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The act and impact of whistle-blowing on the Los Angeles Police Department

Deborah A. Gonzales

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THE ACT AND IMPACT OF WHISTLE-BLOWING ON THE

LOS ANGELES POLICE DEPARTMENT

A dissertation submitted in partial satisfaction

of the requirements for the degree of

Doctor of Education in Organization Change

by

Deborah A. Gonzales

July, 2010

Kay Davis, Ed.D.– Dissertation Chairperson

This dissertation, written by

Deborah A. Gonzales

under the guidance of a Faculty Committee and approved by its members, has been submitted to and accepted by the Graduate Faculty in partial fulfillment of the requirements for the degree of

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DEDICATION

"Deb, when you want something really really bad enough
Nothing can stop you…you have to almost TASTE it…
You could do it!"

Mom (Delmy Lebron)

Mom, from the time I was a little girl, I never realized the intensity of those words, until now. Thank you for your encouraging words and for reminding me that I had the strength and tenacity to keep on "tasting" until I finished! I love you Mom.

Me (age 17: "Dad, I got an A+ on my paper from American Lit class
today…read it!"
Dad (after reading): "You didn't write this!"
Me: "Of course I did. We wrote in-class today. The teacher
wrote that he looks forward to reading one of my books
when I become an author!"
Dad: (returning the paper) "You could not have possibly
written this…did you really write this"?

Dad (Stephen J. Gonzales)

Dad, you pushed me hard to never settle for mediocre effort and I now understand why. These words spoken by the most tenaciously driven man I have ever known taught me how to persevere beyond the doubts of others, even when they were my own. I love you Dad.

"An educated person doesn't have to prove himself with using BIG WORDS
just to have uneducated people feel inferior to him. A truly educated
person is one that uses his gift of knowledge to speak to any one at any time
and leave them feeling as an equal…a human being"

Zoltan Szabo

Truer words I have yet to hear or read. Thank you, Zoltan for all your many words of encouragement over the past 20 years, for keeping me grounded and focused, and for never letting me forget the power of the truly "educated person".

Lastly, to my son, David Aaron Gonzales who always referred to me as his "hero" his entire life, I dedicate this dissertation to you as a token of your inspiration in having me push harder and harder to even come close to feeling worthy of that title. I love you David.

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My dear friend, Laura Campanelli (1959-2009), left this earth before she could complete her dream of completing the doctoral program we started together. Through our first two years of Pepperdine University we studied diligently together. Most times, it was SHE that kept me focused on our studies when I preferred to just save it for another day. I have Laura to thank for beginning this long journey with me and for giving me the strength to finish it without her. She convinced me that this was what I needed at the right time in my life and she was absolutely right.

While at Pepperdine I was extremely fortunate to have met, studied alongside, and worked with Dr. Fonda Na'Desh whom I consider to be one of my closest and dearest friends today. Fonda took me under her wing during this dissertation process and would never accept the words "I can't." Her favorite words to me were, "by when?" I have yet to meet someone with the talents of coaching that Fonda shared with me when I needed them the most. There was never a time when she did not offer an absolute "yes" when I asked to meet with her with questions about any phase of this dissertation process from proposal to completion. A mere "thank you" doesn't seem to capture the gratitude I have for your knowledge, guidance, tenacity as a mentor and coach, our insightful talks over

coffee, but most importantly, your unconditional friendship. I look forward to many years of collaboration as colleagues and a lifelong friendship.

My Dissertation Chairperson, Dr. Kay Davis, and Committee Members, Dr. Bob Canady, and Dr. Kent Rhodes, were a great team to work with. I knew from the start of my dissertation process that I had chosen a highly skilled team. Each of them taught me the values of critical thinking, hard work, and collaboration. Kay Davis, thank you for being unselfish with your time to talk, email, text, and/or meet in person whenever needed to bring this dissertation to completion. As you always said, "a good dissertation is a finished dissertation". I am extremely grateful to all of you for your teamwork, encouragement, shared knowledge, and faith in me.

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And now a word of acknowledgment to my friends and co-workers who stood with me through hours of painstaking envelope stuffing (for survey distribution), numbering and stratifying thousands of names by rank and gender (thanks Jan), copying,

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ABSTRACT

Few studies examine whistle-blowing from an organization's self-regulating perspective. The LAPD is one of the few municipal agencies that offer its employees 8 or more misconduct reporting avenues to choose from. Yet, despite this large number of resources, many police officers have opted to file civil lawsuits rather than utilize internal resources to resolve reports of specific types of misconduct. A total of 131 sergeants, detectives, lieutenants, captains and commanders were surveyed in 2009 regarding their likelihood of reporting specific types of organizational misconduct to any one of the internal departmental resources provided. Findings revealed 65% of the police officers were likely to report any 1 of 8 specific types of misconduct allegations to department supervisors, as opposed to any of the more specialized internal investigative options. Over 70% of the officers were likely to report sexual harassment, hostile work environment allegations and receiving disparate treatment due to having a work related disability, to their chain of command.

Lesser known specialized resources were reported as the least likely to be used. Reasons reported by respondents for not using internal resource options included a lack of trust or confidence in unknown resources, fear of backlash from peers, or that they simply preferred a less time consuming investigative process.

The study also examined the perceived impacts associated with reporting misconduct. Alienation or silent treatment by peers and harsh treatment by co-workers were rated as the most likely impacts of reporting misconduct.

The high percentage of police officers who are willing to report misconduct through the LAPD's chain of command is significant in that it assures management that

mid level supervisors may have the influential power needed to improve the internal reporting misconduct complaints, enhance compliance with employment discrimination laws, and lessen the incidents of employees preferring external options to report misconduct.

Recommendations for enhancing LAPD resource options for employees include limiting the number of resources for reports of employment discrimination to one specialized unit, enhancing training for supervisors, periodic quality service audits of reporting resources to determine their effectiveness, and external LAPD oversight of the reporting and investigation of discrimination allegations.

CHAPTER 1: INTRODUCTION TO THE STUDY

Problem Statement

Police, fire and military professions are very unique in that they each "possess an unparalleled need for loyalty, solidarity, and protection (Kingshot, Bailey, & Wolf, 2004; Rothwell & Baldwin, 2007) given that they can be life threatening at any moment whether working in a patrol or administrative assignment. Police officer training dictates, particularly when assigned to patrol assignments that each officer must be able to count on and in fact, depend on their partner's dedicated response in every given moment of every call in order to protect one another from harm. Without this level of trust in one's partner "being there" the chances of an officer becoming seriously injured or killed significantly increases and daily work becomes an increasingly frightening and life-threatening experience.

The fears related to whistle-blowing or reporting the wrong-doing of peers are as real as they are common. In fact, the initial internal thoughts that emerge at the mere thought of whistle-blowing against another officer can result in real and perceived acts of peer isolation, marital problems, physical or emotional health (Miceli, Near, & Dworkin, 2008), career suicide (losing promotions or assignments), and even the possibility of intentionally being put in harm's way. And, it is because of these fears associated with whistle-blowing that employees silence themselves from reporting misconduct (Lewis, 2002) and police officers are no different.

Fear of being isolated from other co-workers, losing promotional opportunities or career suicide are two of several significant causes for conscious and maybe even unconscious silencing on the part of employees who witness or experience organizational

wrongdoing. Police officers are duty bound to immediately report (whistle-blow) any illegal activity or deviance of policy and procedure committed by another employee to his/her supervisor or be subjected to serious scrutiny and discipline. This duty to report policy deviance or *misconduct* is usually enforced through the use of written policy and is a way that for the agency to assure the public of its ability to police its own organization effectively. Police agencies, like the Los Angeles Police Department (LAPD), in their attempts to lessen the probability of intentional silencing or unwritten *code of silence*, offer employees a variety of misconduct reporting resources, many of which can be summoned anonymously.

Police officers learn fairly quickly to unconditionally trust their brother and sister officer for protection and back up assistance during life threatening situations. This uniquely close relationship builds into a strong cohesive and protective bond among officers (Henik, 2007; King, 2003). This relationship also has the propensity however, to create an "us versus them" mindset that could over time become shrouded in a bond of quid pro quo secrecy (watching each other at all cost) or code of silence. In order to prevent relationships from becoming too protective to a point where protection extends beyond physical safety to one of mutual protection from "them" (management and outsiders), some agencies require officers to rotate partners and shifts periodically.

The purpose of this study is to examine the decision-making process used by police officers for determining (a) where and how to report specific acts of employee misconduct, (b) the perceived likelihood of utilizing one or more LAPD internal reporting avenues for managing reports of employee misconduct, and (c) the actual and/or perceived consequences of whistle-blowing experienced by employees, so as to

assist managers in learning how to properly manage employee reports of misconduct while simultaneously minimizing and/or deterring acts of retaliation against whistle-blowers. This study particularly concentrated on the act and impact of reporting specific types of wrongdoing or misconduct committed by officers with respect to gender/race discrimination, hostile work environment, co-worker harassment, disability discrimination and other internal acts of employment misconduct. By comparing the various types of wrong-doing witnessed by officers it would prove beneficial to managers seeking to understand the conditions that most often influence an employee's decision-making process in reporting wrong-doing, the impact of such reporting to the employee and organization, what type(s) of reported conduct has resulted in real or perceived retaliatory conduct, and lastly, what reporting avenues yield the highest perceived negative impact?

Significance of the Study

The term *whistle-blower* and the act of whistle-blowing in any context are often viewed as a negative and risky activity. For many of us our first indoctrination about the risks of whistle-blowing and loyalty conflicts begin in the childhood years. Consider the messages young children receive at their first experience of informing (whistle-blowing) on another child or adult for doing something wrong. Much too often, these complaints are silenced by well-meaning or sometimes ill-meaning receivers of this information (parents, teachers, and other peers) through the use of descriptive name-calling, "teacher's pet, tattle-tale, cry baby, snitch, or worse, rat fink," to name a few. We also grow up learning about "loyalty" by our family members who warn of not disclosing family secrets, from our siblings and peers who swear us to silence with the sharing of

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secrets, our school mates who cheat on exams, and many more. And, when we enter the working world, employee loyalty to the organization and to our co-workers is not only presumed but an "expression of bonding" (Johnson, 2003, p. 26).

The act of informing about wrongdoing or whistle-blowing is a process that can result in the creation of a new and improved organization or cause its demise. *Whistle-blowers*, whether they are viewed as corruption busters seeking to improve the organization or "disloyal rats" with self-serving motives, surface in all types of industries and organizations. Corporate whistle-blowing can result in a number of repercussions, such as co-worker alienation, job loss, job status, or actually becoming the catalyst for the organizations downfall. Consider, however, there are also consequences for the whistle-blower who reports the wrongful actions of peers or supervisors who they must depend upon for job security and personal safety because of the very nature of that profession.

The initial witnessing of wrongdoing, internal processing of ethical values, decision to report the wrongdoing, up to eventual disclosure of the witnessed behavior is a lengthy and most times unrewarding internal and external process (Dworkin & Baucus, 1998; Miceli & Near, 1992). How can an organization encourage the internal whistle-blowing process while managing real fears about retaliation? Are internal reporting resources effective in encouraging whistle-blowing while discouraging negative impacts that may occur such as retaliation? I once heard an adage in response to the question of racial equality, "…just because the 'white only' sign is off of the water fountain…does not mean that racism does not exist" (unknown author). The same may hold true for organizational directives and codes of conduct that exist on paper while the culture acts on a different set of unwritten rules for behavior. Failure on the part of any organization

to protect whistle-blowers from retaliation or retribution has far reaching affects. Court settlements that have plagued both the City of Los Angeles and its police department in the last 6 years demonstrate that juries are becoming more and more sympathetic to whistle-blowers who are raising the topic of organizational retaliation.

In August 2000, Bradley C. Gage, Los Angeles attorney, spearheaded a class-action lawsuit representing 40 current and former Los Angeles Police Officers. The officers alleged acts of retaliation, fostering, condoning, and participating in the existence of an organizational code of silence that punishes those who report misconduct. The officers complained of organizational forms of retaliation by way of forced transfers, hostile treatment, and other adverse employment actions. Mr. Gage was quoted in the *Los Angeles Times* as saying, "these good cops fear their own administration and management more than the criminals on the street" (Lait & Glover, 2000, p. A1).

In December 2003, the Los Angeles City Council agreed to settle a $2 million dollar lawsuit initiated by a Los Angeles Police Officer after he was allegedly retaliated against for the reporting of excessive force he witnessed. During these same proceedings, another $2 million dollars was awarded to an additional eight Los Angeles Police Officers for similar typed lawsuits which claimed one or more egregious forms of organizational retaliation for the reporting of internal wrongdoing. Ironically, when interviewed by a Los Angeles Times Staff Writer at the conclusion of these jury awards, then Police Chief Bernard Parks expressed his disappointment with the trend of employees "who get in trouble and seek to use retaliation as a defense" (Garrison & Glover, 2003, p. B1). Sadly, this type of management mindset has overtime become ingrained in the organization's culture at all levels of the organization. Whistle-blowing

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police officers are often viewed by peer level employees as self-serving and disloyal both to the organization and their profession. Management level employees commonly view whistle-blowers as being low performing malcontents with a personal axe to grind. Regardless of perceived motives, the cost of whistle-blowing creates a rippling effect that is very hard to recover from.

In June 2006, a Los Angeles Police Officer was awarded $225, 000 when he alleged that his supervisors retaliated against him by reassigning him far from home in a move that is known internally as a form of *freeway therapy* after reporting his peers for falsifying racial data information required on traffic stop reports (McGeevy, 2006). In October 2007, a female officer was awarded $1 million after she claimed that she was demoted three levels down after reporting her superior officer for promoting other female colleagues who had allegedly performed sexual favors for him (Kim, 2008a).

In November 2008, the Los Angeles City Council unanimously approved a $2.25 million settlement to a female Los Angeles Police officer who claimed she was retaliated against by co-workers and supervisors when she reported egregious acts of sexual misconduct. The officer claimed that peers and supervisors maintained a "good ole' boy" work climate that would have any female officer cringe with disdain. After reporting her partners for sexually explicit sexual bantering, exposure of genitals, and being excluded from training exercises and office meetings, the officer was denied a promotion and falsely accused of misconduct (Kim, 2008b).

One week prior to this most recent award, a Los Angeles County Superior Court awarded $3.6 million to a male Los Angeles Police officer who defended the female officer listed in the above jury $2.25 jury award. The male officer claimed he was

retaliated against by being transferred and demoted after he spoke up and corroborated the fact that his female co-worker had been subjected to a pervasive sexually offensive work environment created by other male co-workers (Kim, 2008a; Lin, 2008). Within months of this settlement, a Los Angeles jury awarded $3.1 million to a Los Angeles Police Officer who claimed he was retaliated against when he reported his supervisor for embezzlement. The officer claimed he was verbally harassed, called a "rat" by peer officers, and unjustly transferred to a less desirable job assignment (Kim, 2008b).

Purpose of the Study

The primary purpose of this study is to explore the act and impact of whistle-blowing by police officers who report acts of organizational wrong-doing within the Los Angeles Police Department.   In light of the continued lawsuit settlements in favor of the police officer plaintiffs who blew the whistle on what they perceived as organizational wrong-doing on the LAPD in the past few years, it is evident that the public and police officers are finally on the same sheet of music and are sending a strong message. The LAPD cannot ignore or excuse the high cost of whistle-blowing and reported acts of employee retaliation. A close examination as to why police officers are filing claims outside of the organization while internal resolution avenues exist and how the organization responds to reports of workplace wrong-doing was conducted to determine the gravity and scope of the problem so that the organization can address and manage it swiftly and properly.

The statements reportedly made by Chief Parks, past police officer whistle-blowers, and Attorney Gage, coupled with increasingly large plaintiff awards, may be

indicative of an organization in need of a paradigm shift in how the act of whistle-blowing is viewed and managed from within.

<div align="center">Research Questions</div>

The following research questions guided this study in the determination of how the act and process of whistle-blowing impacts police officer whistle-blowers, and whether ineffective management of the reporting of wrongdoing is a contributing factor in the internal whistle-blowing process.

1. What is the reported likelihood of using each of the established internal misconduct reporting resources based on specific misconduct allegations?

2. Are there differences in the reported likelihood of using internal misconduct reporting resources based on any specific acts of employee misconduct?

3. What are the expressed reasons given for any misconduct reporting resources that are "Not Likely" to be used for reporting specific acts of employee misconduct?

4. What are the actual and/or perceived consequences of participating in the whistle-blowing process?

<div align="center">Limitations of the Study</div>

There are several limitations to this study (a) only one law enforcement organization was studied; (b) the study only examined the sworn population of the organization from the ranks of police officer, sergeant, detective, lieutenant, captain and commander only; and (c) reports of organizational wrong doing will be limited to acts that involve specifically selected acts of employee misconduct most commonly reported externally by police officers.

Whistle-blowing on the LAPD was explored solely from the sworn perspective, largely in part because of the high number of police officers identified by the department as being involved in what is described as protected activity: activities that include the reporting of law or policy violations by way of grievance, formal investigative entity or lawsuit. There is empirical evidence to suggest that a high number of police officers do report peers for criminal wrongdoing such as corruption or abuse of power, for example.

Significance of the Study

This exploratory study examined current LAPD whistle-blowing procedures and perceived impacts of reporting specific misconduct allegations to internal investigative resources to determine the differences between the (a) act of whistle-blowing, (b) intentional employee silence, (c) retaliation, and (d) organizational management of internal employee misconduct reporting.

Whistle-blowing refers to the disclosure by organization members (former or current) of illegal, immoral, or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action" (Miceli & Near, 1985). The punishment of whistle-blowers by way of organizational retaliation fosters a climate of non-disclosure or code of silence and has a negative impact on society that places an inordinate amount of trust in its police. The City of Los Angeles has settled over $34 million dollars in lawsuits initiated by Los Angeles Police Officer whistle-blowers. These whistle-blowers claimed they were the victims of organizational and social retaliation after they attempted to report their peers and/or supervisors for various types of wrongdoing, specifically to other employees. A common theme that surfaces in all of these cases is employee discrimination at a time when the Los Angeles Police

Department is currently operating under a Federal Consent Decree due to complaints of racial profiling (using race/ethnicity as a basis for police detention). Is this a coincidence, an indication of a culture in need of change, or has management selectively turned a blinds eye to the internal reporting of specific types of employee misconduct?

The information derived from this study would be useful in identifying the impact of whistle-blowing so that effective management systems may be designed to improve the internal whistle-blowing process, minimize and/or deter acts of workplace retaliation and enhance workplace standards of conduct. It is also hoped that this study will advance the body of knowledge in the areas of whistle-blowing, negative impact of internally reporting misconduct, and ways to lessen the code of silence in the law enforcement profession.

<center>The Organization of LAPD</center>

The Los Angeles Police Department also known as the LAPD, is the third largest policing agency in the United States. There are only slightly over 9,000 sworn police officers and over 3,000 civilian or administrative personnel providing police service to a community that encompasses 467 square miles. The city has twelve community areas representing approximately 3.9 million residents (as of 2004). The organization itself is managed by a Chief of Police.

The LAPD is structured in a formal hierarchal manner; a closed system with many layers of divisions, units and sections with many levels of specialized operations. The bureaucratic and paramilitary models came about during those times in history when a structure of command and control was needed to facilitate small divisions of specialized work In a hierarchical organization power is distributed from the top down. The idea of

the establishment of the bureaucratic model was first introduced by sociologist Weber (1947) as a way of eliminating managerial abuses that often lead to inefficiency. Most of the characteristics of a bureaucratic organization fit quite well in any law enforcement organization, particularly with a well-defined hierarchy of authority, division of labor by functional specialization and a strong system of rules for staff. The one drawback is that it creates impersonal employee relationships, particularly between management and members of the organization and strengthens relationships between assigned members of smaller specialized units. These close bonds contribute to the development of in-group/out-group dynamics, non-disclosure rules of conduct, and other forms of group norms that have the appearance of solidarity where "…one of the most respected tenets of the group is loyalty" (Johnson, 2005, p. 76).

Auten (1985) first introduced the paramilitary model of policing organizations. Paramilitary organizations incorporate military-like characteristics. The very nature of police work and critical incident operations calls for this type of *sworn* personnel management and may not be as necessary or productive at all levels of the organization. Paramilitary organizations closely resemble the bureaucratic organizational model with the exception of the formulation of cultural police traditions such as badge ceremonies that may last for the life of the organization, strict adherence to uniform dress and appearance, a formal rank structure that is self-governing and a military terminology unique to the particular organization. Similar to the bureaucratic model, interpersonal creativity, and impersonal relationships are for the most part not supported or encouraged by the top down leadership.

There are four geographic bureaus dividing the City of Los Angeles into 21 geographical divisions. There is one deputy chief for each geographical division with one or more commanders as "direct reports" who have functional supervision over the commanding officers (captain rank) of each patrol division. Each division is run by two commanding officers of captain rank, three lieutenants (watch commanders) one per shift and at least one sergeant for every ten officers assigned to work each shift. Each division has both a patrol division and a detective division. There are approximately 200 officers assigned to each division. Within this massively large structured organization are a number of specialized functions such as: scientific investigations, jail operations, property retention and booking operations, narcotics enforcement units, vice enforcement units, administrative operations, specialized detective units and criminal investigations and field law enforcement, to name a few.

Terms and Concepts

There are a number of key terms referenced in this study that will be defined to allow for a common understanding as to how they will be used in this study followed by a brief summary of what is currently known about these concepts.

- *Organization*: An *organization* is an open system of interconnected and interrelated parts (culture, physical and social cultures, technology) working in relationship to the external environment.

- *Paramilitary (operational) Organizational Structure*: An organization which models a military form of authority and control over employees with formal rank and file structure and top down decision-making with order givers and order takers.

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- *Sworn Employee:* An employee having police officer status and powers of arrest.

- *Rank -Civil service classification and pay-grades*: The order of rank in the

  Department, as established by the Civil Service Commission.

  (LAPD Manual, 2009, Section 2/026)

- *Pay-grade*: The order of rank and pay-grade in the LAPD is as follows:

  - Chief of Police (COP).

  - Deputy Chief II (Asst Chief).

  - Deputy Chief I (Dep Chf).

  - Commander (Cmdr).

  - Captain III (Capt. III).

  - Captain II (Capt. II).

  - Captain I (Capt. I).

  - Lieutenant II (Lt. II).

  - Lieutenant I (Lt. I).

  - Detective III (Det. III).

  - Sergeant II (Sgt. II)

  - Sergeant I (Sgt. I)/Detective II (Det. II).

  - Detective I (Det. I).

  - Police Officer III+1 (PO III+1).

  - Police Officer III (PO III).

  - Police Officer II (PO II).

  - Police Officer I (PO I).

  (LAPD Manual, 2009, Section 2/025, 2/026)

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- *Department Supervisor*- An employee engaged in field supervision or in general supervision of a section or unit.

- *Watch Commander*- An employee having charge of a specific watch in a division or geographic Area.

- *Commanding Officer*- An employee in charge of a bureau, a group, an Area, or a division of the Department

- *Staff Officer*- An officer above the rank of captain.

(LAPD Manual, 2009, Section 3/105)

- *Chain of Command*: Clearly defined lines of authority between each employee and the Chief of Police.

(LAPD Manual, 2009, Section 1/650)

- *Misconduct (employee)*: Commitment of a criminal offence, neglect of duty, violation of department policy, rules, and/or procedures, conduct which may reflect unfavorably upon the employee or department.

(LAPD Manual, 2009, Section 3/805.25)

- *Retaliation*: Unjustified adverse employment action taken against an employee due to his/her participation in a lawfully protected activity, as either a reporting party or witness.

(LAPD Manual, 2009, Section 1/272)

- *Code of Silence*: A spoken and unspoken assurance or agreement among members of an organization to protect one another at all cost as an expression of loyalty, cohesion, and solidarity.

