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Improving Police Officer Recruiting, Retention, and Job Satisfaction

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by

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Abstract

This Capstone paper covered the topics of police officer recruiting, retention, and job satisfaction. It detailed current issues surrounding these topics, and promoted actionable and evidence-based changes to improve those issues. Topics were analyzed through administrative, ethical, and legal and legislative lens views. These proposed measures served as confirmation that current concerning trends can be mitigated, if not reversed, with thoughtful and thorough actions by police administrators and frontline employees alike.

Keywords: *Police, Law Enforcement, Recruiting, Retention, Job Satisfaction, Leadership*

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Improving Police Officer Recruiting, Retention, and Job Satisfaction

Chapter 1: Introduction

Police recruiting, retention, and job satisfaction issues have become an often-repeated topic of national conversation in recent years, and for good reason. According to the Police Executive Research Forum (PERF) data, retirement rates increased around 50% and application rates decreased around 50% for most agencies when comparing 2021 to the previous year (PERF, 2021). These numbers are deeply concerning, and that concern extends beyond mere worries over staffing levels. Decreased application numbers also raise valid concerns related to the quality and competence of a smaller group of candidates needed to fill a growing number of positions. Trends like these are likely unsustainable.

Qualitative data shows trends of law enforcement officers leaving their jobs for opportunities elsewhere. Many agencies are reporting reasons like “depression over the national narrative about police” and low overall morale. There are few exceptions to these examples, but they exist in a strong minority of cases. One agency reported: “We have a positive and energetic work force, very strong morale, with lots of worry about their future, but their proactive police work has helped drop our violent crime rate” (PERF, 2021, para. 48). Positive examples like these can serve as an inspiration and case study to struggling agencies, but these examples do not seem to be overwhelmingly common and do not render the staffing crisis less dire. These variances in qualitative response are telling that not all hope is lost, and agencies can take actionable steps to mitigate recruiting, retention and morale issues.

The resulting question is how does an agency accomplish breaking national negative trends? A police department which maintains its ability to recruit, retain, and satisfy employees at a high level is providing a high level of service to their community at an effective cost, while

simultaneously looking out for employee wellness. A police department that cannot maintain staffing levels is burning money on avoidable hiring and training costs, and paying dispassionate officers to do bare-minimum work at full cost. From a social aspect, those officers who remain employed while unsatisfied and unmotivated, are likely avoiding opportunities to do their impactful work “the right way” - making their communities safer and building better relationships with residents.

Police administrators can make positive organizational changes within their agencies to mitigate these issues and reap the benefits of a more stable and satisfied workforce. These actionable steps can serve as a starting point for pursuing desirable results in achieving better police officer recruiting, retention, and job satisfaction. Examples of these organizational changes will be outlined in greater detail in Chapter 2.

This paper will also soon establish the importance of creating opportunities for employee autonomy in improving police officer recruiting, retention, and job satisfaction. In doing this, it is important to consider potential legal consequences of such actions. Fortunately, those consequences can be positive and actually mitigate risk, while simultaneously promoting autonomy. Changing policies, procedures, and leadership approaches are all great ways to work on accomplishing organizational goals, but consideration should be given to any real or potential liability these actions may create.

Autonomy in policing can be looked at in various ways. At the “macro” organizational level, it can be viewed as an administrator, or team of administrators, making independent decisions while avoiding undue negative outside influence. When professionals are chosen to lead at the higher echelons of an organization, their qualifications should be recognized by elected officials, and they should be trusted to apply their expertise to their decisions. At the

"micro" level, one can look at autonomy in policing at the individual officer level. Individual officers exercising effective autonomy can pursue their existing and discovered passions, without oppressive administrative controls obstructing their paths. Administrators and individual employees both have a part to play in this individual-level pursuit. In either setting, there exist opportunities to promote a positive and beneficial environment of autonomy in policing, while still being mindful of legal impacts and providing reasonable structure.

Promoting autonomy is a delicate balancing act when considering it alongside legal mindfulness and compliance with established law. The intricacies of that balancing act will be discussed in greater detail in forthcoming sections. In short, this paper will present ideas to write policy and enact changes which accomplish said balance. Those ideas will support the research-supported job satisfaction benefits of promoting autonomy, while mitigating the legal risks of being perceived as unstructured or without rules.

Improving police officer recruiting, retention, and job satisfaction is of enormous importance, but it should be done ethically. Law enforcement agencies are struggling to maintain staffing across the United States. More locally, multiple departments have recently disbanded altogether due to persistent staffing, compensation, and morale problems (Severson, 2023). To consider ways of improving these challenges, it is difficult to view any intended improvements as anything other than altruistic and urgent. This does not mean changes should be enacted before forecasting both their efficacy and ethics.

A police administrator should apply an ethical lens to any endeavor they undertake, regardless of any apparent overwhelming ethical-soundness they may see at the start of a given project. Good intentions will only get a leader so far if they make an ethical mistake, and in turn become subjected to meticulous hindsight in the court of public opinion. A leader needs to do

more than assume, preach, or hope for ethics in their organization. To expect and achieve ethical conduct by employees is how an organization can flourish and avoid incidents resulting in heavy public scrutiny or sanctions, but this requires extra work. To accomplish this, a code of ethics policy and subsequent culture of ethics is needed. Establishing such a code and culture can prevent and prohibits ethical issues, issues which "…include controversy over the 'right' thing to do" (Pollock, 2022, p. 2). They can also help to clarify ideal or permitted ethical behavior by employees.

Once an ethical foundation is established and put in practice, an administrator can begin the next steps toward positive change in the areas of recruiting, retention, and job satisfaction. Realistic expectations should be set, because a leader could do everything right and still experience some issues to a degree. However, putting these changes to an ethical test within an ethical organization should at least mitigate the personnel issues in question, while also mitigating risk of consequences related to hasty decisions and ethical missteps.

Chapter 2 of this paper examines these complex and multifaceted issues through administrative, legal, and ethical lenses. In each of those sections, existing research is referenced in a way that assesses what can be done to engage in positive, thoughtful change behavior by leaders in policing. Although this issue may be rightfully viewed as alarming by many, the upcoming sections will show that hope can be discovered and pursued, even in times of societal despair around these issues existing in the field of policing.

