



IMPLEMENTATION AND EVALUATION  
OF PROTOTYPE RULES  
AND PROCEDURES FOR POLICE DISCIPLINE



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC.  
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AUG 5 1980

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ACQUISITIONS



*This project was supported by Grant Number 76-NI-99-0104 awarded by the Law Enforcement Assistance Administration, U.S. Department of Justice, under the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Points of view or opinions stated in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.*



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## ABSTRACT

The primary objective of this effort was to field-test the prototype rules of conduct and disciplinary procedures developed during the course of Grant #74-NI-99-0019. Based upon field research in 17 law enforcement agencies, procedures and rules were developed that reflect a rational, fair and legal approach to a system of discipline for law enforcement agencies. The overriding question was: What is the degree of success of the prototype system in an operational system?

To accomplish this purpose, the prototype, with minor modifications, was implemented within two test sites. The monitoring function to evaluate the system was accomplished through a series of questionnaires given at various times before, during and after the one-year test period. Overall, the system was found to be effective to a varying degree, depending on the issues involved.

Implementation of the prototype system is possible, resulting in minor disruption to the operations of the department, if organized and researched properly prior to implementation. Staff involvement and in-depth training are necessary for smooth implementation and to effect beneficial results. A total commitment on behalf of management is necessary to accomplish the goal of improving police discipline.

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## PREFACE

As the research center of LEAA, the National Institute of Law Enforcement and Criminal Justice tests and evaluates new approaches to improving criminal justice. One such project was to study the effects of a revised disciplinary system in two law enforcement agencies. The results of this effort are summarized in this evaluation report.

The work reported here constitutes the third phase of a study of police discipline that has been in progress since 1974. This effort, as a whole, is probably the most extensive study ever conducted concerning this issue in law enforcement. It was designed to result in a set of recommendations helpful to departments of all sizes in dealing fairly and effectively with their personnel on questions of rules of conduct and corresponding sanctions.

The original work which preceded the evaluation reported here was based on the simple premise that if common police disciplinary practices could be comprehensively analyzed from various perspectives, it would be possible to identify real or perceived desirable and undesirable conditions in disciplinary systems for the police. This would enable IACP researchers to develop a new disciplinary system which would maximize the desirable conditions and minimize those conditions viewed as undesirable.

The objectives of the project were rather straightforward and simply stated:

1. To identify within the 17 study agencies those conditions which are perceived to have a positive or negative effect on police discipline.
2. To identify rules of conduct and discipline procedures which are or may be subjected to legal challenge, and to revise those rules and procedures found to conflict with judicial decisions or which cause police officers substantial concern.

3. To develop a manual which offers guidance in establishing or improving police disciplinary practices.

The result of the 17-department study was a prototype disciplinary package which addressed several issues. First, a set of rules and regulations was developed which more succinctly stated the essence of the rule. Second, the IACP drafted a set of procedures which assured the officer an opportunity for an internal due process appeal hearing. Third, major issues relating to the police department's responsibility when receiving citizen complaints were addressed.

The IACP published a manual entitled Managing for Effective Police Discipline: A Manual of Rules, Procedures, Supportive Law and Effective Management, based on the results of the 17-agency study. In 1976, NILECJ contracted with the IACP to study and evaluate the effects of the prototype disciplinary system in several police agencies. The purpose of the study was to implement the new disciplinary system in several study agencies and evaluate the degree of success in an operational situation. Further, the IACP identified the factors involved in implementing such a system as well as drew conclusions as to minimizing these disruptions.

The conclusions are based on analyses of a very extensive body of quantitative and qualitative data. The data, the analytic results, and their implications are presented fully in a 150-page report. This summary is a brief overview of the program, its outcomes, and the conclusions and recommendations contained in the full report.

## ACKNOWLEDGEMENTS

The Implementation and Evaluation of Prototype Rules and Procedures for Police Discipline Project was developed by the International Association of Chiefs of Police, Gaithersburg, Maryland. This effort was supported by a grant from the Law Enforcement Assistance Administration (Grant No. 76-NI-99-0104).

A Discipline Advisory Board contributed to the development, implementation, and evaluation of this project. Members of the Advisory Board included:

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The development of the disciplinary systems, on-site training, implementation, monitoring, and evaluation were conducted by IACP staff. Project members contributing to the total effort included:

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We appreciate the time and assistance we received from the management and personnel of the Albuquerque, Denver, and Lansing Police Departments.

We are grateful to our NILECJ project monitor, William E. Saulsbury, for his guidance at many decisionmaking points during the project. We also appreciate the assistance of David J. Farmer, Director of the Police Division of the National Institute of Law Enforcement and Criminal Justice.

CHAPTER I  
BACKGROUND AND PURPOSE OF THE STUDY

## CHAPTER I. BACKGROUND AND PURPOSE OF THE STUDY

The work reported here constitutes the third phase of a study of police discipline that has been in progress since 1974. This effort, as a whole, is probably the most extensive study ever conducted concerning this issue in law enforcement. It was designed to result in a set of recommendations helpful to departments of all sizes in dealing fairly and effectively with their personnel on questions of rules of conduct and corresponding sanctions.

### A. Need for the Study

The study was conceived as a result of growing demands by practitioners on professional resources such as the International Association of Chiefs of Police (IACP) for advice and assistance on discipline matters. Discipline is an important concern of the citizens and law enforcement officials. Police administrators have faced challenges by the community and in the courts, as well as morale problems in their departments.

Too often, antiquated police disciplinary systems have been maintained without review. Citizens have pressed for justification and reform of the entire system. Also, police officers are objecting to rules, procedures and disciplinary dispositions which they deem unfair and improper. Rank and file officers and their organizations have been disturbed by the differing interpretations by supervisors of the rationale and effects of many rules and procedures. In many instances, the police chief who is ultimately responsible for effective disciplinary management does not understand the multifaceted ramifications of discipline.

Critical analysis of disciplinary practices is rare in most police organizations. Normally, criticism originates with an individual who has a narrow interest and demands a solution to an immediate problem, i.e., a citizen wants to know why a particular complaint was not investigated; a police officer wants to know why he or she received a harsher sanction for an offense than another officer committing the same violation; a police administrator wants to know why a simple regulation cannot be enforced without throwing the entire department into turmoil.

Financial resources are depleted and productivity is diminished when an improper disciplinary action is reversed through appeal or arbitration. The cost of legal representation and back pay awards, as well as the lessening of morale, affect the department. In many cases an improper disciplinary system is the basis for many of the reversals. The causes of a defective disciplinary system include vague or illegal rules, inconsistent application of discipline, unfair or illegal procedures and arbitrary or capricious disciplinary decisions.

Civil judgments against officers, departments and governmental jurisdictions are increasing at tremendous rates. In many instances, such judgments are the result of officers' misconduct. Such misconduct may have been prevented by reviewing disciplinary records for patterns of violations. Monitoring the discipline system can provide essential information for effective administration.

There is a notable desire on the part of police administrators to either establish or update existing disciplinary procedures and rules. Many administrators, however, do not have the time or resources necessary to thoroughly research the problem.

The existence of these undesirable conditions may result from the chief not being aware of the facts which affect the disciplinary process. This unawareness

is to some degree understandable because the police disciplinary system has not, until recently, been studied comprehensively. Obviously, an efficient and effective disciplinary system must be administratively sound, legally permissible and perceived by the officers to be fair and acceptable. The problem, then, is not simply that undesirable conditions in disciplinary practices exist. A greater problem is to compile comprehensive knowledge about police discipline and transfer this knowledge to disciplinary decisionmakers.

B. Scope of the Initial Study

In 1974, the IACP began a 24-month study of police disciplinary practices in 17 police agencies. This endeavor was funded by the National Institute of Law Enforcement and Criminal Justice (NILECJ) of the Law Enforcement Assistance Administration (LEAA). "The purpose of the project was to give insights into the determinants of effective discipline management and to provide practitioners with useful recommendations for understanding and improving their disciplinary practices."<sup>1</sup>

The total effort of this original work was based on the simple premise that if common police disciplinary practices could be comprehensively analyzed from various perspectives, it would be possible to identify real or perceived desirable and undesirable conditions. This would enable IACP researchers to develop a new disciplinary system which would maximize the desirable conditions and minimize those conditions viewed as undesirable.

The objectives of the project were rather straightforward and simply stated:

1. To identify within the 17 study agencies those conditions which are perceived to have a positive or negative effect on police discipline.
2. To identify rules of conduct and discipline procedures which are or may be subjected to legal challenge and to revise those rules and procedures found to conflict with judicial decisions, or which cause police officers substantial concern.

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1. IACP, Managing for Effective Police Discipline, p. v.

3. To develop a manual which offers guidance on establishing or improving police disciplinary practices.

Each participating police agency allowed the IACP to study intensively the existing methods and procedures of taking disciplinary action. This administrative analysis enabled the IACP staff to identify the positive and negative aspects of existing procedures.

One of the most important aspects of the initial discipline study consisted of administering an attitudinal questionnaire to over 2,000 police officers in the 17 study sites. These questionnaires were designed to capture data on the officer's perceptions of existing disciplinary procedures. Our objective was to determine the degree to which certain existing practices were or were not viewed as fair and reasonable.

Also, the existing disciplinary procedures were subjected to a legal analysis. Departmental rules, regulations and procedures were analyzed for legal soundness. Also undertaken was traditional legal research on court cases directly or indirectly relating to disciplining of public sector employees generally, and police personnel specifically. By following this three-part procedure for analysis (administrative analysis, questionnaire, and legal analysis) IACP staff were able to view discipline in a comprehensive manner. From this analysis, it became possible to identify undesirable conditions existing in each study agency and to determine methods of eliminating those conditions.

#### C. Results of the Initial Study

The result of the 17-department study was a prototype disciplinary package which addressed several issues. First, a set of rules and regulations was developed

which more succinctly stated the essence of the rule. Second, the IACP drafted a set of procedures which assured the officer an opportunity for an internal due process appeal hearing. Third, major issues relating to the police departments' responsibility when receiving citizen complaints was addressed.

The full report of this effort was published in a manual entitled Managing for Effective Police Discipline: A Manual of Rules, Procedures, Supportive Law and Effective Management. Given the fact that a new disciplinary system had been developed which, in the opinion of the IACP, was superior to any existing system, the next logical course of inquiry was whether its implementation in the real world would have a beneficial impact. In 1976, shortly after completion of the initial study and publication of Managing for Effective Police Discipline, NILECJ and the IACP negotiated another agreement to study and evaluate the effects of the prototype disciplinary system in two agencies.

As stated in the NILECJ grant award project summary:

"The primary objective of this effort is to field test the prototype rules of conduct and disciplinary procedures developed during the course of Grant #74-NI-99-0019. Based upon field research in 17 law enforcement agencies, procedures and rules were developed that are felt to reflect a rational, fair and legal approach to a system of discipline for law enforcement agencies. The overriding question to be addressed is: What is the degree of success of the prototype rules and procedures in an operational situation?"

## CHAPTER II

### SCOPE AND FOCUS OF THE IMPLEMENTATION PHASE

## CHAPTER II. SCOPE AND FOCUS OF THE IMPLEMENTATION PHASE

Before a detailed methodology could be developed for the implementation effort, several project design issues had to be considered. Among these were questions of the universality of the problem, interference of a study with daily site operations, representativeness of sites, adequacy of project resources, and prospects for evaluation.

### A. Assumption of Universal Need and Applicability

It was found in the initial study that the same kinds of concerns with discipline were common to nearly all departments, regardless of size, location, or whether the department's officers were represented by a union. Likewise, these concerns were shared by groups and individuals with differing key roles in the disciplinary process: city attorneys, police administrators, legal advisors, police association officials, and police officers.

Given any one of these situations or viewpoints, the issues of clarity, legality, fairness, consistency, and workability of discipline rules and procedures were shown to be of vital importance, according to questionnaire and interview results. To be sure, some differences among departments were noted. In departments with active unions, for example, specific department practices, such as the levying of inconsistent penalties, had been challenged. Unions had the financial ability to retain lawyers to defend accused officers. In some cases, this pressure caused management to reconsider the discipline system and make changes to reduce the grounds for complaint. Sometimes, however, management became more committed to its views, and positions became bitterly entrenched. Thus, the state of sophistication of the department, in terms such as legal

expertise and unionization, had an effect on the discipline system as observed. However, the underlying issues had universal relevance. The implication is that there is no specific set of criteria limiting the range of departments to which the study of these issues relates.

B. Feasibility of a Field Test

There now exists a considerable history of "action research" in which management researchers have gained access to organizations in order to attempt tests of innovative management concepts. This experience has confirmed, often in terms of unsatisfactory results, the inherent conflict between the requirements of effective daily operations, and the demands of rigorous research. Overall, however, most professionals with this expertise still feel that such research attempts are valid, provided that a reasonable working commitment can be expected of both parties throughout the study, and that each of the inevitable unforeseen compromises is based on careful, informed consideration.

In conceiving this field test, the project staff were aiming to present a risky proposition to prospective test site managers, in the form of an unproven management model, derived in the abstract from a conglomeration of general practice and principles. Administrators in law enforcement, especially, are reputed to be conservative in management style. This project required not only a desire to try something new, but a capability to do so. Administrators would have to gain the confidence of the rank and file, get the cooperation of key managers, accommodate some degree of disruption of routine for 18 months, and devote many hours of personnel time at all levels for meetings, interviews, and questionnaire sessions. The department with a track record of doing this successfully is rare. The few which have gone through such an exercise several times are probably not good candidates because of an "over-researched" condition which can markedly affect personnel attitudes. The intangible aspects of

departmental desire and capability would thus have to be estimated before the fact, with little hard data as a basis.

Another key factor relating to a preliminary feasibility estimate was the intention to use an outside change agent (IACP project staff) working within the site department at a level of intensive detail and contact with personnel over a long period. This feature would represent a difficult consideration for prospective site authorities, especially since the change agent was committed also to roles of evaluating and publicizing the research program.

#### C. Validity of the Test

Several design factors had to be considered affecting the validity of the proposed study. Its external validity, or generalizability to the field, would depend not only on the proper choice of test sites, but also on the inclusion of issues important to practitioners, in a form that was clear to them.

Because of the high cost of such research, it was understood early that the project could be structured around only a very few sites. Thus, no attempt could be made towards a "representative sample" approach to reflect a large range of department sizes and locations. On the other hand, since the research issues were universal, choice of sites was less critical with regard to style of policing. Relevance of the project to practitioners' concerns was assured by the extensive involvement of working officers and administrators in the initial project phases, and the intention to retain this feature in the implementation.

The internal validity of the study would depend in the first instance on whether a critical level of support could be achieved, not only in terms of primary funding, concentrated on a small number of sites, but on the "matching" effort to be committed by the site departments. Another prime consideration was

that an adequate length of study period be adopted in order to properly install and monitor the changes.

D. Provisions for Evaluation

This project was structured as research, with the objectives of learning to what degree the prototype rules and procedures could be successfully implemented. The context was clearly experimental and not a matter of simply providing consulting or technical assistance to the selected departments. It was important to make this clear to participating site managers, because of the accustomed recent use nationally of the technical assistance mode for involving local departments in federally-supported programs.

To ensure the use of proper study techniques and appropriate data gathering and analysis, a research methodology was developed. Hypotheses were stated about the impact of the model on primary departmental output or performance variables, and means were specified to measure changes from baseline levels. The measurement system was also aimed at process description; a secondary objective was to learn how the departments accommodated the implementation and its results. This focus included measurement of inputs associated with the research. The methodology thus provided an adequate plan for project guidance and evaluation in order to give technically sound support to a final statement of results.

CHAPTER III.  
METHODOLOGY AND IMPLEMENTATION

### CHAPTER III. METHODOLOGY AND IMPLEMENTATION

A general methodology was developed for common application in the project sites, and this plan was followed with considerable fidelity. Some deviations became necessary, however, because of differences in site characteristics, and project developments over time. For clarity of description, this chapter will begin with an outline of the planned methodological approach, and then will describe its application in the Albuquerque, New Mexico, Police Department (the first site receiving full implementation), followed by details of application variations in two other sites.

#### A. Methodology

1. Specification of goal and objectives. The goal of the work was to evaluate the prototype rules and procedures by implementing them in study departments and measuring the results. To operationalize the task, these objectives were adopted:

- (a) To develop the modified system according to the needs of each site department with minimal dilution of the quality and character of the prototype.
- (b) To implement the system.
- (c) To maintain and monitor the system for 12 months.
- (d) To make measurements designed to detect possible improvement in the operational effectiveness of the new system, compared to the previous system.
- (e) To make measurements designed to detect possible improvement in officer attitudes toward discipline.

In order to concentrate project resources on the goal, and recognizing the difficulty in attributing eventual measured outcomes to the project's influence if a wide range of issues and variables were addressed, the study domain was limited, as expressed in the project proposal:

The study domain is defined as the disciplinary process in police departments. A secondary concern will be the environment in which disciplinary events occur. This environment would include, for example, that mental attitude which commits an individual to comply with management directives both with and without supervision. The process itself can be more narrowly defined as the development and implementation of those rules and procedures which prescribe the proper conduct of employees and delineate proper steps to be taken when an infraction occurs. This narrower focus is warranted for several reasons, the most important of which is the project purposes—to use material which was developed in prior project phases in constructing a new system, and testing results. Prior project tasks focused primarily on this action definition of discipline (the process of making known expectations and taking action when violations occur). Emphasis was given to those managerial practices which prescribe conduct, and the actual mechanical process of determining guilt or innocence and imposing a sanction. Less effort was given to structuring a "good disciplinary environment" (with the intention of causing officers to obey the rules) because of the need for a tight research design with a manageable study domain. It is manageable to think about the impact of concrete rules and procedures and to assess perceptions of these regulations. It is less manageable to evaluate abstractions such as good leadership, high motivation, and proper philosophies—those concepts sometimes assumed to be marks of a healthy organization, contributing to a good disciplinary environment.

2. Specification of project phases and measure . The five objectives listed above were divided into two groups representing activities (project inputs) and outcomes. The activity objectives refer to the sequential phases around which the project was to be structured: development, implementation, and monitoring. Development was necessary to prepare the prototype according to local conditions, and to create a condition of understanding and acceptance among those key department personnel who would be responsible for implementing the new system. Implementation consisted of issuing copies of new rules and procedures to all personnel, training personnel in their meaning, and creating the necessary mechanisms and forms to put the new procedures into practice. Monitoring took place during a "hands off" post-implementation observation phase, when evaluations of system performance were made at intervals.

Measures of project inputs were made during all three activity phases. These measures are important in indicating the level and type of resources needed to carry out a management innovation program of this kind, should a department wish to do something similar. The proposed general measures are outlined in Figure 1.

The outcome objectives refer to the effect the prototype system had on several important aspects of a typical police department's performance and condition regarding discipline issues. Some of the selected aspects related to basic "bottom-line" discipline events; e.g., the tendency for formal charges against personnel to be upheld upon independent review. Others concerned more subjective, attitudinal phenomena; e.g., the fairness of the system as perceived by officers. The proposed general outcome measures are also shown in Figure 1. Some of these were stated as hypotheses about potential change, when it was likely that the measures can be quantified, and sufficient data was available for analysis. Some of the subjective measures were analyzed statistically, using questionnaire data; others were expressed through analysis of the results of interviews and observation. The proposed general hypotheses were:

- H.1 Understanding of the disciplinary system reported by personnel will be increased after project interventions.
- H.2 Fairness of the disciplinary system as perceived by personnel will be increased after project interventions.
- H.3 Quality of supervisors' performance in their disciplinary responsibilities as perceived by personnel will be improved after project interventions.
- H.4 Formal charges of misconduct made against personnel will be upheld in internal appeals.
- H.5 Sanctions recommended in formal charges of misconduct will be upheld in internal appeals.

GOAL

Evaluate disciplinary rules and procedures  
developed in previous research

ACTIVITY OBJECTIVES

1. Develop a tailored system
2. Implement the system
3. Maintain and monitor the system

OUTCOME OBJECTIVES

1. Improve operational effectiveness of the system.
2. Improve officer attitudes toward the system

ACTIVITY MEASURESOUTCOME MEASURESA. DEVELOPMENTAL PHASE MEASURES

1. Elapsed time
2. Resources used (person-hours, materials, facilities)
3. Participation and acceptance by those involved (officers, union, management)

B. IMPLEMENTATION PHASE MEASURES

1. Elapsed time
2. Resources used
3. Success of the implementation (i.e., test scores on material learned in training)
4. Participation and acceptance

C. MAINTENANCE AND MONITORING MEASURES

1. Maintenance of planned project conditions
2. Discipline incident data (e.g., number of rule violations)
3. Uniformity of use of procedures
4. Attitude and perception measures (toward discipline system and project management)

A. EFFECTIVENESS

1. Upholding of charges in appeals
2. Upholding of sanctions in appeals
3. Frequency of appeals
4. Factors of concern arising in supervisor/manager interviews
5. Cost of actions and challenges to management and officers
6. Elapsed time in concluding discipline actions

B. ATTITUDES

1. Officers' reported understanding of system
2. Officers' perceived fairness of system
3. Officers' perceived quality of supervisory performance in discipline matters
4. Factors of concern arising in officer interviews

FIGURE 1

PROJECT GOAL, OBJECTIVES, AND MEASURES

- H.6 The incidence of external appeals made by personnel will be reduced after project interventions.
- H.7 Formal charges of misconduct made against personnel will be upheld in external appeals.
- H.8 Sanctions recommended in formal charges of misconduct will be upheld in external appeals.

3. Site selection criteria. Preliminary estimates of necessary task support level and available funding suggested that the project should be conducted in one to three sites. An argument in favor of two sites was developed as follows:

- (1) Two can be monitored more thoroughly than three, given the fixed project budget. Monitoring is particularly important in controlling the quality of implementation.
- (2) Two provide a "back-up" if case work must be terminated in one site due to an adverse development such as an employee strike.
- (3) One project team (of optimal three-member makeup, reflecting a balance of professional skills) can manage two sites, whereas two teams would be needed to manage three sites. The latter arrangement would create a lack of consistency and continuity in integrating the project data, and maintaining standard conditions.
- (4) Two provide some opportunity for site comparison, not possible with only one site.

If the study were to be conducted in two sites, it was clear that the sites could not be representative of those many "types" of departments (in methodological terms, departments representing several levels on several variables) in which the researchers and the report readers may have an interest. Instead, the project had to be cast in terms of two "case studies." Departmental conditions could not be extremely atypical of departments as a whole, and conditions supportive of research would have had to be present. Contrasts between the two might have been deliberately made on some selection variables, but any conclusions had

to be attributed to those contrasts with the greatest caution, due to the unique sample and the great number of uncontrolled variables. In short, there was danger that expectations of research possibilities inherent in large-sample designs might be held by some readers for this kind of study; such expectations are not appropriate here. In this study, expectations were to learn a great deal about the importance or meaning of the difference between the two departments' characteristics as they might affect or moderate the effect of the interventions.

This reasoning suggested, therefore, that while it might have been useful to choose two departments which were different in size, the size limits to be considered had to be carefully set. In order to insure a sufficient volume of events for study, a department could not be too small. On the other hand, a large department would have presented a cumbersome situation for study. Likewise, a balance had to be sought regarding the presence and level of activity of employee organizations in departments. Lack of an association would be atypical, given the national trend. An extremely volatile or hostile union would also have precluded useful study.

In addition to considering these variables, certain "screening factors" were used in site selection. Some formal labor-management agreements of working conditions would have been extremely constraining from a research point of view. For example, if the departmental rules and regulations were incorporated in a contract which could be altered only by renegotiation at fixed intervals (e.g., annually), the interventions which were central to this study might not have been possible. Other conditions which might have precluded successful research would have been a severely restrictive officer bill of rights, or contractual restriction of access to personnel records.

A potential site which was satisfactory in terms of the variables and screening criteria discussed above also had to be evaluated from the viewpoint

of project commitment both from a management and a political perspective. The quality of this commitment was estimated by the research team by means of site visits and prior knowledge of the department. Within the site department, several capabilities had to be assessed, including:

- the assignment of an employee with appropriate skills and influence to act as Project Coordinator for one-half time during the project;
- the assignment of a Staff Working Committee composed of several carefully selected members who will be released from other duties regularly to contribute their personal skills and organizational influence to development and implementation needs;
- provision to IACP staff of access to all needed data sources, and to department employees for interviews and questionnaire completion;
- provision to IACP staff of office space, incidental printing, and clerical assistance;
- provision of trainers and personnel to be trained as needed; and
- reasonable assurance of the cooperation of the employee organization.

An especially important site selection criterion was the willingness of the department to disclose project results. While it was reasonable that certain data relating to individuals had to be controlled to prevent possible damage to personal reputation, need for disclosure was critical as a general ground rule of the project.

Commitment by key site personnel also had to be secured with regard to certain substantive issues. While the prototype to be tested had to be tailored to fit each department, there were certain concepts which were of primary importance, based on previous work. It was therefore of high priority in this phase of the work to be able to test these concepts. Every effort had to be made to achieve the following conditions in the selected department:

1. To establish a functioning Internal Affairs Division which exercised control over all investigations;
2. To implement a set of rules and procedures which were legally sound;
3. To develop a mechanism for due process hearings, and an informal review group for hearings concerning complaints against officers;
4. To devise a mechanism for the affirmative receipt of civilian complaints against officers; and
5. To establish a program to control supervisors' discretionary power in disciplinary actions.

Commitment to these five areas had to be reasonably assured before accepting a department as a study site.

4. Site personnel participation. A central principle adopted in the project was to strive for a truly participative style in implementing the model. It was felt that the project would very likely be ineffective if IACP staff dominated the detailed planning and administration. Therefore, a concept was developed of having a site project coordinator, together with a site Staff Working Committee. While the IACP staff set project guidelines, and ensured that certain criteria were met to protect the integrity of the model and produce adequate research data, the site participants shared actively in day-to-day problem solving and decisionmaking. Through this participation, cooperation and commitments were developed throughout the management and rank and file.

The project coordinator was responsible for facilitating the project activities within the department, under the direction of the IACP project manager. The coordinator's duties varied according to need, and at times he or she was expected to exercise considerable initiative in project matters.

The selection of the project coordinator was an important decision to be made in the early stages of the project, since the agency had to be willing to release the selected person from other duties.

Some of the anticipated duties of the project coordinator were to:

1. Assist in identifying existing conditions, problems and needs
2. Identify key resource people in the agency who might provide information on conditions, problems, needs
3. Schedule access to required data sources
4. Assist in selection of the Staff Working Committee
5. Provide timely staff reports to IACP consultants
6. Be available to respond to IACP telephone inquiries regarding the status of project
7. Monitor project implementation according to the research design
8. Perform other administrative tasks as required

The Staff Working Committee of the study agency had as its primary role the development and implementation of interventions, designed to meet project objectives. This committee, of 6 to 12 members, represented rank-and-file and minority interests, as well as those of management at the supervisory, mid- and to-levels. The committee's familiarity with the agency, coupled with the IACP consultants' ability to look objectively at problems from an "outsider's" perspective, led to a more accurate focusing on issues to be resolved. Another reason for the involvement of the Staff Working Committee was to legitimize the new disciplinary approaches, thus enhancing acceptance by departmental personnel.

Since disciplinary issues are a sensitive area in any organization, but especially so in police agencies, introduction of change by the Staff Working Committee was a means of better assuring departmental acceptance of that change. The committee was a forum for the controlled, appropriate involvement of lower echelon employees in the management planning/implementation process.

Guided by the IACP research team and the general methodology described here, the Staff Working Committee systematically diagnosed disciplinary issues of the agency and developed a plan for improvement.

- Anticipated tasks to be performed by the Staff Working Committee were to:

1. Assist in identifying existing conditions, problems and needs
2. Assist in interpretation of questionnaire and interview data by explaining possible reasons for certain response patterns
3. Assist in formulating interventions
4. Assist in implementing interventions
5. Assist in monitoring project activity
6. Assist in resolving any negative effects of research activity

5. Implementation plan. The implementation of the model took the form of interventions by IACP and site staff into department activity, in the form of inquiry, observation, direction, and training. The first of these planned interventions was the collection of baseline data. The determination of baseline conditions served two major purposes. First, existing conditions could be assessed to help decide what interventions were necessary or productive in reaching the project objectives. While the project objectives were assumed to be appropriate for any agency which might have participated in the project, some may not have been appropriate for both sites, and others not foreseen may have been generated (e.g., no significant problem may exist regarding illegal or unclear rules, but there may be a lack of effective procedures in certain areas). The assessment of baseline conditions provided a basis for these decisions. In addition, these data were needed to prioritize interventions in order to best allocate project resources.

Second, a clear identification of certain existing conditions was necessary to establish the "pre-test" point from which change could be measured after project interventions (e.g., attitudes of officers toward supervisors' performance). Post intervention measures were then compared with these results to evaluate the impact of project activity.

Data was gathered in three broad areas: administrative, legal and attitudinal. In the administrative analysis, structured interview forms, case analysis guidelines, and data summary forms were used for inquiring into the existing management process of the study agency. By analyzing the existing functions and relationships of Internal Affairs, Inspections, Training, Planning and Research, the Legal Advisor, and other key organizational units, it became possible to identify areas which needed improvement to increase disciplinary effectiveness. To carry out the legal review, the research team identified those existing rules and procedures which were illegal, and issues on which further study was needed. Included in the legal analysis was a study of existing activities (procedures and other actions by management and officers) and documented rules, regulations, ordinances, laws, etc., affecting the discipline process. The third method of determining existing conditions was to solicit the opinions of agency personnel by means of questionnaires designed to focus on the important issues identified by the administrative and legal analyses and through the agency working committee. Perceptions were studied through interviews and case analyses of certain disciplinary events.

The sampling strategy for general use in the project was of the random stratified type. When sampling personnel for the administration of questionnaires, for example, a sampling matrix was developed, presenting all classification cells generated by the conjunction of the stratification variables, e.g., seniority, rank, and assignment. The cells were then filled with names or ID numbers

from the department roster, and a proportion of cases in each cell selected at random, e.g., every fifth case of sergeants with three to seven years' seniority, assigned to patrol, might have been selected for an appointment to complete a questionnaire. When department size allowed, a 100 percent sample was used to gain the benefit of making all personnel feel they had adequate opportunity to express their opinions. The random stratified design was used in Denver. In Albuquerque, a 100 percent sample approach was chosen, and in Lansing, over 50 percent of the officers were sampled at random.

The assessment of baseline conditions suggested priorities for the other project tasks in each department, guiding the design of those interventions which were judged to result in greatest efficiency in the use of project resources.

An independent and objective view of the department and its needs was taken at the outset, and for this reason, the baseline assessment was made primarily by the IACP staff. However, the role of the department project staff (project coordinator and Staff Working Committee), already important as supportive in data gathering, was expanded in this stage of intervention development.

It was a project principle that these changes must be seen to come largely "from within," if they were to have the necessary support by individuals at all levels in the department. In addition to this need for philosophical commitment, there was a need for sharing of task responsibility and "hands-on" activity. The project concept and budget was designed on the assumption that agency staff would undertake tasks such as the detail design and provision of officer training.

An important aspect of this agency involvement was that it cut across lines of authority (management-officer), function (staff-line), and loyalty (management-union). The Staff Working Committee was constituted to encourage this participative approach, as were groups which were given assignments outside the

committee. For example, such a group may have been appointed to draft alternative versions of certain rules or procedures for review by the Staff Working Committee and IACP staff.

The work described so far is estimated to have occupied approximately the first 25 weeks of the projected two-year contract period. At this point, a prototype discipline system, individualized appropriately for each site department, was ready for implementation.

A five-week period was designated for implementing the selected interventions. The basic theme for the interventions was communication and training. New materials were disseminated; new responsibilities and relationships were defined; and new skills were learned.

A common intervention therefore took the form of a training session or program. The design of the training was documented, and its effectiveness as training measured (e.g., officer understanding of new material presented was measured by testing immediately after training).

Another intervention was simply the dissemination of information. Measures were taken of the ready access by the officer to rules and procedures or officer knowledge of information sources regarding disciplinary matters. In the event that certain local rules and regulations were deemed to be in conflict with the prototype disciplinary process and the determined needs of the agency, an attempt was made to modify such rules. This was a difficult task to accomplish, however, given the objectives and resources of this project. If it was determined that these local "laws" could not be changed, modifications were made to prototype process. It was felt, however, that this situation was controlled in part through the selection process. If, for example, a city's personnel rules and

regulations were in total conflict with the prototype, it was not selected. The interventions were made primarily by department staff, with IACP assistance, advice, and appropriate control, according to a plan mutually agreed upon between the department and the IACP.

6. Monitoring and evaluation plan. The monitoring task was addressed to two aspects of the project: (1) developing and making operational the modified prototype; and (2) experiencing the effect of the new system. Information was thus learned about how a major police management innovation can be designed and adopted with department-wide participation. Also, the effect of the system in terms of contribution to department goals was documented.

The outline below describes the scope of the monitoring task, with types of measures.

1. Related to project input activities
  - a. Develop the system;  
Site staff time; IACP staff time
  - b. Implement the system  
Site and IACP staff time; Effectiveness of training of supervisors and other personnel; Provision of new written directives
  - c. Maintain the system  
Site staff time; Site union and officer personnel time
2. Related to project outcomes
  - a. Effectiveness
    - (1) Preimplementation: Incidence of charges and findings on appeals in the baseline period (e.g., 1975-77)
    - (2) Interim: Quarterly incidence and findings on appeals
    - (3) Post-implementation: Questionnaire and interview results

The specific purposes of the interim monitoring were:

- (1) to maintain the planned format and enabling conditions of the implementation, e.g., to insure that printed materials such as rules and regulations were available to officers;
- (2) to collect data periodically for later evaluation;
- (3) to note "environmental" changes during the period; e.g., changes in city political structure, changes in legislation, or changes in departmental management staffing;
- (4) to design and implement any necessary system changes to preserve project integrity.

Monitoring was designed and conducted by IACP staff, who made visits to each site for this purpose during the period. Day-to-day monitoring, including the gathering of interim data, was the responsibility of the project coordinator, briefing IACP staff by telephone regularly between their site visits, and accumulating data summaries for review during site visits.

Project monitoring forms were developed to capture data to make the chain of events associated with each discipline case "visible," by requiring documentation of the decisionmaking process. Data captured included information on the intake of complaints, investigation, recommendation and review of sanctions, and appeals. These kinds of activities provided a convenient division for the purpose of collecting monitoring data, although on-site study suggested a more effective classification.

The project's evaluation plan was aimed at determining the nature of any changes in discipline related events and conditions during the treatment period, and how these changes were related to the interventions.

The task of evaluation of research, because of its great importance, has been the subject of considerable study both conceptually and in operational terms. An interesting scheme to guide evaluation efforts has been proposed by Suchman,<sup>2</sup> and discussed by Maltz.<sup>3</sup> Suchman designates five kinds of evaluation which might be characterized as answering these five questions about a research project:

- a. What did we put into it? (effort)
- b. How well did we do? (performance)
- c. Was it good enough? (adequacy of performance)
- d. Was it worth it? (efficiency)
- e. Why did it come out that way? (process)

Each of these kinds of evaluation is considered below in the context of this project.

1. Evaluation of effort. This evaluation considers only input applied through the project. Some important inputs were the revision of rules and procedures, and the training of officers. These were evaluated, in this sense, by calculating the effort spent on them as measured by salary costs of study committees, trainers, and trainees, department overhead in providing space, services, and materials, and a relevant portion of the IACP project budget.

2. Evaluation of performance. This evaluation considers only output achieved through the project. Output is represented in desired outcomes, such as "Improve officer perception of fairness of the rules and procedures," and "Reduce the elapsed time in concluding disciplinary actions." These were evaluated by calculating different scores on pre- and post-measures (e.g., questionnaire scores and case file data) and assessing their statistical and practical significance.

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2. Suchman, E.A. Evaluative Research. New York: Russell Sage Foundation, 1967.

3. Maltz, M.D. "Evaluation of Crime Control Programs," National Institute of Law Enforcement and Criminal Justice, April 1972.

3. Evaluation of adequacy of performance. This evaluation considers project output relative to objectives. In this project, objectives are stated in terms of "improving" a certain condition, recognizing that total achievement is not possible, and that no fixed standard exists, in the profession or in the department, to serve as a target. This evaluation, therefore, compared relevant measures to a perceived "ceiling" of achievement, considering the departmental environment, including labor conditions, crime rates, community climate, management resources, and other factors, at the time of measurement.

4. Evaluation of efficiency. This evaluation considers output relative to input. It is the classic "cost-benefit" concept. The input measure can be evaluated following the method discussed above under "evaluation of effort." Project inputs can be related to outputs only judgmentally in a complex experiment lacking classical controls. Some outputs can be measured objectively, e.g., type and volume of sanctions, compared with baseline. While this is a measure of output, its value is intangible and subjective in nature. The more intangible benefits must be largely a matter of judgment (e.g., the true value of minimizing successful challenges).

5. Evaluation of process. This evaluation is a rational analysis of the meaning of the other four evaluation conclusions. It emphasizes the relationship among the interventions and achievements, and learning that occurred during the project. This analysis mainly serves the purpose of guiding further work of a similar type.

Standard statistical tests were applied to the quantitative data. In some cases, subjective analyses were made where important observational data were available which were not amenable to quantitative treatment.

B. Implementation in Albuquerque

1. Selection as a site. The site selection process began in discussions among project staff and advisory committee members, resulting in a list of six nominated departments having characteristics within the guidelines stated above. These departments were geographically dispersed over the U.S., and ranged in size from 150 to 2,000 personnel. All had a typical urban/suburban law enforcement mission. Active employee organizations existed in all departments, and, in some, conditions of employment were specified by contract. Project staff opened exploratory discussions with management and employee organization representatives, reviewed a range of department documents, and made site visits in the period July-October 1976.

As a result of this process, the Albuquerque, New Mexico, Police Department (APD) was judged to be a site with excellent potential for a successful field test of the prototype.<sup>4</sup> Through correspondence and site visits to resolve mutual concerns about project scope and ground rules, final commitment was obtained from Chief Bob V. Stover in a letter dated November 18, 1976 (see Appendix 1). The city of Albuquerque was represented in the planning discussions by Mr. Frank Kleinhenz, Chief Administrative Officer, who also indicated his support of the project. An APD press release describing the agreement was issued on December 2, 1976 (see Appendix 2 ), and a related item appeared in a local newspaper on December 3, 1976 (see Appendix 3 ).

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4. The Denver, Colorado, Police Department was also chosen as a site at this time, as described in the following section.

The APD was then a department of 492 sworn and 149 civilian personnel with jurisdiction in a city of 88.4 square miles, containing a population of 274,000.<sup>5</sup> Sworn personnel were represented by the Fraternal Order of Police (FOP) and the Albuquerque Police Officers Association (APOA). The APOA was the recognized bargaining agent.

At the time of selection, the APD administrative rules and procedures for personnel discipline showed many of the qualities typically seen in the 17 sites of the IACP Phase I and II studies. Discipline was acknowledged to be a concern at a personal level by most of the individuals contacted in the early private interviews. Police officers felt unsure that they would be given fair and impartial treatment if they transgressed. Mid-level commanders considered that they had inadequate guidance in handling cases. Top management was acutely aware of the morale problems stemming from disciplinary sanctions; Chief Stover called the study "long overdue." The APOA had already taken an initiative in traveling to other departments to observe their discipline practices, and welcomed this project. A preliminary review of the documentation of the existing system showed a rather uncoordinated set of directives which, although they had been recently reorganized, did not appear to effectively address the weaknesses reported in the system. Conditions as they existed in late 1976 are described in detail in the attached review of disciplinary processes (see Appendix 4 ), and description of the development of the internal affairs unit (see Appendix 5 ).

2. Participation of site personnel. In the earliest site meetings, it was apparent that several individuals had already been closely involved with efforts to revise the discipline system. In the recent past, a "Task Force on Discipline"

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5. Statistics from 1977 APD reports and 1970 census.

had existed, and individuals in the FOP and APOA had become knowledgeable about relevant principles and issues. Chief Stover invited some of these involved persons and others, including key administrative officers (deputy chiefs, legal advisor, internal affairs commander) to orientation meetings led by IACP staff. In these meetings, the IACP explained the basic premises and conditions of the project, including the central role of a working committee. APD members expressed their views on how such a committee should be constituted, and some informal nominations of individuals were made. Later, IACP staff met privately with Chief Stover, and a list of proposed committee members was drawn up. Based on discussion in the orientation meetings, Chief Stover's recommendation, and IACP staff members' impressions, it was agreed that Captain Ben E. Ray, commander of the Inspections Unit (or Internal Affairs Unit, as it was later named) be appointed as project coordinator. In this role, Captain Ray would act as the Staff Working Committee (SWC) chairman, and as the primary APD liaison individual with IACP staff.

Committee members were appointed as follows:

Mr. B. Cosgrove	Legal Advisor
Lt. M.L. Ward	Field Services
Sgt. R. Villella	Planning and Inspections
Sgt. J.M. Williamson	Training (and APOA)
Sgt. W. Iverson	Investigations
Ofcr. E. Sanchez	Field Services
Ofcr. J. Hearn	Field Services (due for transfer to Investigations)
Ofcr. W. Maez	Field Services

The SWC had its first formal meeting on December 1, 1976 (see Chief Stover's order, Appendix 6 ).

3. Intervention steps. From the time of the first IACP contact with APD personnel, the inevitable "grapevine" or rumor mill had undoubtedly been active. With the more formalized meetings and interviews occurring during the site selection process, culminating in the appointment of the SWC, it is important to recognize the impact created by the presence of the "outsider" IACP staff. Already, comments were being heard about the likely outcome of the project, some hopeful, some cynical. These activities, then, all had to be viewed as "interventions," introducing some element of change and reaction into the routine dynamics of the department.

a. Collection of baseline data. Among the first significant formal interventions were the activities generated at the first SWC meeting. After a point-by-point orientation to the project, the SWC members were given a five-part questionnaire for the purpose of identifying problems, to be completed as a group, and the results reported at the next meeting, scheduled for December 20, 1976. The questionnaire served as the first formal source for developing baseline project data.

This questionnaire seemed to be very efficient in bringing out a rich variety of comment, consensus, and dissenting opinions from the SWC members.<sup>5</sup> Much comment centered on lack of understanding by personnel of their rights, and the function of the Internal Affairs Unit (IAU), concerning discipline. Other concerns were expressed about lack of training, supervisors' inconsistency, lack of objectivity of internal review, and inadequacy of records.

Before the December 20th meeting, a new member was added to the SWC, Ms. Mary Alice Martinez, Records Unit Clerk, to represent the civilian employees of the APD. In the following three-month period, three additional site meetings

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5. Because the purpose of this chapter is to describe project methods and activities, substantive results will not be presented in detail, but reserved for later chapters on "Analysis and Findings."

were held involving the SWC and IACP staff jointly or separately. The purposes of these meetings were:

- (a) to make an initial evaluation of existing APD rules and procedures
- (b) to have the SWC become familiar with the prototype
- (c) to compare APD and prototype rules and procedures
- (d) to develop a general questionnaire for all department personnel
- (e) to interview selected site personnel in key positions
- (f) to collect additional baseline information.

Private interviews following a format similar to the SWC questionnaire (see Appendix 7) were held with these APD members: Deputy Chief L. Powell, Field Services; Capt. B. Ray, Internal Affairs Unit; Lt. L. Ward, Field Services; Lt. J. O'Brien, Internal Affairs Unit; Sgt. R. Villella, Planning and Inspections; and Sgt. J. Williamson, Training. In the case of the four individuals in this group who were also part of the SWC problem-identifying exercise, the private interviews afforded an opportunity for more candid observations on the background of some of the issues raised in the full meeting.

Information gathered in the form of internal department documents included:

- (a) roster of sworn personnel by rank and seniority, dated November 22, 1976
- (b) daily assignment report, dated November 30, 1976
- (c) organization chart, dated July 21, 1976
- (d) standard operating procedures manual, with revisions current to October 1976
- (e) City of Albuquerque merit system ordinance concerning grievances and appeals
- (f) summary of all APD personnel appeals to the city appeal procedure, involving both Chief Administrative Officer hearings and City Personnel Board hearings for 1975 and 1976

(g) quarterly summaries of IAU activities for 1975 and 1976

(h) sample log entries of complaints received by the APD by telephone

The draft questionnaire for general use throughout the department was submitted to the SWC for comment, and refined according to suggestions received. This questionnaire (see Appendix 8) was administered to as many of the APD personnel as could be reached in the period March 28-31, 1977. Of the 492 sworn and 149 civilian personnel, questionnaires were completed by 415 and 128 respectively, for an approximate 85 percent sample. Several techniques were used to maximize cooperation among the personnel in filling out the questionnaire. First, all personnel were briefed about the project as a whole by Capt. Ray and Sgt. Williamson, who addressed each watch as they came on duty, on December 1 and 2, 1976, simultaneously with the press release. At these briefings, personnel were informed that their personal opinions and participation were earnestly solicited, and that one means of achieving this would be the general questionnaire to be administered in March.

Another principle adopted to encourage candid responses was to assure confidentiality. To make this credible, and to minimize inconvenience for APD personnel filling out the questionnaires, a total of 51 small groups were met by IACP staff as they came on duty over a period of four days. They were assured that only IACP staff would handle the questionnaires, and that only statistical summaries would be reported back to the department. Additionally, personnel were told that if they wanted to express themselves beyond the confines of the questionnaire format, they could have a confidential interview with IACP staff, either on or off their duty time. All indications were that these measures worked well. Personnel appeared to take the questionnaire seriously. Only one person refused

to complete the instrument. Virtually all responses were usable. In interviews with a sample of personnel, comments on the effectiveness of the questionnaire were favorable.

In addition to the offer of confidential voluntary interviews (accepted by 7 individuals), IACP staff selected 18 persons at random immediately after they had completed their questionnaire, and detained them for a 20-minute interview to follow up in a semi-structured format on issues raised in the questionnaire. This plan had been explained to personnel in briefings, and excellent cooperation was received.

Baseline data were thus available in adequate quantity and variety to make a detailed assessment of what changes were needed to make the prototype operational in the APD, as well as to provide measures for comparison when assessing results at the end of the project. The next task was to develop the specific new system elements which would be implemented.

b. Revision of rules and procedures. The revision of the APD formal system as codified in the written directives proved to be one of the most difficult and time consuming tasks of the entire project. As indicated above, this process was started with reviews by the SWC of APD general orders or rules and procedures, comparing them with the prototype. During the spring and summer of 1977, several meetings between IACP and APD staff were held to resolve differences in both principle and detail on the many sensitive issues addressed by the system. A final draft for comment was circulated to SWC members and other key personnel in November. After these revisions, the replacement sections of the Standard Operating Procedure manual were printed and distributed in December 1977 (see Appendix 9 ).

c. System implementation. The target date for implementation was selected as January 1, 1978, at which time the revised SOP became effective. In reality, it was inevitable that some significant implementation events had to occur somewhat before and after that date. Training in the revised system was designed in October and November 1977, and presented to personnel of the rank of sergeant and higher in three repetitions in November and December. Each class was four hours in length and was attended by about 33 persons. Subject matter and teaching staff were:

"A Basic Overview of the Concept and Final Program" Capt. B. Ray

"Modified Rules of Conduct" Lt. M.L. Ward

"Discipline System: Its Processes and Functions" Sgt. R. Villella

IACP staff attended as observers, and also responded to questions on legal and procedural points. Similar instruction for all remaining sworn and civilian personnel was given in several identical sessions in January and February 1978. These sessions were two hours in length, consisting of a videotape of abbreviated versions of the three presentations given to the previous groups, and a question-and-answer session with SWC members as resources.

In addition to dissemination of new SOP material and classroom instruction, it was necessary to devise some new standard documents and administrative procedures. An all-purpose complaint form was developed for recording complaints generated outside or inside the department (see Appendix 10). Also, a one-page charge sheet was developed (see Appendix 11). The introduction of peer-review panels into the system required the development of a procedure to select board members. An opportunity to try out a method came with the APOA's interest in making the trial

concept part of the negotiated labor contract with the APD. The APOA had decided to include the concept contractually, independent of the IACP project, and this was done mid-way in 1977, upon expiration of the previous contract. As a result, trial boards were used on four occasions before the January 1st implementation. The method developed and adopted for use was to allow the person charged to draw names from a pool to make up the board, with an option to reject a limited number of names

4. Monitoring and evaluation. Monitoring measures were designed to assess inputs and outcomes of the project. One input clearly devoted to the project was the cost of the time of the SWC members in attending meetings and preparing material. These costs were recorded by APD staff and reported periodically to IACP staff. Another APD cost was the reprinting and distribution of SOP material. While this was required by the project, it also seemed that the likelihood of some SOP revision during the course of two years is high; therefore, attributing the whole cost to the project may not have given a fair representation. Another input was training development and presentation. Costs were estimated, and training effectiveness was measured by means of a questionnaire for supervisory level and above (see Appendix 12), and another for nonsupervisors (see Appendix 13). Other input costs were those incurred by IAU staff in assembling and conducting trial boards, and the time of the deliberation of trial board members.

Project outcome data were also gathered from several sources. Details of complaints, charges, appeals, and final disposition of cases were recorded by IAU staff on a special project form (see Appendix 14). Measures of attitude of personnel to the system were made, using questionnaires, and interviews at two interim points (April and August 1978; see Appendix 15 and 16), and at the end of the monitoring year (December 1978; see Appendix 17).

Evaluation of the monitoring data, including comparisons with baseline data, was done in quantitative terms when the nature of the data was appropriate. Much of the data from questionnaires was in the form of Likert scale responses. For these data, SPSS (Statistical Programs for the Social Sciences) computer programs were used to generate summaries. Statistical significance of differences in sets of response frequencies was determined by standard tests.

C. Implementation in Denver

1. Selection as a site. As discussed in Chapter III C (1), the site selection process began in discussions among project staff and advisory committee members, resulting in a list of six nominated departments having characteristics within the guidelines stated previously. These departments were geographically dispersed throughout the United States and ranged in size from 150 to 2,000 personnel. All had a typical urban/suburban law enforcement mission. Active employee organizations existed in all departments, and in some, conditions of employment were specified by contract. Project staff opened exploratory discussions with management and employee organization representatives, reviewed a range of department documents, and made site visits in the period July-October 1976.

As a result of this process, the Denver, Colorado, Police Department (DPD) was judged to be a site with excellent potential for a successful field test of the prototype.<sup>7</sup>

Through correspondence and site visits to discuss mutual concerns and problem areas regarding the project scope and ground rules, a commitment was obtained from Chief Arthur G. Dill in two letters dated October 12, 1976, and December 7, 1976. (see Appendix 18). The first site visit was conducted on September 20, 1976. The initial meeting was scheduled between IACP project staff and Chief Dill. It is interesting to note that Chief Dill voluntarily invited the following people to join the session: Lt. Don Mullins, Staff Inspections; Officer Stan Flint, President, Denver Police Union; Detective Ken Harris, President, Police Protective Association; and Bill Chisholm, Legal Advisor.

The point is that there appeared to be a mutual trust and openness between management and the labor organizations. This display of openness was a positive factor in considering Denver as a study department. Further, all in attendance at the initial meeting agreed that the project would be welcome, in that all were anxious to do something within the department before news and political/public criticism forced external action to modify the disciplinary process.

The mayor of Denver was also in favor of Denver's participation in the project and issued a news release, dated December 15, 1976 (see Appendix 19), stating that Denver would adopt and institute the IACP prototype and measure the results.

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<sup>7</sup> . Denver was later dropped as a study site due to unforeseen difficulties (see Chapter IV (B)(2)(c) for explanation), and Lansing was chosen as its replacement.

The Denver Police Department was a department of 1,360 sworn and 290 civilian personnel with jurisdiction in a city of 119.7 square miles, containing a population of 518,000. Sworn personnel were represented by the Denver Police Union and the Police Protective Association.

At the time of selection, the Denver Police Procedures Manual indicated there would be room for improvement such as revision and updating of some rules and refinement of existing procedures such as a hearing before a board prior to the chief's taking action. Two major documents controlled the method by which discipline occurred in the DPD. First, the rules and regulations of the civil service commission established the responsibilities and powers of the chief and the civilian manager of safety. These powers and responsibilities as authorized by civil service derived their basis from the city charter. Thus, IACP project staff realized that any conflicts with established civil service rules might have required city charter revision. But, it appeared that any conflicts that may have arisen could be worked out.

The second document which controlled discipline for the DPD was the Manual of Operation which contained all written directives, including a code of conduct. At the time of site selection, the code of conduct was an outgrowth of IACP work in Denver in 1961 or 1962. Although the code had been revised and updated, it was believed that the new IACP rules and regulations would have improved and updated the document.

Summarizing the considerations leading to Denver being chosen as a study site, the IACP believed that the complicated charter and civil service rules would provide a challenge, and force the IACP to work within legal mandates, and that this information would be valuable to other chiefs who may face

similar problems. Tremendous impact would have been derived on behalf of the DPD if the IACP were able to effectively decrease the political, public, and media criticism of the existing disciplinary process. And, finally, the willingness to adopt the prototype and the positive working relationship between management and labor would have enabled us to achieve our objectives with some ease.

2. Participation of site personnel. As a result of information gained from the earliest site meetings, it was apparent that there was considerable interest in the DPD discipline procedures. Further, Chief Dill understood the intent of the project and agreed as to the need for balance of members on the Staff Working Committee (SWC). During the first site visit meeting (noted in the previous section), it was agreed that Sgt. Thomas Coogan would be assigned as project coordinator to aid in the initial contacts and discussions between IACP staff and DPD staff.

On December 2 and 3, 1976, IACP staff met with Chief Dill to further discuss the composition of the SWC and other project orientation. Others in attendance were the city manager, the public safety manager, deputy chiefs, and the legal advisor.

IACP project staff returned to Denver from December 14-17, 1976, to meet with Chief Dill and for the first time with six members of the SWC. The six members were briefed on the project and then discussed how the SWC composition should be completed, after which they chose three additional members. The project coordinator was designated as Sgt. Lewis Alverson. In this role, Sgt. Alverson would have acted as SWC chairman, and as the primary DPD liaison individual with the IACP project staff.

Committee members were appointed as follows:

*Sgt. Lewis Alverson	Research and Development
Patrolman Jesse Brezzel	
Sgt. Thomas Coogan	Training Bureau
Patrolman Edward Lujan	
Patrolman Stan Flint	
Det. Clyde Jones	Crimes Against Property
Lt. William Sailors	Manager of Safety
Technician John Schnittgrund	Research and Development
Sgt. Robert Woody	Special Services Unit

Additionally, three advisors to the SWC were appointed as follows:

Division Chief Robert Jevnager	Division Chief of Patrol
Captain Paul Bates	Staff Inspections Bureau
William Chisholm	Assistant City Attorney, Police Legal Advisor

The first full SWC meeting was held from 9 to 11 a.m., December 14, 1976. A detailed orientation was given including the full methodology. SWC members appeared to have a good understanding as to the research needs, a good degree of representation of the department, and commitment to the project. Further, the SWC appeared to be able to adopt a posture of independence. After a brief introduction, Chief Dill left the meeting in charge of Sgt. Alverson. The SWC then decided to hold future meetings in the offices of the manager of safety, in order to avoid any potentially restrictive influences of the police department locale.

3. Intervention steps. The Denver interventions consisted of the questionnaire administration and the extensive work with a large and representative Staff Working Committee (SWC) on the rules and procedures.

a. Collection of baseline data. The first full Denver SWC meeting on December 14, 1976, was held, and after orientation, the five-part questionnaire as given in Albuquerque, was explained, with plans to receive responses at the next meeting. Baseline data received on December 14 included:

\*Subsequent to appointment Sgt. Alverson was promoted to lieutenant.

- (a) Summaries of discipline actions by the Staff Inspections Bureau (SIB) for 1974 and 1975.
- (b) Analyses of internally-generated sustained cases of discipline infractions.
- (c) Departmental roster
- (d) Identification of department minority members
- (e) DPD annual report with organization chart

At the next SWC meeting on January 19-20, 1977, the SIB data for 1976 were received, and responses to the SWC questionnaire were discussed. The level of frankness in exchange of views at the meeting was highly satisfactory. The meeting was held in a location (the offices of the Manager of Safety) away from the police department, to reduce influences that might be felt as restrictive. Further documents received included the existing SOP and listings of external appeals to the Denver Civil Service Commission.

At subsequent SWC meetings, the general baseline questionnaires developed for the national study and for Albuquerque were discussed to determine necessary revisions for DPD use and a final questionnaire was approved for use, as well as the present interview form (see Appendix 20). Approaches to sampling and questionnaire administration were discussed. It was decided to carry out the DPD survey in a way which differed from the Albuquerque plan in two ways: sample size and method of assembling officers for the actual administration. In Albuquerque, various sampling plans were considered before it was decided that all personnel on duty in a four-day duty period would be given the questionnaire. This would have the advantage of creating the feeling throughout the department that everyone had been given a chance to express his or her opinions. It was feasible in Albuquerque to do this because of the moderate size of the department. Denver, however, had about three times the number of personnel. A random-stratified

plan was therefore adopted, whereby individuals were identified by name according to a fixed interval, using a departmental roster having sections divided on the basis of rank and assignment.

To administer the questionnaires, written requests for the named individuals were sent to commanders asking those personnel to report to a central location to respond to the questionnaire. On April 1, 1977, the selected individuals were notified to report, and 225 completed questionnaires were received, accounting for virtually all those selected. Response rate was high due to several provisions: officers on duty were excused from duty to attend; officers off duty were given three hours of compensatory time; and the names of eight of the SWC members were publicized as contacts from whom more information about the purpose and nature of the questionnaire could be obtained informally, on a peer basis. While the 225 questionnaires represented rank and assignment proportionally, ethnic groups were not so represented. Therefore, an alternate sample was created by randomly removing questionnaires so that a uniform 12 percent sample of each of the three main ethnic groups was obtained, resulting in a total alternate sample size of 171.

Private interviews were held with 12 officers selected at random after they completed the questionnaire. An additional 10 interviews were held with supervisors in April of 1977. Also, an additional seven officers attended interviews at their own request.

b. Revision of rules and procedures. The IACP received the Denver Rules of Conduct and Prototype Disciplinary Procedures and compared them with the IACP prototype. Project staff then visited Denver to meet with the SWC, Advisory Board, (composition of which included an assistant city attorney) and Chief Dill to discuss and confer on a draft of the rules and procedures that

had been prepared by the IACP staff. There were some sections which required substantial redrafting; however, the concepts were agreed upon prior to the project staff's departure. At no time during this meeting was there mention of any conflict with the city charter. In fact, project staff inquired as to potential conflicts and requested legal opinions from the assistant city attorney present.

IACP staff, the SWC, the Advisory Board, and Chief Dill discussed the city charter and the chief's authority to delegate certain ministerial duties. All agreed that the clear intent of the charter allowed the chief to delegate certain duties, such as advisory opinions from subordinates to complete a discipline record. Several months subsequent to the aforementioned discussion, the project staff learned that this issue was a major stumbling block to implementation of the disciplinary rules and procedures.

Upon returning to IACP headquarters, project staff completed the final wording of the Rules of Procedure and the Rules of Conduct. During this period, project staff maintained daily contact with Lt. Alverson of the Denver SWC to be assured of receiving all input of the SWC and Advisory Board during the final stages of drafting. The final draft was submitted to Lt. Alverson during the third week of August 1977. Following that, plans for training supervisors and officers proceeded.

On September 8, 1977, IACP project staff received an indication that the city attorney's office had been reviewing the documents. On Monday, September 20, 1977, an attorney on the project staff met with an assistant city attorney regarding the project. It was during this meeting that IACP project

staff received notice for the first time that the city attorney's office was not in agreement with the rules and procedures which they felt were in violation of city charter provisions. Further, it was indicated that the only method available to implement the rules of procedure would be to amend the charter by a vote of the citizens of Denver in a referendum election.

IACP attorneys did not share the opinion of the Denver city attorney's office. During the above-mentioned meeting, an assistant city attorney was asked for any specific charter violations that were present in our procedures. The response received was that the assistant city attorney could not elaborate on any specific violations, but that the concept itself was a violation in that the city attorney's office viewed the charter as an exclusive grant of authority to the chief of police which could not be altered in any way unless it was accompanied by a full charter change.

Further negotiations were attempted and clarifications requested by IACP project staff over the next few months. These attempts met with no success and a decision to terminate Denver as a study site was made in February 1978. (see Chapter IV (B)(2)(c) for details).

4. Termination of Denver program. The work in Denver had followed a normal schedule from September 20, 1976, at the time of the first briefing of Chief Dill, until nearly a year later when for the first time, a question of legal interpretation of the city charter halted progress. This problem had not been anticipated, because specific safeguards had been provided, i.e., the inclusion of a city attorney in the SWC meetings, to provide liaison and substantive input to the process. The events leading to termination are detailed in Chapter IV, Section (B)(2)(c) below. The achievements in the DPD had been highly successful to this point, and it was with regret that Denver was officially dropped from the program on February 10, 1978.

D. Implementation in Lansing

1. Selection as a site. As explained in Chapter III, Section C, above, Denver had to be dropped as a study site for the project. Consequently, the IACP reasoned that there were three courses of action available. These options were as follows:

- (1) Concentrate exclusively on Albuquerque without attempting to implement the prototype in another agency.
- (2) Prepare, in addition to Albuquerque, a case study on selected agencies which had implemented part or all of the IACP prototype rules and procedures.
- (3) Select a new agency willing to implement the rules and procedures with minimum modification.

If the third alternative were chosen, IACP project staff would conduct pretesting and interviews; formulate a minimum Staff Working Committee within the agency; perform the legal analysis of the rules and procedures; train the supervisors in the prototype rules and procedures; monitor the system; and prepare the evaluation following the same procedure as in Albuquerque.

IACP project staff believed that the third alternative (selecting another site) was the best choice. A tremendous amount had been learned from the staff's experiences in Albuquerque and Denver, and the original prototype had been refined to the extent that the project staff believed that implementation in a newly selected agency could be accomplished rapidly.

Upon receipt of approval from NILECJ to choose a new study site, the project staff reviewed several departments before making a decision. The final decision was the Lansing, Michigan, Police Department. The reasons for this choice are as follows:

- (1) The LPD had 280 sworn officers. Although the LPD was smaller than the APD or the DPD, the size made it typical of many departments throughout the United States. Further, the agency was centralized and therefore the project staff believed it would be more manageable considering the time restrictions.
- (2) Former project attorney Thomas Hendrickson had been employed by the LPD as a legal advisor. Mr. Hendrickson was trusted by members of the agency and familiar with Lansing's operations and local law.
- (3) Lansing's chief of police wanted to develop new rules and procedures and viewed the IACP prototype disciplinary system with favor.
- (4) There was an active legal advisor assigned to the LPD. This factor alone was extremely important in that we could depend on the legal advisor for assistance in legal research. This condition was lacking in both Albuquerque and Denver.
- (5) The IACP, under other contract work, had conducted disciplinary workshops for the Michigan Association of Chiefs of Police. In preparation for these workshops, IACP staff had researched Michigan law, and as a result, project staff would not be required to devote extensive time to this task. Moreover, the aforementioned workshops had been attended by LPD personnel which increased their perceptions of the IACP disciplinary process.
- (6) Michigan, by law, had binding arbitration. This condition existed in neither Denver nor Albuquerque. Therefore, a new dimension would be added to the study, and would benefit agencies throughout Michigan and in other states that had similar conditions.

Subsequently, project staff contacted the Lansing Police Department and discussed the project and the implementation process. A site visit to Lansing was scheduled to further discuss with departmental personnel the specifics of the project, such as the IACP prototype rules and procedures in light of Michigan law and Lansing City Charter provisions.

Commitment for the project was obtained and the project staff returned to IACP headquarters to commence work on the rules. (see section 3b)

2. Participation of site personnel. During the first site visit, project staff met with Assistant Chief Robert Tucker, Deputy Chief Charles Reifsnyder, Deputy Chief Allen Yauch, Captain Kurt Wash, Captain William Cochran, First

Lieutenant Stan Burnett, Lt. James Hayden, and Lt. Felix Zuck. It was apparent that these individuals were closely involved with the disciplinary system and had a working knowledge of the IACP prototype.

On Thursday, March 9, 1978, IACP project attorney Thomas Hendrickson met with Assistant Chief Tucker to review possible members of the Staff Working Committee. The SWC was established as follows:

Thomas A. Hendrickson, IACP Chairman  
Supervising Attorney

Bjorn Pedersen, IACP  
Senior Staff Analyst

Dr. Andrew Crosby, IACP  
Research Scientist

1st. Lieutenant Stanley R. Burnett, Vice Chairman  
Personnel Training Division

2nd. Lieutenant John J. Baylis  
Criminal Intelligence Operations

Mr. Paul McComb  
Police Legal Advisor

Sergeant Lynn T. Munshaw  
Police Legal Advisor

Detective Bruce Behrmann  
Investigations Division

P. O. John A. Assiff  
Uniform Division

Sergeant Jerry Mires  
Internal Affairs

Sergeant Robert H. Woodward  
Investigations Division

Sergeant Donald C. Dawson  
Uniform Division

On Friday, March 10, 1978, project staff conducted a three-hour meeting with the newly formed SWC. The basis for the project was explained and

questions were asked as to problem areas within the LPD. The SWC appeared knowledgeable and willing to cooperate.