Summary of Theoretical Concepts

Studies of what constitutes the act of *whistle-blowing*, *loyalty,* the creation and impact of an organizational *code of silence*, and the impact of organizational *retaliation*, have all been studied from a variety of vantage points over the years. A review of the academic literature suggests that organization development theories referencing employee loyalty to the organization remained steadfast in the 1950s through the middle 1970s beginning with the "organizational man" theory with respect to employees whose expressed loyalty was to the organization and its purpose as being undivided and absolute (Lawrence, 1991; Leavitt, 1965; Nader, Petkas, & Blackwell, 1972). The idea of loyalty conflicts began to surface in the middle 1970s when organizational theorists began to proclaim that employees in a free society should not be obligated or forced to restrict their personal loyalty to any one institution (Kerr, 1964).

The act of whistle-blowing is not a new phenomenon. What is new, however, is how organizations and society as a whole have shifted the view and treatment of the organizational whistle-blower. Research about whistle-blowing has largely focused on several influencing factors: (a) organizational factors such as the structure, culture, and climate, codes of conduct (Barnet & Cochran, 1992; Decker & Calo, 2007; Dozier & Miceli, 1985; Dworkin & Baucus, 1998; Miceli & Near, 1985); (b) the individual whistle-blower, in terms of personality characteristics, values, belief systems, moral and ethical judgment development (Barnett & Cochran, 1992; Kolaska & Aldrich, 1980; Miceli & Near, 1988; Rothchild & Miethe, 1999); (c) loyalty conflicts (De Maria, 2008; Gundlach, Douglas, & Martinko, 2003; Hacker, 1978, Mesmer-Magnus & Viswesvaran, 2005), and (d) situational causations, such as the seriousness of the wrongdoing, position

and influence of the whistle-blower within the organization, and ambiguity about real or perceived wrongdoing (Jos, Tompkins, & Hays, 1989; Keenan, 1995; Miceli & Near, 1984; Near, Dworkin, & Miceli, 1993).

While there is no manual entitled the *Code of Silence* in any organization, there are behaviors found in closed organizations where restrictive information sharing and intentional non-disclosure of police activities (including misconduct reporting) becomes a suspected activity to those outside of the organization. Many academic studies suggest that hierarchal organizational structures may by virtue of established compartmentalized groupings and strict lines of communication mechanisms restrain free upward communication (Glauser, 1984), and that fear of isolation by co-workers limits even the communication of viewpoints (Morrison & Milliken, 2003). Studies conducted by Festinger in the 1950s, for example, showed that structuring groups into hierarchies automatically stifles communication flow by virtue of the many levels of subordinate and supervisory relationships (Milliken, Morrison, & Hewlin, 2003; Morrison & Milliken, 2000). In closed systems that are self-governing with respect to personnel policies and procedures and closed to outsiders, such as police, fire and military, formal, and informal norms develop an esprit de corps that is of a very protective nature (Rothwell & Baldwin, 2007; Skolnick, 2002).

Informing on one another ruins this family-like institution (Chin & Wells, 1998) making it extremely difficult for the whistle-blower to recover from in terms of social and organizational acceptance. The possibility of being outcast from or retaliated by his/her fellow officers is exemplified in an officer's intentional decision to not disclose the wrongdoing of the organization or a peer, even if the wrongdoing is committed to

him/her directly (Skolnick & Fyfe, 1993). It is this type of conscious non-disclosure of information, of wrongdoing or employee misconduct, that is perceived by the public as a *Code of Silence* doctrine.

Retaliation is a form of "personal vendetta" against another. Studies have shown that there is a propensity for whistle-blowers to suffer the wrath of organizational retaliation by way of adverse employment actions as a vendetta for taking part in disclosing wrongdoing and expression of disloyalty (Ewin, 1990; Rothwell & Baldwin, 2007). There is also evidence to suggest that whistle-blowers also receive harsh conduct from peers in the form of social retaliation for breaking the "thin blue line" by snitching on a brother or sister officer.

Summary

This research examines the act and impact of whistle-blowing by police officers, organizational whistle-blower management structures, and reported incidents of organizational and social retaliation which is reported to have followed the whistle-blowing process. Whistle-blowing and the psychological and social impact of the whistle-blowing process has been researched and studied since the 1960s. Organizational response to whistle-blowers, the implications of subsequent backlash and other forms of social and organizational retaliation which often follows alongside the whistle-blowing process has not been studied with the same amount of vigilance as the research behind whistle-blower characteristics, intent, loyalty, and other values-based variables. Most importantly, few studies have captured data from one specific law enforcement agency that has been the subject of such high monetary court settlements and monetary awards to

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employees who chose to blow the whistle on their organization outside of the organization, rather than seek internal resolution.

This quantitative study examined those variables that may influence the whistle-blowing process and/or an employee's refusal to report wrongdoing. Quantitative methods of inquiry included a survey instrument that was disseminated to sworn department personnel using a random selection process stratified by gender in order to capture representatives of each rank. Related theories, department policies and directives will also be compared and contrasted with City, State and Federal whistle-blowing and retaliation laws.

By understanding the reasons why employees chose to report specific acts of organizational wrongdoing outside of the organization rather than internally, organizations can assess their current policies and procedures, and address obstacles that prevent the reporting and investigations of these issues. The training of employees and management personnel would also be positively impacted by utilizing this information to assess current supervisory training and leadership development to determine whether there is a valid structure in place to affectively address the perception of loyalty conflicts, code of silence, and fear of whistle-blowing as well as incidents of workplace retaliation.

CHAPTER II: REVIEW OF THE LITERATURE

Introduction

Since the 1950s, the act and impact of organizational whistle-blowing has been studied from several vantage points: organization environmental factors, the individual personality and belief systems of the whistle-blower, and situational or types and seriousness of the disclosures being made.

Few studies, however, concentrate on the act or impact of disclosing wrongdoing within the organization and/or outside of the organization from the perspective of police officers who have historically held onto traditional mindsets of protecting one another and the organization as a whole from negative public scrutiny or embarrassment through the use and misuse of silence. To effectively examine the act and impact of whistle-blowing within the LAPD, this study began with an extensive literature review which focused on the makings of a paramilitary organization; its structure and culture, and the environmental factors that may influence the act and decision-making process leading to the disclosure or nondisclosure of organizational wrongdoing.

A major element of the decision-making process for the police officer as whistle-blower is the internal processing of loyalty conflicts and the unwritten expectation of protection of the organization by way of intentional silence. Literature into the causes, effects, and impact of employee silence will be summarized to determine how intentional silence influences the whistle-blowing process.

A number of municipal, state and federal laws protecting whistle-blowers have been enacted over the years to protect the whistle-blower who disclosed types of organizational wrongdoing that has direct implications for public policy. Examples of

such disclosures include wrongdoing in the medical profession, pharmaceutical industry, environmental protection, and securities fraud, to name a few. However, if municipal, state, and federal laws are designed to protect those who disclose organizational wrongdoing that directly affects public policy, who protects the organizational whistle-blower from organization reprisal when the wrongdoing affects one individual or small group of individuals? Examples of these types of wrongdoing include violations of laws pertaining to sexual harassment, race, sexual orientation, and other forms of discrimination.

Absent protection from the organization, the whistle-blower is left to wonder about the consequences of his or her actions once co-workers and supervisors discover that there is a "rat in their midst." Is organizational reprisal or retaliation an automatic impact of whistle-blowing? And, if so, how can the organization protect the whistle-blower from harm's way so as not to influence unnecessary and costly court litigation for failing to take appropriate action? Is employee harassment and other forms of discriminatory wrongdoing in the mind and eyes of the beholder, or can *wrongdoing* be clearly defined? For the purpose of this study, the standard used for identifying organizational *wrongdoing* will be the LAPD's definition of employee misconduct. The *Los Angeles Police Department Manual* (LAPD, 2009) defines misconduct and violations of misconduct as follows:

Employees shall be subject to disciplinary action for acts of misconduct.

Misconduct is defined as:

- Commission of criminal offense

- Neglect of duty

- Violation(s) of Department policies, rules, or procedures

- Conduct which may tend to reflect unfavorably upon the employee or the Department

(LAPD, 2009, Section 3/805.25)

The LAPD is no stranger to having dirty laundry aired to the public by police officers who have used a variety of external reporting entities to report wrongdoing that had a direct and most times negative impact on the public they serve. Some of these types of wrongdoing include the over use of physical force, selective enforcement of the law based upon race, gender, lifestyle differences, and other discriminatory acts related to law enforcement. Once reported, the organization has the responsibility of conducting a thorough and unbiased investigation of each and every allegation of misconduct whether made by the public or from within its ranks. The internal decision-making process for police officers who opt to disclose real, rumored, or perceived misconduct is an extremely difficult one, despite organizational policies that require the immediate internal reporting of such conduct by employees lest they too suffer the wrath of condoning the misconduct and be held equally liable for disciplinary action that could ultimately lead to termination.

The literature review for this study focused primarily on those aspects of organization theory that provide a background for understanding paramilitary and/or police organizational structure, police culture development and socialization, whistle-blowing and the impacts of whistle-blowing from the perspective of the whistle-blowing police officer, and the organization from various stages of the reporting processes.

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Organization Theory

The Los Angeles Police Department, also known as the LAPD, has historically been controlled by Chiefs of Police with strong inflexible top-down management. As head of the organization, the Chief of Police has the most significant influence over the everyday actions and quality of work life of organization members. The effectiveness of patrol officers and detectives is evaluated daily not only by the organization but by the public they serve. The effectiveness and efficiency of the organization is evaluated by many factors such as, the number of criminal suspects identified and arrested, response time to emergency calls, number of citizen complaints and commendations, lowered incidence of crime (violent or otherwise), increase or decrease of recovered property and other examples of evaluating *productivity*.

In hierarchal subcultures, as in paramilitary organizations, there is a distinct emphasis on the separation of management levels or rank structure (Auten, 1985). On the surface, uniformed officers and administrative personnel appear to work well as a team. However, the organizational unity that appears synergistic to those outside of the organization is actually fragmented by several distinct subcultures: sworn and civilian, upper management (staff officers) and middle management, supervisory and subordinate personnel. Civilian and sworn personnel have experienced a history of tense relationships on the LAPD. Sworn personnel are often described by civilians as being robotic, aloof, and arrogant and demanding when addressing civilian personnel.

Civilian personnel are often stereotyped by sworn personnel as being *mere* clerical staff, despite the many civil service rankings represented on the department that has a number of civilians actually outrank sworn personnel. A large number of civilian

personnel historically report feeling de-valued and unappreciated by the sworn members of the department. Despite these vocalized or internalized differences, the rising number of LAPD corruption scandals and civil lawsuit awards, the department continues to police itself despite historic attempts to deflect external oversight monitoring. Organizational culture can have an enormous impact on organizational performance. The more separate these sub-cultures become, the easier it becomes to resolve loyalty conflicts by way of rationalization, blame, and avoidance.

The Five Circles Model

Hatch (1997) theorized in her book, *Organization Theory* that an organization is made up of the interrelationships of identified segments, which overlay and sometimes interpenetrate one another. She designed what she termed as the *Five Circles Model* which depicts five spheres each labeled as *culture, social structure, technology,* and *physical structure* all contained within a larger circle entitled *environment*. Hatch's model suggests that each of these spheres or segments of the organization are contained in one or more of the other segments and that they interrelate with the organization's environment (Hatch). Using Hatch's conceptual Five Circles Model as a basis for describing the organizational design of the Los Angeles Police Department would provide for a clearer understanding and analysis of the organization.

Culture

The culture of an organization consists of the norms, values, and beliefs that are taught and shared by the members of the organization (Schein, 2004). The culture can be viewed and analyzed from two distinct vantage points. At the forefront are the obvious physical settings, slogans, and traditional ceremonies, manner of dress and interpersonal

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behaviors. What are not as obvious are the underlying beliefs, values, and behaviors that occur when only members of that particular culture can see. Sometimes the behaviors exhibited by members of organizational subcultures have little to no affect on the organization's mission. Then, there are those behaviors that can undermine what the organization wants to accomplish.

One of the department's most influential police chief who reined in the 1950s, believed that the LAPD should be run in a military fashion because he believed that the police were "living, physical symbols of authority…warriors who battled to save an indifferent world" (Cannon, 1997, p. 72). And, for the most part, the department culture as a whole has unfortunately maintained this similar warrior mentality even today as evidenced by the continuous lawsuits initiated by and settled on behalf of community members for the use and overuse of police physical tactics over the years.

Organizational culture reflects the history of the organization; the symbols and rituals created and nurtured by a group of people that are sometimes difficult to change. In his book, *Good to Great*, author Jim Collins wrote about the culture of discipline and the importance of putting the right people in the right jobs supporting the right values and focusing on those activities that fit the organization. It is in these leadership actions that allow people to move the organization in the right direction because the right people are motivated (Collins, 2000). The LAPD is no stranger to the concept of control and discipline to manage the behavior of its members. Changing times, however, call for changes in personnel control mechanisms that tend to cultivate a culture of silence for fear of being outcast by the organization, its members, and the public.

The LAPD is structured within the confines of a top down formal *bureaucratic culture*. Employees are governed by a 500 page *Department Manual* that describes work, dress, interpersonal relationships, law enforcement procedures, proper execution of various administrative duties, and other department related expectations. Each member is expected to follow this manual to the letter and can be disciplined for any portion that is not adhered to. The discipline policy for misconduct or conduct unbecoming of any employee who causes the embarrassment of the organization is strictly and has unfortunately, been held to task by members of the organization and its police union for selective enforcement of discipline depending on the rank and/or position of the accused employee.

From the moment a police recruit officer graduates from their eight months of police academy training he or she is assigned to a training officer for twelve months for the practical application and testing of what they have learned while in the academy-with a slight exception. Most, if not all, recruits have expressed stories about training officers who are quick to school their trainee with statements that are often the subject of controversy. Examples of such advisements are to "*forget what you just finished learning… I'll teach you the real way to do police work* or, *what is said in this car stays in this car…*" Many will say that this is the moment of a new officer's first socialization or indoctrination into the real culture of the police environment where there are written and *unwritten* rules or norms of conduct (Conti, 2009; Johnson, 2005). This is not to suggest that new police officers are all taught a *wrong* or *inappropriate* way of doing police work. However, it is a common tactic used by more tenured officers to socialize young police academy graduates into the *us versus them* culture; a culture that often

becomes interpreted as the *real world* where cops put their lives on the line for one another and as such must "watch each other's back" so as to be free of public and department management scrutiny (Conti, 2009).

According to social psychologist Schein (2002), there are at least three types of responses to this type of socialization, (a) rebellion, (b) creative individualism and, (c) conformity. Civilian personnel-the second half of this organization are not similarly indoctrinated into the social norms of the police culture. This lack of indoctrination or equal treatment causes an immediate wedge that breeds mistrust, and animosity between two distinct segments of the organization. Creative individualism may be the most common response to working in an environment where authority and control leave minimal room for positive forms of creativity.

Social and Physical Structure

The social and physical structures of an organization are very important when analyzing the behaviors of its members because the physical structure of an organization influences group, individual, and organizational identity in both positive and negative ways. For example, employees who report to work from day to day in less than desirable conditions where the physical work environment is un-kept, desks, phones and other necessary items are broken, stained or in short demand may have a negative effect on the employee's pride in where he or she works. Low employee pride eventually has a domino effect on lowering professionalism and productivity. The reverse is often true when the organizational structure and everything in it demonstrates organizational pride.

The culture of an organization has been defined as, "….any social unit that has some kind of shared history…with the strength of that culture dependent on the length of

its existence, stability of membership and the emotional intensity of the actual historical experiences…" (Schein, 2004, p.11). According to Schein, the true essences of culture are the established norms, beliefs, and assumptions that are at the core of their existence.

A *social structure* refers to the relationships between people and the organizational departments they work in while the *physical structure* refers to the organizational layout-how offices and units are designed, geography, and design of office furniture and equipment (Daft, 2004).

Technology

Technology represents the methods used by the organization to produce goods or service. This could be anything from tools, uniforms, and equipment used to conduct business to a method to produce a particular output (Daft, 2004).

Organizational Design

Within the established literature surrounding the topic of organizational design there were several 19th Century designs that closely resemble the working structure of paramilitary organizations today. Ironically, these theoretical concepts created for maintaining the well oiled factories of the Industrial Age remain active and almost nurtured by paramilitary organizations, like the LAPD as if these were the only methods for sustaining successful organizational goals.

Here is a description of those theories in common with a *paramilitary* organization particularly when it comes to *efficiency, organizational functioning, and authority, and control.*

Efficiency

In the 1900s, Taylor (1911) with his *Scientific Management Theory* theorized that decisions about organizations and job design should be based on the precise scientific study of individual situations through the close supervision of employees doing specialized work and motivating workers with rewards and threats of punishment, including loss of employment. Taylor's theory introduced strong arguments for management control over employees since at the time of its design workers were viewed as selectively doing work to allow for more workers to be hired. Taylor also designed incentives for workers-a method for increasing productivity. In fact, if Taylor were running a police department today he would probably be using information technology to insure that officers and supervisors were targeting enforcement activities in the right direction (Daft, 2004). Today, police officers are evaluated by numbers: the number of citations and reports written, number of arrests made by personal observations of criminal activity as compared to radio call response, number of calls handled and the time it took to respond to those calls, and other numerical comparisons of lesser importance. This method of evaluation for determining an officer's effectiveness can either work as a reward for good work or a counseling session for the necessity of improved performance. To a select few, it translates as selective acknowledgment based on favoritism and bias; another reason to "take care of each other."

Organizational Functioning

In 1917, Fayol (as cited in Daft, 2004) with his *Administrative Principles* looked at the design of organizations by introducing fourteen principles of management as a means for looking at the function of the organization as a whole, not just the workers on

the assembly line as with Fayol. Two principles in particular continue to be utilized in bureaucratic organizations today with the LAPD as no exception: Unity of Command and Unity of Direction. *Unity of Command* suggests that subordinates should only take direction from one supervisor. *Unity of Direction* suggests that similar activities conducted within an organization should be grouped under one manager's control (Fayol, as cited in Daft, 2004).

Clearly Defined Authority and Control

The bureaucratic framework of organizations was created out of the need to help organizations maintain maximum efficiency in operations and is also known as the *classical perspective*. The desire to have a well oiled functioning organization came about with the classic model of sociologist Max Weber in 1947. Daft (2004) identified several characteristics that he theorized would be found in a successful bureaucracy.

1. Rules and Procedures

2. Specialization and division of labor

3. Hierarchy of authority

4. Technically qualified personnel

5. Separate position and incumbent

6. Written communications and records

The LAPD continues to manage its operations using principles and theories that were much more effective within the timeframe and society structure they were designed in than they are today. The changing society and workforce demographics demonstrate a significant need for ongoing organizational change in all industries both public and private. All of the LAPD rules and procedures are codified in a department manual that

is distributed to all employees and their receiving this document is acknowledged with signatures that are filed away only to resurface when those policies are not appropriately followed. By definition, employee misconduct can be a rude comment as well as a violation of criminal law. How this definition is applied varies from supervisor to supervisor.

In a study conducted on the LAPD's command and control system, the Independent Commission on the Los Angeles Police Department (Christopher Commission), appointed by Los Angeles Mayor Tom Bradley in 1991 and headed by the U.S. Secretary of State, Warren Christopher, described the LAPD's system as "outdated." It went on to say that this type of system not only fails to broaden the goals of crime prevention, it "…fostered the retaliation machinery, and alienated rank and file as well as the public" (Independent Commission on the Los Angeles Police Department [Christopher Commission], 1991). Attempts to overturn, question, or dismiss orders and other management decisions are often viewed as acts of insubordination and are considered threatening to the orderly procedures required to operate (Glazer & Glazer, 1989) in an efficient manner.

Sub-culture separation, the application of discipline, selection of personnel for specialized training and assignments, evaluating work performance, and other workplace actions fall under close scrutiny by all members of the organization, not just supervisors and upper command staff. News of special treatment given to command staff or supervisory personnel when misconduct is reported travels through the organization within a 24-hour period. To a select few, the message translates to separate sets of rules and an environment riddled with favoritism and selective enforcement of the rules; a

perfect breeding ground for the unwritten code to "watch each other's back…stick together…what goes on in this car stays in this car." Police officers perceive the LAPD discipline system "as an arbitrary, demeaning system of entrapments that burns whistleblowers, fails to stop big abuses" of power (Chemerinsky, 2001, p. 566), yet "prosecutes officers for 'micro-infractions'" (p. 566); a system designed to treat officers like "targets of control" (p. 575) where silence is employed to protect officers from the discipline system that is viewed as "petty and unfair" (p. 575).

There are two characteristics of the police culture that are more pervasive than others are: isolation and solidarity. Policing can be a highly stressful, scrutinized, and secretive profession. Officers police the community with an inordinate degree of power and authority. Separation and isolation from the community, a strict and unforgiving internal discipline system that demands the immediate reporting of misconduct through a relentless chain of command, and the inherent dangers of police work, leads officers to stick together (Kleinig, 1996; Wright, 1999) and may also contribute to organizational silencing or an unwritten code of silence. In this environment, the reporting of wrongdoing by the organization is viewed as an act of self serving disloyalty whether the wrongdoing is reported through internal channels or reported to an external resource. The police culture can be as distrusting internally within their own community as they are of the outside (community): a closed culture that easily mirrors a dysfunctional family system when they begin to abuse and emotionally cannibalize their own employees in the guise of maintaining tradition, silence (keeping dirty laundry at home), and blind loyalty.

Code of Silence

The *code of silence* as an intentional silencing of the reporting of misconduct or wrong-doing, is not a new phenomenon. Other professions such as the medical and judicial industries have been known to intentionally withhold information that would cause the embarrassment, discipline, or termination of individuals or complete organizations. However, police silencing, also known as the *blue code* or the *code of silence,* seems to get the most attention from the community when it involves law enforcement officers who cover up, refuse to disclose, or testify against a fellow officer for violations of criminal misconduct. The covering up of administrative misconduct falls within the scope of internal investigative entities, which monitor the organization from within for the maintenance of professional standards and adherence to departmental policies and procedures. LAPD Manual sections will be used in this study to qualify what will be referenced as *misconduct.* Studies into the code of silence indicate that this phenomenon may be an "embedded feature of police culture" that has potentially corrosive and destructive elements (Kleinig, 2001; Skolnick, 2002). Surveys distributed to police officers indicate that this intentional silencing occurs in all ranks and in all departments and that many officers chose not to report misconduct for fear of what my happen to them or what may not happen to the person they report on (Trautman, 2001).

Several studies have been conducted on the LAPD following large organizational scandals such as the infamous *Rampart Scandal* where a Rampart Division gang enforcement officer implicated 70 officers for illegal conduct ranging from shootings, bribery, and perjury after he himself was implicated (see Independent Review Panel, 2000; LAPD, 2000; Reese, 2002). This reported activity resulted in over $90 million s in

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civil court settlements. Studies consistently reveal that the culture of silence on the

LAPD has not been properly addressed (see Chemerinsky, 2001; Independent

Commission on the Los Angeles Police Department, 1991; Independent Review Panel,

2000; Rothwell & Baldwin, 2007). This may be because it is so engrained in the culture

of the LAPD that few accept this concept as a true fact when in fact there has been

testimony given by two top LAPD officials who provided testimony to the Christopher

Commission in 1991 indicating that the culture of LAPD needed serious reform. These

high ranking officials were blasted by then Chief Darryl Gates for having "sold out the

department" (Chemerinsky, 2001, p. 562). They "sold out" the department by admitting

the LAPD needed reform. If high ranking officials are viewed this way, what is to be

said of the lower ranks of the organization when they come forward?

