

The Need For and Critical Elements of an Effective Performance Appraisal System for Police
Agencies

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The Need For and Critical Elements of an Effective Performance Appraisal System for Police
Agencies.

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Abstract

The Need For and Critical Elements of an Effective Performance Appraisal System for Police Agencies.

Dwayne D. Wierzba

Under supervision of Dr. Susan Hilal

Statement of the Problem

One of the most difficult tasks of any manager is evaluating and assessing performance of employees under their supervision and control. Law enforcement agencies have a particularly pressing need to ensure their employees are accomplishing their duties in a professional, ethical manner since funding for such agencies is through public funds. This need is even more critical in smaller agencies due to the limited nature of resources from personnel to funding. Furthermore, law enforcement personnel have the ultimate capability of taking away a person's freedom through arrest and even by utilizing deadly force which requires law enforcement managers to be even more vigilant in reviewing how their employees go about their daily duties. Ensuring a consistent and judicial method of accomplishing performance appraisals is difficult and is even compounded more so when the law enforcement agency has a limited amount of personnel.

Method of Approach

This paper incorporates secondary research of peer reviewed articles from scholarly journals, concepts gathered from management books, lectures and statistical data compiled from government and civilian web sites. The literature compiled was used to show the necessity for and requirements of a performance appraisal system. The compiled data is discussed with the end result providing a systematic procedure in creating an effective and judicial performance assessment system, as well as providing information regarding the necessity for future practical research.

Results of the Study

There is a managerial necessity for law enforcement agencies to accomplish performance appraisals. Performance appraisal systems must be created that accurately and objectively portrays realistic performance measures of each employee. Such a system must have a sense of judicial fairness between the employee who is being evaluated and the supervisor who is accomplishing the appraisal. Judicial fairness, as well as accurately portraying employee performance is necessary in both large and small law enforcement agencies, however requirements can have an even greater significance in smaller agencies where resources are minimal and community connectivity is hyper critical. Only through such judiciousness can there be an acceptance of the results of such an appraisal by employees and managers as well as continually reviewing the system of performance appraisal to ensure that a fair, accurate picture is painted of the employee's performance.

Table of Contents

| | Page |
|--|------|
| APPROVAL PAGE | i |
| TITLE PAGE | ii |
| ACKNOWLEDGMENTS | iii |
| ABSTRACT | iv |
| TABLE OF CONTENTS | vi |
| CHAPTERS | |
| I. INTRODUCTION-DISCUSSION OF PROBLEM | 8 |
| A. Statement of the Problem | 8 |
| B. Purpose of Seminar Paper | 10 |
| C. Method of Approach | 11 |
| D. Limitations of the Research | 11 |
| II. LITERATURE REVIEW | 13 |
| A. Performance Evaluations | 13 |
| 1. Effective Performance Appraisal Tools | 13 |
| B. The Need for Accountability | 25 |
| C. The Prevalence of Small Law Enforcement Agencies in Wisconsin | 26 |
| D. State and Federal Regulations Regarding Personnel Evaluations | 28 |
| E. Necessity for Performance Appraisal Systems and Disadvantages for Small Law Enforcement Agencies | 33 |

| | | |
|------|---|------|
| F. | Conclusion | 36 |
| | | Page |
| III. | PERFORMANCE EVALUATION SYSTEMS AND THEIR EFFICACY | 37 |
| A. | Trait and Behavior Based Systems | 37 |
| B. | Forced Distribution Systems | 39 |
| C. | Multi-Rater Performance Appraisals | 40 |
| D. | Evaluative and Developmental Appraisals | 42 |
| IV. | RECOMMENDATIONS AND CONCLUSIONS | 45 |
| A. | Recommendations | 45 |
| | 1. Process Development | 46 |
| | 2. Training | 50 |
| B. | Conclusion | 52 |
| V. | References | 54 |

SECTION I. INTRODUCTION-DISCUSSION OF THE PROBLEM

Statement of Problem

Law enforcement agencies need to ensure that their personnel are performing to a level of acceptability that both management and the community at large require. This requirement arises from the fact that the public provides the monetary resources for the infrastructure and personnel needs of each law enforcement agency. The use of public funds requires law enforcement managers to ensure such funding is spent wisely in the pursuit of enforcing the laws of the community, state and nation.

Small law enforcement agencies (those with 25 full time officers or less) can especially be hindered by the lack of a robust supervisory and managerial chain of command. Supervisors in small law enforcement agencies are sometimes tasked with additional duties to include responding to incidents as well as the officers under their span of control. This does limit the capability of such supervisors to review how officers under their control accomplish their daily tasks. Performance appraisals are used by most professions and law enforcement is no exception. However the inability for supervisors from small agencies to be able to adequately review their officers' performance can hinder a performance appraisal system as well as erode the confidence in such a system by both the supervisor and officer. Even though a smaller agency is hindered by having a small managerial or supervisory staff an effective performance appraisal system can assist such agencies with several necessary factors. Such factors include: appraisal of officer performance/behavior/ethical capability, determination of employee training and career progression needs, assisting with improving the relationship and communication between supervisors and officers, and retaining of qualified officers (Cooper & Ingram, 2004; Matteson & Matteson, 2009; Wilson & Grammich, 2009).

Since law enforcement agencies are paid for through tax dollars, the community that an agency represents has the right to ensure that such funding is providing ethical, capable and professional services. An agency can ensure that problem behavior is observed and addressed appropriately through an effective performance appraisal system. Agencies can effectively create an early warning system for problem officers by performing periodic reviews of employee conduct and following up such reviews with appropriate interventions measures a law enforcement agency can reduce their liability and ensure an ethical work force (“Building trust,” 2007; Walker, Alpert & Kenney, 2001).

The problem with performance appraisal systems is in the development and implementation of effective procedures that meet both organizational goals and allow officers to believe that the system is providing a sense of justice as well as meeting any self esteem needs that they may have (Dulebohn & Ferris, 1999). When officers deem that the performance appraisal system that an agency is utilizing is unjust or is inconsistent in the nature of determining performance capabilities and training needs such a system tends to create divisions between supervisors and officers (Brown, Hyatt, & Benson, 2008). Open lines of communications and trust between supervisors and officers is critical to ensuring that the appraisal process is accepted by both parties and can ensure accurate information and goal attainment(Lilley & Hinduja, 2006). Ensuring that an agency’s performance appraisal system is just, effective and appropriate for an agency is critical to ensuring that the relationship between supervisor and officer is mutually agreeable and effectively capable (Boswell & Boudreau, 2000; Matteson & Matteson, 2009).

Cooper and Ingram’s (2004) study looked at the reasons for officers leaving their agencies. The results of their study showed that 75% of officers that leave their agencies did so

because of their perception that management quality was poor. Furthermore, 74% of officers that leave their agencies did so because they believed they were not being valued by the agency (Cooper & Ingram, 2004). Small law enforcement agencies can ill afford to have a qualified officer leave their agency, especially when an effective performance appraisal system could have ensured that an officer was receiving adequate feedback regarding their performance and management was ensuring that the officer was being properly trained and given appropriate career progression. The cost to an agency of losing a qualified officer has been estimated at \$100,000, which includes recruiting, hiring, and training a new officer as well as the expense of covering the shift for the missing officer (Wilson & Grammich, 2009).

Adequate performance appraisal systems can be an effective tool in ensuring officer well being within an agency, which can assist with officer retention. Furthermore, such a system can assist management in determining that ethical/behavioral performance criteria are being met by officers as well as assisting supervisors in accomplishing such tasks with less stress and apprehension. Thus the overall requirements of maintaining a quality service organization to their community by a small law enforcement agency can be greatly realized through effective utilization of such a human resources tool.

Purpose of Seminar Paper

The purpose of this research is to provide resources, guidance and implementation suggestions for initiating or renovating a law enforcement agencies performance appraisal system. There is a vast array of research that delves into the many aspects of performance appraisals, but little has been directly related specifically to law enforcement. Even though base management principles are general in nature the quasi-military make up of law enforcement agencies as well as the unique functions that such agencies pose in regards to community

protection, enforcement requirements and use of force issues requires a more subtle and specific emphasis. Furthermore, certain aspects of implementing a performance appraisal system in smaller agencies can pose some unique difficulties as well as benefits.