3. Intervention steps.

a. Collection of baseline data. The strategy in Lansing for getting the project under way was to combine various steps that had been separate major activities in Albuquerque and Denver. In this way, time and money savings could be realized at a point in the project when it was important to implement the system quickly. After phone conversations in mid-March 1978, with LPD staff, a baseline questionnaire administration was planned for April 5, 6, and 7. The questionnaire was modified slightly from the Albuquerque version to fit Lansing terminology. Also planned for this period was the first working session of the SWC. The purpose of this session was to develop a basis for modifying the departmental rules, by discussing sources of discipline problems.

The questionnaire administration yielded a random sample of 124 sworn personnel. Other information in the form of internal department documents gathered was:

- (a) roster of sworn personnel by rank and seniority, dated November 30, 1977;
- (b) Organization chart, dated December 21, 1976;
- (c) Union agreements with the city;
- (d) City charter, including personnel merit system;
- (e) Michigan court decisions on police discipline cases;
- (f) Existing rules and regulations.

Lansing presented a major problem in the gathering of preproject complaint and charge data. The major reason for this was that the department

had not had a formal Internal Affairs unit in recent years until the appointment of Sgt. Mires, shortly before the project began. As a result, there has been virtually no centralized recordkeeping. The reliability and comprehensiveness of divisional records were questionable. Frequently, the only record of a complaint was in the form of a sustained charge in the individual officer's personnel jacket, in the event that the complaint developed to that level of disposition.

As soon as this study was approved, IACP staff worked with Sgt. Mires to ensure that data were recorded on project forms for the study period. The possibility of retrieving or reconstructing historical data was explored. It was concluded that due to the lack of a common recordkeeping approach and responsibility, and the unknown extent of purging of the files, any data on complaints and charges were of little value for the desired study purpose of pre/post comparison of incidence. This was clearly a loss, as it precluded one type of analysis that proved to be useful in Albuquerque. However, the unique strength of Lansing as a study site is its character as a typical medium-size department in an older, Eastern-U.S. urban setting, where union tradition in the community, and in the department, is a dominant influence. It was felt that the Lansing study could more profitably focus on the factors affecting success in introducing and maintaining the new system within this challenging context, than on a model depending primarily on tracking quantitative change in variables. Even so, the attitudinal data could be so tracked, and data on incidence within the study period could be profiled. Both are substantial sources of information on important dependent variables.

b. Revision of rules and procedures. Once approval of the project and commitment for the project were received from the Lansing Police Department, project staff obtained the following materials to analyze existing conditions within the department and to assimilate Lansing rules and procedures with the IACP prototype: the LPD's operations manual, a roster of personnel by seniority, an alphabetical roster of personnel, the rules and regulations manual, the city personnel rules manual, the city charter, the union contract for supervisors, the union contract for police officers, the grievance procedures, the old procedures manual for the LPD, the table of organization for the LPD, complaint forms, disciplinary forms, charging forms, and city personnel forms. A project staff attorney reviewed the City Code, the Michigan Veterans Preference Act, and State Act 312 which refers to collective bargaining in the state of Michigan.

Project staff then began working on the revision of the Lansing rules and procedures. In early April 1978, IACP project staff traveled to Lansing to meet with the SWC regarding the revision of the rules and procedures. A decision was made to use the Albuquerque rules and procedures and modify where necessary. It was believed that the Albuquerque rules and procedures reflected a refinement of the IACP prototype and thus would require less modification than the IACP prototype. This meeting lasted two and one-half days. At the completion of this meeting, IACP project staff returned to headquarters to continue work on the draft.

In mid-May 1978, project staff again traveled to Lansing to finalize the disciplinary rules and continue work on the procedures. It was during this visit that project staff met with the Lansing Board of Police Commissioners to obtain the board's approval of the rules. (Prior to implementation of new

disciplinary rules and procedures, the Board of Police Commissioners had to give their approval.) The Board gave their approval of the new rules and agreed to make them official. Further, the Board of Police Commissioners created a subcommittee and appointed three of its members to the subcommittee. This subcommittee was given the power to review and approve the new disciplinary procedures once completed.

Work continued on the disciplinary procedures. Project staff worked closely with the SWC on this endeavor. On June 9, 1979, the chief of police and the Board of Police Commissioners tentatively approved the disciplinary procedures. Minor modifications were made and final approval for the disciplinary procedures followed. (See Appendix 21 for final disciplinary rules and procedures.)

c. System implementation. The target date for implementation of the new disciplinary system was June 15, 1978. It was inevitable that some significant implementation events had to occur before and after that date. Training in the new rules and procedures was scheduled for June 13-15, 1978. Mr. Hendrickson (project attorney), Sgt. Jerry Mires (Internal Affairs), and Officer John Assiff (President of the FOP) conducted the training sessions on a round-the-clock schedule. Approximately 200 members of the LPD received two hours of instruction and training in the new disciplinary rules and procedures. The instructors also responded to questions on legal and procedural aspects of the new rules and procedures.

On June 16, 1978, Mr. Hendrickson met with Chief of Police Gleason, the IA officer and two legal advisors. Several minor operational details were discussed. As it turned out, Lansing staff did not view these details as

minor and believed it unwise to officially implement the project. As a result, implementation was postponed until July 1, 1978. Tasks that had to be accomplished prior to implementation included: the development of trial board procedures for the actual hearing board; the development of rules for pretrial board discovery of information by the accused officer for his defense; the development of rules and procedures for the retention and purging of records in IA; the dissemination of the new rules and procedures to LPD staff that had not received them; the distribution of new complaint forms (see Appendix 22); structuring the files in IA; and additional training for supervisors.

On June 21, 1978, project staff received notice from Sgt. Jerry Mires of LPD that the chief had decided to postpone full implementation until August 15, 1978. The chief, Sgt. Mires, and the two legal advisors believed it unwise to implement the new system until the aforementioned list had been accomplished. The major concern was the need for additional training specifically directed toward the supervisors.

From the department's standpoint, the decision to postpone implementation was probably beneficial. The decision, however, was of some detriment to the project because it decreased the monitoring time. The impact of the decreased monitoring period was not as great as the project staff believed it would be. This fact was due to the fluidity of the disciplinary system once implemented by the LPD.

As previously mentioned, additional training for supervisors had to be scheduled. The training was to be undertaken by Sgt. Mires and was scheduled to begin on August 7, 1978, and run for a week. This timetable was subsequently moved forward and the training took place the first week in August. Sgt.

Mires conducted the training. Forty-five of the sixty-five supervisors received two-hour blocks of training in the new disciplinary system. In addition to the training in the classroom, all supervisors received a memorandum further explaining the new system (see Appendix 23).

On August 1, 1978, Chief of Police Gleason issued a memorandum (see Appendix 24) regarding implementation. The memorandum stated that the new disciplinary rules, regulations and procedures would be implemented at 0001 hours on August 8, 1978. Further, the memorandum cited the new sections to be added to Operational Procedures Manual and the sections that were to be rescinded and recalled. An additional memorandum specified that distribution of the new rules and procedures was to be effected by division and unit commanders to all personnel prior to August 8, 1978 (see Appendix 25).

Full implementation took place on August 8, 1978, one week ahead of the revised schedule, and the monitoring function was begun.

4. Monitoring and evaluation. The LPD project was monitored by means of frequent site visits by IACP staff, recording forms used by Internal Affairs, and post-training and interim questionnaires and interviews. Inputs of LPD staff time were estimated, including SWC meeting time, contact with officers responding to instruments and being trained in the prototype. An important input also tracked was the personnel time required by the trial boards. Other LPD inputs considered were meeting time given by numerous command staff members, city officials, and union officers, as well as the resources used in preparing, printing, and distributing the new SOP. These monitoring results are examined in Chapter IV (C) below.

CHAPTER IV  
FINDINGS AND ANALYSIS

## CHAPTER IV. FINDINGS AND ANALYSIS

The project data are presented here separately by site, and are organized by stated project objectives. Thus, a similar format is used for all sites, including baseline data, project activity data (for development, implementation, and monitoring phases), and project outcome data (for effectiveness and attitudinal components). Findings are reported separately by site in keeping with the case study approach taken in the project, acknowledging that differences among the departments are sufficient to invalidate any general pooling of data. However, there are many contrasts and commonalities of interest among the results, which are noted in Section D below, "Comparison of Project Experience Across Sites." The findings as a whole are interpreted in Chapter V, "Conclusions and Recommendations."

### A. Findings: Albuquerque

1. Baseline data. The baseline data have the purpose of setting a "pretest" level for various measures to be used in comparisons with final project results. These data were gathered in four areas: perceptions of the Staff Working Committee (SWC), perceptions of rank-and-file officers, charges brought against officers (and the dispositions of those charges), and appeals made by officers outside the police departments, against departmental action. These four areas are discussed below.

a. Staff Working Committee perceptions. As a starting point in characterizing the status of the discipline system of the APD, the responses of the SWC to the key diagnostic questions (see Appendix 7) are considered to be valuable data. These data are of a qualitative character; their validity derives from the quality of their source and context. The SWC was composed of

representative and articulate individuals. They were given a targeted questionnaire developed from prior research, and were able to reflect on their answers, individually and in group sessions, over a three-week period. The results are given here in the form of concise interpretations by IACP staff, of verbal debriefing material indicating undesirable conditions. For each of the five substantive areas, points of reasonable consensus are summarized, followed by notes on significant issues which were less clearly diagnosed, or where conflicting appraisals were given. Unless otherwise noted, the opinions are presented as those believed by the SWC members to be held by the majority of sworn officers.

- (1) Present operations of Internal Affairs (IA). IA operations are not well understood except by those who have been disciplined.

IA operations are not effectively explained in basic training academy.

IA is less feared now than when it was first formed, under a previous chief of police.

The major purpose of IA is to establish proof of guilt, rather than to take an even-handed approach.

Assignment of a case to IA rather than a supervisor for investigation is seen as a threat to the officer's chances of being found innocent.

Individuals called for interview by IA are extremely apprehensive.

Officers do not fully understand their rights regarding IA procedures (e.g., submission to the polygraph, giving of statements).

Higher-ranking members are less vulnerable to IA investigations than are officers.

There was disagreement on whether an officer under review was notified of that fact "soon enough," or at the appropriate point in the procedure. Also,

there was some question about the validity of officers' judgment about IA units in general, because of a common tendency for officers found innocent to acknowledge that they got a "fair shake," while those found guilty complain of a "bad deal." There is question whether the IA function, given its history in law enforcement, can ever be designed and conducted so as to receive the benefit of an objective appraisal by officers.

Traditionally, police officers have viewed internal affairs units ranging from skepticism, at best, to contempt. Many officers view internal affairs units as "head hunters" with the belief that one is guilty until proven innocent. This view is the result of the lack of understanding of an internal affairs unit. If an officer has had contact with an internal affairs investigator, he often believes he received a "bad deal." Officers not having had contact with internal affairs have generally heard rumors as to other officers' dealings with internal affairs.

(2) Existing rules and regulations.

There are too many rules, yet some issues lack needed rules.

Many rules are felt to be either too broad or too specific.

Inadequate training is given when rules or procedures are changed.

Confusion exists over the differing interpretations given rules by supervisors.

(3) Trial board or other mechanisms to determine discipline disposition.

There is a lack of consistency in determining the penalty to be assessed for an infraction, but not necessarily in determining if the infraction occurred.

Officers feel they are assumed to be guilty, and must prove their innocence.

All cases should be reviewed and acted on by the chief, not his designee.

There were mixed feelings about whether the internal review was simply a series of "rubber stamp" approvals of the penalty believed to be preferred by the field commander. There was some feeling that the first "real" review did not come until the departmental action was appealed by the officer to the city personnel system. Also, there was some division among SWC members as to whether a "minimum-maximum" schedule of sanctions would be beneficial.

(4) Citizen complaint mechanism.

Neither citizens nor officers have a good understanding of the procedure.

Citizens tend to complain "too easily."

Many citizens fear reprisal if they make a complaint, and feel that the department would believe the officer in case of a dispute.

There was divided opinion on whether IA received and investigated too many citizen complaints, and on the principle of attempting to record and resolve every citizen complaint.

(5) The role of the supervisor in discipline.

Supervisors generally do not understand their role and responsibility.

Supervisor training is inadequate.

Many supervisors are seen as incompetent for the position and its responsibility.

Supervisors are inconsistent in how they view taking disciplinary action: some see it as effective punishment, while others avoid it in order to remain "good guys."

Supervisors are not fair or consistent in their disciplinary actions.

Supervisors do not keep adequate records.

The ambiguous nature of the supervisor's role is due partly to vague department policy.

To document further the historical context of the APD disciplinary process, and the APD Internal Affairs Unit, prior to the beginning of this study, narrative descriptions are presented as Appendix 4 and 5, respectively.

b. General APD personnel perceptions. From these rules, a general questionnaire was developed, reviewed by the SWC, and revised accordingly. The questionnaire administration in March 1977, and described in detail earlier, yielded 543 completed questionnaires: 415 from sworn officers, and the remaining 128 from civilian employees. The ethnic subdivision of the group was self-reported as follows:

White	341
Spanish	159
Black	10
Other	<u>33</u>
Total	543

The first issue of interest in analyzing the results might be how the general level of responses throughout the APD sample compares with that of departments similarly surveyed elsewhere in the country. To answer this question, some items were included in the APD instrument which are identical to items on which data are available from the Phase I survey. This "national" survey yielded questionnaire results from over 2,000 officers in 16 departments.<sup>8</sup>

Two questions were asked about overall satisfaction levels in assignment and career, in order to establish a context in which to view general response levels in the remainder of the questionnaire. These questions and responses are:

- A. "How satisfied are you with your present assignment in this department?"
- B. "Overall, how satisfied are you at this time with your career in this department?"

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8. As previously mentioned in this report, the IACP conducted a study of 17 police departments in Phase I of this study. However, due to labor unrest in one department, the IACP and the police department management determined that it would be better not to survey the police department due to a heated and emotional atmosphere.

			Responses in Percentages				
Sample	Sample Size*		Very Satisfied	Somewhat Satisfied	Neither	Somewhat Dissatisfied	Very Dissatisfied
APD	415	Ques. A	43	34	10	11	2
		Ques. B	33	37	9	16	5
National	2,165	Ques. A	39	31	7	12	11
		Ques. B	37	31	6	15	11

\*Only the sworn subgroup of the APD sample is used in this comparison in order to match more closely the character of the national sample.

An impression of the comparisons can be more easily gained if, for each of the four rows of data, the "very satisfied" and "somewhat satisfied" values of the Likert scale are combined, and likewise, the "somewhat dissatisfied" and "very dissatisfied" values. Broadly speaking, the data for both samples show a "satisfied" group in the neighborhood of 70 percent of the total, with 20 percent dissatisfied, and 10 percent neutral. This distribution is probably not dissimilar from that of the general working population,<sup>9</sup> nor does the APD sample seem to be atypical of police departments in general, as represented by the 16 surveyed.<sup>10</sup>

Comparing the two samples in more detail, the APD respondents are shown to be more satisfied with their present assignment than are the national respondents. Testing this sample difference by the chi-square method indicates that the difference

9. Rosow, Jerome M. The Work and the Job: Coping With Change, Prentice Hall (1974). In his book Mr. Rosow cites a 1973 Gallup Poll dealing with job satisfaction. The question of interest is as follows: "On the whole, would you say you are satisfied or dissatisfied with the work you do?" The data collected shows that overall the working population was satisfied in 77 percent of the responses; not satisfied in 11 percent of the responses with no opinion in 13 percent of the responses.

10. See note 8 at 58.

is statistically significant. Likewise, APD responses show somewhat more career satisfaction than nationally.<sup>11</sup>

The first two survey questions specifically on discipline asked if department rules and regulations were written and enforced fairly. Again, national sample data are available for these questions. The responses in percentages are:

		Responses in Percentages				
		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
APD (sworn only)	Written fairly?	2	52	19	23	4
	Enforced fairly?	1	17	13	43	26
National	Written fairly?	7	61	13	15	4
	Enforced fairly?	3	32	18	32	15

In both samples, officers show much less approval of rule enforcement than of rule quality as written. APD officers show this difference more markedly and show substantially less agreement than the comparison officers on both questions.

The comparisons made above with the national sample establish that APD is not atypical with respect to overall job attitudes, but is perhaps more critical of its rules and their enforcement than average. The reader who is interested in further comparisons with the national sample is referred to the report, "Managing for Effective Discipline" (NILECJ Grant Number 74-NI-99-0019-6), where the

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11. The question of statistical and practical significance of differences is raised by these comparisons. An explanation of the use of statistical tests in this study appears as Appendix 26. The differences noted above are highly significant statistically ( $p < .001$ ). Questions of practical significance are properly resolved solely through the judgment of competent practitioners in law enforcement administration. For example, on the "assignment" question above, satisfied responses total 77% for APD vs. 70% nationally. Many readers would probably consider such a difference meaningful, while they might disregard the parallel difference of 70% and 68% on the "career" question.

in this report is to establish baseline data for post-research comparison, the ensuing data will be drawn largely from the total Albuquerque sample (N=543, including nonsworn employees) and thus will not be properly comparable to the data of the national sample.

It is important to explore the total sample of 543 employees briefly here to understand possible subgroup differences. Civilians comprise a substantial group (23%) and are bound by the same rules as sworn officers. Individuals who identify with a Spanish subculture comprise 29% of the sample, and are visible, for example, in their own employee organization. For the four questions examined above, the white, sworn, civilian and Spanish responses in percentages are shown here:

Responses in Percentages						
<u>Question</u>	<u>Sub-group</u>	<u>Strongly Agree</u>	<u>Agree</u>	<u>Uncertain</u>	<u>Disagree</u>	<u>Strongly Disagree</u>
Satisfied w/assignment?	WHT	43	33	8	12	4
	SWN	43	34	10	11	2
	CIV	29	41	12	13	5
	SPN	36	42	11	9	2
Satisfied w/career?	WHT	31	38	9	16	6
	SWN	39	31	7	12	11
	CIV	26	38	14	16	6
	SPN	32	36	11	16	5
Rules written fairly?	WHT	2	57	19	19	3
	SWN	2	52	19	23	4
	CIV	2	55	24	17	2
	SPN	1	46	25	25	3
Rules enforced fairly?	WHT	1	21	16	38	24
	SWN	1	17	13	43	26
	CIV	0	31	27	33	9
	SPN	1	18	15	49	17

As a whole, these responses are similar across groups, and the differences do not reach statistical significance, although overlap in group membership tends to reduce pattern differences. The few apparent exceptions to similarity are: civilians tend to show less job satisfaction, but more acceptance of rule enforcement; and Spanish individuals agree less that rules are written fairly.

It can be concluded, then, that while there is a potential for subgroup differences in the Albuquerque attitudinal data, the key questions examined above do not reveal any overriding general response pattern of bias to be considered in later interpretations.

The remaining questionnaire responses by the total sample present much important information in describing the status of discipline as perceived in March 1977. To organize a description of these data, questions will be grouped according to the factor analysis results of the Phase I report. These factors can be considered stable and relevant, being derived from a large sample and a very similar questionnaire<sup>12</sup> (see Appendix 27). Also, the reliability of these "factor scales" is adequate, ranging from 0.66 to 0.88. The first factor concerns officer understanding of several aspects of the discipline system as it then existed. The questionnaire items most closely relating to this factor, and the percentage of the 543 respondents agreeing, and uncertain are: (see Appendix 9 for the full questionnaire)

<u>Question No.</u>	<u>Statement</u>	<u>% Agreeing*</u>	<u>% Uncertain</u>
17	I have a good understanding of appeal procedures outside of this department.	40	24

12. The purpose and tone of the questionnaires were identical. However, for this project, the IACP project staff drafted the questionnaires for the test sites taking local conditions and terminology into consideration. The reader may compare these questionnaires by referring to Appendices 8 and 9.

\* "Percent agreeing" is the sum of Strongly Agree and Agree responses. Disagree and Strongly Disagree responses as a sum are obtained by subtracting the two values given above, from 100.

<u>Question No.</u>	<u>Statement</u>	<u>% Agreeing</u>	<u>% Uncertain</u>
18	I have a good understanding of the procedures that are used by this department to <u>record</u> citizen complaints of misconduct.	41	22
19	I have a good understanding of the procedures that are used by this department to <u>investigate</u> citizen complaints of misconduct.	40	20
30	I have a good understanding of the responsibilities of this department's internal affairs unit.	47	19
32	I have a good understanding of the process that is used for internal review of disciplinary actions taken.	29	27

Because these statements concern understanding, an "uncertain" response must be interpreted as meaning a substantial lack of understanding, just as disagreement does. It follows that APD personnel are saying here that only 30 to 50 percent of them are confident that they understand fundamental aspects of the disciplinary system. This result indicates a serious communication and training need.

The second factor concerns supervisory behavior, and is related to questionnaire items numbered 4, 5, 16, 25, 26, and 27. These statements comment positively on the supervisor's consistency, ability and willingness to explain, fairness, and style of discipline. (For a more concise report format, this factor result and the remaining ones will be summarized. The reader may refer to Appendix 8 for the complete questionnaire and Table 11, page 95 for complete results.) Responses are quite favorable to this group of statements, 45 to 72 percent agreeing, with little uncertainty. An exception is on the question of the supervisors' use of counselling and retraining. Only 47 percent said this happens, and 29 percent were uncertain. Generally, respondents are moderately supportive of supervisors' behavior.

The third factor involves item number 7 and 8, stating that officers should be held to a higher standard of conduct than civilian employees and the public at large, and item 12, saying citizens expect a higher standard of officer behavior. Sworn officers agreed with these statements strongly (58, 77, and 93 percent agreement) with only 5 percent uncertainty. Civilian respondents agreed nearly as strongly (44, 76, and 89 percent) with 6 to 10 percent uncertainty. APD personnel generally see the police officer role as demanding a special kind of behavior.

The fourth factor reflects the perceived fairness of the review procedure, both internal and external. Items 28, 33, 34, 40, 41, and 42 state that the chief usually acts on staff recommendations, the internal review process is fair and consistent by rank, that decisions are made within a reasonable time, and that outside appeals are given a fair hearing (Table 9, page 91). About half the group said the chief follows staff advice, and the review process is speedy, with 35 to 40 percent uncertain. The internal review process was seen as fair by about 30 percent, with 40 percent uncertain. The external process was seen as less fair (22 percent), with less certainty (64 percent uncertain). Only 16 percent saw the system as fair and consistent for all ranks, with 26 percent uncertain. Some of these results may be due to a lack of firsthand familiarity with the system, although 60 percent say they have had charges filed against them at some time, and 36 percent say the charges were sustained. Overall, these results show a low level of confidence in the existing system.

The final factor addresses the effectiveness with which management makes known its rules and procedures on discipline. Items 3, 6, 14, and 15 state that Standard Operating Procedures are understandable, personnel feel free to suggest

new rules or revisions, recruit training was effective, and expected behavior was clear. About half said their recruit training was effective, while only 40 percent felt free to suggest changes, with 22 percent uncertain. A large majority, 73 percent, felt the Standard Operating Procedures were understandable, but this level fell to 66 percent when the question was sharpened to state, effectively, "Do you have a good understanding of what is expected of you?" In summary, the communication of the system by management was not seen in as critical a light as was fairness of the system, but much room for improvement was evident.

The baseline questionnaire administration was followed up with private interviews. All personnel filling out the questionnaire had the opportunity to request an interview, using a form attached to the questionnaire (for instructions and form, see Appendix 28). The procedure made it possible for a person to request an interview without the rest of the group knowing. Eleven individuals requested interviews, and four were interviewed. (The remainder either did not appear when scheduled, or could not be contacted at the times requested.) In addition to these interviews, IACP staff chose at random from those completing questionnaires 10 officers and 10 supervisors, and asked them to stay for brief interviews. These interviews were structured according to interview guides (see Appendix 29), and were designed to serve several purposes: (a) to provide another "open-ended" opportunity to APD personnel to give their opinions; (b) to detect priorities as perceived by personnel, which may have been obscured by the questionnaire format; (c) to elicit further information on specific topics; and (d) to determine if the questionnaire and the project effort in general were perceived as valid.

The first item on the officer interview guide concerned coverage of issues in the questionnaire. This was felt to be satisfactory, although more

stress could have been placed on the "politics" of discipline, inconsistency, favoritism by rank, and the vulnerability of officers to complaints by citizens. The second item, on strengths and weaknesses of the existing system, drew negative comments about favoritism shown by supervisors and commanders. Favorite improvements desired were a schedule of punishments, a decrease in severity of punishments, and some use of peer review. The third item drew comments that supervisors were "pretty fair," but often showed favoritism. There was much comment that supervisors were inconsistent in the kind of punishment they recommended. Supervisors were felt by officers to know their disciplinary responsibilities fairly well, but to be heavily influenced by their commanders, and thus inconsistent in their actions. Officers felt more training would help. There was considerable dislike of the way individuals were selected for promotion to supervisor, resulting in some incompetent supervision. The department was reluctant to demote poor performers. Some officers felt that no radical changes could be expected from the project, based on experience, but several others felt that the present chief was an innovator, and the project was worth trying.

The supervisor interview guide asked first about the most troublesome issues causing a supervisor to take disciplinary action. There was much agreement that vehicle accidents, carelessness and similar cases where there is often no intention to violate a rule, are hardest to deal with. Tardiness and missing court were also troublesome. A mention also was made of citizen complaints, and trying to respond to the different standards of new commanders when positions are rotated. The second item asked what changes would help supervisors. Several comments urged that supervisors be given more say, "kept in the picture," and not be second-guessed by commanders. More uniformity of standards across watches and more communication

throughout the department was desired, as well as a better public relations effort on citizen understanding of the police officer's job. There was divided opinion on whether a schedule of punishment would help. The third item asked about supervisors' training. Most comment referred to the inadequacy of training, although two interviewees said it is not possible to teach how to discipline officers -- it must be picked up on the job, and it is the responsibility of the supervisor to do so. The fourth item asked what the supervisors' responsibilities were perceived to be. Most comments agreed that they should be limited to starting the process of investigation and charging, but should follow through only on relatively minor, noncriminal matters, leaving the rest to Internal Affairs. However, the supervisors wanted to be kept informed during the whole process. On minor matters, they wanted to visibly "give" the discipline, in order to retain their authority, but felt they had to balance this carefully with maintaining empathy with the officers, to be effective in routine supervision. The fifth item asked if supervisors had enough authority. Most agreed that the system gave them enough, but it could vary considerably with commanders. The sixth item asked if other supervisors were consistent in handling discipline. Opinion was divided. Some said supervisors were given too little guidance, and therefore were lenient, trying to be "good guys." Others said there was consistency except for a few who try to please their commanders. Others claimed there was consistency within, but not across, units. The seventh item asked, "How do you decide when to discipline an officer?" Several said it is clear when the officer knows better or offends repeatedly. Somewhat more difficult, but demanding action, are occasions when officers make mistakes, or do not "produce." The last question concerned how supervisors maintain a consistent view of the standards they try to apply. There

was a variety of opinion, from "the rules are pretty clear to what should trigger a disciplinary action", to "be creative", "observe other watches (shifts)", and "try to learn from the older sergeants."

c. Charges made and actions taken. The next important body of baseline data to be gathered was information on the number and type of charges made against personnel, the disposition of those charges, and the actions taken against individuals on sustained charges. The minimal baseline period considered appropriate was the calendar year 1977, since calendar 1978 was to be the experimental year. It was decided to increase the baseline period to include data before 1977, resulting in the use of calendar years 1975, 1976 and 1977. The varying formats of departmental records over those years required combining data as shown in Table 1. Sections 1-4 of Table 1 show separately the sources of charge<sup>13</sup> data (Internal Affairs Unit and Field Services at the shift level). These data are combined in Sections 5-10 of Table 1, for comparison and analysis.<sup>14</sup> Charges are reported in Table 1 first by the four standard categories of finding (unfounded, exonerated, not sustained and sustained), and then by type of charge. The type categories were defined for report purposes in order to summarize some 43 types of charges mentioned in APD records. These groupings are shown in Table 2. Section 7 of Table 1 shows disciplinary actions taken over the baseline period for six common types of sanctions. Section 8 shows commendations received by officers, by source. Sections 9 and 10 of Table 1 recast the preceding data to show a profile of percentage distribution of both types of charge and types of action for each baseline year.

13. The term "charge" in this report means a single, separate alleged offense category, e.g., "insubordination," as contrasted with "complaint," which means an occasion on which an allegation was made against an individual, specifying one or more charges.

14. Citizen complaints were not analyzed in original APD records for 1975-1977, and are not included in Table 1 except for 1978. See Section 3, Project Outcome Data, below, for discussion.

TABLE 1

## COMPARATIVE DATA - DISCIPLINARY CHARGES AND ACTIONS

		1975					1976					1977					1978				
		1	2	3	4	T	1	2	3	4	T	1	2	3	4	T	1	2	3	4	T
1. Charges investigated by Internal Affairs	Unit (IAU), number, by findings:																				
	Unfounded	9	11	14	6	40	3	7	2	5	17	3	15	3	7	28	See Note <sup>1</sup>				
	Exonerated	2	4	4	2	12	2	2	1	-	5	-	2	6	3	11					
	Not Sustained	4	6	2	1	13	-	2	2	-	4	1	-	-	2	3					
	Sustained	12	7	1	5	25	9	4	14	4	31	-	1	4	-	5					
	Total	27	28	21	14	90	14	15	19	9	57	4	18	13	12	47					
2. Charges investigated by IAU, number,	by type of charge:																				
	A. Administrative	1	-	-	-	1	4	2	2	-	8	-	-	-	-	-	See Note <sup>1</sup>				
	B. Conduct	4	8	3	4	19	5	2	7	2	16	-	7	2	2	11					
	C. Competence	8	2	5	2	17	-	3	3	-	6	-	-	1	-	1					
	D. Relations	13	18	13	8	52	5	8	7	5	25	4	11	10	10	35					
	E. Criminal	1	-	-	-	1	-	-	-	2	2	-	-	-	-	-					
	F. Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-					
	Total	27	28	21	14	90	14	15	19	9	57	4	18	13	12	47					
3. Charges handled at shift level by	Field Services, number, by findings:																				
	Unfounded	See Note <sup>1</sup>						34	20	20	74	11	2	1	3	17	See Note <sup>1</sup>				
	Exonerated							2	1	5	8	4	3	3	2	12					
	Not Sustained							3	4	-	7	1	2	1	-	4					
	Sustained							5	12	4	21	8	2	9	2	21					
	Total							44	37	29	110	24	9	14	7	54					
4. Charges handled at shift level by	Field Services, number, by type of																				
	charge:																				
	A. Administrative	See Note <sup>1</sup>						1	1	-	2	-	-	-	-	-	See Note <sup>1</sup>				
	B. Conduct							3	3	-	6	-	2	-	-	2					
	C. Competence							9	5	9	23	8	3	7	3	21					
	D. Relations							30	28	20	78	16	4	6	4	30					
	E. Criminal							1	-	-	1	-	-	1	-	1					
	F. Other							-	-	-	-	-	-	-	-	-					
	Total							44	37	29	110	24	9	14	7	54					

<sup>1</sup>Data are combined depending on format used in original APD source reports. No separate Field Services data were reported for 1975, and the first quarter of 1976. Data were combined in 1978 reports.

TABLE 1 (Continued)

## COMPARATIVE DATA - DISCIPLINARY CHARGES AND ACTIONS

	1975					1976					1977					1978				
	1	2	3	4	T	1	2	3	4	T	1	2	3	4	T	1	2	3	4	T
5. Combined <sup>1</sup> charges handled by IAU and Field Services, number, by findings:																				
Unfounded	9	11	14	6	40	3	41	22	25	91	14	17	4	10	45	174	157	79	108	518
Exonerated	2	4	4	2	12	2	4	2	5	13	4	5	9	5	23	42	57	48	36	183
Not Sustained	4	6	2	1	13	-	5	6	-	11	2	2	1	2	7	23	10	25	21	79
Sustained	12	7	1	5	25	9	9	26	8	52	8	3	13	2	26	18	23	16	14	71
Total	27	28	21	14	90	14	59	56	38	167	28	27	27	19	101	257	247	168	179	851
6. Combined <sup>1</sup> charges handled by IAU and Field Services, number, by type of charge:																				
A. Administrative	1	-	-	-	1	4	3	3	-	10	-	-	-	-	-	5	4	6	4	19
B. Conduct	4	8	3	4	19	5	5	10	2	22	-	9	2	2	13	5	7	5	1	18
C. Competence	8	2	5	2	17	-	12	8	9	29	8	3	8	3	22	86	93	48	67	294
D. Relations	13	18	13	8	52	5	38	35	25	103	20	15	16	14	65	151	135	106	98	490
E. Criminal	1	-	-	-	1	-	1	-	2	3	-	-	1	-	1	10	8	3	0	30
F. Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	27	28	21	14	90	14	59	56	38	167	28	27	27	19	101	257	247	168	179	851
7. Disciplinary actions taken, number, by type:																				
Suspension	20	28	19	11	78	4	5	11	10	30	14	8	13	19	54	17	15	18	9	59
Letter of reprimand	26	18	8	13	65	31	18	32	27	108	28	10	21	17	76	24	20	23	17	84
Verbal reprimand	2	-	-	2	4	1	3	-	-	4	3	-	2	-	5	5	5	4	10	24
Counseling or training	2	1	-	-	3	-	-	2	-	2	-	-	2	1	3	10	10	10	8	38
Demotion	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	1	-	-	-	1
Termination	5	2	-	3	10	1	-	3	3	7	-	-	3	1	4	2	3	2	1	8
Other	2	1	1	6	10	8	8	4	7	27	1	1	4	3	9	7	-	12	-	19
Total	57	50	28	35	170	45	34	52	47	178	47	19	45	41	152	66	53	69	45	233
8. Number of commendations received by officers, numbers, by source:																				
Supervisors	46	69	49	104	268	96	60	67	45	268	34	25	20	11	90	14	41	54	52	161
Citizens	105	98	109	87	399	88	150	136	84	458	97	64	77	130	368	66	122	150	129	467
Other Law Enforcement Agencies	6	9	3	13	31	24	39	9	4	76	10	8	3	9	30	9	3	12	8	32
Total	157	176	161	204	698	208	249	212	133	802	141	97	100	150	488	89	166	216	189	660

<sup>1</sup>Data are combined depending on format used in original APD source reports. No separate Field Services data were reported for 1975, and the first quarter of 1976. Data were combined in 1978 reports.

TABLE 1 (Continued)

## COMPARATIVE DATA - DISCIPLINARY CHARGES AND ACTIONS

	1975		1976		1977		1978		1975-1977 Average Percent
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
9. Combined charges handled by IAU and Field Services, number and percent, by type of charge:									
A. Administrative	1	1	10	6	0	0	19	2	2
B. Conduct	19	21	22	13	13	13	18	2	16
C. Competence	17	19	29	19	22	22	294	35	19
D. Relations	52	58	103	62	65	64	490	57	62
E. Criminal	1	1	3	2	1	1	30	4	1
F. Other	-	-	-	-	-	-	-	-	-
Total	90	100	167	100	101	100	851	100	100
10. Disciplinary actions taken, number and percent, by type:									
Suspensions	78	46	30	17	54	35	59	25	33
Letter of reprimand	65	38	108	61	76	50	84	36	49
Verbal reprimand	4	2	4	2	5	3	24	10	3
Counseling or training	3	2	2	1	3	2	38	16	2
Demotion	-	-	-	-	1	1	1	1	-
Termination	10	6	7	4	4	3	8	4	4
Other	10	6	27	15	9	6	19	8	9
Total	170	100	178	100	152	100	233	100	100

TABLE 2. CATEGORIES FOR TYPES OF CHARGES

A. Internal, Administrative Matters

Abuse of sick leave  
Failure to appear for firearms qualifications  
Failure to appear for court  
Grooming, uniform, appearance  
Insubordination, disobedience  
Leaving an assignment/district  
Misuse of vehicle  
Preventable accident  
Tardiness/late for duty  
Traffic violations  
Unauthorized absence  
Conflict of interest

B. Unofficerlike Conduct

Conduct unbecoming  
Drinking on duty  
Misconduct/practical jokes  
Possession of alcoholic beverage in a police facility  
Truthfulness

C. Competence

False arrest  
Illegal arrest  
Illegal search  
Failure to investigate  
Failure to write report

Mishandling evidence/failure to tag

Falsifying report

Inaccurate report

Nonfeasance

Unsatisfactory performance/incompetency

Neglect of duty; dereliction of duty

Procedure

D. Police-Citizen Relations: Attitude/Use of Force

Assault

Attitude

Discharge of firearms

Discrimination

Harassment

Insolent language/remarks/unkind remarks/profanity

Intimidation, threats

Unnecessary force

Verbal abuse/discourtesy

Excessive force

E. Criminal Activity

Corruption

Drug possession/dealing

Perjury

Theft/larceny

Vandalism/damage to property

F. Other

Other

The baseline data patterns of charges and actions will be discussed in comparison with the experimental (1978) year's data in Section 3, Project Outcome Data.

d. External appeals by officers. An important project measure is the frequency with which personnel appeal disciplinary actions outside the police department. For APD personnel, the mechanism for doing this is the City of Albuquerque's Chief Administrative Officer's (CAO) Grievance Committee, with a further possible appeal to the City's Personnel Board (these appeals are available to the personnel of all city departments). A CAO hearing must be requested by the aggrieved employee within 10 days after the departmental action, and the hearing is held within 10 days after the request is made. The employee may receive a speedy hearing by the Personnel Board as the final procedural step, if he or she wishes to appeal the CAO finding. Details of the structure of these appeals are given in Appendix 30.

e. External appeals by APD personnel. Details of outside appeals for the baseline years 1975, 1976, and 1977 are given in Table 3, and will be discussed in Section 3 below. Essentially, these data indicate that during the experimental year, APD personnel chose not to appeal actions outside the department at all, breaking the pattern of baseline years.

TABLE 3

DISCIPLINARY ACTIONS APPEALED  
OUTSIDE THE POLICE DEPARTMENT  
ALBUQUERQUE POLICE DEPARTMENT

Year	Case No.	Departmental Action Being Appealed	CAO Committee Action	Personnel Board Action*
1975	1	Suspension	Reduced in length	Rescinded CAO action - Upheld original action
	2	Suspension	Upheld	Upheld
	3	Demotion	Upheld	Reversed
	4	Suspension	Upheld	
	5	Suspension	Upheld	
	6	Suspension	Reduced in length	
1976	1	Suspension	Modified to letter of reprimand	Upheld
	2	Dismissal	Modified to suspension	Upheld
	3	Dismissal	Upheld	Upheld
	4	Suspension	Upheld	
	5	Suspension	Reversed	
	6	Suspension	Upheld	Upheld
	7	Dismissal	Upheld	Upheld
	8	Suspension	Upheld	Upheld
1977	1	Dismissal	Upheld	
	2	Dismissal	Upheld	
	3	Dismissal	Reversed	
1978	No Cases	--	--	--

\* If blank, no second-level appeal was made to the Personnel Board. "Upheld" or "Reversed" refers to CAO action.

2. Project activity data. This section will document the important activities and events associated with development and implementation of the new disciplinary system, and monitoring experience with it during the experimental year.

a. Project inputs by APD staff. One of the most informative measures of the development and implementation activities was the level and type of effort expended by department personnel. These data are especially important as estimates of the investment that might be needed on the part of other departments contemplating the adoption of the prototype.

Between July and November 1976, following correspondence and telephone conversations, APD staff numbering from 1 to 12 had three meetings with IACP staff. These early discussions led to project acceptance and a briefing by two APD staff of all troops as they reported for duty on December 1 and 2, 1976. The APD Public Information Officer prepared a news release on December 20, 1976. The APD Staff Working Committee (SWC) was formed in November 1976, and began a series of at least 14 meetings to accomplish the development and implementation of the prototype system. The basic cost of these meetings, expressed in total base wages of the SWC members, is shown in Table 4. All items in Table 4 except those noted in parentheses are SWC meetings. This detailed cost accounting covers virtually the entire development and implementation period, just short of the beginning of the experimental year. The costs given are underestimates of true costs because they do not reflect department overhead, support staff, or unrecorded meetings and individual work on the project. The total cost shown in Table 4 is a measure of the considerable effort required in this first attempt nationally to implement the prototype. When department overhead and other undocumented costs are considered, it is probably not an

**CONTINUED**

**1 OF 5**

TABLE 4  
APD STAFF MEETING COSTS—  
DEVELOPMENT AND IMPLEMENTATION

<u>Date*</u>	<u>Purpose</u>	<u>Cost**</u>
December 1, 1976	Project orientation	\$155.42
December 17, 1976	Develop opinions	630.24
January 7	Discuss rule problems	251.50
January 18	Discuss rule problems	355.90
February 11	Review prototype rules	489.16
February 16	Rewrite policy, procedures	217.16
February 22	Review new procedures	84.70
February 24	Review IAU procedures	198.75
February 25	Review Trial Board concept	305.31
March 1	Develop new rulebook	456.93
March 22-23 (subcommittee)	Finalize draft prototype	320.48
March 28-31 (subcommittee)	Assist with questionnaires	604.62
May 11	Develop IAU procedures	303.52
June 14	Develop training	466.06
August 11	Review Trial Board procedure	279.88
September 7	Review prototype detail	637.00
September 8 (staff)	Review final draft, accept	161.37
November 30- December 6 (staff)	Train supervisors	<u>762.28</u>
	Total	\$6,680.28

\* All dates are for 1977 except as noted. All dates refer to Staff Working Committee meetings except as noted in parentheses.

\*\* Costs are total staff base wages only.

overestimate to put the cost to the department at \$15,000 for this phase of the work.

Some of the other APD staff inputs were:

November 18, 1977 - All supervisory and command personnel were issued copies of the new SOP.

December 14, 1977 - Special Order Number 77-136 was issued making January 1, 1978, the official date of effectiveness of the prototype.

January 1, 1978 - All remaining personnel were issued the new SOP.

January 15, 1978 - Training sessions began on the new system for all nonsupervisory personnel.

APD staff inputs during the monitoring phase (calendar year 1978) were especially heavy for IAU personnel and for first-line supervisors. IAU had the responsibility for organizing and conducting the 13 trial boards which were held, and for recording on special project forms (See Appendix 14), the initiation and progress of cases, in addition to their normal workload. This "normal" workload, was also, in fact, much greater than usual, because of the increase in cases processed in the new system in 1978. Total cases handled in the department rose from a baseline annual average of 119 to 851 for 1978 (see Table 1, Section 5). The supervisory workload was increased primarily by the requirement of documenting every complaint, however minor, on new standard forms (see Appendix 10).

b. Project inputs by IACP staff. The specific development and implementation inputs by IACP staff in Albuquerque are seen most clearly in the on-site work sessions listed in Table 5. However, a great deal of planning and analysis, as well as communication by telephone and letter, supported the on-site work.

TABLE 5  
IACP STAFF ON-SITE WORK  
SESSIONS—ALBUQUERQUE

<u>Date*</u>	<u>Number of IACP Staff</u>	<u>Purpose</u>
August 2, 1976	3	Exploratory conferences
November 18	1	Obtain APD commitment
November 30	2	Orientation of APD and city staff
December 17	2	Obtain SWC opinions
January 17, 1977	1	Review SWC assigned work
February 3	1	Obtain IAU data, develop questionnaire
March 1	3	Develop new rules, finalize questionnaire
March 22	1	Further develop prototype
March 27	2	Administer questionnaire
May 10	2	Develop IAU procedures
July 13	3	Resolve key implementation issues
September 6	2	Review prototype, obtain acceptance
November 17	2	Review and develop training
November 28	3	Conduct training

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\* Starting date is given. Sessions were of 2 to 5 days in length.

Monitoring trips were made in April, August and December 1978, when interviews were held, and questionnaires were given to determine project impact. The results of these instruments are discussed in Section 2(d) below.

c. Trial board experience. As previously stated in "Site Selection Criteria" a study agency was required to adopt the concept of a trial board for due process hearings unless prohibited from doing so by local ordinance, city charter, state law, or a collective bargaining agreement. Further, except where a variation could be clearly shown to be necessary due to local law or practical restrictions on operating capabilities, the formation, responsibility, function, and authority had to follow the IACP structure as outlined in Managing for Effective Police Discipline.

The Albuquerque trial board consists of five members and is selected in the following manner: The accused officer may select four tags from a container, each of which has the name of a person of the same rank as the accused officer. The accused officer may then select, in the same manner, three tags from each of the other ranks including nonsworn personnel, but excluding the deputy chief and chief. Persons involved in the investigation, the accused officer, and the charging officer are not considered valid selections and are to be replaced upon being drawn. The charging party then strikes one name from each rank classification. The accused officer then strikes one name from each rank classification, then additionally strikes one of the six names remaining. The five remaining persons make up the trial board. The list of the trial board members is given to the chief of police who selects the chairman of the board.

A new trial board is selected for each case, except that one board may hear multiple charges against one or more persons if the charges arise out of the

same incident or occurrence. The trial board may hear cases of violation appealed by the accused officer which have resulted in a written reprimand, loss of pay, loss of seniority, demotion, suspension, working days off in lieu of suspension, or termination. The trial board is a formal administrative hearing; however, the rules of evidence do not apply. The trial board proceedings are conducted in accordance with due process and are to be recorded. The accused officer is entitled to be represented by counsel, but counsel is not provided by the department. The trial board may appoint an attorney to rule on motions and advise the board. The department may have its case presented by an attorney if the accused officer is represented by an attorney. Otherwise, the case is to be presented by the charging officer. The accused officer and the department have the right to present evidence, to call witnesses, and to examine witnesses. The burden of proof is on the department to prove a violation pursuant to the "substantial evidence" standard. All witnesses are to testify under oath and the hearing is to be open unless requested, with sufficient cause, by the charging officer or the accused officer that the hearing be closed. The trial board by majority vote then determines the open or closed status of the hearing.

At the conclusion of the hearing, the trial board, by a majority vote, summarizes the evidence, makes findings of fact, makes recommendations, and in writing forwards the above to the chief of police.

Upon receipt of the trial board hearing report, the chief shall review the summaries, findings, reports, and recommendations and may:

- A. Accept the recommendations of the trial board;
- B. Remand the case to Internal Affairs Unit for additional investigation;
- C. Remand the case to the deputy chief for recharging if the charges are deemed inappropriate.

- D. Sustain the charges;
- E. Order the recommended corrective or disciplinary action be imposed;
- F. Exonerate the accused;
- G. Suspend all or any part of the disciplinary action;
- H. Reduce any or all penalties involved.

The chief of police must then notify the accused and the deputy chief in writing of actions taken and the officer's right to appeal in accordance with merit ordinance provisions. The chief of police shall return the entire case to the Internal Affairs Unit.

Prior to any final action by the chief, he may allow the accused officer to have audience to present anything which may have a bearing on the case or action.

The trial board concept was extremely well received by the rank and file in Albuquerque; so much so that the procedure was instituted prior to the program implementation, and the union negotiated it into the contract. Further, as Table 3 illustrates, officers had appealed many disciplinary actions outside the department prior to project implementation; whereas during the monitoring period no disciplinary actions were appealed outside the department. From this fact, it may be concluded that the rank and file are satisfied with the new trial board system, whereas in prior years, officers believed that the only method of obtaining a "fair shake" in a disciplinary action was to appeal outside the department.

d. Perceptions of APD personnel. The perceptions of APD personnel about the new system were measured on four occasions during the experimental year: immediately after training, in April, in August, and in December. The post-training questionnaire was given to virtually all personnel (as was the initial baseline questionnaire) as part of the training sessions. However, the two interim instruments were given to small samples (50 and 35, respectively) to minimize obtrusive research activity during the "hands-off" period. The final questionnaire was given to a large sample of 232, to ensure comparability of respondent characteristics with the baseline sampling occasion, since these two instruments are almost identical.

In order to follow possible changes in perceptions during 1978, responses to certain questions, or groups of questions, can be compared in the cases where they appeared in common on some or all of the four measuring occasions, and also with baseline responses. The discussion here will be patterned after that of the baseline data reported in Section A (1)(b) above ("General APD personnel perceptions"), examining some of the discipline factors.

The first factor, concerning officer understanding of the new system, is defined by five questionnaire items (see page 62). This factor is the one most thoroughly replicated across all questionnaire occasions; therefore, a comparison of averages of responses is given in Table 6. This table shows agreement with five positive statements (e.g., "I have a good understanding of appeal procedures outside of this department") on the topics of outside appeal, recording and investigating citizen complaints, responsibilities of IAU, and internal review of disciplinary actions. Both agreement and uncertainty responses are averaged for the statements, to allow overall comparisons.

TABLE 6

COMPARISON OF REPORTED OFFICER UNDERSTANDING  
OF THE DISCIPLINE SYSTEM AT VARIOUS TIMES  
APD

Questionnaire Occasion	Baseline		Post-Training				April Interim		August Interim		Final	
			Supervisors		Nonsupervisors							
Number of Respondents	543		90		532		50		35		232	
Type of Response	Agree	Uncertain	Agree	Uncertain	Agree	Uncertain	Agree	Uncertain	Agree	Uncertain	Agree	Uncertain
Percent of Responses <sup>1</sup>	39	22	65	26	55	33	59	25	49	30	45	22

1. Average of percent responses on five key questions (see text).

It is clear from the results that a large increase in understanding (of the new system as compared with the old) was reported immediately after training. Training was effective in the sense of self-reported confidence that material had been learned. This higher level of understanding was confirmed in the April measurement, by persons on the job, experiencing real application of the system, three months after the classroom training. The August measure, however, shows a falling-off of confidence, which is seen again in the final sample. It appears that a slight real and positive result of the training and system operation has occurred here as reflected in the net increase from 39 to 45 percent understanding (with a stable 22 percent uncertain) from baseline to final measuring occasions. Between these points in time, the large increase followed by dissipation is perhaps typical of training experience in similar contexts. It is not inevitable, however, that this degree of training gain should be lost, and this result points to a possible need for a program of maintenance or "refresher" training, or other techniques for keeping officers aware, informed, and involved in the system.

The next factor for which interim data on perceptions are available concerns the fairness of the process by which disciplinary actions are reviewed and appealed. Agreement that officers could get a "fair shake" from the process increased substantially upon training, then fell off to a level similar to baseline, where it remained for the final measure (see discussion below in Section 3). A similar pattern occurred for statements that review was fair regardless of the rank of the accused, and that internal review was conducted at a reasonable speed.

A third comparative factor concerns management communication of its rules and procedures on discipline. Two statements about the clarity of the Standard Operating Procedures (SOP), when measured immediately after training,

brought similar agreement as baseline. Although the new SOP, as written, was not seen as much different in clarity from the old, strong evidence of favorable impact is seen in the responses of the large general sample (N = 532) after training to the new statement, "I feel the new rules and regulations governing conduct as written are more fair and reasonable than the old rules and regulations": 61 percent agreed and 31 percent were uncertain.

In summary, the training in the new SOP had an initially positive effect. A question arises as to whether the later erosion in reported understanding could have been averted. The preferred way to do so would be through built-in qualities of the measurement system (e.g., clear procedures, good communication among managers and supervisors, and regular dialogue between officers and superiors). It is not clear how much of this deficiency is due to the specific discipline system characteristics, and how much is due to general management conditions. To some extent, the fairness of the total system was seen as improved. There was some ambiguity in measured perceptions of SOP clarity. While there was no increase after training in the reported clarity of the rules, respondents gave a strong endorsement when asked to judge if the SOP was "more fair as written."

3. Project outcome data. This section will present tests of hypotheses made originally about project outcomes, and will explore other outcomes of interest. Also, the research effort will be evaluated from various points of view.

a. Tests of hypotheses. In developing the methodology for this study, eight statements of possible outcomes were set forth as hypotheses. Each statement described a positive, favorable result which it was hoped might flow from the strategies of change which were implemented in the APD between August 1976

and January 1978. These hypotheses are listed in Chapter III, and the degree to which they were realized will be discussed below.

H.1 Understanding of the disciplinary system reported by personnel will be increased after project interventions.

A general finding on this hypothesis was discussed above, where an apparent increase in understanding was noted for five questionnaire items, from baseline to final administrations. A more detailed analysis of these data, along with further evidence, is needed for an adequate test. The responses to the five items are shown in detail in Table 7. (Unless otherwise noted, all baseline and final comparisons are based on sample sizes of 543 and 232, respectively). Three of the items show significant increases in agreement. Items 30 and 32 are in the same direction, and Item 32 approached significance (with a chi-square value of 3.547, 2d.f.). Thus there is acceptable evidence from these five questions, which define a clear "understanding" factor in previous factor analysis, that improvement existed at the end of the trial year. Another factor defined in the factor analysis is "management communication," having four items which support that concept. Two of these items pertain directly, on their face, to understanding, although the questionnaire response dynamics did not allow the factor analysis procedure to tie them to that factor. These items and responses are shown in Table 8 (the other questions related to freedom to suggest changes, and training effectiveness). The analysis shows that a decrease in agreement occurred over the trial year apparently reversing the finding on reported understanding of specific aspects of the system as shown above. It is not clear how much importance should be attached to this negative evidence. It may well be that respondents were expressing in the "management communication" factor their feelings about the accessibility of management to the rank and file, and the style in which management informs and directs others generally.

TABLE 7

COMPARISON OF PRE/POST RESPONSES TO TEST  
THE HYPOTHESIS ON UNDERSTANDING  
APD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference <sup>1</sup> (p < value)
			Agree	Uncertain	Disagree	
17	Understand outside appeal procedures	Baseline	39	24	37	.01
		Final	41	25	34	
18	Understand procedure to record citizen complaints	Baseline	40	22	38	.01
		Final	50	19	30	
19	Understand procedure to investigate citizen complaints	Baseline	39	20	41	.05
		Final	50	17	33	
30	Understand responsibilities of IAU	Baseline	47	19	34	not significant
		Final	50	19	31	
32	Understand internal review process on actions.	Baseline	29	27	44	not significant
		Final	31	31	38	

1. See Appendix 26 on the testing of statistical significance.

TABLE 8

COMPARISON OF ADDITIONAL  
PRE/POST RESPONSES ON UNDERSTANDING  
APD

Question Number	Topic	Sampling Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
3	Understanding the SOP as stated	Baseline	73	10	17	.01
		Final	63	16	21	
15	Understand behavior expected of me via the SOP	Baseline	66	16	18	.05
		Final	57	18	25	

In view of the greater specificity of the Table 7 results, and the less direct factor analysis linking of Table 8 data with understanding, it seems reasonable to conclude that overall, the data provide marginal support for the hypothesis.

H.2 Fairness of the disciplinary system as perceived by personnel will be increased after project interventions.

This hypothesis can be tested by first examining the six questionnaire items comprising the "fairness" factor, shown in Table 9. In support of the hypothesis, Item 40 shows a sizable shift in opinion toward the view that initial disciplinary actions are reviewed more fairly under the new procedures. For three other items having a raw-data change consistent with that shift (33, 34, and 41), the change did not approach statistical significance. For Item 42, about the speed with which disciplinary review decisions are made, the apparent negative change was likewise not significant. For Item 28, substantially fewer people agreed that the chief followed staff recommendations. It does not seem proper to interpret this result as meaning that there was widespread feeling that the chief acted counter to the recommendations sent to him, in view of the fact that during the trial year there are only two recorded instances of the chief overturning a recommendation developed within the standard disciplinary procedure. It is more likely that Item 28 on the final questionnaire was confusing, some respondents reasoning that since the trial board mechanism was now available, the question of individual staff recommendations, especially those disputed by the accused, being sent to the chief for approval did not arise routinely. Therefore, a number of respondents may have disagreed with the statement simply on this procedural basis.

Two other general items in the questionnaire relating to fairness are analyzed in Table 10. These data show that by the end of the trial year, the

TABLE 9

COMPARISON OF PRE/POST RESPONSES TO TEST  
THE HYPOTHESIS ON FAIRNESS  
APD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
28	Chief usually follows staff recommendations	Baseline	49	40	11	.001
		Final	35	40	25	
33	Personnel can get a "fair shake" in internal review	Baseline	33	41	26	not significant
		Final	36	40	24	
34	Internal review is consistent regardless of rank	Baseline	16	26	58	not significant
		Final	19	27	54	
40	Actions are reviewed fairly via internal procedures	Baseline	24	45	31	.05
		Final	32	44	24	
41	CAO appeals are fair	Baseline	22	64	14	not significant
		Final	24	63	13	
42	Internal decisions are reasonably speedy	Baseline	49	35	16	not significant
		Final	45	40	15	

TABLE 10

COMPARISON OF ADDITIONAL  
PRE/POST RESPONSES ON FAIRNESS-APD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
1	Overall, rules as written are fair and reasonable.	Baseline	55	20	25	.05
		Final	45	24	31	
2	Overall, rule enforcement is fair and reasonable.	Baseline	22	16	62	.05
		Final	27	21	52	

rules were seen as less fair as written, but more fair as enforced. When it is recalled that a working committee from all ranks of the APD meticulously pulled apart and reassembled the rules, removing many redundancies, irrelevancies, illegalities, and items seen as unfair to that relatively small but representative group, it can safely be said that objectively, the new rules emerged as "more fair and reasonable." It is interesting, then, that the perception here is one of less fairness. This result seems to point up the extreme importance of continued training and attention to communication in programs such as this one.

The results for Item 2 show a modest but important gain in perceived fairness in rule enforcement. This opinion area was identified as critical at the time of the initial baseline evaluation of the APD, highlighted by the finding of 62 percent disagreement. Because rule enforcement is the "payoff" behavior of management in discipline, and as such is viewed very sensitively by the rank and file, a reduction of as much as 10 percent in perceived unfairness is a valuable result. Unfortunately, a majority still see the rules as enforced unfairly.

While the evidence in possible support of this hypothesis is somewhat mixed, that on the positive side is strengthened by the important "bottom-line" finding that in the trial year, not a single case was appealed outside the department to the readily-available city personnel (CAO) appeal procedure. APD officers had made liberal use of the outside appeal in 1975 and 1976 (see Table 3), although the three cases heard in 1977 were few by comparison. In the absence of any other clear causal factor for this lack of use of the outside appeal provision in 1978, it is suggested that the internal system was viewed as adequately fair, and the hypothesis is supported by the data as a whole.

### H.3 Quality of supervisors' performance in their disciplinary responsibilities as perceived by personnel will be improved after project interventions.

Of the six questionnaire items relating to supervisory performance, shown in Table 11, the three that have statistically different responses across the trial year point to a perceived decline in important supervisory behaviors of consistent treatment of officers, explanation of rules, and fairness. This finding is somewhat in conflict with the positive finding of fairness discussed above, and may indicate that it is the total system that produces an overall fair result, even in the face of supervisory performance that is not seen as improving. It should be noted, however, that on two of the three items, a majority of respondents still speak favorably of their supervisors. One of the issues within this factor, Item 27 on use of counseling and retraining, showed no change statistically, and very little in raw score terms. This issue is of interest because of the pattern of other available data, and because of the attempts made to introduce the idea of a positive discipline approach in supervisory training. One of the major thrusts of the prototype is the reshaping of the disciplinary concept and system to remove the emphasis from threat and reactive punishment, replacing it with open communications, counseling, and training. It can be seen in Table 12, Part A, that responses to Item 27 on the two interim measures showed substantial percentage shifts out of the disagreement and uncertainty categories toward more agreement. However, these interim samples were small, and even the large percentage differences do not reach statistical significance (although chi-square values of 2.12 and 3.38 were reached, with 2d.f.). One additional piece of hard data on this issue is found in responses to the introductory questionnaire item, "Check the one answer. . . that best describes what the term 'discipline' means to you, based on your overall experience in

TABLE 11

COMPARISON OF PRE/POST RESPONSES TO TEST  
THE HYPOTHESIS ON SUPERVISORY PERFORMANCE  
APD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
4	Supervisor is consistent in enforcing SOP	Baseline	69	13	18	.01
		Final	57	22	21	
5	Supervisor explains rule changes well	Baseline	64	16	20	not significant
		Final	56	18	26	
16	On issue, supervisor explains SOP well	Baseline	45	12	43	.01
		Final	32	17	51	
25	Supervisor is fair in determining facts of case	Baseline	72	15	13	.05
		Final	63	19	18	
26	Supervisor does not show favoritism in determining facts	Baseline	61	18	21	not significant
		Final	54	22	24	
27	Supervisor uses counseling and retraining	Baseline	47	29	24	not significant
		Final	43	29	28	

TABLE 12

COMPARISONS OF ADDITIONAL  
PRE/POST RESPONSES ON SUPERVISORY PERFORMANCE  
APD

## A. Pattern of Interim Responses:

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
27	My present supervisor uses training and counseling	Baseline	47	29	24	not significant
		April Interim (N=50)	59	19	22	
27	My present supervisor uses training and counseling	Baseline	47	29	24	not significant
		April Interim (N=35)	49	37	14	

## B. Reported Meaning of Discipline as a Concept:

Topic	Sample Measuring Occasion	Meaning chosen, responses, percent				Level of Statistical Significance of Difference ( $p < \text{value}$ )
		Behavior to Standards	Attitude to Obey	Training or Counseling	Punishment for Misconduct	
"Discipline means to me. . ."	Baseline	27	15	17	41	.05
	Final	21	22	22	35	

this department in the past year." In Table 12, Part B, gains are shown over baseline for both "training or counseling to improve police officer performance," and "an attitude which causes officers to obey police standards of conduct." Corresponding declines are seen in the choices of "punishment for officer misconduct," and "behavior according to police standards of conduct." This shift, which is significant and of worthwhile size, is consistent with the objectives of the project activity in the APD. Again, it is difficult to attribute the shift to a specific cause, but the fact that the effect is present after the course of a full year, and that "training and counseling" normally occurs between the first-line supervisor and the officer, some evidence can be given to the claim that supervisory behavior has changed in this respect. Overall, although the data include some interesting results, the evidence to support this hypothesis is weak. (However, see a discussion of indirect evidence in Section 3.b, below).

H.4 Formal changes of misconduct made against personnel will be upheld in internal appeals.

H.5 Sanctions recommended in formal charges of misconduct will be upheld in internal appeals.

These hypotheses were proposed as the "acid test" of the new discipline system, reasoning that if the rules were fair, the investigations of any infraction were fair, and the resulting sanctions were imposed consistently and fairly, then any "fair" appeal procedure would tend to uphold the original findings and actions. This premise makes for an exacting and severe test, since a breakdown at any point in the chain of factors leads directly to an adverse result. Table 13 shows the appeal results for twelve cases in which trial boards were requested. In only two of the cases were the original charges and sanctions left standing intact. In an additional six cases, the charges stood, but sanctions were reduced. In an additional four cases,

TABLE 13

## SUMMARY OF RESULTS OF APPEALS AGAINST DEPARTMENTAL ACTIONS-APD

CASE NUMBER	DEPARTMENT ACTION	TRIAL BOARD ACTION	CHIEF OF POLICE ACTION ON REVIEW
1	3 day suspension + 5 day suspension which was held in abeyance from prior disciplinary action	Upheld	Chief upheld trial board
2	1st charge - 1 day suspension 2nd charge - 3 day suspension	Reduced to letter of reprimand Reduced to 2 day suspension and transfer to another area	Chief upheld trial board
3	2 day suspension with option to work	Charge #1 reduced to verbal reprimand; charge #2 dismissed	Chief overruled trial board imposed original sanction
4	2 day suspension with option to work	Reduced to 1 day suspension with option to work and 1 day suspension held in abeyance for 6 months	Chief upheld trial board
5	10 days suspension - no take home car for 5 years, and incur 50% of damages to police motorcycle	Sustained all charges, modified sanction to officer not have to pay for damages to police motorcycle and officer given option to work 5 or 10 day suspension	Chief overruled trial board imposed original sanction
6	3 day suspension; denied assignment to cycles, no take home car for 5 years; pay 50% of damages to police motorcycle	Upheld charges - modified sanctions 10 day suspension with option to work 5 days; no take home car for 5 years; no motorcycle assignment for 5 years; incur 50% of damages to police motorcycle	Chief upheld trial board
7	3 day suspension	Modified sanction to 3 day suspension with option to work 2 days	Chief upheld trial board
8	10 day suspension	Modified to 3 day suspension/with 7 days held in abeyance	Asst. chief upheld trial board
9	Letter of reprimand	2 charges sustained; recommended letter of reprimand; 1 charge not sustained	Asst. chief upheld trial board
10	Letter of reprimand	Charges dismissed; no disciplinary action	Asst. chief overruled trial board imposed original sanction
11	Letter of reprimand	Charges dismissed; no disciplinary action	Asst. chief upheld trial board
12	Suspension	Upheld	Chief upheld trial board

charges were reversed and sanctions reduced or revoked. These findings are especially interesting because it was not possible to predict the extent to which a new "peer review" potential would result in leniency, or an outlet for the rank and file simply to try to frustrate management. In one sense, the moderate level of decision reversal shown in the cases above is very positive and encouraging evidence that the innovative and sensitive concept of peer review in discipline can work in a typical department not known for a particularly mild or trouble-free labor-management climate. Note also that in the three cases in which the chief or assistant chief reversed the trial board finding, no additional outside appeal attempt was made. This pattern suggests that ultimately, a satisfying process was felt to exist within the internal system. Overall, in the context of a 12-month trial period with a procedure as radical (for this department) as the trial board, moderate support can be claimed for these hypotheses.