Studies conducted on police agencies from throughout the United States indicate

that the majority of police officers would not report incidents of misconduct that were

viewed as being minor in nature (see U.S. Merit Systems Protection Board, 1993; 2008).

Criminal actions committed by police officers; however, were more likely to be reported

and viewed more serious than administrative infractions which are viewed as minor acts

of misconduct that do not warrant disclosure (Westmarland, 2005). If the perceived

seriousness of the misconduct is a strong determinant of whether an officer would report

the wrongdoing or not, this may be an indicator of why victim police officers of internal

violations of laws or organizational policies relating to discrimination or harassment are

more unlikely to report or blow the whistle on these types of misconduct. The decision to

internally report misconduct is a difficult process for police officers. They face fears that

can range from not being believed to being ostracized and/or socially removed from the

close work environment they considered as close or closer to their own family. In August 2000 a total of 40 LAPD officers filed a class action lawsuit against the LAPD for enforcing a code of silence and in allowing management the power of retaliating against those who came forward with misconduct (Lait & Glover, 2000). This significant number of officers is very telling in and of itself.

<center>Whistle-Blowing</center>

The act of whistle-blowing is not a new phenomenon. Research into the topic of whistle-blowing has largely focused on several influencing factors: (a) organizational factors such as the structure, culture and climate, codes of conduct (Miceli & Near, 1985); (b) the individual whistle-blower, in terms of personality characteristics, values, belief systems, moral and ethical judgment development (Chiu, 2003; Miceli & Near, 1988; Rothchild & Miethe, 1999); (c) situational causations, such as the seriousness of the wrongdoing, position and influence of the whistle-blower within the organization; and (d) ambiguity about real or perceived wrongdoing (Keenan, 2000, Miceli & Near, 1984).

In the 1980s the act of whistle-blowing began to be studied from sociological and psychological perspectives to identify what organizational conditions most affected the growing incidents of employee dissent. Was it authority structure, lines of communication, top down decision-making processes, or a combination of all? And, in what way do these organizational processes affect what appeared to be a growing dilemma of conflicting loyalties and employee dissent (Anderson, Perrucci, Schendel, & Trachtman, 1980; Stewart, 1980). The affects of whistle-blowing once studied from a narrow organizational perspective began to focus primarily on the characteristics and identification of the typical whistle-blower in the middle to late 1980s. Many studies

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focused on whether whistle-blowers be identified by a shared belief system and/or do organizational ethical climates influence the likelihood of their willingness to blow the whistle on their organization (Miceli & Near, 1984).

As organizational theories shifted with respect to the act and propensity for whistle-blowing so did the definitions of what the term whistle-blowing actually meant. The term *whistle-blowing* comes from the combination of the words *blow* and *whistle*. The common analogy of using a whistle to stop a train is similarly used to describe the act of whistle-blowing; implying that someone is blowing the whistle on a person or organization to stop something from happening (Miceli & Near, 1985). According to Craige and Hubert (as cited in Vandekercklove, 2006); however, the word *blow* was actually a slang term used in 1839 to describe the act of *informing* while the symbolic use of the word *whistle* may have been derived from as far back as 1599 when the term was used to describe an informer (Simpson & Weiner, 1989).

There is some uniformity in how the term whistle-blower is used and referenced as a form of behavior as in the "act" of whistle-blowing. What is somewhat conflicting is how the various theorists describe a whistle-blower and the conditions that lay the foundation for whistle-blowing to occur. For example, in 1972, the whistle-blower and act of whistle-blowing was described as a man or woman who blew the whistle on an organization for acts he/she believed were corrupt, illegal, fraudulent, or harmful to the public interest (Nader et al., 1972). The 1970s symbolized change from absolute loyalty to an organization to social resistance to organizational authority. It stands to reason why this particular definition was quite clear in referencing organizational corruption as being harmful to public interest and therefore deserving of the proverbial whistle being blown

outside of the organization. In 1995, the definition was expanded somewhat to include internal whistle-blowing as a valid qualifier to describe the act of whistle-blowing (Chiasson, Johnson, & Byington, 1995).

Whistle-blowing was described by an organizational theorist as being a socially useful act of informing; a deliberate non-obligatory act of disclosure made by a person with access to data who reports any wrongdoing to an external entity who has the potential to rectify the wrongdoing.   In his book, Vandekerckhove (2006) noted that the act of whistle-blowing was described by Jubb (1999) as having six elements in the whistle-blowing process: an action, an outcome, an actor, the subject, the target (of the wrong-doing), and the recipient. He also recognized the element of motive (De Maria, 1994) as a seventh element of the whistle-blowing process.

When the wrongdoing is reported to an entity or person within the organization, the whistle-blowing is described as being an *internal* reporting process. When the wrong-doing is reported to persons or entities outside of the organization, such as the media or by way of a civil lawsuit, the whistle-blowing is considered an *external* reporting process (Hoffman, 2001).

There does not appear to be any uniformity as to whether the act of reportable wrongdoing through the organization's outlined internal reporting structure constitutes whistle-blowing or whether the whistle-blower must report the wrongdoing through an entity that is outside of the organization to be considered a true whistle-blower. Chiaisson et al. (1995) opine that internal disclosure does qualify as whistle-blowing while Miceli and Near (1992) claim there is an important distinction to be made between internal and external disclosure of wrong-doing because in their studies on whistle-

blowing internal disclosure commonly precedes external disclosure. This distinction is important because there are State and Federal statutes that specifically protect whistle-blowers from retaliation when they use internal channels such as the Sarbanes-Oxley Act (SOX), and others who are protected when reporting to external channels.

What is also unclear in academic literature is whether an internal reporting source within an organization in a position to rectify the wrong-doing can equally be viewed as a whistle-blower if the reporting whistle-blower is referred to external resources for resolving the organizational wrong-doing being reported. According to Vandekerckhove (2006), internal disclosure (of wrongdoing) can follow conventional hierarchical lines of authority or they can thwart those lines. Interestingly, the literature suggests that both internal and external whistle-blowers tend to view their organizations as unsupportive and having less than effective avenues for resolving complaints of wrong-doing (Near, Rehg, Van Scotter & Miceli, 2004; Rehg, Miceli, Near, & Van Scotter, 2004). An organization that provides adequate responses to internal reports of wrongdoing must be recognized as a key factor in avoiding external reporting (Andrews, 2006; Miceli & Near, 1994).

Paramilitary organizations, not unlike many other public corporations where a good reputation equates to efficiency, the reporting of wrongdoing whether externally or internally is viewed as an act of being disloyal to the organization and at times, the profession itself. In a sense, the whistle-blower becomes the "enemy within" (Davis, 1989, p. 8). When organizations respond negatively, ineffectively, or completely fail to respond to reports of organizational wrongdoing, these responses break relationships of trust between the whistle-blower and the organization. They create loyalty conflicts that

cause future whistle-blowers to remain silent or seek resolution outside of the organization for a more acceptable recourse of action (Larmer, 1992; Sims & Keenan, 1998; Varelius, 2008; Zhang, Chiu, & Li-Qun, 2009).

<center>Stages of the Whistle-Blowing Process</center>

A "typical" whistle-blowing process that occurs one exact way under an exact set of circumstances has not been and may not ever be established. The act of whistle-blowing is not an exact science. Each whistle-blower utilizes his or her individual decision-making process or way of internally processing how, when and to whom any real or perceived wrongdoing should be reported. Prior personal experience or the rumored experiences of other whistle-blowers also contribute to what if anything may be reported within the organization, particularly if the experience was a negative one. The act of whistle-blowing appears to follow an individualistic decision-making process that goes through a number of stages (Miceli & Near, 1992).

According Miceli and Near (1992), there are very distinct stages that are involved in the whistle-blowing process with each stage having a number of distinct characteristics: (a) individual characteristics that affect his or her approach to the whistle-blowing issue; (b) the situation, content, and process of the issue, (c) the organization involved in the reported wrongdoing; (d) the relative power of the parties over one another; and (e) assessment of the outcome. Studies conducted by Miceli and Near (1984, 1985), indicate that following a reportable event (stage one), there are at least five stages in the whistle-blowing process. Figure 1 illustrates the five stages of the whistle-blowing process as it would function on the LAPD. The five stages are

1. The triggering event

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2. The pre whistle-blowing decision of who and where to report

3. The decision to report or not report the event

4. Members of whistle-blowers work group and organization reactions if and when they are aware of the complaint and identity of whistle-blower

5. Whistle-blower assessment of the outcome of reported issue
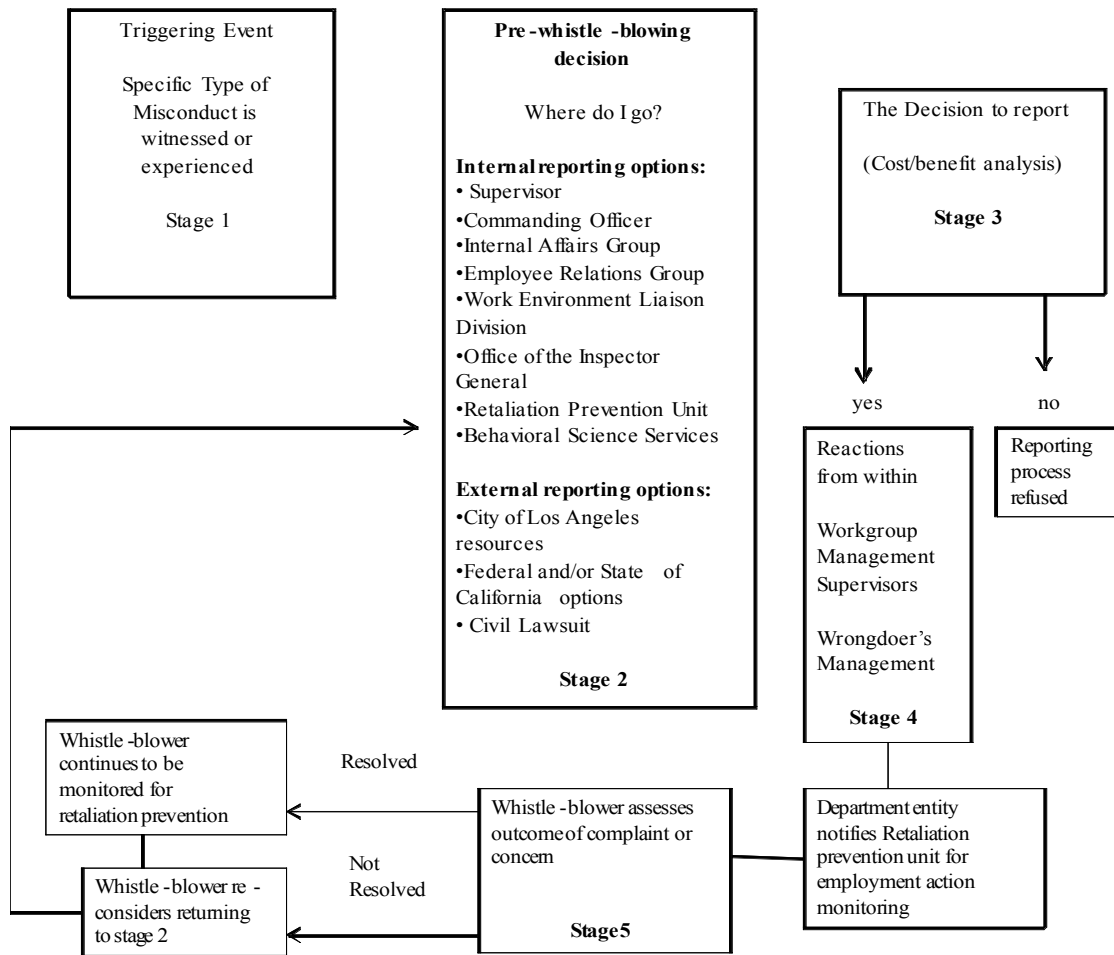
Figure 1. Reporting misconduct on the Los Angeles Police Department within the five-stage whistle-blowing process.

Consequences and Impact of Whistle-blowing Process

How the organization and its members respond to a whistle-blowing event varies. Much of the research into the consequences and impact of whistle-blowing from the organizations perspective indicate that there are both short term and long term responses to whistle-blowing whether the disclosure is made internally or externally. From an organizational perspective, in the short term the wrongdoing may discontinue immediately or it may continue on as if nothing were reported.

Either of these actions in the long term can result in a change in organizational policy. From the whistle-blowers perspective, the short term effects can be the experiencing of organizational retaliation (at all levels), or no response to the disclosure. In the long term, there may be continuous negative organizational outcomes such as adverse employment actions or the experience of backlash, ostracism or being put in harms way by affected or unaffected co-workers who band together to avenge the breach of disloyalty. Loyalty, according to the *Encyclopedic Dictionary of Business Ethics*, is the "willingness to sacrifice…" (Axinn, 1977, pp. 388-389).

Loyalty and Intrinsic Controls

Another way of looking at this form of sacrifice is to understand that to be *loyal* more closely means to be "true to one's obligations" (Vandekercklove, 2006). The question is how one defines his or her highest obligation (Kolaska & Aldrith, 1980). New York Patrolman Frank Serpico was true to his highest obligation: his profession when he refused to be a part of receiving bribes from citizens and criminals in the middle 1960s (Reese, 2002). Yet, others from within the same organization classified him as a disloyal "rat" who took away everyone's livelihood after he disclosed their corrupt deeds.

40

They were police officers who took the same oath of office as Serpico. Where did their initial loyalties lie and what caused this transformation from protection of the public to taking from the public?

Intrinsic controls are used in the police culture to produce conformity without the need for the confines of strict rules and regulations. The idea is to produce voluntary conformity by instilling in each officer a common intrinsic belief system of pride and professionalism with the demand for organizational unity, and loyalty to the law enforcement profession thereby doing away for the need of constant monitoring. "Loyalty is a significant element of intrinsic control" (Reese, 2002, p. 107). There are formal intrinsic controls given by the establishment of authority and control mechanism and there are informal intrinsic controls set by the unwritten rules of small groups within the organization.

In 1969, New York Police Officer Frank Serpico learned about such intrinsic control mechanisms fairly quickly when he joined a police department that was riddled with racism, graft and many other forms of corruption. He had such a respect for the law enforcement profession that he was quickly socialized into the department's social structure. In time however he learned about the informal social intrinsic cultural norms of acceptance of bribes, evidence tampering and other criminal cover-ups involving a large segment of the police department. He resisted these informal intrinsic controls and it almost cost him his life. Officer Serpico went to great lengths to report the misconduct internally and then externally to the media. Changes were made many years later. Indictments were served to over half of the personnel from all levels of the organization. Just weeks after receiving a hero's thank you, Frank Serpico responded to a planned drug

raid and was shot in the face at point blank range while his partners turned a blind eye. Serpico retired from the force with a disability pension (Glaser & Glaser, 1989; Reese, 2002). If there was one question to be asked of Officer Serpico it would be this, was it all worth it?

Whistle-blowing is motivated by a variety of personal interests. While one whistle-blower may claim the overarching goal of betterment of the organization, another may seek to avenge the wrongs he or she may have experienced or witnessed as a significant breach of organizational trust (Callahan & Collins, 1992; Cortina & Magley, 2003; De Maria, 2008; Sims, 1998). While many superiors look at whistle-blowing as a form of personal revenge, retaliation is a part of a rational and planned process initiated by an organization to destroy the resister's credibility as a witness (Parmerlee, Near, & Jensen, 1982).

<div align="center">Retaliation</div>

Retaliation or "getting even" has been identified as one of several impacts related to the whistle-blowing process. The reporting of organizational retaliatory practices are not always met with welcome arms. In fact, retaliation has almost become an expected outcome of reporting organizational misconduct (Beard, 2007; Benoit & Nagle, 2003; Yaffe, 2007). Retaliation can range from coercion by organizational members to withdraw a complaint or not participate in a criminal or administrative investigation involving another employee to outright exclusion from the organization with behaviors, such as isolation, character assassination or defamation, elimination of job position, demotions, transfers, and other forms of harassment and/or discrimination (Cancino & Enriquez, 2004; Near & Miceli, 1986, 2008; Parmerlee et al., 1982). Studies have shown

that supervisors who retaliate often do so to avenge their reported or suspected inability

to maintain order and control within their places of assignment (O'Day, 1974; Patel,

2003; Schreiber & Marshall, 2006; Sheeder, 2006). Other members of the organization

view outside disclosures of wrongdoing as a breach of organizational loyalty; the acts of

disgruntled troublemakers who have done nothing more than embarrass the leadership of

the LAPD. Rather than allow outsiders to question the decision making policies of an

organization most managers quickly attack the whistle-blowers credibility, particularly if

the charges are serious, in hope of diverting unwanted questions (Alford, 2007;

Anderson, 2009; Glazer & Glazer, 1989).

Many researchers have studied levels of retaliation to determine whether specific

actions taken by the whistle-blower may have influenced various forms of retaliation, if

the channel chosen to report the wrongdoing influenced the type of retaliation received,

or if the disclosure of the identity of the whistle-blower caused any forms of retaliatory

behaviors (Birk, 2006; Miceli & Near, 1984, 1992,1994, 2002; Near & Miceli, 1986;

Parmerlee et al., 1982). Their conclusions vary. In fact, very few of these studies

included research into the impact caused to the organization when the disclosure of

wrongdoing is made by a police officer from within the rank and file who did not leave

the organization after being reportedly retaliated against, as in the case of Frank Serpico.

Studies have been conducted with police officers and their decision to remain silent in

lieu of reporting misconduct and the variables that influenced their decisions to report or

not report (Olson-Buchanan & Boswell, 2002). Past studies have shown that few

resisters are prepared for what follows their reports of wrongdoing. While many whistle-

blowers claim that their "principles commanded their loyalty far more strongly than did

management" managers continue to view the actions of whistle-blowers as an act of disloyal undermining. Whistle-blowers are viewed by management as having involved themselves in "actions against the very bureaucratic hierarchy that hired them and provided good salaries" within a highly respected profession (Glazer & Glazer, 1989).

Studies have shown that management has taken a number of steps to silent the whistle-blower from further organizational embarrassment. Some of these steps include blacklisting, transfers to positions outside of their normal expertise or assigned tasks well below their level of competence, demoted, or harassed by co-workers and supervisors, "which far exceed the ostensible provocation" (Glazer & Glazer, 1989, p. 134). Indications of these whistle-blowing impacts appear to be loud and clear on the LAPD. The Office of the Inspector General was designed as a means to end the suspected code of silence by allowing officers to speak to another independent resource for reporting wrongdoing under strict confidentiality and protection from reprisal. In their report of the Rampart Scandal, it was noted that LAPD had revealed confidentially that they had received reprisals from the department and supervisors after reporting wrongdoing. They reported being branded as "disloyal", being transferred to less desirable assignments and often to less convenient distances from home; also known as "freeway therapy" (Chemerinsky, 2001, p. 545).

It is the intent of this study to explore whistle-blower actions and the actual or perceived retaliation negative consequences reported by police officers who work on the LAPD in hopes of advancing current studies involving the act and impact of whistle-blowing and improve on current policies and procedures for recognizing and improving behaviors associated with perceived retaliation following the reporting of wrongdoing.

Managers, particularly in police organizations, often ask whether employee *perceptions*

absent hard facts, should be given equal investigative attention as employees who report

quantifiable adverse employment actions. A recent report completed by the U.S. Merit

Systems Protection Board (MSPB) in 2008 addressed this common concern after

conducting a report on 25 years of perspectives of the Merit Principles Survey:

> Perceptions matter, because negative perceptions-even when unwarranted- can
>
> seriously undermine morale, organizational performance, and the credibility and
>
> effectiveness of even well-intentioned, well-conceived management initiatives. (p.
>
> 55)

The Board of Inquiry Report (Los Angeles Police Department, 2000) on the

LAPD indicated there was no need to do a cultural overhaul of the LAPD after a study

was completed on the LAPD's use of force following the Rodney King incident in 1991

when he was beat by three LAPD officers while 11 others watched. They concluded that

the removal of a few rotten apples and stamping out organizational mediocrity were

sufficient to maintain order on the LAPD (Chemerinsky, 2001). To this, I quote authors

Skolnick and Fyfe (1993) who said:

> It is far easier for police chiefs to blame misconduct on individual "rotten apples"
>
> than to admit they have (a culture)…that systematically turns new members into
>
> wrongdoers…lasting reform is not imposed by the personal charisma of a single
>
> chief…or by replacing wrongdoers with fresh blood. (p. 186)

Legal Approaches to Whistle-Blowing

State and Federal Laws

The focus of federal and state laws having to do with whistle-blowing has predominantly been the protection of employee whistle-blowers from organizational retaliation and to compensate them when it has been proven legally that they have suffered adverse employment actions as a direct result of their whistle-blowing. Since retaliation is not an automatic response in all whistle-blowing case, the fears associated with possible retaliation absent evidence of adverse employment decisions or actions that inhibit the employee's ability to function at work and/or home stress free is virtually detectable without substantiated proof. The whistle-blower is protected by law only after the retaliation occurs (Miceli & Near, 1992). Life threatening fears experienced by police officers can be a huge deterrent to disclosing any form of misconduct or whistle-blowing. The effectiveness of the internal reporting system in place currently could either encourage or discourage disclosure of wrongdoing. Current laws are viewed as ineffective in correcting and preventing organizational misconduct (Miceli & Near).

Several of the most common federal and state statutes relating to whistle-blowers will now be summarized.

Federal

The federal government's goal in enacting legislation protecting whistle-blowers was to reduce federal fraud, waste, and abuse by encouraging the reporting of wrongdoing. Whistle-blower protection statutes began to surface in the 1980s.

The National Labor Relations Act of 1935. The National Labor Relations Act protects employees' rights to engage in protected concerted activities with or without a

union. The act also attempts to improve working conditions, such as wages and benefits (National Labor Relations Act, 1935).

The Civil Service Reform Act of 1978. The Civil Service Reform Act prohibited retaliation against any Federal employee who disclosed illegal or wasteful activities (Civil Service Reform Act, 1978). The act also established the U.S. Merit Systems Protection Board (MSPB), which conducts periodic studies of the federal civil service system and reports to the President and Congress about the progress of the protections in place for prohibited personnel practices. The MSPB has conducted several studies of whistle-blowing and retaliation through the use of anonymous survey instruments.

False Claims Act of 1863 (revised in 1986). One of the most popular whistle-blower statutes is the False Claims Act of 1863 and revised in 1986 makes recoveries for victims of retaliation much more generous and easier to obtain. Under this act, the whistle-blower files a *qui tam* (Latin phrase meaning "he who sues for the king as well as for himself") suit on behalf of the government (Miceli & Near, 1992, p. 247). The Justice Department can either join the suit or not. If they join the suite and the case is successful, the whistle-blower receives up to 25% of the judgment. If the government does not join and the case is successful, the whistle-blower receives 30% of the judgment (Federal False Claims Act, 1986).

Whistle-Blower Protection Act of 1989. The Whistle-blower Protection Act was passed by congress in 1989 to strengthen the protections for whistle-blowers by improving the appeals process (Whistle-Blower Protection Act, 1989).

Notification and Federal Anti-Discrimination Act of 2002. On May 15, 2002, President Bush signed legislation called the NO FEAR Act (Notification and Federal

Anti-Discrimination Act, 2002) to improve agency accountability for antidiscrimination and whistle-blower laws. The law requires employers to be notified of their rights under discrimination laws and the Whistle-blower Protection Act. This law holds federal agencies accountable for violations of antidiscrimination and whistle-blower protection laws.

Civil Rights Act of 1964 (revised in 2006). In 2006 the Supreme Court lowered the threshold for proving adverse employment actions in retaliation claims under Title VII (Civil Rights Act, 1964). Title VII prohibits employment discrimination based on race, color, religion, sex or national origin, and any action by an employer that could dissuade a reasonable worker form making or supporting a charge of discrimination (Burlington Northern & Santa Fe Railway Co. V. White, 1962).