Method of Approach

Information for this paper will come from secondary sources related to human resources management, personnel management, law enforcement management and personnel evaluation programming. These sources will come from text books, accredited journals, National Institute of Justice, COPS/Office of Justice Programs, and the U.S. Department of Justice. These sources will delve into the multi-faceted field of personnel evaluation systems and their effectiveness within small police agencies. This paper will propose a personnel evaluation system that utilizes an evaluative approach that allows for a lack of resource capability within small agencies as well as an employee development approach (which provides the officer with career enhancement capabilities and the organization with resourcing goal fulfillment). By combining the two approaches, small agencies can ensure that supervisors as well as officers will be more open during the evaluative process as well as providing a more accurate appraisal of an officer's performance and capabilities.

Limitations of Research

Research that provides insight into the evaluation process does so in small segments, never reviewing how such segments interact and affect the process at large. Such research may review the need to effectively separate the evaluative and developmental uses of evaluation systems but fail to review the effects such separation may have on the entire evaluation process as well as how an agency may implement such a separation (Boswell & Boudreau, 2002). Research that reviews the interaction of organizational justice requirements within appraisal

systems may not show how to ensure such requirements are met within the whole system wide entity that encompasses an agencies performance evaluation system (Cook & Crossman, 2004). Such research also fails to incorporate the requirements of supervision, in that supervision is an ongoing process of evaluation and development and not just accomplished in yearly or semi-yearly increments.

This paper will provide information for managers of small law enforcement agencies to determine what steps they need to create an effective performance evaluation system. The key to such process is ensuring that a true system is built to review an employee's performance, develop the employee's abilities to function at a level expected of them by management and ensuring that the employee is readily served by the system as is supervision and management. The information provided in this research cannot delve into the minutia of the entire evaluation process, such as determining how to set up performance factors for a behavior based approach or how to formulate graphic rating scales. Such endeavors are beyond the scope of this research project; however managers can utilize the information provided to seek further guidance from the research provided both in the research and references listed regarding such measures.

SECTION II. LITERATURE REVIEW

The following review is divided into six sections. The first section encompasses a review of personnel evaluation information. The second section discusses the need for ensuring accountability of law enforcement agencies and personnel within their respective communities. The third section covers the prevalence of small law enforcement agencies nationwide. The fourth section provides a background of state and federal statutes and regulations that pertain to personnel evaluations as well as contractual obligations with an emphasis placed on those statutory requirements within the state of Wisconsin. The final section discusses the necessity of incorporating a performance appraisal system in law enforcement agencies as well as discussing the disadvantages that small law enforcement agencies have in such endeavors.

Performance Evaluations

One of the most difficult tasks that any manager and supervisor accomplish encompasses evaluating and assessing performance of the employees under their supervision. Law enforcement agencies, as with any other company or corporation, must regulate the conduct and performance of their officers. Since officers have the ultimate capability of taking away a person's freedom through arrest and even using deadly force to accomplish their duties, ensuring officers are accomplishing their assigned duties is even more critical. How such evaluations are accomplished can vary.

Effective Performance Appraisal Tools

According to Kline and Sulsky (2009) a performance appraisal is a "general heading for a variety of activities through which organizations seek to assess employees and develop their competence, enhance performance and distribute rewards" (p. 161, 2009). Lilley and Hinduja (2006) describe formal evaluations as "any systematic assessment and documentation of

individual performance” (p. 21, 2006). Furthermore, Lilley and Hinduja (2006) stated that an employee evaluation is “the centerpiece for communicating expectations to police officers and establishing the values of police administrators” (2006). Organizations utilize different appraisal methods to determine how well a particular employee accomplishes their specific job duties.

The idea that there is a need for organizations in general as well as law enforcement organizations to document employee accomplishments as well as addressing deficiencies within such organizations is incorporated within the research that Toussant (2005) accomplished. The author states that performance appraisals are a “critical tool for documenting how employees are doing and for providing legal evidence of employee accomplishments or problems” (p. 33). Toussant provides six key managing concepts for enhancing performance appraisal programs and discusses each one. The six concepts include: “having clear definitions, providing basic training, allowing self-evaluation, including multiple reviews, giving specific comments, and focusing on the future” (Toussant, 2005, p. 33).

Insuring that a performance appraisal system is effective, judicious and defensible are major tenets that all organizations must ensure occur. Coutts and Schneider (2003) accomplished a survey of 15 municipal Canadian police departments, reporting on their performance appraisal practices to analyze the requirements of an effective performance appraisal process. Through analysis of the survey results the authors determined 5 key components of effective performance appraisal systems. First, the system must focus on job-related performance variables and be based on behaviors, to ensure legal soundness, as opposed to personal traits. Second, employees must have meaningful input into the process to include accomplishing a self appraisal as well as an opportunity to challenge or rebut the evaluation, which greatly enhances the perceived fairness of the process. Third, a continuous performance-

based feedback process should exist between supervisors and subordinates, which are two-way in nature, thus fostering employee growth and development. Fourth, effective performance appraisals will clarify performance standards and expectations as well as allowing both the supervisor and employee to negotiate mutually agreed-upon goals. The appraisal process is an important component of the organization's succession planning program and the employee's career self management. Fifth, rater training is necessary to improve their observational skills, reduce judgment biases and providing objective, meaningful and constructive feedback. Furthermore, instructing employees about the appraisal process and their part in the process can affect their focus within the whole process.

The presence of a performance appraisal process within an organization is not enough; such a system must be viable as well as effective or the outcome could be a negative effect within the organization. Brown, Hyatt, and Benson (2008) accomplished a study based on a mail survey with a final data set of 2336 public sector employees in Australia. Through their study they determined that the quality of the performance appraisal process that an organization performs can result in lower employee satisfaction, lower commitment to the organization and a higher turnover rate of its employees. The authors further determined that to run an effective performance appraisal process will cost an organization in both time and resourcing to ensure the process is finely tuned. Organizations that utilize highly skilled employees (as with law enforcement officers who must meet both a minimal educational requirement, academy requirement and field training requirement) would find that such costs incurred in ensuring an efficient appraisal process are well spent (Brown, Hyatt, & Benson, 2008).

Performance measurement systems must be keyed towards the goals of the particular organization that initiate the process as well as incorporating complete buy-in by all employees to

ensure that the process is understood by everyone within the organization and utilized effectively. Jackson (2005) accomplished a review of performance measurement systems and the need for accurate unbiased evaluation capabilities. Although such measurement systems are meant for programming evaluations, the data can readily be utilized within an employee type performance measurement system since the idea of evaluation is generalized enough to be incorporated into both types of evaluations. Jackson (2005) writes that each organization must understand the driving factor behind accomplishing performance measurement evaluations. Managers must ensure accuracy of data. The whole organization from the lowliest employee to the chief executive officer must maintain ownership of the process with realistic target goals. Performance indicators must be clearly defines. Supervisors who are accomplishing evaluations must be aware that the use of gaming by evaluators can artificially raise or lower indicators. Finally, the performance measurement system must constantly be refined since an organization is constantly changing to meet environmental changes.

There are different reasons why an organization accomplishes performance evaluations as well as different processes an organization can utilize to effectively evaluate their personnel. Lilley and Hinduja (2006) surveyed 408 municipal and county police agencies as to their performance evaluation processes, the purposes of such evaluations and how officers are rated. The authors determined that 3 in 4 agencies formally evaluated their officers at least once a year. Agencies utilized performance evaluations to communicate changes in agency goals and objectives to their employees and to ensure compliance. Agencies also utilized performance evaluations to assist in determining personnel assignments, promotions, and with internal management issues. The authors further determined that the use of multiple raters increased the validity of evaluations and using community feedback surveys could also enhance the evaluation

process particularly when the agency in question uses the community oriented policing model (Lilley & Hinduja, 2006).

Dorfman, Stephan, and Loveland's 1986 study, at first glance, appears out dated however it poses a significant plateau within appraisal research since the author's were first to propose that there were two distinct facets to an appraisal interview process. The authors accomplished a study using questionnaires involving 242 employees of a medium-sized university in the Southwest, which included 121 pairs of supervisors and their subordinates. The study determined that appraisal interviews encompassed both administrative (performance evaluation process that Boswell and Boudreau (2000) mentioned) and developmental capabilities.

The authors also determined that supervisors were more supportive of employees who were highly rated and assisted lower performing employees in improving their performance. Unlike Boswell and Boudreau (2000), Dorfman, Stephan, and Loveland (1986) do not believe that the administrative and development functions of the appraisal process should be separated. The authors also determined that there needs to be further research into performance appraisal system documentation methods, which can create problems with supervisor approval of such systems.

