .001).

Similarly, the mean differences between professional staff and sworn personnel on perceptions of organizational justice are driven by a few items. Specifically, we see that 72.5% of sworn personnel, compared to 54.5% of professional staff, disagree or strongly disagree that leadership gathers complete and accurate information before making decisions (χ2 = 17.94, df = 4, p < .001). Also, 50.8% of sworn personnel, compared to 33.7% of professional staff, disagree or strongly disagree that command staff treats staff with dignity and respect (χ2 = 18.96, df = 4, p < .001). Additionally, 71% of sworn personnel, compared to 51% of professional staff, feel the reasons for decisions are truthfully conveyed to people in the organization. Finally, 84.6% of sworn personnel, compared to 59.5% of professional staff, disagree or strongly disagree with the statement that command staff solicits input and feedback from persons affected prior to making decisions (χ2 = 35.47, df = 4, p < .001). As a whole, these items suggest professional staff and sworn personnel have vastly different experiences with elements of organizational justice. It is unclear why these differences appear so strongly here, but it could be that professional staff tend to work in the same building during the same hours as command staff members and thus feel they are treated better. It could be that the changes made in WPD tend to affect professional staff less than sworn personnel. Additionally, it could be another issue that is not captured in the data. What is clear is that neither the professional staff nor the sworn personnel has particularly high levels of organizational justice, but the effect is exacerbated for the sworn personnel. Taken in conjunction with the lower organizational commitment of the sworn personnel presented above, research would suggest WPD is likely to experience other deleterious consequences (e.g., turnover, misconduct, counterproductive workplace behaviors, and higher stress levels and anxiety of staff).

The significant differences between professional staff and sworn personnel in perceptions of community cynicism are particularly interesting. Specifically, the professional staff (M = 3.08) scores significantly higher than the sworn personnel (M = 2.68). When the results are disaggregated by item, an interesting pattern emerges. Specifically, it seems as though the professional staff feels they are not seen quite as positively by the community as the sworn personnel. For instance, 68.3% of sworn personnel agree or strongly agree the relationship between the WPD and the community is very

good, compared to only 32.0% of the professional staff (χ^2 = 64.27, df = 4, p < .001). Similarly, 81.8% of sworn personnel agree or strongly agree the community trusts the WPD to do the right thing, which is significantly less (χ^2 = 73.14, df = 4, p < .01) than the professional staff (41.3%). And again, on the item asking if the department is not particularly effective at working with community groups, 24.9% of professional staff agree or strongly agree with the statement, which is significantly greater (χ^2 = 11.60, df = 4, p < .05) than the 14.1% of sworn personnel. This pattern of results would suggest at least two potential explanations. First, professional staff members know something that sworn personnel do not (i.e., they hear more concerns from community members at work or are integrated into different community groups outside of work). Second, the professional staff members may not be around or participate as frequently in the diverse community engagement activities that the sworn personnel engage in. With the data from the survey, we again cannot move beyond conjecture to explain the differences between these two groups.

Figure 7. Significant Differences for Additional Constructs Between Sworn and Professional Staff at WPD
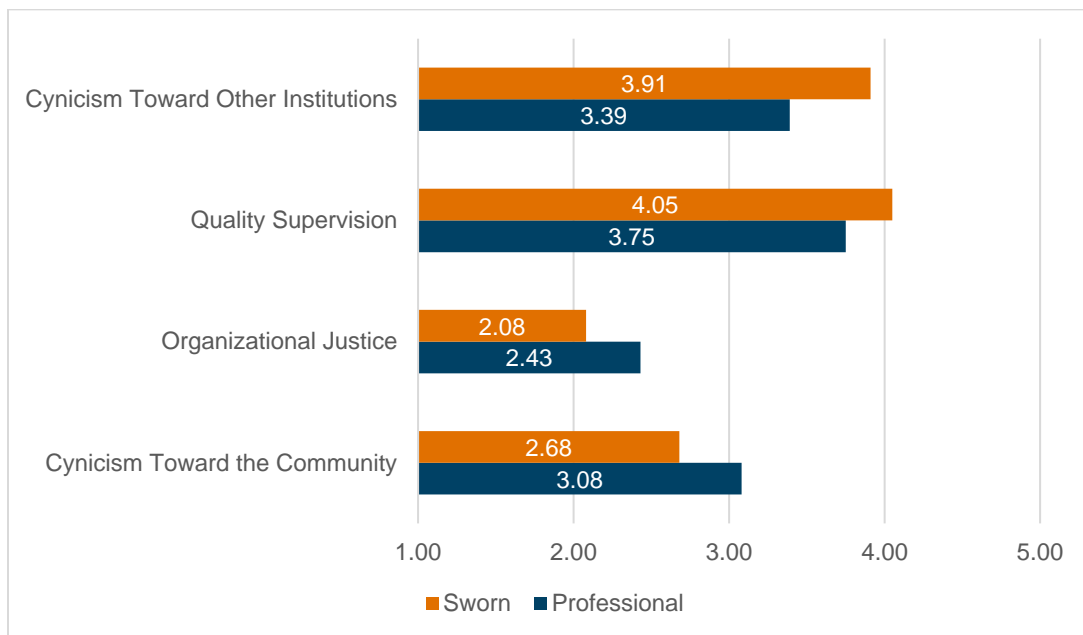
Finally, we see the last significant difference between sworn personnel and professional staff. These results are presented in Figure 8 and represent the only difference from the constructs initially shown in Figure 3. Sworn personnel feel they are more restricted by the rules and regulations of WPD than professional staff ($\chi2$ = 36.10, df = 4, p < .001). Specifically, 49.5% of the professional staff feel not at all restricted by the WPD rules and regulations, compared to 21.8% of sworn personnel. Further, only 21.7% of professional staff feel moderately or very restricted by the organizational rules, compared to 45.8% of sworn personnel. The results clearly indicate the rules and regulations for professional staff are not nearly as burdensome as those placed on sworn personnel. To a certain degree, this is to be expected, given the difference in the responsibility and power vested in sworn personnel. However, this is another place in which WPD could look to determine if the rules and regulations of personnel, both professional staff and sworn personnel, are working as intended. Further, the effect for sworn personnel could be, at least partly, driven by the lack of perceptions of organizational justice. Indeed, there is a relatively strong bivariate relationship between perceptions of organizational justice and feeling restricted by organizational rules and regulations for sworn personnel (r = -0.34, p < .001). In other words, the more organizational justice perceived by sworn personnel, the less restricted they feel by rules and regulations. This means increasing perceptions of organizational justice would also help to address the feelings of being overly restricted.

Figure 8. Significant Differences in Feeling Restricted by WPD Policies for Sworn and Professional Staff
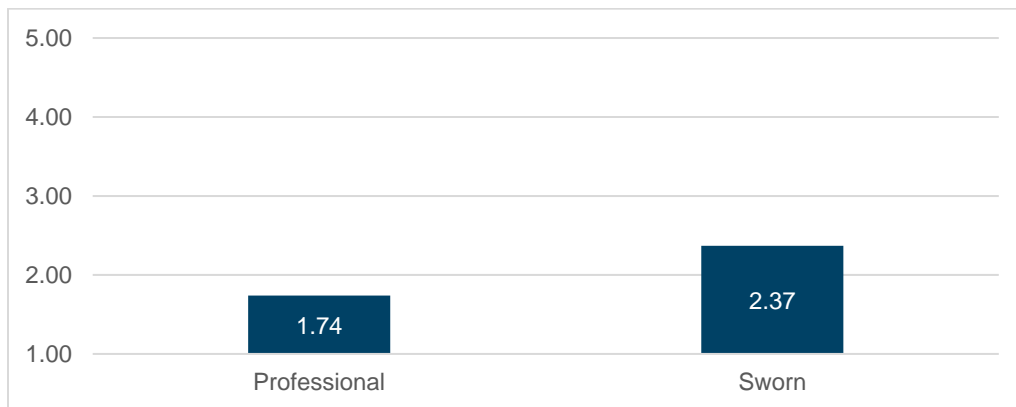
Demographic Comparisons

Next, we examine the data to see if any differences are associated with the respondents' demographic characteristics. Specifically, we look to determine if there are any differences in race/ethnicity and gender. Optimally, we would want to present data for each racial/ethnic group in the data. However, the number of responses in some non-white minority groups is so small that meaningful statistical comparisons are difficult to interpret substantively. Further, to prevent any particular respondent from being inadvertently identified, we do not present statistics for groups

smaller than 10 respondents. This limits our ability to describe differences in race/ethnicity to white and non-white. Even with this amalgamation, there are only 89 respondents that are identified as non-white, compared to 445 respondents who are identified as white, in the department roster.