Chapter 2: Review of the Literature

Administrative Lens View: Leadership Strategies

Examining police officer recruiting, retention, and job satisfaction strategies through an administrative lens can begin with an assessment of leadership applications. What does research show about leadership? Many speculate on which leadership approach is best. Fewer, but still many, have conducted legitimate research into leadership efficacy as it relates to law enforcement settings. Broad research shows that transformational and servant leadership allows employees to flourish, and related research in a criminal justice setting shows the same applies to police officers.

Transformational Leadership

The tenets of transformational leadership as summarized by Stojkovic et. al. (2015) are: "Mission and vision statement, goal setting, and cultivation of creativity and imagination to address organizational concerns and problems" (p. 206). The approach to leadership directly addresses common problems in law enforcement workplaces when applied effectively. Innovative solutions to officer grievances are effective ways to mitigate complaints. When a mission statement is clear and uncontroversial, pursuit of established and common organizational goals can instill a sense of purpose within employees. Police officers who work under transformational leadership and exercise goal-setting in their work benefit from higher job satisfaction (Demirkol, 2021).

What does transformational leadership look like within a police agency? It begins with stepping away from traditional leadership practices, in favor of research-driven decisions and innovative solutions. Historically, law enforcement agencies have operated under a top-down paramilitary structure where decisions are made by the agency executive and handed down as

orders. Transformational leadership in law enforcement does not eliminate the classic hierarchical ranked structure of an agency or strip administrators of decision making power; rather, it involves other agency personnel in conversations that precede decisions. Although the hierarchy remains, it is less of an authoritative leadership approach with one (or few) people making decisions based on their narrow opinions. In an environment of transformational leadership, experienced is recognized regardless of the position or level it comes from, and the organization benefits from a wider scope of involvement and input in various organizational missions.

Servant Leadership

Administrators who empathetically serve first, and lead second are abiding by the principles of servant leadership. Leaders and followers alike stand to benefit from this approach. When a servant leader creates a better workplace for others, they in turn create a better one for themselves. Traditional law enforcement leadership is "top down" where administrators create directives and pass them along to lower levels of department hierarchy.

Badger (2019) described a servant leader as someone who can "…create collaborative environments for their teams to thrive in, promote subordinates' autonomy, and lead with ethical and moral decision making" (para. 7). Administrators adopting this approach are inherently simultaneously aligning with transformational leadership principles. Any police executive effectively applying servant leadership will act as a Sherpa for officers pursuing their aspirations, overcoming adversity, accomplishing growth, and achieving their unique definitions of success. Officers experiencing servant leadership will undoubtedly feel valued and supported in their work.

Police Department Solutions

The leadership principles can work in tandem with actionable solutions to improve officer job satisfaction. Transformational leadership calls for innovative solutions, of which some examples are provided below. Servant leadership produces administrative involvement in an officer's work. Although these are effective, outlining and committing to these strategic leadership tactics alone is not enough, they are instead merely a solid first step. Administrators can employ a handful of solutions, keeping those leadership principles in mind, to foster better working conditions for officers.

Vocal Support of Quality Work

Few police officers are driven or motivated by recognition and public accolades. Internal and external messaging by administrators can still impact how officers view their jobs. Police officers who feel the public views them less favorably, feel more negatively about their own work (Gordijn et. al., 2017). However, it is administrators in most organizations, not the officers themselves, who hold the keys to mass communication to the public. Administrators could raise officer job satisfaction through using their platforms to evoke honest empathy by the public for the challenging work which officers face.

Messaging, both internal and external messaging, should reflect an administration's support for officers' work and performance. Internal messages, like notes or emails highlighting good work, cost nothing but have an impact of reassurance of support when an officer is exceeding expectations or contributing to organizational goals. Many agencies conduct annual performance reviews where officers are scored on various performance categories. These reviews, coupled with an absence of disciplinary proceedings, are too often the only ways officers have an idea they are performing to agency standards.

Individual first line supervisors who are embracing transformational and servant leadership ideologies will engage in constructive positive feedback, but it may be rarer to see this from upper administration – especially in larger organizations. If these conditions exist, administrators can motivate entry level employees by also giving periodic performance feedback, while demonstrating their awareness and involvement in all levels of their organization. This could be something as simple as a police chief reading noteworthy reports, and mentioning quality work to the involved officer(s). Not only is this positive reinforcement of the quality work, but it also shows that the higher-level administrators pay attention and appreciate it, even if they are professionally detached from that work due to structure or organizational size.

External messages, like press releases or social media content, should also involve the successes and challenges encountered by officers. These messages increase public awareness, and with it the understanding and favorability towards officers. When officers feel the public views them more favorably, they feel better about their work (Gourdijn et. al., 2017). In the author's personal experience, one-sided external messaging is damaging to police legitimacy. A jurisdiction with high crime, whose law enforcement agency only uses external messaging to highlight community outreach, is not painting an accurate picture to the public of organizational operations and experiences.

Community outreach is an effective tool and an important part of community policing, but the public deserves to be aware of other challenges and to develop authentic relationships and understandings with their public servants. One-sided superficial messaging can create a public perception that policing in a given organization involves excessive free time and scarce response to challenging or dangerous situations, which is rarely the reality of law enforcement

work. Administrators have the ability, and arguably the responsibility, to use internal and external messaging to improve workplace sentiments and accurate public perceptions.

Purposeful Positions

Law enforcement officers generally start their careers with a passion for service. Even in this exciting and challenging work, monotony and boredom can set in. Every agency, regardless of size, has promotional positions that officers can aspire to achieve. Most agencies also offer several of "specialty positions", which can renew an officers focus and investment in their work. Examples of specialty positions include unit assignments (investigations, gang, canine, traffic enforcement), school liaison, crime scene team, drone operator, and training positions. No matter the size of an agency, administrators should work to provide opportunities that meets the aspirations of its officers. Another benefit is these positions typically result in better service provided to the community. These positions serve as great motivators for police officers when they fill those roles, or work towards obtaining them (Traylor, 2021).