The concept that the appraisal process encompasses two distinct capabilities has lead to further research into those capabilities and whether they should be separated to ensure a greater viability for employees and supervision. Boswell and Boudreau (2000) accomplished a study involving a survey of 128 employees of a production equipment facility in the South, where performance appraisals were accomplished once a year. The authors determined that there needed to be a separation of an employee's developmental evaluative process from the performance evaluation process or at least emphasize the developmental aspect within the

performance appraisal process. Developmental evaluations were perceived positively by employees and supervisors and appear to have a direct impact on “turnover, absenteeism, and organizational performance” (Boswell & Boudreau, 2000, p. 295).

Boswell and Boudreau, in their 2002 study, focused on employee satisfaction within the developmental appraisal process and how such satisfaction required a more distinct separation of the developmental and evaluative process. The authors wanted to determine whether separating developmental and evaluative appraisals would positively increase employee attitudes and behavioral intervention during the appraisal process. The authors utilized an untreated control group design to examine the effects of separating the two appraisal uses. The authors believed that via the expectancy theory, employees would become more aware of development opportunities since development was a separate entity from the evaluative process.

The authors (2002) also had the immediate supervisor accomplish only developmental appraisals, while the next supervisor once removed accomplished the evaluative appraisal. Such separation of duties was accomplished to determine whether such separation would increase employee satisfaction with the process and their supervisor (by decreasing the possibility of political motives of supervisors and negative feelings towards supervisors due to negative feedback) as well as increasing employee interaction with the developmental process. The outcomes failed to show a significant difference in employee attitudes regarding the performance appraisal process, their supervisors and development awareness.

Ethical performance by employees is another key aspect that agencies must focus on during their evaluation of employees. In today’s litigious society agencies can ill afford a law suit that is indefensible and must ensure their officers are taking enforcement action within the requirements of the law and agency policy/procedures. Selvarajan and Sardesai (2010)

reviewed whether performance appraisal systems could incorporate an employee's ethical performance appraisal. The authors determined that the cues for ethical performance occur alongside those cues that supervisors would review for job performance. The authors further reviewed the difficulties that supervisors may have in rating employees particularly due to personal bias. This occurs when a supervisor tries to explain away poor performance of an employee that they like, by externalizing the reasons for such poor performance, such as bad luck or the task was too difficult. Furthermore supervisors may try to ignore a low performance rating from a normally high performing employee. Thus organizations need to know how rater bias may affect the outcome of employee appraisals and attempt to interject a more objective reporting capability (Selvarajan & Sardesai, 2010).

There has been an influx of research into justice principles within the evaluative process as well as how organizations can ensure fairness and acceptance of outcomes from such a process. Nurse (2005) writes that there are three principle types of justice – procedural (fairness issues regarding the methods, mechanisms, and processes used to determine outcomes), interactional (involving sensitivity and social interaction between parties to include the explanation offered for appraisal decisions) and distributive justice (dealing with perceived fairness of outcomes or allocations that employees receive). Fairness is a legitimate performance appraisal goal. Where an organization's performance appraisal procedures fail to ensure fairness, another organization could readily receive high marks for fairness simply from a consistent, informal process of employee and supervisory interaction regarding career growth and development.

Ensuring employee satisfaction through the use of developmental assessment, within a performance appraisal process, is one of the many ways of ensuring that justice mechanisms are

present and thus ensuring employee acceptance of the evaluation process. Kim (2002) surveyed 186 employees of the Department of Energy, Nevada site focusing on “employee perception of job satisfaction in regards to performance evaluation, skills utilization, supervisor’s support of career development, and participation in formal career development programs” (p. 284). The results of the survey showed a direct correlation between job satisfaction and the perceived organizational support of an employee’s career development. Furthermore, the author determined that organizations should accomplish needs assessments to determine whether the organization is properly utilizing employees, due to their skills and abilities levels. By being supportive and facilitating employee skill development as well as obtaining employee feedback during the appraisal process, organizations can enhance employee job satisfaction and the idea that the organization is treating them fairly during performance appraisals (Kim, 2002).

Employee development is not the only type of evaluative process that an organization can utilize to assist in both evaluating an employee’s performance as well as guiding their career path. McDowall and Mabey (2007) reviewed the processes of developmental appraisals, coaching, 360 degree feedback and development centres. The authors determined that using developmental appraisals is contingent on good communications between a supervisor and their employee. Using ratings in developmental appraisals can be influenced by supervisory bias and thus are flawed. Using coaching techniques along with 360 degree feedback may increase the ability of individuals to follow up on suggested behavioral improvements. The use of development centres showed conflicting information regarding the ability to improve an employee’s performance and post-development centre capabilities (McDowall & Mabey, 2007).

Allowing employees to give voice (feedback) during an evaluative process is another justice method that assists in ensuring a positive effect by employees and supervisors; however

there are negative aspects to such vocal allowances. Dulebohn and Ferris (1999) accomplished a field study using surveys, within a food services department at a large Midwestern university. The study was initiated to determine what justice outcomes occur throughout an organization's performance appraisal process when employees use influencing tactics. The authors determined that employees can "give voice" (p.11) (which is the author's way of stating that employees can interact with their supervisors verbally during their performance appraisal) during their performance appraisal and by doing so the employee has a greater feeling of fairness with the process. However, when employees use self promotion, flattery, and favors in an attempt to sway the results of their appraisal, supervisors have a more critical eye regarding such attempts and thus are more critical of that employee's appraisal results (Dulebohn and Ferris, 1999).

Training is another tool that organizations must utilize to ensure that the organization's appraisal process is fair and effective. Cook and Crossman (2004) studied the interactions between organizational justice, appraisee satisfaction and individual performance. They determined that when people are not trained for their role as appraisee's, they may have disaffection with the results of their appraisals since they were not taught how to analyze and act on the results of the performance evaluation. Managers and leaders who are trained to make assessments and administer performance appraisals have a higher appreciation ratio of the results of their evaluations because they can take the results of their appraisal and appropriately act upon the results. Furthermore, those persons familiar with the appraisal process who encounter problems with their own appraisals and thus have a lower level of satisfaction may help to ensure that they will make the extra effort to accomplish appraisals on their staff in an appropriate manner. Organizations need to train all participants in the appraisal process, not just managers,

which results in better use of feedback. Evaluations should be an ongoing process to achieve maximum effectiveness throughout an organization.

Training is also essential in developing the evaluative process within an organization so it will accomplish the required goals of management. Kline and Sulsky (2009) reviewed multiple aspects of the performance appraisal process to include rating formats, rater training, team performance appraisals, multisource issues in performance appraisal and litigation issues in performance appraisals. The authors determined that behaviorally based approaches in rating formats such as BOS and BARS were widely viewed as superior to trait-based formats from the legal defensibility stand point. The authors further stated that a necessary strategy for improving psychometric quality in performance ratings is through rater training which can improve rating validity and accuracy, as well as determining whether the rater and ratee perceived the rating was fair or motivated the ratee in intended ways. The authors stressed that job performance could incorporate more behaviors than just job-tasks and an organization's social context, such as discretionary work behavior and raters need to be aware that the same job may not have identical duties and responsibilities. Finally, the authors stressed that evaluations should be consistently measured for individuals within the same job family and performance standards should be clearly understood by all parties to assist with any legal defenses.

Fairness during the evaluative process can also be accomplished through a supervisor's ability to explain their reasons for their rating choices. Holbrook (1999) noted that when supervisors gave an appropriate explanation for the specific rating they gave an employee, the employee responded more favorably to their performance rating. Thus explanations are an important justice mechanism in performance appraisals. When dealing with poor performers and unfavorable outcomes, it may be necessary to "focus on other justice mechanisms (e.g., voice

and explanations) that emphasize fairness and influence responses” (p. 218). Furthermore, Holbrook states that whenever possible, supervisors should allow employees to provide information and then show that they have considered the information when assessing employee performance.

The politics within an organization can temper the enthusiasm of all employees involved in the evaluative process, so managers, supervisors and employees must be made aware of and know how to overcome the negative relationship that such political capabilities create. Tziner (1999) studied the relationships between distal (the individual’s perception of the organizational climate) and proximal factors (the level of trust and confidence in the performance appraisal process, their belief’s in the process and their willingness to give positive or negative feedback) and how raters invoke political considerations during performance appraisals. Tziner determined that rating inaccuracy has more to do with voluntary distortion of ratings by raters. Furthermore, organizational politics plays a more predominant role than was once thought, by protecting or enhancing self-interests or the goals of others through either legitimate or non-sanctioned means. Raters feed off of the perceived political climate of an organization and make their rating scores based off of the positive or negative repercussions that they perceive may occur. The rater’s trust and belief in the organization’s performance appraisal system can temper their need to play politics when accomplishing employee ratings.