When looking at differences in race/ethnicity on the constructs, we see only two significant differences; both are presented in Figure 9. Specifically, we see white respondents (M = 1.71) score significantly higher (t 526 = 2.03, p < .05) on the discomfort with cross-cultural interactions than non-white respondents (M = 1.56). This significant difference is driven by the differences in one item. Specifically, 58.4% of non-white respondents strongly agree with the statement they have many friends from other various cultural groups, compared to 38.4% of white respondents. While this difference is statistically significant (χ2 = 16.48, df = 4, p < .01) when taking a more holistic view of the data, 84.3% of non-white respondents and 82.9% of white respondents either agree or strongly agree with the statement. Ergo, the significant difference is driven by a matter of degree of agreement with the statement (i.e., agree vs. strongly agree) compared to fundamental differences. Further, given the demographic composition of the WPD and the City of Wichita more generally—both of which are predominantly white—it is less surprising that non-white respondents would more strongly agree with this statement. The other significant difference seen is for the ethnocentrism item. White respondents (M = 3.62) express significantly greater ethnocentrism (t 526 = 2.02, p < .05) than do non-white respondents (M = 3.39). When we disaggregate the responses, we see this difference is driven by the 12.3% of white respondents who disagree or strongly disagree with the statement their culture should be seen as a model for others, compared to 18.0% of non-white respondents (χ2 = 9.51, df = 4, p < .05). Again, this is a relatively small difference that makes the groups significantly different but not substantively different. In fact, using a standardized effect size (i.e., Cramer's V) yields a small to negligible value of 0.12. Apart from these two examples, there are no other significant racial differences between white and non-white respondents in the sample.

Figure 9. Significant Differences in Constructs for White and Non-White Respondents
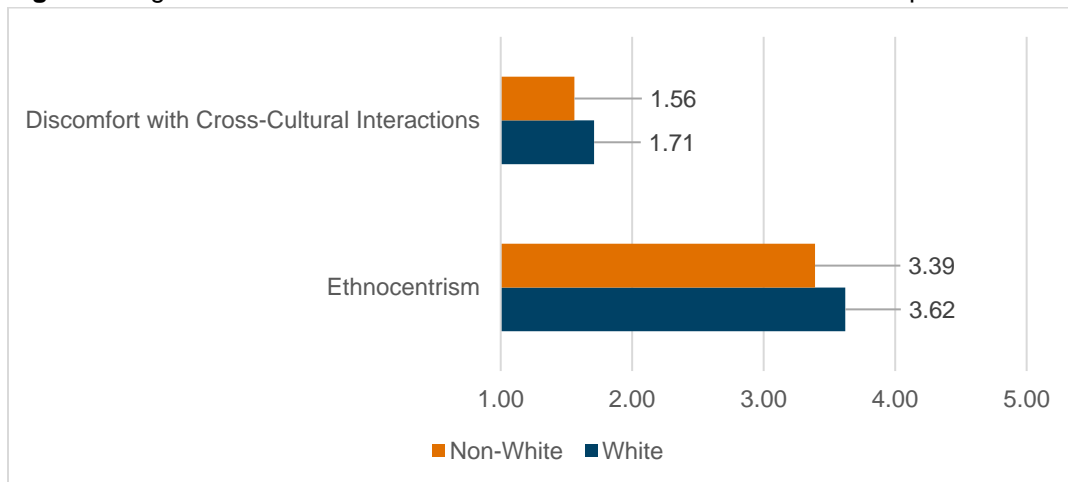
Next, we look for mean-level differences in the constructs based on the respondents' gender. Again, there are relatively few significant differences in the views of male and female respondents. Starting with results presented in Figure 10, specifically, males (M = 4.09) report significantly higher (t 519 = 4.44, p < .001) perceptions of the quality of supervision than do females (M = 3.69). These differences manifest in every item that composes that quality supervision construct. Given females disproportionately compose the professional staff respondents (74.2%), we examine these differences for only the sworn personnel. Again, the results indicate sworn personnel who are male (M = 4.10) report significantly higher perceptions of supervision quality (t 422 = 3.19, p < .001) than do sworn personnel who are female (M = 3.71). Again, these differences are seen in every item except for the item asking about whether supervisors are supportive when things get tough (χ2 = 6.22, df = 4, p > .05). Therefore, the results are consistent in that female respondents consistently report lower levels of supervision quality than do males irrespective of whether they are professional staff or sworn personnel.

Additionally, Figure 10 shows female respondents (M = 3.62) report significantly less cynicism toward other institutions (t 519 = 3.31, p < .001) than males (M = 3.87). Again, females report significantly lower levels of agreement with each item that composes this construct. Conversely, female respondents (M = 3.01) report significantly higher levels of cynicism toward the community (t 519 = -5.73, p < .001) than male respondents (M = 2.68). These results are again driven by two items that compose this construct. Specifically, significantly more males (81.2%) agree or strongly agree with the statement most in the community trust WPD to do the right thing (χ2 = 43.79, df = 4, p < .001), compared to females (53.4%). Similarly, significantly fewer female respondents (36.9%) agree or strongly agree with the statement the relationship between the WPD and the community is very good (χ2 = 48.05, df = 4, p < .001), compared to 69.7% of male respondents. Again, the significant differences for these items persist if we look only at the gender differences for male and female sworn personnel, although the magnitude of the effect is attenuated.

**Figure 10.** Significant Gendered Comparisons on Constructs
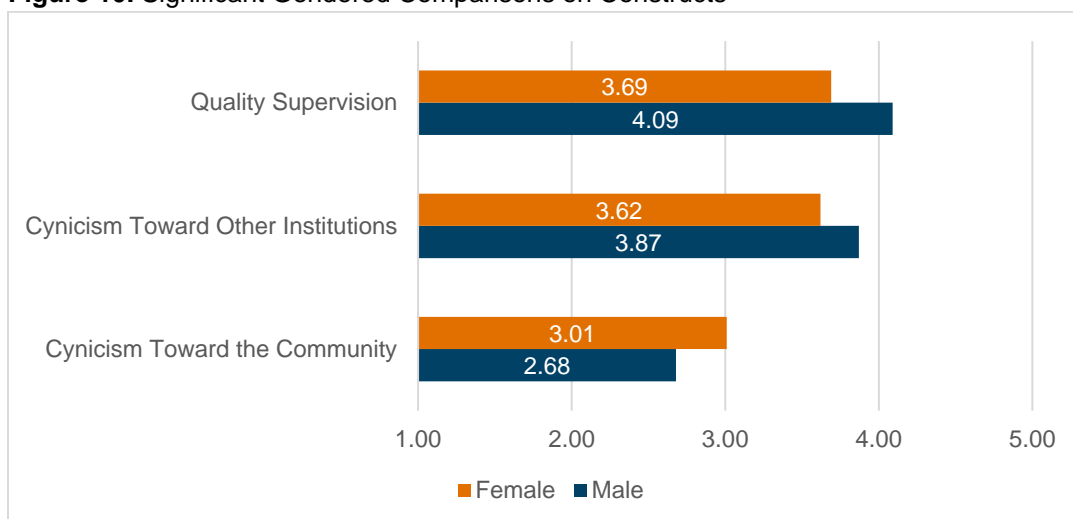
Next, we turn to the results presented in Figure 11, representing the gendered differences in feeling restricted by WPD policies. Again, males (M = 2.34) report feeling significantly more restricted by WPD rules and regulations (t 487 = 3.98, p < .001) than do females (M = 2.02). Again, given the fact this construct showed significant differences between professional staff and sworn personnel and the majority of female respondents were female staff, we examine this effect for sworn personnel only. The results indicate there are no significant differences between male and female sworn personnel in their feelings of being restricted by WPD's rules and regulations (χ2 = 2.30, df = 4, p > .05).

Figure 11. Gendered Differences in Feeling Restricted by WPD Rules and Regulations
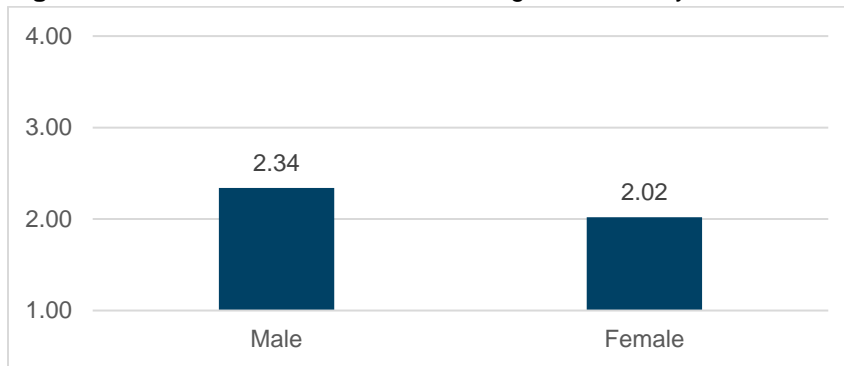
The last significant gendered effect for the constructs was in the frequency of observing biased-based behaviors in the organization. These results are presented in Figure 12. The results indicate females (M = 1.61) observe significantly more biased behaviors (t 487 = -2.65, p < .01) than males (M = 1.42). Specifically, female respondents (17.4%) report seeing these behaviors sometimes or regularly compared to male respondents (6.7%), which is statistically significant (χ2 = 13.40, df = 4, p < .001). Furthermore, this effect is stronger for sworn female employees (21.3%) than male employees (6.4%) and is still statistically significant (χ2 = 18.35, df = 4, p < .001).