State of California

California Government Code 12940. The California Government Code 12940(h) in the California Fair Employment and Housing Act of 1980 in the makes it unlawful for an employer, or person to discriminate against any person because he/she opposed practices forbidden under Section 12940(j) (1). The employer and individuals who pursue such harassment or retaliation (such as threatening to take disciplinary action against employees who have filed claims of discrimination, harassment or retaliation may be held personally liable under California Government Code Section 12940(j) (3).

California Labor Code Section 232.5. The California Labor Code Section 232.5 makes it unlawful for an employer to discharge, formally discipline, or otherwise discriminate against an employee who discloses information about the employer's working conditions.

California Labor Code Section 1102.5. The California Labor Code Section

1102.5 protects employees who refuse to participate in an activity that would result in a

violation of a state or federal statue, or noncompliance with a state or federal rule or

regulation. An employer may not retaliate against an employee for disclosing

information to a government or law enforcement agency, where the employee has

reasonable cause to believe that the information discloses a violation of state or federal

statute, or a violation of noncompliance with a state or federal rule or regulation

(California Department of Industrial Relations, 2010).

City of Los Angeles

Los Angeles City Employees

The Los Angeles City Ethics Commission was established in 1990. The City

Charter has mandated that the Commission maintain a 24-hour Whistle-blower Hotline so

that City employees can anonymously report alleged violations of City laws under the

Commission's jurisdiction without fear of retaliation from supervisors or other

individuals (Los Angeles City Ethics Commission Newsletter, 2006).

Los Angeles Municipal Code, Section 49.5.4 protects city employees from

retaliation such as suspension, termination, demotion, an unfair increase in workload, or

transfer to another office so far that the commute presents a hardship for the individual,

and any other form of discriminatory conduct in retaliation for a subordinate filing a

whistle-blower complaint (City of Los Angeles, 2010).

Los Angeles Police Officers

With respect to police officers, there are specific Administrative Codes,

Government Codes, Memorandum of Understanding, Civil Service Codes, and the Police

Officers Bill of Rights, which all govern the terms and conditions of employment specifically for public service employees. The following codes will be briefly summarized in relation to police officer grievances with respect to administrative transfers, and re-assignments to a lowered pay-grade. These types of grievances are the most common reasons for retaliation claims made by police officers.

The Memorandum of Understanding (MOU). The MOU between the City of Los Angeles, LAPD, and Los Angeles Protective League governs the terms and conditions of employment actions made with respect to LAPD police officers of the rank of lieutenant and below. According to Article 1.8(8) of the MOU, the Chief of Police has the authority to transfer and Assign members of the department as needed. Transfers may not be grieved and are not subject to arbitration regardless of the reason for the transfer. Article 8.1(a) of the MOU defines a grievance as a dispute concerning the interpretation or application of the MOU or department rules and regulations governing personnel practices or working conditions (Los Angeles Police Protective League, 2009).

The Los Angeles Administrative Code. The Los Angeles Administrative Code also provides that employees may not raise grievances about the consequences of management decisions on wage, hours and other terms and conditions of employment (Los Angeles Charter and Administrative Code, 1969-2010).

The Los Angeles Police Department Manual. The LAPD Manual, Section 763.55, provides the circumstances when re-assignment to a lower pay-grade is warranted and indicates that an officer who has clearly demonstrated his/her failure to satisfactorily perform the duties of his/her current position may be re-assigned. The officer is given

30-days to respond before the paperwork is submitted to the Employee Relations Group commanding officer for review and approval (LAPD, 2009).

LAPD Internal Investigative Resources

There are a number of internal investigative resources within the LAPD that have a specific duty to manage, refer or outsource, and/or investigate any allegation of misconduct, including allegations of retaliation. Department employees may meet with any one or more of these entities for the purpose of bringing misconduct to the attention of department. (LAPD, 2009):

1. *Any department supervisor*

    Any department supervisor, sworn or civilian may initiate a formal personnel complaint reporting, refer to another investigative entity, or conduct a formal investigation.

2. *Internal Affairs Group*

    Internal Affairs Group is made up of investigators skilled in the investigation of personnel complaint investigations initiated by employees or the public. Upon notification of a personnel complaint against the department, or another department employee, the receiver of this investigation will document the complaint and a Complaint File number will be assigned in order to tract the complaint to fruition.

3. *Work Environment Liaison Division*

    Assigned WELD personnel are skilled in alternative dispute resolutions that include mediation, conciliation and or referrals to other investigative resources. Should a formal personnel complaint investigation be deemed necessary, WELD

personnel will forward the employee's interview information to the appropriate investigative entity or to the employee's commanding officer for review and action. Typical cases involve hostile treatment by co-workers and supervisors and other inter-personal conflicts.

4. *Employee Relations Group*

The entity is responsible for managing grievances filed by department personnel that are related to employment actions. Wage, hour, shift assignments and transfers are typical grievances filed by personnel.

5. *Behavioral Science Services*

Department psychologists are provided with strict levels of confidentiality privileges. Absent a claim of harm to self or others, child, elder or other abuse violations that must be reported, department psychologists have doctor/patient privileges of non-disclosure.

6. *Peer Support Personnel*

Peer Support Personnel are trained department personnel who voluntarily assist employees who are in personal or professional crisis and need of referral resources.

7. *Office of the Inspector General*

Appointed by the Los Angeles Police Commission to monitor the activities of the LAPD and may assist in the resolution of reported wrongdoing.

8. *Los Angeles Police Protective League*

LAPD union representatives voted into office by LAPD members. Union

representatives may assist members in resolving reported employment concerns

or complaints by meeting with involved department commanding officers.

9. *Retaliation Prevention Unit, Risk Management Group*

Unit assigned to monitor employment actions taken against employees who are

involved in protected activity to ensure there is no evidence of retaliation.

Summary

For the purpose of this study, the act of whistle-blowing has been defined as, a

process utilized by an individual employee or group of individuals who decide or

conspire to inform about real or perceived organizational wrongdoing to an entity within

the organization or outside of the organization. The organization studied as we explore

the act and impact of whistle-blowing is the LAPD. The sources of the whistle-blowers

are the police officer employees of the LAPD. There have been a number of empirical

studies having to do with the act of whistle-blowing. The impact or consequences of

whistle-blowing to the organization being reported or to the individual whistle-blower

have yielded mixed results. Like an open wound, whistle-blowing can be effective when

the disclosure results in needed change to the infected organization. Conversely, the act

of whistle-blowing can also be used to purposefully hurt the organization when the

disclosure is only intended to be a self-serving act of vengeance, retribution, or scape-

goating rather than generating needed change. When used for these purposes, whistle-

blowing can still impact the organization in a positive way from the outside in through

media, outside organizations or by public demand.

Police officers are socialized into their profession differently than most other professions. There is a need for unity of command and unity of loyalty to the profession in order to continue to protect and serve the community with utmost professionalism and integrity. To maintain this level of loyalty it is vitally important that we understand breaches of loyalty by putting systems in place to identify organizational wrongdoing by encouraging and even rewarding internal whistle-blowing. An officer's highest level of loyalty is to his or her profession; the badge he or she wears every day is the symbol of trust imposed upon them by the public.

The next level of loyalty is to the specific law enforcement organization they are employed by. Should that level of loyalty be breached by ineffective, illegal, unethical or immoral methods of supervision, the decision to right that wrongdoing becomes a process that is an individual sacrifice of self? Once the decision is made to blow the whistle internally, the organization that fails to act or that acts inappropriately sets the stage for the external disclosure of wrongdoing. It is at this moment that the organization stands on trial by the public and its members for the proper resolution of reported wrongdoings.

The LAPD has historically managed strict reporting policies for reporting misconduct. Policies exist to clearly define employment discrimination and harassment, zero tolerance for retaliatory behavior and other forms of code of conduct violations. There are at least eight independent internal investigative or personnel guidance resources at the disposal of department personnel for the reporting of misconduct or other types of organizational wrongdoing. Yet, lawsuits filed by a number of Los Angeles Police Officers tell the real truth of the matter. There is a flaw in the management of employee misconduct and possibly a need for a cultural overhaul.

This study intended to identify whether the whistle-blowing process is negatively impacted by current internal reporting avenues, and whether the current internal reporting structures in place influence the whistle-blower to report or not report organizational wrong-doing internally. It is hoped that the results of this research would assist in the design or maintenance of effective management control systems for improving the organization while protecting and when appropriate rewarding the whistle-blower as a change agent rather than a disloyal dissenter.

By understanding how organizational factors may influence employees to report or prevent others from reporting wrongdoing, management may be able to examine and possibly modify existing practices to address obstacles and more effectively manage and encourage internal whistle-blowing.

CHAPTER III: RESEARCH METHOD

This study explored the act and impact of whistle-blowing from the perspective of sworn police officers who are employed by the LAPD. The study specifically examined the decision-making process used by police officers for determining the likelihood of utilizing existing LAPD internal resources to report specific acts of employee misconduct, and the real or perceived consequences of whistle-blowing as imagined or experienced by employees. To guide this study, the following research questions were developed.

1. What is the reported likelihood of using each of the established internal misconduct reporting resources based on specific misconduct allegations?

2. Are there differences in the reported likelihood of using internal misconduct reporting resources based on any specific acts of employee misconduct?

3. What are the expressed reasons given for any misconduct reporting resources that are "Not Likely" to be used for reporting specific acts of employee misconduct?

4. What are the perceived consequences of participating in the whistle-blowing process?

Research Design

The research was guided by an exploratory descriptive design using a self-administered survey instrument. Quantitative data was collected via the survey instrument with a small amount of additional qualitative data. Subjects were asked to report the likelihood (Highly Likely", "Likely", or "Not Likely") of using internal avenues available to police officers for reporting specific types of misconduct, and whether or not influential factors in terms of specific experiences with a given resource or

perceived impact of reporting might influence their decision to report or not report specific allegations of misconduct.

Advantages of Self-Administered Surveys

Self-administered surveys are said to be a preferred method of choice when managing sensitive information within specialized or professional groups (Edwards, 1997). The advantage of using the self-administered survey for this research was the ability of providing survey participants with a higher level confidentiality for the information they would provide because it was not necessary for them to disclose their personal identity. These types of surveys also allow the participants the flexibility of completing them when and where it is most convenient.

Disadvantage of Self-Administered Surveys

One disadvantage of a self-administered survey is that it is a labor intensive process to manage and control. This disadvantage proved true for this study. The LAPD mailroom was unprepared to handle the large volume ($N = 740$) of survey envelopes which lent itself to an unplanned and unexpected delay of surveys being sent to recipients. Additionally, because the survey instrument did not ask the respondent to include his or her name on the document, it was not possible for the researcher to collect identity information for sending another survey, or to record the name or rank of who did not return surveys for possible follow-up procedures.

Sources of Data

Target Group

The sources of data for this study are actively employed sworn police officers who are members of the LAPD holding the rank or civil service classification of Police

Officers II and III, Sergeants I and II, Detectives I, II and III, Lieutenants I and II,

Captains I, II, and III, and Commander. Table 1 describes the population by rank and

gender.

Table 1

Los Angeles Police Department Personnel Totals by Rank and Gender

Rank	# Males	# Females	Total
Commander	15	2	17
Captain	64	16	80
Lieutenant	226	53	279
Detective	1289	488	1777
Sergeant	1087	196	1283
Police officers	3992	958	4950
Totals	6673	1713	8386

Human Participants Consideration

This study sought to specifically examine, evaluate, and possibly modify specific

department services provided to all LAPD employees by having survey participants

anonymously identify their willingness to use organizational reporting avenues without

having to disclose any information related to their specific identity, gender, ethnicity,

rank, or job assignment.

This study deals with the employee disclosure of very sensitive information that

pertains to employee misconduct on the LAPD. Confidentiality and anonymity is of

utmost concern when protecting human subjects and it was the intent of this researcher to take very specific precautions to ensure that all participants remain protected from identity disclosure. All participants were assured by the researcher in writing of the non-coercive nature of the study and that all responses would remain confidential, derived anonymously, and maintained and reviewed only by this researcher.

Pepperdine University's Institutional Review Board (IRB) determined that the study met the exemption requirements under the federal regulations Category (2) of 45 CFR 46.101 and agreed to waive the requirement of a signed consent form since the study involved survey procedures that do not identify any of the human subjects involved in the study (see Appendix A).

It is typical for researchers to obtain organizational approval to conduct surveys, regardless of whether the researchers are members of the organization being surveyed. Organizational approval gatekeepers are typically from top management, unions and institutional review boards (Edwards, Thomas, Rosenfeld, & Booth-Kewley, 1997). This researcher is a tenured sworn detective employed by the LAPD. It is the expressed written policy of the LAPD that any internal survey being considered for employee participation must go through a strict organizational review process that begins with the researcher's chain of command.

The LAPD procedural manual (2009) states, in part:

> The Employee Relations Administrator shall review and evaluate any request for approval to use an employee survey. The Employee Relations Administrator shall approve or disapprove the request and shall ensure that the following criteria are met:

1. The employee survey is not in conflict with the right of employee organizations to represent the interests of their members.

2. The employee survey is appropriate in content and methodology.

3. The employee survey would benefit the Department and/or law enforcement.

(Section 3/220.55)

Formal approval was provided through the researcher's immediate supervisor, Bureau Commanding Officer, and the Department's Employee Relations Administrator. The Employee Relations Administrator issued the researcher a signed LAPD Intradepartmental Correspondence (LAPD, Form 15.2) indicating that formal approval was granted (Appendix B). After receiving appropriate departmental approvals, the researcher met with the union representing the police officers of the LAPD, the Los Angeles Police Protective League (LAPPL) to assure them that the rights, anonymity, and confidentiality of the participants and any information being provided was not in violation with any established Memorandum of Understanding between the rank and file and department. The researcher met with a representative of the LAPPL, Legal Counsel who reviewed the survey instrument and determined that the scope and purpose of this study fell within legal guidelines. Formal approval was provided to the researcher in writing by the LAPPL Legal Counsel (Appendix C).

Data Collection Strategy and Procedures

The Survey Instrument

Self-administered survey instruments have a high degree of anonymity and confidentiality for surveys containing sensitive items (Edwards et al., 1997). The survey

instrument for this study was designed in two parts. Part one of the survey included a listing of the eight most common forms of employee misconduct allegations reported by LAPD employees between the years 2005 and 2009. The first portion of the survey was designed to determine the employee's likelihood of reporting or not reporting specific misconduct allegations through the use of eight established LAPD organizational reporting avenues.

The eight specific misconduct allegations reported by police officers and were extracted by the researcher from civil litigation Causes of Action filed in civil court by LAPD employee plaintiffs between January 2005 and June 2009. Table 2 illustrates the type of misconduct violations and the resource options provided to LAPD employees for the reporting of employee misconduct.

Table 2

Specific Misconduct Types and LAPD Reporting Avenues

Specific Misconduct Type	Departmental Reporting Avenues
Sexual harassment in the workplace	Any Department Supervisor (below the rank of Captain)
Hostile, offensive, or intimidating work environment because of race or gender	Any Command or Staff Officer (Captain or above)
Disparate treatment following a work-related disability	Internal Affairs Group
Non-selection for promotion or pay-grade advancement because of race or gender	Employee Relations Section
Being subjected to gender or racially biased comments at work	Work Environment Liaison Division
A personality conflict with a supervisor that was negatively impacting him/her	Office of the Inspector General
Being denied a hardship change of watch or assignment because of race or gender	Retaliation Prevention Unit
Being denied a specialized training opportunity or assignment because of race or gender	Behavioral Science Services

In Part One, respondents were asked to refer to each of the eight misconduct allegations and to check whether they would: *Highly Likely*, *Likely*, or *Not Likely* use when contemplating the use of each internal LAPD reporting resource listed *should* that listed type of behavior be personally experienced by him or her in the workplace**.** A comment section followed each section of the listed allegations. Respondents were asked to comment as to why any particular resource would *"Not Likely"* to be used by the respondent to report employee misconduct.

Part Two of the survey contained a series of questions designed to measure the actual and/or perceived impact or consequences of whistle-blowing whether they have participated in the act of whistle-blowing or not. Using the eight most common forms of employee misconduct, respondents were asked to refer to each allegation and then indicate the type of impact they would perceive receiving should they report any of the listed allegations through established LAPD reporting avenues. Table 3 illustrates the most commonly reported types of impact listed by employee plaintiffs of civil lawsuits. Respondents were also provided with a choice of "satisfactory resolution" should they not perceive any negative consequences for reporting misconduct. As in Part One, each question was followed by a comment section so that respondents were able to indicate another type of real or perceived impact not listed within the group of choices provided. The last item of the survey allowed respondents to provide suggestions or recommendations for improving existing internal reporting avenues for employees.

Table 3

Reported Types of Impact for Reporting Specific Types of Misconduct

Impact of reporting misconduct
Alienation or silent treatment from co-workers
Harsh treatment by co-workers
Involuntary transfer of assignment
Demotion or downgrade in rank
Lowered performance evaluation
Assigned to a job location far from home (freeway therapy)
Assigned to demeaning job tasks or assignment
Satisfactory resolution

Survey Validity and Reliability

Content Validity

To determine the content validity of the survey instrument, the researcher assembled an expert panel of three certified LAPD Police Performance Auditors who are assigned to the LAPD's Audit Division. Audit Division personnel are responsible for conducting internal audits of various types of police performance actions for management review. Panel members were asked to evaluate the survey instrument and determine the need for modifications to the surveys verbiage, question clarity, length, overall lay-out and, if deemed necessary, provide additional suggestions for meeting the objectives of this study. The auditors each agreed that the contents of the survey appeared to meet the objectives of the research questions posed in clarity, length and overall lay-out. The next objective was to pilot test the survey.

Pilot Test

A pilot testing of the survey instrument was conducted to determine whether any additional modifications to the survey were needed. Five sworn members of the LAPD representative ranks to be surveyed were asked to participate in the testing of the survey instrument in order to assess whether the information being asked was relevant, clearly stated and to provide estimates of completion time for the survey instrument itself. At the end of this process, the researcher was able to effectively evaluate the suggestions and content provided by the pilot group and make appropriate adjustments as needed. Only minor adjustments were made to the selection of wording for one or more questions. Pilot participants each indicated that the survey instrument took approximately 15-20 minutes to complete. Members of the pilot group were excluded from the random selection process for survey participants.

Sample Size

Due to the sensitive nature of this study and the number of employee related lawsuits currently pending for issues related to whistle-blowing and allegations of organizational retaliation, a low response was anticipated. Table 4 lists the rank and gender distribution of participants who were sent surveys after obtaining the required approvals.

Rea and Parker (1992) provide a formula for calculating minimal sample sizes for large populations and with interval-level data. Using their tested formula, $n = 370$ was determined to be an acceptable sample of the LAPD population, $N = 8386$.

Table 4

Sample Population by Rank and Gender

Ranks	Males	Females	Totals
Commander	1 (1%)	1 (1%)	2 (2%)
Captain	6 (8%)	1 (1%)	7 (9%)
Lieutenant	20 (2%)	5 (6%)	25 (8%)
Detective	114 (15%)	43 (6%)	157 (21%)
Sergeant	96 (13%)	17 (2%)	113 (15%)
Police Officer	352 (48%)	84 (11%)	436 (59%)
Totals	589 (80%)	151 (20%)	740 (100%)

The LAPD-Deployment Roster Report (DRR) contains a current listing of employees by name, rank, ethnicity, hire date, serial number, and current work assignments. In order to guarantee that an equal representation existed among gender and rank subgroups, each rank or civil service classification was first stratified by gender then systematically numbered. Research Randomizer, an online software program for randomizing numbers, was used for randomizing each rank and gender grouping (see Urbaniak, 1997). The following groups of personnel were excluded from the target population prior to the random selection process:

1. Employees who were listed as being on long-term leave from the department

2. Civilian or non-sworn employees and sworn members of certain rank or civil service classifications

3. The ranks of Police Officer I, Deputy Chief and Chief of Police.

A total of 740 sworn personnel were selected to participate in the study. This number was determined to assist in increasing the rate of response while ensuring a margin of correction for those members of the population who may not be able to complete the survey (ineligibles) due to pre-scheduled vacations, military leave or on any other long or short term leave options. Others may also be "non-responsive" or may opt to not participate in the study at all (Henry, 1990).

Data Collection Procedures

Potential participants each received an addressed survey packet discreetly packaged in a LAPD Inter-office Envelope stamped as "confidential" at their respective worksite. Inter-office envelopes are used by department personnel for managing interdepartmental business mail. Pre-stamped return envelopes contained the name of the researcher and a designated U.S Post Office box address for respondents to use when returning the completed surveys.

In order to maintain strict anonymity and confidentiality of survey participants, no demographic or other identifying information was asked of any participants. A four to six week time frame was used for survey return and data collection.

Data Collection Strategy

Study participants were each sent a survey packet with a cover-letter from the researcher advising them of the purpose, intent and significance of this study and that they had been randomly selected as a possible participant. Each survey packet contained the cover-letter from the researcher, survey instrument and return envelope with postage affixed. Packets were sent via intradepartmental LAPD mail service to each selected participant's worksite in a concealed LAPD envelope marked "confidential". In order to

ensure the confidentiality of their participation, survey participants were asked for their voluntary compliance in completing the survey instrument outside of their regularly scheduled work breaks, and preferably away from their work environment.

Participants were also asked to send the completed survey affixed with postage and return address by mail to the specified post office address provided by researcher. The cover-letter also indicated that those who chose to receive personal feedback at the conclusion of the research project may contact the researcher independently to receive a summary of the results of the study without identifying individual survey responses.

Analysis

Prior to analysis, the data file was cleaned for errors using SPSS software analysis. Descriptive statistics was used to analyze the quantitative data. All returned survey data was organized, recorded and then entered into a SPSS-15 data analysis software program for appropriate identification of frequency distributions. Frequency distributions determined the percentage of officers who would utilize a particular resource and which real or perceived consequences corresponded to any of the eight specific allegations of misconduct listed.

Content Analysis

Content analysis was used by this researcher to identify topics and themes in the expressed comments provided by respondents in order to gain a richer understanding of findings when considered along with the quantitative data. Microsoft-Excel provided the means for segmenting the comments into descriptive themes or types. The process used followed the recommendations of Creswell (2003):

1. All qualitative data (expressed comments) were organized on to electronic spreadsheets to enable the coding of topics and themes.

2. The data was reviewed several times to get a general sense of the overall meaning and tone

3. A coding process was used to organize the data into "chunks" by segmenting descriptive sentences or paragraphs into topics with terms based on the language used by the survey respondents.

4. Coded topics were then considered for evidence of any recurring themes.

5. Topics and themes were considered alongside the quantitative data findings.

6. The findings were conveyed using both narrative and graphic means to describe the emerging themes and/or multiple perspectives expressed.

Written responses to survey questions 1-8 relating to the "Not Likely" use of department internal resource options were divided into three main categories: *Individual preference, organizational specific* and *general commentary.* Individual preferences include a respondent's reason for not utilizing an identified resource. Organizational specific included a respondent's description of a specific aspect of the organization's structure or culture that may have influence on the respondent's decision to not utilize a given resource option. General commentary refers to any miscellaneous statements personal opinions provided by the respondent. Written comments for questions 9-16 were divided into *Organizational specific* and *General commentary.* These comment boxes were designed to obtain additional descriptions of consequences not listed in the survey question. Comments that described additional consequences were coded as being

organizational specific. Comments that did not meet these criteria were coded as being *general commentary*.