The advent of community oriented policing methods has changed the way law enforcement organizations accomplished their performance evaluation process and lead researchers to review the outcomes of such changes. Lilley and Hinduja (2007) accomplished an analysis in overall performance appraisal satisfaction to explain why respondents from agencies with a high level of community policing implementation reported greater satisfaction with the

appraisal process than their more traditional counterparts. The result of the analysis showed that increases in overall satisfaction with performance appraisal systems was not a result of differences in policing approach (community policing or traditional policing strategies), agency size or region.

Agencies that want to improve employee satisfaction with their appraisal process should consider reforms throughout their entire appraisal process to include the purpose for appraisals, evaluation design, rater and employee training, and final implementation. Administrators should also ensure routine periodic reviews and revisions of evaluation processes are accomplished, instead of having a process that is semi permanent or static in nature. Increased employee and management satisfaction as well as perceptions of fairness and accuracy are enhanced regarding the evaluation process when such processes are viewed as a process of continuous improvement instead of a single event (Lilley & Hinduja, 2007).

Forced distribution is used by today's business organizations, however such usage does not particularly mean its use is favorable to law enforcement organizations. Stewart, Gruys, and Storm (2010) reviewed the advantages and disadvantages of utilizing a forced distribution performance evaluation system. Such a system will require supervisors to categorize their employees into below average, average, or above average categories, normally requiring a set percentage of employees to be placed in each category. Usually the lower level performers, approximately 10% of employees being evaluated, are given a set time table to improve their performance and if their performance does not improve they are terminated. 20 percent of all U.S. business organizations and 25 percent of the Fortune 500 organizations use forced distribution performance evaluation systems. The idea behind this type of system is that "top

employees outperform average workers by 40 to 100 percent and that the bottom performers drain profits by reducing productivity even further” (Stewart, Gruys, & Storm, 2010, p. 170).

The Need for Accountability

Law enforcement provides one of the largest public service organizational footprints. The public expects accountability since such resources are being paid for through tax payer funds. Part of the expectation that the public requires is ensuring that those funds are providing appropriate community support. The use of an appropriate unbiased performance evaluation system can assist management in ensuring that officers are accomplishing the goals of the agency they work for, as well as providing the local community with the necessary support that its’ citizens require (Jackson, 2005; Lilley & Hinduja, 2006).

In Shane’s (2007) work on measuring police performance every police executive has explicit responsibility in utilizing a “collectively owned asset” (p.1, 2007). This responsibility is particularly heavy since the citizens cannot show their displeasure by selling their stock options as a share holder in a corporation could do. The citizens who are displeased with their local law enforcement agency are stuck with the personnel that are currently employed and can express their displeasure through their local municipal councils or boards or by speaking directly with the law enforcement agency’s supervisors and managers (Shane, 2007). Displeased citizens can also express their displeasure through legal actions against local law enforcement personnel and their agency as well as through social unrest – picketing, marches and rioting.

Moore and Braga (2003) are implicit in the need for performance measurement systems and state that “The first reason to measure performance is simply because police executives may have no choice but to do so” (p.440, 2003). Moore and Braga (2003) go on to state that entities external to law enforcement agencies can and will demand accountability of police action, in

particular the accountability of publicly funded police resources. Such accountability is especially necessary since officers are given exceptional authority to accomplish their duties, to include using deadly force, thus the principles of integrity and professionalism must be paramount to ensuring a steadfast position of trust and confidence by the communities they serve (“Building Trust,” 2007; Moore & Braga, 2003).

Law enforcement executives can also utilize performance measurement systems to drive their organizations to high levels of performance and also shift their agencies overall strategic thinking by communicating changes to an agency’s goals and objectives. Such strategic shifts in thinking could readily take the form of community oriented policing or intelligence based policing methods that incorporate the need to ensure all resources within an agency are adequately trained and once trained are accomplishing the desired purpose of each program (Lilley & Hinduja, 2006; Moore & Braga, 2003).

The Prevalence of Small Law Enforcement Agencies

The Bureau of Justice Statistics, in their 2004 Census of State and Local Law Enforcement Agencies (2004) stated that as of September 2004, 17,876 state and local law enforcement agencies were operating in the United States with the equivalent of at least 1 full-time officer. Furthermore, 1.1 million persons were employed on a full-time basis, which included 732,000 sworn personnel (those with arrest powers). There were also 105,000 part-time employees, which included 46,000 sworn part-time officers.

Nationally most local police departments are small. Law enforcement agencies that had fewer than 10 full-time officers comprised 55% of all agencies nationwide. Even though such agencies are the larger share of law enforcement agencies nationwide, they only employed 6% of

all law enforcement officers nation wide (Census of State and Local Law Enforcement Agencies, 2004).

There were 395 law enforcement agencies out of the 526 total law enforcement agencies within the State of Wisconsin that submitted uniform crime reporting data to the Federal Bureau of Investigations as of October 31, 2009 (Law Enforcement Employees in Wisconsin 2009, March 2010; Census of State and Local Law Enforcement Agencies, 2004). The listed agencies include state agencies, University of Wisconsin – campus police agencies, county agencies and local agencies. Of these 395 agencies that submitted crime data throughout Wisconsin, 280 of these agencies had 25 or fewer law enforcement officers. There were 173 agencies that employed 10 or fewer law enforcement officers. The highest population base that is served, within this category of agencies is that of Waushara County, which is served by Waushara County Sheriff's Department's 24 full-time deputies, with a 2008 population of 21,671. When it comes to local police agencies Fox Valley Metro Police Department's 25 full-time officers served a 2008 population base of 17,365 (Law Enforcement Employees in Wisconsin 2009, March 2010).

The statewide law enforcement employment trends in Wisconsin between 2008 and 2009 show that overall sworn employee numbers rose 0.2% from 13,075 total sworn employees in 2008 to 13,110 total sworn employees in 2009. Civilian employees within law enforcement agencies in Wisconsin rose at a more dramatic rate of 6.8%, from 5,653 civilian employees in 2008 to 6,036 employees in 2009 (Law Enforcement Employees in Wisconsin 2009, March 2010).

Personnel requirements which incorporate salaries and fringe benefits as well as that of equipment and training can add up to a considerable sum. From 1982 to 2006 nationwide, local

levels of government increased their expenditures on criminal justice by 422% (Bureau of Justice statistics expenditure trends by government chart, 2006). In Wisconsin, municipal police agencies increased their expenditures 24.6% from \$195.29 (per capita) in 2001 to \$235.88 (per capita) in 2006 (Municipal Police, 2006). According to the Wisconsin Taxpayers Alliance, Municipal Facts for 2010 net police spending rose 16.4% from 2004 through 2008, or 3.9% annually (2010).

State and Federal Regulations Regarding Personnel Evaluations

According to Johnson (2004) the creation of the Equal Employment Opportunity Commission (EEOC) in 1965 altered how businesses, and in turn, state and municipal law enforcement agencies handle discriminatory practices in the workplace. The use of performance evaluation systems is a key factor in preventing discriminatory practices from occurring within an agency or defending an agency against litigation revolving around discriminatory practices (Johnson, 2004).

Van Meter (2001) contends that the courts rule on illegal discrimination and due process issues, with case law overwhelmingly supporting management's right to establish and enforce legitimate performance standards. Maintaining a consistent, objective, personnel evaluation system is management's right and a necessity to ensure personnel are accomplishing their profession at the level required by their agency (Van Meter, 2001).

Since this research project is particularly focused on law enforcement agencies within Wisconsin, as well as providing information regarding the disadvantages that small agencies face, the scope of legislative requirements will encompass that of state law and local contractual requirements.

Chapter ER 45 of the Wisconsin Statutes is outside of Chapter 349's minimal reference to work output, the only statute that directly discusses employee performance evaluations. Chapter ER 45 directly applies to State of Wisconsin employees and does not force any requirements listed within this statute towards those employees of municipalities within the State of Wisconsin Chapter ER 45, Employee Performance Evaluation (Chapter ER 45, 2005).

A review of the requirements within Chapter ER 45 does allow law enforcement managers throughout the State of Wisconsin to obtain a good understanding of the underlying requirements for and the types of requirements within an employee performance evaluation throughout state agencies. Chapter ER 45's purpose is in "recognizing the importance of identifying, evaluating and developing individual performance to ensure that services to the public are efficiently and effectively provided (Chapter ER 45, 2005)."