Figure 12. Gendered Comparisons of Frequency of Biased-Based Behaviors in WPD
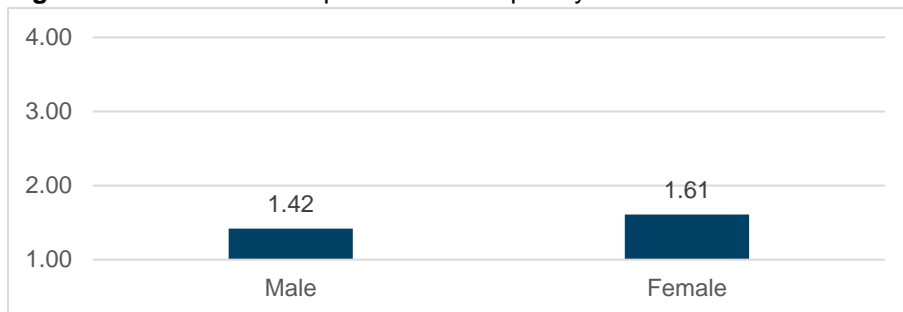
Demographic Effects of Sworn Personnel

We also assessed the additional demographic effects of length of service and rank on these constructs for sworn personnel. Ultimately, we would like to assess these differences for all respondents; however, we could not include the professional staff for two reasons. First, there was limited information on the rank of the professional staff respondents, which makes the comparisons impossible. Second, 61.8% of the professional respondents had nine or fewer years of service with WPD, which made the comparisons impossible with the limited number of responses from professional staff. Given the high correlation between rank and tenure with WPD (0.62, $p < .001$), we begin by looking at rank-level differences for officers, detectives, sergeants, lieutenants and command staff (i.e., captains and above). The data show rank-level differences in 11 of the 20 constructs that were measured in the survey of sworn personnel. As there are more than two groups here, we employ a one-way analysis of variance to determine if there are statistically significant differences in the mean values for each rank. We then use Tukey's HSD test[49] post hoc to identify significant mean-level differences between the ranks of the sworn personnel.

We begin by looking at the significant mean-level differences by rank in the five constructs presented in Figure 13. The results indicate there are significant differences in the perception that loyalty to others in WPD should be a top priority ($F_{(4, 420)} = 4.84$, $p < .001$). The post hoc analyses reveal the only significant differences between the ranks are that officers report significantly higher agreement with this statement than detectives (mean difference = 0.42, $p < .01$) and lieutenants (mean difference = 0.57, $p < .05$). There are also significant mean-level differences in perceptions of organizational ethics ($F_{(4, 376)} = 2.86$, $p < .05$) with those on the command staff reporting significantly higher values than both sergeants (mean difference = 0.84, $p < .05$) and lieutenants (mean difference = 1.00, $p < .05$). No other significant differences in perceptions of organizational ethics by rank are noted. Similarly, we see there are significant mean-level differences for organizational commitment ($F_{(4, 377)} = 3.52$, $p < .01$), with those on the command staff reporting significantly higher levels of organizational commitment than all other groups. Similarly, there are significant mean-level differences for perceptions of organizational development ($F_{(4, 377)} = 3.95$, $p < .01$). The only significant difference detected by the post hoc comparisons is that perceptions of organizational development are stronger for officers than sergeants (mean difference = 0.36, $p < .05$).

Finally, we see significant differences in perceptions of organizational accountability by rank ($F_{(4, 377)} = 3.47$, $p < .01$). The post hoc analyses reveal the command staff feels there is significantly greater organizational accountability than officers (mean difference = 0.81, $p < .05$), detectives (mean difference = 0.79, $p < .05$) and sergeants (mean difference = 0.77, $p < .05$). Interestingly, this would suggest the people who are responsible for holding those accountable for misconduct (i.e., the command staff) have a very different perception of the construct than do those who compose the bulk of the sworn personnel in the organization, and thus those most likely to have experience with the accountability structures, directly or indirectly.

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49 This is a statistical method used to compare multiple groups and determine which pairs of groups have significantly different means. It is a post-hoc test applied after an analysis of variance (ANOVA) has been performed to determine if significant differences exist among the means of multiple groups.

Figure 13. Significant Differences Based on Rank in the Organization for Sworn Personnel
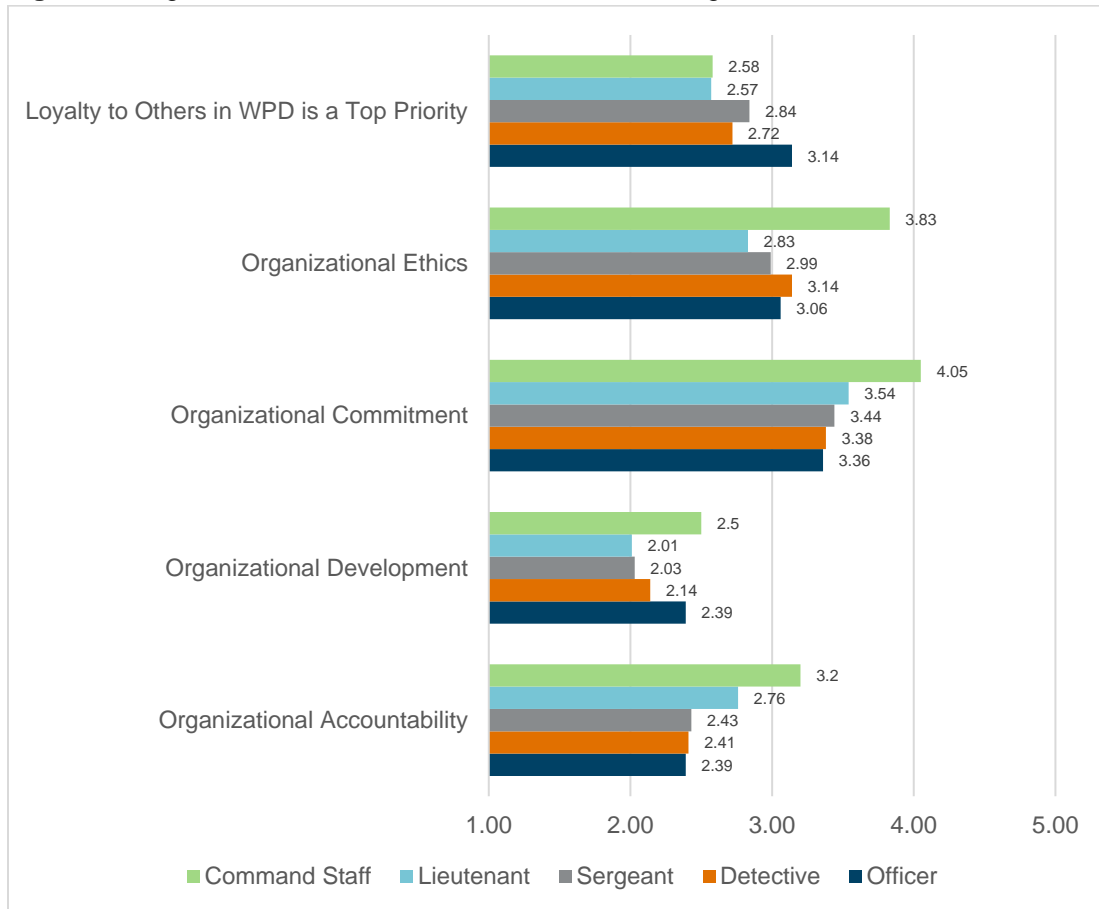
We present the results of four additional constructs that show significant mean-level differences by rank in Figure 14. For organizational justice, we see a pattern consistent with the findings for organizational accountability. Specifically, we see significant differences in the assessment of organizational justice by rank ($F_{(4, 376)} = 7.77$, $p < .001$). Specifically, the command staff feels there is significantly more organizational justice than all other ranks. Additionally, we see officers feel there is more organizational justice than sergeants (mean difference = 0.32, $p < .05$). There are also significant differences in the quality of supervision associated with rank ($F_{(4, 2.71)} = 3.95$, $p < .05$), although this effect is limited to lieutenants feeling as though the quality of their supervision is significantly lower than detectives (mean difference = -0.56, $p < .05$).

Of note in this finding is the direct supervisor of the lieutenants would be members of the command staff, who were consistently rated poorly by sworn personnel of all ranks on other constructs (e.g., organizational justice).

Additionally, in Figure 14, we see significant mean-level differences in rank for cynicism toward other institutions ($F_{(4, 420)} = 6.60$, $p < .001$) and cynicism toward the community ($F_{(4, 420)} = 8.92$, $p < .001$). Officers are significantly more cynical toward other institutions than sergeants (mean difference = 0.30, $p < .05$) and lieutenants (mean difference = 0.51, $p < .01$). This finding is largely consistent with prior research, which suggests that as personnel are promoted in the organization, they become less cynical toward other entities as they can see a more comprehensive picture of why these other institutions may make decisions that are inconsistent with desires of patrol officers. Similarly, for community cynicism, we see officers express significantly greater degrees of cynicism toward the community than do sworn personnel from all other ranks. Again, officers are responsible for interacting with community members frequently but also have the most restricted view of what is happening with the organization and the community. In other words, officers can get frustrated with the community because they are the members of the organization that disproportionately interact with members of the community in tense and confrontational settings where decisions need to be made.