- H.6 The incidence of external appeals made by personnel will be reduced after project interventions.
- H.7 Formal charges of misconduct made against personnel will be upheld in external appeals.
- H.8 Sanctions recommended in formal charges of misconduct will be upheld in external appeals.

The complete absence of external appeals by APD personnel in 1978 (see Table 3) was unexpected, and, in the context of these hypotheses, suggests marked improvement in the APD internal system. Presumably, aggrieved personnel were satisfied with the trial board and the chief's review. As an alternative explanation, it might be suggested that a trend had developed in recent years against use of the CAO hearing (considering 1977 experience, Table 3) but this argument cannot be convincingly supported by the frequency data, nor by any attitudinal trends or contextual events noted in the study.

b. Other outcomes of interest. An important area for analysis is the pattern of total charges handled in the APD (see Table 1, Section 5). As noted in Section A.1.c., above, the tabled figures do not include charges based on citizen complaints, because only the gross figures for these are available for 1975-1977. No analysis was made at that time by finding or by type of charge. To clarify this point, Table 14 shows grand totals. The original APD reports carried only the following notations for citizen complaints:

For 1975, Quarter 4, and 1976, Quarter 1: "The Unit also investigated (number) charges and allegations where investigation clearly showed there was no basis for a complaint."

For 1976, Quarters 2-4, and 1977, all Quarters: "The Unit also investigated (number) charges and allegations where in most cases, investigation clearly showed there was no basis for a complaint. These (number) allegations and complaints also involve referrals, correspondence, and complaints where the alleged victims refused to give statements or refused to cooperate after initial contact."

The 1978 Table 1 figures include citizen complaints, which are carried through in succeeding analytical breakdowns. The inclusion of citizen complaints as in Table 14 puts the total of 851 charges handled in 1978 in proper perspective. This increase over the 1976-1977 totals of 773 and 609, respectively, (full comparative data are not available for 1975) could easily be due to increased emphasis on reporting and recording provided by the many project interventions in 1978, rather than any change in the street behavior of officers, or in the general standards applied by supervisors.

Further comparisons can be made if it is assumed, as stated in the APD notations quoted above, that "in most cases" the citizen complaints were ruled as unfounded. In order to make numerical estimates, the data in Table 15 assume all 1976-77 citizen complaints to be unfounded (although presumably some small number were not, and are reflected in other category figures).

TABLE 14

## TOTAL CHARGES HANDLED IN APD

Source of Data	1975					1976					1977					1978				
	Quarter				T	Quarter				T	Quarter				T	Quarter				T
	1	2	3	4		1	2	3	4		1	2	3	4		1	2	3	4	
Reported in analysis (Table 1, Section 5)	27	28	21	14	90	14	59	56	38	167	28	27	27	19	101	257	247	168	179	851
Reported separately (citizen complaints)	-	-	-	117	117	102	206	147	151	606	145	155	138	70	508	-	-	-	-	-
Total	27	28	21	131	207	116	265	203	189	773	173	182	165	89	609	257	247	168	179	851

TABLE 15

## COMPARISON OF FINDINGS - APD

Finding	1976 Charges		1977 Charges		1978 Charges	
	Number	Percent	Number	Percent	Number	Percent
Unfounded	697*	90.2	553*	90.8	518	60.9
Exonerated	13	1.7	23	3.8	183	21.5
Not Sustained	11	1.4	7	1.1	79	9.3
Sustained	52	6.7	26	4.3	71	8.3
Total	773	100.0	609	100.0	851	100.0

\*For 1976, includes 606 citizen complaints  
 For 1977, includes 508 citizen complaints

With this source of possible error acknowledged, the Table 15 comparison shows a striking result. The apparent finding is that in 1978, many fewer charges were ruled unfounded, and many more were ruled exonerated or not sustained. The implication is that more thorough investigation was given to charges before disposing of them. Also, a greater proportion of charges were sustained in 1978. Even allowing for a biasing effect in these comparisons due to the assumptions, the differences are so large that it is likely that this pattern is real. If so, it suggests an important positive result of the new system: a more thorough and methodical treatment of complaints and evidence, following through to more discriminating dispositions of cases.

Another important result which relates to previous analysis is seen in the comparison of type of disciplinary action taken (see Table 1, Section 10). It is apparent from inspecting the percentage profiles in Table 1 that in the experimental year, a shift in the use of various sanctions had occurred. While there is also some variability in pattern among the baseline years (mainly in the balance between suspensions and letters of reprimand) it is reasonable to collapse the data to give a combined baseline pattern for comparison with 1978 data as shown in Table 16. The interesting finding here is that in 1978, substantially less use was made of suspensions and letters of reprimand, and much more use of verbal reprimands, counseling and training. The remaining categories were virtually unchanged. This finding suggests a change in style from the formal and punitive, to the informal and corrective, precisely the kind of change advocated in the prototype, and underlying the various operational strategies introduced in the APD in 1978. Specifically, the shift implies that first-line supervisors, in turning to direct, person-to-person disciplinary techniques, and deemphasizing formal and negative "arm's length" solutions, are taking on the difficult task of working more

TABLE 16  
COMPARISON OF  
TYPE OF ACTION TAKEN  
APD

Type of Action Taken	Combined Data			
	1975-1977		1978	
	Number of Actions	Percent	Number of Actions	Percent
Suspension	162	32	59	25
Letter of Reprimand	249	50	84	36
Verbal Reprimand	13	3	24	10
Counseling or Training	8	2	38	16
Demotion	1	0	1	1
Termination	21	4	8	4
Other	46	9	19	8
Total	500	100	233	100

Level of Statistical  
Significance of  
Difference ( $p < \text{value}$ )

.001

intimately with officer behavior problems: in short, supervisors are supervising better.

These outcomes, additional to those examined under the formal hypotheses, add support to the judgment that this project in the APD resulted in a largely positive and beneficial change in the management system.

c. Evaluation of the research effort. The research effort can be evaluated by considering five aspects: the amount of effort that went into it, the nature of the results or performance obtained, the adequacy of that performance, the efficiency of the study, and the nature of the process occurring during the study.

The IACP effort invested in Albuquerque was relatively great as a proportion of total project resources, and as a typical management experiment. This was due to the fact that the APD was the first and prime site for implementation of a complex system. The system itself was the product of a large-scale research project, and as such had to be applied by means of a thorough and time-consuming operation in order to do it justice. It has been estimated above that the APD contribution for the development phase above was \$15,000. The cost of the trial boards held throughout the project, including preparation and conduct, is estimated at \$4,680. Monitoring cost is estimated at \$2,000. At the same time, a clear and immediate saving during the trial year was realized in the absence of CAP hearings. Assuming that the number of hearings that might have been heard in 1978 under the previous APD conditions was six (average of 1975-77 experience), and that APD legal costs were \$400 each, a savings of \$2,400 from this source can be estimated.

The results of the study in terms of support of hypotheses were generally positive, although marginal to moderate in degree, with the exception of the absence of outside appeals, an important positive finding, assuming causal links for this set of outcomes. Causality can seldom be claimed with certainty in a dynamic, real-world research setting. A great many uncontrolled variables existed, with unknown relationships to the dependent variables. Although certainly a "Hawthorne effect" was operating for some period of time, as evidenced by the hopeful comments made by some APD personnel early in the project in anticipation of a positive outcome. The study period was long enough, however, that it could be reasonably expected that such an effect would dissipate.

The adequacy of the results must be judged against what can be expected in this kind of research generally. While the changes achieved here were only moderate by the direct, operational measures used, they may represent impressive changes in some of the underlying dimensions of the management of discipline in the APD. Organizations are complex, ponderous, and must maintain a delicate balance if they are to function. It is contrary to their nature to accomodate, successfully, abrupt changes, positive or negative, over a short period of time. Although project activity occurred in the APD in some form for over two years, this period of intervention must be considered small in the context of the many documented cases of organizational change efforts in modern management literature.

The efficiency of the study is an expression of the immediate and long-term benefits assumed to have been gained in return for project investments. One tangible immediate benefit was the 1978 saving in outside appeal defense

costs. A possible intangible benefit was a "wait-and-see" stance taken by the union (and expressed as such in interviews) during 1978. The study was viewed in this context as a "good-faith" effort by management to make important changes in the disciplinary system—changes that the union favored, as shown by their cooperation during the development phase, and the adoption of some of the new system elements in the contract signed even before the project implementation took place. Thus the department gained the benefit of decreased probability of adverse union pressure in discipline matters during this time period. In addition to these short-term benefits, some continuing gains could reasonably be expected as a result of the one-time cost. Some of the positive findings discussed above imply a modified and institutionalized management style and skill repertoire which have potential benefits for an indefinite period. This kind of result is particularly valuable, and preferable to the one-time benefit of the "technical assistance" approach sometimes taken in addressing organizational needs.

The evaluation process in this study should consider how and what the organization "learned" and how the experiment might be transferred or generalized. The first learning experience was through the formation and activity of the Staff Working Committee (SWC). While it was not unknown for the APD to appoint task forces for a particular study or planning purpose, the SWC for this project was unusually large and representative of different viewpoints. Also, the working style of the SWC was comparatively free, and the working atmosphere was influenced by the public commitment of the APD to follow through with the project for at least a year, under the observation of "outsiders," the research staff. All of these factors helped to encourage the SWC members to make a serious and sustained effort to cooperate in giving the new system a fair trial.

The repeated and intense contact among the SWC members offered a potential for new understanding and communication beyond project needs. The additional contact among APD members and IACP staff during interviews, training, and other project tasks also heightened the sense of a more "open" organization, and the possibility that it could make permanent change in a desired and controlled direction. The introduction of the trial board was a highly visible example of this kind of change.

One constant theme of the interventions was to let all individuals know that their opinions and advice were sought, and would be considered. Also, much effort was given to determine priorities among the issues. Involving the union closely in the project was felt to be a major contributing factor to the progress of tasks and acceptance of project conditions among the rank and file.

In drawing up advice to others on implementing a similar system, one principle which emerges clearly is not to attempt to short-circuit the process. It is likely that the total time and effort input could be decreased in a repetition (as it was in Lansing), but virtually all of the steps in the carefully-planned process proved to be worthwhile. The project demonstrated the importance of accountability at each level for roles in the change effort. These roles are often seen in the first critical phases as "extra" to an individual's job, and may be short-changed. The solution is very close, continuous attention by supervisors. While the presence of outside research staff is invaluable as a catalyst, an aggressive, ongoing review by incumbent managers is also essential. This level of review can only be achieved by prior management commitment with full awareness and provision for resources to be diverted to the system installation.

B. Findings: Denver

1. Baseline data. The baseline data available for Denver include perceptions of the Staff Working Committee (SWC), perceptions of officers, and data from the Staff Inspection Bureau (SIB) on charges and actions.

a. Staff Working Committee perceptions. The Denver SWC was a highly effective working group, because of its balanced representation of groups and interests within the DPD, as well as the positive personal characteristics of the members. These individuals worked hard and were dedicated to the objective of implementing the prototype. The SWC considered the five topics presented in the standard project preliminary input questionnaire (see Appendix 7), and reported their consensus responses to IACP staff. Summaries of these responses are given below.

- (1) Present operations of SIB.  
The operation of SIB is too secretive. The officer is usually the last to know about an investigation. Officers need some protection, and should have the same rights as citizens. These should be spelled out in the SOP. There should be a separation between the functions of internal affairs and staff inspection. There were mixed feelings on the overall fairness of SIB. Investigators need more training, should be at least of sergeant rank, should have a smaller individual workload, and should staff a 24-hour SIB operation.
- (2) Existing rules and regulations.  
The rules tend to be too broad, vague, and ambiguous. Various similar rules could be combined. Some rules are felt to be unconstitutional. Training in the rules is considered to be insufficient. There should be "top-to-bottom" in-service training, with ongoing supplementation.
- (3) Trial Board or other mechanism to determine disciplinary disposition.  
The present system of review of cases leaves too much discretion to supervisors and commanders. The present procedure can be fair, but consistency is not guaranteed inherently. There is no mechanism to insure due process. Peer representation in disciplinary review is needed.

- (4) Citizen complaint mechanism.  
Citizen complaints are generally handled adequately. Improvement could be made in the speed of processing complaints, in the view of citizens. Officers often feel that their time is taken up replying to frivolous complaints. Also, they feel that they have to prove themselves innocent when a citizen brings a charge of any kind. It is felt that citizens do not have a good understanding of the complaint reception procedure.
- (5) The role of the supervisor in discipline.  
Generally, supervisors do not understand their role, nor do they cooperate effectively with SIB in processing cases. Supervisors may be confident of their decisions, but lack justification. Supervisors are not adequately trained, and do not keep good records of their disciplinary activity.

b. General DPD personnel perceptions. The questionnaire administration described in Chapter III yielded the following distribution of completed questionnaires:

Ethnic Group	Number of Officers in Department	Number of Officers Taking Questionnaire	Number of Questionnaires Selected to Develop Representative Sample
White	1,155	143	143
Spanish	135	37	17
Black	73	41	9
Other	15	4	2
Total	1,378	225	171

A comparison of DPD with national and APD on the standard "satisfaction" questions appears below.

Question	Sample*	Very Sat.	Some Sat.	Neither	Some Dissat.	Very Dissat.
Satisfaction with assignment	DPD	45	30	12	10	3
	APD	43	34	10	11	2
	National	39	31	7	12	11
Satisfaction with career	DPD	44	31	9	14	2
	APD	33	37	9	16	5
	National	37	31	6	15	11

\* Sample sizes are: DPD, 171; APD, 415; National, 2,165.

Although some of the differences in these responses reach statistical significance, the practical differences are small. Denver is shown as a department comparable with others nationally in terms of overall job satisfaction expressed by its officers.

A similar comparison on two key questions of fairness of the existing discipline system is shown below.

Question	Sample	Responses in Percent				Strongly Disagree-
		Strongly Agree	Agree	Uncertain	Disagree	
Rules written fairly?	DPD	3	60	22	12	3
	APD	2	52	19	23	4
	National	7	61	13	15	4
Rules enforced fairly?	DPD	1	14	11	43	31
	APD	1	17	13	43	26
	National	3	32	18	32	15

Again, practical differences are small, with DPD seeing the rules as written quite favorably, and rules as enforced with the same considerable disfavor as APD.

No outstanding differences were noted in the DPD responses when analyzed across ethnic categories. For the comparison shown below, one of the more controversial issues, enforcement of rules, is chosen; also, Spanish and black subgroups are combined, and the full DPD sample is analyzed to increase statistical power.

Question	Sample	Sample Size	Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Rules enforced fairly	White	143	1	15	11	47	26
	Spanish/Black	78		15	8	40	37

The small difference seen in these data is not statistically significant (chi-square value 0.513, 2 d.f.).

The remaining questionnaire responses will be discussed below by addressing each of the factors identified in the earlier factor analysis. The first factor, on officer understanding of the existing discipline system, showed a low level of agreement by the representative sample when considering five positive statements. (Items 15, 20, 29, 33, and 37, Appendix 20). Agreement ranged from 13 to 52 percent (mean 29 percent) and uncertainty ranged from 19 to 28 percent. Thus nearly 70 percent of the officers disagreed or were uncertain that they understood key aspects of the system.

The second factor, on supervisory behavior, is defined by items 4, 5, 13, 22, 23, and 24. At least 50 percent of the DPD sample agreed that supervisors were consistent and fair, but 75 percent were uncertain or disagreed that supervisors used counseling or retraining, or explained newly issued orders well.

The third factor concerns whether officers should be held to a higher standard of conduct than civilian employees or the public at large, and whether citizens expect a higher standard of officer behavior (items 7, 8, and 9). Agreement ranged from 73 to 95 percent, with only about 5 percent uncertainty. DPD officers agree with others nationally that conduct in the police officer role should be, and is, judged by higher standards.

The fourth factor reflects the perceived fairness of the review procedure. Items 26, 32, 34, 38, and 39 state that the chief follows staff recommendations, the internal review process is fair and consistent regardless of rank, outside appeals are fair, and internal review decisions are made within a reasonable time. About 44 percent said the chief follows advice, and decisions are speedy, with 30 to 35 percent uncertain. Only 29 percent believed that internal review was fair (22 percent uncertain), and this fell to 21 percent agreeing that rank did not affect fairness (uncertainty also fell to 11 percent). Half the group felt that it would be necessary to appeal outside the department to resolve a

serious difference fairly (32 percent were uncertain on this point). In summary, there was little confidence in system fairness.

The final factor concerns how well management made known its rules and procedures on discipline. Items 3, 6, 11, and 12 state that the rules and regulations are understandable, that officers feel free to suggest new or revised rules, that recruit training was effective, and that rules are written and distributed so that officers have a good understanding of the behavior expected of them. A large majority, 70 percent, agreed that the rules generally were understandable (only 11 percent were uncertain), but this was halved to 35 percent when the statement was made more specific about understanding expected behavior (11 percent remained uncertain). Nearly half the officers agreed that recruit training gave them a working knowledge of the rules, and only 6 percent were uncertain. A relatively small group, 29 percent, agreed that officers felt free to suggest new rules or revisions; 18 percent were uncertain. Overall, these results point up a deficiency in the communication by management of its formal discipline system.

Interviews with officers and supervisors supplemented the questionnaire. Officers were selected at random as they handed in their completed questionnaire. Cooperation was excellent and 12 interviews were conducted in private rooms. The interview guide, as used previously (see Appendix 29), began with a question designed to reveal any issue not satisfactorily covered in the questionnaire. This drew only one clear response, to the effect that the issue of taking disciplinary steps against supervisors was not addressed. The second item, on strengths and weaknesses of the existing system, drew considerable comment, and much negative feeling about the claimed inconsistency in the application of rules across shifts and districts. There was also repeated mention of a way of standardizing penalties

for specific infractions as a solution to this problem. Next in frequency of mention was the problem of a lack of clear division of responsibility between SIB and the immediate supervisor for investigating and recommending action on discipline charges. Other comment centered on the limited knowledge and competence of supervisors, and redundancy and lack of clarity in the manual of rules and regulations. Responses to the third item, on supervisors' performance, were mixed. Several officers said that their present supervisors were fair and consistent, or that "3 out of 4" were so. An equal number of comments, however, portrayed supervisors as playing favorites, avoiding their supervisory responsibilities by trying to be a "buddy", and not giving back-up in the field, and being poorly trained. Interviewees were cautiously optimistic about the possible outcome of the study. Some felt it may lead to in-service and academy training in discipline being improved. Others said it may have a short term effect only. A few felt it may lead to clarified guidelines in the SOP, and strengthened authority for supervisors. One thoughtful response was negative: the interviewee felt that such a study could have little impact because police officers generally are a loose-knit collection of idiosyncratic individuals, pursuing a mission that is nebulous at best.

The supervisor interviewees responded to their first questionnaire item by saying that tardiness and calling in sick were leading causes of disciplinary action. Nearly equal were having unauthorized riders in the patrol car (usually women) and being discourteous. It was these relatively minor situations that seemed to cause the most difficulty for supervisors in deciding how to discipline their officers. The second supervisory item drew varied responses on what changes would help the supervisor do his or her job. Only two ideas were mentioned by more than one supervisor: develop more inter-district consistency in discipline, and give more support from higher commanders for supervisors' decisions. Other

suggestions were to develop a "schedule of punishments", give more discretion to lower level commanders and supervisors, and develop more joint investigative approaches between SIB and supervisors. In answering the third item, on adequacy of preparation to handle disciplinary responsibilities, most interviewees said they had received considerable formal training upon appointment as a supervisor, given by the FBI and Northwestern University. However, this tended to be on general supervisory work, with little time spent specifically on discipline. There was a lack of further in-service training. The fourth item asked what responsibilities the supervisor should have. A few interviewees felt discouraged that they would ever be given significant responsibility, and therefore did not respond imaginatively. Most, however, felt that a reasonable compromise should be reached with SIB and higher line commanders, whereby supervisors would have discretion to handle minor issues completely, would pass on felonies immediately to SIB, and would remain involved and informed on the intermediate-level infractions. These interviewees wanted to retain as much authority as possible, but were willing to be overruled if, ideally, they were consulted and kept informed of the justification for doing so. The fifth item asked if supervisors felt they had adequate authority in disciplinary matters. The basic response was a two-to-one indication that they did not. However, one respondent felt that supervisors had gradually gained more authority over the last 10 years. On the sixth item, there was again a 2 to 1 majority saying that "other supervisors" are not fair and consistent in disciplinary actions, mostly because they try to be "nice guys," they become too friendly with some officers, or they feel they must go along with their lieutenant's wishes. The seventh item concerned how a supervisor decides when to discipline an officer. The responses showed a sound general understanding of the importance of close observation of officer behavior, noticing the symptoms of "beginning to stray," counseling, documenting incidents, and applying appropriate sanctions, which are increased in severity

for repeated offenses. The final item, asking how the supervisor aligns his or her own standards, brought some thoughtful responses. Some said they try to understand and keep abreast of departmental policy, which can be a difficult "capturing" exercise. Then they add a human dimension of discretion. Some mentioned that they try to avoid enforcing "catch-all" rules whenever possible. One interviewee said his style was to try to "stay ahead" of a problem, taking action before he had to apply the formal sanctions.

2. Project activity data. In this section, the effort devoted to the project by DPD and IACP staff will be summarized.

a. Project inputs by DPD staff. The DPD was involved in the discipline project from September 20, 1976, to February 10, 1978. The chief and division chiefs spent several hours during the last quarter of 1976 deliberating whether to participate in the project. After commitment on December 7, 1976, a Staff Working Committee (SWC) was established. The SWC met regularly from December 14, 1976, through August 1977. The SWC members had a high degree of commitment. Each of these individuals, representing both union and management, was enthusiastic about the possibility of implementing a new discipline system. Lt. Lew Alverson (at that time a sergeant) was detailed by Chief Dill to spend all necessary time in facilitating the work of the SWC. Lt. Alverson did so in a most dedicated and effective manner. His time represented a major application of DPD resources to the project. In addition to the in-house meetings, the SWC met with IACP staff on many of their site visits. A major DPD input was the cooperation of 225 officers (and their release from duty or payment of compensatory time) in completing the questionnaire for baseline data-gathering.

b. Project inputs by IACP staff. The IACP staff members were able to schedule many of the Denver site visits in combination with those to Albuquerque, to reduce travel cost. Also, progress in the DPD lagged behind that in

Albuquerque, so that on-site experience could be used to advantage. The extent of the inputs is shown in Table 17. Between site visits, there was frequent telephone contact and transmission of drafts and other correspondence.

c. Termination of the Denver program. The work in Denver had progressed to the point of having produced a finalized prototype and a training plan when it became apparent that an objection by the city attorney on legal grounds might become unresolvable. Such a development had not been foreseen by IACP project staff due to specific safeguards provided in the original project plan to reduce or eliminate this kind of risk. The plan included the concept of involving closely in the project a representative of important city officials, so that their point of view might be incorporated in project deliberations, and that they would have timely notice of the developing components and products that were to form the new discipline system. The assumption was that conflicts would surface in ample time to resolve them with minimal interruption of progress.

Throughout the work in Denver, assistant city attorneys (first Mr. Bill Chisholm, and later Mr. Chuck Sellner) were intimately involved in project meetings and discussions. These individuals in fact had been formally assigned as advisors to the Staff Working Committee. They attended meetings regularly, offering comments spontaneously and also when asked to consider a point. There was no basis for assuming that the project was threatened in any way until August of 1977. The prototype had been finalized in July 1977, and a copy delivered to the city attorney's office by Sellner. While awaiting formal final approval by that office, work went ahead on plans for training on the new rules and procedures for all DPD personnel.

TABLE 17  
IACP STAFF ON-SITE WORK  
SESSIONS—DENVER

<u>Date*</u>	<u>Number of IACP Staff</u>	<u>Purpose</u>
September 20, 1976	1	Exploratory conference
December 2	2	Obtain DPD commitment
December 14	3	Organize SWC, press release
January 19, 1977	2	Review existing system
February 4	1	Organize data gathering
March 2	3	Start rule revision
March 23	1	Further rule revision
March 31	2	Administer questionnaire
May 12	2	Procedure development
June 20	3	Further revision, design training
September 20	2	City attorney meetings
November 14	1	City attorney meetings
January 12, 1978	2	City attorney meetings

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\*Starting date is given. Sessions were of 2 to 5 days in length.

IACP staff kept in regular telephone contact with DPD staff to learn the outcome of the city attorney's final review. By mid-August, training materials and facilities were available, but a starting date could not be set. On September 8, the IACP learned that the city attorney had certain reservations regarding the prototype. An IACP attorney met with Mr. Brian Goral, an assistant city attorney, on September 20. It was the city's opinion that the prototype was so seriously in conflict with the city charter that the only resolution could be a charter change, requiring a referendum of the people. However, Goral could not give any clear statement of specific charter violations at this meeting. The next day, an additional IACP staff member, along with Chief Dill, met with Mr. Max Zall, city attorney, who was not personally familiar with the prototype. This meeting did not resolve the problem. In October and November, IACP staff stayed in contact with DPD staff to monitor DPD attempts to get clarification from the city attorney. Assistant City Attorney Goral set out his position in a letter to Mayor McNichols as follows: ". . . the electorate in Denver has established a precise method of handling disciplinary matters within the police department. Under the charter, the power and authority of the chief is defined and to that extent limited with respect to both the procedures to be followed in such cases and the nature of his authority." Goral contended in summary that there was no way the prototype could operate without interfering fundamentally with the chief's authority and responsibility under the charter.

On November 28, IACP attorneys telephoned Goral and sought further amplification of points in the letter to the mayor. Goral's objections were analyzed and certain changes were made in the IACP prototype in an attempt to be responsive. When the draft was ready, a meeting was requested with Goral, who declined, but sent Sellner in his place to a January 12, 1978, meeting. Sellner was not prepared at this meeting to represent the city attorney in any approval

decision. Further attempts at resolution led the discussions with Assistant City Attorney Robert Dowler, who attempted to restate the city's objections. These appeared to center on interpretations of the prohibition placed by the charter on the chief delegating authority in disciplinary decisions, and the lack of authority of the DPD to provide a due process hearing for officers (such authority would allegedly have to be conferred by the charter). These interpretations were not considered negotiable, and the IACP decided that no further pursuit of the matter was justified.

The Denver program was officially terminated by letter of notification to Chief Dill, dated February 10, 1978 (see Appendix 31). This letter summarizes the attempts to salvage the work, and notes the dedicated efforts of DPD staff in the development phase. Several valuable outcomes resulted which DPD could use as the basis of in-house change, including the survey of officer opinion, revised rules and procedures, and a training package. It is hoped that the DPD will exploit this "head start," and develop some version of the program that is acceptable to the city attorney. This opportunity is especially valuable because of the expectations and support of the rank and file, as evidenced by the commitment of their representatives on the original Staff Working Committee.

C. Findings: Lansing

1. Baseline data. The general questionnaire was given on April 5-7, 1978, to a random sample of 124 sworn LPD personnel. The total sworn personnel as of November 30, 1977, was 271. Civilian personnel numbered 50, and were not included in the study. The composition of the sworn sample by ethnic group was:

White	117
Black	3
Hispanic	2
Native-American	1
Other	<u>1</u>
Total	124

Due to the very small component of minority officers in the LPD, it is not practical to consider ethnic data separately. Therefore no attempt was made (as was made in Denver) to reach a larger minority sample. Moreover, it was found in both Albuquerque and Denver that questionnaire responses did not differ significantly by ethnic group membership.

Comparing LPD responses with the national sample on the two job satisfaction questions shows the following results:

Question A: "How satisfied are you with your present assignment in this department?"

Question B: "Overall, how satisfied are you at this time with your career in this department?"

Sample	Sample Size		Very Satisfied	Somewhat Satisf.	Neither	Some. Dissat.	Very Dissatif.
LPD	124	Ques. A	35	35	15	12	3
		Ques. B	38	35	6	14	7
National	2165	Ques. A	39	31	7	12	11
		Ques. B	37	31	6	15	11

These differences are small and not significant statistically. The LPD sample may be considered similar to officers nationally in their overall job satisfaction. Thus other questionnaire results on specific discipline issues cannot be attributed to any supposed pervasive effect of an unusual level of job satisfaction.

The first two key survey questions on the LPD questionnaire, asking if department rules and regulations were written and enforced fairly, can also be compared with the national sample:

		Responses in Percentages				
		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
LPD	Written fairly?	2	54	18	20	6
	Enforced fairly?	2	19	19	44	16
National	Written fairly?	7	61	13	15	4
	Enforced fairly?	3	32	18	32	15

These differences are small. However, one of them, on Question A, is statistically significant. Even though an identical 70 percent indicated satisfaction with assignment in both samples, the greater LPD "uncertainty" accounts for the statistical difference. For all practical purposes, however, LPD officers may be considered similar to officers nationally in terms of job satisfaction.

The remainder of the questionnaire responses are discussed below in groups defined by the earlier factor analysis. The first factor concerns understanding of the existing discipline system, as measured by items 14, 15, 20, 29, and 33 (see Appendix 32 for the full questionnaire and Table 18, p. 135). These are positive statements about the respondent's understanding of outside appeal routes, recording and investigation of citizen complaints, responsibilities of Internal Affairs, and procedures for internal review. The "uncertain"

category of responses is uniformly high for all five items, ranging from 20 to 27 percent. The least understood aspects include citizen complaint handling and internal review, with only 22 to 24 percent agreeing that they understand the procedures. The responsibilities of IA, and the procedure for outside appeal are somewhat better understood (34 and 37 percent, respectively). Clearly, LPD officers claim a serious lack of understanding of the system.

The second factor, related to supervisory behavior, is defined by items 4, 5, 13, 22, 23, and 24 (Table 20, p. 138). These statements refer to the supervisors' consistency, effectiveness in explaining rule changes, fairness and lack of favoritism in determining the facts of a case, and use of counseling and training as a technique of discipline. For the first five of these six items, the supervisor is rated rather well, with an average of about 50 percent agreement, against only 30 percent disagreement. However, only 28 percent agree that supervisors make use of counseling or training, with 40 percent disagreeing. This pattern is identical to that in Albuquerque and Denver. LPD officers generally support their supervisors, but see their style as making use of disciplinary measures other than counseling and training.

The third factor reflects the issue of standard of behavior as expressed in items 7, 8, and 9. These items state that officers should be held to a higher standard than civilian employees and the public at large, and that the citizen expects a higher standard of the officer. Similarly to the other study departments, LPD officers agreed at levels of 55 to 94 percent to these statements.

The fourth factor involves the fairness of the review procedure. The associated items are 26, 32, 34, 38, and 39 (Table 19, p. 137). These statements assert that the chief usually acts on staff recommendations, the internal review procedure is fair, this procedure is consistent for all ranks, that fairer treatment is available outside, and that internal decisions are speedy. Over 60 percent were not certain if the chief concurred with staff recommendations, but only 9 percent disagreed. Only 30 percent agreed that the internal system was fair, or fair by rank, and 51 percent felt that an officer must go outside the department for a fair hearing. A majority, 52 percent, disagreed or were uncertain if internal decisions on discipline cases were reasonably speedy. The overall picture is one of substantial lack of faith in the fairness of the system.

The final factor concerns the effectiveness with which management communicates its rules and procedures on discipline, expressed in items 3, 6, 11, and 12. These items state that officers understand the SOP, feel free to suggest changes in the system, felt that their recruit training was informative about discipline, and that the behavior expected of them was made clear. The most positive result in this set was a level of 70 percent agreement that the SOP was understood. However, this level fell to 41 percent when the question focused on "expected behavior." Only 31 percent felt free to suggest changes, and 23 percent considered their recruit training effective on this topic. As a whole, the results indicate an area for improvement.

The baseline questionnaire administration was followed up with interviews with eight officers and five supervisors chosen at random from the sample

attending for questionnaires. The standard project interview guides were used (see Appendix 29). The officers were generally satisfied that the questionnaire gave them an adequate means of expressing their detailed concerns. There was comment about lack of attention to top management's role and attitude in discipline. The "strengths and weaknesses" section brought several comments about officers being treated as if they were guilty until proven innocent, and feeling a threat of being charged with insubordination if they were anything but submissive during the course of a charge and investigation. There were some complaints about vague, "catch-all" rules, and the fact that the function of Internal Affairs was not well understood. Although one or two supervisors were mentioned in a complimentary way, the bulk of the comments accused supervisors of playing favorites, and paying excessive attention to minor violations of rules about haircuts, shoeshines, hats, and sideburns. Inconsistency in charges and sanctions was repeatedly mentioned as a source of poor morale. There was some optimism that the study, being an outside influence with some credibility with management, would accomplish some positive change.

The supervisors felt that they were plagued with minor infractions that had to be dealt with, but took up a great deal of time and caused ill feeling. An example was the frequent damage to cars during parking in the confined space of an underground garage. The changes that would be helpful included more consultation with superiors, standardized ways to handle common violations across the department, and more support for supervisors' recommended sanctions. There was general agreement that training did not wrestle with the difficult situations and decisions involved in day-to-day discipline. Regarding their understanding of their responsibilities, supervisors felt there should be improvement because the IA function was more clear than in the past, and division of procedure and responsibility was now being talked

through on occasion. Most supervisors, though, felt that they were not given enough authority, and would like to have more input to the review process. When asked if other supervisors are consistent in handling discipline, most comments were to the effect that while all supervisors were aware of the importance of consistency in principle, pressures from superiors, or trying to take special circumstances into account, did cause variations in handling similar incidents. In deciding when to discipline an officer, one interviewee said he picks up feelings from the other officers that suggest one is "out of line". Other comments were that a pattern of increasingly troublesome behavior often continues until a time clearly comes when it must be stopped. In order to keep a consistent standard in their own minds to apply to officers, supervisors described several personal styles, having some similarity in the general theme of taking the best (or most workable) parts of the official system, and trying to avoid applying the very controversial rules.

## 2. Project Activity Data

a. Project inputs by LPD and IACP staff. The main input of resources by the LPD was through the time given by various members. This included interviews with commanders, meetings with the eight members of the Staff Working Committee (SWC), working sessions with the internal investigator, as well as his individual time spent in recordkeeping, and the attendance of large groups of officers to fill out questionnaires and be interviewed on five separate occasions. This entire process was able to move more quickly than normal, however, especially in the prototype development stage, because of the usefulness of the experience gained in the other sites. Following is a chronology of significant site activities, with an indication of inputs by both LPD and IACP staff.

<u>Date</u>	<u>Number of IACP Staff on Site</u>	<u>Purpose</u>	<u>Key LPD Input</u>
March 7-8, 1978	2	Orientation	LPD & City Staff
March 9	2	Orient SWC	SWC
April 5-7	2	Develop prototype Baseline measures	SWC Officers
June 12-13	1	Training and questionnaire	Officers
July 20-23	1	Develop trial board concept	SWC
August 1-4	2	Training	Supervisors
September 19-20	1	Review trial board setup	Staff
November 13-15	2	First interim measures	Officers
February 15, 1979	1	Discuss implementation	Staff
March 8	1	Discuss implementation	Staff & Mayor
April 3-5	2	Second interim measures	Officers
June 19-21	2	Final measures	Officers & Staff

In addition to these site visits, there was a considerable amount of correspondence and telephone contact between LPD and IACP staff. LPD also incurred substantial printing costs, and provided frequent internal memoranda, briefings, and trial boards as part of its support of the project.

b. Experience in use of trial boards. As the project was developed and prior to implementation in Albuquerque or Lansing, several hypotheses were formulated (see Chapter III A.2 at page 12). Hypothesis number 4 and hypothesis number 5 refer to the trial board concept as it relates to the total police disciplinary system. Hypothesis number 4 states that formal charges of misconduct made against personnel will be upheld in internal appeals and hypothesis number 5 states that sanctions recommended in formal charges of misconduct will be upheld in internal appeals. These hypotheses were formulated pursuant to the belief that a well structured, written, and smooth operating disciplinary system will in fact reduce appeals to a trial board. If officers know what is expected of them and discipline is handled in a fair and equal manner, officers will be less likely to appeal disciplinary sanctions.

As the project progressed, IACP staff realized these hypotheses were difficult to impossible to prove. Prior to implementation in Lansing, Lansing had not had a trial board and thus a concrete measure of hypotheses 4 and 5 was impossible.

Hypotheses numbers 6, 7 and 8 refer to the incidence of external appeals, the likelihood that formal charges would be upheld in external appeals, and the likelihood that sanctions would be upheld in external appeals. These hypotheses proved impractical to document in Lansing. Prior to implementation of the new disciplinary system there existed no central recordkeeping function within IA. Consequently, to determine the number of preimplementation external

appeals and the number of postimplementation external appeals one would have to review the personnel files of each Lansing officer to determine any disciplinary action as well as the number of preimplementation hearings. Due to personnel restrictions within the Lansing Police Department, this endeavor was not possible.

As stated in Chapter III A.3 (site selection criteria) a high priority was placed on a department's ability and willingness to implement certain key concepts within the department prior to being chosen as a study site. Two of these conditions were as follows: (a) to implement a set of rules and procedures which are legally sound; and (b) to develop a mechanism for due process hearings, and an informal review group for hearings concerning complaints against officers.

Once the aforementioned commitment was received, IACP project staff and the respective SWC began work in these areas. As a result, a formal trial board proceeding was established in each site selected for study. The following is a summary of the procedure that was adopted by the LPD.

Members of the trial board are selected jointly by the accused and charging officer. The trial board consists of five members of the department. The selection of the trial board was originally established as follows: five containers are available to the officer from which to choose the composition of the trial board. The containers are broken up in the following manner: (1) captains; (2) first lieutenants and second lieutenants; (3) sergeants; (4) detectives, corporals; (5) police officers. The accused may randomly select three tags from each container plus an additional tag from his own rank. The charging officer may then strike one tag from each category. The accused officer then strikes one name from each rank grouping plus an additional name. Five names remain, comprising the trial board, with the ranking officer acting as trial board chairman.

This procedure was amended during the test period by the chief of police. The new procedure guarantees that a captain will always be on the trial board and act as chairman, there will always be one lieutenant and one sergeant, and two officers of the same rank as the accused officer if the accused officer is of nonrank. This alteration guarantees there will always be three ranking officers as opposed to two ranking officers as the selection procedure was originally implemented.

New trial boards are selected for each disciplinary case if the accused officer elects to appeal the departmental action. Originally, the trial board process was available to officers for disciplinary action from written reprimand to dismissal; however, probationary officers were not and are not afforded review procedure. The right to appeal the departmental sanction of written reprimands was also amended by the chief during the test period. The chief concluded that the use of trial boards for written reprimands was extremely costly, both in manhours and financial resources. Consequently, he decided to prohibit the use of the trial board procedure for written reprimands, and written reprimands are now appealable only to the chief.

The two aforementioned amendments are, at the time of this writing, being challenged by the Lansing Division of the Fraternal Order of Police and are tied up in arbitration. It is not possible to determine the outcome of this issue nor the effect this has had on the morale of the department with regard to the discipline project.

Trial board proceedings are to be conducted with rudimentary due process as required by Michigan law. The accused officer may have an attorney and/or FOP representative present, but the department does not pay for the same. The

burden of proof is on the department to prove guilt pursuant to the standard of "substantial evidence." The accused officer and the department have the right to present evidence, call witnesses, and examine witnesses. At the conclusion of the hearing the trial board shall go into executive session, and, by majority vote, shall summarize the evidence, make findings of fact, make the determination of guilt or innocence, and assign the appropriate sanction, if any. A report containing the above cited information and the entire case file shall be forwarded to the chief of police.

In previous disciplinary prototypes the results of the trial board were returned to the chief of police for final action; however, the Lansing Police Department noted that the chief would not be impartial, for he initially recommended the sanction via his concurrence on the charge sheet. Therefore, in Lansing, the trial board's action shall be the final authority within the police department, and the report is returned to the chief for implementation of the trial board's findings. The accused officer or the chief of police may appeal the trial board's findings to the Board of Police Commissioners. The Board of Police Commissioners does not conduct a new hearing, but reviews the record of the trial board's proceedings. The Police Board may change, modify, sustain, or reverse the findings and determinations of the trial board. The chief of police then signs all cases and returns to the IAU, which files the cases.

As the project progressed in Lansing, it became apparent that the rank and file were relatively satisfied with the new system. The leaders of the FOP, in fact, attempted to have it written into the contract as negotiations commenced in February of 1979. The chief of police found this to be unsatisfactory and threatened to terminate the entire project. However, the Police

Board rejected the chief's request. The chief, deputy chief, and assistant chief believed that the trial board procedure was too costly. One major objection was that by involving lawyers in the trial board proceedings "too much talking" resulted which was counterproductive and a waste of time. It is interesting to note that when the chief amended the trial board procedure (described above) he did not remove the provision that permitted the accused and the department to have legal representation present.

The purpose of legal representation is to assure that the officer is afforded due process and if the presence of an attorney is one method of assuring such due process, the criticism is not warranted. Unquestionably, the involvement of attorneys in disciplinary matters results in protracted argumentation. The state of affairs, when considering due process requirements, however, is simply a fact that management must accept.

The cost benefit of the trial boards held in Lansing is impossible to calculate. It is not possible to predict the cost of a disciplinary matter had there been no trial board procedure. However, it is safe to say that civil litigation, as an alternative to trial boards, is much more costly both in financial resources and manhours. Civil litigation can drag on for months whereas a trial board proceeding must be held within a set period of time as spelled out in the disciplinary rules. Further, once a trial board convenes, the length of time the board is in session and the time of deliberation has proved to be relatively short. In Lansing, the trial boards ranged in length from 1.25 hours to 19.5 hours. The latter was the exception and the average time involved was 6.0 hours. The manhour cost is somewhat higher when the number of persons involved is considered. However, as stated above, this is a fact that management will have to accept.

c. Perceptions of LPD personnel. The perceptions of LPD personnel about the new system were measured on four occasions during the project period: immediately after training (June), first interim (November), second interim (April), and final (June). The post-training sample was large (124) because it was convenient to test the assembled groups. Interim samples were smaller (40 and 55) in order not to allow testing to be obtrusive. The final sample of 127 was comparable to the baseline group (124).

In order to track possible changes in perception during this period, responses to certain questions, or groups of questions, can be compared in the cases where they appeared in common or some or all of the four measuring occasions, and also with baseline results. The discussion here will be patterned after that of the baseline data reported in Section C.1, above ("Baseline data").

The first factor, officer understanding, is based on five questionnaire items, and can be evaluated for all four survey occasions, as well as baseline. Unlike the patterns seen in the other sites, where a large increase in reported understanding occurred after training, then dissipated markedly, the LPD pattern is one of substantial increase which is maintained. Agreement of 28 percent (with 23 percent uncertain) increases to 50 percent (with 33 percent uncertain). This result is encouraging evidence that a poor baseline condition was "turned around" to give a large and stable improvement.

The next factor with sufficient interim data for comparison concerns fairness of the system. There was a steady gain in confidence that favoritism by rank was reduced in the new system. Speed of decisionmaking was seen as increased in midproject, but there was little net change at the end. The

overall fairness of review, however, showed considerable improvement. There was modest improvement in the feeling that officers did not have to go outside the department to get a fair hearing.

A third comparative factor concerns management communication of its rules and procedures on discipline. Understanding of the SOP, feeling of freedom to suggest changes in it, and clarity of expected behavior all showed moderate increases in agreement.

In summary, there was a considerable effect in the LPD during the project of officer perceptions becoming favorable toward the new system. This is especially interesting in view of the difficult periods experienced when there was a reconsideration by management as to whether the system was workable, and a certain amount of disruption in administration of the system. These problems do not seem to have had a serious effect on officer attitude.

3. Project outcome data. This section will present tests of hypotheses made originally about project outcomes, and will explore other outcomes of interest. Also, the research effort will be evaluated from various points of view.

a. Tests of hypotheses. The eight hypotheses about possible outcomes of this study are listed in Chapter III and are discussed below in the context of the Lansing data.

H.1 Understanding of the disciplinary system reported by personnel will be increased after project interventions.

The increase in reported understanding noted in the preceding section is shown in Table 18 in terms of responses to the five questionnaire items.

TABLE 18

COMPARISON OF PRE/POST RESPONSES TO TEST  
THE HYPOTHESES ON UNDERSTANDING—LPD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
14	Understand outside appeal procedures	Baseline	37	26	37	n.s.
		Final	43	29	28	
15	Understand procedure to record citizen complaint	Baseline	22	20	58	.001
		Final	58	18	24	
20	Understand procedure to investigate citizen complaints	Baseline	24	20	56	.01
		Final	37	28	34	
29	Understand responsibilities of IAU	Baseline	34	20	46	.01
		Final	44	30	26	
33	Understand internal review procedures	Baseline	23	27	50	.001
		Final	38	37	26	

The tests of statistical significance show that four of the comparisons are highly significant, and the fifth is also in the direction of increased understanding. (As noted above, the sample sizes for the pre- and post-measures are 124 and 127, respectively). The percentage differences are large in practical terms. The hypothesis is strongly supported.

H.2 Fairness of the disciplinary system as perceived by personnel will be increased after project interventions.

The pre/post changes in responses to the five questions relating to fairness are shown in Table 19. The result for Item 26 can be interpreted to mean that while, originally, officers were uncertain whether the chief acted on staff recommendations, they now tend to disagree, knowing that a trial board finding has been injected into the system. This finding now is the dominant factor which the chief must consider in deciding whether to concur with staff recommendations. Items 32 and 34 show a large shift in opinion. The positive change concerning rank and fairness is especially important as a project outcome, as this is one of the "hard-core" issues affecting officer confidence and acceptance in any police discipline system. Although Item 38 is nonsignificant, the direction of change is consistent with increased confidence in the internal system. Item 39 does not indicate any conclusive change in officers' views of speed of the system. Overall, the hypothesis is well-supported.

H.3 Quality of supervisors' performance in their disciplinary responsibilities as perceived by personnel will be improved after project interventions.

This hypothesis is tested by comparing responses on the six items shown in Table 20. Items 4, 22, and 23 on fairness and consistency show moderately large percentage shifts toward a more positive view of supervisors by officers (although in some cases this is signified only by "less disagreement"

TABLE 19

COMPARISON OF PRE/POST RESPONSES TO TEST  
THE HYPOTHESIS ON FAIRNESS—LPD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
26	Chief acts on staff recommendations	Baseline	29	62	9	.001
		Final	27	40	31	
32	Internal review is fair	Baseline	30	22	48	.001
		Final	42	34	24	
34	Internal review is fair by rank	Baseline	31	14	55	.01
		Final	42	21	35	
38	Personnel must go outside for fair review	Baseline	51	32	17	n.s.
		Final	42	34	24	
39	Decisions are speedy	Baseline	48	30	22	n.s.
		Final	47	35	16	

TABLE 20

COMPARISON OF PRE/POST RESPONSES TO TEST  
THE HYPOTHESIS ON SUPERVISORY PERFORMANCE—LPD

Question Number	Topic	Sample Measuring Occasion	Responses, percent			Level of Statistical Significance of Difference ( $p < \text{value}$ )
			Agree	Uncertain	Disagree	
4	Supervisor is consistent	Baseline	51	12	37	.05
		Final	64	14	21	
5	Supervisor does a good job of explaining	Baseline	61	15	24	n.s.
		Final	63	19	18	
13	Supervisor explains new rules well	Baseline	45	18	37	n.s.
		Final	39	25	36	
22	Supervisor is fair in determining facts	Baseline	54	24	22	.05
		Final	54	35	11	
23	Supervisor does not show favoritism	Baseline	46	24	30	.05
		Final	48	34	18	
24	Supervisor uses counseling and re-training	Baseline	28	32	40	n.s.
		Final	35	40	25	

with the statement). The level of statistical significance is lower than for the previous results, but is acceptable at .05. A fourth item, Number 24 on use of counseling, nearly reached significance (chi-square 4.09, 2 degrees of freedom) with an apparent shift in a positive direction. There was no improvement, however, in perceptions of supervisors' explanations of new rules and rule changes. Overall, there is sound evidence of support for the hypothesis, although not as convincingly as the previous key hypotheses.

H.4 Formal charges of misconduct made against personnel will be upheld in internal appeals.

H.5 Sanctions recommended in formal charges of misconduct will be upheld in internal appeals.

These hypotheses were intended to test the idea that improved charging and sanctioning by supervisors would be upheld by any "fair" trial board. Table 21 shows the appeal results for 11 cases in which trial boards were requested.

In four of the cases the original charges and sanctions were left standing intact by the trial board. In two of the aforementioned four cases the accused officer appealed the trial board's decision to the Police Board. In one of the cases the officer resigned prior to the Police Board convening, and the Police Board upheld the findings of the trial board in the other. In an additional four cases, the charges stood, but sanctions were reduced. In an additional three cases, charges were reversed and sanctions reduced or revoked. Overall, in eight of the eleven cases, the department charges were sustained.

These findings are interesting because it was not possible to predict the extent to which a new "peer review" potential would result in leniency, or an

TABLE 21

## SUMMARY OF RESULTS OF APPEALS AGAINST DEPARTMENTAL ACTIONS-LPD

CASE NUMBER	DEPARTMENTAL ACTION	TRIAL BOARD ACTION ON APPEAL	CHIEF OF POLICE ACTION ON REVIEW	POLICE BOARD ACTION
1	1 day suspension without pay	Sustained charge; reduced sanction to written reprimand	Agreed with Board finding	None
2	Written reprimand	Sustained charge; reduced sanction to filing charge in officer's personnel folder	Agreed with Board finding	None
3	10 day suspension	Sustained charge; reduced sanction to 1 day suspension	Appealed to Police Board	Sustained charge; increased sanction to 5 day suspension
4	Terminated	Upheld	Agreed with Board finding	Upheld
5	30 day suspension	Dismissed charge	Appealed to Police Board	Appeal withdrawn; officer resigned
6	10 day suspension	Upheld	Agreed with Board finding	None
7	10 day suspension	Upheld	Agreed with Board finding	None
8	Written reprimand	Dismissed charge; removed written reprimand	Agreed with Board finding	None
9	Loss of driver's job; 1 day suspension	Sustained charge; reduced sanction to loss of driver's job	Agreed with Board finding	Upheld
10	Written reprimand	Dismissed charge	Appealed to Police Board	Appeal Withdrawn
11	5 day suspension	Upheld	Agreed with Board action	None

outlet for the rank and file to attempt to frustrate management. In one sense the moderate level of decisions reversed shown in the cases above is very positive and encouraging evidence that the innovative and sensitive concept of peer review in discipline can work in a department that has a strong labor organization. In another sense, these data can be interpreted to conclude that the IAU will tighten up its disciplinary operations knowing that the internal investigations, charges logged, and sanctions handed out are subject to "peer review." Further, the data suggests that the officers were moderately satisfied with the new internal review system. Overall, in the context of a 12-month trial period for this procedure, support can be claimed for these hypotheses.

The remaining three hypotheses concern the amount and outcome of appeals external to the department.

- H.6 The incidence of external appeals made by personnel will be reduced after project interventions.
- H.7 Formal charges of misconduct made against personnel will be upheld in external appeals.
- H.8 Sanctions recommended in formal charges of misconduct will be upheld in external appeals.

In the case of Lansing, the external appeals are to the Board of Police Commissioners.

Of the 11 cases heard by the trial board, three were appealed to the Police Board by the accused officer. Additionally, one officer grieved his

sanction after the chief had appealed the trial board's findings to the Police Board and the Police Board had increased the trial board's sanction.

Unfortunately, these figures do not indicate a trend nor does this data prove or disprove the hypotheses in question. As mentioned earlier in this chapter (Section C (2)(c)), Lansing had no filing system as to charges, dispositions, and appeals prior to project implementation. Consequently, the fact that there were three external appeals during the project test period does not aid in proving or disproving this hypothesis. However, Lansing personnel familiar with the IAU strongly believe that the number of external appeals had in fact been reduced subsequent to implementation of the trial board and new disciplinary system.

Hypotheses 7 and 8 state that both the formal charges against personnel and the recommended sanctions will be upheld in external appeals. As above, the data received during the test period is inconclusive. Of the three external appeals brought by officers, two have been heard by the Police Board, and the other was withdrawn because the appealing officer resigned from the department. The Police Board upheld the trial board's finding in each of these cases.

The chief of police appealed trial board action in three cases. Of the three appeals, two were withdrawn because the accused officers resigned; and in the third, the Police Board sustained the charge and increased the sanction handed down by the trial board. This data does not provide sufficient evidence to prove or disprove, in the absolute, the hypotheses in question.

Although this data is inconclusive due to the insufficient quantum of data, there is support for the hypotheses in that the Police Board did uphold the trial board's findings in all cases and sanctions in two of the three external appeals. In the third appeal, the Police Board increased the trial board's sanction.

b. Other outcomes of interest. The outlook for continued impact of the prototype in Lansing is uncertain. Some indications can be learned from the interviews held after the final questionnaire administration, and the comments written as open-ended responses on the questionnaires.

These comments are generally optimistic, but every respondent had some reservations about "bugs" that must be worked out of the system. A repeated positive remark was that officers now understand much better their rights in disciplinary matters. There were still concerns voiced about favoritism being shown to higher ranking individuals, although the questionnaire result, which technically is a more sound measure, shows an improvement on this perception. Some officers saw the trial boards as rather cautious and lenient. This was attributed to the possibility that board members were not adequately trained in their roles, and not sophisticated in discipline as an administrative function.

Officers commented that supervisors seemed to be taking their roles in the new system seriously, but that counseling was still not used enough. There was a complaint that a few members of the public had taken note of the new provisions to facilitate consideration of citizen complaints, and were exploiting them to simply harass the police.

There was some feeling by officers that management saw the system as eroding their authority, and that the trial boards were causing increased operating cost (it was estimated that the average trial board cost over \$800 in staff time, legal advice, and clerical cost). One development that was cited several times was the replacement, by the chief, of one officer position on the trial boards by a captain. It is understood that the FOP is taking the matter to arbitration.

c. Evaluation of the research effort. The decision to implement the prototype in Lansing was made as the solution to the loss of Denver as a site. The Lansing effort had to be mounted quickly in order to have time within the funding period to accumulate experience under the prototype. This need for speedy implementation served as a very useful test of what had been learned in Albuquerque and Denver. In those sites, a great deal of attention was paid to start-up procedures and the development of a careful progression of tasks. In Lansing, cooperation in compressing the early stages was obtained primarily because the IACP was able to show the results and lessons learned previously, and to satisfy LPD staff that a "streamlined" schedule could be followed with some confidence. For example, LPD staff were encouraged to talk to their APD and DPD counterparts on the telephone to learn what practical problems and possibilities to expect.

Lansing therefore served as an example of implementation of the system in a department with much less outside support than was available in the other sites, and in a shorter time. These conditions were of value because they were more typical of those to be found in departments trying out the system "on their own," working from the existing manual, Managing for Effective Police Discipline.

As can be seen in 2.a, above, relatively few IACP staff-days (43) were spent on-site, less than half those spent in Albuquerque. There were also far fewer SWC meetings. Implementation was accomplished in five months from the time of the first orientation meeting, as opposed to 13 in Albuquerque. The results obtained in terms of officer satisfaction with the system were excellent. The LPD results did not show to any great extent the effect seen in the APD, where early measures gave large increases in positive feelings,

followed by dissipation (the time periods in both cases seem sufficiently long for stability to make comparisons on such an effect). Further improvement is no doubt needed, and is possible in Lansing, but potential problems working against future gains have been noted above. This study was the "first bite of the cherry" in a department where union/management relations are much more highly developed in the traditional industrial mold than is the case in the other sites. It is encouraging, and speaks well for the effectiveness of the project, that this much progress could have been made in the difficult area of police discipline in the current Lansing context.

D. Comparison of project experience across sites

As discussed in Chapter III, the methodology of the project established a case study approach for the two sites originally selected. This approach prohibits a uniform analysis of data, but informative comparisons can be made. Because of the replacement of Denver with Lansing, experience is available in three sites for part of the study sequence. While some important differences existed, the selected experiences noted below are striking in their similarity.

Minority officer subgroups. Only LPD lacked a substantial minority officer subgroup. In the other sites, these groups were vocal and well organized. They were well represented on the SWC's. Interestingly, perceptions of minority officers on the questionnaire did not differ significantly from the majority group.

Unions. Each site had one or more employee organization or union. In all cases, these groups were represented in the project, and made consistently positive contributions. Union officers proved to be well prepared on disciplinary matters, having attended workshops, for example.

Management. Top management support for the project was excellent. In each site, there was at least one occasion when the chief or his representative needed to perform significant liaison with city officials. This proved unsuccessful in Denver, but otherwise this support, as well as committing large amounts of departmental resources, was adequate and timely.

Staff Working Committees. The SWC's proved to be outstandingly effective. The concept of a "diagonal slice" through the organization in choosing members (selecting individuals from various functions at various ranks) was partly responsible for this success. However, the fact that disciplinary issues were traditionally so troublesome in departments, and potentially affected everyone personally, went a long way toward building enthusiasm and commitment.

Content of problems. The identification and priority ranking of problems were remarkably similar across sites. This was generally expected based on earlier national experience, but held up even in the very detailed discussions of the SWC. Statistics cited above show the similar levels of satisfaction with rules as written and enforced across sites and with the national sample.

Rewriting of rules. The experience of critically reviewing the SOP's of all three departments demonstrated clearly the need for similar revision in departments generally. It seems likely that a very common source of disciplinary problems is the lack of a good system foundation in the form of legal, fair, unambiguous rules.

CHAPTER V

CONCLUSIONS AND RECOMMENDATIONS

## CHAPTER V. CONCLUSIONS AND RECOMMENDATIONS

The purpose of this project was to test a new disciplinary system and evaluate the system's process and procedures. It was shown that a new system could be implemented and could result in improvements with regard to the administration of discipline and officers' attitudes toward this sensitive management responsibility. The recommendations supported by the findings are presented below. They are written in a direct advisory style, addressed to key decisionmakers in police departments. They are applicable to any department whose management can identify with the issues and situations described throughout this report. It is our belief that this advice will help them work efficiently toward a valuable objective—a system of discipline that is fair and consistent, and serves as a cornerstone of good police management.

1. Use the prototype as a basis. The prototype system described in Managing for Effective Police Discipline proved generally sound as a basis for system design in three departments. The manual gives both detailed operational rules and procedures, the rationale behind them, and the legal issues raised in the drafting, implementation, and enforcement of disciplinary rules and regulations. The prototype system spelled out then can be modified to suit a variety of conditions. Attention must be given to city charter considerations, state law, and collective bargaining agreements at the outset. If this step is neglected, or affirmative approval is not received at the outset by the legal office concerned, problems may develop as were seen in Denver. A step-by-step review of all applicable provisions is necessary as the disciplinary system is developed and drafted.

Collective bargaining agreements do not necessarily create an insurmountable obstacle to a revision of rules and regulations or the adoption to a system that simulates the prototype found in Management for Effective Police Discipline. Both the Albuquerque Police Department and the Lansing Police Department were saddled with collective bargaining agreements as the study began. As reported in the study, a new set of rules and regulations were drafted and implemented with difficulty, and the process proved time consuming. The manual serves as a comprehensive checklist and sourcebook, greatly reducing (but certainly not eliminating) the groundwork needed to create a tailored program for a specific department.

2. The process of creating and implementing a new disciplinary system is a time-consuming and frustrating task. Although the prototype disciplinary system found in Managing for Effective Police Discipline proved to be a valuable base from which to begin, it must be remembered that the prototype needs to be adopted to local conditions. Obtaining agreement to process and procedures by management and Staff Working Committee members was one of the most frustrating and time-consuming tasks in this project. Seemingly endless meetings and controversies were experienced before agreement could be reached on disciplinary concepts, procedures and rules. The lesson to be learned from this experience is that patience is needed by anyone planning to revise disciplinary rules and procedures.

3. Get the support of local government and civic groups. Police discipline is not just the business of police commanders. In some communities, citizen groups take an active interest, sometimes in a positive and supportive mode, sometimes not. City legal codes may be controlling as was found in Denver,

or city government officials may have an important role. There may be a requirement for the police system to be compatible with the city personnel or civil service grievance system. Traditionally, police are answerable to the public in many ways. One of the most sensitive interfaces concerns police conduct, the rules which govern it, and the mechanism for applying those rules.

4. Involve the police employee organizations. Employee organizations often find themselves defending a member in an appeal of a disciplinary action. However, unions, POA, and FOP units are interested in operating within a viable, consistent system of discipline. They, like management, have many other priority tasks and goals from which the constant appealing of discipline cases diverts resources. Union leaders, through interest and orientation, tend to have knowledge and insight about disciplinary matters which can be channeled into producing workable joint solutions.

This recommendation cannot be overemphasized. In Albuquerque, the concept of the trial board procedure was so well received by the POA that it was implemented into the Albuquerque disciplinary system through contract negotiations prior to the project implementation.

During the monitoring period in Lansing, the chief of police amended certain procedures of the disciplinary system (as mentioned in the report). These changes created an uproar within the FOP, resulting in arbitration of the issues in question, which are still unresolved, as well as causing emotional strain within the agency.

5. Publicize the new system. Keeping the revision of the discipline system quiet is neither possible nor productive. Many groups both inside and outside

the department have a stake, interest, or curiosity which can be put to work for the department's good. To take the initiative in examining and revising the system is a proactive management action which is to be admired. If it is true that police must live and work in a "fishbowl", it is better for management to take the initiative than outside groups, which has happened in this context.

6. Use the Staff Working Committee (SWC) concept. The formation of a SWC to spearhead the system development was consistently effective in the three study sites. By appointing a group of 6 to 12 able individuals representing several important segments and levels of the department, not only are knowledge, imagination, and a range of viewpoints brought to bear, but "ownership" of the new system is spread throughout the department by this network of informal leaders. Further, as was witnessed in the test sites, this concept will aid in providing the "rumor mill" with accurate information. A well organized and involved SWC will be able to answer many of the questions that are posed by the other individuals within the agency.

7. Treat the effort as management-focused, not discipline-focused. Discipline is not an independent entity, "tacked-on" to management. The administration of discipline is intertwined with the entire range of supervisory and management principles and techniques. Management's prerogatives can and should be retained, while at the same time encouraging the SWC and others to consider how best to integrate the requirements of good discipline into all of the tasks, techniques, and responsibilities of supervisors and managers.

8. Preach documentation. Disciplinary issues are perhaps more demanding than other facets of management in that keeping records is of crucial importance. From a legal point of view, records of the actions of every party

to an incident, be it citizen, supervisor, officer, witness, or commander, are essential. Personnel records are vital. System records are particularly important when the new procedures must be tracked and compared over time periods to determine where and how improvements can be made.

If this recordkeeping function is not performed, agencies will be unable to compare new or modified systems with prior systems. This problem was faced in Lansing as the project staff attempted to compare the number of pre and post implementation external appeals, as well as whether the police board upheld the charges and sanctions a larger percentage of the time after implementation. Due to the lack of records in Lansing, these hypotheses could not be proved conclusively. Further, any cost analysis involving financial and manhour resources will be impossible.

9. Provide sufficient training. A smoothly functioning system depends on everyone in the department having the same basic information, knowledge, and understanding of the system. Added to this various individuals with special roles need as much training as will make them comfortable with that role, especially including supervisors, IA personnel, and trial board members. All test sites recorded a marked improvement in understanding, upon completion of the initial training of the new systems to be implemented. It was found, however, that this preimplementation training, although successful upon completion, was not sufficient. As the monitoring period progressed, a marked decrease in understanding was recorded. Therefore, it is necessary to continue training at intervals to maintain an adequate understanding of disciplinary rules and regulations.