Chapter ER 45 requires a formal performance evaluation review with each employee at least every 12 months, as well as ongoing informal performance discussions and periodic appraisals "to ensure that the established responsibilities and performance standards for the employee's position continue to be appropriate and understood by the employee (Chapter ER 45, p. 39, 2005)." The statute also requires that supervisors, managers and other persons who evaluate employee performance are provided orientation and training in the performance evaluation process. (Chapter ER 45).

Chapter 111 – Employment Relations (2009-10) of the Wisconsin Statutes presents requirements for collective bargaining for wages, hours and conditions of employment (CH. 111.70, 2009-10). There is no direct language within Chapter 111 regarding the ability of nor denying employers the ability to set up and accomplish performance evaluation reviews of employees, nor regarding employee's rights to collectively bargain should an employer want to

employ a performance evaluation system (2009-10). However, Chapter 111.70(1) (a) specifically allows a municipal employer to accomplish its duty to the public by “exercising its powers and responsibilities to act for the government and good order of the jurisdiction it serves, its commercial benefit and the health and safety and welfare of the public to assure orderly operations and functions within its jurisdiction...(p. 23).” As long as the employer does not infringe upon an employee’s wages, hours and conditions of employment, the employer determines what is a necessary requirement in ensuring the orderly operations and functions of its’ agency and employees.

Many Wisconsin municipal law enforcement personnel are represented by a union or association and thus maintain a contract between their union/association and the municipality/agency they work for. Such contracts specifically mention management rights. Under the agreement (contract) between the Village of Plover and the Plover Professional Police Association Article 3 – Management Rights (2011 – 2012 – 2013) specifies what rights the Village of Plover and the Police Department possess, which include the maintenance of the efficiency of police department operations and to determine how operations are to be conducted (2011 – 2012 – 2013).

Chapter 349 – Vehicles-Powers of State and Local Authorities of the Wisconsin Statutes incorporates specific language prohibiting state agencies and political subdivisions of this state (municipal and county agencies) from requiring an officer to “issue a specific number of citations, complaints or warning notices during any specified time period for violations of traffic regulations (p. 2, 07-08).” This language prohibits ticket quotas and has a direct effect on municipal law enforcement agencies in regards to setting standards and numerical requirements for evaluating personnel performance.

Even though Chapter 349 prohibits ticket quotas, it specifically allows state agencies and political subdivisions of this state to compare the number of citations, complaints or warning notices issued by officers to the number of citations, complaints or warning notices issued by all officers within the same administrative unit and who have similar job duties (07-08). This allows administrators to do work output comparisons between officers within their work groups or shifts for the specific purpose of “evaluating a law enforcement officer’s job performance” (p.2, 07-08).

The Wisconsin Employment Relations Commission (WERC) is an independent agency that issues labor relations decisions in administrative law and contract grievance disputes. The goal of the WERC is to “promote peaceful and effective employment relations in municipal, state and private sectors” (WERC, 2010). The labor decisions that the WERC neutral arbitrators provide are listed on the WERC website and create labor case law regarding future labor disputes and act as a labor law guide to all parties within the state.

Those WERC cases that involve performance evaluations are somewhat convoluted and involve matters beyond the scope of this research document, particularly dealing with disciplinary issues or attempts by an employer to circumvent employee rights under Chapter 111. There are two WERC cases that directly involve personnel evaluations and can give guidance regarding restrictions and requirements.

WERC Case 67 no. 55361, Mark J. Benzing vs. Black Hawk Tech Col involved an employee (Benzing) who had been notified during an annual performance evaluation that he had made disparaging and unprofessional remarks to another employee. The employee (Benzing) contended that there was a disparity in the performance evaluation system since another employee had also use disparaging and unprofessional remarks towards other employees and yet

the offending employee did not have any mention of this on their performance evaluation. The WERC arbitrator denied Benzing's petition because the petition was beyond the 1 year time frame. However, in the WERC arbitrator's comments, the arbitrator did state that Benzing's initial argument would have cause since the employer was not universally applying restrictions from one employee to another during annual performance evaluations. The notion of fairness and equity must be enforced within a performance evaluation system (Decision no. 28598-A, 7-11-97).

WERC Case 515 no. 59877, *Mary Pichelmann vs. UW-Milwaukee* highlights the idea that performance evaluations that review the performance and identify deficiencies of an employee are not disciplinary in nature. The respondent – Mary Pichelmann declined to be reviewed by her supervisor during her annual performance review without having her union representative present (Weingarten rights). Pichelmann contended that a performance review was disciplinary in nature and thus Weingarten rights must be enforced, to allow her to have adequate representation during the proceeding (Decision no. 30124-D, 1-3-03).

The WERC arbitrator found that performance evaluations were not disciplinary in nature (UW-Milwaukee incorporated contract language specifying that performance evaluations reviewed performance and identified deficiencies) and thus Weingarten rights were not required to be enforced (Decision no. 30124-D, 1-3-03). This reinforces the notion that performance evaluations do not unilaterally change an employee's wages, hours and working conditions they are simply a mechanism to communicate on a regular basis to the employee the opinion by the employer (preferably based on factual data and direct observation) of that employee's performance.

Although performance evaluations are not disciplinary in nature the information that is obtained during an evaluation of an employee's work performance can lead to discipline. Law enforcement managers must be able to ensure that the investigation of an officer and the discipline that may be imposed meets the requirements within Chapter 164 – Law Enforcement Officer's Bill of Rights and meets the standard of "just cause" located in Chapter 62.13(5) (em) of the Wisconsin Statutes:

1. Whether the police officer or fire fighter, against whom charges have been filed, could be expected to have known the probable consequences of the alleged conduct.
2. Whether the rule or order the individual allegedly violated is a reasonable rule or order.
3. Whether the chief, before filing charges against a subordinate, made a reasonable effort to discover if the subordinate actually violated the rule or order.
4. Whether the chief's effort, to discover if the subordinate actually violated the rule or order, was fair and objective. This standard calls for the chief, and subordinates assisting the chief, to be impartial and unbiased in their effort to learn if a rule or order was violated.
5. Whether the chief discovered substantial evidence that the subordinate named in the charges actually violated the rule or order described in the charges.
6. Whether the chief has applied, or is applying, the rule or order impartially and without discrimination against the subordinate.
7. Whether the form of discipline proposed reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the chief's department.

(Handbook for Wisconsin Police and Fire Commissioners, p.52, 2001)

The Necessity for Performance Appraisal Systems and Disadvantages for Small Law

Enforcement Agencies

Managers within law enforcement agencies, like their counterparts within corporations, are accountable for the actions of their employees and through those actions, the consequences that may occur from both outstanding and poor employee interactions with other employees and outside entities. In extreme cases employees may even commit unethical or criminal acts during their employment, which greatly affect the capabilities of a law enforcement agency to function

within the community it serves as well as enhancing liability factors for the agency. Managers can off-set many of the problems associated with poor employee performance and behavior through consistent and periodic personnel evaluations. Such evaluations can address problem behavior by providing an early warning capability for management and reduce the need for internal investigations (“Building trust,” 2007; Walker, Alpert & Kenney, 2001).

Small law enforcement agencies (those with 25 or fewer full-time officers) are at a disadvantage compared to larger agencies, when it comes to implementing and accomplishing performance evaluation systems. Many municipalities that utilize small law enforcement agencies have an equally small support structure, particularly when it comes to having human resource specialists on hand to assist managers within the municipality. This lack of specialty resourcing puts the responsibility of creating, implementing and reviewing performance evaluation systems on the local law enforcement agency’s chief of police. Many chiefs of police for smaller agencies may not have the expertise regarding performance evaluation system utilization and methodology.

A review was conducted of 11 municipalities within the North-Central Wisconsin area using the Wisconsin Chief’s of Police annual salary review. This review showed that population of each municipality as well as the amount of full time law enforcement officers within each community as of July 1, 2010. A review of each of the 11 municipalities’ official web sites was also conducted to determine whether that municipality employed a human resource specialist. The following are a listing of the 11 reviewed municipalities: the City of Antigo, the Town of Grand Rapids, the Village of Kronenwetter, the City of Medford, the City of Merrill, the City of Neillsville, the Village of Plover, the City of Rhinelander, the Village of Rothschild, the City of Shawano, and the City of Waupaca (2010).

The Village of Plover had the highest estimated population base of the 11 municipalities with a 2010 population estimate of 12,080. The municipality with the lowest population base of the 11 reviewed municipalities was the City of Neillsville with a 2010 population estimate of 2,780. The average 2010 population estimate for all 11 municipalities was 7,399.

The City of Merrill had the highest amount of full time officers on staff with 22 officers. The Town of Grand Rapids had the lowest amount of full time officers on staff with 4 officers. The average amount of full time officers for all 11 municipalities was 13.