<center>*External Validity*</center>

The strategy used to ensure external validity of the qualitative data was the inclusion of a detailed description of findings as "shared experiences" so as to present a solid framework for the study (Creswell, 2003). Several techniques of reliability were used for the testing of external validity. First, a triangulation of data collection and analysis was used to strengthen reliability and internal validity. Second, data collection and analysis was then reported in a clear, detailed manner to provide the reader with a good understanding of the analytical methods used to capture emergent themes from the expressed comments. Lastly, a second researcher assisted in theme development.

<center>*Coder Reliability*</center>

To determine coder reliability, a doctoral graduate from Pepperdine University served as a peer examiner of the qualitative findings. Second, the careful and deliberate multiple reviews of the qualitative data following Creswell's (2003) strategies support intra-rater reliability. This process occurred prior to the third strategy that involved a second researcher. In order to ensure reliable interpretation of qualitative data, the coded data was reviewed in depth by the peer examiner who is experienced in textual analysis. Coding results were discussed and extensive discussions regarding any identifiable conclusions. The coding process continued until consensus was obtained. Several areas presented challenging considerations; these involved the areas of determining relationships among comments that did not comply with instructions given, and ensuring researcher objectivity.

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As a law enforcement officer employed by the organization being surveyed it was critically important to be self-aware and to be able to acknowledge when personal assumptions or bias may possibly interfere with the coding or interpretation of comments. One way to deter this from occurring was to engage in frequent dialogue with the co-reviewer about emerging patterns. Written comments indicating that a particular resource was an unacceptable option for any reason was coded as *Other resource option preferred*. Descriptions of behaviors that pertained to the fear of retaliation or retribution that may dissuade him/her from reporting to the described resource were coded as *Fear of Retaliation*.

Any expressed statements pertaining to a real or perceived code of silence were coded as *code of silence*. Expressed comments that alluded to an experienced or perceived negative successful outcome were coded as *No successful outcome*. Comments that indicated that respondents preferred to manage the reported misconduct themselves without intervention or who preferred to not report the misconduct were coded as *Self-manage*. Comments that described additional consequences were coded as being *organizational specific*. Comments that did not meet these criteria were coded as being *general commentary*.

Assumptions and Delimitations

Assumptions

There were several assumptions made during this research study:

1. There would be significant impacts to employees who whistle-blow or report selected types of misconduct to internal reporting avenues.

2. The majority of whistle-blowing employees who report selected types of misconduct in the law enforcement profession are police officers above the rank of recruit and below the rank of deputy chief.

3. Respondents will be candid in their responses.

4. Respondents will only submit one survey per participant.

5. The survey response rate would be over 20 percent due to the current trend of employee related civil lawsuits and the researcher being an employee within the organization.

Delimitations

One delimitation of the study was the requirement that all survey participants be sworn members of the Los Angeles Police Department between the ranks of Police Officer II through Commander. This requirement was based on a review of 53 civil lawsuits filed by Los Angeles Police Officers between the years 2004 and 2008 which indicated that very few of these lawsuits were filed by civilian or non-sworn employees, and the assumption that more sworn police officers would use the internal reporting systems in place for whistle-blowing. The population was reduced by the elimination of the Police Officer 1 and Deputy Chief ranks, due to the assumption that probationary officers (Police Officer1) and rank of Deputy Chief rarely utilize the internal misconduct reporting systems in place for employees. As a result of these assumptions and requirements, the population sampling and subsequent findings are limited in scope.

Summary

A self-administered survey instrument was distributed to 740 sworn police officers employed by the Los Angeles Police Department using a proportionate random

sampling method stratified by gender within each rank. The instrument included a list of eight (8) of the most common employee misconduct violations reported by LAPD police officers to external reporting sources. Survey participants were asked to determine the likelihood of reporting each of the given misconduct allegations through each of the eight (8) internal resources listed, indicate why they would "Not Likely" use a particular resource and lastly, identify any actual or perceived consequences or impacts caused by reporting these allegations through internal reporting avenues.

Quantitative Research data was obtained, recorded and imported into SPSS-15 statistical analysis software. Expressed comments were analyzed and coded for themes and patterns using Microsoft-Excel software. Many of the survey respondents did not provide in-depth responses as to why particular resources were not chosen as a likely resource option for reporting misconduct. A total of 80 responses were analyzed. The qualitative data was reviewed by a peer reviewer to determine coder reliability. To ensure intra-rater reliability, the peer reviewer and researcher had an independent review of the data followed by frequent dialogues about the data findings in order to remove the possibility of researcher bias.

CHAPTER IV: RESULTS

The purpose of this chapter is to present the analyses and findings of the study. Descriptive analyses were performed in order to answer the four research questions. The presentation of findings will match the structure of the survey instrument. Part one of the instrument was designed to determine the respondent's likelihood of reporting or not reporting specific misconduct allegations through the use of eight established LAPD organizational reporting avenues. Part two of the instrument was designed to measure the actual and/or perceived impact or consequences of whistle-blowing. The quantitative survey responses will be integrated with the analyzed qualitative data of respondents' comments. Each type of misconduct will be addressed separately.

Final Sample for Analysis

The targeted population ($N = 740$) consisted of a random sampling of the civil service classifications of Police Officer (59%, $n = 436$), Sergeant (15%, $n = 113$), Detective (21%, $n = 157$), Lieutenants (8%, $n = 25$), Captains (9%, $n = 7$), and Commander (2%, $n = 2$), stratified by gender (males = 80%, $n = 589$, females = 20%, $n = 151$) within each rank. Of the 740 surveys distributed, a total of 131 useable surveys were returned for a response rate of 18%. The returned surveys contained a number of missing or non-responses to one or more of the survey questions. The presentation of results will include the total number of responses received for each survey question.

Survey Responses: Part One

The eight types of misconduct were analyzed as described in Chapter III. Table D2 (Appendix D) illustrates the likelihood of reporting each of the specific acts of misconduct to each of the internal reporting resources. To aid in the explanation of the

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results, the presentation of findings will include (a) each internal resource receiving the highest percentage of respondents indicating a likeliness of use for reporting the listed type of misconduct and (b) the internal resource rated as being the least likely to be utilized.

Respondents were also requested to add comments for any reporting option in which they were unlikely to utilize to report each of the specific allegations of misconduct. Each resource with an "Unlikely" response rate of 40% or more is presented.

Misconduct Type: Sexual Harassment

For the reporting of *sexual harassment*, Supervisor, below the rank of Captain, as a reporting resource, was selected by the highest number of respondents (79.1%, $n =$ 102). Of these, 50.4% ($n = 65$) indicated that they would be "Highly Likely" or "Likely" (28.7%, $n = 37$) to contact a supervisor to report allegations of sexual harassment. Two additional resources were also selected by a large percentage of respondents, Command or Staff Officer, 72.3% ($n = 94$), and Internal Affairs Group, 68.4% ($n = 89$).

The resource selected as the "least likely" to be utilized was Behavioral Science Services (BSS), 76.7% ($n = 99$). Over 55% of the respondents (55.4%, $n = 71$) also indicated their unwillingness to utilize the Work Environment Liaison Division for the reporting of sexual harassment. The reported likelihood of utilizing each of the eight internal resource options to report sexual harassment is illustrated below (Table 5). Supervisor, below the rank of Captain and Command or Staff Officer each had a mode value of 3 or "Highly Likely". The Internal Affairs Group had a mode value of 2 or "Likely". The resource entities of Employee Relations Section, Work Environment

Liaison Division, Office of the Inspector General, Retaliation Prevention Unit, and

Behavioral Science Services each had a mode value of 1 or "Unlikely".

Table 5

Respondents Reporting Sexual Harassment Through Internal Resource Options

Misconduct: **Sexual harassment**	*N*	**Not Likely** **%**	*n*	**Likelihood**[a] **%**	*n*
Supervisor, below rank of captain (SUPV)	129	20.9	27	79.1	102
Command or Staff Officer, above rank of captain (CSO)	130	27.7	36	72.3	94
Internal Affairs Group (IAG)	130	31.5	41	68.4	89
Employee Relations Section (ERS)	130	45.4	59	55.4	71
Work Environment Liaison Division (WELD)	130	55.4	72	44.6	58
Office of the Inspector General (OIG)	130	46.9	61	53.1	69
Retaliation Prevention Unit (RPU)	129	47.3	61	52.7	68
Behavioral Science Services (BSS)	129	76.7	99	23.2	30

Note. [a]Combined Highly Likely and Likely ratings.

Resource: Behavioral Science Services

The largest number of respondents (79%, n = 99) indicated that BSS was not a

likely reporting resource. There were 29 written comments provided as to why BSS

would not be a resource option. Respondents indicated that BSS does not formally

investigate misconduct and as such would not utilize this resource. Others indicated that

they had no confidence in receiving a satisfactory resolution for the reporting of this issue

or expressed negative opinions of BSS. Several respondents indicated that they either did

not trust BSS or would rather self manage their personal issues without receiving

psychological assistance from the department.

Resource: Work Environment Liaison Division

Just over 55% of the respondents (55.4%, n = 72) indicated that the WELD was not a likely reporting resource. There were five written comments provided as to why WELD would not be a resource option. The respondents indicated (a) the resource could not help with resolving these types of issues or (b) they were unaware of the unit's responsibilities.

Resource: Retaliation Prevention Unit

Over 47% of the respondents (47.3%, n = 61) indicated that the RPU was not a likely reporting resource. There were 12 written comments provided as to why the RPU would not be a resource option. Individual reasons cited include the preference of utilizing other internal resource options, a lack of confidence in any successful outcome to the issue, and an overall unfamiliarity of the unit's existence or job responsibilities. Specific organizational reasons include the perception that the unit does not manage or investigate misconduct complaints and several others commented that they believed their chain of command would initiate this notification, if they found it necessary to do so.

Resource: Office of the Inspector General

Over 46% of the respondents (46.9%, n = 61) indicated that the OIG was not a likely reporting resource. There were six written comments provided as to why RPU would not be a resource option. Comments include an overall lack of confidence and/or trust in their investigative ability or preference to utilize another internal resource entity. Specific organizational reasons included the preferred use of the department's established chain of command or the perception that the unit is an "outside entity."

Misconduct Type: Hostile, Offensive, or Intimidating Work Environment

For the reporting of a *hostile or offensive work environment*, the Supervisor, below the rank of Captain, was selected by the highest number of respondents (78.5%, $n = 102$). Of these, 45.4% ($n = 59$) indicated that they would be "Highly Likely" or "Likely" (33.1%, $n = 43$) to contact a supervisor to report a hostile work harassment. Over 70% of the respondents (74.8%, $n = 98$) indicated they would contact a Command or Staff Officer and the Internal Affairs Group, 71.8%, ($n = 94$). The resource selected as the "least likely" (73.1%, $n = 99$) to be utilized was Behavioral Science Services, (BSS). The reporting resources of Supervisor, below rank of Captain; Command/Staff Officer; and Internal Affairs Group each had a mode value of 3 or "Highly Likely". The Retaliation Prevention Unit had a mode value of 2 or "Likely". The reporting resources of Employee Relations Section, Work Environment Liaison Division, Office of the Inspector General, and Behavioral Science Services, all had a mode value of 1 or "Not Likely".

The reported likelihood of utilizing each of the eight internal resource options to report a hostile, offensive or intimidating work environment is illustrated in Table 6.

Resource: Employee Relations Section

Over 45% of the respondents (45.4%, $n = 59$) indicated that the Employee Relations Section (ERS) was not a likely resource. There were four comments provided as to why ERS would not be a resource option. Respondents indicated that they either (a) did not trust that a satisfactory resolution to the reported issue would occur or (b) that the non-investigative function of the entity or the entity's complaint referral policy was an issue.

Table 6

Respondents Reporting a Hostile, Offensive, or Intimidating Work Environment through

Internal Resource Options

Misconduct: **Hostile, Offensive, or Intimidating Work Environment**	N	Not Likely %	n	Likelihood[a] %	n
Supervisor, below rank of captain (SUPV)	130	21.5	28	78.5	102
Command or Staff Officer, above rank of captain (CSO)	131	25.2	33	74.8	98
Internal Affairs Group (IAG)	131	28.2	37	71.8	94
Employee Relations Section (ERS)	130	45.4	59	54.6	71
Work Environment Liaison Division (WELD)	130	49.2	64	50.8	66
Office of the Inspector General (OIG)	130	40.8	53	61.0	77
Retaliation Prevention Unit (RPU)	130	37.7	49	62.3	81
Behavioral Science Services (BSS)	130	73.1	95	26.9	35

Note. [a]Combined Highly Likely and Likely ratings.

Resource: Work Environment Liaison Division

Fewer than 50% of the respondents (49.2%, *n* = 64) indicated that the WELD was not a likely resource. There were three comments provided by respondents as to why WELD would not be a resource option. Respondents indicated that they were unfamiliar with the duties and responsibilities of WELD, or did not believe that the unit was a viable resource for the reporting of misconduct without, specific examples as to why.

Resource: Office of the Inspector General

Over 40% (40.8%, *n* = 53) indicated that the OIG was not a likely resource. There were four comments provided by respondents by as to why the OIG would not be a

resource option. Respondents indicated that they had never heard of the OIG, did not

trust this resource as a viable entity, or did not believe that it was a requirement to contact

the OIG for these types of complaints.

Resource: Behavioral Science Services

A large number of respondents (73.1%, *n* = 95) indicated that BSS, was not a

likely reporting resource. There were three written comments provided as to why BSS

would not be a resource option. Respondents indicated that they (a) did not trust BSS or

the services they provide and (b) that they would rather seek psychological assistance

outside of the LAPD.

Misconduct Type: Disparate Treatment (Disability)

For the reporting of *disparate treatment due to a work-related disability*, the

Supervisor, below the rank of Captain, was selected by a large number of respondents

(83.9%, *n* = 109). Of these, 43.1% (*n* = 56) indicated that they would be "Highly

Likely" or "Likely" (40.8%, *n* = 53) to contact a supervisor to report allegations of

disparate treatment. One additional resource, Command or Staff Officer (68.3%, *n* = 82),

was also selected by a large number of respondents for the likelihood of reporting

disparate treatment.

The resource selected as the "least likely" to be utilized was Behavioral Science

Services (64.3%, *n* = 83). The Internal Affairs Group, Employee Relations Section,

Work Environment Liaison Section, Office of the Inspector General, the Retaliation

Prevention Unit, and Behavioral Science Services each had a mode value of 1 or "Not

Likely". The internal resources of Supervisor had a mode value of 3 or "Highly Likely".

Command or Staff Officer had a mode value of 2 or "Likely". The reported likelihood of

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utilizing each of the eight internal resource options to report disparate treatment is indicated in Table 7.

Table 7

Respondents Reporting Disparate Treatment Through Internal Resource Options

Misconduct: Disparate Treatment (Disability)	N	Not Likely %	n	Likelihood[a] %	n
Supervisor, below rank of captain (SUPV)	130	16.2	21	83.9	109
Command Staff Officer, above rank of captain (CSO)	129	31.8	41	68.3	88
Internal Affairs Group (IAG)	129	51.2	66	48.9	63
Employee Relations Section (ERS)	128	42.2	54	57.8	74
Work Environment Liaison Division (WELD)	129	53.5	69	46.5	60
Office of the Inspector General (OIG)	129	60.4	78	39.6	51
Retaliation Prevention Unit (RPU)	129	51.9	67	48.1	62
Behavioral Science Services (BSS)	129	64.3	83	35.7	46

Note. [a]Combined Highly Likely and Likely ratings

Resource: Internal Affairs Group

Over 50% (51.2%, *n* = 66) indicated that the IAG, was not a likely resource. There were four comments provided by respondents by as to why the IAG would not be a resource option. Responses provided by respondents for not utilizing this resource include (a) their preference of self-managing the issue without intervention or (b) the lack of confidence that a disability issue would be properly addressed by this entity.

Resource: Employee Resource Section

Over 40% (42.2%, *n* = 54) indicated that the ERS, was not a likely resource. There were five comments provided by respondents as to why the ERS would not be a

resource option. Individual reasons provided by respondents not utilizing this resource include a lack of trust in all department Captains, the preference of utilizing an alternate internal resource or of self-managing the issue without intervention. Organizational reasons include a preference to utilize the lowest chain of command (Supervisor, below rank of captain).

Resource: Work Environment Liaison Division

Over 50% (53.5%, *n* = 69) indicated that WELD, was not a likely resource. There were six comments provided by respondents as to why WELD would not be a resource option. Individual reasons for not utilizing this resource include a preference for other internal resource options, lack of confidence that a satisfactory outcome will be achieved, unfamiliarity with the entity's responsibilities, and the preference of self-managing the issue. Organizational reasons include the non-investigative function of the unit for the resolution of misconduct complaints.

Resource: Office of the Inspector General

Over 60% of the respondents (60.4%, *n* = 78), indicated that the OIG, was not a likely resource. There were five comments provided by respondents as to why the OIG would not be a resource option. Individual reasons include the preference of self-managing the issue without intervention, and a preference for utilizing other specialized resource options. Organizational reasons include the preference of remaining within the established chain of command for reporting this type of misconduct.

Resource: Retaliation Prevention Unit

Over 50% of the respondents (51.9%, *n* = 67) indicated that the RPU was not a likely resource. There were five comments provided by respondents as the why the RPU

would not be a resource option. Individual responses provided by respondents include a preference of self-managing the issue without intervention. Organizational reasons for not utilizing this resource include the perception that this resource would not formally investigate this type of issue.

Resource: Behavioral Science Services

Over 60% of the respondents (64.3%, *n* = 83) indicated that BSS was not a likely resource. There were six comments provided by respondents as to why BSS would not be a resource option. Individual reasons include a preference for an alternative internal resource option, preference to self-manage the issue without intervention or lack of confidence in a satisfactory outcome. Organizational reasons include the non-investigative function of the entity.

Misconduct Type: Non-Selection for Promotion – Race or Gender

For the reporting of a *non-selection for promotion or pay-grade assignment due to race or gender,* the internal resource option of Command or Staff Officer was selected by the highest number of respondents (65.5%, *n* = 76). Of these, 29.2% (*n* = 38) indicated that they would be "Highly Likely" or "Likely" (29.2%, *n* = 38) to contact a Command or Staff Officer to report non-selection for promotion due to race or gender. The next highest number of respondents indicated that they would also contact Employee Relations Section 57.8% (*n* = 74). The resource selected as the "least likely" to be utilized was Behavioral Science Services (82.2%, *n* = 106). All eight resource options had a mode value of 1 or "Not Likely". The reported likelihood of utilizing each of the eight internal resource options to report non-selection for promotion or pay-grade advancement due to race or gender is shown below (Table 8).

Table 8

Respondents Reporting a Non-selection for Promotion (Race or Gender) Through

Internal Resource Options

Misconduct: **Non-selection Promotion – Race/gender**	*N*	Not Likely %	*n*	Likelihood[a] %	*n*
Supervisor, below rank of captain (SUPV)	130	42.3	55	57.7	75
Command Staff Officer, above rank of captain (CSO)	130	41.5	54	65.5	76
Internal Affairs Group (IAG)	130	55.4	72	44.6	58
Employee Relations Section (ERS)	130	43.8	57	56.2	73
Work Environment Liaison Division (WELD)	131	60.3	79	39.7	52
Office of the Inspector General (OIG)	130	56.9	74	43.1	56
Retaliation Prevention Unit (RPU)	130	58.5	76	48.1	54
Behavioral Science Services (BSS)	129	82.2	106	35.7	23

Note. [a]Combined Highly Likely and Likely ratings

Resource: Internal Affairs Group

Over 40% of the respondents (43.8%, *n* = 72) indicated that IAG), was not a

likely resource. There were 14 comments provided by respondents as the why the RPU

would not be a resource option. Individual reasons for not utilizing this resource include

a preference of other internal resource options, lack of confidence in receiving a

satisfactory resolution to the issue, and fear of retribution. Organizational reasons

included several general comments relating to the perceived strong element of proof

needed to report this type of misconduct and the belief that this type of misconduct would

not be investigated by IAG. One respondent wrote, "I am not part of a protected class so

reporting this behavior would probably be detrimental to my career/professional life"
(R107).

Resource: Office of the Inspector General

Over 55% of the respondents (55.9%, $n = 74$) indicated that the OIG, was not a
likely resource. There were 19 comments provided by respondents as the why the OIG
would not be a resource option. Individual responses include other internal resource
option preferred, unfamiliarity with the resource's investigative functions, lack of trust in
the entity or satisfactory outcome of the issue being reported, and the fear of retaliation.
Organizational reasons for not utilizing this resource include a preference for established
chain of command and several general commentaries referring to the perceived
preferential treatment given to lawfully protected classes for promotions.

Resource: Retaliation Prevention Unit

Over 58% of the respondents (58.5%, $n = 76$) indicated that the RPU, was not a
likely resource. There were 17 comments provided by respondents as the why the RPU
would not be a likely resource option. Individual responses include a lack of confidence
in a satisfactory resolution to the issue, other resource option preferences, fear of
retaliation, or unfamiliarity with the resource's investigative responsibilities.
Organizational reasons include the non-investigative function of the unit and general
commentary regarding preferential selection of members of protected classes.

Resource: Behavioral Science Services

Over 82% of the respondents (82.2%, $n = 106$) indicated that BSS, would not be a
likely resource option. There were 24 comments provided by respondents as to why the
BSS was not a resource option. Individual reasons for not utilizing this resource include

the choice of other preferred internal options, lack of confidence in a satisfactory

resolution, mistrust of the entity, and fear of retribution. Organizational reasons include

the non-investigative function of this entity and general commentary regarding the

perception that this entity would not have the ability to resolve the reported issue.

Misconduct Type: Gender or Racial Comments at Work

For the reporting of *gender or racial comments at work,* the internal resource

option of Supervisor, below the rank of Captain was selected by the highest

number of respondents (75.4%, *n* = 98). Of these, 43.8% (*n* = 57) indicated that they

would be "Highly Likely" or "Likely" (31.5%, *n* = 41) to contact a supervisor to report

being subjected to gender or racial comments at work. The next highest number of

respondents (69%, *n* = 89) indicated that they would contact a Command or Staff Officer.

The likelihood of reporting to a supervisor, Internal Affairs Group, and Command or

Staff Officer, received a mode value of 3 or "Highly Likely". The remaining resource

options of Employee Relations Group, Work Environment Liaison Division, Office of the

Inspector General (OIG), Retaliation Prevention Unit, and the Behavioral Science

Services (BSS), each received a mode value of 1 or "Not Likely". The percentage of

respondents who would likely report gender and/or racial comments to a department

resource are listed below (Table 9).

Resource: Employee Relations Section

Over 50% of the respondents (51.5%, *n* = 67) indicated that Employee Relations

Section (ERS) was not a likely resource. There were nine comments provided by

respondents as to why the BSS would not be a resource option. Individual responses

include the preference of self-managing the issue without intervention, the perception that

this entity could not influence a change in behavior, the fear of retaliation, and lack of

confidence in there being a successful outcome to the issue.

Table 9

Respondents Reporting Gender and/or Racial Comments at Work Through Department

Options

Misconduct: **Gender/racial Comments at Work**	*N*	Not Likely **%**	*n*	Likelihood[a] **%**	*n*
Supervisor, below rank of captain (SUPV)	130	24.6	32	75.4	98
Command Staff Officer, above rank of captain (CSO)	129	31.0	40	69.0	89
Internal Affairs Group (IAG)	127	32.3	41	67.7	86
Employee Relations Section (ERS)	130	51.5	67	57.8	74
Work Environment Liaison Division (WELD)	130	60.8	79	39.2	51
Office of the Inspector General (OIG)	128	50.0	64	50.0	64
Retaliation Prevention Unit (RPU)	127	44.8	61	55.2	66
Behavioral Science Services (BSS)	127	75.6	96	24.4	31

Note. [a]Combined Highly Likely and Likely ratings

Resource: Work Environment Liaison Division

Over 60% of the respondents (60.8%, *n* = 79) indicated that WELD was not a

likely resource. There were 11 comments provided by respondents as to why WELD was

not a resource option. Individual reasons for not utilizing this resource include the

preference of self-managing the issue without intervention, lack of confidence in the

entity's ability to assist with this type of issue, and a preference for an alternate resource

option.