Certainly, there isn't a desirable specialty or advancement position available for every officer at each moment they express interest, and these positions sometimes come at a financial cost. However, the cost is often relatively minimal. A small salary increase and some initial training courses are usually all that is required of basic specialty position opportunities. These costs are small when compared to the costs of retention troubles, resulting in the substantial costs of hiring and training new employees to fill vacancies. If one could assign a numeric "value" to retaining a police employee, that value would arguably overshadow the comparative cost of creating a position that results in that employee's retention and impassion.

As an example, one of the more expensive specialty position costs in a police department is a canine unit. In addition to the salary increases seen in most other specialty positions, there

are significantly more associated equipment, initial training, and maintenance costs. The canine unit example can be seen as the "worst case" argument against adding specialty positions. *Figure 1* below shows the annual budgeting costs for a hypothetical canine unit. When accounting for the successes most agencies have in community funding for initial purchase costs, a canine team and squad car cost about $20,000 annually to maintain – making it very costly in comparison to other specialty positions. However, that cost adds a very purposeful and involved position to a department. It is also far less than the roughly $100,000 it would cost to hire a new officer and get them through a probationary period. Most would agree that the $20,000 in this circumstance is an investment that can pay future dividends, while the $100,000 is more of a penalty resulting from a failure, which can be repeated indefinitely if not corrected. Even one of the most potentially-expensive specialty positions makes financial sense when considering the costs of failed retention and the value of employee motivation and purpose.

Expenses	Budget Amount 2023	Projected Annual Amount 2024-Retirement of Canine Excluding Vehicle Cost	Projected Annual Amount Including Averaged Vehicle Cost
Purchase of canine	10,000	0	0
Initial 16 week training	5,000	0	0
Initial equipment outfitting	4,000	0	0
Squad car purchase and setup	45,000	0 (projected replacement in 2027)	11,250 (45,000/every 4 years)
Handler specialty pay	5,000	5,000	5,000
Veterinary services (preventative care)	1,000	1,000	1,000
Veterinary services (injury/unplanned)	1,000	1,000	1,000
Food/training aids	800	800	800
USPCA membership	50	50	50
Equipment	0	400	400
Training course fees	0	500	500
Total Expenses (% of PD annual budget)	71,850 (.66%)	8,750 (.08%)	20,000 (.18%)
Total Expenses with donated canine/training (% of annual budget)	52,850 (.48%)	8,750 (.08%)	20,000 (.18%)

Figure 1 (Budget proposal for 1 canine unit at municipal police department with $10.8 million annual budget)

Administrative Mentoring

When promotional systems work fairly in an organization, administrators generally "climb the ladder" based on a handful of factors like their consistent workplace competency, intelligence, leadership, and communication skills. Administrators typically have a lot of information about obtaining success within an organization, based on whoever may define success. A mentoring program where administrators have a more direct route to interact with employees at the bottom levels of a police agency would be beneficial.

One innovative mentoring program approach would include assignment of mentees to an agency administrator. In a municipal police department for example, the administrators who hold positions of Chief, Assistant/Deputy Chief, Captain, and Lieutenant, would each take a share of employees like police officers and detectives. The administrator would have a brief meeting with each of their assigned employees approximately 3 times each year. Content of the meeting would be an opportunity to discuss career aspirations, goal setting, and grievances or hardships. The administrator would then have an opportunity during the mentorship meeting to discuss ways they can assist the employee in reaching their goals, and improve their own awareness about potential issues in the department.

Executing this program effectively requires a culture of openness and willingness to share opinions. If effective, such a program would "bridge the gap" so often discussed in relation to administrator-officer relationships. It would also provide clear pathways to employees seeking future promotions. Literature demonstrating the effectiveness of police officer mentoring programs has been described as both "successful" and "an enriching experience" (Tyler & McKenzie, 2011).

Creating a Productive Environment

Administrators must create a landscape conducive to meeting officers' hierarchical needs if they want officers motivated to perform at higher levels. Many officers across the country are leaving or living in fear of losing their jobs over prosecution (Cloherty, 2021). If police administrators want officers to self-actualize and find purpose in their work, those officers must not fear their work, nor the loss of their income or freedom. Administrators must dispel harmful narratives leading to irrational fear. Irrational fear must be eliminated for employees to flourish, because it is still real fear. Consider an able-bodied and able-minded adult human who flees a nonvenomous spider as if it were a charging lion. That person is truly in fear in that moment, and unable to move past their concerns for self-preservation to consider higher level needs.

Police officers thinking they will go to prison if they do any more than the bare minimum have lost their ability to become motivated, due to those irrational fears. Maslow (1943) discusses these physiological and safety fears as barriers to reaching and developing higher levels of needs. Administrative messaging should be abundantly clear that they both expect and appreciate impactful work by officers at a high-performance level. Administrators should also preserve a feeling of security in officers' jobs, with reminders that sound decisions do not lead to criminal charges and civil suits, rather they build on police legitimacy and improve public safety.

Conclusion and Administrative Role

Transformational and servant leadership approaches have long-standing established effectiveness in law enforcement settings. They are cost-free ways in which police administrators can involve and empower employees to again find purpose in their work where it may have been lost or diminished. Administrators owe these proven leadership strategies to their officers and communities alike. Traditional, paramilitary, quasi-totalitarian leadership approaches are no

longer effective in a law enforcement setting. As times change, so must leaders. Administrators can still maintain necessary departmental hierarchies while involving employees at lower levels in organizational decisions.

It is important to recognize the challenge in improving morale and creating an appealing workplace. How does one act by an administrator fix an organizational problem where all individual officers are unique and may feel differently about which solution is best? Transformational leadership accounts for individuality and allows for broad improvement despite diverse personnel opinions.

There are several data-backed ways administrators can make their agencies more attractive to prospective and current employees. The previously-mentioend actionable steps outline mere realistic examples, and a minute percentage of the total number of ways an organization could make strong improvements. When considering the high cost of filling vacancies, these examples are a low-cost alternative with substantial associated benefits. Keeping an experienced employee, while improving that employee's job investment and morale, is a far better solution than pushing an employee out and having to recruit a replacement into an open position where issues or grievances have not been addressed.