None of the 11 reviewed municipalities had a human resources specialist listed as an employee within their municipality. This highlights the inadequacies of resourcing that the chief of police of a smaller law enforcement agency faces. A larger law enforcement agency may be able to utilize the expertise of human resource managers within their organization or municipality to prepare and adequately utilize a performance appraisal system. A chief of police from a smaller agency must rely on the expertise within their own municipality or agency no matter how minimal this may be. Many times the chief of police is the only manager within their organization and must research, create and accomplish a performance appraisal system on their own.

Small law enforcement agencies are restricted in the number of managers and supervisors they may have within their organization due to their limited amount of personnel. Such restricted resourcing can put further strain on a manager while implementing a personnel evaluation system. The requirements of direct observation of personnel, reviewing personnel work functions and accomplishments and the increased workload regarding the accomplishment of periodic personnel reviews by the chief of police or his/her designee add further stress. Furthermore, chiefs of police in many smaller agencies may have to respond to incidents and are

burdened with collateral duties and responsibilities that can hinder time management capabilities as well as infringe upon their span of control.

Conclusion

In the literature review research information was provided regarding personnel evaluations as well as the key factors that such research presented regarding effective performance evaluation tools. The need for accountability by law enforcement agencies was discussed to show that to attain such accountability law enforcement agencies must incorporate performance reviews of their personnel. The prevalence of small law enforcement agencies was discussed to show that nationally most law enforcement agencies are small and thus are at a disadvantage when it comes to incorporating evaluative programs due to their limited resourcing. State and Federal regulations were discussed to provide a background for the defensibility of incorporating personnel evaluations as well as providing information regarding contractual requirements and the need to know what the law allows. Finally the necessity for performance evaluations is discussed as well as providing an overview of the disadvantages that smaller law enforcement agencies face when attempting to implement such programs.

The paper will now discuss the different types of evaluation processes to determine what research has shown will provide a more judicious process for both management and employees alike. Finally a process is suggested regarding what agencies need to know and how agencies can begin the process of creating and implementing a performance evaluation system within their own agencies that will not be simply a paper chase with no merit.

SECTION III. PERFORMANCE EVALUATION SYSTEMS AND THEIR EFFICACY

The following section will provide a detailed review of the different types of performance appraisal systems as well as their efficacy. The first part will review the differences between trait and behavior based systems and which system has a higher viability as well as being defensible. The second part will review the forced distribution system and determine why it is not viable for law enforcement agencies. The third part will review the different facets of multi-rater (360 degree) systems and their viability. The final part will review the differences between evaluative appraisals and developmental appraisals as well as the research that has been accomplished in determining how they should be utilized within a performance review system.

Trait and Behavior Based Systems

Two types of evaluation systems commonly used by police agencies are trait based and behavior based approaches. The Michigan State Police conducted a survey in 1987 of three hundred departments which showed that approximately 70 percent used some form of trait based evaluation system. Such usage has not significantly changed since 1987 (Lilley & Hinduja, 2007).

Trait based appraisals typically use a generic numbering process known as *graphic rating scales* to evaluate each area. This type of appraisal requires the rater to evaluate the employee on a series of traits or broad competencies, using a definition of performance with a bipolar adjective scale (Kline & Sulsky, 2009; Yun, Donahue, & Dudley, 2005). Such appraisals may use traits such as leadership skills or creativity which could be rated from one through ten; one being a “lack of leadership skills” and ten stating the employee is an “exceptional leader.” These traits are only constructs and cannot be observed or rated directly by an observer. This type of appraisal can have unclear meaning since the standards for each area can differ with each rater

and thus are subjective in nature, which causes such appraisals to have serious reliability and validity concerns. Trait based appraisals also have little value in providing diagnostic feedback to employees or for designing training or development programs to correct deficiencies in employee skills (Coutts & Schneider, 2003; Lilley & Hinduja, 2007). Finally, appraisals according to Coutts and Schneider (2003) should be job related and based on behaviors rather than traits to be legally defensible

Behavior based appraisals utilize performance examples to distinguish levels or quality of behavior by judging either the frequency or the quality of specific employee work actions. One such method is entitled the *Behaviorally Anchor Rating Scale* (BARS). Using this approach provides more specific guidance to raters and allows levels of performance to be compared to samples of descriptions or behavioral anchors. One example would indicate a high level of “punctuality” being described as “rarely or never late for work,” while an intermediate level might be defined as “occasionally late for work.” Such anchors would have specific definitions and incorporate amounts or numbers of events for each description to minimize comparative differences between one rater and the next. Another behavior based scale is the *Behavioral Observation Scale* (BOS). The BOS requires raters to note the frequency of specific employee performance behaviors that they observe. Such specificity in performance criteria will lead to a more objective appraisal of performance by raters (Kline & Sulsky, 2009; Lilley & Hinduja, 2007).

Behavior based appraisals such as BOS and BARS are also deemed legally defensible since the link from behaviorally based scales to on-the-job behaviors is visible and direct. A job analysis can clearly indicate the key job behaviors required for a given job, and such behaviors can be directly represented through a behavioral based rating format. The job analysis must be

position specific and incorporate all the nuances of the particular position, since not all positions are general in nature and may have different sub-categories of duties as well as job skills. Even though a patrol officer is given a collateral duty of investigator, this does not mean that a supervisor could use a generic patrol officer appraisal and expect to truly evaluate the officer with investigator's duties (Kline & Sulsky, 2009).

All of the previously mentioned evaluative methods are deemed absolute judgment rating scales since they require the rater to formulate an absolute performance judgment. An alternative method to the ones previously discussed is the forced distribution method, which is known as a comparative judgment rating scale, since it requires a rater to make relative comparisons amongst employees, without assigning an absolute rating to a given performance dimension (Kline & Sulsky, 2009).

Forced Distribution Systems

In the United States 20% of all business organizations and 25% of Fortune 500 businesses use forced distribution performance evaluation systems. Such systems require supervisors and managers to compare each employee against other employees within the organization and rank them. Such rankings usually require a set percentage of employees to be ranked as either above average, average or poor. Those employees who are ranked in the lower or poor level are then given a set time period to improve or their employment is terminated (Stewart, Gruys, & Storm, 2010).

Stewart, Gruys, and Storm (2010) have determined that such forced distribution systems are more difficult to maintain and are less fair to employees than traditional evaluations systems. Such systems are more appropriate for fast-growth, performance driven companies and are not a good match for traditional hierarchal systems, such as those found in law enforcement

organizations (Stewart, Gruys, & Storm, 2010). Furthermore, it may be difficult for a rater to justify or defend a particular ranking, unless the rater has concrete performance information to back up the comparative assessments. A comparative assessment also fails to provide the necessary detail needed to supply an employee with any requisite feedback during the face-to-face appraisal (Kline & Sulsky, 2009).

Multi-Rater Performance Appraisals

Multi-rater performance appraisals or other wise known as 360 degree appraisals use employees, supervisors and managers to rate other employees who are above them in the agency hierarchy, below them in the agency hierarchy or are their peers. This type of appraisal has been in use for some time and is in use by almost all Fortune 500 companies as well as many higher educational venues (Drew, 2009; Manning, Pogson, and Morrison, 2009).

The use of multi-rater performance appraisals can provide organizations with the ability to rate and observe various job facets involving employee performance that are not normally observed by supervisors or managers. Drew writes that the use of multi-rater appraisals follows the idea that “the people best suited to judge the performance of others are those who work most closely with them” (2009, p. 582). Obtaining multiple views of an employee’s performance by multiple sources can produce a more accurate picture of that employee’s strengths and weaknesses versus the observations of a single reviewer. However, such reviews are highly subjective in nature and can be highly influenced by the political climate within an organization as well as interpersonal affective influences. Such interpersonal effects were more strongly noted in upward ratings and peer ratings than in downward feedback; as well as being very vulnerable to gender stereotyping (Antonioni & Park, 2001; Manning, Pogson, & Morrison, 2009).

The use of community surveys is an alternate capability of the multi-rater system. Departments can utilize community surveys to ensure that they are meeting the needs of their primary customers, the citizens that they are sworn to protect. Furthermore, with the advent of community oriented policing departments can use outcome surveys to determine how effective programs are viewed by the community. Victims and those citizens who were in contact with officers can voice their concerns or opinions as to the perceived professionalism and competence of the officers that assisted them. Using such a tool can provide agencies with an alternate information base in which both an agencies capability as well as that of an individual officer's can be assessed (Lilley & Hinduja, 2006).