Figure 14. Significant Differences in Additional Constructs by Rank for Sworn Personnel

The last two significant mean-level differences based on rank are seen in the two constructs presented in Figure 15. We see there is a significant effect of rank on sworn personnel's expressed priority for focusing on the community ($F_{(4, 416)} = 3.03$, $p < .05$). The source of this difference stems from members of the command staff reporting that engaging with the community should be a significantly higher priority than do patrol officers (mean difference = 0.60, $p < .05$). Finally, we see there are significant mean-level differences in perceptions that WPD rules and regulations restrict officers in performing their jobs ($F_{(4, 414)} = 10.31$, $p < .001$). This effect is driven by two rank-level differences. Specifically, patrol officers feel significantly more restricted by WPD rules and regulations than detectives (mean difference = 0.73, $p < .001$). The same is true for sergeants compared to detectives (mean difference = 0.58, $p < .01$). This is an interesting finding given that the promotional path to sergeant in WPD requires one to be a detective first. The implication of this finding may suggest that some fewer rules and regulations confine the work of detectives relative to sergeants and officers who are largely responsible for answering calls for service.

Figure 15. Significant Differences in Perceptions by Rank for Sworn Personnel.
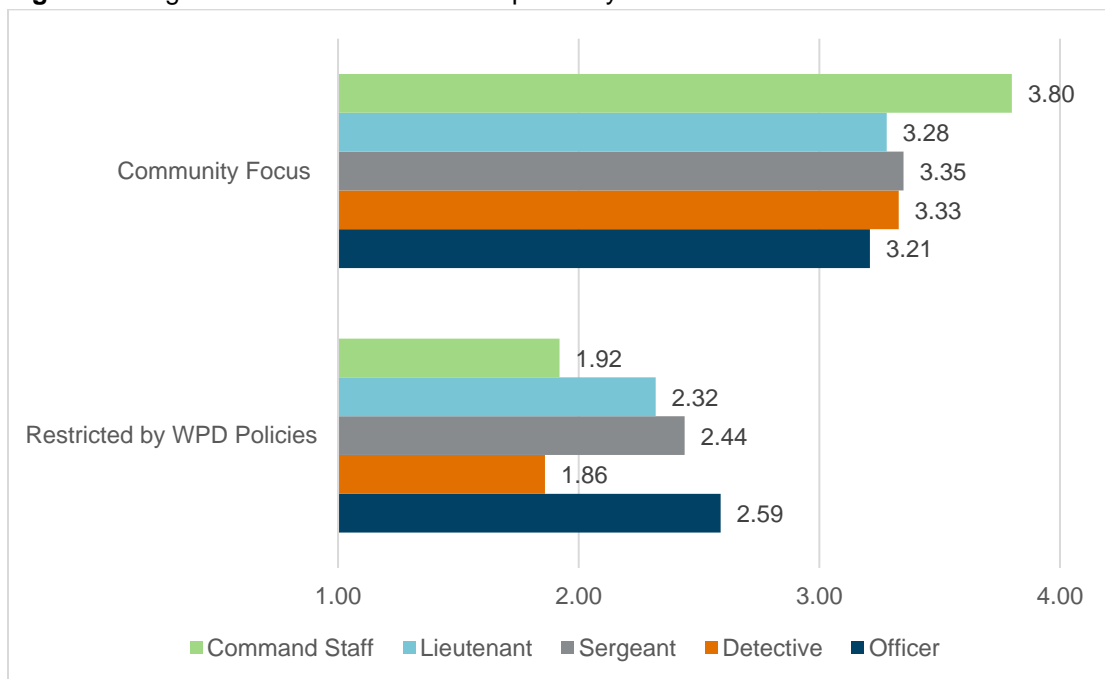
Lastly, given there are significant rank effects on many of these constructs and there is a sizeable correlation between rank and tenure with the WPD, we estimate the bivariate relationship between tenure and the constructs for those people who are at the rank of officer. A total of 235 sworn personnel identified as officers in the data provided by WPD completed the survey. These officers had an average of 9.94 years of service with WPD (SD = 7.94 years) with a minimum of 0.46 years and a maximum of more than 25 years. In fact, 5% of the sworn sample of officers have 25 or more

years of experience with WPD. These data are analyzed using a bivariate regression model. Tenure with WPD was a significant predictor of only five of the constructs for the sample of sworn personnel at the rank of officer. To aid in interpreting the results, we present a visual depiction of the estimated value on each of the five constructs (on the y-axis) for each value of tenure with WPD (on the x-axis), and the associated 95% confidence interval is shaded around the line. This confidence interval shows how much variation there is in the estimate based on the relationships implied by the survey data. These relationships are shown in Figures 16—20.

In Figure 16, we show the results of regressing organizational accountability on length of service (i.e., tenure with WPD). The results in the figure show a generally decreasing line over time. In fact, on average, the level of agreement with organizational accountability decreases by 0.023 points per year of service with WPD. While this number does not seem that great, it means that on average, an officer with 20 years of experience at WPD will report -0.47 points lower than an officer with no experience. Given that an officer with no years of experience would report a value of 2.63 on this construct (i.e., more likely to disagree than agree that organizational accountability exists within the organization), an erosion of 0.47 points in 20 years, assuming nothing changes, would mean the officer would definitely disagree there is no organizational accountability within the organization. Additionally, the size of the shaded area increasing over time means a stronger likelihood that this effect will be exacerbated the longer a person stays employed as an officer at WPD. Furthermore, tenure alone explains 5.05% of the variance in officers' level of agreement with the organizational accountability measure. Given that on average, criminologists can explain 20% of the variance in theoretically specified multivariate models,[50] this is substantial.

Figure 16. Plot of Bivariate Regressing Length of Service (Tenure) on Organizational Accountability


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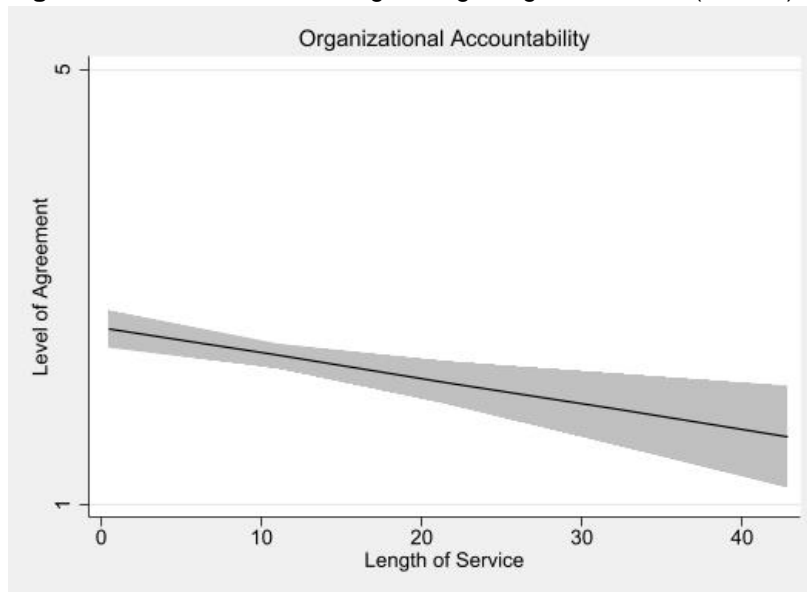
50 Weisburd, D., & Piquero, A. R. (2008). How well do criminologists explain crime? Statistical modeling in published studies. *Crime and Justice*, *37*(1), 453-502.

In Figure 17 we see the plot presenting the values of the predicted relationship between tenure and officers' level of agreement that the organization is unbiased. Again, we see the same trend as in Figure 16, although the confidence interval becomes much larger the longer a person works for the organization. This means there is more uncertainty and variability in the responses of officers who have worked for WPD for longer periods of time. The results from this model again show that each additional year a person works for WPD reduces their level of agreement with this statement by -0.029 points on average. This effect is 26% stronger than the effect of organizational accountability. Again, we would expect an officer with no experience to report a 3.03 on this construct (i.e., neither agree nor disagree). However, on average, after two years, the officer will be more likely to disagree with this statement than to agree with it. Finally, while the effect of tenure is significant here, it only explains 2.9% of the variation in perceptions that the organization is unbiased.

Figure 17. Plot of Bivariate Regressing Length of Service (Tenure) on the Organization is Unbiased
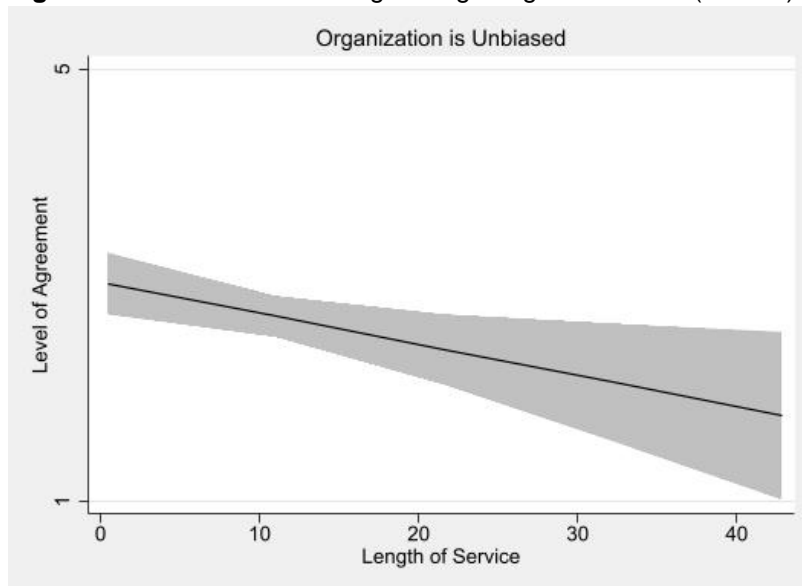
Next, in Figure 18, we show the fitted values for perceptions of organizational justice. Again, we see a significant negative effect of tenure on perceptions of organizational justice, with each additional year of experience reducing the level of agreement with the statement by -0.019 points, on average. Again, a non-trivial amount when considering two factors. First, we hope officers remain in their careers for many years, thus compounding the effect. Second, the predicted value of organizational justice for an officer with no experience is 2.33. In other words, they already disagree that organizational justice exists when they start and, within 20 years, will be more likely to disagree strongly than to disagree. Again, tenure explains a relatively modest proportion of the variance (3.57%) in organizational justice.