A 2022 Gallop poll asked U.S. workers what they valued most in a work position. Over half surveyed wanted autonomy in their jobs (Wigert, 2022). Police administrators must create supportive environments where they are aware of individual values and goals, and in turn find ways to support an officer's desire for autonomy. This can be accomplished through innovative leadership and decision making. The resulting benefit is building an organization where people want to get hired and grow.

Across the country, every police officer knows the “destination department” in their region. Accomplishing and enacting what is proposed in this paper can create a positive reputation for any law enforcement agency. The Office of Justice Programs branch of the U.S. Department of Justice speaks to this point in a law enforcement publication on recruiting, retention, and turnover. Their author concludes “Agencies that develop a strong, positive employer brand have a special allure as a great place to work and are considered employers of choice” (Orrick, 2008, p. 2). Amidst national hardships, bleak outlook for the future, and a vast desert of challenging – sometimes toxic - workplaces in the policing field, there still exist oases.

The leadership strategies and suggestions for organizational changes outlined in this paper provide a blueprint to success for an administrator or leader to accomplish those goals, creating their own oasis for their officers. Next, the promotion of autonomy in police organizations will be examined. In demonstrating the effectiveness of it, the legal and legislative applications of autonomy promotion will be subjected to review and scrutiny.

Legal and Legislative Lens View: Autonomy in Policing

Most dictionaries will tell a reader that autonomy is about independence and self-governance. Autonomy is applicable to policing at an organizational level, in that it represents an ethical mandate to maintain a high level of service and not be unduly influenced by outside entities like politicians or the media (McCartney & Parent, 2015). Policing autonomously at an individual level involves having the ability to exercise independence in decision making, which can occur at many levels. Research shows an officer working in an environment where individual autonomy is supported will experience higher job satisfaction (Miller et. al., 2009). With this established, the simple solution is to just create an environment of autonomy. Although

it is that simple in a way, it must also be done while simultaneously considering possible legal implications of autonomy-minded decision making.

What are the legal implications of increasing opportunity for officer autonomy? The best answer to that question is both simple and frustratingly vague: it depends. There has been an enormous push to create more and more policies in recent years, with proponents suggesting it is how to best professionalize policing. This push started in post-Ferguson 2014 when then-President Obama issued an executive order creating the "President's Task Force on 21st Century Policing". The task force was a response to community concerns, and gave countless recommendations for changes to police policy and practice. The result of this shift in policing culture has been an increase in police professionalism that is more in-tune with today's community expectations. However, the result has also been a reduction in officer autonomy through an increase in standing orders and restrictive policies.

One arguably-outlandish, yet excessively effective solution to increase autonomy would be to burn an agency policy manual, and start over. The use of force policy would read "see *Graham v Connor"*. The deadly force policy would read *"*see *Tennessee v Garner*". Emergency driving policy would only include a reference to relevant state statute, reducing it to three paragraphs from three pages. By incorporating these changes, open policies would allow for autonomy in individual decision making, while still holding officers accountable to applicable laws governing their work. Policy manuals would shrink from current sizes typically 500+ pages in length, to significantly less.

The "solution" mentioend here is hypothetical and unrealistic. Each community has its own needs, and policy allows for an agency to best meet those needs. A rural agency may need a policy covering how it expects officers to respond to calls regarding loose livestock. A large

agency may need policies providing guidance on response to massive civil unrest. Some agencies covering expansive and diverse landscapes may require both policies. Case law and state law may not cover these topics, so some arbitrary policies like these have their legitimate place in providing the best level of service possible and serving as a guide for employees to follow, despite these policies not being required by law and having a potentially-restricting effect on autonomy.

Balance is imperative when writing or considering policy, and there does exist a significant legal issue when over-writing elective policies. An agency can both reduce civil liability risk and increase officer autonomy by reducing unnecessary policy. Examples and explanations of this concept will follow.

Legal Issue

A push for more autonomy could be interpreted as a renegade attempt to reduce accountability or adherence to formal rules. This interpretation would be incorrect. Again, balance is at the forefront of discussion suggesting changes to current practice. An agency with maximum autonomy would rely only on existing laws, and would likely struggle to meet the needs of the community without policies that expand on those laws. The opposite approach is also problematic, and will hereinafter be the focused legal issue – agencies that create unnecessary or unreasonable requirements for police officers are creating additional opportunities for avoidable litigation.

Discretionary or Ministerial?

According to the Daigle Law Group (2022), a duty is discretionary when "…the government actor is required to exercise his or her judgment or discretion in performing the duty. On the other hand, a duty is ministerial and not discretionary if it is imposed by law and its

performance is not dependent on the employee's judgment." (para. 3). This discretionary-ministerial distinction matters, because conduct is generally not protected by qualified immunity if it is seen as a ministerial act. Discretionary acts must be coupled with good faith and within the scope of the employee's authority if qualified immunity is to apply.

Consider a hypothetical policy which required a de-escalation attempt prior to the use of any force. Such a policy would abide by 21st century task force principles, and seem well-intended in reducing unnecessary force. However, that policy would create a ministerial duty to de-escalate. A small change to that hypothetical policy would introduce a discretionary factor to de-escalation by using language like "should attempt" or "if feasible". A department can impart its values and conformity to modern principles, while still avoiding unnecessary creation of ministerial duties. This is accomplished through careful policy writing and thoughtful consideration of potential consequences.

Discretionary protections at work

There are countless good examples of policy writing that allows for officers to work autonomously. These policies are repeatedly held up by the courts when officers are acting in good faith and within the scope of their authority. The case *Browning v Edmonson County* (2021) is a good example of how these protections can work to benefit officers and their agencies, while also holding officers accountable for unacceptable behavior.

In *Browning*, deputies pursued a vehicle with three occupants for minor violations at high speeds. During the chase, deputies believed the occupants were throwing ammunition out the windows, increasing concern over a weapon inside the fleeing car. The chase concluded with a crash, and a deputy deployed his Taser into an occupant who was not complying with commands to show his hands, because that occupant was likely unconscious. The court found that the

deputy was conducting a discretionary act in deploying the Taser, but did not do so in "good faith", because it was clearly established that using force on someone not resisting (and in this case, presumably unconscious) was clearly wrong – or "objectively unreasonable".