Research has shown that due to the highly subjective nature of multi-rater appraisals, such a system should primarily be used for personal and professional development. Carson (2006) does write that once multi-rater systems are imbedded within an agency and have been effectively utilized during developmental appraisals, the agency could transition into using such a system for evaluative appraisals.

The effectiveness of a multi-rater appraisal system is dependant upon how carefully the agency planned the implementation and follow-up of such a system. The agency must set clear goals and measurement tools that connect directly with the goals and mission of the agency as well as customizing the feedback tools supervisors will use to integrate the multiple evaluative measures received from each rater (Carson, 2006; Drew, 2009).

The multi-rater process is a robust system, where each rater's input must be carefully analyzed and placed within the rating document. Such a system requires adequate training for each rater to ensure that they are aware of the political and interpersonal aspects that can affect how they rate an employee, thus maintaining as much objectivity in their ratings as possible

(Antonioni & Park, 2001). Supervisors who collect the rating data and prepare the rating document must be trained to interpret the data to weed out the incongruous information as well as being given the necessary tools to allow them to give constructive feedback to the ratee. Supervisors must also ensure that confidentiality is maintained throughout the process to prevent mistrust or anxiety. Finally the employee who is being rated must be trained to understand the reasoning for such a system and how to effectively interpret and use the feedback provided to enhance their self awareness and affect a positive change (Carson, 2006; Manning, Pogson, & Morrison, 2009).

Evaluative and Developmental Appraisals

The two primary uses for performance appraisals are evaluative, which is alternately referred to as a controlling use and developmental. Evaluative performance appraisals evaluate an individual's performance against a set standard, other organizational members, or the individual's previous performance. Evaluation appraisals are commonly used to determine salary and/or bonus determination, promotion or termination decisions, and the identification and recognition of good or bad performance (Boswell & Boudreau, 2002). Coutts and Schneider (2003) propose that an effective performance appraisal system should be able to clarify performance standards and expectations as well as providing supervisors and employees a capability to assess and set future performance/individual goals.

Developmental appraisals focus on determining an employee's strengths or weaknesses, setting career and work goals and identifying training needs (Boswell & Boudreau, 2002). Coutts and Schneider (2003) state that "one of the critical objectives of performance appraisal is to provide feedback to foster employee growth and development" (2003, p 68). Utilizing this thought process performance appraisal systems should evaluate what an employee has already

accomplished, but also must guide an employee's future development, ensure that employee's strengths are being used wisely and address any skill deficiencies. A performance appraisal system should incorporate a succession planning program for the department's future employee progression capability as well as assist each employee with their own career self management thus ensuring a progressive renewal of vacancies and providing employees with a sense of self worth by the organization (Coutts & Schneider, 2003).

Boswell and Boudreau (2000 & 2002) suggest that organizations should separate evaluative appraisals from developmental appraisals as well as having different supervisors to review either the evaluative or developmental appraisal with an employee. The authors believe that by separating the two appraisal processes supervisors can focus on either the evaluative process which can be more negativistic in nature or the developmental process which are viewed more positively by employees. Furthermore, the authors looked at removing the evaluative appraisal process from the direct supervisor in an attempt to prevent political motives from interfering with accurate employee evaluation as well as reducing negative feelings towards a direct supervisor due to negative feedback. The direct supervisor would focus on an employee's developmental capabilities. Boswell and Boudreau's (2002) research failed to show a significant difference in employee attitudes by splitting supervisor's appraisal requirements.

Boswell and Boudreau's (2002) suggestion regarding having a supervisor once removed to provide the evaluation appraisal for an employee seems to contravene the basic supervisory principles that the supervisor is the primary evaluator for an employee and would be the most knowledgeable person to perform an evaluation (Van Meter, 2001). The immediate supervisor can provide a supportive environment for their employees through unbiased accurate evaluations that allow an employee to interact with the supervisor during the evaluative process as well as

ensuring that the employee's career development needs are being met (Dorfman, Stephan, & Loveland, 1986). Such actions can be accomplished as long as the supervisor is trained in the appraisal process and can ensure that they focus on both the evaluative process as well as the developmental process (Coutts & Schneider, 2003).

Dorfman, Stephan, and Loveland (1986) unlike Boswell and Boudreau (2000, 2002) do not believe that the evaluative (administrative) and development functions of the appraisal process could truly be separated. Their research showed that appraisal interviews encompassed both evaluative (administrative) and development capabilities. It would be difficult at best to truly divest the evaluative and development functions since identifying an employee's professional weaknesses and attempting to set a pattern of goals and training requirements to assist the employee in increasing their job knowledge and capabilities transcends both evaluative and developmental realms. However, supervisors can emphasize the evaluative and developmental functions at different times throughout the year to separate as best the negative aspect of evaluations from the more positive aspect of employee development (Dorfman, Stephan, & Loveland, 1986). Supervisors must also understand the need and requirements of evaluative and developmental functions so they can maintain a perspective of the need to emphasize the developmental aspect within the performance appraisal process since such aspects have a direct impact on "turnover, absenteeism, and organizational performance" (Boswell & Boudreau, 2000, p. 295).

SECTION IV. RECOMMENDATIONS AND CONCLUSIONS

The research for this paper shows the need for effective performance appraisal systems within law enforcement agencies as well as the deficits that smaller law enforcement agencies have while incorporating such systems. Such performance appraisal systems must be clearly thought out, require full buy in from the Chief of Police on down to the lowliest crossing guard as well as ensuring that the system is constantly reviewed to ensure viability and accountability.

Recommendations

Implementing a personnel evaluation system within any organization must not be taken lightly. First of all, the goal of such an endeavor is to create a “system” that will formally evaluate all employees’ performance behaviors as well as assisting in the development of their careers in law enforcement and within their respective agencies. Supervisors must constantly evaluate their employees throughout their work shifts and provide feedback whenever necessary, whether such feedback is positive or negative in nature (Boswell & Boudreau, 2002; Van Meter, 2001).

Supervisors must address any deficiencies that they may observe in their employee’s performance and accomplish corrective action immediately, whether such action is disciplinary in nature or necessitates additional training to correct the deficiency. Furthermore, such corrective actions as well as the deficiencies that were noted must be documented to maintain a record that can be utilized in any future disciplinary measures should such actions become necessary (“Building Trust”, 2007). Thus any negative comments on an evaluative document should not come as a surprise to an employee during their performance evaluation. Also, due to such consistent supervision measures the rater should not have to dwell on the negative aspects

of an employee since they have already been addressed, but should motivate the employee in addressing positive goals for future performance (Coutts & Schneider, 2003).

Process Development

The main factor that any agency can control when developing a performance evaluation system is to take their time during the development phase and determine the right process for their agency particularly since such processes are not adequate for all agencies (Brown & Benson, 2008). Management must ensure that all the agency's stakeholders understand the reasons behind the evaluation system and have had an opportunity to provide feedback regarding the process. Smaller law enforcement agencies have an advantage during this stage of developing a program since due to the smaller size of the organization, such information process can be accomplished much quicker than with a larger agency. This will allow all personnel within the agency to have true ownership of the entire process (Jackson, 2005). Furthermore, the entire process must remain flexible and must be periodically reviewed to ensure that necessary updates are incorporated and to ensure the process is meeting the requirements that the organization detailed at the inception of the evaluation system (Jackson, 2010).

Agencies that failed to obtain supervisory and officer feedback about the goals and necessary capabilities of a performance appraisal process during the creation of the agencies performance appraisal system face the dilemma of a lack of support by the supervisors and employees who are a necessary part of the process (Kim, 2002). Brown, Hyatt, & Benson (2008) found that without adequate focus by management and supervision on the whole personnel evaluation process, objective analysis of an officer's performance may be compromised which can cause both the supervisor and officer to view the evaluation process with "fear and loathing"

(p. 378). Having a smaller agency can again be an advantage during the review and update process since there are fewer officers and personnel to contact.

The agency must determine and establish clearly defined performance indicators (Jackson, 2010). To do this, the organization must determine the day to day tasks that officers perform as well as incorporating the different job descriptions within the organization and how the organization wants the officers to accomplish the assigned tasks in a safe, professional and complete manner (Toussant, 2005). Smaller law enforcement agencies may have a more difficult time accomplishing this type of task since officers within smaller agencies may have more varied collateral duties than those from a larger agency and this would require multiple job descriptions between officers. Management should also query the officers themselves to determine how they perceive their tasks should be accomplished and meld the competencies provided by management and officers into a uniform and consistent product (Kim, 2002; Dulebohn & Ferris, 1999). By obtaining officer's opinions and feedback while creating performance indicators, management can ensure an accurate data set and realistic goals are obtained as well as providing ownership of the process to all employees (Jackson, 2010). The smaller agencies will be able to accomplish such feedback requirements in a shorter period of time as well as having the capability of accomplishing face to face discussions of any problem areas, where as a larger agency may take a longer period of time and not have the luxury of personal contact while obtaining information through written product.