10. Give first-line supervisors special attention. Discipline successes and failures start between the sergeant and the officers. The supervisor needs

all the help the system can provide, plus an unusual degree of personal skill in order to counsel and retrain officers to help them avoid disciplinary action. The supervisor does not often master the mechanics of the system and these special skills in the course of whatever ordinary supervisory training may be given. Special intensive training is needed, with follow-up support. This can include routinely keeping the supervisor in the picture on all departmental processing of his or her cases, and providing regular supervisor peer group meetings to work out ways of interpreting rules and procedures consistently department-wide. Fairness and consistency in handling disciplinary cases should also be stressed. One of the overriding concerns of officers in the test sites was the fact that superiors were seen as inconsistent and unfair. Many officers believed that the intensity of the investigation and grade of sanction hinged upon the identity of the alleged errant officer. Many officers also felt that some inconsistency was present due to the different views that various supervisors had toward discipline. Although this is inevitable, supervisors should be counseled to minimize inconsistencies.

11. Develop a permanent policies and procedures review board. Given a management responsibility as complex and challenging as discipline, it is not reasonable to expect that the perfect system, in all its detail, will be developed the first time out, and never need to be changed. By setting up a policies and procedures review board which meets to hear suggestions and complaints about the system, management will be responsive to officers, and will be in a position to develop improvements in a gradual, controlled, coordinated manner. Another function this board could serve is to act as a standardized training resource for trial board members, especially when a rotating, or "one-time" (when a new board is convened for each hearing) system is used.

12. A tight disciplinary system will enhance management's ability to deal with disciplinary matters. One of the most significant outcomes of this project was an improved internal affairs function. In both Albuquerque and Lansing, the Internal Affairs Units developed a keen awareness respecting details. Although staff assigned to the IAU in both agencies had a general idea of their responsibilities, the new system forced the units to become more "paper conscious." The records were providing answers to questions such as "How many complaints has the department received;" "Which officers are showing a trend or proclivity toward certain behaviors;" and "Which supervisors are in need of increasing supervisory skills." The new system became a true organizational sensor which could uncover undesirable conditions and identify problems to be resolved by discipline (positive and negative), training, policy and procedural changes.

APPENDIX 1



## POLICE DEPARTMENT

401 MARQUETTE NW  
ALBUQUERQUE, NEW MEXICO 87102

November 18, 1976

Mr. Thomas A. Hendrickson  
Assistant Director  
Legal Development Division  
International Association of Chiefs of Police  
Eleven Firstfield Road  
Gaithersburg, Maryland 20760

REFERENCE: I. A. C. P. Discipline Project

Dear Mr. Hendrickson:

The Albuquerque Police Department wants very much to be selected as one of the departments for research and implementation of the I. A. C. P. Discipline Project. Following our discussions with you and Mr. Bjorn Pederson, of your staff, the Chief officers, Planning director, Internal Affairs director, Legal Advisor, and president of the Albuquerque Police Officers Association conferred on the implications of this project for improving the entire disciplinary process of our department.

The administration and union leadership of this department are united in our commitment to actively participate and cooperate in the discipline project. Specifically, we are committed to the following:

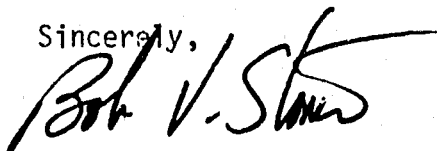
1. To revise existing policies and procedures that insures the Internal Affairs Unit exercises control over all internal investigations.
2. To implementing the I. A. C. P. Prototype rules of conduct except in those few areas where we are prevented from doing so by local ordinance or statute.
3. To adopting the concept of a trial board for due process hearings and a conduct and procedures review board for less formal hearing of disciplinary cases. Specifically, we will adopt the I. A. C. P. Prototype Discipline Procedures except where we are prevented from doing so by local ordinance state law, or collective bargaining agreement. If we are not able to implement the prototype procedure in toto, you can be assured of the adoption of the concepts.

4. To revising existing policies and practices in order to facilitate the receipt of citizen complaints against officers and insure the proper attention of investigation and resolution of those complaints.
5. To implementing policies and controls that clearly define supervisors' discretionary power to initiate disciplinary action, thereby assuring consistency, fairness, and compliance with legal requirements.

The Discipline Project represents the potential for resolving a serious area of conflict within a large number of police agencies. We certainly see the prospect for helping the Albuquerque Police Department to greatly improve our own disciplinary process and solving many long-standing problems.

We look forward to being selected as one of the project cities.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob V. Stover", with a stylized flourish at the end.

BOB V. STOVER  
Chief of Police

BVS/ms

APPENDIX 2

**CONTINUED**

**2 OF 5**



# NEWS

## **Albuquerque Police Department**

BOB V. STOVER, Chief of Police

ROBERT D. FENTON, Police Public Information Officer

*Police Building, 401 Marquette, N.W. • Albuquerque, New Mexico*

THURSDAY, DECEMBER 2, 1976

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### INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE SELECTS ALBUQUERQUE FOR MODEL POLICE DISCIPLINE PROJECT

#### STATEMENT OF ALBUQUERQUE POLICE CHIEF BOB STOVER:

This week the Albuquerque Police Department has been selected as one of two police departments in the United States to implement a model police discipline project funded by the Law Enforcement Assistance Administration (LEAA) of the United States Department of Justice.

If successful, this project will result in an improved Albuquerque Police Department discipline system which will benefit police management, police officers and the public.

The selection of the Albuquerque Police Department for this project is the result of discussions with the International Association of Chiefs of Police (IACP) several months ago.

These discussions resulted in an agreement that the Albuquerque Police Department would implement the model system and would cooperate in gathering and supplying data on the results of the project. IACP personnel assigned to the Albuquerque project include: Bjorn Pedersen, research consultant; Dr. Andy Crosby, and Tom Hendrickson, attorney. The IACP is a non-profit organization devoted to the study and improvement of police management and operations.

The Albuquerque Police Department has formed a special committee to implement the discipline system. Assigned to this staff committee are: C. B. Cosgrove, Police Legal Advisor; Captain B. E. Ray, Inspections Section; Lieutenant M. L. Ward, Field Services Division; Sergeant R. Villella, Planning and Inspections; Sergeant J. M. Williamson, Training Unit and President of the Albuquerque Police Officers Association; Sergeant W. Iverson, Criminal Investigations Division; Officer E. Sanchez, Field Services Division; Officer J. Hearn, Criminal Investigations Division; Officer W. Maez, Field Services Division; and Mary Alice Martinez, civilian, Records Unit.

Police discipline issues have recently become a focal point of national labor-management discord. Officers frequently complain that there are too many rules, that the rules are often unnecessarily vague and broad and that the rules are inconsistently enforced along with inconsistent penalties. A poor discipline system can generate or reinforce negative work attitudes. A top-notch system however, can produce positive behavior changes.

After studying seventeen police departments around the country, the IACP has formulated a model discipline system which strives to:

- set up a departmental mechanism for the affirmative reception and investigation of citizen complaints.
- arrive at a simple, short and reasonable set of rules and regulations
- institute an internal mechanism whereby an accused officer is afforded "due process" and can appeal to a Trial Board which includes peer representation.

The Albuquerque Police Department will adapt and institute this model system to see if it works here. If it does, it is likely that the system will be tried in other cities.

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PAGE THREE

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The project is scheduled to run for two years (until July, 1978).

APPENDIX 3

## ***City Police Dept. Selected For Pilot Discipline Project***

Albuquerque's police department has been selected one of two in the western United States to experiment with a pilot project designed to reduce common disciplinary problems experienced by metropolitan police forces, Chief Bob Stover announced Thursday.

If the experimental project proves successful in Albuquerque, said Stover, the system may be implemented in other departments across the country.

Basically, the project will strive to:

- Develop a simple, short and reasonable set of rules and regulations.

- Develop an effective mechanism

to receive and investigate citizen complaints.

- Afford an accused police officer "due process" before a trial board that includes peer representation.

A 10-member special committee has been formed to implement the mechanics of the system, Stover said.

Stover said the system, if successful, could reduce labor-management discord over disciplinary issues.

"Officers frequently complain that there are too many rules, that the rules are often unnecessarily vague and broad and that the rules are inconsistently enforced along with inconsistent penalties," Stover explained.

"A poor discipline system can generate or reinforce negative work attitudes whereas a topnotch system can produce positive behavior changes," he said.

Albuquerque was selected from 17 departments around the country to participate in the pilot project.

The project was designed by the International Assn. of Chiefs of Police and is being funded by the Law Enforcement Assistance Administration.

APPENDIX 4

\* DESCRIPTION OF THE DISCIPLINARY  
PROCESSES OF THE ALBUQUERQUE POLICE  
DEPARTMENT PRIOR TO JANUARY 1, 1977

I. Written Directives

- 1.-1.6 Until 1971, the police department directives were not systematized to any degree. In about 1950, a pocket-size book of rules and regulations was published and issued to all sworn personnel. The 1950's version contained rather detailed and even idealistic job descriptions, lists of typical duties and rules of conduct. The rules contained a provision for unbecoming conduct which listed about fifty specific acts or omissions ranging from tardiness to immoral behavior, any one of which constituted the infraction and could be grounds for dismissal.

Procedural manuals, or manuals of standard operating procedures were non-existent prior to 1973. The Police Academy published monthly training bulletins from 1962 to 1970. The bulletins covered a broad range of police topics and became de facto operating procedures in the absence of administrative directives.

Prior to 1971, special operating orders, personnel orders, and other written directives consisted of "Chief's Orders," issued unnumbered and filed by date of issue. The orders dealt primarily with personnel transfers, changes in organizational structure, and announcement of special events.

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\*This appendix item was prepared by Albuquerque Police Department staff prior to project implementation.

Tactical plans, emergency operating procedures or standard operating practices were not documented. Large-scale and recurring operations were often run by very informal means, with resultant confusion. Traffic control for annual parades and the state fair was usually directed by a supervisor who kept a lot of details in his head or who kept notes on matchbook covers.

Beginning in 1971, the police department administration began a more deliberate process of research, staff planning, and documentation of policy, rule and procedure. In August of that year, a general order system similar to that of Dallas, Texas and Kansas City, Missouri was established.

In a short time, the accumulation of general orders became a problem all its own. Printed letter-size and prepunched for three-ring loose leaf binders, department personnel soon had two 3-inch binders to be concerned about.

In mid-1972 the department began efforts to update its rules of conduct. The 1950's handbook, existing general and special orders, personnel regulations, and long-standing but unwritten policies were compiled into a Manual of Rules and Regulations which was issued in mid-1973.

The Manual was soon found to be inadequate. Due to the manner of staffing the draft of the Manual, and deficiencies in editing, major areas of official conduct was left uncontrolled. Vague terms and unclear language in the Manual left the department administration without recourse to deal with certain common infractions or acts normally deemed to be misconduct.

In late 1974, a new direction was taken in the establishment of a directive system. The Planning and Research Unit compiled the first edition of what is the existing Department Standard Operating Procedures (SOP) Manual.

First published in 1975, the Standard Operating Procedures Manual represented a refinement and compilation of general orders, personnel orders, special orders, and rules and regulations then in effect. The Standard Operating Procedures Manual is published in half-letter size form in a three-ring loose leaf binder. Amendments or additions to the Standard Operating Procedures Manual are made by Department Special Order at any time, with change pages to the manual issued semiannually.

## 2. Preparation of Written Directives

The police department Planning and Research Unit is responsible for the actual writing or coordination of writing, and preparation of department-level directives.

- 2.1 In a typical case, the Chief of Police will forward a particular problem statement to Planning with a request to research the problem and propose a solution in the form of a Standard Operating Procedures amendment or addition. The planner will set about to research available information, interview key people most concerned with the problem, and draft a special order for the signature of the Chief of Police. Depending upon the nature and complexity of the problem, the draft order may be submitted to the Deputy Chief of Police most concerned, or to lower echelons for comment prior to issue.

- 2.2 The Standard Operating Procedures Manual specifically invites input from all levels of the department, and a formal mechanism for providing such does exist. In actual practice, such input is not actively encouraged, and very little is received.
- 2.3 The Albuquerque Police Officers Association (APOA) is the collective bargaining unit for sworn personnel in the rank of patrol officer through captain. The Albuquerque Police Officers Association has been active in a few cases in negotiating Standard Operating Procedures changes. Revision of provisions for the use of the polygraph and inclusion of key terms of the "Peace Officers Bill of Rights" in the conduct of internal affairs investigations are the most notable. In the case of the polygraph use, the Albuquerque Police Officers Association-City contract altered, or at least more clearly defined policy and procedure.
- The inclusion in the Standard Operating Procedures of key parts of the peace officers bill of rights was a matter of discussion and agreement on terms of a drafted revision to the then existent general order governing internal affairs investigations.
- 2.4 Input from lower echelon personnel or from the Albuquerque Police Officers Association has not been actively sought. Officers have submitted excellent proposals on occasion, but public recognition is not usually provided.
- 2.5 Organizational entities are required to maintain their own operational directives in Standard Operating Procedures form, but there is no formal inspectional machinery to assure compliance. Documentation ranges from rather complete to nonexistent. Officers can be disciplined for violations of existent directives.

## 2.6 Classification, Indexing, and Control

Departmental directives are well organized by subject and appropriately indexed. Standard formats are used. The Standard Operating Procedures Manual is organized by subject matter and indexed by a modified Dewey Decimal System.

The Planning Unit has sole authority to number and control departmental directives. Division or section orders are required to be furnished to the Planning Unit where they are monitored to assure compliance with departmental directives covering the same subject. Directives that add to or modify provisions of the Standard Operating Procedures Manual are transferred to manual form semiannually.

## 2.7 Concurrence

2.7.1 The formal process consists of the submission of a proposed directive to the Planning and Research Unit by any member or unit of the organization, a study by the planner assigned to the proposal of existing directives, applicable law or policy, a drafting of the directive, staffing by entities likely to be affected, revision and final documentation, then submission to the Chief of Police for approval and signature.

2.7.2 In practice, any one or all of the above process is subject to being bypassed. The Chief of Police may issue a special order and simply require the Planning Unit to issue a number and prepare it in proper form. A Deputy Chief of Police may do essentially the same thing, conferring with key people affected by the order, and taking it to the Chief of Police for approval. The Planning Unit may initiate a directive on its own, and convince the Chief of Police

that it is required. In most cases the Chief will confer with his Deputy Chiefs and seek concurrence before a directive of any import is issued.

## 2.8 Update and Revision

- 2.8.1 Directives as stated in the Standard Operating Procedures Manual are in effect indefinitely. Additions or revisions to Standard Operating Procedures are published by special order. All special orders are in effect for a limited time, and in every case for no more than six months.

If a special order directs an addition or revision of the Standard Operating Procedures Manual, the terms of the order are incorporated into manual revisions within six months.

- 2.8.2 Review, purging, and updating of the Standard Operating Procedures Manual is required semiannually.

- 2.8.3 Other review, revision, and updates are subject to occur at any time due to:

- 2.8.3.1 Recent court decisions
- 2.8.3.2 Changes in administration
- 2.8.3.3 Improved methods of operation
- 2.8.3.4 Suggestions from staff
- 2.8.3.5 (Very infrequently) citizen suggestions

## 3. Distribution

- 3.1 All department personnel, sworn and non-sworn, are provided a copy of the Standard Operating Procedures Manual and all change pages.

Special orders that add to or amend the Standard Operating Procedures

Manual are distributed to all supervisors, with the intent that all personnel be apprised of the new directive.

The notification to all personnel of special-order revision of the Standard Operating Procedures Manual is probably the weakest link in the directive system. In most cases, there is no formal machinery for assuring such notification. Some units post copies of the special orders or circulate them among all members and employees and require each person to sign after reading.

- 3.2 Restricted distribution of special orders which apply to a limited number of people does occur. However, if the special order modifies the Standard Operating Procedures Manual, general distribution is made.
- 3.3 After signature by the Chief of Police, his secretary sees to the reproduction of the directive and distribution of copies through the department mail room. Change pages to the Standard Operating Procedures are issued personally to each member or employee by the property section. The property section checks off the issuance to personnel via a complete roster. Following an announced issue period, usually fifteen days, the property section notifies supervisors of their personnel who have failed to collect their copies. Supervisors are then expected to take corrective action, usually in the form of a personal instruction to the late-responding person to go collect their change pages.
- 3.4 Special orders are usually read at roll-call for patrol personnel. They are required to be read on three consecutive days in order that personnel

on days off would be present for at least one reading. Other activities that require sign-off by their personnel thereby assure that their people are informed of the directive.

#### 4. Training to Assure Understanding

(For New Employees)

4.1 About 20 class hours of police academy training are devoted to rules, regulations, Standard Operating Procedures and other directives specifically. In addition, class subjects on other training curricula refer to applicable directives, especially the Standard Operating Procedures Manual. All told, the time devoted to the directives system, both directly and by inclusion in other subject matter approaches 200 hours.

4.2 Lesson plans are prepared by Academy staff.

4.2.1 Lesson plans are required to be reviewed and updated as necessary prior to each academy presentation.

4.2.2 Academy staff assigned to that block of instruction is responsible for such updating.

4.2.3 Lesson plans are not normally reviewed and approved by the Chief of Police. Occasionally, some burning issue such as use of force will give the Chief cause to question specific instructional content, emphasis, and technique.

4.3 In the main, lesson plans and written directives are in harmony. Some conflict has occurred in the emphasis or lack of same in the actual delivery of training. Instructor interpretations may differ from administration intent, and even personal preferences may color the manner of

impressing the students with expected or accepted behavior.

(For In-Service Employees)

- 4.4 Roll call or in-service training relating directly to disciplinary procedures, rules and regulations, etc. has been very weak and practically nonexistent. The most common form consists of a cursory reading of new directives at roll call, circulation of the directive, or issue without comment to all personnel of Standard Operating Procedures Manual change pages.
5. Misconduct Defined
- 5.1- Discipline is not clearly defined other than in general terms referring to  
5.1.1 the responsibilities of the Chief of Police for the efficiency and effectiveness, general conduct, discipline, and appearance of personnel.
- 5.1.2 Recruit (cadet) officers are instructed in various aspects of discipline, both positive and negative, personnel responsibility, personnel rights and obligations, and are indoctrinated in the Police Academy with military-style command-obedience direction.
- 5.2 Standards for misconduct are not clearly defined and uniformly applied.
- 5.2.1 The following written directives are or may be used to justify the taking of disciplinary action:

Standard Operating Procedures Manual  
Special Orders issued at the departmental,  
divisional, or unit level  
City Personnel Regulations  
Traffic laws  
Criminal laws  
Code of Ethics

- 5.2.2 From 1973 through 1977 the department had no "catch-all" provision. Cases of misconduct that did not fit specifically defined behavior were variously charged under the Code of Ethics, or a provision of the Merit (Personnel) Ordinance granting authority to discipline employees for "any justifiable cause."

## II. Inspections

- 1.-  
1.3 The police department includes the staff inspections function in the Planning and Research Unit, now dubbed Planning and Inspections. For a brief period from 1973 to 1975 the staff inspections function was manned and somewhat active, though largely ineffective.

- 2.-  
2.4 Line commanders and supervisors have a general obligation for continued inspection and assurance of their personnels' conformance to policy and rule, and performance within existing directives. Except for patrol commanders' requirement that first-line supervisors conduct monthly personnel inspections, it is safe to say that the inspectional function is largely ignored.

- 3.-  
3.1.1 Standard Operating Procedures Manuals are numerically controlled and required to be maintained by all personnel. A few first-line supervisors infrequently inspect for compliance.

- 3.2-  
3.3.4 There is no formal, explicit inspections program for maintenance of Standard Operating Procedures Manuals. Copies of missing change pages are readily available through the property section.

## III. Supervisory Responsibility for Discipline

- 1.-  
1.2 Supervisors are expected to explain written directives, though they are not specifically trained in effective techniques. Staff conferences are frequently held, which often serves to inform the supervisors. There is

no existing program to assure accurate transmission of explanatory information.

In-service supervisory training, especially for new or prospective first-line supervisors is inadequate. Training of first-line supervisors consists of forty hours of local in-service classes at the time of promotion.

2. Enforcement of Written Directives

2.1 There has been no special training after academy recruit school designed to instill or reinforce disciplinary responsibility.

2.2 By written directive, supervisors are held accountable for effective and consistent discipline of subordinates. Infrequently, such accountability is enforced. The infrequent cases have resulted in formal disciplinary action ranging from written reprimand to demotion.

2.3 The immediate supervisor has authority to initiate disciplinary action in the form of verbal or written reprimand, or suspension without pay for 80 hours or less. Suspension does require approval of an activity commander (mid-management). If the employee does not accept such action, he or she may appeal as described later.

2.3.1  
2.3.2 Emergency suspension pending further action requires prompt notification to the activity commander and complete documentation in investigative letter form to the appropriate Deputy Chief of Police by the next duty day. The suspended person normally is directed to report to his Deputy Chief on the next duty day, at which time a decision is made whether to continue the suspension pending formal action, or allow him to return to duty pending action.

Oral reprimands require a penned notation on a "verbal action" file card maintained at the operating unit level. Such notations are purged annually.

Written reprimands are prepared in triplicate with the charged person receiving the original. The copies are forwarded through channels to the Chief of Police. After his review and approval, one copy is placed in the member's personnel file, the remaining copy is filed in Internal Affairs.

### 3. Supervisor's Responsibility in Investigating Misconduct

- 3.1 Internal--The immediate supervisor receives the complaint or detects the infraction, generates a report of the misconduct, including any required evidence or investigation. He will usually initiate a letter to the offending party, notifying him of the basis for initiating disciplinary action, and of the action to be taken or recommended.

During this process, the supervisor has conferred with his activity commander at the mid-management level, gotten concurrence on appropriate action. If the action involves suspension without pay, a Personnel Action (P-1) form is accomplished. If the action involves suspension without pay for 80 work hours or less, the commander, if he concurs, has the option to proceed with imposition of the penalty. If the commander does not concur, he directs other action.

If the action involves suspension for more than 80 hours, demotion, or dismissal, the case is presented to the appropriate Deputy Chief before proceeding. In those extreme cases, the Deputy Chief conducts a recorded but largely informal review of the case at the direction of the Chief of Police. The Chief of Police will usually conduct the review personally in

cases of recommended dismissal.

The charged officer or employee is served with the original notice of disciplinary action letter and copy of the personnel action form. Copies of the letter and personnel form are forwarded through channels where they are endorsed by the deputy chief and Chief of Police. One copy of the letter and the personnel form are then forwarded to the Personnel Unit for further processing through the payroll section, Chief Administrative Officer's office, and ultimately to the City Personnel Office.

One copy of the charging letter and all investigative letters are forwarded for filing in the Internal Affairs office.

3.2 External--The process is essentially the same for externally-generated complaints, with the only variation being the first action processes.

Since 1971, there has been a departmental requirement that all citizen complaints be documented upon receipt by any officer or employee and the complaint form be forwarded to Internal Affairs for investigation or referral. That requirement has been grossly ignored.

Trivial or minor complaints often are not documented. Many in these categories are either ignored or not adequately resolved.

Minor complaints lodged directly with the Internal Affairs Unit are usually referred to the accused party's supervisor for handling and resolution, with no system of follow-up or reporting to assure completion.

#### 4. Record Keeping Functions

4.3 Each activity to which personnel are assigned keeps an informal individual

file. In the files are emergency notification data, copies of current performance evaluations, extra copies of commendations, letters of reprimand, notices of disciplinary action, and miscellaneous notations. Each office maintains a verbal action file in which notations of verbal reprimands are entered, and purged after 12 months.

Complete personnel records are centrally maintained in the department's Personnel Unit. Letters of reprimand are purged after 12 months. Other documents of limited value are purged annually, with permanent documents filmed on microfiche, then the hard copies destroyed.

Supervisors have access to their subordinate's personnel and internal affairs records. All employees are made aware of their right to inspect their personnel and internal affairs records upon request.

#### IV. Handling Citizen Complaints

1.- It is departmental policy that all citizen complaints be accepted and  
1.1.2 reduced to writing. However, see III. 3.2 above.

1.2 Management seems to have acquiesced to the violation of such policy, except in cases of serious misconduct or criminal activity allegations. Once, in 1974, a supervisor was disciplined by suspension for failing to receive and appropriately handle a citizen complaint.

1.2.1- The determination of which complaints to document has, by lack of  
1.2.2 adequate controls, placed the department in an untenable position.

2. Specific Procedures for Handling Citizen Complaints--The mechanism for receiving citizen complaints is formally established as previously

described. In practice, the following conditions are typically handled as described below.

- 2.1 Reported to officer in the field. Referred to the watch commander or internal affairs office.
- 2.2 Reported to supervisor in the field. Basic information is collected and given verbally or in writing to the appropriate supervisor. If complaint is against one of his own subordinates, the supervisor may proceed to resolve it.
- 2.3 Reported to desk officer in station. Referred to watch commander or internal affairs office.
- 2.4 Reported by telephone. Referred to watch commander or internal affairs.
- 2.5 Reported anonymously by telephone or letter. If trivial, no action; if serious, investigated by internal affairs.
- 2.6 Reported by letter. Forwarded to internal affairs or concerned deputy chief for handling and response.
- 2.7 Reported to Chief. Referred to internal affairs or concerned deputy chief for handling and reply.
- 2.8 Reported to city manager, mayor, or councilman. Referred to Chief, who usually proceeds as in 2.7 above.
3. Recording of Citizen Complaints.

- 3.5 Specific requirements made on the citizen who makes a complaint:
  - 3.5.1 By collective bargaining agreement with the Albuquerque Police Officers Association, disciplinary action based on a citizen's complaint must be supported by the complaining party's notarized sworn, written and signed statement.
  - 3.5.4
  - 3.5.5 Complainants are not required to submit to a polygraph examination, though the technique is infrequently used. If all investigative leads have been exhausted and the polygraph examination seems warranted, the complainant will be asked to submit to a polygraph. Should he refuse, or be shown to be untruthful, the case is usually unfounded.
- 3.6 Complaining citizens are not routinely warned against making a false report to the police. In a few cases they have been so warned during the course of the investigation of their complaint.
  - 3.6.1 All internal affairs interviews are recorded and transcribed. No off-the-record statements are permitted, thus any warnings, or lack of same, are documented.
  - 3.6.2 Malicious false accusations are prosecuted where adequate evidence exists to assure conviction. During the past five years, there have been three prosecutions, each resulting in conviction.

## V. Investigation of Misconduct

### 1. Assignment and Time Restraint

- 1.1 Investigatory responsibility is normally assigned by the Internal Affairs Unit. There are many allowable exceptions by common practice, if not by written policy.

1.1.1 The Internal Affairs Unit is assigned responsibility for investigating:\*

- "A. Allegations or complaints of misconduct of police department personnel which, if found to be true, would likely result in disciplinary or criminal proceedings against the offending parties.
- "B. Allegations of actions or conditions involving breaches of integrity or moral turpitude.
- "C. Situations where police personnel have been killed or seriously injured by the deliberate act of any person.
- "D. Situations where any person has been killed or seriously injured through the use of deadly force by on or off-duty police personnel.
- "E. Situations involving the discharge of firearms by police personnel acting in a real or assumed official capacity other than lawful sport activity or approved firing at the police range.
- "F. Complaints by police personnel of internal personal harrassment, threats, or false accusations.
- "G. Any other incident when requested or directed to do so."

\*Source: Section 242.02 of Albuquerque Police Department Standard Operating Procedures Manual

1.1.2 Investigations of lesser import than those listed above, such as missed court, procedure violations, fleet vehicle accidents, tardiness, sick leave abuse, etc. are normally the responsibility of the accused officer's

supervisor or commanding officer. Allegations of misconduct falling within the responsibility area of Internal Affairs may be assigned to the accused person's supervisor for investigation when it is practical or convenient to do so.

1.2-  
1.3.2 The assigned investigator is required to complete or make the first interim report within seven days after receiving the assignment. Cases are expected to be completed without unreasonable delay, but no absolute time limits are imposed.

2.-2.1 When the accused officer is to be interviewed regarding the allegation lodged against him, he is then notified of the nature of the investigation, the name of the complainant, and sufficient information to reasonably apprise him of the allegations. There is no other set point at which the accused must be advised that he is being investigated.

2.2-  
2.2.1 When called upon to make a statement, the accused is required to be advised as stated above, and in addition to be informed of the name and rank of the investigating officer. If the matter is an administrative investigation, he is so informed and is advised that he must be truthful, may not refuse to answer any questions, that such refusal may be deemed insubordination, and thus subject him to disciplinary action.

If the matter is a criminal investigation, the accused is given the Miranda warning in writing and verbally, and is asked for a waiver. If no waiver is voluntarily given, the interview is terminated.

2.2.2 The accused is permitted to have an attorney of his choice, a police officer association representative, or another department member present during the

interviews, however, the interview may not be unreasonably delayed while he obtains counsel in an administrative investigation.

2.2.3 There is no requirement to furnish the accused person a copy of the citizen's allegation, although he is usually permitted to read it prior to being interviewed. If there is an appeal of resultant disciplinary action, the appellant is provided a copy of all allegations, statements, and interview transcripts.

2.2.4 Witnesses' statements are handled as in 2.2.3 above.

### 3. Use of Polygraph

3.1 Polygraph examinations are seldom used, and then under certain conditions:

- A. All other investigative leads have been exhausted.
- B. Must be voluntary or ordered by the Chief of Police
- C. Before ordering an accused police officer to submit to such an examination, the Chief of Police is obligated to inform the president of the Albuquerque Police Officers Association of the facts of the case. The Association president need not agree with the Chief's intended action.

3.2 Polygraph operators are private practitioners, not employed by the police department.

3.3 Officers or employees who refuse the written order of the Chief of Police to submit to a polygraph examination are charged with insubordination and dismissed.

#### 4. Criminal Prosecution

- 4.1 If it appears that a case may result in criminal charges and prosecution, the internal administrative investigation is suspended, the accused is given his Miranda warnings and rights, and a criminal investigation is begun.
- 4.2 When a criminal prosecution of an officer or employee is likely, the district attorney is notified and briefed on the background and status of the case. Completed investigation reports are forwarded to the district attorney's office when the case is completed.
- 4.3 The Chief of Police makes the determination to refer a case against an officer or employee for criminal prosecution.

#### VI. Disposition of Cases

##### 1. Determination of Findings

- 1.1 Upon completion of an internal investigation, there are five possible findings: Exonerated, Unfounded, Not Sustained, Sustained, and Other Misconduct Not Based on Original Complaint.
- 1.2-1.5 After an internal affairs investigation has been completed, the case is forwarded to the accused officer's or employee's immediate supervisor, who reviews the case, makes the first recommendation of finding, and recommends appropriate action.

The case is then forwarded through the management chain for review, findings, and recommended action. In a case where a patrol officer is accused, his sergeant, lieutenant, and captain would review and recommend findings and action. The deputy chief commanding would

accept or reject the findings and action taken or recommended. Following that, the findings and action are forwarded to the Chief of Police for review and final approval. The Chief will usually endorse the findings and action of the deputy chief, though he is free to reject or modify.

#### Determination of Finding

- 2.1 Sanctions for a sustained complaint of misconduct vary from mild admonishment or counseling to demotion or dismissal. Usually the sanction is reasonably connected to the specific infraction, though there are no clear guidelines or standard table of penalties.
- 2.2 The accused person's immediate supervisor usually makes the first recommendation for sanctions. In cases involving gross misconduct reasonably calling for dismissal, commanding officers or the deputy chief have initiated such sanction without calling for recommendations of supervisors.
- 2.3 The mid-management commanders may approve, modify, or reject the first recommendation of sanction.
- 2.4-2.5 The sanction is reviewed through the management chain to the deputy chief, who usually makes the final determination.
- 2.6 Prior infractions of the accused are usually taken into consideration in determining sanction. Some feeble efforts have been made to establish tables of penalties for minor recurring infractions such as repeated cases of missing scheduled court and one or more preventable vehicle accidents within any twelve month period.

#### 3. Notification to Officer

3.1.1- The officer is required to be notified in writing of specified charges  
3.1.4 and sanctions. The notice is usually in the form of a letter to the accused in which a synopsis of the misconduct is stated, specific violations are listed, and sanctions are announced.

3.2 Notification of sustained charges are automatic. Notification of unfounded, not sustained, or exonerated cases are given by forwarding a copy of the case cover sheet by the Internal Affairs Unit.

#### 4. Notification to Citizen

4.1-4.2 Citizens are notified of findings and whether or not sanctions are imposed by letters prepared by the Internal Affairs Unit for the signature of the Chief of Police. Generally, the letters do not adequately inform the citizen of the reasons for findings which indicate the accused officer was not found guilty of any misconduct.

Failing to adequately inform the citizen who lodged the complaint has led to a great amount of misunderstanding and charges of cover-up by Internal Affairs.

4.3 Citizens are not usually informed of the degree to which the officer will be punished.

4.4- The citizen who is dissatisfied with departmental findings has no established  
4.4.1 recourse within the structure of the city administration. Some complainants have taken their plight to the Mayor or Chief Administrative Officer. In most cases those city officials will request background information from the Chief of Police and attempt to resolve the disgruntled citizen's concern. There are no known cases in recent history that saw the departmental finding being reversed by the Mayor or Chief Administrative Officer as a result of a citizen complaint to those officials.

This lack of administrative process within the city organization does not preclude the complaining citizen from bringing court action for tort claims, civil rights violation, or even criminal charges.

5.-  
5.2.2

Notification to the department generally of findings or actions is not provided. For a brief period in 1971-1972, every disciplinary action amounting to suspension, demotion, or dismissal was announced by departmental memo identifying the guilty party, the charges, and action taken. This practice was discontinued due to complaints of punished officers that they were suffering unnecessary ridicule within the department and as a result of reporting in the print media.

VII.

#### Appeal Process

1.-  
1.4

Internal appeals are sketchily codified in the department's Standard Operating Procedures Manual, which is distributed to all personnel.

The City Merit Ordinance and Personnel Regulations merely state that, prior to approval of any disciplinary action resulting in loss of pay or seniority or dismissal, a department head may conduct a review of the case either personally or by his designated representative.

In actual practice, the deputy chief concerned will be designated to conduct the departmental review, then report his findings and recommendations to the Chief of Police. In cases involving suspension for thirty days or more, demotion, or dismissal, the Chief of Police will personally conduct the review.

The departmental review is rather informal, though it is recorded and essential due process is provided. Reviews are conducted in private. Accused persons may be represented by counsel of their choice.

Following the presentation of charges, testimony and evidence, the reviewing officer announces his findings and action. The accused is also notified in writing.

2.-  
2.4

External Appeal Process. Following department head action, a disciplined officer may aggrieve the action to the Chief Administrative Officer's Grievance Committee. The grievance committee is appointed anew for each case, and is made up of three city employees from other departments, holding positions comparable to or higher than the grieving employee.

The grievant nominates three persons who are qualified to sit on the board, one of whom must be selected. The other two board members are appointed by the Chief Administrative Officer.

Proceedings before the Chief Administrative Officer's Grievance Committee are codified by City Personnel Regulations and usually are carefully followed. The procedures are cumbersome and probably could be successfully challenged by litigation.

The grievant is required to present his case first, offer evidence, produce witnesses, followed by the department's case presentation. Witnesses may be cross-examined, but they are not under oath. Hearsay evidence may be allowed.

The conduct of the committee hearings vary considerably from one to the other. Some committee chairmen conduct hearings ala Perry Mason, while others may allow the proceedings to degenerate into name-calling and shouting matches.

After hearing the grievance and departmental presentation, the committee deliberates in private to reach findings of fact, conclusions, and

recommendations. Its findings are forwarded to the Chief Administrative Officer, who may accept, reject, or modify the findings.

After the Chief Administrative Officer acts, the employee may aggrieve that action to the Personnel Board, a seven member appointive body of civic-minded individuals not employed by the City. The Personnel Board establishes broad personnel policies, establishes personnel regulations, and is the final administrative appeal level.

Proceedings before the Personnel Board are the same as those for the Chief Administrative Officer's Grievance Committee. Hearings are usually conducted with proper decorum. The ruling of the Personnel Board is final. An employee that is not satisfied with the Personnel Board decision must then bring action in the district court.

VIII. Internal Disciplinary Board. Prior to the International Association of Chiefs of Police Discipline Project, there were no internal disciplinary boards.

APPENDIX 5

\* A DESCRIPTION OF THE DEVELOPMENT  
OF THE  
ALBUQUERQUE POLICE DEPARTMENT INTERNAL AFFAIRS UNIT

Prior to October, 1968, the Albuquerque Police Department did not have a systematic means of investigating citizen complaints. During the summer of that year, the department came under severe attack following the shooting death of an auto theft and burglary suspect who had attempted to elude police officers and then attacked one of the pursuing officers with a steel bar. The officer shot and killed the suspect.

Following that incident, there was a large amount of pressure on the then City Commission, City Manager, and the Chief of Police to establish a Civilian Review Board.

The matter was finally resolved in October, 1968, when the City Commission appropriated funds for the police department to establish a Community Relations Unit in-house. Initially staffed with a lieutenant and two officers, the unit did receive citizen complaints, but failed to assume any investigative responsibilities. As complaints were received, they were referred to supervisors of accused officers for investigation and handling.

The Community Relations Unit evolved from that to the Community Services Unit now existent in the police department. There was no formal requirement for complete investigation, documentation, and resolution of complaints.

The Community Relations Unit was somewhat effective in informing the public of police operations, conducting an extensive public speaking campaign at neighborhood organizations, service clubs, etc. It was able to

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\*This appendix item was prepared by Albuquerque Police Department staff prior to project implementation.

resolve a large number of police service complaints, and was instrumental in de-escalating the strong reaction from some community groups, who made repeated charges of police brutality or excessive use of force.

In July, 1970, an office of internal investigations was created in the police department, staffed by one lieutenant. The position description was similar to that traditionally assigned to an Internal Affairs group, but there was very little direction and no clear responsibility for complaint investigation and resolution.

During the Fall of 1970, the internal investigation officer was assigned to investigate reports of misconduct with regard to the police department's operation of the City Prison Honor Farm. Additional officers were assigned to assist the lieutenant in that investigation. At the conclusion of that investigation, two deputy chiefs of police were demoted to captain. The lieutenant in charge of the honor farm was transferred and one jailer was reprimanded. The Chief of Police retired at about the same time. However, he was not found culpable with regard to the operation of the honor farm.

Between November, 1970, and April, 1971, the department was headed by an interim acting Chief of Police, who had been its legal advisor. On April 1, 1971, a new Chief of Police was appointed to head the Albuquerque Police Department.

Very soon after taking office, the new Chief established an Internal Affairs Unit with responsibility and authority to receive and investigate complaints of police conduct and services. That unit was initially staffed with three officers. With the establishment in 1971 of an authoritative Internal Affairs Unit, the department began to compile data on numbers and types of complaints and dispositions.

The activities of the Internal Affairs Unit almost immediately faced suspicion and distrust by a large number of the rank and file of the police department. Many of the officers perceived the unit as a threat, and felt that accused officers were presumed guilty upon the lodging of any citizen complaint. The data available on documented complaints indicates that about one in every four citizen complaints was found to be sustained.

Although departmental rules required the initiation of a complaint form by any member who initially received the complaint, there were very few referrals on minor cases, such as attitude complaints or improper traffic citations. Most of the documentation was of the cases investigated by the Internal Affairs Unit. The requirement for documentation of every complaint was never adequately enforced.

Departmental policy, rule, and procedure, with regard to Internal Affairs underwent several revisions between 1971 and 1975. The Internal Affairs' guidelines as currently stated in Section 242 of the Department's Standard Operating Procedures Manual remains essentially unchanged since 1975.

The Internal Affairs Unit is currently staffed by one lieutenant, two sergeants, and a secretary. Assignment to the Internal Affairs Unit is of limited duration, normally a maximum of two years. Sworn personnel are selected for assignment from a list of volunteers and have predominantly been drawn from the Field Services Division, although some have been transferred directly from investigative assignments.

#### Disciplinary System

Up until late 1971, there were no departmental directives regarding the resolution of sustained complaints or procedural matters concerning relief of duty, suspension, or dismissal. The administration of the

department relied upon very general and limited instructions contained in the City's Merit System ordinance and personnel regulations, and upon personal knowledge of past practices.

Prior to October, 1976, the informal and formal disciplinary system amounted to a documentation of a disciplinary problem, and recommendations through the chain of command to the Chief of Police for approval or direction of disciplinary action, prior to any move being made other than a letter of reprimand. In some cases, even a letter of reprimand required the advance approval of a Deputy Chief or the Chief of Police.

The police department does not have any published directives akin to a table of penalties, although some efforts have been made with regard to minor infractions, such as repeated instances of missing court or involvement in preventable on-duty vehicle accidents.

Prior to 1970, disciplinary actions by the police department were seldom appealed to the City Manager's Grievance Committee or the Personnel Board. Beginning in late 1970, a large number of actions ranging from suspension to dismissal were successfully appealed, much to the embarrassment and dismay of department administration.

The increase in personnel action appeals very closely parallels the organization and growth of the Albuquerque Police Officer's Association, which is the collective bargaining agent for sworn personnel in the rank of captain and below.

The success of the appeals have largely been attributed to a lack of complete preparation and documentation of disciplinary cases and poor representation before the appeal bodies on the part of department administration.

By mid-year 1974, department administration had begun to more completely prepare disciplinary cases, and since that time has been almost totally successful in personnel appeals cases.

In October, 1976, the Deputy Chief, Field Services Division, with the approval of the Chief of Police initiated a documented procedure for handling formal disciplinary actions, which included authority for first line supervisors to impose disciplinary action up to 80 hours suspension without pay, without prior approval through the chain of command. The procedure included the usual safeguards of review by higher authorities. By the end of 1976, that same procedure was established formally for the entire department. Since the initiation of that procedure, there have been two appeals beyond the level of the Chief of Police of disciplinary action of less than 80 hours. One appeal resulted in the departmental action being upheld. The other appeal resulted in a four-day suspension being modified to a two-day suspension.

APPENDIX 6

# CITY OF ALBUQUERQUE

CHIEF OF POLICE

BOB V. STOVER



## POLICE DEPARTMENT

401 MARQUETTE NW  
ALBUQUERQUE, NEW MEXICO 87102

November 29, 1976

DEPARTMENT SPECIAL ORDER 76-71 (Expires 4/30/77)

TO: Personnel Concerned

SUBJECT: IACP Discipline Project Committee

The IACP Discipline Project will begin on December 1, 1976. The committee members, listed below, have been selected to assist in this project. Committee members will be relieved of regular duty assignments on December 1, 1976, to attend an all-day meeting in the Chief's Conference Room at 1030 Hours.

- |                              |                          |
|------------------------------|--------------------------|
| 1. Mr. B. Cosgrove           | Legal Advisor            |
| 2. Captain B. E. Ray         | Inspections Section      |
| 3. Lieutenant M. L. Ward     | Field Services           |
| 4. Sergeant R. Villella      | Planning and Inspections |
| 5. Sergeant J. M. Williamson | Training - APOA          |
| 6. Sergeant W. Iverson       | Investigations           |
| 7. Officer E. Sanchez        | Field Services           |
| 8. Officer J. Hearn          | Field Services           |
| 9. Officer W. Maez           | Field Services           |

In the future, it may be necessary to relieve committee members for duty on the committee project. Division Commanders and the committee members will be notified in advance when this is deemed necessary to relieve them for project duties.

BY ORDER OF:

A handwritten signature in cursive script, reading "Bob V. Stover", is written over the typed name.

BOB V. STOVER  
Chief of Police

BVS/pb

APPENDIX 7

## PRELIMINARY INPUT FROM STAFF WORKING COMMITTEE

Provide your assessment of undesirable conditions relating to the five areas listed below:

1. Present operations of Internal Affairs\*
  - a. Do you understand the Internal Affairs' operation?
  - b. Is the accused officer notified when he is being investigated?
  - c. What problems do you perceive with regard to the following:
    - (1) Rights of the accused officer.
    - (2) Presence of attorney or other person to represent officer during investigation.
    - (3) General perception of Internal Affairs' operation.
  - d. Do you feel that Internal Affairs is fair in their investigating function? If not, why not?
  - e. How can the Internal Affairs' operation be improved?
2. Existing Rules and Regulations
  - a. As written, do you think the existing rules are sufficiently clear and understandable? Are they too broad? Vague? In other words, when you read the rules, are you satisfied that they provide sufficient information to let you know what is expected or prohibited?
  - b. Do you feel that the existing rules are fair, reasonable, and legal? Identify specific rules which you consider unfair, unreasonable, or illegal.
  - c. Is there sufficient training to assure understanding of rules and regulations?
    - (1) Do you think the members of this department could benefit from intensive training directed toward rules and regulations?
3. Trial Board or Other Mechanism to Determine Disciplinary Disposition

This section deals with the method of determining guilt, innocence, and disposition of the disciplinary action within the department. It does not deal with outside appeal to the City Administrative Officer, Personnel Board, or Court.

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\*In the Denver Police Department the Staff Inspection Bureau (SIB) performs the function of an Internal Affairs Unit.

a. Is the present internal review of disciplinary cases sufficient?  
Is it fair, reasonable, and, in your opinion, legal?

b. Do you feel that an accused officer is afforded due process when  
the case is administratively adjudicated?

(1) If you feel a denial of due process, please specify how  
such due process is denied?

c. Do you think that the existing method of determining sanction  
(from lowest supervisor through chain of command) is fair and  
reasonable?

(1) Is there consistency from case to case?

d. How could the existing review process be improved?

4. Citizen Complaint Mechanism

a. Do you believe citizen complaints are adequately handled?

(1) Are there any common problems that you have heard from  
citizens in this regard?

(2) Are there any common complaints that you have heard from  
officers in this regard?

b. Is the citizen complaint reception procedure well understood by  
officers and citizens?

5. The Role of the Supervisor in Discipline

a. Generally, do supervisors understand their role and responsibility  
in taking disciplinary action?

(1) Is cooperation between the supervisor and Internal Affairs  
effective?

(2) Are supervisors confident that they are fair and consistent  
in taking disciplinary action?

b. Do you feel supervisors are given sufficient training to deal with  
disciplinary issues?

c. Do you feel supervisors keep adequate records for later reference  
on their counseling and disciplinary activity?

d. Give your general summary of problems relating to supervisory  
activity in the disciplinary area.

APPENDIX 8

Request for Information  
STUDY OF PRACTICES IN POLICE DISCIPLINE  
Sponsored jointly by the  
ALBUQUERQUE POLICE DEPARTMENT  
and the  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

- This request for information is being made to every member of the Albuquerque Police Department. It is the first in a series of steps to study and improve the APD discipline program. The International Association of Chiefs of Police (IACP) is funded by the U.S. Government (LEAA) to do this study, based on its previous findings about discipline systems in seventeen other police departments.
- The first objective is to examine the rules and procedures in the APD. This will be possible only if you answer the questions in this booklet according to your true personal feelings.
- Your answers will be very helpful if they reflect reasonable, thoughtful opinions about (a) the positive and negative aspects of the present system, and (b) the difficult task of resolving discipline problems in general.
- Even if you have never been involved directly in a disciplinary action we would like to have your personal opinions.
- However, your answers will be useless if:
  - you give someone else's opinion, not your own.
  - you use the questions just as a way to blow off steam.
  - you don't read the questions carefully.
- We assure you of the following:
  1. You cannot be identified: your name does not appear anywhere. All questionnaires are alike. The questionnaires will be taken up in groups, and always kept in the custody of IACP staff.
  2. The answers will be compiled statistically, before they are discussed between IACP and APD staff members. The results will be compiled for the department as a whole to be used in improving disciplinary practices.
  3. You may request an interview to give your further opinions, with an IACP staff member, or with a member of the APD working committee on discipline. Use the separate hand-out form.

- For your information, following are some of the topics which will be covered in this questionnaire:

1. Are the Standard Operating Procedures fair and reasonable?
2. Are the Standard Operating Procedures clear and well understood?
3. Do you understand the appeal procedure inside and outside the department?
4. How do you feel citizen complaints should be handled?
5. Is your supervisor fair and consistent in enforcing the rules?
6. Do you understand the role of Internal Affairs?
7. What has your own experience of disciplinary actions been in the department?

### ALBUQUERQUE DISCIPLINE QUESTIONNAIRE RESPONSES

Attached is a tally of the responses given by personnel of the Albuquerque Police Department to the questionnaires on disciplinary issues given March 28 - 30, 1977.

Completed questionnaires were received from 543 persons. This group is designated "TOTAL" on the tally sheets. The next two rows show responses of the total group when divided into "SWORN" (415 persons) and "CIVILIAN" (128 persons). The next four rows of the tally sheets show responses of the total group when divided into ethnic groups, with the number of persons in each ethnic group given in the "GROUP" column.

Two numbers are given in each small box. The number in the upper left corner is the number of persons in the group giving the response shown at the top of the column. These numbers, when added horizontally, may not give the total shown in the "GROUP" column because the "no answer" responses are not included, in order to simplify the table. The number in the lower right corner is a percentage: the percent that the tally number in the box is of the total of tally numbers added across the row.

Before you start on the questions, please check the one answer below that best describes what the term "discipline" means to you, based on your overall experience in this department.

- ☐ Behavior according to police standards of conduct
- ☐ An attitude which causes officers to obey police standards of conduct
- ☐ Training or counseling to improve police officer performance
- ☐ Punishment for officer misconduct

Group		Behavior...		An attitude...		Training...		Punish-ment...	
Total	543	143 26.7		80 15.0		92 17.2		220 41.1	
Sworn	415	87 21.1		61 14.8		67 16.3		197 47.8	
Civilian	128	56 45.5		19 15.4		25 20.3		23 18.7	
White	341	83 24.5		55 16.2		58 17.1		143 42.2	
Spanish	159	49 31.8		18 11.7		27 17.5		60 39.0	
Black	10	2 20.0		1 10.0		4 40.0		3 30.0	
Other	33	8 25.0		6 18.8		3 9.4		14 42.4	

(Note that in the following questions, the term "personnel" refers to both sworn officers and civilian employees).

1. Overall, I feel that department rules and regulations governing conduct, as written, are fair and reasonable.

Group		Strongly Agree		Agree		Uncertain		Disagree		Strongly Disagree
Total	543	10 1.8		286 52.9		110 20.3		117 21.6		18 3.3
Sworn	415	8 1.9		216 52.2		79 19.1		96 23.2		15 3.6
Civilian	128	2 1.6		70 55.1		31 24.4		21 16.5		3 2.4
White	341	7 2.1		195 57.2		65 19.1		64 18.8		10 2.9
Spanish	159	1 .6		73 46.2		40 25.3		39 24.7		5 3.2
Black	10			3 30.0		1 10.0		4 40.0		2 20.0
Other	33	2 6.3		14 43.8		4 12.5		10 31.3		1 3.1

2. Overall, I feel that department rules and regulations governing conduct are enforced fairly and reasonably.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	3 .6	112 20.7	89 16.5	220 40.7	117 21.6
Sworn	415	3 .7	72 17.4	55 13.3	178 43.0	106 25.6
Civilian	128		40 31.5	34 26.8	42 33.1	11 8.7
White	341	2 .6	73 21.4	55 16.1	131 38.4	80 23.5
Spanish	159	1 .6	29 18.4	25 15.8	77 48.7	26 16.5
Black	10		1 10.0	2 20.0	4 40.0	3 30.0
Other	33		9 28.1	8 25.0	7 21.9	8 25.0

The following group of questions refers to the adequacy of the departmental written rules and procedures in terms of being understood.

3. Standard Operating Procedures in this department generally are stated so that I can understand them.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	21 3.9	375 69.4	54 10.0	80 14.8	10 1.9
Sworn	415	15 3.6	284 68.6	42 10.1	64 15.5	9 2.2
Civilian	128	6 4.8	91 72.2	12 9.5	16 12.7	1 .8
White	341	17 5.0	235 69.1	29 8.5	52 15.3	7 2.1
Spanish	159	4 2.5	110 69.6	20 12.7	22 13.9	2 1.3
Black	10		8 80.0	1 10.0	1 10.0	
Other	33		21 65.6	4 12.5	5 15.6	2 6.3

4. My present supervisor is consistent in enforcing Standard Operating Procedures.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	65 12.1	306 57.0	71 13.2	69 12.8	26 4.8
Sworn	415	48 11.6	243 58.7	56 13.5	52 12.6	15 3.6
Civilian	128	17 13.8	63 51.2	15 12.2	17 13.8	11 8.9
White	341	42 12.4	198 58.2	44 12.9	42 12.4	14 4.1
Spanish	159	18 11.5	89 56.7	21 13.4	21 13.4	8 5.1
Black	10	1 10.0	3 30.0	4 40.0	1 10.0	1 10.0
Other	33	4 13.3	16 53.3	2 6.7	6 20.0	2 6.7

5. My present supervisor does a good job when explaining new or revised Standard Operating Procedures.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	177 14.3	267 49.6	87 16.2	84 15.6	23 4.3
Sworn	415	56 13.5	207 50.0	69 16.7	66 15.9	16 3.9
Civilian	128	21 16.9	60 48.4	18 14.5	18 14.5	7 5.6
White	341	51 15.0	159 46.8	60 17.6	58 17.1	12 3.5
Spanish	159	23 14.6	89 56.3	22 13.9	16 10.1	8 5.1
Black	10		6 60.0	2 20.0	1 10.0	1 10.0
Other	33	3 10.0	14 46.7	3 10.0	8 26.7	2 6.7

6. Personnel feel free to suggest new or revised Standard Operating Procedures to superiors.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	23 4.3	189 35.2	119 22.2	168 31.3	38 7.1
Sworn	415	16 3.9	139 33.6	93 22.5	136 32.9	30 7.2
Civilian	128	7 5.7	50 40.7	26 21.1	32 26.0	8 6.5
White	341	16 4.7	122 36.0	73 21.5	105 31.0	23 6.8
Spanish	159	5 3.2	53 33.8	40 25.5	49 31.2	10 6.4
Black	10	1 10.0	5 50.0		2 20.0	2 20.0
Other	33	2 6.5	9 29.0	5 16.1	12 38.7	3 9.7

7. Officers should be held to a higher standard of conduct than civilian employees in the police department.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	80 14.9	213 39.6	26 4.8	157 29.2	67 11.5
Sworn	415	64 15.5	174 42.0	19 4.6	113 27.3	44 10.6
Civilian	128	16 12.9	39 31.5	7 5.6	44 35.5	18 14.5
White	341	45 13.3	136 40.1	15 4.4	101 29.8	42 12.4
Spanish	159	27 17.1	64 40.5	9 5.7	46 29.1	12 7.6
Black	10	3 30.0	2 20.0	1 10.0	2 20.0	2 20.0
Other	33	5 16.1	10 32.3	1 3.2	9 29.0	6 19.4

8. Officers should be held to a higher standard of conduct than the public at large.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	112 20.8	301 55.9	31 5.8	74 13.8	20 3.7
Sworn	415	81 19.6	238 57.5	20 4.8	60 14.5	15 3.6
Civilian	128	31 25.0	63 50.8	11 8.9	14 11.3	5 4.0
White	341	72 21.2	199 58.7	15 4.4	42 12.4	11 3.2
Spanish	159	31 19.6	83 52.5	13 8.2	26 16.5	5 3.2
Black	10	4 40.0	4 40.0		1 10.0	1 10.0
Other	33	4 12.9	15 48.4	4 12.9	5 16.1	3 9.7

9. Civilian employees should be held to a higher standard of conduct than the public at large.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	56 10.4	300 55.8	47 8.7	114 21.2	21 3.9
Sworn	415	43 10.4	232 56.0	34 8.2	89 21.5	10 3.9
Civilian	128	13 10.5	68 54.8	13 10.5	25 20.2	5 4.0
White	341	38 11.2	196 57.8	27 8.0	68 20.1	10 2.9
Spanish	159	13 8.2	85 53.8	16 10.1	36 22.8	8 5.1
Black	10	2 20.0	6 60.0		2 20.0	
Other	33	3 9.7	13 41.9	3 9.7	9 29.0	3 9.7

10. Civilian employees in this department are treated equally to officers in general work matters.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	3 .6	100 18.6	168 31.3	213 39.7	53 9.9
Sworn	415	1 .2	74 17.9	142 34.3	166 40.1	31 7.5
Civilian	128	2 1.6	26 21.1	26 21.1	47 38.2	22 17.9
White	341	1 .3	55 16.2	116 34.2	134 39.5	33 9.7
Spanish	159	2 1.3	35 22.3	44 28.0	61 38.9	15 9.6
Black	10		2 20.0	1 10.0	7 7.0	
Other	33		7 22.6	8 25.8	11 35.5	5 16.1

11. Civilian employees in this department are treated equally to officers in disciplinary matters.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	4 .7	70 13.0	201 37.4	198 36.9	64 11.9
Sworn	415	1 .2	40 9.7	161 38.9	162 39.1	50 12.1
Civilian	128	3 2.4	30 24.4	40 32.5	36 29.3	14 11.4
White	341	1 .3	35 10.3	128 37.8	134 39.5	41 12.1
Spanish	159	3 1.9	25 15.9	59 37.6	52 33.1	18 11.5
Black	10		3 30.0	2 20.0	3 30.0	2 20.0
Other	33		7 22.6	13 41.9	8 25.8	3 9.7

12. Citizens in this community expect officers to be held to a higher standard of conduct than the public at large.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	173 32.1	323 59.9	34 6.3	8 1.5	1 .2
Sworn	415	138 33.3	247 59.7	22 5.3	6 1.4	1 .2
Civilian	128	35 28.0	76 60.8	12 9.6		2 1.6
White	341	111 32.6	202 59.4	22 6.5	4 1.2	1 .3
Spanish	159	49 31.0	99 62.7	7 4.4	3 1.9	
Black	10	2 20.0	6 60.0	1 10.0	1 10.0	
Other	33	11 35.5	15 48.4	5 16.1		

13. At least once a year, supervisors inspect my copies of the Standard Operating Procedures to make sure they are up-to-date and complete.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	14 2.6	180 33.6	88 16.4	181 33.8	73 13.6
Sworn	415	12 2.9	158 38.3	51 12.4	132 32.0	59 14.3
Civilian	128	2 1.6	22 17.7	37 29.8	49 39.5	14 11.3
White	341	8 2.4	113 33.5	56 16.6	110 34.4	44 13.1
Spanish	159	6 3.8	56 35.7	20 12.7	53 33.8	22 14.0
Black	10		3 30.0	3 30.0	2 20.0	2 20.0
Other	33		8 25.0	8 25.0	11 34.4	5 15.6

14. My recruit training gave me a working knowledge of Standard Operating Procedures.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	26 4.9	230 43.1	56 10.5	167 31.3	54 10.1
Sworn	415	25 6.1	190 46.0	26 6.3	132 32.0	40 9.7
Civilian	128	1 .8	40 33.1	30 24.8	35 28.9	14 11.6
White	341	20 6.0	140 41.8	30 9.0	111 33.1	33 9.9
Spanish	159	5 3.2	75 47.8	22 14.0	42 26.8	13 8.3
Black	10		5 50.0		5 50.0	
Other	33	1 3.1	10 31.3	4 12.5	9 28.1	8 25.0

15. Standard Operating Procedures are stated so that I have a good understanding of what is expected of me.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	23 4.3	332 61.6	86 16.0	84 15.6	14 2.6
Sworn	415	19 4.6	250 60.7	71 17.2	61 14.8	11 2.7
Civilian	128	4 3.1	82 64.6	15 11.8	23 18.1	3 2.4
White	341	17 5.0	201 59.5	59 17.5	51 15.1	10 3.0
Spanish	159	6 3.8	102 64.2	21 13.2	27 17.0	3 1.9
Black	10		7 70.0	2 20.0	1 10.0	
Other	33		22 68.8	4 12.5	5 15.6	1 3.1

16. When new or revised Standard Operating Procedures are issued, my present supervisor explains them to me satisfactorily.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	20 3.7	220 40.9	66 12.3	191 35.5	41 7.6
Sworn	415	16 3.9	156 37.9	55 13.3	153 37.1	32 7.8
Civilian	128	4 3.2	64 50.8	11 8.7	38 30.2	9 7.1
White	341	13 3.8	136 40.1	42 12.4	121 35.7	27 8.0
Spanish	159	7 4.5	65 41.4	19 12.1	55 35.0	11 7.0
Black	10		4 40.0	2 20.0	3 30.0	1 10.0
Other	33		16 50.0	2 6.3	12 37.5	2 6.3

This section asks for information concerning the disciplinary system in this department.