When it came to the negligence claim in relation to the pursuit initiation and continuation, the court considered the ECSO policy. The policy included discretionary language on factors officers should consider when deciding how to respond to a fleeing vehicle. The court also looked at two relatively-similar cases where departments and the involved employees were not granted qualified immunity, because of a more restrictive policy and violations of what were interpreted as ministerial acts. In *Browning* the difference was in the policy wording, and this spared the sheriff and the county from a lawsuit. This case serves as an example of how writing policy to the detriment of autonomy can become problematic.

Ministerial dangers

Overly restrictive policies can result in additional liability to a government organization. Proponents may say writing the word "shall" or "will" as many times as possible in a policy manual will prevent misconduct. This assumption is likely unfair, and does not consider potential issues with overuse of ministerial language in policy writing. Officers cannot be expected to have an encyclopedic memory of a 500-page policy manual, and be able to access said perfect memory in extremely stressful situations. Each "shall" or similar mandate in policy requires an encyclopedic memorization by an officer who desires to avoid legal consequence. Having an unmanageable amount of ministerial language in a policy manual removes autonomy. It also greatly increases the stress level of an employee trying to keep their job and freedom while navigating dynamic events.

In *Mumm v. Mornson* (2006), the City of Minneapolis was successfully sued for officers engaging in a pursuit. Interestingly, a lieutenant was monitoring the pursuit and instructed officers to "take (the fleeing vehicle) out safely" (para. 6). The Supreme Court opined that officers, and subsequently the city, were not entitled to qualified immunity in the use of deadly force in striking Mornson's vehicle, because she was merely a threat to herself, had not committed a crime, and her fleeing conduct was not likely to result in death or severe injury to others. Ultimately, the officers were not protected because they violated a ministerial policy existing in the Minneapolis Police policy manual. This denial of qualified immunity occurred despite the apparent presence of good faith and otherwise-reasonable actions by the involved officers.

Public Perception of Issue

These discretionary act protections are well-established in appeals courts. Unfortunately, people have been harmed by discretionary duties gone wrong, leaving them unpopular at times. The most critical members of the public want an absurd number of restrictions placed on police officers. Regardless of the merit or objectivity of these calls, this is an important factor to consider when increasing discretionary functions through policy writing. It is also important to note that due to the abundance of existing case law and state laws which could apply to any given policy, there really is not infinite opportunity for discretion to be created through policy writing.

Legal Action Plan

Put simply, the action plan will reduce officer and agency liability through mitigation of ministerial policy language. The resulting reduction in liability is a concurrent benefit to the increase in employee autonomy. Duties can be viewed by the courts as ministerial even if they

are not in writing, so considerations outside the policy manual must be made also. Increasing discretionary language promotes autonomy, allows professionals to solve problems creatively and based on their experiences, and prevents "one size fits all" policing where practices do not need administrative control.

Pre-planning

Selecting and evaluating an individual agency policy manual can be helpful in drawing conclusions for broader applications. For example, a review of the current Roseville, Minnesota Police Department ("RPD") policy manual shows the word "shall" used over 1,300 times (RPD, 2022). Not all uses are inherently wrong per-se, not each use creates ministerial conduct, and some of those uses are even required by statute. Nonetheless, that is a striking number of occurrences for a single word.

Aside from the policy manual, standing practices should be reviewed and considered to maintain a discretion-rich work environment. In some law enforcement agencies, a certain number of "traffic stops per shift" or "community engagement contacts per shift" mandates have been ordered of employees, accompanied with threats of consequences for failing to comply. These orders are problematic, arguably unethical in some applications, and should not exist as common practice. It makes little sense to force outreach-oriented officers to do traffic when traffic-oriented officers can do more than their share to reach agency goals, and vice-versa. In some areas (i.e. custodial arrests or positive employee evaluations for writing more citations), these expectations could be viewed as unethical enforcement quotas, and result in risk of civil liability to the organization.

Mere expression by administrators of community expectations regarding outreach and traffic activity can be sufficient for achieving appropriate statistics. This can occur if

organizations can focus more on messages of the desired outcome and less on the mandates on conduct. For example, setting expectations to “make the roads safer” promotes autonomy in how an officer goes about accomplishing that organizational goal, and avoids liability issues of an order to “write more tickets”. The individual officer in that hypothetical department directive would have the freedom to stop more cars, organize community education courses on defensive driving, electively direct traffic at intersections they notice have high crash rates at certain times, or come up with other ideas of how to make a difference in support of the organizational goal of traffic safety. Once again, increasing individual autonomy and reducing sanctioned expectations can reduce risk of liability while still accomplishing larger goals.

Execution of Legal and Legislative Plan

The action plan consists of a review of current policy and practice. Specific to the policy review, multiple employees should be involved due to the size of the existing manual at around 500 pages. Before considering if policies need to be changed, they should be reviewed to see if they need to exist at all, as state law and case law already specify many areas of how a police officer does their job.

As was referenced in the *Browning* case example, discretionary policy writing serves to protect officers and agencies alike, but is still not a get out of jail free card. The officer in the *Browning* case used discretion in two ways (to pursue, then to use force) and was granted qualified immunity in only one discretionary act. There was nothing in the *Browning* case that would have prevented the Sheriff (or any supervisor) from terminating the pursuit, or disciplining the involved deputy for a policy violation. The deputy chased a vehicle at 130mph for a seat belt and equipment violation. The discretionary language in the policy, at minimum, discouraged such a pursuit. Conversations should also be part of the action plan, to express

department expectations regarding topics that may be changing. Whenever a mandate is loosened in policy or practice, officers must be trained on relevant law or new policy to ensure a complete understanding.