The type of forms that an agency uses is not as important as the process the agency incorporates within the evaluation system (Brown, Hyatt, & Benson, 2008). To enhance the evaluation process, agencies should separate the developmental evaluative process from the performance evaluative process, since the two processes can be at odds with each other and often

will cause a conflict for both the employee and supervisor (Boswell & Boudreau, 2000). During their study, Boswell and Boudreau determined that employees consistently showed a positive association towards perceived developmental appraisal use and maintained negative associations bordering on fear, regarding performance appraisals. Such separation can be difficult, but could simply be accomplished by ensuring that supervisors know the differences between the two evaluation processes and review an employee's performance goals separately from their career aspirations. By separating the two types of appraisals, supervisors can focus on the requirements of each process without mixing data sets between the two processes. Supervisors within smaller agencies have the unique capability of being able to know their officers abilities, needs and goals more so than those from larger agencies due to the smaller number of employees within their zone of control.

During the evaluation process, supervisors should provide their officers with the opportunity to offer a self evaluation. In this way the officer is able to provide the supervisor with information on what contributions they have made towards the goals of the organization and how they have met any goals that the supervisor and officer have laid out during their last evaluation (Toussant, 2005). Dulebohn and Ferris (1999) state that when supervisors allow officer feedback during the evaluation process, they allow the officers to "give voice" (p. 11) and provides the officer with a sense of fairness throughout the process. Such feedback between an employee and their supervisor can also create a useful dialogue between both parties. This dialogue can assist the supervisor in highlighting any misconceptions the employee has regarding the goals of the organization and their perceived – internalized goals (Kline & Sulsky, 2009). This process can easily be accomplished within smaller law enforcement agencies due to the compressed nature of resourcing.

The performance evaluation system should have a procedure to address those times when an employee believes that the evaluation they received is either unfair or simply wrong in its assessment of their performance. This would allow the employee to discuss any discrepancies with the next higher supervisor or manager in their chain of command. The procedure regarding such interaction can provide an aggrieved employee with the idea that the organization is fair and can reflect favorably on future interactions with the employee and their supervisor (Toussant, 2005).

The performance evaluation process should also utilize multiple raters, when possible. Lilley and Hinduja (2006) have determined that those organizations that use multiple raters during their evaluation process, increased the validity of their data sets and subsequently lowered the potential for poorly developed evaluations due to rater bias, officer influencing tactics and the inability of one supervisor to view an officer particularly when an officer works under more than one supervisor. This can further act as a reality check of the primary rater's observations and rating measures by a manager, to ensure consistency within the appraisal process. Smaller agencies could benefit from using such a system when there are a limited number of supervisors and when officers rotate throughout different shifts, thus falling under the purview of a different supervisor during the different shifts. Of course such a system would not be realistic in the case of a very small agency that has little to no supervision present during shifts. Furthermore, those agencies that utilize community oriented policing programming can use community feedback surveys to further garner data about the perceived effectiveness of those officers who work within their community on projects and not just within the traditional policing roles (Lilley & Hinduja, 2006).

Training

Once the process is determined, the most important requirement any agency can accomplish to enhance the capability of any performance evaluation process is training (McDowall & Mabey, 2007). Supervisors must be good communicators as well as knowledgeable in the types of rater bias and employee influence tactics that can sway the supervisor from objectively and fairly rating their employees (Dulebohn & Ferris, 1999; Selvarajan & Sardesai, 2010). Supportive supervisors who encourage employees to voice their concerns as well as provide adequate feedback throughout the evaluation process truly allow their employees to be a part of the process and not allow them to feel like a cog in the wheel of the organization at large (Kim, 2002).

All employees should be trained in the importance of the personnel evaluation system that the agency is using, as well as the significance of the rater's findings. Small law enforcement agencies have an advantage over larger agencies since there are fewer officers to train and thus such training could be accomplished in a smaller time frame. Furthermore, supervisors and managers within smaller agencies should have a firmer grasp of the political difficulties that their agency has within their organization as well as a more intimate grasp of their employee's needs, deficiencies, strengths, goals as well as individual influencing tactics they may use. Such training can provide ratee's with the necessary understanding of why the process is necessary as well as helping them to utilize the information provided within their evaluation to grow as an employee, as well as become motivated enough to improve their rated deficiencies (Coutts & Schneider, 2003).

The ability of an agency's performance appraisal system to function properly hinges on the ability of a supervisor to have confidence in the performance appraisal process and

adequately communicating with the employee throughout the appraisal process (Kim, 2002). The inability for an adequate two way communications capability between the supervisor and employee can cause the supervisor to fail to obtain vital information regarding an employee's behavioral capability. Such communications difficulties can also lead an employee to feel slighted and believe that the entire evaluation process is unfair or unjust. Within a smaller agency such failures in communications can appear aggravated due to the nature of the agencies compressed resourcing. This aggravated appearance could lead to a lack of confidence towards a supervisor, manager or the entire organization and can result in the employee becoming disgruntled or even leaving the organization. (Dulebohn & Ferris, 1999; Kim, 2002; Selvarajan & Sardesai, 2010).

Inadequately trained supervisors or those supervisors who are using an evaluation system with inadequate rating criteria may rate their high performing officers more accurately than their low performing officers (Jackson, 2005; Selvarajan & Sardesai, 2010). Furthermore, poorly managed performance systems may allow supervisors to explain away poor behavior by those officers that the supervisor likes or game the system by raising or lowering performance criteria for officers based on political management agendas (Jackson, 2005; Selvarajan & Sardesai, 2010). Smaller agencies do not have the luxury of maintaining an officer that is not able to function at the level of professionalism and competency that the organization and community requires. Because smaller agencies have fewer officers to field, they are not able to push a non-compliant officer into a "safe" position where they are out of the public's eye. Such officers must be dealt with appropriately and must be evaluated accurately by their supervisors to ensure compliance. Such supervisors may also be swayed by influence tactics that their officers may use during a performance evaluation and throughout their normal work shifts in an attempt

to minimize a poor rating or present themselves as better performers in the eyes of their supervisor (Dulebohn & Ferris, 1999).

Conclusion

There is a definitive need for law enforcement agencies to utilize performance appraisal systems. However, agencies must carefully evaluate what their goals and requirements are for such a system and obtain input from all employees within the organization to ensure that a quality system is created (Brown & Benson, 2008; Jackson, 2010; Kim, 2002).

Law enforcement agencies must ensure that everyone within the organization are aware of the goals and requirements of the performance evaluation system and must believe the system is fair for the system to function properly (Dulebohn & Ferris, 1999). Agencies must ensure their supervisory personnel are well trained to allow for an adequate communications process to occur between the supervisor and officers as well as having an adequate knowledge base to prevent bias and influencing tactics do not affect their accomplishing a fair appraisal of their officers (Dulebohn & Ferris, 1999; Kim, 2002).

When agencies create a fair, accurate and up to date performance evaluation system, they have enhanced their capability to mentor their employees, provide the public they serve with adequate feedback regarding performance measures and develop their employees to provide the required job performance capability that agency goals require (Jackson, 2010). Such requirements for an effective evaluation system must not be taken lightly since law enforcement officers unlike most service providers enforce the laws of the jurisdiction they work for, provide service capabilities to people who pay for such resources through tax dollars and above all are able to take away a citizen's freedom and ultimately use deadly force to affect compliance.

There is a definite need for further research involving performance evaluation systems within law enforcement organizations as a whole and particularly with smaller law enforcement agencies, since such agencies represent the majority throughout the nation. Such research must concentrate on the nature of political and organizational differences between larger and smaller law enforcement agencies. Research also should be accomplished that views the entire evaluative process as a whole, from day to day supervision, through the evaluative and developmental process and determine the proper weight between discipline, agency requirements and justice mechanisms to ensure such processes are adequate and accepted by the entire organization. As this paper has shown researchers have reviewed the multiple aspects of the evaluative process, however such research has only reviewed a few of the particular evaluative aspects and not as a whole to determine if the whole process is functional and useable. Smaller agencies are unique microcosms that present their own challenges. Researchers need to focus on these challenges to assist the smaller agency's chief executive officer in melding an evaluative system that is functional and viable.

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