Resource: Office of the Inspector General

Fifty percent of the respondents (*n* = 64) indicated that the OIG, was not a likely resource. There were 17 comments provided by respondents as to why the OIG would not be a resource option. Individual reasons provided include, an overall lack of confidence that the problem would be resolved, lack of trust in the entity's investigative ability, preference to self-manage the issue without intervention, and unfamiliarity with the resource's function. Organizational reasons include the perceived non-investigative function of the entity.

Resource: Retaliation Prevention Unit

Over 46% of the respondents (46.6%, *n* = 96) indicated that the RPU was not a likely resource. There were 14 comments provided by respondents as to why the RPU would not be a resource option. Individual reasons for not utilizing this resource include a general distrust in the entity's investigative ability to resolve misconduct issues, unfamiliarity with the entity's responsibilities, the preference for self-managing the issue without intervention, and the lack of confidence in a satisfactory outcome. Several commented that this type of misconduct would not be resolved by this entity because it is not considered to be retaliatory conduct. Organizational reasons include the perception of non-investigative function associated with the entity, and a general opinion about the entire department being less than professional with respect to managing internal employee complaints.

Resource: Behavioral Science Services

Over 75% of the respondents (75.6%, *n* = 61) indicated that BSS was not a likely resource. There were 21 comments provided by respondents as to why BSS was not a

resource option. Individual reasons include a lack of confidence in a successful outcome, lack of trust in their ability to assist, and the preference of self-managing their issue without psychological intervention. Several respondents indicated that they would only contact this entity if the misconduct was affecting their ability to work. Organizational reasons include the non-investigative function of this entity.

Misconduct Type: Personality Conflict With a Supervisor

For the reporting of *a personality conflict with a supervisor with negative impacts*, Command or Staff Officer was selected by the highest number of respondents (73.8%, *n* = 96). Of these, 44.6% (*n* = 58) indicated that they would "Highly Likely" or "Likely" (29.2%, *n* = 28) contact a Command or Staff Officer to report a conflict with a supervisor with negative impacts. The next highest number of respondents (58.1%, *n* = 75) indicated that they would contact a Supervisor, below the rank of Captain. The reporting resource of Command or Staff Officer had a mode value of 3 or "Highly Likely". The other seven internal reporting resources of Supervisor, under the rank of Captain, Internal Affairs Group, Employee Relations Section, Work Environment Liaison Division, Office of the Inspector General (OIG), Retaliation Prevention Unit, and Behavioral Science Services all had a mode value of 1 or "Not Likely". The percentage of respondents who would report a personality conflict with a supervisor to a department resource is illustrated below (Table 10).

Resource: Internal Affairs Group

Over 55% of the respondents (55.8%, *n* = 72) indicated that Internal Affairs Group (IAG) was not a likely resource. There were 28 comments provided by respondents as to why IAG would not be a resource option. Individual reasons provided

by respondents include the preferred use of alternate internal resource options, the perception about this type of complaint not rising to the level of a formal misconduct investigation, or not being a viable resource for help. One respondent commented that he or she experienced retaliation for "reporting misconduct in the past from the accused and the investigating officer at Internal Affairs" (R121). Organizational reasons include the preference of reporting through the established chain of command at the lowest supervisor level first, or reporting it only if action was not taken at the supervisor's level.

Several respondents had the perception that a complaint investigation would not be initiated and that personality conflicts of this type are too common on the department for supervisors to manage.

Table 10

Respondents Reporting a Conflict With Supervisor Through Internal Options

Misconduct: **Conflict with Supervisor**	*N*	**Not Likely** **%**	*n*	**Likelihood**[a] **%**	*n*
Supervisor, below rank of captain (SUPV)	129	41.9	54	58.1	75
Command Staff Officer, above rank of captain (CSO)	130	26.2	34	73.8	96
Internal Affairs Group (IAG)	129	55.8	72	44.2	57
Employee Relations Section (ERS)	128	58.6	75	41.4	53
Work Environment Liaison Division (WELD)	130	61.5	80	38.5	50
Office of the Inspector General (OIG)	128	65.6	84	34.4	44
Retaliation Prevention Unit (RPU)	128	55.5	71	44.5	57
Behavioral Science Services (BSS)	127	68.5	87	31.5	40

Note. [a]Combined Highly Likely and Likely ratings.

Resource: Employee Relations Section

Over 55% of the respondents (58.6%, *n* = 75) indicated that ERS was not a likely

resource. There were 19 comments provided by respondents as to why ERS would not be

a resource option. Individual reasons provided by respondents include, (a) preferences

for other internal resource options, and (b) the preference to transfer in fear of retribution.

Organizational reasons include the preference of utilizing the organization's established

chain of command and the perceived notion that this entity does not handle this type of

misconduct.

Resource: Work Environment Liaison Division

Over 60% of the respondents (61.5%, *n* = 80) indicated that WELD would not be

a likely resource. There were 19 comments provided by respondents as to why WELD

would not be a resource option. Individual reasons provided by respondents include the

preference of self-managing the issue without intervention, not having confidence in a

successful outcome, preference for other specialized resource options, the fear of

retribution, and general unfamiliarity with the resource function. Organizational reasons

include the non-investigative and referral policies of the entity and preference to utilize

the organization's chain of command.

Resource: Office of the Inspector General

Over 65% of the respondents (65.6%, *n* = 84) indicated that the OIG would not

be a likely resource. There were 22 comments provided by respondents as to why the

OIG would not be a resource option. Individual reasons provided by respondents include

the fear of retribution. One respondent wrote, "it is not encouraged to bad mouth

supervisors, or anyone above." (R27) Other reasons include the preference of self-

managing the issue without intervention, the preference for early intervention by preventing a formal complaint, and other preferred internal resource options. Organizational reasons include the lack of trust in the entity's ability to conduct a thorough, unbiased and appropriate investigation, length of time to resolve the issue, and unfamiliarity with the investigative functions of the entity.

Resource: Retaliation Prevention Unit

Over 55% of the respondents (55.5%, *n* = 71) indicated that the RPU would not be a likely resource. There were 22 comments provided by respondents as to why the RPU would not be a resource option. Individual reasons provided by respondents include, a lack of confidence for a successful outcome, preference to self-manage the issue without intervention, fear of retaliation or retribution, and preference for an alternate internal resource option. Organizational reasons for not utilizing this resource include the preference of utilizing existing chain of command, the perceived non-investigatory function of the entity, and the belief that this type of misconduct did not rise to the level of a retaliation allegation.

Resource: Behavioral Science Services

Over 60% of the respondents (68.5%, *n* = 87) indicated that BSS would not be a likely resource. There were 24 comments provided by respondents as to why BSS would not be a resource option. Individual reasons provided by respondents include having other preferred resource options, no confidence in achieving a satisfactory outcome, preference to self-manage without intervention, fear of retaliation. The organizational reasons for not utilizing this resource include the preference of utilizing the established chain of command;

Misconduct Type: Denied Hardship - Watch or Assignment Change

For the reporting of *being denied a hardship change of watch or change of assignment because of race or gender,* Command or Staff Officer was selected by the highest number of respondents (71.5%, *n* = 89). Of these, respondents indicated that they would be "Highly Likely" (42.2%, *n* = 54), or "Likely" (29.3%, *n* = 35) to report being denied a hardship change of watch or change of assignment because of race or gender to a Command or Staff Officer. The next highest number of respondents (66.4%), *n* = 85) indicated that they would contact a Supervisor below the rank of Captain. The least likely utilized resource was Behavioral Science Services, 74% (*n* = 95). The reporting resource options of Supervisor and Command or Staff Officer had a mode value of 3 or "Highly Likely".

The remaining six resource options of Internal Affairs Group, Employee Relations Group, Work Environment Liaison Division, Office of the Inspector General, Retaliation Prevention Unit, and Behavioral Science Services had mode values of 1 or "Not Likely". The percentage of respondents who indicated they would likely utilize these resource options to report a denied hardship-watch or assignment change due to race and/or gender is illustrated below (Table 11).

Resource: Internal Affairs Group

Over 50% of the respondents (52.0%, *n* = 65) indicated that IAG was not a likely resource. There were 30 comments provided by respondents as to why IAG was not a resource option. Individual reasons provided by respondents include the fear of retaliation, preference for another resource option, lack of confidence in a successful outcome, and the preference of self-managing the reported issue without intervention. A

respondent wrote, "I wouldn't report this because the possibility for retaliation is too high and this is not a battle worth fighting" (R18). An organizational reason provided by several respondents involved the preferred use of the established chain of command.

Table 11

Respondents Reporting a Denied Change of Watch or Assignment Hardship Through Internal Options

Misconduct: Denied Change of Watch or Assignment	*N*	Not Likely %	*n*	Likelihood[a] %	*n*
Supervisor, below rank of captain (SUPV)	128	33.6	43	66.4	85
Command Staff Officer, above rank of captain (CSO)	128	30.5	39	69.5	89
Internal Affairs Group (IAG)	125	52.0	65	48.0	60
Employee Relations Section (ERS)	128	49.2	63	50.8	65
Work Environment Liaison Division (WELD)	128	59.4	76	40.6	52
Office of the Inspector General (OIG)	127	62.2	79	37.8	48
Retaliation Prevention Unit (RPU)	127	56.7	72	43.3	55
Behavioral Science Services (BSS)	127	74.8	95	25.2	32

Note. [a]Combined Highly Likely and Likely ratings.

Resource: Employee Relations Section

Over 45% of the respondents (49.2%, *n* = 63) indicated that ERS was not a likely resource. There were 21 comments provided by respondents as to why ERS would not be a resource option. Individual reasons provided by respondents included the lack of confidence in obtaining a satisfactory resolution of the issue, other preferred internal resource option, fear of retaliation, unfamiliarity with the resource entity, and the preference of self-managing the issue without intervention. One respondent indicated that

the "System would support any decisions against you" (R60). Organizational reasons for not utilizing this resource include the preference of utilizing the organization's chain of command.

Resource: Work Environment Liaison Division

Over 55% of the respondents (59.4%, *n* = 76) indicated that WELD was not a likely resource. There were 27 comments provided by respondents as to why WELD would not be a resource option. Individual reasons provided by respondents include the preference of utilizing alternate internal resources, the belief that change would occur, and the fear of retaliation. Other reasons include the preference to self-manage the issue without intervention, and unfamiliarity with the entity's function. Organizational reasons include the preference of utilizing the organization's chain of command and the preference of contacting resources with investigative functions.

Resource: Office of the Inspector General

Over 60% of the respondents (62.2%, *n* = 79) indicated that OIG was not a likely resource. There were 27 comments provided by respondents as to why the OIG would not be a resource option. Individual reasons provided by respondents include the lack of confidence in a satisfactory resolution of the issue, the preference of utilizing an alternative resource option, the preference to self-manage the issue without intervention, and fear of retaliation. Organizational reasons include the preference of utilizing the established chain of command and the preference of contacting a resource with investigative authority. One respondent indicated, "The dept will slowly destroy you for "snitching" (R64).

Resource: Retaliation Prevention Unit

Over 50% of the respondents (56.7%, *n* = 72) indicated that RPU was not a likely resource. There were a total of 27 comments provided by respondents as to why the RPU would not be a resource option. Individual reasons provided by respondents include the preference of utilizing an alternate internal resource option, lack of confidence in achieving a successful outcome to the issue, fear of retaliation for reporting the issue, perception that reporting would not affect needed change, or that the issue would be too difficult to prove. Many of the respondents commented on the possibility of retribution for reporting misconduct to the organization. Organizational reasons include the preference of utilizing the organization's established chain of command.

Resource: Behavioral Science Services

Over 74% of the respondents (74.8%, *n* = 95) indicated that BSS was not a likely resource. There were 34 comments provided by respondents as to why BSS would not be a resource option. Individual reasons provided by respondents include preferences for other internal resource options, lack of confidence in achieving a satisfactory outcome, lack of trust in their ability to assist, and preference to self-manage the issue without intervention. Several respondents indicated that they would only contact this entity if the misconduct was affecting their ability to work. Organizational reasons include the non-investigative function of this entity.

Misconduct Type: Denied Specialized Training or Assignment - Race or Gender

For the reporting of *being denied specialized training or assignment because of race or gender,* Command or Staff Officer was selected by the highest number of respondents (63.3%, *n* = 81). Of these, respondents indicated that they would be "Highly

Likely" (24.8%, *n* = 32), or "Likely" (34.1%, *n* = 76) to report being denied a hardship

change of watch or change of assignment because of race or gender to a Command or

Staff Officer. The next highest number of respondents (58.9%, *n* = 76) indicated that they

would contact a supervisor, below the rank of Captain. The least likely resource to be

utilized by respondents was Behavioral Science Services (77%, *n* = 97). All eight of the

reporting resource options had a mode value of 1 or "Unlikely". The percentage of

respondents who indicated they would likely utilize these resource options to report a

denied training opportunity due to race or gender is illustrated below (Table 12).

Table 12

Respondents Reporting a Denied Specialized Training or Assignment (Race/Gender)

Through Internal Resource Options

Misconduct: **Denied Specialized Training or Assignment**	*N*	**Not Likely** **%**	*n*	**Likelihood**[a] **%**	*n*
Supervisor, below rank of captain (SUPV)	129	41.1	53	58.9	76
Command Staff Officer, above rank of captain (CSO)	128	36.7	47	63.3	81
Internal Affairs Group (IAG)	127	57.5	73	42.5	54
Employee Relations Section (ERS)	128	54.7	70	45.3	58
Work Environment Liaison Division (WELD)	128	59.4	83	40.6	45
Office of the Inspector General (OIG)	127	61.4	78	38.6	49
Retaliation Prevention Unit (RPU)	127	59.8	76	40.2	51
Behavioral Science Services (BSS)	126	77.0	97	23.0	29

Note. [a]Combined Highly Likely and Likely ratings.

Resource: Internal Affairs Group

Over 55% of the respondents (57.5%, $n = 73$) indicated that IAG was not a likely resource option. There were 14 comments provided by respondents as to why IAG would not be a resource option. Individual reasons provided by respondents include a lack of confidence in a satisfactory outcome, preference for an alternate internal resource option, and fear of retaliation. Organizational reasons include (a) a preference to utilize the organization's established chain of command, and (b) past negative experiences with the entity. On respondent commented, "A complaint wouldn't be taken by IAG… if so it would go nowhere and it would be a death sentence for the officer reporting in LAPD!" (R14).

Resource: Employee Resource Section

Over 50% of the respondents (54.7%, $n = 70$) indicated that ERS was not a resource option. There were nine comments provided by respondents as to why ERS would not be a resource option. Individual reasons provided by respondents include a preference for utilizing another internal resource, lack of confidence in achieving a satisfactory outcome, and fear of retaliation. Organizational reasons include the preference of utilizing the organization's chain of command, and the perception that this entity does not investigate this type of misconduct.

Resource: Work Environment Liaison Division

Over 60% of the respondents (64.8%, $n = 83$) indicated that WELD was not a likely resource. There were nine comments provided by respondents as to why WELD would not be a resource option. Individual reasons provided by respondents include, the preference of other internal resource options, lack of confidence in a satisfactory

outcome, and the fear of retaliation. Organizational reasons include (a) the preference of utilizing the organization's established chain of command and (b) the non-investigative function of this entity.

Resource: Office of the Inspector General

Over 60% of the respondents (61.4%, $n = 78$) indicated that the OIG was not a likely resource. There were 14 comments provided by respondents as to why the OIG was not a resource option. Individual reasons provided by respondents include the preference of using alternate internal resource options, lack of confidence for a satisfactory outcome, fear of being labeled a crybaby or whiner, the length of time it would take to resolve the issue, and unfamiliarity with this entity as a viable resource.

Resource: Retaliation Prevention Unit

Fewer than 60% (59.8%, $n = 76$) indicated that the RPU was not a likely resource. There were 10 comments provided by respondents as to why the RPU would not be a resource option. Individual reasons provided by respondents include the preference of utilizing other internal resource options, lack of confidence in achieving a satisfactory outcome of the issue, and fear of retaliation. Organizational reasons include (a) a preference of utilizing the organization's established chain of command and (b) the non-investigative function of the entity.

Resource: Behavioral Science Services

Fewer than 80% of the respondents (77.0%, $n = 97$) indicated that BSS was not a likely resource. There were 15 comments provided by respondents as to why BSS would not be a resource option. Individual reasons provided by respondents include the preference of utilizing alternate internal resource options, lack of confidence in achieving

a satisfactory outcome, and fear of retaliation. Organizational reasons include (a) the

preference of utilizing the organization's established chain of command, and (2) the non-

investigative function of the entity.

<center>Survey Responses: Part Two</center>

The eight perceived impacts of whistle-blowing were analyzed as described in

Chapter III. Table D1 (see Appendix D) illustrates the perceived impacts of reporting

specific acts of misconduct through internal department options. To aid in the

explanation of the results the presentation of findings will include (a) the highest

percentages of respondents indicating a perceived likelihood of experiencing real or

perceived consequences for reporting the listed type of misconduct, (b) the percentage of

those indicating *satisfactory resolution* as an impact, (c) additional impacts or

consequences described by respondents, and (d) the listing of recommendations for

improvements provided by respondents.

<center>*Reported Misconduct: Sexual Harassment*</center>

For the reporting of consequences related to allegations of sexual harassment,

alienation or silent treatment by peers (72.1%, n = 93) and *harsh treatment by co-*

workers (55.8%, n = 72) were selected with the highest frequency. *Satisfactory*

Resolution was selected by 53.8% (n = 70) of the respondents. The percentage of

respondents perceiving the likelihood of experiencing consequences for reporting sexual

harassment to any of the department resources is listed below (Table 13).

There were eight comments provided by respondents regarding the impacts of

reporting of sexual harassment. Respondents indicated additional acts as, being restricted

from working with specific partners or gender, increased stress, the need to transfer from

<center>99</center>

the division, establishing a career long reputation, receiving harsh treatment from

supervisors, reduced work performance, lowered productivity, and family conflicts.

Table 13

Respondents' Likelihood of Experiencing Impacts for Reporting Sexual Harassment

Impacts: Reporting Sexual Harassment	N	Not Likely %	n	Likelihood[a] %	n
Alienation/silent treatment	129	27.9	36	72.1	93
Harsh treatment by peers	129	44.2	57	55.8	72
Involuntary transfer	128	53.1	68	46.9	60
Demeaning job tasks	129	60.9	78	39.1	50
"Freeway therapy"	129	65.6	84	34.4	44
Lowered evaluation	128	66.7	86	33.3	43
Demotion or downgrade	128	82.9	107	17.1	22
Satisfactory resolution	130	46.2	60	53.8	70

Note. [a] Combined Highly Likely and Likely totals.

Reported Misconduct: Hostile, Offensive, or Intimidating Work Environment

For the reporting of consequences related to allegations of a hostile, intimidating,

or offensive work environment *alienation or silent treatment from co-workers*

(70.5%, *n* = 91) and *harsh treatment by peers* (52.7%, *n* = 68) were selected with the

highest frequency by respondents. *Satisfactory Resolution* was selected by 47.3%

(*n* = 62) of the respondents. The percentage of respondents perceiving the likelihood of

experiencing consequences for reporting a hostile, intimidating, or offensive work

environment to any of the department resources is illustrated below (Table 14). There

were 12 comments provided by respondents regarding the impacts of reporting of a

hostile, offensive, or intimidating work environment.

Table 14

Respondents' Likelihood of Impacts for Reporting a Hostile, Offensive, or Intimidating

Work Environment

Impacts: Reporting a Hostile, Offensive or Intimidating Work Environment	N	Not Likely %	n	Likelihood[a] %	n
Alienation/silent treatment	129	27.9	36	72.1	93
Harsh treatment by peers	129	44.2	57	55.8	72
Involuntary transfer	128	53.1	68	46.9	60
Demeaning job tasks	129	60.9	78	39.1	50
"Freeway therapy"	129	65.6	84	34.4	44
Lowered evaluation	128	66.7	86	33.3	43
Demotion or downgrade	128	82.9	107	17.1	22
Satisfactory resolution	130	46.2	60	53.8	70

Note. [a]Combined Highly Likely and Likely totals.

Respondents indicated additional acts as, receiving slow back-up assistance and

loss of friendships, being labeled a malcontent, receiving harsh treatment from

supervisors, increased levels of stress and reduced performance, and the possibility of not

receiving future promotional oral interview opportunities.

Reported Misconduct: Disparate Treatment for Work-Related Disability

For the reporting of consequences related to allegations of a disparate treatment for a work related disability *alienation or the silent treatment from co-workers* (50.0%, *n* = 63) and *involuntary transfer of assignment* (36.6%, *n* = 50) were selected with the highest frequency by respondents. *Satisfactory Resolution* was selected by 62% of the respondents and had a mode value of 2 or "Likely". The remaining seven impacts of reporting disparate treatment for a work-related disability received mode values of 1 or "Not Likely".

There were seven comments provided by respondents concerning the impact of reporting disparate treatment due to a work-related disability. Respondents indicated additional acts as, co-workers not being as willing to converse with the complaining party, decreased work motivation, and being "benched" (working desk duties) at the station with undesirable watch work hours.

The percentage of respondents perceiving the likelihood of experiencing consequences for reporting disparate treatment received due to a work related disability to any of the department resources is illustrated in Table 15.

Reported Misconduct: Non-Selection for Promotion Due to Race or Gender

For the reporting of consequences related to a non-promotion due to race or gender, *alienation or the silent treatment from co-workers* (61.2%, *n* = 79) and *harsh treatment by co-workers* (51.1%, *n* = 65) were selected with the highest frequency by respondents. *Satisfactory Resolution* was selected by 62% (*n* = 80) of the respondents. Alienation or silent treatment had a mode value of 2 or "Likely". The remaining seven types of impacts received a mode value of 1 or "Not Likely". The percentage of

respondents perceiving the likelihood of experiencing consequences for reporting a non-selection for promotion due to race or gender, to any of the department resources is illustrated in Table 16.

There were no additional consequences or comments listed by respondents that concerned the reporting of a non-selection or pay-grade advancement due to race or gender to department options.

Table 15

Respondents' Likelihood of Impacts for Reporting Disparate Treatment for Work Related Disability

Impacts: Reporting Disparate Treatment Work-related disability	N	Not Likely %	n	Likelihood[a] %	n
Alienation/silent treatment	126	50.0	63	50.0	63
Harsh treatment by peers	127	65.4	83	34.6	44
Involuntary transfer	127	60.6	77	39.4	50
Demeaning job tasks	127	66.9	85	33.1	42
"Freeway therapy"	127	80.3	102	19.7	25
Lowered evaluation	126	76.2	96	23.8	30
Demotion or downgrade	127	89.8	114	10.2	13
Satisfactory resolution	129	38.0	49	62.0	80

Note. [a]Combined Highly Likely and Likely totals.

Table 16

Respondents' Likelihood of Impacts for Reporting Non-selection for Promotion or

Advancement

Impacts: Reporting Non-selection for Promotion or Advancement	N	Not Likely %	n	Likelihood[a] %	n
Alienation/silent treatment	129	38.8	50	61;2	79
Harsh treatment by peers	129	49.6	64	50.4	65
Involuntary transfer	129	63.6	82	36.4	47
Demeaning job tasks	129	56.6	73	43.4	56
"Freeway therapy"	129	69.8	90	30.2	39
Lowered evaluation	129	68.2	88	31.8	41
Demotion or downgrade	129	88.4	114	11.6	15
Satisfactory resolution	130	62.3	81	37.7	49

Note. [a]Combined Highly Likely and Likely totals.