Legal and Legislative Conclusion

A 2022 Gallop poll asked U.S. workers what they valued most in a work position. Over half surveyed wanted autonomy in their jobs (Wigert, 2022). Police officers are human and have a common desire for autonomy too. Policy is necessary, but can sometimes have a significant restriction on said autonomy, while simultaneously adopting dangerous ministerial language. Such language, when avoidable, should be expunged from policy manuals to allow for discretionary opportunities in policing.

Increasing autonomy while reducing unnecessary ministerial language does not mean police officers can do whatever they want. Crafting policy that tells officers what they should consider instead of what they must do, still binds them to make decisions in line with organizational values. Those same officers are still bound by laws and case law regarding driving with due care, using force, applying probable cause to decisions to search, and many other areas of policing. However, reducing avoidable mandates in policy, when appropriate, allows each individual officer to pursue their passion of their own volition while increasing the prospect of warranted immunity protections.

Is this promotion of autonomy ethical? The upcoming section will examine this question. It will also highlight the relationship between ethics and the topic of this paper.

Ethical Lens View Considerations

Fixing issues related to police officer recruitment, retention, and job satisfaction is important. Doing so ethically is imperative. Considering changes to an organization needs to

extend beyond looking at the problem, coming up with a solution, and achieving desired results. Each step of that problem solving process should involve an ethical assessment because altruistic organizational changes are not automatically ethical.

Implementation of a Code of Ethics

A code of ethics can set a strong foundation for a police executive trying to improve recruiting, retention, and job satisfaction in their agency. Context is significant in drafting and implementing an ethics policy. Disseminating the policy out by email is insufficient, and training should occur in tandem with implementation. Although much of the policy may make sense and seem rational to many, that may not always be the case. It may seem obvious to a law enforcement professional that their ethics policy prohibits criminal conduct or violating constitutional rights. Other ethics guidelines may seem less obvious. The code of ethics policy must be carefully crafted to be understandable and applicable to all.

An employee should never feel something contained in an ethics policy is an arbitrary and baseless "restriction" placed upon them by an all-knowing administrator. Perhaps a new officer may not understand why it is wrong to "badge their way" past a closed road on a traffic accident or into a nightclub that is at capacity. Including language in a policy that discourages entitlement or special treatment effectively contextualizes why certain actions are prohibited, beyond merely listing the prohibited acts. Including context in the policy will improve employee buy-in and comprehension of a new code of ethics policy.

Ethics culture can be looked at as the execution and success of a code of ethics. It can represent the ongoing process which follows the implementation of a code of ethics. In addition to an assessment piece, the ethics culture stage can also involve policy feedback and training.

Feedback provides an important avenue to improve policy, and should not be avoided. A culture of openness and collaboration within an organization can lead to more qualified minds coming together and producing a better product. The policy should be written not to allow for increased opportunities of avoidable discourse regarding specific acts some may not find to be unethical. Such a policy reduces opportunities for conflict by being somewhat intentionally-vague, allowing administrators having to review incidents the ability to look beyond a narrow act and consider factors with a broader view.

Policy feedback should be received from all levels. It may seem to make more sense for an administrator to get the opinions of their high-ranking peers, but such an approach fails to consider the full applicability and reach of the policy. An administrator should also consider the "lowest common denominator" of their agency.

The inexperienced entry-level employee may be the least likely to understand a potentially-wordy policy, but is also the one most likely to face ethical dilemmas if they are young, still learning the job, and lack the life experience related to facing ethical dilemmas. Their feedback is equally important, and can help craft a policy that both achieves ethical compliance, but also does it in a way that everyone in the organization can understand and apply to their specific role.

Part of unintended, yet effective, ethics training involves enforcement of the policy. Ethical missteps or violations should not go unaddressed, or a general lack of compliance may result. However, compliance through mere compulsion would likely have negative impacts on morale. This is why ethics training should promote voluntary ethical growth, in addition to compliance and simple familiarity.

In the United States, only an average of around three percent of law enforcement training is dedicated to ethics (Cohen, 2021). The little ethics training law enforcement officers receive is wasteful if it doesn't work. This is not to suggest that ethics training is ineffective, but administrators should attempt to ensure the training does more than merely "check a box". Although data is scarce, one recent study found that police ethics training can have a positive impact on reducing ethnic prejudice (Van Droogenbroek et. al., 2023). This makes sense, as an ethically-proficient officer likely has a heightened awareness of their implicit biases.

Further research is required to determine which styles of ethical training, if any, produce significant or consistent results. Until best practices are established, well-intended ethics training are still likely a good investment based on the limited recent literature. Incorporating adult learning principles to keep employees engaged in the training should promote improved awareness and compliance. Some of the training tactics that could be used may involve role playing, round-table discussion on ethics issues, or incorporation of scenario-based training methods.

The Relationship between Ethics and Job Satisfaction

The literature suggests employees want to work for an ethical organization, and law enforcement should be no different. It is important to determine, when looking at job satisfaction, if focus on ethics should exist. One recent study in a hospital setting found there was a "significant direct and indirect" positive correlation between strong organizational ethics and higher employee job satisfaction (Mardiana-Yusuf, 2018). This correlation is important for law enforcement, and the importance of laying an ethical foundation.

If employees working in an ethics-focused and ethically-achieving organization end up being more satisfied, they have less reason to leave. One could also draw the conclusion that those same satisfied employees make up an organization which is more appealing to job candidates. When job satisfaction is achieved, recruiting and retention improvements should follow. These connections make a strong argument for the priority of establishing a successful ethics plan or policy as a "first step". The same connections also highlight what can be lost, if ethics are not put at the forefront of a recruiting and retention plan. Beyond ethics, an organization can implement a focus on increasing opportunities of autonomy as a job satisfaction strategy.

The Ethics of Autonomy

An autonomy-forward policing environment involves allowing employees to, within reasonable parameters, choose their own path. Allowing for police officers to independently exercise decision-making, affords them the opportunity to pursue their own professional interests, as long as those interests are in line with organizational goals or values. Promoting police officer autonomy is a proven avenue for improving job satisfaction. Miller et al. (2009) found that autonomy in policing has a significant positive correlation with job satisfaction, but is it ethical?