17. I have a good understanding of appeal procedures on disciplinary actions outside of this department.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	33 6.1	180 33.5	127 23.6	161 30.0	36 6.7
Sworn	415	30 7.3	146 35.4	89 21.5	118 28.6	30 7.3
Civilian	128	3 2.4	34 27.4	38 30.6	43 34.7	6 4.8
White	341	23 6.8	121 35.8	69 20.4	100 29.6	25 7.4
Spanish	159	6 3.8	48 30.6	43 27.4	51 32.5	9 5.7
Black	10	1 10.0	5 50.0	3 30.0		1 10.0
Other	33	3 9.4	5 15.6	13 40.6	10 31.3	1 3.1

18. I have a good understanding of the procedures that are used by this department to record citizen complaints of misconduct.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	35 6.5	186 34.5	116 21.5	144 26.7	58 10.8
Sworn	415	30 7.3	142 34.4	84 20.3	111 26.9	46 11.1
Civilian	128	5 4.0	44 34.9	32 25.4	33 26.2	12 9.5
White	341	26 7.7	122 36.1	68 20.1	93 27.5	29 8.6
Spanish	159	6 3.8	51 32.1	37 23.3	42 26.4	23 14.5
Black	10	1 10.0	2 20.0	4 40.0	2 20.0	1 10.0
Other	33	2 6.3	10 31.3	7 21.9	8 25.0	5 15.6

19. I have a good understanding of the procedures that are used by this department to investigate citizen complaints of misconduct.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	35 6.5	178 33.0	107 19.9	156 28.9	63 11.7
Sworn	415	32 7.7	134 32.4	74 17.9	125 30.3	48 11.6
Civilian	128	3 2.4	44 34.9	33 26.2	31 24.6	15 11.9
White	341	28 8.3	120 35.5	58 17.2	98 29.0	34 10.1
Spanish	159	4 2.5	44 27.7	37 23.3	51 32.1	23 14.5
Black	10	1 10.0	4 40.0	2 20.0	2 20.0	1 10.0
Other	33	2 6.3	10 31.3	10 31.3	5 15.6	5 15.6

20. All citizen complaints, regardless of how minor, are recorded in this department.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	37 6.9	123 22.8	209 38.8	118 21.9	52 9.6
Sworn	415	29 7.0	93 22.5	155 37.5	95 23.0	41 9.9
Civilian	128	8 6.3	30 23.8	54 42.9	23 18.3	11 8.7
White	341	20 5.9	75 22.2	129 38.2	79 23.4	35 10.4
Spanish	159	13 8.2	40 25.2	70 44.0	23 14.5	13 8.2
Black	10	1 10.0	2 20.0	2 20.0	3 30.0	2 20.0
Other	33	3 9.4	6 18.8	8 25.0	13 40.6	2 6.3

21. All citizen complaints, regardless of how minor, should be recorded.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	33 6.1	126 23.3	32 5.9	195 36.1	152 28.1
Sworn	415	18 4.4	166 16.0	20 4.9	162 39.3	146 35.4
Civilian	128	15 11.9	60 47.6	12 9.5	33 26.2	6 4.8
White	341	19 5.6	71 20.8	21 6.2	127 37.2	103 30.6
Spanish	159	11 6.9	44 27.8	10 6.3	52 32.9	40 25.3
Black	10	2 20.0	2 20.0		4 40.0	2 20.0
Other	33	1 3.2	10 30.3	1 3.2	11 35.5	7 22.6

22. All citizen complaints, regardless of how minor, are investigated in this department.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	21 3.9	123 22.8	198 36.7	146 27.1	49 9.1
Sworn	415	16 3.9	106 25.7	137 33.3	115 27.9	38 9.2
Civilian	128	5 4.0	17 13.6	61 48.8	31 24.8	11 8.8
White	341	11 3.2	75 22.0	125 36.7	94 27.6	36 10.6
Spanish	159	9 5.7	41 26.1	62 39.5	35 22.3	9 5.7
Black	10		1 10.0	3 30.0	5 50.0	1 10.0
Other	33	1 3.2	6 19.4	9 29.0	11 35.5	3 9.7

23. All citizen complaints, regardless of how minor, should be investigated.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	29 5.4	155 28.7	47 8.7	206 38.1	101 18.7
Sworn	415	18 4.4	104 25.2	29 7.0	168 40.8	93 22.6
Civilian	128	11 8.7	51 40.5	18 14.3	38 30.2	8 6.3
White	341	18 5.3	88 25.8	28 8.2	136 39.9	71 20.8
Spanish	159	8 5.1	57 36.1	13 8.2	56 35.4	23 14.6
Black	10	1 10.0	3 30.0	2 20.0	1 10.0	3 30.0
Other	33	2 6.5	8 25.8	4 12.9	13 41.9	3 9.7

24. Immediate supervisors should be responsible for investigating most complaints of misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	110 20.4	322 59.6	34 6.3	57 10.6	15 2.8
Sworn	415	93 22.6	241 58.5	25 6.1	43 10.4	10 2.4
Civilian	128	17 13.5	81 64.3	9 7.1	14 11.1	5 4.0
White	341	46 14.4	210 61.6	18 5.3	39 11.4	8 2.3
Spanish	159	37 23.4	90 57.0	11 7.0	14 8.9	5 3.2
Black	10	1 10.0	6 60.0	2 20.0	1 10.0	
Other	33	6 19.4	16 51.6	3 9.7	3 9.7	2 6.5

25. My present supervisor is fair in determining facts regarding misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	81 15.0	305 56.6	78 14.5	54 10.0	19 3.5
Sworn	415	68 16.5	243 59.0	57 13.8	31 7.5	13 3.2
Civilian	128	13 10.4	62 49.6	21 16.8	23 18.4	6 4.8
White	341	59 17.3	190 55.7	45 13.2	39 11.4	8 2.3
Spanish	159	18 11.5	95 60.5	23 14.6	12 7.6	8 5.1
Black	10	1 10.0	6 60.0	2 20.0		1 10.0
Other	33	3 9.7	15 48.4	8 25.8	2 6.5	2 6.5

26. My present supervisor does not show favoritism in determining facts regarding misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	64 11.9	265 49.2	94 17.4	84 15.6	30 5.6
Sworn	415	52 12.6	211 51.2	74 18.0	55 13.3	20 4.9
Civilian	128	12 9.6	54 43.2	20 16.0	29 23.2	10 8.0
White	341	41 12.0	174 51.0	58 17.0	50 14.7	18 5.3
Spanish	159	19 12.1	75 47.8	26 16.6	27 17.2	9 5.7
Black	10	1 10.0	3 30.0	2 20.0	3 30.0	1 10.0
Other	33	3 9.7	13 41.9	9 29.0	4 12.9	1 3.2

27. My present supervisor uses counselling and retraining to deal with misconduct.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	49 9.1	201 37.4	156 29.0	96 17.8	34 6.3
Sworn	415	40 9.7	155 37.6	125 30.3	68 16.5	24 5.8
Civilian	128	9 7.3	46 37.1	31 25.0	28 22.6	10 8.1
White	341	35 10.3	123 36.2	109 32.1	57 16.8	16 4.7
Spanish	159	12 7.6	63 40.1	38 24.2	32 20.4	11 7.0
Black	10		6 60.0	3 30.0		1 10.0
Other	33	2 6.5	9 29.0	7 22.6	7 22.6	5 16.1

28. The chief of police usually follows staff recommendations before taking disciplinary action for misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	36 6.7	226 42.1	215 40.0	42 7.8	16 3.0
Sworn	415	32 7.8	178 43.3	152 37.0	34 8.3	15 3.6
Civilian	128	4 3.2	48 38.7	63 50.8	8 6.5	1 .8
White	341	19 5.6	159 46.9	122 36.0	30 8.8	9 2.7
Spanish	159	13 8.3	55 35.0	73 46.5	11 7.0	4 2.5
Black	10		4 40.0	6 60.0		
Other	33	4 12.9	8 25.8	13 41.9	2 6.5	3 9.7

29. The chief of police should give greater authority to commanders for taking disciplinary action.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	36 6.7	177 32.9	141 26.2	132 24.5	50 9.3
Sworn	415	30 7.3	136 33.0	98 23.8	103 25.0	45 10.9
Civilian	128	6 4.8	41 33.1	43 34.7	29 23.4	5 4.0
White	341	23 6.8	120 35.3	84 24.7	83 24.4	30 8.8
Spanish	159	11 7.0	44 28.0	42 26.8	39 24.8	20 12.7
Black	10	2 20.0		5 50.0	3 30.0	
Other	33		13 41.9	10 32.3	7 22.6	

30. I have a good understanding of the responsibilities of this department's internal affairs unit.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	43 7.9	213 39.4	101 18.7	146 27.0	37 6.8
Sworn	415	40 9.7	167 40.4	74 17.9	109 26.4	23 5.6
Civilian	128	3 2.4	46 36.2	27 21.3	37 29.1	14 11.0
White	341	33 9.7	144 42.4	55 16.2	91 26.8	17 5.0
Spanish	159	6 3.8	55 34.6	36 22.6	46 28.9	15 9.4
Black	10	1 10.0	4 40.0	2 20.0	3 30.0	
Other	33	3 9.4	10 31.3	8 25.0	6 18.8	5 15.6

31. The internal affairs unit should be responsible for all investigations of misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	24 4.5	108 20.0	62 11.5	239 44.3	105 19.5
Sworn	415	18 4.4	65 15.7	33 8.0	198 47.9	99 24.0
Civilian	128	6 4.8	43 34.4	29 23.2	41 32.8	6 4.8
White	341	14 4.1	55 16.2	36 10.6	155 45.7	79 23.3
Spanish	159	7 4.4	44 27.8	17 10.8	69 43.7	20 12.7
Black	10	1 10.0	2 20.0		5 50.0	2 20.0
Other	33	2 6.3	6 18.8	9 28.1	11 34.4	4 12.5

32. I have a good understanding of the process that is used for internal review of disciplinary actions taken.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	22 4.1	134 24.8	147 27.2	189 34.9	48 8.9
Sworn	415	21 5.1	110 26.6	107 25.9	140 33.9	35 8.5
Civilian	128	1 .8	24 18.9	40 31.5	49 38.6	13 10.2
White	341	20 5.9	94 27.6	87 25.6	113 33.2	26 7.6
Spanish	159		29 18.2	48 30.2	63 39.6	18 11.3
Black	10		5 50.0	2 20.0	3 30.0	
Other	33	2 6.3	6 18.8	10 31.3	10 31.3	4 12.5

33. I feel that personnel can get a "fair shake" through the internal review process.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	21 3.9	156 28.9	223 41.4	86 16.0	52 9.6
Sworn	415	17 4.1	117 28.4	159 38.6	72 17.5	47 11.4
Civilian	128	4 3.2	39 31.0	64 50.8	14 11.1	5 4.0
White	341	15 4.4	101 29.8	128 37.8	62 18.3	33 9.7
Spanish	159	4 2.5	41 25.9	76 48.1	19 12.0	17 10.8
Black	10	1 10.0	2 20.0	5 50.0	2 20.0	
Other	33	1 3.1	13 40.6	13 40.6	3 9.4	2 6.3

34. I feel that the internal review process works consistently for all personnel, regardless of rank or assignment.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	9 1.7	177 14.3	139 25.8	153 28.4	159 29.6
Sworn	415	6 1.5	45 10.9	78 18.9	133 32.3	150 36.4
Civilian	128	3 2.4	32 25.6	61 48.8	20 16.0	9 7.2
White	341	5 1.5	46 13.5	80 23.5	100 29.4	109 32.1
Spanish	159	3 1.9	25 15.9	43 27.4	46 29.3	39 24.8
Black	10	1 10.0		3 30.0	2 20.0	4 40.0
Other	33		7 22.6	12 38.7	5 16.1	7 22.6

35. An individual who is the subject of a disciplinary action should have the right to be judged by a group that includes his fellow officers or employees.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	165 30.6	264 49.0	55 10.2	41 7.6	13 2.4
Sworn	415	141 34.2	198 48.1	41 10.0	26 6.3	6 1.5
Civilian	128	24 19.0	66 52.4	14 11.1	15 11.9	7 5.6
White	341	112 32.9	156 45.9	40 11.8	24 7.1	8 2.4
Spanish	159	41 25.8	87 54.7	14 8.8	11 6.9	5 3.1
Black	10	4 40.0	2 20.0		4 40.0	
Other	33	8 26.7	18 60.0	1 3.3	3 10.0	

36. This department should have a standardized list of minimum to maximum punishments for most acts of misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	106 19.7	282 52.3	60 11.1	69 12.8	21 3.9
Sworn	415	86 20.9	210 51.0	45 10.9	55 13.3	16 3.9
Civilian	128	20 15.9	72 57.1	15 11.9	14 11.1	5 4.0
White	341	75 22.1	176 51.8	38 11.2	36 10.6	15 4.4
Spanish	159	25 15.8	80 50.6	22 13.9	25 15.8	5 3.2
Black	10	1 10.0	5 50.0		4 40.0	
Other	33	5 16.1	20 64.5	1 3.2	4 12.9	1 3.2

37. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total	543	24 4.5	144 26.7	133 24.7	200 37.1	37 6.9
Sworn	415	22 5.3	127 30.8	89 21.6	152 36.9	22 5.3
Civilian	128	2 1.6	17 13.5	44 34.9	48 38.1	15 11.9
White	341	19 5.6	103 30.3	81 23.8	121 35.6	16 4.7
Spanish	159	1 .6	34 21.5	41 25.9	64 40.5	17 10.8
Black	10	2 20.0	1 10.0	3 30.0	3 30.0	1 10.0
Other	33	2 6.5	7 22.6	8 25.8	11 35.5	3 9.7

38. I feel that personnel can get a "fair shake" through the appeal procedures outside this department.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	14 2.6	180 33.4	280 51.9	48 8.9	16 3.0
Sworn	415	12 2.9	148 35.9	196 47.6	42 10.2	14 3.4
Civilian	128	2 1.6	32 25.4	84 66.7	6 4.8	2 1.6
White	341	11 3.2	124 36.5	163 47.9	32 9.4	10 2.9
Spanish	159	1 .6	44 27.8	94 59.5	12 7.5	6 3.8
Black	10	1 10.0	4 40.0	4 40.0	1 10.0	
Other	33	1 3.2	9 29.0	18 58.1	3 9.7	

39. I feel that appeal procedures outside this department give a fairer review than do internal procedures.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	38 7.1	120 22.0	276 51.9	84 15.8	13 2.4
Sworn	415	31 7.4	98 23.9	194 47.3	75 18.3	12 2.9
Civilian	128	7 5.8	22 18.2	82 67.8	9 7.4	1 .8
White	341	25 7.4	71 20.9	171 50.4	63 18.6	9 2.7
Spanish	159	11 7.0	40 25.5	89 56.7	14 8.9	3 1.9
Black	10		4 44.4	3 33.3	2 22.2	
Other	33	2 7.4	6 22.2	13 48.1	4 14.8	1 3.7

40. I feel that disciplinary actions are reviewed fairly through internal disciplinary procedures.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	5 .9	122 23.0	238 44.8	135 25.4	30 5.6
Sworn	415	5 1.2	95 23.2	164 40.0	120 29.3	26 6.3
Civilian	128		27 22.5	74 61.7	15 12.5	4 3.3
White	341	5 1.5	80 23.6	137 40.4	96 28.3	21 6.2
Spanish	159		29 18.6	85 54.5	35 22.4	7 4.5
Black	10		4 44.4	3 33.3	2 22.2	
Other	33		9 33.3	13 48.1	2 7.4	2 7.4

41. I feel that appeals before the Chief Administrative Officer Board are conducted fairly.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	8 1.5	107 20.1	339 63.7	60 11.3	17 3.2
Sworn	415	6 1.5	85 20.7	254 62.0	50 12.2	15 3.7
Civilian	128	2 1.7	22 18.2	85 70.2	10 8.3	2 1.7
White	341	6 1.8	76 22.4	210 61.9	36 10.6	11 3.2
Spanish	159	2 1.3	23 14.6	107 67.7	21 13.3	5 3.2
Black	10		2 22.2	6 66.7	1 11.1	
Other	33		6 23.1	15 57.7	3 11.5	1 3.8

42. I feel that internal disciplinary decisions are made within a reasonable length of time.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total	543	9 1.7	251 47.2	184 34.6	70 13.2	17 3.2
Sworn	415	7 1.7	203 49.5	128 31.2	59 14.4	13 3.2
Civilian	128	2 1.7	48 39.7	56 46.3	11 9.1	4 3.3
White	341	4 1.2	181 53.4	93 29.4	50 14.7	11 3.2
Spanish	159	4 2.5	59 37.3	74 46.8	16 10.1	5 3.2
Black	10	1 11.1	2 22.2	5 55.6	1 11.1	
Other	33		9 34.6	12 46.2	3 11.5	1 3.8

This section asks for information about your personal background, department history, and attitudes toward your job. Please respond as accurately as possible. Your cooperation is very important in helping us understand the meaning of the overall results. Unless stated otherwise, please check one response for each question.

43. How many years have you worked in this department?

Group		Less than one year	1 - 2 years	3 - 5 years	6 - 12 years	over 12 years
Total	543	79 14.7	39 7.3	157 29.3	166 31.0	94 17.5
Sworn	415	44 10.7	13 3.2	120 29.3	140 34.1	93 22.7
Civilian	128	35 28.0	26 20.8	37 29.6	26 20.8	1 .8
White	341	50 14.7	14 5.6	98 28.7	108 31.7	66 19.4
Spanish	159	26 16.4	16 10.1	44 27.7	48 30.2	25 15.7
Black	10	1 10.0	2 20.0	3 30.0	4 40.0	
Other	33	2 8.7	3 7.7	11 42.3	6 23.1	3 11.5

44. Sex:

Group		Male	Female
Total	543	403 75.6	127 23.8
Sworn	415	373 91.6	33 8.1
Civilian	128	30 24.0	94 75.2
White	341	280 82.1	60 17.6
Spanish	159	104 65.8	54 34.2
Black	10	8 80.0	2 20.0
Other	33	11 45.8	11 45.8

45. Ethnic Background

Group		Black	Spanish	Indian	White	Other
Total	543	10 1.9	159 29.9	7 1.3	341 64.1	14 2.6
Sworn	415	7 1.7	107 26.3	3 .7	283 69.5	7 1.7
Civilian	128	3 2.4	52 41.9	4 3.2	58 46.8	7 5.6
White	341		1 .3		340 99.7	
Spanish	159	1	158 99.4			
Black	10	9 90.0		1 10.0		
Other	33		1 4.8	6 28.6		14 66.7

46. What is the highest level of formal education you have completed?

Group	HS Diploma or GED	Some college credit (1-44 hours)	At least 45 hours of col. credit	Associates Degree	At least 90 hours of col. credit	Bachelors Degree
Total 543	108 20.0	168 31.2	80 14.8	16 3.0	56 10.4	84 15.6
Sworn 415	39 9.5	138 33.6	77 18.7	16 3.9	52 12.7	74 18.0
Civilian 128	69 53.9	31 24.2	4 3.1		4 3.1	10 7.8
White 341	50 14.7	101 29.7	53 15.6	11 3.2	41 12.1	65 19.1
Spanish 159	49 30.8	57 35.8	21 13.2	5 3.1	12 7.5	13 8.2
Black 10	2 20.0	3 30.0	1 10.0			3 30.0
Other 33	7 22.6	8 25.8	5 16.1		3 9.7	3 9.7

46. cont'd -

Group	Enrolled in a graduate program	Masters Degree	Other
Total 543	6 1.1	10 1.9	11 2.0
Sworn 415	6 1.5	5 1.2	4 1.0
Civilian 128		5 3.9	
White 341	6 1.8	8 2.4	5 1.5
Spanish 159			2 1.3
Black 10		1 10.0	
Other 33		1 3.2	4 12.9

47. What is your present rank or position?

Group	Lieutenant or above	Sergeant	Police Officer	Civilian supervisor	Civilian employee	Other
Total 543	15 2.8	56 10.5	300 56.2	4 .7	124 23.2	35 6.6
Sworn 415	15 3.7	56 13.8	300 73.9		1 .2	34 8.4
Civilian 128				4 3.1	123 96.1	1 .8
White 341	12 3.5	46 13.5	200 58.8	1 .3	57 16.8	24 7.1
Spanish 159	1 .6	9 5.7	86 54.1	1 .6	51 32.1	11 6.9
Black 10	1 11.1		5 55.6	1 11.1	2 22.2	
Other 33	1 3.7	1 3.7	9 33.3	1 3.7	15 55.6	

48. Which of the following best describes your present division, job, or assignment with this department?

Group		Field Services		Criminal Investigation		Admin. and Services		Staff		Other	
Total	543	240	46.2	90	17.3	109	21.0	29	5.6	52	10.0
Sworn	415	236	58.1	85	20.9	51	12.6	7	1.7	27	6.7
Civilian	128	4	3.5	5	4.4	58	50.9	22	19.3	25	21.9
White	341	162	48.7	58	17.3	62	18.5	17	5.1	36	10.7
Spanish	159	69	45.4	28	18.4	36	23.7	6	3.9	13	8.6
Black	10	5	62.5			3	37.5				
Other	33	5	19.2	4	15.4	8	30.8	6	23.1	3	11.5

49. Has a formal complaint or any other disciplinary action ever been taken against you while you have been with this department?

Group		Yes		No		Don't Know	
Total	543	322	60.2	191	35.7	22	4.1
Sworn	415	300	73.5	93	23.8	15	3.7
Civilian	128	22	17.3	98	77.2	7	5.5
White	341	217	63.8	109	32.1	14	4.1
Spanish	159	90	57.0	61	38.6	7	4.4
Black	10	5	50.0	5	50.0		
Other	33	10	35.7	16	57.1	1	3.6

50. Has a formal complaint or any other disciplinary action ever been sustained against you while you have been with this department?

Group		Yes		No		Don't Know	
Total	543	194	36.4	312	58.5	27	5.1
Sworn	415	182	44.8	202	49.8	22	5.4
Civilian	128	12	9.4	110	86.6	5	3.9
White	341	132	38.7	190	56.0	17	5.0
Spanish	159	54	34.2	96	60.8	8	5.1
Black	10	4	40.0	6	60.0		
Other	33	5	18.5	20	74.1	2	7.4

51. Have you ever received any of the following disciplinary actions for complaints of misconduct (check all those that apply)?

Group		Formal Oral Reprimand	Written Reprimand	Working days off	Suspension	Demotion
Total	543	165 100.0	170 99.4	54 100.0	110 100.0	7 100.0
Sworn	415	150 100.0	157 100.0	53 100.0	107 100.0	7 100.0
Civilian	128	15 100.0	14 100.0	1 100.0	3 100.0	
White	341	107 100.0	103 99.0	32 100.0	77 100.0	6 100.0
Spanish	159	55 100.0	58 100.0	20 100.0	30 100.0	1 100.0
Black	10		4 100.0	1 100.0	3 100.0	
Other	33	3 75.0	6 100.0	2 100.0	1 100.0	

51. cont'd

Group		Dismissal and Reinstatement	None
Total	543	14 100.0	237 100.0
Sworn	415	13 100.0	139 100.0
Civilian	128	1 100.0	98 100.0
White	341	13 100.0	148 100.0
Spanish	159	1 100.0	66 100.0
Black	10		5 100.0
Other	33	1 100.0	18 100.0

52. Have you formally suggested any revised or new written directives in the past year?

Group		Yes	No
Total	543	88 16.6	441 83.2
Sworn	415	80 19.7	327 80.3
Civilian	128	8 6.6	114 93.4
White	341	63 18.6	276 81.4
Spanish	159	18 11.7	136 88.3
Black	10	4 40.0	6 60.0
Other	33	3 11.1	23 85.2

53. Have you appealed a disciplinary decision through the appeal procedures outside of this department?

Group		Yes	No
Total	543	32 6.0	499 93.8
Sworn	415	30 7.4	377 92.6
Civilian	128	2 1.6	122 98.4
White	341	22 6.5	316 93.5
Spanish	159	8 5.1	149 94.9
Black	10	1 10.0	9 90.0
Other	33	2 7.1	25 87.5

54. How satisfied are you with your present assignment in this department?

Group		Very Satisfied	Somewhat Satisfied	Neither sat. nor dissatisfied	Somewhat dissatisfied	Very dissatisfied
Total	543	213 39.9	191 35.8	55 10.3	59 11.0	15 2.8
Sworn	415	177 43.4	140 34.3	39 9.4	43 10.5	9 2.2
Civilian	128	36 28.8	51 40.8	16 12.8	16 12.8	6 4.8
White	341	145 42.8	113 33.3	28 8.3	41 12.1	12 3.5
Spanish	159	57 36.1	66 41.8	18 11.4	14 8.9	3 1.9
Black	10	3 33.3	2 20.2	3 33.3	1 11.1	
Other	33	8 28.6	10 35.7	6 21.4	3 10.7	

55. Overall, how satisfied are you at this time with your career in this department?

Group		Very Satisfied	Somewhat Satisfied	Neither sat. nor dissatisfied	Somewhat dissatisfied	Very dissatisfied
Total	543	168 31.4	198 37.0	55 10.3	86 16.1	27 5.0
Sworn	415	136 33.3	150 36.7	37 9.0	66 16.1	20 4.9
Civilian	128	32 25.6	48 38.4	18 14.4	20 16.0	7 5.6
White	341	106 31.3	129 38.1	32 9.4	53 15.6	19 5.6
Spanish	159	51 32.3	57 36.1	17 10.8	25 15.8	8 5.1
Black	10	3 30.0	4 40.0	1 10.0	2 20.0	
Other	33	8 28.6	8 28.6	5 17.9	6 21.4	

As a final question, please put these topics in order of importance as to their effect on your morale; that is, which topics cause you the most concern in the way they exist or are handled in the department? Indicate this by writing the number "1" in the box to the left of the most important topic, "2" for the next most important, and so on to "7".

- 3** Clarity of rules and/or procedures as written
- 5** Adequacy of information received by me about rules and procedures
- 7** Adequacy of procedures to appeal findings and penalties against officers
- 2** Restrictions placed on my personal life by rules and procedures
- 6** The policies and operation of the Internal Affairs Unit
- 4** Effectiveness in the handling of citizen's complaints of officers conduct
- 1** Consistency in the application of rules when a disciplinary action is taken

Group		Clarity of rules and/or procedures as written (Ranks given)						
		1	2	3	4	5	6	7
Total	543	72 13.9	93 18.0	80 15.4	65 12.5	70 13.5	61 11.8	76 14.7
Sworn	415	40 9.9	63 15.6	62 15.3	51 12.6	60 14.8	56 13.8	72 17.8
Civilian	128	32 28.3	30 26.5	18 15.9	14 12.4	10 8.8	5 4.4	4 3.5
White	341	45 13.6	60 18.1	46 13.9	45 13.6	47 14.2	34 10.3	53 16.0
Spanish	159	22 14.6	26 17.2	27 17.9	15 9.9	16 10.6	25 16.6	20 13.2
Black	10	2 22.2	1 11.1	2 22.2	2 22.2		1 11.1	1 11.1
Other	33	3 11.1	6 22.2	5 18.5	3 11.1	7 25.9	1 3.7	2 7.4

Group		Adequacy of information received by me about rules and procedures						
		1	2	3	4	5	6	7
Total	543	28 5.4	57 11.0	99 19.1	93 18.0	94 18.1	103 19.9	44 8.5
Sworn	415	15 3.7	30 7.4	73 18.0	81 20.0	75 18.5	93 23.0	38 9.4
Civilian	128	13 11.5	27 23.9	26 23.0	12 10.6	19 16.8	10 8.8	6 5.3
White	341	18 5.4	35 10.6	70 21.1	61 18.4	59 17.8	67 20.2	21 6.3
Spanish	159	9 6.0	16 10.6	21 13.9	25 16.6	31 20.5	29 19.2	20 13.2
Black	10		2 22.2	3 33.3		2 22.2	2 22.2	
Other	33	1 3.6	5 17.9	5 17.7	7 25.0	2 7.1	5 17.9	3 10.7

Group		Adequacy of procedures to appeal findings and penalties against officers						
		1	2	3	4	5	6	7
Total	543	9 1.7	23 4.4	51 9.8	108 20.8	123 23.7	118 22.7	87 16.8
Sworn	415	8 2.0	17 4.2	41 10.1	87 21.5	95 23.5	92 22.7	65 16.0
Civilian	128	1 .9	6 5.3	10 8.8	21 18.4	28 24.4	26 22.8	22 19.3
White	341	6 1.8	14 4.2	33 9.9	68 20.5	71 21.4	81 24.4	59 17.8
Spanish	159	3 2.0	7 4.6	16 10.6	34 22.5	45 29.8	28 18.5	18 11.9
Black	10			1 11.1	3 33.3	2 22.2	1 11.1	2 22.2
Other	33		3 10.7	1 3.6	3 10.7	5 17.9	8 28.6	8 28.6

Group		Restrictions placed on my personal life by rules and procedures						
		1	2	3	4	5	6	7
Total	543	163 31.4	63 12.1	48 9.2	42 8.1	37 7.1	29 5.6	136 26.2
Sworn	415	130 32.1	52 12.8	34 8.4	36 8.9	30 7.4	19 4.7	103 25.4
Civilian	128	33 28.9	11 9.6	14 12.3	6 5.3	7 6.1	10 8.8	33 28.9
White	341	103 31.1	36 10.9	31 9.4	31 9.4	21 6.3	16 4.8	93 28.1
Spanish	159	45 29.8	23 15.2	14 9.5	9 6.0	13 8.6	10 6.6	36 23.8
Black	10	4 44.4	2 22.2		1 11.1			2 22.2
Other	33	11 37.9	2 6.9	4 13.8	1 3.4	3 10.3	3 10.3	5 17.2

Group		The policies and operation of the Internal Affairs Unit						
		1	2	3	4	5	6	7
Total	543	25 4.8	59 11.4	63 12.2	90 17.4	95 18.4	95 18.4	90 17.4
Sworn	415	21 5.2	49 12.1	50 12.4	65 16.1	74 18.3	71 17.6	74 18.3
Civilian	128	4 3.5	10 8.8	13 11.5	25 22.1	21 18.6	24 21.2	16 14.2
White	341	16 4.8	37 11.2	38 11.5	52 15.8	65 19.7	66 20.0	56 17.0
Spanish	159	7 4.6	19 12.6	20 13.2	31 20.5	24 15.9	25 16.6	25 16.6
Black	10		1 11.1	1 11.1	1 11.1	2 22.2	2 22.2	2 22.2
Other	33	2 7.1	3 10.7	4 14.3	6 21.4	4 14.3	2 7.1	7 25.0

Group		Effectiveness in the handling of citizen's complaints of officers conduct						
		1	2	3	4	5	6	7
Total	543	32 6.2	90 17.4	105 20.3	79 15.3	68 13.1	73 14.1	71 13.7
Sworn	415	26 6.4	79 19.5	89 22.0	60 14.8	49 12.1	56 13.8	46 11.4
Civilian	128	6 5.3	11 9.7	16 14.2	19 16.8	19 16.8	17 15.0	25 22.1
White	341	19 5.7	61 18.4	69 20.8	46 13.9	46 13.9	52 15.7	38 11.5
Spanish	159	12 7.9	23 15.2	31 20.5	26 17.2	16 10.6	18 11.9	25 16.6
Black	10		1 11.1	2 22.2	1 11.1	2 22.2	1 11.1	2 22.2
Other	33	1 3.6	6 21.4	3 10.7	6 21.4	4 14.3	2 7.1	6 21.4

Group		Consistency in the application of rules when a disciplinary action is taken						
		1	2	3	4	5	6	7
Total	543	192 37.1	134 25.9	67 12.9	39 7.5	36 6.9	33 6.4	17 3.3
Sworn	415	164 40.5	114 28.1	52 12.8	23 5.7	28 6.9	14 3.5	10 2.5
Civilian	128	28 24.8	20 17.7	15 13.3	16 14.2	8 7.1	19 16.8	7 6.2
White	341	130 39.3	92 27.8	42 12.7	26 1.9	20 6.0	13 3.9	8 2.4
Spanish	159	51 33.8	35 23.2	20 13.2	11 7.3	14 9.3	14 9.3	6 4.6
Black	10	3 33.3	2 22.2		1 11.1	1 11.1	2 22.2	
Other	33	8 28.6	6 21.4	5 17.9	1 3.6	1 3.6	4 14.3	3 10.7

APPENDIX 9

- 120.00 DUTIES AND RESPONSIBILITIES
- 121.00 Personnel:
- 121.01 Shall not commit or omit any acts which constitute a violation of any of the rules, regulations, directives or orders of the Department.
- 121.02 Shall conduct themselves on duty in such a manner as to reflect most favorably on the Department. Conduct unbecoming an officer or employee shall include that which brings the Department into disrepute or impairs the operation or efficiency of the Department.
- 121.03 Shall obey all criminal laws of the United States of America and of any State and local jurisdiction in which they are present. A conviction for the violation of any criminal law shall be prima facie evidence of a violation of this section.
- 121.04 Shall report for duty at the time and place required by assignment or order and shall be physically and mentally fit to perform their duties. They shall be properly equipped so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.
- 121.05 Shall constantly direct their best efforts to accomplish the functions of the Department intelligently and efficiently. They shall not engage in any activity or personal business which may cause them to neglect or be inattentive to duty.
- 121.06 Shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department or the City as to the condition of their health.
- 121.07 Shall notify their supervisor if possible, or someone else in authority before leaving their duty station or post for any reason, including illness or injury.
- 121.08 Shall be permitted to suspend their assigned duties subject to immediate call for the purpose of having meals during their tours of duty but only for such period of time and at such time and place as directed by their activity commander.
- 121.09 Shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Personnel shall perform their duties in a manner which will maintain the established standard of efficiency in carrying out the functions and objectives of the Department.

- 121.10 May engage in outside employment only after written permission has been granted by the Chief of Police in accordance with the Merit Ordinance. Such permission may be terminated at any time at the discretion of the Chief of Police.
- 121.11 Shall not possess, store, or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics, or hallucinogens except in the performance of their official duties or as legally prescribed. When such substances are prescribed for use on duty, personnel shall notify their supervisor.
- 121.12 Shall not drink any intoxicating beverages on duty, except in actual performance of their assigned duties requiring its use. Personnel shall not use intoxicating beverages off duty to the extent that it renders them unable to report for their next scheduled tour of duty or discredits the Department.
- 121.13 May use tobacco as long as they are not in a formation, do not have to leave their assignment or post for the sole purpose of doing so and are not engaged in traffic direction and control. When they are in direct contact with the public, personnel shall refrain from using tobacco or should obtain permission prior to doing so from the individual with whom they are in direct contact.
- 121.14 Shall promptly obey all lawful orders of a superior or orders given via police radio. This will include orders relayed from a superior by personnel of the same or lesser rank.
- 121.15 Who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive shall respectfully inform the superior issuing the order of the previous conflicting order. If the superior issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior. Personnel shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued. Personnel shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, personnel shall request the issuing superior to clarify the order or to confer with higher authority.
- 121.16 Shall not solicit or accept, either for himself or another member or employee, gifts, gratuities, or compensation for services performed in the line of duty, other than that which is paid by the City, unless authorized by the Chief of Police.

- 121.17 Shall not use their official position or official identification cards or badges for personal or financial gain, for obtaining privileges not otherwise available to them except in the performance of duty, or for avoiding consequences of illegal acts. Personnel shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police. Personnel shall not authorize the use of their names, photographs, or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Chief of Police.
- 121.18 Shall not recommend or suggest in any manner except in the transaction of personal business the employment or procurement of a particular product, professional service or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.).
- 121.19 Shall be courteous to the public and other personnel. Personnel shall be tactful, control their tempers, exercise patience and discretion and shall not engage in argumentative discussions even in the face of provocation. In the performance of their duties, personnel should maintain a neutral and detached attitude without indicating disinterest or that a matter is petty or insignificant. Personnel shall not use coarse, violent, profane or insolent language or gestures and shall not express any prejudice concerning race, religion, politics, national origin, life style, or similar personal characteristic.
- 121.20 Shall obtain information in an official and courteous manner and act upon it in a proper and judicious manner within the scope of their duties and consistent with established Departmental procedures whenever any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person.
- 121.21 Shall avoid regular or continuous associations or dealings with persons whom they know are under active criminal investigation or indictment or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties or where unavoidable because of other personal relationships.
- 121.22 Shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the State, or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior.

- 121.23 Shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a superior.
- 121.24 Shall not publicly criticize or ridicule the Department, its policies, or other personnel in a manner which is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for the truth. Personnel shall not hold themselves out as representing the Department without prior authority.
- 121.25 Shall wear uniforms or other clothing in accordance with established Departmental procedures. Except when acting under proper and specific orders from a superior, personnel on duty shall maintain a neat, well-groomed appearance and shall style their hair according to Departmental guidelines.
- 121.26 Shall have telephones in their residences if available and shall report any changes of telephone numbers or addresses to their superiors and to the Fiscal/Personnel Division within two working days.
- 121.27 Shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established Departmental procedures.
- 121.28 Shall not knowingly interfere with the investigations, assigned tasks or duty assignments of another and shall not directly or indirectly by threat or bribe attempt to secure the withdrawal or abandonment of a complaint or charges.
- 121.29 Shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports shall be truthful and complete. Personnel shall not knowingly enter or cause to be entered any inaccurate, false or improper information.
- 121.30 Shall utilize Department equipment only for its intended purpose in accordance with established Departmental procedures and shall not abuse, damage, or lose Department equipment. All Department issued equipment shall be maintained in proper order.
- 121.31 Shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department which may be asked of them.

- 121.32 Shall operate official vehicles in a careful and prudent manner and shall obey all laws and all Departmental orders pertaining to such operation. Loss or suspension of any driving license shall be reported to the Department immediately.
- 121.33 Shall wear their identification card on the left side of the outer garment when in the police building and not in uniform, and shall give their name, rank, and duty station to any person requesting it during duty hours.
- 121.34 Shall cooperate fully with the investigators in any internal investigation and shall be afforded all rights and protections provided by law, this manual, the City Merit Ordinance and collective bargaining contracts.
- 121.35 Shall be required to provide information regarding their own Internal Affairs file only when ordered by a court of competent authority or the Chief or Deputy Chief. When in doubt, personnel should seek advice of counsel, the court, or a chief.

## 122.00 Officers:

- 122.01 Shall carry their badges and identification cards on their persons while on duty, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and employee number to any person requesting that information when they are on duty or while holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.
- 122.02 Shall carry and use weapons in a careful and prudent manner in accordance with the laws and Departmental procedures.
- 122.03 Shall make only those arrests, searches, and seizures which they know or should know are legal and in accord with the Departmental procedures.
- 122.04 Shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico and the Ordinances of the City of Albuquerque which they are required to enforce.
- 122.05 Shall be equally responsible for the enforcement of laws, ordinances and police regulations. The delegation of the enforcement of certain laws and ordinances to a particular division, section or unit of the Department does not relieve members of other divisions, sections or units from taking prompt police action for violations coming to their attention. All officers will take appropriate action and render assistance in any instance coming to their attention whether on or off duty.
- 122.06 Shall be acquainted with the first aid procedures in order that they may be prepared to apply first aid promptly and properly in any case coming to their attention.
- 122.07 Shall make themselves familiar with the City including the location of streets, public buildings, hospitals, courts, transportation offices and depots, highways, and the boundaries of the City. They shall further familiarize themselves with the location of the City, County, State and Federal agencies and departments in order to enable them to render intelligent and helpful information and assistance when requested.

- 122.08 Shall, if they are the highest ranking member of a sub-division of this Department, assume the duties and responsibilities of the supervisor of the sub-division should the supervisor be absent without naming a person to fill his position.
- 122.09 Shall cooperate with all agencies engaged in the administration of criminal justice, public agencies, and other Departments within the City of Albuquerque structure and shall give to each all the aid and information that it is entitled to receive.
- 122.10 Shall, while off duty, carry on their person their official identification card and badge if armed.
- 122.11 Shall be responsible for reporting the neglect of duty or disobedience of orders of other personnel that may come to their attention.
- 122.12 Shall notify their supervisor at once when exposed to a contagious disease in the line of duty.
- 122.13 Shall report to the Area Commander all incidents listed in Section 281.05, and shall complete a written report as soon as possible.

- 123.00 Chief of Police
- 123.01 Shall conform to the policies set forth by the Mayor who, by the authority of the City Charter, is responsible for the proper administration of the Police Department and enforcement of all laws and ordinances of the City of Albuquerque.
- 123.02 Is responsible for the administration, efficiency, and general conduct of the Department. A detailed budget shall be prepared and be submitted to the Mayor each year by the Chief of Police. A detailed cost of maintenance of the Department for the ensuing year will be kept. In addition, the Chief of Police shall ensure that such books and records as the Mayor deems necessary or as required by law are maintained.
- 123.03 Has the responsibility for the assignment and reassignment of all personnel and for the efficiency, discipline, general conduct and appearance of such personnel. In this capacity, the Chief of Police shall have the authority to prescribe, promulgate and enforce the rules and regulations for the operation of the Department. These rules and regulations shall not be in conflict with either New Mexico State Statutes or the Albuquerque City Ordinances. As Chief Executive, he shall set an example for the personnel under his command by being fair and firm in his dealings with others.
- 123.04 Is responsible for long and short-range planning necessary to meet the goals and objectives of the Department.
- 123.05 May authorize personnel to deviate from the provisions of this manual when he believes such deviation to be in the public interest.

## 278.00 REPRIMANDS

278.01 Verbal reprimands for minor infractions may be given by a supervisor to any of his subordinates.

- A. When a verbal reprimand is given, the member or employee shall be made to understand that it is a reprimand, that a notation is being made and that more harsh action may be taken for a repeated act or omission.
- B. The supervisor giving the reprimand shall make a notation on the member's or employee's "verbal action" file card. The complete "verbal action" files shall be kept in the activity commander's office. Access to these files will be restricted to supervisory officers, except that the individual shall have access to his own file card.
- C. Each notation of reprimand on a member's or employee's "verbal action" card shall contain the date, the subject of the reprimand, any extenuating circumstances and the supervisor's signature. Further, the concerned member or employee shall initial the card.
- D. Such notations, along with other noted information concerning work performance and other factors, should be the basis for accurate and objective periodic personnel evaluations of the member or employee concerned. As members and employees are transferred from one activity to another, their "verbal action" file cards will be transferred with them.
- E. Each notation entered on the "verbal action" card shall be deleted at the end of twelve calendar months. No "verbal action" card would mean that the member or employee has had no reprimand or comments, good or bad. If there is only one notation, the card will be deleted and disposed of at the end of twelve calendar months. The member or employee will not be held responsible for any deleted entry.

278.02 Written reprimands may be given by a supervisor to his subordinates.

- A. The supervisor shall complete a charge sheet which shall contain the text of the reprimand.
- B. The supervisor shall furnish a copy of the charge sheet to the member or employee concerned, and transmit a copy to the Fiscal/Personnel Division.

- C. The original of the charge sheet will be sent the Area Commander through the supervisor's chain of command. Each succeeding supervisor shall sign the copy before forwarding.
  - D. In the event a succeeding supervisor does not concur with the letter of reprimand, he shall so state. He shall check the non-concurrence and state his reasons on a supplemental letter, justify his non-concurrence and state what action he believes should be taken. He shall attach this to the charge sheet and send it on to the succeeding supervisor.
  - E. The Area Commander concerned, upon review of the charge sheet and any attachments, may concur. If he concurs, he shall sign the original and forward it to the Fiscal/Personnel Division, where the carbon copy shall be pulled and the signed copy put in its place.
- 278.03 After utilizing departmental appeal procedures any employee, except part-time, temporary, unclassified, or probationary personnel, may appeal all actions taken against him which result in loss of pay, seniority, written or oral reprimand, termination, suspension or demotion to the City Administrative Officer's Grievance Committee. Appeals by members shall be in accordance with Section 288.03.
- 278.04 A member or employee shall make any complaint that he may have against a superior officer to his immediate supervisor. He may, in writing through his chain of command, apprise the deputy chief in charge of his bureau of his complaint.

## 279.00 RELIEF OF DUTY

279.01 Should a member or employee be charged with a violation of Department rules, policies, procedures or some more serious offense or infraction, the member or employee's immediate supervisor may relieve him from duty pending disposition of charges by the Chief of Police.

279.02 During the division or area commander's duty hours when an immediate relief of duty has been directed by a supervisor, the supervisor and the accused will report to the office of the division commander and the supervisor shall present the accusation and any documentation.

279.03 During other than normal duty hours when an immediate relief of duty has been directed, the following steps will be followed:

- A. The supervisor shall direct the member or employee to report to the concerned division or area commander at the beginning of the commander's next duty shift. In the event that several days will elapse before the division or area commander's next duty shift, the supervising officer shall instruct the accused as to whether or not he shall be permitted to work any intervening assigned shifts. Further, he shall inform the division or area commander of what has transpired before going off duty.
- B. The supervisor shall completely document all pertinent facts concerning the infraction, the action taken, and his recommendations complete with justification for any further action.
- C. The supervisor shall be responsible for ensuring that this documentation moves forward through the chain of command and arrives at the division or area commander's office at or before the next shift.
- D. Activity Commanders in the rank of captain or lieutenant have the authority to suspend personnel for up to 80 hours. These suspensions are subject to review as provided in the Standard Operating Procedures, Personnel Regulations, Merit Ordinance of the City of Albuquerque and collective bargaining agreements.

279.04 In the event the deputy chief does not concur with the action taken, he may:

- A. Ask for additional clarification from those superior officers who have direct personal knowledge of or are involved in the action.

- B. Call for a further investigation to be conducted by the Internal Affairs Unit. When and if this action is taken, the Deputy Chief will suspend further action pending the completion of the investigation.
- C. Direct some course of action other than relief of duty.
- 279.05 In the event the Deputy Chief concurs with the proposed action, he shall so state. He will inform the member or employee of the duration/length of suspension. Further, he shall initiate the proper personnel paperwork, sign it, have the offending member or employee sign it and forward it to the Chief of Police through the Internal Affairs Unit for signature.
- 279.06 When a member or employee is scheduled for court during the time he is on suspension, he shall be responsible for court attendance.
- 279.07 When a member is scheduled for outside off-duty work during his period of suspension, he shall be responsible for notifying Community Services Unit that he will not be able to appear for that assignment.
- 279.08 When a member or employee is to be suspended without pay for 80 hours or less, activity commanders in the rank of lieutenant or above may offer the member or employee the option of serving an equal amount of time on days off or after normal duty hours engaged in constructive work in lieu of lost pay. The added work may be a continuation of the member's or employee's regular duties, or may be other reasonable duties as assigned by the commanding officer concerned. The member or employee given such option may decline and thereby receive the suspension imposed.
- 279.09 In accepting extra duty hours in lieu of suspension, the member or employee must do so on a voluntary basis, waiving any future claim for additional compensation or grievance of the disciplinary action.
- 279.10 During a period of suspension, a member or employee shall not wear any identifiable part of the official uniform. Upon being relieved of duty, he will immediately surrender his badge of office and all other department property deemed necessary. He shall not act in the capacity of nor represent himself as a police officer in any manner, nor perform any off-duty police work.

279.11

In the event that disciplinary action is instigated and if the investigated member so requests, the Albuquerque Police Officers' Association may designate a representative to participate in all stages of the proceedings if it so elects, and the member shall be provided with copies of the charges and decisions.

- 280.00 RECORDING AND HANDLING OF ALLEGATIONS AND COMPLAINTS  
AGAINST DEPARTMENTAL PERSONNEL OR SERVICE DELIVERY
- 280.01 A complaint shall be defined as:
- A. Any alleged act by personnel which is contrary to the rules, procedures, or policies of the department.
  - B. An alleged act or omission which if substantiated would constitute a violation of law.
  - C. Any allegation which tends to indicate an actual or potential defect in departmental policy, rules, procedures, or the police service delivery system.
- 280.02 A complaint shall be classified official or unofficial as defined in 280.03 and 280.04 below.
- 280.03 Official complaints shall be defined as:
- A. Any complaint made by a citizen or member/employee against departmental personnel, or against department procedures, policy, or the manner in which police service was delivered where the complainant provides his name, address, and telephone number.
  - B. Any complaint made by a citizen or member/employee of criminal conduct by departmental personnel whether or not the complainant discloses his name, address, or telephone number.
  - C. Any complaint of a non-criminal nature made by a citizen or member/employee against departmental personnel or against departmental policy or procedure where the complainant refuses to provide his name, address, and telephone number but which, in the opinion of the supervisor receiving the complaint, is of such serious nature to warrant recording and/or an investigation.
- 280.04 Unofficial complaints or any complaints of a non-criminal nature made by a citizen or member/employee where the complainant refuses to provide his name, address, and telephone number, and where the supervisor receiving the complaint determines that the allegation cannot be followed up or where the allegation is not valid.

- 280.05 It shall be the policy of this department to accept, record, and investigate all official complaints as defined in Section 280.03.
- 280.06 Personnel of this department are authorized to receive and record complaints against other departmental personnel or the department. In all but emergency cases, however, complaints shall be referred to a supervisor or to the Internal Affairs Unit (IAU) for recording.
- 280.07 The responsibility and thus commensurate accountability for deciding whether to treat a complaint as official or unofficial rests with the individual receiving the information of the allegation.
- 280.08 Official complaints shall be recorded on a complaint form.
- 280.09 If the person receiving the official complaint resolves the matter to the complaining party's satisfaction, he shall note this fact and the method used to satisfy the complaint on the complaint form. The fact that the matter has been resolved shall not relieve personnel of the responsibility for completing the complaint form and submitting the complaint according to the procedure outlined in Section 280.10.
- 280.10 Personnel recording official complaints shall distribute copies as indicated below. All copies that are sent to the Internal Affairs Unit shall be sent directly and not along the chain of command.
- A. Criminal Allegations - Original complaint form to the Internal Affairs Unit.
  - B. Non-Criminal Complaints - Original complaint form to the immediate supervisor of the accused. Copy of the complaint form to the Internal Affairs Unit.
  - C. Complaints Against Department - Original complaint form to the Internal Affairs Unit.
- 280.11 Personnel who are the subject of an official complaint shall be notified of that fact as soon as possible by the individual receiving the original copy of the complaint (Internal Affairs Unit in complaints alleging criminal conduct, immediate supervisor for all other complaints), unless doing so may jeopardize the investigation.

- 281.00 INVESTIGATIVE RESPONSIBILITY FOR OFFICIAL COMPLAINTS
- 281.01 Responsibility for investigations of complaints shall follow the guidelines established by this manual.
- 281.02 If the complaint alleges a defect in policy, procedure, or service delivery, but does not allege misconduct on the part of departmental personnel, the complaint shall be referred by the Internal Affairs Unit to the Policy and Procedures Review Board for resolution.
- 281.03 If the complaint alleges non-criminal misconduct by departmental personnel or does not fall within the area where the Internal Affairs Unit has sole responsibility, the investigation shall be conducted by the accused officer's supervisor.
- 281.04 The Chief's Legal Advisor (Police Attorney) shall assume investigative responsibility and the personnel of the Internal Affairs Unit shall assist and represent him in a staff capacity when directed to do so by the Chief of Police.
- 281.05 The Internal Affairs Unit shall have sole investigative responsibility in the following cases:
- A. When directed to do so by the Chief of Police.
  - B. The investigation is so complex that it would be impractical for the accused's immediate supervisor to undertake the task.
  - C. When several officers of various commands are involved in the alleged complaint.
  - D. Complaints alleging criminal conduct by departmental personnel.
  - E. Situations where police personnel have been killed or seriously injured by the deliberate act of any person.
  - F. Situations where any person has been killed by departmental personnel by use of deadly force or injured by the alleged use of excessive force.
  - G. Situations involving the discharge of firearms by police personnel in other than lawful sport activity or at an approved firing range.

- H. Complaints alleging internal harassment, threats, or false accusations.
- 281.06 Any conflict over investigatory responsibility shall be resolved by the Chief of Police.
- 281.07 Internal investigations shall be classified as preliminary and comprehensive. The preliminary investigation is one which is undertaken immediately upon receipt of the complaint and is for the purpose of securing necessary information such as names and statements of persons involved or witnesses, securing evidence which might be lost with passage of time and generally controlling the situation which brought about the complaint. The comprehensive investigation is one which requires a thorough gathering and securing of evidence and facts to discover the truth and ultimately bring the case to a conclusion.
- 281.08 Upon becoming aware of a complaint, the supervisor shall conduct a preliminary investigation. This investigation shall be conducted even though the immediate supervisor of the accused has not been officially assigned the responsibility to conduct the comprehensive investigation. If the accused's immediate supervisor is not available to conduct the preliminary investigation, the responsibility shall rest with the accused's commander or his designee.
- 281.09 If the complaint is such that a preliminary and comprehensive investigation can be conducted simultaneously, the supervisor is authorized to do so.
- 281.10 The supervisor conducting the preliminary investigation shall forward the original of all reports and statements through the chain of command, and a copy of all material shall be forwarded to the Internal Affairs Unit. The investigation must be completed and the papers forwarded without unreasonable delay.
- 281.11 The supervisor conducting a preliminary investigation shall forward the original of all reports and statements for action in criminal allegations or complaints against the Department directly to the Internal Affairs Unit and not through the chain of command. These documents must be forwarded without unreasonable delay.
- 281.12 Upon receiving a copy of a complaint form, the Internal Affairs Unit shall determine whether it has sole responsibility for the comprehensive investigation (as outlined in 281.05).

If the Internal Affairs Unit has sole responsibility, the accused's supervisor's commanding officer shall be notified through the chain of command that Internal Affairs shall conduct the comprehensive investigation.

- 281.13 If it is determined by the Internal Affairs Unit that responsibility for the comprehensive investigation rests with the immediate supervisor, the supervisor's commanding officer shall be so informed by Internal Affairs. The supervisor's commanding officer may assign the supervisor or other designated person to conduct the comprehensive investigation, or may conduct the investigation himself.
- 281.14 The Internal Affairs Unit may request assistance of other units at any time in conducting the comprehensive investigation. Likewise, the supervisor assigned such responsibility may request assistance from the Internal Affairs Unit or other unit when deemed necessary.
- 281.15 If the immediate supervisor cannot or should not conduct the investigation, responsibility for the preliminary and comprehensive investigation shall be assumed by his supervisor. The Internal Affairs Unit shall be responsible for the preliminary and/or comprehensive investigation if ordered to do so by the Chief of Police.

- 282.00 PROCEDURES FOR PRELIMINARY AND COMPREHENSIVE INVESTIGATIONS OF ALLEGATIONS AND COMPLAINTS
- 282.01 It shall be the policy of this Department that the Department has the duty of investigating its case through lawful investigatory techniques. The burden of proving guilt rests with the Department. The investigator will be responsible for conducting the investigation in a lawful manner according to the procedures established by this manual.
- 282.02 The investigator conducting preliminary or comprehensive investigations shall be responsible for questioning officers, witnesses, and complainants who are available and collect and preserve evidence. Persons conducting preliminary or comprehensive investigations shall not intentionally take any action which may jeopardize any further investigations in the matter.
- 282.03 The following guidelines will be used by persons conducting internal investigations. For the purpose of conducting such investigations and issuing appropriate orders, the investigator shall be considered the designee of the Chief of Police.
- A. The interrogation of personnel shall be at a reasonable hour, preferably when they are on duty, or during the daytime unless circumstances dictate otherwise.
  - B. The interrogations shall take place at a location designated by the investigator; however, personnel will not be ordered to leave their post until their supervisor has been notified.
  - C. Any personnel questioned should be informed of the name and rank of the investigator, the identity of all others present, the nature of the investigation, the name of the complainant, the contents of this manual, status (accused, witness, etc.) and sufficient information to reasonably apprise them of the allegations prior to the interrogation.
  - D. The department shall furnish an opportunity for the accused, if he requests, to consult with counsel before being questioned, provided the interrogation is not unreasonably delayed. Counsel, if available, or another person of his choice, may be present during the interrogation. If counsel interferes with the proceedings, the investigator may withdraw permission for counsel to remain.
  - E. Personnel under arrest or suspects in a criminal investigation shall be given the Miranda Warnings. At no time will

Investigators infringe on the rights of personnel, as those rights are defined by Constitutional provision, State statute provisions, court interpretation, merit ordinance, this manual or collective bargaining contracts.

- F. Interrogations shall be recorded mechanically or by a department stenographer. There will be no "off-the-record" questions or statements unless agreed to by both parties. All recesses called during the questioning shall be noted on the record.
  - G. Personnel shall not be subjected to any offensive language nor shall they be threatened with transfer, dismissal, or other disciplinary action by the investigator. The investigator shall make no promises of rewards as an inducement to answer questions. Nothing herein is to be construed to prohibit the investigating officer from informing the accused that his conduct can become the subject of disciplinary action.
  - H. Rest periods shall be allowed each hour. Time shall be provided for personal necessities, meals, and telephone calls.
- 282.04 Personal property shall not be subjected to unreasonable search or seizure without probable cause, and in a criminal investigation not without a search warrant where required by law. Departmental property may be searched at any time even if assigned to or used exclusively by a single person. The investigator may, at any time, order the delivery to him of any property, document, or other item which belongs to the department.
- 282.05 Personnel of this department will comply with all lawful orders for information, materials, or assistance when such orders are made by the investigator of a complaint.
- 282.06 Communications in departmental facilities and/or equipment may be monitored and recorded.
- 282.07 After reviewing the entire case, the Chief of Police can order any member or employee of the Department to submit to any deception detection examination or technique including but not limited to the polygraph. The Chief of Police can order any member or employee of the Department to submit to any medically acceptable technique to secure non-testimonial evidence including but not limited to the following methods: chemical, mechanical, medical. Deception detection examinations shall normally be employed only after:

- A. All other reasonable investigative leads have been exhausted.
- B. The APOA President, or his designated representative, has been briefed on the facts of the case and the reasons for ordering the examination.
- C. The citizen/complainant has submitted to and passed such an examination.

282.08 Following the completion of a complaint investigation, the investigator, except where he is a member of the Internal Affairs Unit, shall classify the case as one of the following:

- A. Sustained - the allegation is supported by sufficient proof.
- B. Not Sustained - the evidence is not sufficient to prove or disprove the allegation.
- C. Unfounded - the allegation is false or otherwise not based on valid facts.
- D. Exonerated - the incident that occurred or was complained against was lawful and proper.
- E. Misconduct Not Based on the Original Complaint - the evidence supports action for infractions discovered during the investigation of a complaint that may be sustained, not sustained, unfounded, or exonerated.

282.09 In instances where the investigation is conducted by the Internal Affairs Unit, the investigation together with findings shall be forwarded to the accused officer's supervisor who shall make a recommendation pursuant to Section 284.00. The Chief of Police may direct the findings to be forwarded to other personnel for a recommendation where appropriate.

- 283.00 INVESTIGATIVE REVIEW BY COMMANDERS
- 283.01 Upon completion of the immediate supervisor's investigation or review of the case, the entire case file, including the findings and recommendations, shall be sent through the chain of command to the division commander who shall make a determination pursuant to Section 283.04 of this manual.
- 283.02 Each level of command shall review the reports and, in writing, either concur or not concur with the findings and recommendations of the supervisor. The commander reviewing the reports shall explain the reasons for nonconcurrence and make his recommendation in an attached letter. All documents shall then be forwarded to the next level, within three (3) working days of receipt.
- 283.03 Should any level of command feel that further investigation is needed, they shall so state in writing and return the case file to the appropriate level. Commanders may request assistance from the Internal Affairs Unit at any stage of the investigation.
- 283.04 Division commanders shall review all reports and may recommend any appropriate action up to a suspension of 80 work hours. The entire case shall be sent to the appropriate Deputy Chief for approval.
- 283.05 The Deputy Chief shall review within five (5) working days of receipt all reports and recommendations and may concur with or modify the charge sheet. Copies of all materials shall be sent to the Internal Affairs Unit for review.
- 283.06 If the Deputy Chief modifies the decision, he shall notify the division commander of this fact. The division commander shall then take necessary action in accordance with the Deputy Chief's decision.
- 283.07 The Internal Affairs Unit, under the direction of the legal advisor (police attorney), shall review all completed investigations. If the action imposed is inappropriate or inconsistent with the policies or procedures set forth in this manual, the Internal Affairs Unit shall forward the case to the Policy and Procedures Review Board and request a review. If the actions are deemed appropriate by Internal Affairs, the case shall be sent to the Chief of Police for his approval within three (3) working days of receipt.
- 283.08 If the Chief disapproves of the disciplinary action imposed, he may modify the decision and shall take whatever action necessary to correct the consequences of the previous decision.

- 284.00 CHARGES, RECOMMENDATIONS, AND NOTIFICATION TO THE ACCUSED
- 284.01 Upon determining that a complaint is sustained, the immediate supervisor shall prepare a charge sheet if disciplinary action is contemplated.
- 284.02 No disciplinary action resulting in written reprimand, loss of pay, loss of seniority, demotion, suspension, working days off in lieu of suspension or termination shall be imposed unless a charge sheet is prepared.
- 284.03 The charge sheet shall contain the following:
  - A. A statement of the alleged acts for omissions.
  - B. The date, time and place where the alleged acts or omissions took place.
  - C. The name, rank and service number of the accused.
  - D. The particular rule(s) by section number alleged to have been violated.
  - E. The name(s) of all persons investigating the incident.
  - F. The findings of the investigation as per Section 282.08.
  - G. The recommended action.
  - H. The name, rank and service number of all reviewing persons.
  - I. The signature of the Deputy Chief approving the action.
- 284.04 One copy of the charge sheet shall be furnished the accused by the Division Commander and another sent to the Internal Affairs Unit. The original shall be read to the accused by the Division Commander who shall also explain the accused's right to appeal.

- 285.00 ACTIONS OF ACCUSED - ACCEPTANCE OF DISCIPLINARY ACTION AND RIGHT TO APPEAL
- 285.01 All disciplinary actions which result in oral or written reprimand, loss of pay, loss of seniority, demotion, suspension, work days off in lieu of suspension or termination, may be appealed to the Trial Board or the Policy and Procedures Review Board.
- 285.02 The accused shall be presented the charge sheet by the Division Commander pursuant to Section 284.04, and shall either accept or reject the penalties in writing. Should the accused accept the disciplinary action, he shall sign acceptance and the charge sheet shall be forwarded to the Internal Affairs Unit. Should he reject, he shall so indicate in writing and must appeal to his Deputy Chief for a hearing by either the Trial Board or the Policy and Procedures Review Board. The accused may not appeal to both boards.
- 285.03 Should the accused sign the charge sheet requesting an appeal, he shall forward a letter to his Deputy Chief within ten (10) days requesting a Trial Board to be selected or that the case be heard by the Policy and Procedures Review Board.
- 285.04 The Deputy Chief shall forward the letter of the accused requesting the appeal to the Internal Affairs Unit.
- 285.05 The Internal Affairs Unit shall be responsible for coordinating the selection of the appropriate board within ten (10) days after receipt of the request and, shall notify all appropriate participants. The Trial Board, the Policy and Procedures Review Board or the accused may, as a matter of right, be granted one (1) continuance of not more than twenty (20) days.

## 286.00 TRIAL BOARD

286.01 The Trial Board shall be selected jointly by the charging officer and the accused. The selection process shall be done in the Internal Affairs Unit office on a date and time convenient to both parties. The Chief of Police may exempt personnel from having their names placed on tags if their assignment or duties is such that they should not or could not serve on the board.

286.02 The Trial Board shall consist of five members who shall be selected in the following manner:

- A. The accused shall select four tags from a container, each of which shall have the name of the person of the same rank as the accused.
- B. The accused shall then select in the same manner three tags from each of the other ranks including non-sworn and excluding the Deputy Chief and Chief.
- C. Persons involved in the investigation, the accused and the charging officer shall not be considered valid selections and shall be replaced as soon as drawn.
- D. The charging party shall then strike one name from each rank classification.
- E. The accused shall then also strike one name from each rank classification, then additionally strike one of the six remaining.
- F. The remaining five persons shall make up the Trial Board.
- G. The list of the Trial Board members will be given to the Chief of Police who will select a Chairman of the Board.
- H. The Internal Affairs Unit shall cause the chairman and the members of the Trial Board to be notified by special order. The special order shall contain the admonition that under no circumstances will the case be discussed by the parties prior to the convening of the Board.

286.03 A new Board shall be selected for each case, except that one Board may hear multiple charges against one or more persons if the charges arise out of the same incident or occurrence, and the persons charged agree on a single Trial Board.

- 286.04 The Trial Board shall hear cases of violation appealed by the accused which have resulted in written reprimand, loss of pay, loss of seniority, demotion, suspension or termination. The Trial Board shall be a formal administrative hearing; however, the rules of evidence shall not apply.
- 286.05 The Trial Board Chairman shall provide timely notice to the accused of the time and place of the hearing which shall not be more than five days after the selection of the Board, unless criminal charges are pending against the accused, in which case, the Board may postpone the hearing until the conclusion of the criminal trial.
- 286.06 Trial Board proceedings shall be conducted in accordance with due process and shall be recorded. The accused is entitled to be represented but counsel shall not be provided by the Department. The Board may appoint an attorney to rule on motions and advise the Board. The Department may have its case presented by an attorney, if the accused is represented by an attorney; otherwise, the case shall be presented by the charging officer.
- 286.07 The accused and the Department shall have the right to present evidence, to call witnesses and to cross-examine witnesses. The burden shall be on the Department to prove the violation by substantial evidence.
- 286.08 All witnesses shall testify under oath or affirmation, and the hearing shall be closed.
- 286.09 At the conclusion of the hearing the Trial Board shall go into executive session and, by a majority vote, shall summarize the evidence, make findings of fact, make recommendations and, in writing, forward such to the Chief of Police. A dissenting opinion may be included if the Board feels it is necessary.

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## 287.00 POLICY AND PROCEDURES REVIEW BOARD

287.01 The Policy and Procedures Review Board is established under the direct authority of the Chief of Police and shall have broad powers to:

- A. Initiate review and evaluation of Departmental policies and procedures.
- B. Advise and assist the Chief of Police on any matter as he may request.
- C. Review any and all disciplinary cases except those handled by the Trial Board.
- D. Hold hearings when requested by an accused or departmental personnel.

287.02 The Policies and Procedures Review Board shall be appointed by the Chief of Police and its members shall serve at his pleasure. One member shall be designated as presiding officer by the Chief. The Board shall be a permanent board of the Department and shall hold regular meetings and hold hearings as necessary. The Board shall be composed of:

- A. One Deputy Chief or Captain
- B. One Planning Officer
- C. One Lieutenant
- D. One Patrol Sergeant
- E. One Detective (non-supervisory)
- F. One Police Officer (3 years on force assigned to Field Services)
- G. Legal Advisor (police attorney)
- H. One Non-sworn Employee
- I. One Community Representative

287.03 Members of the Policy and Procedures Review Board shall be replaced temporarily if a case is being reviewed in which they are involved.

287.04 Whenever the Policy and Procedures Review Board is involved in conduct review functions, the Community Representative

shall not sit and the Legal Advisor (police attorney) shall sit but not have a vote. The accused may strike two additional Board members and the remaining members shall constitute a Hearing Panel and have one vote each.

- 287.05 The Policy and Procedures Review Board may receive a written demand for a hearing from an accused. The Board shall review all material on the case and within ten (10) working days, determine whether it will hear the case.
- 287.06 If the Policy and Procedures Review Board declines to hear any matter because of complexity, seriousness or criminal charges being filed, it shall notify the accused through channels stating the reasons and/or advise the accused of his right to take the matter to the Trial Board.
- 287.07 If the Policy and Procedures Review Board decides to hear the matter, the Board shall notify the accused of the time and place of the hearing to take place within ten (10) days of notification. The Board shall also notify the accused of the names of the members of the Board. The citizen complainant, if any, may also be notified.
- 287.08 The presiding officer of the Board, if struck, shall appoint one of the remaining members to serve as chairperson.
- 287.09 The hearing conducted by the Hearing Panel may:
- A. Be a closed meeting.
  - B. Be informal.
  - C. Be conducted without presence of counsel.
  - D. Allow accused to attend along with his witnesses.
  - E. Call witnesses as necessary.
  - F. Proceed in any manner deemed necessary.
  - G. Have witnesses testify under oath.
  - H. Not necessarily follow rules of evidence.
  - I. Obtain any documents deemed necessary.
  - J. Not record the hearing.
- 287.10 The Hearing Panel may accept the investigative reports as a

full and fair statement of the facts unless the accused presents contrary evidence.

287.11

When the Policy and Procedures Board are reviewing cases under Section 287.01C, the meeting will be closed and the Community Representative will not sit. The Legal Advisor (Police Attorney) may sit, in an advisory capacity, but shall not have a vote.

287.12

At the conclusion of the hearing or after considering issues forwarded by the Chief of Police, the panel, by majority vote, shall summarize the evidence, make findings of fact, and make recommendations for action, and forward the report to the Chief of Police. Such recommendations may include, but not necessarily be limited to:

- A. Recommendation that a procedural error be corrected.
- B. Recommendation of disciplinary action against an accused officer.
- C. Recommendation of exoneration.