Reported Misconduct: Gender or Racial Comments at Work

For the reporting of consequences related to being subjected to gender or racial

comments in the workplace, *alienation or the silent treatment from co-worker*

(72.9%, *n* = 94) and *harsh treatment by co-workers* (54.3%, *n* = 70) were selected with

the highest frequency by respondents. *Satisfactory Resolution* was selected by 49.6% of

the respondents (*n* = 64). The percentage of respondents perceiving the likelihood of

experiencing consequences for reporting being subjected to gender or racial comments in

the workplace, to any of the department resources is illustrated in Table 17.

There was one comment provided by a respondent concerning the impact of reporting gender or racial comments in the workplace. The respondent indicated that co-workers would hesitate to speak to him or her.

Table 17

Respondents' Likelihood of Impacts for Reporting Gender and/or Racial Comments at Work

Impacts: Reporting Gender and/or Racial Comments at Work	N	Not Likely %	n	Likelihood[a] %	n
Alienation/silent treatment	129	27.1	35	72.9	94
Harsh treatment by peers	129	45.7	59	54.3	70
Involuntary transfer	128	49.2	63	50.8	65
Demeaning job tasks	128	54.7	70	45.3	58
"Freeway therapy"	128	68.0	87	32.0	41
Lowered evaluation	128	59.4	76	40.6	52
Demotion or downgrade	128	82.0	105	18.0	23
Satisfactory resolution	129	50.4	65	49.6	64

Note. [a]Combined Highly Likely and Likely totals.

Reported Misconduct: Personality Conflict With Supervisor With Negative Impacts

For the reporting of consequences related to having a personality conflict with a supervisor with negative impacts, *alienation or the silent treatment from co-worker* (59.2%, *n* = 77) and *a lowered performance evaluation* (55 %, *n* = 71) were selected with the highest frequency by respondents. *Satisfactory Resolution* was selected by 32.3% of the respondents (*n* = 42). The percentage of respondents perceiving the

likelihood of experiencing consequences for reporting a personality conflict with a

supervisor with negative impacts is listed in Table 18.

There were 15 comments provided by respondents concerning the impact of

reporting a conflict with a supervisor with negative impact. Respondents indicated

additional impacts as, lost job opportunities, nit-picking of work, belittling, low work

productivity and low job satisfaction, and being forced to transfer. Several respondents

indicated that the negative consequences would only be experienced if the supervisor in

question was well-liked by others in the unit or division.

Table 18

Respondents' Likelihood of Impacts for Reporting a Conflict with a Supervisor with

Negative Impacts

Impacts: **Reporting a Conflict with a Supervisor with Negative Impacts**	*N*	**Not Likely** *%*	*n*	**Likelihood**[a] *%*	*n*
Alienation/silent treatment	130	40.8	53	59.2	77
Harsh treatment by peers	129	47.3	61	52.7	68
Involuntary transfer	129	48.8	63	51.2	66
Demeaning job tasks	129	45.7	59	54.3	70
"Freeway therapy"	129	64.3	83	35.7	46
Lowered evaluation	129	45.0	58	55.0	71
Demotion or downgrade	128	82.8	106	17.2	22
Satisfactory resolution	130	67.7	88	32.3	42

Note. [a]Combined Highly Likely and Likely totals.

Reported Misconduct: Denied Hardship Change of Watch or Assignment Request Due to

Race or Gender

For the reporting of consequences related to being denied a hardship request due to race or gender, *alienation or the silent treatment from co-worker* (55.5%, *n* = 71) and *harsh treatment by co-workers* (45.7%, *n* = 62) were selected with the highest frequency by respondents. *Satisfactory Resolution* was selected by 32.3% (*n* = 42) of the respondents. The percentage of respondents perceiving the likelihood of experiencing consequences for reporting being denied a hardship request due to race or gender is shown below in Table 19. There were no additional consequences listed by respondents that concerned the reporting of a denied change of watch or assignment hardship.

Table 19

Respondents' Likelihood of Impacts for Reporting a Denied Hardship Request due to Race and/or Gender

Impacts: Reporting a Denied Hardship Request (Race/gender)	N	Not Likely %	n	Likelihood[a] %	n
Alienation/silent treatment	128	44.5	57	55.5	71
Harsh treatment by peers	128	51.6	66	48.4	62
Involuntary transfer	128	54.7	70	45.3	58
Demeaning job tasks	128	54.7	70	45.3	58
"Freeway therapy"	128	74.2	95	25.8	33
Lowered evaluation	128	68.8	88	31.3	40
Demotion or downgrade	128	94.5	121	5.5	7
Satisfactory resolution	129	57.4	74	42.6	55

Note. [a]Combined Highly Likely and Likely totals.

Reported Misconduct: Denied Specialized Training – Race or Gender

For the reporting of consequences related to denied training due to race or gender*, alienation or the silent treatment by peers (59.2%, n = 77)* and *lowered evaluation (55.0%, n = 71)* were selected by the highest frequency of respondents. *Satisfactory Resolution* was selected by 36.4% of the respondents (*n* = 47). All eight types of reporting impact have a mode value of 1 or "Not Likely". The percentage of respondents perceiving the likelihood of experiencing consequences for reporting allegations of denied specialized training due to race or gender is listed in Table 20.

Table 20

Respondents' Likelihood of Impacts for Reporting Denied Specialized Training Due to Race/Gender

Impacts: **Reporting a Denied Specialized Training – Race/gender**	*N*	Not Likely *%*	*n*	Likelihood[a] *%*	*n*
Alienation/silent treatment	129	44.2	57	55.8	72
Harsh treatment by peers	129	54.3	70	45.7	59
Involuntary transfer	128	64.8	83	35.2	45
Demeaning job tasks	128	61.7	79	38.3	49
"Freeway therapy"	128	74.2	95	25.8	33
Lowered evaluation	128	68.8	88	31.3	40
Demotion or downgrade	128	89.8	115	10.2	13
Satisfactory resolution	129	63.6	82	36.4	47

Note. [a]Combined Highly Likely and Likely totals.

There were seven comments provided by respondents concerning the impact of reporting denied specialized training due to race and/or gender. Respondents added comments relating to (a) lowered work productivity and (b) being excluded from future training.

Respondents' Recommendations for Improvement of Services

There were a total of 75 comments provided by respondents for improving the current services provided to employees who are reporting specific misconduct allegations. A large number of responses involve the needed review of current LAPD processes with respect to the reporting and investigation of misconduct complaints. Respondents recommended, an anonymous and confidential reporting system should be designed, that the reporting process be transparent and known to all employees and designed in a manner that allows the name of the reporting employee to be held in strict confidentiality and not be disclosed.

Another process that was recommended was to remove the investigating function for the investigation of internal complaints of discrimination or harassment away from the confines of the department's Internal Affairs Division. Diversifying command staff and supervisory positions was also identified as a means for removing racial and other discriminatory practices from within the ranks of the organization. Eight responses specifically involved the enhancement of management accountability. Several respondents commented that commanding officers should be held to a higher standard of accountability for the work environment and for providing their subordinate supervisors with the trust and authority to make decisions. Several respondents commented that the double standard of the administration of discipline between management and non-

management personnel causes polarity within the organization that lends itself to mistrust and under-reporting of misconduct.

Enhanced training was another category that drew a number of responses for improving current resource options for personnel. Respondents indicated that there was a dire need for supervisors to become more aware of how to manage complaints of discrimination, harassment and disability medical restrictions. Respondents recommended that the department should design a resource web-page and confidential "hotline" for employees who need assistance with discrimination and harassment without going through formal investigative channels. One respondent commented:

> *Threatening employees with retaliation is effective but causes more fear. The process is laced with fear, embarrassment and uncertainty which causes under-reporting and undermines the process when reported. The culture does not want to accept that these problems exist. We need more encouragement, trust and accountability for one's actions to change this environment.* (R71)

Several respondents suggested that getting the word out about the least known resources would help remove the mystery of what each resource function does and the uncertainty of how to get appropriate help. Respondents additionally commented that improved training outside of an E-learning atmosphere where group discussions can take place would bring more of the issues out into the open.

<div align="center">Additional Comments by Respondents</div>

There were 18 additional comments from respondents who described their perception of the organization, supervision and how reporting parties to misconduct are perceived. Several respondents indicated that they perceive commanding officers as

being sophisticated enough to document adverse work performance so as not to appear like retaliation when the action is, in fact, retaliatory. Many respondents perceive those who report misconduct as whiners or babies that use the system to get the promotions or assignments they do not deserve or to not work hard to achieve. Several respondents perceive the department as having a 'who you know not what you know' type of bureaucracy where supervisors should be expected to set the tone and act professional whether a complaint is viable or not. Many respondents indicated that this was not the common case, however.

Several respondents recommended that employees seek assistance outside of the department for better assistance because of the lack of care taken by the department in managing complaints of peer wrongdoing. Others recommended that the department do a better job of educating employees about how to prepare themselves for promotion so that gender and racial bias does not continue to be an excuse for those who are unprepared for promotion. Several respondents opined that the department does less internal investigating of discrimination allegations because they are not trained well enough to manage the investigations without bias.

<center>Summary of Findings</center>

The data showed that department employees would most likely report any one of the eight most commonly reported types of employee misconduct listed in the survey instrument through the use of the LAPD's established chain of command (supervisor and above). The eight specific types of misconduct listed on the survey instrument included: *sexual harassment, hostile work environment, disparate treatment due to a work-related disability, non-selection for promotion or pay-grade because of gender or racial bias,*

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gender and/or racial comments heard in the workplace, conflict with supervisor, being

denied a hardship change of watch or assignment due to race or gender, and *being*

denied specialized training due to race or gender. Despite the varied specialized

resources in place to manage misconduct on the LAPD, respondents indicated that the

misconduct reporting avenues of Supervisor, below the rank of captain and Command or

Staff Officer were both viable resource options for all eight types of misconduct.

The next most frequently selected resources were Internal Affairs Group and

Employee Relations Section. The data showed that employees would likely report

misconduct allegations related to *sexual harassment, hostile-offensive or intimidating*

work environment, gender and/or racial comments at work, conflict with a supervisor,

and *being denied specialized training,* within their chain of command and to Internal

Affairs Group. For the reporting of misconduct allegations related to *disparate treatment*

for work-related disabilities, non-selection for promotion or pay-grade advancement due

to race and/or gender, and *denial of hardship change of watch or assignment request due*

to race and/or gender, respondents indicated they would likely utilize their chain of

command and Employee Relations Group. The resource option that would likely be the

least utilized (over 60%) for the reporting of these specific allegations of misconduct was

reported to be Behavioral Science Services and Office of the Inspector General.

The survey instrument contained eight types of impact commonly reported by

employees for reporting misconduct. These impacts are: *alienation or silent treatment,*

harsh treatment by peers, involuntary transfer, demeaning job assignments, "freeway

therapy" (assigned far from home), lowered performance evaluations, demotion or

downgrade, and *satisfactory resolution.* The data showed that respondents reported the

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highest frequency of real and/or perceived impacts (*demeaning job assignment, "freeway therapy", lowered performance evaluation, demotion or downgrade, harsh treatment by peers,* and *involuntary transfer*) for reporting two specific types of misconduct (conflict with a supervisor, and denied hardship change of watch or assignment request).

Over 70% of the respondents believed they would be subject to *harsh treatment by peers* and *alienation* for reporting sexual harassment and a hostile work environment. Over 55% of the respondents indicated real or perceived negative impacts of *alienation, lowered evaluation,* and *demeaning work* would be the result of reporting a conflict with a supervisor.

In terms of receiving a *satisfactory resolution* for the reporting of all eight types of misconduct, an average of 75% of the respondents indicated that they would not likely receive a satisfactory resolution to their report of misconduct. Respondents indicated that reporting of *disparate treatment due to work-related disability* (62%) and *sexual harassment* (53%) would result in the highest positive outcomes. The two types of misconduct that would result in the lowest perception or unlikelihood of a positive outcome reported by respondents were *non-selection for promotion or pay grade advancement* (62%), and *reporting a conflict with a supervisor* (67%).

Respondents provided comments as to why particular resources would unlikely be utilized. There were a total of 79 written responses provided by participants that addressed why particular resources would not be utilized. Individual reasons included fear of retaliation, preferences for an alternate resource, lack of confidence in a successful outcome, and preference to self-manage the issue without intervention. Organizational

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reasons included a preference for utilizing the organization's chain of command, an entity's lack of or poorly designed investigative role.

Seventy-five respondents provided comments and suggestions for improving the current resource options for LAPD employees. Recommendations from respondents included a combination of the following: (a) the necessity for enhanced communication channels between management and line officers, (b) improved training at all levels but particularly among the supervisory ranks, and (c) improved processes for the reporting and investigation of internal discrimination complaints. Additionally, the design of an alternative reporting resource or one-stop shop for the reporting and investigating of all discrimination complaints with outside department oversight was commented upon frequently by respondents. A one-stop resource for these types of complaints would lessen the confusion of having multiple resource options, enhance department compliance with employment laws, and improve accountability for creating and maintaining a professional work environment that encourages misconduct reporting for these types of misconduct violations.

CHAPTER V: CONCLUSION

The primary purpose of this study was to explore the act and impact of whistle-blowing by police officers who report acts of organizational wrong-doing within the Los Angeles Police Department (LAPD). A close examination as to why police officers continue to file claims outside of the organization while a myriad of internal resolution avenues are provided for employees and how the organization responds to reported workplace wrong-doing was conducted to determine the gravity and scope of the issues involved within the LAPD. It is believed that where evidence of dysfunction exist recommendations for changes or enhancement of current services can be made.

Police, fire and military professions are very unique in that they each "possess an unparalleled need for loyalty, solidarity, and protection (Kingshott et al., 2004; Rothwell & Baldwin, 2007) given that they can be in a life threatening situation on any given day whether they work in a plain clothes assignment or when working a uniformed patrol function. The fear of being isolated from other co-workers, losing promotional opportunities or career suicide are two of several significant causes for conscious and maybe even unconscious silencing by police officers who witness or experience organizational wrongdoing. Rather than viewing the whistle-blower as being a "malcontent" with self-serving motives, whistle-blowers can be seen as "part of a strategy to maintain and improve quality" (Lewis, 1997, p. 5). Failure on the part of any organization to protect whistle-blowers from retaliation or retribution after they report organizational or peer misconduct has far reaching affects to the individual and to the organization.

To explore the affects of reporting wrong-doing within the LAPD, a self-administered survey instrument was distributed to a sample of full-time sworn police officers of the LAPD in 2009. Survey participants were randomly selected from within the ranks of Police Officer, Detective, Sergeant, Lieutenant, Captain, and Commander. The survey instrument contained 17 questions designed to capture the likelihood of participants reporting eight specifically chosen types of misconduct to eight organizational resource entities available for the reporting of misconduct allegations made by employees of the LAPD. Data was collected from 131 survey participants.

Research Findings

The data analysis showed that police officers employed by the LAPD perceive the act of whistle-blowing and the subsequent impact of whistle-blowing as a negative process and experience. The data showed that regardless of these reported real and perceived negative consequences of reporting organizational misconduct to LAPD internal resources, a large number of police officer employees would prefer to report specific types of misconduct through their chain of command as opposed to using specialized resources. Police officers who reported that they would not likely utilize specific organizational internal resources cited the fear of retaliation, lack of faith in a satisfactory complaint resolution, and an unspoken code of silence, as the main reasons for non-disclosure.

Recommendations were provided by officers for improving current internal resource options. Some of these recommendations included the need for continuous training, particularly for supervisors, in workplace harassment and discrimination, a review and re-design of organizational processes and enhanced accountability for

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command and staff officers for ensuring that reported issues and concerns are swiftly and properly addressed without the fear of retribution. The key findings and discussion of what these findings may represent are discussed from the perspective of four research questions.

Research Question 1:

What is the Reported Likelihood of Using Each of the Established

Internal Misconduct Reporting Resources Based on Specific Misconduct Allegations?

The reported likelihood of using each of the established internal misconduct reporting resources varied among the resources and misconduct type. Supervisors below the rank of Captain were selected by the highest number of respondents for the reporting of Gender or racial comments in the workplace (84%), and disparate treatment due to a work-related disability (75%). The likelihood of reporting misconduct to Command or Staff Officers closely mirrored that of Supervisors. Over 65% of the respondents indicated that they would report any of the eight types of misconduct types to Command or Staff Officers. Over 73% indicated that they would report conflicts with supervisors and Command level personnel.

Internal Affairs Group had a likelihood reporting average of over 40% for seven out of eight types of misconduct. Over 67% of the respondents indicated that they would report gender and racial comments to this resource. Over 50% of the respondents reported the likelihood of contacting Employee Relations Section for all eight types of misconduct types.

The likelihood of using Work Environment Liaison Section, Office of the Inspector General and the Retaliation Prevention Unit were significantly low (under

40%) for reporting any of the eight misconduct types. Comments provided by respondents indicated that these were the least known resources of the eight. Behavioral Science Services ranked the lowest of likely use by the vast majority of respondents (21%). Comments provided by respondents ranged from resignation to distrust.

Research Question 2:

Are There Differences in the Reported Likelihood of Using Internal Misconduct Reporting Resources Based on any Specific Acts of Employee Misconduct?

The reported likelihood of using the eight established employee resources commonly used for the reporting of employee misconduct averaged slightly fewer than 60% for reporting four out of eight specific acts of employee misconduct: Sexual harassment, Hostile/offensive, or intimidating work environment, gender/racial comments in the workplace, and disparate treatment due to a work-related disability. Of the eight resources, respondents reported a more than 69% likelihood of reporting all eight misconduct types to a Supervisor and/or a Command or Staff officer; ranks or civil service classifications that fall within an employee's chain of command.

Internal Affairs Group was the third most selected resource by over 60% of the respondents for the reporting of sexual harassment, hostile/offensive, or intimidating work environment and gender/racial comments in the workplace. The least likely resources to be utilized for reporting any of the eight misconduct types were the Office of the Inspector general, Work Environment Liaison Division, and Behavioral Science Services.

Research Question 3:

What are the Expressed Reasons Given for any Misconduct Reporting Resources

That are "Not Likely" to be Used for Reporting Specific Acts of Employee Misconduct?

Of the less than 40% of the officers who would not use their chain of command, reasons provided ranged from a lack of confidence in particular supervisors or members of their command staff due to past experiences of peer or supervisory hostility to outright mismanagement of their reported complaint. One respondent wrote, "*I talked to a staff officer about a problem before. The solution turned out to be worse than the problem"* (R64). Many officers also cited the need for enhanced supervisory training in the management of work related discrimination complaints.

Comments related to the use of Internal Affairs Group drew some of the most direct and openly hostile comments by officers, although many would reportedly contact this resource for incidents related to sexual harassment and hostile work environment issues. Comments from respondents ranged from a lack of overall confidence in a successful outcome of their complaint, fear of retaliation and a lack of trust in how investigations are conducted. One respondent wrote *"I have felt retaliation for reporting misconduct in the past from the accused and the investigating officer at Internal Affairs"* (R81).

The resource options of the Work Environment Liaison Division, Office of the Inspector General, and the Retaliation Prevention Unit, received similar comments with respect to the reporting of most of the eight types of misconduct. Respondents indicated a general lack of trust felt by officers who are not aware of what these entities actually do. Of those who knew of the resource's particular function, several respondents

commented on the non-investigatory function of the unit as a reason why they would not utilize these resources.

Behavioral Science Services drew the highest number of comments from respondents. Comments included a lack of confidence in a successful outcome or ability to help resolve the issue at hand, and preference to self-manage the issue without internal psychological intervention. A number of officers indicted that they would prefer to seek assistance from outside psychologists rather than use the department resource.

Research Question 4:

What are the Perceived Consequences of Participating in the Whistle-Blowing Process?

As stated earlier, Police, fire and military professions are very unique in that they each "possess an unparalleled need for loyalty, solidarity, and protection (Kingshott et al., 2004; Rothwell & Baldwin, 2007). This being said, the fears associated with reporting peer misconduct are as real as the acts themselves. The reporting of gender and/or racial workplace comments, sexual harassment, and a hostile/offensive or intimidating work environment was reported as attracting the highest likelihood of negative impact. Over 72% of the respondents indicated they would be subjected to alienation or silent treatment from their peers after reporting these acts to any of the internal resources. These acts of misconduct were also reported by respondents (over 74%) as the most likely types of misconduct to be reported to supervisors and commanding officers.

Slightly fewer than 50% of the respondents reported the real or perceived fear of receiving an involuntary transfer of assignment for reporting gender or racial comments at work, sexual harassment, hostile/offensive or intimidating work environment. Of the eight types of misconduct, sexual harassment and disparate treatment due to having a

work-related disability were perceived to yield the most satisfactory results if reported to the department. Although there were a large percentage of respondents who perceived these consequences, these perceptions had minimal effect on the number of those who would actually report specific types of misconduct.

Conclusions

This study sought to examine the act and impact of police officers who report peer wrong-doing or specific types of misconduct through the use of internal resource options. The following conclusions were drawn from this study:

Conclusion 1:

The LAPD Culture Inhibits the Internal

Reporting of Specific Types of Organizational Misconduct

This study revealed that over 40% of the officers who completed the survey instrument believed that there would be one or more negative impacts of reporting certain types of misconduct through department channels and over 50% would not utilize the majority of specialized departmental entities in place for assisting in the resolution of these types of complaints. Officers cited a myriad of reasons as to why they believed reporting through department channels was futile. Many believed that the reporting process and reporting resource options yielded insufficient resolution options. Others believed that the LAPD culture was far too rigid to change what is believed to be a culture shrouded in secrecy, silence and the sequestering of peer wrongdoing.

Additionally, between the years 2004 and 2009, a number of civil lawsuits filed by sworn police officers of the LAPD have resulted in significantly high plaintiff awards. An analysis of these lawsuits indicates that employees who had attempted to

report specific types of organizational misconduct through the use of internal resources were met with less than favorable outcomes.

Conclusion 2:

The Existence of Multiple Internal Whistle-Blower Resource Options

Inhibits Rather Than Supports the Internal Disclosure of Organizational Wrongdoing.

The LAPD has in excess of eight internal resource options for the reporting of specific types of organizational misconduct. These entities offer LAPD employees a number of resource options for resolving complaints of a serious or minor nature. For example employees may opt to confidentially report to department psychologists who have the power and authority to restrict access to most information disclosed by the employee with the exception of disclosing acts that may cause physical harm to the reporting individual or others. However, this study showed that over 80% of the employees surveyed would not use this resource. Employees may also opt to initiate formal grievances, cause formal complaint investigations to be initiated, arrange for informal mediation procedures, or seek to initiate formal or informal counseling sessions for affected employees.

These options are in place to resolve any act committed by a department employee that may violate standard operating procedures. However, this study showed that the number of employees utilizing these resources ranged from a low 17% to 50%. This fluctuation in distribution may be indicative of the large number of employees who were unsure of where to seek resolution options. Many employees commented that the high number of resources caused overwhelm and confusion when deciding where to seek the best resource option.