Figure 18. Plot of Bivariate Regressing Length of Service (Tenure) on Organizational Justice
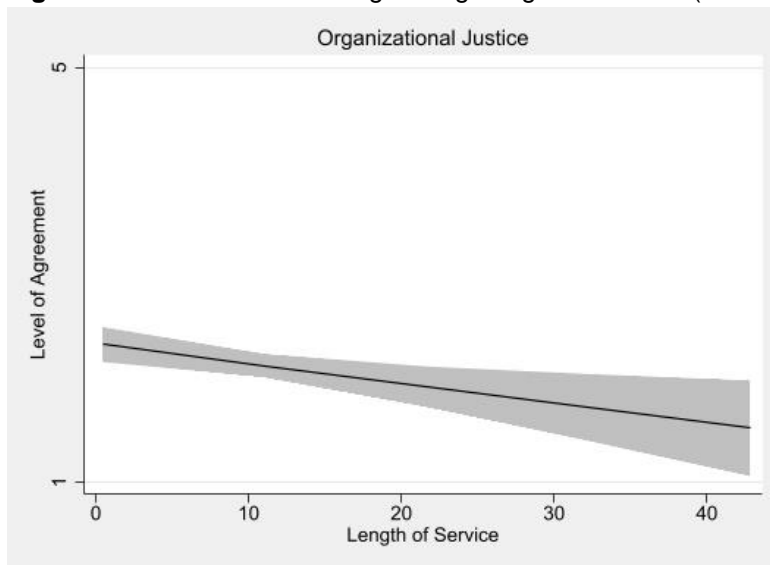
In Figure 19, we show the results of tenure on agreement with community cynicism. While the pattern looks similar to the other plots, the interpretation here changes. Again, we see a negative slope for the fitted line between community cynicism and tenure. However, unlike the prior plots, lower community cynicism is actually a positive thing for officers' ability to work with community members effectively. Therefore, with each additional year of service, we would expect to see the level of agreement with sentiments of community cynicism decrease by -0.017 points. This is good news, given that officers with no experience are likely to score 2.99 on this measure (i.e., slightly more likely to disagree than agree). Further, tenure explains 5.5% of the variance in officers' community cynicism. Therefore, unlike the prior measures where tenure exacerbated already bad problems at WPD, tenure further reduces the amount of community cynicism expressed by officers.

Figure 19. Plot of Bivariate Regressing Length of Service (Tenure) on Community Cynicism
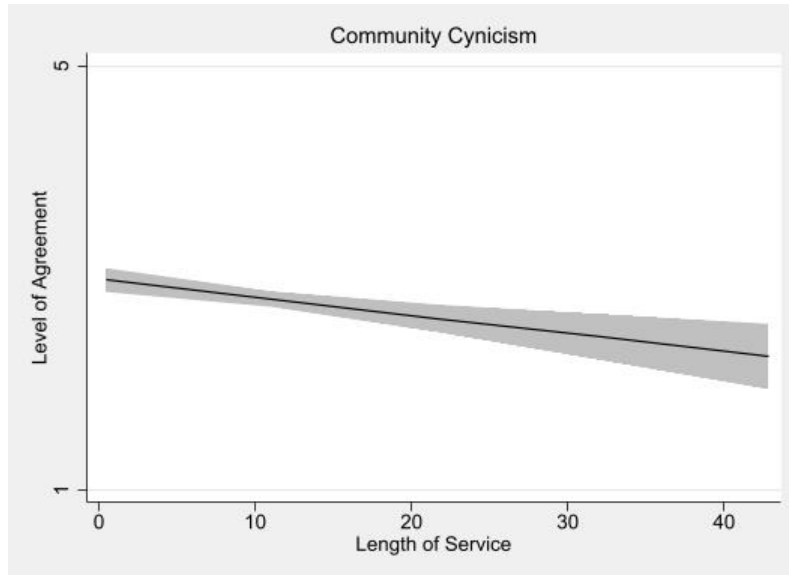
Finally, in Figure 20, we show the final significant effect of tenure on the constructs measured in the survey. Specifically, this plot shows the relationship between tenure and officers' preference to prioritize enforcement activities at WPD. For each additional year an officer spends at WPD, on average, their preference for prioritizing enforcement activities decreases by -0.022 points. Officers who enter WPD would say that enforcement activities should be a mid-level priority, but this effect diminishes over time, on average. Further, tenure explains 4.03% of the variance in the preference to prioritize enforcement activities within WPD. Taken with the results shown in Figure 19, the data would suggest officers with more tenure on the street become less cynical of the community and see the use of more aggressive policing practices as a lower priority than newer officers. These are positive things for the WPD's ability to positively and effectively engage and partner with their community.

Figure 20. Plot of Bivariate Regressing Length of Service (Tenure) on Preference to Prioritize Enforcement Activities
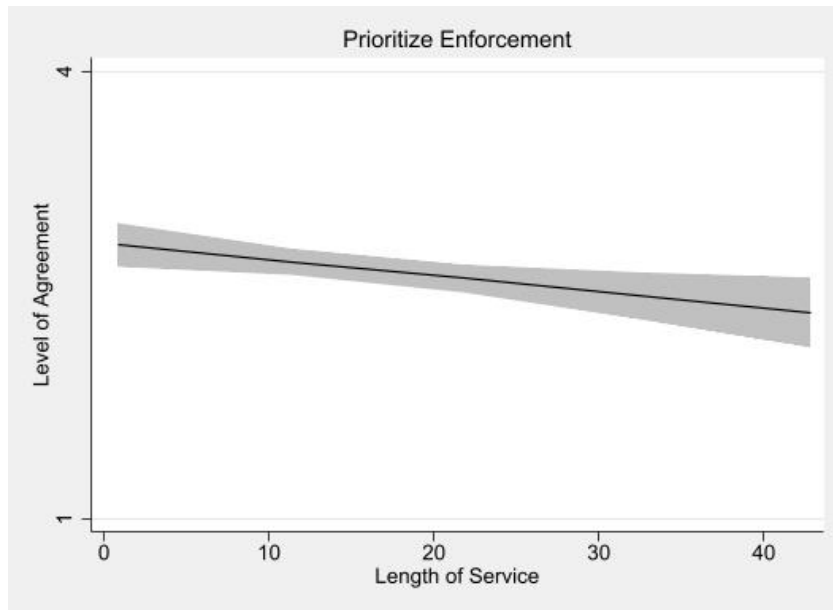
Appendix B: Sentiment Analysis of WPD Organizational Climate Survey

Data

At the end of the close-ended items in the survey, respondents were given the opportunity to answer an open-ended prompt that asked participants, "Is there anything else about the organizational culture within the Wichita Police Department or about WPD that you would like to share with us?" Of the 534 completed surveys, 308 included responses to this question. The average number of words in each response was 189.77 (SD = 251.03). The median number of words entered by respondents was 94.5. The difference in the mean and the median suggests a smaller percentage of respondents provided much more detail than others. In fact, of the provided responses, the number of words ranged from 1 to 1,526 words. Seven respondents entered 1,000 or more words into the text box, which is equivalent to approximately 3.5 to 4 pages of double-spaced text typed in 12-point font with 1" margins.

The distribution of respondents who answered the open-ended question and the amount of information provided was consistent across gender, race/ethnicity, rank, and sworn and professional staff. The only notable trend was that respondents employed longer by WPD tended to provide lengthier responses than those with less experience. This is to be expected as those who have worked for the organization for longer are likely to have greater experience and more to say about the WPD and the culture.

To summarize the data provided by participants without engaging in a full qualitative analysis of the data, we conducted a sentiment analysis of the written responses. This analysis follows a multistep process to estimate the overall sentiment of the responses provided. The first step in the process is to remove so-called "stop words," which are common words that are necessary to form grammatically correct sentences but are unhelpful in conveying the meaning or sentiment of written prose. The second step is to "tokenize" the words, which assigns a numerical value to each word. These formulations were based on the assessments of many raters. There are several specific lexicon dictionaries available to use; here we used the NRC lexicon that is part of the tidytext package in R.[51] Each tokenized word is then used to create an estimate of the statement's sentiment based on the general association of each token with a sentiment and the strength of this relationship.[52] A value of zero represents a neutral statement. Positive values indicate a positive sentiment of the text, with higher values indicating higher assessments of positivity for the statements. The same is true for negative values, although smaller (i.e., more negative) numbers represent a more negative sentiment of the text.

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51 Silge, J., & Robinson, D. (2016). Tidytext: Text mining and analysis using tidy data principles in R. *Journal of Open Source Software*, 1(3), 37.
52 We removed words that were common to policing and WPD that appeared in these lists.