- 288.00 CHIEF'S ACTION ON TRIAL BOARD OR POLICY AND PROCEDURES REVIEW BOARD
- 288.01 The final disposition of each case in which Departmental Personnel have been charged, shall be determined by the Chief of Police. The Chief of Police must approve all actions taken by signing the charge sheet.
- 288.02 Upon receipt of either the Trial Board or the Policy and Procedures hearing reports, the Chief shall review the summaries, findings, reports, and recommendations and may:
- A. Accept the recommendation of the Trial Board or Policy and Procedures Review Board.
  - B. Remand the case to Internal Affairs Unit for additional investigation.
  - C. Remand the case to the Deputy Chief for recharging if the charges are deemed inappropriate.
  - D. Sustain the charges.
  - E. Order the recommended corrective or disciplinary action to be imposed.
  - F. Exonerate the accused.
  - G. Suspend all or any part of the disciplinary action.
  - H. Reduce any or all penalties involved.
- 288.03 The Chief of Police shall within five (5) working days of receipt of the case material and recommendations, notify the accused and the Deputy Chief in writing of actions taken and of the officer's or employee's right to appeal in accordance with Merit Ordinance provisions and collective bargaining agreements.
- 288.04 The Chief of Police will return all signed cases to the Internal Affairs Unit, which shall file and maintain all cases in accordance with Section 290.00 of this manual.
- 288.05 The Chief shall return matters concerning policy and procedures to the appropriate organizational entity for action.
- 288.06 Prior to any final action by the Chief, he may allow the accused to have audience to present anything which may have a bearing on the case or action.

## 289.00 INTERNAL AFFAIRS UNIT (IAU)

289.01 The Internal Affairs Unit (IAU) under the direction of the legal advisor (police attorney), shall act on behalf of the Chief of Police as a staff investigative body with the following major purposes:

- A. To assist in maintaining department integrity.
- B. To identify personnel guilty of misconduct so that they may be retrained and corrected or disciplined through proper administrative action.
- C. To protect innocent members and employees.
- D. To enable the police attorney to render professional legal services to the Chief of Police and his representatives
- E. To monitor the complaint investigation procedure to ensure that appropriate action is taken in all cases.
- F. To identify personnel who display a trend toward unacceptable behavior.
- G. To coordinate with the Training Division on training needs which might minimize undesirable practices caused by misinterpretation of procedures.
- H. To coordinate with the Planning and Inspections Unit methods of correcting service delivery defects due to inadequate procedures or practices.
- I. To maintain staff control over all disciplinary records and files as discussed in Section 290.00 of this manual.
- J. To refer complaints pursuant to 280.03(A) to the Policy and Procedures Review Board.

289.02 The Internal Affairs Unit shall prepare a case file on all cases upon receipt or initiation of a complaint form, and shall monitor the progress of each case.

289.03 The Internal Affairs Unit shall notify citizen complainants that the case is being investigated unless the notification would jeopardize the progress of the investigation. Likewise, upon completion of the case, the Internal Affairs Unit will notify the complainant of the outcome of his complaint.

289.04 Whenever an internal investigation yields evidence of possible criminal misconduct on the part of department personnel

or other persons, the Internal Affairs Unit shall immediately notify the Chief of Police, who shall determine what further action shall be taken.

289.05

All case files sent to the Internal Affairs Unit by the Trial Board and the Procedures Review Board shall be filed and maintained in accordance with Section 290.00 of this manual.

## 290.00 INTERNAL AFFAIRS UNIT RECORDS

290.01 Internal Affairs in performing their staff control function will be the custodian of all disciplinary records and follows the procedures outlined below.

290.02 All files and reports of internal investigations conducted by the Internal Affairs Unit or by other personnel of this Department are confidential. They are intended for the exclusive use of the Chief of Police, the legal advisor (police attorney) or their representatives. Actual files, photostats or abstracts may be released to persons outside the Department only upon the specific approval of the Chief of Police or the legal advisor, (police attorney).

290.03 Internal Affairs Unit records for cases and/or incidents in which a finding of not sustained, unfounded, or exonerated is determined, will be disposed of one year after the date of such finding.

290.04 Internal Affairs Unit records for cases and/or incidents in which a finding of sustained is determined but for which less than ten (10) days suspension is given will be disposed of one year after the date of such finding or of appeal procedure termination.

290.05 Internal Affairs Unit records for cases and/or incidents in which a finding of sustained is determined and for which ten (10) days or more suspension is given will be disposed of three years after the date of such finding or of appeal procedure termination.

290.06 Internal Affairs Unit records for cases and/or incidents in which a lawsuit has been filed will be held until the case has been adjudicated, then will be disposed of as indicated in Sections 290.03, 290.04, 290.05, whichever is applicable.

290.07 Internal Affairs Unit will be responsible for the systematic purging and disposition of these records, as indicated above.

290.08 The Chief of Police may, at his discretion, retain or dispose of Internal Affairs Unit files, regardless of the contents of this section.

APPENDIX 10

# Citizen - Police Complaint Form

NAME AND RANK OF PERSON COMPLAINED AGAINST	UNIT AND WATCH	DUTY PHONE
COMPLAINANT'S NAME	ADDRESS	PHONE
WITNESS NAME	ADDRESS	PHONE
WITNESS NAME	ADDRESS	PHONE
WITNESS NAME	ADDRESS	PHONE
DATE AND TIME OF OCCURRENCE	LOCATION OF OCCURRENCE	

DETAILS OF COMPLAINT:

THIS COMPLAINT HAS BEEN <input type="radio"/> RESOLVED (NOTE METHOD USED IN NARRATIVE) <input type="radio"/> FORWARDED FOR INVESTIGATION (SEE DISTRIBUTION INSTRUCTIONS BELOW)		
DATE AND TIME COMPLAINT RECEIVED	NAME AND RANK OF PERSON RECORDING COMPLAINT	UNIT AND WATCH
DATE AND TIME RECEIVED FOR INVESTIGATION	NAME AND RANK OF INVESTIGATOR ASSIGNED	UNIT AND WATCH
DATE AND TIME INVESTIGATION COMPLETED	SIGNATURE OF INVESTIGATOR	THIS COMPLAINT IS: <input type="checkbox"/> EXONERATED <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> SUSTAINED <input type="checkbox"/> NOT SUSTAINED <input type="checkbox"/> OTHER MISCONDUCT
DISTRIBUTION: COMPLAINTS AGAINST DEPARTMENT AND CRIMINAL ALLEGATIONS, SEND ORIGINAL TO THE INTERNAL AFFAIRS UNIT. FOR ALL OTHER COMPLAINTS, SEND ORIGINAL TO ACCUSED'S SUPERVISOR AND A COPY TO INTERNAL AFFAIRS.		
ATTACH COMPLETE INVESTIGATIVE REPORT AND FORWARD.		

USE ADDITIONAL SHEETS OF BLANK PAPER IF NECESSARY.

APPENDIX 11

# ALBUQUERQUE POLICE DEPARTMENT

## Disciplinary Charge Sheet

NAME OF PERSON CHARGED	RANK	SERVICE NO.	UNIT AND WATCH	DUTY PHONE
NAME OF CHARGING PERSON	RANK	SERVICE NO.	UNIT AND WATCH	DUTY PHONE

THE SPECIFIC CHARGES ARE THAT ON OR ABOUT \_\_\_\_\_, AT \_\_\_\_\_, THE CHARGED PERSON DID VIOLATE:

- (A) SECTION(S) \_\_\_\_\_ OF THE ALBUQUERQUE POLICE DEPARTMENT'S STANDARD OPERATING PROCEDURES;
- (B) SPECIAL ORDER \_\_\_\_\_ DATED \_\_\_\_\_ OF THE ALBUQUERQUE POLICE DEPARTMENT;
- (C) SECTION(S) \_\_\_\_\_ OF THE CITY OF ALBUQUERQUE PERSONNEL REGULATIONS.

WHICH STATE (QUOTE ALL OR PART OF SECTION(S) WHICH APPLY. COPIES MAY BE ATTACHED).

AS DETERMINED BY \_\_\_\_\_, WHO RETURNED A FINDING OF \_\_\_\_\_  
 (ATTACH COMPLAINT FORM AND INVESTIGATIVE REPORT)

CHARGING PERSON'S SIGNATURE	RANK	SERVICE NO.	RECOMMENDED ACTION		
REVIEWING PERSON'S SIGNATURE	RANK	SERVICE NO.	<input type="radio"/> I CONCUR	<input type="radio"/> I DO NOT CONCUR	WRITE A SEPARATE LETTER ON NON-CONCURRENCIES, GIVING REASON AND RECOMMENDATION
REVIEWING PERSON'S SIGNATURE	RANK	SERVICE NO.	<input type="radio"/> I CONCUR	<input type="radio"/> I DO NOT CONCUR	
REVIEWING PERSON'S SIGNATURE	RANK	SERVICE NO.	<input type="radio"/> I CONCUR	<input type="radio"/> I DO NOT CONCUR	

I CERTIFY THAT I HAVE BEEN NOTIFIED OF THE ACTION TO BE TAKEN.	DATE NOTIFIED	TIME NOTIFIED	SIGNATURE OF ACCUSED	SIGNATURE OF PERSON NOTIFY
--	---------------	---------------	----------------------	----------------------------

ACTION TO BE TAKEN (DEPUTY CHIEF)	I ACCEPT THE ACTION TO BE TAKEN
	<div style="display: flex; justify-content: space-between;"> <div>SIGNATURE _____</div> <div>DATE _____</div> <div>TIME _____</div> </div>

I WISH TO APPEAL THE ACTION TO BE TAKEN TO THE:	<div style="display: flex; justify-content: space-between;"> <div>SIGNATURE _____</div> <div>DATE _____</div> <div>TIME _____</div> </div>
<input type="checkbox"/> TRIAL BOARD * <input type="checkbox"/> POLICY AND PROCEDURES REVIEW BOARD *	

DATE BOARD SELECTED	DATE BOARD CONVENED	BOARD'S FINDINGS AND RECOMMENDATIONS (ATTACH REPORT)
---------------------	---------------------	--

- ☐ I WISH TO APPEAL THE CHIEF'S ACTION \*
- ☐ I UNDERSTAND THAT I CANNOT APPEAL
- ☐ I ACCEPT THE CHIEF'S ACTION

ACTION BY CHIEF

SIGNATURE

DATE

SIGNATURE

DATE

APPENDIX 12

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Post-Training Survey  
Albuquerque Police Department  
December, 1977

This survey is being given by the IACP, and is part of the overall project to revise the APD disciplinary system. Your name does not appear on this paper, and you cannot be identified in any way. This questionnaire has been kept as brief as possible. Thank you for your time.

(1) \_\_\_\_\_

1. Please check the one answer below that best describes what the term "discipline" means to you, based on your overall experience in this department.

- ☒ 13 Behavior according to police standards of conduct  
☐ 20 An attitude which causes officers to obey police standards of conduct  
☐ 37 Training or counseling to improve police officer performance  
☐ 30 Punishment for officer misconduct

(2) \_\_\_\_\_

2. Overall, I feel that the new department rules and regulations governing conduct, as written, are fair and reasonable.

6 Strongly Agree 59 Agree 26 Uncertain 6 Disagree 3 Strongly Disagree

(3) \_\_\_\_\_

3. The new Standard Operating Procedures in this department generally are stated so that I can understand them.

8 Strongly Agree 63 Agree 18 Uncertain 9 Disagree 2 Strongly Disagree

(4) \_\_\_\_\_

4. The new Standard Operating Procedures are stated so that I have a good understanding of what is expected of me.

4 Strongly Agree 63 Agree 22 Uncertain 9 Disagree 2 Strongly Disagree

(5) \_\_\_\_\_

5. I have a good understanding of appeal procedures on disciplinary actions outside of this department.

12 Strongly Agree 41 Agree 28 Uncertain 13 Disagree 6 Strongly Disagree

- (6) \_\_\_\_\_ 6. I have a good understanding of the new procedures that are to be used by this department to record citizen complaints of misconduct.  
9 Definitely Yes 4 Yes 23 Uncertain 4 No 1 Definitely No
- (7) \_\_\_\_\_ 7. I have a good understanding of the new procedures that are to be used by this department to investigate citizen complaints of misconduct.  
10 Definitely Yes 0 Yes 28 Uncertain 1 No 1 Definitely No
- (8) \_\_\_\_\_ 8. I have a good understanding of the responsibilities of this department's Internal Affairs unit in the new system.  
9 Definitely Yes 2 Yes 23 Uncertain 2 No 3 Definitely No
- (9) \_\_\_\_\_ 9. I have a good understanding of the process that is used for internal review of disciplinary actions taken in the new system.  
10 Definitely Yes 52 Yes 30 Uncertain 4 No 3 Definitely No
- (10) \_\_\_\_\_ 10. I feel that personnel can get a "fair shake" through the new internal review process.  
12 Strongly Agree 42 Agree 38 Uncertain 6 Disagree 2 Strongly Disagree
- (11) \_\_\_\_\_ 11. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.  
12 Definitely Yes 4 Yes 3 Uncertain 12 No 3 Definitely No
- (12) \_\_\_\_\_ 12. I feel that appeal procedures outside this department give a fairer review than do the new internal procedures.  
3 Strongly Agree 14 Agree 38 Uncertain 32 Disagree 12 Strongly Disagree
- The following section contains multiple-choice questions. For each question, place a check mark next to the letter of the one answer you think is best.
- (13) \_\_\_\_\_ 13. Which of the following is not true concerning the use of "verbal action" cards kept on individuals?
- 7 (a) Each entry must be initialled by the concerned individual.  
28 (b) Only immediate supervisors may have access to them.  
8 (c) They are transferred with the member or employee.  
6 (d) Each notation must be deleted at the end of 12 months.

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(14) —

14. When giving a written reprimand, the supervisor:

- 13(a) Advises the concerned member or employee to contact the Fiscal/Personnel unit.
- 6(b) Provides details to the Internal Affairs Unit for their use in making up a charge sheet.
- 67(c) Sends the original of the charge sheet to the Section Commander through the chain of command.
- 12(d) Gets concurrence of all succeeding supervisors before making up a charge sheet.

(15) —

15. Appeals to the City Administrative Officer's Grievance Committee may not be made under which of the following circumstances?

- 63(a) By a probationary member or employee.
- 11(b) After a departmental appeal procedure has been completed.
- 3(c) Concerning a matter of seniority.
- 21(d) Concerning an oral reprimand.

(16) —

16. A supervisor of sergeant rank has the following proper option when he believes that a member of employee should be relieved of duty after a charge has been brought:

- 14(a) Refer the request to the Internal Affairs Unit without further action.
- 20(b) Suspend the individual for up to 80 hours.
- 24(c) Delay action pending disposition of the charges by the Chief of Police, regardless of circumstances.
- 37(d) Exercise discretion even if the Section Commander is not available for several days.

(17) —

17. Which of the following is not a provision of the APD disciplinary procedures concerning individuals who are suspended from duty?

- 6(a) Has same responsibility as any subpoenaed citizen to attend court.
- 69(b) May work private off-duty job.
- 12(c) May be offered the opportunity by APD to "make up" some suspension time by working after normal hours.
- 13(d) May not wear uniform or badge while relieved of duty.

(18) —

18. Which of the following is not a part of proper processing of an official complaint.

- 59(a) In some cases, person receiving complaint resolves it to the complainant's satisfaction and retains the complaint form.

- 12(b) Copies of the complaint are sent both along the chain of command, and directly to the Internal Affairs Unit.
- 22(c) In some cases, personnel who are the subject of the complaints may not be notified of that fact.
- 4(d) The complaint is always recorded on a complaint form.

(19) —

19. In which of the following cases does the Internal Affairs Unit not have sole investigative responsibility?

- 30(a) When directed to do so by the Chief of Police.
- 1(b) When the investigation is too complex for a supervisor to undertake.
- 6(c) When officers of various commands are involved in the same complaint.
- 61(d) When the complaint alleges a defect in policy, procedure, or service delivery.

(20) —

20. Which term below has a definition in the APD procedures best fitting the description, "the evidence is possibly valid, but insufficient"?

- 0(a) Sustained
- 81(b) Not Sustained
- 17(c) Unfounded
- 2(d) Exonerated

(21) —

21. Which of the following is not a necessary condition for an accused individual to be allowed an appeal before a Trial Board?

- 6(a) The request must be made in writing.
- 77(b) An appeal must first be made to the Policy and Procedures Review Board.
- 14(c) The request must be made to the individual's Deputy Chief.
- 3(d) The request must be made within 10 days of the time the individual signed the charge sheet.

(22) —

22. Which of the following is not a provision of the APD procedures concerning the conduct of Trial Board proceedings?

- 7(a) The proceedings must be recorded.
- 2(b) The accused has a right to cross-examine witnesses.
- 88(c) The accused must be provided an attorney by the APD on request.
- 3(d) Dissenting opinion may be included in the recommendations forwarded to the Chief of Police.

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(23) \_\_\_\_

23. Which of the following is true of the APD Hearing Panel for disciplinary matters?

- 8(a) Is formed only of members who have served at least once on a Trial Board.
- 12(b) Includes the departmental Legal Advisor as a voting member.
- 44(c) May meet in closed session.
- 30(d) Must follow the rules of evidence in its proceedings.

(24) \_\_\_\_

24. Which of the following is not true of the role of the Internal Affairs Unit in disciplinary matters?

- 1(a) Prepares files and monitors progress on cases.
- 8(b) Notifies citizen complainants that a case is being investigated, except when the notification would jeopardize progress.
- 6(c) Acts as custodian of all disciplinary records.
- 81(d) Approves the release of case files, photostats, and abstracts to persons outside the department.

APPENDIX 13

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Post-Training Survey  
Albuquerque Police Department  
January, February, March 1978

This survey is being given by the IACP, and is part of the overall project to revise the APD disciplinary system. Your name does not appear on this paper, and you cannot be identified in any way. This questionnaire has been kept as brief as possible. Thank you for your time.

(1) —

1. Please check the one answer below that best describes what the term "discipline" means to you, based on your overall experience in this department.

☒ 27 Behavior according to police standards of conduct

☐ 16 An attitude which causes officers to obey police standards of conduct

☐ 16 Training or counseling to improve police officer performance

☐ 39 Punishment for officer misconduct

(2) —

2. Overall, I feel that the new department rules and regulations governing conduct, as written, are fair and reasonable.

3 Strongly Agree 51 Agree 34 Uncertain 8 Disagree 2 Strongly Disagree

(3) —

3. I feel the new rules and regulations governing conduct as written are more fair and reasonable than the old rules and regulations.

7 Strongly Agree 54 Agree 31 Uncertain 6 Disagree 2 Strongly Disagree

(4) —

4. The new Standard Operating Procedures in this department generally are stated so that I can understand them.

3 Strongly Agree 62 Agree 22 Uncertain 10 Disagree 2 Strongly Disagree

(5) —

5. I feel that the new procedures for handling discipline are more fair than the old disciplinary procedures.

6 Strongly Agree 48 Agree 36 Uncertain 8 Disagree 1 Strongly Disagree

- (6) \_\_\_\_ 6. The new Standard Operating Procedures are stated so that I have a good understanding of what is expected of me.  
4 Strongly Agree 59 Agree 26 Uncertain 9 Disagree 1 Strongly Disagree
- (7) \_\_\_\_ 7. I have a good understanding of my right to a Trial Board in disciplinary action.  
6 Strongly Agree 68 Agree 20 Uncertain 5 Disagree 0 Strongly Disagree
- (8) \_\_\_\_ 8. I have a good understanding of appeal procedures on disciplinary actions outside of this department.  
2 Strongly Agree 46 Agree 36 Uncertain 14 Disagree 1 Strongly Disagree
- (9) \_\_\_\_ 9. I have a good understanding of the new procedures that are to be used by this department to record citizen complaints of misconduct.  
4 Definitely Yes 60 Yes 26 Uncertain 8 No 1 Definitely No
- (10) \_\_\_\_ 10. I have a good understanding of the new procedures that are to be used by this department to investigate citizen complaints of misconduct.  
4 Definitely Yes 56 Yes 31 Uncertain 8 No 2 Definitely No
- (11) \_\_\_\_ 11. I have a good understanding of the responsibilities of this department's Internal Affairs Unit in the new system.  
3 Definitely Yes 48 Yes 34 Uncertain 12 No 2 Definitely No
- (12) \_\_\_\_ 12. I have a good understanding of the process that is used for internal review of disciplinary actions taken in the new system.  
2 Definitely Yes 47 Yes 39 Uncertain 11 No 1 Definitely No
- (13) \_\_\_\_ 13. I feel that personnel can get a "fair shake" through the new internal review process.  
3 Strongly Agree 43 Agree 37 Uncertain 13 Disagree 4 Strongly Disagree
- (14) \_\_\_\_ 14. I feel that appeal procedures outside this department give a fairer review than do the new internal procedures.  
3 Strongly Agree 21 Agree 49 Uncertain 22 Disagree 4 Strongly Disagree

(15) \_\_\_\_

15. Overall, I feel the new rules of conduct and procedures for dealing with discipline are more fair and reasonable than the old rules and procedures.

5 Strongly Agree 55 Agree 34 Uncertain 5 Disagree 1 Strongly Disagree

(16) \_\_\_\_

16. Overall, I feel that the new rules of conduct and procedures for dealing with discipline are more understandable than the old rules and procedures.

3 Strongly Agree 55 Agree 32 Uncertain 8 Disagree 1 Strongly Disagree

(17) \_\_\_\_

17. I feel that the new rules and procedures will eliminate much of the dissatisfaction with past disciplinary practices in this department.

4 Strongly Agree 34 Agree 43 Uncertain 15 Disagree 4 Strongly Disagree

The following section contains true and false questions. For each question, place a check mark next to the answer you think is best.

(18) \_\_\_\_

18. A violation of a general order (which is not part of "Duties and Responsibilities" of the Albuquerque Police Department disciplinary code) cannot be used as a basis for disciplinary action.

33 True

66 False

(19) \_\_\_\_

19. Once permission for specific outside employment has been granted by the Chief of Police, it may not be rescinded.

21 True

78 False

(20) \_\_\_\_

20. An officer may not engage or participate in any form of illegal gambling at any time.

59 True

40 False

(21) \_\_\_\_

21. If an officer loses departmental equipment, he may be subject to disciplinary action.

89 True

10 False

(22) \_\_\_\_

22. Both the Albuquerque Police Department disciplinary rules and the Albuquerque Personnel Merit Ordinance prohibit the solicitation and acceptance of gifts and gratuities by police officers.

81 True

18 False

(23) \_\_\_\_

23. In the new disciplinary procedures, there is no distinction between official and unofficial complaint.

34 True

65 False

(24) \_\_\_\_

24. Although the new procedures state that in all but emergency cases the complaint shall be referred to IAU or a supervisor for recording, the procedures also authorize personnel of the department generally to accept and record complaints.

80 True

18 False

(25) \_\_\_\_

25. Under the new procedures, if the person receiving an official complaint resolves the matter to the complainant's satisfaction, there is no requirement to complete and submit a complaint form.

29 True

69 False

(26) \_\_\_\_

26. Before any disciplinary action is imposed which results in written reprimand, loss of pay, loss of seniority, demotion, suspension, working days off in lieu of suspension, or termination, a charge sheet must be prepared.

94 True

5 False

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(27) —

27. Whenever an accused officer is presented a charge sheet, the officer must either accept or reject the penalties recommended. If the accused rejects the recommended penalties, a Trial Board or hearing before the Policy and Procedures Review Board will automatically be ordered by the Chief of Police.

48 True

49 False

(28) —

28. In selecting the Trial Board, the accused has no say in who shall sit on the Board.

7 True

90 False

(29) —

29. The Trial Board shall hear all cases of violations appealed by the accused which have resulted in oral reprimand, written reprimand, loss of pay, loss of seniority, demotion, suspension, or termination.

52 True

44 False

(30) —

30. A hearing before the Policy and Procedures Review Board is a more formal proceeding than a hearing before the Trial Board.

31 True

63 False

(31) —

31. Upon completion of a hearing before a Trial Board or the Policy and Procedures Review Board, the Board members shall make recommendations to the Chief of Police, which, according to the new procedures, must be followed.

36 True

60 False

APPENDIX 14

TRIAL BOARD

EMPLOYEE \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_

CHARGE \_\_\_\_\_

DISCIPLINARY ACTION \_\_\_\_\_

DATE OF ACTION \_\_\_\_\_ CHARGING OFFICER \_\_\_\_\_

DATE APPEAL REQUESTED \_\_\_\_\_ DATE/TIME OF DRAWING \_\_\_\_\_

TRIAL BOARD MEMBERS DRAWN

<u>Captain</u>	<u>Re-Drawing</u>	<u>Lieutenant</u>	<u>Re-Drawing</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

<u>Sergeant</u>	<u>Re-Drawing</u>	<u>Patrolman</u>	<u>Re-Drawing</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

<u>Civilian</u>	<u>Re-Drawing</u>	<u>Re-Drawing</u>	<u>Re-Drawing</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

DATE/TIME OF TRIAL BOARD \_\_\_\_\_

LOCATION \_\_\_\_\_

DEPARTMENT SPECIAL ORDERS ISSUED \_\_\_\_\_

DECISION OF TRIAL BOARD \_\_\_\_\_

FINAL DISPOSITION \_\_\_\_\_

PROJECT FORM 1 - COMPLAINTS AND CHARGES  
APD/IACP DISCIPLINE PROJECT

Case Number: \_\_\_\_\_

Police/Citizen Complaint \_\_\_\_\_

Internal Disciplinary Action \_\_\_\_\_

Note: This form is intended only for recording research information on the disciplinary process in general. Any individual who is the subject of a complaint or charge should be identified on this form.

Date Complaint Made \_\_\_\_\_

Date Charge Made \_\_\_\_\_

This complaint is against:

This complaint brought by:

☐ Civilian Employee

☐ Citizen

☐ Officer

☐ Civilian Employee

☐ Supervisor (rank: \_\_\_\_\_)

☐ Officer

☐ Policy or Procedure

☐ Supervisor in Chain of Command

☐ Reserve Officer

☐ Other Supervisory Personnel

Nature of Complaint: \_\_\_\_\_

Action Taken:

Resolved by (method): \_\_\_\_\_

Forwarded for further investigation (to whom, rank) \_\_\_\_\_

Investigation Completed (date): \_\_\_\_\_

Finding: \_\_\_\_\_ Sustained \_\_\_\_\_ Unfounded \_\_\_\_\_ Other Misconduct

\_\_\_\_\_ Not Sustained

\_\_\_\_\_ Exonerated

Department Action: \_\_\_\_\_

Accused's Action:

Accept (date): \_\_\_\_\_ or Appeal (date): \_\_\_\_\_

Trial Board (date): \_\_\_\_\_ or PPRB (date): \_\_\_\_\_

Board Finding: \_\_\_\_\_

Chief of Police Finding: \_\_\_\_\_

Accused's Action:

Accept (date): \_\_\_\_\_ or Appeal (date): \_\_\_\_\_

CAO Hearing (date): \_\_\_\_\_

CAO Finding: \_\_\_\_\_

Accused's Action:

Accept (date): \_\_\_\_\_ or Appeal (date): \_\_\_\_\_

Personnel Board Hearing (date): \_\_\_\_\_

Personnel Board Finding: \_\_\_\_\_

Accused's Action:

Accept (date): \_\_\_\_\_

Court Review: \_\_\_\_\_

Court Finding and date: \_\_\_\_\_

APPENDIX 15

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INTERIM SURVEY ON DISCIPLINE  
ALBUQUERQUE POLICE DEPARTMENT

This survey is being given by the IACP, and asks questions about the revisions in the APD disciplinary system which took effect January 1, 1978. Your name does not appear on this paper, and you cannot be identified in any way. This questionnaire has been kept as brief as possible. Thank you for your time.

(1)\_\_\_

1. Overall, I feel that the new rules and regulations governing conduct, as written, are fair and reasonable.

0 Strongly Agree 66 Agree 18 Uncertain 10 Disagree 6 Strongly Disagree  
0 51 17 11 20

(2)\_\_\_

2. Overall, I feel that department rules and regulations governing conduct are enforced fairly and reasonably.

2 Strongly Agree 36 Agree 18 Uncertain 30 Disagree 14 Strongly Disagree  
0 23 23 34 20

(3)\_\_\_

3. My present supervisor is consistent in enforcing Standard Operating Procedures.

12 Strongly Agree 52 Agree 12 Uncertain 14 Disagree 10 Strongly Disagree  
11 51 31 3 3

(4)\_\_\_

4. Personnel feel free to suggest new or revised Standard Operating Procedures to superiors.

4 Strongly Agree 40 Agree 22 Uncertain 22 Disagree 12 Strongly Disagree  
3 29 23 37 9

(5)\_\_\_

5. Civilian employees in this department are treated equally to officers in general work matters.

0 Strongly Agree 30 Agree 44 Uncertain 22 Disagree 4 Strongly Disagree  
3 29 29 31 9

(6)\_\_\_

6. Civilian employees in this department are treated equally to officers in disciplinary matters.

0 Strongly Agree 28 Agree 38 Uncertain 28 Disagree 6 Strongly Disagree  
3 11 40 29 17

(7)\_\_\_

7. The new Standard Operating Procedures are stated so that I have a good understanding of what is expected of me.

12 Strongly Agree 60 Agree 18 Uncertain 8 Disagree 2 Strongly Disagree  
0 37 34 14 14

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- (8)\_\_\_ 8. I have a good understanding of the procedures that are used by this department to record citizen complaints of misconduct.  
12 Strongly Agree 54 Agree 18 Uncertain 16 Disagree 0 Strongly Disagree  
3 51 24 11 9
- (9)\_\_\_ 9. I have a good understanding of the procedures that are used by this department to investigate citizen complaints of misconduct.  
12 Strongly Agree 48 Agree 24 Uncertain 14 Disagree 2 Strongly Disagree  
0 54 23 17 6
- (10)\_\_\_ 10. My present supervisor is fair in determining facts regarding misconduct.  
24 Strongly Agree 52 Agree 12 Uncertain 6 Disagree 6 Strongly Disagree  
9 63 26 3 0
- (11)\_\_\_ 11. My present supervisor uses counselling and retraining to deal with misconduct.  
16 Strongly Agree 42 Agree 18 Uncertain 10 Disagree 12 Strongly Disagree  
3 46 37 9 6
- (12)\_\_\_ 12. I have a good understanding of the responsibilities of this department's internal affairs unit in the new system.  
16 Strongly Agree 44 Agree 22 Uncertain 14 Disagree 4 Strongly Disagree  
0 49 29 9 14
- (13)\_\_\_ 13. I have a good understanding of the process that is used for internal review of disciplinary actions taken in the new system.  
12 Strongly Agree 36 Agree 32 Uncertain 18 Disagree 2 Strongly Disagree  
0 37 43 11 9
- (14)\_\_\_ 14. I feel that personnel can get a "fair shake" through the new internal review process.  
10 Strongly Agree 26 Agree 38 Uncertain 18 Disagree 8 Strongly Disagree  
3 29 29 17 23
- (15)\_\_\_ 15. I feel that the internal review process works consistently for all personnel, regardless of rank or assignment.  
8 Strongly Agree 22 Agree 20 Uncertain 28 Disagree 22 Strongly Disagree  
3 14 14 34 34
- (16)\_\_\_ 16. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.  
6 Strongly Agree 54 Agree 28 Uncertain 10 Disagree 2 Strongly Disagree  
0 51 31 9 9

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(17)\_\_\_

17. I feel that personnel can get a "fair shake" through the appeal procedures outside this department.

2 Strongly Agree 34 Agree 42 Uncertain 12 Disagree 10 Strongly Disagree  
0 34 40 11 14

(18)\_\_\_

18. I feel that appeal procedures outside this department give a fairer review than do the new internal procedures.

4 Strongly Agree 18 Agree 48 Uncertain 24 Disagree 6 Strongly Disagree  
0 26 49 20 6

(19)\_\_\_

19. I feel that internal disciplinary decisions are made within a reasonable length of time.

2 Strongly Agree 66 Agree 20 Uncertain 8 Disagree 4 Strongly Disagree  
3 57 23 17 0

(20)\_\_\_

20. The use of disciplinary Trial Boards results in fairer treatment of the accused individual than the old system.

12 Strongly Agree 46 Agree 34 Uncertain 8 Disagree 0 Strongly Disagree  
3 37 46 14 0

(21)\_\_\_

21. The use of Trial Boards results in letting off too lightly those who should be punished.

0 Strongly Agree 6 Agree 36 Uncertain 38 Disagree 18 Strongly Disagree  
3 3 29 49 17

(22)\_\_\_

22. Trial Boards are too cumbersome and costly to justify their use.

2 Strongly Agree 4 Agree 36 Uncertain 42 Disagree 14 Strongly Disagree  
0 3 49 43 6

(23)\_\_\_

23. The use of Trial Boards results in more consistent disciplinary actions in the APD as a whole.

4 Strongly Agree 34 Agree 40 Uncertain 16 Disagree 4 Strongly Disagree  
3 20 51 11 11

(24)\_\_\_

24. The overall rules and procedures governing discipline in the APD are more effective than the ones in use a year ago.

6 Strongly Agree 52 Agree 22 Uncertain 12 Disagree 6 Strongly Disagree  
3 31 49 6 11

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This section asks for information about your personal background, department history, and attitudes toward your job. Please respond as accurately as possible. Your cooperation is very important in helping us understand the meaning of the overall results. Unless stated otherwise, please check one response for each question.

(25)\_\_\_

25. How many years have you worked in this department?

- 0 (1) 0 less than one year  
2 (2) 1-2 years  
22 (3) 3-5 years  
42 (4) 6-12 years  
34 (5) over 12 years

(26)\_\_\_

26. Ethnic Background

- 0 (1) 0 Black  
28 (2) 3 Spanish  
6 (3) 0 Indian  
64 (4) 54 White  
0 (5) 3 Other, please specify \_\_\_\_\_

(27)\_\_\_

27. What is your present rank or position?

- 0 (1) 9 Lieutenant or above  
10 (2) 9 Sergeant  
50 (3) 71 Police Officer  
2 (4) 0 Civilian supervisor  
22 (5) 3 Civilian employee  
14 (6) 6 Other, please specify \_\_\_\_\_

(28)\_\_\_

28. How satisfied are you with your present assignment in this department?

- 52 (1) 29 Very satisfied  
26 (2) 49 Somewhat satisfied  
10 (3) 9 Neither satisfied nor dissatisfied  
4 (4) 3 Somewhat dissatisfied  
8 (5) 9 Very dissatisfied

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(29)\_\_\_

29. Overall, how satisfied are you at this time with your career in this department?

30 (1) 14 Very satisfied  
22 (2) 34 Somewhat satisfied  
14 (3) 17 Neither satisfied nor dissatisfied  
18 (4) 20 Somewhat dissatisfied  
14 (5) 14 Very dissatisfied

(30)\_\_\_

30. Please comment if you wish in the space below on any concerns or feelings you may have about the way discipline is handled in the APD. We are especially interested in any differences you may see in the "old" and "new" systems. (The new system officially took effect January 1, 1978.)

APPENDIX 16

ALBUQUERQUE - QUESTIONS FOR INTERVIEW

1. What do you notice that is different about disciplinary matters since the first of the year?

2. Have you had any contact with a Trial Board?

- i.e. Know anyone who has been a member or know anyone who has been before one? Have you heard any rumors?

Sworn Interviewee

3. What do you believe the position (reaction) of the APOA and the FOP is on the new disciplinary system?

Civilian Interviewee

What is the general feeling of the civilian employee on the new disciplinary system?

4. Was the training received in the new system effective?

Civilian or Sworn

5. How does your supervisor affect discipline and morale?

- i.e. What does he do to make it better or worse?

Supervisor Interviewee

In your role as a supervisor, how can you best affect discipline and morale?

APPENDIX 17

Request for Information  
STUDY OF PRACTICES IN POLICE DISCIPLINE  
Sponsored jointly by the  
ALBUQUERQUE POLICE DEPARTMENT  
and the  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

This request for information is being made to a large random sample of members of the Albuquerque Police Department. It is part of the follow-up to see how you feel about the departmental rules and procedures on discipline now that they have been in effect for nearly a year. Please answer the questions thinking of the past 12-month period.

Unless otherwise stated, this questionnaire will be handled just like those given before in this study; that is:

1. You cannot be identified. Your name should not be put on the paper.
2. The results will be kept in the custody of the IACP. Only summaries of combined answers will be released.
3. Your own personal opinions are important for this study. Please give your own answers.

The purpose of this questionnaire is to learn your feelings about discipline in the APD in the past year.

December 1978

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(1) \_\_\_\_

(2-4) \_\_\_\_

(5) \_\_\_\_

(6) \_\_\_\_

(7) \_\_\_\_

(8) \_\_\_\_

(9) \_\_\_\_

Note:

Figures given are percent of 232 respondents.

Before you start on the questions, please check the one answer below that best describes what the term "discipline" means to you, based on your overall experience in this department in the past year.

21.1 Behavior according to police standards of conduct

21.5 An attitude which causes officers to obey police standards of conduct

22.4 Training or counseling to improve police officer performance

35.0 Punishment for officer misconduct

(Note that in the following questions, the term "personnel" refers to both sworn officers and civilian employees).

1. Overall, I feel that department rules and regulations governing conduct, as written, are fair and reasonable.

2.2 Strongly Agree 42.7 Agree 23.8 Uncertain 25.1 Disagree 6.2 Strongly Disagree

2. Overall, I feel that department rules and regulations governing conduct are enforced fairly and reasonably.

0 Strongly Agree 26.8 Agree 21.1 Uncertain 34.2 Disagree 18.0 Strongly Disagree

The following group of questions refers to the adequacy of the departmental written rules and procedures in terms of being understood.

3. Standard Operating Procedures in this department generally are stated so that I can understand them.

3.5 Strongly Agree 59.3 Agree 16.4 Uncertain 18.1 Disagree 2.7 Strongly Disagree

(1.)

4. My present supervisor is consistent in enforcing Standard Operating Procedures.

9.1 Strongly Agree 48.3 Agree 21.6 Uncertain 13.8 Disagree 7.3 Strongly Disagree

(2.)

5. My present supervisor does a good job when explaining new or revised Standard Operating Procedures.

10.4 Strongly Agree 45.9 Agree 18.2 Uncertain 17.7 Disagree 7.8 Strongly Disagree

(3.)

6. Personnel feel free to suggest new or revised Standard Operating Procedures to superiors.

3.0 Strongly Agree 31.9 Agree 25.9 Uncertain 29.7 Disagree 9.5 Strongly Disagree

(4.)

7. Officers should be held to a higher standard of conduct than civilian employees in the police department.

9.5 Strongly Agree 45.0 Agree 9.5 Uncertain 25.5 Disagree 10.4 Strongly Disagree

(5.)

8. Officers should be held to a higher standard of conduct than the public at large.

13.4 Strongly Agree 54.7 Agree 8.2 Uncertain 16.8 Disagree 6.9 Strongly Disagree

(6.)

9. Civilian employees should be held to a higher standard of conduct than the public at large.

7.3 Strongly Agree 52.6 Agree 12.9 Uncertain 20.7 Disagree 6.5 Strongly Disagree

(7.)

10. Civilian employees in this department are treated equally to officers in general work matters.

1.7 Strongly Agree 18.5 Agree 32.8 Uncertain 36.6 Disagree 10.3 Strongly Disagree

(8.)

11. Civilian employees in this department are treated equally to officers in disciplinary matters.

0.4 Strongly Agree 16.4 Agree 38.8 Uncertain 32.3 Disagree 12.1 Strongly Disagree

(9.)

12. Citizens in this community expect officers to be held to a higher standard of conduct than the public at large.

26.3 Strongly Agree 64.7 Agree 6.9 Uncertain 1.7 Disagree 0.4 Strongly Disagree

(10) \_\_\_\_

13. At least once this year, a supervisor inspected my copies of the Standard Operating Procedures to make sure they were up-to-date and complete.

1.7 Strongly Agree 26.7 Agree 10.3 Uncertain 35.8 Disagree 25.4 Strongly Disagree

0) \_\_\_\_

14. My recruit training gave me a working knowledge of Standard Operating Procedures.

3.1 Strongly Agree 42.1 Agree 14.5 Uncertain 29.7 Disagree 10.5 Strongly Disagree

1) \_\_\_\_

15. Standard Operating Procedures are stated so that I have a good understanding of what is expected of me.

3.0 Strongly Agree 53.9 Agree 17.7 Uncertain 20.3 Disagree 5.2 Strongly Disagree

2) \_\_\_\_

16. When new or revised Standard Operating Procedures are issued, my present supervisor explains them to me satisfactorily.

1.7 Strongly Agree 30.6 Agree 17.2 Uncertain 35.8 Disagree 14.7 Strongly Disagree

This section asks for information concerning the disciplinary system in this department.

3) \_\_\_\_

17. I have a good understanding of appeal procedures on disciplinary actions outside of this department.

1.7 Strongly Agree 39.2 Agree 24.6 Uncertain 24.1 Disagree 10.3 Strongly Disagree

4) \_\_\_\_

18. I have a good understanding of the procedures that are used by this department to record citizen complaints of misconduct.

9.1 Definitely Yes 41.4 Yes 19.0 Uncertain 17.2 No 13.4 Definitely No

5) \_\_\_\_

19. I have a good understanding of the procedures that are used by this department to investigate citizen complaints of misconduct.

6.5 Definitely Yes 43.1 Yes 17.2 Uncertain 21.1 No 12.1 Definitely No

6) \_\_\_\_

20. All citizen complaints, regardless of how minor, are recorded in this department.

22.8 Definitely Yes 40.1 Yes 21.1 Uncertain 11.6 No 4.3 Definitely No

21. All citizen complaints, regardless of how minor, should be recorded.

2.6 Strongly Agree 15.5 Agree 5.2 Uncertain 32.8 Disagree 44.0 Strongly Disagree

22. All citizen complaints, regardless of how minor, are investigated in this department.

9.1 Strongly Agree 37.1 Agree 28.9 Uncertain 18.1 Disagree 6.9 Strongly Disagree

23. All citizen complaints, regardless of how minor, should be investigated.

2.2 Strongly Agree 20.3 Agree 10.8 Uncertain 29.9 Disagree 36.8 Strongly Disagree

24. Immediate supervisors should be responsible for investigating most complaints of misconduct.

20.3 Strongly Agree 60.8 Agree 9.9 Uncertain 6.0 Disagree 3.0 Strongly Disagree

25. My present supervisor is fair in determining facts regarding misconduct.

18.0 Strongly Agree 49.8 Agree 18.6 Uncertain 12.6 Disagree 6.1 Strongly Disagree

26. My present supervisor does not show favoritism in determining facts regarding misconduct.

6.9 Strongly Agree 47.0 Agree 22.4 Uncertain 12.1 Disagree 11.6 Strongly Disagree

27. My present supervisor uses counselling and retraining to deal with misconduct.

6.9 Definitely Yes 36.2 Yes 29.3 Uncertain 19.4 No 8.2 Definitely No

28. The chief of police usually follows staff recommendations before taking disciplinary action for misconduct.

3.5 Strongly Agree 30.7 Agree 40.3 Uncertain 13.4 Disagree 12.1 Strongly Disagree

29. The chief of police should give greater authority to commanders for taking disciplinary action.

9.1 Strongly Agree 37.7 Agree 26.4 Uncertain 24.8 Disagree 6.1 Strongly Disagree

6) \_\_\_\_

30. I have a good understanding of the responsibilities of this department's internal affairs unit.

9.6 Definitely Yes 40.0 Yes 19.1 Uncertain 21.3 No 10.0 Definitely No

7) \_\_\_\_

31. The internal affairs unit should be responsible for all investigations of misconduct.

5.7 Strongly Agree 19.6 Agree 3.9 Uncertain 46.1 Disagree 14.8 Strongly Disagree

8) \_\_\_\_

32. I have a good understanding of the process that is used for internal review of disciplinary actions taken.

3.9 Definitely Yes 27.0 Yes 31.3 Uncertain 28.3 No 9.6 Definitely No

9) \_\_\_\_

33. I feel that personnel can get a "fair shake" through the internal review process.

3.5 Strongly Agree 32.2 Agree 40.0 Uncertain 16.1 Disagree 8.3 Strongly Disagree

0) \_\_\_\_

34. I feel that the internal review process works consistently for all personnel, regardless of rank or assignment.

0.9 Strongly Agree 17.8 Agree 27.4 Uncertain 27.0 Disagree 27.0 Strongly Disagree

1) \_\_\_\_

35. An individual who is the subject of a disciplinary action should have the right to be judged by a group that includes his fellow officers or employees.

29.1 Strongly Agree 56.5 Agree 6.5 Uncertain 5.2 Disagree 2.6 Strongly Disagree

2) \_\_\_\_

36. This department should have a standardized list of minimum to maximum punishments for most acts of misconduct.

17.4 Strongly Agree 52.6 Agree 14.3 Uncertain 10.9 Disagree 4.8 Strongly Disagree

3) \_\_\_\_

37. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.

3.5 Definitely Yes 27.8 Yes 29.3 Uncertain 31.7 No 8.7 Definitely No

4) \_\_\_\_

38. I feel that personnel can get a "fair shake" through the appeal procedures outside this department.

1.7 Strongly Agree 28.3 Agree 50.0 Uncertain 15.2 Disagree 4.8 Strongly Disagree

39. I feel that appeal procedures outside this department give a fairer review than do internal procedures.

5.2 Strongly Agree 17.2 Agree 51.7 Uncertain 18.5 Disagree 7.3 Strongly Disagree

40. I feel that disciplinary actions are reviewed fairly through internal disciplinary procedures.

1.7 Strongly Agree 30.2 Agree 44.4 Uncertain 17.2 Disagree 6.5 Strongly Disagree

41. I feel that appeals before the Chief Administrative Officer Board are conducted fairly.

1.3 Strongly Agree 22.5 Agree 63.2 Uncertain 9.5 Disagree 3.5 Strongly Disagree

42. I feel that internal disciplinary decisions are made within a reasonable length of time.

1.7 Strongly Agree 43.1 Agree 39.7 Uncertain 9.5 Disagree 6.0 Strongly Disagree

This section asks for information about your personal background, department history, and attitudes toward your job. Please respond as accurately as possible. Your cooperation is very important in helping us understand the meaning of the overall results. Unless stated otherwise, please check one response for each question.

43. How many years have you worked in this department?

6.1 (1) less than one year  
16.0 (2) 1-2 years  
21.3 (3) 3-5 years  
38.7 (4) 6-12 years  
23.9 (5) over 12 years

44. Sex: 78.1 Male 21.9 Female

45. Ethnic Background

3.2 (1) Black  
36.0 (2) Spanish  
0.9 (3) Indian  
56.3 (4) White  
3.6 (5) Other, please specify \_\_\_\_\_

52) \_\_\_\_

46. What is the highest level of formal education you have completed?

- 19.4 (1) High school diploma or GED  
28.0 (2) Some college credit (1 to 44 hours)  
13.8 (3) At least 45 hours of college credits  
3.4 (4) Associates Degree  
11.2 (5) At least 90 hours of college credits  
17.2 (6) Bachelors Degree  
3.0 (7) Enrolled in a graduate program  
1.3 (8) Masters Degree  
2.6 (9) Other, please specify \_\_\_\_\_

53) \_\_\_\_

47. What is your present rank or position?

- 5.7 (1) Lieutenant or above  
16.9 (2) Sergeant  
54.2 (3) Police Officer  
1.3 (4) Civilian supervisor  
21.1 (5) Civilian employee  
5.7 (6) Other, please specify \_\_\_\_\_

54) \_\_\_\_

48. Which of the following best describes your present division, job, or assignment with this department?

- 57.3 (1) Field Services  
18.2 (2) Criminal Investigations  
14.2 (3) Administration and Services  
1.8 (4) Staff  
8.4 (5) Other, please specify \_\_\_\_\_

55) \_\_\_\_

49. Has a formal complaint or any other disciplinary action ever been taken against you while you have been with this department?

60.0 Yes 33.5 No 6.5 Don't know

56) \_\_\_\_

50. Has a formal complaint or any other disciplinary action ever been sustained against you while you have been with this department?

37.4 Yes 56.5 No 6.1 Don't know

57) \_\_\_\_

51. Have you ever received any of the following disciplinary actions for complaints of misconduct (check all those that apply)?

58) \_\_\_\_  
59) \_\_\_\_  
60) \_\_\_\_  
61) \_\_\_\_  
62) \_\_\_\_  
63) \_\_\_\_

- 32.5 (1) Formal oral reprimand  
32.0 (2) Written reprimand  
9.6 (3) Working days off in lieu of suspension  
20.6 (4) Suspension  
1.3 (5) Demotion  
2.2 (6) Dismissal and reinstatement  
45.6 (7) None

4) \_\_\_\_

52. Have you formally suggested any revised or new written directives in the past year?

26.8 Yes 73.2 No

5) \_\_\_\_

53. Have you appealed a disciplinary decision through the appeal procedures outside of this department?

7.8 Yes 92.2 No

6) \_\_\_\_

54. How satisfied are you with your present assignment in this department?

36.1 (1) Very satisfied  
30.9 (2) Somewhat satisfied  
14.3 (3) Neither satisfied nor dissatisfied  
12.2 (4) Somewhat dissatisfied  
6.5 (5) Very dissatisfied

7) \_\_\_\_

55. Overall, how satisfied are you at this time with your career in this department?

27.8 (1) Very satisfied  
29.6 (2) Somewhat satisfied  
15.7 (3) Neither satisfied nor dissatisfied  
17.4 (4) Somewhat dissatisfied  
9.6 (5) Very dissatisfied

PLEASE SEE NEXT PAGE FOR THE LAST QUESTION.

As a final question, please put these topics in order of importance as to their effect on your morale; that is, which topics cause you the most concern in the way they exist or are handled in the department? Indicate this by writing the number "1" in the box to the left of the most important topic, "2" for the next most important, and so on to "7".

8) \_\_\_\_

☐ 3 Clarity of rules and/or procedures as written

9) \_\_\_\_

☐ 5 Adequacy of information received by me about rules and procedures

10) \_\_\_\_

☐ 6 Adequacy of procedures to appeal findings and penalties against officers

11) \_\_\_\_

☐ 4 Restrictions placed on my personal life by rules and procedures

12) \_\_\_\_

☐ 7 The policies and operation of the Internal Affairs Unit

13) \_\_\_\_

☐ 2 Effectiveness in the handling of citizen's complaints of officers conduct

14) \_\_\_\_

☐ 1 Consistency in the application of rules when a disciplinary action is taken

Thank you for your cooperation. If you would like to make any comments about the APD disciplinary system, please use the space below.

APPENDIX 18



W. H. McNICHOLS, JR.  
Mayor

## CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

DENVER POLICE DEPARTMENT  
POLICE BUILDING  
THIRTEENTH AND CHAMPA STS.  
DENVER, COLORADO 80204  
(303) 266-2421

December 7, 1976

Mr. Thomas A. Hendrickson  
Assistant Director  
International Association of  
Chiefs of Police, Inc.  
Eleven Firstfield Road  
Gaithersburg, Maryland 27060

RE: IACP DISCIPLINE PROJECT

Dear Tom:

The Denver Police Department is extremely desirous of being selected as one of the departments for research and implementation of the Discipline Project.

Mr. Bjorn Pederson and Mr. Andy Crosby of your staff met last Thursday with our Mayor William H. McNichols, Jr. and the Manager of Safety Dan P. Cronin, in a positive meeting and the following morning (Friday) met with the six (6) Division Chiefs, Captain of the Staff Inspection Bureau, and the department Legal Advisor, Mr. William J. Chisholm, concerning the ramifications of the project and the possibility of improving the entire disciplinary process of our department.

The original rules and regulations of this department are a result of the IACP effort in 1962 and with a little modification are a product of that endeavor. The employee organizations and the administration of this department as well as the city officials are united in our commitment to actively participate and cooperate in the IACP Discipline Project. We are committed to the following principles as set forth:

1. To revise existing policies and procedures that insures that the Internal Affairs Unit (Staff Inspection Bureau) exercises control over all internal investigations.
2. To implementing the IACP prototype rules of conduct except in those few area that we are prevented from doing so by local ordinance or statute.

Mr. Thomas A. Hendrickson  
IACP

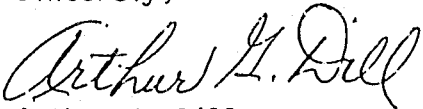
Page 2  
December 7, 1976

3. To adopting the concept of a trial board for due process hearings and a conduct and procedures review board for less formal hearing of disciplinary cases. Specifically, we will adopt the IACP Prototype Discipline Procedures except where we are prevented from doing so by local ordinance, state law, or collective bargaining agreement. If we are not able to implement the prototype procedure in toto, you can be assured of the adoption of the concepts.
4. To revising existing policies and practices in order to facilitate the receipt of citizen complaints against officers and insure the proper attention of investigation and resolution of those complaints.
5. To implementing policies and controls that clearly define supervisors' discretionary power to initiate disciplinary action, thereby assuring consistency, fairness, and compliance with legal requirements.

The Discipline Project represents the potential for resolving a serious area of conflict within a large number of police agencies. We certainly see the prospect for helping the Denver Police Department to greatly improve our own disciplinary process and solving many long-standing problems.

We look forward to being selected as one of the project cities.

Sincerely,



Arthur G. Dill  
Chief of Police

AGD:am



W. H. McNICHOLS, JR.  
Mayor

## CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

DENVER POLICE DEPARTMENT  
POLICE BUILDING  
THIRTEENTH AND CHAMPA STS.  
DENVER, COLORADO 80204  
(303) 266-2421

October 12, 1976

Mr. Bjorn Pedersen  
Research Consultant  
Technical Research Services Division  
International Association of Chiefs of Police  
Eleven Firstfield Road  
Gaithersburg, Maryland 20760

Dear "Pete":

I'm sorry that I haven't answered sooner, but I want to emphasize that the Denver Police Department is vitally interested in the study and implementation of a revised disciplinary process.

I have reviewed the methodology and the Policemen's Protective Association will be sending four (4) people to the Police Discipline Workshop in San Francisco on November 14 - 18, 1976. This is the same group that you met in my office so the concern transcends to the people on the street. I did relay a copy of the methodology to the Manager of Safety who also concurs with this type of effort. Mr. Murphy had commented that the next step would be the briefing of the Mayor and hopefully we have pre-conditioned him for this visit.

As we pointed out, the commitments as far as space and personnel will be accomplished, and we look to a favorable decision as to this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "A.G. Dill".

Arthur G. Dill  
Chief of Police

P.S. Mr. Richard S. Johnson of the Empire magazine section of the Denver Post reviewed both the Final Project Report and the Executive Summary and was very favorably impressed with the expertise and scope of the project. Should you want to contact him, his address is:

Mr. Richard S. Johnson, Staff Writer  
The Denver Post  
15th and California Streets  
Denver, CO 80203

APPENDIX 19

Wednesday, December 15, 1976

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INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE SELECTS DENVER  
FOR MODEL POLICE DISCIPLINE PROJECT

STATEMENT OF DENVER MAYOR McNICHOLS:

This week the Denver Police Department has been selected as one of two police departments in the United States to implement a model police discipline system pursuant to a project funded by the Law Enforcement Assistance Administration (LEAA) of the U. S. Department of Justice.

If successful, this project will result in an improved Denver Police Department discipline system which will benefit police management, police officers and the public.

The selection of the Denver Police Department for this project is the result of discussions with the International Association of Chiefs of Police (IACP) several months ago.

These discussions resulted in an agreement that the Denver Police Department would implement the model system and cooperate in gathering and supplying data on the results of the project. IACP personnel assigned to the Denver project include: Senior Staff Analyst, Bjorn Pedersen; Research Scientist, Dr. Andrew Crosby; and attorney, Thomas A. Hendrickson. The IACP is a non-profit

PAGE TWO

organization devoted to the study and improvement of police management and operations.

The Denver Police Department has formed a special committee to implement the discipline system. Assigned to this staff committee are: Sgt. Lewis J. Alverson, Patrolman Jesse Brezzel, Sgt. Thomas Coogan, Patrolman Edward Lujan, Patrolman Stan Flint, Detective Clyde Jones, Lt. William Sailors, Technician John Schnittgrund, Sgt. Robert Woody, Division Chief Robert Jevnager, Capt. Paul Bates, and Assistant City Attorney William J. Chisholm, Police Legal Advisor.

Police discipline issues have recently become a focal point of national labor-management discord. Officers frequently complain that there are too many rules, that the rules are often unnecessarily vague and broad and that the rules are inconsistently enforced along with inconsistent penalties. A poor discipline system can generate or reinforce negative work attitudes. Improvements, however, can produce positive behavior changes.

After studying seventeen police departments around the country, the IACP has formulated a model discipline system which strives to:

- provide a department mechanism for the affirmative reception and investigation of citizens complaints

PAGE THREE

- Arrive at a simple, short and reasonable set of rules and regulations
- Institute an internal mechanism whereby an accused officer is afforded "due process" and may appeal to a "peer review board" which includes police officer representation.

The Denver Police Department will adopt and institute this model system and measure the results.

The project is scheduled to run until July, 1978.

APPENDIX 20

Request for Information  
STUDY OF PRACTICES IN POLICE DISCIPLINE  
Sponsored jointly by the  
DENVER POLICE DEPARTMENT  
and the  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

- This request for information is being made to every member of the Denver Police Department. It is the first in a series of steps to study and improve the DPD discipline program. The International Association of Chiefs of Police (IACP) is funded by the U.S. Government (LEAA) to do this study, based on its previous findings about discipline systems in seventeen other police departments.
- The first objective is to find out what rules and procedures in the DPD are not effective, and why. This will be possible only if you answer the questions in this booklet according to your true personal feelings.
- Your answers will be very helpful if they reflect reasonable, thoughtful opinions about (a) the positive and negative aspects of the present system, and (b) the difficult task of resolving discipline problems in general.
- However, your answers will be useless if:
  - you give someone else's opinion, not your own.
  - you use the questions just as a way to blow off steam.
  - you don't read the questions carefully.
- We assure you of the following:
  1. You will not be identified: your name does not appear anywhere. All questionnaires are alike. The questionnaires will be taken up in groups, and always kept in the custody of IACP staff.
  2. The answers will be compiled statistically, for the department as a whole, with the objective of revising the rules and regulations.

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Before starting on the questions, please read the following list of general topics which will be covered in detail.

Then, put these topics in order of importance as to their effect on your morale; that is, which topics cause you the most concern in the way they exist or are handled in the department? Indicate this by writing the number "1" in the space to the left of the most important topic, "2" for the next most important, and so on to "7".

☐

Clarity of rules and/or procedures as written

☐

Adequacy of information received by me about rules and procedures

☐

Adequacy of procedures to appeal findings and penalties against officers

☐

Restrictions placed on my personal life by rules and procedures

☐

The policies and operation of the Staff Inspections Bureau

☐

Effectiveness in the handling of citizens' complaints of officer conduct

☐

Consistency in the application of rules when a disciplinary action is taken

To complete this section, please check the one answer below that best describes what the term "discipline" means to you, based on your overall experience in this department.

The term "discipline" can best be defined as:

☐

Behavior according to police standards of conduct

☐

An attitude which causes officers to obey police standards of conduct

☐

Training or counseling to improve police officer performance

☐

Punishment for officer misconduct

(13) \_

NOW, PLEASE TURN THE PAGE AND COMPLETE THE QUESTIONNAIRE.

## DENVER DISCIPLINE QUESTIONNAIRE RESPONSES

Attached is a tally of the responses given by personnel of the Denver Police Department to the questionnaire on disciplinary issues given April 1, 1977.

Completed questionnaires were received from 225 persons. This group is listed as "TOTAL B"; it is not a representative sample, because it contains a greater proportion of black and Spanish officers than exist in the Department. Therefore, another sample of questionnaires was developed by random sampling to give a stratified sample across the three main ethnic groups (white, black, and Spanish) with a constant percentage of approximately 12.4%. This second sample is listed as "TOTAL A", and comprises 171 respondents who are representative of the Department. The following table shows the composition of these groups:

Ethnic Group	Number of Officers in Department	Number of Officers Taking Questionnaire	Number of Questionnaires Selected to Develop Representative Sample
White	1,155	143	143
Spanish	135	37	17
Black	73	41	9
Other	15	4*	2
Total	1,378	225 ("TOTAL B")	171 ("TOTAL A")

\* This group of four officers is not reported separately as an ethnic group due to its small size, but their responses are included in the TOTAL B responses.

The other three rows of the tally sheet format show responses separately for the white, Spanish, and black ethnic groups making up the TOTAL B group.

Two numbers are given in each small box. The number in the upper left corner is the number of persons in the group giving the response shown at the top of the column. These numbers, when added horizontally, may not give the total shown in the "GROUP" column because the "no answer" responses are not included, in order to simplify the table. The number in the lower right corner is a percentage: the percent that the tally number in the box is of the total of tally numbers added across the row.

In the tally of results for Question 55, one column is headed "Other - See Note". The responses in this category are as follows:

Response	Number of Responses
Lack of apparent supervising authority or effectiveness	22
Loose or lax discipline	15
Lack of effective defense procedure for the officer	12
Inadequate or obsolete written directives	8
Threat of a citizen review board	5
Miscellaneous	52

Before starting on the questions, please read the following list of general topics which will be covered in detail.

Then, put these topics in order of importance as to their effect on your morale; that is, which topics cause you the most concern in the way they exist or are handled in the department? Indicate this by writing the number "1" in the space to the left of the most important topic, "2" for the next most important, and so on to "7".

- ☐ Clarity of rules and/or procedures as written
- ☐ Adequacy of information received by me about rules and procedures
- ☐ Adequacy of procedures to appeal findings and penalties against officers
- ☐ Restrictions placed on my personal life by rules and procedures
- ☐ The policies and operation of the Staff Inspections Bureau
- ☐ Effectiveness in the handling of citizens' complaints of officer conduct
- ☐ Consistency in the application of rules when a disciplinary action is taken

Group		Clarity of rules and/or procedures as written (Ranks given)						
		1	2	3	4	5	6	7
Total A	171	34 20.2	27 16.1	20 11.9	23 13.7	24 14.3	23 13.7	17 10.1
White	143	25 17.7	23 16.3	20 14.2	16 11.3	21 14.9	21 14.9	15 10.6
Spanish	37	7 19.4	7 19.4	3 8.1	9 24.3	5 13.5	3 8.1	3 8.1
Black	41	8 20.0	10 25.0	1 2.5	4 10.0	7 17.5	3 7.5	7 17.5
Total B	225	43 19.4	40 18.0	25 11.3	29 13.1	33 14.9	27 12.2	25 11.3

Group		Adequacy of information received about rules and procedures						
		1	2	3	4	5	6	7
Total A	171	10 6.0	12 7.2	35 21.0	31 18.6	28 16.1	32 19.2	19 11.4
White	143	9 6.4	12 8.5	27 19.1	28 19.9	20 14.2	27 19.1	18 12.8
Spanish	37		2 5.6	12 33.3	5 13.9	9 25.0	6 16.7	2 5.0
Black	41	4 10.0	2 5.0	8 20.0	8 20.0	6 15.0	6 15.0	6 15.0
Total B	225	14 6.3	16 7.2	49 22.2	41 18.6	35 15.8	40 18.1	26 11.8

Group		Adequacy of procedures to appeal findings & penalties against officers						
		1	2	3	4	5	6	7
Total A	171	6 3.6	11 6.4	23 13.8	42 25.1	37 22.2	28 16.8	20 12.0
White	143	4 2.8	8 5.7	17 12.1	35 24.8	33 23.4	24 17.0	20 14.2
Spanish	37	3 8.3	4 11.1	6 16.7	10 27.8	8 22.2	4 11.1	1 2.8
Black	41	2 5.0	7 17.5	6 15.0	11 27.5	4 10.0	9 22.5	1 2.5
Total B	225	10 4.5	19 8.6	29 13.1	57 25.8	45 20.4	38 17.2	23 10.4

Group		Restrictions placed on personal life by rules and procedures						
		1	2	3	4	5	6	7
Total A	171	33 19.8	19 11.4	16 9.6	14 8.4	20 12.0	12 7.2	53 31.7
White	143	29 20.7	12 8.6	15 10.7	11 7.9	18 12.9	10 7.1	45 32.1
Spanish	37	6 16.2	6 16.2	3 8.1	2 5.4	4 10.8	5 13.5	11 29.7
Black	41	6 15.0	5 12.5	3 7.5	5 12.5	8 20.0	3 7.5	10 25.0
Total B	225	41 18.6	25 11.3	22 10.0	18 8.1	30 13.6	18 8.1	67 30.3

Group		The policies and operation of the Staff Inspections Bureau						
		1	2	3	4	5	6	7
Total A	171	7 4.2	17 10.2	22 13.2	27 16.2	26 15.6	38 22.8	30 18.0
White	143	4 2.8	16 11.3	18 12.8	25 17.7	22 15.6	33 23.4	23 16.3
Spanish	37	2 5.6	3 8.3	7 19.4	2 5.6	4 11.1	8 22.2	10 27.8
Black	41	4 10.0	7 17.5	8 20.0	4 10.0	2 5.0	8 20.0	7 17.5
Total B	225	10 4.5	26 11.8	34 15.4	32 14.5	30 13.6	49 22.2	40 18.1

Group		Effectiveness in handling of citizens' complaints of officer conduct						
		1	2	3	4	5	6	7
Total A	171	19 11.3	27 16.1	39 23.2	17 10.1	24 14.3	22 13.1	20 11.9
White	143	16 11.3	24 17.0	33 23.4	15 10.6	20 14.2	20 14.2	13 9.2
Spanish	37	6 16.2	8 21.6	7 18.9	4 10.8	4 10.8	2 5.4	6 16.2
Black	41	5 12.5	6 15.0	3 7.5	4 10.0	5 12.5	7 17.5	10 25.0
Total B	225	27 12.2	38 17.1	44 19.8	24 10.8	30 13.5	29 13.1	30 13.5

Group		Consistency in application of rules when disciplinary action is taken													
		1	2	3	4	5	6	7							
Total A	171	71	2.5	54	32.3	13	7	9	7	7	4.2	6	6		
White	143	61	43.3	46	32.6	10	7.1	9	6.4	7	5.0	3	2.1	5	3.5
Spanish	37	13	36.1	6	16.7	4	11	1	2.8	2	5.6	5	13.9	5	13.9
Black	41	20	50.0	7	17.5	8	20.0			2	5.0			3	7.5
Total B	225	95	43.0	60	27.1	22	10.0	11	5.0	11	5.0	9	4.1	13	5.9

To complete this section, please check the one answer below that best describes what the term "discipline" means to you, based on your overall experience in this department.