Conclusion 3:

A Rigid Reporting System for the Reporting of

Organizational Misconduct and Inconclusive Investigations

Inhibit Employees From Utilizing the Internal Reporting Process

The LAPD mandates that any employee who becomes aware of misconduct shall immediately report the misconduct to a department supervisor or be subjected to an allegation of misconduct for failing to report the misconduct in a timely manner. This study showed that regardless of the mandatory reporting process there was evidence of conflicting choices about where, how and when to report specific types of misconduct. Hostile work environment complaints are difficult to place reporting limitations upon when the degree of offensiveness varies from person to person. With these types of issues, internal investigations have the tendency to end up focusing more on the complainant's failure to report the conduct in a timely manner rather than focus on the misconduct being reported. Civil lawsuits filed by police officers employed by the LAPD also demonstrate that the confidence of resolving misconduct complaints often fall short of a satisfactory resolution due to lengthy investigations, unknown disciplinary actions due to confidentiality provisions and limited protection for the whistle-blower. Additionally, internal investigations that are inconclusive fail to remedy the behavior being reported and all involved employees are faced with remaining in an environment that may be hostile or offensive for one or more employees. One respondent cited his or her reason for not reporting misconduct though the use of departmental resources as follows:

Threatening employees is effective but causes more fear. The process is laced with fear, embarrassment and uncertainty which causes under-reporting and undermines the process when reported. The culture does not want to accept that these problems exist. We need more encouragement, trust and accountability for one's actions to change this environment. (R71)

Conclusion 4:

Administrative Oversight (e.g., Internal Affairs Investigative

Complaint Process) for the Management of Reportable Employment

Discrimination is a Source of Loose Compliance or Non-Compliance

of Federal, State, and City Employment Discrimination Laws and Regulations.

Employment discrimination is investigated by the LAPD as an act of organizational misconduct rather than a violation of federal, and city laws. Investigations involving reported discrimination are often closed as "Unresolved" when there are no witnesses to the conduct and the investigation falls short of evidence needed to hold anyone accountable for the conduct. An "Unresolved" investigation does not stop the reported behavior and often results in organizational non-compliance of the law by failing to maintain a work environment free of discriminatory conduct where the reporting employee feels unsupported and unprotected by the organization.

Many officers cited experiences of retaliation that followed reports of misconduct that mirrored race and/or gender discrimination. Several commented on real or perceived acts of retaliation that were expressed by those investigating the very acts that were being reported. Others strongly recommended that an in-house one-stop investigatory resource

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outside of departmental control would encourage internal misconduct reporting and lessen the need for external reporting.

Implications for the LAPD

The high number of officers who reported the likelihood (over 70%) of reporting specific types of misconduct or peer wrongdoing to a member of their chain of command for any of the eight types listed, was a significant finding. On one hand, this finding may be used by command staff to recognize the need to use this influence to recognize the need to train and empower their subordinate supervisors in managing employee versus employee workplace gender and/or racially motivated conflicts swiftly and appropriately. This enhanced level of service in managing these employee issues would ensure compliance with Federal, State, City laws and other codified regulations for the proper management of employee discrimination. This level of the organization may be the most influential arm of the LAPD in beginning the process of needed change in how whistle-blowing is viewed, interpreted and managed by command staff and frontline supervisors.

Implications for Practice

The present study contributes to the body of whistle-blowing literature by examining the act and impact of reporting organizational misconduct within a large municipal police agency with multiple reporting resource options. Previous whistle-blowing literature has not explored the area of whistle-blowing from the perspective of police officers within one municipal police department, nor has whistle-blowing literature explored the impact that whistle-blowing has on police officers who have a myriad of internal resource options.

The present study demonstrates that having strict reporting control measures that demand the immediate reporting of organizational wrongdoing by employees (or be subjected to disciplinary action) and having numerous internal reporting resources is not enough to encourage internal whistle-blowing, nor does it protect the whistle-blower from any real or perceived fears associated with misconduct reporting. Studies show that both internal and external whistle-blowers tend to view their organizations as unsupportive and having less than effective avenues for resolving complaints of wrong-doing (Miceli, Van Scotter, Near, & Rehg, 2001). This present study contributes to these previous whistle-blowing studies. These findings showed that multiple number resource options and rigid misconduct reporting mandates are less than adequate to encourage the internal reporting of organizational wrongdoing. This study adds to current whistle-blowing research as few studies examine whistle-blowing from an organization's ability to self-regulate reported wrongdoing with multiple resource options.

The LAPD may be the only municipal policing agency to be studied for the impact of reporting misconduct to an excess of eight internal resource options. This study outlines the importance of open and transparent lines of communication between available multiple resource options, management, and employee-whistle-blowers.

Organizations with centralized structures have demonstrated their attempt to accommodate whistle-blowers by creating a decentralized style of management. A decentralized management style provides managers with flexibility in decision-making for resolving reported wrong-doing without involving upper management. This type of style is said to encourage internal whistle-blowing (Andrews, 2006). The high number of respondents who would report wrongdoing to their chain of command (over 70%)

supports past research, however, negative mindsets that dismiss whistle-blowing, can also create a culture that contributes to external whistle-blowing.

Recommendations

The following recommendations focus on creating and maintaining a work environment that encourages whistle-blowing as an act of loyalty to the profession and commitment to the continuous improvement of services provided to employees while decreasing the fear of organizational cannibalism. These recommendations are based on the collected survey data:

1. A risk management triage team made up of specially trained sworn and civilian supervisors and managers should convene on a regular (quarterly) basis to address issues and resolution options for complaints of employment discrimination, harassment and discrimination

2. LAPD managers and supervisors should receive mandated classroom training in conflict resolution, mediation techniques, and employment laws on a yearly basis

3. An audit of current LAPD resource options should be conducted to ensure compliance with City, State, and Federal employment discrimination laws pertaining to the investigation of reported complaints and maintaining a discrimination-free workplace

4. Design a "Code of Conduct" to be distributed to all employees that is enforced at all levels of the organization

5. Department recognized employee resources must have a confidential "right to know, need to know" open door policy that allows for confidential networking and transparency of information among each of the resources

6. Create a clearly defined reporting structure for employees that describe the

   functions of all specialized reporting avenues to remove the fear and uncertainty

   associated with unfamiliar resources.

Methodological Limitations and Internal Validity

Methodological Limitations

The response rate for the survey was considerably less than what had been hoped

for. With only 18% responding, questions regarding the ability to create a "safe"

environment for officers to share their beliefs and experiences for these highly sensitive

issues continue along with the speculations that the high number of recently closed

lawsuits and the increasing number of pending lawsuits may have influenced those who

chose not to participate. There were a number of officers who returned surveys with

handwritten "no thanks!" or other statements regarding the inability to change the culture

of LAPD. Nevertheless, since valid sampling methods were used, these 131 officers'

views are representative of the LAPD though not all views of the 8300 workforce are

included. This impacts the external validity and recommendations must be made with

some level of caution.

Ensuring Internal Validity of Interpreted Data

Careful and deliberate multiple reviews of the qualitative data following

Creswell's (2003) strategies supported internal validity. This process involved the

selection of a second researcher. In order to ensure reliable interpretation of the

qualitative data, the coded data was reviewed in depth by a peer examiner experienced in

textual analysis. Coding results were discussed and included extensive discussions

regarding any identifiable conclusions or possible misinterpretations. The coding process

continued until consensus was obtained. Several areas presented challenging considerations; these involved the determination of relationships among comments that did not comply with instructions given to survey participants, and ensuring researcher objectivity. As a law enforcement officer employed by the organization being surveyed it was critically important to be self-aware and to be able to acknowledge when personal assumptions or bias may possibly interfere with the coding or interpretation of comments. One way to deter this from occurring was to engage in frequent dialogue with the co-reviewer about emerging patterns until a consensus was received.

Suggestions for Future Research

Although much was learned from this study, there is much to be learned about the act and impact of whistle-blowing within a closed, rigid, command and control organizational setting. Researchers interested in studying the act and impact of police whistle-blowing could consider studying the effects of whistle-blowing from the perspectives of both civilian and sworn personnel within the policing profession. By studying varied sub-cultures within a given organization or profession, it may be possible to gain more comprehensive data resulting in greater insight into the influence of peer and organizational retaliation on the whistle-blowing process.

Closing Remarks

I am a 29-year veteran of the LAPD. I feel fortunate to have been given the opportunity to conduct this study after 29 years as a sworn police officer for the LAPD, and after having worked at one or more of the resource options listed in the survey. My tenure as an LAPD officer and investigating detective came full circle during this study. I began my career interviewing potential victims of employee harassment and enter the

last few years of active duty interviewing potential victims of workplace retaliation. Much has changed over the years on the LAPD in terms of the rising level of interest in recognizing where cultural change is necessary and doable without waiting for the next court finding. During this year-long journey I gained additional insight into the largely unknown and often questioned motives of the police officer as organizational whistle-blower. I spent 14 years as the LAPD's Sexual Harassment Counselor and I have interviewed or participated in the interviewing of hundreds of department sworn and civilian employees with respect to complaints of harassment, work discrimination, and retaliation. I currently supervise a newly formed unit that oversees adverse actions taken against employees involved in lawsuits, grievances and formal personnel complaints in hopes of lessening the rising plaintiff awards, and in time, preventing real or perceived acts of retaliation.

During my tenure with working three of the eight employee resources I learned that sometimes bad people bring bad circumstances and experiences onto themselves. And, other times, bad things happen to the undeserving. That is a significant lesson for me because it keeps me grounded after listening to the stories of those who feel betrayed by their co-workers, friends and supervisors when their heartfelt complaint goes unresolved or unattended to. The LAPD has been under close scrutiny by the Federal courts since 1979. Sadly, it took three court imposed consent decrees and a growing number of civil lawsuits for the LAPD to move beyond age-old rigid mindsets and an antiquated discipline system to demand compliance to its policies and procedures. The policies are not working to control behavior. Rigid command and control of reporting mandates do not work to control the reporting of wrongdoing (Barnett, Cochran, &

Taylor, 1993, Bather & Kelly, 2005). Specialized units impose self-regulated confidentiality policies that do not allow for a free information exchange, or triaging of resolution strategies between the sections or units. Complaints are often being investigated by one or more resource options leading to duplicated efforts with weak or ineffective resolution options.

Written policies are not enough to change mindsets, as demonstrated by the growing number of police civil lawsuits. I heard it once said that the problem with the LAPD's police force is that the City Personnel Department recruits from the human race. As such, differences are expressed, rights are defended, misconduct allegations generate stronger control mechanisms, justice is gained by filing civil lawsuits, and the hamster moves with no destination in mind. It takes strong leadership to set the tone of professional conduct. As long as gallows humor exists among police officers to describe the misfortunes of one another and the citizens they serve, as long as a written code of conduct fails to exist or hold employees accountable for, as long as managers continue to blindly endorse discipline up the chain of command without an independent and objective viewpoint, and as long as the person at the top fails to address the cries of help from within, organizational discrimination followed by the personal vindication of civil lawsuits and large plaintiff awards will continue to rise.

The majority of officers I have met, worked with, counseled, or interviewed have one thing in common. Some managers and supervisors are quick to label whistle-blowers as lazy malcontents who use the system for personal gain and personal vendettas. There are managers and supervisors who flippantly interpret the external reporting of misconduct as an act of disloyalty or worse, an act of organizational terrorism. And, in

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the midst of these negative mindsets about the external reporting of misconduct

violations, over 70% of the respondents in this study reported that middle management

and command leaders would be their initial reporting avenue for allegations of

misconduct. Negative mindsets breed contempt and inaction by those with the most

power and influence to correct behavior and effect needed change to a culture that is

feeding on itself.

In my personal experience with reports of internal workplace harassment

however, I have found that many of our organizational whistle-blowers are seasoned

police officers who came into this line of work for all the right reasons; to protect and

serve others. With many officers, there is a belief that they, as police officers should be

protected from harm from within and served by the organization when violations are

reported. Loyalty is a two-way street. I recently met with an officer who is the main

plaintiff in a lawsuit involving over 2000 LAPD officers that was recently settled for a

large figure. I saw the tears in his eyes when he described sacrificing his time with his

family to work long hours without one blemish to his record. And when he attempted to

report act of perceived retaliation, he was unable to get satisfactory assistance to stop the

reported conduct. He decided to "fight back" by having his day in court. When I asked if

he was ready to retire soon, he responded, "what for? I love this job…that's the one

thing they can't take from me." That was my paradigm shift. For a moment, I felt the act

and impact of whistle-blowing from his perspective: a gut wrenching feeling of

disappointment mixed with anger for the senselessness behind it all.

The effects of whistle-blowing can remain with the individual whistle-blower or

it can infiltrate into a small squad or unit at the blink of an eye lowering morale,

productivity and organizational pride. Minimizing the risk of liability from retaliation and discrimination lawsuits in both public and private industries can be minimized with a (a) proactive approach by management that encourages and commends whistle-blowing by employees, (b) the establishment of well-defined protection policies that project a zero tolerance for retaliation against any employee who brings forward reports of organizational wrongdoing, (c) a clearly defined process for reporting organizational wrongdoing that is a confidential and supportive means for resolving complaints and concerns, (d) the development of appropriate training programs for managers and supervisors for the no-nonsense management and investigation of employment discrimination complaints, and (e) a strong disciplinary approach to manage those who violate employment discrimination laws and policies and to hold managers strictly accountable for their diligence in resolving workplace issues within their respective assignments and commands.

In this study an attempt was made to determine the cause and effect of whistle-blowing and the influence that departmental internal entities have on the reporting process. I have met my initial objectives for contributing to the whistle-blowing body of knowledge by demonstrating how multiple resource options and rigid misconduct-reporting policies fail to encourage internal whistle-blowing. And, I have offered recommendations for the enhancement of services offered to the men and women of the LAPD. This study only touches the surface of the work that is still needed to be done in the examination of paramilitary work life and its influence on organizational behavior.

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APPENDIX A

Pepperdine University IRB Approval

PEPPERDINE UNIVERSITY

Graduate & Professional Schools Institutional Review Board

September 10, 2009

Deborah Gonzales

Protocol #: E0809D06
Project Title: *The Act and Impact of Whistle-blowing on the Los Angeles Police Department*

Dear Ms. Gonzales:

Thank you for submitting the revisions requested by Pepperdine University's Graduate and Professional Schools IRB (GPS IRB) for your study, *The Act and Impact of Whistle-blowing on the Los Angeles Police Department*. The IRB has reviewed your revisions and found them acceptable. You may proceed with your study. The IRB has determined that the above entitled project meets the requirements for exemption under the federal regulations 45 CFR 46 - http://www.nihtraining.com/ohsrsite/guidelines/45cfr46.html that govern the protections of human subjects. Specifically, section 45 CFR 46.101(b) (2) states:

> (b) Unless otherwise required by Department or Agency heads, research activities in which the only involvement of human subjects will be in one or more of the following categories are exempt from this policy:

> **Category (2) of 45 CFR 46.101**, research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: a) Information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

In addition, your request to waive documentation of informed consent, as indicated in your **Application for Waiver or Alteration of Informed Consent Procedures** form has been **approved**.

Your research must be conducted according to the proposal that was submitted to the IRB. If changes to the approved protocol occur, a revised protocol must be reviewed and approved by the IRB before implementation. For any proposed changes in your research protocol, please submit a **Request for Modification Form** to the GPS IRB. Because your study falls under exemption, there is no requirement for continuing IRB review of your project. Please be aware that changes to your protocol may prevent the research from qualifying for exemption from 45 CFR 46.101 and require submission of a new IRB application or other materials to the GPS IRB.

A goal of the IRB is to prevent negative occurrences during any research study. However, despite our best intent, unforeseen circumstances or events may arise during the research. If an unexpected situation or adverse event happens during your investigation, please notify the GPS IRB as soon as possible. We will ask for a complete explanation of the event and your response. Other actions also may be required depending on the nature of the event. Details regarding the timeframe in which adverse events must be reported to the GPS IRB and the appropriate form to be used to report this information can be found in the *Pepperdine University Protection of Human Participants in Research: Policies and Procedures Manual* (see link to "policy material" at http://www.pepperdine.edu/irb/graduate/).

Please refer to the protocol number denoted above in all further communication or correspondence related to this approval. Should you have additional questions, please contact me. On behalf of the GPS IRB, I wish you success in this scholarly pursuit.

6100 Center Drive, Los Angeles, California 90045 ▪ 310-568-5600

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Sincerely,

Doug Leigh, Ph.D.
Associate Professor of Education
Pepperdine University
Graduate School of Education and Psychology
6100 Center Dr. 5th Floor
Los Angeles, CA 90045
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(310) 568-2389

cc: Dr. Lee Kats, Associate Provost for Research & Assistant Dean of Research, Seaver College
        Ms. Ann Kratz, Human Protections Administrator
        Dr. Doug Leigh, Chair, Graduate and Professional Schools IRB
        Ms. Jean Kang, Manager, Graduate and Professional Schools IRB
        Dr. Kay Davis
        Ms. Christie Dailo

APPENDIX B

Los Angeles Police Department Approval

LOS ANGELES POLICE DEPARTMENT

WILLIAM J. BRATTON
Chief of Police

ANTONIO R. VILLARAIGOSA
Mayor

P. O. Box 30158
Los Angeles, CA 90030
Telephone: (213) 485-6552
TDD: (877) 275-5273
Ref #: 2.2.3

August 13, 2009

Paul M. Weber, President
Los Angeles Police Protective League
1308 West Eighth Street, 4th Floor
Los Angeles, California 90017

Dear Mr. Weber:

Re: Survey For Doctoral Coursework

Please find enclosed a copy of an employee survey I approved for dissemination in accordance with established policy as specified in Department Manual Section 3/220.55 and the related Settlement Agreement between the Department and the Los Angeles Police Protective League, dated October 18, 1995.

If you have any questions please contact Lieutenant Carl Frank, Employee Relations Group, at

Very truly yours,

WILLIAM J. BRATTON
Chief of Police

JOSE PEREZ Jr., Commander
Employee Relations Administrator

c. Commanding Officer, Legal Affairs Division

Enclosures

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER
www.LAPDonline.org
www.joinlapd.org

Sent 8/13/09

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APPENDIX C

Los Angeles Police Protective League Legal Counsel Approval

From:	Hank Hernandez
To:	DEBORAH GONZALES
Date:	7/30/2009 11:44 AM
Subject:	Research Project: The Act and Impact of Whistle Blowing on the LAPD
CC:	"Paul M. Weber"

Deborah:

This is to confirm that we personally met on July 24, 2009, and discussed your above entitled research project at length. During our meeting we reviewed the proposed survey instrument to be submitted to a stratified random sampling of LAPD officers. Based on our discussion and a review of the proposed survey instrument, the Board of Directors of the Los Angeles Police Protective League, the recognized employee organization for all sworn LAPD officers of the rank of lieutenant and below, unanimously approved the distribution of the surveys to its members as you proposed.

Please contact me if there are any questions. We wish you good luck and success with your project.

Enrique "Hank" Hernandez
General Counsel
Los Angeles Police Protective League
1308 West Eighth Street Suite 200
Los Angeles, CA 90017

CONFIDENTIAL COMMUNICATION

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APPENDIX D

Aggregated Results

Table D1

Frequency Distribution of Respondents Indicating the Likelihood of Reporting Each of the Eight Types of Misconduct to Each of The

Eight LAPD Employee Resource Entities

Misconduct Resource	Sexual Harassment			Hostile Work Environment			Disparate Treatment Disability			Non-select Promotion or Pay-grade			Gender/racial Comments			Conflict w/Supervisor			Hardship Denied Race/gender			Denied Training Race/gender		
	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL
SUPV	20.9	28.7	50.4	21.5	33.1	45.4	16.2	40.8	43.1	42.3	33.1	24.6	24.4	31.5	43.8	41.9	24.8	33.3	33.6	31.3	35.2	41.1	34.4	28.9
COS	27.7	29.2	43.1	25.2	26.7	48.1	31.8	35.7	32.6	41.5	29.2	29.2	31.0	29.5	39.5	26.2	29.2	44.6	30.5	29.3	42.2	36.7	34.4	28.9
IAG	31.5	36.9	31.5	28.2	29.8	42.0	51.2	20.2	28.7	55.4	28.5	16.2	32.3	31.5	36.2	55.8	24.8	19.4	52.0	22.4	25.6	57.5	19.7	22.8
ERS	45.4	33.1	22.3	45.4	30.0	24.6	42.2	28.1	29.7	43.8	29.2	26.9	51.5	25.4	23.1	58.6	18.0	23.4	49.2	25.1	25.2	54.7	23.4	21.9
WELD	55.4	25.4	19.2	49.2	30.8	20.0	53.5	21.7	24.8	60.3	24.4	15.3	60.8	17.7	21.5	61.5	14.6	23.8	59.4	17.2	23.4	59.4	17.2	23.4
OIG	46.9	16.2	36.9	40.8	26.4	34.6	60.4	19.4	20.2	56.9	28.5	14.6	50.0	25.4	25.4	65.6	21.1	13.0	62.2	18.9	18.9	61.4	25.2	13.4
RPU	47.3	31.8	20.9	37.7	41.5	20.8	51.9	32.6	15.5	58.5	27.7	13.8	44.8	33.1	18.9	55.5	28.1	16.4	56.7	28.8	16.5	59.8	26.8	13.4
BSS	76.7	17.8	5.4	73.1	19.2	7.7	64.3	24.8	10.9	82.2	12.4	5.4	75.6	15.0	9.4	68.5	21.3	10.2	74.8	15.7	9.4	77.0	17.5	5.6

Note. NL = Not Likely, L=Likely, HL=Highly Likely. SUPV= Supervisor (below rank of captain), COS= Command/staff officer, IAG=Internal Affairs Group, ERS=Employee Relations Section, WELD=Work Environment Liaison Division, OIG=Office of the Inspector General, RPU=Retaliation Prevention Unit, BSS=Behavioral Science Services

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Table D2

Frequency Percentages - Perceived Consequences (Impact) of Reporting Eight Types of Misconduct to a Department Resource

Misconduct type / Impact of Reporting	Sexual Harassment			Hostile Work Environment			Disparate Treatment Disability			Non-select Promotion or Pay-grade			Gender/racial Comments			Conflict w/ Supervisor			Hardship Denied Race/gender			Denied Training Race/gender		
	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL	NL	L	HL
Alienation Silent Treatment	27.5	32.6	39.5	29.5	39.5	31.0	50.0	33.3	16.7	38.8	39.5	21.7	27.1	42.0	29.8	40.8	43.1	16.2	44.5	37.5	18.0	44.2	40.3	15.5
Harsh Treatment Peers	44.2	34.9	20.9	47.3	31.8	20.9	65.4	24.4	10.2	49.6	35.7	14.7	45.7	29.8	23.7	47.3	42.6	10.1	51.6	35.9	12.5	54.3	31.0	14.7
Involuntary Transfer	51.9	28.1	18.8	51.2	8.8	10.1	60.6	29.9	9.4	63.6	28.7	7.8	49.2	39.7	9.9	48.8	37.2	14.0	54.7	39.8	5.5	64.8	28.1	7.0
Demotion Downgrade	82.9	14.0	3.1	87.6	10.1	2.3	89.8	8.7	1.6	88.4	10.9	.8	82.0	14.5	3.1	82.8	13.3	3.9	94.5	4.7	.8	89.8	8.6	1.6
Lowered Evaluation	66.7	27.9	5.4	60.9	35.9	3.1	76.2	21.4	2.4	68.2	27.9	3.9	59.4	36.6	3.1	45.0	43.4	11.6	68.8	28.9	2.3	68.8	26.6	4.7
Transfer "Freeway Therapy"	65.6	24.2	10.2	66.1	25.2	8.7	80.3	15.0	4.7	68.7	21.7	8.5	68.0	22.9	8.4	64.3	21.7	18.5	74.2	20.3	5.5	74.2	18.8	7.0
Assigned Demeaning Job tasks	60.9	25.8	13.3	50.8	39.1	9.9	66.9	27.6	5.5	56.6	33.3	10.1	54.7	35.1	9.2	45.7	38.0	16.3	54.7	41.4	3.9	61.7	32.0	6.3
Satisfactory Resolution	46.2	35.4	18.5	52.7	35.1	12.2	38.0	45.7	16.3	62.3	28.5	9.2	50.4	36.6	12.2	67.7	20.8	11.5	57.4	32.6	10.1	63.6	26.4	10.1

Note. NL=Not Likely, L=Likely, HL=Highly Likely.

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