Additionally, the package has an emotional classification of words to show the potential emotions that underlie the sentiment expressed by the words. Specifically, the emotions for words are characterized into eight emotional categories: anger, anticipation, disgust, fear, joy, sadness, surprise and trust. Importantly, these categorizations are not mutually exclusive. In other words, a word could represent multiple emotional states. For instance, the word "unkind" is categorized as representing anger, disgust, fear and sadness. We use these emotional states to show the frequency of words associated with each emotion.

General Sentiment Analysis Results

The results of the overarching sentiment analysis are presented in Figure 20. The results show most participants' responses were fairly balanced in the sentiment (i.e., neutral). In fact, 71.3% of all responses were within 3 units of 0 (i.e., -3 ≤ X ≤ 3), and the mean sentiment score was -2.27 (SD = 5.26). Both pieces of data suggest the responses were fairly balanced portrayals of the positive and negative elements of the WPD culture and organization. However, it is important to acknowledge 60.73% of the responses expressed negative sentiment and 15.27% expressed more substantial negative sentiment (i.e., scores smaller than -5) and 6.91% of the responses were more extreme negative sentiment scores (i.e., scores smaller than -10). Compare this to the 4.73% of responses that were graded as having more extreme positive sentiment (i.e, greater than or equal to 4) and a single respondent (0.36% of responses) had a positive score of 10. The only demographic trend observed in the scoring is that mid-career officers and some professional staff tended to provide the responses that were scored as most extremely negative.

Taken as a whole, the findings would suggest the free-form responses, and thus likely the closed-ended responses, represented the respondents' realistic views of the organization. They often had positive and negative things to say about the organization. These comments, examples of which are presented elsewhere in this report, are consistent with the themes identified by other parts of the assessment work. Additionally, given the balanced views of participants, this suggests there is still an opportunity to make meaningful changes that will improve the culture and effectiveness of the WPD personnel.

Figure 20. Number of Free-Form Responses by Sentiment Rating for WPD Personnel
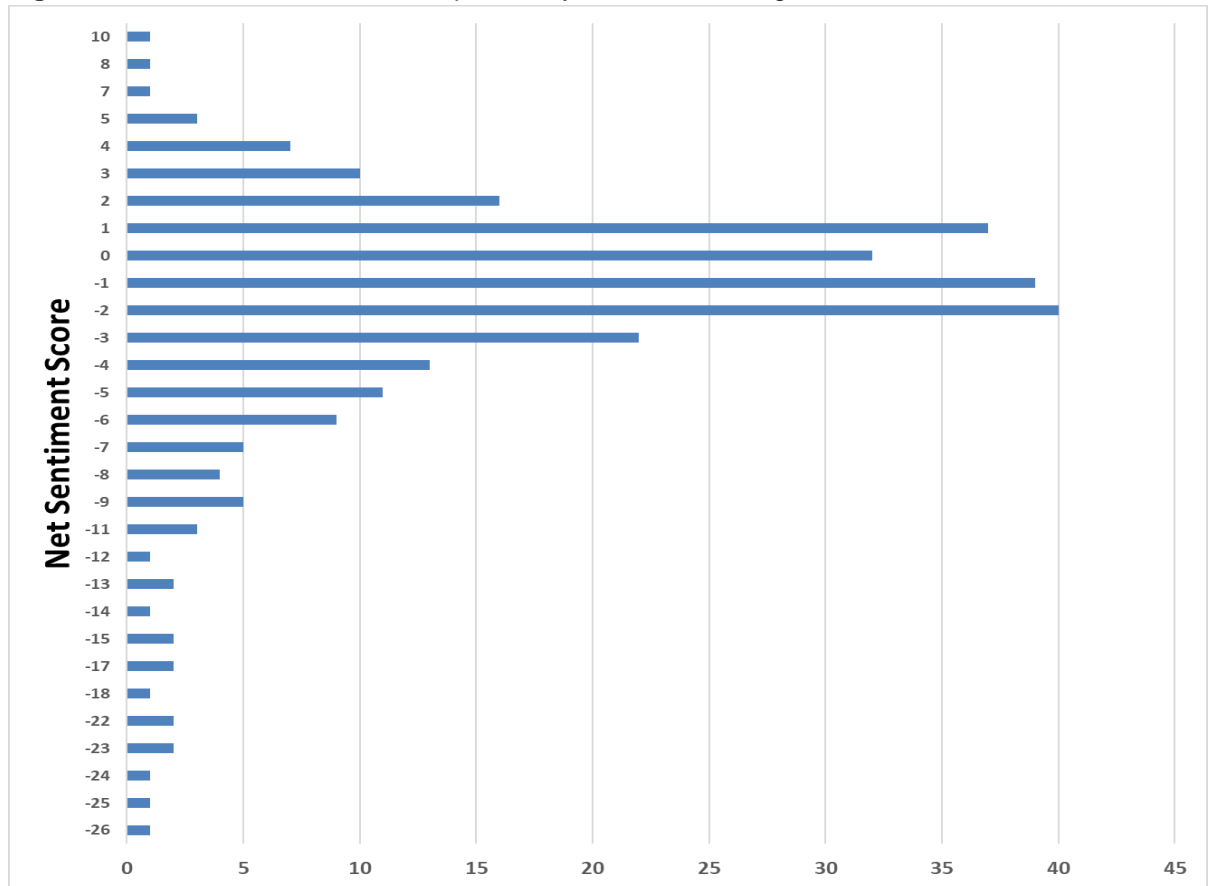
Emotions Behind Words Used

Next, we look for the emotions that were used in the free-form responses provided by respondents. It is important to note there were 4,333 unique words that were not sorted out as stop words in the responses. Of these, words were categorized into each of the eight emotions listed above. Recall that words could be categorized in different emotions and some similar words were combined. We do not present results for the emotions of surprise and trust here, as the number of words identified as these emotions that were consistently used by respondents was relatively small (i.e., no new word was used more than five times for these emotions).

Figure 21 presents the frequency of words used that are consistent with the emotion anger. The most frequent word used was "forced." Looking into the comments in greater detail indicates most of these comments are about people in the WPD being forced to do things they disagreed with. The second most common word for the anger emotion was "morale;" all the comments spoke to the eroded morale within the WPD. Similarly, the words "complaint," "distrust," and "lie" were associated with

internal conditions within the organization that represent the mechanisms through which morale had been eroded. The words "fear" and "bad" spoke to the fear people have of keeping their job in the organization, what the future of the organization looks like, and the respondents' perceptions of residents' feelings about crime and the current service levels of the WPD. Finally, we highlight the words "shortage" and "money;" both spoke to feelings of being short-staffed and overworked and needing to be more fairly compensated by the city. The same issues are largely replicated in Figure 22 for the emotion of "disgust," Figure 23 for the emotion of "fear," and Figure 24 for the emotion of "sadness."

Figure 21. Frequency of Words Consistent with Emotion Anger
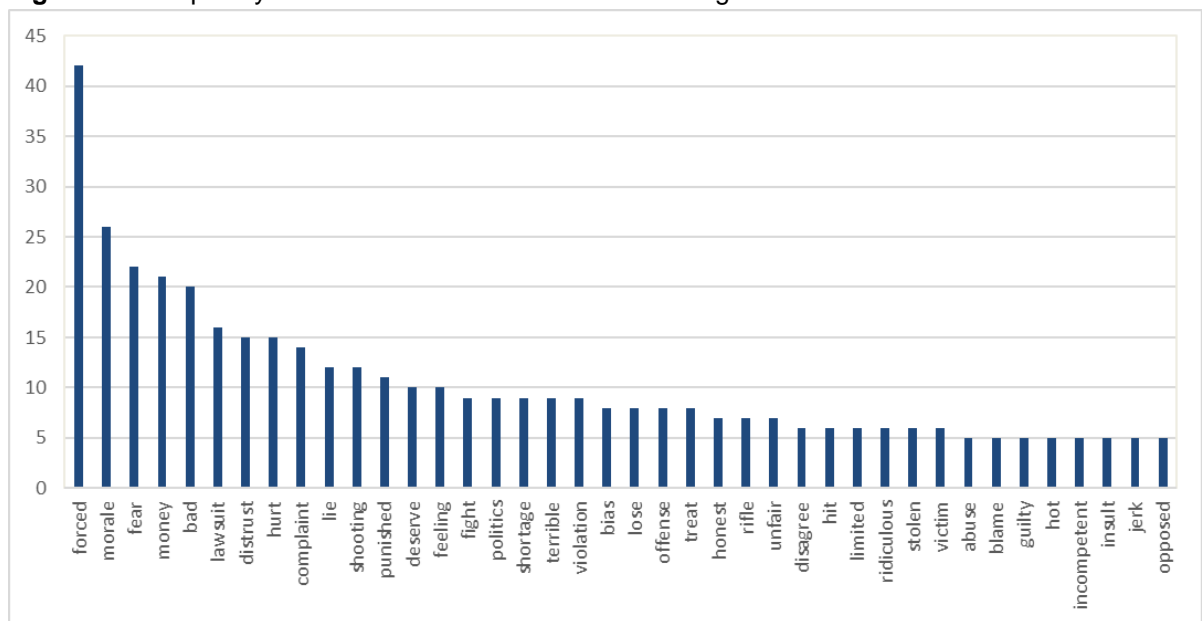
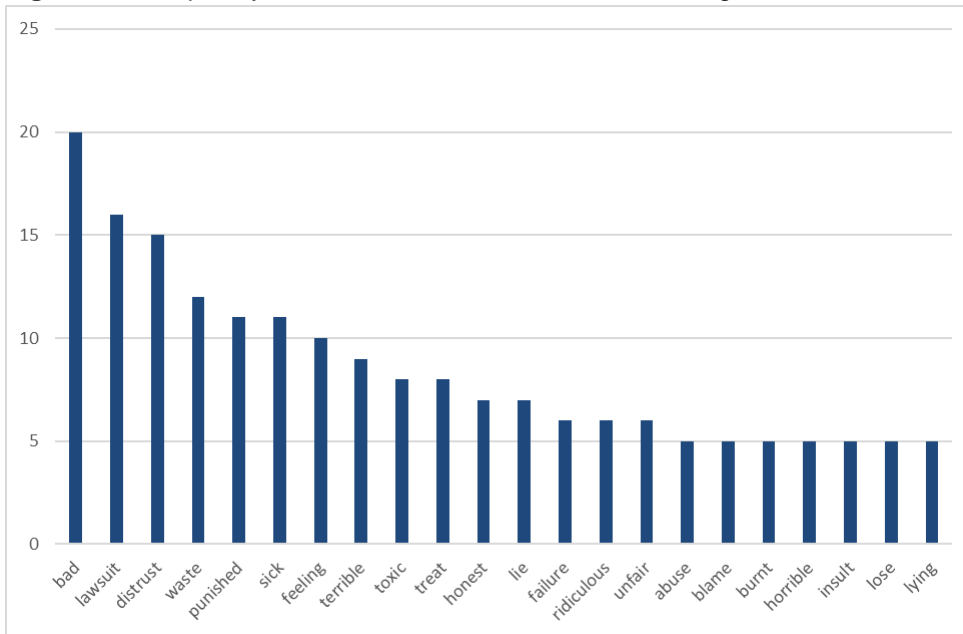**Figure 22.** Frequency of Words Consistent with Emotion Disgust