The term "discipline" can best be defined as:

- ☐ Behavior according to police standards of conduct
- ☐ An attitude which causes officers to obey police standards of conduct
- ☐ Training or counseling to improve police officer performance
- ☐ Punishment for officer misconduct

Group		Behavior...		An attitude...		Training...		Punish-ment...	
Total A	171	46	27.2	51	30.2	21	12.4	51	30.2
White	143	37	26.2	43	30.5	18	12.4	43	30.5
Spanish	37	13	35.1	8	21.6	4	10.8	12	32.4
Black	41	16	39.0	9	22.0	5	12.2	11	26.8
Total B	225	66	29.6	60	26.9	29	13.0	68	30.5

1. Overall, I feel that department rules and regulations governing officer conduct, as written, are fair and reasonable.

Group		Strongly Agree		Agree		Uncertain		Disagree		Strongly Disagree	
Total A	171	5	2.9	102	59.6	38	22.2	20	11.7	6	3.5
White	143	4	2.8	86	60.1	31	21.7	17	11.9	5	3.5
Spanish	37	2	5.4	22	59.5	7	18.9	6	16.2		
Black	41	1	2.4	17	41.5	14	34.1	8	19.5	1	2.4
Total B	225	7	3.1	128	57.1	52	23.2	31	13.8	6	2.7

2. Overall, I feel that department rules and regulations governing officer conduct are enforced fairly and reasonably.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	2 1.2	24 14.0	18 10.5	74 43.3	53 31.0
White	143	2 1.4	21 14.7	15 10.5	67 46.9	38 26.6
Spanish	37		11 29.7	2 5.4	12 32.4	12 32.4
Black	41		1 2.4	4 9.8	19 46.3	17 41.5
Total B	225	2 .9	33 14.7	22 9.8	98 43.8	69 30.8

The following group of questions refers to your understanding of the departmental operations manual.

3. The rules and regulations in this department generally are stated so that I can understand them.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	9 5.3	111 64.9	18 10.5	27 15.8	6 3.5
White	143	5 3.5	97 67.8	14 9.8	22 15.4	5 3.5
Spanish	37	4 10.8	22 59.5	5 13.5	5 13.5	1 2.7
Black	41	2 4.9	30 73.2	2 4.9	6 14.6	1 2.4
Total B	225	12 5.3	152 67.6	21 9.3	33 14.7	7 3.1

4. My present supervisor is consistent in enforcing the rules and regulations.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	17 9.9	77 45.0	16 9.4	38 22.2	23 13.5
White	143	14 9.8	62 43.4	14 9.8	35 24.5	18 12.6
Spanish	37	4 10.8	24 64.9	1 2.7	3 8.1	5 13.5
Black	41	4 9.8	19 46.3	6 14.6	7 17.1	5 12.2
Total B	225	22 9.8	108 48.0	21 9.3	46 20.4	28 12.4

5. My present supervisor does a good job when explaining new or revised rules and regulations.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	17 9.9	74 43.3	22 12.9	44 25.7	14 8.2
White	143	13 9.1	60 42.0	19 13.3	41 28.7	10 7.0
Spanish	37	3 8.1	19 51.4	5 13.5	6 16.2	4 10.8
Black	41	4 9.8	23 56.1	7 17.1	6 14.6	1 2.4
Total B	225	20 8.9	104 46.2	32 14.2	54 24.0	15 6.7

6. Officers feel free to suggest new or revised rules and regulations to superiors.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	5 2.9	45 26.3	30 17.5	57 33.3	34 19.9
White	143	4 2.8	42 29.4	22 15.4	49 34.3	26 18.2
Spanish	37		10 27.0	10 27.0	11 29.7	6 16.2
Black	41	3 7.3	7 17.1	7 17.1	19 46.3	5 12.2
Total B	225	8 3.6	59 26.2	39 17.3	80 35.6	39 17.3

7. Officers should be held to a higher standard of conduct than civilian employees in the police department.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	64 37.4	61 35.7	8 4.7	27 15.8	11 6.4
White	143	50 35.0	50 35.0	8 5.6	25 17.5	10 7.0
Spanish	37	17 45.9	13 35.1	2 5.4	4 10.8	1 2.7
Black	41	14 34.1	16 39.0	3 7.3	6 14.6	2 4.9
Total B	225	81 36.0	81 36.0	13 5.8	36 16.0	14 6.2

8. Officers should be held to a higher standard of conduct than the public at large.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	54 31.6	88 51.5	10 5.8	14 8.2	5 2.9
White	143	45 31.5	72 50.3	9 6.3	14 9.8	3 2.1
Spanish	37	14 37.8	18 48.6	2 5.4	2 5.4	1 2.7
Black	41	10 24.4	24 58.5	2 4.9	2 4.9	3 7.3
Total B	225	69 30.7	117 52.0	14 6.2	18 8.0	7 3.1

9. Citizens in this community expect officers to be held to a higher standard of conduct than the public at large.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	85 49.7	77 45.0	6 3.5	2 1.2	1 .6
White	143	68 47.6	66 46.2	6 4.2	2 1.4	1 .7
Spanish	37	23 62.2	14 37.8			
Black	41	17 41.5	19 46.3	3 7.3	2 4.9	
Total B	225	109 48.4	102 45.3	9 4.0	4 1.8	1 .4

10. At least once a year, supervisors inspect my copies of rules and regulations to make sure they are up-to-date and complete.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	2 1.2	5 2.9	6 3.5	57 33.3	101 59.1
White	143	2 1.4	4 2.8	3 2.1	44 30.8	90 62.9
Spanish	37			3 8.1	13 35.1	21 56.8
Black	41		1 2.4	1 2.4	22 53.7	17 41.5
Total B	225	2 .9	5 2.2	7 3.1	81 36.0	130 57.8

11. My recruit training gave me a working knowledge of the rules and regulations.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	5 2.9	75 43.9	11 6.4	62 36.3	18 10.5
White	143	2 1.4	61 42.7	11 7.7	54 37.8	15 10.5
Spanish	37	4 10.8	17 45.9		12 32.4	4 10.6
Black	41	2 4.9	22 53.7	5 12.2	9 22.0	3 7.3
Total B	225	8 3.6	101 44.9	16 7.1	78 34.7	22 9.8

12. The rules and regulations are written, updated, and distributed in a manner such that I have a good understanding of what is expected of me.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	3 1.8	57 33.3	19 11.1	68 39.8	24 14.0
White	143	2 1.4	47 32.9	17 11.9	57 39.9	20 14.0
Spanish	37	1 2.7	11 29.7	1 2.7	17 45.9	7 18.9
Black	41	2 4.9	11 26.8	5 12.2	20 48.8	3 7.3
Total B	225	5 2.2	70 31.1	24 10.7	96 42.7	30 13.3

13. When new or revised rules and regulations are issued, my present supervisor explains them to me satisfactorily.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	3 1.8	40 23.4	12 7.0	86 50.3	30 17.5
White	143	2 1.4	31 21.7	11 7.7	74 51.7	25 17.5
Spanish	37		11 29.7	3 8.1	16 43.2	7 18.9
Black	41	1 2.4	10 24.4	3 7.3	19 46.3	8 19.5
Total B	225	3 1.3	52 23.1	17 7.6	113 50.2	40 17.8

This section asks for information concerning the disciplinary system in your department.

14. I have a good understanding of my right to appeal disciplinary action outside of this department.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	7 4.1	45 26.3	28 16.4	61 35.7	30 17.5
White	143	7 4.9	39 27.3	23 16.1	53 37.1	21 14.7
Spanish	37		5 13.5	10 27.0	15 40.5	7 18.9
Black	41	1 2.4	9 22.0	8 19.5	17 41.5	6 14.6
Total B	225	9 4.0	56 24.9	41 18.2	85 37.8	34 15.1

15. I have a good understanding of the procedures that are used by this department to record citizen complaints of misconduct.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	5 2.9	44 25.7	34 19.9	67 39.2	21 12.3
White	143	5 3.5	34 23.8	30 21.0	59 41.3	15 10.5
Spanish	37		10 27.0	2 5.4	17 45.9	8 21.6
Black	41	1 2.4	16 39.0	7 17.1	11 26.8	6 14.6
Total B	225	7 3.1	62 27.6	40 17.8	87 38.7	29 12.9

16. All citizen complaints, regardless of how minor, are recorded in this department.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	17 9.9	51 29.8	55 32.2	34 19.9	14 8.2
White	143	14 9.8	46 32.2	45 31.5	29 20.3	9 6.3
Spanish	37	5 13.5	4 10.8	22 59.5	3 8.1	3 8.1
Black	41	7 17.1	8 19.5	14 34.1	8 19.5	4 9.8
Total B	225	26 11.6	59 26.2	82 36.4	42 18.7	16 7.1

17. All citizen complaints, regardless of how minor, are investigated in this department.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	18 10.5	37 21.6	48 28.1	54 31.6	14 8.2
White	143	15 10.5	33 23.1	39 27.3	46 32.2	10 7.0
Spanish	37	4 10.8	4 10.8	19 51.4	7 18.9	3 8.1
Black	41	5 12.2	9 22.0	16 39.0	5 12.2	6 14.6
Total B	225	25 11.1	47 20.9	75 33.3	59 26.2	19 8.4

18. All citizen complaints, regardless of how minor, should be recorded.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	8 4.7	38 22.2	6 3.5	63 36.8	56 32.7
White	143	6 4.2	30 21.0	6 4.2	55 38.5	46 32.2
Spanish	37	2 5.4	5 13.5	1 2.7	18 48.6	11 29.7
Black	41	6 14.6	13 31.7	2 4.9	13 31.7	7 17.1
Total B	225	14 6.2	49 21.8	9 4.0	88 39.1	65 28.9

19. All citizen complaints, regardless of how minor, should be investigated.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	18 10.5	52 30.4	9 5.3	53 31.0	39 22.8
White	143	13 9.1	43 30.1	9 6.3	46 32.2	32 22.4
Spanish	37	6 16.2	6 16.2	2 5.4	12 32.4	11 29.7
Black	41	8 19.5	14 34.1	3 7.3	12 29.3	4 9.8
Total B	225	29 12.9	64 28.4	14 6.2	71 31.6	47 20.9

20. I have a good understanding of the procedures that are used by this department to investigate citizen complaints of misconduct.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	5 2.9	44 25.7	33 19.3	64 37.4	25 14.6
White	143	5 3.5	38 26.6	29 20.3	53 37.1	18 12.6
Spanish	37		6 16.2	11 29.7	14 37.8	6 16.2
Black	41	2 4.9	8 19.5	6 14.6	17 41.5	8 19.5
Total B	225	8 3.6	54 24.0	46 20.4	85 37.8	32 14.2

21. The civil rights of the officer are adequately protected in disciplinary matters by the system used in this department.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	2 1.2	24 14.0	30 17.5	57 33.3	58 33.9
White	143	2 1.4	18 12.6	27 18.9	49 34.3	47 32.9
Spanish	37		3 8.1	7 18.9	17 45.9	10 27.0
Black	41		2 4.9	5 12.2	16 39.0	18 43.9
Total B	225	2 .9	26 11.6	40 17.8	82 36.4	75 33.3

22. My present supervisor is fair in determining facts regarding misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	14 8.2	88 51.5	29 17.0	23 13.5	17 9.9
White	143	11 7.7	75 52.4	26 18.2	18 12.6	13 9.1
Spanish	37	3 8.1	24 64.9	2 5.4	6 16.2	2 5.4
Black	41	6 14.6	15 36.6	10 24.4	6 14.6	4 9.8
Total B	225	20 8.9	115 51.1	40 17.8	31 13.8	19 8.4

23. My present supervisor does not show favoritism in determining facts regarding misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	12 7.0	66 38.6	33 19.3	39 22.8	21 12.3
White	143	10 7.0	53 37.1	27 18.9	36 25.2	17 11.9
Spanish	37	3 8.1	22 59.5	6 16.2	4 10.8	2 5.4
Black	41	5 12.2	11 26.8	13 31.7	7 17.1	5 12.2
Total B	225	18 8.0	87 38.7	49 21.8	47 20.9	24 10.7

24. My present supervisor uses counseling and retraining to deal with misconduct.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	5 2.9	35 20.5	44 25.7	60 35.1	27 15.8
White	143	4 2.8	27 18.9	36 25.2	54 37.8	22 15.4
Spanish	37	1 2.7	15 40.5	9 24.3	8 21.6	4 10.8
Black	41	1 2.4	8 19.5	11 26.8	14 34.1	7 17.1
Total B	225	6 2.7	52 23.1	57 25.3	77 34.2	33 14.7

25. All supervisors in my experience handle disciplinary matters fairly and impartially.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	1 .6	9 5.3	13 7.6	74 43.3	74 43.3
White	143	1 .7	7 4.9	10 7.0	64 44.8	61 42.7
Spanish	37	1 2.7	3 8.1	4 10.8	14 37.8	15 40.5
Black	41	1 2.4	2 4.9	5 12.2	16 39.0	17 41.5
Total B	225	3 1.3	12 5.3	19 8.4	97 43.1	94 41.8

26. The chief of police usually follows staff recommendations before taking disciplinary action for misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	5 2.9	68 39.8	59 34.5	30 17.5	9 5.3
White	143	3 2.1	58 40.6	49 34.3	27 18.9	6 4.2
Spanish	37	2 5.4	13 35.1	18 48.6	3 8.1	1 2.7
Black	41	2 4.9	11 26.8	19 46.3	5 12.2	4 9.8
Total B	225	7 3.1	84 37.3	87 38.7	36 16.0	11 4.9

27. The chief of police should give greater authority to commanders for taking disciplinary action.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	8 4.7	63 36.8	30 17.5	51 29.8	19 11.1
White	143	6 4.2	46 32.2	28 19.6	48 33.6	15 10.5
Spanish	37	5 13.5	18 48.6	7 18.9	4 10.8	3 8.1
Black	41	3 7.3	13 31.7	12 29.3	6 14.6	7 17.1
Total B	225	14 6.2	80 35.6	47 20.9	59 26.2	25 11.1

28. Immediate supervisors of officers suspected or accused of misconduct should be responsible for the initial investigation of those complaints.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	24 14.0	96 56.1	13 7.6	28 16.4	10 5.8
White	143	16 11.2	83 58.0	12 8.4	26 18.2	6 4.2
Spanish	37	9 24.3	18 48.6	2 5.4	4 10.8	4 10.8
Black	41	6 14.6	23 56.1	1 2.4	7 17.1	4 9.8
Total B	225	32 14.2	126 56.0	16 7.1	37 16.4	14 6.2

29. I have a good understanding of the responsibilities of the Staff Inspections Bureau (SIB).

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	11 6.4	78 45.6	34 19.9	37 21.6	11 6.4
White	143	10 7.0	65 45.5	30 21.0	31 21.7	7 4.9
Spanish	37	1 2.7	20 54.1	5 13.5	9 24.3	2 5.4
Black	41	2 4.9	18 43.9	10 24.4	6 14.6	5 12.2
Total B	225	14 6.2	105 46.7	46 20.4	46 20.4	14 6.2

30. The SIB should be involved in the investigation of all complaints in which a signed accusation is made by a member of the department or a citizen.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	40 23.4	99 57.9	10 5.8	13 7.6	9 5.3
White	143	32 22.4	83 58.0	10 7.0	13 9.1	5 3.5
Spanish	37	8 21.6	24 64.9	1 2.7	2 5.4	2 5.4
Black	41	13 31.7	17 41.5	2 4.9	4 9.8	5 12.2
Total B	225	54 24.0	126 56.0	14 6.2	19 8.4	12 5.3

31. The SIB should be solely responsible for the investigation of all complaints.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	12 7.0	27 15.8	22 12.9	84 49.1	26 15.2
White	143	11 7.7	21 14.7	18 12.6	74 51.7	19 13.3
Spanish	37	3 8.1	12 32.4	2 5.4	14 37.8	6 16.2
Black	41		5 12.2	7 17.1	21 51.2	8 19.5
Total B	225	14 6.2	38 16.9	29 12.9	111 49.3	33 14.7

32. I feel that any officer who has disciplinary action taken against him can have his case fairly reviewed, if he seriously disagrees with the outcome, within the department (an "internal" review, without going outside the department).

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	11 6.4	39 22.8	38 22.2	57 33.3	26 15.2
White	143	8 5.6	31 21.7	34 23.8	52 36.4	18 12.6
Spanish	37	4 10.8	9 24.3	9 24.3	8 21.6	7 18.9
Black	41	5 12.2	10 24.4	8 19.5	7 17.1	11 26.8
Total B	225	17 7.6	52 23.1	51 22.7	69 30.7	36 16.0

33. I have a good understanding of how to get an internal review, if I desire one, after receiving disciplinary action.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	2 1.2	20 11.7	47 27.5	75 43.9	27 15.8
White	143	2 1.4	20 14.0	39 27.3	64 44.8	18 12.6
Spanish	37			13 35.1	16 43.2	8 21.6
Black	41		6 14.6	15 36.6	12 29.3	8 19.5
Total B	225	2 .9	27 12.0	67 29.8	95 42.2	34 15.1

34. I feel that any member of the department, regardless of rank, would be given equal and fair treatment in the internal review of a disciplinary action.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	20 11.7	15 8.8	18 10.5	60 35.1	58 33.9
White	143	16 11.2	14 9.8	14 9.8	50 35.0	49 34.3
Spanish	37	7 18.9	3 8.1	6 16.2	11 29.7	10 27.0
Black	41	8 19.5	2 4.9	11 26.8	12 29.3	8 19.5
Total B	225	31 13.8	19 8.4	33 14.7	75 33.3	67 29.8

35. An officer who is the subject of alleged misconduct should have the right to be judged by a group that includes his fellow officers.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	56 32.7	85 49.7	15 8.8	12 7.0	3 1.8
White	143	45 31.5	73 51.0	13 9.1	10 7.0	2 1.4
Spanish	37	18 48.6	16 43.2	2 5.4		1 2.7
Black	41	14 34.1	21 51.2	5 12.2	1 2.4	
Total B	225	77 34.2	112 49.8	20 8.9	13 5.8	3 1.3

36. This department should have a standardized list of minimum to maximum punishments for most acts of misconduct.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	55 32.2	81 47.4	14 8.2	16 9.4	5 2.9
White	143	44 30.8	71 49.7	13 9.1	12 8.4	3 2.1
Spanish	37	11 29.7	16 43.2	4 10.8	3 8.1	3 8.1
Black	41	14 34.1	19 46.3	3 7.3	5 12.2	
Total B	225	69 30.7	108 48.0	20 8.9	22 9.8	6 2.7

37. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.

Group		Definitely Yes	Yes	Uncertain	No	Definitely No
Total A	171	10 5.8	24 14.0	37 21.6	82 48.0	18 10.5
White	143	8 5.6	21 14.7	29 20.3	71 49.7	14 9.8
Spanish	37		2 5.4	14 37.8	13 35.1	8 21.6
Black	41	3 7.3	3 7.3	12 29.3	20 48.8	3 7.3
Total B	225	11 4.9	28 12.4	55 24.4	106 47.1	25 11.1

38. I feel that officers who have received disciplinary actions with which they seriously disagree must take their case outside the department to get a fair review.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	18 10.6	65 38.2	54 31.8	31 18.2	2 1.2
White	143	13 9.2	53 37.3	47 33.1	27 19.0	2 1.4
Spanish	37	3 8.1	12 32.4	13 35.1	8 21.6	1 2.7
Black	41	9 22.0	14 34.1	12 29.3	5 12.2	1 2.4
Total B	225	26 11.6	80 35.7	73 32.6	41 18.3	4 1.8

39. I feel that internal disciplinary decisions are made within a reasonable length of time.

Group		Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree
Total A	171	3 1.8	73 42.7	52 30.4	34 19.9	9 5.3
White	143	3 2.1	61 42.7	45 31.5	29 20.3	5 3.5
Spanish	37		19 51.4	8 21.6	7 18.9	3 8.1
Black	41	1 2.4	16 39.0	13 31.7	7 17.1	4 9.8
Total B	225	4 1.8	98 43.6	68 30.2	43 19.1	12 5.3

This section asks for information about your personal background, department history, and attitudes toward your job. Please respond as accurately as possible. Unless stated otherwise, please check one response for each question.

40. How many years have you completed in this department?

Group		Less than one year	1 - 2 years	3 - 5 years	6 - 12 years	over 12 years
Total A	171		14 8.2	38 22.4	68 40.0	50 29.4
White	143		9 6.3	29 20.4	60 42.3	44 31.0
Spanish	37		12 32.4	14 37.8	8 21.6	3 8.1
Black	41		8 19.5	19 46.3	7 17.1	7 17.1
Total B	225		29 12.9	62 27.7	76 33.9	57 25.4

41. Sex:

Group		Male		Female	
Total A	171	164	95.9	6	3.5
White	143	139	97.2	4	2.8
Spanish	37	33	89.2	4	10.8
Black	41	34	82.9	6	14.6
Total B	225	208	92.9	15	6.7

42. Ethnic Background

Group		Black		Spanish American		Indian		White		Other	
Total A	171	9	5.3	17	9.9	1	.6	143	83.6	1	.6
White	143							143	100.0		
Spanish	37			37	100.0						
Black	41	41	100.0								
Total B	225	41	18.3	37	16.5	1	.4	143	63.8	2	.9

43. What is the highest level of formal education you have completed?

Group		HS Diploma or GED		Some college credit (1-44 hours)		At least 45 hours of col. credit		Associates Degree		At least 90 hours of col. credit		Bachelors Degree	
Total A	171	45	26.5	52	30.6	22	12.9	12	7.1	15	8.8	18	10.6
White	143	38	26.6	43	30.1	20	14.0	11	7.7	13	9.1	16	11.2
Spanish	37	8	22.2	10	27.8	5	13.9	2	5.6	6	16.7	2	5.6
Black	41	10	24.4	12	29.3	17	41.5	3	7.3	6	14.6	1	2.4
Total B	225	57	25.6	66	29.6	32	14.3	16	7.2	25	11.2	20	9.0

43. cont'd-

Group		Enrolled in a graduate program		Masters Degree		Other	
Total A	171	2	1.2	2	1.2	2	1.2
White	143			1	.7	1	.7
Spanish	37	1	2.8	1	2.8	1	2.8
Black	41	1	2.4	1	2.4		
Total B	225	2	.9	3	1.3	2	.9

44. What is your present rank or position?

Group		Lieutenant or above	Sergeant	Officer	Detective	Technician	Dispatcher
Total A	171	3 1.8	18 10.5	98 57.3	27 15.8	25 14.6	
White	143	3 2.1	15 10.5	79 55.2	23 16.1	23 16.1	
Spanish	37	1 2.7	1 2.7	31 83.8	3 8.1	1 2.7	
Black	41	1 2.5	3 7.5	30 75.0	4 10.0	2 5.0	
Total B	225	5 2.2	19 8.5	143 64.1	30 13.5	26 11.7	

45. What is your divisional assignment?

Group		Patrol Div.	Investi- gation Div.	Traffic Div.	Technical Services Div.	Admin. Div.
Total A	171	103 61.3	12 7.1	19 11.3	11 6.5	7 4.2
White	143	85 59.9	10 7.0	16 11.3	10 7.0	7 4.9
Spanish	37	28 75.7		4 10.8	2 5.4	
Black	41	29 76.3	2 5.3		2 5.3	
Total B	225	144 65.5	12 5.5	20 9.1	14 6.4	7 3.2

45. cont'd -

Group		Delinquency Control Div.	Other
Total A	171	9 5.4	7 4.2
White	143	8 5.6	6 4.2
Spanish	37	2 5.4	1 2.7
Black	41	1 2.6	4 10.5
Total B	225	11 5.0	12 5.5

46. Has a formal complaint or any other disciplinary action ever been taken against you while you have been with this department?

Group		Yes	No	Don't Know
Total A	171	124 72.5	38 22.2	9 5.3
White	143	107 74.8	30 21.0	6 4.2
Spanish	37	23 62.2	12 32.4	2 5.4
Black	41	31 75.6	6 14.6	4 9.8
Total B	225	164 73.2	48 21.4	12 5.4

47. Has a formal complaint or any other disciplinary action ever been sustained against you while you have been with this department?

Group		Yes	No	Don't Know
Total A	171	61 36.1	103 60.9	5 3.0
White	143	55 38.7	84 59.2	3 2.1
Spanish	37	9 24.3	27 73.0	1 2.7
Black	41	19 48.7	16 41.0	4 10.3
Total B	225	84 37.8	130 58.6	8 3.6

48. Have you ever received any of the following disciplinary actions for complaints of misconduct? (check all those that apply)

Group		Formal or Oral Reprimand	Written Reprimand	Loss of hours	Working days off	Suspension
Total A	171	65 100.0	67 100.0	32 100.0	27 100.0	11 100.0
White	143	53 100.0	56 100.0	30 100.0	25 100.0	8 100.0
Spanish	37	11 100.0	13 100.0	2 100.0	3 100.0	3 100.0
Black	41	23 100.0	23 100.0	12 100.0	5 100.0	4 100.0
Total B	225	90 100.0	94 100.0	44 100.0	33 100.0	15 100.0

48. cont'd -

Group		Demotion	Dismissal and Reinstatement	None
Total A	171	1 100.0		61 98.4
White	143	1 100.0		51 98.1
Spanish	37			20 100.0
Black	41			10 100.0
Total B	225	1 100.0		61 98.8

49. Have you formally suggested any revised or new written directives in the past year?

Group		Yes	No
Total A	171	25 14.7	145 85.3
White	143	20 14.0	123 86.0
Spanish	37	7 18.9	30 81.1
Black	41	5 12.8	34 87.2
Total B	225	33 14.8	190 85.2

50. If you made a written suggestion, was it acknowledged?

Group		Yes	No	Did not make suggestion
Total A	171	10 5.9	22 13.0	137 81.1
White	143	10 7.0	19 13.4	113 79.6
Spanish	37	2 5.4	3 8.1	32 86.5
Black	41	2 5.1	5 12.8	32 82.1
Total B	225	14 6.3	29 13.1	179 80.6

51. If you answered "Yes" to the question above, was the matter resolved to your satisfaction?

Group		Yes	No	Did not make suggestion
Total A	171	9 6.7	7 5.2	118 88.1
White	143	9 8.1	6 5.4	96 86.5
Spanish	37	1 3.3	1 3.3	28 93.3
Black	41		4 11.1	32 88.9
Total B	225	10 5.6	12 6.1	158 87.8

52. Have you appealed a disciplinary decision through the appeal procedures outside of this department?

Group		Yes	No
Total A	171		169 100.0
White	143		143 100.0
Spanish	37		36 100.0
Black	41		37 94.9
Total B	225		220 99.1

53. How satisfied are you with your present assignment in this department?

Group		Very Satisfied	Somewhat Satisfied	Neither sat. nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied
Total A	171	76 44.7	51 30.0	20 11.8	17 10.0	6 3.5
White	143	61 42.7	46 32.2	17 11.9	16 11.2	3 2.1
Spanish	37	19 51.4	11 29.7	2 5.4	2 5.4	3 8.1
Black	41	13 33.3	12 30.8	7 17.9	3 7.7	4 10.3
Total B	225	95 42.6	70 31.4	26 11.7	22 9.9	10 4.5

54. Overall, how satisfied are you at this time with your career in this department?

Group		Very Satisfied	Somewhat satisfied	Neither sat. nor dissatisfied	Somewhat dissatisfied	Very Dissatisfied
Total A	171	74 43.8	52 30.8	15 8.9	24 14.2	4 2.4
White	143	58 40.8	47 33.1	14 9.9	20 14.1	3 2.1
Spanish	37	21 56.8	9 24.3	2 5.4	5 13.5	
Black	41	14 35.9	18 46.2	2 5.1	2 5.1	3 7.7
Total B	225	94 42.3	75 33.8	18 8.1	29 13.1	6 2.7

55. What is the primary factor which currently affects discipline and morale in the Denver Police Department? (Please answer briefly in your own words, using the space below).

Factor Mentioned First:

Group	Incon- sistency	Favoratism, Politics	Promotional System	Inconsis- tency Based on Rank	Poor or Apathetic Leadership
Total A 171	33 19.3	26 15.2	18 10.5	8 4.7	16 9.4
White 143	25 17.5	22 15.4	14 9.8	6 4.2	15 10.5
Spanish 37	7 18.9	3 8.1	5 13.5	3 8.1	2 5.4
Black 41	17 41.5	7 17.1	1 2.4	2 4.9	
Total B 225	49 21.8	33 14.7	20 8.9	11 4.9	17 7.6

Group	Lack of Communi- cation	Negative Feeling Toward SIB	Unprogres- sive Mgmt. Thinking	Lack of Schedule of Punishment	Other- See Note
Total A 171	3 1.8	4 2.3	2 1.2	8 4.7	53 31.0
White 143	2 1.4	3 2.1	1 .7	8 5.6	47 32.9
Spanish 37	1 2.7	3 8.1	1 2.7	1 2.7	11 29.7
Black 41	1 2.4				13 31.7
Total B 225	6 2.7	6 2.7	2 .9	9 4.0	72 32.0

Factor Mentioned Second:

Group	Incon- sistency	Favoratism, Politics	Promotional System	Inconsis- tency Based on Rank	Poor or Apathetic Leadership
Total A 171	9 5.3	10 5.8	5 2.9	8 4.7	4 2.3
White 143	9 6.3	8 5.6	5 3.5	6 4.2	4 2.8
Spanish 37		1 2.7		3 8.1	
Black 41	2 87.8	1 2.4		2 4.9	
Total B 225	11 4.9	11 4.9	5 2.2	11 4.9	4 1.8

Group	Lack of Communi- cation	Negative Feeling Toward SIB	Unprogres- sive Mgmt. Thinking	Lack of Schedule of Punishment	Other- See Note
Total A 171	6 3.5	2 1.2	2 1.2	3 1.8	122 71.3
White 143	6 4.2	2 1.4	2 1.4	3 2.1	98 68.5
Spanish 37		1 2.7			32 86.5
Black 41					36 87.8
Total B 225	6 2.7	3 1.3	2 .9	3 1.3	169 75.1

Factor Mentioned Third:

Group	Incon- sistency	Favoratism, Politics	Promotional System	Inconsis- tency Based on Rank	Poor or Apathetic Leadership
Total A 171	1 .6	2 1.2	2 1.2	1 .6	2 1.2
White 143	1 .7	2 1.4	1 .7	1 .7	2 1.4
Spanish 37			1 2.7		
Black 41			1 2.4		
Total B 225	1 .4	2 .9	3 1.3	1 .4	2 .9

Group	Negative Feeling Toward SIB	Lack of Schedule of Punishment	Other- See Note
Total A 171		1 .6	162 94.7
White 143		1 .7	135 94.4
Spanish 37			36 97.3
Black 41	1 2.4		39 95.1
Total B 225	1 .4	1 .4	214 95.1

Factor Mentioned Fourth:

Group	Promotional System	Poor or Apathetic Leadership	Unprogres- sive Mgmt. Thinking	Other- See Note
Total A 171	1 .6	1 .6	1 .6	168 98.2
White 143	1 .7	1 .7	1 .7	140 97.9
Spanish 37				37 100.0
Black 41				41 100.0
Total B 225	1 .4	1 .4	1 .4	222 98.7

Factor mentioned fifth:

Group		Other- See Note
Total A	171	171 100.0
White	143	143 100.0
Spanish	37	37 100.0
Black	41	41 100.0
Total B	225	225 100.0

Factor mentioned sixth:

Group		Other- See Note
Total A	171	171 100.0
White	143	143 100.0
Spanish	37	37 100.0
Black	41	41 100.0
Total B	225	225 100.0

APPENDIX 21

RULES OF CONDUCT

LANSING, MICHIGAN, POLICE DEPARTMENT

1.01 Violation of Rules

Employees shall not commit or omit any acts which they know or should know would constitute a violation of any written rules, regulations, procedures, directives or orders of the Department.

1.02 Unbecoming Conduct

Employees shall conduct themselves at all times, both on and off duty, in such a manner as not to discredit the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute, or that which impairs the operation or efficiency of the Department.

1.03 Immoral Conduct

Employees shall not participate in any incident involving moral turpitude which causes the Department to be brought into disrepute.

1.04 Conformance to Laws

A. Employees shall obey all the laws of the United States and of any state and local jurisdiction in which the employees are present.

B. A conviction of the violation of any law shall be prima facie evidence of a violation of this section. Lack of a criminal complaint or an acquittal of a violation of law shall not preclude internal administrative disciplinary action.

1.05 Reporting for Duty

Employees shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this Section.

1.06 Neglect of Duty

Employees shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty.

1.07 Fictitious Illness or Injury Reports

Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive the Department as to the condition of their health.

#### 1.08 Sleeping on Duty

Employees shall remain awake while on duty. If unable to do so, they shall so report to a supervisor, who shall determine the proper course of action.

#### 1.09 Leaving Duty Post

Employees shall not leave their assigned duty post during a tour of duty except when authorized by proper authority or when necessary to perform immediate police functions.

#### 1.10 Unsatisfactory Performance

Employees shall maintain sufficient competency to properly perform their duties and responsibilities. Employees shall perform their duties in a manner which will maintain high standards of efficiency. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank or grade; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, procedures, directives or orders of the Department.

#### 1.11 Employment Outside the Department

Employees may engage in off-duty employment subject to the following limitations: (1) such employment shall not interfere with the employee's employment with the department; (2) employees shall submit a written request for off-duty employment to the Chief, whose approval must be granted prior to engaging in such employment.

#### 1.12 Alcoholic Beverages and Drugs in Police Installations

Employees shall not store or bring into any police facility or police vehicle, without the permission of the chief of police, any alcoholic beverages, controlled substances (except when prescribed in the treatment of employees by physicians or dentists), narcotics or hallucinogens except when they are held as evidence or as seized property.

#### 1.13 Possession and Use of Drugs

Employees shall not possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of employees by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, officers shall notify their supervisor if the officer's performance could be impaired.

#### 1.14 Use of Alcohol On Duty or In Uniform

Employees shall not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from a supervisor. Employees shall not appear for duty, or be on duty while under the influence of intoxicants, or with an odor of intoxicants on their breath.

#### 1.15 Use of Alcohol Off Duty

Employees while off duty shall refrain from consuming intoxicating beverages to the extent that it results in behavior which discredits the Department, or renders the employee unfit to report for the next regular tour of duty.

#### 1.16 Use of Tobacco

Employees, when in uniform, shall not use tobacco when they are in plain view of the public and actively engaged in a service assignment. Employees may use tobacco in police vehicles. When employees are in private direct contact with citizens, employees should obtain permission to use tobacco from the citizens with whom they are in direct contact.

#### 1.17 Insubordination

Employees shall obey any lawful orders of a supervisor without unreasonable delay. This will include orders relayed from a supervisor by an officer of the same or lesser rank.

#### 1.18 Conflicting or Illegal Orders

A. Employees who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation or directive previously issued.

B. The employees shall not obey any order which they know or should know would require them to commit an illegal act. If in doubt as to the legality of an order, employees shall request the issuing employee to clarify the order or to confer with higher authority.

#### 1.19 Gifts, Gratuities, Bribes or Rewards

A. Employees shall not solicit and/or accept from any person, business or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the employees or the Department if it may reasonably be inferred that the person, business, or organization:

- (1) Seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or
- (2) Has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.

B. Employees may solicit and/or accept from any person, business or organization, any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the employees or the Department with the express authorization of the Chief of Police.

C. An employee receiving any reward for police service rendered shall forward the reward and a written report to the Chief of Police. Rewards, if approved, will be accepted and disbursed at the discretion of the Board of Police Commissioners.

#### 1.20 Abuse of Position

A. Use of Official Position or Identification. Employees shall not use their official position, official identification cards or badges: (1) for personal or financial gain, (2) for obtaining privileges not otherwise available to them except in the performance of duty, or (3) for avoiding consequences of illegal acts. Officers shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.

B. Use of Name, Photograph or Title. Employees shall not authorize the use of their names, photographs, or official titles which identify them as employees in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief.

#### 1.21 Endorsements and Referrals

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall proceed in accordance with established departmental procedures.

#### 1.22 Identification

Employees shall carry identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name or badge number to any person requesting that information, when they are on duty or holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

### 1.23. Citizen Complaints

Employees of the Department are authorized to receive and record complaints against other departmental employees or the Department. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any employee or the Department. Whenever possible, complaints shall be referred to a sworn police supervisor or to Internal Affairs for recording.

### 1.24 Courtesy

Employees when dealing with the public and each other shall be patient, courteous, and respectful. Employees should be tactful in the performance of their duties, should control their tempers, and exercise the utmost patience and discretion, and should not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, employees should not use coarse, violent, profane or insolent language or gestures, and should not express any prejudice concerning race, religion, politics, national origin, lifestyle, or similar personal characteristics.

### 1.25 Requests for Assistance

When any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedures.

### 1.26 Associations

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employees.

### 1.27 Visiting Prohibited Establishments

Employees shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the state, or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a supervisor.

### 1.28 Public Statements and Appearances

A. Employees shall not publicly criticize or ridicule the Department, its policies, or other employees by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, impairs the operation or efficiency of the Department, or is made with reckless disregard for truth or falsity.

B. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department, while holding themselves out as representing the Department in such matters without the express permission of the Chief of Police or his designee.

#### 1.29 Personal Appearance

A. Officers on duty shall wear uniforms or other clothing in accordance with established departmental procedures.

B. Except when acting under proper and specific orders from a superior officer, officers on duty shall maintain a neat, well-groomed appearance and shall style their hair according to established departmental guidelines.

#### 1.30 Political Activity

1. An employee shall not use the influence of his or her position with the Department for political purposes.

2. The employee shall not hold a political position incompatible or conflicting interest with his or her duties as a police department employee.

3. Employees on duty or in uniform are prohibited from the following partisan or nonpartisan activities:

- (a) Assuming active roles in the management, organization, or financial activities of political clubs, campaigns, or parties;
- (b) Soliciting votes in support of or in opposition to, any candidates;
- (c) Serving as delegates to a political party convention;
- (d) Endorsing or opposing a candidate for public office in a political advertisement, broadcast, or campaign literature;
- (e) Initiating or circulating a petition to nonemployees;
- (f) Organizing, selling tickets to, or actively participating in a fund-raising function for a political party or candidate;
- (g) Addressing political gatherings in support of, or in opposition to a candidate;
- (h) Otherwise engaging in prohibited political activities on the federal, state, county or municipal level.

#### 1.31 Payment of Debts

Employees shall not undertake any financial obligations which they know or should know they will be unable to meet, and shall pay all just debts when due.

An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken.

#### 1.32 Telephone

Employees shall have telephones in their residences, and shall immediately report any changes of telephone numbers, addresses, marital status, dependents or beneficiaries to the Personnel Training Division.

#### 1.33 Dissemination of Information

Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established departmental procedures. Employees shall not copy, alter, destroy, or remove any official record or document except in accordance with established departmental procedures. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

#### 1.34 Intervention

A. Employees shall not knowingly interfere with departmental functions being handled by other employees of the Department or any other governmental agency unless:

- (1) Ordered to intervene by a supervisor, or
- (2) The intervening employee reasonably believes that a manifest injustice would result from a failure to take action.

B. Employees shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from a supervisor unless the exigencies of the situation require immediate action.

#### 1.35 Departmental and Injury Reports

Employees shall submit all necessary reports on time and in accordance with established departmental procedures. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any inaccurate, false, or improper information. An employee shall immediately report any personal injury received in the line of duty.

#### 1.36 Processing Property and Evidence

Property or evidence which has been discovered, gathered or received in connection with departmental responsibilities will be processed in accordance with established departmental procedures. Employees shall not convert to their

own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedures.

#### 1.37 Abuse of Process

Employees shall not make formal false accusations of a criminal or traffic charge. Employees shall not knowingly make formal false accusations of employee misconduct.

#### 1.38 Use of Department Equipment

Employees shall utilize Department equipment only for its intended purpose, in accordance with established Departmental procedures, and shall not abuse, or negligently damage or lose Department equipment. All Department equipment issued to employees shall be maintained in proper order. An employee shall report to his supervisor any defect or hazardous condition in Departmental equipment.

#### 1.39 Operating Vehicles

Employees shall operate official vehicles in a careful and prudent manner, and shall obey all laws and all Departmental orders pertaining to such operation. Loss or suspension of any driving license shall be reported to the Department.

#### 1.40 Carrying Firearms

Officers shall carry firearms in accordance with law and established Departmental procedures.

#### 1.41 Truthfulness

Upon the order of the Chief, the Chief's designee or a supervisor, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department which may be asked of them.

#### 1.42 Photographs, Lineups, Ballistics Tests, Firearms

Upon the order of the Chief, or the Chief's designee, employees shall submit to ballistics tests, photographs, or lineups. All weapons carried by employees are subject to examination upon request. All procedures carried out under this subsection shall be specifically directed and narrowly related to a particular internal investigation being conducted by the Department.

#### 1.43 Treatment of Persons in Custody

Employees shall not mistreat persons who are in their custody. Employees shall handle such persons in accordance with law and Departmental procedures.

#### 1.44 Use of Force

Employees shall not use more force in any situation than is reasonably necessary under the circumstances. Employees shall use force in accordance with law and Departmental procedures.

1.45 Use of Weapons

Officers shall not use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with law and Departmental procedures.

1.46 Arrest, Search and Seizure

Employees shall not make any arrest, search or seizure which they know or should know is not in accordance with law and Departmental procedures.

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## LANSING DISCIPLINARY PROCEDURES

### 100.00 Reprimands

100.01 Verbal reprimands for minor infractions may be given by a supervisor to any of his subordinates.

- A. When a verbal reprimand is given, the employee shall be made to understand that it is a reprimand, that a notation may be made and that more harsh action may be taken for a repeated act or omission.
- B. The supervisor giving the reprimand may make a notation in the employee's division file. Access to these files will be restricted to supervisory and command officers, except that the individual shall have access to his own file. An employee may inspect his own division file in the presence of a supervisor and respond in writing in the division file to verbal action notations.
- C. Each verbal action notation of reprimand in the employee's division file shall contain the date, the subject of the reprimand, any extenuating circumstances and the supervisor's signature. Further, the concerned employee shall initial the notation.
- D. Such notations, along with other noted information concerning work performance and other factors, should be the basis for accurate and objective periodic personnel evaluations of the employee concerned. As employees are transferred from one activity to another, their verbal action notations shall be transferred with them.
- E. Each notation entered as a verbal action reprimand shall be deleted at the end of twenty-four calendar months.

100.02 Written reprimands may be given by a supervisor to his subordinates.

- A. The supervisor shall complete a charge sheet which shall contain the text of the reprimand.
- B. A copy of the charge sheet will be sent through the supervisor's chain of command. Each succeeding supervisor shall sign the copy before forwarding.
- C. In the event a succeeding supervisor does not concur with the letter of reprimand, he shall so state. He shall check the nonconcurrence and state his reasons on a supplemental letter, justify his nonconcurrence and state what action he believes should be taken. He shall attach this to the charge sheet and send it on to the succeeding supervisor.

- 100.03 An employee shall make any complaint that he may have against a superior officer to his immediate supervisor or Internal Arrairs in writing.
- 101.00 Temporary Relief of Duty
- 101.01 Should an employee be charged with a violation of department written rules, regulations, procedures, directives or orders or a more serious offense or infraction, the employee's supervisor may temporarily relieve him from duty pending disposition by the Chief of Police.
- 101.02 When an immediate relief of duty has been directed by a supervisor, the supervisor and the accused will report to the office of the division commander and the supervisor shall present the accusation and any documentation.
- 101.03 During other than normal duty hours when an immediate relief of duty has been directed, the following steps will be followed:
- A. The supervisor shall direct the employee to report to the concerned division commander at the beginning of the commander's next duty shift. In the event that several days will elapse before the division commander's next duty shift, the supervising officer shall instruct the accused as to whether or not he shall be permitted to work any intervening assigned shifts and other conditions of suspension. The supervisor shall inform the temporarily suspended officer of the limitations of his police powers and shall relieve the officer of his badge and departmental identification. Further, he shall inform the division commander of what has transpired before going off duty.
  - B. The supervisor shall completely document all pertinent facts concerning the infraction, the action taken, and his recommendations complete with justification for any further action.
  - C. The supervisor shall be responsible for ensuring that this documentation moves forward through the chain of command and arrives at the division commander's office without unreasonable delay. The division commander shall notify the chief of police.
- 101.04 In the event the chief does not concur with the action taken, he may:
- A. Ask for additional clarification from those superior officers who have direct personal knowledge of or are involved in the action.
  - B. Call for a further investigation to be conducted by Internal Affairs. When and if this action is taken, the chief may suspend further action pending the completion of the investigation.

C. Direct some course of action other than relief of duty.

101.05 In the event the chief concurs with the temporary relief of duty, he shall so state. He shall inform the employee of the duration/length and conditions of the suspension. Further, he shall complete the proper personnel paperwork, sign it, have the suspended employee sign it, and forward it to Internal Affairs.

101.06 When a member or employee is scheduled for court during the time he is on suspension, he shall be responsible for court attendance.

101.07 During a period of suspension, a member or employee shall not wear any identifiable part of the official uniform. Upon being relieved of duty, he will immediately surrender his badge of office and all other department property deemed necessary. He shall not act in the capacity of nor represent himself as a police officer in any manner, nor perform any off-duty police work.

102.00 Recording and handling of allegations and complaints against departmental personnel or service delivery

102.01 A complaint shall be defined as:

- A. Any alleged act by personnel which is contrary to written rules, regulations, procedures, directives or orders of the department.
- B. An alleged act or omission which if substantiated would constitute a violation of law.
- C. Any allegation against employees or the department which tends to indicate an actual or potential defect in departmental rules, regulations, procedures, directives, orders, or the police service delivery system.

102.02 A complaint shall be classified official or unofficial as defined in 102.03 and 102.04 below.

102.03 Official complaints shall be defined as:

- A. Any complaint made by a citizen or member/employee against departmental personnel, or against department procedures, rules/regulations, policy or the manner in which police service was delivered where the complainant provides his name, address and telephone number.
- B. Any complaint made by a citizen or member/employee of criminal conduct by departmental personnel whether or not the complainant discloses his name, address, or telephone number.

C. Any complaint of a noncriminal nature made by a citizen or member/employee against departmental personnel or against departmental policy, procedure or rules/regulations where the complainant refuses to provide his name, address, and telephone number but which, in the opinion of the supervisor receiving the complaint, is of such serious nature to warrant recording and/or an investigation.

102.04 Unofficial complaints are any complaints of a noncriminal nature made by a citizen or member/employee where the complainant refuses to provide his name, address, and telephone number, and where the supervisor receiving the complaint determines that the allegation cannot be followed up or where the allegation is not valid.

102.05 It shall be the policy of this department to accept, record, and investigate all official complaints as defined in Section 102.03.

102.06 Employees of the department are authorized to receive and record complaints against other departmental employees and/or the department. Whenever possible, however, complaints shall be referred to a sworn police supervisor or to Internal Affairs for recording.

102.07 The responsibility and thus commensurate accountability for deciding whether to treat a complaint as official or unofficial rests with the sworn police supervisor receiving the information of the allegation.

102.08 Official complaints shall be recorded on a complaint form.

102.09 If the person receiving, recording or investigating the official complaint resolves the matter to the complaining party's satisfaction, he shall record this fact and the method used to satisfy the complaint on the complaint form. The fact that the matter has been resolved shall not relieve personnel of the responsibility for completing the complaint form and submitting the complaint according to the procedure outlined in Section 102.10.

102.10 Employees recording official complaints shall distribute material as indicated below. All original documents that are sent to Internal Affairs shall be sent directly and not along the chain of command.

A. Complaints against department-original complaint form and copies (if any), all documents and materials to Internal Affairs.

B. Noncriminal complaints-original complaint form to Internal Affairs. Copy of complaint form to the immediate supervisor of the accused.

C. Criminal allegations-original complaint form and copies (if any), all documents and materials to Internal Affairs.

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- 102.11 Employees who are the subject of an official complaint shall be notified of that fact as soon as possible in writing by the individual receiving the original copy of the complaint, unless doing so may jeopardize the investigation.
- 103.00 Investigative responsibility for official complaints
- 103.01 Responsibility for investigations of complaints shall follow the guidelines established by this manual.
- 103.02 If the complaint alleges a defect in policy, procedure, or service delivery, but does not allege misconduct on the part of departmental personnel, the complaint shall be referred by Internal Affairs to the Chief of Police.
- 103.03 If the complaint alleges noncriminal misconduct by departmental personnel or does not fall within the area where Internal Affairs has sole responsibility, the investigation shall be conducted by the accused officer's supervisor.
- 103.04 Internal Affairs shall have sole investigative responsibility in the following cases:
- A. When directed to do so by the Chief of Police.
    - 1. The investigation is so complex that it would be impractical for the accused's immediate supervisor to undertake the task.
    - 2. When several officers of various commands are involved in the alleged complaint.
  - B. Situations where any person has been killed by departmental personnel, or injured by the alleged use of excessive force.
  - C. Situations involving the discharge of firearms by police personnel in other than lawful sport activity or at an approved firing range.
- Complaints alleging criminal conduct by departmental personnel shall be investigated by personnel designated by the Chief of Police.
- 103.05 Whenever an incident occurs which is within the sole responsibility of Internal Affairs, it shall be the responsibility of the departmental personnel to immediately notify Internal Affairs, regardless of the hour of the day. In such cases, it shall be the responsibility of the departmental personnel to take any immediate action as may be necessary to preserve the integrity of the department until the arrival of Internal Affairs personnel, or others designated by the Chief of Police. Whenever Internal Affairs determines it has sole investigative responsibility Internal Affairs shall notify the Chief of Police.

- 103.06 Any conflict over investigatory responsibility shall be resolved by the chief of police.
- 103.07 Internal investigations shall be classified as preliminary and comprehensive. The preliminary investigation is one which is undertaken immediately upon receipt of the complaint and is for the purpose of securing necessary information such as names and statements of persons involved or witnesses, securing evidence which might be lost with passage of time and generally controlling the situation which brought about the complaint. The comprehensive investigation is one which requires a thorough gathering and securing of evidence and facts to discover the truth and ultimately reach a conclusion.
- 103.08 Upon becoming aware of a complaint, the supervisor shall conduct a preliminary investigation without unreasonable delay. This investigation shall be conducted even though the immediate supervisor of the accused has not been officially assigned the responsibility to conduct the comprehensive investigation. If the accused's immediate supervisor is not available to conduct the preliminary investigation, the responsibility shall rest with the next immediate supervisor or his designee.
- 103.09 If the complaint is such that a preliminary and comprehensive investigation can be conducted simultaneously, the supervisor is authorized to do so.
- 103.10 The supervisor conducting the preliminary investigation shall send copies of all materials and documents through the chain of command and the originals of materials and documents shall be forwarded directly to Internal Affairs and not through the chain of command. The investigation must be completed and the materials and documents forwarded without unreasonable delay.
- 103.11 Upon receiving the original of the complaint form, Internal Affairs shall determine whether it has sole responsibility for the comprehensive investigation (as outlined in 103.04). If Internal Affairs has sole responsibility, the accused's supervisor's commanding officer shall be notified that Internal Affairs shall conduct the comprehensive investigation, and that commanding officer shall notify the accused's supervisor.
- 103.12 If it is determined by the Internal Affairs Unit that responsibility for the comprehensive investigation rests with the immediate supervisor, the supervisor's commanding officer shall be so informed by Internal Affairs. The supervisor's commanding officer may assign the supervisor or other designated person to conduct the comprehensive investigation, or may conduct the investigation himself.

- 103.13 Internal Affairs may request assistance of other units at any time in conducting the comprehensive investigation. Likewise, the supervisor assigned such responsibility may request assistance from Internal Affairs or other unit when deemed necessary.
- 103.14 If the immediate supervisor cannot or should not conduct the investigation, responsibility for the preliminary and comprehensive investigation shall be assumed by his supervisor. Internal Affairs shall be responsible for the preliminary and/or comprehensive investigation if ordered to do so by the Chief of Police.
- 104.00 Procedures for preliminary and comprehensive investigations of allegations and complaints and preparation of charge sheet
- 104.01 It shall be the policy of this Department that the Department has the duty of investigating its case through lawful investigatory techniques. The burden of proving a violation of departmental rules and regulations rests with the Department. The investigator will be responsible for conducting the investigation in a lawful manner according to the procedures established by this manual.
- 104.02 The investigator conducting preliminary or comprehensive investigations shall be responsible for questioning officers, witnesses, and complainants who are available and collect and preserve evidence. Persons conducting preliminary or comprehensive investigations shall not intentionally take any action which may jeopardize any further investigations in the matter.
- 104.03 The following guidelines will be used by persons conducting internal investigations. For the purpose of conducting such investigations and issuing appropriate orders, the investigator shall be considered the designee of the Chief of Police.
- A. The interrogation of personnel shall be at a reasonable hour, preferably when they are on duty, or during the daytime unless circumstances dictate otherwise.
  - B. The interrogations shall take place at a reasonable location designated by the investigator; however, personnel will not be ordered to leave their post until their supervisor has been notified.
  - C. Any personnel questioned should be informed of the name and rank of the investigator, the identity of all others present, the nature of the investigation, the name of the complainant, the contents of this manual, status (accused, witness, etc.) and sufficient information to reasonably apprise them of the allegations prior to the interrogation.

- D. The department shall furnish an opportunity for the accused, if he requests, to consult with counsel before being questioned, provided the interrogation is not unreasonably delayed. Counsel, if available, or another person of his choice, may be present during the interrogation. If counsel interferes with the proceedings, the investigator may withdraw permission for counsel to remain.
- E. Personnel under arrest or suspects in a criminal investigation shall be given the Miranda Warnings. At no time will investigators infringe on the rights of personnel, as those rights are defined by constitutional provision, state statute provisions, court interpretation, this manual or collective bargaining contracts.
- F. Interrogations shall be recorded mechanically or by a department stenographer upon request of either party. There will be no "off-the-record" questions or statements unless agreed to by both parties. All recesses called during the questioning shall be noted on the record.
- G. Personnel shall not be subjected to any offensive language nor shall they be threatened with transfer, dismissal, or other disciplinary action by the investigator. The investigator shall make no promises of rewards as an inducement to answer questions. Nothing herein is to be construed to prohibit the investigating officer from informing the accused that his conduct can become the subject of disciplinary action.
- H. Rest periods shall be allowed each hour. Time shall be provided for personal necessities, meals, and telephone calls.

104.04 Personal property shall not be subject to search and seizure in noncriminal disciplinary cases, and in a criminal investigation personal property shall not be subject to search and seizure without probable cause or without a search warrant where required by law. Departmental property may be searched at any time even if assigned to or used exclusively by a single person. The investigator may, at any time, order the delivery to him of any property, document, or other item which belongs to the department and/or officer's personal firearms.

104.05 Employees of this department will comply with all lawful orders for information, materials, or assistance when such orders are made by the investigator of a complaint.

104.06 Communications in departmental facilities and/or equipment may be monitored and recorded under conditions permitted by law.

- 104.07 The Chief of Police can order any employee of the department to submit to any acceptable technique to secure nontestimonial evidence including but not limited to the following methods: ballistics, photographs and lineups.
- 104.08 Following the completion of a complaint investigation, the investigator shall classify the case as one of the following:
- A. Sustained - the allegation is supported by sufficient proof.
  - B. Not sustained - the evidence is not sufficient to prove or disprove the allegation.
  - C. Unfounded - the allegation is false or otherwise not based on valid facts.
  - D. Exonerated - the incident that occurred or was complained against was lawful and proper.
  - E. Misconduct not based on the original complaint - the evidence supports action for infractions discovered during the investigation of a complaint that may be sustained, not sustained, unfounded, or exonerated.
- 104.09 In instances where the investigation is conducted by Internal Affairs, a copy of the entire case file and a copy of the charge sheet shall be forwarded to the accused officer's supervisor who shall be the charging person and who shall make a recommendation pursuant to Section 105.01. The chief of police may direct the findings to be forwarded to other personnel for a recommendation where appropriate.
- 104.10 Upon determining that a complaint is sustained, the immediate supervisor shall prepare a charge sheet if disciplinary action is contemplated. A copy of the charge sheet shall be forwarded directly to Internal Affairs and not through the chain of command.
- 104.11 No disciplinary action resulting in written reprimand, loss of pay, loss of seniority, demotion, suspension, or termination shall be imposed unless a charge sheet is prepared.
- 104.12 The charge sheet shall contain the following:
- A. A statement of the alleged acts or omissions.
  - B. The date, time and place where the alleged acts or omissions took place.
  - C. The name, rank and service number of the accused.

- D. The particular rule(s) by section number alleged to have been violated.
- E. The name(s) of all persons investigating the incident.
- F. The findings of the investigation as per Section 104.08.
- G. The recommended action.
- H. The name, rank and service number of all reviewing persons.
- I. Action to be taken as determined by the Chief of Police.

105.00 Investigative review by command officers

105.01 Upon completion of the immediate supervisor's investigation or review of the case, the entire case file, including the findings and recommendations, shall be sent through the chain of command to the Chief of Police who shall make a determination pursuant to Section 105.06 of this manual.

105.02 Each level of command shall review the reports and, in writing, either concur or not concur with the findings and recommendations of the supervisor. The command officer reviewing the reports shall explain the reasons for nonconcurrence and make his recommendation in an attached letter. All documents shall then be forwarded to the next level, within one (1) working day of receipt. If the command officer at the next level is unavailable for review all documents shall be immediately forwarded to the next highest level.

105.03 Should any level of command feel that further investigation is needed, they shall so state in writing and return the case file to the appropriate level. Command officers may request assistance from Internal Affairs at any stage of the investigation.

105.04 Division commanders shall review all reports and may recommend any appropriate action. The entire case shall be sent to the appropriate Deputy Chief for review.

105.05 The appropriate Deputy Chief shall review all reports and may recommend any appropriate action. The entire case file shall be sent to the Assistant Chief within one (1) working day of receipt. The assistant chief shall review all reports and may recommend any appropriate action. The entire case file shall be sent to the Chief of Police within one (1) working day.

105.06 The Chief shall review within two (2) working days of receipt all reports and recommendations and may concur with or modify the charge sheet. The chief of police shall decide the appropriate disposition of the case. Copies of all materials shall be sent to the Internal Affairs Unit for review.

- 105.07 Internal Affairs shall review all completed investigations. Internal Affairs shall insure the proper completion of the case file and charge sheet and shall return a copy of the charge sheet to the Chief of Police without unreasonable delay.
- 105.08 A copy of the completed charge sheet shall be furnished the accused by the Chief of Police or his designee. The charge sheet shall be read to the accused by the Chief of Police or his designee who shall also explain the accused's right to appeal.
- 106.00 Actions of accused - acceptance of disciplinary action and right to appeal
- 106.01 All disciplinary actions which result in written reprimand, loss of pay, loss of seniority, demotion, suspension, or termination may be appealed to the Trial Board.
- 106.02 However, part-time, temporary, civilian employees and probationary Police officers do not have a right to a trial board without the permission of the Chief of Police.
- 106.03 The accused shall be presented the charge sheet by the Chief of Police or his designee pursuant to Section 105.08. The accused officer shall either accept or reject the penalties in writing within three (3) full working days. Should the accused accept the disciplinary action, he shall sign acceptance and the charge sheet shall be returned directly to the Chief of Police for imposition of the penalties. Should the accused officer reject the penalties, he shall so indicate in writing (on charge sheet and additional pages if needed) to the Chief of Police and request a hearing by the Trial Board.
- 106.04 The Chief of Police shall forward the charge sheet to Internal Affairs for filing.
- 106.05 If the accused officer requests a Trial Board, Internal Affairs shall be responsible for coordinating the selection of the appropriate board within ten (10) full working days after receipt of the request, and, shall notify all appropriate participants.
- 106.06 Disciplinary action involving Captains, Deputy Chiefs or the Assistant Chief shall be the sole responsibility of the Chief of Police and the Board of Police Commissioners. Disciplinary action involving the Chief of Police shall be the sole responsibility of the Board of Police Commissioners.
- 107.00 Trial Board
- 107.01 The Trial Board shall be selected jointly by the charging officer and the accused. The selection process shall be done in the Internal Affairs office on a date and time convenient to both parties. The Chief of Police may exempt personnel from having their names placed

on tags or selected to the Trial Board if their assignment or duties are such that they could not serve on the Board.

107.02

The Trial Board shall consist of five members who shall be confirmed officers and shall be selected in the following manner:

- A. Five containers shall be available and contain the following:
  1. Captains only
  2. Lieutenants only
  3. Sergeants only
  4. Detectives and Corporals only
  5. Police Officers only
- B. The accused shall select four tags from a container, each of which shall have the name of a person of the same rank as the accused.
- C. The accused shall then select in the same manner three tags from each of the other four remaining containers of rank groupings.
- D. The following shall not be considered valid selections and shall be replaced as soon as drawn:
  1. The accused officer
  2. The charging officer
  3. Persons involved in the investigation
  4. Persons who previously reviewed and made recommendations on the charge sheet
  5. Police legal advisor(s)
  6. Elected union officials of the Lodge and Division
  7. Relatives of the accused or charging officer
  8. The Internal Affairs officer
- E. The charging party shall then strike one name from each rank grouping.
- F. The accused officer shall then also strike one name from each rank grouping, then additionally strike one name of the six names remaining regardless of rank grouping.

- G. The remaining five persons shall make up the Trial Board. The senior ranking officer shall be the Chairman of the Trial Board.
- H. Internal Affairs shall cause the chairman and the members of the Trial Board to be notified by special order. The special order shall contain the admonition that under no circumstances will the case be discussed by the parties prior to the convening of the Board.
- 107.03 A new Board shall be selected for each case, except that one Board may hear multiple charges against one or more persons if the charges arise out of the same incident or occurrence, and the persons charged agree on a single Trial Board.
- 107.04 The Trial Board shall hear cases appealed by the accused which have resulted in written reprimand, loss of pay, loss of seniority, demotion, suspension or termination. The Trial Board shall be a formal administrative hearing; however, the rules of evidence shall not apply.
- 107.05 The Trial Board Chairman shall provide timely notice to the accused of the time and place of the hearing which shall not be more than 10 working days after the selection of the Board, unless criminal charges are pending against the accused, in which case, the Board may postpone the hearing until the conclusion of the criminal trial. The Trial Board, the charging officer, or the accused may, as a matter of right, be granted one (1) continuance of not more than fifteen (15) full working days.
- 107.06 Trial Board proceedings shall be conducted with rudimentary due process and shall be recorded. The accused is entitled to representation but such representation shall not be provided to the accused by the Department. The Board may appoint an attorney to rule on motions and advise the Board. The Department may have its case presented by an attorney, if the accused is represented by an attorney; otherwise, the case shall be presented by the charging officer.
- 107.07 The accused and the Department shall have the right to present evidence, to call witnesses and to cross-examine witnesses. The burden shall be on the Department to prove the violation by substantial evidence.
- 107.08 All witnesses shall testify under oath or affirmation, and the hearing shall be closed unless otherwise required by law or mutually agreed upon by the parties.
- 107.09 The Trial Board proceedings shall be conducted in accordance with procedures promulgated by the office of Internal Affairs.
- 107.10 At the conclusion of the hearing the Trial Board shall go into executive session, and by majority vote, shall summarize the evidence, make findings of fact, the determination of guilt or innocence, and the

assignment of an appropriate sanction. A dissenting opinion may be included if the Board feels it necessary. A report containing the above cited information and the entire case file shall be forwarded without delay directly to the Chief of Police for his action pursuant to Section 108.