An autonomy-focused police leader would tell their police officers to find their purpose and earn their paycheck, regardless of if their focus is on traffic enforcement, drug sales, community outreach initiatives, or anything else productive for the mission of the agency. The opposite environment would involve directives like "everyone shall make a certain number traffic stops per shift", or assigning an officer to a duty outside of their skillset and interests. To

assess the ethical fortitude of promoting autonomy in policing, utilitarian ethics are applicable. The utilitarian principle of ethical decision making suggests that "…all decisions should be made according to what is best for the greatest number" (Pollock, 2022, p. 41). If a police leader allows their subordinates to choose how they make a difference by permitting autonomy, they stand on solid ground to defend the ethics of their approach.

Ethical Implications of Recruiting and Retention Strategies

Typical retention strategies involve a competitive compensation package which involve better pay and benefits than similar organizations. Recruiting strategies are increasingly offering related incentives like hiring bonuses or front-loaded time off banks, in addition to a less stringent hiring process. In either area, leaders must balance the need for hiring and tenure against the risk of issues related to ethics or liability.

Ethical Conflicts in Retention Initiatives

There exists a conundrum where employers may choose to keep underperforming or ethically-deficient employees for the sake of filling necessary or important roles. In policing, there exists a substantial risk and ethical conflict by taking this approach in certain circumstances. Police organizations need to reflect on staffing needs and their current staff performance. This should occur before deciding how hard they push to motivate an underperforming employee to improve, when there exists a risk such a push could result in an inconvenient vacancy. To make the conflict more challenging, they must also consider any negative impacts on general morale that may occur by keeping an employee in a position others feel they may no longer deserve.

The reward of keeping an organization free of individuals who are prone to unethical acts should outweigh the risk of additional losses of filled positions. Some police officers commit acts that warrant their immediate and permanent dismissal from their line of work. Of course, the primary goal should always be to correct and coach unwanted behavior, but this is not always an obtainable result in employees unwilling to make necessary changes. Correction and coaching may also be unwarranted in some extreme cases of egregious unethical acts. Administrators retaining these employees for simple reasons of staffing are applying egoism at worst, and moral pluralism at best. The egoistic leader may retain a problematic employee to prevent a negative image related to their own performance at the helm of an agency. The morally pluralistic leader understands the conflict between having a mandatory minimum number of bodies for an organization to run, and deciding that keeping an employee with some issues is better than compromising safety of employees or the community by pursuing a separation of employment.

There seems to be a national movement to pay police officers more, in hopes it solves the staffing crisis. Emmanuel and Harrington (2020) found that “80 percent of the improvement in turnover arises from workers behavioral response to higher pay” (p. 28). This is a striking number, but there may still exist ethical issues in engaging in what may be legitimately criticized as an “arms race” of wages for public servants.

Ethical Conflicts in Recruiting Initiatives

Large bonuses and other flashy incentives are an effective way to grab a candidate’s attention when trying to stand out in a challenging job market. The police officer hiring process has been historically thorough, invasive, challenging, and stressful. The times have dictated the tactics in recent years, and substantial changes have been made. Organizational leaders should

consider the ethics of these substantial changes before committing to them, if they wish to reach their goals while maintaining their ethical reputation.

The lump-sum payments to new recruits in law enforcement seem to be effective, but come with their own ethical challenges. Organizations offering recruiting incentive pay, but not retention bonuses, may leave existing employees feeling undervalued and ostracized, despite their experience and tenure. Additionally, not every jurisdiction has the funds to offer the highest competitive hiring bonus for recruits, and some may not be able to afford any bonus at all. Financial constraints varying from one jurisdiction to another may lead to less affluent communities ending up with the less desirable candidates who were not hired at the high-dollar police agencies.

Hiring standards have been lowered in many agencies, to include permissible prior criminal convictions and recent drug use (Dwyer, 2023). This has occurred even though in a prior study, it was found that the most common reason for New York City Police Department officers to be terminated was due to a failed drug test (Fyfe & Kane, 2006). Following the recent death of Tyre Nichols in Memphis, the department was publicly criticized by the media who alluded to a connection between the department's recently-lowered hiring standards and Mr. Nichols' beating and death (Condon et. al., 2023). Similar criticisms were made in Minneapolis following the 2017 killing of Justine Damond. "Cost" in incidents like those goes beyond mere financial aspects, and public perception of low police hiring standards could have a lasting effect on police-community relations.

Despite these circumstances, not every reduction in hiring standards is automatically unethical. Proponents may argue that law enforcement is due for a change, and these changes are

merely “modifications” to standards, not a decline or erasure of them. Those proponents likely believe that the modified standards will lead to a more diverse workforce better able to connect with the communities they serve. Others may feel the risk of changing standards to allow more applicants outweighs the risk of members of the public calling 911 and nobody showing up. Even if lower hiring standards are deemed “situationally ethical” based on current staffing crises, there exists a substantial legal risk of a negligent hiring claim if an administrator fails to evaluate the other side of this ethical conflict in recruiting efforts.

Ethics Conclusion

At face value, it may appear there is little ethical contention or conflict in promoting the goals of police officer recruiting, retention, and job satisfaction. A police chief who expresses their desire to hire, keep, and keep happy their employees should not expect to receive much ethics-based criticism for their efforts. However, this does not mean an absence of contention or conflict should ever be presumed by leaders. Such an approach could open the door to ethical criticism, and have significant legal or inter-agency relational issues. It is still prudent to recognize that even altruistically-intended actions like these are worthy of ethical reviews, conversations, and assessments.

Administrators should begin by carefully crafting an ethics policy and fostering a culture of strong ethics within their organization. Ethics training may be an important piece of ensuring that culture is established and maintained. When making decisions regarding hiring and retention, a leader must balance decisions with extreme ethical care. From there, those organizational leaders can begin to take steps to recruit, retain, and satisfy their employees on more-solid ethical ground.

Chapter 3: Implications, Recommendations, and Conclusions

The issues surrounding police officer recruiting, retention and job satisfaction are complex. So too are the solutions. Each solution may be simple in theorization, but complex in application. For example, it was discussed that promoting autonomy is a proven retention and job satisfaction tactic. Accomplishing this would also likely aid in recruiting by making a police department more marketable. However, an administrator needs to navigate financial, ethical, and other obstacles in creating autonomy the "right" way.