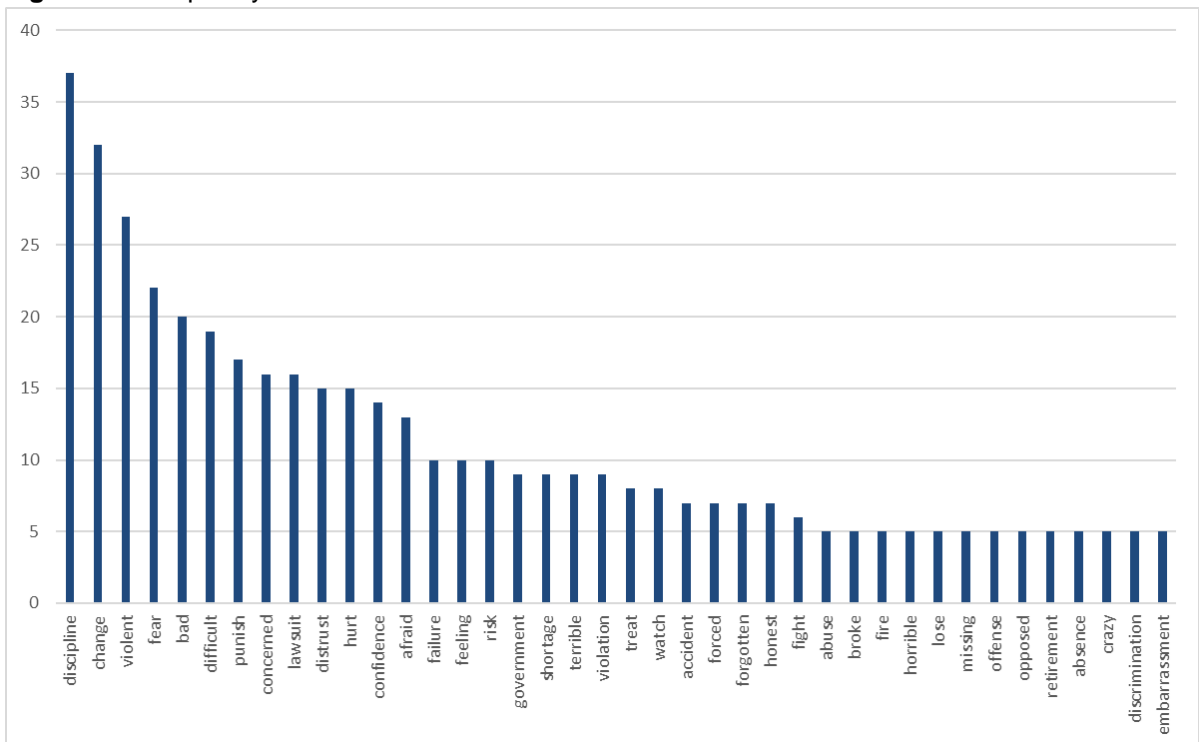**Figure 23.** Frequency of Words Consistent with Emotion Fear

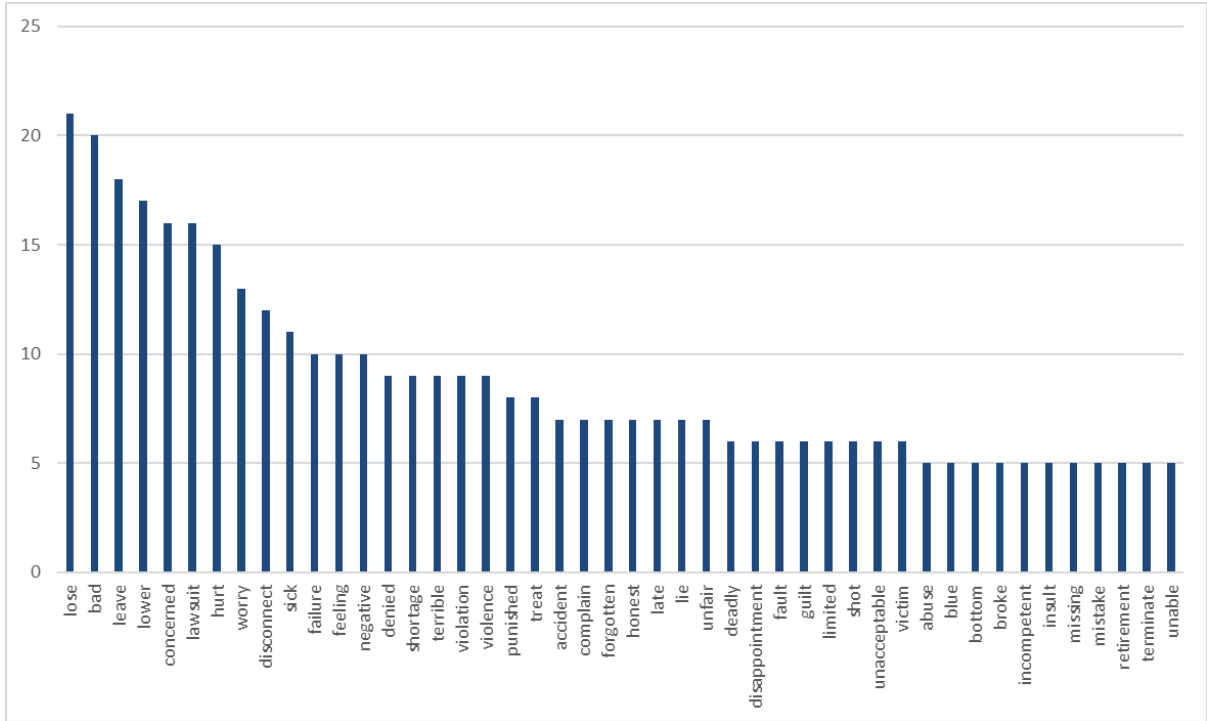**Figure 24.** Frequency of Words Consistent with Emotion Sadness

Figure 25 looks at the words that are associated with the emotion anticipation. There are two additional findings here. First, many of the most frequently occurring words (e.g., organization, top, career, improve, respect, success and expected) spoke to the respondents' hopes that things would change with the implementation of the new chief of police. Some of these comments were actually negative in that they were hopeful the new Chief will make personnel changes that the respondents feel are necessary to improve the organization. Second, many of the words associated with anticipation spoke specifically to the future parts others within the organization could play to improve things. This suggests the respondents not only anticipate the new Chief being able to positively affect the organization but that there are people within the organization that are capable and willing to help enhance the effectiveness and efficiency of the organization. These findings are largely replicated in Figure 26, which shows the distribution of words for the emotion joy. It is important to note some of the words for joy are potentially misleading by themselves. Words like "money," "respect," "resources" and "confidence" (in upper management) all came from comments speaking about the absence of these things or the desire for more of these things.