108.00 Chief's Action and Right to Petition to the Board of Police Commissioners

108.01 Upon receipt of the Trial Board's hearing report(s) and case file, the Chief of Police shall review the evidence, the findings, the determination of guilt or innocence and assigned sanction and may:

- A. Remand the case to Internal Affairs or others for additional information
- B. Remand the case to the charging officer or others for recharging if the charges are deemed inappropriate
- C. Order the imposition of the assigned corrective or disciplinary action

108.02 The Chief of Police shall within three (3) full working days of receipt of the Trial Board's report and the entire case file, notify the accused in writing of the action taken and the conditions for imposition of disciplinary sanctions, if any. Furthermore, the Chief of Police shall notify the accused of his right to petition the Board of Police Commissioners pursuant to Section 108.04.

108.03 Prior to imposition of any corrective or disciplinary sanction, the Chief of Police may allow the accused to have audience with him to present anything which may have a bearing on the case or imposition of the sanction.

108.04 The Chief of Police or the accused may petition the Board of Police Commissioners in writing to review the record of the summarized evidence, the findings of fact, determination of guilt, and sanction imposed where error is alleged. The petition to the Board of Police Commissioners must be made within three (3) full working days from the day of notice of right of petition to the accused by the Chief of Police or petition rights are waived. A copy of the petition shall be provided to interested parties to the case. Where either party petitions the Board of Police Commissioners to review the case the imposition of corrective or disciplinary sanction shall be stayed until action by the Board of Police Commissioners. The Board of Police Commissioners may change, modify, sustain or reverse the findings and determinations of the Trial Board.

108.05 The Chief of Police will return all signed cases to the Internal Affairs Unit, which shall file and maintain all cases in accordance with Section 110.00 of this manual.

109.00 Internal Affairs

109.01 Internal Affairs shall act on behalf of the Chief of Police as a staff investigative body with the following major purposes:

- A. To assist in maintaining department integrity.
- B. To protect innocent members and employees.
- C. To identify police misconduct so that personnel found guilty may be retrained and corrected or disciplined through proper administrative action.
- D. To monitor the complaint investigation procedure to ensure that appropriate action is taken in all cases.
- E. To identify personnel who display behavior resulting in or tending to result in disciplinary infractions.
- F. To coordinate with the Personnel and Training Division on training needs which might minimize undesirable practices caused by misinterpretation of procedures.
- G. To coordinate with the Administrative Services Division methods of correcting service delivery defects due to inadequate procedures or practices.
- H. To maintain staff control over all disciplinary records and files as discussed in Section 110.00 of this manual.
- I. To refer complaints alleging departmental policy or procedure errors.

- 109.02 Internal Affairs shall prepare a case file on all cases upon receipt or initiation of a complaint form, and shall monitor the progress of each case.
- 109.03 Internal Affairs shall notify citizen complainants that the case is being investigated unless the notification would jeopardize the progress of the investigation. Likewise, upon completion of the case, Internal Affairs will notify the complainant of the outcome of his complaint.
- 109.04 Whenever an internal investigation yields evidence of possible criminal misconduct on the part of department personnel or other persons, Internal Affairs shall immediately notify the Chief of Police, who shall determine what further action shall be taken.
- 109.05 All case files sent to the Internal Affairs Unit by the Chief of Police shall be filed and maintained in accordance with Section 110.00 of this manual.
- 110.00 Internal Affairs Records
- 110.01 Internal Affairs, in performing their staff control function will be the custodian of all disciplinary records and follow the procedures outlined below.

110.02 All files and reports of internal investigations conducted by Internal Affairs or by other personnel of this Department are confidential. They are intended for the exclusive use of the Chief of Police or his representatives. Actual files, photo-stats or abstracts may be released to persons outside the Department only upon the specific approval of the Chief of Police.

110.03 Internal Affairs records of cases and/or incidents shall be maintained and/or purged pursuant to departmental policy, union contracts, and applicable local, state and federal laws and regulations.

110.04 Internal Affairs records for cases and/or incidents in which a lawsuit has been filed will be held until the case has been adjudicated, then will be disposed of as indicated in Section 110.03.

110.05 Internal Affairs Unit will be responsible for the systematic purging and disposition of these records, as indicated above.

110.06 The Chief of Police may, at his discretion, retain or dispose of Internal Affairs Unit files, regardless of the contents of this section.

111.00 Definitions

Full Working Day: A Monday through Friday (excluding weekends and holidays), from 8:00 a.m. to 5:00 p.m. (8 full duty hours)

Working Day: A Monday through Friday (excluding weekends and holidays), may be less than 8 full duty hours.

Employee: A person working at regular, full-time employment with the Department.

Sworn: An employee possessing statutory police powers pursuant to Michigan and local law.

Civilian: An employee who does not possess statutory police powers.

Probationary Employee: An employee of the Department for the first eighteen (18) months of his continuous, regular, full-time employment.

Confirmed Employee: An employee who has successfully completed his probationary period.

His-Her: Interchangeable terms indicating gender.

APPENDIX 22

**LANSING POLICE DEPARTMENT**  
**Citizen - Police Complaint Form**

NAME AND RANK OF PERSON COMPLAINED AGAINST		UNIT AND WATCH		DUTY PHONE	
COMPLAINANT'S NAME		ADDRESS		P. IONE	
		BUSINESS ADDRESS		BUS. PHONE	
WITNESS NAME		ADDRESS		PHONE	
		BUSINESS ADDRESS		BUS. PHONE	
WITNESS NAME		ADDRESS		PHONE	
		BUSINESS ADDRESS		BUS. PHONE	
WITNESS NAME		ADDRESS		PHONE	
		BUSINESS ADDRESS		BUS. PHONE	
DATE AND TIME OF OCCURRENCE		LOCATION OF OCCURRENCE			
DETAILS OF COMPLAINT:					
THIS COMPLAINT HAS BEEN <input type="radio"/> RESOLVED (NOTE METHOD USED IN NARRATIVE) <input type="radio"/> FORWARDED FOR INVESTIGATION (SEE DISTRIBUTION INSTRUCTIONS BELOW)					
DATE AND TIME COMPLAINT RECEIVED		NAME AND RANK OF PERSON RECORDING COMPLAINT		UNIT AND WATCH	
DATE AND TIME RECEIVED FOR INVESTIGATION		NAME AND RANK OF INVESTIGATOR ASSIGNED		UNIT AND WATCH	
DATE AND TIME INVESTIGATION COMPLETED		SIGNATURE OF INVESTIGATOR		THIS COMPLAINT IS: <input type="checkbox"/> EXONERATED <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> SUSTAINED <input type="checkbox"/> NOT SUSTAINED <input type="checkbox"/> OTHER MISCONDUCT ATTACH COMPLETE INVESTIGATIVE REPORT AND FORWARD.	
DISTRIBUTION: SEND ORIGINAL DIRECTLY TO THE INTERNAL AFFAIRS UNIT. IF COMPLAINT IS NONCRIMINAL IN NATURE, COPY SHALL BE FORWARDED TO THE ACCUSED'S IMMEDIATE SUPERVISOR.					

USE ADDITIONAL SHEETS OF BLANK PAPER IF NECESSARY.

APPENDIX 23

## DISCIPLINARY PROCEDURE TRAINING

August, 1978

### I. PURPOSE

A. Any Police Department, in order to fulfill it's intended purpose, must establish and administer a sound disciplinary program.

1. We are attempting to fulfill this purpose with the New Disciplinary Procedure which went into effect August 8, 1978, at 0001 hours.

2. The New Procedures will enable us to do the following:

(a) The New Procedure establishes accountability for the receiving and complaints.

(1) The integrity of the Department and it's successful operation in part, depend on the manner in which all complaints are received, recorded and investigated. (Supervisors are responsible for receiving, recording and investigating complaints. Supervisors will be held accountable for the reception, recording and investigating of official complaints.

(b) The New Procedure establishes a system of internal discipline where objectivity, fairness and justice are assured through intensive impartial investigation, multiple review of recommended disciplinary action and timely adjudication of disciplinary cases.

(1) We will no longer look outside the Department for disciplinary action, but will police ourselves and be tried accordingly by a group of our peers.

(c) The New Procedures establish accurate control, accounting and analysis of complaints received and investigations conducted.

(1) This enables us to identify undesirable conditions or behavior within the Department.

(2) It points out the needs for additional training, counseling, discipline or changes in procedures,

(d) The New Procedures specifically define the role of the supervisor, command officer and Internal Affairs, relating to the disciplinary process.

(1) It sets forth specific guidelines to follow in all areas dealing with disciplinary matters.

(e) The New Procedures allow us to be more consistant when dealing with disciplinary matters

- (1) This to me is one of the strongest parts of the New Disciplinary Program. There will be no more guessing as to what steps are to be taken when receiving, recording complaints and when having to initiate disciplinary measures against a subordinate. There will be no deviation from case to case, because of the system. There will be review of each complaint recorded, each case investigated and of each disciplinary action to ensure that the procedures have been followed and that all work is complete.

Now that you've been given background information pertaining to the purpose of the New Disciplinary Procedure, let's be more specific and talk about several areas of importance to you as a supervisor/command officer.

## II. SPECIFICS

### A. Verbal reprimands.

1. Yes, you may give verbal reprimands.
2. They may be in the form of a verbal action notation and placed in the subordinate's divisional file.
3. The subordinate may inspect the file in the presence of the supervisor and respond in writing to the verbal action notation.
4. Those notations should be used as the basis for accurate and objective periodic personnel evaluations. When an employee is transferred from one unit to another their divisional file should follow them. Each notation entered shall be purged at the end of twenty-four (24) calendar months. (Taken from Sec. 100.01 A, B, C, D, E,)

### B. Written reprimands.

1. Yes, you may give a written reprimand.
2. If given, a Complaint Form and a Disciplinary Charge Sheet must be made out and put through the same process as more serious infractions.
3. Written Reprimands are appealable to the Trial Board. (Taken from Sec's. 100.02 A, B, C,)

### C. Temporary Relief of Duty.

1. Yes, you may temporarily relieve a subordinate of duty, pending disposition by the Chief of Police.
2. The supervisor and the accused will report to the office of the appropriate division commander, the supervisor shall present the accusation and any documentation of the infraction. (Documentation will be the Complaint Form and Disciplinary Charge Sheet. The Charge Sheet will be expedited)

### 3. Other than normal duty hours

- (a) Report to concerned division commander at the beginning of the division commander's next shift.
- (b) The supervisor will document all pertinent facts and his recommendations complete with justification for further action.
- (c) The supervisor will ensure that this documentation moves forward through the chain of command and arrives at the division commander's office without unreasonable delay. The division commander shall notify the Chief of Police.
- (d) If the Chief does not concur with the action taken, he may;
  - (1) Ask for additional clarification
  - (2) Call for further investigation and suspend further action pending the completion of the investigation
  - (3) Direct some other course of action other than relief of duty.
- (e) If the Chief concurs, he shall so state
  - (1) He will inform the employee of the duration/length and conditions of his suspension.
  - (2) The proper paper work will be completed and sent to Internal Affairs. (Taken from Sec's. 101.00 and 101.07)

### D. Complaints.

- 1. Area of concern for supervisors
- 2. Official Sec. 102.01 A, B, C, - 103.14
- 3. (Go to Procedures and read)

### E. Investigative responsibility. (103.00)

- 1. Supervisors will normally only investigate non-criminal misconduct by departmental personnel.
- 2. (Pass out Examples A and B)

### F. Interrogation of Personnel. (104.03)

- 1. Gives specifics as to what you can and cannot do during an interrogation.
- 2. (Pass out Example C and discuss)

### G. Disciplinary Charge Sheet.

- 1. Following the completion of a complaint investigation, the investigator shall classify the case as one of the findings, listed in the lower right-hand corner of the Citizen-Police Complaint Form.

- (a) exonerated
  - (b) sustained
  - (c) other misconduct
  - (d) unfounded
  - (e) not sustained
- (Sec. 104.08)

2. Internal Affairs doing investigation.

- (a) Copy of entire case file and a copy of Complaint Form, also a Charge sheet forwarded to officer's supervisor. (Supervisor will be the charging officer and will make recommendation on the Charge Sheet for disciplinary action). (Sec's. 104.09 and 104.10)

3. The Charge Sheet will contain all pertinent information and will be filled out completely. (Sec. 104.12)

- (a) (Pass out Example D)

4. Investigative review by Command.

- (a) Upon completion of the supervisor's investigation, or review of the case, file the entire case file, including findings and recommendations, will be sent through the Chain of Command to the Chief. (Sec. 105.01)

- (1) Each level of command will review the file and either concur or not concur with the previous supervisor. If they do not concur, their non-concurrence will be in writing and attached to the file. All documents will be forwarded within one (1) working day of receipt. If the command officer at the next level is unavailable, then all documents will be forwarded to the next highest level for review. (Sec. 105.02)

All levels of command except the Chief have one (1) working day to review the file and forward to the next highest level. The Chief, upon receipt, has two (2) working days to review and shall decide the appropriate disposition of the case. (Sec. 105.06)

5. Further Investigation.

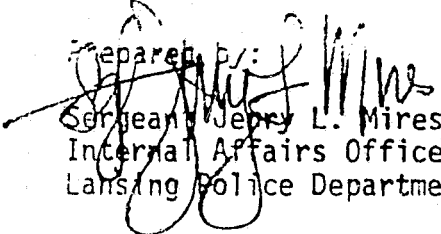
- (a) Should any level of command feel that further investigation is needed they shall so state in writing and return the case file to the appropriate level. Command officers may request assistance from Internal Affairs at any stage of the investigation. (Sec. 105.03)

6. Internal Affairs Review.

- (a) Internal Affairs shall review all completed investigations, to ensure that they are proper and complete. (This includes the reviewing of the Disciplinary Charge Sheet and if all paper work is proper and complete it will be returned to the Chief without delay). (Sec. 105.07)
7. Charge Sheet furnished to accused by the Chief or his designee.
- (a) After it is ensured that the case file and Charge Sheet are complete, the Chief or his designee will furnish a copy of the Charge Sheet to the accused officer. The Charge Sheet will be read to the accused officer and the officer's right to appeal will be explained by the Chief or his designee to the officer. (Sec. 105.08)
8. All disciplinary actions which result in written reprimand, loss of pay, loss of seniority, demotion, suspension or termination may be appealed to the Trial Board. (Part-time, temporary, civilian employees and probationary police officers do not have a right to a Trial Board without the permission of the Chief. (Sec's. 106.01 and 106.02)
9. After the completed Disciplinary Charge Sheet is presented to the officer, the officer shall either accept or reject the penalties in writing within three (3) full working days. Should the accused accept the disciplinary action, he shall sign acceptance on the Charge Sheet and the discipline will be imposed by the Chief. Should the officer reject the penalties, he shall so indicate in writing to the Chief of Police and request a hearing by the Trial Board. The Charge Sheet or request for Trial Board will go to Internal Affairs for processing. (Sec's. 106.03 and 106.04)
10. Internal Affairs will be responsible for coordinating the appropriate Board within ten (10) full working days after receipt of the request, and will notify the appropriate participants. (Sec. 106.05)

H. Trial Board

1. The Trial Board will be selected jointly by the Charging Officer and the accused, in the Internal Affairs Office on a date and time convenient to both parties. (Sec. 107.01)
2. The Trial Board will consist of five (5) members who will be confirmed officers and who will be selected by the manner prescribed by the procedures (Sec. 107.02)
3. The senior ranking officer will be the Chairman of the Trial Board.
4. Internal Affairs will notify by special order the members and Chairman of the Trial Board.
5. The Chairman will preside over the Trial Board proceedings.

Prepared by:  
  
Sergeant Jerry L. Mires  
Internal Affairs Officer  
Lansing Police Department

APPENDIX 24

MEMORANDUM

TO: All Personnel  
FROM: Chief Richard A. Gleason  
SUBJECT: New Disciplinary Procedures

DATE: August 1, 1978

The following changes have been made with regard to the implementation of the new disciplinary procedures. These changes take effect August 8, 1978 at 0001 hours.

- I. The General Orders and Procedure Manual (hard cover blue book) adopted August 1, 1966, is rescinded and recalled.
- II. The General Orders "Rules and Regulations," book adopted July 1, 1975, is rescinded and recalled.

The new "Rules and Regulations" adopted June 16, 1978, will become effective August 8, 1978, and are to be placed in the brown cover and retain the same serial number.

- III. Operational Procedures 76-5, "Disciplinary Action Procedure," (p. 251-253) and 76-6 "Issuing Notice of Disciplinary Action" (p. 254-255), are rescinded and recalled.

Personnel are to remove these pages from their manual.

- IV. Page 9, "Operational Procedure for the Operations Center," the paragraph COMPLAINTS REGARDING OFFICERS is rescinded.

Personnel are to strike this paragraph from this procedure.

- V. The following Operational Procedures are to be inserted in the Operational Procedures Manual.

78-6	Attire & Responsibilities for Court
78-7	Law Suits
78-8	Human Relations Complaints
78-9	Disciplinary Procedures

- VI. The following Administrative Procedures are to be inserted at the end of the Operational Procedures Manual.

A new section entitled Administrative Procedures will be added to the Operational Procedures Manual. This section will include a cover sheet entitled "Administrative Procedures Section." The Administrative Procedures Section is to be placed at the end of the Operational Procedures.

78-1	Annual Report
78-3	Police Officer Application & Probation Requirements
78-5	Sick Leave

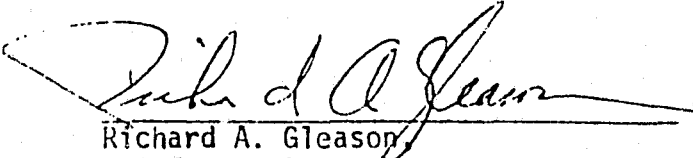
VII. Personnel will be required to sign for the newly issued Rules and Regulations, Operational and Administrative Procedures, on forms provided by Personnel and Training. These forms are to be returned to Personnel and Training when this distribution is completed.

All materials that have been rescinded and recalled will be collected at the direction of the respective Division Commanders, and be forwarded to Quartermaster for destruction.

A new index is forthcoming for the Operational Procedures Manual.

Where page numbers are missing in the procedures manual, these items are being printed.

/mep



Richard A. Gleason  
Chief of Police

APPENDIX 25

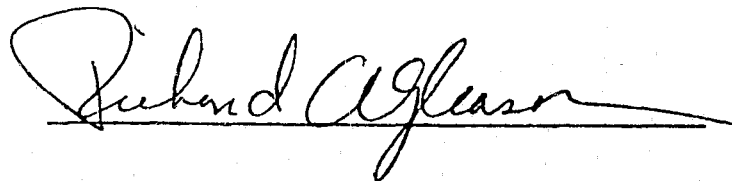
August 1, 1978

TO: ALL DIVISION & UNIT COMMANDERS  
FROM: Chief Richard A. Gleason  
SUBJECT: Distribution of Disciplinary Materials

The new discipline code will be going into effect on August 8, 1978. Each Division and Unit Commander shall cause the new Rules & Regulations, Administrative Procedure and Operational Procedure packet to be distributed to all personnel under their command prior to August 8, 1978.

All personnel will be required to sign for the items received on forms provided by Personnel & Training. The forms will then be returned to Personnel & Training.

Each Division and Unit Commander will be responsible for picking up the recalled items and forwarding them to the Quartermaster Unit.

A handwritten signature in cursive script, reading "Richard A. Gleason", written over a horizontal line.

RICHARD A. GLEASON

/dw

APPENDIX 26

## APPENDIX

### EXPLANATORY NOTE ON THE USE OF STATISTICAL TESTS ON DATA IN THIS STUDY

When comparisons of two or more items of data are made in this study, the significance of each comparison will normally be tested to determine the likelihood that the result occurred simply by chance in the choice of sample on which the data are based. This likelihood (or "statistical significance") is conventionally expressed as a number such as .05, meaning that it is estimated that the result in question would occur only five times by chance in a series of 100 similar samplings when there is no real difference in the groups being sampled. A "higher" (or more rigorous) level of significance conventionally referred to is .01 (1 in 100 times), and still higher is .001 (1 in 1,000 times).

In this report, statistical significance will not be assumed unless the level is at least as high as .05, which is the minimum adopted in most professional social science studies.

It is important to note that for a given difference in the reported result, the level of calculated significance increases with increased sample size. While a sample size of 35 cases may not allow a statement of significance, a sample size of several hundred may. One practical outcome of this effect is to find that many comparisons based on large samples are statistically significant; their importance then rests entirely on judgments of practical significance.

Commonly-accepted statistical tests are used in this study, e.g., the t-test for differences among means of internal-level data, and chi-square for frequency data. The ordinal-level data of Likert scale responses are tested here by chi-square values produced through the Brandt-Snedecor procedure.

APPENDIX 27

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(1-2) \_ \_

(3-6) \_ \_ \_ \_

(7) \_

INTRODUCTION

This first question seeks information about the definition of discipline. Please check the one response which best describes what the term discipline means to you based on your overall experience in this department.

(8) \_

1. The term "discipline" can best be defined as:

☐ behavior according to police standards of conduct

☐ an attitude which causes officers to obey police standards of conduct

☐ training or counselling to improve police officer performance

☐ punishment for officer misconduct

☐ other, please specify \_\_\_\_\_

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SECTION I.

This section asks for information about rules and regulations governing officer conduct in your department. We would like your attitude or attitudes about how these rules and regulations are written and enforced. Questions two (2) and three (3) seek information about all rules and regulations. Questions four (4) and five (5) address specific rules and regulations for which we would like your opinion.

- (9) — 2. Overall, I feel that department rules and regulations governing officer conduct, as written, are fair and reasonable.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (10) — 3. Overall, I feel that department rules and regulations governing officer conduct are enforced fairly and reasonably.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree

INSTRUCTION FOR QUESTIONS (4) and (5): Questions four (4) and five (5) are presented as two charts of rules and regulations. Please give your reaction to each of these rules and regulations and to any others which you feel should be included by following these two steps:

- First, give your reaction for each rule by checking responses in the section marked "YOUR RESPONSE".
- Second, ONLY for those rules which you checked DISAGREE or STRONGLY DISAGREE, cite the reason for each reaction in the section marked "YOUR COMMENTS". Do this by checking the ONE comment which best fits your opinion. If you do not find a reason that fits, fill in your own comment in the space marked "OTHER".

### CHART 1

I DO NOT FEEL THESE RULES, AS WRITTEN ARE FAIR AND REASONABLE BECAUSE:

FOR COMPUTER USE ONLY		DO NOT MARK	Column	4. I FEEL THAT THE FOLLOWING RULES, AS WRITTEN ARE FAIR AND REASONABLE:	YOUR RESPONSE					YOUR COMMENTS							
					Strongly Agree	Agree	Uncertain	Disagree	Strongly Disagree	It is none of the department's business	Must be revised to be consistent with modern employment practices	It interferes with my ability to do good police work	It places undue restrictions on my personal rights	It is not stated so that I can understand it	It is too broad to be properly enforced	My department does not have this rule	Other
(11-12)	--			1. Off-Duty Employment													
(13-14)	--			2. Operation of Police Vehicle													
(15-16)	--			3. Hairstyles, Mustaches & Beards													
(17-18)	--			4. Courtesy to Public													
(19-20)	--			5. Physical Force													
(21-22)	--			6. Use of Firearms													
(23-24)	--			7. Late for Duty													
(25-26)	--			8. Moral Conduct													
(27-28)	--			9. Insubordination													
(29-30)	--			10. Personal Debts													
(31-32)	--			11. Criticism of Department													
(33-34)	--			12. Use of Alcohol Off-Duty													
(35-36)	--			13. Gratuities													
(37-38)	--			14. Residency													
(39-40)	--			15. Other _____													

THE SAME INSTRUCTIONS as were used for CHART 1 apply for Question 5 set forth below:

CHART 2

I DO NOT FEEL THESE RULES ARE ENFORCED FAIRLY AND REASONABLY BECAUSE:

[illegible]

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SECTION II.

This section asks for information about written directives in your department including any or all of the following: RULES AND REGULATIONS, STANDARD OPERATING PROCEDURES, GENERAL ORDERS, WRITTEN TRAINING BULLETINS, ETC. Each of the following questions asks for your attitude or attitudes about written directives. Please check only one response for each question.

- |       |       |  |
|-------|-------|--|
| (1-4) | _____ |  |
| (5)   | _____ |  |
| (6)   | _____ | 6. Written directives in this department generally are stated so that I can understand them.<br>____Strongly Agree ____Agree ____Uncertain ____Disagree ____Strongly Disagree                  |
| (7)   | _____ | 7. My present supervisor is consistent in enforcing written directives.<br>____Strongly Agree ____Agree ____Uncertain ____Disagree ____Strongly Disagree                                       |
| (8)   | _____ | 8. My present supervisor does a good job when explaining new or revised written directives.<br>____Strongly Agree ____Agree ____Uncertain ____Disagree ____Strongly Disagree                   |
| (9)   | _____ | 9. Officers feel free to suggest new or revised written directives to superiors.<br>____Strongly Agree ____Agree ____Uncertain ____Disagree ____Strongly Disagree                              |
| (10)  | _____ | 10. Officers should be held to a higher standard of conduct than civilian employees in the police department.<br>____Strongly Agree ____Agree ____Uncertain ____Disagree ____Strongly Disagree |
| (11)  | _____ | 11. Officers should be held to a higher standard of conduct than the public at large.<br>____Strongly Agree ____Agree ____Uncertain ____Disagree ____Strongly Disagree                         |

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Column

SECTION II. Continued -

- (12)    ☐    12. Citizens in this community expect officers to be held to a higher standard of conduct than the public at large.  
      ☐ Strongly Agree    ☐ Agree    ☐ Uncertain    ☐ Disagree    ☐ Strongly Disagree
- (13)    ☐    13. At least once a year, supervisors inspect my copies of written directives to make sure they are up-to-date and complete.  
      ☐ Definitely Yes    ☐ Yes    ☐ Uncertain    ☐ No    ☐ Definitely No
- (14)    ☐    14. My recruit training gave me a working knowledge of written directives.  
      ☐ Strongly Agree    ☐ Agree    ☐ Uncertain    ☐ Disagree    ☐ Strongly Disagree
- (15)    ☐    15. The rule on "conduct unbecoming an officer" should be included in written directives.  
      ☐ Strongly Agree    ☐ Agree    ☐ Uncertain    ☐ Disagree    ☐ Strongly Disagree
- (16)    ☐    16. Written directives are stated so that I have a good understanding of what is expected of me.  
      ☐ Strongly Agree    ☐ Agree    ☐ Uncertain    ☐ Disagree    ☐ Strongly Disagree
- (17)    ☐    17. When new or revised written directives are issued, my present supervisor explains them to me satisfactorily.  
      ☐ Strongly Agree    ☐ Agree    ☐ Uncertain    ☐ Disagree    ☐ Strongly Disagree

FOR COMPUTER  
USE ONLY

DO NOT MARK

Column

SECTION III.

This section asks for information concerning the disciplinary system in your department. Please check only one response for each question.

- (18) — 18. I have a good understanding of my right to appeal disciplinary actions outside of this department.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (19) — 19. I have a good understanding of the procedures that are used by this department to record citizen complaints of misconduct.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (20) — 20. All citizen complaints, regardless of how minor, are recorded in this department.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (21) — 21. All citizen complaints, regardless of how minor, should be recorded.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (22) — 22. I have a good understanding of the procedures that are used by this department to investigate citizen complaints of misconduct.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (23) — 23. All citizen complaints, regardless of how minor, are investigated in this department.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (24) — 24. All citizen complaints, regardless of how minor, should be investigated.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree

FOR COMPUTER  
USE ONLY.

DO NOT MARK

Column

SECTION III. Continued -

- (25) 25. Immediate supervisors should be responsible for investigating most complaints of misconduct.  
\_\_Strongly Agree \_\_Agree \_\_Uncertain \_\_Disagree \_\_Strongly Disagree
- (26) 26. My present supervisor is fair in determining facts regarding misconduct.  
\_\_Strongly Agree \_\_Agree \_\_Uncertain \_\_Disagree \_\_Strongly Disagree
- (27) 27. My present supervisor does not show favoritism in determining facts regarding misconduct.  
\_\_Strongly Agree \_\_Agree \_\_Uncertain \_\_Disagree \_\_Strongly Disagree
- (28) 28. My present supervisor uses counselling and retraining to deal with misconduct.  
\_\_Definitely Yes \_\_Yes \_\_Uncertain \_\_No \_\_Definitely No
- (29) 29. The chief of police usually follows staff recommendations before taking disciplinary action for misconduct.  
\_\_Strongly Agree \_\_Agree \_\_Uncertain \_\_Disagree \_\_Strongly Disagree
- (30) 30. The chief of police should give greater authority to commanders for taking disciplinary action.  
\_\_Strongly Agree \_\_Agree \_\_Uncertain \_\_Disagree \_\_Strongly Disagree
- (31) 31. I have a good understanding of the responsibilities of this department's unit for internal investigations.  
\_\_Definitely Yes \_\_Yes \_\_Uncertain \_\_No \_\_Definitely No
- (32) 32. The unit for internal investigations should be responsible for investigating all complaints of misconduct.  
\_\_Strongly Agree \_\_Agree \_\_Uncertain \_\_Disagree \_\_Strongly Disagree

FOR COMPUTER  
USE ONLY

DO NOT MARK

Column  
(33)

SECTION III. Continued -

- (33) 33. I have a good understanding of the process that is used for internal review of disciplinary actions.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (34) 34. I feel that an officer can get a "fair shake" through the internal review process.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (35) 35. I feel that the internal review process works consistently for officers of any rank charged with misconduct.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (36) 36. An officer who is the subject of alleged misconduct should have the right to be judged by a group that includes his fellow officers.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (37) 37. This department should have a standardized list of minimum to maximum punishments for most acts of misconduct.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (38) 38. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.  
\_\_\_ Definitely Yes \_\_\_ Yes \_\_\_ Uncertain \_\_\_ No \_\_\_ Definitely No
- (39) 39. I feel that an officer can get a "fair shake" through the appeal procedures outside this department.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree
- (40) 40. I feel that appeal procedures outside this department give an officer a fairer review than do internal procedures.  
\_\_\_ Strongly Agree \_\_\_ Agree \_\_\_ Uncertain \_\_\_ Disagree \_\_\_ Strongly Disagree

FOR COMPUTER  
USE ONLY

DO NOT MARK

SECTION III. Continued -

Column  
(41)

- |      |   |   |
|------|---|---|
| (41) | — | 41. I feel that disciplinary actions are reviewed fairly through department disciplinary procedures.<br><br>___Strongly Agree ___Agree ___Uncertain ___Disagree ___Strongly Disagree            |
| (42) | — | 42. I feel that local government officials review department disciplinary actions fairly.<br><br>___Strongly Agree ___Agree ___Uncertain ___Disagree ___Strongly Disagree                       |
| (43) | — | 43. I feel that local government officials do not show favoritism in reviewing department disciplinary actions.<br><br>___Strongly Agree ___Agree ___Uncertain ___Disagree ___Strongly Disagree |
| (44) | — | 44. I feel that internal disciplinary decisions are made within a reasonable length of time.<br><br>___Strongly Agree ___Agree ___Uncertain ___Disagree ___Strongly Disagree                    |

FOR COMPUTER  
USE ONLY

DO NOT MARK

SECTION IV.

Column

This section asks for information about your personal background, department history, and attitudes toward your job. Please respond as accurately as possible. Unless stated otherwise, please check one response for each question.

(45)

45. How many years have you been an officer with this department?

- ☐ (1) less than one year
- ☐ (2) 1 - 3 years
- ☐ (3) 3 - 5 years
- ☐ (4) 5 - 12 years
- ☐ (5) over 12 years
- ☐ (6) other, please specify \_\_\_\_\_

(46)

46. Sex: ☐ Male ☐ Female

(47)

47. Race: ☐ (1) Black  
☐ (2) Oriental  
☐ (3) Latin American  
☐ (4) White  
☐ (5) Other, please specify \_\_\_\_\_

(48)

48. What is the highest level of formal education you have completed?

- ☐ (1) High School Diploma or GED
- ☐ (2) At least 45 hours of college credits
- ☐ (3) Associates Degree
- ☐ (4) At least 90 hours of college credits
- ☐ (5) Bachelor's Degree
- ☐ (6) Some college
- ☐ (7) Other, please specify \_\_\_\_\_

(49)

49. What is your present rank?

- ☐ (1) Command Level (Lieutenant and above)
- ☐ (2) Supervisor (Uniformed and Non-Uniformed)
- ☐ (3) Officer
- ☐ (4) Other, please specify \_\_\_\_\_

DO NOT MARK

Column

SECTION IV. Continued -

- (50) — 50. Which of the following best describes your present assignment with this department?
- (1) Field Operations  
— (2) Investigative  
— (3) Administrative  
— (4) Other, please specify \_\_\_\_\_
- (51) — 51. Has a formal complaint or any other disciplinary action ever been taken against you while you have been with this department?
- Yes — No — Don't know
- (52) — 52. Has a formal complaint or any other disciplinary action ever been sustained against you while you have been with this department?
- Yes — No — Don't know
- (53) — 53. Have you ever received any of the following disciplinary actions for complaints of misconduct (check all those that apply)?
- (54) —  
(55) —  
(56) —  
(57) —  
(58) —  
(59) —
- (1) Formal oral reprimand  
— (2) Written reprimand  
— (3) Working days off in lieu of suspension  
— (4) Suspension  
— (5) Demotion  
— (6) Dismissal and reinstatement  
— (7) None
- (60) — 54. Have you formally suggested any revised or new written directives in the past year?
- Yes — No
- (61) — 55. Have you appealed a disciplinary decision through the appeal procedures outside of this department?
- Yes — No

FOR COMPUTER  
USE ONLY

DO NOT MARK

Column

SECTION IV. Continued -

(62) — 62. How satisfied are you with your present assignment in this department?

- \_\_\_ (1) Very dissatisfied
- \_\_\_ (2) Somewhat dissatisfied
- \_\_\_ (3) Neither satisfied nor dissatisfied
- \_\_\_ (4) Fairly satisfied
- \_\_\_ (5) Very satisfied

(63) — 63. Overall, how satisfied are you at this time with your career in this department?

- \_\_\_ (1) Very dissatisfied
- \_\_\_ (2) Somewhat dissatisfied
- \_\_\_ (3) Neither satisfied nor dissatisfied
- \_\_\_ (4) Fairly satisfied
- \_\_\_ (5) Very satisfied

APPENDIX 28

WHETHER YOU REQUEST AN INTERVIEW OR NOT,  
PLEASE HAND IN THIS FORM TO IACP STAFF  
WHEN YOU LEAVE THE ROOM

REQUEST FOR PRIVATE INTERVIEW

The IACP staff and your department's working committee are gathering a great deal of information about the present discipline system. This is being done in several ways:

1. The questionnaire you have just completed.
2. Interviews with officers selected at random.
3. Interviews with supervisors selected at random.
4. Interviews with key individuals at command levels.
5. Review of departmental records, rules and regulations.

However, you may want an opportunity to informally discuss your concerns on this topic with a project worker in a confidential manner. Any comments made in such an interview would remain anonymous.

If you want to arrange an interview, use the following form, and hand it in to IACP staff when you leave the room.

Name \_\_\_\_\_

I would like to be contacted in order to arrange an interview:

\_\_\_ with an IACP project staff member

\_\_\_ with a departmental working committee member

\_\_\_ with either who is available

I prefer that you contact me:

\_\_\_ at home. Phone # \_\_\_\_\_  
Best days and hours to reach me \_\_\_\_\_

\_\_\_ at work. Phone # \_\_\_\_\_  
Best days and hours to reach me \_\_\_\_\_

\_\_\_ either

APPENDIX 29

Interview Form - Supervisors

1. What are the most troublesome areas of supervision that lead to situations requiring some kind of disciplinary action?
2. What changes would help you do your disciplinary job better?
3. How well prepared have you been by the department for your disciplinary responsibilities?
4. What should the supervisor's disciplinary responsibilities be?
5. Do you feel that you have a reasonably adequate amount of authority in disciplinary matters?

Interview Form - Supervisors  
Page 2

6. Are other supervisors, in your experience, fair and consistent in their disciplinary actions?
7. How do you decide when to discipline an officer?
8. How do you keep your own discipline standards (that you apply to your officers) in line with the department's standards?

Interview Form - Officers

1. Did the questionnaire give you an opportunity to express your opinion on most of the discipline issues that are important to you?
  - a. If any important issues were left out, what are they?
  
2. What further comment would you like to make on any of the discipline issues that are important to you? (Please comment in terms of the two following aspects):
  - a. Strengths or weaknesses in the systems.
  - b. Improvements you would like to see made.
  
3. Please comment on the way immediate supervisors in your experience (present, past, your own, or the supervisor of other officers) fulfill their responsibilities in disciplinary matters. In particular, please comment on:
  - a. How fair are they?
  - b. How consistent are they?
  - c. How well do they know their disciplinary responsibilities?

d. Any other comments on supervisory performance.

4. Do you think this study will lead to any useful changes in the disciplinary system in this department?

a. If not, why not?

APPENDIX 30

900. GRIEVANCES AND APPEALS

The purpose of this procedure is to secure, in an atmosphere of courtesy and cooperation, and at the lowest possible administrative level, an equitable solution to problems which may arise. A grievance should first be discussed with the aggrieved person's immediate supervisor and through departmental review with the objective of resolving the matter informally. Should an employee wish to begin formal grievance proceedings; the Merit System Ordinance provides that he may seek remedy through:

Chief Administrative Officer's Grievance Committee  
Appeal to the Personnel Board

901. Definition of "Grievance"

The Merit System Ordinance defines grievances as "formal complaints of employees concerning actions taken by management which result in loss of pay or seniority or in written or oral reprimand." The definition of a grievance will generally be interpreted broadly.

902. Time Limits

A. Generally

1. Since it is important that grievances be resolved as rapidly as possible, time limits given in the Merit System Ordinance and regulations shall be considered a maximum and every effort shall be made to expedite the process. However, time limits may be extended or shortened if both parties agree hereto in writing or by direction of the Personnel Board upon petition of either party or on its own motion.
2. All written notice shall be directed to the employee himself, provided, however, if the employee is represented by legal counsel or otherwise, copies shall be mailed, regular mail, to such representatives.
3. Receipt of written notice shall mean the day notice is actually served upon the employee or the day the notice is delivered to the most current address that the employee has on file with the Personnel Department, by certified mail, return receipt requested. The date of delivery shown on the return receipt shall be presumed to be the actual date of delivery and the burden shall be upon the employee to show otherwise.
4. In the event the last day of a time limit falls on a weekend or a legal holiday as defined in the Merit System Ordinance, the time limit shall be extended to the next workday.

B. Appeals from action of the department head

1. The time for filing an appeal from the action of a department head shall commence on the day after the employee receives written notice of such action.

2. In the event a department hearing is requested and the employee has not been advised whether or not such a hearing shall be granted prior to the running of the ten day appeal period, or if granted, is not set before the running of the ten day appeal period, the employee must still file within said period his notice of appeal to the Chief Administrative Officer as provided herein.
3. The written notice of appeal must be directed to the Chief Administrative Officer and actually received in his office no later than the tenth day after receipt of written notice of the action of the department head. There shall be noted on the appeal the date and time it is received in the Chief Administrative Officer's Office, and this shall be presumed to be the actual date and time it was received and the burden shall be upon the employee to prove otherwise.

C. Appeals from the action of the Chief Administrative Officer

1. The time for filing an appeal from the decision of the Chief Administrative Officer shall commence on the day after the employee receives written notice of such decision.
2. The written notice of appeal must be directed to the Personnel Director and actually received in his office no later than the tenth day after receipt by the employee of written notice of the action of the Chief Administrative Officer. There shall be noted on the appeal the date and time it is received in the Personnel Director's Office, and this shall be presumed to be the actual date and time it was received and the burden shall be upon the employee to prove otherwise.

D. Conflicts

Any conflicts in the time limit provisions contained herein and any other regulations heretofore adopted shall be resolved in favor of the provisions contained herein.

903. Administration of Grievance Procedure

Employees who wish to begin formal grievance proceedings may contact the Personnel Department for assistance in the preparation of written requests for hearings and appeals. Employees may have the counsel of other persons at all stages of the grievance proceeding. The employee must provide an address at which he will receive written notification pertaining to the grievance process, and material delivered to such address will be considered to have met all notification requirements. Refusal to appear and participate in the grievance proceedings at any stage shall result in forfeiture of any further right to appeal.

01-12-77

## 904. Determination of right to appeal

In the event that the Personnel Director feels that the employee has no right to appeal from a decision of a department head or the Chief Administrative Officer, he shall notify the employee in writing of his conclusion, setting forth the basis thereof. The employee, if he disagrees with this conclusion may, within five days, notify the Personnel Director, in writing, that he wishes the appropriate forum (Chief Administrative Officer or Personnel Board) to determine the issue of his right to an appeal.

## 910. DEPARTMENTAL REVIEW

Before taking action which could result in loss of pay or seniority or in written or oral reprimand for an employee, a department head may call for a departmental review of the circumstances surrounding the proposed action. The department head or his designated representative shall preside at the departmental review; the presiding officer is charged with the duty to make certain that all relevant information is presented clearly. If a departmental review is held, the employees who would be affected by the proposed action shall receive, after the action is taken, written notification of the action taken.

## 911. Content of Appeal Communications

If the grievance is not resolved to the satisfaction of parties at this point, all subsequent appeals and communications shall state the reason for aggrievement and the grounds of appeal and shall give the names of witnesses, spokesmen, and counsel who will appear at the hearing.

## 920. CHIEF ADMINISTRATIVE OFFICER'S GRIEVANCE COMMITTEE

A written request for hearing before a Chief Administrative Officer's Grievance Committee must be made by the aggrieved employee within ten calendar days of the department head's action. A hearing shall be held within ten calendar days of filing the request. The Chief Administrative Officer may require that a Grievance Committee hearing be held, whether or not the employee requests one.

## 921. Composition of a Chief Administrative Officer's Grievance Committee

The Chief Administrative Officer or his designated representative shall appoint two department, division or section heads or members of his immediate staff to the Committee. The grievant shall submit the names of three persons, from whom the Chief Administrative Officer shall appoint one person to the Committee. Persons nominated by the grievant must hold a position graded higher than that held by the grievant and may not be employed in the same department as the grievant. The Committee shall agree on one member to serve as the presiding officer.

## 922. Recommendations

The Grievance Committee shall make a recommendation to the Chief Administrative Officer within five calendar days of the hearing. The

employee shall receive written notification of the action recommended. The Chief Administrative Officer will review and approve, disapprove or modify the recommendation and announce his decision within five calendar days after receiving the recommendation.

930. PERSONNEL BOARD HEARING

An employee may appeal the decision of the Chief Administrative Officer to the Personnel Board by giving written notice to the Personnel Director within ten calendar days after the employee receives written notice of the Chief Administrative Officer's decision. The Personnel Board will hear the case not less than five nor more than fifteen calendar days after notice of appeal is filed. The Board will announce its decision within seven calendar days. The decision of the Personnel Board shall constitute the final step in the grievance and appeal procedure.

## 940. RESPONSIBILITIES OF THE PERSONNEL DIRECTOR

The Personnel Director or his representative will be present at all hearings and will see that the proceedings are recorded. He will provide staff assistance to the grievant and the Personnel Board at their request. He will advise on all procedural questions and interpret the meaning, as related to the case, of the Merit System Ordinance and these Regulations.

## 950. WITNESSES

As a condition of employment, employees are required to appear as witnesses in grievance hearings when requested by the aggrieved employee or by members of the City administrative staff. Requests for the appearance of witnesses will be made through the Personnel Director. An employee called as a witness during working hours shall be paid at his regular rate. He will be required to return to work when he is no longer needed as a witness. Employees called as witnesses during time off shall not be paid for time spent at the hearing.

## 960. PROCEEDINGS

The following persons are required to be present at all proceedings:

1. the grievant
2. grievant's counsel, if any
3. grievant's immediate supervisor
4. department's designated representative
5. Personnel Director or his designated representative.

At the departmental hearing, the department director or his designated representative must be present. At the City Manager's Grievance Committee and Personnel Board hearings, operating majorities of those bodies must be present. A representative of the Legal Department may be present at all proceedings.

## 961. Permissible Testimony.

The following testimony is permitted: testimony by the parties to the hearing, witnesses of facts at issue, character witnesses, expert witnesses, testimony invited by the presiding officer.

## 962. Order of Proceedings.

The following order of procedure will be followed at all hearings:

1. The presiding officer calls the proceedings to order.
2. The Personnel Director or his representative furnishes copies of relevant personnel data to the Board, to the grievant or appellant, and to the concerned department. He will outline the present status of the grievance.
3. The employee presents his case in substantiation of the grievance or appeal.

4. The department presents its case in rebuttal.
5. Witnesses for the grievant testify.
6. Witnesses for the department testify.
7. The presiding officer asks for clarification.
8. Cross-questioning is neither prohibited nor encouraged. The presiding officer has full discretion whether to allow it.
9. The Legal Department representative may advise on any legal issues that arise.
10. All presentations must be made to the presiding officer.
11. Decisions are generally made after a review of the hearing record but may be announced immediately. The grievant shall have written notice of any decision.

#### 970. RULES OF CONDUCT

Rules of conduct are as follows:

1. Witnesses may not be present at the hearing except when testifying.
2. Hearings are open to the public. Spectators may not participate in the proceedings in any manner whatever.
3. Classified testimony may be submitted in writing or the presiding officer may adjourn the proceedings to private chambers for presentation of classified testimony in the absence of spectators.

APPENDIX 31



**International  
Association of  
Chiefs of  
Police, Inc.**  
Eleven Firstfield Road  
Gaithersburg, Maryland 20760  
Phone (301) 948-0922  
Cable Address IACPOLICE

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Associations of  
Chiefs of Police  
General Chairman  
Thomas C. Durrett  
Beckley, W. Va.

Norman Darwick  
Acting Executive Director

February 10, 1978

Chief Arthur Dill  
Denver Police Department  
13th and Champa Streets  
Denver, CO 80204

Dear Chief Dill:

Due to the unfavorable legal opinion rendered by the City Attorney's office regarding implementation of the new disciplinary procedures, the IACP has no choice but to officially eliminate your agency as a study site. We understand and appreciate your continued support for this project, but must, because of restricted resources, terminate our attempt to salvage the work effort in your department. We have, on several occasions, attempted to meet with the legal staff of Denver's law department in the hope that the alleged "conflict" between the prototype and Denver's City Charter could be resolved, but have been unsuccessful in our efforts to establish a meeting with the key personnel from the Denver City Attorney's office.

The termination of our efforts in the Denver Police Department is a bitter disappointment to us. We are certain that the disappointment is shared by members of Denver's Staff Working Committee. That Committee has spent considerable time over the past eleven months to develop what they and we considered to be a fair and reasonable system for dealing with police disciplinary decisions. We simply cannot understand why an unfavorable opinion from the office of the City Attorney surfaces at this juncture, in light of the fact that Denver Assistant City Attorneys/Police Legal Advisors have been intimately involved with the project from its inception.

We sincerely hope that our work effort, as well as that of Denver's Staff Working Committee will not be a total and expensive failure. You have our data which clearly indicates actual or potential problems with the existing disciplinary practices. Every effort should be considered to develop new rules and procedures aimed at eradicating negative conditions which cause your officers to perceive existing discipline with such disfavor.

Chief Arthur Dill  
Page Two  
February 10, 1978

Please express our deep regrets to Lieutenant Alverson and members of the Discipline Committee for this unfortunate turn of events.

Sincerely,

Richard F. Mayer  
Assistant Director  
Bureau of Governmental Relations  
and Legal Counsel

APPENDIX 32

Request for Information  
STUDY OF PRACTICES IN POLICE DISCIPLINE  
Sponsored jointly by the  
LANSING POLICE DEPARTMENT  
and the  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

- This request for information is being made to every member of the Lansing Police Department. It is the first in a series of steps to study and improve the LPD discipline program. The International Association of Chiefs of Police (IACP) is funded by the U.S. Government (LEAA) to do this study, based on its previous findings about discipline systems in seventeen other police departments.
- The first objective is to examine the rules and procedures in the LPD. This will be possible only if you answer the questions in this booklet according to your true personal feelings.
- Your answers will be very helpful if they reflect reasonable, thoughtful opinions about (a) the positive and negative aspects of the present system, and (b) the difficult task of resolving discipline problems in general.
- Even if you have never been involved directly in a disciplinary action we would like to have your personal opinions.
- However, your answers will be useless if:
  - you give someone else's opinion, not your own.
  - you use the questions just as a way to blow off steam.
  - you don't read the questions carefully.
- We assure you of the following:
  1. You cannot be identified: your name does not appear anywhere. All questionnaires are alike. The questionnaires will be taken up in groups, and always kept in the custody of IACP staff.
  2. The answers will be compiled statistically, before they are discussed between IACP and LPD staff members. The results will be compiled for the department as a whole to be used in improving disciplinary practices.

- For your information, following are some of the topics which will be covered in this questionnaire:

1. Are the Standard Operating Procedures fair and reasonable?
2. Are the Standard Operating Procedures clear and well understood?
3. Do you understand the appeal procedure inside and outside the department when disciplinary changes have been brought?
4. How do you feel citizen complaints should be handled?
5. Is your supervisor fair and consistent in enforcing the rules?
6. Do you understand the role of Internal Affairs?
7. What has your own experience of disciplinary actions been in the department?

### LANSING DISCIPLINE QUESTIONNAIRE RESPONSES

Attached is a tally of the responses given by personnel of the Lansing Police Department to the questionnaires on disciplinary issues given in April 1978.

Completed questionnaires were received from 124 persons. Two numbers are given for each response alternative. The upper number (or the number in the upper left box corner) is the number of persons giving the response shown. These numbers, when added horizontally, may not give 124 because the "no answer" responses are not included, in order to simplify the table. The lower number (or the number in the lower right box corner) is a percentage: the percent that the tally number is of 124.

IACP, July 28, 1978

Clarity of rules and/or procedures as written

1	2	3	4	5	6	7
20	17	17	11	18	19	20
16.1	13.7	13.7	8.9	14.5	15.3	16.1

Adequacy of information received by me about rules and procedures

1	2	3	4	5	6	7
6	6	11	24	17	30	28
4.8	4.8	8.9	19.4	13.7	24.2	22.6

Adequacy of procedures to appeal findings and penalties against officers

1	2	3	4	5	6	7
5	8	16	28	32	23	10
4.0	6.5	12.9	22.6	25.8	18.5	8.1

Restrictions placed on my personal life by rules and procedures

1	2	3	4	5	6	7
29	15	21	7	9	11	30
23.4	12.1	16.9	5.6	7.3	8.9	24.2

The policies and operation of the Internal Investigator

1	2	3	4	5	6	7
6	11	20	24	21	20	20
4.8	8.9	16.1	19.4	16.9	16.1	16.1

Effectiveness in the handling of citizens' complaints of officer conduct

1	2	3	4	5	6	7
17	28	29	14	15	11	8
13.7	22.6	23.4	11.3	12.1	8.9	6.5

Consistency in the application of rules when a disciplinary action is taken

1	2	3	4	5	6	7
37	38	11	17	8	7	4
29.8	30.6	8.9	13.7	6.5	5.6	3.2

The term "discipline" can best be defined as:

The term "discipline" can best be defined as:

16  
12.9

Behavior according to police standards of conduct

23  
18.5

An attitude which causes officers to obey police standards of conduct

18  
14.5

Training or counseling to improve police officer performance

65  
50.4

Punishment for officer misconduct

1. Overall, I feel that department rules and regulations governing officer conduct, as written, are fair and reasonable.

3 Strongly Agree 67 Agree 22 Uncertain 25 Disagree 7 Strongly Disagree  
2.4 54.0 17.7 20.2 5.6

2. Overall, I feel that department rules and regulations governing officer conduct are enforced fairly and reasonably.

2 Strongly Agree 24 Agree 23 Uncertain 55 Disagree 20 Strongly Disagree  
1.6 19.4 18.5 44.4 16.1

The following group of questions refers to your understanding of the departmental operations manual.

3. The rules and regulations in this department generally are stated so that I can understand them.

4 Strongly Agree 83 Agree 20 Uncertain 15 Disagree 2 Strongly Disagree  
3.2 66.9 16.1 12.1 1.6

4. My present supervisor is consistent in enforcing the rules and regulations.

13 Strongly Agree 50 Agree 15 Uncertain 32 Disagree 14 Strongly Disagree  
10.5 40.3 12.1 25.8 11.3

5. My present supervisor does a good job when explaining new or revised rules and regulations.

10 Strongly Agree 66 Agree 19 Uncertain 24 Disagree 5 Strongly Disagree  
8.1 53.2 15.3 19.4 4.0

6. Officers feel free to suggest new or revised rules and regulations to superiors.

3 Strongly Agree 36 Agree 27 Uncertain 45 Disagree 13 Strongly Disagree  
2.4 29.0 21.8 36.3 10.5

7. Officers should be held to a higher standard of conduct than civilian employees in the police department.

14 Strongly Agree 54 Agree 8 Uncertain 35 Disagree 13 Strongly Disagree  
11.3 43.5 6.5 28.2 10.5

8. Officers should be held to a higher standard of conduct than the public at large.

23 Strongly Agree 73 Agree 11 Uncertain 13 Disagree 4 Strongly Disagree  
18.5 58.9 8.9 10.5 3.2

9. Citizens in this community expect officers to be held to a higher standard of conduct than the public at large.

1 Strongly Agree 44 Agree 72 Uncertain 5 Disagree 2 Strongly Disagree  
~~355~~ ~~80~~ 35.5 58.1 4.0 1.6  
~~58.1~~ ~~4.0~~ ~~1.6~~ ~~0~~

10. At least once a year, supervisors inspect my copies of rules and regulations to make sure they are up-to-date and complete.

1 Definitely Yes 3 Yes 26 Uncertain 7 No 43 Definitely No  
.8 2.4 21.0 5.6 34.7

11. My recruit training gave me a working knowledge of the rules and regulations.

1 Strongly Agree 27 Agree 14 Uncertain 53 Disagree 29 Strongly Disagree  
.8 21.8 11.3 42.7 23.4

12. The rules and regulations are written, updated, and distributed in a manner such that I have a good understanding of what is expected of me.

1 Strongly Agree 50 Agree 25 Uncertain 42 Disagree 5 Strongly Disagree  
.8 40.3 20.2 33.9 4.0

13. When new or revised rules and regulations are issued, my present supervisor explains them to me satisfactorily.

5 Strongly Agree 51 Agree 22 Uncertain 36 Disagree 9 Strongly Disagree  
4.0 41.1 17.7 29.0 7.3

This section asks for information concerning the disciplinary system in your department.

14. I have a good understanding of my right to appeal disciplinary action outside of this department.

8 Definitely Yes 3.7 Yes 32 Uncertain 34 No 12 Definitely No  
6.5 29.8 25.8 27.4 9.7

15. I have a good understanding of the procedures that are used by this department to record citizen complaints of misconduct.

5 Definitely Yes 22 Yes 23 Uncertain 47 No 25 Definitely No  
4.0 17.7 18.5 37.9 20.2

16. All citizen complaints, regardless of how minor, are recorded in this department.

3 Definitely Yes 16 Yes 51 Uncertain 35 No 17 Definitely No  
2.4 12.9 41.1 28.2 13.7

17. All citizen complaints, regardless of how minor, are investigated in this department.

6 Definitely Yes 31 Yes 37 Uncertain 30 No 19 Definitely No  
4.8 25.0 29.8 24.2 15.3

18. All citizen complaints, regardless of how minor, should be recorded.

7 Strongly Agree 30 Agree 7 Uncertain 37 Disagree 43 Strongly Disagree  
5.6 24.2 5.6 29.8 34.7

19. All citizen complaints, regardless of how minor, should be investigated.

6 Strongly Agree 37 Agree 10 Uncertain 31 Disagree 40 Strongly Disagree  
4.8 29.8 8.1 25.0 32.3

20. I have a good understanding of the procedures that are used by this department to investigate citizen complaints of misconduct.

6 Definitely Yes 23 Yes 25 Uncertain 51 No 19 Definitely No  
4.8 18.5 20.2 41.1 15.3

21. The civil rights of the officer are adequately protected in disciplinary matters by the system used in this department.

2 Strongly Agree 11 Agree 14 Uncertain 44 Disagree 53 Strongly Disagree  
1.6 8.9 11.3 35.5 42.7

22. My present supervisor is fair in determining facts regarding misconduct.

11 Strongly Agree 56 Agree 30 Uncertain 20 Disagree 7 Strongly Disagree  
8.9 45.2 24.2 16.1 5.6

23. My present supervisor does not show favoritism in determining facts regarding misconduct.

8 Strongly Agree 49 Agree 30 Uncertain 24 Disagree 13 Strongly Disagree  
6.5 39.5 24.2 19.4 10.5

24. My present supervisor uses counseling and retraining to deal with misconduct.

2 Definitely Yes 33 Yes 40 Uncertain 29 No 20 Definitely No  
1.6 26.6 32.3 23.4 16.1

25. All supervisors in my experience handle disciplinary matters fairly and impartially.

1 Strongly Agree 13 Agree 13 Uncertain 55 Disagree 42 Strongly Disagree  
.8 10.5 10.5 44.4 33.9

26. The chief of police usually follows staff recommendations before taking disciplinary action for misconduct.

5 Strongly Agree 31 Agree 76 Uncertain 7 Disagree 4 Strongly Disagree  
4.0 25.0 61.3 5.6 3.2

27. The chief of police should give greater authority to commanders for taking disciplinary action.

3 Strongly Agree 40 Agree 32 Uncertain 40 Disagree 8 Strongly Disagree  
2.4 32.3 25.8 32.3 6.5

28. Immediate supervisors of officers suspected or accused of misconduct should be responsible for the initial investigation of those complaints.

17 Strongly Agree 75 Agree 11 Uncertain 15 Disagree 6 Strongly Disagree  
13.7 60.5 8.9 12.1 4.8

29. I have a good understanding of the responsibilities of the Internal Investigator.

8 Definitely Yes 33 Yes 25 Uncertain 45 No 13 Definitely No  
6.5 26.6 20.2 36.3 10.5

30. The Internal Investigator should be involved in the investigation of all complaints in which a signed accusation is made by a member of the department or a citizen.

12 Strongly Agree 69 Agree 14 Uncertain 20 Disagree 9 Strongly Disagree  
9.7 55.6 11.3 16.1 7.3

31. The Internal Investigator should be solely responsible for the investigation of all complaints.

5 Strongly Agree 11 Agree 14 Uncertain 66 Disagree 28 Strongly Disagree  
4.0 8.9 11.3 53.2 22.6

32. I feel that any officer who has disciplinary action taken against him can have his case fairly reviewed, if he seriously disagrees with the outcome, within the department (an "internal" review, without going outside the department).

6 Strongly Agree 31 Agree 27 Uncertain 38 Disagree 22 Strongly Disagree  
4.8 25.0 21.8 30.6 17.7

33. I have a good understanding of how to get an internal review, if I desire one, after receiving disciplinary action.

1 Strongly Agree 27 Agree 34 Uncertain 47 Disagree 15 Strongly Disagree  
.8 21.8 27.4 37.9 12.1

34. I feel that any member of the department, regardless of rank, would be given equal and fair treatment in the internal review of a disciplinary action.

15 Strongly Agree 23 Agree 17 Uncertain 36 Disagree 32 Strongly Disagree  
12.1 18.5 13.7 29.0 25.8

35. An officer who is the subject of alleged misconduct should have the right to be judged by a group that includes his fellow officers.

34 Strongly Agree 59 Agree 11 Uncertain 19 Disagree 1 Strongly Disagree  
27.4 47.6 8.9 15.3 .8

36. This department should have a standardized list of minimum to maximum punishments for most acts of misconduct.

31 Strongly Agree 57 Agree 16 Uncertain 17 Disagree 3 Strongly Disagree  
25.0 46.0 12.9 13.7 2.4

37. I have a good understanding of the appeal procedures outside this department that are used to review disciplinary decisions.

3 Definitely Yes 19 Yes 29 Uncertain 57 No 14 Definitely No  
2.4 15.3 23.4 46.0 12.9

38. I feel that officers who have received disciplinary actions with which they seriously disagree must take their case outside the department to get a fair review.

15 Strongly Agree 48 Agree 39 Uncertain 17 Disagree 4 Strongly Disagree  
12.1 38.7 31.5 13.7 3.2

39. I feel that internal disciplinary decisions are made within a reasonable length of time.

1 Strongly Agree 59 Agree 37 Uncertain 22 Disagree 5 Strongly Disagree  
.8 47.6 29.8 17.7 4.0

This section asks for information about your personal background, department history, and attitudes toward your job. Please respond as accurately as possible. Unless stated otherwise, please check one response for each question.

40. How many years have you completed in this department?

56% 7 (1) less than one year  
4.8 6 (2) 1-2 years  
22.6 28 (3) 3-5 years  
38.7 48 (4) 6-12 years  
27.4 34 (5) over 12 years

41. Sex: 115 Male 8 Female  
92.7 6.5

42. Ethnic Background

2.4%  
1.6  
1.8  
94.4  
.8

3 (1) Black  
2 (2) Spanish American  
1 (3) Indian  
117 (4) White  
1 (5) Other, please specify \_\_\_\_\_

43. What is the highest level of formal education you have completed?

4.8%  
10.5  
9.7  
24.2  
18.5  
22.6  
4.8  
3.2  
1.6

6 (1) High school diploma or GED  
13 (2) Some college credit (1 to 44 hours)  
12 (3) At least 45 hours of college credits  
30 (4) Associates Degree  
23 (5) At least 90 hours of college credits  
28 (6) Bachelors Degree  
6 (7) Enrolled in a graduate program  
4 (8) Masters Degree  
2 (9) Other, please specify \_\_\_\_\_

44. What is your present rank or position?

1.6%  
9.7  
5.6  
6.5  
76.6

2 (1) Lieutenant or above  
12 (2) Sergeant  
7 (3) Corporal  
8 (4) Detective  
95 (5) Police Officer

45. What is your divisional assignment?

70.2%  
16.9  
6.5  
-  
4.0  
1.6

87 (1) Field Services - Uniform  
21 (2) Field Services - Investigations  
8 (3) Staff Services  
- (4) Criminal Intelligence  
5 (5) Administration/Personnel  
2 (6) Other, please specify \_\_\_\_\_

46. Has a formal complaint or any other disciplinary action ever been taken against you while you have been with this department?

64 Yes 48 No 12 Don't know  
51.6 38.7 9.7

47. Has a formal complaint or any other disciplinary action ever been sustained against you while you have been with this department?

23 Yes 90 No 9 Don't know  
18.5 72.6 7.3

48. Have you ever received any of the following disciplinary actions for complaints of misconduct? (check all those that apply)

31.5%	<u>39</u>	(1)	Formal oral reprimand
20.2	<u>25</u>	(2)	Written reprimand
2.4	<u>3</u>	(3)	Loss of hours
3.2	<u>4</u>	(4)	Working days off in lieu of suspension
5.6	<u>7</u>	(5)	Suspension
	<u>-</u>	(6)	Demotion
	<u>-</u>	(7)	Dismissal and reinstatement
55.6	<u>69</u>	(8)	None

49. Have you formally suggested any revised or new written directives in the past year?

31 Yes 92 No  
25.0 74.2

50. If you made a written suggestion, was it acknowledged?

20 Yes 18 No 83 I did not make a written suggestion.  
16.1 14.5 66.9

51. If you answered "Yes" to the question above, was the matter resolved to your satisfaction?

13 Yes 10 No 73 I did not make a written suggestion.  
10.5 8.1 58.9

52. Have you appealed a disciplinary decision through the appeal procedures outside of this department?

2 Yes 121 No  
1.6 97.6

53. How satisfied are you with your present assignment in this department?

34.7%	<u>43</u>	(1)	Very satisfied
34.7	<u>43</u>	(2)	Somewhat satisfied
14.5	<u>18</u>	(3)	Neither satisfied nor dissatisfied
12.1	<u>15</u>	(4)	Somewhat dissatisfied
3.2	<u>4</u>	(5)	Very dissatisfied

54. Overall, how satisfied are you at this time with your career in this department?

37.9%	<u>47</u>	(1)	Very satisfied
35.5	<u>44</u>	(2)	Somewhat satisfied
6.5	<u>8</u>	(3)	Neither satisfied nor dissatisfied
13.7	<u>17</u>	(4)	Somewhat dissatisfied
6.5	<u>8</u>	(5)	Very dissatisfied

55. What is the primary factor which currently affects discipline and morale in the Lansing Police Department? (Please answer briefly in your own words, using the space below).

**END**