There is also a lack of data on how we got here. Anecdotal evidence compiled by watching the news or viewing social media suggests that policing is becoming increasingly undesirable due to media coverage, and the younger generations entering the workforce are less connected to their work in general, and less interested in the inconveniences of police work given the stressful nature and schedules of the job, which can be detrimental to personal lives.

Practical Applications

Researching, discussing, and creating solutions related to the issues presented in this paper are important. Law enforcement officers are a necessary component of an orderly, free, and modern society. The absence of law enforcement officers who are sufficiently plentiful in numbers, competent in standards and performance, and satisfied to remain in their jobs long enough to become proficient, is a direct threat to that safe society most people in the United States desire. Improving current issues in police staffing and wellness can have a direct and positive impact on society.

Fear-based and emotional arguments for doing this hard work are likely not the ideal approach. Still, it is important to recognize the potential degradation of public safety which could result if nothing changes soon, or if these issues get worse. A simple look at the neighboring

communities of St. Paul and Minneapolis exemplifies the undesirable effects on community safety resulting from an inability to recruit, retain, and satisfy police officers.

This can happen in smaller communities too, and need not involve controversial or illegal acts by police officers to act as a catalyst. A rural agency of 10 sworn officers could find itself with Minneapolis-esque staffing issues because of poor leadership at any moment. That community would too be left under-protected, and facing an uphill battle to regain their position as a positive and well-staffed police agency.

More needs to be done to prevent avoidable attrition issues in police agencies. More needs to be done to keep existing police employees satisfied in their work, so they remain in their positions, are happier and healthier, and can provide the highest possible levels of service to those they serve. More needs to be done to attract qualified and capable people to open job positions. To accomplish these things, more needs to be understood and studied.

Recommendations for Further Research

It is challenging to consider where to even start when considering the lack of research related to police officer recruiting, retention, and job satisfaction. Recent publications by professional organizations, such as the International Association of Chiefs of Police or the U.S. Department of Justice, have begun to scratch the surface of these issues in response to recent trends. This is a great start, but needs to go deeper.

Annual reviews of officers who leave law enforcement positions voluntarily are a good place to start. One challenge with this kind of research is that it is more qualitative than quantitative, given each departing officer may have several anecdotal reasons for stepping away from their work. To address the unprecedented losses, it is important to understand the “why” of each individual to identify possible trends. Identifying those trends is of great importance to the

retention issues facing policing professionals, because knowing what they are gives leaders the opportunity to immediately respond and start mitigating the most prevalent contributing factors.

Additional research is also needed to identify what is working well at police organizations which are breaking the current mold of staffing issues. These “oasis” departments are harder and harder to find in the current job market, but they still exist. Identifying and studying organizations with abnormally-healthy staffing levels and job satisfaction can provide insight into effective tactics which can be applied elsewhere. This research should involve more than one or two anecdotal examples, and instead focus on a greater number of examples. It should ideally also be focused solely on law enforcement and not just the workforce in general. These oasis departments, when studied in bulk, likely have common factors that are leading to their success. Research like this seems to be the most effective way to uncover and create a blueprint for struggling organizations.

Finally, research should occur that is sufficiently forward thinking to look beyond this current issue. All police officers eventually retire, and organizations will need a constant stream of young people who can replace the outgoing retirees, even if the current issues are mitigated. There exists a concern throughout the policing field over the sustainability of future police staffing in relation to low enrollment in peace officer education programs. Research should be focused on how to get young people interested in policing again. The resulting increase in law enforcement students would reduce the need for departments to compete with one another over existing candidates, and instead have the ability to put greater focus into mentoring and developing new candidates.

Conclusion

Police officer recruiting, retention, and job satisfaction are completely interrelated. A satisfied employee clearly would be more likely to stay in their position. Having satisfied employees makes an organization more attractive during the recruiting process. Retaining sufficient staff avoids forced overtime, overwhelming caseloads, and other consequences detrimental to job satisfaction. The list of examples of this interrelationship is likely endless, but their connection to one another is actually a positive thing. It means that a police administrator can be an impactful change agent by focusing on one of these areas, and then expect those results to expand to the other areas.

The topic of autonomy has been discussed extensively in this paper, and for good reason. It applies to administrative decision making, policy writing, and legal protections. Autonomy even has ethical implications. The value of autonomy in keeping officers retained and satisfied is deeply established in researched, and should not be undervalued. Gone should be the days where administrators entrust educated, competent adults to carry guns and enforce laws, but then create completely unnecessary super-judicial rules about how they do it. Police administrators only need to realize that true value of creating autonomy, proceed thoughtfully, and then begin reaping the benefits.

Utilizing transformational and servant leadership principles is arguably just modern “best practice” and supported by earlier-mentioned research. The collaborative nature of these leadership principles can inspire police employees, especially when recognizing the value of creating positions of purpose within the organization. Incorporating these leadership principles, creating purposeful positions, and paying a wage that makes the job “worth it”, are likely the

easiest ways to improve recruiting, retention, and job satisfaction all together. Despite the simplicity of these effective changes, other quick fixes should be avoided.

Lowering hiring standards may be a quick and effective way to solve recruiting and retention issues in the short term. Whether it be the incidents in Memphis in 2023, or Minneapolis in 2017, we have seen the loss of public trust resulting from high-profile incidents involving police officers who were widely seen as hired because of lower standards. Regardless of the amount of merit those claims have, the public spread of those claims has found a way to significantly delegitimize the policing profession. Such damage quickly accumulates, and is resistant to dissipation or mitigation. The risk of lowering standards to fix staffing issues is likely not worth the reward.

The future of staffing and job satisfaction in policing is far from certain, and it may get worse before it gets better. Regardless of what the future holds on these topics, work can be done to fix the problem, or at least mitigate it. Leaders in policing who are not actively trying to improve these factors, are actively contributing to the undesirable situation at hand. Innovative solutions, to include those not yet theorized or mentioned in this paper, may be required to accomplish a complete reversal.

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