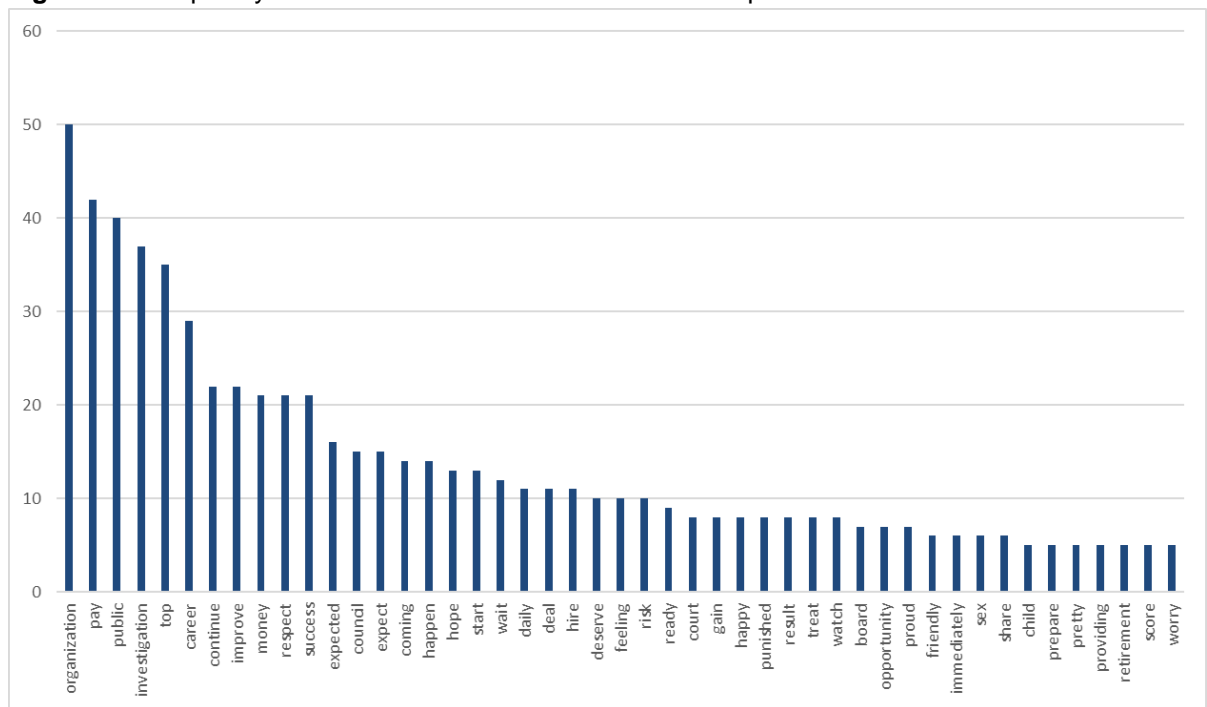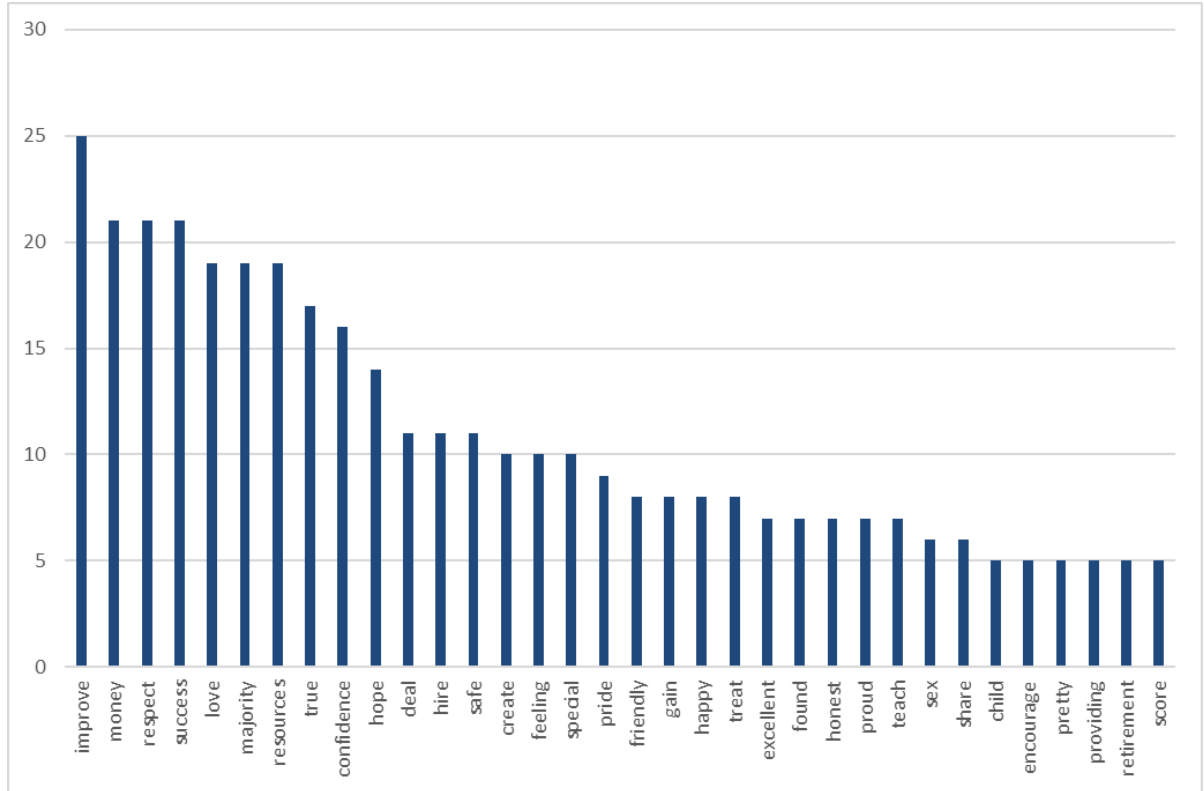**Figure 25.** Frequency of Words Consistent with Emotion Anticipation

Figure 26. Frequency of Words Consistent with Emotion Joy

Appendix C: Bios of Project Team

Internal Project Oversight

Robert L. Davis, Senior Vice President and Practice Lead, Law Enforcement Consulting

Rob is a highly regarded and innovative national leader in policing and public safety with extensive experience assessing federal, state and local law enforcement agencies across the U.S. Rob served in a variety of capacities during his 30 years' career with the San Jose Police Department, including as the Chief of Police for seven years. During his time as chief, Rob also served as the President of the Major Cities Chiefs Association. He provided consulting services for the U.S. State Department, traveling on numerous occasions to Central and South America to provide training in community policing methods addressing gang prevention, intervention and suppression. Since retiring from San Jose, Rob has been involved in numerous assessments of police departments across the nation, including serving as the Project Director for Jensen Hughes's Department of Justice Collaborative Reform Initiative for Technical Assistance contract.

Project Management

Robert Boehmer, Esq., Vice President

Robert is an experienced facilitator, trainer and public speaker, with expertise in collaborative problem solving, community policing, partnership development and information sharing. For the past several years, he has been facilitating sessions for the Department of Homeland Security's Building Communities of Trust Initiative, focusing on developing trust among law enforcement, fusion centers and the communities they serve. As a Vice President in the Law Enforcement Consulting practice at Jensen Hughes, Robert manages complex law enforcement assessments and helps police agencies transform their organizations and adopt national best practices and industry standards central to improving accountability, transparency and community trust.

Subject Matter Experts

Sydney Roberts, Subject-Matter Expert

Sydney brings over three decades of experience to her role as Senior Consultant at Jensen Hughes. A proven leader in police accountability, Sydney has provided insight and guidance on civil and human rights matters impacting law enforcement, including illegal search and seizure, denial of counsel and officer-involved shootings. In addition to her career in law enforcement and police reform, Sydney has built and lead diverse and inclusive high-performance teams on multi-million-dollar enterprises in public safety, compliance and community advocacy.

Edward Denmark, Subject-Matter Expert

With three decades of experience in law enforcement consulting, Dr. Denmark is a nationally and internationally recognized instructor, trainer and advisor on numerous policing and community issues, with a focus on leadership and organizational development. He has served as the Chief of Police in Harvard, Massachusetts and the Chief of the Sterling, Massachusetts Police Department. Dr. Denmark also teaches courses in fair/impartial policing, procedural justice and de-escalation techniques.

Jon Maskaly, PHD, Subject-Matter Expert

Dr. Maskaly is an advanced expert in data collection, analysis and management. He has worked on several police reform projects through the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS) Office's Collaborative Reform Initiative for Technical Assistance (CRI-TA). In addition, he worked with agencies to develop the mentality and capacity to become an organization that is data-driven in its decision-making. He assisted in the development of strategic plans for transparent data and data management plans. He also offered training and assistance in accessing, auditing and querying data. Dr. Maskaly helped agencies develop a system, policy and audit plan for the effective maintenance of training records.

Edward Medrano, Subject-Matter Expert

Edward (Ed) has served as a consultant to the Jensen Hughes team since 2015. He was appointed Chief of the Gardena Police Department in 2007 and has served as the Director of the Police, Streets, and Development Services Department. In this capacity, he has led 150 dedicated law enforcement personnel and an additional 100 city employees in the areas of public works, community and economic development (planning, engineering, building services, code enforcement, and permitting and licensing). He also maintained budget oversight of the aforementioned operations totaling approximately $28 million. Ed concluded his service in Gardena as the City Manager. He most recently served as the Chief of the Division of Law Enforcement (DLE) for the California Department of Justice.